

**Walsall Site Allocation Document**  
**Publication Consultation 7<sup>th</sup> March-3<sup>rd</sup> May 2016**  
**Schedule of Representations Received and Responses by the Council**

This schedule provides a summary of the points made in representations received on the Publication Draft Plan, together with the Council's responses to the points made.

The representations are set out in the same order as the topics / policies appear in the Publication Document, so where one representation refers to several different issues or different parts of a policy then the points made are set out separately.

Where the Council is proposing to make changes to the plan – in response to representations received or for other reasons – these are set out in a Schedule of Proposed Pre-Submission Modifications, which is the subject of consultation for a period of 6 weeks from 7<sup>th</sup> November - 19<sup>th</sup> December 2016.

See the Council's consultation web pages at [www.walsall.gov.uk/planning\\_2026](http://www.walsall.gov.uk/planning_2026)

Chapter 1: Introduction													
Unique Ref - Respondent	Unique Ref - Other (where Respondent is Agent)	Respondent Organisation	Agent	Last Name	Topic	Sub-Topic	Policy Reference	Site Reference	Section Reference	Supports the Plan - Provide Summary	Objects to the Plan - Provide Summary	Proposed Modifications	Council Final Response
1812		Cannock Chase District Council		Eggington	1. Introduction	1a. SAD - General			1.3		Welcome reference to commitment to review of BCCS in 2016 and Green Belt review. Further context to the strategic matters to be considered could be added e.g. reference to the ongoing Greater Birmingham Housing Market Area housing supply shortfall work.	Add reference to the ongoing Greater Birmingham Housing Market Area housing supply shortfall work.	No Change Proposed. No scoping of the issues to be addressed by the BCCS review has yet taken place, so it would be premature to suggest that the Black Country could accommodate housing growth beyond that required to meet its own needs. However, the existing wording in the SAD would not rule out this possibility, if it was deliverable.
3540		Acornford (Kensington) Limited	Bell Cornwell	Kemp	1. Introduction	1a. SAD - General			1.3		Justification for the last sentence of paragraph 1.3 is unclear. It implies the SAD is setting the strategic planning context for the Core Strategy Review. The Core Strategy Review will render the SAD out of date when it is adopted. The BCCS cannot be up-to date with national policy (i.e. NPPF). If the BCCS sets different targets this will undermine the SAD, as different targets will result in the need for completely different site selection strategies. Therefore we do not consider the plan to be positively prepared and not based on current needs as it can be assumed that the BC Councils would not be carrying out a Review if one was not deemed necessary. If the BCCS Review changes the requirements, the SAD will not be justified or effective. The Objector continues at length to take issue with the Council's continued allocation of industry and dismissal of a mixed use/retail proposal.	There should be a commitment within the SAD for an immediate review if the BCCS policy on which it is based materially alters the planning context the SAD is seeking to deliver.	No Change Proposed. The most recent evidence, from the 2016 Employment Land Review, is that there continues to be a high demand for land for industry, including local quality land such as this. The representation provides no evidence that any alternative objective assessment of need has been carried out.
774		Lichfield District Council		Baldwin	1. Introduction	1c. Relationship to Other Policies			1.3		While the plan identifies sufficient land to meet the requirements for housing, employment and other significant land uses in the Black Country Core Strategy (BCCS) without the need to use land within the Green Belt, there is evidence that Birmingham will not be able to accommodate the whole of its new housing requirements for 2011 to 2031 within its administrative boundary and that some provision will need to be made in adjoining areas to help meet Birmingham's needs. The authorities within the Greater Birmingham Housing Market Area (GBHMA), including Lichfield and Walsall are working together to determine exactly how much new housing would need to be planned for across the HMA and how a distribution could be achieved in line with local authority capacities and potential supply of housing sites. As such the SAD needs to explain how it will	After the phrase 'projections of housing growth' add the phrase 'within our wider housing market area.'	Change Proposed. Proposed Modification to Section 1.3 to correct typographical error - amendment to third sentence in final paragraph of section 1.3 to state: "That review will have to consider the long-term strategy for the regeneration of the Black Country." (this modification is not numbered) No further modifications are necessary, as no scoping of the issues to be addressed by the BCCS review has yet taken place, so it would be premature to suggest that the Black Country could accommodate housing growth beyond that required to meet its own needs. However, the existing wording in the SAD would not rule out this possibility, if it was deliverable.



**Chapter 2: Objectives, Regeneration Corridors and Issues**

Unique Ref - Respondent	Unique Ref - Other (where Respondent is Agent)	Respondent Organisation	Agent	Last Name	Topic	Sub-Topic	Policy Reference	Site Reference	Section Reference	Supports the Plan - Provide Summary	Objects to the Plan - Provide Summary	Proposed Modifications	Council Final Response
2301		Gallagher Estates	Pegasus Planning	Cox	2. Objectives, Regeneration Corridors and Issues	2a. Proposed SAD Objectives	Omission Policy		Presumption in Favour of Sustainable Development		The BCCS was adopted prior to the publication of the NPPF. At the heart of the NPPF is a presumption in favour of sustainable development. A new policy should be included within the SAD that sets out the presumption in favour of development so that it is clear that development which is sustainable can be approved without delay.	A new policy should be included at the beginning of the SAD that sets out the presumption in favour of sustainable development so that it is clear that development which is sustainable can be approved without delay.	No Change Proposed. Policies in the SAD already refer to support for sustainable development: these include Objectives 1 and 2, and Policy HC2 (a). The wording proposed in the representation would effectively be a development management policy, so would not be appropriate for a site allocation document.
1820		Catalyst Capital	Savills	Burrow	2. Objectives, Regeneration Corridors and Issues	2a. Proposed SAD Objectives			2.1	Our client supports the inclusion of the second objective, which seeks to deliver sustainable communities through the development of new housing on vacant, derelict and under-used land (including redundant employment land) to provide a range of homes. An approach which seeks to encourage the development of new housing on vacant, derelict and under-used land (i.e. redundant employment land) is considered to be consistent with national policy subject to such sites being suitable, viable and deliverable for housing.			No Change Proposed. Welcome Support.
2301		Gallagher Estates	Pegasus Planning	Cox	2. Objectives, Regeneration Corridors and Issues	2a. Proposed SAD Objectives			Objective 1		It is considered that such a “brownfield first” approach is unsound as it conflicts with the NPPF, which was published after adoption of the BCCS. One of the 12 Core Planning Principles of the NPPF is to “encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value.” Although, therefore, the NPPF encourages the re-use of previously developed land (PDL), what the Framework does not do is prioritise it over greenfield land. This has been confirmed in appeal cases in other areas. Any suggestion that there should be a sequential approach to use PDL before greenfield land is contrary to the NPPF and, as such, unsound. Sustainability Principle 4, contained within the BCCS, is no longer consistent with national policy.	Objective 1 should be redrafted to encourage rather than prioritise the delivery of PDL sites and remove reference to protecting the Green Belt from inappropriate development.	No Change Proposed. Objective 1 remains in accordance with national policy, in particular one of the five purposes of the Green Belt set out in NPPF paragraph 80, which is to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
2301		Gallagher Estates	Pegasus Planning	Cox	2. Objectives, Regeneration Corridors and Issues	2a. Proposed SAD Objectives			Objective 2		This Objective should recognise the need to accommodate the housing requirements of the Borough over the lifetime of the Plan. This is required to ensure the Plan aligns with the emphasis which the NPPF places, in paragraph 47, on Local Planning Authorities ensuring their Local Plan: “meets the full, objectively assessed needs for market and affordable housing.” The inclusion of such recognition would then be sound, having regard to the test that plans should be positively prepared and consistent with national policy. In addition, it should be recognised that the appropriate housing requirement must have regard to housing needs that cannot be met within neighbouring authorities which requires due consideration as part of the Council’s duty to cooperate and further consideration of other factors including economic growth, adjustments for worsening trends in market signals and meeting affordable housing needs.	Objective 2 should recognise the need to accommodate the housing requirements of the Borough over the lifetime of the Plan, as well as housing needs that cannot be met within neighbouring authority areas.	No Change Proposed. The objective already refers to providing a range of homes that meet the needs of all members of the community.

1860				Rigby	2. Objectives, Regeneration Corridors and Issues	2a. Proposed SAD Objectives				Agree with making Walsall the best it can be environmentally and community wise.			Noted Welcome Support.
2149		Historic England		Worrall	2. Objectives, Regeneration Corridors and Issues	2d. Issues: Assets and Constraints - General			2.3.1	The positive amendments in relation to the historic environment and additional information on site constraints within this publication iteration of the document are welcomed.			No Change Proposed. Welcome Support.
2658		Environment Agency		Ross	2. Objectives, Regeneration Corridors and Issues	2d. Issues: Assets and Constraints - General			2.3.1	From a Groundwater/Contamination perspective, we are satisfied and have nothing further to add.			No Change Proposed. Welcome Support.
2658		Environment Agency		Ross	2. Objectives, Regeneration Corridors and Issues	2d. Issues: Assets and Constraints - General			2.3.1		All future flood risk assessments will be required to take account of the latest climate change guidance and allowances as part of the assessment. The new guidance is more detailed than previously regarding climate change allowances, but also less straightforward to understand, particularly in these early stages of applying it. We are currently taking the approach that what constitutes major development will be the threshold for when the new climate change allowances should be applied through further modelling of the watercourses. For Walsall, it also unlikely that there will need to be remodelling for the Industrial Uses, however, for residential, an extra 10% will likely to be applied, (30% for Climate Change).	Consider further flood risk assessments for housing allocations in the light of the latest guidance on climate change allowances - see: <a href="https://www.gov.uk/guidance/flood-risk-assessments-climate-change-allowances">https://www.gov.uk/guidance/flood-risk-assessments-climate-change-allowances</a>	Change Proposed Text of section 2.3.1 f) and Policy EN3 amended to refer to climate change allowance (MMSAD2 and MMSAD25)
681		Coal Authority		Northcote	2. Objectives, Regeneration Corridors and Issues	2d. Issues: Assets and Constraints - General			2.3.1, 2.3.2		Within the Plan area there are approximately 3,869 recorded mine entries and around 83 coal mining related hazards have been reported to The Coal Authority. A range of other mining legacy features are present, in total The Coal Authority High Risk Development Area covers approximately 34.41% of the Council area. Mine entries and mining legacy matters should be considered by Planning Authorities to ensure that site allocations and other policies and programmes will not lead to future public safety hazards. No development should take place over mine entries even when treated. Although mining legacy occurs as a result of mineral workings, it is important that new development recognises the problems and how they can be positively addressed. However, it is important to note that land instability and mining legacy is not always a complete constraint on new development; rather it can be argued that because mining legacy matters have been addressed the new development is safe, stable and sustainable.		No Change Proposed. It is recognised that coal mining legacy is a potential constraint to development on many sites in Walsall, and accordingly it has been identified as an important issue to be taken into account in Sections 2.3.1 and 2.3.2 of the SAD. It has also been taken into account in the Deliverability and Viability Assessments for potential housing, industrial and waste management sites. Where coal mining legacy constraints have been identified for particular sites as part of the site evaluation process, this has been indicated in the tables of sites in the housing and employment policies.

1860				Rigby	2. Objective s, Regenera tion Corridors and Issues	2d. Issues: Assets and Constraints - General					Water/ flooding needs careful investigation prior to any planning - drainage especially needs attention.		No Change Proposed. Flood risk has already been taken into account and the issue is being reviewed to take account of the latest response from the Environment Agency.
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Chapter 3: Homes for Our Communities													
Unique Ref - Respondent	Unique Ref - Other (where Respondent is Agent)	Respondent Organisation	Agent	Last Name	Topic	Sub-Topic	Policy Reference	Site Reference	Section Reference	Supports the Plan - Provide Summary	Objects to the Plan - Provide Summary	Proposed Modifications	Council Final Response
3557		William Davis Limited	RPS	Watton	3. Homes for Our Communities	3a. Housing - General	HC1		1.7		<p>The Plan does not meet the up to date evidence of housing need, including the latest household projections and need arising from Birmingham. A high level of the planning permissions referred to in the housing supply have lapsed. This demonstrates that additional supply should be provided</p>	<p>To increase flexibility in the plan, it is proposed that the Council bring forward additional allocations that are capable of delivering significant growth over the plan period. Rather than meeting any future shortfalls or unmet need from Birmingham in a piecemeal fashion, it would be more prudent to identify larger parcels of land that are better able to respond to growth in a coordinated way, including land at Sutton Road. This land has not been considered as part of the SHLAA process.</p> <p>It is recognised that the Sutton Road includes a SLINC and former moat, but these would not prevent development coming forward.</p>	<p>No Change Proposed</p> <p>The SAD, together with other housing sites identified in the SHLAA, identify developable sites for housing in excess of the number required to meet housing need to at least 2026 without the need to release sites in the green belt such as the site at Sutton Road. The completion of housing sites since 2026 has exceeded the trajectory in the BCCS, so housing needs are demonstrably being met.</p> <p>The potential redistribution of housing need arising from Birmingham is a matter for local authorities in the wider housing market area, so this need may not necessarily be accommodated in Walsall or elsewhere in the Black Country. However, any decision about this would be a matter for the review of the BCCS.</p> <p>The site at Sutton Road lies in the green belt, so would not be considered developable in any case, however it has not been submitted previously as part of any formal response to a call for sites.</p>
2301		Gallagher Estates	Pegasus Planning	Cox	3. Homes for Our Communities	3a. Housing - General	HC1				<p>There have been significant changes to the planning policy context for housing since the adoption of the Core Strategy, such as the revocation of the West Midlands Spatial Strategy (WMRSS), the NPPG and NPPG, the 2012 Sub-National Household Projections (2015), the recent GBSLEP joint housing study, and the examination of the Birmingham Development Plan (BDP). Policy HC1 identifies approximately 100 allocations for new housing development. The majority of these sites are brownfield sites and many of these sites have the benefit of planning permission however a significant number of these sites now have lapsed planning permissions. An assessment of the proposed site allocations (included in a separate Background Document) demonstrates that many of the proposed allocations sites are unlikely to deliver homes within the Plan period which would not be consistent with the need to boost significantly the supply of housing land. Reliance on brownfield sites. This runs the risk of preventing an appropriate degree of flexibility and inhibits the delivery of the Plan, which should seek to bring forward a range of types of sites in a range of locations in order to be in the best possible position to achieve the appropriate housing target. The strategy towards brownfield development also proposes little scope to significantly boost housing supply and would fail to accommodate any necessary uplift in housing requirement over and above the BCCS figure identified for Walsall.</p>	<p>The best way to achieve higher rates of housing delivery is to review the BCCS now and ensure that a choice and range of realistically deliverable sites are provided. To ensure a rolling five year supply of housing and in order to maximise the delivery of housing across the Borough, it will be important that a range of different sites, delivered continuously throughout the Plan period, is provided for. This will require the release of greenfield sites.</p>	<p>No Change Proposed</p> <p>Policy HC1 and the attached table does not list the borough's entire housing land supply. For example, it does not include most small sites (fewer than 10 dwellings), or sites in Walsall Town Centre or the district centres. The SHLAA 2016 update provides a comprehensive list of all sites. The SHLAA demonstrates that the current supply of sites with a valid planning permission exceeds the 5-year requirement, whilst the total supply of suitable housing sites exceeds the total requirement to 2026. This provides a buffer even if some sites prove to be not developable over this period.</p> <p>The Council has commissioned a viability study of sites proposed to be allocated in the SAD. The study states that many sites will require public funding or favourable market conditions to be deliverable. However, part of the purpose of the SAD is to attract market interest and funding for sites. Several of the sites which the study suggests are not viable are in fact coming forward for development (for example ROH Wheels Willenhall which is currently under construction), whilst others are the subject of active interest and schemes which are being funded or worked up. For example, HO27 (Goscote) is funded by the HCA and is due to be completed by 2018. It should be noted that the owner of the largest lapsed permission site (HO181- Caparo Works) has submitted a representation supporting the site's allocation in the SAD (see rep. reference 334).</p> <p>In respect of lapsed planning permissions, the NPPF paragraph 47 only requires sites in the 5 year supply to be deliverable but the SAD is to cover a 10 year period. Paragraph 47 only expects the supply for years 6-10 to be either developable or in broad locations. The main issues holding up implementation of the lapsed permissions are either unrealistic expectations about site values by landowners (especially since at least some</p>

												of the sites were acquired prior to the 2008 recession) or the availability of funding for site reclamation.	
774		Lichfield District Council		Baldwin	3. Homes for Our Communities	3b. Proposed Housing Allocations	HC1	Cannock Chase SAC ZOI	Map 7.3		<p>The policy will have an adverse effect upon the integrity of the Cannock Chase Special Area of Conservation. (see response to Policy EN1).</p> <p>A new policy should be added which identifies a zone of influence around Cannock Chase Special Area of Conservation. The policy should state that any new residential units and any development resulting in new visitors to Cannock Chase SAC will need to mitigate for its impact on Cannock Chase SAC. The zone of influence should be shown on the Proposals Map and Map 7.3 Natural Environment Designations.</p>		<p>Change Proposed</p> <p>Modification MMSAD22 is proposed to SAD Policy EN1 as a result of representations received, and discussions had with Natural England under the Duty to Cooperate. The modification emphasises the importance of nature designations beyond Walsall. OMSAD31 is also added to show the zone from which the available visitor data for the Cannock Chase area is being used to support the collection of developer contributions to fund a package of mitigation measures.</p> <p>The housing allocations of the SAD are beyond the 8km zone from which payments are sought to mitigate the effects of recreational pressure from new residential development. The council's revised HRA and SA provide more information in relation to this issue.</p>
3508				Johnson	3. Homes for Our Communities	3b. Proposed Housing Allocations	HC1	HO128			<p>Have no objection to homes being built on the site of the former Daw End School, but to the type of homes being built on the site and the amount. If the new housing is more than 3 storeys in height it will overlook adjoining properties that are on higher ground. Also have concerns about density as the adjacent estate is roughly the same size but does not accommodate this number of homes. These concerns were raised previously but there was no response from the Council - would like to know when the plans will be open for public viewing and whether residents' comments will be taken into account.</p>		<p>No Change Proposed.</p> <p>The design and layout of the site, including the relationship to adjoining dwellings, would be a matter for any future planning application.</p> <p>The number of dwellings referred to in the SAD is an estimate of the potential capacity based on typical densities of existing housing in the area.</p>
3517				Plimmer	3. Homes for Our Communities	3b. Proposed Housing Allocations	HC1	HO128			<p>Concerned about what might be built on the old Daw End School site. Neighbouring houses are on higher ground with living rooms facing the site so would be able to see into any new houses built on the site, also very concerned about people being able to see into the existing houses. Concerned about the impact that tallish buildings on the site would have on birdlife in the area.</p>		<p>No Change Proposed.</p> <p>The design and layout of the site, including the relationship to adjoining dwellings, would be a matter for any future planning application.</p> <p>The number of dwellings referred to in the SAD is an estimate of the potential capacity based on typical densities of existing housing in the area.</p>
334		Dalriada Trustees (Caparo Pension Scheme)	Harris Lamb	Alcock	3. Homes for Our Communities	3b. Proposed Housing Allocations	HC1	HO181		<p>Fully support housing allocation. The site is deliverable and could be developed in its entirety or brought forward in phases. A planning application has been approved subject to the signing of a section 106 agreement. There has been significant market interest in the site.</p>		<p>No Change Proposed.</p> <p>Welcome Support.</p>	
2115		Michael Fetherston-Dilke	Hancock Town Planning	Hancock	3. Homes for Our Communities	3b. Proposed Housing Allocations	HC1	HO208		<p>Strong support for the proposed allocation of Site HO 208, 'Land at Stencil's Farm, North of Mellish Road (area outside Green Belt)' for 24 houses. This land is highly suitable for residential development as it is a previously-developed non-Green Belt site which lies in a highly sustainable location and is free from both physical and environmental constraints.</p>		<p>No Change Proposed</p> <p>Welcome Support.</p>	

