

Walsall Site Allocation Document

Pre-Submission Modifications Plan

Showing modifications agreed post-publication

Pre-Submission Consultation Stage

November 2016

Following consultation between March and May 2016 on the “Publication” draft plan, the Council has proposed a number of modifications. These seek to address issues raised during the consultation as well as to update factual information and to correct errors and omission. We are now seeking views on these modifications. Subject to the outcome of this consultation, the Council will invite the inspector to consider these modifications when the plan is submitted for examination. This “Pre-Submission Plan” is therefore intended to be the same as the final version of the document that we hope to adopt following the examination.

Most of the modifications were agreed by the Council’s Cabinet on 27th July 2016, and are contained in Appendix B to the Cabinet report. We have since proposed further changes, mainly to address editorial issues and other factual matters. These include re-writing the descriptions of some of the modifications for clarity.

The modifications (both those agreed by Cabinet and those made subsequently) have been divided into the following categories:

- Modifications to policies that change the meaning of the policies (“main modifications”),
- Modifications to the policy justification or other text (“other modifications”),
- Minor changes to correct or update factual and typing errors that do not affect the meaning of the policies, and changes to the numbering of sections, tables and maps.
- Changes to the Polices Map or other maps in the document (these can be either “main modifications”, “other modifications” or minor changes).

To help understand the effects of the modifications, we have produced this “track changes” version of the plan to show how they relate to the “Publication” plan. The text is identical to the “Publication” plan except that we have written new text in blue and struck through deleted text. “Main Modifications” and “Other Modifications” have been given a number in a blue box in the form **MMSADxx** or **OMSADxx** as appropriate. The text of “Main Modifications” is also highlighted in yellow.

Maps in the document that have been amended or added are indicated with a **red title**. Superseded maps are marked as superseded and coloured sepia. Minor changes are not numbered but are all still shown in this document.

A full list of the “main” and “other” modifications, and changes to the maps, is contained in a separate Schedule of Modifications. This is based on Appendix B to the Cabinet report. It should be noted that the numbering system for modifications has changed since the Cabinet report, to distinguish between the “main” and “minor” modifications.

There remain a small number of outstanding issues that will need to be addressed before the plan can be submitted for examination or adopted. Some of the text in the adopted plan will also be different to reflect the factual situation at the time of adoption, in particular the Introduction. We have highlighted these issues in **red text**.

Tell us what you think

We want to hear people’s views.

You can make a representation to the SAD Publication in the following ways:

- filling in the questionnaire, either in paper form or online – go to www.walsall.gov.uk/planning_2026
- send an email to planningpolicy@walsall.gov.uk
- write to us at Walsall Council Planning Policy Team, Walsall Council, Darwall Street, Walsall WS1 1DG

Please note that you need to submit your representation in writing. When making your representation, please make reference to the relevant site(s) or policy(ies). Please also tell us the reasons why you are making your representation and provide evidence to support your view, and suggest appropriate changes to the wording of the policies and or to the allocation of any particular site(s). Providing suggestions for changes to the plan will make your comments more effective.

At this stage we are only able to accept representations about the proposed modifications. It is not possible to make new representations about any other matter that was either in or omitted from the Publication Draft Plan. However, if you consider that the modifications we are proposing will address your previous representation, and you no longer wish for your representation to be carried forward, please let us know. Your representations should describe how you think the modifications affect whether the Plan is “sound”, as we explain in the Introduction below.

Please submit any representations during the consultation period between **Monday 7th November and Monday 19th December 2016**. Comments received after this might not be taken into account.

We will keep all respondents notified about the rest of the process and how they can take their representations forward. Unless you tell us otherwise, we may share your details with other local authorities in the area to keep you informed about future local

planning documents that are being prepared. If you have any questions you can ring us on 01922 658020.

SUMMARY to be altered in the adopted version

What is the purpose of the Site Allocation Document?

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

This **Pre-Submission** ~~Publication~~ Plan is the final version of the Document that we intend (subject to approval by the Council) to submit for examination by an inspector appointed by the Secretary of State. It incorporates change made since the “Preferred Options” and “**Publication**” versions and is intended to address the representations made by the public, statutory bodies and other organisations in response to the consultations that took place in Autumn 2015 and Spring 2016.

Alongside this **written document**, ~~“Publication Plan”~~, we have produced a “Policies Map”. You can view the **document, Map** ~~“Publication Plan”~~ and other background information, including details of the sites we have considered and the matters we have taken into account in producing this Plan.

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

How is the Site Allocation Document produced?

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

This Publication Plan is the third stage in the production of the SAD:



Where can I find more information?

Visit our web site at www.walsall.gov.uk/planning_2026

Email planningpolicy@walsall.gov.uk , phone (01922) 658020, textphone 01922 654000 or

Visit the First Stop Shop in the Civic Centre and ask for the Planning Policy Team

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

Page numbers to be confirmed in final document: in this “track changes” version, the page numbers shown may not be correct

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1 Introduction

This introduction is unchanged (except for minor corrections) from the Publication Draft Plan. A revised version that omits the references to previous consultations and the examination process will be inserted when the document is adopted.

1.1 What is the Site Allocation Document?

The Site Allocation Document (SAD) is part of Walsall's Local Plan. It does the following things:

- It allocates sites for homes, jobs, shops, and other uses.
- It protects land to meet the current and future needs of Walsall,
- It protects and improves the environment

The SAD will implement the Black Country Core Strategy (BCCS), which came into force in 2011.

The SAD is made up of two parts.

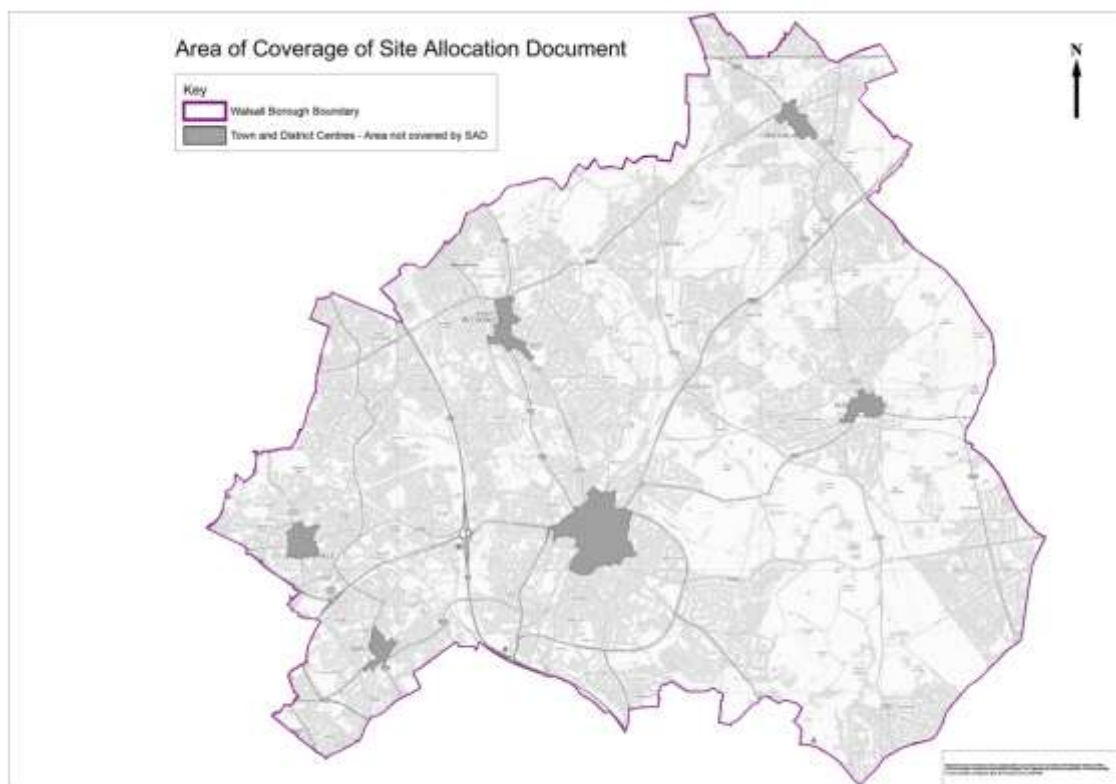
The first part, set out in this document, provides detailed policies. In most cases these policies allocate land for development or designate land for protection where necessary. However, the SAD also includes some policies that, although they do not directly allocate land themselves, have important effects on the land allocations and designations that are being put forward.

The second part of the SAD is a Policies Map showing the allocations and designations set out in this document.

The SAD is primarily a land allocation document and not a development management plan.

Other parts of Walsall's Local Plan – the BCCS and the Unitary Development Plan (UDP) - contain policies that need to be considered alongside the SAD. The 'saved' policies in the UDP are mainly to do with development management, as well as covering the District Centres. There are also Supplementary Planning Documents (SPD) that expand on the policies about various issues – for example affordable housing.

The SAD covers the whole of the borough except Walsall Town Centre and the District Centres of Aldridge, Brownhills, Bloxwich, Willenhall and Darlaston. Walsall Town Centre is being covered by an Area Action Plan. This is being produced in parallel with the SAD. Walsall's UDP will continue to cover the District Centres until plans are produced for them in the future.



Map 1.1: Area Proposed for Coverage by SAD

We are also producing a Community Infrastructure Levy (CIL) Draft Charging Schedule. CIL is a mechanism for raising funds to pay for infrastructure which involves a levy charged on new buildings. The Town Centre AAP and CIL Charging Schedule are not part of the SAD, but they will form part of the Local Plan when adopted. The CIL document and Walsall Town Centre AAP documents can both be found on our website: www.walsall.gov.uk/planning_2026

1.2 Previous consultations on the SAD

The Preparation of the SAD has involved several stages. In 2013 we consulted on the Issues and Options. This set out the issues we thought the SAD would need to address, and possible approaches to addressing those issues. The work drew on a range of different sites that the Council and other parties, including landowners and developers, thought might be suitable for development. Representations on the Issues and Options helped to shape the next stage of the plan.

Preferred Options (PO) were published in September 2015. The PO consultation lasted until November 2015. The PO showed the sites that we thought ought to be allocated for development, as well as assets that ought to be protected. It also showed constraints that prevent or limit development in particular locations, including those highlighted at the Issues and Options stage, and others identified since then. At the Preferred Options stage we received a large number of representations from

members of the public, statutory bodies and other organisations. We have carefully considered these representations in the preparing the SAD Publication Plan.

1.32 The SAD Publication Plan

This Publication Plan is the final draft of the document to show the version that we intend to submit to the Secretary of State and hope to adopt. Therefore, unlike the PO, it does not include details on why we have decided to allocate particular sites and omitted others. This information is however provided in other supporting documents. We have tried to accommodate the responses to the PO consultation as much as possible in this latest version of the Plan. You can view all the documents, including the consultation responses and how the Council have addressed these, on our web site at: www.walsall.gov.uk/planning_2026.

1.43 How the SAD relates to other planning documents

Walsall's Local Plan is currently composed of two elements¹:

- 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.

The role of the SAD is provide policies relating to the allocation of land for development, and the designation of sites that are to be protected, based on the BCCS. In doing this the SAD will take account of the strategy of the BCCS, its targets for amounts of development (for example, the number of new homes) and the BCCS policies for different types of development.

The ~~SAD~~ Policies Map that accompanies this document will update and replace Walsall's ~~the~~ UDP Proposals Map. As the SAD will take the place of some UDP policies, we propose to delete some current UDP policies following the adoption of the SAD. But there will still be a need for some UDP polices dealing with development management issues, (for example bad neighbour uses or water resources), as well as to retain the policies for the District Centres, which are not covered by the SAD. This means that some saved UDP policies will continue to

¹ The Black Country Core Strategy can be found at: www.walsall.gov.uk/ldf_core_strategy.htm and / or <http://blackcountrycorestrategy.dudley.gov.uk/>

Walsall's UDP, with annotations to identify the 'saved' policies, is at http://www.walsall.gov.uk/annotated_2011_udp_-_february_2011.pdf

exist alongside the BCCS and SAD for as long as necessary. The UDP policies for Walsall Town Centre will be replaced by the AAP that is being prepared in tandem with the SAD.

As referred to above, the council is preparing to implement CIL. It also has several SPDs on matters such as affordable housing, the natural environment, open space and design, which provide guidance on how Local Plan policies should be applied. In addition, work on the SAD has also considered the Local Development Order that grants planning permission for industrial development in the area around the Darlaston Enterprise Zone (see Map 4.1). Besides this the council also has to prepare other documents, such as its Local Development Scheme (setting out the programme for preparing planning documents), Statement of Community Involvement (how it will involve people in plan-making) and the Authority's Monitoring Report².

National Planning Policy has also to be taken into account. All local plan documents are supposed to be in conformity with the National Planning Policy Framework (NPPF) unless clearly justified by local circumstances.

Both the SAD and the BCCS cover the period to 2026. But the Black Country Councils are committed to a review of the BCCS starting in 2016. That review will have to consider the long-term strategy for the regeneration of the Black Country. This will include consideration 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.

1.54 How the SAD Publication Plan is set out

Most of this document is made up of separate chapters, each of which addresses a main land use (housing or industry for example). The chapters include policies and where relevant, lists of allocated sites (both shown in coloured boxes), as well as supporting text. Where the policies refer to specific sites or areas, the locations and boundaries are shown on the Policies Map. The plan also refers to the key evidence used to form the policy, and includes an overview of how the policy will be delivered and a monitoring indicator for reviewing how well the plan is working.

The policies relate in most cases to land allocations and describe the types of development that we will expect to take place on these sites. They also indicate the site specific considerations that will need to be taken into account when developing either these sites or proposals for similar uses elsewhere. As this is not a development management document the plan references a number of policies from other parts of Walsall's Local Plan (i.e. the BCCS and UDP saved policies) that will

² Links to the various documents can be found via www.walsall.gov.uk/planning_policy.htm

need to be considered when proposals come forward. Details of this approach are provided in Chapter 2 of this document.

Chapter 2 also provides objectives for the SAD and shows how the BCCS strategy of 'regeneration corridors' can be related to allocations and designations.

1.65 Supporting documents

The Council has been working on a large amount of evidence to justify and explain the SAD.

Firstly, the **Sustainability Appraisal (SA)** process is running in parallel with the preparation of the SAD. The SA is a method of identifying potentially significant environmental, social and economic effects of the emerging proposals in the plan, including alternative options under consideration, so that harmful effects can be identified early on, and addressed where feasible. The SA has included an evaluation of the sustainability of the SAD Objectives, an appraisal of the Options for the SAD, and an appraisal of the Draft SAD policies and proposals. The SA has included equality and health impact assessments, and it needs to reflect the requirements of EU legislation relating to Strategic Environmental Assessment (SEA). The results of the SA process are summarised in a separate SA Report, and accompanying technical documents that should be read alongside the SAD.

Secondly, before the plan is formally adopted, the Council is required to undertake a formal assessment of the SAD investigating how it might affect the designated interest features of European Sites. **Habitats Regulations Assessment (HRA)** is a term used to encompass all stages of the assessment.

Two Special Areas of Conservation are potentially at issue in respect of the SAD, Cannock Chase (in Cannock Chase District) (see Map 7.2) and the Cannock Extension Canal (crossing the boundary between Cannock Chase District and Walsall – see Map 7.1)³. In the latter case - in simple terms- it has been found through previous work that any significant effect should be avoided provided there is no adverse impact on water supply, water quality and boating use in the canal. In respect of Cannock Chase, however, the in-combination effects associated with increased recreational pressure as a result of new housing development could not be screened out when the BCCS was prepared. Subsequently this effect was considered in more detail as part of an Appropriate Assessment (AA) involving a number of local planning authorities with the aim of providing an agreed basis for a strategic mitigation approach. Walsall Council has concerns regarding the interpretation of the evidence, on which the approach is based, the implications for

³ The Humber Estuary SAC/SPA/Ramsar was also considered as part of the BCCS HRA. However, since then no further technical work or correspondence has identified a need to develop a package of measures to mitigate any effects resulting from activities in Walsall.

development in Walsall and the reliance on the approach as the sole option for the purposes of SEA⁴. The Council has sought technical and legal advice and this is reflected in a HRA screening report prepared by the council.

Thirdly, a wide range of background documents have been prepared for or taken into account in the production of the documents. These include reports prepared and/ or commissioned at previous stages and updated as necessary. There is also a list of sites put forward at Issues and Options stage that we have chosen not to allocate for particular uses, the reasons for us rejecting these sites and our response to representations received.

Fourthly we published a **Delivery & Infrastructure Plan** to accompany the PO in September 2015. We will update this in Spring 2016.

All the documents for the SAD, AAP and CIL can be viewed on the Evidence Page of our web site at www.walsall.gov.uk/planning_policy, which includes an evidence page, as well as pages with the consultation documents.

1.76 ~~Tell us what you think~~ See above for details of how to comment on the proposed modifications

~~We want to hear people's views.~~

~~You can make a representation to the SAD Publication in the following ways:~~

- ~~• filling in the questionnaire, either in paper form or online — go to www.walsall.gov.uk/planning_2026~~
- ~~• send an email to planningpolicy@walsall.gov.uk~~
- ~~• write to us at Walsall Council Planning Policy Team, Walsall Council, Darwall Street, Walsall WS1 1DG~~

~~Please note that you need to submit your representation in writing. When making your representation, please make reference to the relevant site(s) or policy(ies). Please also tell us the reasons why you are making your representation and provide evidence to support your view, and suggest appropriate changes to the wording of the policies and or to the allocation of any particular site(s). Providing suggestions for changes to the plan will make your comments more effective.~~

~~If you have made a representation previously at the Preferred Options stage and you feel that the Publication Draft SAD has not met this representation, please let us know in writing that you wish to maintain your representation. If you think the points made in a previous representation have now been satisfied then please let us know~~

⁴ Ashdown Forest Economic Development Llp and (1) Wealden District Council(2) South Downs National Park Authority [2015] EWCA Civ 681:
<http://www.bailii.org/ew/cases/EWCA/Civ/2015/681.html>

~~in writing that you withdraw your representation. You will still be kept informed of the process.~~

~~Please submit any representations during the consultation period between **Monday 7th March and Tuesday 3rd May 2016**. Comments received after this might not be taken into account.~~

~~We will keep all respondents notified about the rest of the process and how they can take their representations forward. If you have any questions you can ring us on 01922 658020.~~

1.87 Testing the Plan

When the SAD is examined the Inspector's role will be to assess whether the plan has been prepared in accordance with legal and procedural requirements and whether it is 'sound' – namely that it is:

- **Positively prepared** – the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;
- **Justified** – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;
- **Effective** – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and
- **Consistent with national policy** – the plan should enable the delivery of sustainable development in accordance with the policies in national policy.

It would be helpful if individual representations made about this Publication version of the SAD are framed around these points. The role of the SAD in delivering the BCCS should also be borne in mind.

1.98 What happens next

After the consultation period we will take account of all of the representations we receive. If we need to make any changes as a result of the representations, or to make any updates because of changing circumstances, we will propose modifications to the Plan. These modifications might be in the form of a schedule of Proposed Modifications or a revised version of the Plan. They will be the subject of further consultation.

When we think that the consultations have been completed we will submit the plan to a full meeting of the Council. A Council resolution will be required for the SAD and supporting documents (including details of the representations received) to be

submitted to the Secretary of State for Communities and Local Government. The Planning Inspectorate will then arrange for the plan to be scrutinised through an Examination in Public. Everyone who has expressed an interest in the plan, including by making a representation about it, will be notified of the submission to the Secretary of State and, following this, of arrangements for the Examination.

Where the Inspector feels that discussion and debate will be required, the Examination process could involve a set of hearings. In this case s/he will invite some people or organisations that have made representations for a round table discussion with the Council.

Following the Examination the Inspector can recommend 'main modifications' if these would be needed to make the SAD sound and / or legally compliant. The council would be required to consult on such modifications. The Inspector would consider any representations received before making a report about whether the Plan is sound.

The council hopes to be able to adopt the SAD before the end of 2016.

2 Objectives, Regeneration Corridors and Issues

2.1 Objectives for the Site Allocation Document

The key role of the SAD in allocating and designating sites to deliver the strategy of the Black Country means that BCCS should be consistent with the BCCS.

The BCCS sets out a vision, sustainability principles, and spatial objectives⁵. These put forward the following.

- a) Directions for change based on sustainable communities, environmental transformation and economic prosperity.
- b) The addressing of sustainability challenges in terms of climate change, sustainable development, social inclusion, 'brownfield first' and a comprehensive approach to development.
- c) Objectives in respect of four strategic centres across the Black Country (including Walsall Town Centre, which is the subject of the AAP prepared alongside the SAD), the provision of employment land to attract and retain investment, new housing developments and improvements to existing areas, a vibrant network of centres, a high quality transport network, a sustainable network of community services, sufficient waste management facilities and safeguarding and sustainable use of mineral resources.

The spatial strategy of the BCCS is based upon urban regeneration with a 'Growth Network' seeking to focus large-scale change and development into the strategic centres (Walsall, Brierley Hill, West Bromwich and Wolverhampton) and 'Regeneration Corridors' along major routes, although development is also supported elsewhere in the urban area. The spatial strategy is shown on a Key Diagram in the BCCS, and Appendix 2 of that plan set out proposals for the Growth Network on an "*indicative*" basis. This is to illustrate how the strategic objectives of the BCCS might be delivered, and the BCCS does not define the precise boundaries of the Regeneration Corridors and does not allocate specific sites.

Now, in seeking to allocate and designate sites, besides being consistent with the BCCS, the SAD will also have to update and / or reflect relevant saved policies of Walsall's UDP. In this context and as the SAD will provide more detailed policies than the BCCS, the Council has considered it important to define objectives for the SAD itself. These are to provide a local dimension to the delivery of the BCCS⁶.

The objectives for the SAD are as follows.

⁵ See Chapter 2 of the BCCS:

http://www.walsall.gov.uk/index/environment/planning/planning_policy/local_development_framework/ldf_core_strategy.htm

⁶ The SAD objectives are also considered to be consistent with the objectives that are being set for the Walsall Town Centre AAP.

- 1. To provide a regeneration strategy for Walsall that promotes sustainable growth within the existing urban areas whilst protecting the Green Belt from inappropriate development.**
- 2. To deliver sustainable communities through the development of new housing on vacant, derelict, and under-used land (including redundant employment land), as well as the regeneration of existing housing areas to provide a range of homes that meet the needs of all members of the community.**
- 3. To allocate high quality employment land in the best locations, allowing existing businesses to expand and attracting new businesses whilst retaining local quality employment land in long-term use to enable existing businesses to stay in Walsall.**
- 4. To encourage and direct investment of a suitable scale to Walsall's local centres meeting the needs of local communities.**
- 5. To provide a high quality environment across Walsall, and with links to surrounding areas, to enhance biodiversity and help to address climate change by defining integrated environmental networks, protecting the natural environment, promoting green infrastructure and improving access to areas of open space.**
- 6. To enhance the built environment through the conservation of heritage assets and the wider historic environment whilst promoting good design that addresses the character of the Walsall and helps provides safe and secure communities.**
- 7. To improve accessibility in Walsall through the delivery of a first class transport network proving convenient and inclusive links within the borough and to surrounding areas, as well as supporting sustainable development.**
- 8. To support and promote the provision of community services in accessible locations where they can serve all communities across Walsall.**
- 9 To safeguard permitted waste management facilities and identify opportunities for new waste treatment, transfer and disposal facilities in employment areas and in other suitable and accessible locations, where operations will not have unacceptable harmful effects on health, the environment, amenity, or infrastructure.**
- 10 To identify and safeguard mineral resources of local and national importance and mineral production and distribution infrastructure, and identify suitable sites and areas for production of secondary and recycled aggregates and mineral extraction, where operations will not have**

unacceptable harmful effects on health, the environment, amenity, or infrastructure.

2.2 The Regeneration Corridors

Policy RC1: The Regeneration Corridors **MMSAD1**

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

The BCCS expects that development will be focussed upon a Growth Network. In Walsall this comprises Walsall town centre (the subject of a separate AAP) and a number of Regeneration Corridors, which fall across large areas covered by the SAD. The BCCS does not define the precise boundaries of these corridors. The definition of corridor boundaries is not a topic-specific matter so does not fit into any of the chapters below. Rather, the Regeneration Corridors are relevant in providing a framework to consider development proposals for wide ranges of different uses.

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

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

Policy RC1 does not place any new policy requirement on development. Showing the precise boundaries of these corridors in the SAD will help us to monitor existing policies in the BCCS. We have therefore identified their potential boundaries on the Policies Map and on plan above. **It should be noted that the SAD does not cover Walsall Town Centre or the District Centres. However, policy RC1 will help to clarify which of policies CSP1 or CSP2, and other policies in the BCCS, will apply to**

development in the centres. Most of the district centres in Walsall are in a regeneration corridor. **MMSAD1**

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

2.2.1 Evidence

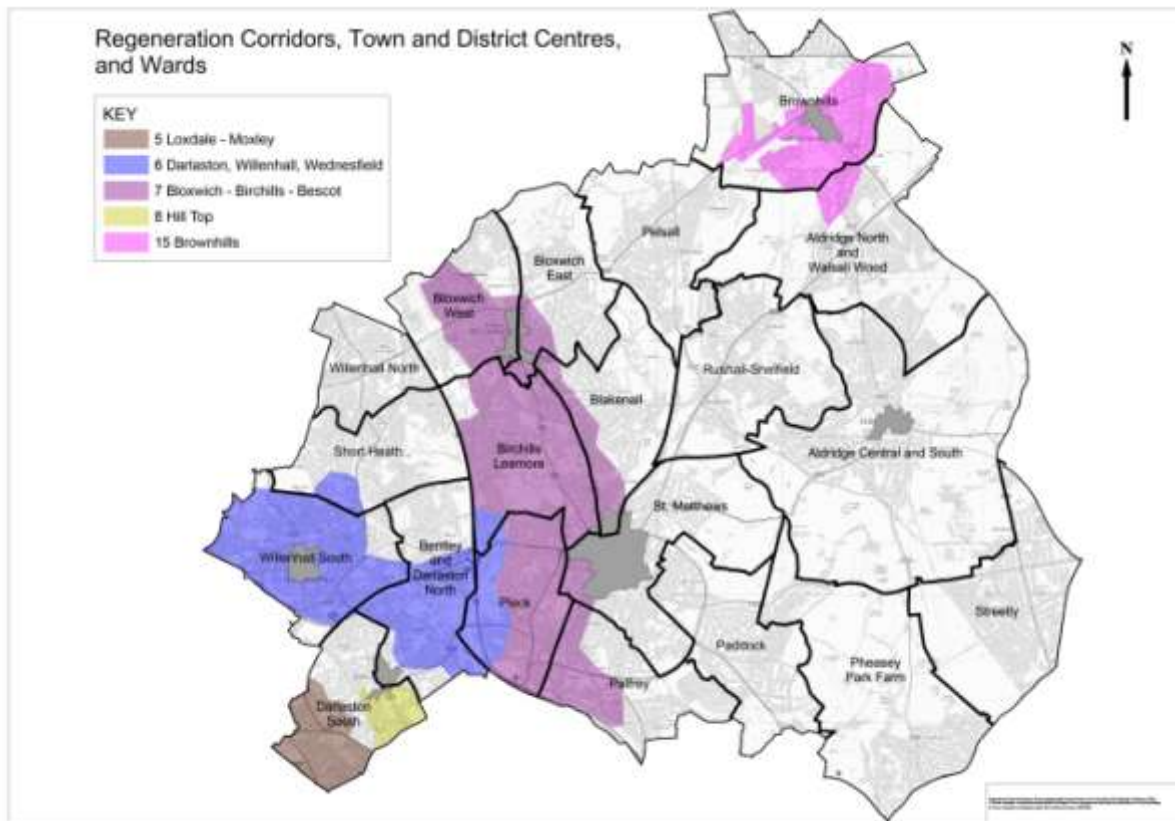
This policy uses available evidence about the locations of development sites. It is to help to provide evidence to assess the success of the regeneration strategy set out in the BCCS.

2.2.2 Delivery

See the policies under individual topics, especially ‘Homes for Our Communities’ (chapter 3), and ‘Providing for Industrial Jobs and Prosperity (chapter 4)’.

2.2.3 Monitoring

Monitoring of additional dwellings and employment land provision will include a breakdown of amounts of development within and outside corridors. See Chapters 3 and 4.



Map 2.1 Regeneration Corridors, Town and District Centres and Wards

2.3 Issues: Assets and Constraints

The policies in the following chapters of the SAD allocate or designate sites or relate to issues that will determine such allocations and designations. In most cases the policies describe the types of development / uses that we will expect to take place on particular sites. They also indicate the site specific considerations that will need to be taken into account when developing sites. Some of these considerations are detailed development management issues that are addressed by existing policies in other parts of Walsall's Local Plan (i.e. the BCCS and UDP saved policies), but which will need to be considered when proposals come forward.

The issues affecting site allocations and designations have been characterised in terms of 'assets' (that need to be protected) and 'constraints' (that need to be avoided or dealt with). Many sites contain, lie adjacent to, are affected by and/or could have an effect upon assets or constraints that might have implications for development.

In an area such as Walsall the issues can be complex. There will be lots of different inter-relationships between various aspects of past, present and proposed land uses and developments (for example between housing and industrial development) and the environment, and different issues will be raised by different types of development in different places and to varying degrees. Many detailed issues have been explored in the work and evidence for this plan. However, two broad types of assets and constraints can be identified, those that apply or might apply generally across large parts of the borough and those that can be identified in relation to specific sites.

2.3.1 General assets and constraints

General assets and constraints are likely to have to be considered in respect of many of the sites in the SAD. The implications will vary from place to place and for different types of development, and some aspects of these general issues have been considered as more specific assets and/or constraints.

- a) The first general constraint is caused by much of the Borough being identified as a **Coal High Risk Area** because of its mining heritage, with numerous mineshafts and underground workings. This is well understood and the planning process routinely requires a coal risk survey. A Map of the Coal High Risk Area is included in the Technical Appendices. Some parts of the borough have also been subject to underground mining for limestone, but this a site-specific constraint.
- b) The second general constraint is related to **contaminated and / or unstable land**, due to the Borough's historic reliance on manufacturing industry as well

as mining, though the incidence and severity of problems is variable. This means that site investigations might have to be considered for most brownfield sites (and some sites that might have been developed / tipped in the more distant past) to ascertain the extent of any problems and the measures needed to tackle them. Mapping of ground conditions is included in the Technical Appendices.

- c) **Special Areas of Conservation (SACs)** are protected sites designated under the European Commission Habitats Directive. The Cannock Extension Canal SAC (see Map 7.1) falls partly within Walsall is and development proposals in close proximity or that might affect water in the canal might need to undertake Habitats Regulations Assessment (HRA) screening to determine whether or not there are any likely significant adverse effects on the SAC. It is also necessary to consider whether there might be significant adverse effects of development projects and plans on SACs outside of the borough. The situation in respect of Cannock Chase SAC has been described in Chapter 1. The SAD is subject to the HRA process. This will assess whether there might potentially be significant adverse effects and recommend appropriate mitigation where deemed necessary and appropriate.
- d) **Access** is about the ability for vehicles to reach a site and whether transport, notably highway improvements might be needed to achieve this. This issue applies mostly to industry because of the need to provide access for heavy goods vehicles. The issue varies on a site by site basis. The SAD (and the BCCS) identify different categories of industrial land. Generally, high quality industry is the least constrained, while most Consider for Release sites have poor access. Access constraints are graded in the Employment Land Review Annex C⁷. Where a large scale new site access is required (for example at the Willenhall Sewage Works (IN333)) this is included in the site allocation.

There are also more generalised access issues as there are parts of the borough that are subject to wider access constraints, for example where they are distant from the Key Route network and industrial traffic has to pass through residential areas. For new housing developments, accessibility issues will be likely to influence the suitability of different sites and areas for different types of occupiers. Generally, and in accordance with the BCCS and UDP saved policies, all types of development should provide for accessibility by a choice of means of transport.

- e) Walsall is a complex area, with an intricate / fragmented pattern of development, densely urbanised in the west and centre of the borough and with areas of countryside in between fragmented settlements in the east.

⁷ This, and other evidence documents referred to in this section of the document can be found at www.walsall.gov.uk/local_development_framework/evidence.htm

Different land uses are often intermixed and, reflecting the borough's industrial nature, industry and housing are often in close proximity. In a general sense this is an asset, because the labour force is close, and helps attract investment to the Borough. However, industry and housing can cause problems for - and impose constraints on - each other if they are too close. Industry can generate noise, vibration and fumes that adversely affect housing. While high quality and potential high quality industrial land is for the most part located away from housing, much of the local quality industrial land lies close to housing, as do virtually all the 'Consider for Release' industrial sites (and this is a reason to justify their Consider for Release status), though again the effect is variable.

The relationship between different uses has been identified as a specific constraint (in Table 2.1 below) where the SAD is proposing to allocate sites for housing that are in proximity to industry. Further details of constraints to industry caused by adjoining uses are set out and graded in Annex C of the Employment Land Review.

MMSAD2

- f) **Water** issues encompass flooding and drainage and also water quality. The risk of flooding from watercourses is reasonably low in the borough but there can be localised issues as a result of the nature of the drainage system, blocked culverts and / or the relatively steep topography and highly urbanised nature of the borough. The Environment Agency has advised that the Council's technical information in relation to flood risk is appropriate for the purposes of this plan **although the EA's flood risk mapping should also be considered**⁸. On this basis, **where** sites **are** subject to flood risk, **these** are identified as site-specific constraints in the site **allocation** policies in the following chapters. However, flood risk can change over time as **circumstances change and** new technical information becomes available. Flood Risk Assessments (FRA) investigate flood risk in more detail, identifying what steps are necessary to make development acceptable, and not result in greater risk of flooding elsewhere. In some cases there might be scope for site specific Flood Risk Assessments (FRA) to refine the existing flood risk modelling further. **Future work, especially in respect of major developments, will be expected to take account of recently introduced climate change allowances requirements (see Policy EN3).**

⁸ Preparatory Work for Walsall Local Flood Risk Management Strategy, JBA (2013) http://cms.walsall.gov.uk/index/environment/planning/planning_policy/local_plans/evidence.htm , and see the Environment Agency website <https://www.gov.uk/government/organisations/environment-agency>

In relation to **water quality**, future development must have regard to the Water Framework Directive (WFD). The tool to deliver this locally is the Humber River Basin Management Plan as the rivers in Walsall ultimately flow into the Humber via the Trent. More information is provided in paragraph 7.4.1 of this document. Effects on the water environment can apply over large areas and/or distances.

OMSAD1

We have included the general constraints in Table 2.1 below, which also lists the 'specific' assets and constraints we have identified and BCCS and UDP saved policies that are likely to be relevant for development management purposes. We have not included infrastructure such as for the supply of water for sewerage, for gas and electricity and for communications. In some respects these are similar to transport infrastructure in that they can help support development in certain locations whilst they can also constrain specific sites. However, comprehensive information is not available and many of the issues are dealt with outside of the planning system.

2.3.2 Specific assets and constraints

Specific assets and constraints can be identified practically as likely to affect or be affected by specific sites. They can include a wide variety of issues such as air quality, canals, flood risk, the Green Belt, groundwater, heritage assets, limestone, minerals, nature conservation, noise and public rights of way. We have also considered the relationship between housing sites to be allocated through this plan and nearby industrial-type uses as a specific constraint. Different assets and constraints will apply, in different combinations, to different sites.

The specific assets and constraints that we consider need to be taken into account in relation to each site are set out in the site allocation and designation policies in the following chapters of the plan. This has been done on the basis of the information available, and relates to the allocations and designations proposed in this plan. Where an asset or constraint is not mentioned against a particular site, this does not necessarily mean that development of the site would not have to take that asset or constraint into account. The assets and constraints listed are only those that might affect whether a site should be allocated in the local plan for a particular use. There are other matters that might need to be taken into account in a planning application: some of these are referred to in the remaining "saved" policies of the UDP, such as protected trees and species. **OMSAD2**

The full range of all of the potential constraints we have identified is listed in Table 2.1 below. Table 2.1 identifies each of the specific constraints in terms of a code, which is used in the site policies in following chapters. **General Constraints have not**

been coded as they are not listed in the site allocation policies in the following chapters.

Where an asset or constraint has been identified, developers or other interested parties should take into account the relevant local and national planning policies that look to ensure any development at the site would not have a detrimental impact on the environment or on infrastructure, and that schemes address any potential constraints sufficiently. For each asset and constraint, Table 2.1 identifies the relevant local policies - from the BCCS, the saved policies from Walsall's UDP or from within this SAD document. [The relevance of the identified, and possibly other, local policies will depend on particular proposals. National planning policies will also be relevant.](#)

The development or use of land ~~of the~~ might sometimes affect or be affected by assets or constraints some distance away. The SAD seeks to distinguish between assets and constraints that are on sites and those that are outside of sites but might be likely to have an affect or be affected. In [Table 2.1 and](#) the site policies in the following chapters the codes for specific assets and constraints have been presented [as](#) follows.

- Codes in UPPER CASE: Asset or constraint lies within all or part of the site
- Codes in lower case: Asset or constraint lies outside the site but is adjacent to it or is likely to raise issues that need to be considered in decisions on development and or the use of land.

Table 2.1: Assets and Constraints, and Walsall’s Local Plan Policies

General Assets and Constraints – related to many sites and / or that might have or be subject to effects at a distance					
	Code	Asset / constraint	BCCS Policy	UDP Saved Policy	SAD Policy
4.	-	Access (Including access through surrounding areas and by a choice of means of transport)	<ul style="list-style-type: none"> • CSP5: Transport Strategy • DEL1: Infrastructure Provision • HOU2: Housing Density, Type and Accessibility • TRAN1: Priorities for the Development of the Transport Network • TRAN2: Managing the Transport Impacts of New Development • TRAN3: The Efficient Movement of Freight • TRAN4: Creating Coherent Networks for Cycling and for Walking • TRAN5: Influencing the Demand for travel and Travel Choices 	<ul style="list-style-type: none"> • T4: The Highway Network • T10: Accessibility Standards – General • T11: Access for Pedestrians, Cyclists and Wheelchair Users • T12: Access by Public Transport (Bus, Rail; Metro and Ring and Ride) T13: Parking Provision for Cars, Cycles and Taxis 	
4.	-	Coal (High Risk Area)		<ul style="list-style-type: none"> • ENV14: Development of Derelict and Previously-Developed Sites 	
2.	-	Ground Conditions (contamination and/or stability)		<ul style="list-style-type: none"> • ENV14: Development of Derelict and Previously-Developed Sites 	
5.	-	Interrelationships between different uses (E.g. between industry and housing. Such	<ul style="list-style-type: none"> • DEL2: Managing the Balance between Employment Land and Housing 	<ul style="list-style-type: none"> • GP2: Environmental Protection • ENV10: Pollution • ENV12: Hazardous 	<ul style="list-style-type: none"> • HC1: Land Allocated for New Housing

		interrelationships are widespread and various. However, they have been considered as a Specific Constraint in respect of housing allocations – see below)		Installations • JP8: Bad Neighbour Uses • H3: Windfall Sites on Previously Developed Land and Conversion of Existing Buildings	
3.	-	Special Area of Conservation	<ul style="list-style-type: none"> • CSP3: Environmental Infrastructure • CSP4: Place-Making • ENV1: Nature Conservation 	<ul style="list-style-type: none"> • ENV23: Nature Conservation and New Development 	<ul style="list-style-type: none"> • EN1: Natural Environment Protection, Management and Enhancement
6.	-	Water Quality (Site could affect a water body subject to the Water Framework Directive and / or Humber River Basin Management Plan)	<ul style="list-style-type: none"> • CSP3: Environmental Infrastructure • ENV5: Flood Risk, Sustainable Drainage Systems and Urban Heat Island 	<ul style="list-style-type: none"> • ENV10: Pollution • ENV40: Conservation, Protection and Use of Water Resources 	<ul style="list-style-type: none"> • EN1: Natural Environment Protection, Management and Enhancement • EN3: Flood Risk
<p>Specific Assets and Constraints – related to specific sites in the site allocation policies insert heading at top of each page in final draft</p>					
	Code	Asset / constraint	BCCS Policy	UDP Saved Policy	SAD Policy
4.	AOS aos	Area of Search for Mineral Extraction	<ul style="list-style-type: none"> • MIN1: Managing and Safeguarding Mineral Resources 		<ul style="list-style-type: none"> • M1: Minerals Safeguarding
2.	AW aw	Ancient Woodland	<ul style="list-style-type: none"> • CSP3: Environmental Infrastructure • CSP4: Place-Making • ENV1: Nature Conservation • ENV2: Historic Character and Local Distinctiveness 	<ul style="list-style-type: none"> • ENV17: New Planting • ENV18: Existing Woodlands, Trees and Hedgerows • ENV23: Nature Conservation and New 	<ul style="list-style-type: none"> • EN2: Ancient Woodland

				Development	
3.	CA ca	Conservation Area	<ul style="list-style-type: none"> • CSP3: Environmental Infrastructure • CSP4: Place-Making • ENV2: Historic Character and Local Distinctiveness 		<ul style="list-style-type: none"> • EN5: Development in Conservation Areas
4.	CN cn	Canal	<ul style="list-style-type: none"> • CSP3: Environmental Infrastructure • CSP4: Place-Making • ENV4: Canals 		<ul style="list-style-type: none"> • EN1: Natural Environment Protection, Management and Enhancement • EN4: Canals
		<div style="border: 1px solid black; padding: 2px; display: inline-block;">OMSAD3</div> EZ Black Country Enterprise Zone			
5.	F2 or F3 f2 or f3	Flood Zone (Zone 2 or Zone 3)	<ul style="list-style-type: none"> • CSP4: Place-Making • ENV5 Flood Risk, Sustainable Drainage Systems and Urban Heat Islands 	<ul style="list-style-type: none"> • ENV40: Conservation, Protection and Use of Water Resources 	<ul style="list-style-type: none"> • EN3: Flood Risk
6.	GB (there are no 'gb' sites)	Site in the Green Belt (And/ or in open countryside.) (almost all of Walsall's countryside is designated as Green Belt)	<ul style="list-style-type: none"> • CSP2: Development Outside the Growth Network • CSP3: Environmental Infrastructure 	<ul style="list-style-type: none"> • ENV5: Stabling and Riding of Horses and Ponies • ENV6: Protection and Encouragement of Agriculture 	<ul style="list-style-type: none"> • GB1: Green Belt Boundary • GB2: Control of Development in the Green Belt
7.	GW gw	Greenway	<ul style="list-style-type: none"> • CSP3: Environmental Infrastructure • CSP4: Place-Making 		<ul style="list-style-type: none"> • LC5: Greenways
8.	IND ind	Interrelationships between different uses	<ul style="list-style-type: none"> • DEL2: Managing the Balance between Employment Land and 	<ul style="list-style-type: none"> • GP2: Environmental Protection 	<ul style="list-style-type: none"> • HC1: Land Allocated for New

		(E.g. between industry and housing. Treated as a General Constraint – see above – but has been addressed specifically in relation to housing allocations. Assessment has included Consider for Release industrial sites that might be developed for other uses, such as housing.)	Housing	<ul style="list-style-type: none"> • ENV10: Pollution • ENV12: Hazardous Installations • JP8: Bad Neighbour Uses • H3: Windfall Sites on Previously Developed Land and Conversion of Existing Buildings 	Housing
9.	LB lb	Listed Building	<ul style="list-style-type: none"> • CSP3: Environmental Infrastructure • CSP4: Place-Making • ENV2: Historic Character and Local Distinctiveness 	<ul style="list-style-type: none"> • ENV25: Archaeology • ENV26: Industrial Archaeology • ENV27: Buildings of Historic or Architectural Interest 	
	LDO	<div style="border: 1px solid black; padding: 2px; display: inline-block;">OMSAD3</div> Darlaston Local Development Order (see Map 4.1)			
40	LIMESTONE	Former underground limestone working (Not infilled / restored.)		<ul style="list-style-type: none"> • ENV14: Development of Derelict and Previously-Developed Sites 	
44	LL ll	Locally Listed Building	<ul style="list-style-type: none"> • CSP3: Environmental Infrastructure • ENV2: Historic Character and Local Distinctiveness 	<ul style="list-style-type: none"> • ENV25: Archaeology • ENV26: Industrial Archaeology • ENV27: Buildings of Historic or Architectural Interest • ENV28: Local List 	

42	LNR lnr	Local Nature Reserve	<ul style="list-style-type: none"> • CSP3: Environmental Infrastructure • CSP4: Place-Making • ENV1: Nature Conservation 	<ul style="list-style-type: none"> • ENV23: Nature Conservation and New Development 	<ul style="list-style-type: none"> • EN1: Natural Environment Protection, Management and Enhancement
43	MI mi	Site affecting minerals infrastructure	<ul style="list-style-type: none"> • MIN1: Managing and Safeguarding Mineral Resources 		<ul style="list-style-type: none"> • M1: Minerals Safeguarding
	MP mp	<p>MMSAD3</p> <p>Permitted Minerals Sites</p>	<ul style="list-style-type: none"> • MIN1: Managing and Safeguarding Mineral Resources • MIN2: Production of Aggregate Minerals • MIN3: Maintaining Supplies of Brick Clay • MIN4: Exploration of Other Mineral Resources 		<ul style="list-style-type: none"> • M4: Sand and Gravel Extraction – Birch Lane • M5: Sand and Gravel Extraction – Branton Hill • M6: Brickworks – future supply requirements • M7: Brick Clay Extraction – Stubbers Green • M8: Brick Clay Extraction – Other Areas • M9: Coal and Fireclay Extraction – Brownhills
44	MSA msa	Minerals Safeguarding Area (Sites for new development meeting thresholds in BCCS)	<ul style="list-style-type: none"> • MIN1: Managing and Safeguarding Mineral Resources 		<ul style="list-style-type: none"> • M1: Minerals Safeguarding

		Policy MIN1: • All urban sites of 5ha and over • All Green Belt sites of 0.5 hectares and over.)			
45 -	NO2 no2	Nitrogen Dioxide Areas of Exceedance	• ENV8: Air Quality	• ENV10: Pollution	
46 -	NOIS noise	Strategic Noise Area	• CSP4: Place-Making	• ENV10: Pollution	
47 -	OS os	Open Space	• CSP4: Place-Making • ENV6: Open Space, Sport and Recreation	• LC1: Urban Open Spaces • LC4: Allotment Gardens • LC6: Sports Pitches	• OS1: Open Space, Sport and Recreation
48 -	PG pg	Registered Park or Garden	• CSP3: Environmental Infrastructure • CSP4: Place-Making	• ENV25: Archaeology • NV30: Registered Parks and Gardens	
49 -	PROW prow	Public Right of Way	• TRAN4: Creating Coherent Networks for Cycling and for Walking	• T1: Helping People to Get Around • T8: Walking • T11: Access for Pedestrians, Cyclists and Wheelchair Users	
	RCL	Registered Common Land⁹	• None	• None	• None
20 -	SINC sinc	Site of Importance for Nature Conservation	• CSP3: Environmental Infrastructure • CSP4: Place-Making	• ENV23: Nature Conservation and New Development	• EN1: Natural Environment Protection,

⁹ Registered Common Land is designated under the Commons Act 2006. Amongst other matters, registration can have the effect of preventing development on such land unless compensatory provision is found elsewhere. As such, it has the potential to be a constraint to development. For details and the location of RCL within Walsall please refer to: www.magic.defra.gov.uk/ or contact the council for more information.

			<ul style="list-style-type: none"> • ENV1: Nature Conservation 		Management and Enhancement
24 -	SLINC slinc	Site of Local Importance for Nature Conservation	<ul style="list-style-type: none"> • CSP3: Environmental Infrastructure • CSP4: Place-Making • ENV1: Nature Conservation 	<ul style="list-style-type: none"> • ENV23: Nature Conservation and New Development 	<ul style="list-style-type: none"> • EN1: Natural Environment Protection, Management and Enhancement
22 -	SM sm	Scheduled Monument	<ul style="list-style-type: none"> • CSP3: Environmental Infrastructure • CSP4: Place-Making • ENV2: Historic Character and Local Distinctiveness 	<ul style="list-style-type: none"> • ENV25: Archaeology • ENV27: Buildings of Historic or Architectural Interest 	
23 -	SPZ spz	Groundwater Source Protection Zone	<ul style="list-style-type: none"> • ENV5 Flood Risk, Sustainable Drainage Systems and Urban Heat Islands 	<ul style="list-style-type: none"> • ENV40: Conservation, Protection and Use of Water Resources 	<ul style="list-style-type: none"> • EN1: Natural Environment Protection, Management and Enhancement • EN3: Flood Risk
24 -	SSSI sssi	Site of Special Scientific Interest	<ul style="list-style-type: none"> • CSP3: Environmental Infrastructure • CSP4: Place-Making • ENV1: Nature Conservation 	<ul style="list-style-type: none"> • ENV23: Nature Conservation and New Development 	<ul style="list-style-type: none"> • EN1: Natural Environment Protection, Management and Enhancement
25 -	WASTE waste	Site affecting a Strategic Waste Site or other existing waste site	<ul style="list-style-type: none"> • WM2: Protecting and Enhancing Existing Waste Management Capacity 		<ul style="list-style-type: none"> • W2: Existing Waste Management Facilities

3 Homes for Our Communities

(a) General Housing

3.1 Introduction

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

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

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

The Council publishes an annual update of its housing land supply as required by the NPPF. The SAD will contribute to this supply as follows:

Policy HC1 allocates sites for 10 or more dwellings that have already been granted planning permission, including sites where the permission has already lapsed or will lapse in the next 3 years, where it remains appropriate to develop the site for residential purposes. Policy HC1 also allocates sites for 10 or more dwellings, outside the town and district centres, that do not yet have planning permission. The list of sites under this policy indicates which ones already have permission. Additionally, this policy allocates a number of sites of under 10 dwellings which form part of larger housing areas or where planning permission is already in place. The total capacity of the sites listed under this policy is approximately 4,000 dwellings.

Other policies of the SAD also provide for housing development:

Policy HC2: this will be used to consider proposals for housing on smaller sites and other housing schemes that may come forward on sites not identified elsewhere.

Policy IND4: this addresses land that is currently in use for employment but which may become vacant and surplus to employment requirements during the period of the Plan.

Policy SLC2: development opportunities in Local Centres.

Policy UW1: redevelopment of the Gorway Conference Centre.

Policy EN7: Great Barr Hall and Estate and St. Margaret’s Hospital. Although most of the residential development here is now complete, there is potential for a small number of further homes to be provided through the redevelopment of the former sites of hospital buildings, the conversion and/or extension of the Hall, and the completing of enabling development to fund the restoration of the Hall and historic parkland.

Other potential smaller sites, including those that already have planning permission, and all sites within town and district centres, are not listed in the SAD. However, taken together with the sites identified in the various policies of the SAD, the total capacity of these sites is well in excess of the number of dwellings needed to meet the minimum housing target set out in the BCCS to 2026.

3.2 Allocating Land for New Housing

Policy HC1: Land Allocated for New Housing Development

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

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

Any proposals for particular sites will need to address the issues for those sites listed in the “notes” column in Table HC1.

A small number of these sites (referred to as GT or TS in Table HC1) could also be suitable instead in whole or in part for use as Gypsy and Traveller or Travelling Showpeople Sites, as described in policy HC4.

Table HC1				
Ref.	Site Name or Address	NOTES, INCLUDING CONSTRAINTS AND Assets and Constraints, and Notes (see Chapter 2 for codes) MMSAD4	Estimated Dwellings	Planning Status (see below for codes)
HO1	Clothier Street		48	UC

HO11	Somerford Place (former Dorsetts Scrapyard)	F2, F3 (part of site) but defended by culvert; ind. Also possible TS site: see policy HC4	26	
HO14a	Pinson Road (Little London School)	CA, LL	31	
HO16	New Road, Willenhall (former car showroom)	F2, F3 (part of site) but defended by culvert	9	
HO20	Field Street (Gilberts' Club)		26	
HO23	Kendrick Place and Castle View Road, Moxley	OS	38	
HO27	Goscote Lodge Crescent (Site B)	cn, SLINC, MSA, GW, PROW, waste See reference in Policy HC4 to potential requirement for part of site to be GT site	327	
HO28	Dolphin Close (Goscote Site C)	cn, slinc Preferred use is GT. Would be suitable for general housing if not required as GT site	19	
HO29	Goscote Lane Copper Works	cn, slinc, MSA See reference in Policy HC4 to potential requirement for part of site to be GT site	395	

HO30	Silver Street, Brownhills	cn, slinc	157	UC
HO36	Wilkes Avenue (Bentley Home)		37	
HO37	Bentley Road North (corner of King Charles Avenue)	lb	19	
HO38	Wolverhampton Road West (rear of 179)	lb	5	FPP
HO39a	Joynson Street (site of former Kings Hill JMI School)		17	
HO39b	Joynson Street	proW	5	FPP (lapsed)
HO40	Riding Way	cn, slinc, OS	14	
HO41a	Hatherton Liberal Club	ind	6	
HO41b	Mill Street, Walsall (former scrap yard)	ind	12	
HO43	Watling Street (land north of Kings Deer Road)	sssi, sinc, noise	15	
HO44	Poplar Avenue (east)	SLINC, OS	23	
HO45	Former Beechdale School (Open Space)	cn, slinc, gw, OS	80	FPP UC
HO46	Noose Crescent (former Lakeside School)	sinc, proW	59	
HO53	Rear of 16 High Road, Lane Head		29	
HO58	Walsall Road, Walsall Wood MMSAD5	NO2, slinc, PROW	51	
HO60a	Hollyhedge Lane (east side) (30 to 32)	cn, ca, slinc, gw	33	
HO60b	Hollyhedge Lane (east side) (28)	cn, ca, slinc, NO2, gw	24	
HO60c	Hollyhedge Lane (east side) (former Bradford Coal Wharf)	cn, CA, slinc, NO2, NOISE, gw	52	

HO60d	Orange Tree, 20 Wolverhampton Road	cn, ca, slinc, NO2, NOISE	4	
HO61	Canalside Close	cn, slinc Potential TS site: see policy HC4	15	
HO62	Former Metal Casements	LIMESTONE, cn, ca, slinc, LL (demolished), ind See reference in Policy HC4 to potential requirement for part of site (area not affected by limestone) to be GT site	95	
HO65	Hollyhedge Lane (west side)	NO2, NOISE	14	
HO66a	Former Harvestime Bakery, Raleigh Street		80	
HO66b	Walsall Iron and Steel	NO2	17	
HO71	Festival Avenue (end of street)	OS, ind	10	
HO72	Festival Avenue	OS, prow, ind	24	
HO87	Former Mary Elliott School, Brewer Street	GW	62	FPP-UC
HO93	Woodwards Road (former garage and vehicle storage yard)	cn, slinc	24	
HO117	New Invention Methodist Church, Lichfield Road, New Invention	LL	14	
HO124	Allen's Centre		22	
HO125	Essington Lodge		23	
HO126	Field Road Education Development Centre	prow	25	

HO128	Daw End School	sinc, PROW	41	
HO137a	60 Walsall Road, Willenhall	F2	24	OPP (lapsed)
HO137b	Fletchers Lane (1 and 2)		2	
HO137c	3 Fletchers Lane		3	OPP (lapsed)
HO147	Bloxwich Rd Blakenall Lane		20	OPP (lapsed)
HO150	British Lion Works, Forest Lane	cn, slinc, lb, gw	60	OPP
HO154	Eagle Public House, Cresswell Crescent		17	FPP (lapsed)
HO157a	Former Autocraft, Walsall Road, Walsall Wood	NO2, cn, slinc, potential TS site, gw	20	FPP (lapsed)
HO157b	Motor City, 117b Walsall Road, Walsall Wood	NO2, cn, slinc, gw	4	
HO157c	Jubilee House, Walsall Road, Walsall Wood	cn, slinc, NO2, also potential TS site	16	
HO160	Former Tannery P.H., Burrowes Street, Walsall		12	FPP (lapsed)
HO162a	Former Works Site C/O Cemetery Road, Villiers Street, Willenhall	PROW	14	FPP (lapsed)
HO162b	Villiers Street (AJM Buildings)	PROW	9	FPP (lapsed)
HO163	Formerly Select Windows, Walsall Road, Walsall Wood	NO2, cn, slinc, gw	27	
HO168a	Howdles Lane/ Castle Street, Brownhills	cn, slinc	40	ALP
HO168b	Gladstone House, 45 Castle Street, Brownhills		6	OPP
HO173	Land at 232 Lichfield Road, Willenhall		23	FPP

HO176	Land at Bentley Road North, Walsall	F2, LDO	144	FPP
HO177	Land at Berkley Close and Cottle Close, Rear of 31-59 Edinburgh Avenue, Bentley	OS	16	OPP
HO179	Carl Street	cn, slinc	66	FPP
HO180	Land at Churchill Road and Kent Road to the rear of 2-14 Kent Road and 201-205 Churchill Road, Bentley, Walsall	SLINC, gw, OS	26	OPP
HO181	Land at Former Caparo Works, Between the Wyrley and Essington Canal, Miner Road, Green Road and Old Birchills, Walsall	ca, cn, slinc, LB, lb, LIMESTONE, gw, MSA	310	OPP (lapsed)
HO182	Land at Servis UK LTD, Darlaston Road, Wednesbury, Walsall	gw, PROW, ind, MSA	170	OPP
HO185	Bentley Moor Club, Bentley Drive, Walsall		10	FPP
HO194	Lichfield Road, Little Bloxwich	slinc	10	ALP
HO195	Lichfield Road Willenhall (Petrol Station: 272-274)	NOISE, no2	21	OPP (lapsed)
HO201	R/O Pinson Road	F2	15	ALP
HO205	Site at Corner of Edison Road, and Arkwright Road, Walsall, Beechdale		11	OPP (lapsed)
HO207	Site of the Cavalcade P.H., Stroud Avenue, Willenhall		23	FPP (lapsed)
HO208	Land at Stencill's Farm, North of Mellish Road (area outside Green Belt)		24	
HO210	The Dolphin P.H., Goscote		18	FPP

	Lane, Walsall, WS3 1PD			
HO211	The Hawthorns, Highgate Drive, Walsall, WS1 3JW	LL	13	FPP (lapsed)
HO217	Wolverhampton Road West (former Petrol Station and former Lane Arms Pub)	lb	29	FPP (lapsed)
HO221	George Carter Pressings LTD, Clothier Road, Willenhall, WV13 1BG		27	FPP UC
HO303	Land (Including Factory Complex AP (UK)) At Heathfield Lane West, Darlaston	F2, F3, cn, slinc, sinc, GW MSA, PROW Site area excludes land within planning permission boundary that is a SINC (pool and adjacent land)	304 188	FPP
HO304	Between 114 and 120 and 122A and 127 Watling Road/ Roman Close Brownhills	NOISE	10	
HO305	Cricket Close Allotments and Tennis Courts	F2, F3, OS Estimated housing capacity takes account of relocation of existing tennis courts and exclusion of area of site within Green Belt Site area reduced and estimated housing capacity takes account of need to exclude	54-42	

		flood zone from developable area, and exclusion of area of site within Green Belt. Existing policies that may require justification for the loss or relocation of the existing tennis courts will continue to apply		
HO306	Darlaston Multi-Purpose Centre Site	PROW	35	
HO307	Former Royal Navy Club, 120 Elmore Green Road		10	FPP (lapsed)
HO308	Gordon House (TA Centre), Sutton Road	ca, ll, lb	22	
HO310	Narrow Lane House and Neighbourhood Office Site	NO2, noise	14	
HO312	Pleck Working Men's Club	NO2	11	
HO313	Royal British Legion Club, Broad Lane Gardens, Bloxwich		25	
HO314	Rushall Mews, New Street, Walsall WS4 1JQ		35	
HO315	Site of John Wooton House & Great Croft House Wesley Road Darlaston		11	OPP (lapsed)
HO316	The Green, Darlaston (Premier Aftercare)		11	
HO317	Former Warreners Arms, High Road, Brownhills		58	
HO318	Springside, 2 Spring Lane, Pelsall WS4 1AZ		16	
HO320	Birway Garage	gw, ind	28	FPP
HO321	Willenhall Coachcraft, 348	gw, ind	33	

	Wolverhampton Road West WV13 2RN			
HO322	Rowley View, Moxley	NOISE, NO2, ind	22	
HO323	1 Woodside Close, Walsall, WS5 3LU		14	FPP

Planning Status Codes in Table HC1

[OMSAD4](#)

These codes show the situation as at 31st March 2016. Sites that are UC no longer need to be allocated in the SAD, however they are still listed at this stage to be consistent with earlier versions of the document

Blank	Site does not have planning permission
UC	Site is under construction [it is intended that such sites will be deleted from later version of the SAD, as their allocation is unnecessary]
FPP	Full planning permission
OPP	Outline planning permission
ALP	Site already allocated for housing in the UDP

3.2.1 Policy Justification

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

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

The dwelling numbers stated are those for which planning permission has been granted or, where no such permission exists yet, an estimate of the housing capacity of each site based on a density of 35 dwellings per hectare. This density reflects the accessibility standards set out in BCCS Table 8 for sites with sites with moderate accessibility (i.e. most previously developed sites outside centres). Proposals for individual sites will not necessarily be expected to achieve these numbers. However, provision of a minimum density requirement is intended to ensure the efficient use of land, particularly where, as in most cases, the sites enjoy at least moderate

accessibility to services and by public transport. All residential developments will be expected to satisfy other policies in the SAD, the BCCS and the UDP.

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

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

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

OMSAD5 **The paragraph and table below will be deleted from the Submission document as they are no longer necessary**

The following sites that were proposed for allocation for housing in the Preferred Options and Publication versions of the SAD have been deleted and are no longer proposed for this use for the reasons stated.:

REF.	SITE NAME or ADDRESS	REASON FOR DELETION
HO14b	Garages on North side of Croft Street, Willenhall	Site was proposed for development as part of adjoining former Little London School (site HO14a), but the latter now has planning permission and does not require this site for access.
HO47	Former Three Crowns School	Site is now complete
HO58	Walsall Road,	The site is adjacent to a Permitted Minerals Site

	Walsall Wood	(MP9: Highfields North). It is therefore not appropriate to allocate it for housing as this could compromise implementation of the mineral permission
HO120	Walsall College Shelley Campus, Scarborough Road	Site is continuing in educational use
HO302	194 Darlaston Road, Wednesbury WS10 7TG (former Alucast)	Site has been incorporated into site HO182 (former Servis UK)

3.2.2 Evidence OMSAD6

- Strategic Housing Land Availability Assessment and ~~Housing Land Supply~~ Update (2014⁶)
- Employment Land Review (2016)
- Green Space Strategy
- DTZ Site Viability and Deliverability Study (2015)

3.2.3 Delivery

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

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

Re-using previously developed land and with most proposed housing sites being relatively small means that in most cases there is unlikely to be a need for significant new infrastructure to serve the proposed housing allocations. However, some of the larger housing sites, and locations where the cumulative total number of new dwellings in the area is high, means that some housing developments may need to contribute to off-site improvements to highways, public transport and other

infrastructure. An example of this are the housing sites, HO60, HO62, HO65, HOU66a and 66b and HOU181, which are likely to have a significant cumulative impact in terms of traffic generation and access onto Wolverhampton Road and the town centre ring road. OMSAD7

3.2.4 Monitoring

Indicator	Target	BCCS Monitoring Indicator/ Target?
HC1a – Number of additional dwellings completed (net)	At least 11,973 net new dwellings to be completed between 2006-2026 borough-wide. Progress to be checked against trajectory in Authority’s Monitoring Report	COI HOU1a

3.3 Development of Other Land for Housing

Policy HC2: Development of Other Land for Housing

- a) The provision of housing on other previously developed sites not listed in Table HC1 will be encouraged provided:
 - i. The site is not allocated or safeguarded for other uses in this Plan;
 - ii. If the site is not allocated or safeguarded for other uses in this Plan, there is no overriding need for the land or buildings to be retained for its current or previous use;
 - iii. Residential development would not conflict with any national or local designation relating to the site itself, or adjoining land or buildings;
 - iv. A satisfactory residential environment can be achieved, where people will choose to live, that will contribute to achieving the Vision, Sustainability Principles, Spatial Objectives and Spatial Strategy of the BCCS and take account other policies of this Plan;
 - v. Residential development would not unacceptably constrain the use or development of any adjacent site for its allocated or identified use;
 - vi. The proposal is acceptable in terms of other policies of this Plan.
- b) The design of developments on all sites should take account of its context and surroundings. Each site should achieve a density of at least 35 dwellings per hectare, except where a lower density would be in keeping with its surroundings, or part of the site is needed to provide open space or other facilities in accordance with other policies of this Plan.

- c) As well as ‘windfall’ and small sites not identified elsewhere, this policy will apply to sites identified under other policies of the SAD that refer to sites which might be suitable for housing development. These include:**
- i. ‘Consider for release’ employment land (see policy IND4);**
 - ii. Development opportunities in Local Centres (see policy SLC2);**
 - iii. Gorway Conference Centre, Wolverhampton University (see policy UW1);**
 - iv. Great Barr Hall and Estate and St Margaret’s Hospital (see policy EN7)**

3.3.1 Policy Justification

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

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

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

This policy incorporates and updates UDP [Saved](#) Policy H3 to take account of the NPPF and the presumption in favour of sustainable development.

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

3.3.2 Evidence

- Strategic Housing Land Availability Assessment and ~~Housing Land Supply~~ Update (20164). [OMSAD8](#)

- Employment Land Review (2016)
- DTZ Site Viability and Deliverability Study (2015)

3.3.3 Delivery

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

3.3.4 Monitoring

Indicator	Target	BCCS Monitoring Indicator/ Target?
HC2a: Proportion of new dwellings that are on previously developed land	95% borough-wide	COI HOU1b
HC2b: Net density of new residential developments	In accordance with densities set out in BCCS table 8	LOI HOU2a, LOI HOU2b

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

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

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

3.4.1 Policy Justification

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

There is currently uncertainty about aspects of national policy on the issues relating to affordable housing. At the time of writing, the Housing and Planning Bill is being taken through Parliament and the Government is consulting about changes to the NPPF, including altering the definition of 'affordable housing' to include 'starter homes'. Other changes include reductions in public funding, changes to welfare payments, right to buy and the "spare room subsidy", all of which could affect both the need for affordable housing and the types of housing that might be required. Further discussion is also needed about whether it might be appropriate in some circumstances to provide affordable housing off-site, especially for smaller sites that form a high proportion of the potential housing land supply.

Given these changes, we consider it would be more appropriate to place detailed policy in a supplementary planning document. This would be easier to update than a DPD. It may also be necessary to amend this policy once the outcome of the Housing and Planning Bill and the changes to the NPPF are known.

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

In policy HC3 (c), good public transport access means the standard for nursing and residential homes that is currently in UDP [saved](#) policy T12. This states:

- i. The walking distance from the entrance of the building to a bus stop should be no more than 400 metres and the bus stop should be as conveniently located as possible to the entrance of the building. Covered waiting and seating areas should be provided if necessary.
- ii. Bus services should operate during working hours from all parts of the catchment area directly to the facility, and there should be pick-up/ drop-off points within 400 metres of all housing within the catchment area.
- iii. Bus services should be at the level of frequency set out for residential development (i.e. a service frequency of at least 1 bus every 30 minutes during the day (between 0700-1900) Monday to Saturday, and at least 1 bus

every hour on Sunday between 1200 and 1900) with additional services for staff outside these hours if necessary.

3.4.2 Evidence

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

3.4.3 Delivery

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

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

3.4.5 Monitoring

Indicators	Targets	BCCS Monitoring Indicator/ Targets?
HC3a: Proportion of new dwellings that are affordable as defined in the NPPF	11,000 across the Black Country 2006-2026 (15% of gross housing completions)	COI HOU3
HC3b: Number of new bed spaces in specialist housing	No target	No

3 Homes for Our Communities

(b) Accommodation for Gypsies, Travellers and Travelling Showpeople

3.5 Introduction

The NPPF requires local planning authorities (LPAs) to address the need for all types of housing, including affordable housing and the needs of different groups in the community. Section 225 of the Housing Act 2004 states that local authorities must assess the accommodation needs of gypsies and travellers who reside in or resort to their districts (this section is subject to review by the Housing and Planning Bill). Gypsies and Travellers have been recognised by the courts as being distinct ethnic groups and are protected from discrimination by the Equality Act 2010. The Government has published a specific Planning Policy for Traveller Sites to supplement the NPPF, which was revised in August 2015.

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

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

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

Gypsy and Traveller communities, and travelling showpeople, have a long association with Walsall and the rest of the Black Country. The Romany people have lived in England for over 500 years and the Irish Traveller community about 150 years (the Government policy document uses the term “traveller” for all these groups). The 2011 Census recorded nearly 300 residents of Walsall who described

themselves as “Gypsy or Irish Traveller”, although it should be noted that this number may be an under-estimate as many people, especially those who live in ‘bricks and mortar’ housing, choose not to identify themselves as such because of the history of discrimination. The most recent caravan counts have recorded an average of about 50 caravans on authorised sites.

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

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

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

Policy HC4: Accommodation for Gypsies and Travellers and Travelling Showpeople **MMSAD6**

a) The sites listed in Table HC4a and shown on the Policies Map are proposed for **permanent pitches for** Gypsies and Travellers or **plots for** Travelling Showpeople as indicated. This table also shows existing sites to be safeguarded. Proposals for the use or development of these existing or proposed sites for any other purpose will be opposed unless it can be demonstrated that the total capacity of existing sites elsewhere in the borough is at least the same as that set out in Table HC4c below.

The sites listed in Table HC4b are allocated for general housing under Policy HC1. However, parts of these sites may also be suitable for development as a traveller site as an alternative to Site HO28. Any proposals for general housing development on any of these sites that are submitted prior to the development of Site HO28 as a traveller site must incorporate provision for the number of pitches listed in the table as part of the development, unless it can be demonstrated that Site HO28 remains available for development as a traveller site (subject to funding), or an equivalent number of new traveller pitches has already been developed either on one of these sites or elsewhere in the borough.

b) The new sites listed in Table HC4a have been identified in accordance with the criteria in Table HC4d. Any proposals for other new sites not listed

below must also satisfy these criteria as well as other policies in Walsall's Local Plan.

c) Any proposals for particular sites will need to address the issues for those sites listed in the 'Notes' column in Table HC4a.

Table HC4a: List of Sites			
Ref.	Existing Traveller Sites to be Safeguarded	Notes, including constraints and Assets and Constraints, and Notes (see Chapter 2 for codes)	Capacity (number of pitches)
GT1	Willenhall Lane	F2 (part of site), sinc, Inr, cn	19
GT2	Haywoods	sinc, Inr [site was formerly included within Trentham Cottage]	1
GT3	Trentham Cottage	sinc, Inr	11
GT4	47A Guild Avenue		1
GT7	Railswood Nursery	LI	1
Ref.	Existing Showpeople Sites to be Safeguarded	Notes, including constraints and Assets and Constraints, and Notes (see Chapter 2 for codes)	Capacity (number of plots)
GT9	Bridge Farm	cn, slinc	12
GT10	Oak Tree Farm	cn, slinc	9
GT11	Goscote Lane	cn, slinc	0 (storage area)
GT12	Showmen's Guild Site	cn, slinc	20
GT13	East of Goscote Lane	cn, slinc	1
GT14	Lindon Road		1
GT15	Toberland	cn, slinc	14
GT46	Charlie Swann		9
Ref.	Existing Traveller Sites with Temporary	Notes, including constraints and Assets	Capacity (number of pitches)

	or Personal Permission to be Made Permanent	and Constraints, and Notes (see Chapter 2 for codes)	
GT5	Cartbridge Lane	SLINC, f2, f3	4
GT6	34-38 Gould Firm Lane		4
Ref.	New Traveller Sites	Notes, including constraints and Assets and Constraints, and Notes (see Chapter 2 for codes)	Capacity (number of pitches)
GT1	Willenhall Lane	F2 (part of site), sinc, Inr, cn	2 (conversion of community room)
GT50	Rear of 48-72 Foster Street, Blakenall		3
HO28	Dolphin Close (Goscote Site C)	cn, slinc Site also has potential for general housing (see policy HC1) if not required for travellers	10
Ref.	New Showpeople Sites <i>The capacity of each site assumes some equipment storage is included. It would be greater if it was only used for residential.</i>	Notes, including constraints and Assets and Constraints, and Notes (see Chapter 2 for codes)	Capacity (number of plots)
GT45	96 and 100 Lindon Road, Brownhills		2
HO11	Somerford Place (former Dorsetts Scrapyard) MMSAD7	F2, F3 (but defended by culvert). Also possible general housing site (see policy HC1)	5
HO61	Canalside Close	cn, slinc	2
HO157a	Former AUTOCRAFT, Walsall Road, Walsall Wood	NO2, cn, slinc	1

HO157c	Jubilee House, Walsall Road, Walsall Wood	NO2, cn, slinc	3 (site currently occupied but this or adjoining quasi-retail uses may become available in future)
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Table HC4b: General Housing Sites that may need to include accommodation for Travellers if Site HO28 does not come forward			
Ref.		Notes, including constraints and Assets and Constraints, and Notes (see Chapter 2 for codes)	Maximum number of pitches to be accommodated
HO27	Goscote Lodge Crescent	<p>cn, slinc GW, SLINC, MSA, PROW. Some or all of these may not apply depending on the precise location of the area to be developed for GT within the wider general housing site</p> <p>The precise location of the area to be used for travellers would depend on the layout of general housing proposals for the larger site.</p>	15 (only a small part of the much larger general housing site would be used)
HO29 (also TS)	Goscote Copper Works	<p>cn, MSA, slinc,</p> <p>Some or all of these may not apply depending on the precise location of the area to be developed for GT within the wider general housing site</p> <p>The precise location of the area to be used for travellers would depend on the layout of general housing proposals for the larger site.</p>	15 (only a small part of the much larger general housing site would be used)
HO62	Former	LIMESTONE, ca, cn, slinc,	15

	Metal Casements	<p>II (demolished)</p> <p>GT pitches to be located on part of the site outside limestone consideration zone.</p>	
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Table HC4c: Capacity and Delivery Timescales

	Occupied Permanent Pitches/ Plots in 2008	Permanent Pitches/ Plots available in 2015	Existing Time Limited or Personal Pitches/ Plots	New Pitches/ Plots to be provided in 2016-2026
Gypsy and Traveller Pitches	20	33	8	20
Showpeople Plots	55	65	0	30

Table HC4d: Site Criteria

Gypsy and traveller permanent residential pitches

- i. The site should be in a location that would be suitable for general housing in accordance with other policies of the SAD, the BCCS and the UDP, were it not for this policy. This means, for example, that the site should not lie in the Green Belt (except for safeguarded existing sites), or be prone to flooding, poor air quality or excessive noise levels from surrounding traffic or industry;
- ii. The site should be suitable as a place to live, particularly with regard to health and safety, and the development should be designed to provide adequate levels of privacy and amenity for both occupants and neighbouring uses;
- iii. The site should meet moderate standards of access to residential services as set out in BCCS Policy HOU2. This means it should lie within the following travel times (by either walking or public transport) of the stated services:
 - Education (walking distance from Primary School) – 10 Minutes
 - Health (Doctor’s surgery or Walk-in Centre) or Fresh Food (Centre or Foodstore) – 15 minutes
 - Education (Secondary School) – 20 Minutes

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

Gypsy and traveller transit pitches

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

Travelling showpeople plots

- i. The site should be in a location that would be suitable for general housing in accordance with other policies of the SAD, the BCCS and the UDP, were it not for this policy. This means, for example, that the site should not lie in the Green Belt (except for safeguarded existing sites), or be prone to flooding, poor air quality or excessive noise levels from surrounding traffic or industry;
- ii. The site should be suitable as a place to live, particularly with regard to health and safety, and the development should be designed to provide adequate levels of privacy and amenity for both occupants and neighbouring uses;
- iii. The site should meet moderate standards of access to residential services as set out in BCCS Policy HOU2. This means it should lie within the following travel times (by either walking or public transport) of the stated services:
 - Education (walking distance from Primary School) – 10 Minutes
 - Health (Doctor's surgery or Walk-in Centre) or Fresh Food (Centre or Foodstore) – 15 minutes
 - Education (Secondary School) – 20 Minutes

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

3.6.1 Policy Justification

BCCS Policy HOU4 sets out indicative targets for new gypsy and traveller pitches and travelling showpeople plots. It states that, in Walsall, 39 permanent residential pitches and 35 plots for travelling showpeople are to be provided over the period 2008-2018. In addition, 10-12 transit pitches are to be provided across the Black Country. Where necessary, targets will be rolled forward to cover the whole plan period. The SAD Preferred Options Document proposed a number of sites that met the BCCS target whilst taking account of changes to sites that have taken place since the BCCS was prepared.

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

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

Immediately prior to the start of consultation on the SAD Preferred Options Document, the Government published a revised Planning Policy for Traveller Sites which, amongst other changes, amended the definition of "gypsies and travellers" to exclude those who have ceased to travel permanently. It also published the Housing and Planning Bill, and announced that it is intending to issue revised guidelines

about assessing the accommodation needs of travellers. Taken together, these recent and emerging changes mean that the 2008 Black Country Gypsy and Traveller Accommodation Assessment, which formed the evidence base for the site numbers proposed in the BCCS, can no longer be relied on as providing an accurate estimate of need. This view was supported by representations received about the SAD Preferred Options, including from a national body representing travellers.

A full revised accommodation assessment would take several months and it would be unwise to commence until the outcome of the Housing and Planning Bill and associated guidance is known. However, the need to progress the SAD is urgent in order to ensure an adequate supply of land for general housing and other important land uses. Pending this full revision therefore, we have produced a Draft Walsall Gypsy and Traveller Accommodation Assessment Revision 2016 in parallel with the SAD Publication Plan. This applies the methodology used in the 2008 GTAA together with known demographic data and current information about existing traveller sites to estimate need for the period 2016-2026, covering the period to the end date of the BCCS. The Draft Revision gives an estimated need of between 10 and 20 new pitches for Gypsies and Travellers.

This lower number has allowed the number of potential traveller sites proposed in the SAD to be reduced. A separate Site Assessment Matrix has been prepared to identify which of the potential sites would be most suitable. This forms the basis for the sites that are now listed in Table HC4a. Most of the sites which have been omitted are now proposed solely for general housing under Policy HC1.

No evidence has been forthcoming to update the possible need for additional sites for travelling showpeople. The potential showpeople sites that were listed in the Preferred Options SAD have therefore been carried forward, except where it has been identified that a site is no longer available or suitable.

The site criteria listed above are taken from BCCS Policy HOU4 with the addition of the requirement that sites should be in locations that would also be suitable for general housing. Traveller sites are a form of residential development and so sites should meet the same requirements as sites for other types of housing. Table 8 under BCCS Policy HOU2 contains accessibility standards for general housing sites, setting out the maximum travel times between homes and services. We think these standards are also appropriate to apply when assessing traveller sites.

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

small sites for single families, comprise exceptional circumstances that mean these sites should be made permanent.

However, not all general housing sites would be suitable as traveller sites. The criteria in Table HC4c, which are similar to those in the Site Assessment Matrix, list many of the issues that potential traveller sites would need to consider.

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

www.walsall.gov.uk/planning_policy/local_plans/evidence

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

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

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

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

For each site, we have provided an estimate of the potential capacity, as well as an assessment against the site criteria. It is difficult to state a precise figure for the number of pitches per hectare that could be provided on each site, as this will depend on the site shape. On larger sites, much of the land will be occupied by communal facilities such as roadways and parking or working areas. As an example however, the Council's current site at Willenhall Lane accommodates 19 pitches in an area of 0.86ha, an equivalent of 22 pitches per hectare. Each pitch can accommodate 2 caravans and contains a utility block as well as a parking space.

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

For Gypsy and traveller sites, potential layouts were provided in the former CLG good practice guide. Although this guide was withdrawn by the Government in

August 2015, it recommended a maximum site size of 15 plots. We have used this number in this document even where the site is larger so would be physically capable of accommodating more.

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

The 2010 GTTSS used an allowance of 250-500m² per pitch for gypsy and traveller sites (20 to 40 per hectare), and at least 4000m² per plot (2.5 per hectare) for travelling showpeople plots.

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

~~The following sites that were proposed for allocation for gypsies and travellers or travelling showpeople in the Preferred Options version of the SAD have now been deleted and are no longer proposed for these uses. More detail about the reasons for deletion can be found in the Site Assessment Matrix which forms part of the supporting evidence to this policy. All these sites are now allocated for general housing under policy HC1—~~[OMSAD9](#)

REF.	SITE NAME or ADDRESS
HO41	Mill Street
HO49	Land East of Mill Street
HO44	Poplar Avenue
HO180	Churchill Road (described as Poplar Avenue on Preferred Options)
HO306	Darlaston Multi-Purpose Centre Site
HO313	Royal British Legion Club, Broad Lane Gardens, Bloxwich

3.6.2 Evidence

The key evidence is:

- Black Country Gypsy and Traveller Accommodation Needs Assessment (2008)
- Walsall Gypsy, Traveller and Travelling Showpeople Site Assessment (2010 but published March 2013)
- Draft Walsall Gypsy and Traveller Accommodation Assessment Revision 2016
- Gypsies, Travellers and Travelling Showpeople Site Assessment Matrix

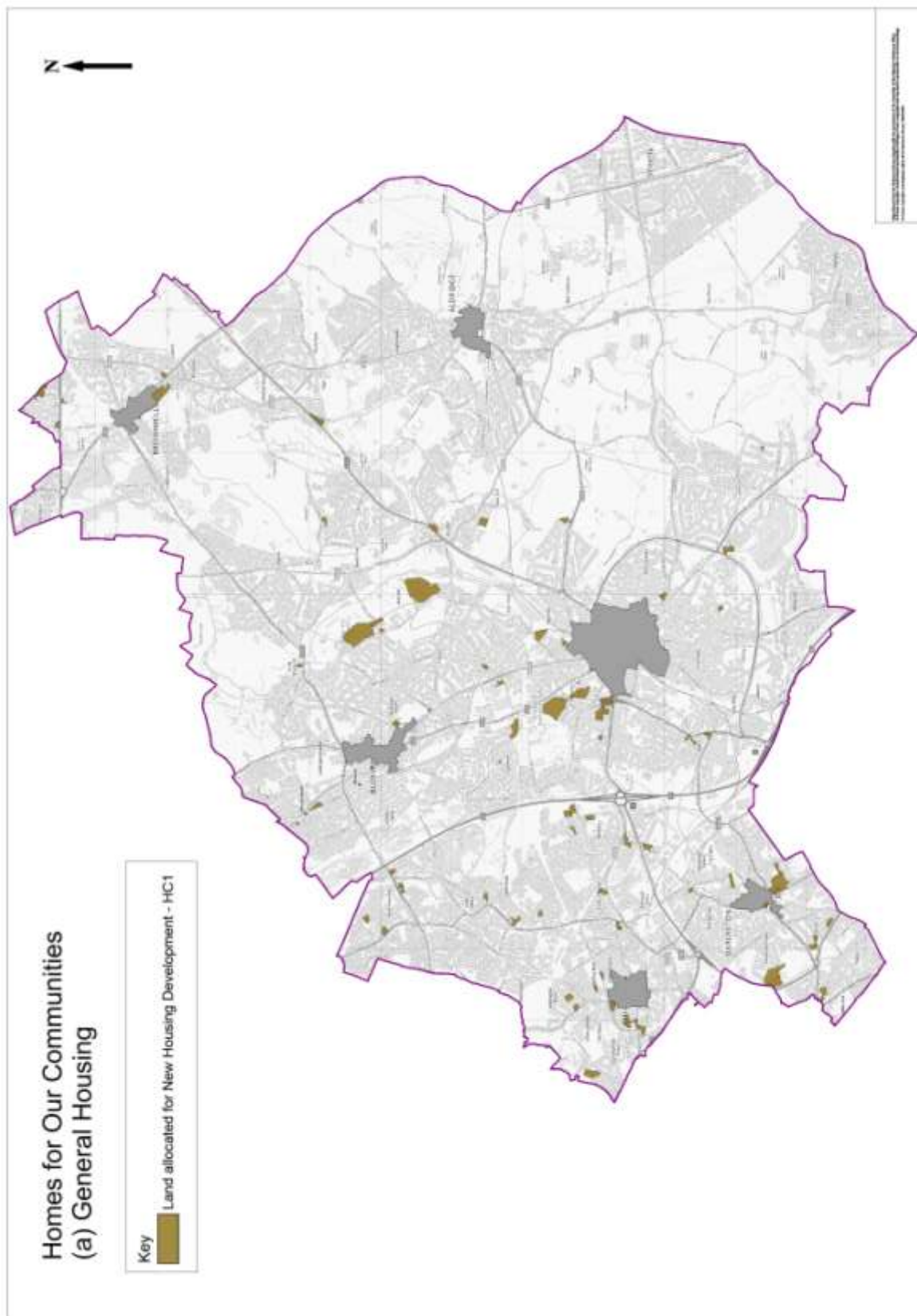
3.6.3 Delivery

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

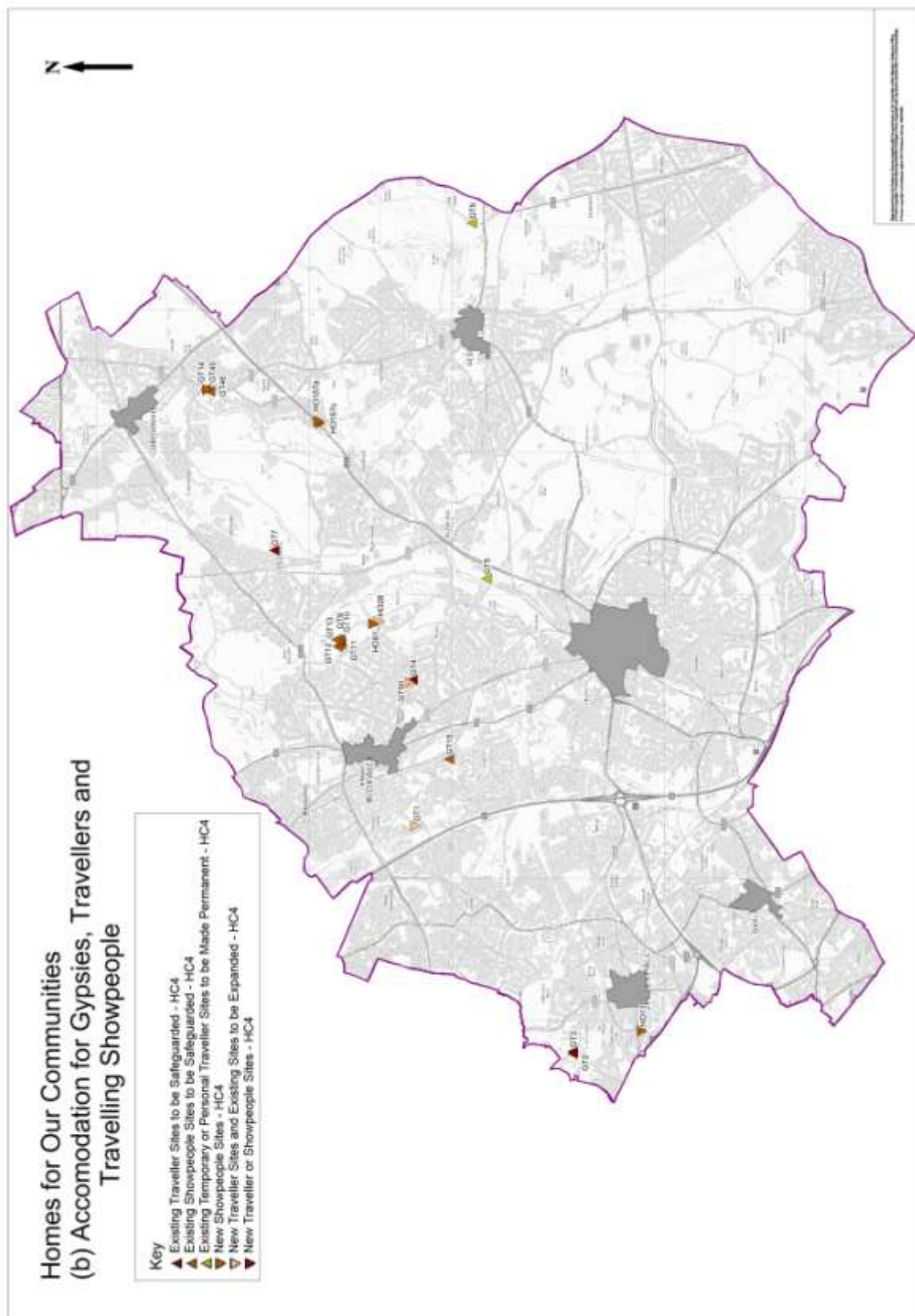
Travelling showpeople are business people so it is expected that most showpeople sites will be privately developed. It is recognised that potential private site developers are often unable to compete with those wishing to develop sites for general market housing or other uses. However, allocating sites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

3.6.4 Monitoring

Indicator	Target	BCCS Monitoring Indicator/Target?
HC4a: Number of new traveller pitches and showpeople plots provided	Net increase of 20 traveller pitches and 30 showpeople plots 2016-2026	COI HOU4 (but with updated timescale and numbers updated) OMSAD10



Map 3.1: Land Allocated for Housing *Amended Map* OMSAD11



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

4 Providing for Industrial Jobs and Prosperity

4.1 Introduction

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

- The poorest performing ex-industrial land that has been assessed as unsuitable for industry – this is allocated for other uses. A list of these sites is contained in the Employment Land Review 2016 Appendix B.
- Very small occupied industrial sites, which typically take up less than 0.1ha. All these fall under the Consider for Release Category (see further below).

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

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

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

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

4.2 Existing High Quality Sites for Industry

Existing High Quality sites are those that have been assessed as meeting several of the criteria set out in BCCS paragraphs 4.7 and 4.8. Most of the stock of Existing High Quality employment land is currently occupied by industrial premises, but there

are some vacant premises included. No existing high quality land (as opposed to premises) is currently vacant.

Policy IND1: Existing High Quality Industry

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

Reference	Site/area name	Size (hectares)	Notes, Assets and Constraints, and Notes (See Chapter 2)
IN5.6	Heathyards, Maybrook Estate, Brownhills	6.6	CN, slinc
IN10.1	Wharf Approach, Aldridge	14.9	aos, CN, F2, F3, PROW, SLINC
IN10.3	Atlas Works, Stubbers Green Rd Aldridge	3.1	AOS, CN, F2, F3, GB, SLINC
IN11	Tintagel Way, Aldridge	3.43	CN, SLINC
IN13.1	Azzurri/ Rotometrics, Aldridge Rd, Aldridge	2.9	GB, lb, slinc
IN26	S Staffs Water HQ, Green Lane, Walsall	3.6	CN, NO2, SLINC
IN28	T K Maxx HQ, Green Lane Walsall	6.4	CN, NO2, SLINC
IN49.2	Network Rail Training Centre, Corporation Street, Walsall	1.6	F2, GW
IN52.1	Walsall Enterprise Park, Regal Drive, Pleck, Walsall	8.72	CN, SLINC, f2 (eastern edge), NO2, GW (eastern edge), PROW
IN56.1	RAC/Middleton Paper, Brockhurst Crescent, Walsall.	5.4	F2, f3 (part), NO2, PROW

IN70.1	Noose Lane (Aspray), Willenhall	5.52	sinc, PROW
IN78.1	Longacres	11.8	f2, f3 (northern edge), NO2, PROW
IN79.2	Yodel Yard & HQ, Armstrong Way	2.3	
IN82.1 IN82.2	Wellmans Rd Warehouses, Willenhall; Midland Rd, Darlaston	9.56	LDO (IN82.2), NO2
IN83	The Crescent, Willenhall	0.86	F2, F3
IN93.1	Axcess 10, Bentley Road North, Darlaston MMSAD8	7.37	CN, F#2, F#3 (northern edge and see note 1), LDO, SLINC
IN97	Acerinox/Eurofoods, Heath Rd, Darlaston	4.3	CN, f2 (part), LDO, LIMESTONE (southern edge), SLINC
IN100.1	Z F Lemforder, Station St, Darlaston	2.66	LDO
IN107.1 IN107.4	Park Lane North; Universal Point; Adj Ikea, James Bridge, Darlaston	6.7	f2, f3 (part), NO2
IN118.1	Woods Bank Trading Estate, Woden Rd West, Darlaston	5.7	
IN120.1	Southern Way, Moxley, Darlaston	7.1	CN, f2 (part), NO2, SLINC
	Total High Quality (see note 2)	120.52	

Notes for Table:

1. Site IN93.1 is adjacent to the River Tame and is partly within Flood Zone 3. The Environment Agency has advised that new developments on this site should include an 8 metre easement.

2. There is also a High Quality site in Walsall Town Centre, the Albert Jagger Works, 0.7ha . This is covered by the Town Centre Area Action Plan (AAP).

4.2.1 Policy Justification

The policy framework and detailed justification relating to Existing High Quality sites is contained in BCCS policies EMP1 and EMP2. This land is required to meet the

BCCS minimum target for high quality employment land (see DEL2 bullet point 5) and this is why no alternative use is permitted.

4.3 Potential High Quality Industrial Land

Potential High Quality includes land that is vacant or in occupation for industrial uses. While potential high quality land is currently (January 2016) generally characterised by local quality uses, it is considered capable of being developed, upgraded or redeveloped to high quality industrial land in the medium and longer term. This land is subdivided into occupied and vacant stock above 0.4ha.

Policy IND2: Potential High Quality Industry MMSAD9

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

Occupied Potential High Quality Industrial Sites OMSAD12

Reference	Site/area name	Size (hectares)	Notes, Assets and Constraints, and Notes (See Chapter 2)
IN5.5	Maybrook	2.02	CN, SLINC
IN12.1	Mlddlemore Lane	30.2	CN, PROW, SLINC SSSI
IN12.13	Westgate, Aldridge	20.0	aos, CN, slinc
IN27.3	Green Lane/Newfield Close	9.56	NO2
IN54.1 IN54.2 IN54.3	Bescot Crescent, Walsall	6.77	Ff2 (part), Ff3 (north-eastern edge), NO2, PROW, slinc, (note 1)
IN57	Brockhurst Crescent Sites;	5.54	f2 (part), NO2
IN61	Maple Leaf	7.81	CN, NO2, SLINC, SINC,

			sinc
IN78.3 IN78.4 IN78.12	Midacre & Rose Hill, Longacres, Willenhall	2.18 2.67	f2, f3 (northern edge), MI, PROW (note 2)
IN78.4 IN78.12	Rose Hill, Willenhall	0.49	
IN78.13	Prelok, Longacres, Willenhall	1.71	NO2
IN88	Holland Industrial Park, Bentley Road South, Darlaston,	7.23	EZ (part), f2 (part), f3 (part), LDO, (note 3)
IN91.1 IN91.2	Bentley Mill Close & Longmore Ave	5.13	CN, LDO, SLINC
IN92	Aspect 2000, Bentley Mill Way, Darlaston	3.21	CN, EZ, FL2, F3 (part), LB, LDO, SLINC, (note 1)
IN100.3	Atlas Works, Darlaston	3.66	LDO
IN104.2	Woodwards Rd/Reservoir Place, Walsall	1.06	cn, LDO, sinc
IN104.3	E of Reservoir Rd, Walsall	1.88	CN, LDO, SLINC
IN117	FMR Railway Line Woden Rd West, Darlaston	1.1	
IN120.2	Western Way Moxley;	10.08	CN, SLINC
IN120.3	Former Wesson, Bull Lane, Moxley	4.86	CN, NO2, SLINC
IN120.4 IN120.5	Rickards Haulage and Moxley Junction, Moxley	1.83	CN, f2 (eastern edge), SLINC
IN247	Bentley Green, Darlaston	0.28	LDO

Vacant Potential High Quality Industrial Sites over 0.4ha

Reference	Site/area name	Size (hectares)	Notes, Assets and Constraints, and Notes (See Chapter 2)
IN5.1	N of Maybrook /Clayhanger Rd,	1.33	CN, SLINC,

	Brownhills		slinc
IN5.4	Maybrook/Lindon Rd (FMR Unalco), Brownhills	0.77	CN, SLINC
IN10.2	Adj Shaylors Wharf Approach Aldridge	0.75	aos, F2, F3, PROW
IN12.5	FMR Aldridge Rail Sidings, Aldridge	2.17	SLINC
IN12.6	FMR Jack Allen Site, Middlemore Lane Aldridge	1.87	F2, f3 (northern edge)
IN12.8	FMR Mckechnie Brass Middlemore Lane Aldridge	6.34	CN, f2, f3 (part), MSA, SLINC
IN13.2	Aldridge Park, Airfield Drive, Aldridge	1.4	GB, lb, MSA
IN27.1	FMR Calor Gas Site, Green Lane, Walsall	1.00	NO2
IN27.2	North of Newfield Close	2.07	
IN52.2	Walsall Enterprise Park West	0.79	CN, NO2, SLINC
IN52.3	Walsall Enterprise Park North	0.43	CN SLINC
IN56.2	Adj to Middleton's, Bescot Cres, Walsall	0.42	F2 F3 NO2
IN58	Reedswood Way, Walsall	4.00	sinc
IN63	Tempus 10 North, Wolverhampton Rd, Walsall	1.76	EZ, F2, f3 (north-eastern edge), GW (edge), LDO, NO2, SLINC
IN64	Tempus 10 South, Wolverhampton Rd, Walsall	1.64	EZ, GW (edge), LDO, NO2
IN70.2	Aspray (FMR Geo Carter), Park Road, Willenhall	1.25	
IN78.2	North of Westacre, Longacres, Willenhall	0.63	f2, f3 (western edge), (note 2)
IN78.6	FMR PSL International, Longacres, Willenhall	3.19 4.48	NO2, (note 4)

IN84	Central Point, Willenhall Road, Darlaston	2.31	CN, EZ, F2, F3 (part), LDO, SLINC, (note 1)
IN93.2	Axcess 10 East, Bentley Road North, Darlaston	1.08	CN, F2, F3 (part), LDO, SLINC, (note 5)
IN98.1	Fmr Junction Works, Cemetery Road, Darlaston	1.33	F2, F3 (part), LDO, NO2
IN98.2	Fmr Railway Tavern, James Bridge, Darlaston	0.39	F2, F3, LDO, NO2, (note 6)
IN99.2	Station St/Heath Rd, Darlaston	0.4	FL2, LDO
IN104.1 IN104.4	FMR IMI Works, Reservoir Rd, Walsall	13.6	CN, EZ, LDO, MSA, NO2, SLINC
IN105	Parallel 9-10, Darlaston	2.88	CN, EZ, F2, F3 (part), #3 (edge), LB(2), LDO, NO2, SLINC, (note 1)
IN107.3	Adj Ikea, Park Lane, Darlaston	0.91	
IN109	Box Pool Site, Darlaston	1.67	EZ, f2, f3 (edge), LDO, NO2, (note 1)
IN110	James Bridge Gasholders & South of Gasholders	8.1	EZ, F2, F3, LB, LDO, MSA, NO2, (note 1)
IN118.2	Rear of Woods Bank Trading Est Woden Rd West Darlaston	1.19	
IN120.3	Former Wesson, Bull Lane, Moxley	4.86	CN, SLINC, NO2
IN120.6	Moxley Rd Darlaston	0.41	
IN205	Bentley Mill Way East	2.4	CN, EZ, f2, f3 (edge), GW (edge), LB,

			LDO, NO2, SLINC, (note 1)
	Total Occupied Potential High Quality land	124.89 121.74	
	Total Vacant Potential High Quality Sites	68.48 69.46	
	Total Potential High Quality Land	193.371.2	

Notes for Table:

1. Sites IN54.1, IN54.2, IN54.3, IN84, IN92, IN105, IN109, IN110 and IN205 are adjacent to the River Tame/ Ford Brook corridor and are partly within Flood Zones. The Environment Agency has advised that new developments on these sites should include an 8 metre easement.

2. Sites IN78.2 and IN78.3 are located on the line of the Tame Tunnel (main river). The Environment Agency has advised that new developments on this site should include a 'no build' zone above the culvert and include a 10 metre easement from the centre line of the culvert.

3. Site IN88 is adjacent to the Darlaston Brook and River Tame. The Environment Agency has advised that new developments on this site should include an 8 metre easement from the top of the bank.

4. Site IN78.6 includes former site IN78.13 which was identified as occupied in the 2016 Walsall Employment Land Review, as the latter site has since become vacant.

5. Site IN93.2 is adjacent to the River Tame and is partly within Flood Zones 2 and 3. The Environment Agency has advised that new developments on this site should include an 8 metre easement.

6. Site IN98.2 is within Flood Zone 3. The Environment Agency has advised that new developments on this site should include an 8 metre easement.

4.3.1 Policy Justification

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

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

4.4 Retained Local Quality Industrial Land

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

Policy IND3: Retained Local Quality Industry OMSAD13

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

a) Occupied Local Quality Industrial Sites			
Reference	Site/area name	Size (hectares)	Notes, Assets and Constraints, and Notes (See Chapter 2)
IN1.1 IN1.2 IN1.4	Newtown, Brownhills	19.37	CN, GW, LB, LL(2), SLINC
IN2.2 IN2.3 IN2.5	OMSAD14 Coppice Side & Apex Rd, Brownhills	20.08 19.27	CN, LL, SINC, SLINC, SSSI
IN5.2	Clayhanger Rd, Brownhills	0.83	
IN5.3	Lindon Rd Brownhills	3.97	
IN6.1	Hall Lane (west of) Walsall Wood MMSAD10	1.07	aos, mp, NO2
IN8	Birch Lane Stonall	1.6	aos, GB, GW, MSA
IN9.9	Northgate/Brickyard Rd/Coppice Lane,	57.7	aos, AW, CN,

IN9.11 IN9.21	Aldridge	56.4	f2, f3 (north-western corner & south-western edge), MI, SLINC, slinc
IN9.15 IN9.17	Stubbers Green Road , Aldridge Sandown Works	12.16	CN, GB, LNR, sinc, SLINC, SSSI
IN12.7	Beacon Trading Estate Aldridge	2.22	
IN17.3 IN17.4 IN18.1 IN19.1	Leamore Lane/Fryers Rd Industrial Area Bloxwich	33.09	CN, NO2, (IN18.1, IN19.1), PROW (IN19.1), sinc, SLINC
IN22	Rowbottom Close Bloxwich	3.8	NO2
IN23	Vulcan Industrial Estate, Leamore Lane, Walsall	1.72	NO2
IN25	British Car Auctions, Walsall	3.56	NO2
IN29	Carl Street/Bloxwich Rd, Walsall	5.54	NO2
IN30 IN31	West of Green Lane sites Walsall	2.92	CN, LB(4), LL NO2, SLINC
IN32.1 IN32.3	Green Lane/Stockton Close, Walsall	9.29	CN, LL, MI, NO2, SLINC
IN38	District Business Park Birchills Street, Walsall	1.11	CN, LL(3), NO2, SLINC
IN48.1 IN48.2 IN48.3	Pleck Rd Sites, Walsall	7.35	CN, LB, NO2, SLINC
IN49.1 IN49.4	Long St/Queen St, Walsall	14.88	CN, f2 (part), GW, SLINC
IN49.5	Frederick Street, Walsall	4.17	CN, GW, SLINC
IN51.1	Wednesbury Rd/Corporation St, Walsall	5.57	f2, f3 (part), GW, LL, NO2, MI, PROW
IN54.4	Bescot Triangle South	2.31	F2, F3, MI,

			NO2
IN54.6	Bescot Compound, Bescot Rd, Walsall	0.5	f2, f3 (edge), NO2
IN62	J Hill & Sons, Wilverhampton Rd West, Walsall	1.35	CN, NO2, SLINC
IN67 IN68.1 IN68.2 IN69.4	Ashmore Lake North, Ashmore Lake South, Ashmore Lake East Willenhall	34.16	f2, f3 (part), LL, PROW, SLINC
IN70.3	Wednesfield Rd, Willenhall	2.06	PROW
IN71.1	S of Watery Lane , Willenhall	1.03	PROW, SINC
IN72.1	Assa Abloy, Willenhall	2.76	f3 (northern edge)
IN79.1	Vinculum Way, Willenhall	1.43	NO2
IN79.3	Bilston Lane, Willenhall	1.85	
IN81	Bilston Lane/Owen Rd , Willenhall	8.2	MI
IN85	Queen St Darlaston	1.91	CN, LDO, SLINC
IN87	Willenhall Road Darlaston	1.92	CN, LDO, SLINC
IN94	EMR, Darlaston	9.83	CN, f2 (part), LDO, untreated limestone area, SLINC
IN95	Heath Rd North, Darlaston	4.56	CN, EZ (part) LDO, part in untreated limestone area, SLINC
IN96	Heath Rd South, Darlaston	14.23	LDO, Northern part in untreated limestone area, PROW
IN99.1	Station Street/ Heath Road, Darlaston	3.33	LDO
IN100.2	Central Darlaston Trading Estate	4.0	LDO, NO2

IN103.1	Chateau Pleck, Darlaston Road, Walsall	1.74	CN, LDO, LL, NO2, SLINC
IN113.1	Darlaston Rd West, Darlaston	5.25	
IN119	101 Woden Road West	0.21	
IN120.7	Church St Moxley, Darlaston	0.64	NO2
IN121	Bull Lane (Maple Centre), Moxley, Darlaston	1.71	CN, SLINC
IN204	Walsall Road, Delves, Walsall	0.89	GB (southern part) , NO2-Ne2
IN210	Stephenson Avenue Walsall	0.42	

b) Vacant Local Quality Industrial Sites over 0.4ha

Reference	Site name	Size (hectares)	Notes, Assets and Constraints, and Notes (See Chapter 2)
IN2.1	Bullows Rd Brownhills	1.49	GF sssi
IN2.4	Apex Rd Brownhills	0.81	CN SLINC sine
IN9.4	Land at Corner of Brickyard Road, Aldridge	0.87	sinc
IN9.8	Coppice Lane (FMR Base), Aldridge	1.09	MI
IN9.10	Joberns Tip, Longleat Rd, Aldridge	4.31	
IN9.12	Adj Joberns Tip	1.93	sSinc
IN9.13	Longleat Road West	0.19	
IN9.14	Longleat Rd East	0.62	
IN17.1	Focus 10 Willenhall Lane Bloxwich	3.45	CN, SLINC
IN17.2	Fryers Rd Bloxwich	3.51	CN, SLINC
IN18.2	Land Opp Mary Elliott School	0.53	NO2
IN32.2	Former Scrap Yard Alma Street	0.51	NO2
IN69.3	Adj Rainbow Business Park Willenhall	0.45	

IN70.4	Land rear of Wednesfield Rd Willenhall	0.40	
IN71.2	N of Watery Lane, Willenhall	0.61	SINC
IN72.2	R of Assa Abloy	2.23	F2
IN103.2	FMR IMI South of Canal	0.59	CN, EZ, SLINC, II, NO2, LDO
IN328	FMR Deeleys Castings, Leamore Lane, Walsall	2.54	CN, SLINC, NO2
	Total occupied local quality retained land	318.29 313.21	
	Total vacant local quality retained land	25.32 25.26	
	Total local quality retained land	343.61 338.47	

4.4.1 Policy Justification

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

4.5 Local Quality Land to be Considered for Release

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

Policy IND4: Local Industry Consider for Release OMSAD15

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

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

Redevelopment or re-use for Town Centre Uses as defined in the National Planning Policy Framework will not be permitted except where local need is demonstrated and the sequential approach is applied (see BCCS policy CEN 6 and CEN7, and UDP saved policies S6 and S7.

a) Occupied Sites to be considered for release

Reference	Site name	Size (ha)	Potential Alternative (subject to DEL2)	Notes, Assets and Constraints, and Notes (See Chapter 2)
IN3	Lindon Rd North Brownhills	0.85	Housing	CN, SLINC, sinc
IN6.2	Hall Lane (east of) Walsall Wood MMSAD11	1.81 2.88	Housing	aos, CN, NO2, sinc, SLINC (note 1)
IN8	Birch Lane Stonnall	1.6	Housing	GB, GW, MSA
IN12.12	Leighswood Rd Aldridge	0.4	Housing	
IN15	Enterprise Drive Streetly	0.55	Housing	
IN16	Goscote Lane Ind Est Bloxwich	0.9	Housing	
IN19.2	Croxstalls Rd Bloxwich	3.49	Housing	ca
IN20 IN200 IN201 IN202 IN214 IN238 IN257 IN265	Small Bloxwich Sites	1.6	Housing	lb (IN238, IN265), LL (IN257), NO2 (IN257)

IN33	Northcote Street Walsall	2.86	Housing	LL
IN35.1 IN36 IN37	Birchills Sites Walsall MMSAD12	0.9	Housing	CA, CN, LL(1), II(2), NO2, SLINC
IN39.1	North St Walsall	0.3	Housing	f2, f3 (southern edge), LL, SLINC
IN39.3 IN39.5 IN40.1 IN40.2 IN260	Stafford St Sites Walsall	2.8	Housing	Ib(3), LL(1), II(5), NO2
IN43 IN44.1 IN44.2 IN44.4 IN44.5 IN230 IN236	Chuckery Sites Walsall	3.2	Housing	GW, LL(3), II(5) (note 2)
IN45 IN46.1 IN46.2 IN231 IN232	Caldmore Sites Walsall	1.5	Housing	CA (2), GW, Ib(3), LL(3), II(7)
IN47	Highgate Brewery	0.5	Subject to SAD Policy EN6	CA, LB, II
IN48.4	Pleck Rd South Walsall	0.6	Housing	CN, NO2, SLINC
IN53	St John's Rd Pleck Walsall	0.2	Housing	NO2
IN59	Bentley Lane Business Park	1.8	Housing	
IN66	Ezekiel Lane Willenhall	4.6	Housing	CN, II(2), SLINC
IN69.2	St Anne's Industrial Estate Willenhall	0.7	Housing	
IN70.5 IN70.7	Temple Bar Area, Willenhall	4.17	Housing	ca, CA, LB (IN70.7),

IN70.8 IN75.1 IN245 IN249		2.7		lb, LL (IN75.1), II(8), PROW (IN70.7)
IN73.1 IN73.2 IN73.3 IN73.4 IN206 IN207 IN213	West Central Willenhall Sites	2.3 1.4	Housing	F2, F34
IN206, IN207 IN213	West Central Willenhall Sites #2	1.2	Housing	II(3)
IN77.1 IN77.3 IN77.4 IN77.5 IN77.6 IN77.14 IN77.17 IN77.20 IN221 IN222	East Central Willenhall Sites	10.8	Housing	f2, f3 (southern edge), LB, lb, LL(7), II(6), MSA (note 3)
IN86.1	Perry Street Darlaston	0.5	Housing	LDO
IN86.2	Booth St Darlaston	0.2	Housing	
IN101	Westbourne Rd Darlaston	0.4	Housing	
IN102	Franchise Street Darlaston	6.9	Housing	MSA
IN112	Alma Works Darlaston Rd Darlaston	1.6	Housing	
IN113.2	Adj FMR Servis Darlaston Rd Darlaston	0.2	Housing	
IN113.3	New Cross St Darlaston	0.1	Housing	
IN123 IN124	Stafford Rd North & South Darlaston**	1.22	Housing	
IN125	Addenbrooke St Darlaston	1.2	Housing	
IN209	King Street, Palfrey, Walsall	0.2	Housing	GW

IN226 IN228 IN229	The Butts Sites Walsall	0.4	Housing	LL, II
IN239	Park Lane/Wood St Darlaston	0.7	Housing	
IN254	Pinfold St/Alfred St Darlaston	0.3	Housing	
IN255	Gladstone Street, Darlaston	0.14	Housing	
IN258	Lister St Willenhall	0.1	Housing	LL

b) Vacant sites to be considered for release

Reference	Site Name	Size (ha)	Potential alternative (subject to DEL2)	Notes, Assets and Constraints, and Notes (See Chapter 2)
IN50.1	Meadow Street/Tasker Street	1.1	Housing	F2, GW, NO2
IN77.13	FMR George Dyke	0.5	Housing	LB, lb, II(4)
IN126	Adj Darlaston Welded Presswork	0.94	Housing	
	Total consider for release occupied stock	58.8 60.1		
	Total consider for release vacant sites	2.54		
	Total consider for release	61.4 62.7		

Notes for table (these notes will not appear in the adopted SAD):

Note 1: Part of site IN6 (west of Hall Lane) and the whole of site IN8 (Birch Lane) have been reclassified as Retained Local Quality so are now listed under Policy IND3. The remainder of site IN6 (east of Hall Lane) has been renumbered as site IN6.2.

Note 2: Site IN44.1 no longer includes Burleigh House as the site consists of B1 offices rather than industry. The Policies Map has therefore been amended. However, the area involved is less than 0.05ha so there is no change to the “consider for release” land area total.

Note 3: Site IN77.4 has been combined into IN77.3 and IN77.6 has been

combined into IN77.5.

4.5.1 Policy Justification

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

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

4.6 Allocation of New Land for Industry

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

Policy IND5: New Employment Opportunities

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

Reference	Site name	Size (ha)	Notes, Assets and Constraints and Notes (See Chapter 2)
IN122	Former Moxley Tip, Moxley Road, Darlaston ¹ MMSAD13	10.40	CN, f2, f3 (western edge),

			MSA, PROW, slinc , SLINC
IN315	Cinema & Casino Bentley Mill Way, Darlaston	4.59	CN, f2, f3 (southern edge), LB, LDO, NO2, SLINC
IN317	Millers Close, Bentley Mill Way, Darlaston	0.8	CN, F2, f3 (western edge), GW (edge), LB, LDO, NO2, SLINC
IN333	Former Willenhall Sewage Works and access to site , off Anson Rd, Willenhall ² MMSAD13	8.77	F2, F3, MSA, NO2e2 , SLINC
IN341	Land north of Hughes Road, Moxley, Darlaston ³	4.21	F2, F3
	Total new employment opportunities	28.77	

Notes for Table:

1. Proposals on this site will be expected to provide an element of leisure and recreation
2. As a result of the flood risk affecting the allocation, development proposals should be informed following early consultation with the Environment Agency.
3. Land North of Hughes Road could be combined with adjoining employment land on the other side of the boundary with Wolverhampton to form an opportunity of 8.3ha, accessed via Dale St, Wolverhampton

4.6.1 Policy Justification

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

4.6.2 Evidence (policies IND1 to IND5)

- BCCS & UDP saved policies
- Walsall Employment Land Review 2015

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

4.6.3 Delivery

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

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

This will be accomplished through the following mechanisms:

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

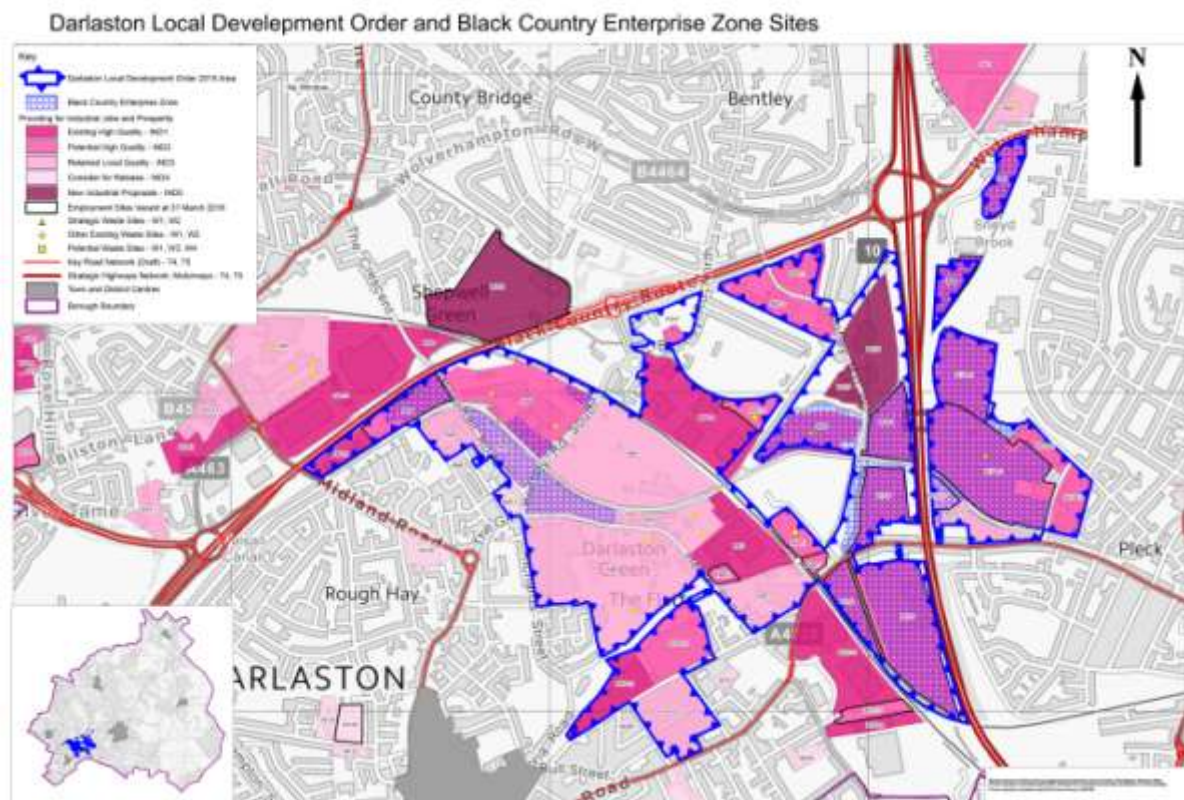
~~The Delivery Plan Land for Industry Chapter and the ELR Appendix E cover this in greater detail.~~ [OMSAD16](#)

Delivery of industrial development will also be supported by the Black Country Enterprise Zone and by the Darlaston Local Development Order (LDO) (see Map 4.1). The importance of providing for industrial development in the area is reflected in the establishment of the Black Country Enterprise Zone, which includes sites in Darlaston (as well as in South Staffordshire). This is complemented by the adoption of an LDO applied to the Enterprise Zone sites and some surrounding Land in Darlaston. This grants planning permission for research and development, light industry, general industry and storage and distribution uses across the overall area, as well as development for the re-use and re-cycling of non-hazardous, non-organic waste enclosed within permanent buildings within a defined sub-zone. The extent of the Enterprise Zone and the Area covered by the LDO are shown in Map 4.2.

The Darlaston LDO is published on the Council's website:

<http://cms.walsall.gov.uk/index/environment/planning/lido.htm> . It sets out that the permissions granted are subject to various restrictions, requirements and conditions.

Otherwise (or as an alternative) permissions can be obtained through the use of planning applications. The current LDO came into force in April 2015 and should last for 3 years.



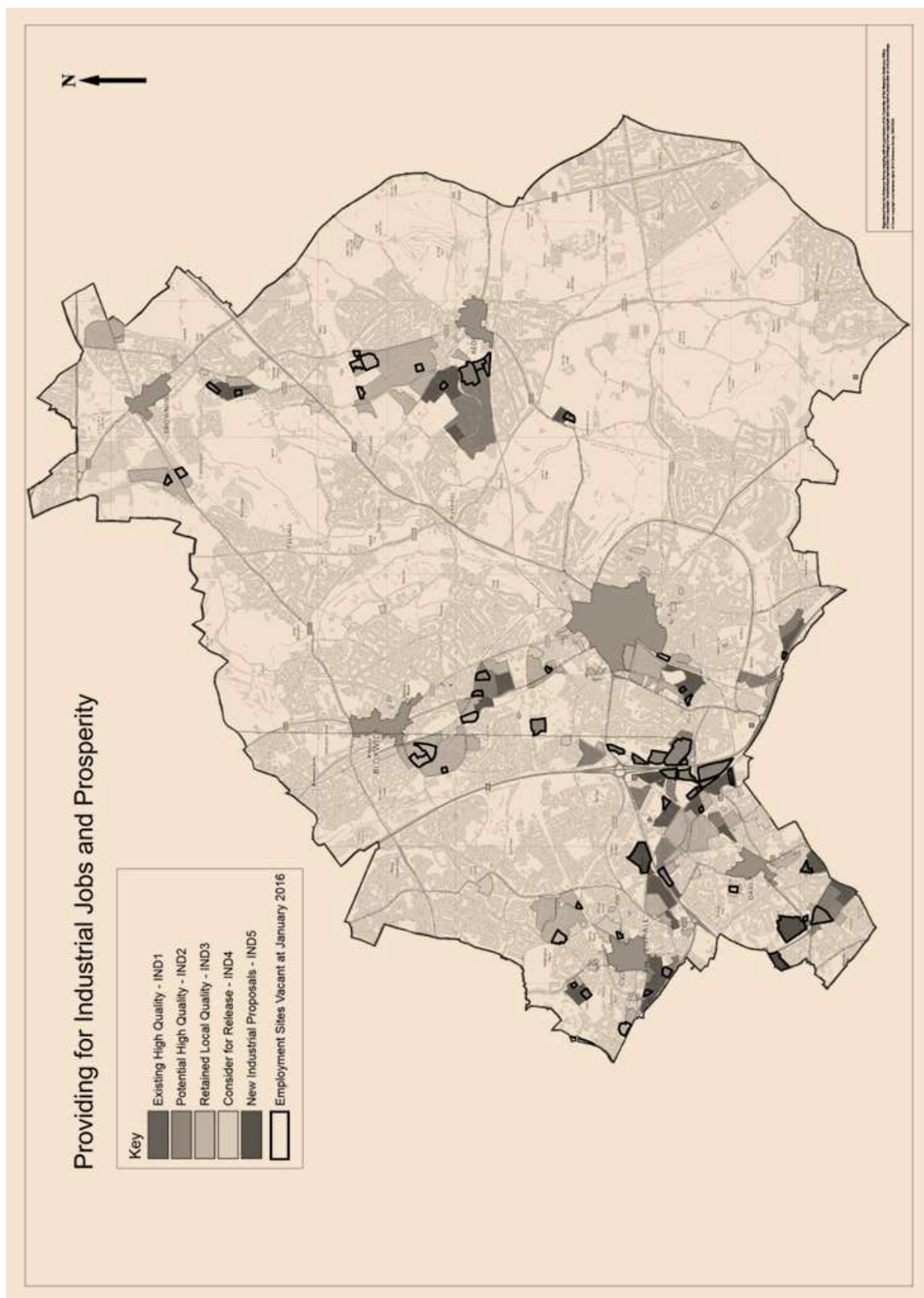
Map 4.1: Darlaston Enterprise Zone and Area of Local Development Order.