2339				Cox	3. Homes for Our Communities	3b. Proposed Housing Allocations	HC1	HO29	a)		There is a telephone mast on the site, which Council officers do not appear to have been aware of before the recent public meeting. The mast is in a central position on the site and would need relocating. Secondly, the site does not appear to be big enough to accommodate 350 houses and a traveller site. The owner cannot expect to sell many houses if there is a proposal for at least 15 pitches for caravans somewhere on the site.		No Change Proposed.
1820		Catalyst Capital	Savills	Burrow	3. Homes for Our Communities	3b. Proposed Housing Allocations	HC1	HO303	3.2	Support allocation of site for residential development. Houses have not been delivered from the site so far, but the mix of dwellings approved in the 2008 planning permission is not currently considered to be viable or respond to current market requirements. Therefore our client is currently preparing a new application for a lower density scheme which can progress residential development on the site sooner and deliver a scheme that is more in line with market requirements.		No Change Proposed. Welcome Support. However, see response to representation about Policy IND5 and the Proposed Modification to the boundary of Site HO303.	
2658		Environment Agency		Ross	3. Homes for Our Communities	3b. Proposed Housing Allocations	HC1	HO303	Table HC1		It should be noted that parts of site HO303 [Former AP UK] are shown to be in what looks like Flood Zones 3 and 2 and if this is the case, the site will need to be carefully designed and delivery numbers reviewed. However, due to the size of the site, it should be possible to manage the level of flood risk through appropriate site layout / design and the provision of mitigation measures.	Consider whether specific requirement for FRA/ mitigation of flood risk should be added to the policy for this site, and whether the number of dwellings should be revised downwards, given that part of the site appears to be within Flood Zones 2 and 3.	Change Proposed. Flood zone affects the part of the site which is a SINC. Housing site boundary is to be amended to exclude this area. (MMSAD4)
2658		Environment Agency		Ross	3. Homes for Our Communities	3b. Proposed Housing Allocations	HC1	HO305	Table HC1		Site HO305 [Cricket Close] should be looked at further at this stage. This site is bisected by an ordinary watercourse, Full Brook. Part of the site is within Flood Zones 3 and 2 based on the JBA mapping. Within the constraints box it is noted that Green Belt is a constraint, however, floodplain will also be a constraint to delivery, particularly Flood Zone 3 and any easement necessary either side of channel. This should be looked at again to check if there is a viable amount of land left for development once all the constraints are taken into account.	Consider whether specific requirement for FRA/ mitigation of flood risk, including potential requirement for easement, should be added to the policy for this site, given that part of the site is within Flood Zones 2 and 3, also review whether the site is likely to be deliverable given that the potential risks from flooding are likely to restrict the area of developable land.	Change Proposed. Boundary of housing site allocation has been amended following further examination of flood risk (MMSAD4).
2658		Environment Agency		Ross	3. Homes for Our Communities	3b. Proposed Housing Allocations	HC1	HO305	Table HC1		There are several sites partially within Flood Zone 2 that will require Flood Risk Assessments at the appropriate time if taken forward and remodelling required as appropriate.	Consider whether specific requirements for FRA/ mitigation of flood risk should be added to the policy for all sites that are partially within Flood Zone 2.	Change Proposed Corrections made to list of sites within or adjacent to flood zones under the assets and constraints affecting housing sites to be allocated by Policy HC1 (MMSAD4)
2597		Parkhill Estates		Ferguson	3. Homes for Our Communities	3b. Proposed Housing Allocations	HC1	HO58			Objection to Housing Allocation HO58. No mention is made in the Notes, Assets and Constraints column of the adjacent Highfields North brick clay extraction site. The Plan recognises that the Highfields North site has the benefit of an extant planning permission (albeit subject to approval of a schedule of modern working conditions) and identifies it as a Brick Clay Extraction Site (Policy M8). It has been identified despite the fact that there are several constraints to be overcome (primarily SSSI related) because there is an on-going, long-term demand for brick clays from existing operational brickworks within the borough. It therefore appears perverse to allocate land adjoining such a site for housing when this can only result in further restrictions on working this valuable and limited mineral reserve. Additionally, the existing Allocation Site HO58 occupies approximately half of a larger site composed of a series of industrial units housing a wide range of operations/activities.	Delete the allocation.	Changes Proposed. Proposed Modifications to Policies HC1, IND3, IND4 and Policies Map: - Delete proposed Housing Site HO58 (Walsall Road, Walsall Wood) from Table HC1 in Policy HC1 (MMSAD5) - Amend Local Industry Consider for Release Sites IND6 (part only, the area west of Hall Lane) and IND8 (Birch Lane) in Policy IND4 to Retained Local Quality Industry in Policy IND3 (MMSAD10)



											Operations of this type would not unreasonably restrict the potential clay winning operations on the adjacent Highfields North site but may very well have unacceptable impacts upon any future housing development on part of the site.		
1274				Steatham	3. Homes for Our Communities	3b. Proposed Housing Allocations	HC1	HO72			Due to the site levels and access problems this site should be permanently returned to public open space as it is much safer for public use than the highly toxic Moxley Tip. The site is part of a wildlife corridor and is allocated as open space under UDP Policy LC1. It has been used as open space for many years.	Please return this particular area of land designated as HO72 in the table to Open Space and community recreational land.	No Change Proposed. The Festival Avenue area has been assessed as having sufficient open space in other locations. Moxley Tip is allocated as open space in the existing UDP. The SAD now proposes to allocate it for high quality industry, but with an element of leisure and recreation. Any redevelopment either for buildings or open space would involve reclamation to make the site suitable for these uses. Wildlife corridors do not have precise boundaries, however the only substantial corridor in this area is the Walsall Canal.
1820		Catalyst Capital	Savills	Burrow	3. Homes for Our Communities	3b. Proposed Housing Allocations	HC1		3.2		Neither proposed Policy HC1 nor the supporting text to this policy makes reference to gross or net density. The policy should make specific reference to gross or net density in order to be fully effective. It seems unnecessary for Policy HC1 to introduce a minimum density requirement that appears more onerous and less flexible than the Core Strategy policy requirement, which in turn is more prescriptive than, and therefore not consistent with, the approach introduced through the NPPF.	Policy HC1 should be amended to state: ".Each site should achieve a net density of at least 35 dwellings per hectare, except where <del>part of the site is needed to provide open space or other facilities in accordance with the other policies in this plan</del> a lower density is considered more appropriate to respond to local character and history and reflect the identity of the local surroundings...  Any proposals for particular sites will need to address the issues for those sites listed in the "notes" column in Table HC1, but will not necessarily need to achieve the capacity listed in the "estimated dwellings" column if it can be demonstrated that an alternative capacity is more appropriate"...	No Change Proposed. The terms net and gross housing density are not defined in national policy, but 'gross' conventionally refers to the total site area including any areas of open space, community facilities and major roads, while 'net' excludes these areas and also excludes any existing dwellings that might be demolished as part of a site redevelopment. Policy HC1 as currently worded refers to open space, so the 35 dwelling figure is effectively the expected gross density. However, the majority of the sites identified in the SAD are small and would not include any open space or other facilities within the site: the net and gross densities would therefore be the same. In any case, the Policy Justification explains that the dwelling numbers stated are those for which planning permission has been granted, where such permission exists. Proposals for individual sites will not necessarily be expected to achieve these numbers. Nearly all the sites proposed for allocation for housing under Policy HC1 are in the existing built-up area and none lie in locations where a density of less than 35 dwellings per hectare (net or gross) would be appropriate to respond to local character or history.

3563		Barnshaws Metal Bending	CRE (West Midlands ) Ltd	Pritchard	3. Homes for Our Communi ties	3b. Proposed Housing Allocations	HC1		HO66b		Objects to site HO66b being allocated for housing. The site was previously Walsall Iron and Steel and there are pollution and air quality issues as mentioned in the UDP and the BCCS. Site clearance has begun and there are contaminants, suggesting that housing development is an uneconomic option for the site. Would prefer to develop site for small industrial units which would provide much needed employment in the area	Site is better suited to the construction of small industrial units.	No Change Proposed. The site is largely surrounded by existing housing, including the former Harvestime site that is the subject of a current planning application for residential use. There is also the Afro-Caribbean Centre adjacent. Any redevelopment for industrial use would require very restrictive conditions to prevent future activities giving rise to nuisance to the sensitive surrounding occupiers.  It is probably correct that reclamation of a site for industrial use is likely to cost less than reclamation for housing. However, it is unclear if the owners have carried out any detailed investigations on this particular site that might confirm these costs. It is understood that they only acquired the site in March 2016, at which time the Site Allocation Document was in the public domain. The purchase price for the site should therefore have taken account of ground conditions and the likely cost of reclaiming for the emerging preferred use
2658		Environment Agency		Ross	3. Homes for Our Communi ties	3b. Proposed Housing Allocations	HC1				As previously advised, our floodplain maps for the Waddens and Bentley Flood Relief Channel in Willenhall have not been amended. We still consider that we will annotate this as a defended area as the flood relief channel here acts as the flood defence. The area shown on the map illustrates the flood flow route should the culvert become blocked. Therefore, sites within the defended area will have to still undertake a Flood Risk Assessment, but it will be based on the scenario of what will happen if the culvert becomes blocked, (an assessment of the effects of overland flow possibly).	See comments on specific housing sites.	Changes Proposed Sites within the flood flow route are shown as lying within or adjacent to flood zones in the assets and constraints indicated against sites to be allocated for housing or industry, but with a note stating that they are defended by a culvert (MMSAD4, MMSAD7 and OMSAD12). The SAD also proposes additional policy justification text to 7.6.1. This text is to explain the agreed position in respect of the available flood risk data and the approach to the area that benefits from the Waddens and Bentley relief channel.
2115		Michael Fetherston-Dilke	Hancock Town Planning	Hancock	3. Homes for Our Communi ties	3c. Housing Allocations - Omissions	HC1	CFS46, CFS48			Document as a whole does not make sufficient provision for meeting projected housing need. BCCS is now dated and the level of unmet housing need has increased significantly since its adoption. The proposed document makes no attempt to address the significant levels of unmet housing need identified in the Greater Birmingham SLEP (GBSLEP) Housing Market Review or the more recent GBSLEP and Black Country Authorities Strategic Housing Needs Study 2015. Meeting the shortfall of homes can only be achieved by the release of Green Belt land for new housing. Therefore, as the plan does not meet full, objectively assessed housing need it is contrary to the requirements of the NPPF and consequently cannot be considered to be effective, justified or consistent with national policy.	To address housing need, the Site Allocations Document needs to identify additional housing land within the Green Belt, including Green Belt land at Stencills Farm (CFS46), and Land fronting Little Hardwick Road, Streetly (CFS48).	No Change Proposed. The SAD, together with other housing sites identified in the SHLAA, identify developable sites for housing in excess of the number required to meet housing need to at least 2026 without the need to release sites in the green belt. Any review of housing need, and the possible need for additional land for housing, would be carried out through a review of the BCCS
115		St Modwen	Planning Prospects	Robert	3. Homes for Our Communi ties	3c. Housing Allocations - Omissions	HC1				An approach reliant on the remaining housing requirement derived from the Black Country Core Strategy and a series of site allocations is flawed. The BCCS cannot be used to provide the full objectively assessed needs (OAN) for market and affordable housing in the housing market area as required by the NPPF and consistent with the approach outlined in the PPG. As the SAD relies on a housing requirement derived from this, it cannot be regarded as sound. We note that Policy HC1 now provides information on the planning status of each of the sites identified. However, it is still unclear if these sites are “deliverable” in the terms expressed by the NPPF. As such, it is not possible to conclude that there are sufficient sites allocated to meet the need (whatever it might be). The SAD remains silent on the need for the redistribution of Birmingham’s surplus housing requirement.	The Council should undertake an up to date assessment of need. They should reconcile this against deliverable supply. The outcome of this should be reflected in the SAD. The position with Birmingham should be explicitly acknowledged and a mechanism put in place to explain how it will be dealt with. This might include identifying further sites, and reviewing Green Belt boundaries. It should include a re-examination of previously rejected sites, including that proposed by St Modwen at Lichfield Road / York’s Bridge, Pelsall	No Change Proposed. The SAD, together with other housing sites identified in the SHLAA, identify developable sites for housing in excess of the number required to meet housing need to at least 2026 without the need to release sites in the green belt. Any review of housing need, and the possible need for additional land for housing, would be carried out through a review of the BCCS

2616		Walton Homes	JVH Town Planning Consultants Ltd	Beavin	3. Homes for Our Communities	3c. Housing Allocations - Omissions	HC1 and HC2	CFS31, CFS32			<p>Plan fails to allocate enough land to meet the needs of the various uses required, including taking account of the housing requirement from Birmingham, and is inconsistent in placing development in the right locations, especially in terms of housing provision which is restricted to only being delivered on Brownfield sites. It does not incorporate the most appropriate strategy when considered against reasonable alternatives such as a Green Belt Review.</p> <p>Sites at Chester Road, Aldridge and Aldridge Road, Streetly are in sustainable locations and do not jeopardise the fundamental aims of the Green Belt.</p>	<p>A green belt review is required, and sites CFS31 and CFS32 should be allocated for housing</p>	<p>No Change Proposed.</p> <p>The SAD, together with other housing sites identified in the SHLAA, identify developable sites for housing in excess of the number required to meet housing need to at least 2026 without the need to release sites in the green belt. The completion of housing sites since 2026 has exceeded the trajectory in the BCCS, so housing needs are demonstrably being met.</p> <p>The sustainability appraisal has rejected the option of green belt development. The potential redistribution of housing need arising from Birmingham is a matter for local authorities in the wider housing market area, so this need may not necessarily be accommodated in Walsall or elsewhere in the Black Country. However, any decision about this would be a matter for the review of the BCCS.</p>
774		Lichfield District Council		Baldwin	3. Homes for Our Communities	3d. Policy on "Windfalls" (Other Housing Proposals)	HC2	Cannock Chase SAC ZOI	Map 7.3		<p>The policy will have an adverse effect upon the integrity of the Cannock Chase Special Area of Conservation. (see response to Policy EN1).</p> <p>A new policy should be added which identifies a zone of influence around Cannock Chase Special Area of Conservation. The policy should state that any new residential units and any development resulting in new visitors to Cannock Chase SAC will need to mitigate for its impact on Cannock Chase SAC. The zone of influence should be shown on the Proposals Map and Map 7.3 Natural Environment Designations.</p>		<p>Change Proposed</p> <p>Modification MMSAD22 is proposed to SAD Policy EN1 as a result of representations received, and discussions had with Natural England under the Duty to Cooperate. The modification emphasises the importance of nature designations beyond Walsall. OMSAD31 is also added to show the zone from which the available visitor data for the Cannock Chase area is being used to support the collection of developer contributions to fund a package of mitigation measures.</p> <p>The housing allocations of the SAD are beyond the 8km zone from which payments are sought to mitigate the effects of recreational pressure from new residential development. The council's revised HRA and SA provide more information in relation to this issue.</p>
1366		West Midlands HARP Planning Consortium	Tetlow King	James	3. Homes for Our Communities	3d. Policy on "Windfalls" (Other Housing Proposals)	HC2				<p>The policy HC2 resists the provision of housing on previously developed sites if the site is allocated or safeguarded for other uses in this Plan. The Council should consider the inclusion of paragraph 22 of the NPPF.</p>	<p>Policy should use the wording of NPPF paragraph 22</p>	<p>No Change Proposed.</p> <p>It is not necessary to replicate the wording of the NPPF in the plan. With regard to employment land, in accordance with the NPPF, the 2016 Walsall Employment Land Review (ELR) went through the process of identifying employment land where there is no reasonable prospect of the site being used for employment, and recommended that it be allocated for other uses (see ELR Annex C8 P115 and also the list of sites on P25). Furthermore, the Council has identified occupied industrial land that could also be considered for release if and when the existing employment use ceases, as there is little likelihood of it being attractive to continued employment use. Land that is proposed to be allocated and retained for employment is needed to provide jobs for residents of the borough, including housing association tenants.</p>

774		Lichfield District Council		Baldwin	3. Homes for Our Communities	3e. Affordable & Special Needs Housing	HC3	Cannock Chase SAC ZOI	Map 7.3		The policy will have an adverse effect upon the integrity of the Cannock Chase Special Area of Conservation. (see response to Policy EN1).  A new policy should be added which identifies a zone of influence around Cannock Chase Special Area of Conservation. The policy should state that any new residential units and any development resulting in new visitors to Cannock Chase SAC will need to mitigate for its impact on Cannock Chase SAC. The zone of influence should be shown on the Proposals Map and Map 7.3 Natural Environment Designations.		Change Proposed  Modification MMSAD22 is proposed to SAD Policy EN1 as a result of representations received, and discussions had with Natural England under the Duty to Cooperate. The modification emphasises the importance of nature designations beyond Walsall. OMSAD31 is also added to show the zone from which the available visitor data for the Cannock Chase area is being used to support the collection of developer contributions to fund a package of mitigation measures.  The housing allocations of the SAD are beyond the 8km zone from which payments are sought to mitigate the effects of recreational pressure from new residential development. The council's revised HRA and SA provide more information in relation to this issue.
334		Dalriada Trustees (Caparo Pension Scheme)	Harris Lamb	Alcock	3. Homes for Our Communities	3e. Affordable & Special Needs Housing	HC3	HO181		Fully support Policy HC3 because it provides flexibility on the proportion of affordable housing required depending on the circumstances of individual sites and viability		No Change Proposed. Welcome Support.	
1820		Catalyst Capital	Savills	Burrow	3. Homes for Our Communities	3e. Affordable & Special Needs Housing	HC3		3.4	Support the inclusion of a mechanism to assess whether affordable housing provision on housing sites is financially viable within part a) of SAD Policy HC3.		No Change Proposed. Welcome Support.	
758		Friends of the Earth		Kells	3. Homes for Our Communities	3e. Affordable & Special Needs Housing	HC3			While the need for specialist housing with care provision is appropriate in locations close to Public Transport there is also a growing need for housing for the elderly (often over 55s) which does not involve care packages, that is to say, housing which is fully accessible with alarm systems, communal areas and a manager. There is little of this kind of accommodation in the Borough, although the recent Macarthy and Stone development on the ring road has been a welcome addition.	Would like to see policy tailored to meeting the specific need for housing for older people. The requirement to be close to public transport is probably less than for intensive care facilities, and we would not like to see sites come forward for housing being precluded on those grounds alone.	No Change Proposed. While the needs identified are recognised, housing that does not involve an element of care for residents would normally fall within the general Class C3 housing class so it would not be possible to allocate specific sites.	
1366		West Midlands HARP Planning Consortium	Tetlow King	James	3. Homes for Our Communities	3e. Affordable & Special Needs Housing	HC3			The caveat that schemes are required to be at locations that enjoy good public transport access is problematic and based upon assumptions which are unjustified. Most extra care schemes restrict entry to those in need of care. Research shows that more than 50% will have serious mobility issues. Walking distance for many residents might be 20 or 30 metres, perhaps even less.	C2 extra care development should not be bound by such a stringent criteria, which will be extremely limiting on where such developments can take place and appears to be more stringent than that being applied to general housing with no justification	No Change Proposed. The policy justification explains that good access to public transport is needed not just for residents but also to enable care workers to get to work and to provide access for visitors.	
2264		Home Builders Federation		Green	3. Homes for Our Communities	3e. Affordable & Special Needs Housing	HC3			Policy HC3 refers to a Supplementary Planning Document for affordable housing. Development management policies should not be inappropriately hidden in an SPD. The NPPF also indicates that SPDs should not add to the financial burden of development (para 154) and policies on local standards should be in the Plan (para 174).	Review the Draft Walsall SAD with respect to viability testing.	No Change Proposed. Any revised affordable housing SPD would adhere to the development plan policy in respect of viability.	

774		Lichfield District Council		Baldwin	3. Homes for Our Communities	3f. Gypsies, Travellers & Travelling Showpeople - General	HC4	Cannock Chase SAC ZOI	Map 7.3		<p>The policy will have an adverse effect upon the integrity of the Cannock Chase Special Area of Conservation. (see response to Policy EN1).</p> <p>A new policy should be added which identifies a zone of influence around Cannock Chase Special Area of Conservation. The policy should state that any new residential units and any development resulting in new visitors to Cannock Chase SAC will need to mitigate for its impact on Cannock Chase SAC. The zone of influence should be shown on the Proposals Map and Map 7.3 Natural Environment Designations.</p>		<p>Change Proposed</p> <p>Modification MMSAD22 is proposed to SAD Policy EN1 as a result of representations received, and discussions had with Natural England under the Duty to Cooperate. The modification emphasises the importance of nature designations beyond Walsall. OMSAD31 is also added to show the zone from which the available visitor data for the Cannock Chase area is being used to support the collection of developer contributions to fund a package of mitigation measures.</p> <p>The housing allocations of the SAD are beyond the 8km zone from which payments are sought to mitigate the effects of recreational pressure from new residential development. The council's revised HRA and SA provide more information in relation to this issue.</p>
647		National Federation of Gypsy Liaison Groups		Yarwood	3. Homes for Our Communities	3f. Gypsies, Travellers & Travelling Showpeople - General	HC4				<p>Query some of the data in the Gypsy and Traveller Accommodation Assessment Revision, the total number of sites required and the estimated capacity of individual sites.</p>		<p>No Change Proposed.</p> <p>The GTAA revision is intended as a draft for discussion</p>
1503				Doyle	3. Homes for Our Communities	3g. Gypsies & Travellers - Sites	HC4	GT6	a)		<p>The National Planning Policy for Traveller Sites states that unmet need and the lack of an up to date five year supply of deliverable sites is unlikely to outweigh harm to the green belt and other harm to constitute the very special circumstances justifying inappropriate development in the green belt. In order to transform the site at Gould Firm Lane from temporary to permanent, planning permission would be needed to remove the condition of the existing permission. The Government has changed the definition of "traveller" for planning related purposes so that it would exclude those who have permanently ceased from travelling. This could make the Plan undeliverable as making the site available for general travellers would exclude the current occupiers from the land they own. The draft Walsall Gypsy and Traveller Accommodation Assessment Revision treats Gould Firm Lane differently from Cartbridge Lane although both only have temporary permissions.</p>	<p>34-38 Gould Firm Lane (site GT6) should be removed from the SAD Publication Plan and should remain temporary to revert to Green Belt in line with the conditions originally applied and not changed to permanent as proposed.</p>	<p>No Change Proposed.</p> <p>Paragraph 17 of the August 2015 Planning Policy for Traveller Sites (PPTS) is identical to paragraph 15 of the 2012 version. Both state that if a local planning authority wishes to make an exceptional, limited alteration to the defined Green Belt boundary (which might be to accommodate a site inset within the Green Belt) to meet a specific, identified need for a traveller site, it should do so only through the plan-making process and not in response to a planning application. This is why the current proposals are being taken through the local plan. The current planning permission for Gould Firm Lane is personal to the family and requires the use to cease when they end occupation. Allocating the site for travellers would allow the benefit of this use to be passed on to other occupiers. This would enable the current owners or their descendents to either sell or rent the site should they move on. Unlike Gould Firm Lane, the current planning permission for Cartbridge Lane is temporary (it expires in 2016), so the current occupiers will require an alternative site unless the existing site is made permanent through the local plan.</p>
3499				Lloyd	3. Homes for Our Communities	3g. Gypsies & Travellers - Sites	HC4	GT6	a)		<p>Have attended a consultation event in Aldridge with regard to the Walsall Site Allocation document. Object to proposal to upgrade the site at 34-38 Gould Firm Lane from Temporary to Permanent and from one site to four double sites. Site is in Green Belt and there should be no further development. Should be closed down and moved to a brown [field] site or present residents should be offered accommodation via the local social housing programme where they would be integrated into the local community.</p>	<p>Site should be relocated to a brownfield site</p>	<p>No Change Proposed.</p> <p>It has not proved possible to identify sufficient potential traveller sites on previous developed land or elsewhere outside the green belt. There is a requirement in national legislation and policy to provide sites for households who live in caravans.</p>