Additional Map

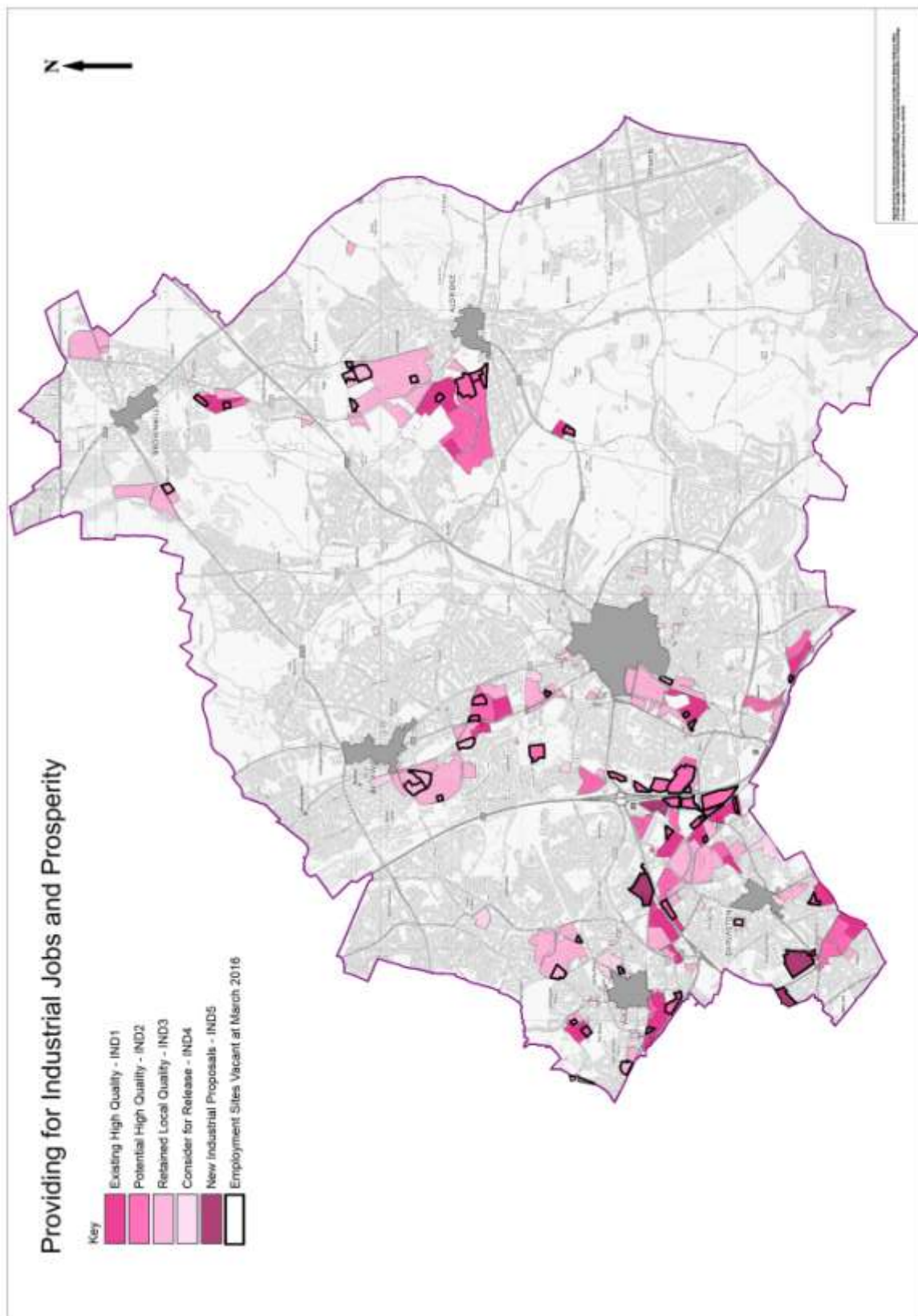
4.6.4 Monitoring

SAD Policy	Indicators	Targets	Relevant BCCS Indicator/ Targets ²
General	IND1a – Employment Land Completions by Local Authority (ha)	Minimum 611ha employment land by 2026	LOI EMP1a, DEL2b
IND1, IND2, IND5	IND 1b –Net change to High Quality Employment Land stock	To reach 317ha of High Quality Land by 2026	LOI EMP2a LOI EMP2b
IND1	IND1c – Loss of Strategic High Quality Employment	0ha	LOI EMP2c

	Land as defined in Policy EMP2		
IND3	IND3a – Net change to Local Quality Employment Land	Minimum 294ha by 2026	LOI EMP3a
IND4	IND4a – Loss of Local Quality employment land	No more than 86ha by 2026 (see BCCS Table 4)	LOI EMP3b



Map 4.1: Employment Site Allocations *Superseded*



Map 4.24: Employment Site Allocations *Amended Map* OMSAD17

5 Strengthening Our Local Centres

5.1 Introduction

Centres are the focus of retail, leisure, commercial and civic uses. They play a crucial role in the strength and liveliness of the borough as a whole as well as meeting the needs of Walsall’s communities, and they provide jobs for local residents.

The centres are distinguished by a well-established hierarchy in terms of their scale, nature and catchment area. Walsall Town Centre, which is identified as the Strategic Centre for Walsall Borough in the BCCS, is at the top of the hierarchy and is covered by the Walsall Town Centre Area Action Plan (AAP). This is followed by the five District Centres (Aldridge, Bloxwich, Brownhills, Darlaston, Willenhall) which will be addressed in due course by detailed plans. At the local level, Walsall has 35 Local Centres that meet people’s day-to-day needs.

5.2 Walsall’s Local Centres

Policy SLC1: Local Centres

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

LC1	Caldmore	LC19	Streetly
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LC2	Pelsall	LC20	Bentley
LC3	Blakenall	LC21	Coppice Farm
LC4	Rushall	LC22	Blackwood
LC5	Stafford Street	LC23	Palfrey
LC6	Coal Pool	LC24	Fullbrook
LC7	Streets Corner	LC25	Turnberry Road
LC8	Leamore	LC26	New Invention
LC9	Walsall Wood	LC27	Beacon Road
LC10	Pleck	LC28	The Butts
LC11	Lane Head	LC29	Dudley Fields
LC12	Moxley	LC30	Birchills
LC13	Beechdale	LC31	South Mossley
LC14	Queslett	LC32	Brackendale
LC15	Lazy Hill	LC33	Buxton Road Bloxwich
LC16	Collingwood Drive	LC34	Woodlands
LC17	Park Hall	LC35	Spring Lane Shelfield
LC18	Shelfield		

5.2.1 Policy Justification

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

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

Schemes that propose housing in centres on the basis that centre uses are contracting will be expected to provide evidence to justify this argument, including, for example historical development patterns, vacancy rates, performance of retailers and turnover of occupiers.

5.2.2 Evidence

- Walsall Local Centres Study (March 2016) Walsall Council

- Walsall Employment Land Review (March 2016) Walsall Council
- Walsall Strategic Housing Land Availability Assessment and Housing Land Supply Update (2016 2014). Walsall Council [OMSAD18](#)

5.2.3 Delivery

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

5.2.4 Monitoring

Indicator	Target	BCCS Monitoring Indicator/ Target?
SLC1a – Amount of additional floorspace for town centre uses within local centre.	No set target	LOI CEN5
SLC1b – Number of development opportunities delivered	Increase over the plan period	No

5.3 Local Centres Development Opportunities

Policy SLC2: Local Centres Development Opportunities

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

Centre	Development Opportunity	Suitable Uses	Constraints and Assets and Constraints, and Notes (see Chapter 2)	Size Ha
LC1: Caldmore	LC1A: Thorpe Road and Spout Lane car parking	Formal car parking.	CA	0.16
LC1: Caldmore	LC1B: Land behind West Bromwich Street	Formal car parking or residential.	ca	0.28
LC2: Pelsall	LC2A: Public Toilets and 17-18 Norton Road	Town Centre uses or residential.	CA	0.03
LC2: Pelsall	LC2B: Land adjacent 33 High Street	Town Centre uses below residential above.	ca	0.04
LC3: Blakenall	LC3A: Chapel Street Car Park	Town Centre uses if issues over the loss of car parking can be addressed.		0.19
LC3: Blakenall	LC3B: Land rear of units corner of Ingram Road and Barracks Lane	Retail or other centre uses on the ground floor with residential above.		0.09
LC4: Rushall	LC4A: Station Road green space	Could provide for a larger retail unit if one is needed	OS (too small for	0.13

		in the centre, if the issues around vehicle access are overcome.	allocation)	
LC4: Rushall	LC4B: Site of Miners Arms Public House	Town Centre uses or Residential.		0.04
LC5: Stafford Street	LC5A: Corner of Blue Lane East and Stafford Street	Town Centre uses if there is demand; however there are a number of vacant units where investment should be directed in the first instance. Residential could be supported if a satisfactory residential environment is achieved.		0.12
LC5: Stafford Street	LC5B: Vacant unit Stafford Street/Ryecroft Street	Retail or other commercial uses such as previous use as a garage.		0.06
LC6: Coal Pool / Ryecroft	LC6A: Former library and clinic site Ross Road	Given the physical shape, and differences in levels and ownerships, different uses may be appropriate for the various parts of the site. The site of the former library could be used for retail or community uses. The rest of the site is a little detached from the rest of the centre so would be more suitable for residential.		0.73
LC6: Coal Pool / Ryecroft	LC6B: Former Dartmouth House Ryecroft Place	Residential.		0.50
LC7: Streets Corner	LC7A: Land north of Royal Exchange Public House and site of Club	Residential.		0.27

LC8: Leamore	LC8A: Site of Butlers Arms PH Bloxwich Road and Land north of 1 to 3 Harden Road	Mixed use with commercial below. The re-opening of a pub would be welcomed.		0.21
LC8: Leamore	LC8B: The Crown Public House Leamore Lane	Redevelopment of the pub to bring it back into use. Residential possible with commercial units at the front of the site.		0.20
LC10: Pleck	LC10A: 315 to 317 Wednesbury Road and land south of 293 to 287 Wednesbury Road	Residential. However if there is demand for a larger retail unit within the centre this would be the most suitable site.		0.24
LC12: Moxley	LC12: Land adjacent to 64 and 74-76 High Street	Residential.		0.08
LC13: Beechdale	LC13A: Stephenson Square, Bloxwich, WS2 7DX	Community use or other town centre uses.	F2 and F3	0.07
LC14: Queslett	LC14A: Land at corner of Moreton Avenue and Beacon Road	Town Centre use including community or medical use. Residential would also be suitable.		0.14
LC15: Lazy Hill	LC15A: Land at the rear of 196-210A Walsall Wood Road	Possibly car parking as the centre is busy and may need further spaces. Residential use could be suitable if the issues related to access can are be addressed. Not really suitable for centre uses in view of poor physical and visual links to the centre. Possible light industry or sui generis uses such as kitchen fitting etc.		0.38

LC18: Sheffield	LC18A: Land adjacent to The Four Crosses Green Lane	Care home as with current permission or other residential.		0.11
LC20: Bentley	LC20A: Land Corner of Churchill Road and Queen Elizabeth Avenue	A community facility and/or a high quality residential scheme. Retail uses may be supported if there is a demand.		0.42
LC26: New Invention	LC26A: Former Garages rear of The Square Lichfield Road	Residential unless there is a need for other centre uses.		0.09
LC28: The Butts	LC28A: Site of Former Mellish Road Methodist Church Lichfield Street	Town Centre uses such as convenience retail or a pub if any issues over access are resolved. The site may be suitable for residential as it is set back from the main road.	CA, LIMESTON E	0.17
LC30: Birchills	LC30A: Land between 109a and 119 Hollyhedge Lane	Car parking to support the development opportunity opposite (LC30B).	II	0.02
LC30: Birchills	LC30B: 70 Hollyhedge Lane	Retail, Community use or medical use. Residential may be supported.		0.07
LC30: Birchills	LC30C: 43-44 Birchills Street	Residential and/or Retail, Community use or medical use.	Next to the Grade II listed church.	0.05
LC31: South Mossley	LC31A: The Leathern Bottle Cresswell Crescent	Mixed use included a pub, retail and residential.		0.21
LC33: Buxton Road	LC33A: Former Bloxwich North Neighbourhood Office Buxton Road	Community use. Retail if demand could be demonstrated.		0.05

5.3.1 Policy Justification

Policy SLC2 identifies a number of opportunities for development and investment in some of the Local Centres. This list is not definitive and the Council will support in principle other development proposals that accord with policies in Walsall's Local Plan. Identifying development opportunities allows for the centres to grow within the established boundaries and acts as a mechanism to attract investment into centres as opposed to out-of-centre locations. The opportunities were identified through the Local Centres Study and where appropriate suitable uses have been suggested. [The sites are shown on the Policies Map and Map 5.1 below: more detailed plans of individual sites can be viewed in the Local Centres Study. OMSAD19](#)

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

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

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

5.3.2 Evidence

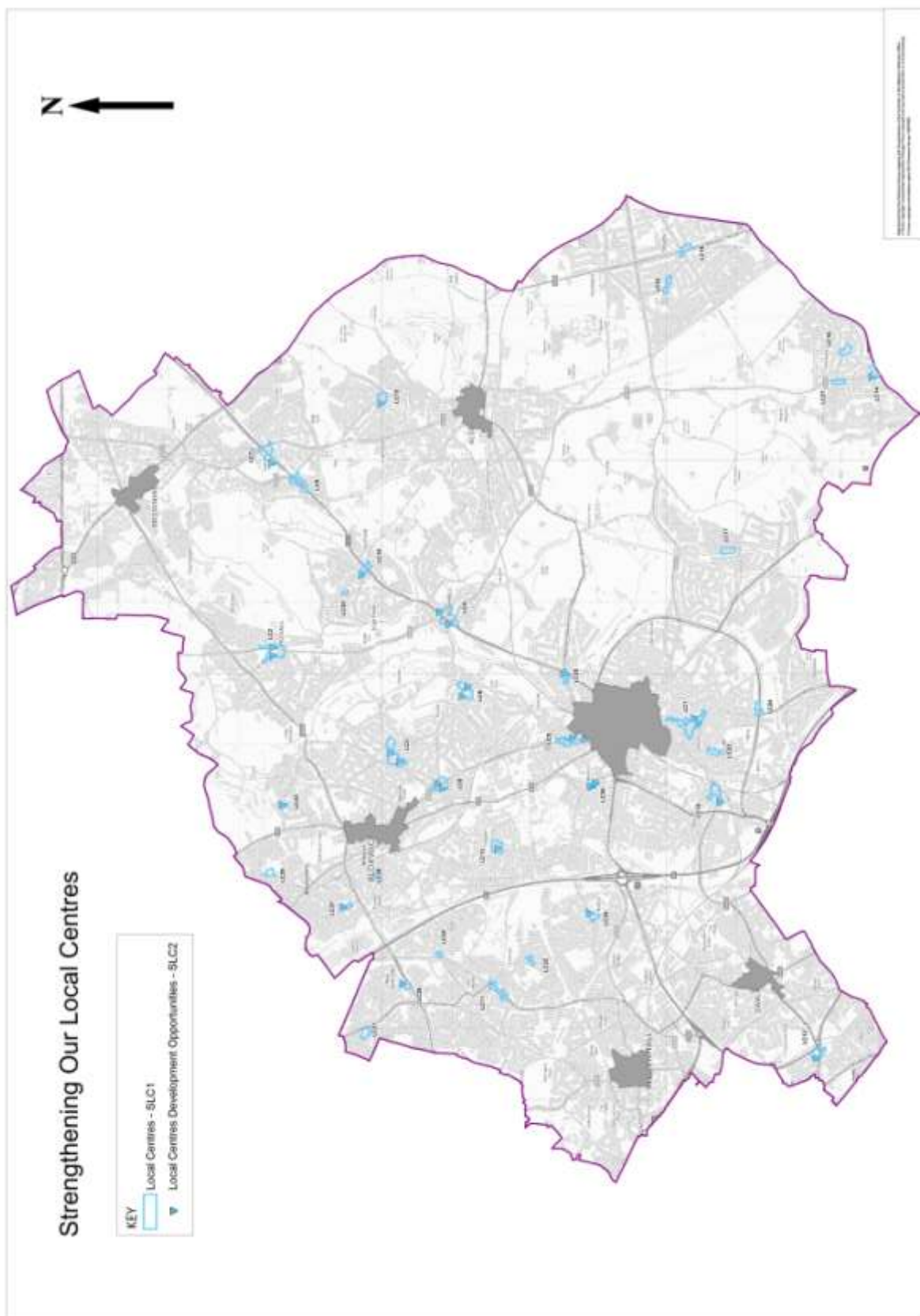
- Walsall Local Centres Study (March 2016) Walsall Council
- Walsall Employment Land Review (March 2016) Walsall Council
- Walsall Strategic Housing Land Availability Assessment and Housing Land Supply Update (2016 4).Walsall Council [OMSAD20](#)

5.3.3 Delivery

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

5.3.4 Monitoring

Indicator	Target	BCCS Monitoring Indicator/Target?
SLC2a – Amount of additional floorspace for town centre uses within local centre.	No set target	Yes – see BCCS Policy – LOI CEN5
SLC2b – Number of development opportunities delivered will be recorded to monitor the policy and to provide an update of the opportunities remaining.	Increase over the plan period	No



Map 5.1: Local Centres and Development Opportunities

6. Open Space, Leisure and Community Facilities

6.1 Introduction

This chapter provides the policies, and land allocations for the open space, sport and recreation network and explains the Council's approach to allocations and policies relating to leisure and community facilities. The objective of policies contained within this chapter is to safeguard important components of Walsall's open space network, and facilitate the provision of leisure and community facilities to meet the needs of existing and future Walsall residents.

6.2 Open Space, Sport and Recreation

The provision and management of formal and informal open space is an important issue for the Council. Ensuring sufficient levels of open space provision, of a suitable standard, are available to meet the needs of the area's existing and future residents features in BCCS Spatial Objectives 6 "*A High Quality Environment*" and Objective 8 "*A sustainable network of community services, particularly high quality lifelong learning, health care and sport and recreational facilities...*". The application of BCCS policy CSP3 Environmental Infrastructure, in particular, will deliver BCCS Spatial Objective 6.

~~SAD~~ Policy OS1: Open Space, Sport and Recreation OMSAD21

- a) The Policies Map identifies sites within the open space network which are generally greater than 0.4 hectares. However all open space, including areas less than 0.4 hectare that are not shown on the Policies Map, is subject to paragraphs b), c) and d) below.
- b) Development proposals that would result in the loss of, **or would otherwise are within, or that might** adversely affect the open space, sport and recreation network, will be assessed in accordance with the NPPF, BCCS Policy ENV6, and UDP **Saved** Policy LC1. The criteria provided within BCCS Policy ENV6 and UDP **Saved** Policy LC1 will be applied to determine a proposal's potential impact on **the network** ~~open space~~.
- c) Development proposals within or affecting the open space, sport and recreation network will be subject to relevant local plan policies, including UDP **Saved** Policies LC3, LC4, LC5 and LC6.
- d) Development proposals that would reduce the overall value of the open space, sport and recreation network, or prejudice any of the functions listed within UDP **Saved** Policy LC1 and BCCS ENV6, will be resisted. Development proposals that would increase the overall value of the network will be encouraged.

6.2.12 Policy Justification

The ability to access open space can have a significant influence on the health and well-being of Walsall's residents. The amount, location and quality of open space are all important factors towards improving Walsall's long-standing health and well-being issues, and addressing health inequalities within the borough.

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

The provision of open space is an important factor towards achieving sustainable development (see NPPF paragraphs 6-10). Proposals affecting open space provision are subject to the requirements of the NPPF, particularly paragraph 74, which applies to all existing open space regardless as to whether or not they have been designated as open space within the Local Plan. In addition, many open spaces have an ecological value and contribute to the borough's strategic green infrastructure network (see NPPF paragraph 114).

Providing access to, and good experiences of, the natural environment is an important factor of urban living. The State of the Environment Dashboard, produced by the Birmingham & Black Country Local Nature Partnership, provides an estimate of the number of residents living within a 300 metre radius of statutory and non-statutory wildlife and geological sites. For Walsall, in 2015, this was calculated to be 43,000 and 156,000 respectively.

As noted in paragraph a) of the policy, open spaces less than 0.4 hectares in size are generally not shown on the Policies Map. However, such small sites include Pocket Parks and other provision for children and young people. These sites still perform important functions. OMSAD22

6.2.23 Evidence

- Green Space Strategy (2012)
- PPG17 Study (2011)
- Playing Pitch Strategy (2011)
- Playing Pitch Strategy (2016)
- The Health and Wellbeing Strategy for Walsall (2013-2016)
- The State of the Environment Dashboard, Birmingham & Black Country Local Nature Partnership (2015)

6.2.34 Delivery

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

The overall levels of access to open space throughout the borough will be maintained, except for when overriding circumstances exist, by ensuring that no development results in, or exacerbates an existing, deficiency of open space within the affected area. Any development proposal that will adversely affects an area of open space will be expected to mitigate the effect or loss by providing equivalent or better replacement provision or improvements to open space in the affected area overall. The Council will provide support, where possible, to local community groups and interested parties in maintaining and improving their areas of open space.

6.2.45 Monitoring

Indicator	Target	BCCS Monitoring Indicator/ Target? OMSAD23
OS1a – Level of accessible open space	4.96 Ha of accessible open space per 1,000 population.	LOI ENV6a. This indicator has been updated to reflect the target of Walsall's Green Space Strategy, 2012.

6.3 Greenways

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

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

- a) **The Greenway network, as shown on the Policies Map, will continue to be created, enhanced and safeguarded. Priorities will be:-**
 - i. **Greenways which form part of the National Cycle Route and Safe Routes to Schools.**
 - ii. **Improving access to open spaces and the countryside.**

iii. Areas of low car ownership.

iv. the Metropolitan Strategic Cycle Network

v. the Canal Network **MMSAD17**

- b) The design of Greenways should take account of community safety objectives (see BCCS Policy ENV3) and avoidance of potential nuisance to adjoining residents. Greenways will not be permitted in close proximity to existing or proposed rail lines if this would be prejudicial to safety or rail operational / design requirements.**
- c) Developers of sites which include or adjoin parts of the Greenway network will be expected, if consistent with the CIL regulations, to fund the construction or improvement of these, together with any necessary links from the Greenway network into the development. Management and maintenance agreements, which specify responsibilities and revenue sources, must be concluded before development commences.**
- d) Development which would sever or narrow an existing or proposed Greenway will not be permitted.**

6.3.1 Policy Justification

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

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

SAD Policy LC5 updates UDP Saved Policy LC5.

6.3.2 Evidence

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

6.3.3 Delivery

The Council will look to deliver improvements to existing greenways and the development of new greenways through its own direct action (Local Transport Plan and through the development management process) and in partnership working with [Transport for West Midlands Centre](#) and other interested parties such as the Canal &

Rivers Trust. Where appropriate developer contributions will be used to fund improvements. [OMSAD24](#)

6.3.4 Monitoring

Indicator	Target	BCCS Monitoring Indicator/ Target?
LC5a – Number of proposals that reduce the extent of the existing greenway network.	0	No

6.4 Land for Cemetery Extension, Bentley Lane

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

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

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

This site is affected by the following Assets and Constraints (see Chapter 2):
 GB, OS, MSA, PROW

~~6.4.1 Notes, including constraints and assets (See Chapter 2)~~

~~GB, OS, MSA, PROW~~

~~6.4.1~~ **Policy Justification**

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

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

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

Planning permission has been granted, subject to conditions, for the extension of the existing cemetery (15/0744/FL).

SAD Policy LC11 replaces UDP Saved Policy LC11.

6.4.23 Evidence

- This is a UDP saved policy to meet a recognised need in this area of the borough.
- Planning permission 15/0744/FL

6.4.34 Delivery

Willenhall Lawn Cemetery is operated by the Council and the extension of the cemetery would be delivered by the Council.

6.4.45 Monitoring

Indicator	Target	BCCS Monitoring Indicator/ Target?
LC11a – Implementation of expansion	By the end of plan period	No

6.5 Community and Indoor Sports Facilities

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

The ranges of communities' potential needs and the variety of existing provision mean that the issues in planning for community and indoor sports facilities are complex. Whilst in quantitative terms there might be sufficient indoor sports facilities (especially with investment in leisure centres at Oak Park and at Bloxwich), it is difficult to ascertain what the needs for community facilities might be. Facilities exist in various locations, but not all are best-placed to serve their communities or to maximise their potential. Although there has been recent investment, some facilities are of poor quality. With limits to the public resources that are available and many communities experiencing deprivation and going through economic changes, the

continuing viability of facilities might be an issue, although the voluntary sector is being encouraged to take an increasing role in providing and/ or managing community spaces and activities. The private sector can have a role in providing places where people can meet (including in public houses and cafes for example) and gyms and health and fitness clubs, but these have to depend on the ability to be profitable. It follows that the affordability of some of these facilities is likely to be to an issue for some residents.

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

- a) New facilities should be planned, and improvements prioritised where they are most accessible to the communities they are intended to serve. Often this will be in town, district or local centres (and the AAP for Walsall town centre seeks to plan positively for new and improved facilities), although some facilities might best be located elsewhere to meet more local needs.
- b) Improvements to existing facilities will be supported in principle provided they accord with the other policies of the plans and would not have adverse impacts on local amenity and traffic nor on the viability of facilities that are important for the vitality of centres or that are important to maintain important assets (such as open space).
- c) Existing facilities will be safeguarded where viable and practicable.
- d) There will be a need to recognise that some facilities might no longer be viable and such sites should be considered for other uses (in accordance with the other planning policies).

On this basis it is considered that the existing policies in the BCCS and UDP can be retained to give the framework for planning decisions about the future of community and indoor sports facilities. Work to date on the SAD has not identified any specific needs for new or improved facilities that would require the allocation of sites. Rather, those who make or manage provision aim to improve community and indoor sports facilities on existing sites where necessary and feasible.

6.5.1 Evidence

- Walsall Site Allocation Document Issues and Options Report (April 2013)
- Walsall SAD Sustainability Appraisal
- Walsall Council, Sport & Recreational Facilities PPG17 Audit & Assessment (2011)

6.6 Education, Training and Health Facilities

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

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

The council in its roles as planning authority, education authority and with responsibility for public health has been working with partners to consider possible future needs. The ageing population and its possible impact on the need for health and social care facilities is part of a long term trend. Although there has been an increase in births in recent years, this may only be short term.

The longer term impact on the need for school places is more difficult to predict. The education authority has confirmed that additional capacity is required in primary schools, but this can be provided by adding classrooms and reconfiguring existing buildings. A programme of works to achieve this has been agreed. However, legislative changes to the ownership and control of schools and health facilities mean that the local authority now has little control over where new and expanded facilities are provided.

In these circumstances, the work on the SAD is considered to confirm the validity of the approaches set out in NPPF, in the BCCS (the Vision, Sustainability Principles and Objectives and Policies CSP1, CSP2, CSP4, HOU5, CEN1–CEN7, ENV6) and the Saved Policies of Walsall's UDP (paragraphs 5.4-5.7, S1-S4, S6-S7, paragraphs 8.7-8.9 and LC8). In broad terms, and similarly to the policies for community facilities, these provide for the following.

- a) New facilities should be planned, and improvements prioritised where they are most accessible to the communities they are intended to serve. Often this will be in town, district or local centres (and the AAP for Walsall town centre seeks to plan positively for new and improved facilities), although some facilities might best be located elsewhere to meet more local needs.
- b) Improvements to existing facilities will be supported in principle provided they accord with the other policies of the plans and would not have adverse impacts on local amenity and traffic nor on the viability of facilities that are important for the vitality of centres or that are important to maintain important assets (such as open space).
- c) Existing facilities will be safeguarded where necessary.
- d) There will be a need to recognise that some facilities might no longer be needed and such sites should be considered for other uses (in accordance with the other planning policies).

It is considered that the existing policies in the BCCS and UDP provide an appropriate framework for planning decisions about the future of education, training and health facilities. Specific provision for education, training and health will often depend on where new development, especially housing, will be located. Work to date on the SAD has not identified any specific needs for new or improved facilities that would require the allocation of sites. Rather, those who make or manage provision aim to improve education and health facilities on existing sites where necessary and feasible.

There are two major exceptions to this approach. The borough accommodates two major further/ higher education sites where there are significant issues about the importance of accommodating enhancements whilst reconciling the development of these sites with surrounding/ nearby uses. A policy for the Walsall Technical College campus at Wisemore is included in the emerging Area Action Plan for Walsall Town Centre. A policy for the Gorway Campus of the University of Wolverhampton is set out in SAD Policy UW1.

6.6.1 Evidence

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

6.7 University of Wolverhampton, Walsall Campus

Walsall's UDP included a policy (LC10) specifically relating to the University of Wolverhampton's Walsall Campus. Its purpose was to mitigate the potential for conflict arising from development in the area as part of the University's master plan. The policy established a balance between providing for the needs of the university, whilst safeguarding the environment and the amenity of residents. Whilst the University's master plan is largely complete, there is the possibility that opportunities arise and/ or the needs of the University change resulting in proposals for further development.

SAD Policy UW1: University of Wolverhampton, Walsall Campus

- a) The Council will encourage the continued use and development of the Walsall Campus of the University (as indicated on the Policies Map) as an important centre of Higher Education in the borough.
- b) Any proposals for additional development must be presented as a part of a comprehensive scheme taking into account the setting of the area. In particular, proposals will only be acceptable if:-
 - i. the uses proposed are of an educational, community, or leisure nature directly related to the use of the remainder of the Campus, and are not uses which should be located in an established centre; **MMSAD19**
 - ii. ~~having assessed proposals affecting the open space within the Campus in accordance with SAD Policy OS1 the Council is satisfied the open space affected is surplus to requirements~~ **those that would adversely affect the open space, sport and recreation network are found to be acceptable having been assessed in accordance with SAD Policy OS1;**
 - iii. it can be demonstrated that trees and woodlands protected by Tree Preservation Orders or meeting the criteria for such protection¹⁰ would be properly retained within any development. Where, in exceptional circumstances, small scale tree loss is unavoidable and outweighed by the benefits of the proposed development, appropriate replacement planting shall be provided;
 - v. there are satisfactory arrangements for vehicular, cycle and pedestrian

¹⁰ Section 198 of the Town and Country Planning Act 1990 says that trees or woodlands may be protected (by a tree preservation order) if it is "*expedient in the interests of amenity*": <http://www.legislation.gov.uk/ukpga/1990/8/section/198>. Walsall Council, in selecting trees for protection by a Tree Preservation Order would consider: the condition of the tree, remaining longevity and relative public visibility as key criteria. Other factors such as: the protection of a veteran tree, component parts of groups of trees, trees with historic commemorative or habitat importance and trees of particularly good form, especially if rare or unusual are also relevant.

access to the campus that are sensitive to the amenities of the surrounding residential areas. Depending on the scale of development proposed a Transport Assessment and / or Travel Plan maybe required ; and

vi. adequate provision is made for parking within the University Campus for staff, students and visitors to the University so as to minimise parking in surrounding residential roads.

vii. All development proposals should promote safe and inclusive environments, which reduce crime and the fear of crime.

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

This site is affected by the following Assets and Constraints (see Chapter 2):

MSA (part of site), OS, SLINC

~~6.7.1 Notes, including assets and constraints (see Chapter 2)~~

~~SLINC, MSA (part of site), OS~~

~~6.7.12 Policy Justification~~

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

Although the redevelopment of the campus has been substantially completed, in line with the original master plan, there is the possibility of proposals coming forward should opportunities arise in the future. These proposals will underpin the provision of educational opportunities at the campus. The Council is supportive of the University and will continue to be so through the application of SAD Policy UW1 which balances the needs of the University with the environment, and the amenity of local residents.

Although the Council recognises that the University's future plans might involve the development of part of the open space. The Council considers it important that development schemes maintain the green and open aspect of the campus, particularly given its prominence from the Broadway, which is part of Walsall's Ring Road.

The Council also considers the existing trees, woodlands and hedgerows to form an important part of the green and open aspect. Whilst a number of the trees within the site are subject to tree preservation orders, and are afforded protection by UDP Saved Policy ENV18: Existing Woodlands, Trees and Hedgerows, it is thought appropriate to conserve and protect the remaining green areas that contribute to the leafy aspect of the campus, and wider characteristics of the Gorway area.

The prominence of the campus, particularly from the Broadway, also justifies particular attention being given to the design quality of development schemes.

SAD Policy UW1 replaces Saved Policy LC10 providing an updated framework to guide development within the area.

6.7.23 Evidence

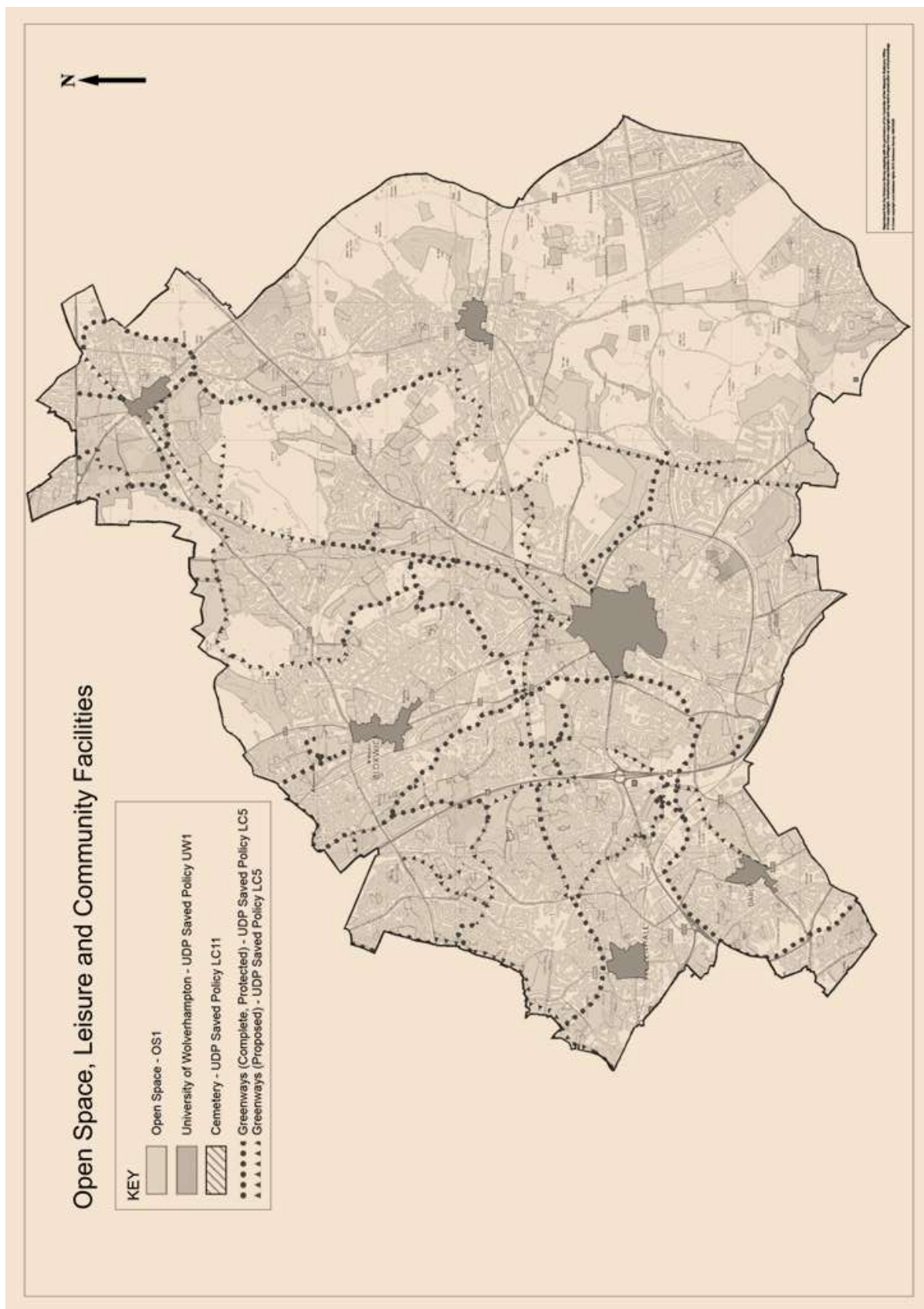
Planning application 15/0165/FL granted subject to conditions.

6.7.34 Delivery

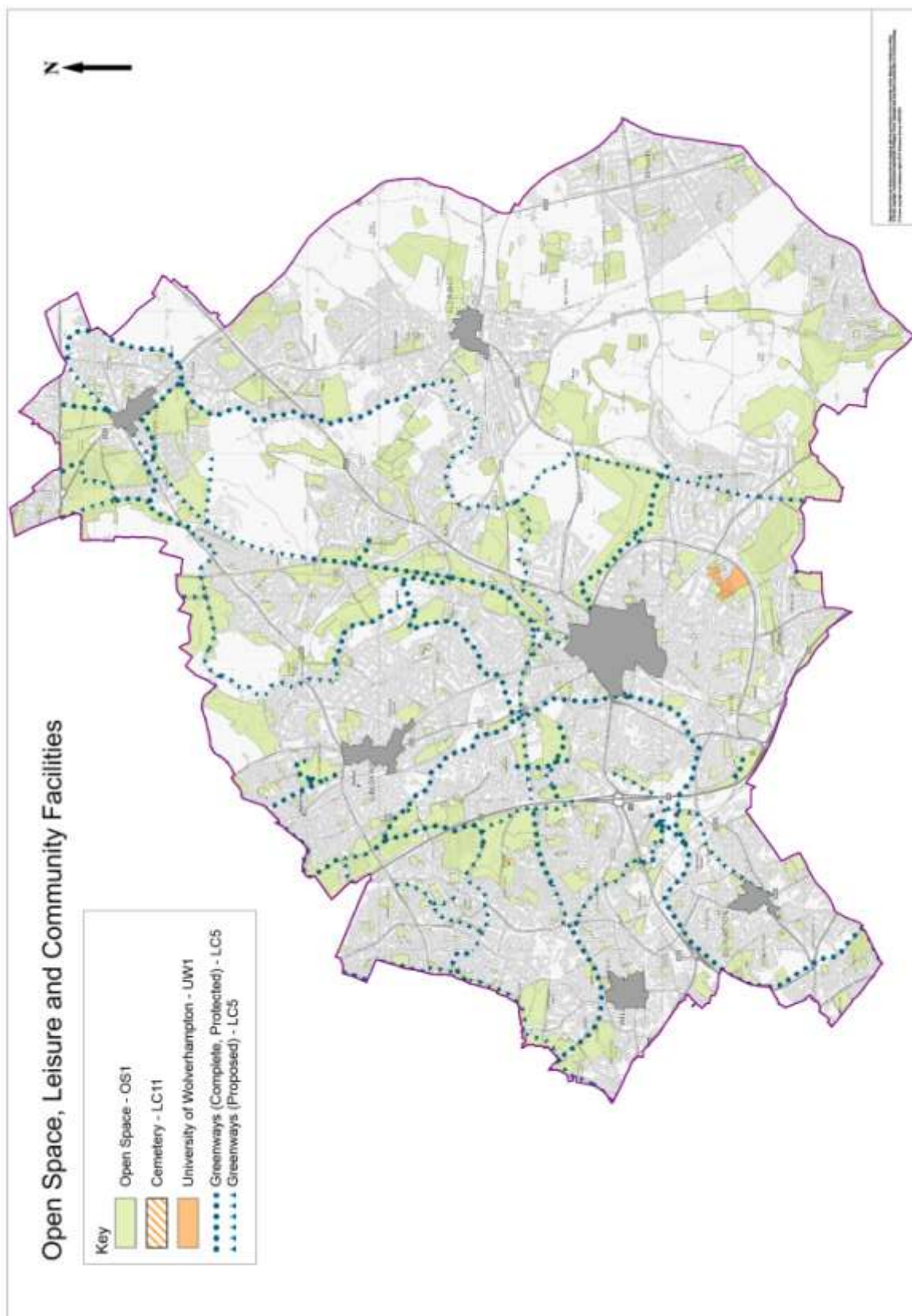
Development at the campus will be planned in light of SAD Policy UW1, and delivered by the University.

6.7.45 Monitoring

Indicator	Target	BCCS Monitoring Indicator/Target?
UW1a – Level of development on the site in accordance with this policy	100%	No



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



Map 6.1: Open Space and Community Facilities *Amended Map* OMSAD25

7 Environmental Network

7.1 Introduction

This chapter features aspects of both the natural and built environment that are important for residents, the economy, and protecting or enhancing assets of historic or cultural importance.

Walsall has a valuable built and natural environment consisting of natural and semi-natural habitats, formal and informal open space, public realm, rivers, canals, drainage systems, historic buildings, landscapes; and designated nature conservation sites such as; the Cannock Extension Canal Special Area of Conservation (SAC) ([see Map 7.1](#)).

Some of the environmental sites and assets that make up the network are within the Green Belt, exist in isolation, require enhancement, or need to be added to in order to improve connectivity. The enhancement and protection of the network will provide an attractive environment providing opportunities as a place for residents, and nature. The environmental network, particularly within urban areas, has the potential to improve public realm quality, attract visitors and investment, lessen the impact of the urban heat island effect; and mitigate flood risk, as part of a multifunctional green infrastructure approach.

A major component of Walsall's environmental network is open space, which consists of several typologies performing a multitude of functions, these include; maintaining or improving biodiversity, mitigating the effects of climate change, and improving the physical and mental well-being of residents.

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

The majority of Walsall's built and natural environment has been mapped and appears in the Policies Map. The mapping of the environmental network's components provides a basis from which to assess the network as a whole, prioritise areas for protection and enhancement, and improve connectivity through the positioning and layout of proposed development.

7.2 Green Belt Boundary

The boundary of the Green Belt is shown on the Policies Map [and Map 7.5](#). There is approximately 4,000 hectares of Green Belt in Walsall covering over a third of the

borough, the majority of which is situated within the eastern half. It provides the setting for Walsall's towns, and links them to the wider countryside. Agriculture is the predominant use in the Green Belt, whilst equine and leisure uses are becoming increasingly common. [OMSAD26](#)

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

SAD Policy GB1: Green Belt Boundary

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

7.2.1 Policy Justification [OMSAD27](#)

The Black Country Core Strategy (BCCS), as a regeneration strategy, does not propose alterations to the Green Belt boundary. However, reference to the Green Belt features within several BCCS policies, particularly CSP2 *“Development Outside the Growth Network”*, in which on page 44 the BCCS states *“Green Belt boundaries will be maintained and protected from inappropriate development”* (BCCS page 44). A strong Green Belt provides a framework from which to promote urban renaissance, and a sustainable pattern of development.

In considering the Green Belt boundary the Council has had regard to the development needs of the borough, and concluded that it is not necessary to alter the Green Belt boundary in this plan. However, there are three cases where the SAD allocates existing developed sites in the Green Belt. The first being existing industrial sites, which were previously allocated or protected under UDP policies. Consequently these sites are allocated according to the BCCS policy framework¹¹. The second is the allocation of two small existing traveller sites, with temporary or personal permissions, as permanent sites¹². The third case relates to an identified need for additional burial capacity at Willenhall Cemetery. This need was established and the site was allocated as UDP proposal LC11 and is carried forward in the SAD. The site has received planning permission, subject to conditions, for the cemetery extension (15/0744/FL). In addition, there are existing nature conservation designations and open space sites that are allocated in the Green Belt.

¹¹ IN8 (Birch Lane); IN9.17 (Stubbers Green); IN10.3 (Ibstock Brickworks, part); IN13.1 (Azzurri/Rotometrics); IN13.2 (Aldridge Park, vacant)

¹² GT5 (Cartridge Lane); GT6 (34-38 Gould Firm Lane)

The Council considers the allocation of existing sites within the Green Belt to be in accordance with the policy stance of the BCCS.

SAD Policy GB1 replaces [UDP Saved Policy ENV1](#).

7.2.2 Evidence

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

7.2.3 Delivery

The Green Belt boundary will be protected and maintained through the application of policies which resist development in the Green Belt that is considered inappropriate, unless very special circumstances exist. The SAD aims to deliver the regeneration objectives of the BCCS through the allocation of sites for housing, industry and other uses outside of the designated Green Belt.

7.2.4 ~~Monitoring~~ [OMSAD28](#)

Indicator	Target	BCCS Monitoring Indicator/Target?
GB1a The extent to which the Green Belt is protected from inappropriate development	100%	No but Policy GSP2 of the BCCS affords protection from all inappropriate development in the Green Belt.

7.3 Control of Development in the Green Belt and Countryside

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

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

- a) There is a presumption against inappropriate development, as defined in the NPPF, in the Walsall Borough Green Belt. Inappropriate development will be resisted unless ‘very special circumstances’ exist, which clearly outweigh the potential harm to the Green Belt by reason of inappropriateness, and any other harm.
- b) Where development is appropriate in principle according to the NPPF, or where very special circumstances exist to support development that would otherwise be inappropriate, the Council will also assess proposals for their impact on the Green Belt. The assessment, including in respect of the effect on the openness of the Green Belt and the purposes of including land within it, will have regard to the following factors:
- i. The detailed layout of the site.
 - ii. The siting, design, grouping, height and scale of buildings, structures and associated outdoor equipment.
 - iii. The colour and suitability of building materials, having regard for local styles and materials.
 - iv. The opportunities to use redundant land and buildings **of permanent and substantial construction** for suitable alternative uses. **MMSAD20**
 - v. The quality of new landscape schemes.
 - vi. The impact on significant views, viewpoints and topographical features.
 - vii. The cumulative physical effect of proposals in any one area.
 - viii. The implications for local facilities, particularly public services and infrastructure.
 - ix. **Accessibility - to a range of employment, service and other opportunities - by a choice of means of transport, with the potential to use sustainable means of transport.**
MMSAD21
 - ix. Any other relevant considerations identified in Walsall’s local plan.
- c) The re-use of existing buildings within the Green Belt will be acceptable provided that:-
- i. This would preserve the openness of the Green Belt and will not conflict with the purposes of including land in the Green Belt.
 - ii. It does not involve any building extension or associated uses of land around the building which would conflict with the openness and

purposes of the Green Belt.

- iii. **The applicant can demonstrate through a structural survey that any building/s proposed to be re-used are of a permanent and substantial construction, capable of conversion without major or complete re-construction.**
- iv. **The form, bulk and general design of the buildings are in keeping with their surroundings.**
- d) **Re-use for economic development purposes will usually be preferable, but residential conversions may be more appropriate in some locations, and for some types of building. Account will be taken of potential impact on the countryside, landscapes and wildlife; local economic and social needs; accessibility; the suitability of different types of buildings for re-use; and the preservation of buildings of historic or architectural importance or interest or which otherwise contribute to local character - in accordance with other relevant policies of Walsall's Local Plan.**
- e) **Buildings newly converted or newly constructed for residential use within the Green Belt will normally have permitted development rights removed to restrict the impact of domestication on the openness and character of the Green Belt.**

7.3.1 Policy Justification

The protection of the Green Belt features within the 'core planning principles' of NPPF paragraph 17.

According to the NPPF "*Green Belt serves five purposes:*

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

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

A significant area of Walsall’s Green Belt land is used for agricultural purposes. Provision is made within NPPF paragraph 112, and BCCS Policy CSP2 to protect the “*best and most versatile agricultural land*” (i.e. areas of land with an Agricultural Land Classification of 1, 2 or 3a) given its value as an economic and environmental resource. In Walsall large parts of the Green Belt are also used for the grazing of horses. Further policy guidance on the riding and stabling of horses, and on agriculture is provided by UDP Saved Policies ENV5 and ENV6.

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

SAD Policy GB2 replaces UDP **Saved** Policies ENV2 and ENV3 as these policies are no longer entirely in accordance with national policy, following the introduction of the NPPF. UDP **Saved** Policy ENV4 is deleted as the sites the policy related to are now developed.

7.3.2 Evidence

- Walsall Employment Land Review (2016)
- Housing Land Supply Update (2014)

7.3.3 Delivery

The Green Belt boundary will be protected and maintained through the application of policy which resists development in the Green Belt that is considered inappropriate, unless very special circumstances exist.

7.3.4 Monitoring

Indicator	Target	BCCS Monitoring Indicator/ Target?
GB1a – The extent to which the Green Belt is protected from inappropriate development	100%	No - but Policy CSP2 of the BCCS affords protection from all inappropriate development in the Green Belt.

7.4 Nature Conservation

Nature conservation is concerned with the protection, management and enhancement of the natural environment. This includes not only plants, animals and the habitats where they live but also the underlying geology, soils and geomorphic features.



Map 7.1: Cannock Extension Canal SAC *Additional Map* . OMSAD29

SAD Policy EN1: Natural Environment Protection, Management and Enhancement

The boundaries and extents of Walsall's nature conservation designations (Special Areas of Conservation, Sites of Special Scientific Interest, Local Nature Reserves, Sites of Importance for Nature Conservation and Sites of Local Importance for Nature Conservation), and other environmental features, such as water bodies, are shown on the SAD Policies Map.

- a) The Council will protect, manage and enhance nature conservation sites, habitats and assets **within, around and beyond the borough boundary** in accordance with the NPPF, BCCS policies CSP3, ENV1, ENV5; UDP saved policies GP2, ENV23, ENV24; other relevant local plan policies and Walsall Council's Supplementary Planning Documentation relating to the Natural Environment. **MMSAD22**
- b) Where development will result in harm to biodiversity, **and there is no alternative option to reduce or eliminate impacts**, the Council will determine the level of improvement works necessary to mitigate **or compensate for the** harm to biodiversity on a site by site basis, in accordance with the policy framework described above and / or any other relevant government

advice. **MMSAD23**

- c) In line with the objectives of the Humber River Basin Management Plan, development proposals must not adversely affect the ecological status of a waterbody, and wherever possible take measures to improve its ecological value in order to help meet the required status.**
- d) Walsall's Open Space and Environmental Networks form a wider network of wildlife corridors as shown in Map 7.34. Development proposals affecting wildlife corridors must be in accordance with the NPPF, and relevant local plan policies; including BCCS policies CSP3, CSP4 and ENV1; and UDP saved policies GP2, ENV23 and ENV24.**

7.4.1 Policy Justification

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

There are a number of nature conservation designations throughout the borough, these consist of a SAC¹³, SSSIs, LNRs, SINCS and SLINCS. These are shown on Map 7.6 and details of which can be found in the SAD technical appendices. The basis for the designations is set out in Table 7.1. The designations are often made by bodies separate from the local planning authority and/or under separate legislation or policy. ~~Therefore~~ Please note, these designations might be 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, [Natural England](#) and [the Birmingham and Black Country Wildlife Trust/ EcoRecord's](#) websites for nature designation details). **OMSAD30**

¹³ 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

Table 7.1: Nature Conservation Designations				
Item on Key to Policies Map	Definition	Key Legislation / Policy	Designated by	Mapping / data (at the time of writing)
Special Area of Conservation (SAC) – EN1	Sites that are internationally important for threatened habitats and species. With other European sites ('Special Protection Areas') they form a network across the continent.	Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and Flora	UK Government (Natural England), with EU involvement.	https://www.gov.uk/guidance/how-to-access-natural-englands-maps-and-data
Sites of Special Scientific Interest (SSSI) – EN1	The basic building block of site-based conservation. Biological SSSIs selected because they are rare or especially representative examples of habits or for particular species, whilst geological SSSIs provide examples of particular features.	Wildlife and Countryside Act 1981 (as amended)	Natural England	https://www.gov.uk/guidance/how-to-access-natural-englands-maps-and-data
Local Nature Reserves (LNR) – EN1	For both people and wildlife. They are places with wildlife or geological features that	National Parks and Access to the Countryside Act 1949 (as amended).	Walsall Council	http://www.ecorecord.org.uk/?q=local-sites http://cms.walsall.gov.uk/in

	are of special interest locally. They offer people special opportunities to study or learn about nature or simply to enjoy it.			dex/leisure_sports_community/countryside.htm
Sites of Importance for Nature Conservation (SINC) – EN1	Non-statutory designated sites of Birmingham and Black Country importance.	None directly, although there are general duties to conserve biodiversity and discretionary powers to enter partnerships. Whilst the local authority has only a limited role in designating SINCs such sites are to be protected through Local Plan policies.	SINC partnership, led by Natural England (with representatives from Walsall Council, the Birmingham and Black Country Wildlife Trust, EcoRecord, and the Black Country Geodiversity Partnership).	http://www.ecorecord.org.uk/?q=local-sites http://cms.walsall.gov.uk/index/environment/conservation_and_regeneration/nature_conservation.htm
Sites of Local Importance for Nature Conservation (SLINC) – EN1	Non-statutory designated sites of borough importance identified by the relevant local authority and the Wildlife Trust.	None directly, although there are general duties to conserve biodiversity and discretionary powers to enter partnerships. Whilst the local authority has only a limited role in designating SINCs such sites are to be protected through Local Plan policies.	Walsall Council and the Birmingham and Black Country Wildlife Trust, EcoRecord, and the Black Country Geodiversity Partnership.	http://www.ecorecord.org.uk/?q=local-sites http://cms.walsall.gov.uk/index/environment/conservation_and_regeneration/nature_conservation.htm

The Council has undertaken a HRA screening assessment (2016) to determine the potential effects of development proposed in the SAD and AAP on the integrity of 'European Sites' (e.g. Ramsar sites, SPAs and SACs). This has taken into account the conclusions of the HRA of the BCCS and other relevant technical studies.

Based on the evidence to date, the HRA screening assessment has confirmed the conclusions of the HRA of the BCCS that housing development in the parts of Walsall nearest to the boundary with Cannock Chase District will increase visitor pressure on the Cannock Chase SAC. 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 that they would not increase visitor pressure on the SAC to the extent that they would significantly harm its qualifying features, and may if necessary provide appropriate and proportionate measures sufficient to avoid or mitigate any significant identified adverse impacts.

The Council is proposing to act similarly or in accordance with the Cannock Chase SAC Partnership's Memorandum of Understanding which currently requires developers of residential development within 8km of the SAC that would result in a net increase of houses to either contribute towards a package of mitigation measures or to provide appropriate information to allow the Council as the competent authority to undertake a bespoke Habitats Regulations Assessment. **MMSAD24**

The HRA screening assessment has also identified potential for the Hatherton Canal restoration project mentioned in Policy EN4, and possible fireclay extraction at Yorks Bridge mentioned in Policy M9, to significantly harm the qualifying features of the Cannock Extension Canal SAC, unless effective mitigation is in place. The SAC is partly in Walsall and partly in Staffordshire, and has been designated as a SAC, SSSI and SLINC because it provides an important habitat for a nationally rare wetland plant species, floating water plantain (*Luronium natans*). While the Hatherton Canal restoration project has the potential to harm the integrity of the SAC due to the impact pathways identified in the HRA work accompanying the SAD, no development could occur through safeguarding the land alone. However, if a fireclay extraction proposal comes forward at Yorks Bridge, the SAC could be harmed if this creates or utilises existing identified pathways for pollutants to enter the canal. It has been agreed with Natural England that it is appropriate to defer further screening of the effects of a new fireclay extraction project at Yorks Bridge until a proposal comes forward, and the details of the scope of the development and its likely effects are known. This requirement is reflected in SAD Policy M9.

SAD Policy EN4 safeguards the indicative route of the Hatherton Canal restoration project. Proposals relating to the restoration project must demonstrate through a detailed HRA and other evidence (provided in SAD Policy EN4b) that they are deliverable without adversely affecting the integrity of the SAC. A HRA in support of

this project and any mineral extraction at Yorks Bridge or at Brownhills Common would be expected to consider the cumulative effects on the SAC in case of them or a combination of them were to go ahead.

In addition to these designations, are environmental features, including the borough's water bodies, these that also provide important habitats for nature conservation.

The Humber River Basin Management Plan is the local delivery tool for achieving the targets of the Water Framework Directive (WFD). The WFD will be supported through only permitting developments that will not pose an obstacle to meeting WFD objectives and do not have a negative impact on water quality, either directly through the pollution of surface or ground water, or indirectly through overloading of Wastewater Treatment Works. The technical appendices include a plan illustrating the overall status of waterbodies, which are either entirely within Walsall or are in part, according to the Environment Agency's 2015 baseline data. For more information, and the most recent baseline data, concerning the Humber River Basin Management Plan and/ or the Water Framework Directive consult the Environment Agency¹⁴.

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

Walsall is part of the Birmingham and Black Country Nature Improvement Area (NIA), this area is targeted for the delivery of conservation action, as part of a joined-up landscape-scale approach. It aims “*To achieve long-term environmental gains for the wildlife and people of Birmingham & the Black Country by delivering targeted, on-the-ground, biodiversity projects at a landscape scale.*” Where possible, development should support the enhancement of Walsall's natural environment having regard to strategic objectives for the maintenance, restoration and creation of ecological and geological assets such as those identified for the Birmingham & Black Country Nature Improvement Area.

Walsall's wildlife corridors (see Map 7.33) form part of a co-ordinated network which extends across the Black Country, Birmingham and beyond. Other smaller scale features, such as those described in UDP Saved Policy ENV24(b), are also essential for the migration, dispersal and genetic exchange of wild species. The importance of wildlife corridors, which provide a network of inter-linked sites, is widely accepted. These corridors need not be continuous as ‘stepping stone’ features can also facilitate the migration and dispersal of wild species. Within the environmental network, and the other features described in the policy, the Council will encourage the protection, management and enhancement of the network to provide corridors for

¹⁴ <https://www.gov.uk/government/organisations/environment-agency>

wildlife. The Council will expect any development within or adjoining the environmental network to make full use of the opportunities for habitat protection, management and creation. Development that harms the integrity of the environmental network will therefore not normally be allowed. The inclusion of motorways and railway lines as Wildlife corridors is due to the fact that the margins of these may be used by wildlife. However, their inclusion does not constitute a reason why they should not be utilised for transport and managed accordingly.

7.4.2 Evidence

- EIG Phase 1 (2009)
- Birmingham and Black Country Nature Improvement Area
- EcoRecord, the ecological database for the Black Country and Birmingham.
- Natural Environment White Paper (2011) DEFRA
- “*Making Space for Nature*”: a review of England’s Wildlife Sites and Ecological Network (2010), chaired by Sir John Lawton, DEFRA
- Humber River Basin Management Plan (2009 or as updated)

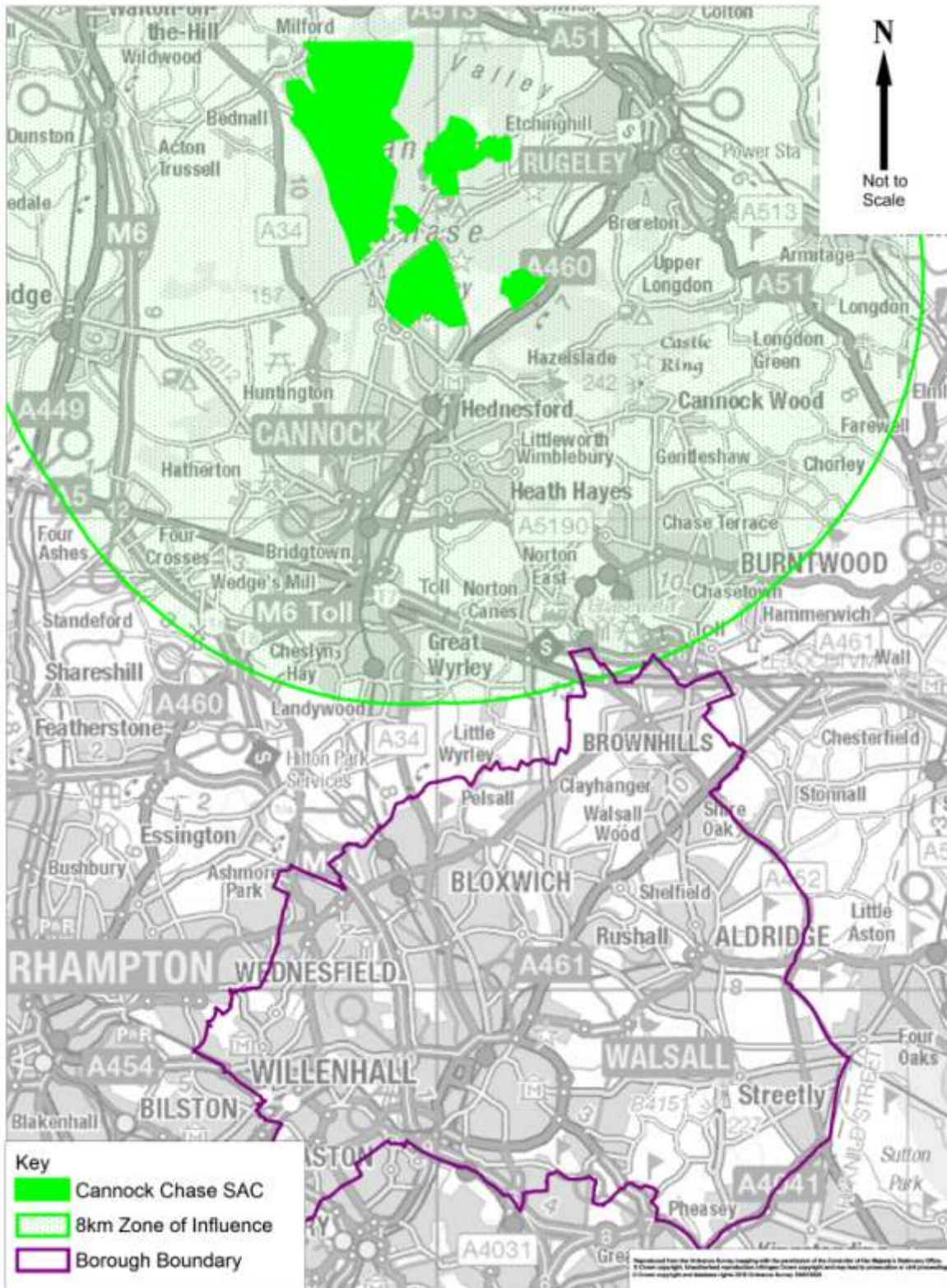
7.4.3 Delivery

Through working with the relevant partners and partnerships relating to the natural environment towards the management, maintenance, and improvement of sites managed by the Council, and its partners, and through the encouragement of practices that support nature conservation.

7.4.4 Monitoring

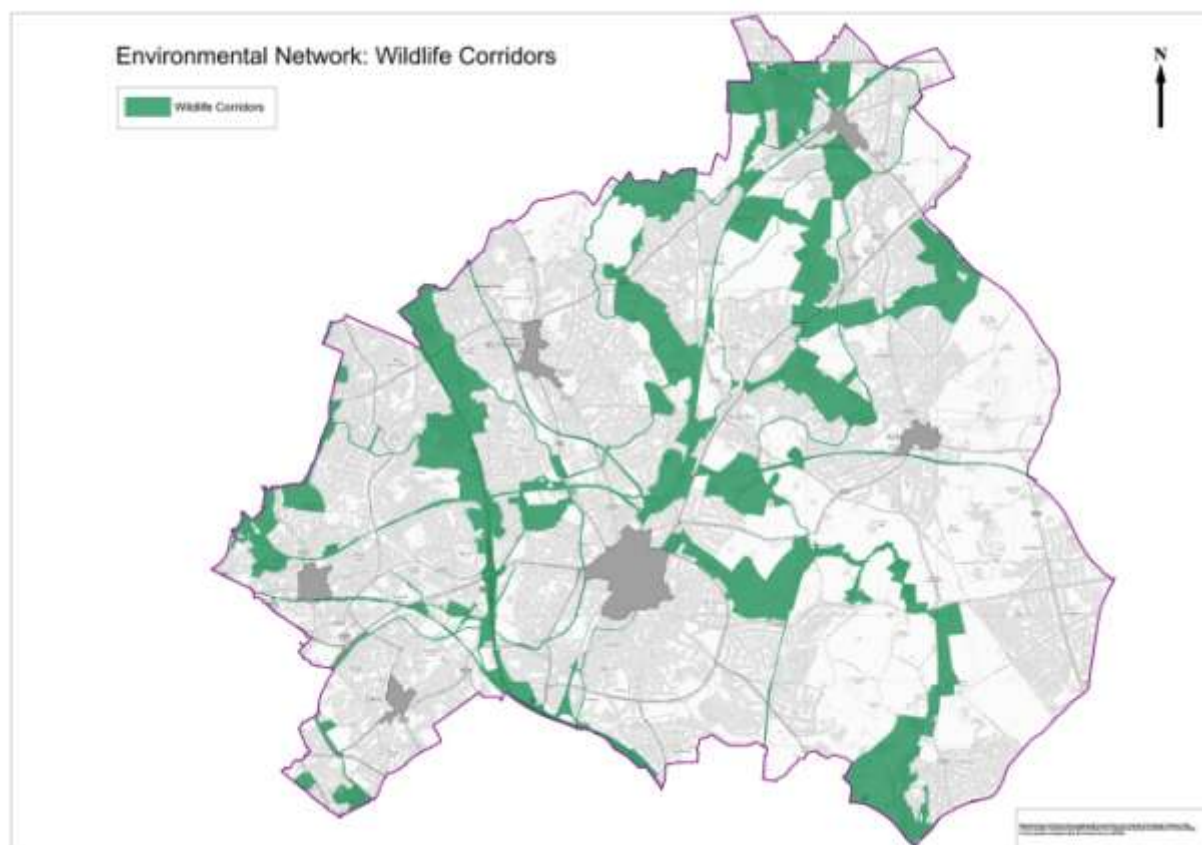
Indicator	Target	BCCS Monitoring Indicator/ Target?
EN1 – Net reduction in the area of designated nature conservation sites through development.	0%	LOI ENV1

8KM Zone of Influence for the Cannock Chase SAC



Map 7.2: 8km zone of payment surrounding Cannock Chase SAC

Additional Map OMSAD31



Map 7.34 Wildlife Corridors

7.5 Ancient Woodland

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

Areas of Ancient Woodland, [as identified so far](#), are [shown identified](#) on the Policies Map [and Map 7.6](#). A list of these sites is provided within the technical appendices [to](#) ~~of~~ the SAD. [Other areas of Ancient Woodland might be identified in future – perhaps through survey work – so when specific development proposals are considered it will be important to consult the latest mapping on the Council, Natural England and/or the Birmingham and Black Country Wildlife Trust/ EcoRecord websites.](#) [OMSAD32](#)

SAD Policy EN2: Ancient Woodland

- a) In principle, development proposals which would adversely affect Ancient Woodland will be resisted, and development affecting Ancient Woodland will be assessed in accordance with the NPPF, particularly NPPF paragraph 118, UDP saved Policy ENV18 and other relevant local plan polices.

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

7.5.1 Policy Justification

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

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

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

7.5.2 Evidence

- EIG Phase 1 (2009)
- EcoRecord, the ecological database for the Black Country and Birmingham
- West Midlands Inventory of Ancient Woodland (1986)
- Birmingham and the Black Country Ancient Woodland Inventory (2008)
- [Natural England and the Forestry Commission 'Ancient woodland and veteran trees: protecting them from development.'](#)¹⁵ OMSAD33

7.5.3 Delivery

Through working with the relevant partners and partnerships relating to the natural environment towards the management, maintenance, and improvement of sites managed by the Council, and its partners, and through the encouragement of practices that support nature conservation.

7.5.4 Monitoring

¹⁵ <http://www.forestry.gov.uk/forestry/infd-9hbjk4>

Indicator	Target	BCCS Monitoring Indicator/Target?
EN2 – Net reduction in the area of ancient woodland through development.	0%	No

7.6 to 7.7 Water Environment

BCCS Policy ENV5 relates to the water environment and climate change, and UDP [Saved](#) Policy ENV40: Conservation, Protection and Use of Water Resources is proposed to be saved. These existing local plan policies are supplemented by SAD Policy EN3: Flood Risk. This policy reflects recent changes made to national policy and guidance relating to flood risk and the planning process.

7.6 Flood Risk

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

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

The Policies Map provides a hybrid of the Environment Agency's national flood zones of flooding from watercourses and the sea, and the extents from the more detailed technical modelling of sections of Walsall's water courses commissioned by the Council and produced in 2013 (please note flood zones are subject to change, contact the Council and Environment Agency for the latest flood risk information). The most up-to-date flood zone extents, at the time of submission, will instruct the application of policies relating to flood zones and development set out in NPPF section 10, any supporting technical guidance, and UDP [Saved](#) Policy ENV40: Conservation, Protection and Use of Water Resources and BCCS Policy ENV5: Flood Risk, Sustainable Drainage Systems and Urban Heat Island. In addition, given the Council's role as Lead Local Flood Authority there is likely to be other policy and guidance produced periodically by the Council, see the Council's website for the latest information.

SAD Policy EN3: Flood Risk

- a) Development proposals will be assessed in accordance with the NPPF, BCCS Policy ENV5, SAD Policy EN1, UDP **Saved** Policy ENV40 and government advice.
- b) Flood Risk Assessments (FRAs) are to be provided in support of planning applications for:
 - i. all development proposals within Flood Zone 1 of 1 hectare or more and all proposals for development in Flood Zones 2 and 3.
 - ii. development in other areas with critical drainage problems.
 - iii. all other proposals for major development ¹⁶ with the exception of those that are not affected by any source of flood risk and that have a site area of less than 1 hectare.
- c) Where Development cannot be located in zones with a lower probability of flooding, or within the appropriate Flood Zone for the proposed use, the application of the 'Exception Test' may be required: this should meet the requirements of NPPF Paragraph 102 and national planning practice guidance.
- d) The Council requires that:
 - i. major development proposals will incorporate a sustainable urban drainage system (SuDS) to manage surface water runoff, unless the applicant can demonstrate it is inappropriate to do so;
 - ii. a drainage strategy based on SuDS principles, in accordance with the NPPF, non-statutory technical standards for sustainable drainage systems and / or any other local standards or SPDs, is provided for all major proposals that are not affected by any source of flood risk and that have a site area of less than 1 hectare;
- e) **The Council advises in light of EA guidance, that for major developments in Flood Zones 2 and 3, an assessment should be undertaken to consider both the flood risk posed and the flood risk vulnerability of the development to inform the appropriate climate change allowance and the mitigation required to make the proposal safe for the lifetime of the development. For minor development, finished floor levels should be set with an appropriate freeboard above the relevant Climate Change Level according to the vulnerability of the development.** **MMSAD25**

7.6.1 Policy Justification

¹⁶ as defined in the Development Management Procedure Order – SI 2015/595

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

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

The policy applies the provisions of the NPPF, BCCS and UDP and takes into account local circumstances that are not a specific requirement of the NPPF by requiring that major development of less than 1 hectare (e.g. proposals for 10+ residential units) provide a drainage strategy based on SuDS principles. This approach is necessary as Walsall is particularly susceptible to surface water flooding and the requirement for major developments of less than 1 hectare to consider, and provide a sustainable means of drainage will contribute towards mitigating flood risk generally and from a source of local concern. This requirement is particularly beneficial given the number of smaller scale development opportunities throughout the borough.

Several of Walsall's watercourses are culverted. Blockages to these culverts presents a risk of flooding to some areas of the borough, particularly in extreme weather events. In accordance with other local plan policies (BCCS Policy ENV5 and UDP Saved Policy ENV40), opportunities to open up culverted watercourses, when feasible, should be exploited and development should avoid being positioned over existing culverted watercourses, whenever it is possible to do so.

In order to protect green corridors, provide access to watercourses, and allow for potentially opening up culverted watercourses in the future, it might be necessary to consider preventing development within a distance of a watercourse.

Where there are landfill works or other land use operations involving the removal or addition of earth / material (altering ground levels), the council recognises such operations will have hydrological implications. As a result, the council will consider the latest available flood risk evidence when determining planning applications.

OMSAD34

The new climate change allowances based on UKCIP predictions 2009, were published in February 2016. Whilst the timing of the preparation of the SAD means it is not expected to take account of the new requirement, site specific Flood Risk Assessments and allocations should still take into account the new guidance. This approach is deemed appropriate due to the relatively small increases in flows and floodplain extents expected within the Humber River Basin.

The flood extents presented on the Policies Map are a hybrid of the Environment Agency’s National Flood Risk Mapping and modelling of several sections of watercourses across the borough undertaken by JBA Consulting (2013) at the request of the Council. There are sections of the hybrid extents that differ from that of the Environment Agency’s flood risk mapping. It has been agreed with the Environment Agency that the data commissioned by the council provides the most accurate indication of flood risk to the area available at the time of writing. However, for the area that benefits from the Waddens and Bentley relief channel in Willenhall. The Environment Agency has not amended its floodplain maps, and prefers to consider the affected area as a ‘defended area’ as the flood risk shown on the Environment Agency’s maps is an indication of the flood flow route were the relief channel to become blocked. There is a note against the housing allocations contained within SAD policies HC1 and HC4 that benefit from this channel in order to inform Flood Risk Assessments.

It is important to note that flood extents can change over time, or be updated as more detailed technical modelling becomes available. Map 7.7 shows the Environment Agency’s mapping, whilst Map 7.8 shows the differences between it and the JBA flood extents. It is important that applicants refer to the council’s and the Environment Agency’s websites to ensure they have access to the latest available flood risk data.

7.6.2 Evidence

- Strategic Flood Risk Assessment for the Black Country (Level 1), Jacobs (2009)
- Walsall Council Preliminary Flood Risk Assessment (2011)
- Preparatory Work for Walsall Local Flood Risk Management Strategy, JBA (2013)
- Black Country Local Flood Risk Management Strategy (2016)

7.6.3 Delivery

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

7.6.4 Monitoring

Indicators	Targets	BCCS Monitoring Indicator/ Targets²
EN3a – The number of planning	100%	COI ENV5

permissions granted in accordance with EA advice on flooding and water quality grounds		
EN3b – The number of planning permissions granted in accordance with Lead Local Flood Authority advice	100%	No
EN3c – The number of major developments providing a sustainable drainage system, unless demonstrated to be inappropriate.	100%	LOI ENV5, with change made to reflect recent national policy alteration (April 2015).

7.7 Canals

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

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

SAD Policy EN4: Canals

- a) The position and extent of the canal network within Walsall is shown on the Policies Map. Also shown on the Policies Map is the safeguarded indicative route of the Hatherton Branch Canal restoration project proposal. **MMSAD26**
- b) Proposals for the restoration of the Hatherton Branch Canal will be required to be supported by technical work demonstrating that:
 - i. there will be no adverse impact on the Cannock Extension Canal SAC / SSSI. A detailed Habitats Regulations Assessment (HRA) will be required, having regard to the HRA screening assessment already undertaken by the Council (2016). The detailed HRA should evaluate the implications of the proposals for the site in view of its conservation objectives, demonstrate that the project would not adversely affect the

integrity of the SAC contrary to the Habitats Directive, and must also take into account the cumulative impacts from other development that could affect the canal, such as mineral extraction in the Brownhills area.

- ii. an adequate water supply can be provided to support its use, including consideration of potential implications for the wider canal network;**
- iii. additional boat movements along the Cannock Extension Canal SAC can be prevented; and**
- iv. any significant adverse impacts on the functions and ecology of the wider canal network can be avoided or that satisfactory mitigation can be secured and maintained.**

Should the technical work be unable to demonstrate that the project is deliverable and significant adverse effects cannot be avoided or mitigated, proposals to designate the line of the restoration project as a heritage trail and / or green corridor will be supported providing doing so would not preclude future proposals to restore the canal network.

- c) The Council will encourage the provision of secure moorings, other canalside facilities and environmental improvements that will enhance the attractiveness and recreational potential of the canal network. Providing that proposed development is in accordance with the NPPF and relevant local plan policies, particularly BCCS Policy ENV4, SAD Policy GB2 and EN1, and other relevant considerations including the Humber River Basin Management Plan and Water Framework Directive.**
- d) The Council will expect all development alongside and near the canal network to:**
 - i. positively relate to the opportunity presented by the waterway, achieve high standards of design, and to be sensitively integrated with the canal, heritage assets and associated features.**
 - ii. protect or enhance the water quality, visual amenity, ecological, and built environmental value of the canal network.**
 - iii. where possible, incorporate green infrastructure as part of development proposals that will complement the canal network environment by providing a natural setting and improving the ecological value of the network.**
 - iv. maintain or improve accessibility to and along the canal network, particularly for walking and cycling, and where possible improve or connect to the borough's wider greenway network and public rights of way.**
 - v. where appropriate applicable, retain and incorporate surviving canalside**

buildings, structures and features of heritage value. OMSAD35

- e) Where a development proposal directly borders a canal, or it would generate extra use of the canal towpath or watercourse, development might be expected to contribute towards the improvement and/ or maintenance of the canal infrastructure, including improving access to the canal. This approach will be applied in accordance with the Community Infrastructure Levy Regulations 2010 (as amended) and/or other relevant legislation or policy.**
- f) Development will be resisted that would reduce the overall quality of the canal network, including that which would sever the route of a disused canal or prevent the restoration of a canal link where there is realistic possibility of it being restored, wholly or in part.**
- g) For development proposals to restore sections of the canal network applicants will be expected to demonstrate that sufficient water resources exist, and ground works will not adversely affect the integrity of the existing canal network or the environment.**

7.7.1 Policy Justification

The canal forms an important network for pedestrians and cyclists to navigate the borough and beyond; it also has high ecological value. As part of Walsall's environmental network it forms linear corridors for wildlife, providing unbroken blue-green infrastructure linkages throughout the borough. As such, it forms an important component of the environmental infrastructure network providing opportunities and infrastructure to support development. However, sections of the canal network are within the Green Belt, consequently development within these areas must be in accordance with local and national Green Belt policy.

The network provides multi-functional benefits including, for example, leisure and recreational facilities, nature conservation, space for pedestrian and cycle routes, and mitigating the effects of climate change. The policy therefore looks to maximise the canals potential as a high quality location for development and leisure whilst, at the same time, ensuring that it's setting and multifunctional benefits are protected and if possible enhanced as a result of future development.

Opportunities to protect and enhance the canal network, and its associated features including heritage assets, will be supported subject to proposals being in accordance with national and local plan policies. These opportunities include the Hatherton Canal Restoration project, and the Lichfield Canal link to the Wyrley and Essington Canal, which involves work on the Walsall Borough boundary with Lichfield. Walsall Council supports these projects in principle, subject to the necessary technical work being in support of both projects. **While the council recognises the support for the**

restoration of canal links provided in BCCS Policy ENV4, in the event that the necessary technical work does not support the project, the council will be supportive of alternatives to safeguard the land identified on the Policies Map as a green corridor and / or heritage trail). **MMSAD27**

The maintenance of the canal network, and the effects as a result of any embankment breach, is the responsibility of bodies other than the Council. These bodies might include landowner(s) and the Canal & River Trust amongst others.

SAD Policy EN4 complements BCCS Policy ENV4.

7.7.2 Evidence

- Canal & River Trust Guidance
- EIG Phase 1 (2009)

7.7.3 Delivery

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

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

7.7.4 Monitoring

Indicators	Targets	BCCS Monitoring Indicator/ Targets?
EN4a – Proportion of planning permissions granted in accordance with Conservation Section’s recommendations	100%	LOI ENV4a
EN4b – Proportion of planning permissions granted in accordance with Canal & River Trust planning related advice.	100%	LOI ENV4b

7.8 to 7.10 The Historic Environment

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

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

The Borough currently has 5 **S**cheduled **M**onuments, 152 **L**isted **B**uildings (including 6 Grade II* buildings), 3 **R**egistered **P**arks and **G**ardens, 18 **C**onservation **A**reas (5 of which are in the town centre), ~~3 registered parks and gardens~~ and a number of **L**ocally **L**isted **B**uildings'. These assets are shown on Map 7.95 below and on the Policies Map. The basis for the designations is set out in Table 7.2. Designations can be made by bodies outside the local planning authority and/or under separate legislation or policy. Therefore, designations might be subject to change, and when considering specific development proposals it will be important to have regard to the latest information on the Council and/or Historic England websites. There ~~is~~ **are** also a large number of **other** non-designated Heritage Assets which have not been shown on the Policies Map but are held by the Historic Environment Record. [OMSAD36](#)

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

Table 7.2: Historic Environment Designations OMSAD37				
Item on Key to Policies Map	Definition	Key Legislation / Policy	Designated by ...	Mapping / data (at the time of writing)
Scheduled Monuments	A monument (including buildings, structures or works, or remains) scheduled as being of national importance.	Ancient Monuments and Archaeological Areas Act 1979 (as amended)	The Secretary of State for the Department of Culture Media and Sport (via Historic England)	https://historicengland.org.uk/listing/the-list/
Listed Buildings	Buildings that are recognised as being of special national architectural or historic interest. There are currently three grades of Listing (I, II*, II).	Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended)	The Secretary of State for the Department of Culture Media and Sport (via Historic England)	https://historicengland.org.uk/listing/the-list/ http://cms.walsall.gov.uk/index/environment/conservation_and_regeneration/building_conservation/listed_buildings.htm
Registered Parks and Gardens	<i>"Gardens and other land"</i> situated in England that appear to be of special historic interest.	Historic Buildings and Ancient Monuments Act 1953 (as amended)	Historic England	https://historicengland.org.uk/listing/the-list/
Conservation Areas – EN5	Any parts of a local authority area that are of special architectural or historic interest, the	Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended)	Walsall Council (the Secretary of State has reserve powers)	http://cms.walsall.gov.uk/index/environment/conservation_and_regeneration/building_conservation/co

	character and appearance of which it is desirable to preserve or enhance.			nservation_areas.htm
Locally Listed Buildings	Local authorities have been encouraged to identify 'Non-designated heritage assets'. These are buildings, monuments, sites, places, areas or landscapes identified as having a degree of significance meriting consideration in planning decisions but which are not formally designated.	National Planning Policy Framework	Walsall Council	http://cms.walsall.gov.uk/index/environment/conservation_and_regeneration/building_conservation/listed_buildings/locally_listed_buildings.htm

7.8 Development in Conservation Areas

SAD Policy EN5: Development in Conservation Areas

- a) The Council will determine whether ~~a~~development protects, conserves and, where possible, enhances the significance of conservation areas, ~~and~~ including their setting, character, ~~and~~ appearance, in terms of the requirements set out in national guidance, and will encourage sustainable new development opportunities that enhance **or better reveal** this significance in line with the NPPF. Consideration will also be given to: **MMSAD28**
- i. The degree of harm, loss or alteration to property which makes a positive contribution to the character and significance of the conservation area.
 - ii. The impact of any new buildings on the heritage assets, special townscape and landscape features within the conservation area.
 - iii. The scale, massing, siting, layout, design or choice of materials used in any new building or structure.
 - iv. The nature of **any proposed** ~~its~~ use and the anticipated levels of traffic, parking and other activity that will result.
- b) Where a property makes a positive contribution to the significance of a **c**Conservation ~~a~~Area or its setting, ~~t~~The Council will not grant planning permission for ~~'demolition in a Conservation Area'~~ unless the following criteria are met:
- i. it can be demonstrated that the substantial harm or loss caused by the demolition is necessary to achieve substantial public benefits that outweigh that harm or loss;
 - ii. all reasonable alternatives that would avoid harmful adverse impacts have been fully explored and are not feasible or viable;
 - iii. the proposed development is of high quality and designed to reinforce and enhance local character and distinctiveness; ~~and~~
 - iv. all options to secure the future of the asset have been fully explored, including grant funding and disposal to a charitable organisation or community group; and
 - v. a mitigation strategy has been prepared to minimise harm and provide for an appropriate level of salvage and/or recording.
- c) The Council will not permit development within **c**Conservation ~~a~~Areas that incrementally erodes those special features which the Council wishes to protect and enhance.

7.8.1 Policy Justification

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

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

OMSAD38

~~The Enterprise and Regulatory Reform Act 2013 states that~~ **A**pplications for **r**Relevant **d**Demolition in a **c**Conservation **a**Area must provide a reasoned justification for the proposed works as well as details of related proposals for new buildings or other works on the site, including application reference numbers for any related Planning Permissions. Applications should also clearly identify the nature and extent of the demolition proposed. Additionally, paragraph 130 of the NPPF states that ~~the deliberate neglect, poor condition or visual appearance of a building alone is not sufficient justification to warrant the demolition of a building within the Conservation Area~~ **where there is evidence of deliberate neglect of or damage to a heritage asset, the deteriorated state of the asset should not be taken into account in any decision.**

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

OMSAD39

The condition of unoccupied and unlisted property within **c**Conservation **a**Areas is monitored by the Council **as resources allow**. Should any such property be in need of works urgently necessary to assure its preservation, the Council will exercise its statutory powers to require or execute these works.

7.8.2 Evidence

- Conservation areas appraisals and management plans¹⁷
- National Heritage List for England – Historic England¹⁸
- Heritage at Risk Register – Historic England¹⁹
- Wolverhampton and Walsall Historic Environment Record (HER)²⁰

7.8.3 Delivery

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

7.8.4 Monitoring

Indicator	Target	BCCS Monitoring Indicator/ Target?
EN5a – Proportion of planning permissions granted in accordance with Conservation / Historic Environment Section or Advisor recommendations	100%	LOI ENV2

7.9 Highgate Brewery (IN47)

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

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

¹⁷ Walsall Conservation Areas www.walsall.gov.uk/conservation_areas.htm

¹⁸ National Heritage List for England: <http://list.historicengland.org.uk/results.aspx?index=1>

¹⁹ Heritage at Risk Register for Walsall (2015 edition) is available from Historic England <http://www.historicengland.org.uk/advice/heritage-at-risk/search-register/results/?as=1&district=Walsall>

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

SAD Policy EN6: Highgate Brewery (IN47)

- a) The aim of this policy is to identify some of the key issues that need to be considered and to provide guidance for the Council's preferred uses of the site in order to ensure that the Heritage Assets and their settings are not subjected to unacceptable levels of harm in line with the NPPF.
- b) The area of Highgate Brewery is shown as **site IN47** on the Policies Map. This policy covers the Grade II listed brewery, Centenary Gates and other **curtilage** buildings.
- c) In considering proposals for this site, the Council will particularly take into account:-
 - i. The contribution the proposal makes to the aim of achieving a viable economic use for Highgate Brewery.
 - ii. Government guidelines for the protection of Listed Buildings and development in Conservation Areas.
 - iii. Environment Agency requirements for Groundwater Source Protection Zones.
- d) The Council will encourage the re-use of those buildings of special architectural or historic interest in accordance with BCCS Policy ENV2, other Policies of the Local Plan and guidance from Historic England.
- e) New built development other than that which is normally appropriate in the curtilage of a Listed Building or Conservation Area will be limited to the replacement of footprint of existing buildings. Every opportunity should be taken to locate and design such footprint replacement development so that it has less environmental impact than the buildings it replaces and does not harm the setting of the heritage assets.
- f) All proposals must provide for:-
 - i. The preservation, enhancement and improvement of the significance of buildings of architectural or historic interest and other historic features.
 - ii. The preservation and enhancement of the character of the Highgate Conservation Area.
 - iii. Ensuring any additions to the site do not detract from the character of the listed Highgate Brewery site.
 - iv. An indication as to how they will contribute and relate to the aim of achieving a comprehensive approach towards the future use and management of the Estate.
 - v. Protection of the abstraction borehole and its associated Water Source Protection Zone centred on the site in order to prevent direct pollution

pathways to the aquifer remaining.

This site is affected by the following Assets and Constraints (see Chapter 2):

ACCESS, CA, LB, II, prow, SPZ

7.9.1 Notes, including assets and constraints (see Chapter 2)

ACCESS, CA, LB, II, prow, SPZ

7.9.1~~2~~ Policy Justification

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

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

The brewing equipment and commemorative centenary gates are fixtures and fittings which are attached to the structure and pursuant to the Listed Buildings and Conservation Areas Act (1990) (as amended), they are considered to be part of the Listed Building and are subject to the same legislative requirements. Additionally the Brewery is the focal point of the Highgate Conservation area and is associated with Zones 1 and 2 of a Groundwater Source Protection Zone centred on the Brewery's abstraction borehole and future occupation of the site may require formal surrender of the abstraction licence and the decommissioning of the well following advice from the Environment Agency to prevent pollution to the aquifer (see Environment Agency advice for further information and guidance). There are known access and use constraints on the site given its location in a residential area and narrow roads to access the site which are likely to restrict the potential employment uses suited to the building. The Council would support the provision of a management plan which addresses all of the issues for this site.

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

proposals to convert the site to housing be considered; but these would have to ensure the highest quality of design and regard for the heritage assets.

7.9.23 Evidence

- Highgate Conservation Area Appraisal²¹
- Grade II Listed building designation ²²
- Heritage at Risk Register – Historic England²³
- Gazetteer of operating pre-1940 Breweries in England²⁴
- Groundwater Source Protection Zones – Environment Agency²⁵
- Wolverhampton and Walsall Historic Environment Record (HER)²⁶

7.9.34 Delivery

- Through the appropriate consideration of planning applications and working with Historic England and The Heritage Lottery Fund where appropriate.
- Potential for producing a masterplan or development brief for the site.

7.9.45 Monitoring

Indicators	Targets	BCCS Monitoring Indicator/ Targets?
EN6a – Proportion of planning permissions granted in accordance with Conservation / Historic Environment Section or Advisor recommendations	100%	LOI ENV2
EN6b – Proportion of planning	100%	No

²¹ Highgate Conservation Area Appraisal: Character Area 5 (page 15) www.walsall.gov.uk/highgate_ca_mp_30-11-09_low-res.pdf

²² National Heritage List for England – Historic England entry for Highgate Brewery <http://list.historicengland.org.uk/resultsingle.aspx?uid=1342652>

²³ Heritage at Risk Register for Walsall (2015 edition) is available from Historic England <http://www.historicengland.org.uk/advice/heritage-at-risk/search-register/results/?as=1&district=Walsall>

²⁴ Part of 'The Brewing Industry' project carried out by the Brewery History Society between July 2007 and September 2009; available from Historic England. <https://content.historicengland.org.uk/images-books/publications/gazetteer-breweries/bhs-operating-breweries.pdf>

²⁵ Groundwater source protection zones www.gov.uk/government/publications/groundwater-source-protection-zones

²⁶ Wolverhampton and Walsall HER, based at City of Wolverhampton Council with records available to view online via the Heritage Gateway at <http://www.heritagegateway.org.uk/gateway/chr/herdetail.aspx?crit=&ctid=93&id=4738>

permissions granted in accordance with Historic England’s planning related advice		
EN6c – Highgate returning to use as a Brewery or other viable industrial/ employment use.		No
EN6d – The annual Heritage at Risk Register produced by Historic England.	The site not being added to the Heritage at Risk Register	No
EN6e – Applications taking account of all the issues and constraints.	100%	No

MMSAD30

7.10 Great Barr Hall and Estate

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

~~Part of the Estate that was formerly St Margaret’s Hospital has been redeveloped as housing over the last few years. But the remainder of the estate has yet to be restored and both Great Barr Hall listed building and its Registered Park and Garden are on the 2015 Heritage at Risk Register. The Hall is rated as ‘very bad’ condition and Priority A (Immediate risk of further rapid deterioration or loss of fabric; no solution agreed), which is the highest level of risk on the Heritage at Risk Register. As with the Hall itself, the Grade II Registered Parkland is rated at one of the highest levels of Risk on the Heritage at Risk register with condition of “*Extensive Significant Problems*”, high vulnerability and a trend of declining.~~

~~While the Grade II* listed hall needs to be protected from harm that is not ‘wholly exceptional’ in line with the NPPF; we believe that without a policy in place to look at the Hall, its park and setting, there is a chance that more harm would be caused through the continued decay and eventual loss of the heritage assets. By ensuring that appropriate development is allowed for and providing guidance on the most suitable areas for this, we hope to be able to secure a viable future for the Hall, the parkland and other heritage assets.~~

~~**SAD Policy EN7: Great Barr Hall and Estate and the former St.**~~

~~Margaret's Hospital~~

~~a) The area of Great Barr Hall and Estate and the former St. Margaret's Hospital is shown on the Policies Map.~~

~~b) In order to maintain and protect the Heritage Assets including the Grade II* listed Great Barr Hall and Grade II Registered Parkland features it is recognised that some form of enabling development will be needed. This may require the construction of new buildings within the Registered Park, which is also in the Conservation Area and in the Green Belt. In these circumstances such new development will be justified only insofar as it is necessary for the restoration and maintenance of the heritage assets and where the likely impact in terms of the Registered Park, Conservation Area and Green Belt Policies are outweighed by benefits for securing the future of Great Barr Hall and other heritage assets of the estate. Development is expected to:~~

~~i. Be of the highest possible standard of design.~~

~~ii. Take care to avoid causing any harm to the heritage assets and their settings. In the case of the Grade II* listed Great Barr Hall, any harm caused must be 'wholly exceptional' in line with the NPPF.~~

~~iii. Be less prominent than key features of the built heritage and/ or historic landscape in order to minimise the impact upon their setting in line with the NPPF.~~

~~iv. Limit the impact on sites of nature conservation and environmental value~~

~~v. Complement and preserve the character of the estate.~~

~~Any proposals for enabling development to secure the restoration of Great Barr Hall and Parkland, including provision for future maintenance and management will be assessed against the guidance in the Historic England Statement "Enabling Development and the Conservation of Significant Places"²⁷, and developers will be expected to take into account any further up to date advice from Historic England.~~

~~c) The Council will encourage the re-use of those buildings of special architectural or historic interest in accordance with BCCS Policy ENV2 and other relevant policies of the Local Plan.~~

~~d) Any further new built development other than that for Enabling Development as described in (b) above, or that which is normally appropriate in the Green Belt, will be limited to the replacement of the~~

²⁷ ~~Historic England (2012 – as English Heritage), available online at <https://historicengland.org.uk/images-books/publications/enabling-development-and-the-conservation-of-significant-places/>~~

~~footprint of existing buildings. Such development will be restricted to locations considered to be environmentally acceptable, in visual, heritage and ecological terms. Development must have no greater impact on the openness of the Green Belt or setting of the heritage assets, and have a footprint and height not exceeding that of the buildings to be replaced. Replacement development shall be designed so that it has less environmental impact than the buildings it replaces.~~

~~e) Further new development will need to take into account the provisions of (b) above and also the following:~~

~~i. The contribution the proposal makes to the aim of achieving a comprehensive approach to the conservation of the significance of the site of Great Barr Hall, the historic landscape of the Registered Park and Garden and the wider setting of the Conservation Area.~~

~~ii. The national and local planning policy framework and other government guidance for the protection of agricultural land, the setting of Listed Buildings and Registered Parks and Gardens, nature conservation, development in Conservation Areas, and the Green Belt.~~

~~f) All proposals must provide for:~~

~~i. The preservation, enhancement and improvement of the significance of buildings of architectural or historic interest.~~

~~ii. The preservation, enhancement and management of the historic landscape, other historic features, the Sites of Importance for Nature Conservation and other areas of nature conservation value.~~

~~iii. The preservation and enhancement of the character of the Great Barr Conservation Area.~~

~~iv. Functionally, visually and environmentally satisfactory arrangements for vehicular access from Queslett Road; the Council will require the developer to meet the costs of necessary off-site highway improvements. Any access from Chapel Lane should be minimised for environmental and traffic management reasons.~~

~~v. Evidence of how they will contribute and relate to the aim of achieving a comprehensive approach towards the future use and management of the Estate.~~

~~g) Developers must demonstrate how schemes will provide for controlled public access to Great Barr Park without detriment to the heritage assets, nature conservation interest, landscape quality, amenity of the site and areas of archaeological interest.~~

~~h) The Council will ensure that the issues and constraints relating to the future of this Estate are considered in a comprehensive and long term manner.~~

~~7.10.1 Notes, including assets and constraints (see Chapter 2)~~

~~ACCESS, AW, CA, CON, F2, F3, GB, LB, lb, Inr, MSA, NO2, NOISE, OS, PG, SINC, SLINC, prow~~

~~7.10.2 Policy Justification~~

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

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

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

~~The Estate and former hospital grounds include a number of sites designated for nature conservation, and as open space, as well as being part of the Wood Pasture and Parkland BAP Priority Habitat. The designated nature conservation sites are:~~

- ~~• The Duckery SINC and Ancient Woodland~~
- ~~• St Margaret's Hospital Grounds SINC~~
- ~~• Land East of Chapel Lane SLINC~~
- ~~• St Margaret's Hospital SLINC~~
- ~~• High Wood Ancient Woodland~~
- ~~• Fox Plantation Ancient Woodland~~
- ~~• Gilberts Wood Ancient Woodland~~

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

- ~~a) Restoration of Great Barr Hall (which may include conversion to appropriate viable use);~~
- ~~b) Enabling development to fund the restoration of the Hall where justified;~~

~~e) Development on the site of the Former Nurses' Accommodation. It is envisaged that approximately 12 dwellings could be accommodated in this area.~~

~~d) Development on the site of the Queslott Centre, Lakeview Close. Outline planning permission was granted in 2010 for 7 dwellings, although this permission has lapsed.~~

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

~~Further constraints on development within the Great Barr Hall and Estate and former St Margaret's Hospital include the presence of the M6 corridor along the western edge of the estate which has impacts of noise pollution and poor air quality that may render certain areas of the site unsuitable for any development; and the impacts of development within the site area on the setting of several listed buildings which are outside the site in both Walsall and Sandwell.~~

~~7.10.3 Evidence~~

- ~~• Grade II* Listed Building designation²⁸~~
- ~~• Grade II Registered Park and Garden²⁹~~
- ~~• Heritage at Risk Register – Historic England³⁰~~
- ~~• National Heritage List for England~~
- ~~• Great Barr Conservation Area³⁴~~
- ~~• Wolverhampton and Walsall Historic Environment Record (HER)³²~~
- ~~• EcoRecord, the ecological database for the Black Country and Birmingham.~~
- ~~• Current undetermined planning applications for the site, including 13/1567/FL~~

~~7.10.4 Delivery~~

- ~~• Through the appropriate consideration of planning applications and working with Historic England and possible funding sources where appropriate.~~

²⁸ National Heritage List for England – Historic England entry for Great Barr Hall
<http://list.historicengland.org.uk/resultsingle.aspx?uid=1076395>

²⁹ National Heritage List for England – Historic England entry for Great Barr Registered Park
<http://list.historicengland.org.uk/resultsingle.aspx?uid=1001202>

³⁰ Heritage at Risk Register 2015 entries for Great Barr Hall and Chapel Listed Buildings:
<http://risk.historicengland.org.uk/register.aspx?id=47047&rt=0&pn=2&ct=a&di=Walsall&ctype=all&crit>
<http://www.historicengland.org.uk/advice/heritage-at-risk/search-register/list-entry/1250410>; and Great Barr Hall Registered Park and Garden: <http://www.historicengland.org.uk/advice/heritage-at-risk/search-register/list-entry/1318070>

³⁴ Walsall Conservation Areas www.walsall.gov.uk/conservation_areas.htm

³² Wolverhampton and Walsall HER, based at City of Wolverhampton Council with records available to view online via the Heritage Gateway at
<http://www.heritagegateway.org.uk/gateway/chr/herdetail.aspx?crit=&ctid=93&id=4738>

~~● Potential for producing a masterplan or development brief for the estate~~

Great Barr Hall and Chapel (Great Barr Hall) is a Grade II listed building that forms the focus of the Great Barr Hall registered park and garden which, while also listed Grade II, is of higher importance in a regional and local context than its national grading implies, as it is the largest example of a landscape park and its associated house in the Black Country. These assets form part of the wider Great Barr Hall Park and estate which is the Borough's largest single area of historic and nature conservation importance.

The estate is in fragmented ownership which makes it difficult to coordinate a comprehensive scheme of management covering all of these aspects. For the above reasons, it is the subject of a specific policy which seeks to achieve the following objectives:

1. Recognise the relationship between Great Barr Hall and the registered park and garden and the wider estate
2. Safeguard the future of the heritage assets by taking care to avoid causing harm to the heritage assets and their settings.
3. Encourage the preservation, enhancement and improvement of the significance of heritage assets including buildings of architectural or historic interest and the Great Barr Conservation Area.
4. Ensure any development achieves a high quality and standard of design while complementing and preserving the character of the estate.
5. Limit the impact on sites of nature conservation and environmental value
6. Facilitate public access to/ within the estate and improve connectivity to the surrounding area.

Part of the estate that was formerly St Margaret's Hospital has been redeveloped as housing over the last few years. But the remainder of the estate has yet to be restored and both Great Barr Hall listed building and its Registered Park and Garden are on the 2016 Heritage at Risk Register (albeit the Hall is included as a Grade II* listed building). The Hall is rated as 'very bad' condition and Priority A (Immediate risk of further rapid deterioration or loss of fabric; no solution agreed), which is the highest level of risk on the Heritage at Risk Register. As with the Hall itself, the Grade II Registered Parkland is rated at one of the highest levels of Risk on the Heritage at Risk register with condition of "*Extensive Significant Problems*", high vulnerability and a trend of declining.

It is important to recognise the relationship between the Registered Park and Garden and the Hall which means a comprehensive approach to their management is required as without the parkland the setting and context of the Hall would be lost. Historic England have recently reviewed the listing status of Great Barr Hall and Chapel, and downgraded it from Grade II* to Grade II which is a reflection of its current condition and loss of historic fabric. In accordance with the NPPF a policy is

necessary to address the heritage at risk status of the Hall and registered parkland and to prevent the continued decay and eventual loss of the heritage assets. By ensuring that appropriate development is allowed for and providing guidance on the most suitable areas for this, we hope to be able to secure a viable future for the Hall, the parkland and other heritage assets.

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

a) The area of Great Barr Hall and Estate and the former St. Margaret's Hospital is shown on the Policies Map.

The Council will ensure that the issues and constraints relating to the future of this Estate are considered in a comprehensive and long term manner. Any proposed works within this boundary will need to take the following in to consideration:

Overall estate

b) All proposals must provide for:-

- i. An assurance that the linkages and relationship between the Hall and the park and garden are retained, including key views both within the park and the wider landscape.
- ii. Functionally, visually and environmentally satisfactory arrangements for vehicular access from Queslett Road: the Council will require the developer to meet the costs of necessary off-site highway improvements. Any access from Chapel Lane should be minimised for environmental and traffic management reasons.
- iii. The preservation and enhancement of the character and appearance of the Great Barr Conservation Area.
- iv. Evidence of how they will contribute and relate to the aim of achieving a comprehensive approach towards the future use and management of the Estate.
- v. Sensitively designed and located development in order to be in keeping with, and minimise the impact upon heritage assets and/ or historic landscape and their settings in line with the NPPF.
- vi. The contribution the proposal makes to the aim of achieving a comprehensive approach to the conservation of the significance of the site of Great Barr Hall, the historic landscape of the Registered Park and Garden and the wider setting of the Conservation Area (where applicable).

c) The Council promotes good design that respects the character appearance and quality of the area, it will seek to resist development where the following occur:

- i. Where buildings are no longer extant and the use has been abandoned.
- ii. Poor design that fails to take account of the opportunities available for improving the character, quality and appearance of the area and the way it functions.
- iii. Development causing harm to environmentally sensitive areas.
- iv. Development that negatively impacts on the openness of the Green Belt or setting of the heritage assets, and has a footprint and height exceeding that of the buildings to be replaced. Replacement development shall be designed so that it has less environmental impact than the buildings it replaces.

Enabling development

d) Enabling development will be justified only insofar as it is necessary for the restoration and maintenance of the heritage assets and where the likely impact in terms of the Listed Buildings, Registered Park and Garden, Conservation Area and Green Belt Policies are outweighed by benefits for securing the future of the estate's heritage assets. If any scheme for enabling development is proposed it should:

- i. Follow the guidance in the Historic England's Policy Statement 'Enabling Development and the Conservation of Significant Places'³³, or any further up to date guidance from Historic England.
- ii. Consider whether the enabling development could be provided off site.
- iii. Ensure the economic viability of the proposal is properly tested and market driven. The applicant(s) should make sure that the Council can also test these figures as necessary through the provision of a Financial Assessment. Enabling development must be justified by the inherent lack of viability of the significant place, not the owner's inability to fund a commercially viable scheme.
- iv. Be able to provide for the ongoing maintenance of the hall and the park and garden.

Park and Garden

e) The Grade II Registered Park and Garden is a unique feature in the Black

³³ Historic England (2012 – as English Heritage), available online at <https://historicengland.org.uk/images-books/publications/enabling-development-and-the-conservation-of-significant-places/>

Country and provides the setting to Great Barr Hall; any proposals within the park and garden should consider the following:

- i. The potential for alternative forms of ownership such as a trust
 - ii. The preservation, enhancement and management of the historic landscape, which includes areas of the UK BAP Priority Habitat – Wood Pasture and Parkland; Sites of Importance for Nature Conservation and other areas of nature conservation value, as well as key views.
 - iii. The reinstatement and re-use of key parkland buildings, structures or features where supported by historic evidence such as:
 - The lakes, boat house, bridges and associated structures
 - The walled garden
 - The park pale or wall, other walls of the estate, gateways and historic pathways
 - The reinstatement of planting
- f) Where historic evidence has not demonstrated the details of historic buildings, structures or features, an innovative approach to their design should be adopted in accordance with BCCS Policy ENV2 and other relevant policies of the Local Plan.
- g) Applicants must demonstrate how schemes will provide for controlled public access to Great Barr Park without detriment to the heritage assets, nature conservation interest, landscape quality, amenity of the site and areas of archaeological interest.

Great Barr Hall and Chapel

- h) This is a Grade II listed building which forms the focal point of the park and garden. In considering development of the Great Barr Hall and Chapel any harm caused must be 'exceptional' in line with the NPPF; and should consider the following:
- i. The potential for alternative forms of ownership such as a trust
 - ii. The viability for the retention and restoration of the Hall and Chapel
 - iii. Any development or restoration should be in accordance with the policies of the BCCS ENV2, ENV3 and UDP Saved ENV27, ENV33
 - iv. The range of potential new uses and an assessment of harm upon the Hall's significance utilising Historic England's 'Conservation Principles, Policies and Guidance'³⁴,

³⁴ Historic England (2008 – as English Heritage), available online at <https://historicengland.org.uk/images-books/publications/conservation-principles-sustainable-management-historic-environment/>

- v. An assessment of the impact on biodiversity in accordance with SAD policy EN1, relevant UDP Saved Policies, BCCS policy ENV1 and the NPPF.

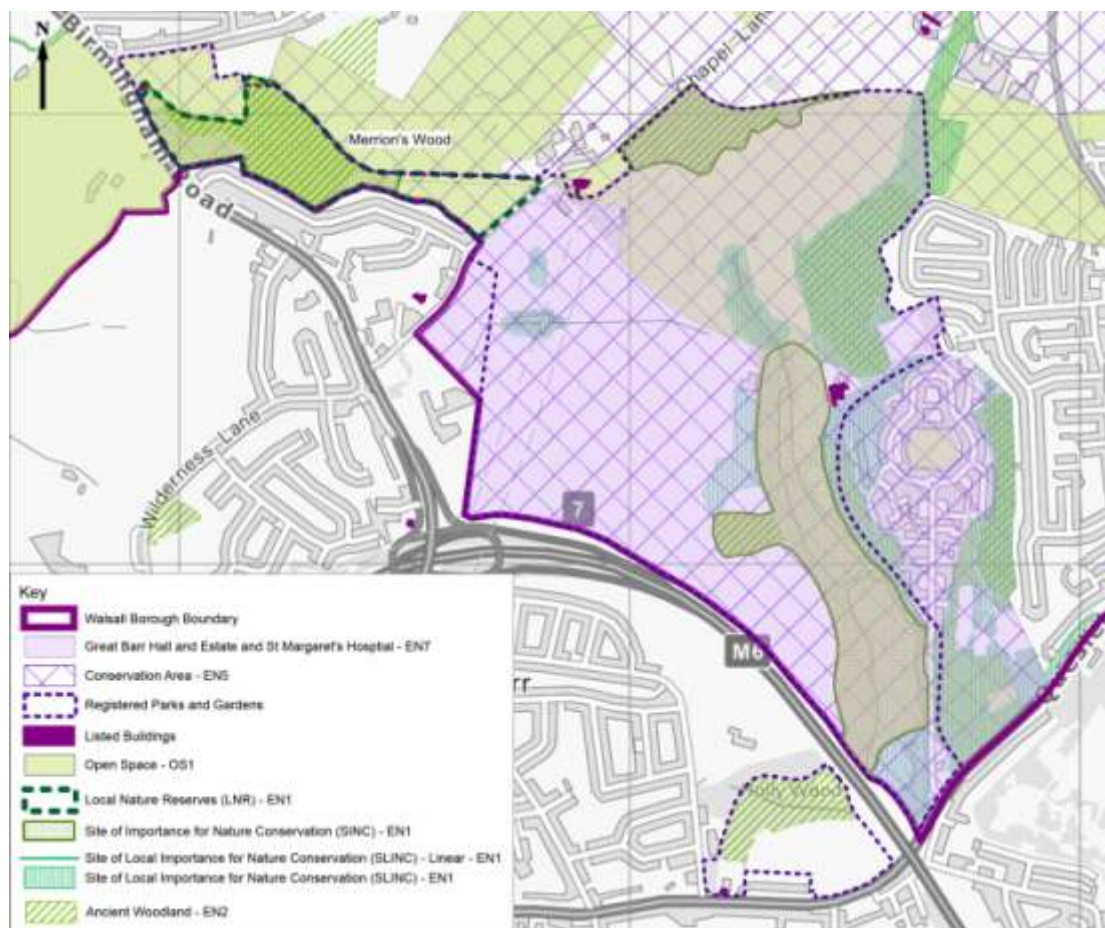
This site is affected by the following Assets and Constraints (see Chapter 2):

ACCESS, AW, CA, CON, F2, F3. GB. LB, lb, Inr, MSA, NO2, NOISE, OS, PG, SINC, SLINC, prow

7.10.1 Policy Justification

The area covered by Policy EN7 is shown in Map 7.4. It includes the Grade II Listed Great Barr Hall and Chapel, and the majority of the Grade II Registered Park and Garden which forms the core area of the Hall's parkland. Two sections of the Registered Park are not covered by EN7; the first of these is located to the south west of the main area of the Park in Sandwell Metropolitan Borough Council. This also provides a continuation of the Green Belt and includes open space and nature conservation sites, policies for this area are set out in plans by Sandwell Council. The second section of the registered park not covered by EN7 is the area labelled as Merrion's Wood, to the north of Chapel Lane.

The section of the Registered Park known as Merrion's Wood forms part of the estate and is connected to it by the line of a carriage drive. It has been omitted from policy EN7 as it is a Local Nature Reserve and therefore subject to policies EN1, EN2 as well as to Green Belt policies. Any planning proposals that might affect Merrion's Wood appear likely to have to be considered in terms of any possible implications for the Great Barr Estate and similarly proposals for the Great Barr Hall Estate would seem likely to have to consider the relevant implications for Merrion's Wood.



Map 7.4 EN7 Policy Area *Additional Map*

The whole area covered by Policy EN7 falls within the Great Barr Conservation Area, as well as being in the Green Belt. The latter is not shown on map 7.4 in order to aid clarity for the other issues. Both Great Barr Hall and the Registered Park are on the Heritage at Risk register.

Great Barr Hall and Estate and the former St Margaret’s Hospital site form a large complex site which is further complicated by fragmented ownership. The designated heritage assets such as the Listed Buildings and Registered Park and Garden do not cover the full extent of the historic parkland landscape, which has been incrementally eroded by developments since the start of the 20th century.

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

In order to cover the complex issues facing the estate the policy has been divided into themes and areas drilling down from the wider landscape issues through to the hall itself at the centre of the estate.

The policy starts with the issues that will impact on all aspects of the estate such as impacts on the character of the area, the need for high quality design and requirements for traffic management. The second section of the policy addresses the issues surrounding the use of enabling development to fund restoration of the heritage assets; the third section relates to the issues facing the Park and Garden and the fourth section covers the issues faced by Great Barr Hall itself.

Overall Estate

The Estate and former hospital grounds include a number of sites designated for nature conservation, and as open space, as well as being part of the Wood Pasture and Parkland BAP Priority Habitat. The designated nature conservation sites are:

- The Duckery – SINC and Ancient Woodland
- St Margaret's Hospital Grounds – SINC
- Land East of Chapel Lane – SLINC
- St Margaret's Hospital – SLINC
- High Wood – Ancient Woodland
- Fox Plantation – Ancient Woodland
- Gilberts Wood – Ancient Woodland

In the wider area, two Local Nature Reserves – Merrion's Wood LNR and Holly Wood LNR (in Sandwell) are located just outside the area covered by SAD Policy EN7 and care should be taken to ensure that the impact of development on these sites is minimised.

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

- a) Restoration of Great Barr Hall (which may include conversion to appropriate viable use);
- b) Enabling development to fund the restoration of the Hall, Parkland or other heritage assets where justified;
- c) Development on the site of the Former Nurses' Accommodation. It is envisaged that approximately 12 dwellings could be accommodated in this area.
- d) Development on the site of the Queslett Centre, Lakeview Close. Outline planning permission was granted in 2010 for 7 dwellings, although this permission has lapsed.

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

Further constraints on development within the Great Barr Hall and Estate and former St Margaret's Hospital include overhead power lines in the north of the area; below ground watercourses; the presence of the M6 corridor along the western edge of the estate which has impacts of noise pollution and poor air quality that may render certain areas of the site unsuitable for any development; and the impacts of development within the site area on the setting of several listed buildings which are outside the site in both Walsall and Sandwell including St Margaret's Church which is an important focal point in the Parkland

Enabling development

Due to the hall and estate being in private ownership and although grant funding and alternative ownership opportunities should be investigated, the most likely source of funding comes from private investment. On the basis of experience over recent decades the Council considers that it needs to take a positive and flexible approach to attracting private investment and managing it to best secure a sustainable future for the heritage assets whilst protecting the local environment so far as possible. We have to recognise that part of this approach may require the consideration of some aspect of enabling development to secure the future of the heritage assets.

It is important to note that this is not restricted to using enabling development to fund the restoration of the Hall, but that it could also be used to provide for the parkland and other heritage assets of the area. Furthermore, the enabling development does not have to take place on the estate, but could be built elsewhere. Any proposals for enabling development must follow the guidance set out by Historic England including that in 'Enabling Development and the Conservation of Significant Places'³⁵ (2008, Historic England – as English Heritage). This includes a financial justification that identifies and defines both the need (condition of the heritage assets and the means and costs of addressing the problems) and the scale of development necessary to meet the need. The financial justification should be detailed enough for the Council or their consultants to be able to scrutinise and assess it fully to ensure that an informed decision can be reached. Information on the process is included in the Customer Guide to completing Planning Obligations which is available on the Council website at: www.walsall.gov.uk/section_106_agreements

Park and Garden

The park and gardens at Great Barr Hall were laid out by a number of designers over many years, including Shenstone, Repton and Nash, as well as featuring buildings designed by George Gilbert Scott. It is also the largest registered Landscape Park in the Black Country which means that it has regional as well as local importance.

³⁵ Historic England (2012 – as English Heritage), available online at <https://historicengland.org.uk/images-books/publications/enabling-development-and-the-conservation-of-significant-places/>

The policy encourages the reuse and reinstatement of structures and buildings in the parkland and acknowledges that some of these buildings may need to be replaced with new buildings if it is shown that they are in such a deteriorated condition that they cannot be restored or repaired and adapted to new uses. The designs of new buildings that replace key structures in the parkland should be influenced by their context and enhance the unique attributes of the character and heritage of the area.

For both existing and new buildings the Council will encourage sympathetic use and design recognising the significance of the buildings, the historic fabric and their setting in conjunction with the Historic England's guidance on Constructive Conservation and 'Conservation Principles, Policies and Guidance' available online at: www.historicengland.org.uk/advice/constructive-conservation

In respect of all aspects of the maintenance, restoration and development of the hall and / or of the park and garden the Council will seek high quality design that takes proper account of its context and supports the overall improvements of the estate. Historically respectful solutions and / or innovative proposals which provide high quality of design that enhances the original parkland vision will be preferred.

Great Barr Hall and Chapel

Great Barr Hall and Chapel is a Grade II listed building and is included on the 2016 heritage at risk register under its previous grading of II*.

Planning proposals for Great Barr Hall and Chapel are expected to be of the highest possible standard and should ensure that the widest range of potential uses are assessed to identify the most viable ones, using guidance from Historic England including 'Heritage Works'³⁶ which provides a handbook for heritage-led regeneration projects.. Applications for enabling development involving the Hall will be expected to meet the policy requirements laid out in the enabling development section of EN7.

The hall is likely to have some biodiversity issues, such as the potential presence of roosting bats, which would have to be successfully addressed as part of any development scheme for the Hall.

7.10.2 Evidence

- Grade II* Listed Building designation³⁷
- Grade II Registered Park and Garden³⁸
- Heritage at Risk Register – Historic England³⁹

³⁶ Historic England (as English Heritage) (2013) 'Heritage Works' available online at: <https://historicengland.org.uk/images-books/publications/heritage-works/>

³⁷ National Heritage List for England – Historic England entry for Great Barr Hall <http://list.historicengland.org.uk/resultsingle.aspx?uid=1076395>

³⁸ National Heritage List for England – Historic England entry for Great Barr Registered Park <http://list.historicengland.org.uk/resultsingle.aspx?uid=1001202>

- National Heritage List for England
- Great Barr Conservation Area⁴⁰
- Wolverhampton and Walsall Historic Environment Record (HER)⁴¹
- EcoRecord, the ecological database for the Black Country and Birmingham.
- UK Biodiversity Action Plan; Priority Habitat Descriptions: Wood-Pasture and Parkland⁴²
- Supporting documents submitted as part of current undetermined planning applications for the site, including 13/1567/FL
- Historic England Listing Review Advice Report 2016

7.10.3 Delivery

- Through the appropriate consideration of planning applications and working with Historic England and possible funding sources where appropriate.
- Potential for producing a masterplan or development brief for the estate.