2339				Cox	3. Homes for Our Communities	3g. Gypsies & Travellers - Sites	HC4	HO29	a)	The one and only positive point for myself is that I will finally be able to pull onto the main road without having to worry about cars hurtling down at 40 mph.	Object to Goscote Copper Works proposals. Travellers are not likely to be tidy, and as highlighted in a recent TV programme, are likely to discard a lot of rubbish, adding to the existing problems of fly-tipping in the Goscote area. The added pressure of caravans, scrap metal vehicles, trailers and other vehicles will also cause havoc on an already busy road. With the introduction of the new island at Well Lane (which is tricky to manoeuvre round even in a car) and the speed bumps installed this week (25/04/16) I can only envisage chaos with the build-up of traffic. I am also concerned that there are no proposals for sites in more affluent areas such as Aldridge/ Streetly.	Re-locate the traveller site.	No Change Proposed. Site HO29 is no longer proposed to include a traveller site, unless Dolphin Close is not developable. However, there is a long term need for traveller sites: permanent sites are intended to provide a stable base for residents and address the anti-social behaviour that is associated with unauthorised temporary encampments.
2363				Webster	3. Homes for Our Communities	3g. Gypsies & Travellers - Sites	HC4	HO29	a)		We have attended as many meetings as possible to object to former being used for housing for travellers. Elkington Copper Works All around WS3 we have them in Council housing doing their trading with no regard for other residents' comfort or respect. They do not and will not abide by the laws of the land or its policies and therefore pose a great threat to other residents. Land should be used for housing where people have to pay their fair share. In a small area we have a complex for young problem people, which is a great worry for us who have lived here for 40 + years. If you put so many problem people in the same area you end up with ghettos, which the Council cannot cope with.		No Change Proposed. There is a long term need for traveller sites: permanent sites are intended to provide a stable base for residents and address the anti-social behaviour that is associated with unauthorised temporary encampments. The presence of an existing community of people of traveller origin would lend support to providing additional accommodation to meet their needs in this area.
2419				Astley	3. Homes for Our Communities	3g. Gypsies & Travellers - Sites	HC4	HO29	a)		I believe that the land known as the former Goscote Copper Works is far more beneficial for affordable housing. To put a gypsy site in with social housing will not work as there will be total disharmony amongst the residents causing friction. This is a big plot of land that will house a lot of people, everyone is aware of how many people are going to need houses in the future. Planners should take a long term view, not a short step solution for a gypsy site.	Omit traveller site allocation	No Change Proposed. Site HO29 is no longer proposed to include a traveller site, unless Dolphin Close is not developable. However, there is a long term need for traveller sites: permanent sites are intended to provide a stable base for residents and address the anti-social behaviour that is associated with unauthorised temporary encampments. Any development of the site for conventional housing would be required to include affordable housing in accordance with SAD policy HC3 and BCCS Policy HOU3.

Chapter 4: Providing for Industrial Jobs and Prosperity													
Unique Ref - Respondent	Unique Ref - Other (where Respondent is Agent)	Respondent Organisation	Agent	Last Name	Topic	Sub-Topic	Policy Reference	Site Reference	Section Reference	Supports the Plan - Provide Summary	Objects to the Plan - Provide Summary	Proposed Modifications	Council Final Response
2658		Environment Agency		Ross	4. Providing for Industrial Jobs and Prosperity	4a. Industry - General	IND2 and IND5				Although there are a quite a few sites at least partially within the floodplain, for purposes of flood risk, it is only relevant to look at the 'Potential High Quality Industry' and the 'New Employment Opportunities' sites [i.e. the sites identified in Policies IND2 and IND5].	See comments on specific industrial sites.	Changes Proposed See individual sites below and in "Proposed Modifications" document
2121		St Francis Group		Kelly	4. Providing for Industrial Jobs and Prosperity	4c. Potential High Quality Sites	IND2	IN105		IN105: Parallel 9-10 - support high quality industry allocation.			No Change Proposed Welcome Support.
2242		CKC Properties	Simply Planning	Thornton	4. Providing for Industrial Jobs and Prosperity	4c. Potential High Quality Sites	IND2	IN52.2			Site IN52.2 [Walsall Enterprise Park West] remains undeveloped having had favourable allocation for many years. It is poorly related to the existing estate, has poor accessibility to the highway network and is constrained by several easements relating to high voltage electricity cables and main gas lines. These constraints mean it is not viable for employment development, so there is no merit in retaining its allocation. Evidence has shown it to be incapable of being developed for high quality industry. The fact that Majestic Aluminium Finishing Ltd has submitted representations to develop the site should be of little consequence. Their claims of capacity of employment floorspace that can be delivered at this location are unsubstantiated and have no regard to the site's known constraints. The Council's stance to take what Majestic Aluminium has said as a true reflection of the site is deeply flawed, and the allocation has been upheld on an unsound evidence base.	There is no merit in retaining the Potential High Quality Industry designation on this site.	No Change Proposed. Site IN52.2 scores well for industry in the 2016 Walsall Employment Land Review (ELR), both in itself (see ELR p55 and Annex C5 p110) as well as comparatively (p25). The objector has provided no evidence to substantiate the case that the site is undevelopable for industry or that it has been marketed actively. The constraints referred to would affect any development, and while the objector has stated that Potential High Quality Industry designation has no merit, they have not identified any other suitable alternative land uses for the site. As the objector has noted, the site has attracted interest from potential industrial occupiers, indicating that an industrial development is potentially deliverable. Indeed, the separate representations from Majestic Aluminium (2350) and the Director of Midland Toiletries (3562) confirm that there is a demand for industrial development in this location.

2350		Majestic Aluminium Finishing Ltd		Khan	4. Providing for Industrial Jobs and Prosperity	4c. Potential High Quality Sites	IND2	IN52.2		Strongly support the allocation for industrial development in the SAD. Majestic Aluminium has been trying to acquire this site since July 2014, and this is the preferred site for our business expansion. It would involve the creation of 40 jobs and is also close to our existing workforce, whom can get there on foot, by bike, by bus or by car. We have reviewed the submission by Simply Planning to the Preferred option consultation in 2015 on behalf of the owner. They say they were not aware that there has been any interest to develop the site for industry, but we have been negotiating with the owner to acquire the site over a long period, as is demonstrated in correspondence [copies attached to email as separate documents]. They also state that the site has a poor relationship with the rest of the Walsall Enterprise Park, but the site has always been an integral part of it with a highway access via Regal Drive on the Enterprise Park. It is our understanding that part of the highway serving the site is in a different ownership, but we will negotiate with the owner to use this. They say that the site has poor accessibility due to third party ownership and a ransom strip, but we have looked at the land ownership record for this site and can find no evidence of this. They also say that the site constraints mean that it is not viable for economic development because the utilities would need to be diverted. But our sketch [attached] shows that there is no need to divert the utilities, and also that there would be no need to use the entry through the residential area (except for emergencies). Our proposal also meets the council's car parking standards. We went through the pre-application process (application ref: 14/0110/PREAPP) with the Council in 2014 and took their advice in relation to dealing with the site constraints and what else we also needed to do make our proposal acceptable to them. We can provide the Council's letter that contained their advice if required. We think in view of this, the site should continue to be reserved for industry.			No Change Proposed. Welcome Support.
2658		Environment Agency		Ross	4. Providing for Industrial Jobs and Prosperity	4c. Potential High Quality Sites	IND2	IN54.1, IN54.2, IN54.3, IN84, IN92, IN105, IN109, IN110, IN205		Occupied Sites IN54.1, IN54.2 and IN54.3 [Bescot Crescent] and IN92 [Aspect 2000], and Vacant Sites IN84 [Central Point], IN105 [Parallel 9-10], IN109 [Box Pool], IN110 [James Bridge Gasholders], IN205 [Bentley Mill Way East] are adjacent to the River Tame/Ford Brook and an 8 metre easement will be required.	Consider whether specific requirements for FRA/ mitigation of flood risk, including requirement for 8 metre easement from River Tame/ Ford Brook corridors, should be added to the policy for these sites.	Changes Proposed Reference to flood risk and requirement for easement for these sites added to table of sites in SAD (OMSAD12)	
2597		Parkhill Estates		Ferguson	4. Providing for Industrial Jobs and Prosperity	4c. Potential High Quality Sites	IND2	IN58		Support and welcome allocation.		No Change Proposed. Welcome Support.	



2658		Environment Agency		Ross	4. Providing for Industrial Jobs and Prosperity	4c. Potential High Quality Sites	IND2	IN78.2, IN78.3			Sites IN78.2 [N of Westacre] and IN78.3 [Midacre & Rosehill] are located on the line of the Tame Tunnel (main river). There should be a no build zone above the culvert and a 10 metre easement from the centreline of the culvert.	Consider whether specific requirements for FRA/ mitigation of flood risk, including requirement for 'no build zone' above Tame Tunnel culvert and 10 metre easement from centre line of culvert, should be added to the policy for this site.	Changes Proposed Reference to flood risk and requirement for easement for these sites added to table of sites in SAD (OMSAD12)
2658		Environment Agency		Ross	4. Providing for Industrial Jobs and Prosperity	4c. Potential High Quality Sites	IND2	IN88			Site IN88 [Holland Industrial Park] is adjacent to the Darlaston Brook (and River Tame) and an 8 metre easement will be required from top of bank.	Consider whether specific requirements for FRA/ mitigation of flood risk, including requirement for 8 metre easement from top of bank, should be added to the policy for this site.	Changes Proposed Reference to flood risk and requirement for easement for this site added to table of sites in SAD (OMSAD12)
2658		Environment Agency		Ross	4. Providing for Industrial Jobs and Prosperity	4c. Potential High Quality Sites	IND2	IN93.2			Site IN93.2 [Access 10 East] is located in Flood Zones 2 and 3 which should be included as a constraint. It is also adjacent to the River Tame and an 8 metre easement will be required.	Consider whether specific requirements for FRA/ mitigation of flood risk, including requirement for 8 metre easement, should be added to the policy for this site.	Changes Proposed Reference to flood risk and requirement for easement for this site added to table of sites in SAD (OMSAD12)
2121		St Francis Group		Kelly	4. Providing for Industrial Jobs and Prosperity	4c. Potential High Quality Sites	IND2	IN98.2			IN98.2: Former Railway Tavern - due to the position of this site and changes in the context of the area particularly in relation to the new highway infrastructure the use classes permitted/allocated should extend to A1, A3, A4, A5 and sui generis roadside facilities as well as industry.	Extend allocation to allow for compatible road side uses to serve the surrounding commercial development , A1, A3, A4, A5 and sui generis roadside uses	No Change Proposed in response to this representation, but flood risk is to be added as a constraint in response to the EA comments. (OMSAD12)  The evidence from the 2016 Walsall Employment Land Review (ELR) shows that site IN98.2 scores well for industry, and will be even more competitive with the completion of the DSDA Access Project (see ELR 2016 page 75 and Annex C5 page 111). The objector has not supplied any evidence to substantiate the case that the site should be allocated for alternative uses, how they perform against the sequential approach towards 'town centre' land uses, and whether they would have an adverse effect on centres.  Flood risk is to be added as a constraint for this site (see EA comments - rep 2658). Most of the uses proposed in representation 2121 are "less vulnerable" uses so this would not be a reason to oppose them. However, the EA comments mean that part of the site may not be developable for any use because of the need to provide an easement for the river.
2658		Environment Agency		Ross	4. Providing for Industrial Jobs and Prosperity	4c. Potential High Quality Sites	IND2	IN98.2			Site IN98.2 [Former Railway Tavern] is in Flood Zone 3 and should be included as a constraint. We would expect to see an easement ideally of 8 metres. There are significant constraints and one solution could be to combine this site with IN98.1 (Cemetery Road) and the majority left as open space.	Flood risk should be identified as a Constraint on this site, as part of the site is within Flood Zone 3 - as this is a significant constraint, should also consider whether specific requirement for FRA/ mitigation of flood risk, including 8 metre easement, should be added to the policy. This is a significant constraint that will restrict the area of developable land, so should also consider whether it should be combined with IN98.1, allowing this site to be left as open space.	Changes Proposed. Proposed Modification to Policy IND2, Site IN98.1: Former Railway Tavern - add flood risk (F3) to 'Notes, Assets and Constraints.' Modification also proposed to Policy W3, Site WP11: Cemetery Road for consistency - amend 'f3' to 'F3.' (OMSAD12) However, the site cannot be combined with IN98.1 as there is an adopted and raised highway between them.

3562		Midland Toiletries		Sadique	4. Providing for Industrial Jobs and Prosperity	4c. Potential High Quality Sites	IND2		IN52.2	Site is better suited to industry than to redevelopment with housing, considering the access from Regal Drive, the current shortage of good quality units in and around Walsall and the proximity of the site to a very successful industrial development in the form of the Walsall Enterprise Park. As a company we have been seeking a larger site to expand our operations and inevitably create further jobs and contribute to the economy of Walsall, an already vibrant and internationally recognised town. Have recently contacted the vendor with a proposal to purchase a part or all of the site to allow us to continue the expansion of our business. Unfortunately to-date we have not had a response and I am disappointed that the vendor has decided to pursue residential development on a site which is clearly suited to industrial use, for which there is currently an urgent need in Walsall.			No Change Proposed. Comments noted, welcome support for designating the site for industry.
3559		Oakus Developments Limited	Town Planning Services	Green	4. Providing for Industrial Jobs and Prosperity	4c. Potential High Quality Sites	IND2		IN63	While the principle of allocating the site for development is welcomed, the terms of the allocation and corresponding policies are unnecessarily restrictive.	Objects to policy IND2 covering Tempus 10 North (IN63). Restrictive policy and site allocation is inconsistent with national planning policy guidance and fails to reflect the presumption in favour of sustainable development. A more flexible approach should be taken to the use of the land. The planning history shows that while planning permission has been granted for speculative employment proposals (which have not included industrial uses), including offices and warehousing, development has not come forward, even in economically buoyant times. The site also sits within an Enterprise Zone where a Local Development Order has promoted a simplified planning process to encourage employment development. The majority of serious enquiries have been generated from leisure operators to include public house and restaurant uses. In addition, quasi-retail users such as car showroom and trade counter operators have shown an interest in the location. The restrictive approach of discouraging non-high quality employment uses and not allowing other uses fails to reflect the NPPF paragraph 22 and makes the plan ineffective. The Walsall Employment Land Review (ELR) is based on technical evidence carried out in 2008 and 2009, which needs to be revisited and the suitability of sites reassessed. The ELR also fails to grapple with the implications of the central part of the site, which is now in leisure use. The NPPF advises that the sites should be reviewed regularly and the Council's continued reliance upon work undertaken in 2008 does not reflect this advice.	The allocation of land at Tempus Ten as high quality industrial land and the restrictive terms of Policy IND2 'Potential High Quality Industry' within the Site Allocation Document should be reviewed. The policy should make clear that where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses for land and buildings should be treated on their merits having regard to market signals and the relative need for different land uses. The suggestions in policy IND2 that uses other than high quality industrial will be discouraged and that proposals for non-industrial uses will not be permitted run entirely counter to the Government's advice and in particular the positive presumption in favour of sustainable development. The policy should similarly conform that land allocations are to be regularly reviewed.	No Change Proposed. All of the sites included in Policy IND2 have been assessed through the evidence base as being competitive locations for industrial investment, and fulfil the criteria set out in BCCS paragraph 4.7. The wording of Policy IND2 is in conformity with Black Country Core Strategy Policy EMP2 paragraph 1, which is itself in conformity with the approach towards supporting economic development in the NPPF. The sites at Tempus 10 were assessed as being Potential High Quality industry in the ELR in view of their excellent location in relation to the M6 corridor and the potential workforce (see ELR Annex C5 page 109 and the area-based section at pages 75-76), as well as in comparative terms with other development opportunities (ELR page 25). The ELR itself was carried out in 2015 and further updated as necessary in 2015/16 to accompany the Draft Publication Plan, as paragraph 1.6 explains, and this is apparent from the text. The assessment criteria were based on the GVA criteria (considered by the BCCS Inspectors to be robust), which have been modified to relate to Walsall's particular industrial structure (see the ELR Annex B). Furthermore, the paragraph 4.5 of the ELR explains that following NPPF paragraph 22, it has assessed sites as to whether there is a reasonable chance of industrial development and has proposed the reallocation of poorly performing ones (see table on pages 25-26 and Annex C8). The objector has not provided any evidence to substantiate his implicit view, either in site-specific terms or comparatively, that the sites have no reasonable chance of employment development, and no evidence to justify development of leisure uses or other 'town centre' uses on these sites.

3559		Oakus Development s Limited	Town Planning Services	Green	4. Providing for Industrial Jobs and Prosperity	4c. Potential High Quality Sites	IND2		IN64	While the principle of allocating the site for development is welcomed, the terms of the allocation and corresponding policies are unnecessarily restrictive.	Objects to policy IND2 covering Tempus 10 South (IN64). Restrictive policy and site allocation is inconsistent with national planning policy guidance and fails to reflect the presumption in favour of sustainable development. A more flexible approach should be taken to the use of the land. The planning history shows that while planning permission has been granted for speculative employment proposals (which have not included industrial uses), including offices and warehousing, development has not come forward, even in economically buoyant times. The site also sits within an Enterprise Zone where a Local Development Order has promoted a simplified planning process to encourage employment development. The majority of serious enquiries have been generated from leisure operators to include public house and restaurant uses. In addition, quasi-retail users such as car showroom and trade counter operators have shown an interest in the location. The restrictive approach of discouraging non-high quality employment uses and not allowing other uses fails to reflect the NPPF paragraph 22 and makes the plan ineffective. The Walsall Employment Land Review (ELR) is based on technical evidence carried out in 2008 and 2009, which needs to be revisited and the suitability of sites reassessed. The ELR also fails to grapple with the implications of the central part of the site, which is now in leisure use. The NPPF advises that the sites should be reviewed regularly and the Council's continued reliance upon work undertaken in 2008 does not reflect this advice.	The allocation of land at Tempus Ten as high quality industrial land and the restrictive terms of Policy IND2 'Potential High Quality Industry' within the Site Allocation Document should be reviewed. The policy should make clear that where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses for land and buildings should be treated on their merits having regard to market signals and the relative need for different land uses. The suggestions in policy IND2 that uses other than high quality industrial will be discouraged and that proposals for non-industrial uses will not be permitted run entirely counter to the Government's advice and in particular the positive presumption in favour of sustainable development. The policy should similarly conform that land allocations are to be regularly reviewed.	No Change Proposed. All of the sites included in Policy IND2 have been assessed through the evidence base as being competitive locations for industrial investment, and fulfil the criteria set out in BCCS paragraph 4.7. The wording of Policy IND2 is in conformity with Black Country Core Strategy Policy EMP2 paragraph 1, which is itself in conformity with the approach towards supporting economic development in the NPPF. The sites at Tempus 10 were assessed as being Potential High Quality industry in the ELR in view of their excellent location in relation to the M6 corridor and the potential workforce (see ELR Annex C5 page 109 and the area-based section at pages 75-76), as well as in comparative terms with other development opportunities (ELR page 25). The ELR itself was carried out in 2015 and further updated as necessary in 2015/16 to accompany the Draft Publication Plan, as paragraph 1.6 explains, and this is apparent from the text. The assessment criteria were based on the GVA criteria (considered by the BCCS Inspectors to be robust), which have been modified to relate to Walsall's particular industrial structure (see the ELR Annex B). Furthermore, the paragraph 4.5 of the ELR explains that following NPPF paragraph 22, it has assessed sites as to whether there is a reasonable chance of industrial development and has proposed the reallocation of poorly performing ones (see table on pages 25-26 and Annex C8). The objector has not provided any evidence to substantiate his implicit view, either in site-specific terms or comparatively, that the sites have no reasonable chance of employment development, and no evidence to justify development of leisure uses or other 'town centre' uses on these sites.
2242		CKC Properties	Simply Planning	Thornton	4. Providing for Industrial Jobs and Prosperity	4c. Potential High Quality Sites	IND2			It was, and remains, our view that the proposed wording of Policy IND2 is far too prescriptive. The NPPF is clear that LPAs should not hold on to long-term allocations where there is no realistic prospect of a site being developed for such a purpose. The approach is also contrary to the NPPF presumption in favour of sustainable development. A blanket approach to protecting all Potential High Quality employment land, regardless of whether there is little or no prospect of such sites ever being developed is an illogical and unsustainable approach. It is not unreasonable to assume that certain employment land will have to be released where market forces dictate.	No specific changes sought, but it is implicit that the respondent would like Policy IND2 to be modified so that it is more flexible and will allow vacant employment land to be released for other uses where market forces dictate.	No Change Proposed. The wording of Policy IND2 is in conformity with Black Country Core Strategy Policy EMP2 paragraph 1, which is itself in conformity with the approach towards supporting economic development in the NPPF. While the respondent has not stated exactly how the policy should be modified, it is implicit from their comments that they would like it to be worded so as to allow vacant Potential High Quality Industry sites to be released for other uses where 'market forces dictate.' However, such a modification would be contrary to the Black Country Core Strategy requirement for Walsall to provide a minimum reservoir of employment land, including land within the High Quality category (BCCS Policies EMP1 and EMP2).	
2658		Environment Agency		Ross	4. Providing for Industrial Jobs and Prosperity	4c. Potential High Quality Sites	IND5	IN333		Site IN333 [Former Willenhall Sewage Works] may have floodplain constraints in relation to the scope/size of the developable area so if the site is to be taken forward, early consultation would be recommended in order to factor this into the design.	If the site is to be taken forward, early consultation would be recommended in order to factor potential flood risk/ flood mitigation measures into the design.	Change Proposed Modification proposed (MMSAD13) to emphasise the value and importance of early engagement with the Environment Agency for proposals relating to IN333.	
2121		St Francis Group		Kelly	4. Providing for Industrial Jobs and Prosperity	4d. Retained Local Quality Sites - Occupied	IND3	IN54.4		IN54.4: Bescot Triangle South - no objection on the assumption that retained local quality industry would incorporate Use Classes B1c, d, B2, B8.		No Change Proposed. Welcome support in principle. Assuming that the reference to "Use Classes B1c, d, B2, B8" means Use Classes B1 (b), B1 (c), B2 or B8, no modifications are required as the SAD policy supports Black Country Core Strategy Policy EMP3, which permits development falling within these Use Classes on Retained Local Quality Industry sites. However, it is unlikely that a more intensive industrial use would be viable on this site in practice, due to the access constraints and potential ground condition problems (see Walsall SAD, CIL Viability & Deliverability Study (2015), DTZ).	

1308		Phoenix Consortium		Griffiths	4. Providing for Industrial Jobs and Prosperity	4d. Retained Local Quality Sites - Occupied	IND3	IN9.9			Phoenix Consortium owns land and buildings at Northgate, Aldridge [site boundary indicated on plan and aerial photograph provided]. The Consortium maintains its previous objection to the allocation of this land as Local Quality industry (part of Site IN9.9). The proximity of housing, school playing fields and other non-industrial uses to the southern, western and eastern uses will limit a potential range of uses. A more appropriate designation would be Consider for Release as this would allow greater flexibility.	Phoenix Consortium site at Northgate, Aldridge should be allocated as Consider for Release under Policy IND4.	No Change Proposed. This site (part of IN9.9) was assessed as being suitable for Local Quality industry in the 2016 Walsall Employment Land Review (ELR) and forms part of a critical mass of industry in the area (see ELR P105). The objector has provided no evidence that the site is unsuitable for, and unattractive to, industry. The objector's site, if released for housing, would fragment this critical mass, leaving an isolated pocket on Morford Road.
2131		Ashtenne Industrial Fund	McGough Planning Consultants	McGough	4. Providing for Industrial Jobs and Prosperity	4d. Retained Local Quality Sites - Occupied	IND3	IND5.3			Ashtenne Industrial Fund (AIF) objects to the allocation of Brownhills Business Park as an industrial site. The case for redevelopment with housing, made in the previous planning application and subsequent appeal, was based on evidence that the units on the estate were coming to the end of their useful lives and were increasingly costly to repair, that redevelopment for industrial use was not viable, that there was a good supply of alternative, better quality and better located industrial land and premises, nearby, that the redevelopment of the industrial estate for residential purposes could be achieved without any detrimental impact on the other adjacent industrial units, and that the masterplan submitted would result in a good quality residential environment. AIF management at that time chose not to take up their opportunity to re-run the appeal. Their decision was informed by perhaps the worst market for housing land in Brownhills, which was still in recession. Also, there was no interest from the residential building industry. It is the view of AIF that the authors of the 2016 ELR are more concerned about the recent planning applications for residential redevelopment than giving proper consideration as to how well the estate performs. The estate is in decline despite AIF's efforts to make it work. There is no reasonable prospect of the site being used for the allocated employment use. The Council's continued allocation of Brownhills Business Park as a local employment allocation is inconsistent with NPPF paragraph 22 and therefore with national policy. As the allocation is unjustified and inconsistent with national policy it is hard to see how it would be effective or positively prepared.	Allocation in IND5.3 should be deleted or Policy IND3 should be amended to allow for non-employment uses where it can be demonstrated that continued employment use is not viable.	No Change Proposed. This remains a well-occupied local quality industrial site, part of a critical mass of industry in the area and scores well according to the 2016 Walsall Employment Land Review (ELR), both in itself (see ELR page 32 & Annex C3 page 105) and comparatively (page 21). The objector has not provided any evidence that the site is unviable or failing. Indeed the Ashtenne website refers to its excellent location and excellent links to the motorway network. The 2016 SHLAA update also confirms that there is a plentiful supply of housing land in the area.

3540		Acornford (Kensington) Limited	Bell Cornwell	Kemp	4. Providing for Industrial Jobs and Prosperity	4d. Retained Local Quality Sites - Occupied	IND3	IND69.4			The plan allocates too much industrial land to meet the BCCS minimum requirement for Local Quality Employment provision. A broad brush assessment of employment land has been undertaken by the Council, and a closer assessment of our client's site at Jubilee Works, Clarkes Lane and Charles Street, Willenhall [part of Site IN69.4: Ashmore Lake East] would demonstrate numerous problems associated with the land and buildings, which mean that it has very little prospect of it contributing to the provision of Local Quality employment sites. The plan is unsound because a rigorous assessment has not been carried out for this site, and because alternatives have not been explored, either (a) to release further sites to reduce overprovision of Local Quality employment land, and (b) to work proactively with the landowner to ensure there is a viable allocation. In providing in excess of the BCCS target and inflexibly protecting a predominantly vacant site of poor quality with little prospect of industrial use, the plan cannot be considered effective and thus sound. The SAD is not consistent with the NPPF because it safeguards more sites than is necessary, failing to respond to the BCCS's 'requirement to contract' the level of premises for this sector, and is inflexible compared with para 21 of the NPPF. It is also contrary to paragraph 22 of the NPPF in that it seeks to enforce the protection of a site where there is little or no prospect of that site being used for industry.	Remove Site IN69.4 from Policy IND3 (Retained Local Quality Industry) and move to Policy IND4 (Consider for Release Industrial Sites).	No Change Proposed. The 2016 Walsall Employment Land Review (ELR) shows that there is actually a need to provide more employment land to cope with demand (see Chapters 3 & 4). The BCCS Local Quality Employment Land requirement is a minimum. Far from being 'broad-brush', The ELR assesses site IN69.4 on its own (see ELR Annex C3 p106) as well as comparatively (p21) and it scores reasonably well. The objector has supplied no evidence (for example marketing) to show that the site is unattractive for development or redevelopment either in itself or comparatively, and that there has been no interest. SAD Policy IND3 is consistent with BCCS policy EMP2 paragraph 1 and the BCCS is in conformity with the NPPF. The NPPF states that authorities should plan to meet the development needs of business. There is a need to provide enough land to meet business needs; reducing the employment land supply based on an incorrect view of the BCCS to the arbitrary level of 5% above the BCCS minimum target quoted by the objector would be in conflict with the NPPF paragraph 18 & 19, and cause severe job losses in a disadvantaged area. As to paragraph NPPF 22, the ELR has gone through the process of identifying those sites where there is no reasonable prospect of employment use and has identified alternatives - see ELR p19 paragraph 4.5, the table on pp25/26 and the site appraisal in Annex C8 p115.  It is understood that the representation is on behalf of the owner of only part of the site, the former Ductile Stourbridge Cold Mill, now owned by the administrators of Caparo. The site also includes Autobits, a long-established vehicle breaker, and Rainbow Business Park, occupied by Powertrain: these companies are in separate ownership and have not submitted a representation.
2121		St Francis Group		Kelly	4. Providing for Industrial Jobs and Prosperity	4e. Retained Local Quality Sites – Vacant	IND2	IN12.8		IN12.8: Former McKechnie's Site - support High Quality Industry allocation.		No Change Proposed. Welcome Support.	
2121		St Francis Group		Kelly	4. Providing for Industrial Jobs and Prosperity	4e. Retained Local Quality Sites – Vacant	IND2	IN98.1		IN98.1: Cemetery Road - support allocation.		No Change Proposed. Welcome support.	
2121		St Francis Group		Kelly	4. Providing for Industrial Jobs and Prosperity	4e. Retained Local Quality Sites – Vacant	IND3	IN328		IN328: Former Deeley's Castings Site - This site has a resolution to grant permission for residential development (101 dwellings) and the S106/negotiations are currently underway with the local authority. To zone it for commercial and state that 'proposals for' non industrial will not be permitted is illogical and incorrect. The residential consent access also forms the second element of the residential development to the North, Water Reed Grove.	Allocate site IN328 for residential development.	No Change Proposed. The site is designated as Local Quality Industry as the evidence from the 2016 Walsall Employment Land Review (ELR) shows that Site IN98.2 scores well for industry (see ELR page 47 & Annex C5 page 109). The demand for industrial land in this location is demonstrated by the current (albeit unauthorised) use of part of the site as overspill parking for British Car Auctions. The site has a Committee resolution to grant permission for housing subject to a S106 Agreement, but this has still not been progressed since the Committee resolution in 2008.	

2121		St Francis Group		Kelly	4. Providing for Industrial Jobs and Prosperity	4f. Consider for Release Sites	IND4	IN16			IN16: Goscote Lane Industrial Estate - the site in question is currently identified for 'Local industrial consider for release' with the potential alternative of housing. We believe strongly that the use should be clearly stated for residential rather than caveated to be zoned as employment / local industry subject to stock levels falling below BCCS policy EMP3. This site is not suitable for such local industry uses. Pre-application has taken place with Walsall Metropolitan Borough Council which has confirmed the preference and suitability of residential development for this site and it forms a part of the proposed regeneration of the area as a whole with the canal side and Green Belt outlook.	Site IN16 should be allocated for housing instead of Consider for Release Industry.	No Change Proposed. The site is occupied. Identification as a 'Consider for Release' site in SAD Policy IND4 is consistent with the approach in Black Country Core Strategy Policy DEL2, which is that occupied industrial sites should not be released for housing until such time as they are not needed for industry.
3540		Acornford (Kensington) Limited	Bell Cornwell	Kemp	4. Providing for Industrial Jobs and Prosperity	4f. Consider for Release Sites	IND4	IND69.4			Object strongly that the site is not allocated as a Consider for Release under policy IND4, and object to the policy itself. Policy IND4 is also flawed because it only appears to look at alternative uses for housing, with the exception of the Highgate Brewery. The same approach should be given to Site IN69.4. But Policy IND4 restricts appears to restrict release of industrial sites to housing. Local Quality employment land exceeds the target by 15%, it would have been more appropriate to reduce the buffer by 5% given the likely downward trend in the need for this type of land. By exceeding the target it is putting off other opportunities for growth into another plan period. This fails to meet economic growth aspirations of the NPPF. Policy IND4 is unjustified as only considering housing as an alternative use.	Remove Site IN69.4 from Policy IND3 (Retained Local Quality Industry) and move to Policy IND4 (Consider for Release Industrial Sites). Amend second paragraph of Policy IND4 to read, "redevelopment for housing or for other employment generating uses will be acceptable in principle .. " Include Site IN69.4 within the table below the main policy text under (b) vacant sites to be considered for release " with the potential alternative use outlined as mixed use.	No Change Proposed. The objector has not provided any evidence to substantiate their case that the site is unattractive to industry or why retailing/mixed use should be allocated. Nor, for reasons set out above, is there a need for an immediate review of the SAD following adoption of the BCCS Review.  SAD Policy IND4, read as a whole, would already allow development for uses other than housing. Notably, the third paragraph refers to redevelopment for town centre uses where local need is demonstrated.
1820		Catalyst Capital	Savills	Burrow	4. Providing for Industrial Jobs and Prosperity	4g. Proposed New Employment Opportunity Sites	IND5	IN122	4.6		Concerned about the amenity implications resulting from the close proximity of the proposed employment allocation IN122 to existing residential properties and the proposed residential site HO303. The wording of IND5 makes reference to the need to comply with the BCCS policy EMP2 and UDP saved policy JP8. Policy IND5 therefore does not include provisions which seek to ensure that residential amenity is safeguarded on adjacent sites in relation to other types of employment uses. The policy wording should clearly state that new employment proposals should demonstrate that they would not adversely affect the amenity of nearby residents and/or prejudice the ability of nearby housing allocations to come forward for development and should include appropriate boundary planting and other mitigation measures where necessary. Alternatively the Council may wish to consider whether residential development would be appropriate on all or some of IN122.	Insert the following wording after "proposals for non industrial uses will be discouraged": <i>Proposals should respect the amenity of neighbouring uses and include appropriate mitigation where necessary.</i>	Change Proposed. The BCCS and the latest evidence in the ELR highlight the need to give priority to the provision of more high quality land for industry. Moxley Tip has the potential to make a major contribution to the supply of this land because of its close proximity to the Black Country Route.  It is accepted that saved UDP Policy JP8 (a) would only address the location of "bad neighbour" industrial uses. These are not necessarily the type of use that would be proposed for Moxley Tip and may not fall within the definition of "high quality" industrial uses that would be acceptable on this site. However, the potential impact on adjoining residential development (both existing and proposed) of other types of industrial development would still be addressed by UDP Policy ENV10.  A modification is proposed to the boundary of site HO303 to exclude the SINC from the area of residential development. The SINC lies close to the boundary with IN122. This exclusion and the provision of leisure and recreation on part of site IN122 (although the precise location of this provision is to be defined) would further lessen any potential impact from industry on housing. (MMSAD4)
2597		Parkhill Estates		Ferguson	4. Providing for Industrial Jobs and Prosperity	4g. Proposed New Employment Opportunity Sites	IND5	IN341		Proposals relating to the Moxley and Hughes Road sites are currently being drafted as part of a single package to deal with necessary remediation issues.		No Change Proposed. Comments regarding proposals for remediation noted.	

2597		Parkhill Estates		Ferguson	4. Providing for Industrial Jobs and Prosperity	4h. New Employment Opportunities - Omissions	IND5	IN122		<p>Welcome former Moxley Tip allocation for industrial development. No existing high quality land is vacant and there is need to seek further allocations. Proposals relating to the Moxley and Hughes Road sites are currently being drafted as part of a single package to deal with necessary remediation issues.</p>	<p>Contrary to what is stated in the policy, the site is not constrained by a canal, a SLINC or a Public Right of Way - all of which occur adjacent to or near the site but not on it. The second point of concern relates to the rider requiring proposals will be expected to provide an element of leisure and recreation. This is contradictory and unnecessary. The net result would be to provide a much smaller site which would threaten the viability of establishing the site in the first place and introduce ongoing costs, undermining the whole logic of the policy. There is scope for the imposition of planning conditions to provide buffer zones on the site periphery and landscaping on and around the site sufficient to meet any local need for open space without threatening the viability of the scheme. Retention of the open space requirement will not assist the council in making progress towards the Core Strategy target of 317ha of high quality employment land.</p>	<p>1. Correct the 'constraints' listed against Site IN122 to reflect the fact that none of those constraints are within the site.</p> <p>2. Retain the Policy in so far as it identifies Sites IN122 and IN342 as Potential New Employment Sites, but delete the requirement for proposals on this site to provide an element of leisure and recreation</p>	<p>Change Proposed.</p> <p>A slight amendment to the north west boundary of the site is proposed to exclude the area of the site within the SINC (MMSAD13).</p> <p>The canal and SLINC include the towpath along the western side of the site whilst there is a public footpath along the eastern side. The extent of earthworks that are likely to be required as part of any redevelopment of the site means that these assets would be directly affected even if they remain afterwards.</p> <p>The need to provide additional high quality employment is recognised and is evident from the industrial allocation having been proposed. However, there is a demonstrable shortfall of open space in the area, and this is reflected in high levels of obesity and low life expectancy rates. Almost the entire site is currently allocated as proposed open space in the UDP. However, the principle of industrial development on which the proposed allocation is made was established through a lapsed planning approval that required the provision of on-site open space. If the applicant were to provide evidence demonstrating the requirement for open space is either now unnecessary, or would have viability implications sufficient enough to render the site unviable, this would be taken into account and the allocation / policy amended accordingly.</p> <p>A planning application for residential development on part of site IN122 has been submitted (as reserved matters to an earlier permission). The applicants are being encouraged to withdraw this application to avoid potential conflict with the employment land proposals.</p>
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**Chapter 5: Strengthening Our Local Centres**

Unique Ref - Respondent	Unique Ref - Other (where Respondent is Agent)	Respondent Organisation	Agent	Last Name	Topic	Sub-Topic	Policy Reference	Site Reference	Section Reference	Supports the Plan - Provide Summary	Objects to the Plan - Provide Summary	Proposed Modifications	Council Final Response
2301		Gallagher Estates	Pegasus Planning	Cox	5. Strengthening Our Local Centres	5a. Local Centres - General	SLC1				While this policy is generally supported, it should not preclude the delivery of additional Local Centres to provide day-to-day convenience shopping and service needs within new communities. The Indicative Development Framework Plan for Sandhills (included in a separate Background Document) identifies the inclusion of a new mixed-use local centre as part of the scheme. This is part of the provision of a mix of uses which would cater for the everyday needs of new residents including work, education, leisure and recreational activities whilst respecting and assisting in the regeneration of other centres within the Borough.	Policy should not preclude the delivery of additional Local Centres to provide day-to-day convenience shopping and service needs within new communities.	No Change Proposed. Policy SLC1 only identifies the network of existing local centres in Walsall so would not be directly relevant to any new local centres. Any proposals for new local centres would need to be justified in accordance with BCCS Policies CEN6 and/or CEN7, and 'saved' UDP Policies S6 and/or S7.



Chapter 6: Open Space, Leisure and Community Facilities													
Unique Ref - Respondent	Unique Ref - Other (where Respondent is Agent)	Respondent Organisation	Agent	Last Name	Topic	Sub-Topic	Policy Reference	Site Reference	Section Reference	Supports the Plan - Provide Summary	Objects to the Plan - Provide Summary	Proposed Modifications	Council Final Response
2301		Gallagher Estates	Pegasus Planning	Cox	6. Open Space, Leisure and Community Facilities	6g. Greenways	LC5				Gallagher Estates is generally supportive of Policy OS1. and LCS However, it should be noted that developers of sites which include or adjoin parts of the Greenway network should only be expected to fund the construction or enhancement of these where this is consistent with the CIL Regulations. The Indicative Development Framework Plan for Sandhills (included in a separate Background Document) identifies the inclusion of a canalside park running in parallel to the canal. This not only provides an opportunity to enhance the existing protected Greenway but also to provide both new and existing residents access to substantial areas of open space and the countryside beyond.		No Change Proposed. Policy LC5 already states that contributions should comply with the CIL Regulations
1460		Sport England		Sharples	6. Open Space, Leisure and Community Facilities	6b. Sports and Recreation - General			6.5	Sport England is pleased to see its comments on the previous version of the Walsall Site Allocation Document Preferred Options – September 2015 regarding the need for evidence to support new sports facilities. As you are aware Sport England is currently working with Walsall MBC in producing a new playing pitch strategy and has provided funding towards the leisure centres at Bloxwich and Oak Park. Sport England believe it important to continue to work close with the authority to ensure that any new facilities should be planned, and improvements prioritised where they are shown to be needed, through a robust assessment. Sport England also welcomes the recognition that the private sector can have in providing gyms and health clubs.		No Change Proposed. Welcome Support.	