7.10.45 Monitoring

Indicators	Targets	BCCS Monitoring Indicator/ Targets?
EN7a – Proportion of planning permissions granted in accordance with Conservation / Historic Environment Section or Advisor recommendations	100%	LOI ENV2
EN7b – Proportion of planning permissions	100%	No

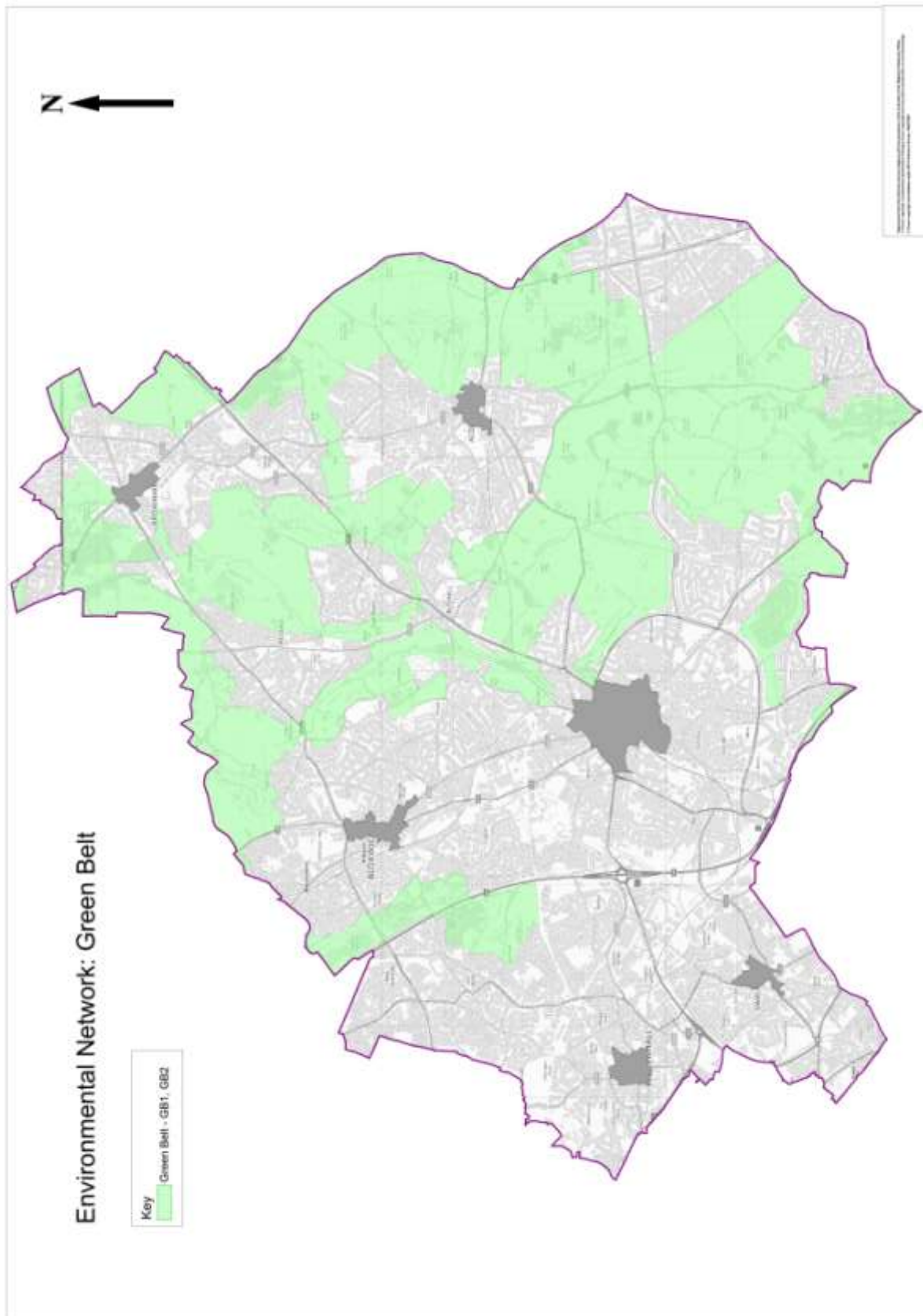
³⁹ Heritage at Risk Register 2016 entries for Great Barr Hall and Chapel Listed Buildings: <https://historicengland.org.uk/advice/heritage-at-risk/search-register/list-entry/1691399> and Great Barr Hall Registered Park and Garden: <https://historicengland.org.uk/advice/heritage-at-risk/search-register/list-entry/1982124>

⁴⁰ Walsall Conservation Areas www.walsall.gov.uk/conservation_areas.htm

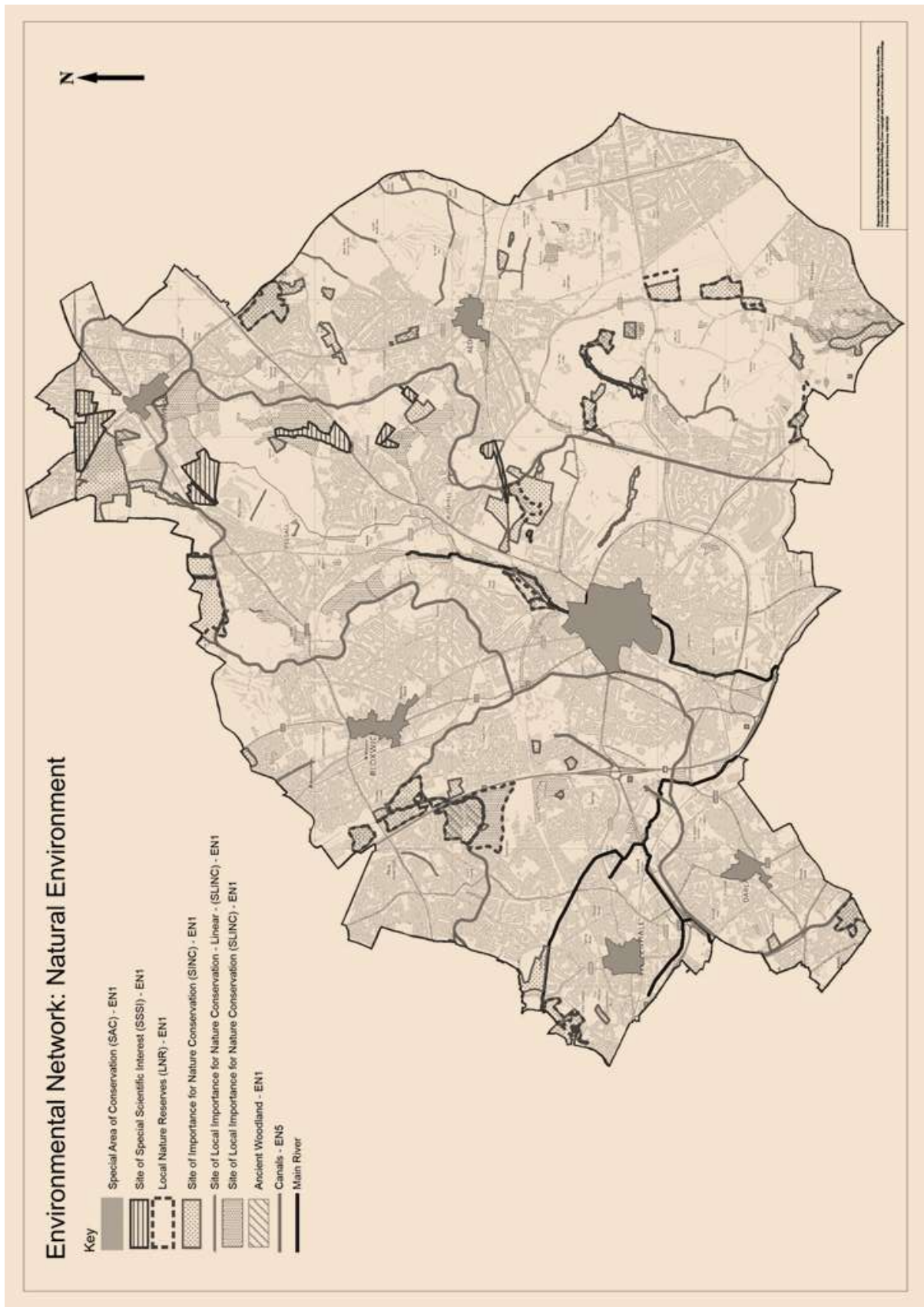
⁴¹ Wolverhampton and Walsall HER, based at City of Wolverhampton Council with records available to view online via the Heritage Gateway at: <http://www.heritagegateway.org.uk/gateway/chr/herdetail.aspx?crit=&ctid=93&id=4738>

⁴² UK BAP Priority Habitat Descriptions: Wood-Pasture and Parkland – available online at: <http://jncc.defra.gov.uk/page-5706>

<p>granted in accordance with Historic England’s planning related advice</p>		
<p>EN7c – Completion of outstanding conditions from residential development (e.g. public transport)</p>		<p>No</p>
<p>EN7d – Downgrading of risk level or removal from Heritage at Risk Register</p>	<p>Great Barr Hall: Improvement from ‘very bad’ condition and Priority A (Immediate risk of further rapid deterioration or loss of fabric; no solution agreed),</p> <p>Great Barr Hall Park Registered Parkland: Improvement from condition of “<i>Extensive Significant Problems</i>”, high vulnerability and a trend of declining.</p>	<p>No</p>

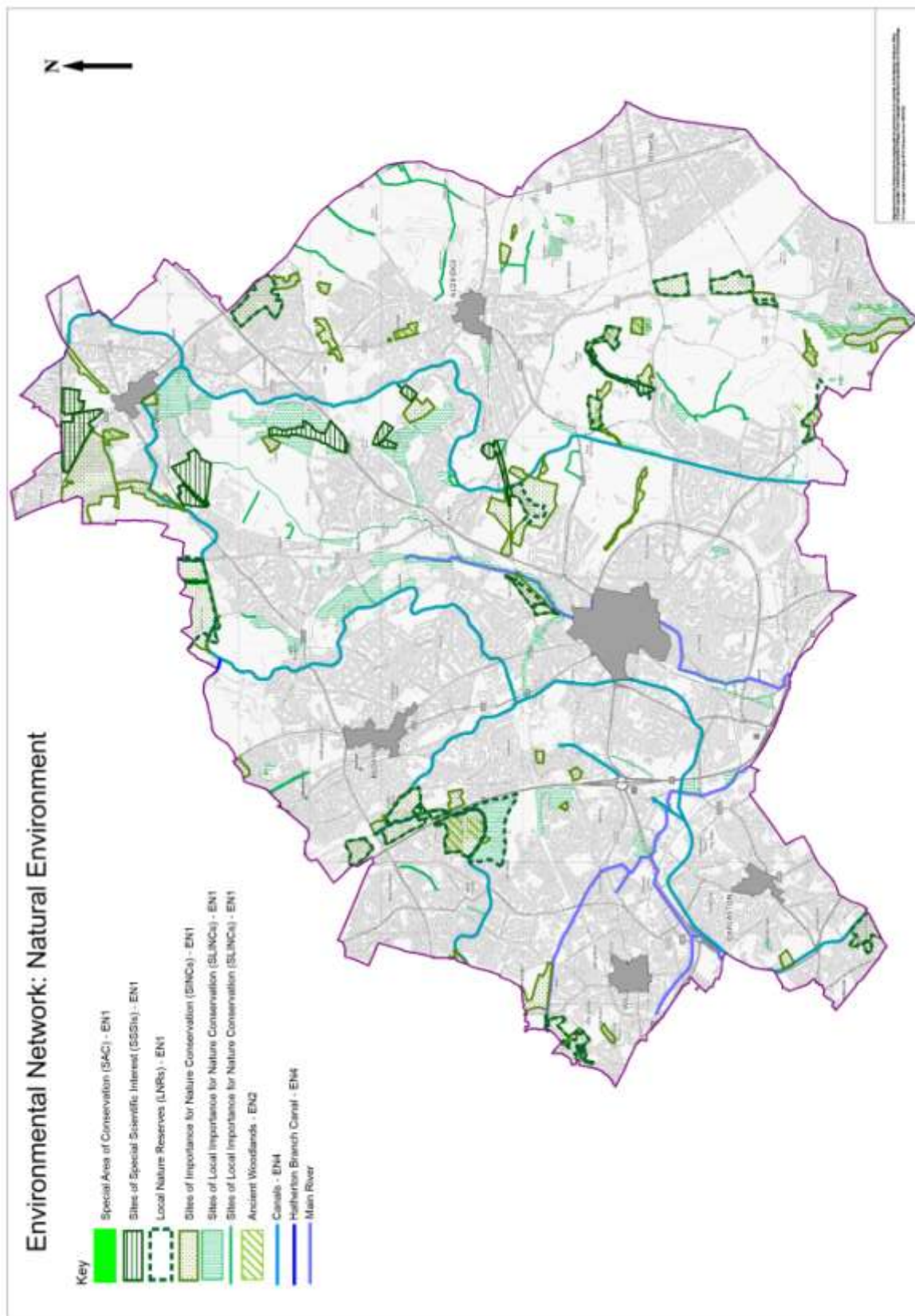


Map 7.52: Green Belt OMSAD40

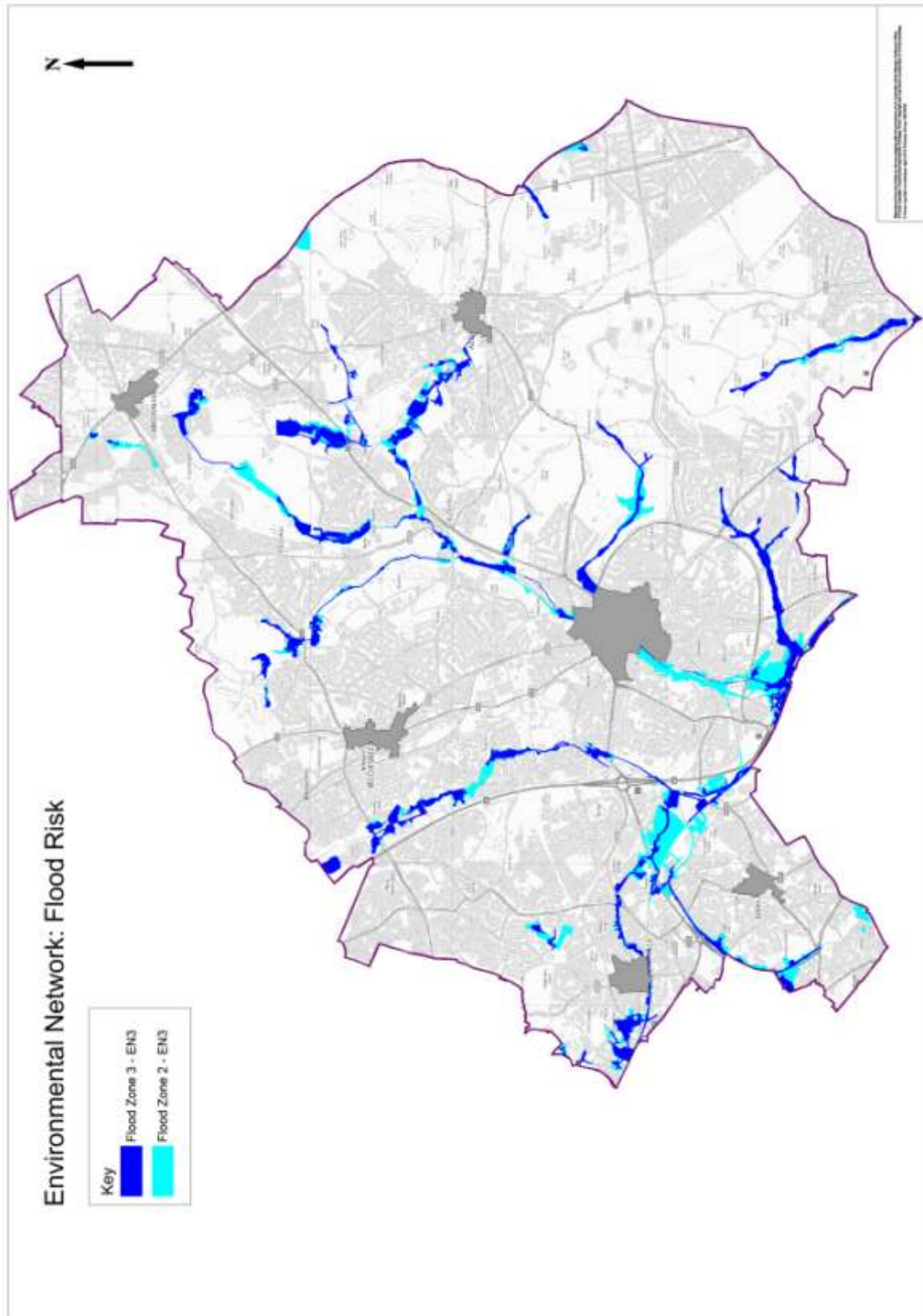


Map 7.3: Natural Environment Designations

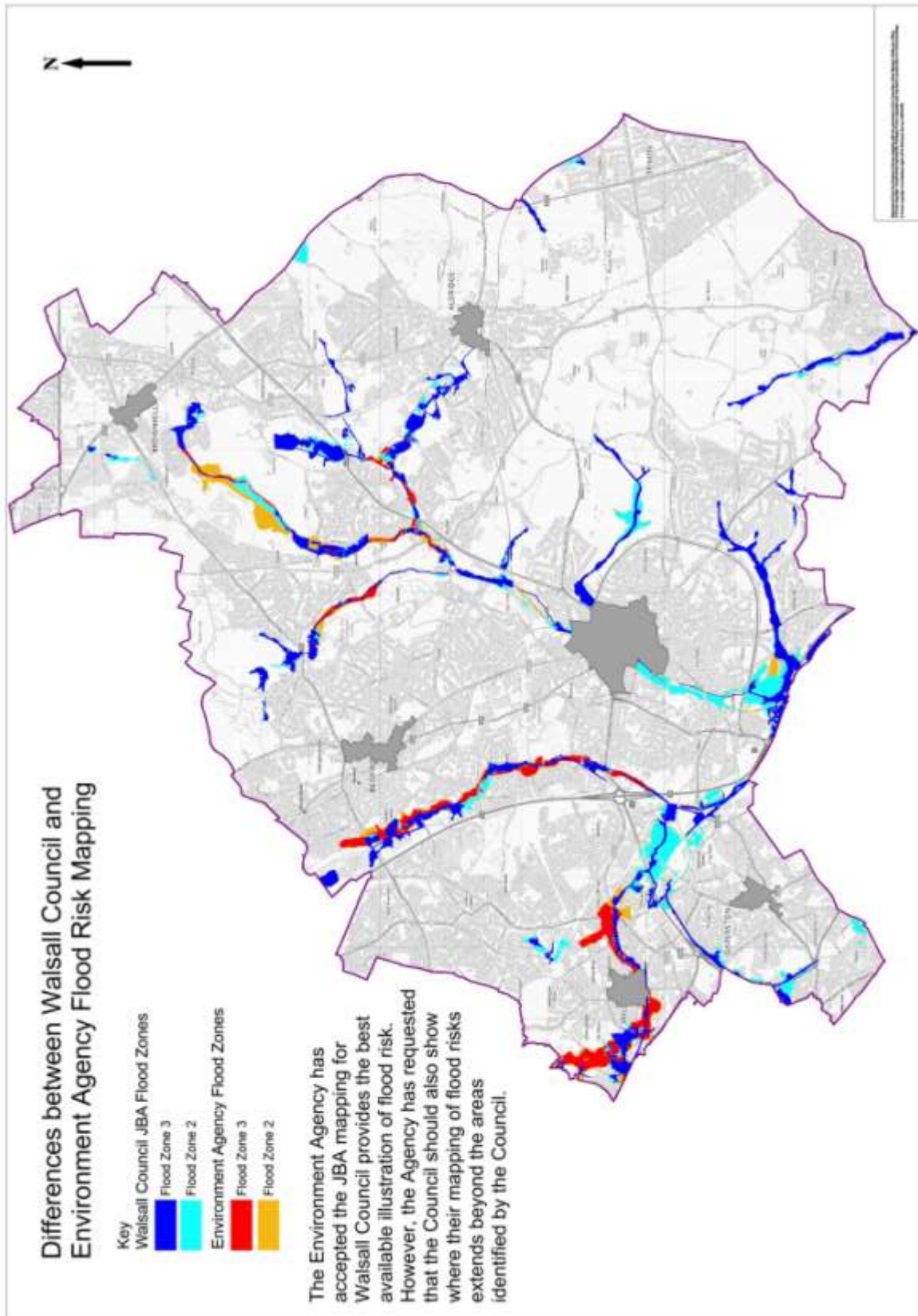
Superseded Map OMSAD40



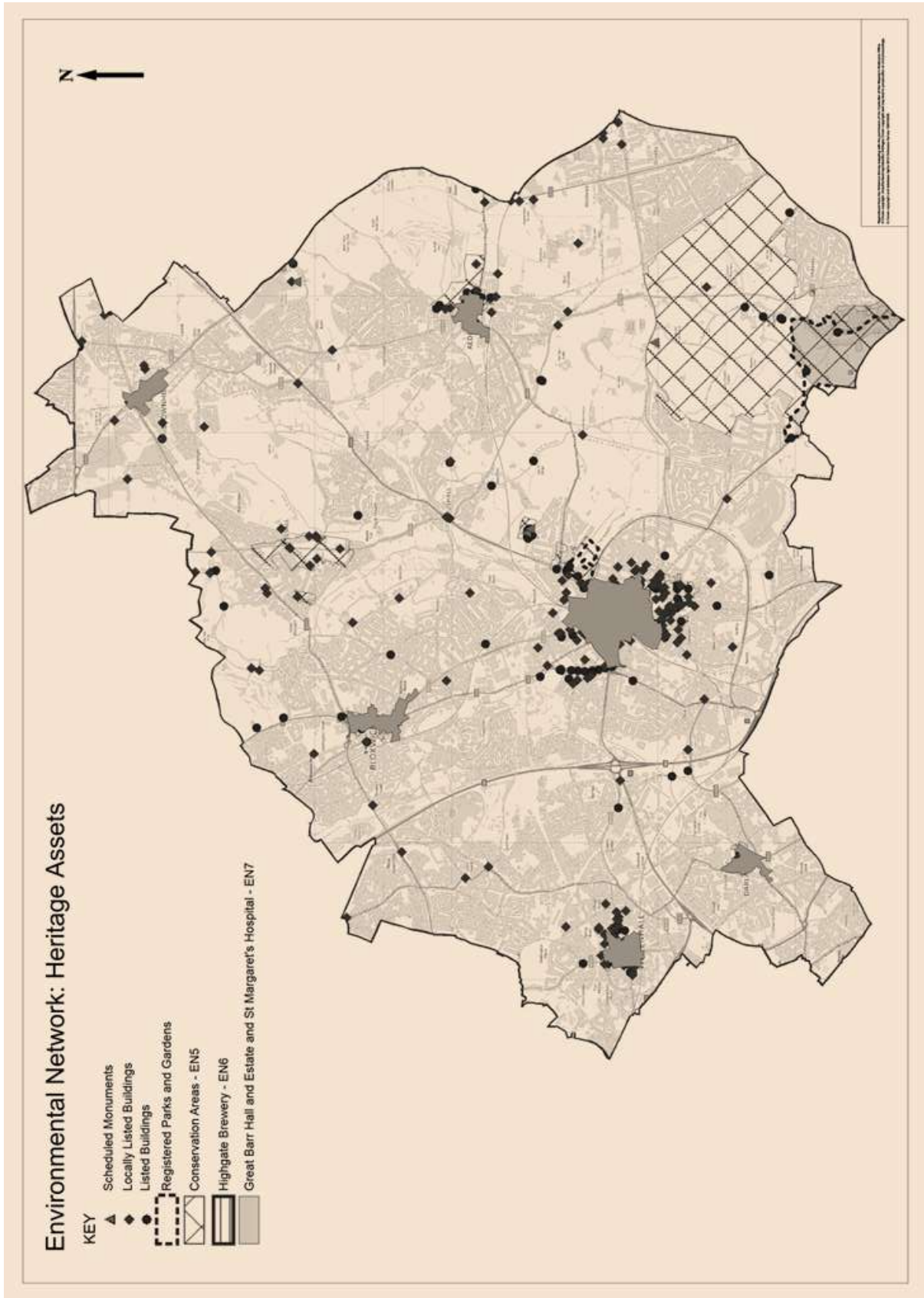
Map 7.63: Natural Environment Designations *Amended Map*



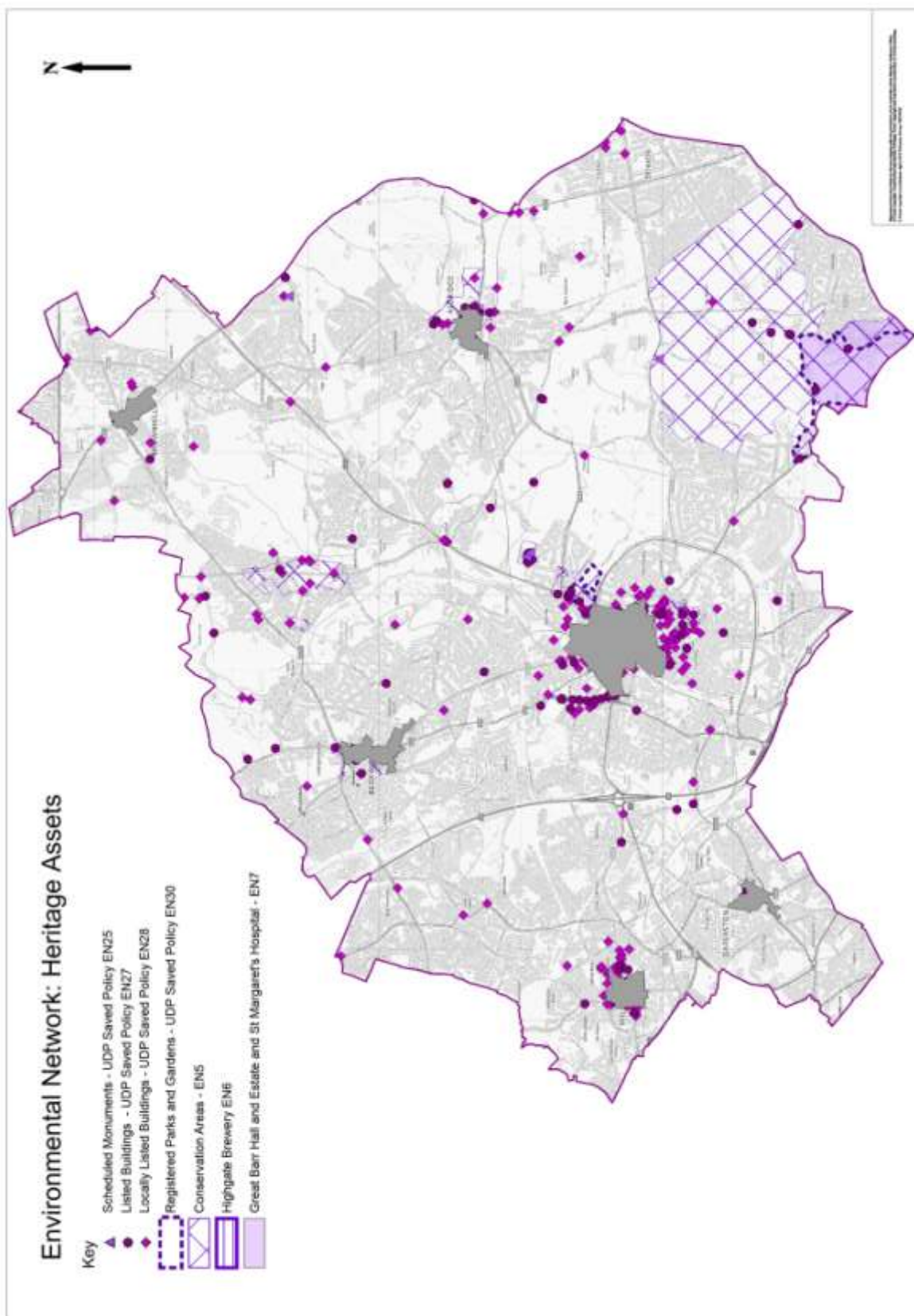
Map 7.74: ~~Natural Environment~~ Flood Risk



Map7.8: Comparison of Walsall Council and Environment Agency Flood Risk Mapping *Additional Map*



~~Map 7.95: Heritage Assets - Superseded Map~~ MODSAD78



Map 7.95: Heritage Assets *Amended Map* MODSAD78

8 Sustainable Waste Management

8.1 Introduction

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

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

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

8.2 Future Waste Management Requirements

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

~~SAD~~ Policy W1: Future Waste Management Requirements

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

Treatment and Transfer of Household and Commercial & Industrial Waste

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

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

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

Construction, Demolition and Excavation Waste

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

Waste Disposal

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

and where proposals comply with BCCS Policies WM4 and MIN5 and current national policy guidance.

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

8.2.1 Policy Justification

Although national planning policy guidance on waste has changed since the BCCS was adopted in February 2011, the main national objectives and targets for waste management have not changed and are aimed at meeting the requirements of the European Waste Framework Directive.⁴³ Local plans for waste are expected to enable sufficient waste management infrastructure to be developed as and when it is needed, in ways that will enable maximum value to be recovered from waste, while also ensuring that waste management is carried out without endangering human health or harming the environment.⁴⁴

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

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

⁴³ Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008 on waste and repealing certain Directives: <http://ec.europa.eu/environment/waste/framework/>

⁴⁴ The National Planning Policy (NPP) for Waste (2014), CLG, replaced the former Planning Policy Statement 10 (PPS10): Planning for Sustainable Waste Management in October 2014 and is to be read in conjunction with the National Planning Policy Framework (NPPF). See in particular, NPP for Waste, paragraphs 1 – 6 and Appendices, and NPPF, paragraphs 7 - 10, 17, 156 - 157 and 162:

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

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

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

- Drive waste as far as possible up the ‘waste hierarchy’⁴⁵ by reducing waste and making best use of the unavoidable waste that arises;
- Manage waste without harming health or causing unacceptable harm to the environment or the amenity and well being of local communities;
- Develop new waste disposal facilities and facilities for recovery⁴⁶ of mixed household wastes and similar commercial wastes in accessible locations which as near as possible to the sources of waste;
- Contribute towards European and national targets for landfill reduction and recycling of municipal waste and construction and demolition waste;
- Reduce reliance on waste infrastructure in other areas as far as possible, by developing infrastructure capable of managing the types and tonnages of waste expected to arise in the Black Country; and
- Broaden the range of waste recovery infrastructure available in the Black Country, including more facilities for re-use, recycling and recovery of non-hazardous and non-metal wastes from households and businesses.

There is no evidence that Walsall needs to provide any further waste infrastructure over and above the requirements identified in the BCCS. For example, no specific requirements are identified in the National Infrastructure Plan, and no nationally significant infrastructure projects (NSIPs) for energy recovery from waste, hazardous waste management or waste water treatment are proposed in Walsall.⁴⁷

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

- New recycling, composting and energy recovery capacity for local authority collected waste (LACW) as required by the Council;
- New facilities with the capacity to recycle, compost or recover energy from 110,000 tonnes of commercial and industrial waste (C&IW) per annum;
- New waste transfer facilities with a capacity of 35,000 tonnes per annum; and

⁴⁵ For further information about the ‘waste hierarchy’ see paragraph 1 and Appendix A of the National Planning Policy (NPP) for Waste (web link provided in previous footnote).

⁴⁶ The term ‘recovery’ means recovering value from waste, and includes recovering raw materials for re-use, recycling of waste into new products, composting, and use of waste to generate energy.

⁴⁷ For an overview of waste infrastructure requirements, see Walsall Site Allocation, CIL Deliverability and Viability Study (2015), DTZ, Part 3: Waste Sites Viability and Delivery Study, Chapter 2:

http://www.walsall.gov.uk/index/environment/planning/planning_policy/local_plans/evidence.htm

- Additional capacity for recycling of construction, demolition and excavation waste (CD&EW) and treatment ‘hubs’ for contaminated soils, where a local need/ demand is identified and where proposals would contribute towards European and national recycling targets.

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

Monitoring since then shows that new waste management capacity has continued to come forward in the Black Country, but most new proposals in Walsall tend to be relatively small, or relate to upgrading of existing facilities.⁴⁸

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

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

8.2.2 Evidence

- Black Country Core Strategy - Waste Planning Study (May 2009), Atkins
- Black Country Core Strategy - Waste Background Paper 2 and Appendices (February 2010), Black Country Authorities
- Black Country Core Strategy – Waste Monitoring Update (2010), Black Country Authorities
- Walsall Site Allocation, CIL Deliverability and Viability Study (2015) – see Part 3: Waste Sites Viability and Delivery Study, Chapter 2

⁴⁸ See the latest Walsall Local Plan Monitoring Report (Authorities’ Monitoring Report (AMR)): http://www.walsall.gov.uk/index/environment/planning/planning_policy/local_plans/annual_monitoring_report.htm

8.2.3 Delivery

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

8.2.4 Monitoring

The implementation of SAD Policy W1 will be monitored against the indicators and targets identified in the table below. Most of these indicators are already being used to monitor the effectiveness of the relevant BCCS policies, as specified in the table.

Indicator	Targets	Relevant BCCS Indicator/ Target?
W1a – Delivery of remaining indicative waste capacity requirements for Walsall identified in BCCS Policies WM1 and WM3	<ul style="list-style-type: none"> • 176,000 TPA new recycling and composting capacity for household waste and commercial and industrial waste; • 300,000 TPA new energy recovery capacity for pre-treated residual household waste and commercial and industrial waste; • 10,000 TPA new non-hazardous waste sorting and transfer capacity; and • New capacity for recycling of construction and demolition waste and contaminated soil treatment as required. 	LOI WM1b, LOI WM3a and LOI WM3b

Note: TPA = tonnes per annum.

8.3 Existing Waste Management Sites

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

SAD Policy W2: Existing Waste Management Sites

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

Changes to Existing Waste Management Operations

- b) In accordance with BCCS Policy WM2, the Council will support proposals to upgrade, expand or modify the waste management operations at an existing waste management site, where they would not have unacceptable effects on health, the environment, amenity or infrastructure. Any concerns raised by the relevant regulatory authorities, statutory consultation bodies and infrastructure providers will be an important material consideration.
- c) Where sites are affected by environmental constraints this will also be an important material consideration, and proposals will be expected to demonstrate compliance with relevant local plan policies and national policy guidance. Where proposals include extensive open storage or processing of waste, they will also be expected to demonstrate that they will not present unacceptable risks from fire to occupiers of the site, including employees and visitors, and to people, land, property and infrastructure, including transport networks, in the vicinity of the site.

Strategic Waste Sites

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

Strategic Waste Sites MMSAD31						
SAD Waste Site Ref	SAD Industrial Site Reference ¹	BCCS Ref ²	Site Name and Address	Facility Type	Estimated Maximum Annual Throughput Capacity (tonnes per annum) ³	Notes, Assets and Constraints, and Notes (See Chapter 2)
WS1*	IN9.8	WSWa1	Former Bace Groundworks Site, Coppice Lane, Aldridge	Inert CD&EW Recycling Site	10,000	NO2, NOISE
WS2*	-	WSWa2	Former Branton Hill Landfill Site, Aldridge	Inert Landfill Site	Uncertain	GB, LL , MI, PROW, SINC, SPZ2, SPZ3
WS3	IN120.2	WSWa3	Credential Environmental, Western Way, Moxley	Specialist Tyre Treatment Facility	40,000	CN, SLINC, GW, NO2, NOISE, Sinc, Inr
WS4	IN88	WSWa4	G & P Batteries, Crescent Works, Holland Industrial Park, Darlaston	Specialist Battery Recycling Facility and Transfer Station	30,000	CN, SLINC, f2 (part), f3 (part), LDO, NO2, NOISE
WS5	IN94	WSWa5	EMR, Bentley Road South, Darlaston	Metal Recycling Site (MRS) and Specialist Fridge Recycling Facility	250,000	CN, SLINC, f2 (part), LDO, NO2, NOISE, limestone

WS6	€IN9.21	WSWa6	Veolia Empire Treatment Works, Stubbers Green Road, Aldridge	Hazardous Waste Treatment and Transfer Facility	100,000	AW, CN, SLINC, f2, f3 (NW corner & SW edge), NO2, Noise
WS8	IN18.1	WSWa7	Fryers Road Transfer Station and HWRC, Bloxwich	Waste Transfer, Sorting and Bulking Facility for Local Authority Collected Waste (LACW) and Civic Amenity Site	100,000	NO2,
WS9	IN12.13	WSWa8	Biffa Aldridge MRF, Westgate, Aldridge	Material Recycling Facility (MRF)	Up to 250,000 Around 160,000	CN, SLINC, GW, NO2, NOISE
WS10	-	WSWa10	Highfields South Landfill Site, Walsall Wood	Non-Hazardous Landfill and Landfill Gas Plant	110,000 130,000	CN, SLINC, GW, GB, NO2, NOISE
WS11	IN88	WSWa11	Veolia Recycling Darlaston, Holland Industrial Park, Darlaston	Paper and Card Recycling Facility	35,000	EZ, f2 part, f3 part ⁵ , LDO, NO2, NOISE
WS13*	SIN48.1	WSWa13	Former Metal & Waste Recycling, Jute Works, Bridgeman Street, Pleck	Metal Recycling Site (MRS)	30,000	CN, LB, NO2
WS14	IN9.9	WSWa14	Merchants Way HWRC,	Civic Amenity Site	10,000	f2 f3 (NW corner

			Aldridge			& SW edge)
WS15	-	WSWa15	Vigo/ Utopia Treatment Plants, Walsall Wood	Landfill Leachate Treatment Plant, Landfill Gas Plant	Uncertain	NO2, NOISE, os, SINC
WS16	IN68.1 IN68.2	WSWa16	Ashmore Lake Scrapyards, Springvale Street/ Sharesacre Street, Willenhall	Scrap Yards/ Waste Transfer Sites	25,000	LL, f2, f3 (part), NOISE, SINC
WS17	IN54.4	-	Bescot Triangle South, off Bescot Road, Walsall	Inert CD&EW Recycling Site	50,000	F2, F3, NO2, NOISE, SLINC
WS18	IN2.5	-	Envirosol, Collier Close, Coppice Side Industrial Estate, Brownhills	Hazardous Waste Treatment	15,000	GW, SINC
WS19	IN2.3	-	Walsall Council Environmental Depot, 300 Pelsall Road, Brownhills	Storage Depot for Waste Collection Vehicles and Green Waste	N/A	CN, SLINC, GW, SSSI
WS20	IN9.9	-	Interserve Recycling Centre, Brickyard Road, Aldridge	Material Recycling Facility (MRF) - mainly for CD&EW	75,000	f2, f3 (NW corner & SW edge), NO2, NOISE
WS21	-	-	Goscote Sewage Treatment Works, between Slacky Lane and Goscote Lodge Crescent	Sewage Treatment Works	Not known	CN, SLINC, GW, GB, f2 (part)
WS22	-	-	Walsall Wood Sewage Treatment Works, Green	Sewage Treatment Works	Not known	f2, f3, GB, slinc

			Lane			
<p>Notes on Table:</p> <ol style="list-style-type: none"> 1. The sites with reference numbers are identified in SAD Policies in Chapter 4 – see IND2: Potential High Quality Industry (IN12.13, IN88, and IN120.2) and IND3: Retained Local Quality Industry (IN2.3, IN2.5, IN9.9, IN9.20, IN9.21, IN18.1, IN54.4, IN68.1 and IN68.2 and IN94). 2. These sites are identified as Strategic Waste Sites in the BCCS – see BCCS Policy WM2, Waste Key Diagram and Appendix 6. 3. Maximum annual throughput is based on information from Waste Data Interrogator, planning applications and operators' websites. 4. Sites indicated with an asterisk (*) were not operational at the end of December 2015, although there were no proposals for alternative land uses. 5. Site WS11 is adjacent to the Darlaston Brook and River Tame. The Environment Agency has advised that new developments should allow an 8 metre easement from the top of the bank. 						

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

Other Existing Waste Sites

- f) Other Existing Waste Sites with planning permission or lawful use for waste management development are shown on Map 8.1 and on the ~~SAD~~ Policies Map as symbols. When considering planning applications for non-waste management development on, adjacent to, or near to one of these sites, the impact of the development on any lawful waste management operations being carried out on the site, and the importance of the site to the Black Country's waste management infrastructure, will be important material considerations.**
- g) The same material considerations will also apply when considering proposals for non-waste management development on, adjacent to, or near to any other waste management sites identified subsequent to the adoption of the SAD, as a result of:**
- i. The issue of a Lawful Development Certificate (LDC) for an existing waste management operation;**
 - ii. The implementation of a new waste management development in accordance with a Lawful Development Certificate (LDC); or**
 - iii. The implementation of a new waste management development in accordance with a grant of planning permission, including permission granted by a local development order (LDO).**

8.3.1 Policy Justification

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

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

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

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

- BCCS Sites WSWa7 (Metal & Waste Recycling, Bull Lane, Moxley) and WSWa12 (Interserve Site Services Transfer Station) have been omitted as these sites have closed or relocated;
- BCCS Site WSWa16 (Willenhall Skips) has been expanded to include a "cluster" of similar waste management uses in this location;
- BCCS Sites WSWa14 (Merchants Way) and WSWa15 (Vigo/ Utopia) have contracted in size but important facilities still remain in both cases;
- Four new Strategic Waste Sites (WS17: Bescot Triangle South, WS18: Envirosol, WS19: Walsall Council Environmental Depot and WS20: Interserve Recycling Centre) have been added because they were identified or developed since the BCCS was prepared; and
- Walsall's two operational sewage treatment works (WS21: Goscote and WS22: Walsall Wood) have been added to the list of Strategic Waste Sites, as the SAD does not include a separate policy on utilities infrastructure.

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

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

site elsewhere in the Black Country or in another part of the West Midlands, this will also be an important material consideration.

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

8.3.2 Evidence

- Black Country Core Strategy - Waste Planning Study (May 2009), Atkins
- Black Country Core Strategy - Waste Background Paper 2 and Appendices (February 2010), Black Country Authorities

8.3.3 Delivery

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

8.3.4 Monitoring

~~The implementation of SAD Policy W2 will be monitored against the indicator and target identified in the table below.~~

Indicator	Targets	Relevant BCCS Indicator/ Target?
W2b – Development proposals affecting Strategic Waste Sites identified on the SAD Policies Map – compliance with BCCS Policy WM2 and SAD Policy W2	100% of applications approved to comply with policy requirements	LOI WM2

8.4 New Waste Management Development – Waste Treatment and Transfer

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

~~SAD~~ Policy W3: New Waste Management Development – Waste Treatment and Transfer **MMSAD32**

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

b) **As with development at existing waste facilities, where new waste treatment and transfer proposals include extensive open storage or processing of waste, applicants must provide evidence that the development will not present unacceptable risks from fire, and that due consideration has been given towards environmental constraints, in accordance with paragraph c) of SAD Policy W2.** Any concerns raised by the relevant regulatory authorities, statutory consultation bodies and infrastructure providers about the potential effects of the proposal will also be an important material consideration.

New Waste Treatment and Transfer Facilities – Previously-Developed Land

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

Potential Waste Sites – Enclosed Treatment and Transfer **MMSAD33**

SAD Waste Site	SAD Industrial Land	Site Name and Address	Facility Type(s) Potentially	Estimated Maximum Annual	Notes, Assets and constraints
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Reference	Reference ¹		Suitable	Throughput Capacity (tonnes per annum)	, and Notes (See Chapter 2)
WP2	IN17.2	Land at Fryers Road, Bloxwich ²	Material Recovery and Energy Recovery (gasification)	Up to 300,000	CN, SLINC, NO2
WP11	IN98.1, IN98.2	Cemetery Road, Darlaston ³	Enclosed Waste Recovery/ Treatment/ Transfer	Up to 100,000	F2, F3 (part) ⁵ f3, GW, LDO, NO2, NOISE, os
WP12	IN92	Aspect 2000, Bentley Mill Way, Darlaston ³	Enclosed Waste Treatment	More than 100,000	CN, EZ, LDO, SLINC, GW, F2, F3, LB, NO2, NOISE
WP13	IN12.8	Former McKechnie's Site, Middlemore Lane/ Dumbledorry Lane, Aldridge	Enclosed Waste Treatment	More than 100,000	CN, SLINC, F2, F3 (part) MMSAD34
WP14	IN27.1, IN27.2, IN27.3	Newfield Close, Bloxwich	Enclosed Waste Treatment	More than 100,000	NO2
WP15	IN315	Casino/ Cinema, Bentley Mill Way, Darlaston ³	Enclosed Waste Treatment	More than 100,000	CN, LDO, SLINC f2, f3 (S edge), LB, NO2, NOISE
WP16 ⁴	IN120.3	Former Wesson Site, Bull Lane,	Enclosed Waste Treatment	More than 100,000	CN, SLINC, NO2, NOISE

		Moxley			
WP17	IN93.2	Access 10 East, Bentley Road North, Darlaston ³	Enclosed Waste Treatment/ Transfer	Up to 100,000	CN, F2, F3 (part) ⁶ , LDO, SLINC, GW, os, NO2, NOISE
WP18	IN104.1, IN104.2, IN104.3, IN104.4	Phoenix 10 (Former James Bridge IMI/ Tip Sites), Pleck ³	Enclosed Waste Treatment	More than 100,000	CN, EZ, LDO, SLINC, NO2, NOISE, os

Notes on Table:

1. These sites are identified in SAD Policies in Chapter 4 – see IND2: Potential High Quality Industry (IN12.8, IN27.1, IN27.2, IN27.3, IN92, IN93.2, IN98.1, IN98.2, IN104.1, IN104.2, IN104.3 and IN104.4), IND3: Retained Local Quality Industry (IN17.2), and IND5: New Employment Opportunities (IN315).

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

3. These sites are within the Darlaston area covered by the Darlaston Local Development Order 2015.

4. This site has planning permission for industrial development falling within Use Classes B1c, B2 and B8 (15/0801/FL).

5. Site WP11 includes the Former Railway Tavern site (IN98.2), which is partly within Flood Zone 3. The Environment Agency has advised that new developments on this site should allow an 8 metre easement.

6. Site WP17 is adjacent to the River Tame and is partly within Flood Zones 2 and 3. The Environment Agency has advised that new developments should allow an 8 metre easement.

de) As these sites are designated as Industrial Sites in the SAD (see Chapter 4), they are identified as Potential Waste Sites on Map 8.1 and on the Policies Map by way of symbols. Planning applications for new waste infrastructure on these sites should have regard to the guidance in the table above, and should also demonstrate compliance with the requirements identified at a) above and explain how site-specific constraints and opportunities have been addressed.

ed) Enclosed waste treatment and transfer facilities will be supported on other Industrial Sites identified on the SAD Policies Map where the proposal would comply with relevant BCCS and SAD industrial land policies, and would contribute towards the requirements in SAD Policy W1. Table 8.1 in the Policy Justification, which is based on the guidance in BCCS Policy

WM4, identifies the types of enclosed waste treatment and transfer facilities that may be suitable on each industrial land category. The Council will only support proposals that conflict with BCCS Policy WM4 and SAD Table 8.1 where they would complement the surrounding land uses, and would not compromise the delivery of other planned developments, including industrial development.

fe) The requirements outlined in a) and d) above will apply to proposals for unenclosed waste treatment and transfer operations on industrial sites and other previously-developed land. Such proposals will only be supported where applicants are able to demonstrate that enclosure of the operations within a building is not feasible.

New Waste Treatment and Transfer – Open Land and Unenclosed Sites

gf) Planning permission has been granted for the relocation of a permitted construction and demolition waste recycling facility at Branton Hill Quarry (11/0934/FL). The site is identified in the table below and is shown as a Potential Waste Site and Minerals Infrastructure Site on the ~~SAD~~ Policies Map (MI1 - see SAD Policy M2). The planning permission is subject to a requirement to construct a new access road off the A452 Chester Road and to bring this into use, replacing the existing access of Branton Hill Lane, before the new recycling facility is implemented.

Potential Waste Sites – Unenclosed Treatment and Transfer

SAD Waste Site Reference	SAD Industrial Land Reference	Site Name and Address	Facility Type(s) Potentially Suitable	Estimated Maximum Annual Throughput Capacity (tonnes per annum)	Notes, Assets and Constraints, and Notes (See Chapter 2)
WP6	N/A	Branton Hill Recycling Relocation Site, Branton Hill Quarry, off A452 Chester Road, Aldridge	CD&EW Recycling	25,000	GB, LL, PROW, SINC, SPZ2, SPZ3

hg) No other sites suitable for unenclosed waste treatment and transfer operations have been identified in the SAD, although it is recognised that

some types of operation (for example, open windrow composting, recycling of construction and demolition waste, *in-situ* treatment and remediation of contaminated soils) may require an open or unenclosed site. Table 8.2 of the Policy Justification identifies the types of facilities that may be supported on different types of open site, where justified.

- ih)** The Council will only support proposals for waste treatment and transfer facilities on open sites where there is adequate distance separation from 'sensitive receptors' and where it can be demonstrated that ~~the proposal would not present unacceptable risks from fire to occupiers of the site, including employees and visitors, and to people, land, property and infrastructure, including transport networks, in the vicinity of the site~~ risks from fire have been evaluated and will be effectively managed in accordance with paragraph b) above. Applicants must also demonstrate that enclosure of the operations within a building is not feasible.
- ji)** The Council will normally only grant a temporary permission for on-site treatment of construction and demolition waste (including contaminated soils) where this is for the purpose of land remediation, landscaping, or quarry restoration. The end date for the operations will be a matter for negotiation between the Council and the applicant. Conditions may be imposed specifying:
- i. The date by which time the operations must cease;
 - ii. The types of operations permitted;
 - iii. The plant and equipment to be used;
 - iv. The tonnages of waste that may be imported; and
 - v. The after use of the site.
- ki)** All proposals should demonstrate compliance with SAD Policy W4 where they also involve disposal of the treated waste onto or into the land.

8.4.1 Policy Justification

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

BCCS Policy WM4 requires all new waste management facilities to be developed in locations that are suitable for the types of operation proposed, in accordance with current national policy guidance. The policy makes it clear that in all cases, the suitability of the location and potential impacts of the proposed waste treatment and

transfer operations on health, the environment and amenity are important material considerations and that applicants must demonstrate that any potential harmful effects and land use conflicts will be effectively managed.

The BCCS identifies only one specific location in Walsall for waste treatment or transfer operations, at Fryers Road in Bloxwich (Policy WM3, Table 17). The search for other potential waste sites has mainly focused on employment land, in line with the guidance in BCCS Policy WM4 and current national policy on waste. Following the Issues & Options consultation, the Council reviewed the list of potential new waste sites identified in the Issues & Options Report (April 2013), having regard to the comments received during the Issues & Options consultation, new sites put forward in response to the second “call for sites,” new planning permissions, and the most recent review of Walsall’s industrial land. These sites identified through this process were identified in the Preferred Options for the SAD (September 2015).

The suitability of the sites identified in SAD Policy W3 for new waste treatment and transfer facilities, and the potential effects of waste management development on the environment, amenity and infrastructure have been evaluated through the Sustainability Appraisal (SA) and the SAD CIL Deliverability and Viability Study (2015). Both assessments have had regard to the criteria in BCCS Policy WM4 and the criteria identified in the National Planning Policy for Waste (2014).

The SA did not identify any harmful environmental, social or economic effects that could not be overcome through application of the SAD policy in combination with existing BCCS Policy WM4 and national policy guidance, although the evaluations have identified the constraints and opportunities for each Potential Waste Site which waste management development proposals will be expected to address. The viability and deliverability of new enclosed waste treatment and transfer facilities on the sites identified has also been tested through a recent viability and delivery study, which concluded that such developments were likely to be deliverable on each of the sites identified in the policy.⁴⁹ The table in part b) of the policy identifies the types of facility that could be developed on each site and the potential annual throughput capacity, based on the findings of the study.

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

⁴⁹ See Walsall Site Allocation, CIL Deliverability and Viability Study (2015), DTZ, Part 3: Waste Sites Viability and Delivery Study, Chapters 4, 5 and 6:

http://www.walsall.gov.uk/index/environment/planning/planning_policy/local_plans/evidence.htm

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

Planning permission is normally required for new waste treatment, transfer and disposal facilities where the operations proposed involve a material change of use of the land, and/ or the construction of new buildings or other operational development.⁵⁰ Waste management facilities are also subject to environmental regulation under separate legislation. As well as having planning permission for the waste management use where it is required, the operator must also have in place any relevant waste permits or exemptions and environmental permits for the types of operations to be carried out.

Although planning, waste permitting and environmental permitting are separate regulatory regimes operated by different authorities, there are overlaps in terms of the issues that have to be considered in each case, such as impacts on health and the environment. A grant of planning permission for a waste management operation on a particular site does not necessarily mean that the relevant waste permits and environmental permits will be issued. Similarly, having the relevant waste permits and environmental permits for the proposed operations does not guarantee that planning permission will be granted, although it is an important material consideration to be taken into account.

When considering an application for a new waste management development the Council will apply SAD Policies W3 and W4 in combination with the existing BCCS Policy WM4, which identifies the types of location likely to be suitable for different types of waste operations. Policies W3 and W4 also identify other important material considerations which will be taken into account when making decisions, such as impacts on the environment, health, amenity, and infrastructure (including transport infrastructure), and comments received from the relevant regulatory authorities responsible for waste permitting and environmental permitting, and organisations responsible for providing and maintaining local infrastructure.

The BCCS already includes guidance on the types of facilities likely to be suitable on different categories of employment land (BCCS Policy WM4, also reflected in BCCS Policies EMP2 and EMP3). However, the industrial land categories identified in the SAD are slightly different, reflecting the outcome of the latest Walsall Employment Land Review (ELR).⁵¹ As well as identifying Existing and Potential High Quality land and Retained Local Quality land the ELR identifies 'Consider for Release' Local

⁵⁰ The only exceptions are where permission has already been granted for the operations by a Local Development Order (LDO). For example, the Darlaston LDO 2015 grants permission for certain waste management developments as specified in the Order.

⁵¹ See Walsall Employment Land Review (2015), Walsall Council

http://www.walsall.gov.uk/index/environment/planning/planning_policy/local_plans/evidence.htm

Quality industrial sites and New Employment Opportunities. These differences are reflected in the SAD industrial land policies IND1 to IND5 in Chapter 4.

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

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

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

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

<p>Advanced Thermal Treatment (pyrolysis and gasification)</p> <p>Household Waste Recycling Centre (HWRC)</p> <p>Ancillary Facilities at Industrial Sites</p>	<p>Small-Scale Biomass Power Plant</p> <p>Advanced Thermal Treatment (pyrolysis and gasification)</p> <p>Hazardous Waste Treatment (including Chemical Treatment)</p> <p>Incineration/ Thermal Treatment (With or Without Energy Recovery)</p> <p>Transfer Station/ Skip Hire</p> <p>CD&EW Recycling</p> <p>Vehicle Dismantler</p> <p>End of Life Vehicle (ELV) Depollution</p> <p>Scrap Yard</p> <p>Open Storage</p> <p>Ancillary Facilities at Industrial Sites</p>	
<p>*On sites within 250m of ‘sensitive receptors’ (which can include other industrial premises) a risk assessment must be carried out demonstrating that bio-aerosols can be satisfactorily controlled and will not present a risk to health or to the environment. The Environment Agency will not grant a permit for an IVC within 250m of ‘sensitive receptors’ without an assessment.</p>		

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

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

The potential for development of a contaminated soil treatment “hub” in Walsall was considered in the Walsall Site Allocation, CIL Deliverability and Viability Study but

the study concluded that as the preferred method of treatment is currently *in-situ* treatment, there is unlikely to be a market for a dedicated facility.⁵² The recent Walsall Council SAD and AAP Minerals Project also considered the potential for recycling of construction and demolition waste into aggregate on three potential sites identified by the Council, and on the sites identified as having potential for other waste management development in the Walsall Site Allocation, CIL Deliverability and Viability Study. The minerals study concluded that none of the sites were without potential obstacles to their viability and deliverability, and it was not recommended that any of them should be allocated in the SAD (see Chapter 9 for further details).⁵³

As it is not possible to identify any suitable specific sites for open air waste treatment and transfer operations in Walsall, Table 8.2 below provides general guidance on types of operations that may be suitable for development on different categories of open land. The policy clarifies that a grant of permission for such an operation will be subject to addressing any potential impacts on health, the environment and amenity and compliance with the relevant local plan policies, which are identified in the table headings. Where proposals include large scale open storage or processing of waste, applicants will also be required to demonstrate that there will not be unacceptable risks to the site or adjoining land from fire, which has become an increasingly important issue since the BCCS was adopted. It should be noted that some of the types of operations identified in Table 8.2 may not always require specific planning permission, for example, where they are ancillary to, or are being carried out as part of, another development that already has planning permission or is lawful.

SAD Policy W4 also recognises that some types of open air operation are likely to be temporary. Where the waste management operations are for a specific purpose or to prepare a site for a particular end use (such as treatment of inert construction and demolition waste prior to depositing it onto or into land as part of a land remediation or quarry restoration project) the policy makes it clear that the Council is only likely to grant a temporary permission, consistent with the anticipated timescale for completion of the project. In such cases, the Council is also likely to impose conditions setting out the date by which time the operations are required to cease.

⁵² Walsall Site Allocation, CIL Deliverability and Viability Study (2015), DTZ, Part 3: Waste Sites Viability and Delivery Study, Chapter 6:

http://www.walsall.gov.uk/index/environment/planning/planning_policy/local_plans/evidence.htm

⁵³ Walsall Council SAD & AAP Minerals Project: Review of Evidence Base for Minerals and Viability and Deliverability of Mineral Development Options (2015), Amec Foster Wheeler, Chapter 5:

http://www.walsall.gov.uk/index/environment/planning/planning_policy/local_plans/evidence.htm

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

<p align="center">Green Belt (SAD Policies GB1, GB2)</p>	<p align="center">Urban Open Space (BCCS Policy ENV6, SAD Policy OS1)</p>	<p align="center">Vacant Previously Developed Land (BCCS Policies CSP1, CSP2)</p>
<p>Disposal of clean inert waste soils onto or into land, where required for landscaping, land remediation and habitat creation</p> <p>Disposal of inert and non-hazardous wastes at quarries</p> <p>Disposal of inert wastes onto or into land, to infill and stabilise voids created by historic mining and quarrying activities</p> <p>Recycling of construction and demolition waste at quarries for the purpose of pre-treating waste prior to disposal in the quarry void</p> <p>Open windrow composting</p> <p>Small-scale composting associated with nature reserves, recreation grounds, garden centres, nurseries etc.</p> <p>Small-scale facilities on farms or at equestrian establishments for managing agricultural waste</p> <p>Waste water treatment</p> <p>Surplus storm and flood water management</p>	<p>Disposal of clean inert waste soils onto or into land, where required for landscaping, land remediation and habitat creation</p> <p>Disposal of inert wastes onto or into land, to infill and stabilise voids created by historic mining and quarrying activities</p> <p>Disposal of inert wastes onto or into land, for the purpose of infilling of other voids such as railway cuttings</p> <p>Treatment/ remediation of contaminated soils, either in-situ or at dedicated “hub” site</p> <p>Small-scale composting associated with parks, nature reserves, recreation grounds and allotments</p> <p>Waste water treatment</p> <p>Surplus storm and flood water management (subject to flood risk assessment)</p>	<p>Disposal of clean inert waste soils onto or into land, where required for landscaping, land remediation and habitat creation</p> <p>Disposal of inert wastes onto or into land, to infill and stabilise voids created by historic mining and quarrying activities</p> <p>Disposal of inert wastes onto or into land, for the purpose of infilling of other voids such as railway cuttings</p> <p>Re-use and recycling of construction and demolition wastes at building sites to produce construction aggregates</p> <p>Treatment/ remediation of contaminated soils, either in-situ or at dedicated “hub” site</p>

(subject to flood risk assessment)		
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Source: This is a modified version of Table 8.8b in Chapter 8 of the Walsall SAD Issues & Options Report (April 2013), Walsall Council and is based on the guidance in BCCS Policy WM4.

8.4.2 Evidence

- Black Country Core Strategy - Waste Planning Study (May 2009), Atkins
- Black Country Core Strategy - Waste Background Paper 2 and Appendices (February 2010), Black Country Authorities
- Walsall Site Allocation, CIL Deliverability and Viability Study (2015), DTZ – see Part 3: Waste Sites Viability and Delivery Study, Chapters 4, 5 and 6
- Walsall Council SAD & AAP Minerals Project (2015), Amec Foster Wheeler - Chapter 5

8.4.3 Delivery

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

8.4.4 Monitoring

The implementation of SAD Policy W3 will be monitored against the indicator and target identified in the table below.

Indicator	Targets	Relevant BCCS Indicator/ Target?
W3a – Proposed new waste treatment and transfer facilities – compliance with BCCS Policy WM4 and SAD Policy W3	100% of applications approved to comply with policy requirements	Yes – see BCCS LOI WM4

8.5 New Waste Management Development – Waste Disposal

SAD Policy W4 supplements the existing BCCS Policies WM3 and WM4, by providing further guidance on suitable sites and locations in Walsall where new waste disposal infrastructure may be developed. The proposed landfill sites at

Aldridge and Sandown Quarries identified in BCCS Policy WM3 are identified as Potential Waste Sites in the policy together with a former railway cutting where infilling with waste is currently underway. The policy also provides guidance on other potentially suitable locations for waste disposal operations in Walsall.

SAD Policy W4: New Waste Management Development – Waste Disposal

- a) The Council may permit waste disposal operations where it has been demonstrated that it is not feasible to re-use, recycle or recover value from the waste to be disposed of, or that the disposal of waste is necessary to achieve a beneficial use of the land.
- b) The Council will expect new waste disposal operations to be appropriately located, and to demonstrate compliance with the locational guidance in BCCS Policy WM4 and national policy guidance on waste. Further guidance on the types of locations in Walsall that may be suitable for disposal of waste onto land may be found in Table 8.2 in the Policy Justification to SAD Policy W3. All proposals for waste disposal must demonstrate that the operations proposed would not have unacceptable effects on health, the environment, amenity or infrastructure, and that any potentially harmful effects likely to arise will be effectively managed. Any concerns raised by the relevant regulatory authorities, statutory consultation bodies and infrastructure providers will also be an important material consideration.

Disposal of Waste at Existing and Former Quarries, and Other Landfill

- c) There are currently two permitted landfill sites at former quarries in Walsall, both of which are identified as Strategic Waste Sites in ~~SAD~~ Policy W2. **There is also a landfilling operation underway at North Walsall Cutting, Reedswood with pre-treated inert waste.** These 3 sites are listed in the table below and shown on the Policies Map.

Strategic Waste Sites – Waste Disposal (Landfill Sites) MMSAD36

SAD Waste Site Reference	SAD Minerals Site Reference	Site Name and Address	Landfill Site Type	Estimated Life Remaining at 31/12/2015 ¹	Notes, Assets and Constraints, and Notes (See Chapter 2)
WS2	MP4	Branton	Inert Only	Not known ²	LL, MI,

		Hill Landfill Site, Branton Hill Lane, Aldridge			PROW, SINC, SPZ
WS10	MP6	Highfields South Landfill Site, Coppice Lane, Walsall Wood	Non-Hazardous	10 years Uncertain ³	CN, SLINC, GW, NO2, NOISE

Notes on Table:

1. Remaining life of permitted landfill sites depends on: a) the void space remaining and b) the end date specified for cessation of infilling operations in the current working conditions/ conditions of the approved working programme. See SAD Minerals Policies M4 and M6 for further details.

2. Remaining life of Branton Hill Landfill Site is not known - the current working conditions do not specify an end date for completion of infilling operations, although there was unlikely to be much if any void space remaining at the time of Publication (March 2016).

3. Remaining life of Highfields South Landfill Site is 10 years from 31.12.15. Condition 4 of the approved restoration programme (07/0046/WA/E1), which required infilling to be completed within 8.5 years of commencement (i.e. by the middle of 2016), has been varied by permission 16/0465, approved in September 2016. The new permission has extended the time allowed to complete the phased infilling and restoration programme by a further 9.2 years, until 31.12.25. ~~also uncertain - while the approved restoration programme requires infilling of wastes to be completed within 8.5 years of commencement, i.e. by the middle of 2016 (Condition 4 of 07/0046/WA/E1), infilling rates have been lower than anticipated, and there is significant void space remaining. A request for an EIA Screening Opinion was submitted to the Council in 2015, in respect of a proposal to extend the landfill completion until 31/12/25 (15/1403). However, planning permission had not been granted for the proposed extension of time at the time of Publication (March 2016), and until such time as a formal decision has been made by the Council, the estimated life remaining is regarded as uncertain.~~

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

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

Potential Waste Sites – Waste Disposal

£) In addition to the existing sites, the Council will support proposals for the disposal of pre-treated waste at the Potential Waste Sites listed in the table below, where they comply with requirements identified at a) above, subject to addressing any site-specific constraints and opportunities.

Other Existing Waste Site – Waste Disposal (Landfill Site) OMSAD41

SAD Waste Site Ref	SAD Minerals Site Ref	Site Name and Address	Landfill Site Type	Estimated Life Remaining at 31/12/2015	Assets and Constraints, and Notes (See Chapter 2)
WP5	-	North Walsall Cutting, between Reedswood Way and Mill Street, Walsall	Pre-treated inert waste	Not known ¹	GW, NO2, OS, SLINC

Potential Waste Sites – Waste Disposal

SAD Waste Site Ref	SAD Site Minerals Ref	BCCS Ref	Site Name and Address	Types of Waste Permitted ²	Estimated Void Space at 31/03/2015 (cubic metres) ³	Notes, Assets and Constraints, and Notes (See Chapter 2)
WP1	MP1	WP1	Former Aldridge Quarry, Birch Lane, Aldridge ⁴	Pre-treated inert waste	600,000	GB, NO2, NOISE, SPZ
WP6	MP7	WP6 3	Sandown Quarry, Stubbers Green Road, Aldridge ⁴	Quarry waste	3,000,000	GB, NO2, NOISE
WP5	-	-	North Walsall Cutting, between Reedswood Way and Mill Street, Walsall	Pre-treated inert waste	80,000	GW, NO2, OS, SLINC

Notes on Table:

1. The estimated original void space of for site WP5 was 80,000 cubic metres according to the planning application. Planning permission for infilling with inert waste was given in 2010. Work is underway and is expected to be complete early in the plan period.
2. These are the types of waste currently permitted to be deposited in each site for the purpose of restoration, in accordance with the current planning permissions.
3. The estimated void space of ~~these~~ sites ~~WP1 and WP3~~ is based on estimates from a survey of landfill capacity in the West Midlands carried out in 2009. ~~The estimated void space of site WP5 is from the planning application.~~
4. Sites WP1 and WP3 are existing/ former quarries. See SAD Minerals Policies M4 and M7 for further details of current requirements relating to these sites.

g) As ~~two~~ of the Potential Waste Sites listed in the table above are also Permitted Mineral Sites, they are identified on the Policies Map and on Map 8.1 by way of symbols. Infilling operations at these sites will be subject to any approved quarry phasing plans and restoration programmes.

Disposal of Waste onto or into Land

~~h) Planning permission has been granted for infilling of North Walsall Cutting, Reedswood with pre-treated inert waste (SAD Reference WP5). This site has therefore been identified as a Potential Waste Site in the table above and its location is shown on Map 8.1 and on the SAD Policies Map as a symbol. Preliminary works are underway and infilling of this site is expected to commence shortly, and to be completed early within the plan period.~~

hi) Disposal of pre-treated inert waste onto or into land may be permitted on other sites where it is for the legitimate purpose of infilling historic mining and quarrying voids, railway cuttings, land remediation, site preparation or landscaping, to prepare the site for a beneficial end use. Such proposals will be expected to be subject to a phasing plan for the infilling operations, to be agreed between the Council and the applicant.

ij) The Council may also impose Conditions on any grant of permission for disposal of waste onto or into land, relating to:

- i. The end date for the infilling operations;
- ii. The tonnages of waste to be imported and/ or disposed of;
- iii. The submission of further details relating to on-site pre-treatment of waste (see SAD Policy W3);
- iv. The timescale and phasing of the infilling operations, landscaping, and after-care where required; and
- v. The proposed end use of the site.

Disposal of Waste by Incineration or Chemical Treatment

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

8.5.1 Policy Justification

National policy guidance advises that when planning for future waste management requirements, adequate provision should be made for waste disposal.⁵⁴ The Walsall Site Allocation, CIL Deliverability and Viability Study did not consider options for waste disposal, but Part 3 of the Study, which considered viability and delivery of sites for waste management, but identified that waste disposal is the least desirable outcome for waste, being at the bottom of the 'waste hierarchy'.⁵⁵

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

Opportunities for new waste disposal sites are most likely to come forward at former mineral extraction sites where restoration has either not been fully completed, or is likely to begin at some point during the plan period, once mineral extraction ceases. This limits the options for the location of landfill sites. Historically, infilling with waste has been the usual method of restoring quarries. This remains a relevant issue, as Walsall currently has three permitted mineral extraction sites where restoration has either not started or has not been fully completed (see Chapter 9). The recent Walsall Council SAD and AAP Minerals Project included a review of the current status of the Permitted Mineral Sites in Walsall, and considered potential issues for quarry restoration.⁵⁶

Policy W4 identifies 2 large quarries as Strategic Waste Sites for landfilling. Only one of these is operational at present. There is currently only one operational landfill site in Walsall, at the former Highfields South Quarry. Until recently, landfilling was also underway at Branton Hill Quarry, but this ceased in 2013 when the quarry closed. However, Branton Hill Quarry has been on the market and recently changed

⁵⁴ See National Planning Policy (NPP) for Waste, paragraph 3 and Annex A:

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

⁵⁵ Walsall Site Allocation, CIL Deliverability and Viability Study (2015), DTZ, Part 3: Waste Sites Viability and Delivery Study, Chapter 2:

http://www.walsall.gov.uk/index/environment/planning/planning_policy/local_plans/evidence.htm

⁵⁶ Walsall Council SAD & AAP Minerals Project: Review of Evidence Base for Minerals and Viability and Deliverability of Mineral Development Options (2015), Amec Foster Wheeler, Chapters 3, 6, 7 and 8:

http://www.walsall.gov.uk/index/environment/planning/planning_policy/local_plans/evidence.htm

~~ownership is understood to be on the market, and landfilling of any remaining voids is expected to recommence when a new buyer takes over the site.~~ Both of these sites are identified as Strategic Waste Sites in SAD Policy W2, and are identified as existing landfill sites in part c) of Policy W4, although in both cases, infilling is expected to be completed by the end of the plan period. [Another existing waste site, at North Walsall Cutting, is identified in the policy. This site is a former railway cutting which received planning permission in 2010 for infilling with inert waste – this is currently underway and is expected to be complete early on in the plan period.](#)

The BCCS identifies two further proposals for waste disposal in Walsall which are expected to be delivered over the plan period, at the former Aldridge Quarry and existing Sandown Quarry in Aldridge (BCCS Policy WM3, Table 17). At the time the BCCS was prepared, mineral extraction had ceased at Aldridge Quarry and it was awaiting restoration, and mineral extraction was still underway at Sandown Quarry. There has been no change to the operational status of these sites since the BCCS was adopted. These sites are therefore identified as Potential Waste Sites for waste disposal in part e) of Policy W4 and are shown on the Policies Map.

A significant number of objections were received at the Issues & Options stage of the SAD (April 2013) to the proposal for inert landfill at Aldridge Quarry (Site WP1), even though the current working conditions for the quarry already require restoration by infilling with inert waste to previous ground levels. Residents also objected to other options identified in the Birch Lane area for further sand and gravel extraction and housing development (see Chapter 9 for further information about these proposals). The potential effects of waste disposal at Aldridge and Sandown Quarries has been fully evaluated. The requirements that restoration programmes for each site will be expected to address – whether or not waste disposal is the preferred method – are in SAD Minerals Policies M4 and M7,

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

It is anticipated that if new mineral extraction sites come forward in accordance with the policies in SAD Chapter 9, restoration by landfilling with waste may be an option for these too, although this may not happen until after the end of the plan period. The two existing landfills are the only sites the Council has been able to identify where waste disposal operations are currently happening or are likely to happen over the plan period. [OMSAD42](#)

Most other waste disposal operations not relating to quarries require a specific type of site, such as a void created by a former mine, quarry or railway cutting that requires infilling, or a site that requires the import of waste material to provide a platform for development, or to landscape and contour the land to suit a proposed future land use. The requirements are therefore site-specific, although in areas that have a legacy of previous mining activity like Walsall, opportunities for disposal of waste onto or into land are likely to arise over the plan period. ~~Another site (North Walsall Cutting) is also identified in the policy. This site is a former railway cutting which received planning permission in 2010 for infilling with inert waste – this is currently underway and is expected to be complete early on in the plan period.~~

SAD Policy W4 has in part been influenced by the issues that have arisen in relation to unlawful waste disposal operations in Walsall, in particular, instances of unlawful disposal of waste onto land. It also provides guidance on other potential methods of waste disposal that could be proposed in Walsall over the plan period, such as disposal of waste by incineration or chemical treatment, and on suitable after uses for temporary waste disposal sites such as landfills. Further guidance on the types of location likely to be suitable for disposal of waste on and into land in Walsall can be found in Table 8.2 above which also includes examples of waste treatment and transfer operations on open land (see Policy W3, Policy Justification).

Waste disposal operations will nearly always require planning permission, except where they are genuinely ancillary to, or are being carried out as part of, another development that already has planning permission or is lawful. The Justification to SAD Policy W3 identifies that in addition to this, waste treatment, transfer and disposal operations will also require any relevant environmental or waste permits. The Environment Agency is the main regulatory body responsible for permitting landfill sites, and will normally require permit applications to include information about impacts on hydrology, flood risk, water resources and water quality, and details of proposals for surface water management and pollution control, particularly where the site is within a groundwater source protection zone or is near to a stream, river or canal. Similar information is also likely to be required to support a planning application.

As with waste treatment and transfer proposals, the relevant regulatory bodies and infrastructure providers, including the Environment Agency and the relevant highway authorities, will be consulted on planning applications for waste disposal. The policy highlights that their views will be an important material consideration to be taken into account by the Council when planning decisions are made.

8.5.2 Evidence

- Black Country Core Strategy - Waste Planning Study (May 2009), Atkins

- Black Country Core Strategy - Waste Background Paper 2 and Appendices (February 2010), Black Country Authorities
- Walsall Site Allocation, CIL Deliverability and Viability Study (2015), DTZ – see Part 3: Waste Sites Viability and Delivery Study, Chapter 2
- Walsall Council SAD & AAP Minerals Project (2015), Amec Foster Wheeler – Chapters 3, 6, 7 and 8

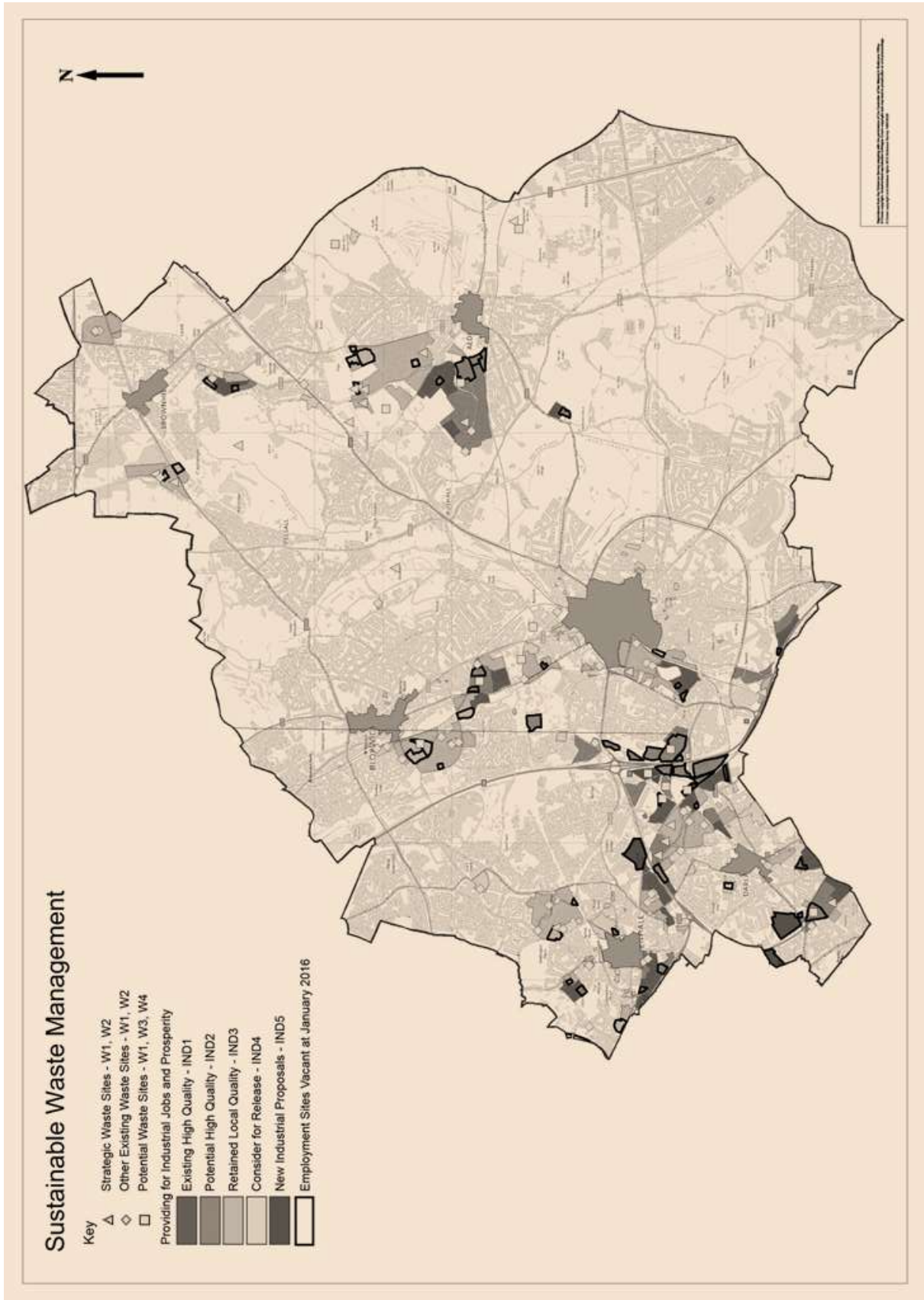
8.5.3 Delivery

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

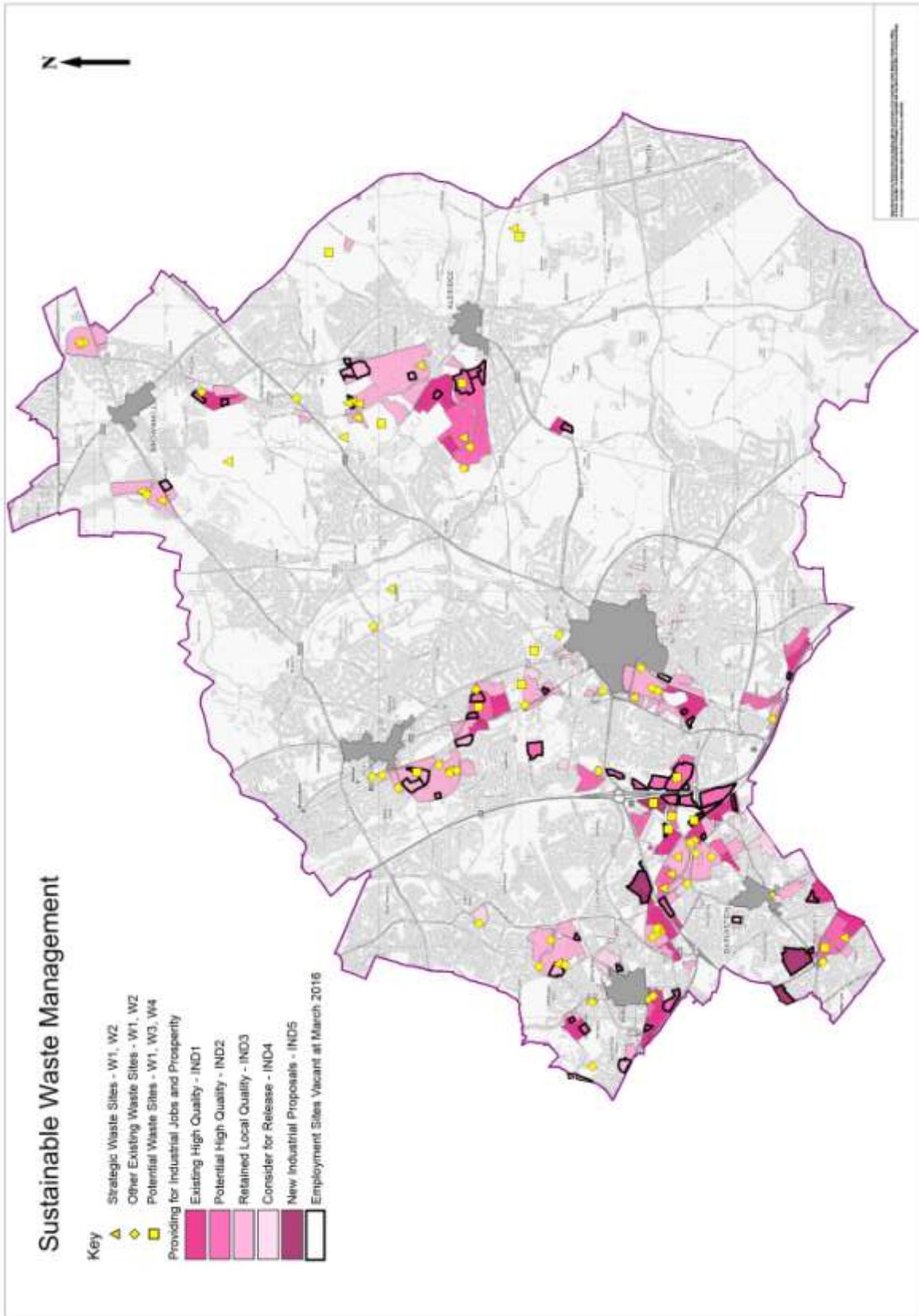
8.5.4 Monitoring

The implementation of SAD Policy W4 will be monitored against the indicator and target identified in the table below.

Indicator	Targets	Relevant BCCS Indicator/ Target?
W4a – Proposed new waste disposal facilities – compliance with BCCS Policy WM4 and SAD Policy W4	100% of applications approved to comply with policy requirements	Yes – see BCCS LOI WM4



Map 8.1: Waste Management Sites



Map 8.1: Waste Management Sites Amended Map OMSAD41

9 Sustainable Use of Minerals

9.1 Introduction

This chapter includes policies on safeguarding important mineral resources and mineral infrastructure, future development at existing mineral extraction sites, and other areas of Walsall where mineral extraction may place. Minerals provide the raw materials needed to support economic growth and quality of life. National policy guidance emphasises the importance of having a steady supply of such materials to provide the infrastructure, buildings, energy and goods that the country needs⁵⁷.

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

The main role of the SAD is to explain how the mineral resources and existing mineral production sites in Walsall will be safeguarded, to define the Permitted Minerals Sites and Potential Minerals Sites/ Areas of Search around them where mineral extraction is expected to take place during the plan period, and to provide specific guidance for new or revised proposals for mineral extraction in these areas.

The policies for minerals have been grouped under the following headings:

- 9.2 Minerals Safeguarding – Policies M1 and M2;
- 9.3 Aggregate Minerals – Policies M3 – M5;
- 9.4 Industrial Minerals – Policies M6 – M8; and
- 9.5 Energy Minerals – Policies M9 and M10

Table 9.1 below lists the types of mineral designations shown on the SAD Policies Map, the SAD Site References for each type of designation, and the SAD and BCCS policies which apply to them. Further background information is provided in the Evidence documents referred to in this Chapter.

⁵⁷ National Planning Policy Framework (NPPF) (2012), CLG, paragraph 142:
<http://planningguidance.planningportal.gov.uk/>

Table 9.1 – SAD Mineral Designations and Relevant Policies

SAD Minerals Designations	SAD Site References	Relevant SAD Policies	Relevant BCCS Policies
Minerals Safeguarding Area (MSA) ⁵⁸	N/A	M1	MIN1
Mineral Infrastructure Sites	MI1 – MI8	M2, M3	MIN1
Brickworks/ Pot Clay Manufacturer	MB1 – MB3 MC1	M6, M9	MIN3, MIN4
Permitted Minerals Sites	MP1 – MP9	M4, M5, M7, M8, M9	MIN2, MIN3, MIN4, MIN5
Potential Minerals Sites	MXP3	M7	MIN3, MIN5
Areas of Search	MXA1 – MXA3	M4, M5, M7	MIN2, MIN3, MIN4, MIN5

9.2 Minerals Safeguarding

Safeguarding of Mineral Resources OMSAD43

Minerals are a finite natural resource and can only be worked where they are found, which limits the options for where future mineral working can take place. It is necessary to make best use of this resource, to ensure there will continue to be sufficient supplies remaining for future generations. Therefore, national policy requires mineral planning authorities such as Walsall Council to develop and maintain an understanding of the extent and location of mineral resources in their areas, and to safeguard potentially important mineral resources in their area through their local plans.⁵⁹ In particular, plans are expected to provide for a steady and adequate supply of minerals to meet future requirements for infrastructure, energy, building and industry.

The BCCS has already identified the broad extent of mineral resources in the Black Country on the Minerals Key Diagram, and includes a policy on safeguarding these resources (BCCS Policy MIN1). Walsall has sand and gravel, brick clay, fireclay and coal. It also has other minerals such as limestone and dolerite for which there is unlikely to be any demand during the plan period. To provide more detailed guidance at a local level, a detailed minerals safeguarding area (MSA) has been defined on

⁵⁸ Also shown on AAP Policies Map

⁵⁹ NPPF, paragraphs 143 and 163: <http://planningguidance.planningportal.gov.uk/>

the SAD Policies Map, and Policy M1 provides further guidance on how the Council will apply BCCS Policy MIN1 when considering planning applications for development within the MSA.

As is the case for other types of development, mineral working can be subject to controls that are outside the planning system but which will affect whether the development can take place. Certain areas within the MSA are registered under the Commons Act 2006 (RCL). The relevant areas in Brownhills and Pelsall are highlighted under Policy M9. More details can be obtained from the Council or at: www.magic.defra.gov.uk/.

SAD Policy M1: Safeguarding of Mineral Resources MMSAD37

Minerals Safeguarding Area (MSA)

a) A **combined** minerals safeguarding area (MSA), which includes all minerals of local and national importance in Walsall with buffers to protect potential mineral working areas from encroachment by other development, is shown on Map 9.54 and is defined on the SAD Policies Map. This is based on the **indicative** MSA shown on the BCCS Minerals Key Diagram, which has been further refined to identify the extent of minerals of local and national importance occurring in **The mineral resources included within the MSA Walsall.** These are as follows:

- i. Sands and gravels – Bedrock (Triassic, Sherwood Sandstone, Kidderminster Formation and Hopwas Breccia) and Superficial (River and Glacial)
- ii. Brick clays – Etruria Formation (principal brick clay resource within Upper Coal Measures), Alveley Member (also referred to as Keele Member) and Enville Member
- iii. Coal (Carboniferous - Upper and Lower Coal Measures) and associated minerals including fireclays
- iv. Limestone (Silurian – Barr and Wenlock Formations)
- v. Dolerite (Igneous intrusion or extrusion of uncertain date)

Indicative MSAs for each of the above minerals are shown on Map 9.4 of this chapter.

Non-Mineral Development within the MSA

b) In the MSA where there is a proposal for non-mineral development that meets or exceeds the thresholds identified in BCCS Policy MIN1, applicants will be expected to consider the feasibility of extracting any minerals

present in advance of the development ('prior extraction').

~~c) It is recognised that in Walsall prior extraction of the above minerals will rarely be feasible on small, previously developed urban sites. Subject to the other policies of Walsall's Local Plan, the Council will therefore support non-mineral developments within the MSA where it can be demonstrated that this is the case, such as in the situations described in BCCS Policy MIN1.~~

Non-Mineral Development near to Mineral Extraction Sites

~~c~~e) In accordance with BCCS Policy MIN1, non-mineral development will not be permitted near to a Permitted Minerals Site or Potential Minerals Site identified on the ~~SAD~~ Policies Map, or near to any other site where permission for mineral extraction has been granted, unless it can be demonstrated that it would not prevent or compromise mineral working.

Non-Mineral Development within or near to Areas of Search

~~d~~e) In accordance with BCCS Policy MIN1, non-mineral development will not be permitted within the Areas of Search identified on the BCCS Minerals Key Diagram ~~or and~~ SAD Policies Map, ~~or in close proximity to these areas,~~ unless it has been demonstrated that it would not sterilise any of the mineral resources or prevent or compromise mineral working within the Area.

Safeguarding of Minerals Infrastructure

As well as safeguarding mineral resources, national planning policy requires local plans to safeguard important infrastructure for processing, transport and distribution of minerals and mineral products.⁶⁰ BCCS Policy MIN1 identifies a number of mineral infrastructure sites in the Black Country which are to be safeguarded, including three sites in Walsall. SAD Policy M2 identifies a number of other sites that should be safeguarded, and provides further guidance on how the BCCS policy will be applied within Walsall.

~~SAD~~ Policy M2: Safeguarding of Minerals Infrastructure

Mineral Infrastructure Sites

a) The boundaries of the Mineral Infrastructure Sites listed in the table below are shown on the ~~SAD~~ Policies Map and the location of each site is also shown on Map 9.6-2 by way of symbols. These sites will be safeguarded in

⁶⁰ NPPF, paragraph 143: <http://planningguidance.communities.gov.uk/>

accordance with BCCS Policy MIN1.

Mineral Infrastructure Sites						
SAD Minerals Site Reference	SAD Waste Site Reference	SAD Industrial Land Reference¹	BCCS Reference	Site Name and Address	Facility Type	Notes, Assets and Constraints, and Notes (See Chapter 2)
MI1 ²	WS1	IN9.8	MI1	Former Bace Groundworks Site, Coppice Lane, Aldridge	Aggregates recycling	NO2, NOISE
MI2 ²	WP6	-	-	Branton Hill Recycling Relocation Site, off Chester Road, Aldridge	Aggregates recycling	GB, LL, PROW, SINC, SPZ2, SPZ3
MI3 ³	-	IN51.1	MI9	Hope Construction Depot, Fairground Way, Walsall	Rail-linked cement and aggregates distribution facility, RMX concrete plant ⁴	FL2, SLINC, II
MI4 ²	WS17	IN54.4	-	Bescot Triangle South, off Bescot Road, Walsall	Aggregates recycling	FL2, FL3, NO2, NOISE, SLINC
MI5	-	IN81	-	Express Asphalt Darlaston, Downs Road, Willenhall	Coating plant ⁵	NO2, NOISE
MI6	-	IN78.12	-	G & B G Morris, Willenhall Industrial Estate, off Eastacre, Willenhall	Secondary aggregates processing	f12, f13, NO2, NOISE

MI7 ²	WS20	IN9.9	-	Interserve Waste Recycling Centre, Brickyard Road, Aldridge	Aggregates recycling	f12 f13 (NW corner & SW edge), NO2, NOISE
MI8	-	IN32.1	-	Lafarge Readymix Birmingham, off Fenchurch Close, Walsall	RMX ⁴ concrete plant	NO2, OS, GW, SLINC

Notes on Table:

1. These sites are identified in SAD Chapter 4, Policy IND3: Retained Local Quality Industry (IN9.8, IN9.9, IN32.1, IN51.2, IN54.4 and IN81), except for MI6 which is part of a larger site identified in Policy IND4: Potential High Quality Industry (IN78.12).
2. These are aggregates recycling facilities which are also identified as Strategic Waste Sites – see SAD Policy W2. Site MI2 (Branton Hill Recycling Relocation Site) is part of Branton Hill Quarry which is a Permitted Mineral Extraction Site (MP4) – see SAD Policy M4.
3. This is a rail-linked facility - cement and aggregates are transported to the site by rail from the operator's sites near Buxton in Derbyshire.
4. RMX concrete plant = facility for manufacture of ready mix concrete.
5. Coating plant = facility for manufacture of coated mineral products, such as asphalt and roadstone.

Mineral Infrastructure Sites – Mineral Development

MMSAD38

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

Mineral Infrastructure Sites – Non-Mineral Development

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

9.2.1 Policy Justification

Policy M1 - Safeguarding of Mineral Resources

MMSAD39

~~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. Mineral planning authorities are therefore required to define minerals safeguarding areas (MSAs) around “minerals of local and national~~

~~importance,” and to adopt policies to prevent other development from needlessly compromising (sterilising) future exploitation of these resources. 61~~

~~In particular, local plans are expected to plan for a steady and adequate supply of aggregate minerals and industrial minerals to meet future requirements for building, engineering and industrial development. Policy M1 identifies that there are sand and gravel, brick clay, fireclay and coal resources in Walsall, as well as other minerals such as limestone and dolerite for which there is unlikely to be any demand during the plan period.~~

The BCCS already defines the broad extent of a MSA for the Black Country on its the Minerals Key Diagram, and includes a policy on mineral safeguarding (BCCS Policy MIN1). The indicative BCCS MSA covers nearly all of the Black Country, including most of Walsall Borough, reflecting the extent of mineral resources of “*local and national importance*” underlying the area. ~~These include significant deposits of sand and gravel, brick clays and coal, identified in geological and mineral resource mapping produced by the British Geological Survey (BGS) and the Coal Authority. 62~~

The BCCS Key Diagram shows a single MSA covering all mineral resources because of the complexity of the resource areas which overlap each other, but separate maps showing the extent of different mineral types are provided in BCCS Appendix 7.

The Black Country MSA ~~also~~ includes dolerite and limestone resources which were exploited in the past, and are potentially important for local distinctiveness. BCCS Policy MIN4 supports extraction of these minerals in principle where there is a need, where working is feasible, and where appropriate safeguards are met to prevent harm to the environment and amenity. As there is no evidence of any current need to extract these resources in Walsall, the BCCS policy is considered sufficient to meet any future requirements for these minerals.

~~The key diagrams and maps in the BCCS are not intended to be to a precise scale, although the base data used to produce the minerals information is derived from British Geological Survey (BGS) mapping. The MSA for Walsall has been further refined in response to the recommendations of a recent minerals study for Walsall⁶³ did not identify any new evidence to support any further refinement of the MSA boundaries in Walsall. However, subsequent to this, a separate MSA for fireclay has~~

⁶¹ National Planning Policy Framework (NPPF) (2012), CLG, paragraph 143, see also Annex 2: Glossary for the definition of “*minerals of local and national importance*”, which includes sands and gravels, brick clays and coal: <http://planningguidance.planningportal.gov.uk/>

⁶² See Mineral Resource Information for Development Plans: West Midlands (1999), British Geological Survey and former DETR, Report and Mineral Resource Map of West Midlands/ Warwickshire: <https://www.bgs.ac.uk/mineralsuk/planning/resource.html#MRM> See also Coal Mining Plans for Walsall: Surface Coal Resource Plan published by the Coal Authority: <https://www.gov.uk/government/publications/coalfield-plans-walsall-area>

⁶³ Walsall Council SAD & AAP Minerals Project: Review of Evidence Base for Minerals and Viability and Deliverability of Mineral Development Options (2015), Amec Foster Wheeler, Chapter 3 and Figures 3.3, 3.4 and 3.5: www.walsall.gov.uk/local_plans/evidence.htm

been identified, having regard to existing published sources⁶⁴ and other information provided by a mineral operator on the extent of fireclay resources in the Brownhills area. The area defined as the MSA on the SAD and AAP Policies Maps, and Map 9.5 is therefore the same as that shown on the BCCS Minerals Key Diagram except for a refinement to the boundary of the MSA for fireclay. Map 9.4 reproduces the MSAs for individual minerals identified in Mineral Commodity Maps MC1 – MC3 in Appendix 7 of the BCCS. In accordance with current good practice guidance on minerals safeguarding, the MSAs for Walsall extend beyond the mineral resource areas, and include ‘buffers’ to protect potential mineral working areas from encroachment by other development. (also shown on Map 9.1 in this Chapter) is based on further analysis of the extent of the mineral resources most likely to be exploited in Walsall over the plan period (up to 2026), which are described above. The MSA does not include any buffers around mineral resource areas, as these would serve no practical purpose, given that most of the non-mineral development proposed in the SAD and AAP is on previously developed land in the existing urban areas, rather than in areas where large scale mineral extraction is most likely to take place.

Current national policy guidance states that minerals planning authorities should not normally permit other development proposals in MSAs where they might constrain future mineral extraction.⁶⁵ However, this does not mean that no other development can take place within MSAs, and this would clearly not be a viable approach is not feasible in an area such as Walsall where there are very few areas without underlying mineral resources of “local and national importance”. the MSAs cover nearly the whole of the administrative area and there is no realistic alternative This means there is no realistic alternative to non-mineral development within the MSA because it would be impossible to meet the Black Country’s future requirements for development and growth otherwise. Hence, the BCCS Growth Network, where most non-mineral development is expected to take place between now and 2026, is within the MSA⁶⁶ as are nearly all most of the sites identified for development in the SAD and AAP. The SAD has safeguarded Walsall’s mineral resources as far as possible by allocating sites for non-mineral development on previously-developed land in the existing urban area, in line with the BCCS spatial strategy, rather than in peripheral areas where it could potentially constrain future commercial mineral extraction.

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

- The Black Country’s mineral resources have been heavily exploited in the past, and much of the winnable resource has probably been removed already;

⁶⁴ In particular, Provision of Geological Information and a Revision of Mineral Consultation Areas for Staffordshire County Council (2006), British Geological Survey, Figure 8.

⁶⁵ NPPF, paragraph 144: <http://planningguidance.planningportal.gov.uk/>

⁶⁶ See BCCS main Key Diagram and Minerals Key Diagram.

- The urban areas of the MSA are already sterilised by development, therefore new non-mineral development in these areas is unlikely to compromise future large-scale mineral extraction proposals;
- Many urban sites in the Black Country are relatively small, and are often affected by other environmental and physical constraints which must be addressed before development can take place, in accordance with BCCS Policy DEL1, which is likely to affect the feasibility of mineral extraction; and
- The need to deliver the development and growth required by the BCCS is a primary objective of the SAD and AAP, and in many cases this will outweigh the need to extract any minerals that may be present.

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

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

The requirement does not apply to building conversions or changes of land use that do not involve any new building or excavation works. The site selection and evaluation process for the SAD and AAP has taken into account the effects of development on mineral resources and future mineral working. For example, the Council has avoided allocating sites for new housing development where this could compromise future mineral working, and a small number of potential housing sites have been omitted from the plan where potential land use conflicts have been identified. Where sites identified for housing or industry are located within the MSA and fall within the thresholds identified in the BCCS, or are near to a Mineral Infrastructure Site, Permitted Minerals Site or Area of Search, these constraints are identified in Policies HC1, HC4 and IND1 – IND5 (see also Table 2.1 in Chapter 2), where the sites under consideration were located within the MSA, and fell within the above thresholds.

The recent minerals study for Walsall has reviewed the potential for prior extraction of minerals, and has concluded that this is “*unlikely to be feasible in relation to most non-mineral developments in the Borough, nor would these make a major contribution towards mineral supplies.*”⁶⁷ The study therefore did not identify a need for any further guidance on mineral safeguarding in the SAD.

Evidence from the recent SAD, CIL Deliverability and Viability Study⁶⁸ also suggests that ‘prior extraction’ of minerals will rarely be feasible on small, previously-developed urban sites in Walsall, particularly where they are affected by industrial

⁶⁷ See Walsall Council SAD & AAP Minerals Project: Review of Evidence Base for Minerals and Viability and Deliverability of Mineral Development Options (2015), Amec Foster Wheeler, Chapter 10: www.walsall.gov.uk/local_plans/evidence.htm

⁶⁸ See Appendix 1 of Walsall SAD CIL Viability & Deliverability Study (2015), DTZ

and mining 'legacy' problems. Many industrial sites have been subject to mining and quarrying in the past and/ or are affected by ground contamination, and they also frequently have a significant depth of 'made ground' overlying any mineral resources likely to remain (see map of potentially contaminated land and landfill constraints in the SAD Technical Appendix). The main priority for these sites is to identify a strategy for remediation that will allow an appropriate development to take place. The remediation strategies chosen will vary, and will affect the feasibility of mineral extraction, whether or not the minerals present are of potential economic value for use on-site or for commercial sales, such as in the case of sands and gravels. On sites not affected by these constraints there is likely to be greater scope for 'prior extraction' of soils, sands and gravels for on-site use, but this is already encouraged by BCCS Policies WM5, MIN1 and MIN2, so there is no need to repeat this in the SAD.

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

Policy M2 – Safeguarding of Minerals Infrastructure OMSAD44

This policy aims to safeguard all of the known Mineral Infrastructure Sites in Walsall, in accordance with national planning policy and BCCS Policy MIN1. These include the three sites identified in the BCCS (see Minerals Key Diagram and Table MIN1 in BCCS Appendix 7), plus other sites identified as a result of further technical work and annual monitoring by the Council. The sites to be safeguarded are shown as symbols on Map 9.6~~2~~ and their boundaries are shown on the SAD Policies Map. ~~There are no Mineral Infrastructure Sites identified in the AAP as none of these sites is in Walsall Town Centre.~~

~~The sites identified in the policy are included in a table of all known Permitted Mineral Processing, Storage and Distribution Sites in Walsall at the end of December 2014, in the Walsall SAD & AAP Minerals Study.⁶⁹ This is the most up to date evidence available on minerals infrastructure in Walsall, and there have been no changes to the sites or their status up to the end of the last monitoring year (31/03/2015). There are currently eight sites in total. All of the Mineral Infrastructure Sites identified in the SAD have a valid planning permission or lawful use for the operations being carried out.~~

⁶⁹ ~~See Walsall Council SAD & AAP Minerals Project: Review of Evidence Base for Minerals and Viability and Deliverability of Mineral Development Options (2015), Amec Foster Wheeler, Table 3.2: www.walsall.gov.uk/local_plans/evidence.htm~~

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

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

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

9.2.2 Evidence

- Black Country Core Strategy – Minerals Background Paper 2 (February 2010), Black Country Authorities – Chapter 2
- Black Country Joint Core Strategy – Minerals Study 2008, RPS - Chapters 4 and 5 and Figures 2, 3 and 4
- Walsall SAD Issues & Options Report (April 2013), Walsall Council – Chapter 9, Section 9.3 (a) and (b)
- Walsall SAD Technical Appendices: Constraint and Asset Maps
- Walsall Council SAD & AAP Minerals Project (2015), Amec Foster Wheeler – Chapters 3, 6, 7, 8, 9 and 10 and Figures 3.3, 3.4 and 3.5
- British Geological Survey - Mineral Resource Information for Development Plans: West Midlands (1999), Report (pages 10 – 27 including Figures 1 and 2) and Mineral Resource Map of West Midlands/ Warwickshire
- Coalfield Plans for Walsall: Surface Coal Resource Plan and Coal Mining Risk Area Plan, Coal Authority
- British Geological Survey - Mineral Planning Factsheets: Alternative Fossil Fuels (October 2011), Brick Clay (February 2007), Building and Roofing Stone

(March 2007), Coal (August 2010), Construction Aggregates (June 2013), Fireclay (October 2006)

- Mineral Safeguarding in England – Good Practice Advice (2011), British Geological Survey and Department for Communities and Local Government

9.2.3 Delivery

The policy will be implemented by the Council in response to applications submitted by developers or their agents for non-mineral development in the MSA, near to Permitted Mineral Extraction Sites, or within the Areas of Search identified on the SAD and AAP Policies Maps, and non-mineral development affecting the Mineral Infrastructure Sites identified in Policy M2 and on the SAD Policies Map. Applicants for development within the MSA that fall within the BCCS Policy MIN1 thresholds will also be expected to provide evidence in support of their approach towards minerals safeguarding, including justification where no prior extraction scheme is proposed.

9.2.4 Monitoring

~~The implementation of SAD Policies M1 and M2 will be monitored against the indicators and targets identified in the table below. Most of these indicators are already being used to monitor the effectiveness of the relevant BCCS policies, as specified in the table.~~

SAD Policy	Indicators	Targets	Relevant BCCS Indicator/ Targets?
M1	M1a – Percentage of non-mineral development proposals approved within the MSA (falling within the thresholds in BCCS Policy MIN1) which do not needlessly sterilise mineral resources	100%	LOI MIN1
M1	M1b – Percentage Permissions for non-mineral development in Sand and Gravel Areas of Search	0%	LOI MIN2
M1	M1c – Percentage Permissions for non-mineral development in Brick Clay Areas of Search	0%	LOI MIN 3b
M2	M2a – Safeguarding of key minerals infrastructure sites identified on the BCCS Minerals Key Diagram and SAD Policies Map	100%	No

9.3 Construction Aggregates OMSAD45

National planning policy advises that local plans for minerals should plan for a steady and adequate supply of aggregates for building and infrastructure projects, including primary (quarried) aggregates and aggregates produced from alternative sources, such as secondary and recycled materials, and should assess the projected demand for their use.⁷⁰ ~~When planning for future aggregate mineral supplies, mineral planning authorities are required to~~ They should, so far as practicable, take account of the contribution that substitute or secondary and recycled materials and minerals waste would make to the supply of materials, before considering extraction of primary materials.⁷¹ It is also assumed in the current national and sub-national guidelines on aggregates production⁷² that a proportion of the requirements over the guideline period will be met from alternatives to primary land-won and marine-dredged aggregates.

Construction Aggregates – Current and Future Supply Requirements

It is not possible to quantify future demand for secondary and recycled aggregates beyond the assumptions in the national and sub-national guidelines. However, production of minerals from secondary and recycled sources (mainly from construction and demolition waste) is expected to continue throughout the plan period at the fixed sites in Walsall identified on the ~~SAD~~ Policies Map, and through on-site recycling of construction and demolition wastes at development sites.

~~National policy guidance advises that minerals planning authorities should plan for a “steady and adequate” supply of primary land won sand and gravel, based on local assessments of need.⁷³~~ Based on past rates of sand and gravel sales, adopted local plans have identified a requirement for the West Midlands Metropolitan Area (WMMA) to identify resources sufficient to provide around 0.506 million tonnes of sand and gravel per annum.⁷⁴ Nearly all of this is expected to be met through the potential sand and gravel working areas identified in the Solihull Local Plan 2013. Solihull has more extensive areas of sand and gravel resources than any other authority in the WMMA. This is confirmed in the joint Local Aggregates Assessment (LAA) prepared for the WMMA in 2015.⁷⁵

⁷⁰ NPPF, paragraphs 143, 145 and 163: <http://planningguidance.planningportal.gov.uk/>

⁷¹ NPPF, paragraphs 143 and 145: <http://planningguidance.planningportal.gov.uk/>

⁷² National and regional guidelines for aggregates provision in England 2005 – 2020 (2009), CLG: <https://www.gov.uk/government/publications/national-and-regional-guidelines-for-aggregates-provision-in-england-2005-to-2020>

⁷³ NPPF, paragraph 145: <http://planningguidance.planningportal.gov.uk/>

⁷⁴ BCCS Policy MIN2 and Solihull Local Plan 2013, Policy

⁷⁵ Section 4.2, West Midlands Metropolitan Area Draft Local Aggregate Assessment (LAA) 2015 (November 2015), West Midlands Metropolitan Authorities

However, Walsall is also expected to make some contribution towards the requirement because it is the only authority in the WMMA other than Solihull to have potentially winnable primary sand and gravel resources (see 9.2 above). Accordingly, an indicative annual production target of 50,000 tonnes per annum is identified in BCCS Policy MIN2, and the BCCS also identifies indicative Areas of Search where sand and gravel extraction could take place.

The BCCS target is not being met at the present time, because there are no active quarries in Walsall, so no primary land-won sand and gravel is being produced. However, the situation could change over the plan period if there is increased demand for raw materials for building and engineering projects. The SAD has therefore defined the boundaries of the Areas of Search on the Policies Map and includes policies to guide future sand and gravel extraction in these areas.

Secondary and Recycled Aggregates

BCCS Policy MIN2 on Production of Aggregates recognises that these sources are likely to provide the main source of aggregate minerals produced in the Black Country, and guidance on proposals for recycling of waste into aggregates (including on-site recycling of construction and demolition waste) is provided in BCCS Policies WM4 and WM5. SAD Policy M3 also provides further guidance on the types of locations in Walsall that may be suitable for treatment and transfer of construction and demolition wastes.

~~SAD~~ Policy M3: Secondary and Recycled Aggregates

Secondary and Recycled Aggregate Production – Existing Sites

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

Secondary and Recycled Aggregate Production – New Sites

- b) The Council may support development of new secondary and recycled aggregate production facilities in other suitable locations, where they would help to maintain or increase the supply of construction aggregates in the Black Country, provided that the facility would be appropriately located for the types of operations proposed, and that potentially harmful effects on health, the environment, local amenity or infrastructure will be effectively managed, in accordance with BCCS Policy MIN5.
- c) Where sites are affected by existing environmental constraints this will also be an important material consideration, and proposals should

demonstrate compliance with relevant BCCS and UDP saved policies on the environment.

- d) When considering options for such proposals, applicants are advised to have regard to SAD Policy W3, which provides guidance on potentially suitable locations for waste treatment and transfer operations, including recycling of construction and demolition waste.**

***Mineral Infrastructure Sites MI1: Former Bace Groundworks Site, MI2: Branton Hill Recycling Relocation Site, MI4: Bescot Triangle South, MI6: G & B G Morris, and MI7: Interserve Waste Recycling Centre. Policy M2 applies to proposals to upgrade, expand, modify or relocate existing operations at these sites.**

Sand and Gravel – Areas of Search and Permitted Minerals Sites

The BCCS Minerals Key Diagram identifies two indicative Areas of Search around former quarries where future sand and gravel extraction may take place. The boundaries of both Areas of Search (MXA1: Birch Lane and MXA2: Branton Hill) and the Permitted Minerals Sites within them (MP1: Aldridge Quarry and MP4: Branton Hill Quarry) are shown on the SAD Policies Map. There is a current planning application for an extension to Branton Hill Quarry on land within the Area of Search (BC64995P) which has been in abeyance for several years. SAD Policies M4 and M5 expand on BCCS Policy MIN2, and identify the issues that should be addressed in new or amended planning applications within the Areas of Search.

Sand and Gravel Extraction – Other Areas

No other areas have been identified for future sand and gravel extraction on the SAD Policies Map. The viability and deliverability of working in other parts of the sand and gravel resource area was considered in the SAD & AAP Minerals Study (2015), and no other areas with realistic potential were identified. BCCS Policy MIN2 provides guidance on evaluating sand and gravel extraction proposals that come forward outside the Areas of Search. The requirements in BCCS Policy MIN5 and national policy guidance on minerals will also apply.

SAD Policy M4: Sand and Gravel Extraction – Birch Lane

- a) New or amended proposals for mineral development at the former Aldridge Quarry (site MP1 on the Policies Map) and elsewhere within the Birch Lane Area of Search (site MXA1) will be expected to identify, evaluate and address any potential harmful effects on health, the environment, amenity, and infrastructure, including any effects not specifically identified in this policy. Any concerns raised by the relevant regulatory authorities, statutory consultation bodies and infrastructure providers will be an important material consideration.**

MXA1: Birch Lane Area of Search

- b) In accordance with BCCS Policy MIN2, new mineral extraction proposals in the Area of Search must provide evidence that the restoration of the former Aldridge Quarry (MP1) is being progressed in a timely manner, that there will be no adverse effects on water resources and water quality within the Groundwater SPZ, and that impacts on the local highway network will be minimised as far as possible. Proposals should therefore be supported by proposals for restoration of the former quarry, a hydrological assessment, a strategy for surface water management and pollution control, and a transport assessment.
- c) As well as the issues identified in BCCS Policy MIN2, the main issues that applicants will be expected to address are as follows:
- i. Adequacy of existing quarry access off Birch Lane, and the need for improvements to address potential impacts of quarry traffic on highway infrastructure and safety of other road users;
 - ii. Potential impacts from increased HGV movements on capacity of A452 Chester Road, A461 Walsall Road and Shire Oak Junction, and related impacts from road traffic emissions and noise;
 - iii. Potential impacts on the amenity of nearby residential areas and businesses, both in Walsall and in neighbouring areas of Lichfield District in Staffordshire;
 - iv. Potential impacts on surrounding agricultural land and holdings;
 - v. Potential impacts on Stonnall Road Hedge and Lazy Hill Road Hedge SLINCs and related ecological networks;
 - vi. Potential impacts on local landscape character; and
 - vii. Potential impacts on archaeology.
- d) Suitable after uses for mineral working sites in this area would include agriculture or alternative land uses that maintain openness and are appropriate to the Green Belt location. Any imported wastes used in restoration must be suitable inert wastes that minimise risks to groundwater resources and will be capable of supporting these end uses.

MP1: Aldridge Quarry – Permitted Minerals Site

- e) Mineral extraction ceased at Aldridge Quarry in 2008 and is not expected to resume, as there are no winnable sand and gravel reserves remaining. Restoration has not started, and the site is now derelict, so the main priority is for restoration to be completed to an appropriate standard, to support a beneficial end use.

- f) There is currently no fully approved restoration programme for this site. A new restoration programme will be expected to be submitted to the Council for approval at the earliest opportunity, and will be expected to address the following issues:**
- i. Stabilisation of quarry slopes, which are now in an unstable condition;**
 - ii. Infilling to be with imported pre-treated inert waste to previous ground levels, unless an alternative method of restoration is agreed by the Council;**
 - iii. Standard of restoration, landscaping and aftercare to be of sufficient quality to support the proposed after use;**
 - iv. Soil stored in bunds to the south of the site to be removed and used in capping and landscaping, on completion of infilling phases;**
 - v. Potential impacts on nearby residential areas and business park from increased noise, dust and HGV movements arising from restoration works;**
 - vi. Potential impacts on surrounding agricultural land;**
 - vii. Potential impacts on highway network and highway safety from haulage of imported infill material to the site;**
 - viii. Potential risks to water quality within the Groundwater SPZ; and**
 - ix. After use to be agriculture, or subject to approval by the Council, an alternative land use that maintains openness and is appropriate to the Green Belt location.**
- g) The existing working conditions for Aldridge Quarry (BC61247P) are due to be reviewed in 2016. Proposals for revised conditions relating to restoration, landscaping, aftercare and after use will be expected to address the above issues, and to set a clear end date for completion of the restoration programme.**

~~SAD~~ Policy M5: Sand and Gravel Extraction – Branton Hill

- a) New or amended proposals for mineral development at Branton Hill Quarry (site MP4) and elsewhere within the Branton Hill Area of Search (site MXA2) should identify, evaluate and address any potential harmful effects on health, the environment, local amenity, and infrastructure, including any effects likely to arise which are not specifically identified in this policy. Any concerns raised by the relevant regulatory authorities, statutory**

consultation bodies and infrastructure providers will be an important material consideration.

MXA2: Branton Hill Area of Search

- b) In accordance with BCCS Policy MIN2, the Council will not support applications for further sand and gravel extraction within the Area of Search (including the current applications BC52105P for new working conditions for Branton Hill Quarry and BC64995P for an extension to Branton Hill Quarry) unless they are supported by evidence that the restoration of the previously-worked areas of Branton Hill Quarry (MP4) will be progressed in a timely manner, and that there will be no adverse effects on water resources and water quality within the Groundwater SPZ. Applications should be supported by proposals to restore the former quarry, a hydrological assessment, and a strategy for surface water management and pollution control.**
- c) The existing access road serving Branton Hill Quarry is not capable of providing access to the remaining unpermitted resources within the Area of Search, to the south of the quarry. Any grant of planning permission for further mineral working in the Area of Search will therefore also be conditional on the construction of a new haul road off the A452 Chester Road in accordance with planning permission 13/0943/FL, or any subsequent planning permission for a new quarry haul road off the A452 Chester Road on a different alignment.**
- d) In addition to the requirements in c) and d) above and the other issues identified in BCCS Policy MIN2, the main issues that applicants will be expected to address are as follows:**
- i. Potential impacts on nearby residential properties, businesses and community facilities, both in Walsall and in neighbouring areas of Lichfield District in Staffordshire;**
 - ii. Potential impacts on Public Rights of Way linking A452 Chester Road to Branton Hill Lane and Daniel's Lane (Ald36, Ald37 and Ald38);**
 - iii. Potential risks to safety from overhead power line and pylons;**
 - iv. Potential impacts on surrounding agricultural land and holdings;**
 - v. Requirement for an appropriate surface water management strategy;**
 - vi. Potential impacts on Branton Hill SINC and Bourne Pool SLINC and related ecological networks;**
 - vii. Potential impacts on local landscape character; and**
 - viii. Potential impacts on archaeology.**
- e) Suitable after uses for mineral working sites in this area would include**

agriculture or alternative land uses that maintain openness and are appropriate to the Green Belt location. Any imported wastes used in restoration must be suitable inert wastes that minimise risks to groundwater resources and will be capable of supporting these end uses.

MP4: Branton Hill Quarry – Permitted Minerals Site

- f) Mineral extraction ceased at Branton Hill Quarry in 2013. While it is possible that working will resume at some point during the plan period, only limited winnable sand reserves are likely to remain. Restoration has not been completed, and parts of the site are derelict, so the main priority is for restoration of the whole site to be completed to an appropriate standard, to support a beneficial end use.
- g) There is currently no approved restoration programme for the site. In accordance with c) above, new or amended proposals to extend the quarry should include a phased restoration programme for the existing quarry, which will be expected to address the following issues:
- i. Completion of infilling of any remaining voids with pre-treated inert waste;
 - ii. Standard of restoration, landscaping and aftercare to be of sufficient quality to support the proposed after uses;
 - iii. Public Right of Way (Ald37), linking Branton Hill Lane to the A452 Chester Road and Daniel's Lane via Public Right of Way Ald38, to be reinstated on its previous alignment, or subject to approval by the Council, an alternative alignment, and brought back into use;
 - iv. Potential impacts on nearby residential areas and businesses from increased noise, dust and HGV movements arising from restoration works;
 - v. Potential risks to Branton Hill SINC while final restoration and landscaping of the rest of the site is underway;
 - vi. Potential risks to safety arising from overhead power line;
 - vii. Potential risks to groundwater resources within the Groundwater SPZ;
 - viii. Requirement for an appropriate surface water management strategy and pollution control strategy;
 - ix. After uses for permitted areas to be as follows:
 - 1) Branton Hill SINC – both sites (area of wetland habitat and area of relict hedgerow) to be retained and managed for nature;
 - 2) SAD Mineral Infrastructure Site MI2 – aggregates recycling operations to be relocated to this site, subject to construction of a

new haul road with access off the A452 Chester Road;

3) Rest of Permitted Area – publicly accessible open space, to be accessed from re-instated Public Right of Way (Ald37), including wildlife habitats complementary to Branton Hill SINC, or subject to approval by the Council, alternative land uses that maintain openness and are appropriate to the Green Belt location.

9.3.1 Policy Justification

Policy M3: Secondary and Recycled Aggregates

The only aggregate minerals currently being produced in Walsall are secondary and recycled aggregates, which are being produced at fixed sites, as well as through temporary on-site recycling operations. Recycling may also take place from time-to-time through land remediation projects that involve recycling of waste prior to disposal onto land.

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

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

The main sources of these materials are identified in the Minerals Planning Factsheet on Construction Aggregates published by the British Geological Survey.⁷⁶

The three operational fixed production sites in Walsall are identified as Mineral Infrastructure Sites in Policy M2 and on the SAD Policies Map, and are to be safeguarded for this use. These sites are as follows:

- MI4: Bescot Triangle South – recycled aggregates
- MI6: G & B G Morris – secondary aggregates
- MI7: Interserve Waste Recycling Centre – recycled aggregates

Sites MI4 and MI7 are also identified as Strategic Waste Sites (see Policy W2). In addition to these, there are two other sites with planning permission for aggregates recycling which are currently vacant:

- MI1: Former Bace Groundworks Site
- MI2: Branton Hill Recycling Relocation Site.

As no alternative proposals have come forward for development on the above sites, they are also identified as Mineral Infrastructure Sites and Strategic Waste Sites in

⁷⁶ Mineral Planning Factsheets: Construction Aggregates (2013), British Geological Survey: <https://www.bgs.ac.uk/mineralsuk/planning/mineralPlanningFactsheets.html>

the SAD. This means that the vacant sites will be safeguarded under BCCS Policies WM2 and MIN1, and SAD Policies W2 and M3, until they are either brought back into use, or evidence comes forward that they are needed for an alternative use.

Evidence from national surveys into the production and use of 'alternative' materials suggests that a significant amount of construction and demolition waste recycling takes place on-site rather than at the fixed sites in Walsall identified above, and that a high proportion of the material generated from this source is of relatively low grade, used mainly for capping and filling. However, the last survey that generated any data on this at a sub-national level was carried out in 2005.⁷⁷

The available evidence (summarised in the LAA) suggests that there is very little scope to increase production of aggregates from secondary sources in Walsall. Neither of Walsall's active clay quarries is producing aggregates as a by-product, and metallurgical slag and spent foundry sand generated by Walsall's foundries and forges does not appear to be used as aggregate. The main source of 'alternatives' over the plan period is therefore likely to be aggregates recycled from construction and demolition waste.

The SAD and AAP Minerals Study considered the current evidence on need for new construction and demolition waste recycling facilities in Walsall and the wider Black Country, and concluded that this has not changed substantially since the BCCS was prepared.⁷⁸ The latest evidence of trends, from estimates of production nationally, suggest that annual tonnages of waste arising from this stream have not changed significantly since 2004, suggesting that arisings in the Black Country are also not likely to have changed much since the BCCS was adopted.

Annual monitoring shows that existing capacity of fixed sites for recycling of C&D waste in the Black Country has also not changed significantly and existing facilities are estimated to have an annual throughput capacity of around 0.7 million tonnes per annum (although new facilities have come forward, BCCS evidence probably over-estimated capacity in 2008). The West Midlands Metropolitan Area (WMMA) Local Aggregates Assessment (LAA) also includes an estimate of the annual throughput capacity of fixed secondary and recycled aggregates facilities in the Metropolitan Area, which includes Birmingham, Coventry and Solihull as well as the Black Country. It is estimated in the LAA that facilities in the WMMA have the capacity to produce around 0.4 million tonnes of secondary aggregates and around 1.1 million tonnes of recycled aggregates per annum.⁷⁹

⁷⁷ Survey of Arisings and Use of Alternatives to Primary Aggregates in England 2005 - Construction, Demolition and Excavation Waste and Other Materials (2007), Capita Symonds/ WRg: <http://webarchive.nationalarchives.gov.uk/20120919132719/http://www.communities.gov.uk/publications/planningandbuilding/surveyconstruction2005>

⁷⁸ Walsall Council SAD & AAP Minerals Project: Review of Evidence Base for Minerals and Viability and Deliverability of Mineral Development Options (2015), Amec Foster Wheeler, Chapter 5: www.walsall.gov.uk/local_plans/evidence.htm

⁷⁹ Tables 4.5 and 4.6, West Midlands Metropolitan Area Draft Local Aggregate Assessment (LAA) 2015 (November 2015), West Midlands Metropolitan Authorities

~~The SAD & AAP Study considered potential options for new sites for aggregates recycling identified by the Council. These included the two vacant Mineral Infrastructure Sites identified above (MI1: Former Baco Groundworks Site and MI2: Branton Hill Recycling Relocation Site), and another site at a former sand and gravel quarry where permission for aggregates recycling had been previously sought but refused (following an appeal). The study also reviewed the suitability of the industrial sites identified in the Walsall Site Allocation, CIL Deliverability and Viability Study as having potential for waste management development. OMSAD46~~

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

The SAD & AAP Study considered potential options for new sites for aggregates recycling on former minerals sites and / or on industrial sites. It concluded that the mineral sites were unlikely to be deliverable and that the use of industrial sites would have an impact of Walsall's employment land supply. SAD Policy M3 is therefore an 'enabling policy' to be used as the basis for assessing any new proposals that come forward, including any new or revised proposals for recycling on the Mineral Infrastructure Sites identified in Policy M2.

Policies M4 and M5: Sand and Gravel Extraction – Birch Lane and Branton Hill

BCCS Policy MIN2 sets an indicative production target for Walsall of 50,000 tonnes of quarried sand and gravel per annum, based on the rates achieved in the past when Aldridge and Branton Hill Quarries were still operating. However, as both quarries are now closed, Walsall is making no contribution towards sand and gravel production in the WMMA at the present time. There is no evidence of any production of sand and gravel through prior extraction in Walsall, although the SAD & AAP Minerals Study (2015) identified potential for this (see Chapter 10, 10.4). Although evidence is lacking, it is possible that **production** ~~this~~ is happening through on-site recovery and recycling of excavation waste, and is not being recognised as such (see Justification to Policy M3 above).

The BCCS identifies two Areas of Search for potential future sand and gravel extraction at Birch Lane and Branton Hill (BCCS Policy MIN2, Areas MA1 and MA2). The areas identified on the BCCS Minerals Key Diagram are indicative only, and are drawn around the former Aldridge and Branton Hill sand and gravel quarries. As the boundaries of these areas are not defined in the BCCS, it is necessary to do this through the Walsall SAD.

Table 9.2 below summarises the estimated remaining resource within the Areas of Search, which would enable Walsall to make an appropriate contribution towards supplies for the WMMA, although it is unlikely that all of the potential resources identified could be worked within the plan period.

Table 9.2: Sand and Gravel Areas of Search in Walsall – Estimated Resource

Area of Search	Estimated Sand & Gravel Resource – Permitted Reserves (million tonnes)	Estimated Sand & Gravel Resource – Unpermitted Resources (million tonnes)
MXA1: Birch Lane	0	5.2
MXA2: Branton Hill	0	1.2
TOTAL	0	6.4

Sources: Planning Application BC64995P, Walsall SAD & AAP Minerals Study (2015) Appendix A

As sand and gravel working has ceased at both the Aldridge and Branton Hill Quarry sites, the main priority is to ensure that they are restored as soon as possible to an appropriate standard and for appropriate after uses, in accordance with BCCS Policies MIN2 and MIN5 and national policy guidance.⁸⁰ Although a restoration programme for Aldridge Quarry was partly approved in 2003, details of slope gradients were never submitted for approval and there has been no progress on restoration since the quarry ceased operating in 2008. There is no approved restoration programme for Branton Hill Quarry. The working conditions for both sites are currently under review. Periodic review of the conditions for Aldridge Quarry (BC61247P as varied) is due in April 2016, and the approved working conditions for Branton Hill Quarry (BC52105P) are subject to an appeal which has been in abeyance since 1999.

Both sites are in the Green Belt, so the end uses following restoration should be appropriate uses that maintain openness and do not conflict with the purposes of including land within the Green Belt in accordance with local and national policy.⁸¹ Redevelopment of restored sites with new housing, industry, etc. will therefore not be acceptable. Policies M4 and M5 identify the key requirements to be addressed in future restoration programmes for each site, including suitable end uses.

~~The Council identified proposed boundaries for the two BCCS Areas of Search in the SAD Issues & Options Report (April 2013). These were based upon the MSAs (M1i and M1ii) designated in Walsall's UDP. There has been no change to the boundary~~

⁸⁰ See SAD Policy GB2 and NPPF paragraphs 143 and 144:

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

⁸¹ NPPF, paragraphs 87 – 90: <http://planningguidance.planningportal.gov.uk/>

~~of the Branton Hill Area of Search (MXA2) since the Issues & Options stage. Birch Lane Area of Search (MXA1) has been refined in the light of consultations.~~

~~The SAD & AAP Minerals Study notes that the sand and gravel resource area in Walsall is much smaller than that in Solihull, and is also more constrained by existing development and proximity of residential areas. However, it also noted that a significant proportion of Solihull's resources are currently affected by the High Speed 2 (HS2) rail project, which could sterilise some of these resources. The potential impact of HS2 on resources is also noted in the joint West Midlands Metropolitan Area LAA. The Study therefore concluded that it was appropriate for the SAD to identify where future extraction could take place in Walsall, even though in practice opportunities may not be taken up within the plan period.⁸²~~ OMSAD47

~~The SAD & AAP Minerals Study also considered possible alternatives to the Areas of Search and the potential for different approaches to site allocations. It concluded that there was insufficient evidence of viability and deliverability to justify alternative site allocations. This reflected both site specific constraints and the general proximity of sand and gravel resources to existing urban areas. New mineral working sites would be likely to have significant impacts on communities in Walsall which would have to be considered cumulatively (in particular with the existing quarry at Shire Oak, just over the borough boundary in Lichfield).~~

Walsall's SAD and AAP Minerals study reviewed the Areas of Search at Birch Lane and Branton Hill Lane. It concluded that, it is appropriate for the SAD to identify where future extraction could take place, even though in practice opportunities might not be taken up in the plan period. In view of site specific constraints and the general proximity of sand and gravel resources to existing urban areas new mineral working sites would be likely to have significant impacts on communities in Walsall (including cumulatively with existing workings (notably across the borough boundary at Shire Oak)).

The Study recommended that there was no need to make further provision for sand and gravel extraction in the SAD, other than the two Areas of Search identified in the BCCS. These areas are therefore identified on the SAD Policies Map and on Map 9.2.

As well as requiring planning permission, mineral extraction and related waste management operations are subject to environmental regulation under separate legislation. A quarry is not allowed to operate without having all the necessary environmental permits in place, and permits will not be issued unless the regulator is satisfied that the operations will not be harmful to health or to the environment. The ongoing effects of the operations will be controlled under the terms of the permits, as well as under the conditions that apply to the planning permission, and responsibility

⁸² See Walsall Council SAD & AAP Minerals Project: Review of Evidence Base for Minerals and Viability and Deliverability of Mineral Development Options (2015), Amec Foster Wheeler, Chapter 3, Section 3.4 and Chapter 6, Section 6.5: www.walsall.gov.uk/local_plans/evidence.htm

for enforcement is shared between Walsall Council as the mineral planning authority, and other regulators, such as the Environment Agency.

SAD Policies M4 and M5 will be applied in combination with BCCS Policies MIN2 and MIN5. The SAD policies provide more locally specific guidance than the BCCS. They identify the most important material considerations that will be taken into account when making decisions on sand and gravel extraction proposals in the Areas of Search, such as potential effects on the environment and amenity of people living and working nearby, and the views of those consulted on planning applications, in particular, the relevant regulatory authorities, statutory environmental bodies, and organisations responsible for providing and maintaining infrastructure.

9.3.2 Evidence

- Black Country Joint Core Strategy – Minerals Study (May 2008), Chapters 1 and 4 and Figures 2 and 3, RPS
- Black Country Core Strategy - Minerals Background Paper 2 (February 2010), Black Country Authorities – Chapters 3 and 4 and Appendices 1 and 2
- Black Country Core Strategy – Minerals Monitoring Update (June 2010), Black Country Authorities
- Walsall Council SAD & AAP Minerals Project (July 2015), Amec Foster Wheeler – Chapters 3, 5, 6 and 7, Figure 3.3
- Planning Applications BC61247P, BC64995P, 13/0943/FL
- West Midlands Metropolitan Area Draft Local Aggregates Assessment (November 2015), West Midlands Metropolitan Authorities
- Annual Monitoring Reports - West Midlands Aggregates Working Party
- Walsall Site Allocation, CIL Deliverability and Viability Study (July 2015), DTZ - Part 3: Waste Sites Viability and Delivery Study (2015), Chapters 4 and 5
- Collation of the Results of the 2009 Aggregate Minerals Survey for England and Wales (October 2011), British Geological Survey, Department for Communities and Local Government and Welsh National Assembly
- Survey of Arisings and Use of Alternatives to Primary Aggregates in England 2005 - Construction, Demolition and Excavation Waste and Other Materials (February 2007), Capita Symonds/ WRg
- British Geological Survey - Mineral Planning Factsheets: Construction Aggregates (June 2013)

9.3.3 Delivery

It is expected that any new infrastructure for production of aggregates from secondary and recycled sources will be delivered in suitable locations by the private sector, mostly by waste operators, mineral operators or demolition contractors.

Subject to viability, new sand and gravel extraction sites within the Areas of Search identified in the SAD are expected to be delivered by mineral operators. Restoration programmes for the Permitted Minerals Sites and any new mineral extraction sites granted permission subsequent to the adoption of the SAD will also be expected to be delivered by the relevant mineral operators and/ or land owners. The Council will work with mineral operators and their agents and with the relevant regulatory bodies on the delivery of new sand and gravel extraction projects, to ensure that the locations chosen are suitable, and do not have unacceptable impacts on the environment or on local communities.

Implementation of the policy requirements will be by the Council through the development management process. It will also be the Council's role to monitor compliance with approved working conditions for each Permitted Minerals Site, and ensure that sites are restored in a timely manner and to appropriate standards and after uses when working ceases, in accordance with the approved working conditions and restoration programmes.