1673		Walsall Group of the Ramblers		Turton	6. Open Space, Leisure and Community Facilities	6b. Sports and Recreation - General				Walsall Group of the Ramblers generally find the responses we have received to our representations to the Site Allocation Document and other documentation to be consistent with the wider policies of the Ramblers organisation regarding the preservation of the national footpath network and also our aims to support measures that help retain the countryside and open spaces. Our concerns were based on the continual need to utilise more land within Walsall borough for industrial and residential requirements whilst risking the loss of existing Rights of Way and other opportunities allowing local residents to walk/exercise. This would initially appear to contradict the aims within the borough to encourage healthy lifestyles and reduce dependencies on local health suppliers. In the very urban borough of Walsall our footpaths/Rights of Way provide options for those not wishing to remain healthy by using the more constrained atmospheres with leisure centres/gymnasiums, etc. but who would sooner take regular excises by walking either in their free time or as a means of getting to work or to local amenities. We felt that these opportunities would be impacted during the Planning Period and that once lost they would not be re-instated. However, we feel somewhat relieved that many of our issues regarding several sites throughout the borough have been addressed by the planning process.			No Change Proposed. Welcome Support.
334		Dalriada Trustees (Caparo Pension Scheme)	Harris Lamb	Alcock	6. Open Space, Leisure and Community Facilities	6e. Proposed Open Space, Sports and Recreation Allocations	OS1	HO319, 8009		Object to land immediately to the north west of the former Caparo Works (site HO181) being designated as open space. This land should be allocated for future development. The former golf course ceased over 10 years ago and there is an opportunity for the site to form part of a larger allocation with site HO181. As part of any future development there will be an opportunity for on-site open space to be provided and/or a financial contribution to be made to improve Reedswood Park	Land to the north west of HO181 should not be designated under Policy OS1. This area should be allocated for future development under Policy HC1	No Change Proposed. The ground conditions under the former golf course, relating to its previous use as part of the power station, mean that it is not certain that this area is suitable for residential development. It is therefore proposed to carry forward the existing open space allocation in the UDP.	
1820		Catalyst Capital	Savills	Burrow	6. Open Space, Leisure and Community Facilities	6g. Greenways	LC5		6.3	Object to wording of part (c) of policy LC5 on the grounds that it is not sufficiently flexible to be justifiable and effective in its current form. In common with other types of off and on site infrastructure requests, this should be subject to viability testing.	Add "subject to viability", to first sentence of policy LC5 c).	No Change Proposed. Proposed SAD Policy LC5 is identical to the existing UDP Policy LC5 except for the addition of a reference to the CIL regulations, to ensure account is taken of restrictions on pooling of section 106 contributions. CIL charges take account of viability when they are set. Adding an explicit reference to viability in for section 106 agreements in policy LC5 would duplicate national policy so is unnecessary.	
2275		West Midlands ITA		Davies	6. Open Space, Leisure and Community Facilities	6g. Greenways	LC5			Support, but reference should be made to the canal network and metropolitan cycle network	Reference should also be made to the canal network and the metropolitan cycle network	Change Proposed. Proposed Modification to Policy LC5 - add references to the canal network and the metropolitan cycle network. (MMSAD17)	

2301		Gallagher Estates	Pegasus Planning	Cox	6. Open Space, Leisure and Community Facilities	6g. Greenways	LC5				Gallagher Estates is generally supportive of Policy LC5. However, it should be noted that developers of sites which include or adjoin parts of the Greenway network should only be expected to fund the construction or enhancement of these where this is consistent with the CIL Regulations. The Indicative Development Framework Plan for Sandhills (included in a separate Background Document) identifies the inclusion of a canalside park running in parallel to the canal. This not only provides an opportunity to enhance the existing protected Greenway but also to provide both new and existing residents access to substantial areas of open space and the countryside beyond.	Include the following wording after the first sentence of paragraph c) of Policy LC5 to ensure consistency with national policy and with the wording contained within draft SAD Policy ENV4: "This approach will be applied in accordance with the Community Infrastructure Levy Regulations 2010 (as amended) and/or other relevant legislation or policy."	No Change Proposed. Draft Policy LC5 already states that contributions should comply with the CIL Regulations
758		Friends of the Earth		Kells	6. Open Space, Leisure and Community Facilities	6k. University of Wolverhampton Walsall Campus	UW1		6.7.2		We generally support this policy. However, the notes refer particularly to the openness of the campus in relation to the Broadway. We consider all the open space to be important. In particular the aspect of the trees facing Gorway Road and the open area adjacent to Highgate Avenue. We think these should be accorded equal status. The reference to 'surplus to requirement' in the policy is not clear enough about the amenity value of those areas not facing the Broadway.	The trees facing Gorway Road and the open area adjacent to Highgate Avenue should be given equal status in the policy to the other open space within the campus. The reference to 'surplus to requirement' in the policy also requires clarification.	Change Proposed.  Policy UW1 b)iii provides protection for all trees with a TPO or those meeting the criteria for such protection, and UW1 b)ii for Open Space within the UW1 allocation. All trees and open space (Highgate Avenue is approximately 300m to the NW of the UW1 allocation boundary) beyond the allocation boundary are afforded protection under the relevant Local Plan policies and not those of SAD Policy UW1.  SAD Policy UW1 b)ii requires that proposals affecting the sites open space be assessed in accordance with SAD Policy OS1. Policy OS1 signposts to the NPPF, and also to BCCS and UDP Policies which provide criteria to consider proposals affecting open space. Also, the evidence base accompanying SAD Policy OS1 (para 6.2.3) provides a quantitative basis with which to determine whether or not open space can be considered surplus to requirements. For clarity UW1 b)ii is proposed to be changed to signpost to Policy OS1. (MMSADS19)

Chapter 7: Environmental Network													
Unique Ref - Respondent	Unique Ref - Other (where Respondent is Agent)	Respondent Organisation	Agent	Last Name	Topic	Sub-Topic	Policy Reference	Site Reference	Section Reference	Supports the Plan - Provide Summary	Objects to the Plan - Provide Summary	Proposed Modifications	Council Final Response
3555				Rutter	7. Environmental Network	7a. Environmental Network - General	GB1, EN1, EN2			Commend the document for much of the Environmental Networks section, determination to maintain the Green Belt Boundary, Nature Conservation and areas of Ancient Woodland are to be commended.			No Change Proposed. Welcome support
3555				Rutter	7. Environmental Network	7a. Environmental Network - General	GB2, EN5			The aim to prevent inappropriate development in the Green belt and the imposition of strict controls is also good to see, and I hope will be applied rigorously. The same is true of the opening section on the historic environment in which the unique asset is affirmed.			No Change Proposed. Welcome support
2301		Gallagher Estates	Pegasus Planning	Cox	7. Environmental Network	7b. Green Belt Boundary	GB1		7.2.1		Gallagher Estates do not consider it possible for Walsall Council to have had regard to the development needs of the Borough when the 'full objectively assessed need' (FOAN) for housing is yet to be established. The approach to Green Belt has been informed by development needs identified through the use of significantly out of date data that was subject to scrutiny through an Examination in Public prior to the publication of the NPPF. More recent evidence (i.e. GBSLEP joint housing study) identifies a housing need for Walsall which is far in excess of that identified in the BCCS for Walsall Borough. The BCCS and emerging SAD do not provide any scope for significantly boosting the supply of homes as the supply is largely restricted to previously developed land, which will have a finite capacity both within the plan period and beyond. Supporting information provided with this representation identifies concerns as to whether the housing sites allocated in the SAD will deliver the level of housing envisaged. A historical and current perception is that any development adjoining the outer edge of the existing built up areas within Walsall would unacceptably utilise land within the Green Belt. Contrary to the draft SAD objectives, the need for additional land in the most sustainable locations will inevitably require the use of land within the Green Belt in the short term. It is also clear, that beyond 2026, there is also a need to identify land currently within the Green Belt to be taken out and safeguarded for future development. It is considered that the release of Green Belt should be dealt with now, rather than being put off to a future Plan.	A Green Belt Review should be undertaken alongside work to establish the appropriate housing requirement within Walsall Borough. This work should be undertaken without delay and inform the production of a new Local Plan for the Borough.	No Change Proposed. The SAD confirms that there is sufficient land to meet the housing needs identified in the BCCS without the need to release sites in the Green Belt. Any review of housing need, and the possible need for additional land for housing, should be carried out through a review of the BCCS. Section 1.3 of the Publication Draft SAD states that this review will include any need to review the boundaries of the Green Belt.
1715				Carr	7. Environmental Network	7b. Green Belt Boundary	GB1			Support decision not to use Green Belt for housing, travellers or showpeople sites. Agree that it is very important that Green Belt boundaries are unaltered, nature conservation areas and open space sites that are allocated in the Green Belt are safeguarded, and the defining characteristics and functions of the green belt will continue to be safeguarded as part of the wider West Midlands Green Belt.			No Change Proposed. Welcome Support.

758		Friends of the Earth		Kells	7. Environmental Network	7c. Control of Development in Green Belt and Countryside	GB2				We generally support this policy but it does not address access to sites - many proposals in Green Belt are in locations where access is poor. There may be a lack of public transport or adequate pavement for example.	Policy should refer specifically to access to a proposed site.	Change Proposed to policy  Additional factor added to SAD Policy GB2 b) to require the accessibility of proposals in the Green Belt to be assessed along with the other criteria already listed. (MMSAD21)
774		Lichfield District Council		Baldwin	7. Environmental Network	7d. Natural Environment - General	EN1	Cannock Chase SAC ZOI	7.4.1 Map 7.3 Policies Map		The policy does not reflect the best scientific knowledge in the field and the evidence produced and accepted at Local Plan Examinations in Staffordshire, with regard to the potential impacts of development on Cannock Chase SAC and the mitigation required to prevent harm to its integrity. Policy EN1 should be amended to recognise the 15km zone of influence (ZOI) which exists around Cannock Chase Special Area of Conservation and this should be shown on the Proposals Map and Map 7.3 Environmental Network: Natural Environment. There is a considerable body of evidence prepared by Footprint Ecology which concludes that the 'in combination' impact of proposals involving a net increase of one or more dwellings within a 15 kilometre radius of the SAC will have an adverse impact upon its integrity, with a higher proportion of visitors (5/6) coming from within a 8km radius. Parts of Walsall Council area lie within 8km and therefore the 15km radius of the Cannock Chase SAC. The Local Authorities impacted by the ZOI have formed the Cannock Chase SAC Partnership, and have prepared a schedule of Strategic Access Management Mitigation Measures (SAMMM), funded by developer contributions: Natural England attend the SAC Partnership and fully support this approach. The approach makes provision for developers who do not wish to pay the agreed contributions to deliver their own solutions in order to satisfy Natural England and the Habitat Regulations. It is accepted that Walsall do not have to adopt the approach of the SAC Partnership, but in the absence of evidence of any measures which avoid or mitigate the adverse impacts on the integrity of the SAC, identified by the latest and best scientific knowledge in the field, the Plan will lead to an adverse impact upon the integrity of the Cannock Chase SAC. Neither the Black Country Core Strategy nor the SAD safeguard the Cannock Chase SAC - SAD Policy EN1 excludes the SAC from the list as it is not within the area and it is not referred to in para 7.4.1, footnote 13. As the plan proposes to increase the number of dwellings within the 15km radius of the Cannock Chase SAC, the policy and plan do not provide the necessary information to prospective developers to be aware of the potential harm which could arise from their development and do not provide any certainty of any measures or actions which can be delivered which prevent harm arising from the increase in visitors to the Cannock Chase SAC from the new developments proposed within Walsall Council's area.	The policy should be amended to include reference to the Cannock Chase SAC. The plan should set out how the impact arising from new developments within the 15km zone of influence of the Cannock Chase SAC and which are within Walsall's area can demonstrate appropriate and proportionate measures to mitigate for its impacts both for the known levels of development and those currently unknown within the plan period, such as windfall sites and other types of development from which harm could arise. The proposals map and Map 7.3 should reflect the 15km zone of influence.	Change Proposed  Modification MMSAD22 is proposed to SAD Policy EN1 as a result of representations received, and discussions had with Natural England under the Duty to Cooperate. The modification emphasises the importance of nature designations beyond Walsall. OMSAD31 is also added to show the zone from which the available visitor data for the Cannock Chase area is being used to support the collection of developer contributions to fund a package of mitigation measures.  The housing allocations of the SAD are beyond the 8km zone from which payments are sought to mitigate the effects of recreational pressure from new residential development. The council's revised HRA and SA provide more information in relation to this issue.

1812		Cannock Chase District Council		Eggington	7. Environmental Network	7d. Natural Environment - General	EN1	Cannock Chase SAC ZOI			<p>Policy EN1 should acknowledge that part of Walsall Borough lies within the Cannock Chase SAC 15 km Zone of Influence (ZOI): this should be directly referenced in the Policy and the Policies Map should reflect this. Evidence prepared by Footprint Ecology concluded that the 'in combination' impact of proposals involving a net increase of one or more dwellings within a 15km radius of the Cannock Chase SAC would have an adverse effect upon its integrity, with a significantly higher proportion of visitors (5/6) coming from within 8km. A map is appended. Those Local Authorities impacted by the ZOI have formed the Cannock Chase SAC Partnership, and have prepared a schedule of Strategic Access Management Mitigation Measures (SAMMM), funded by developer contributions: Natural England attend the SAC partnership and fully support this approach. Should developers not wish to pay the agreed contributions they have to satisfy Natural England that they can mitigate satisfactorily in other ways. However, whilst involved in the Partnership, Walsall MBC has never supported the approach being taken, nor have they accepted the ZOI, and have recently prepared further evidence which makes a number of suggestions for revision of the approach which has already been agreed by the rest of the SAC partnership. It is emphasised that Walsall have presented their objections to a number of different Inspectors at recent Local Plan examinations including the examination of Cannock Chase District Council's Local Plan Part 1 in September 2013. Notwithstanding these objections, Inspectors have heard the evidence before them and found the approach – and policies for ensuring mitigation - to be sound. It is noted that paragraph 7.4.1 does state that 'appropriate and proportionate measures sufficient to avoid or mitigate any significant identified adverse impacts' may be required. However, again it is stressed that the approach being taken by the other members of the Partnership is acceptable and has been tested through EIP. Should Walsall wish to take a different stance to others in the SAC partnership then it is imperative that this should be to the satisfaction of Natural England, to ensure that no harm arises to the SAC from proposed development in the Walsall Plan</p>	<p>Policy EN1 should acknowledge that part of Walsall Borough lies within the Cannock Chase SAC 15 km Zone of Influence (ZOI): this should be directly referenced in the Policy which should then refer to the need to 'demonstrate appropriate and proportionate measures' (as per the explanatory text) to mitigate for impacts should these be deemed to be necessary as a result of screening under the Habitats Regulations. The Policies Map should reflect the extent of the ZOI in Walsall Borough.</p>	<p>Change Proposed</p> <p>Modification MMSAD22 is proposed to SAD Policy EN1 as a result of representations received, and discussions had with Natural England under the Duty to Cooperate. The modification emphasises the importance of nature designations beyond Walsall. OMSAD31 is also added to show the zone from which the available visitor data for the Cannock Chase area is being used to support the collection of developer contributions to fund a package of mitigation measures.</p> <p>The housing allocations of the SAD are beyond the 8km zone from which payments are sought to mitigate the effects of recreational pressure from new residential development. The council's revised HRA and SA provide more information in relation to this issue.</p>
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3565		Cannock Chase AONB Partnership		Hytch	7. Environmental Network	7d. Natural Environment - General	EN1	Cannock Chase SAC ZOI			Object to policy because it is uncertain whether the wording adequately addresses the interests of the Cannock Chase AONB and SAC, as required by national policy, including the NPPF (para 115), the CRow Act and the EC Habitats Directive (Article 3). Although the Policy is worded positively, the use of the term "May be required" in the Justification, in relation to the avoidance or migration of adverse impact on the SAC, introduces too much uncertainty. This uncertainty is heightened when reference is made to the Walsall SAD Habitats Regulations Assessment (HRA), February 2016. The HRA concludes that any potential increase of recreational pressure as a result of the residential allocations and policies made within the Walsall SAD and AAP has been accounted for and will be mitigated by the steps taken by the AONB Partnership to avoid deterioration of the site through the implementation of its Management Plan and Visitor Management Strategy. This conclusion is based on an assertion that the AONB Partnership (and by implication the Joint Committee) can be considered a Competent Authority as it would be difficult to argue that in exercising its functions it would not have an effect on the SAC. The AONB Partnership wishes to point out that it acts as an adviser to the emerging SAC Partnership and it was never envisaged that it would be seen as the single Competent Organisation for the SAC. The AONB Joint Committee is the single Competent Authority for the SAC, especially in relation to the land use planning allocations which are legitimately decided by a number of local planning authorities, through Local Plans. The policies, strategies and other related documents produced by the AONB Partnership do not seek to usurp or duplicate the statutory land use planning roles of the Local Planning Authorities in and around the AONB and they avoid direct prescription on the location and scale of new development. The AONB Joint Committee has no planning powers and as such can only act in an advisory and consultative role.	Seek confirmation of, and agreement with, the argument that the AONB Partnership and its Joint Committee cannot be defined as the single Competent Authority for the SAC, especially in relation to planning matters. However, we are happy to leave suggestions for any rewording to Policy EN1 and the Justification to Walsall MBC, the Inspector and others.	Change Proposed  Following the consultation responses and advice received the SA option this relates to is no longer carried forward and is now replaced by an alternative preferred option - for more information view the HRA and SA document provided. However, specifically with regards to the matter of the AONB's role as a competent authority, the HRA documents produced by the AONB unit did not make it explicitly clear the role of measures to be delivered via developer contributions (SAMMM) towards it concluding that there would be 'no likely significant effect' as a result of implementing its management plan / visitor strategy. Expert advice the council received took the view that without specific reference to the measures that are to be delivered via developer contributions that the AONB had effectively screened out significant effects irrespective of these measures.  Modification MMSAD22 is proposed to SAD Policy EN1 as a result of representations received, and discussions had with Natural England under the Duty to Cooperate. The modification emphasises the importance of nature designations beyond Walsall. OMSAD31 is also added to show the zone from which the available visitor data for the Cannock Chase area is being used to support the collection of developer contributions to fund a package of mitigation measures.  The housing allocations of the SAD are beyond the 8km zone from which payments are sought to mitigate the effects of recreational pressure from new residential development. The council's revised HRA and SA provide more information in relation to this issue.
2274		Natural England		Murray	7. Environmental Network	7d. Natural Environment - General	EN1		7.4.1	Support the LPA in concluding that there are no likely significant effects associated with the SAD upon the integrity of the Humber Estuary SAC/SPA/Ramsar. The River Tame and River Trent watercourses provide an impact pathway connecting activities in Walsall with the Humber Estuary. This is a European designated site (SAC/SPA/Ramsar) and, therefore, development in Walsall has the potential to affect its interest features. European sites are afforded protection under the Conservation of Habitats and Species Regulations 2010, as amended (the 'Habitats Regulations'). However, the relevant water companies have raised no concerns with regard to their ability to accommodate the levels of growth proposed in the plan(s). Furthermore, the Water Cycle Study undertaken in support of the Black Country Core Strategy concluded also that there was sufficient water resource and wastewater headroom to accommodate the level of growth proposed.		No Change Proposed. Welcome Support	

3565		Cannock Chase AONB Partnership		Hytch	7. Environmental Network	7d. Natural Environment - General	EN1		a) and b), 7.4.1	The Cannock Chase Area of Outstanding Natural Beauty (AONB) Partnership welcomes the recognition in Policy EN1 and the Justification that the Council will protect, manage and enhance nature conservation sites, and that where development will result in harm to biodiversity the Council will determine the level of improvement works necessary to mitigate harm to biodiversity on a site by site basis, in accordance with the existing policy framework and relevant government advice. Therefore, the principle of this policy is supported.			Change Proposed. Welcome support for overall approach towards protection of the natural environment. However please note that Modification MMSAD22 is proposed to SAD Policy EN1 as a result of representations received, and discussions had with Natural England under the Duty to Cooperate. The modification emphasises the importance of nature designations beyond Walsall. OMSAD31 is also added to show the zone from which the available visitor data for the Cannock Chase area is being used to support the collection of developer contributions to fund a package of mitigation measures.
758		Friends of the Earth		Kells	7. Environmental Network	7d. Natural Environment - General	EN1				This is generally welcome but it is unclear how this will be applied to developments next to or close to nature sites.	Consistency of nomenclature is required in the document between ENV and EN references. We would like to see a clearer statement that this policy will be applied not just to the sites themselves but to adjoining areas, especially given the potential impact of a number of proposals, such as open cast work, on designated sites identified in other policies in the plan.	Change Proposed Welcome Support.  Reference to each 'ENV' policy is preceded with the document from which the policy relates. This is considered a sufficient approach to avoid the potential for confusion of UDP and BCCS policies. Also, the SAD environmental policies are 'EN' to avoid an additional tier of 'ENV' policies to the Local Plan documents.  Insertion of text to EN1 justification to clarify SAD Policy EN1 can apply to nature designated sites beyond the allocation boundary. (MMSAD22). However please note that Modification MMSAD22 is proposed to SAD Policy EN1 as a result of representations received, and discussions had with Natural England under the Duty to Cooperate. The modification emphasises the importance of nature designations beyond Walsall. OMSAD31 is also added to show the zone from which the available visitor data for the Cannock Chase area is being used to support the collection of developer contributions to fund a package of mitigation measures.
2658		Environment Agency		Ross	7. Environmental Network	7d. Natural Environment - General	EN1			Most comments made previously have been included to a satisfactory degree. We are pleased to see reference to the Water Framework Directive from a Biodiversity perspective.	Where development will result in harm to biodiversity, alternative options or site layout should be considered first in line with best practice guidelines before mitigation is considered as an option		Change Proposed Welcome Support.  Addition of text to SAD EN1 b) to reflect representation and NPPF para 152. (MMSAD23)
3486		Woodland Trust		Milward	7. Environmental Network	7e. Ancient Woodland	EN2					We would like to see the heading of 'SAD Policy EN2: Ancient Woodland' changed to "Ancient Woodland and Woodland Creation". We would also like to see the word "elsewhere" added into paragraph b) to read: "Development proposals that present opportunities to improve/ restore Ancient Woodland, or provide complimentary planting, particularly ELSEWHERE where planting will extend and improve the connectivity of the Environmental Network, will be encouraged, subject to other local plan policies". We would also like to see this policy cross reference to the forthcoming Walsall Urban Tree Strategy.	No Changes Proposed  The heading of SAD Policy EN2 reflects the particular environmental asset to which the policy relates, and on this basis is consistent with other policy headings.  SAD Policy EN2 b) provides support for the provision of improve ancient woodland and green infrastructure connectivity. The existing wording is considered appropriate as it would not always be reasonable for applicants to be required to provide planting elsewhere, unless there was a specific reason to do so; such mitigation or compensatory provision, which would be dealt with under other policies and CIL/S106.  The Walsall Urban Tree Strategy is in Draft form and there is no timescale for its completion and adoption. As a result it is not referenced in the SAD.



3486		Woodland Trust		Milward	7. Environmental Network	7e. Ancient Woodland	EN2				Whilst we are pleased to see a policy dedicated to ancient woodland, we are objecting as it does not provide the enhanced protection that national and local policy now supports. In addition, this policy does not include ancient trees in contravention of NPPF paragraph 118. It is critical that the irreplaceable semi natural habitats of ancient woodland and ancient trees are absolutely protected. It is not possible to mitigate the loss of, or replace, ancient woodland by planting a new site, or attempting translocation. Every ancient wood is a unique habitat that has evolved over centuries, with a complex interdependency of geology, soils, hydrology, flora and fauna. We would like this section to reflect the evolution of enhanced planning protection for ancient woodland in national and local policy as set out below. It is also important that there is no further avoidable loss of ancient trees, particularly in parks, through development pressure, mismanagement or poor practice. The Ancient Tree Forum (ATF) and the Woodland Trust would like to see all such trees recognised as historical, cultural and wildlife monuments scheduled under TPOs and highlighted in plans so they are properly valued in planning decision-making. There is also a need for policies ensuring good management of ancient trees, the development of a succession of future ancient trees through new street tree planting and new wood pasture creation, and to raise awareness and understanding of the value and importance of ancient trees.	We would like to see the first two words ('In principle') of paragraph a) of SAD Policy EN2 removed, and ancient trees added in, so that it reads – "Development proposals which would adversely affect Ancient Woodland AND ANCIENT TREES will be resisted, and development affecting Ancient Woodland AND ANCIENT TREES will be assessed in accordance with the NPPF, particularly NPPF paragraph 118, UDP saved Policy ENV18 and other relevant local plan policies." We would also like to see this policy cross reference to the forthcoming Walsall Urban Tree Strategy.	No Changes Proposed  The inclusion of the opening text 'In principle' reflects the possibility, albeit unlikely (recognised in the Policy Justification 7.5.1), that in certain circumstances development might not be resisted which adversely affects ancient woodland. This is considered consistent with NPPF paragraph 118 as drafted, as of 14/06/16, which allows for the loss or deterioration of ancient woodland providing there are benefits of the development that clearly outweigh the loss. It would not be appropriate to develop Local Plan policies based on possible changes to National policy.  The SAD is a site allocation document and as such the policies within it relate specifically to the allocations and the environmental assets which feature in the SAD Policies Map. The policies contained within Walsall's other Local Plan documents provide protection for trees including ancient woodland.  At the time of writing, the Walsall Urban Tree Strategy is in Draft form and there is no timescale for its completion / adoption. As a result it is not referenced in the SAD.
481		Cory Environmental		Owen	7. Environmental Network	7g. Flood Risk	EN3		7.6	Section 7.6 Flood Risk recognises that the Policies Map now provides a hybrid of the Environment Agency's national flood zones. Unlike previous versions of the SAD, the Policies Map now includes new areas of land that are identified as being within Flood Zones 2 and 3. These are additional to those identified by the Environment Agency on their published Flood Zone maps, and appear to be based on more detailed technical modelling of sections of Walsall's watercourses commissioned by the Council in 2013, but the evidence for this is not published on the Council's Local Plan Evidence web page. Another document cited as "Walsall Council Preliminary Flood Risk Assessment (2011)" does not appear to provide any justification for, or evidence to justify, allocating additional land as Flood Zones 2 and 3 – again it is preliminary work, not finalised; and the more recent Black Country Local Flood Risk Management Strategy (2016) does not include evidence to justify allocating further areas of land within Flood Risk Zones 2 and 3. If the SAD is to include additional areas of land in Flood Zones 2 and 3, the evidence to justify their inclusion should be available and be robust. This is of particular relevance to our quarry void / landfill at Highfield South, parts of which are identified as Flood Zones 2 and 3 on the SAD Policies Map. This is not justified as the quarry slopes and areas being infilled are above adjoining ground level and are therefore not at risk from flooding. There has also been a Full Hydrological Risk Assessment which did not identify any risk of flooding of the site, otherwise, the Environment Agency would not have issued an Environmental Permit for the landfill operations and would have required mitigation.	Delete Hybrid Map of Flood Plains (i.e. any additional Flood Zones) and revert to the published Environment Agency Flood Map. Specifically delete the Zone 2 and Zone 3 Flood Zone allocations within the quarry void / landfill area at Highfield South. Amend text in Section 7.6 to note that Flood Zones are being re-examined and when the work is finalised any additional Flood Zones identified will be consulted upon and subsequently (subject to any consequential amendments) added to the Environment Agency's Flood Map.	Change proposed  Flood zones 2 and 3 of the hybrid flood risk map (the Environment Agency's national extents supplemented by the modelling the council commissioned from JBA in 2013) provide the best available information for flood risk in the borough. The Environment Agency have confirmed this to be the case and support its use for the SAD. However, if the applicant has site specific evidence which differs from that of the hybrid extents the council would welcome sight of it, and of course were a planning application to be submitted for the site the supporting Flood Risk Assessment might well provide a different assessment of flood risk to that of any strategic flood risk evidence.  In recognition of uses that can result in alterations to ground levels, particularly those within a relatively short time scale, which can have significant hydrological implications the council proposes to add text to the reasoned justification of SAD policy EN3 to ensure the council will take into account the latest available evidence when determining planning applications. (see MODSAD65 and 66) Also, MMSAD2 was made to pick up on this matter.	

688		Inland Waterways Association (Lichfield)		Sharpe	7. Environmental Network	7h. Canals	EN4	Hatherton Branch Canal		<p>Welcome policy addition at a) and b) to support restoration of the Hatherton Canal conditional on demonstration of an adequate water supply and avoidance of significant adverse impacts on the wider canal network. IWA previously supported the draft policy towards provision of moorings and canal facilities, good design of canalside development, improved access, the retention of heritage features, towpath improvement contributions, and protection of canal restoration routes - these remain in the policy as items c) to g) and are also fully supported.</p>	<p>Object to requirement to prevent additional boat movements along the Cannock Extension Canal under clause b) ii. - this is unnecessary, potentially counter-productive and unenforceable, and therefore inappropriate, for the following reasons:</p> <ol style="list-style-type: none"> <li>1. The fundamental aim of the restoration project is to restore the canal as a public amenity and to link it to the Northern Birmingham canal navigations as a through route. The route was altered some years ago to avoid any direct impact on the Cannock Extension Canal SAC, and there is no reason to suppose that it will lead to any significant increase in boat movements along the Cannock Extension Canal which will remain as a cul-de-sac.</li> <li>2. The special interest of the Cannock Extension Canal SAC is floating water plantain - evidence on the requirements of this species indicates that a continuing low level of habitat disturbance is necessary to maintain the population. Following the recent closure of one of the two boatyards, insufficient boat movements in this location, rather than too many, are a more likely threat to the abundance of the species, given that the canal is a dead end and has limited attraction for passing boats.</li> <li>3. Responsibility for maintenance of the special interest of the SAC lies with its owners the Canal &amp; River Trust (CRT), which is responsible for many SACs, SSSIs and SBIs along their waterway system. They have not considered it necessary to impose any numerical limits on boat movements on the Cannock Extension Canal or other waterways where this species is protected. Disturbance from boat movements is also only one of the factors affecting the ecology of the canal.</li> </ol>	<p>Clause b) ii. of SAD Policy EN4: Canals should be deleted.</p>	<p>No Change Proposed</p> <p>The inclusion of clause b) ii. of SAD Policy EN4, along with the other clauses, is intended to highlight the potential for development proposals relating to the project to trigger the Habitats Regulations (2010). The clauses are consistent with Cannock Chase District Council's Local Plan part 1, which relates to the same project. The clauses provide an indication of the identified (there may be more) impact pathways that have the potential to affect Cannock Extension Canal SAC. These matters must be considered and addressed as part of Appropriate Assessment / Detailed HRAs which must accompany applications for the project.</p> <p>While the safeguarding of the indicative line for the project features in the BCCS and has received some representations in support of its inclusion in the SAD, albeit some object to the inclusion of EN4 clause b) ii, The council has also received a representation from Natural England (2274) objecting to the safeguarding of the canal restoration route on the basis that there is no Appropriate Assessment (HRA) to comply with the Habitats Regulations (2010) undertaken to support its inclusion in SAD policy EN4, or it featuring in the SAD policies map.</p> <p>While there have been modifications made to SAD policy EN4 they do not remove the requirement for additional boat movements to be prevented. The requirement remains as the council wishes to be consistent with the existing approach opted for by Cannock Chase District Council and ensure it fulfils its responsibilities as a competent authority under the Habitats Regulations. MMSAD26 contains the proposed modifications</p> <p>MMSAD27 also proposes an addition to the justification text: "<i>While the council supports the principle of the Hatherton canal restoration project, in the event that the necessary technical work does not support the project, the council will be supportive of alternatives to safeguard the land for canal restoration purposes (such as a green corridor or heritage trail).</i>"</p>
1812		Cannock Chase District Council		Eggington	7. Environmental Network	7h. Canals	EN4	Hatherton Branch Canal		<p>Support references to Hatherton Branch Canal restoration.</p>			<p>No Change Proposed</p> <p>Support for Policy welcome, however please refer to MMSAD26 and MMSAD27 as there has been modifications proposed to the policy and justification text as a result of representations received from Natural England (2274). Restoration of the Hatherton Branch Canal could potentially have an impact on the Cannock Extension Canal SAC. Because of its responsibilities under the Habitats Regulations, it is necessary to amend the policy text to refer to the required technical work for proposals and the possibility that the work may not support the project.</p>

2274		Natural England		Murray	7. Environmental Network	7h. Canals	EN4	Hatherton Branch Canal		<p>Object to Policy EN4 which seeks to safeguard the alignment of the Hatherton Branch Canal restoration project, because the evidence does not support the conclusions of the HRA regarding impacts of the restoration project on European Sites. The policy seeks to safeguard the alignment of the Hatherton Branch Canal restoration project, and is consistent with the Cannock Chase Core Strategy adopted 2014. However, more up to date evidence in respect of the abstraction possibilities to service the project from the Environment Agency has emerged, demonstrating that the scheme, as detailed in policy EN4, is unviable. The proposed restoration scheme alignment deviates from, yet is directly connected to, the Cannock Extension Canal SAC which is a European protected site afforded protection under the Habitat Regulations. A precautionary principle must be applied to such sites and plans may only be permitted once it has been ascertained that there will be no adverse effect on the integrity of the site. Natural England considers that the new stretch of canal that would connect into the Cannock Extension Canal SAC is likely to have a significant effect upon the site and its interest features. Moreover, there do not appear to be any suitable measures that could be put in place to prevent the proposed connection causing an adverse effect upon the ecological integrity of the Cannock Extension Canal SAC. In light of the lack of mitigation measures available, Natural England advises that adverse effects upon the integrity of the SAC are highly likely. Such effects include impact upon water quality via boat traffic and water supply to feed the new stretch of canal. We therefore consider proposed SAD Policy EN4 to be fundamentally flawed. Given that the project is unlikely to be deliverable, the Policy (and SAD) is potentially unsound and contrary with NPPF paragraph 165. Furthermore, the alignment of the canal restoration route crosses Daw End Railway Cutting SSSI, the special features of which are protected from harm under WCA 1981 (as amended). It also crosses in close proximity to Clayhanger SSSI and Jockey Fields SSSI. The required restoration may prove difficult at these locations and will require careful consideration at proposals stage. It must be shown that the necessary work required to the canal alignment at these locations will not damage the special interest of these sites, in accordance with NPPF paragraph 118 and WCA 1981 (as amended).</p>	<p>Appropriate Assessment for the Hatherton Branch Canal Restoration route alignment is required and this must take into account up to date evidence relating to water availability for the project. Natural England recommends the following action:</p> <ol style="list-style-type: none"> <li>1) Seek evidence/ advice of abstraction potential to service the scheme from the EA, as this is the competent authority in respect of water abstractions and quality.</li> <li>2) Update your evidence base for the Hatherton Branch Restoration Canal project accordingly (potentially adopting the Lichfield DC approach - if deemed appropriate).</li> <li>3) If appropriate, insert supporting text (in line with Lichfield DC approach) to explain that should an adequate water supply be able to be provided, the canal restoration project will be supported, provided its proposers undertake an assessment which demonstrates there will be no significant impact upon the Cannock Extension Canal SAC or on the functions and ecology of the wider canal network. Collaborative working with the relevant local planning authorities, Environment Agency, Canal and River Trust and Natural England should be proposed.</li> </ol> <p>Appropriate Assessment is not required should the Policy remove direct reference to the Hatherton Branch Canal Restoration project.</p>	<p>Change Proposed</p> <p>SAD Policy EN4 has been subject to proposed modifications MMSAD26 and MMSAD27. These changes are proposed as a result of representations received and to make clear the requirements for proposals relating to the canal restoration project. Representations received have also resulted in changes to the councils HRA and SA. An Appropriate Assessment is not provided at this stage on the basis that while one might have been anticipated at SAD stage at the time of the BCCS being prepared for adoption, there remains no detailed alignment for the project. Consequently, the SAD and HRA apply a similar approach (to safeguard the indicative route / line of the project) to that which was deemed acceptable to avoid the need to undertake Appropriate Assessment at the time the BCCS was examined.</p> <p>The council has made requests for the new evidence and information referred to, relating to water availability that you mention. However, neither the EA or the Lichfield and Hatherton Restoration Trust have provided any new technical information. Consequently, although there are matters to be assessed in relation to water availability no conclusive view could be made on the projects deliverability at this time.</p>
2603		Lichfield and Hatherton Canals Restoration Trust		Walker	7. Environmental Network	7h. Canals	EN4	Hatherton Branch Canal	Note and welcome support for the Hatherton Canal restoration project along the protected indicative route shown on the Proposals Map. Also pleased to note supportive interest for proposals for the Lichfield Canal on the borough boundary at Brownhills		<p>No Change Proposed</p> <p>Welcome support. However please note that modifications are proposed to this policy as a result of consultation response received from Natural England (2274) (MMSAD26 and MMSAD27)</p>	

3539		Canal & River Trust		Denby	7. Environmental Network	7h. Canals	EN4	Hatherton Branch Canal		The policy has also been amended to include reference to the Hatherton Canal restoration. The Trust welcomes the requirements for any future restoration projects to fully consider the environmental impact.	We would query whether part (b) of the policy is necessary. This part of the policy requires any restoration proposals to be supported by additional technical work. This detail however appears to already be required by part (g) of policy EN4. The navigation along the Cannock Extension Canal is the responsibility of the Canal & River Trust and it is not considered appropriate for a planning policy to specifically restrict boat movements. Part (g) of policy EN4 already sets out the issues future restoration projects will need to address. Furthermore the additions of parts (c) & (d) to policy EN1 would also appear to sufficiently set out the requirements for developments in relation to protection of the environment. Any concerns with regards to potential environmental impacts should be dealt with appropriately under these policy requirements along with any necessary mitigation. The protection and enhancement of the canal networks wildlife value should not prevent the waterways potential for being fully unlocked or discourage the use of the waterway network.	Part (b) could be removed and part (g) expanded as follows: "g) For development proposals to restore sections of the canal network applicants will be expected to demonstrate that sufficient water resources exist, ground works will not adversely affect the integrity of the existing canal network or the environment and <u>any significant adverse impacts on the functions and ecology of the wider canal network can be avoided. Proposals will also be expected to include appropriate environmental impact assessment and details on mitigation measures to minimise any impacts.</u> "	No Change Proposed - in response to this representation. However, see the responses to Natural England (2274) and to the Inland Waterways Association (688).  EN4 (g) applies to all proposals to restore sections of the canal network. Whereas EN4 (b) applies specifically to the Hatherton Branch Canal Restoration Project and is informed by the approach taken by Cannock Chase District Council in respect of the same project. EN4 (g) is therefore necessary for any other canal restoration proposals.  The Council as a 'Competent Authority' under the Habitats Regulations (2010) must be satisfied there are no direct or indirect effects of its allocations and policies, alone or in combination with other projects and plans, on European designated sites. While the canal needs to be navigated by boats in order to maintain the conditions required to support the sites qualifying feature (floating water-plantain), the degree at which its use (boat movements) might result in harm to the SAC is not understood. As a result the precautionary approach is applied requiring it to be demonstrated that additional boat movements (along with criteria provided in EN4 (b)(i) & (iii)) can be prevented in order to ensure the integrity of the site is maintained, or restored as appropriate in advance of the project receiving support.  Representations received from Natural England suggested that new evidence has come to light in respect of water availability to service the project. While the Council has facilitated discussions with the relevant parties no new evidence has emerged.  While the representation has not resulted in changes to the SAD there is additional technical evidence needed in support of proposals to restore / extend the canal network. Consequently MMSAD26 provides some support for alternatives to safeguard the indicative route of the project.
1820		Catalyst Capital	Savills	Burrow	7. Environmental Network	7h. Canals	EN4		7.7		Our client objects to the current wording of part (e) of proposed Policy EN4 on the grounds that it is not considered to be sufficiently flexible to be justifiable and effective in its current form. Whilst our client recognises the benefits that can accrue as a result from developments funding the improvement and / or maintenance of the canal infrastructure it is important to recognise that, in common with other types of off and on site infrastructure requests, this should be subject to viability testing.	Part (e) of policy EN4 should be amended to state: Where a development proposal directly borders a canal, or it would generate extra use of the canal towpath or water course, development might be expected to contribute towards the improvement and / or maintenance of the canal infrastructure, including improving access to the canal <u>subject to viability</u> . This approach will be applied in accordance with the Community Infrastructure Levy Regulations 2010 (as amended) and / or other relevant legislation or policy	No Change Proposed. The impact on viability is taken into account when CIL charging rates are set. Adding an explicit reference to viability for section 106 agreements in policy EN4 would duplicate national policy so is unnecessary.
774		Lichfield District Council		Baldwin	7. Environmental Network	7h. Canals	EN4			Support.			No Change Proposed Welcome Support. However please note modifications MMSAD26, OMSAD36 are proposed to the policy in response to representations received, particularly Natural England (2274).

2658		Environment Agency		Ross	7. Environmental Network	7h. Canals	EN4				The canals in Walsall provide a vital network of green infrastructure of benefit to both people and wildlife. Most are designated as local wildlife sites. We reiterate the following that could be included within the policy justification: 'Any development next to the canal should improve the canal corridor through sensitive design and landscape. Developments should look to incorporate some form of edge softening e.g. pre planted coir rolls to aid in the establishment of marginal vegetation, and enhance the canal's value as a wildlife corridor.'		No Change Proposed  Policy EN4 d)i,ii and iii provide for the addition of GI to areas alongside or near to the canal network.
3539		Canal & River Trust		Denby	7. Environmental Network	7h. Canals	EN4			The Trust supports the provision of a specific canal related policy to guide developments and ensure that they respect and enhance the character of the waterways. We consider that the policy further enshrines the principles set out in BCCS4 Policy ENV4.	We would reiterate our previous suggested amendment to part b) v. because there may be situations where it is not appropriate to retain or incorporate existing structures, features and buildings of heritage value.	Suggested corrections: At part d) v. "canal side" should read "canalside". At part e) "water course" should read "watercourse". Other suggested modification: At part b) v. we suggest that the word "applicable" is replaced with "appropriate."	Changes Proposed.  The suggested corrections will be made.  Change 'applicable' to 'appropriate'. While the word 'applicable' also means 'appropriate' it is thought the policy would benefit from the use of 'appropriate'.
758		Friends of the Earth		Kells	7. Environmental Network	7j. Development in Conservation Areas	EN5				We generally support this policy but it does not take account of the critical role played by trees in Conservation Areas.	Policy needs to take account of the critical role played by trees in Conservation Areas and state that the Council will continue to protect them in line with the policies relating to natural environment and ancient woodland protection and require want them replaced if removal is deemed unavoidable.	No Change Proposed. Trees are protected under other legislation as well as existing planning policies such as "saved" UDP Policy ENV18
2149		Historic England		Worrall	7. Environmental Network	7k. Highgate Brewery	EN6			The additional work on the proposed policy wording and justification text is welcomed. In particular the commitment to requiring a master plan for the site. In view of the proposed rewording of the policy and its new content, Historic England does not have any further comments to make on this policy.			No Change Proposed. Welcome Support.
687		Sandwell District Council		Lowe and Miller	7. Environmental Network	7l. Great Barr Hall and Estate	EN7				Policy has changed considerably from the versions in the Issues and Options Stage 2013 and Preferred Options Consultation 2015. Enabling development has been brought to fore of policy rather than previous versions where it was at the end. Any enabling development in this area will harm setting of the heritage asset, in particular the Registered Parkland surrounding the hall, will impact on the openness of the greenbelt and be more prominent than the hall which is currently not visible from a wider area. Main focus of policy seems to be to allow development within the registered park to its detriment in order to potentially allow the Hall to be saved, which is not acceptable. Sandwell is almost entirely urban with little Green Belt or urban fringe so any development in Great Barr Hall Park - part of strategic gap between Sandwell and Walsall - will be detrimental to Sandwell. Policy does not justify why a registered park and garden should be harmed to enable a private commercial enterprise.		Changes proposed. Modifications are proposed to clarify the aims of the policy, and in the light of discussions with Historic England.  The previous policy wording was largely unchanged from that in the 2005 UDP which addressed both the Hall, the historic parkland and the former St Margaret's Hospital. The UDP pre-dates the approval and construction of the Nether Hall Park development. The latter has now been completed so this means the future of the Hall itself and the remainder of the historic parkland is now the main outstanding matter to be resolved.  No alternative funding sources or development proposals have come forward despite the Hall and parkland having been vacant and neglected for at least 30 years. Some form of enabling development is therefore likely to be the only realistic way of achieving their restoration and long-term future. The local planning authority has a statutory duty to protect heritage assets: restoration would not just be of benefit to the site owners. The proposed policy wording states that new development will be justified only where the likely impact is outweighed by the benefits.