9.3.4 Monitoring

~~The implementation of SAD Policies M3, M4 and M5 will be monitored against the indicators and targets in the table below. Most of these indicators are already being used to monitor the effectiveness of the relevant BCCS policies, as specified.~~

SAD Policy	Indicators	Targets	Relevant BCCS Indicator/ Targets?
M3	M3a – Production of Secondary/ Recycled Aggregates – net change in capacity at fixed CD&EW recycling sites	No targets set. To be developed through future monitoring OMSAD48	COI MIN2b
M4 and M5	M4a – Supply of Primary Land Won Aggregates – sand and gravel sales and landbanks in the former West Midlands County	2008 – 2026: Indicative sand and gravel apportionment for West Midlands County = 0.550 million tonnes per annum Indicative sand and gravel production target for the	COI MIN2a

		Black Country (Walsall) = 50,000 tonnes per annum	
M4 and M5	M4b – Percentage of applications at new or former sand and gravel extraction sites satisfying the general requirements and criteria in BCCS Policies MIN2 and MIN5 and the specific requirements in SAD Policies M4 and M5	100%	LOI MIN2

Progress on determination of applications and delivery of the policy requirements will be reported in annual Authority’s Monitoring Reports.

The Council will also continue to monitor production of aggregate minerals through the annual surveys of production sites co-ordinated by the West Midlands Aggregates Working Party (AWP), in which the Council is an active participant, and through periodic national aggregate minerals (AM) surveys. Current and future supply requirements for construction aggregates in the West Midlands Metropolitan Area will also be monitored through the Annual Monitoring Reports produced by the AWP and through Local Aggregates Assessments (LAAs) for the West Midlands Metropolitan Area produced jointly by the seven Metropolitan Authorities.

9.4 Industrial Minerals

National planning policy advises that minerals planning authorities should assess the projected demand for industrial minerals in their local plans where a need has been identified.⁸³ Brick clay is the only industrial mineral currently being worked in Walsall, and is the only industrial mineral for which there is likely to be a demand over the remainder of the plan period (see 9.2 above). There is likely to be an ongoing, long-term demand for brick clay production in Walsall to supply the three brickworks within the borough. Policies M6 – M8 below cover supply of clay to Walsall’s brickworks and future proposals for brick clay extraction.

Brickworks – Current and Future Supply Requirements

Local plans for minerals are required to identify sufficient brick clay resources to maintain production at brick manufacturing plants for at least the next 25 years. There are three brickworks currently operating in Walsall, all located in the Stubbers Green area of Aldridge where the principal brick clay resources from the Etruria

⁸³ NPPF, paragraphs 143, 146 and 163: <http://planningguidance.planningportal.gov.uk/>

Formation are found. SAD Policy M6 supplements the guidance already provided in BCCS Policy MIN3, and identifies the issues the Council will take into account when considering proposals relating to the supply of clay to these brickworks.

SAD Policy M6: Brickworks – Future Supply Requirements

- a) The three brickworks operating in Walsall, all located in the Stubbers Green area of Aldridge, **are** as follows:
- MB1: Aldridge Brickworks, Brickyard Road, Aldridge
 - MB2: Atlas Brickworks, Stubbers Green Road, Aldridge
 - MB3: Sandown Brickworks, Stubbers Green Road, Aldridge
- b) The boundaries of the brickworks (including stockyards, storage areas and parking areas) are shown on the SAD Policies Map and on Map 9.12. The following policy will apply to proposals for supply of clay to these brickworks.

MB1: Aldridge Brickworks

- c) This factory is operated by Ibstock Brick Ltd. It has no clay pit of its own and currently relies on clay imported from outside of Walsall. There are currently no restrictions on importation of clay to this factory.
- d) The Council will support proposals to expand Atlas Quarry (SAD Site MP2), where this would provide a 25 year supply to Aldridge Brickworks in accordance with current national policy guidance, subject to addressing the issues outlined in SAD Policy M8 and the requirements of BCCS Policy MIN3 on the importation of brick clays.

MB2: Atlas Brickworks

- e) This factory is operated by Ibstock Brick Ltd and is currently supplied with brick clay from the adjacent Atlas Quarry (SAD Site MP2). The quarry is the factory's main source of supply, and currently provides more than 90% of its brick clay requirements, although the factory is allowed to import up to 30% of the clay it uses. The existing permitted reserves at the quarry are not sufficient to provide a 25-year supply to the factory as required by current national policy guidance.
- f) The Council will support proposals to expand Atlas Quarry (SAD Site MP2), where this would provide a 25 year supply to this factory, in accordance with current national policy guidance, subject to addressing the issues outlined in SAD Policy M8 relating to the quarry expansion.

MB3: Sandown Brickworks

- g) This factory is operated by Wienerberger and is currently supplied with brick clay from the adjacent Sandown Quarry (SAD Site MP7), and from other sources imported from outside Walsall. This factory is currently allowed to import up to 95% of the clay it uses. The remaining reserves at the quarry are not expected to last beyond the end of the plan period and are insufficient to provide a 25-year supply to the factory, as required by current national policy guidance.**
- h) Proposals for new or expanded stockyards for stockpiling of imported clay will be supported in principle, where they form part of a comprehensive programme to restore the quarry. Such proposals will also be expected to demonstrate compliance with other relevant local plan policies, including BCCS Policies MIN3 and MIN5 and SAD Policy M7. The development of a new stockyard will require planning permission, as it is not currently permitted under the existing permissions for the quarry and brickworks.**
- i) Proposals to import clay from extraction sites in Walsall will be supported in principle, provided that this would not have unacceptable effects on the environment, transport infrastructure, and the amenity of the occupiers of land near to the proposed extraction site(s) and haulage route(s). Such proposals will be expected to demonstrate compliance with other relevant local plan policies, including BCCS Policies MIN4 and MIN5 and SAD Policies M7 and M8 on extraction of brick clay.**

Brick Clay Extraction – Stubbers Green

The BCCS Minerals Key Diagram identifies an indicative Area of Search for brick clay extraction at Stubbers Green, around Atlas and Sandown Quarries. The boundary of the Area of Search (MXA3: Stubbers Green) and the Permitted Minerals Sites within it (MP2: Atlas Quarry and MP7: Sandown Quarry) are shown on the SAD Policies Map. The Area of Search includes a proposed extension site for Atlas Quarry, which is subject to a current planning application (14/0619/CM) which has been approved by the Council in principle, subject to the completion of a S106 agreement. Policy M7 expands on BCCS Policy MIN3, and identifies the issues that should be addressed in new or amended applications within the Area of Search.

~~SAD~~ Policy M7: Brick Clay Extraction – Stubbers Green

- a) New or amended proposals for mineral development at Atlas and Sandown Quarries (sites MP2 and MP7), and elsewhere within the Stubbers Green Area of Search (site MXA3), including the Recordon Land (site MXP3) as shown on the Policies Map and Map 9.1, should identify, evaluate and address any potential harmful effects on health, the environment, local**

amenity, and infrastructure, including any effects likely to arise which are not specifically identified in this policy. Any concerns raised by the relevant regulatory authorities, statutory consultation bodies and infrastructure providers will also be an important material consideration.

MXA3: Stubbers Green Area of Search

- b) In accordance with BCCS Policy MIN3, applications for brick clay extraction within the Area of Search will be expected to support restoration of previously-worked areas, and address risks from flooding and impacts on biodiversity and transport infrastructure. The specific requirements for each site are identified below.
- c) While there is unlikely to be any further scope for mineral extraction within the Stubbers Green Area of Search other than at the sites identified in this policy, the Council may support proposals for working elsewhere within the area where the requirements in a) above and in BCCS Policy MIN5 are met. The Council may also support proposals for deeper working at existing Permitted Minerals Sites, where it can be demonstrated that stable slope gradients can be maintained, and that there would be no adverse effects on the environment (including impacts on hydrology and designated nature conservation sites), or on ground conditions such that it would prevent sites from being restored to a standard that would support appropriate and beneficial end uses. [OMSAD49](#)

MP2: Atlas Quarry – Permitted Minerals Site

MXP3: Recordon Land – Potential New Minerals Site

- d) Atlas Quarry is an active clay extraction site which currently supplies the adjacent Atlas Brickworks ([site MB2](#)), and is expected to continue in production throughout the plan period and beyond. The current working conditions for the quarry (04/1603/MI/M1) are being reviewed as part of the current application to extend it onto the adjacent Recordon Land (14/0619/CM). The Recordon Land is part of an important network of wetland habitats and is designated as a Site of Importance for Nature Conservation (Stubbers Green SINC), so there is potential for the quarry expansion to have harmful effects on ecology and hydrology.
- e) However, the Council will support proposals to expand Atlas Quarry onto the Recordon Land, and proposals to haul clay from Atlas Quarry to other brickworks in Walsall, where this would help maintain supplies and reduce reliance on imports from other areas, subject to addressing any harmful effects on the local highway network, the environment and amenity. Any new or amended proposals for the expansion of Atlas Quarry should address the following issues:

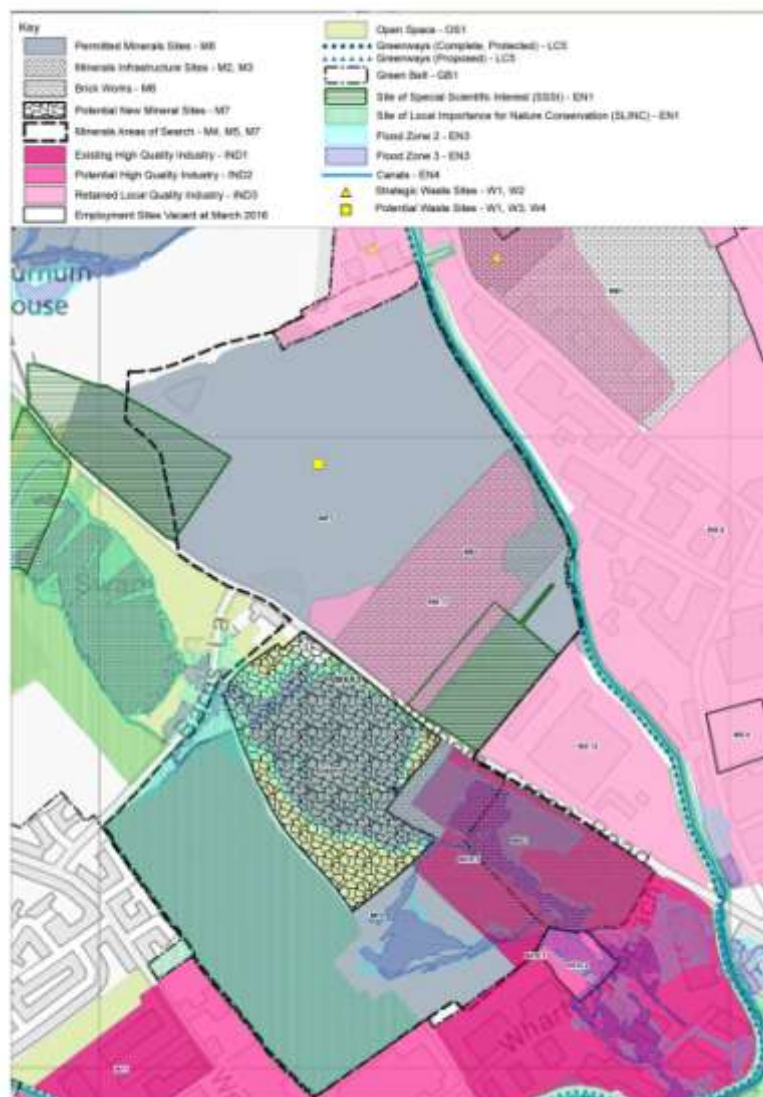
- i. Need for updated phasing plan showing the extent of working areas of the expanded quarry and gradients of quarry slopes at the end of each working phase;**
- ii. Measures to mitigate impacts of mineral extraction on nearby residential areas, businesses and areas of open space from noise, dust and HGV movements during the working and restoration phases;**
- iii. Flood risk assessment, hydrological assessment, hydrological monitoring regime, surface water management strategy, pollution control strategy, and details of arrangements for maintenance of Anchor Brook channel;**
- iv. Evaluation of impacts on ecological networks and designated sites in the vicinity of the expanded quarry, including impacts from loss of Stubbers Green SINC and Dumblederry Farm SLINC and impacts on nearby Stubbers Green Bog SSSI, Swan Pool and The Swag SSSI, and Anchor Brook Valley SLINC;**
- v. A strategy for minimising, mitigating and monitoring impacts on ecological networks and designated sites throughout the working and restoration phases, including retention of existing habitats for as long as possible, mitigation and monitoring of hydrological impacts on the SSSIs, and provision of replacement habitats of equivalent value off-site to compensate for the loss of Stubbers Green SINC and Dumblederry Farm SLINC;**
- vi. A strategy for minimising harmful impacts on local landscape character, including landscape plans for each working and restoration phase;**
- vii. Indicative restoration strategy and programme for the site, including proposed methods of restoration and arrangements for aftercare, demonstrating that the site will be restored within an appropriate timescale and to an appropriate standard – any imported wastes used in restoration must be suitable inert wastes capable of supporting the end uses specified at viii. below;**
- viii. After use to be publicly accessible open space comprising water body, wetland, woodland and grassland habitats complementary to those already present in the surrounding area, accessed from Stubbers Green Road via Public Right of Way Ald17, or subject to approval by the Council, alternative land uses that maintain openness and are appropriate to the Green Belt location.**

MP7: Sandown Quarry - Permitted Minerals Site

- f) Sandown Quarry is an active clay extraction site which currently supplies the adjacent Sandown Brickworks ([site MB3](#)) and is expected to continue in**

production until the end of the plan period and possibly beyond, depending on future rates of extraction. The quarry is operating under working conditions approved in 1996 and 2010 ([planning permissions BC40528P and 09/1730/MI/M1](#)) which allow production to continue until February 2042, however, the Council will support proposals to restore the quarry within an earlier timescale.

- g) There is currently no approved restoration programme for the quarry. A restoration programme will be expected to be submitted to the Council in accordance with the current working conditions and the latest working plans, and will be expected to address the following issues:**
- i. Restoration to be achieved by infilling of quarry void with inert wastes and/ or water;**
 - ii. Standard of restoration, landscaping and aftercare to be of sufficient quality to support the proposed after uses;**
 - iii. Potential impacts on nearby residential areas and businesses from noise, dust and HGV movements arising from restoration works;**
 - iv. Potential impacts on Stubbers Green Bog SSSI, Swan Pool and The Swag SSSI, Daw End Branch Canal SLINC, and related ecological and hydrological networks;**
 - v. Potential risks from hazardous and toxic wastes deposited into the adjacent former Empire/ Butterley site;**
 - vi. Requirement for flood risk assessment and an appropriate fluvial flooding and surface water management strategy and pollution control strategy;**
 - vii. After use to be publicly accessible open space linking to existing public footpath network via Public Right of Way Ald1, comprising wetland, woodland and grassland habitats complementary to the habitats already existing in the surrounding area, accessed from Stubbers Green Road, or subject to approval by the Council, alternative land uses that maintain openness and are appropriate to the Green Belt location.**
- h) The Council may also support proposals for new stockyards on part of the permitted quarry area where these come forward as part of a comprehensive package for restoration of the quarry (see SAD Policy M6).**



Map 9.1: Stubber's Green Area *Additional Map* **MMSAD40**

Brick Clay Extraction – Other Areas

Outside of the Stubbers Green Area there are three sites with existing or former planning permissions for brick clay extraction, which are identified as Permitted Minerals Sites on the SAD Policies Map. Brick clay extraction has ceased at two of these sites (MP6: Highfields South and MP8: Vigo/ Utopia), and both sites are currently undergoing restoration. Clay extraction has not started at the other site, Highfields North (MP9), which is subject to a dormant mineral permission. SAD Policy M8 provides guidance for new or amended mineral development proposals at each of these sites. The policy also includes guidance on future brick clay extraction the north of the A461, which the only other potential source of Etruria Formation clays in Walsall that could contribute towards the long-term requirements of Sandown Brickworks, once the reserves at Sandown Quarry are exhausted.

~~SAD~~ Policy M8: Brick Clay Extraction – Other Areas

Permitted Minerals Sites in Sheffield and Walsall Wood

- a) New or amended proposals for mineral development at brick clay extraction sites outside the Stubbers Green area should identify, evaluate and address any potential harmful effects on health, the environment, local amenity, including any effects likely to arise which are not specifically identified in this policy. Any concerns raised by the relevant regulatory authorities, statutory consultation bodies and infrastructure providers will also be an important material consideration. The specific requirements that will apply to new or amended proposals at the Permitted Minerals Sites identified on the ~~SAD~~-Policies Map at Highfields South ([site MP6](#)), Vigo/Utopia ([site MP8](#)) and Highfields North ([site MP9](#)), and to proposals for brick clay extraction elsewhere, are set out below.

MP6: Highfields South – Permitted Minerals Site

- b) Clay extraction ceased at Highfields South in 2013. Although there are some permitted reserves of clay remaining, the operator has confirmed that this is only sufficient to provide material needed for the engineering of the landfill and for restoration, and the approved restoration programme also does not permit further mineral extraction. Clay extraction is therefore not expected to resume again on this site within the plan period.
- c) Restoration by infilling with non-hazardous waste is currently underway, in accordance with the approved restoration programme ([planning permission 07/0046/WA/E1](#) as varied by [10/0165/FL](#) and [11/0953/FL](#)). Infilling is required to be completed within 8.5 years of commencement (i.e. by September 2016), although the operator has indicated that it is likely to take longer. In the event that revised proposals for restoration are brought forward while this policy remains in effect, they will be expected to comply with the following requirements of the approved restoration programme:
- i. Restoration to be achieved by infilling of quarry void with inert and non-hazardous wastes only;
 - ii. Standard of restoration, landscaping and aftercare to be of sufficient quality to support the proposed after uses;
 - iii. Measures to address potential impacts on nearby residential areas and businesses from noise, dust, odours and HGV movements arising from restoration works;
 - iv. Requirement for an appropriate surface water management strategy including maintenance of Vigo Brook channel around perimeter of site;
 - v. After use to be publicly accessible open space, comprising woodland,

grassland and wetland habitats that support the species specified in the approved restoration programme, accessed from A461 Walsall Road and Boatman's Lane.

MP8: Vigo/Utopia – Permitted Minerals Site

- d) This former clay extraction site has now been restored as an area of open space and the final phase of landscaping is underway. The restored site is therefore designated as New Open Space on the Policies Map (SAD Reference OS3052).
- e) A compound to the south of the open space includes facilities for the treatment of landfill gas from this site and leachate from this site and Highfields South (site MP6). This is identified as a Strategic Site for waste (Site WS15 - see SAD Policy W2) as these facilities are expected to remain in place for the duration of the plan period.

MP9: Highfields North – Permitted Minerals Site

- f) Highfields North is classified as a dormant site because it is subject to an old mineral **planning** permission (EB593 registered under permission EB3410) which has not been implemented. The permitted site is in an area of wetland habitat which is of significant importance for nature conservation. The dormant site has been included in a Site of Special Scientific Interest (Jockey Fields SSSI) and much of the surrounding area is designated as a Site of Local Importance for Nature Conservation (Jockey Fields SLINC), being within the consultation area for proposals affecting the SSSI. Mineral extraction within this site will therefore permanently destroy at least some of the site's special features.
- g) As this is a dormant site, mineral working may not commence until a modern schedule of working conditions has been approved by the Council. An application for modern working conditions for this site will be expected to include the following supporting information:
 - i. Updated information on estimated total reserves, annual production rates and the brickworks to be supplied with clay exported from the site;
 - ii. Revised phasing plan for the quarry showing extent of working areas and gradients of quarry slopes at end of each working phase;
 - iii. Air Quality Assessment evaluating impacts from dust generated by quarrying operations and pollutants generated by vehicles exporting material from the site along the A461 corridor, which has been identified as a Nitrogen Dioxide (NO₂) Area of Exceedance;
 - iv. Noise Assessment evaluating impacts from noise generated by the quarrying operations and by vehicles exporting material along the A461 corridor, which has been identified by the Council as a Noise Action

- Area ('Important Area');**
- v. **Details of new vehicular access to working area;**
 - vi. **Transport Assessment evaluating impacts on capacity of A461 Walsall Road, including the Shelfield, Salter's Road and Shire Oak Junctions, and details of improvements proposed to address impacts on highway capacity where required;**
 - vii. **Details of arrangements for diversion of Public Right of Way linking A461 Walsall Road to Green Lane (Bro41);**
 - viii. **Assessment of impacts on nearby residential properties, businesses and community facilities;**
 - ix. **Assessment of potential impacts on surrounding agricultural land and holdings;**
 - x. **Hydrological and Hydrogeological Assessments and Flood Risk Assessment, evaluating potential risks to soils, groundwater, water resources and water quality, and a proposed strategy for surface water management, waste water management and pollution control during working and restoration phases;**
 - xi. **Ecological Assessment evaluating impacts on Jockey Fields SSSI and SLINC, and related ecological networks, and a strategy for minimising loss of the SSSI's special features and harmful effects on priority habitats within both sites, which should include permanent retention of a proportion of the SSSI's special features throughout the working phases of the site, retention of other habitats of ecological value for as long as possible, provision of replacement habitats of equivalent value to compensate for unavoidable loss of special features of the SSSI and other priority habitats, and maintenance of important linkages between habitats throughout the working and restoration phases;**
 - xii. **Landscape Assessment evaluating impacts on local landscape character, and a landscape strategy for each working phase and restoration phase, demonstrating how harmful effects will be minimised as far as possible;**
 - xiii. **Archaeological Assessment evaluating the impacts on above- and below-ground archaeology, and a strategy for preservation and/ or recording of any archaeological remains present;**
 - xiv. **Indicative restoration strategy and programme for the site, demonstrating that the site will be restored within an appropriate timescale and to a standard that will enable it to support the proposed after uses - any imported wastes used in restoration must be inert wastes capable of supporting the end uses required at xv. below;**

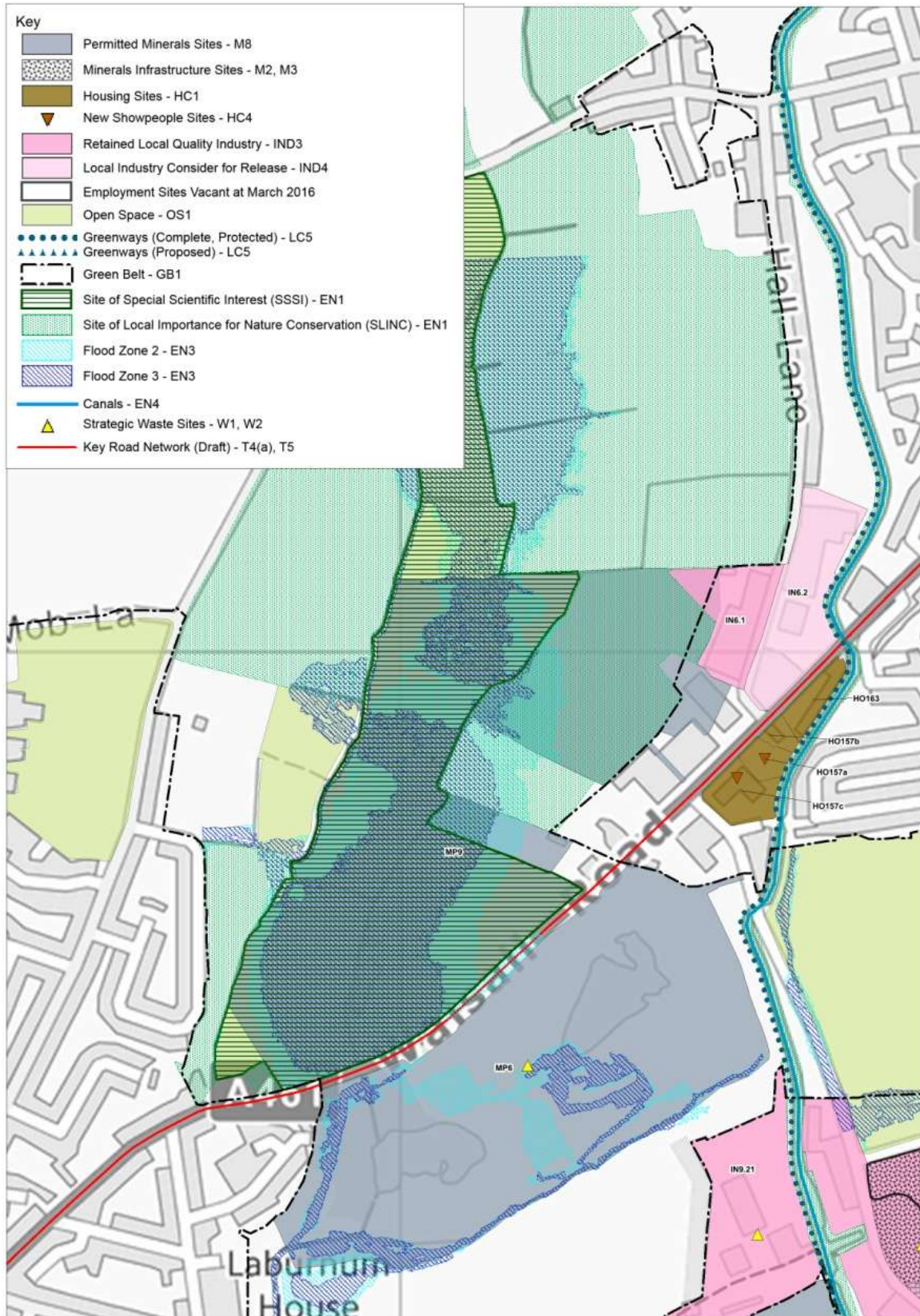
- xv. ~~At least 90% The entirety of the worked areas covered by the SSSI designation must be restored as recreated wildlife habitats of equivalent type and value to as those habitat types currently present within the Jockey Fields SSSI, and of similar or enhanced value. The restored site should also be publicly accessible natural green space that re-instates the existing pedestrian links provided by Public Right of Way Bro41. Consideration should also be given to alternative forms of ownership for the restored site, such as a conservation trust, community group or similar body that will accept responsibility for the ongoing management of the re-created habitats. Potentially acceptable after uses likely to be compatible with the recreation of these habitats include:~~ **MMSAD41**
- ~~1) Agricultural land;~~
 - ~~2) Horse grazing land;~~
 - ~~3) Publicly accessible open space, to be accessed from re-instated Public Right of Way (Bro41) via Walsall Road and Green Lane; and~~
 - ~~4) Subject to approval by the Council, alternative land uses that maintain openness and are appropriate to the Green Belt location.~~
- h) The Applicants are also strongly advised to seek an EIA screening opinion from the Council before submitting an application for modern working conditions for this site.

Brick Clay Extraction – New Sites

- i) Etruria Formation clays are a nationally scarce resource, and they only occur in limited areas of Walsall. There are resources to the north of the A461 where mineral extraction has not taken place in recent times. The main land uses in this area are agriculture and nature conservation. The area includes some of the “*best and most versatile*” agricultural land and areas of importance for nature conservation (including parts of the Jockey Fields SSSI and SLINC).
- j) New brick clay extraction proposals are unlikely to be acceptable outside the permitted area of the Highfields North site ([site MP9](#)) unless the following conditions are met:
- i. They would make a significant contribution towards future supplies of brick clay to Sandown Brickworks, and reduce the need for imports from outside Walsall Borough;
 - ii. They include an agreement ~~to revoke~~ **that will permit the revocation of the dormant mineral [planning](#) permission at Highfields North (EB593 [registered under permission EB3410](#)), thereby helping to prevent or minimise the loss of habitats within the Jockey Fields SSSI which would**

occur as a result of implementing the permission; **MMSAD42**

- iii. Impacts on other nature conservation sites within the area, including Jockey Fields SLINC, Grange Farm Wood SINC, Black Cock Farm SLINC and Ford Brook SLINC, would be minimised as far as possible;
 - iv. Impacts on the “*best and most versatile*” agricultural land and the viability of agricultural businesses that depend on continued farming of such land would be minimised;
 - v. There would not be any unacceptable effects on health, the environment, the amenity of nearby residential properties, businesses and community facilities or infrastructure, in accordance with BCCS Policy MIN5.
- k) Applications will be expected to be accompanied by relevant supporting information which identifies, evaluates and addresses any harmful effects identified, in accordance with paragraph a) of this policy. As the constraints to working in this area would be very similar to those identified in relation to the Highfields North site (MP9), applicants should also have regard to the requirements identified at paragraphs f) – h).



Map 9.2: Highfields North and South Brick Clay Extraction Additional Map

MMSAD43

9.4.1 Policy Justification

Policy M6: Brickworks – Future Supply Requirements

Current national planning policy requires minerals planning authorities to identify an adequate supply of clay to each existing or planned brick manufacturing plant in its area, which should normally be sufficient to allow 25 years of production.⁸⁴

As brickworks tend to use a variety of clays for blending and to produce different types and colours of bricks, they may have to source supplies from more than one area. Mineral planning authorities are therefore advised to co-operate with each other where cross-boundary supply issues have been identified, and the council has been involved in discussions with planning authorities, in particular with Staffordshire County Council, that are likely to be potential future sources of supply of imported clay.

As is noted above, the main type of brick clay being used by the three brickworks in Walsall is Etruria Marl, a high quality type of red clay that occurs within the Etruria Formation deposits of the Upper Coal Measures in Stubbers Green, Shelfield and Walsall Wood. Walsall's brickworks also use fireclay, provision of which is addressed in SAD Policy M9, as well as other types of clay that do not occur locally and are therefore being imported from other areas, mainly from sites within the control of the relevant brick manufacturers.

Currently (February 2016), Etruria Marl is only being extracted at two sites in Walsall, Atlas Quarry and Sandown Quarry, for supply to the adjacent Atlas and Sandown brickworks. The SAD Issues & Options Report (April 2013) and the SAD Preferred Options Report (September 2015) note that none of Walsall's three brickworks can currently identify a 25-year supply of permitted reserves of brick clay. Hence, there is a need for a policy in the SAD to guide future decisions on proposals to increase supplies to each factory, which is addressed by Policy M6.

Section 7.3 of the SAD & AAP Minerals Study (2015) summarises the supply situation at each factory in Walsall at the end of December 2015, and the situation has not changed significantly since then.⁸⁵ Table 9.3 below summarises the requirements for each factory based on information provided in recent planning applications. It should be noted that the requirements in the table below relate to total clay requirements, some of which are for clays other than Etruria Marl.

⁸⁴ NPPF, paragraph 146: <http://planningguidance.planningportal.gov.uk/>

⁸⁵ See Walsall Council SAD & AAP Minerals Project: Review of Evidence Base for Minerals and Viability and Deliverability of Mineral Development Options (2015), Amec Foster Wheeler, Chapter 7, Section 7.3: www.walsall.gov.uk/local_plans/evidence.htm

Table 9.3: Brickworks in Walsall – Brick Clay Requirements at 31.12.15

Factory	Annual Requirement - Brick Clay (tonnes per annum)	Total Requirement for 25 Year Supply (million tonnes)	Percentage of Clay Imports Permitted
Aldridge	75,000	1.875	100%
Atlas	120,000	3.000	30%
Sandown	210,000	5.250	95%
TOTAL	405,000	10.125	

Source: Planning Applications 04/1603/MI/M1, 08/1338/FL, 14/0619/CM, 15/0303/FL

Atlas Brickworks is operated by Istock Brick Ltd and is currently in the best position. The brickworks are currently (April 2015) estimated to have around 13 years worth of permitted reserves remaining at the adjacent Atlas Quarry. If the current planning application to extend Atlas Quarry (14/0619/CM) is approved, the supporting information indicates that this would give the factory in excess of a 25-year supply in accordance with national policy requirements.

Sandown Brickworks is operated by Wienerberger supplied in part by the adjacent Sandown Quarry but is becoming increasingly reliant on imports of clay from outside Walsall. A planning application to increase imports to 65% was approved in 2008 (08/1338/FL), and imports have now been increased even further to up to 95% under a new planning permission granted in September 2015 (15/0303/FL). The information provided with the 2015 application indicated that the main sources of imported clay were likely to be Staffordshire, Warwickshire and Leicestershire. ~~The relevant mineral planning authorities were consulted on the planning application and raised no objections in principle.~~

SAD Policy M6 aims to provide further guidance on future supplies to Sandown Brickworks, in the light of the issues raised by the recent application to increase imports to the factory, in particular:

- The possibility that additional stockyards may be needed during the plan period to store greater quantities of imported clay, which may have to be created through partial infilling of the quarry void if they cannot be accommodated elsewhere;
- The possibility that some of the requirements for imported clay may be met from extraction sites in Walsall, either from existing sites or new sites that may come forward for extraction during the plan period.

Aldridge Brickworks is 100% reliant on imports, because it has no clay pit of its own. As there are no restrictions on how much clay it can import or where imported clay

may be sourced, the SAD policy can only provide general guidance on how the factory could be supplied.

As Aldridge Brickworks belongs to the same operator as Atlas Brickworks and Quarry (Ibstock Brick Ltd), there is potential for the current proposal to extend Atlas Quarry (14/0619/CM) to provide enough permitted reserves of clay to provide a 25-year supply of brick clay to this factory as well as to Atlas brickworks. Indeed, this is the stated intention in the supporting information provided with the application. This approach of pooling resources is supported in principle by the existing BCCS Policy MIN3 on the importation of brick clays to brickworks.

Table 9.5 below provides an estimate of the brick clay resources potentially available in Walsall, including the permitted reserves and unpermitted resources likely to be remaining within the Stubbers Green Area of Search and the permitted reserves likely to be present within the dormant site at Highfields North (see Policies M7 and M8, Map 9.2 and SAD Policies Map for details). Given that the requirements identified in Table 9.4 relate to all brick clays, the evidence in Table 9.5 suggests that Walsall is likely to have sufficient resources of Etruria Marl to meet the requirements of all three brickworks, although there is no guarantee that all of these resources will be worked or be available to the brickworks that require them.

Table 9.4: Brick Clay Areas in Walsall – Estimated Resources at 31/03/2015

Resource Area	Estimated Brick Clay Resource – Permitted Reserves (million tonnes)	Estimated Brick Clay Resource - Unpermitted Resources (million tonnes)	Estimated Brick Clay Resource – Total (million tonnes)
MXA3: Stubbers Green	2.00	3.7	5.70
MP9: Highfields North	4.94	0	>4.94
Other Resources	0	Not known	Not known
TOTAL	6.94	>3.7	>10.64

Sources: Planning Applications BA5827, 14/0619/CM, 15/0303/FL, Walsall SAD & AAP Minerals Study (2015) [Appendix A](#) (Note: Permitted Reserves at Stubbers Green is estimate by the Council based on information provided by operators)

Policy M7: Brick Clay Extraction – Stubbers Green

The BCCS identifies an Area of Search for brick clay extraction in Walsall at Stubbers Green (MA5), which has been re-numbered as MXA3 in the SAD. This is shown on the SAD Policies Map and includes the following Permitted Mineral Extraction Sites which are also shown on the Policies Map:

- MP2: Atlas Quarry

- MP7: Sandown Quarry

The Area of Search also includes a Potential New Minerals Site (MXP3: Recordon Land) which is adjacent to Atlas Quarry and includes winnable clay resources. This site was originally identified through previous engagement with the brick industry during the preparation of the BCCS, and this was followed up by pre-application discussions and the submission of a planning application in 2014 (14/0691/CM).

Application 14/0619/CM was approved in principle by the Council's Planning Committee on 02.04.15, subject to a [Section 106](#) agreement requiring details of hydrological monitoring, dedication of land required to compensate for the eventual loss of Stubbers Green SINC, and other works required to mitigate impacts on ecological networks and sites linked to the SINC in the surrounding area, including the Swan Pool and the Swag SSSI. These requirements have been reflected in the policy for Atlas Quarry (MP2) and the Recordon Land (MXP3).

The main purpose of Policy M7 is to provide general guidance on future mineral development within the Area of Search, and specific guidance for development at each of the above sites. The guidance provided for each site reflects its current operational and planning status, the environmental and physical constraints that may affect future mineral working, and objectives for future restoration and end use.

The guidance provided is more detailed than that include in BCCS Policy MIN3 and reflects the environmental and physical constraints identified in the evaluation of Options for brick clay extraction, including the outcomes of the SAD & AAP Minerals Study and the Sustainability Appraisal (SA). The policy also identifies other material considerations that will be taken into account when making decisions, such as the views of relevant regulatory authorities, statutory environmental bodies, and infrastructure providers.

It is recognised that the SAD policy for Atlas Quarry and Sandown Quarry cannot go any further than existing mineral permissions, and this is not the intention. However, the policy sets out the key requirements that future applications for mineral development at these sites (for example, applications for review or variation of working conditions, and applications for restoration programmes) will be expected to address, and the information applicants will be expected to provide to demonstrate that any potential harmful effects on the environment, infrastructure and amenity will be effectively addressed.

Another important objective of the policy is to ensure that each site is restored as soon as possible to an appropriate standard and for appropriate after uses, in accordance with BCCS Policies MIN3 and MIN5 and national policy guidance.⁸⁶ There is a possibility that Sandown Quarry (MP7) could cease operating towards the end of the plan period if production continues at current rates. However, if annual production is significantly reduced, as is proposed in the recent application to

⁸⁶ NPPF, paragraph 143: <http://planningguidance.planningportal.gov.uk/>

increase imports to Sandown Brickworks, the site could continue operating beyond the plan period at a low level or be mothballed until the end date specified for working in the current schedules of conditions (February 2042). The policy for Sandown Quarry therefore takes into account the possibility that restoration may not happen until after the end of the plan period.

Atlas Quarry (MP2) is unlikely to come forward for restoration until long after the end of the plan period. However, it is considered appropriate for the SAD to provide long-term objectives for the future restoration of this site and the adjacent Recordon Land. The requirements for restoration and after-use identified in Policy M7 are consistent with the proposals included in application 14/0619/CM which has already been approved in principle by the Council, but given the likely lifetime of the expanded quarry, are flexible enough to allow for appropriate changes.

All of the brick clay extraction sites at Stubbers Green are within the Green Belt, therefore the end use following restoration will be expected to be appropriate and to maintain openness in accordance with SAD Policy GB2 and national policy guidance.⁸⁷ Redevelopment with new housing, industry, etc. will not be acceptable. The policy therefore sets out the key requirements to be addressed in future restoration programmes for all sites, including suitable end uses.

Policy M8: Brick Clay Extraction – Other Areas

The brick clay resources in Walsall extend beyond the Stubber's Green area into Shelfield and Walsall Wood. Three Permitted Mineral Sites are identified in these areas on the SAD Policies Map as follows. [Highfields North and Highfields South are also shown on Map 9.2:](#) OMSAD50

- MP6: Highfields ~~North~~ South
- MP8: Vigo/ Utopia
- MP9: Highfields North

Brick clay extraction ceased at Highfields South in 2013 and the site is now an operational landfill site and is identified as a Strategic Waste Site in SAD Policy W2 and on the SAD Policies Map. SAD Policy W4 also identifies the site as an operational waste disposal site which is likely to continue in operation for much of the plan period. A request for an EIA Screening Opinion was submitted to the Council in 2015, in respect of a proposal to extend the landfill completion until 31/12/25 (15/1403), although this has not yet been followed up by the submission of a planning application. The policy for this site reflects its current status, and provides guidance on potential future changes to the approved restoration programme.

Clay extraction also ceased long ago at Vigo/ Utopia, where infilling has been completed and the final stages of restoration and landscaping are underway to

⁸⁷ NPPF paragraph 1: <http://planningguidance.planningportal.gov.uk/>

prepare the site for an open space end use. This is expected to be implemented within the plan period and the site is therefore identified as a New Open Space Site on the SAD Policies Map (OS3052). The policy for this site confirms the current status and proposed land uses of the site. It also notes that there are arrangements in place to manage emissions generated by the landfill, and that the treatment plants will be safeguarded for as long as they are needed.

The other Permitted Minerals Site at Highfields North is subject to an old mineral permission which is currently dormant (EB593, registered in 1966 as EB3410). The permission was believed to have been revoked in the early 2000s at the time that the BCCS was prepared, hence it is not referred to in BCCS Policy MIN3, but it has subsequently been confirmed that the revocation order was never made. As the permission is dormant, it can only be implemented once a schedule of modern working conditions has been approved by the Council. At the time the SAD was prepared for Publication, no applications for such conditions had been received. The only permission granted subsequent to the registration of the permission was a working plan approved in 1977 (BA5827), which estimates that there are around 3,355,554 cubic yards/ 4,865,552 tons (imperial) of clay reserves (equivalent to nearly 5 million metric tonnes - see Table 9.5). There is some uncertainty about the feasibility of working this site, given the complexity of the geology and hydrology.⁸⁸ In November 2014, the Council received a Prior Notification of proposed test drilling operations on the site, but the results are not known.

The Highfields North site is within an area that has significant environmental constraints. An application for modern working conditions to be applied to a clay extraction programme at the dormant Highfields North site would almost certainly require an Environmental Impact Assessment (EIA), as more than 90% of the site area is included within the Jockey Fields SSSI and most of the rest is within the SLINC. A wide range of other environmental and physical constraints to working have also been identified within this site, in particular, the potential for impacts on air quality, archaeology, hydrology, water quality, agricultural land, and highway infrastructure, in particular, on the capacity of the A461 corridor. The policy identifies the issues that an application for modern conditions will be expected to address, and is based on the evaluation carried out as part of the SAD & AAP Minerals Study (2015).

As the principle of mineral extraction is already established through the permission, the SA concludes that 'significant' harmful effects will be unavoidable if the permission is implemented. There is a limit to the extent to which the effects can be mitigated through the SAD. For example, some of the effects of brick clay extraction would be difficult to mitigate and compensate for, in particular, the impacts on the SSSI and linked ecological and hydrological networks.

⁸⁸ See Walsall Council SAD & AAP Minerals Project: Review of Evidence Base for Minerals and Viability and Deliverability of Mineral Development Options (2015), Amec Foster Wheeler, Section 7.4: www.walsall.gov.uk/local_plans/evidence.htm

However, the SAD policy goes as far as possible in seeking to mitigate harmful effects, by identifying the issues applications for new conditions will be expected to address to minimise the effects on the SSSI as far as possible. There is also a requirement at Part ~~g~~ xv of the policy for ~~at least 90%~~ **the whole** of the worked areas **subject to the SSSI designation** to be restored as recreated wildlife habitats of equivalent type and value to those currently present within the SSSI, ~~commensurate with the proportion of the site area covered by the SSSI designation.~~ The end uses identified ~~would support this, and are also broadly consistent with the end uses specified in the conditions of the registered mineral permission (EB3410).~~ **are consistent with those agreed previously with the land owner in a S106 agreement, and are supported by Natural England as being the most appropriate for the site in view of the SSSI status.** The policy also clarifies that the views of the relevant regulatory authorities and statutory consultation bodies – including the Environment Agency, Historic England and Natural England – will be an important material consideration to be taken into account when determining applications. **MMSAD44**

As noted above (9.3.1), mineral extraction and related waste management operations are subject to environmental regulation under separate legislation. Although these are separate regulatory regimes, there are often overlaps in that both have to consider the impacts of the development on the environment, which for brick clay extraction could be very significant, because of the depth of working and the duration of the operations. SAD Policy M8 expands on the guidance provided in BCCS Policies MIN4 and MIN5, by identifying the most important material considerations that will be taken into account when making decisions on new brick clay extraction proposals outside the Stubbers Green Area of Search, such as the potential environmental effects identified during the evaluation process, and comments received from the regulators, statutory environmental bodies, and infrastructure providers.

Even where harmful environmental effects are certain or likely to occur as a result of mineral extraction, they have to be weighed against the potential economic benefits and other important considerations. For example, minerals can only be worked where they are found, which limits the options available. The only Etruria Formation clay resource areas in Walsall are in the Stubbers Green area and in the area to the north of the A461 in Walsall Wood, including the Highfields North site. The remaining resources within the Stubbers Green Area of Search are only likely to be sufficient to provide a 25-year supply for two of Walsall's brickworks: Aldridge and Atlas (see Policies M6 and M7).

Sandown Brickworks, is owned by a different operator and its supplies of clay are becoming depleted so the factory is becoming increasingly reliant on imports, with Highfields North as the only other potential source of permitted reserves in Walsall Borough that could meet the long-term requirements of this factory (see Policy M6).

~~Two alternative options for future supplies to this factory:~~ **OMSAD51**

- ~~a. No alternative brick clay resources are identified in the SAD, other than the dormant site at Highfields North, meaning that unless the permission is implemented, all imports will have to be sourced from outside the borough; or~~
- ~~b. The SAD identifies further/ alternative potential sources of supply in Walsall, for example, the resource area surrounding the dormant site to the north of the A461, which was identified as a potential option in the SAD Issues & Options Report (April 2013).~~

~~Having evaluated the available options, and having considered the desirability of identifying an alternative to working at Highfields North because of the impacts on the Jockey Fields SSSI, the SAD & AAP Study (2015) concluded that there was a case for identifying a second Area of Search around the resource area to the north of the A461, including the dormant site. An indicative Area of Search was therefore identified in this location on the Draft Policies Map published alongside the Preferred Options for the SAD (September 2015).~~

~~However, the mineral resource evidence suggests that resources further to the north may be more difficult to work than the permitted reserves within the dormant site, because there is likely to be more overburden overlying the clay. Objections to mineral working were also received from the majority land owner in this area (Holford Farm Group) in response to the consultation on the Preferred Options in 2015. The main grounds of objection were the harm likely to be caused to the farming business, which includes Grade 2 and 3a agricultural land, and the potential effects on land currently being managed for nature conservation, including Grange Farm Wood SINC, Black Cock Farm SLINC, Ford Brook SLINC, and parts of Jockey Fields SSSI and SLINC. As the majority land owner is not willing to entertain mineral working in this area, there is no justification for identifying a second Area of Search in the SAD in this location, and it has been omitted from the plan.~~

Nevertheless, because the brick clay resources available in Walsall are so limited, there is a need for some flexibility within the SAD to allow Sandown Brickworks to be supplied from the brick clay resources in this area if this becomes feasible in the future. Policy M8 therefore includes a general enabling policy for brick clay extraction in this resource area subject to appropriate safeguards, including the need to overcome the constraints identified by the main landowner.

9.4.2 Evidence

- British Geological Survey - Mineral Planning Factsheets: Brick Clay (2007)
- Black Country Joint Core Strategy – Minerals Study (May 2008), RPS - Chapter 4 (4.3.6, 4.9), Figures 2 and 3
- Black Country Core Strategy - Minerals Background Paper 2 (February 2010), Black Country Authorities – Chapter 4 and Appendix 2

- Black Country Core Strategy – Minerals Monitoring Update (June 2010), Black Country Authorities
- Walsall SAD Technical Appendices: Constraint and Asset Maps
- British Geological Survey - Mineral Resource Information for Development Plans: West Midlands (1999), Report (pages 16 – 17, Figures 1 and 2) and Mineral Resource Map of West Midlands/ Warwickshire
- British Geological Survey – Mineral Planning Factsheets: Brick Clay (2007)
- Walsall Council SAD & AAP Minerals Project (July 2015), Amec Foster Wheeler – Chapter 7
- Planning Applications EB593, BA5827, 04/1603/MI/M1, 08/1338/FL, 14/0619/CM, 15/0303/FL

9.4.3 Delivery

Brick clay extraction in Walsall is currently undertaken by the brick manufacturers who operate the brickworks and this is expected to continue throughout the plan period, although it is possible that new extraction sites in Walsall Wood, including the dormant site at Highfields North, may be brought forward by land owners. The Council will work with brick manufacturers and their agents and with the relevant regulatory bodies on the delivery of new proposals aimed at increasing supply of clay to brickworks, to ensure that where possible a 25-year supply can be provided to each factory without having unacceptable impacts on the environment, the amenity of local communities, the local highway network or other mineral planning authorities.

Implementation of the policy requirements will be by the Council through the development management process. It will also be the Council’s role to monitor compliance with the approved working conditions for Permitted Minerals Sites, and ensure that sites are restored in a timely manner and to appropriate standards and after uses when working ceases, in accordance with the approved working conditions and restoration programmes.

9.4.4 Monitoring

The implementation of SAD Policies M6, M7 and M8 will be monitored against the indicators and targets in the table below. Most of these indicators are already being used to monitor the effectiveness of the relevant BCCS policies, as specified.

SAD Policy	Indicator	Target	Relevant BCCS Indicator/ Target?
M6	M6a – Percentage of Brickworks with a stock of	100%.	LOI MIN3a

	permitted reserves of Etruria Marl sufficient to provide a supply to 2026.		
M6	M6b – Percentage of Brickworks with a stock of permitted reserves of Etruria Marl sufficient to provide a 25-year supply.	NPPF requirement	No
M7 and M8	M7a – Percentage of applications for brick clay extraction or restoration of former brick clay extraction sites which satisfy the general requirements and criteria in BCCS Policies MIN3 and MIN5 and the specific requirements in SAD Policies M7 and M8	100%	LOI MIN5

9.5 Energy Minerals

Coal and Fireclay Extraction – Potential Future Requirements

While there is no current national policy requirement for local plans to provide for coal extraction, fireclay, which occurs beneath coal seams, is identified as an industrial mineral of “*local and national importance*” for which provision should be made if a need is identified.⁸⁹ There are potentially winnable fireclay resources present in Brownhills (see Section 2). As fireclay and coal have to be worked together, provision for fireclay extraction is addressed in this section of the SAD, rather than in Section 9.4. There is an ongoing demand for fireclay for use in the manufacture of bricks at the three brickworks in Walsall (see SAD Policy M6), as well as at a factory in Brownhills which manufactures pot clay blends (Swan Works).

Coal and Fireclay Extraction – Brownhills MMSAD45

Brownhills is the only area of Walsall where coal and fireclay extraction could take place on any scale during the plan period, because it is the only **part of the** surface coal resource area not **already** sterilised by urban development. **An indicative MSA for fireclay is identified on Map 9.4.** The BCCS ~~therefore~~ identifies an indicative Area of Search for fireclay at Yorks Bridge in this area, **as recommended in the inspectors’ report in response to representations by Potters Clay & Coal Company Ltd and the**

⁸⁹ NPPF, paragraphs 146 and 165 and Annex 2: <http://planningguidance.planningportal.gov.uk/>

Little Wyrley Estate. It also identifies a site with a dormant mineral permission for coal and clay extraction at Brownhills Common, and a remaining stockpile of fireclay from the former Birch Coppice site (BCCS Policies MIN3 and MIN4, Minerals Key Diagram).

The two Permitted Minerals Sites at Birch Coppice and Brownhills Common (MP3 and MP5) are identified on the SAD Policies Map. There is a current 'ROMP' application (application for modern working conditions to be applied to these sites) which has been in abeyance for several years, pending the submission of an environmental statement (BC48813P). The Policies Map also identifies the Swan Works site (MC1) which is currently reliant on the fireclay still being stockpiled on part of the Birch Coppice site (MC1: Swan Works). However, the Yorks Bridge Area of Search is not identified on the SAD Policies Map, as ~~it has proved difficult to identify a meaningful boundary for this area from~~ the available evidence indicates that fireclay extraction is not likely to be viable or deliverable. SAD Policy M9 therefore provides guidance on new or amended mineral development proposals at the permitted sites, and to provide flexibility, it also identifies the key issues that should be addressed in any planning applications for coal and fireclay working in the Yorks Bridge area that could come forward beyond the plan period.

Parts of Brownhills Common and Yorks Bridge are Registered Common Land (RCL) under the Commons Act 2006. Proposals for mineral and other development that might affect RCL should have regard to this Act and the potential need to obtain separate consent to planning permission. More details can be obtained from the Council or at: www.magic.defra.gov.uk/.

SAD Policy M9: Coal and Fireclay Extraction – Brownhills

MMSAD46

- a) **There are potentially winnable coal and fireclay resources in the Brownhills area. The MSA shown on the Policies Map includes the indicative MSA for fireclay identified on Map 9.4. The indicative MSA for fireclay includes resources that could potentially be worked within the plan period, including the sites/ areas identified in this policy.** New or amended proposals for mineral development in Brownhills should identify, evaluate and address any potential harmful effects on health, the environment, local amenity, and infrastructure, in accordance with existing local plan policy and national policy guidance, including any effects likely to arise which are not specifically identified in this policy. Any concerns raised by the relevant regulatory authorities, statutory consultation bodies and infrastructure providers about the potential effects of the proposal on health, the environment, amenity and infrastructure will also be an important material consideration. The specific requirements that will apply to new or amended proposals at Birch Coppice (MP3) and Land at Brownhills Common (MP5)

and proposals for opencast coal and clay extraction in the Yorks Bridge area identified on the BCCS Minerals Key Diagram are set out below.

MP3: Birch Coppice – Permitted Minerals Site &MP5: Land at Brownhills Common – Permitted Minerals Site

- b) There is a current application for modern working conditions for both sites (BC48813P). As the total site area is more than 25 hectares, the proposal is EIA development falling within Schedule 1 of the EIA Regulations 2011 (as amended). The application has been in abeyance since 1999 pending the submission of an environmental statement. The application will not be determined until such a statement has been provided by the applicant.
- c) The current application includes proposals for on-site stockpiling of clay. However, as this is likely to have significant, long-term, harmful effects on the environment and visual amenity, the Council is unlikely to support such a proposal unless it has been demonstrated that alternative options for supply of fireclay to Swan Works ([site MC1 on the Policies Map](#)) have been fully evaluated, that the area to be used for stockpiling has been minimised as far as possible, and that the benefits of on-site stockpiling of fireclay will outweigh any harm caused.
- d) Applications for further mineral development at Birch Coppice and Brownhills Common (including proposals to progress the current application) will be expected to include the following supporting information, in addition to an environmental statement.

Birch Coppice (MP3):

- e) The Council will support proposals that include the removal of the remaining clay stockpile and arrangements for completion of Phase 3 of the restoration at the earliest opportunity. New or revised proposals for this site should include the following:
 - i. An updated restoration programme and landscape plan for the site, which should include a strategy and timetable for addressing the outstanding requirements for final restoration and landscaping of the whole site, and arrangements for after-care;
 - ii. Details of measures proposed to mitigate the effects of the operations on nearby residential properties from noise, dust and traffic; and
 - iii. Details of proposed end uses for the restored site, which may include the following:
 - 1) **Wildlife habitats complementary to those currently present within**

the adjacent Coppice Lane Wood SLINC, and the nearby Wyrley & Essington Canal SLINC and Brownhills Common SINC;

- 2) Publicly accessible open space; and
- 3) Subject to approval by the Council, alternative land uses that maintain openness and are appropriate to the Green Belt location.

Brownhills Common (MP5):

- f) The following information should be provided in the environmental statement and/ or in other supporting documents:
- i. Details of new vehicular access to working area;
 - ii. Updated information on estimated total fireclay and coal reserves;
 - iii. Proposed working programme for the site, including phasing plan showing extent of working areas and depth of working;
 - iv. Proposed arrangements for export of fireclay and coal off-site, the intended destination of the extracted fireclay and coal, and arrangements for long-term stocking of clay on-site if applicable;
 - v. Transport Assessment evaluating impacts on capacity of A461 Walsall Road, A452 Chester Road North and A5 Watling Street and road junctions, and details of improvements proposed to address impacts on highway capacity where required;
 - vi. Air Quality Assessment and Noise Assessment, where haulage routes for export of coal and clay include Nitrogen Dioxide (NO₂) Areas of Exceedance and/ or Noise Action Areas (Important Areas or First Priority Areas);
 - vii. Details of arrangements for diversion of Public Rights of Way which currently cross Brownhills Common, providing pedestrian links between Coppice Lane, A452 Chester Road North and A5 Watling Street (Bro 0.162, Bro 0.163, Bro 0.165 and Bro 0.168), **and for implementation of the proposed greenway (which would rationalise sections of PROWs Bro 0.163, Bro 0.164 and Bro 0.168) in accordance with Policy LC5; MMSAD47**
 - viii. Assessment of impacts on nearby residential properties and businesses, and details of measures proposed to mitigate impacts from noise, dust, vibration and traffic;
 - ix. Coal Mining Risk Assessment and evaluation of risks from ground contamination, and a strategy for remediation of land affected by previous mining and industrial activity;
 - x. Hydrological and hydrogeological assessment, surface water

management strategy and pollution control strategy;

- xi. An assessment of the Impacts on Cannock Extension Canal SAC/ SSSI/ SLINC – detailed Habitats Regulations Assessment (HRA) will be required, having regard to the HRA screening assessment already undertaken by the Council (2016). This should evaluate the implications of the development for the site in view of its conservation objectives, and demonstrate that the development would not adversely affect the integrity of the SAC contrary to the Habitats Directive. This should take into account the cumulative impacts from other development that could affect the canal, such as other mineral extraction and the Hatherton Canal restoration project assuming it is deliverable.**
- xii. Ecological Assessment of impacts, including cumulative impacts, on Brownhills Common and The Slough SINC, Clayhanger SSSI, Pelsall North Common SINC, the adjacent Chasewater and Southern Staffordshire Coalfield Heaths SSSI, and related ecological networks, and a strategy for minimising loss of important linkages and priority habitats within the SINC, and harm to the special features of the SSSI and other priority habitats within the SSSI and SINC, which should aim to retain the most important habitats within the site for as long as possible, provide replacement habitats of equivalent value to compensate for unavoidable losses, and maintain important linkages between habitats throughout the working and restoration phases;**
- xiii. Landscape Assessment evaluating impacts on local landscape character, and a landscape strategy for each working phase and restoration phase, demonstrating how harmful effects will be minimised as far as possible;**
- xiv. Archaeological Assessment evaluating the impacts on above- and below-ground archaeology, and a strategy for preservation and/ or recording of any archaeological remains present;**
- xv. Indicative restoration strategy and programme for the site, including proposed methods of restoration and arrangements for aftercare, demonstrating that the site will be restored within an appropriate timescale and to an appropriate standard, – any imported wastes used in restoration must be suitable inert wastes capable of supporting the end uses specified at xiii. below; and**
- xvi. After use of the restored site must be publicly accessible Open Space, comprising wildlife habitats of equivalent type and value to those currently present within the Brownhills Common and The Slough SINC. The restored site must also include pedestrian routes that maintain or re-instate the existing Public Rights of Way linking the site to the wider public footpath network and to Coppice Lane, the A452 Chester Road**

North and A5 Watling Street (see vi. above).

Yorks Bridge **MMSAD48**

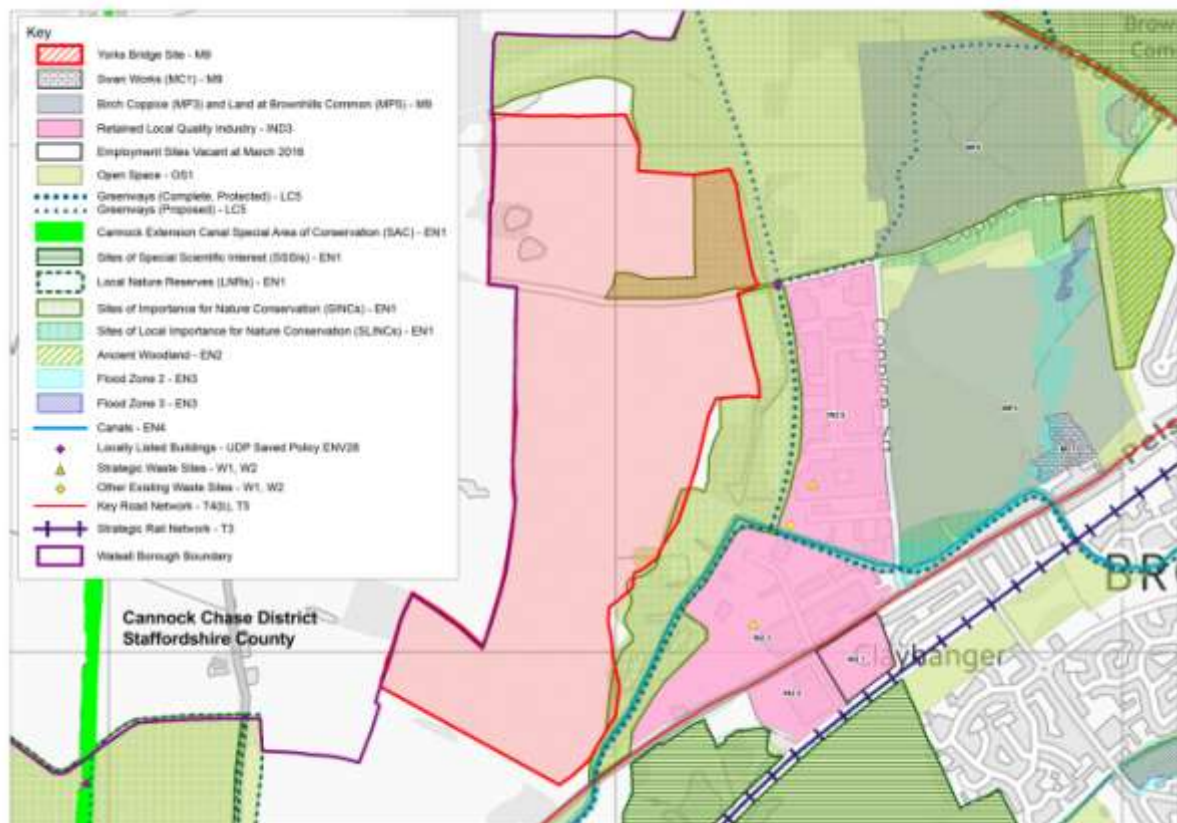
g) The BCCS identifies an **indicative** Area of Search for fireclay extraction at Yorks Bridge, to the west of Brownhills Common, on the boundary between Walsall Borough and Cannock Chase District in Staffordshire (BCCS Policy MIN3 and Minerals Key Diagram). **This was based on a site promoted by Potters Clay & Coal Company and the Little Wyrley Estate (for details see Map 9.3).** However, ~~this area is not shown on the SAD Policies Map or on Map 9.2. It~~ it is not proposed to ~~identify this proposal~~ **designate the site as an Area of Search for fireclay extraction on in the Walsall SAD Policies Map** because there is no evidence ~~of any interest from the coal industry or ceramics industry in bringing forward that a coal and fireclay extraction proposal can be delivered in this area~~ within the plan period. **The Yorks Bridge site area** is mainly in agricultural use and includes some of the “best and most versatile” agricultural land. **A small part of the site is within the Brownhills Common and the Slough SINC, and it is also in the vicinity of** ~~It is also in close proximity to the Cannock Extension Canal SAC/ SSSI/ SLINC, Clayhanger SSSI, Chasewater and Southern Staffordshire Coalfield Heaths SSSI, and to other designated sites of national and local importance for nature conservation.~~

h) In the event that any proposal comes forward for coal and clay extraction **on any part of the Yorks Bridge site, or any other unpermitted site in the surrounding area (see Map 9.3)**~~in this area~~, BCCS Policies MIN3, MIN4 and MIN5 will apply. Opencast clay and coal extraction and long-term stockpiling of fireclay is likely to have significant, unavoidable harmful effects on the environment and visual amenity. The Council is therefore unlikely to support such proposals unless it has been demonstrated that there are no other realistic options for supply of fireclay to the intended end users, that the area affected by the proposals is the minimum necessary to meet the identified requirements, and that the benefits of the proposals will outweigh any harm caused. The Council will expect applicants to identify, evaluate and address the following issues:

- i. Details of new vehicular access to working area;
- ii. Updated information on estimated total fireclay and coal reserves;
- iii. Proposed working programme for the site, including phasing plan showing extent of working areas and depth of working;
- iv. Proposed arrangements for export of fireclay off-site, the intended destination of the fireclay, and arrangements for long-term stocking of clay on-site if applicable;
- v. Impacts on local and strategic highway networks in Walsall and

- Staffordshire, in particular, Engine Lane, Coppice Lane, A452 Chester Road North/ Brownhills High Street/ Chester Road, A5 Watling Street, B4154 Lime Lane, A4124 Pelsall Road, A461 Walsall Road, B4152 Salters Lane/ Northgate and road junctions – a Transport Assessment will be required together with details of improvements proposed to address impacts on highway capacity where required;
- vi. Impacts on air quality and noise, where haulage routes for export of coal and clay include Nitrogen Dioxide (NO₂) Areas of Exceedance and/ or Noise Action Areas (Important Areas or First Priority Areas);
 - vii. Impacts on amenity of nearby residential properties, businesses and areas of open space both in Walsall and in adjoining areas of Cannock Chase District in Staffordshire;
 - viii. Coal Mining Risk Assessment and evaluation of risks from ground contamination, and a strategy for remediation of land affected by previous mining and industrial activity;
 - ix. Impacts on agricultural land and holdings, including justification for any anticipated losses of the “best and most versatile” agricultural land and a strategy for mitigation of effects;
 - x. Impacts on hydrology and hydrogeology and risks from surface water flooding – a surface water management strategy will also be required;
 - xi. Impacts on Cannock Extension Canal SAC/ **SSSI/ SLINC – detailed Habitats Regulations Assessment (HRA) will be required, having regard to the HRA screening assessment already undertaken by the Council (2016). This should evaluate the implications of the development for the site in view of its conservation objectives, and demonstrate demonstrating that the development proposal would not adversely affect the integrity of the SAC have a significant effect upon the qualifying features of the SAC (the reasons it has been allocated) contrary to the Habitats Directive. This should also take into account the cumulative impacts from other development that could affect the canal, such as other mineral extraction and the Hatherton Canal restoration project assuming it is deliverable;** **MMSAD49**
 - xii. Impacts, **including cumulative impacts**, on Brownhills Common and The Slough SINC, **Clayhanger SSSI**, Pelsall North Common SINC, Wyrley and Essington Canal SLINC and Chasewater and Southern Staffordshire Coalfield Heaths SSSI, and related ecological networks, and a strategy for minimising loss or harm to these sites, including retention of existing habitats for as long as possible;
 - xiii. Impacts on local landscape character during each working phase and restoration phase;

- xiv. Impacts on above- and below-ground archaeology;
- xvii. Indicative restoration strategy and programme for the site, including proposed methods of restoration and arrangements for aftercare, demonstrating that the site will be restored within an appropriate timescale and to an appropriate standard – any imported wastes used in restoration must be suitable inert wastes capable of supporting the end uses specified at xii. below; and
- xv. Details of proposed after uses for the site, which may include:
 - 1) Wildlife habitats of equivalent type and value to those currently present within the Brownhills Common and The Slough SINCS;
 - 2) Agricultural land;
 - 3) Publicly accessible open space to be accessed via existing pedestrian routes and new pedestrian access routes where necessary; and
 - 4) Subject to approval by the Council, alternative land uses that maintain openness and are appropriate to the Green Belt location.



Map 9.3 Brownhills Area including Yorks Bridge **MMSAD50** *Additional Map*

Unconventional Hydrocarbons

National planning policy identifies a potential need for local plans to make provision for exploitation of 'unconventional hydrocarbons', which are alternative fossil fuels to coal, and include coal bed methane and shale gas.⁹⁰ The potential for future exploitation of onshore oil and gas is becoming an increasingly important issue, although currently there are no licences in place for oil and gas exploration in Walsall. SAD Policy M10 provides a basis for considering any future proposals that may come forward over the plan period in Walsall, supplementing the guidance on coal bed methane extraction in BCCS Policy MIN4.

SAD Policy M10: Unconventional Hydrocarbons

- a) It is unlikely that proposals for oil and gas exploration, appraisal and production will come forward in Walsall within the plan period as there are currently no Petroleum Exploration Development Licences (PEDLs) allowing exploration for oil and gas within the Ordnance Survey grid squares covering Walsall Borough.**
- b) However, in the event that any PEDLs are issued during the plan period, planning applications for development relating to oil and gas exploration, appraisal and production (including for coal bed methane or shale gas) will be expected to demonstrate compliance with BCCS Policies MIN4 and MIN5 and current national policy guidance on oil and gas exploration.**

9.5.1 Policy Justification

Policy M9: Coal and Fireclay Extraction - Brownhills

Walsall has extensive coal resources including surface coal resources underlying the eastern two thirds of the borough. These have been extensively exploited in the past but there are still resources remaining in the Brownhills area which have not been previously worked. Within the Brownhills area there are also resources of fireclay associated with the coal, although the SAD & AAP Minerals Study was unable to identify the extent of winnable fireclay resources in this area.⁹¹ Fireclay is an important industrial mineral used in the manufacture of bricks and other ceramic products,⁹² so national policy guidance requires mineral planning authorities to make appropriate provision for supply of this mineral, where there is a need.

⁹⁰ NPPF paragraph 147: <http://planningguidance.planningportal.gov.uk/>

⁹¹ See Walsall Council SAD & AAP Minerals Project: Review of Evidence Base for Minerals and Viability and Deliverability of Mineral Development Options (2015), Amec Foster Wheeler, Chapter 8, Section 8.3, Figure 3.5: www.walsall.gov.uk/local_plans/evidence.htm

⁹² See Mineral Planning Factsheet – Fireclay (2006), British Geological Survey: <https://www.bgs.ac.uk/mineralsuk/planning/mineralPlanningFactsheets.html>

It is not currently possible to quantify the annual demand for fireclay at brick manufacturing plants in Walsall because manufacturers have advised the Council that this varies from year to year. However, a factory which manufactures pot clay blends in Brownhills, Swan Works (SAD Site MC1) also has an ongoing demand for fireclay. The operator of Swan Works (Potters Clay & Coal Company Ltd) has confirmed that the supply requirement for this factory is approximately 2,000 tonnes per annum. The fireclay used is currently being sourced from a stockpile on part of the adjacent former Birch Coppice site (Permitted Minerals Site MP3).

There is an old mineral permission for clay and coal working covering both the Birch Coppice Site (MP3) and the Land at Brownhills Common site (MP5). The boundaries of both of these Permitted Minerals Sites are shown on the SAD Policies Map. The old mineral permission (EB233) dates from the 1950s. Although the Birch Coppice site was worked between the 1950s and the 1970s, the Land at Brownhills Common was not. As neither site has been subject to any mineral extraction since the requirement for periodic review of mineral permissions came into effect, permission EB233 is regarded as 'dormant'. This means that no mineral working can take place at Brownhills Common until a schedule of modern mineral working conditions has been approved by the Council.

There is a current planning application for revised working conditions (BC48813P) for both sites, which has been in abeyance since 1999 pending the submission of an environmental statement. The development falls within Schedule 1 of the EIA Regulations as the total area covered by permission EB233 is more than 25 hectares in size. There are also outstanding issues relating to the restoration of Birch Coppice, as outlined in UDP Saved Policy M7. The clay stockpile should have been removed by the end of December 2004, to enable the final phase of restoration of the site (Phase 3) to be completed, and its continued retention is preventing the completion of the final phase of the approved restoration programme.

SAD Policy M9 identifies the supporting information that will be required to enable the current application for working conditions to be progressed, or if a fresh application for working conditions is submitted. This reflects the requirements of the Council's EIA Scoping Opinion, information identified through the evaluation process, and comments received from the statutory environmental bodies in response to the consultation on the SAD Preferred Options in 2015. Separate requirements are identified for each site in the policy. The policy for Birch Coppice addresses the outstanding requirements for restoration of the site, and is intended to replace the UDP Saved Policy M7, whereas the policy for the Brownhills Common site focuses on the impacts of mineral extraction. **MMSAD51**

As well as the Birch Coppice and Brownhills Common sites, the BCCS Minerals Key Diagram identifies an indicative Area of Search for fireclay extraction in Walsall at Yorks Bridge (MA6). This was in response to a recommendation in the inspectors' report (2010) following representations by the landowner (Wyrley Estate) and Potters

Clay & Coal Company Ltd, which were as the applicant for of the old mineral permission EB233 covering both Birch Coppice and Brownhills Common and who are believed to own the freehold mineral interest in certain clay seams underlying Brownhills Common and part of the Yorks Bridge site, and the Little Wyrley Estate, the landowner of both sites⁹³. The Yorks Bridge site promoted by both parties is shown on Map 9.3 and is based on (but does not follow precisely the same boundary as) a site identified in a coal prospecting notice served on Walsall and Staffordshire County Councils in 1990 (see below for further information). While it is acknowledged that Swan Works has an ongoing demand for fireclay, the operator has confirmed that the fireclay reserves within the Birch Coppice stockpile are more extensive than was believed at the time of the BCCS examination, and are likely to be sufficient to meet the factory's requirements for the next 15 years. Furthermore, the operator has so far not taken the steps needed to fully implement the 'dormant' outstanding permission on the Land at Brownhills Common. Their stated reasons for not taking forward the stalled 'ROMP' application are partly because of the cost of preparing the environmental statement and partly because working an area at Yorks Bridge is now preferred as it is considered less environmentally damaging. It has also been confirmed that they do not ~~This suggests that neither they nor the land owner~~ have the means to take forward a mineral extraction proposal at Yorks Bridge in this location on their own, and that they will not be able to do so without entering into partnership with a coal extraction company and/ or a brick manufacturer.

However, there is no evidence of any current interest in working the fireclay in the Brownhills area from brick manufacturers or from the coal industry. At the end of 2013 the Council contacted the main trade body for the coal industry (CoalPro) and active coal industry members active in the Midlands, to establish whether there was any interest in working the coal resources in the Brownhills area. This confirmed that there was no current interest in working any of the coal resource in the Brownhills area, or in the adjoining areas of Staffordshire. The Council has not been approached by the coal industry since then. UK Coal, which is believed to have retained some interest in the coal resources at Yorks Bridge,⁹⁴ went into administration in 2014. More recently, the government has announced that all remaining coal fired power stations (including that at Rugeley) will close by 2025,⁹⁵ which is a strong indicator that there is unlikely to be any demand for extraction of coal in Brownhills during the plan period or beyond.

⁹³ Little Wyrley Estate are also believed to retain the freehold mineral interest in any underlying coal and fireclay seams not held by Potters Clay & Coal Company or the Coal Authority.

⁹⁴ This was inherited from the former British Coal following privatisation in the early 1990s. British Coal served a prospecting notice on Walsall Council in April 1990 for potential future coal extraction on land at Yorks Bridge (BC29976P). Prospecting was to have commenced after 21 May 1990 for a maximum five year period, but Council officers are not aware that any investigations took place.

⁹⁵ See Written Ministerial Statement by Secretary of State for Energy and Climate Change 18.11.15: <https://www.gov.uk/government/speeches/priorities-for-uk-energy-and-climate-change-policy>

The viability and deliverability of coal and fireclay extraction at Yorks Bridge and Brownhills Common was also evaluated in the SAD & AAP Minerals ~~Project Study~~.⁹⁶ This included evaluation of a 'Choices' Site' (CH93: Land at Yorks Bridge) identified in the SAD Issues & Options Report (April 2013), which lies to the south of the Yorks Bridge site promoted by Potters Clay & Coal Company and the Little Wyrley Estate. This site is in separate ownership and ~~which~~ could have been included in the proposed Yorks Bridge Area of Search under one of the options identified (Option 4c). This site was put forward by the landowner, St Modwen, ~~had been proposed~~ for various uses, including mineral development, in response to the first 'call for sites' in 2011 (CFS27), ~~but~~. St Modwen subsequently in December 2013 ~~the owner~~ submitted evidence in support of an alternative comprising housing, employment and open space development, including evidence that mineral working was ~~is~~ unlikely to be viable because of the ration of overburdened to coal seams, and because it is a relatively small and constrained site. However, this did not take into account the impact of the proposed development on coal and clay resources, and potential future working in the surrounding area, and has therefore not demonstrated conclusively that these resources would not be needlessly sterilised. Further analysis of known information about coal and clay seams underlying the Yorks Bridge and Brownhills Common sites by Amec Foster Wheeler on behalf of the Council in 2016 confirms that the coal seams closest to the ground surface at Brownhills Common are around 14 metres below the ground. The fireclay seams underlying Yorks Bridge are deeper than this, between 24 and 44 metres below the ground.

That said, the Study findings confirm the Council's view that there is little prospect that any of the coal and clay resources in the Yorks Bridge/ Brownhills area will be worked in the foreseeable future. Significant constraints to working the resources were identified, in particular, the proximity of the Yorks Bridge area to the Cannock Extension Canal SAC/ SSSI, which provides an important habitat for a nationally rare wetland plant species (floating water plantain, *Luronium natans*), and the extent of land covered by other environmental designations. A high level screening assessment of the potential effects of the Yorks Bridge site/ indicative Area of Search proposal on the SAC/ SSSI has been carried out, and the results are set out in the SAD & AAP HRA Report. This has concluded that any harmful effects on the integrity of the SAC likely to arise from fireclay extraction and associated development within the Yorks Bridge site-indicative Area of Search are capable of being prevented through mitigation. However, the effects on the SAC and the requirements for mitigation can only be determined with certainty once a specific working site has been identified, and full details of the method and timescale of working and the proposals for restoration and aftercare are known. Hence, there is a requirement at paragraph h) xi of the policy for a planning application to be supported by a detailed HRA. The HRA will be expected to consider the cumulative

⁹⁶ See Walsall Council SAD & AAP Minerals Project: Review of Evidence Base for Minerals and Viability and Deliverability of Mineral Development Options (2015), Amec Foster Wheeler, Chapter 8: www.walsall.gov.uk/local_plans/evidence.htm

effects of the mineral extraction proposal and the Hatherton Canal restoration project on the SAC, if both developments went ahead (see Policy EN1).

HRA will also have to consider any proposals for mineral extraction at Brownhills Common and such development will only be supported where it is justified by a detailed HRA for a specific scheme. Whilst Brownhills Common is not quite so close to the Cannock Extension Canal itself, it is close to the Wyrley and Essington Canal which could provide an 'impact pathway' to the Extension Canal SAC. In addition, ~~For example,~~ Brownhills Common is managed as a nature reserve and area of Open Space (OS3029 and OS3030), which forms part of a larger area of relict woodland and lowland heathland habitat extending beyond the borough boundary into Staffordshire. Most of the Common, including the ~~site subject to the 'dormant' site mineral permission and the eastern part of the Yorks Bridge site area,~~ is designated as a SINC (Brownhills Common and The Slough). However, the area between the A452 Chester Road North and A5 Watling Street is of national importance and has been designated as a SSSI (Chasewater and Southern Staffordshire Coalfield Heaths). The Yorks Bridge ~~site area~~ west of the SINC is mostly in agricultural use, and much of it ~~(including the "Choices Site CH93")~~ is Grade 2 and 3a agricultural land.

As the Yorks Bridge area extends across the boundary into Staffordshire, the Council must also consider the views of adjoining planning authorities likely to be affected. Discussions with Staffordshire County Council and Cannock Chase District Council have confirmed that those authorities are opposed to a proposal for coal and clay extraction at Yorks Bridge. The Staffordshire Minerals Local Plan ~~(submitted for examination in January 2016~~ independent examination took place in March 2016 and proposed modifications were published in July 2016) does not identify an Area of Search for coal and fireclay extraction on the other side of the boundary, and it would be inconsistent for the SAD to identify an Area of Search on the Walsall side.

The SAD & AAP Minerals ~~Project Study~~ concludes that the constraints are so significant that a proposal for coal and fireclay extraction is unlikely to be viable or deliverable within the plan period, and that it would not be appropriate to identify an Area of Search at Yorks Bridge in the SAD based on the site promoted by Potters Clay & Clay Company Ltd and the Little Wyrley Estate (see Map 9.3) at the present time. Consequently, rather than designate the indicative Area of Search for fireclay at Yorks Bridge identified in the BCCS ~~has not been designated~~ in the SAD, an indicative mineral safeguarding area (MSA) for fireclay has been identified on Map 9.4, covering areas where there is evidence that coal and fireclay seams occur relatively near to the ground surface, as these are the areas where the extraction of fireclay is most likely to be viable and deliverable. The indicative MSA includes the Brownhills and Yorks Bridge sites. In addition to this, ~~although~~ an 'enabling' policy has been included in Policy M9, which can be used as the basis for assessing any planning applications that may come forward for coal and clay working on any part of the Yorks Bridge site ~~in this area~~ during the remainder of the plan period.

The guidance provided in SAD Policy M9 on Brownhills Common, Birch Coppice and Yorks Bridge is more detailed than that included in BCCS Policies MIN3 and MIN4 and reflects the constraints to mineral working identified above. These have been identified through the SAD & AAP Minerals ~~Project Study~~, the SA, [discussions with statutory environmental bodies](#) and other evaluation of [site constraints](#) ~~minerals sites~~ carried out by the Council as indicated in Section 9.3.1 above ~~in relation to the sand and gravel Areas of Search~~. The policy also identifies other important material considerations that will be taken into account when making decisions on proposals for opencast coal and clay extraction in [the Brownhills area](#), such as comments received from the relevant regulatory authorities, statutory environmental bodies, and infrastructure providers.

Policy M10: Unconventional Hydrocarbons

The BCCS already includes a policy to guide future proposals for coal bed methane exploration, appraisal and production (BCCS Policy MIN4). However, the policy does not refer to shale gas extraction (commonly referred to as 'fracking') as the BCCS pre-dates consideration of this issue in national policy guidance.

Although there has recently been a lot of publicity about shale gas following the last bidding round for Petroleum Exploration Development Licences (PEDLs) in 2014, the SAD & AAP Minerals Study (2015) confirmed that no bids were received for exploration for oil and gas within the Ordnance Survey grid squares covering Walsall Borough. Consequently, none of the PEDLs offered to successful bidders by the government in December 2015 are in Walsall Borough.⁹⁷

In practice, nobody will be allowed to prospect for oil and gas in Walsall without having a PEDL in place, and the minerals study has identified that Walsall is not likely to have as much potential for coal bed methane or shale gas as other areas of the country, so there is little prospect of oil and gas exploration taking place in Walsall in the foreseeable future.⁹⁸

Nevertheless, as Walsall has significant coal resources lying deep under the ground, we cannot rule out that a licence could be issued for oil and gas exploration at some time during the plan period, so arguably the SAD needs to allow for this eventuality. Policy M9 therefore provides further 'enabling' policy for exploration for oil and gas (including shale gas) linked to the existing BCCS Policies MIN4 and MIN5.

9.5.2 Evidence

⁹⁷ See Oil and Gas Licensing Rounds: 14th Landward Licensing Round – Map Showing Blocks Offered Under 14th Landward Licensing Round (December 2015), Department for Energy and Climate Change: <https://www.gov.uk/guidance/oil-and-gas-licensing-rounds#th-landward-licensing-round>

⁹⁸ See Walsall Council SAD & AAP Minerals Project: Review of Evidence Base for Minerals and Viability and Deliverability of Mineral Development Options (2015), Amec Foster Wheeler, Chapter 9: www.walsall.gov.uk/local_plans/evidence.htm

- UDP saved policy M7
- Black Country Core Strategy - Minerals Background Paper 2 (February 2010), Black Country Authorities – Chapters 4 and 5 and Appendix 3
- Walsall SAD Issues & Options Report (April 2013), Walsall Council - Chapter 9, Section 9.3 (c) and (d) and Appendix 9a
- Walsall SAD Preferred Options Report (September 2015), Walsall Council – Chapter 9, Sections 9.6, 9.7 and 9.8, Map 9.2, Draft Policies Map and Technical Appendices
- Walsall Council SAD & AAP Minerals Project (July 2015), Amec Foster Wheeler – Chapters 8 and 9, Figure 3.5
- Walsall SAD Technical Appendices: Constraint and Asset Maps
- Staffordshire Minerals Local Plan (January 2016) – Submission Document
- Provision of Geological Information and a Revision of Mineral Consultation Areas for Staffordshire County Council (2006), British Geological Survey - Section 3.11 and Figure 8
- Mineral Resource Information for Development Plans: West Midlands (1999), British Geological Survey and former DETR, Report (pages 12 – 18 and Figures 1 and 2) and Mineral Resource Map of West Midlands/ Warwickshire
- Coalfield Plans for Walsall Area: Coal Mining Risk Area Plan, Specific Coal Mining Legacy Plan and Surface Coal Resource Plan, Coal Authority
- British Geological Survey - Mineral Planning Factsheets: Alternative Fossil Fuels (2011), Coal (2010), Fireclay (2006), and Onshore Oil and Gas (2011)
- Developing Onshore Gas and Oil – Facts about Fracking (Dec 2013), DECC
- Written Ministerial Statement: Priorities for UK Energy and Climate Change Policy (18 November 2015), Secretary of State for Energy and Climate Change (Rt. Hon. Amber Rudd MP)
- Oil and Gas Licensing Rounds: 14th Landward Licensing Round – Map Showing Blocks Offered Under 14th Landward Licensing Round (December 2015), Department for Energy and Climate Change
- Joint Nature Conservation Committee (JNCC) Website – Cannock Extension Canal SAC web page
- SSSI Citations for Cannock Extension Canal (25.03.93) and Chasewater and Southern Staffordshire Heaths (16.12.10), Natural England

9.5.3 Delivery

It is anticipated that new fireclay and coal extraction proposals and the completion of the restoration of the Birch Coppice site will be delivered by the relevant mineral

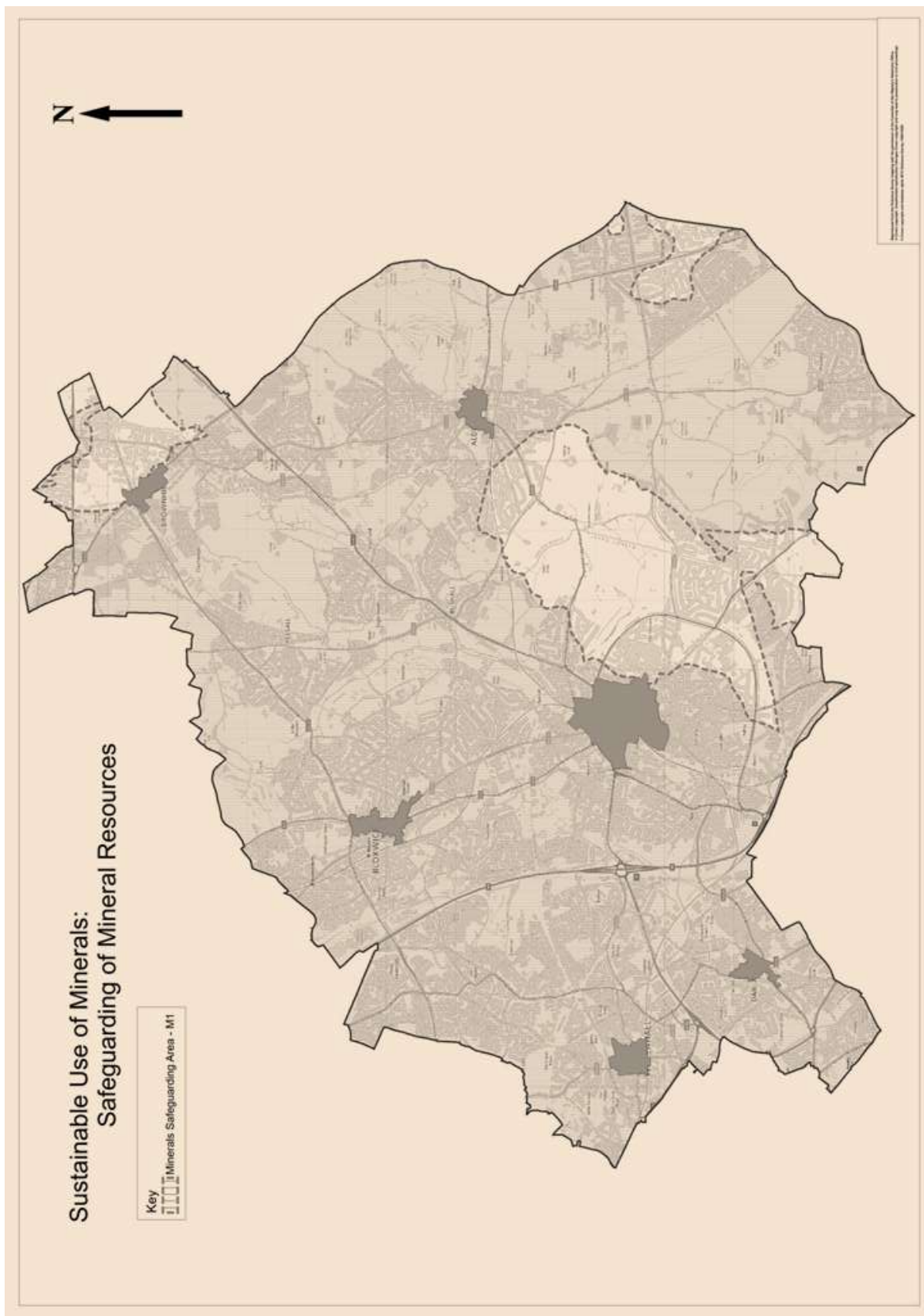
operators and/ or land owners. It is also anticipated that proposals for oil and gas exploration in Walsall will be delivered by the oil and gas industry in association with the relevant land owners, if any PEDLs are issued during the plan period.

It will be the Council's role to monitor compliance with approved working conditions for each site (where applicable), and ensure that sites are restored in a timely manner and to appropriate standards and after uses in accordance with the approved working conditions and restoration programmes.

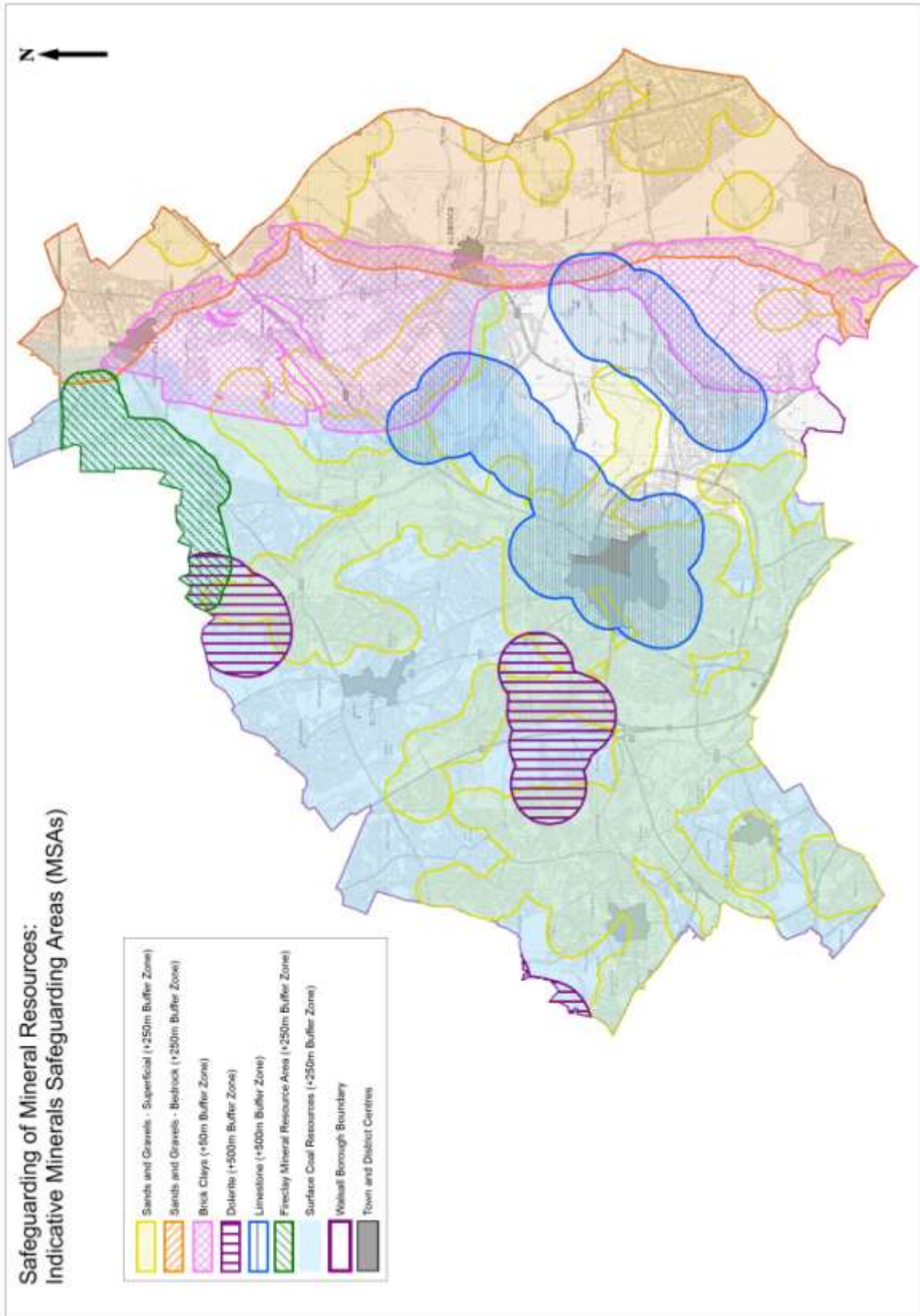
9.5.4 Monitoring

The implementation of SAD Policies M9 and M10 will be monitored against the indicators and targets in the table below. Most of these indicators are already being used to monitor the effectiveness of the relevant BCCS policies, as specified.

SAD Policy	Indicator	Target	Relevant BCCS Indicator/ Target?
M9	M9a – Percentage of applications for opencast coal and fireclay extraction (including applications for new conditions) which satisfy the general requirements and criteria in BCCS Policies MIN4 and MIN5 and specific requirements in SAD Policy M9	100%	LOI MIN4 and LOI MIN5
M10	M10a – Percentage of applications for oil and gas exploration which satisfy the general requirements and criteria in BCCS Policies MIN4 and MIN5.	100%	Yes – see BCCS Policies MIN4 and MIN5 (LOI MIN4 and LOI MIN5)

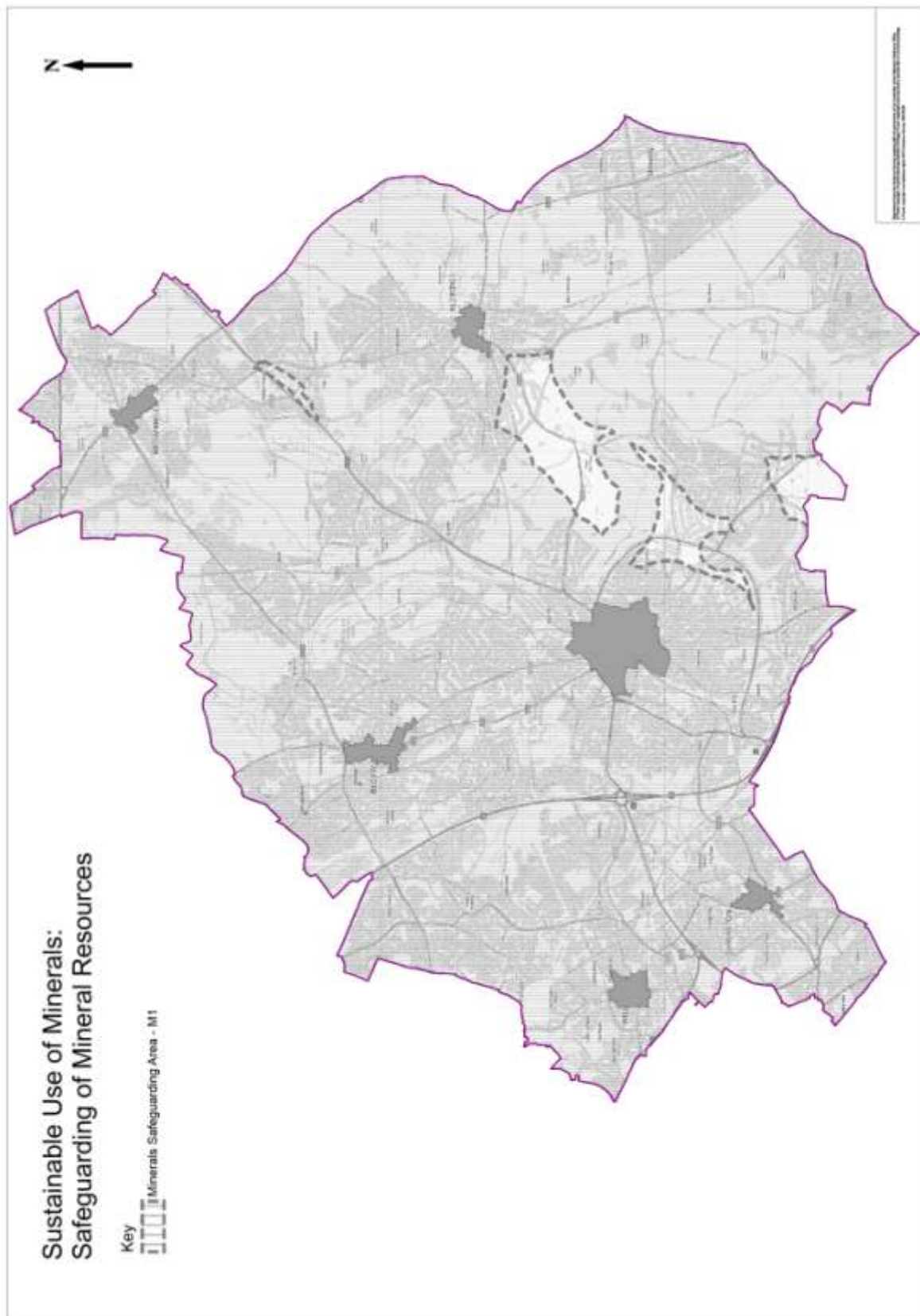


~~Map 9.1: Proposed Minerals Safeguarding Area~~ **Superseded Map**

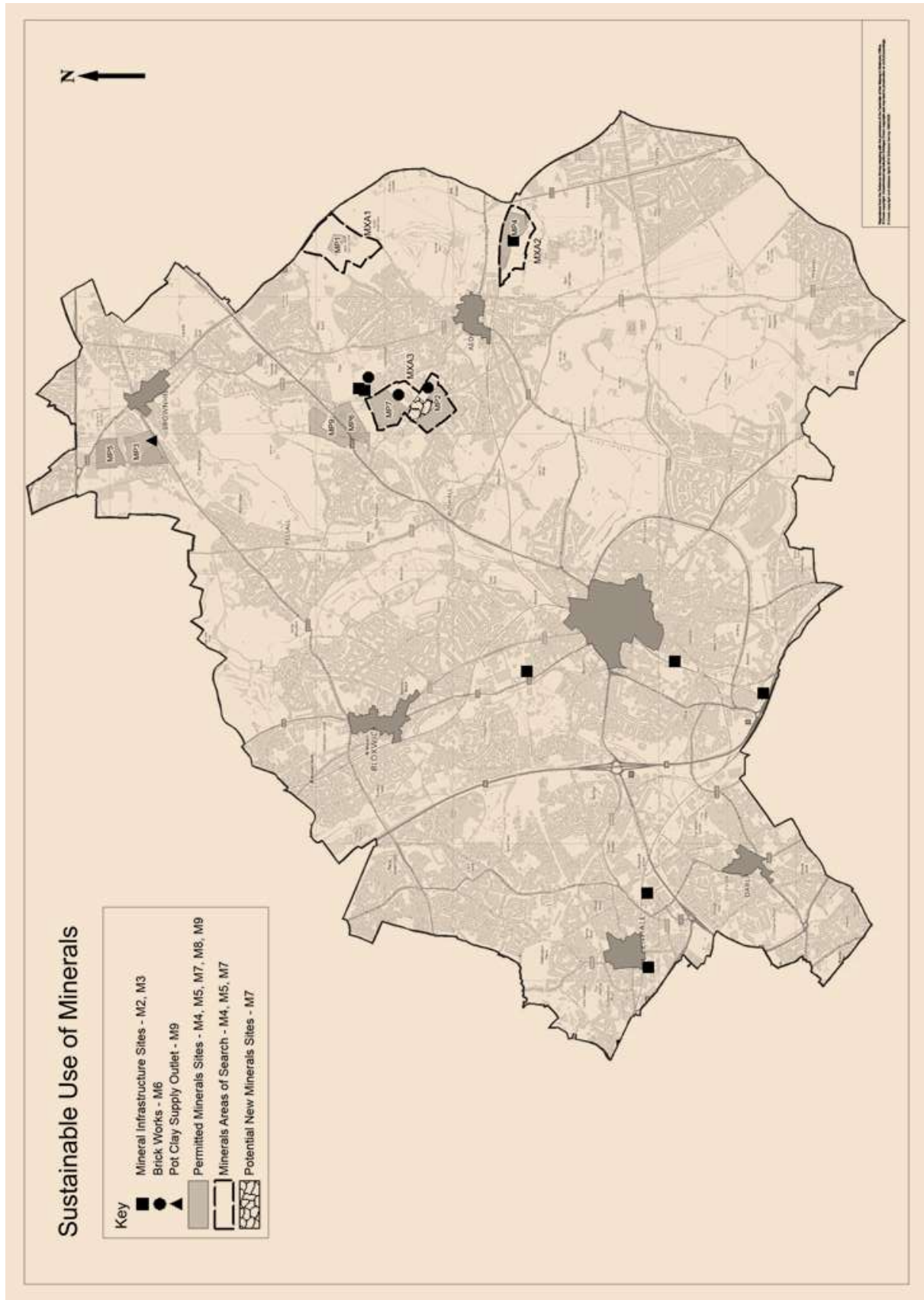


Map 9.4 Individual Mineral Safeguarding Areas (Indicative) *Additional Map*

OMSAD52



Map 9.54: Combined Minerals Safeguarding Area *Amended Map* **MMSAD52**



~~Map 9.2: Minerals Allocations~~ *Superseded Map*



Map 9.62: Minerals Allocations *Amended Map* OMSAD53

10 Transport and Infrastructure

10.1 Introduction

This chapter covers transport and utilities infrastructure, including water supplies and waste water, energy supplies, and telecommunications. Most of these infrastructure types will not require additional land in Walsall, but there is a need to safeguard land for transport purposes, notably to protect the rail formation between Walsall and Brownhills. The availability of, and the cost of providing, all types of utilities infrastructure where they are not already available can have a major impact on the viability and deliverability of developments. Other forms of infrastructure, such as minerals and waste, are covered in Chapters 8 and 9 of this plan.

10.2 Transport Policies

The key transport priorities are set out in BCCS policy TRAN1. *“Movement For Growth”*, The West Midlands Strategic Transport Plan for the Metropolitan area, was published in December 2015 and sets out how the transport network will be developed in the next 20 years. No new transport policies or allocations are proposed in the SAD but the policies below have been slightly amended and updated to take account of the Strategic Transport Plan. No changes are proposed to UDP saved policies T1, T4, T6, T7, T8, T9, T10, T11, T12 and T13. UDP proposal T3, and policies T4 and T5, govern the identification or allocation of land and these are listed below. There is also a need for some slight amendments to policies T2 and T5, and proposal T5, to update them and take account of BCCS policy TRAN1 as regards transport investment, and for this reason T2 is also shown below.

10.3 ~~2.4~~ Bus Services

Bus services will continue to provide for most of the Borough’s public transport needs. It is important that bus services are dovetailed with rail in order to provide for passengers travelling further afield. Major new developments that attract large numbers of workers visitors and shoppers will be expected to be highly accessible to bus users.

Policy T2: Bus Services (~~saved and updated from the UDP~~)

(a) The Council will continue to work with [Transport for West Midlands Centre](#) and bus operators in designing facilities that improve the quality of services and reduce delays to bus services caused by traffic congestion. Priorities for these improvements will be where they can:-

- i. Help to promote the vitality and viability of a Town, District or Local**

Centre as part of a traffic and regeneration scheme and do not prejudice access arrangements to centres for other forms of transport.

ii. Assist interchange between buses and other modes of transport.

iii. Assist buses in other places where traffic congestion causes significant delays.

(b) The design of bus lanes, termini, stops and lay-over areas should aim to maximise the efficient operation of bus services whilst being sensitive to the local environment and the needs of local residents, businesses and road users, including pedestrians and cyclists.

(c) Bus-based park and ride facilities, including strategic park and ride, will be encouraged if it can be demonstrated that they are cost-effective, lead to a genuine reduction in car use and are in accordance with other policies of the Plan.

(d) Developments will be expected to conform to accessibility standards for bus services as set out in Policy T12.

10.3.1 ~~2-2~~ Policy Justification

[OMSAD54](#) [OMSAD55](#)

This policy [was formerly in Walsall's UDP](#) but has been updated to delete [previous references](#) to Bus Showcase schemes. The Walsall and Wolverhampton Bus Partnership are working with [Transport for West Midlands \(formerly Centro\)](#) and bus operators to improve bus priority and improve existing routes across Walsall.

10.3.2 ~~2-8~~ Evidence

[OMSAD56](#)

West Midlands Strategic Transport Plan.

- Review of Black Country Transport Strategy, Mott Macdonald, 2009
- PRISM Model Testing the Black Country Strategy 2006
- PRISM Black Country Core Strategy Transport Technical Document 2009
- [Black Country Rapid Transit Review 2015](#)

10.3.3 ~~2-9~~ Delivery

[OMSAD57](#)

- Safeguarding of land for transport projects as necessary
- Transport Assessments and Travel Plans

- Funding from Central Government (Local Sustainable Transport Fund), Black Country LEP, Local Growth Fund
- [Bus Network Development Plan – in preparation](#)

10.3.4 ~~2.10~~ Monitoring

OMSAD58

No specific monitoring indicator [is proposed](#), as this ~~is essentially a development plan~~ policy covering various bus related issues [including operational issues](#). ~~The~~ Bus usage will be monitored through the Strategic Transport Plan

10.4 ~~2.3~~ The [Rail Network](#)

The protection and enhancement of the rail network is vital provide for increasing demand and to improve the Borough's accessibility and profile, and to provide inward investment.

~~Proposal~~ [Policy T3: The Rail Network](#) (~~saved and updated from the UDP~~)

(a) The Council will safeguard land for rail use and promote jointly with [Transport for West Midlands Centre](#) and the rail operators the improvement of existing, and the establishment of new, passenger rail, rail freight and/or rapid transit services, as appropriate, on the following routes shown on the Policies Map:-

Existing Passenger and Freight Rail Services

- Walsall - Birmingham (with connections to London, the South and the Southwest);**
- Walsall - Wolverhampton (with connections to the west, Wales, the North West and Scotland);**
- Walsall - Stafford (with connections to the North West and Scotland).**

Existing Freight Line with Potential for Passenger Rail Services

- Walsall - Aldridge - Streetly - Sutton Coldfield – Birmingham.**

Potential Passenger and Freight Rail Services

- Walsall - Wednesbury - Dudley Port - Stourbridge - Kidderminster (possibly as part of a new cross-region service from Worcester to Derby).**

Potential Passenger and Freight Rail Services

vi. Walsall - Brownhills (possibly as part of a new cross-region service from Worcester to Derby).

(b) New or enhanced station facilities will be encouraged wherever possible on existing and potential rail routes. New stations are already proposed for Aldridge and Willenhall (see UDP Chapters 13 and 17) and the opportunity to provide a replacement station for Bloxwich is to be explored (see UDP Chapter 14). Other potential locations for new stations include Brownhills, Pelsall, Rushall, Streetly and Pleck. Opportunities for park and ride facilities, including strategic park and ride, will also be encouraged where they will lead to a genuine reduction in the use of the private car and are consistent with other policies of this Plan. The Policies Map indicates a potential park and ride site at Bradley Lane, Moxley.

(c) The Council will encourage the transfer of freight from road to rail. Road/rail interchanges will be encouraged subject to the effect on traffic and the environment of the surrounding area. The provision and retention of private sidings will be strongly encouraged for employment sites where this is operationally feasible, subject again to traffic and environmental considerations.

10.4.1 ~~24~~ Policy Justification

OMSAD59

This policy has been amended to update the situation relating to rapid transit proposals [which will connect the four Black Country strategic centres with each other and to Birmingham](#). Rapid Transport includes heavy rail, light rail or tram-train or SPRINT bus services. The 5Ws metro route was at the project development stage when the UDP was adopted. The UDP saved policy T3 therefore provided for an indicative metro route only and there was no specific allocation for the metro line. Since the time of the UDP adoption in 2005, it has become clear that this metro proposal is not deliverable, and is no longer proposed to be taken forward. The Core Strategy policy TRAN1 provides for rapid transport connections between Walsall and Wolverhampton and between Walsall and Wednesbury. It is considered that these can be provided via the existing rail lines between Walsall and Wolverhampton and Walsall – Wednesbury or existing highways. Consequently, they will not require a specific land allocation in the SAD. The rail interchange proposal in Willenhall District Centre (UDP saved policy WH5), and the rail station proposals in Brownhills, Aldridge and Bloxwich, are not affected because they are located within District Centres, which the SAD does not cover.

An allocation has been made under T3 (b) for a park and ride site to serve the Bradley Lane metro stop in Moxley.

10.4.2 ~~28~~ Evidence

OMSAD56

- West Midlands Strategic Transport Plan.
- Review of Black Country Transport Strategy, Mott Macdonald, 2009
- PRISM Model Testing the Black Country Strategy 2006
- PRISM Black Country Core Strategy Transport Technical Document 2009
- West Midlands Rail Utilisation Strategy
- [Black Country Rapid Transit Review 2015](#)

10.4.3 ~~2-9~~ Delivery

- Safeguarding of land for transport projects as necessary
- Transport Assessments and Travel Plans
- Funding from Central Government (Local Sustainable Transport Fund), Black Country LEP, Local Growth Fund

10.4.4 ~~2-10~~ Monitoring

Indicator	Target	BCCS Monitoring Indicator/ Target?
T3a – The safeguarding of key existing and disused railway lines identified on the SAD Policies map BCCS Transport Key Diagram	0% loss of lines	LOI TRAN3a
T3 – delivery of the Bradley lane Park and Ride site	Delivered through planning application by 2026	No
The WMITA will continue to monitor rail useage under the West Midlands Strategic Transport Plan		

10.5 ~~2-5~~ The Highway Network

Notwithstanding the emphasis on promoting public transport, the highway network will need to be improved to assist urban regeneration, especially to provide better connections between industrial sites and areas into the Strategic Road Network (SRN) and Key Route Network (KRN), as well as assist the operation of public transport and contribute to a better local environment. Policy T4 sets out the

approach that the Council will adopt towards the Borough's road hierarchy. Policy T5 provides for improving highway infrastructure.

Policy T4: The Highway Network ~~(saved and updated from the UDP)~~

The Council classifies the highway network as follows:

- (a) The Strategic Road Network (SRN) consists of motorways and all purpose trunk roads and is for long distance and strategic traffic. The Council will take account of Highways England's policies relating to the management of the motorway and trunk road network (see also policy T5(c) and UDP paragraph 7.34).
- (b) The Key Route Network consists of other roads of strategic significance. Street parking and direct frontage access will be kept to a minimum. The Council will give a high priority to improvements and traffic management measures to assist traffic flows on that part of the Strategic Highway Network over which it retains control.
- (c) District Distributors, which are important routes connecting the main residential and employment areas of the Borough. Heavy commercial traffic will be allowed (except where subject to HCV restrictions), but will not be encouraged where satisfactory routes exist on the Strategic Highway Network. Street parking and direct frontage access will be strictly regulated.
- (d) Local Distributors, which consist mainly of key spine roads within residential and employment areas. Except where these specifically serve employment areas, heavy commercial vehicles will be discouraged. Traffic restraint measures will be used to deter through traffic and reduce traffic speeds. Frontage access will be allowed in principle, subject to local circumstances.
- (e) Local Access Roads, which provide direct access to most premises. Where appropriate, stringent traffic calming measures will be used to deter through traffic and reduce traffic speeds. Heavy Goods Vehicles may be prohibited, except where they need to use these roads for access.
- (f) Residential Streets are minor roads where traffic volumes and speeds should be quite low. Nevertheless, the Council may sometimes need to employ traffic calming measures to ensure that the environment and safety of these streets is protected. This will be particularly important in the design of new developments.

MMSAD55

- (g) **Development proposals must, where there are which generate significant**

transport implications, must be accompanied by a Transport Assessment which considers the accessibility of the development by all modes of transport, including the impact on the highway network in the surrounding area. The assessment should consider the opportunities for sustainable transport modes. Such developments will be required to fund, or contribute towards, any necessary off-site transport infrastructure improvements where these cost effectively limit the significant impacts of the development. Wherever possible, measures should be taken to mitigate the impact on the highway network. In the case of the trunk road and motorway network, account must be taken of Highways England's relevant policies and requirements. Works within close proximity of the SRN and Key Routes must consider implications on road safety and the structural integrity of the SRN.

10.5.1 2-6 Policy Justification

Due to the complexity of the road network it is only possible to identify the top two tiers – the Strategic Road Network (SRN) and the Key Route Network (KRN) – on the SAD policies map. The transport map below shows the SRN and the KRN in Walsall. However it should be noted that the A454 between the A461 and the Borough's eastern boundary is now included as part of the KRN. **The KRN will use the road space more efficiently, taking account of all modes of transport.** [OMSAD60](#)

The SRN is managed by Highways England. Development or demolition within close proximity of the highway must comply with the relevant technical approval processes as set out in the DfT Circular 02/2013, which explains out how development affecting the SRN should be managed to facilitate sustainable growth. Close proximity to the SRN is normally 25 metres for small developments or works; larger developments beyond this limit will still be subject to this requirement.

The Design Manual for Roads and Bridges [DMRB] includes DfT standards to be used when designing new motorways and/or all-purpose trunk roads, or maintaining/improving existing ones. The standards include mandatory and guidance sections and explain the formal approval procedures of Highways England as the Overseeing Organisation. HD 22/08 (Managing GeoTechnical Risk) covers ground stability; and BD2/12 deals with Technical Approval of Highways Structures Processes. The KRN consists of other roads in the West Midlands metropolitan area that are of strategic significance.

Policy T5: Highway Improvements ~~(saved and updated from the UDP)~~

(a) The Council will seek to implement selective improvements to highway infrastructure to promote the vitality and viability of the Town and District Centres, improve access to employment areas, provide for the needs of

strategic traffic, and provide for all highway users, especially disabled people, public transport users, pedestrians and cyclists.

(b) Specific schemes will include:

- i. Corridors identified for bus priority measures,**
- ii. Improved access to employment areas.**
- iii. Improved access to other major new developments.**

iiii. Improvements to M6 Junction 10. The area of this is shown on the SAD Policies Map. MMSAD56

(c) The Council will take into account the impact on highways in the Borough of proposed national road schemes, including the M6-toll and M6 junction improvements.

(d) Highway improvement schemes should be designed to minimise any adverse impact on the environment or the amenity of residents (see also UDP paragraph 7.2 and Policy GP2, which will apply to the consideration of proposals for the construction of new highways).

(e) In considering highway proposals the Council will ensure that provision for pedestrians and cyclists is maintained and, if possible, improved by the proposals.

10.5.2 ~~27~~ Policy Justification

OMSAD61

This policy has been updated to take account of the fact that the Walsall Ring Road ~~was completed some time ago and has now been completed and to delete references to bus showcase routes.~~ The Darlaston Strategic Access Project ~~has been completed more recently. is not shown on the Policies Map as it is now under construction.~~ ~~Previous references to bus showcase have also been deleted.~~

The proposed Willenhall Sewage Works Access is included in the proposed industrial allocation (IN333).

The council will continue to plan positively for highway improvements to support investment, promote development and improve safety. Such improvements are being considered in accordance with the approach set out in the policy and measures proposed on routes to and around Walsall Town Centre will complement the Area Action Plan.

Walsall Council in partnership with Highways England are planning a junction improvement at M6 Junction10. The scheme will look to expand the capacity of the

circulatory carriageway with junction improvements to the adjoining Bloxwich Lane. Wolverhampton Road junction, and changes to the lane configuration of the westbound A454 Black Country Route from Junction 10. The improvements at this junction will improve journey times for all users that want to access the local road network and Strategic Road Network. The SAD policies map shows the indicative area needed to implement the junction improvements.

10.5.3 ~~2.8~~ Evidence

- West Midlands Strategic Transport Plan.
- Review of Black Country Transport Strategy, Mott Macdonald, 2009
- PRISM Model Testing the Black Country Strategy 2006
- PRISM Black Country Core Strategy Transport Technical Document 2009

10.5.4 ~~2.9~~ Delivery

- Safeguarding of land for transport projects as necessary
- Transport Assessments and Travel Plans
- Funding from Central Government (Local Sustainable Transport Fund), Black Country LEP, Local Growth Fund

OMSAD62

10.5.5 ~~2.10~~ Monitoring

No specific monitoring indicator is proposed, as this is essentially a policy covering a range of various highway related issues, including operational issues. The West Midlands Strategic Transport Plan will monitor journey time reliability for goods vehicles on the Key Route Network. The identification and delivery of improvement schemes will be monitored through their respective scheme appraisals.

10.6 ~~3~~ Utilities Infrastructure

There is no evidence to suggest there is a need to allocate sites for utilities infrastructure in Walsall. Policy DEL1 (Infrastructure Provision) of the BCCS requires all new development to be supported by the necessary on and off-site infrastructure to serve the development, mitigate its impacts on the environment, and ensure that the development is sustainable and contributes to the proper planning of the wider area. It is considered that this policy approach is sufficient and should continue to be considered on a case by case basis as part of the determination of planning applications through the Development Management process.

10.6.1 ~~3.1~~ Evidence

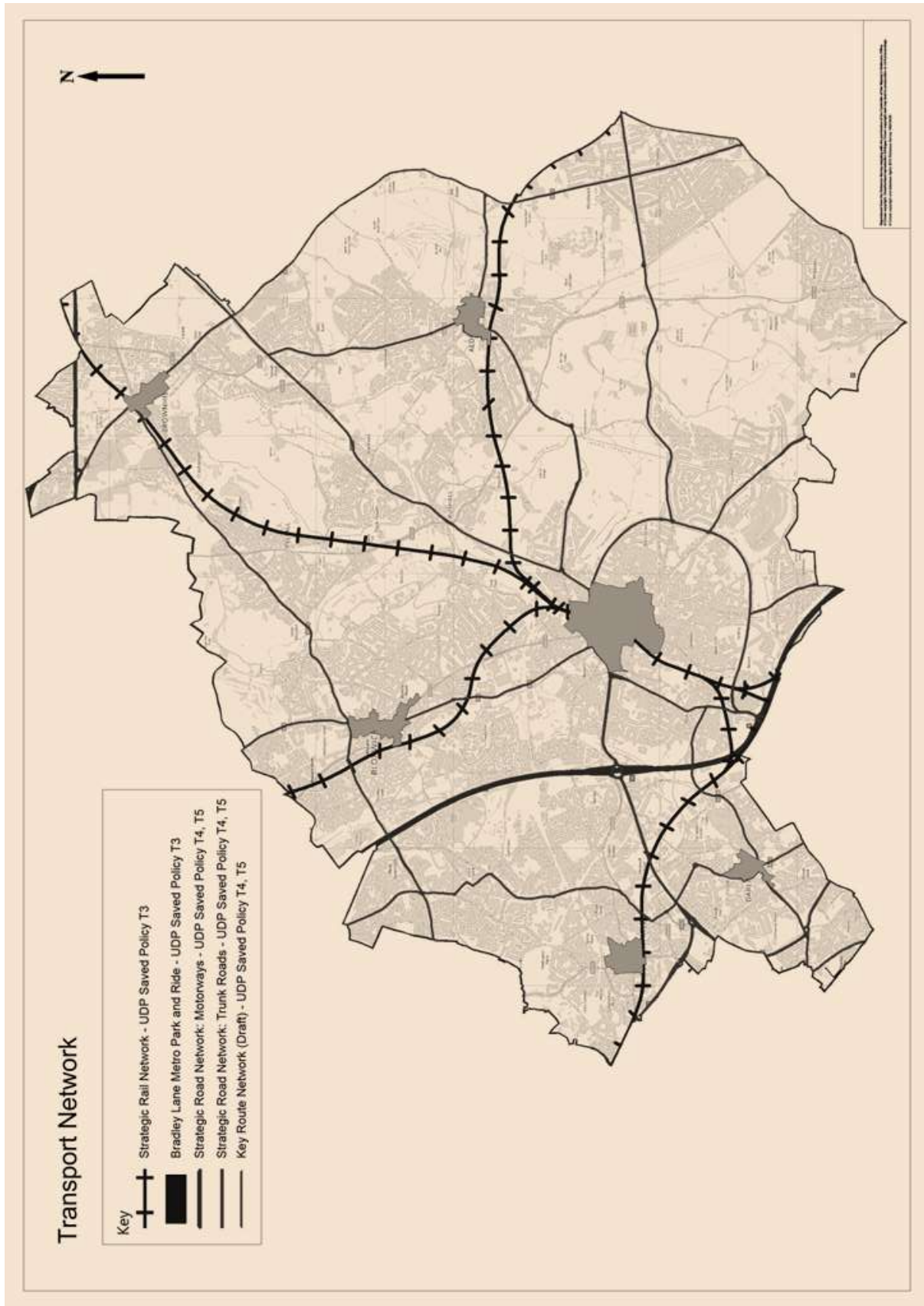
- BCCS Delivery Plan
- Draft Infrastructure Delivery Plan (Community Infrastructure Levy)

10.6.2 ~~3.2~~ Delivery

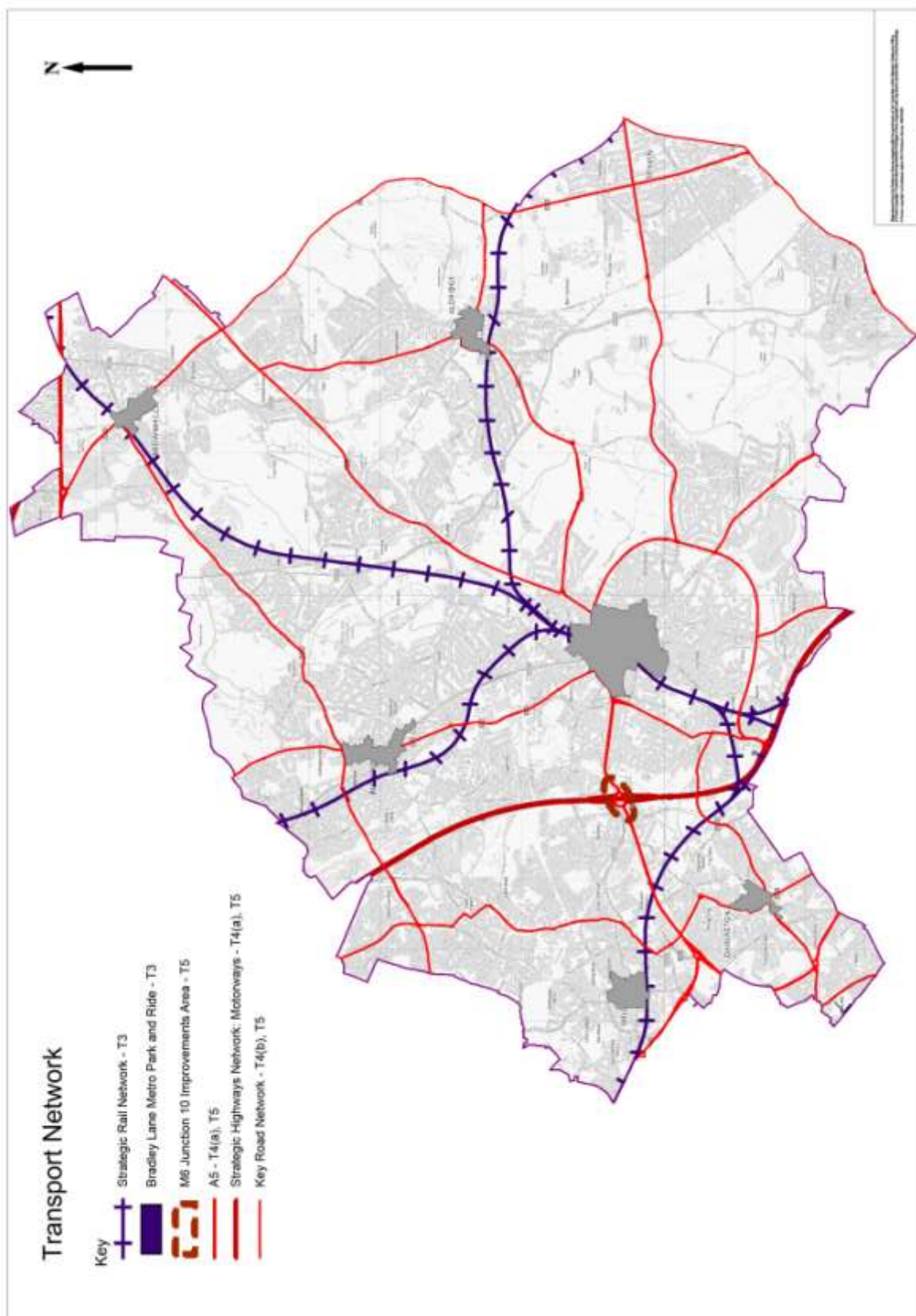
- The utility providers will continue to deliver infrastructure to support the needs arising from this plan.

10.6 ~~3.3~~ Monitoring

No specific monitoring necessary in view of the differentiated nature of the infrastructure needed to support this plan.



Map 10.1: Strategic Transport Network *Superseded Map*



Map 10.1: Strategic Transport Network *Amended Map*