758		Friends of the Earth		Kells	7. Environmental Network	71. Great Barr Hall and Estate	EN7				We generally support the need for the recent changes to the policy which strengthen the criteria in NPPF in relation to enabling development. However, we are concerned about the extent to which development proposals will achieve those goals and care will need to be taken to ensure that they are fully realised, especially where development might be piecemeal.	We would prefer the words 'likely to' require, rather than 'will' require to allow opportunities for proposals which do not require enabling development to be considered.	Changes proposed. Modifications are proposed to clarify the aims of the policy, and in the light of discussions with Historic England.
811		Beacon Action Group		Winkle	7. Environmental Network	71. Great Barr Hall and Estate	EN7				<p>Not notified of earlier stages of SAD preparation. Will this failure be recorded in the final version?</p> <p>EN7 will allow inappropriate development to take place and pave way for further development in the Green Belt.</p> <p>UDP Policy ENV8 makes no mention of enabling development.</p> <p>Power lines and large water main across site will reduce value of any enabling development.</p> <p>Great Barr Hall has nothing remaining of any historical value.</p> <p>Enabling development will destroy the parkland which is mainly intact due to it being undisturbed and the continued use by local farmers of this prime agricultural land.</p> <p>Draft policy ENV7(b) implies the Hall is the only asset and allows for the destruction of the parkland.</p> <p>Conditions attached to the existing planning permission granted by the Secretary of State for the St Margaret's Hospital development prevent vehicle access other than from Queslett Road: the proposed policy would weaken this and further clarification is required about access from Chapel Lane.</p> <p>Policy should clarify how a coordinated approach to the management and development of the area can be achieved with respect to Nether Hall Park and the current planning application which proposes a gated community.</p>		<p>Changes proposed. Modifications are proposed to clarify the aims of the policy, and in the light of discussions with Historic England. Since the Council's responses were endorsed by Cabinet, Great Barr Hall and Chapel has been subject to a Listing Review which has downgraded it to a Grade II Listed Building. The proposed modifications to the Policy have been amended to reflect this. (MMSAD30)</p> <p>Representations about the SAD are welcome, and we recognise that groups and individuals have had a long-standing interest in this site. However, the SAD is about potential development all across the borough and it is not practical or possible to directly notify all those parties who may wish to submit representations about particular sites. In fact, the Beacon Action Group was listed in the Council's planning policy consultation database but we were not notified about a change in their email address.</p> <p>Paragraph (g) of UDP Policy ENV8 in fact does refer to enabling development.</p> <p>The power lines and water main (although the precise location of the latter is unclear) are recognised as constraints that may affect where within the site any enabling location might be located, but are just two of the factors that would have to be addressed in any development.</p> <p>The policy wording has to take account of the fact that Great Barr Hall remains a Listed Building albeit downgraded to Grade II partly due to its current poor condition. As the Parkland is also Grade II, it is now of the same status as the Hall, however publication draft policy EN7(b) in fact refers to maintaining and protecting both the Hall and the Parkland. It should be noted that the parkland is also on the heritage at risk register due to the lack of a suitable management regime and vulnerability to change: many of the features of the parkland have been lost. The proposed modifications to the policy include rewriting it so that it addresses the issues facing the estate more clearly.</p> <p>There is no indication from current agricultural land classification mapping that the land is prime quality.</p> <p>The Secretary of State decision referred to by the respondent only related to the part of the site owned by Bovis, that is the former St Margaret's Hospital, which is most appropriately accessed from Queslett Road. The proposed policy is intended to apply to any further development that may occur elsewhere within the wider area it covers. However, the wording in relation to access arrangements is identical to that in the UDP policy.</p> <p>The wording of the policy concerning the management and development of the area is also almost unchanged from that in the UDP policy, except that it now only</p>

												refers to Great Barr Park to reflect that park of the former Estate has now been redeveloped and is the subject of agreed access arrangements for its residents.  The current planning application has not been determined at the time of writing. Any decision on the application will be based on the planning policies that are in effect at the time this decision is made.
2052		MP		Vaz	7. Environmental Network	71. Great Barr Hall and Estate	EN7				<p>Policy is an undesirable change to council's approach to development in the green belt and protected registered parkland, and conflicts with the NPPF. There is no justification for facilitating enabling development: this should be a last resort, not a reward for owners when they cause neglect.</p> <p>The Historic England 2008 guidance on enabling development is not included in the list of evidence.</p> <p>Proposed policy does not consider range of solutions available. Council should not assume that current ownership will continue until 2026. Highly likely that community group could apply to Heritage Lottery Fund.</p> <p>Current Historic England review of listing is not mentioned. If Hall was downgraded, it would be inappropriate to have a special policy which conflicts with NPPF on Green Belts, conservation areas and registered parkland. Downgrading would strengthen the view that the parkland is the most important heritage asset, not the Hall. Cost of restoring parkland and gardens more likely to be met from available funding sources that will not require enabling development.</p> <p>View is that councillors support current planning application which would allow destruction of parkland.</p> <p>Policy should state that enabling development <u>may</u> be required rather than <u>will</u> be required, and should limit scope of any enabling development. Any enabling development should be limited to the existing footprint of Hall and appropriate extensions to the building.</p>	<p>Changes proposed. Modifications are proposed to clarify the aims of the policy, and in the light of discussions with Historic England. Since the Council's responses were endorsed by Cabinet, Great Barr Hall and Chapel has been subject to a Listing Review which has downgraded it to a Grade II Listed Building. The proposed modifications to the Policy have been amended to reflect this. (MMSAD30)</p> <p>Enabling development is by definition development that is contrary to other policies. This could be either because it involves new buildings or uses. However, the proposed policy EN7 states that any proposals for enabling development will be assessed against the Historic England guidance. The latest version of this guidance, from 2012, is referenced in a footnote to the proposed policy; this has been included in the main policy text as part of the Modifications to the policy.</p> <p>Despite the Hall and much of the parkland being vacant for at least 30 years, no funded proposals or proposals from any non-commercial organisation with the demonstrable capability have come forward to restore either the Hall or the parkland. However, the proposed policy does not refer to any particular owner and would not rule out the potential for such an organisation or alternative funding coming forward in the future.</p> <p>The Historic England review was not announced until after the Publication Draft SAD was prepared. However, this has now been completed and has been used to inform the proposed modifications that have been made to Policy EN7 for the next phase of consultation on the SAD Draft Plan.</p> <p>The current planning application has not yet determined, but any decision would have to be made in accordance with the development plan policies at that time.</p>
2149		Historic England		Worrall	7. Environmental Network	71. Great Barr Hall and Estate	EN7		The additional work on the proposed policy and justification text is noted and welcomed.	<p>Remain concerned about the inclusion of the site within the plan without a more substantive evidence base, and this has potential repercussions for policy wording. Historic England is due to meet with Walsall Council in mid-May to discuss the site and would respectfully submit that we continue to work together on this matter with a view to agreeing a Statement of Common Ground in relation to the site, if required in due course, and, ahead of the EIP. Historic England would wish to appear at the EIP in relation to the site should any differences in the approach to the site not be agreed prior to the EIP.</p>	<p>Changes Proposed. Great Barr Hall and Estate and the former St. Margaret's Hospital is the largest single site in the borough, and contains significant historic and nature conservation assets. It is therefore important that the SAD includes a policy to control its future development and management. Modifications are proposed to policy EN7 to take account of the representations received from Historic England and others. Further discussions were undertaken with Historic England, but the Council have not received any additional comments on the redrafted policy that was sent to Cabinet in July and since then the policy has been modified again to address the outcomes of Historic England's Listing Review which downgraded the Hall to Grade II. (MMSAD30)</p>	

3503				Littlehales and Gavin	7. Environmental Network	71. Great Barr Hall and Estate	EN7				<p>Main focus and objective of the developers is to build a housing estate on the premise that it will fund the restoration of Great Barr Hall when the cost of renovating the hall will exceed what could be achieved by the sale of the houses.</p> <p>Astounded the council are even considering this when there is a duty to protect prime agricultural, historical, Green Belt Land.</p> <p>Environmental impact to the area would be devastating along with the loss of historical listed parkland being decimated, all for the development of exclusive luxury houses which are not needed in the area and do not address the affordable housing shortage. Please refuse the application</p>		<p>No change proposed in response to this representation. However modifications are proposed to clarify the aims of the policy, and in the light of discussions with Historic England and the outcomes of the Listing Review. Since the Council's responses were endorsed by Cabinet, Great Barr Hall and Chapel has been subject to a Listing Review which has downgraded it to a Grade II Listed Building. The proposed modifications to the Policy have been amended to reflect this. (MMSAD30)</p> <p>The policy refers to the need to justify the likely impact of any development against the benefits. It seeks to address any current or future proposals for the site, not specifically the current planning application or the possible objectives of the current owners. The council cannot refuse to consider planning applications submitted to it.</p>
3505				Young	7. Environmental Network	71. Great Barr Hall and Estate	EN7				<p>Not notified of SAD preparation despite being consultee for planning application.</p> <p>EN7 is significantly different to UDP ENV8 and will allow inappropriate development to take place and pave way for further development in the Green Belt.</p> <p>UDP Policy ENV8 makes no mention of enabling development. EN7 now focuses predominantly on enabling development.</p> <p>Great Barr Hall has nothing remaining of any historical value. Enormous cost of restoration would need enormous amount of enabling development that would destroy the parkland. Latter is of much greater importance than Hall.</p> <p>Current review of listing by Historic England is not mentioned.</p> <p>Prime agricultural land/ electricity pylons and water main should be given consideration.</p> <p>Agree with recommendation in EN7 that vehicular access from Chapel Lane will be minimised.</p>		<p>Changes proposed. Modifications are proposed to clarify the aims of the policy, and in the light of discussions with Historic England. Since the Council's responses were endorsed by Cabinet, Great Barr Hall and Chapel has been subject to a Listing Review which has downgraded it to a Grade II Listed Building. The proposed modifications to the Policy have been amended to reflect this. (MMSAD30)</p> <p>Unlike individual planning applications that relate to a single site, the SAD is about potential development all across the borough and it is not practical or possible to directly notify all those parties who may wish to submit representations about particular sites.</p> <p>Paragraph (g) of UDP Policy ENV8 in fact does refer to enabling development. However, the previous policy wording was largely unchanged from that in the 2005 UDP which addressed both the Hall, the historic parkland and the former St Margaret's Hospital. The UDP pre-dates the approval and construction of the Nether Hall Park development. The latter has now been completed so this means the future of the Hall itself and the remainder of the historic parkland is now the main outstanding matter to be resolved.</p> <p>No alternative funding sources or development proposals have come forward despite the Hall and parkland having been vacant and neglected for at least 30 years. Some form of enabling development is therefore likely to be the only realistic way of achieving their restoration and long-term future. However, the proposed policy refers to the need to balance benefits against the likely impact of any development.</p> <p>The Historic England review was not announced until after the Publication Draft SAD was prepared. However, this has now been completed and has been used to inform the proposed modifications that have been made to Policy EN7 for the next phase of consultation on the SAD Draft Plan.</p> <p>The power lines and water main (although the precise location of the latter is unclear) are recognised as constraints that may affect where within the site any enabling location might be located, but are just two of the factors that would have to be addressed in any development. There is no indication from current agricultural land classification mapping that the land is prime quality.</p>







3513				Breakwell	7. Environmental Network	71. Great Barr Hall and Estate	EN7					<p>Not informed about this document EN7 even though we have written before about the Great Barr planning application.</p> <p>Policy has changed from the previous development plan as it will allow inappropriate development in the Green belt that the other version of policy did not.</p> <p>Enabling development is being used to get houses on Green Belt land when in reality Great Barr Hall is no longer fit to be restored. The parkland is the most important part of the site.</p> <p>The agricultural land has until recently been farmed successfully.</p> <p>Traffic on Chapel Lane would impact on the surrounding areas.</p>		<p>No change proposed in response to this representation. However changes to the policy are proposed for other reasons. Since the Council's responses were endorsed by Cabinet, Great Barr Hall and Chapel has been subject to a Listing Review which has downgraded it to a Grade II Listed Building. The proposed modifications to the Policy have been amended to reflect this. (MMSAD30)</p> <p>Unlike individual planning applications that relate to a single site, the SAD is about potential development all across the borough and it is not practical or possible to directly notify all those parties who may wish to submit representations about particular sites.</p> <p>Paragraph (g) of the existing UDP Saved Policy ENV8 in fact does refer to enabling development.</p> <p>The policy wording has to take account of the fact that Great Barr Hall remains a Listed Building albeit downgraded to Grade II partly due to its current poor condition. As the Parkland is also Grade II, it is now of the same status as than the Hall, however publication draft policy EN7(b) in fact refers to maintaining and protecting both the Hall and the Parkland. It should be noted that the parkland is also on the heritage at risk register due to the lack of a suitable management regime and vulnerability to change: many of the features of the parkland have been lost. The proposed modifications to the policy include rewriting it so that it addresses the issues facing the estate more clearly.</p> <p>There is no indication from current agricultural land classification mapping that the farmland is prime quality.</p> <p>The proposed policy repeats the wording of the current UDP policy to refer to minimising any access from Chapel Lane.</p>
3514				Breakwell	7. Environmental Network	71. Great Barr Hall and Estate	EN7					<p>Not informed about this document EN7 even though we have written before about the Great Barr planning application.</p> <p>Policy has changed from the previous development plan as it will allow inappropriate development in the Green belt that the other version of policy did not.</p> <p>Enabling development is being used to get houses on Green Belt land when in reality Great Barr Hall is no longer fit to be restored. The parkland is the most important part of the site.</p> <p>The agricultural land has until recently been farmed successfully. Pylons and water main make land unsuitable for high quality development</p> <p>Reference to limiting vehicles down Chapel Lane is commended</p>		<p>No change proposed in response to this representation. However changes to the policy are proposed for other reasons. Since the Council's responses were endorsed by Cabinet, Great Barr Hall and Chapel has been subject to a Listing Review which has downgraded it to a Grade II Listed Building. The proposed modifications to the Policy have been amended to reflect this. (MMSAD30)</p> <p>Unlike individual planning applications that relate to a single site, the SAD is about potential development all across the borough and it is not practical or possible to directly notify all those parties who may wish to submit representations about particular sites.</p> <p>Paragraph (g) of the existing UDP Policy ENV8 in fact does refer to enabling development.</p> <p>The policy wording has to take account of the fact that Great Barr Hall remains a Listed Building albeit downgraded to Grade II partly due to its current poor condition. As the Parkland is also Grade II, it is now of the same status as than the Hall, however publication draft policy EN7(b) in fact refers to maintaining and protecting both the Hall and the Parkland. It should be noted that the parkland is also on the heritage at risk register due to the lack of a suitable management regime and vulnerability to change: many of the features of the parkland have been lost. The proposed modifications to the policy include rewriting it so that it addresses the issues facing the estate more clearly.</p>

												<p>There is no indication from current agricultural land classification mapping that the farmland is prime quality. The pylons and water main (the exact position of the latter is unclear) are only two of a number of constraints that would restrict the areas of the site that could be developable.</p> <p>The proposed policy repeats the wording of the current UDP policy to refer to minimising any access from Chapel Lane.</p>
3515				Cliff	7. Environmental Network	71. Great Barr Hall and Estate	EN7				<p>EN7 fails to give equal or more value to the historical listed parkland by allowing its destruction with an enabling development to fund the rebuilding of Great Barr Hall. The destruction of the parkland will result in huge historical and environmental loss to the local area. It also fails to identify and protect the green belts prime agricultural land.</p>	<p>No change proposed in response to this representation. However changes to the policy are proposed for other reasons. (MMSAD30)</p> <p>The policy refers to the need to justify the likely impact of any development against the benefits.</p> <p>There is no indication from current agricultural land classification mapping that the farmland is prime quality.</p>
3516				Barker	7. Environmental Network	71. Great Barr Hall and Estate	EN7				<p>Appalled at the decision to use the green belt area of St Margaret's and Great Barr Old Hall to build on.</p> <p>The area is already badly congested with Chapel Lane being rammed during early morning. Residents also already use Merrions Close like a racetrack to cut through avoiding the A34.</p> <p>EN7 fails to give equal or more value to the historical listed parkland by allowing its destruction with an enabling development to fund the rebuilding of Great Barr Hall. The destruction of the parkland will result in huge historical and environmental loss to the local area.</p> <p>Also fails to identify and protect the green belts prime agricultural land</p>	<p>No change proposed in response to this representation. However changes to the policy are proposed for other reasons. Since the Council's responses were endorsed by Cabinet, Great Barr Hall and Chapel has been subject to a Listing Review which has downgraded it to a Grade II Listed Building. The proposed modifications to the Policy have been amended to reflect this. (MMSAD30)</p> <p>Reference in proposed policy to vehicle access arrangements is identical to the existing UDP policy</p> <p>The policy wording has to take account of the fact that Great Barr Hall remains a Listed Building albeit downgraded to Grade II partly due to its current poor condition. As the Parkland is also Grade II, it is now of the same status as than the Hall, however publication draft policy EN7(b) in fact refers to maintaining and protecting both the Hall and the Parkland. It should be noted that the parkland is also on the heritage at risk register due to the lack of a suitable management regime and vulnerability to change: many of the features of the parkland have been lost. The proposed modifications to the policy include rewriting it so that it addresses the issues facing the estate more clearly.</p> <p>There is no indication from current agricultural land classification mapping that the farmland is prime quality.</p>
3518				Phillips	7. Environmental Network	71. Great Barr Hall and Estate	EN7				<p>The area requires leisure centres, hospitals, schools not more houses. The area will become a ghetto of millionaire homes with nothing towards the community or the listed building which needs to be developed first</p>	<p>No change proposed in response to this representation. However changes to the policy are proposed for other reasons. (MMSAD30)</p> <p>The representation appears to be referring to the current planning application rather than the proposed SAD policy.</p>
3519				Taylor	7. Environmental Network	71. Great Barr Hall and Estate	EN7				<p>The emphasis on the protection of the listed park and (green belt) in this document has now become secondary to the hall's restoration. This could have implications for other areas of green belt</p> <p>EN7 fails to give equal or more value to the historical listed parkland by allowing its destruction with an enabling development to fund the rebuilding of Great Barr Hall. The destruction of the parkland will result in huge historical and environmental loss to</p>	<p>No change proposed in response to this representation. However changes to the policy are proposed for other reasons. Since the Council's responses were endorsed by Cabinet, Great Barr Hall and Chapel has been subject to a Listing Review which has downgraded it to a Grade II Listed Building. The proposed modifications to the Policy have been amended to reflect this. (MMSAD30)</p> <p>The policy refers to the need to justify the likely impact of any development against the benefits; including the</p>

										the local area.  EN7 also fails to identify and protect the green belts prime agricultural land.		impact on the Green Belt. The policy wording has to take account of the fact that Great Barr Hall remains a Listed Building albeit downgraded to Grade II partly due to its current poor condition. As the Parkland is also Grade II, it is now of the same status as than the Hall, however publication draft policy EN7(b) in fact refers to maintaining and protecting both the Hall and the Parkland. It should be noted that the parkland is also on the heritage at risk register due to the lack of a suitable management regime and vulnerability to change: many of the features of the parkland have been lost. The proposed modifications to the policy include rewriting it so that it addresses the issues facing the estate more clearly.  There is no indication from current agricultural land classification mapping that the farmland is prime quality.
3520				Taylor	7. Environmental Network	71. Great Barr Hall and Estate	EN7			EN7 fails to give equal or more value to the historical listed parkland by allowing its destruction with an enabling development to fund the rebuilding of Great Barr Hall. The destruction of the parkland will result in huge historical and environmental loss to the local area.  EN7 also fails to identify and protect the green belts prime agricultural land.  These plans will have a detrimental effect on the extensive wildlife to be found on the registered parkland. Including protected species categorised under the SLINC and SSSI.  Building on green belt with set a precedent for other areas of green belt across the borough.		No change proposed in response to this representation. However changes to the policy are proposed for other reasons. Since the Council's responses were endorsed by Cabinet, Great Barr Hall and Chapel has been subject to a Listing Review which has downgraded it to a Grade II Listed Building. The proposed modifications to the Policy have been amended to reflect this.(MMSAD30)  The policy wording has to take account of the fact that Great Barr Hall remains a Listed Building albeit downgraded to Grade II partly due to its current poor condition. As the Parkland is also Grade II, it is now of the same status as than the Hall, however publication draft policy EN7(b) in fact refers to maintaining and protecting both the Hall and the Parkland. It should be noted that the parkland is also on the heritage at risk register due to the lack of a suitable management regime and vulnerability to change: many of the features of the parkland have been lost. The proposed modifications to the policy include rewriting it so that it addresses the issues facing the estate more clearly.  There is no indication from current agricultural land classification mapping that the farmland is prime quality.  There are no SSSIs within the area covered by SAD Policy EN7. The SINC, SLINC and Ancient Woodland in the estate are identified on the policies map and covered by SAD Policies EN1, EN2 and BCCS Policies as well as clauses within EN7.
3521				Turner	7. Environmental Network	71. Great Barr Hall and Estate	EN7		Strongly agree with recommendation to limit access to the estate from Chapel Lane as it gets very busy and traffic ignores the 20 mph speed limit.	Disappointed not to have been informed about this document EN7.  Policy has changed from the previous development plan as it will allow inappropriate development in the Green belt that the other version of policy did not.  The maintenance of the Listed Parkland on the estate must be of prime importance, the focus should be on maintaining & developing historic parkland preferably for the benefit of the local community & other visitors rather than enabling development that will destroy the park land.		No change proposed in response to this representation. However changes to the policy are proposed for other reasons. Since the Council's responses were endorsed by Cabinet, Great Barr Hall and Chapel has been subject to a Listing Review which has downgraded it to a Grade II Listed Building. The proposed modifications to the Policy have been amended to reflect this. (MMSAD30)  Unlike individual planning applications that relate to a single site, the SAD is about potential development all across the borough and it is not practical or possible to directly notify all those parties who may wish to submit representations about particular sites.  The policy wording has to take account of the fact that Great Barr Hall remains a Listed Building albeit downgraded to Grade II partly due to its current poor condition. As the Parkland is also Grade II, it is now of the same status as than the Hall, however publication



3523				Turner	7. Environmental Network	71. Great Barr Hall and Estate	EN7			<p>Agree with recommendation in EN7 that vehicular access from Chapel Lane will be minimised.</p>	<p>Not notified of SAD preparation despite being consultee for planning application.</p> <p>EN7 is significantly different to UDP ENV8 and will allow inappropriate development to take place and pave way for further development in the Green Belt.</p> <p>UDP Policy ENV8 makes no mention of enabling development. EN7 now focuses predominantly on enabling development.</p> <p>Enormous cost of restoration of Great Barr Hall would need enormous amount of enabling development that would destroy the parkland. Latter is of much greater importance than Hall.</p> <p>The maintenance of the Listed Parkland on the estate must be of prime importance, the focus should be on maintaining &amp; developing historic parkland preferably for the benefit of the local community rather than enabling development that will destroy the park land.</p> <p><i>The aesthetics of the Hall are entirely dependent upon the Listed Parkland as has already been acknowledged by the Council and the Planning Inspectorate both of whom have recognised the need for an holistic approach to finding a solution.</i></p> <p>Current review of listing by Historic England is not mentioned.</p> <p>Prime agricultural land/ electricity pylons and water main should be given consideration.</p>		<p>No change proposed in response to this representation. However changes to the policy are proposed for other reasons. Since the Council's responses were endorsed by Cabinet, Great Barr Hall and Chapel has been subject to a Listing Review which has downgraded it to a Grade II Listed Building. The proposed modifications to the Policy have been amended to reflect this. (MMSAD30)</p> <p>Unlike individual planning applications that relate to a single site, the SAD is about potential development all across the borough and it is not practical or possible to directly notify all those parties who may wish to submit representations about particular sites.</p> <p>The policy wording has to take account of the fact that Great Barr Hall remains a Listed Building albeit downgraded to Grade II partly due to its current poor condition. As the Parkland is also Grade II, it is now of the same status as than the Hall, however publication draft policy EN7(b) in fact refers to maintaining and protecting both the Hall and the Parkland. It should be noted that the parkland is also on the heritage at risk register due to the lack of a suitable management regime and vulnerability to change: many of the features of the parkland have been lost. The proposed modifications to the policy include rewriting it so that it addresses the issues facing the estate more clearly.</p> <p>Paragraph (g) of the existing UDP Policy ENV8 in fact does refer to enabling development.</p> <p>The Historic England review was not announced until after the Publication Draft SAD was prepared. However, this has now been completed and has been used to inform the proposed modifications that have been made to Policy EN7 for the next phase of consultation on the SAD Draft Plan. However, until the outcome of this review is known, the policy and any decisions on individual planning applications have to be determined on the basis of the current status of the building.</p> <p>The power lines and water main (although the precise location of the latter is unclear) are recognised as constraints that may affect where within the site any enabling location might be located, but are just two of the factors that would have to be addressed in any development. There is no indication from current agricultural land classification mapping that the land is prime quality.</p> <p>The Secretary of State decision only related to the part of the site owned by Bovis, that is the former St Margaret's Hospital, which is most appropriately accessed from Queslett Road. The proposed policy is intended to apply to any further development that may occur elsewhere within the wider area it covers. However, the wording in relation to access arrangements is identical to that in the UDP policy.</p>
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3524				Tucker	7. Environmental Network	71. Great Barr Hall and Estate	EN7				<p>EN7 fails to give equal or more value to the historical listed parkland by allowing its destruction with an enabling development to fund the rebuilding of Great Barr Hall. The destruction of the parkland will result in huge historical and environmental loss to the local area.</p> <p>Prime agricultural land should be given consideration.</p>		<p>No change proposed in response to this representation. However changes to the policy are proposed for other reasons. Since the Council's responses were endorsed by Cabinet, Great Barr Hall and Chapel has been subject to a Listing Review which has downgraded it to a Grade II Listed Building. The proposed modifications to the Policy have been amended to reflect this. (MMSAD30)</p> <p>The policy wording has to take account of the fact that Great Barr Hall remains a Listed Building albeit downgraded to Grade II partly due to its current poor condition. As the Parkland is also Grade II, it is now of the same status as than the Hall, however publication draft policy EN7(b) in fact refers to maintaining and protecting both the Hall and the Parkland. It should be noted that the parkland is also on the heritage at risk register due to the lack of a suitable management regime and vulnerability to change: many of the features of the parkland have been lost. The proposed modifications to the policy include rewriting it so that it addresses the issues facing the estate more clearly.</p> <p>There is no indication from current agricultural land classification mapping that the farmland is prime quality.</p>
3525				Young	7. Environmental Network	71. Great Barr Hall and Estate	EN7		Agree with recommendation in EN7 that vehicular access from Chapel Lane will be minimised.	<p>Not notified of SAD preparation despite being consultee for planning application.</p> <p>EN7 is significantly different to UDP ENV8 and will allow inappropriate development to take place and pave way for further development in the Green Belt.</p> <p>UDP Policy ENV8 makes no mention of enabling development. EN7 now focuses predominantly on enabling development.</p> <p>Great Barr Hall has nothing remaining of any historical value. Enormous cost of restoration would need enormous amount of enabling development that would destroy the parkland. Latter is of much greater importance than Hall.</p> <p>EN7 must reflect previous decisions by Walsall Council and Planning Inspectorate that an holistic approach is necessary in considering the future of this sensitive site.</p> <p>Current review of listing by Historic England is not mentioned.</p> <p>Prime agricultural land/ electricity pylons and water main should be given consideration.</p>		<p>No change proposed in response to this representation. However changes to the policy are proposed for other reasons. Since the Council's responses were endorsed by Cabinet, Great Barr Hall and Chapel has been subject to a Listing Review which has downgraded it to a Grade II Listed Building. The proposed modifications to the Policy have been amended to reflect this. (MMSAD30)</p> <p>Unlike individual planning applications that relate to a single site, the SAD is about potential development all across the borough and it is not practical or possible to directly notify all those parties who may wish to submit representations about particular sites.</p> <p>The policy wording has to take account of the fact that Great Barr Hall remains a Listed Building albeit downgraded to Grade II partly due to its current poor condition. As the Parkland is also Grade II, it is now of the same status as than the Hall, however publication draft policy EN7(b) in fact refers to maintaining and protecting both the Hall and the Parkland. It should be noted that the parkland is also on the heritage at risk register due to the lack of a suitable management regime and vulnerability to change: many of the features of the parkland have been lost. The proposed modifications to the policy include rewriting it so that it addresses the issues facing the estate more clearly.</p> <p>Paragraph (g) of the existing UDP Policy ENV8 in fact does refer to enabling development.</p> <p>The Historic England review was not announced until after the Publication Draft SAD was prepared. However, this has now been completed and has been used to inform the proposed modifications that have been made to Policy EN7 for the next phase of consultation on the SAD Draft Plan.</p> <p>The power lines and water main (although the precise location of the latter is unclear) are recognised as constraints that may affect where within the site any enabling location might be located, but are just two of the factors that would have to be addressed in any</p>	



												<p>development. There is no indication from current agricultural land classification mapping that the land is prime quality.</p> <p>The Secretary of State decision only related to the part of the site owned by Bovis, that is the former St Margaret's Hospital, which is most appropriately accessed from Queslett Road. The proposed policy is intended to apply to any further development that may occur elsewhere within the wider area it covers. However, the wording in relation to access arrangements is identical to that in the UDP policy.</p>
3526				Young	7. Environmental Network	71. Great Barr Hall and Estate	EN7		<p>Agree with recommendation in EN7 that vehicular access from Chapel Lane will be minimised.</p>	<p>Consultee for Great Barr Hall Planning Application but doesn't understand why not consulted on the SAD Policy.</p> <p>EN7 is significantly different to UDP ENV8 and will allow inappropriate development to take place and pave way for further development in the Green Belt.</p> <p>UDP Policy ENV8 makes no mention of enabling development. EN7 now focuses predominantly on enabling development.</p> <p>Great Barr Hall has nothing remaining of any historical value. Enormous cost of restoration would need enormous amount of enabling development that would destroy the parkland. Latter is of much greater importance than Hall.</p> <p>EN7 must reflect previous decisions by Walsall Council and Planning Inspectorate that an holistic approach is necessary in considering the future of this sensitive site.</p> <p>Current review of listing by Historic England is not mentioned.</p> <p>Prime agricultural land/ electricity pylons and water main should be given consideration.</p>		<p>No change proposed in response to this representation. However changes to the policy are proposed for other reasons. Since the Council's responses were endorsed by Cabinet, Great Barr Hall and Chapel has been subject to a Listing Review which has downgraded it to a Grade II Listed Building. The proposed modifications to the Policy have been amended to reflect this. (MMSAD30)</p> <p>Unlike individual planning applications that relate to a single site, the SAD is about potential development all across the borough and it is not practical or possible to directly notify all those parties who may wish to submit representations about particular sites.</p> <p>The policy wording has to take account of the fact that Great Barr Hall remains a Listed Building albeit downgraded to Grade II partly due to its current poor condition. As the Parkland is also Grade II, it is now of the same status as than the Hall, however publication draft policy EN7(b) in fact refers to maintaining and protecting both the Hall and the Parkland. It should be noted that the parkland is also on the heritage at risk register due to the lack of a suitable management regime and vulnerability to change: many of the features of the parkland have been lost. The proposed modifications to the policy include rewriting it so that it addresses the issues facing the estate more clearly.</p> <p>Paragraph (g) of UDP Policy ENV8 in fact does refer to enabling development.</p> <p>The Historic England review was not announced until after the Publication Draft SAD was prepared. However, this has now been completed and has been used to inform the proposed modifications that have been made to Policy EN7 for the next phase of consultation on the SAD Draft Plan.</p> <p>The Secretary of State decision only related to the part of the site owned by Bovis, that is the former St Margaret's Hospital, which is most appropriately accessed from Queslett Road. The proposed policy is intended to apply to any further development that may occur elsewhere within the wider area it covers. However, the wording in relation to access arrangements is identical to that in the UDP policy.</p> <p>The power lines and water main (although the precise location of the latter is unclear) are recognised as constraints that may affect where within the site any enabling location might be located, but are just two of the factors that would have to be addressed in any development.</p>

3527				Kilcullen	7. Environmental Network	71. Great Barr Hall and Estate	EN7			<p>Agree with recommendation in EN7 that vehicular access from Chapel Lane will be minimised.</p>	<p>Consultee for Great Barr Hall Planning Application but doesn't understand why not consulted on the SAD Policy.</p> <p>EN7 is significantly different to UDP ENV8 and will allow inappropriate development to take place and pave way for further development in the Green Belt.</p> <p>UDP Policy ENV8 makes no mention of enabling development. EN7 now focuses predominantly on enabling development.</p> <p>Great Barr Hall has nothing remaining of any historical value. Enormous cost of restoration would need enormous amount of enabling development that would destroy the parkland. Latter is of much greater importance than Hall.</p> <p>EN7 must reflect previous decisions by Walsall Council and Planning Inspectorate that an holistic approach is necessary in considering the future of this sensitive site.</p> <p>Current review of listing by Historic England is not mentioned.</p> <p>Prime agricultural land/ electricity pylons and water main should be given consideration.</p>		<p>No change proposed in response to this representation. However changes to the policy are proposed for other reasons. Since the Council's responses were endorsed by Cabinet, Great Barr Hall and Chapel has been subject to a Listing Review which has downgraded it to a Grade II Listed Building. The proposed modifications to the Policy have been amended to reflect this. (MMSAD30)</p> <p>Unlike individual planning applications that relate to a single site, the SAD is about potential development all across the borough and it is not practical or possible to directly notify all those parties who may wish to submit representations about particular sites.</p> <p>The policy wording has to take account of the fact that Great Barr Hall remains a Listed Building albeit downgraded to Grade II partly due to its current poor condition. As the Parkland is also Grade II, it is now of the same status as than the Hall, however publication draft policy EN7(b) in fact refers to maintaining and protecting both the Hall and the Parkland. It should be noted that the parkland is also on the heritage at risk register due to the lack of a suitable management regime and vulnerability to change: many of the features of the parkland have been lost. The proposed modifications to the policy include rewriting it so that it addresses the issues facing the estate more clearly.</p> <p>Paragraph (g) of UDP Policy ENV8 in fact does refer to enabling development.</p> <p>The Historic England review was not announced until after the Publication Draft SAD was prepared. However, this has now been completed and has been used to inform the proposed modifications that have been made to Policy EN7 for the next phase of consultation on the SAD Draft Plan.</p> <p>The Secretary of State decision only related to the part of the site owned by Bovis, that is the former St Margaret's Hospital, which is most appropriately accessed from Queslett Road. The proposed policy is intended to apply to any further development that may occur elsewhere within the wider area it covers. However, the wording in relation to access arrangements is identical to that in the UDP policy.</p> <p>The power lines and water main (although the precise location of the latter is unclear) are recognised as constraints that may affect where within the site any enabling location might be located, but are just two of the factors that would have to be addressed in any development.</p>
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3528				Reader	7. Environmental Network	71. Great Barr Hall and Estate	EN7				<p>Previously made objections to the planning application involving Great Barr Hall as mentioned in EN7</p> <p>EN7 is significantly different to UDP ENV8 and will allow inappropriate development to take place and pave way for further development in the Green Belt.</p> <p>UDP Policy ENV8 makes no mention of enabling development. EN7 now focuses predominantly on enabling development.</p> <p>Great Barr Hall has nothing remaining of any historical value. Enormous cost of restoration would need enormous amount of enabling development that would destroy the parkland. Latter is of much greater importance than Hall.</p> <p>Current review of listing by Historic England is not mentioned.</p> <p>Prime agricultural land should be given consideration.</p> <p>Traffic on Chapel Lane would impact on the surrounding areas.</p>		<p>No change proposed in response to this representation. However changes to the policy are proposed for other reasons. Since the Council's responses were endorsed by Cabinet, Great Barr Hall and Chapel has been subject to a Listing Review which has downgraded it to a Grade II Listed Building. The proposed modifications to the Policy have been amended to reflect this. (MMSAD30)</p> <p>Unlike individual planning applications that relate to a single site, the SAD is about potential development all across the borough and it is not practical or possible to directly notify all those parties who may wish to submit representations about particular sites.</p> <p>The policy wording has to take account of the fact that Great Barr Hall remains a Listed Building albeit downgraded to Grade II partly due to its current poor condition. As the Parkland is also Grade II, it is now of the same status as than the Hall, however publication draft policy EN7(b) in fact refers to maintaining and protecting both the Hall and the Parkland. It should be noted that the parkland is also on the heritage at risk register due to the lack of a suitable management regime and vulnerability to change: many of the features of the parkland have been lost. The proposed modifications to the policy include rewriting it so that it addresses the issues facing the estate more clearly.</p> <p>Paragraph (g) of the existing UDP Policy ENV8 in fact does refer to enabling development.</p> <p>The Historic England review was not announced until after the Publication Draft SAD was prepared. However, this has now been completed and has been used to inform the proposed modifications that have been made to Policy EN7 for the next phase of consultation on the SAD Draft Plan.</p> <p>There is no indication from current agricultural land classification mapping that the land is prime quality.</p> <p>The proposed policy repeats the wording of the current UDP policy to refer to minimising any access from Chapel Lane.</p>
3529				Bache	7. Environmental Network	71. Great Barr Hall and Estate	EN7				<p>Green belt should be kept as a green lung for the planet - especially because of proximity to motorway.</p> <p>Great Barr Hall has nothing remaining of any historical value. Enormous cost of restoration would need enormous amount of enabling development that would destroy the parkland. Latter is of much greater importance than Hall including habitats and endangered species that would be destroyed by development.</p> <p>Current review of listing by Historic England is not mentioned.</p> <p>Prime agricultural land/ electricity pylons and water main should be given consideration.</p>		<p>No change proposed in response to this representation. However changes to the policy are proposed for other reasons. Since the Council's responses were endorsed by Cabinet, Great Barr Hall and Chapel has been subject to a Listing Review which has downgraded it to a Grade II Listed Building. The proposed modifications to the Policy have been amended to reflect this. (MMSAD30)</p> <p>The policy wording has to take account of the fact that Great Barr Hall remains a Listed Building albeit downgraded to Grade II partly due to its current poor condition. As the Parkland is also Grade II, it is now of the same status as than the Hall, however publication draft policy EN7(b) in fact refers to maintaining and protecting both the Hall and the Parkland. It should be noted that the parkland is also on the heritage at risk register due to the lack of a suitable management regime and vulnerability to change: many of the features of the parkland have been lost. The proposed modifications to the policy include rewriting it so that it addresses the issues facing the estate more clearly.</p> <p>There is no indication from current agricultural land classification mapping that the farmland is prime quality.</p>



3534				Hughes	7. Environmental Network	71. Great Barr Hall and Estate	EN7					<p>EN7 fails to give equal or more value to the historical listed parkland by allowing its destruction with an enabling development to fund the rebuilding of Great Barr Hall. The destruction of the parkland will result in huge historical and environmental loss to the local area. Great Barr Hall will never be rebuilt as there is not enough money</p> <p>Green belt should be protected from development and prime agricultural land should be given consideration.</p> <p>Concerned about the increase of traffic in the area especially on Chapel Lane and Coronation Road.</p>		<p>No change proposed in response to this representation. However changes to the policy are proposed for other reasons. Since the Council's responses were endorsed by Cabinet, Great Barr Hall and Chapel has been subject to a Listing Review which has downgraded it to a Grade II Listed Building. The proposed modifications to the Policy have been amended to reflect this. (MMSAD30)</p> <p>The policy wording has to take account of the fact that Great Barr Hall remains a Listed Building albeit downgraded to Grade II partly due to its current poor condition. As the Parkland is also Grade II, it is now of the same status as than the Hall, however publication draft policy EN7(b) in fact refers to maintaining and protecting both the Hall and the Parkland. It should be noted that the parkland is also on the heritage at risk register due to the lack of a suitable management regime and vulnerability to change: many of the features of the parkland have been lost. The proposed modifications to the policy include rewriting it so that it addresses the issues facing the estate more clearly.</p> <p>There is no indication from current agricultural land classification mapping that the farmland is prime quality.</p> <p>Reference in proposed policy to vehicle access arrangements is identical to the existing UDP policy</p>
3536				Allen	7. Environmental Network	71. Great Barr Hall and Estate	EN7					<p>Consultee for Great Barr Hall Planning Application but doesn't understand why not consulted on the SAD Policy.</p> <p>EN7 is significantly different to UDP ENV8 and will allow inappropriate development to take place and pave way for further development in the Green Belt.</p> <p>UDP Policy ENV8 makes no mention of enabling development. EN7 now focuses predominantly on enabling development.</p> <p>Great Barr Hall has nothing remaining of any historical value. Enormous cost of restoration would need enormous amount of enabling development that would destroy the parkland. Latter is of much greater importance than Hall.</p> <p>Electricity pylons and water main should be given consideration.</p>		<p>No change proposed in response to this representation. However changes to the policy are proposed for other reasons. Since the Council's responses were endorsed by Cabinet, Great Barr Hall and Chapel has been subject to a Listing Review which has downgraded it to a Grade II Listed Building. The proposed modifications to the Policy have been amended to reflect this. (MMSAD30)</p> <p>Unlike individual planning applications that relate to a single site, the SAD is about potential development all across the borough and it is not practical or possible to directly notify all those parties who may wish to submit representations about particular sites.</p> <p>The policy wording has to take account of the fact that Great Barr Hall remains a Listed Building albeit downgraded to Grade II partly due to its current poor condition. As the Parkland is also Grade II, it is now of the same status as than the Hall, however publication draft policy EN7(b) in fact refers to maintaining and protecting both the Hall and the Parkland. It should be noted that the parkland is also on the heritage at risk register due to the lack of a suitable management regime and vulnerability to change: many of the features of the parkland have been lost. The proposed modifications to the policy include rewriting it so that it addresses the issues facing the estate more clearly.</p> <p>Paragraph (g) of UDP Policy ENV8 in fact does refer to enabling development.</p> <p>The power lines and water main (although the precise location of the latter is unclear) are recognised as constraints that may affect where within the site any enabling location might be located, but are just two of the factors that would have to be addressed in any development.</p>

3537				Boughton	7. Environmental Network	71. Great Barr Hall and Estate	EN7				EN7 fails to give equal or more value to the historical listed parkland by allowing its destruction with an enabling development to fund the rebuilding of Great Barr Hall. The destruction of the parkland will result in a massive environmental and historical loss to the local area.  Brownfield land should be used to build houses on not green belt land which is cherished and valued by the local people		No change proposed in response to this representation. However changes to the policy are proposed for other reasons. (MMSAD30)  The proposed policy refers to the need to balance benefits against the likely impact of any development.
3538				Whitehouse	7. Environmental Network	71. Great Barr Hall and Estate	EN7				EN7 fails to give equal or more value to the historical listed parkland by allowing its destruction with an enabling development to fund the rebuilding of Great Barr Hall. The destruction of the parkland will result in huge historical and environmental loss to the local area.  Prime agricultural land/ electricity pylons and water main should be given consideration.		No change proposed in response to this representation. However changes to the policy are proposed for other reasons. Since the Council's responses were endorsed by Cabinet, Great Barr Hall and Chapel has been subject to a Listing Review which has downgraded it to a Grade II Listed Building. The proposed modifications to the Policy have been amended to reflect this. (MMSAD30)  The policy refers to the need to justify the likely impact of any development against the benefits; including the impact on the Green Belt. The policy wording has to take account of the fact that Great Barr Hall remains a Listed Building albeit downgraded to Grade II partly due to its current poor condition. As the Parkland is also Grade II, it is now of the same status as than the Hall, however publication draft policy EN7(b) in fact refers to maintaining and protecting both the Hall and the Parkland. It should be noted that the parkland is also on the heritage at risk register due to the lack of a suitable management regime and vulnerability to change: many of the features of the parkland have been lost. The proposed modifications to the policy include rewriting it so that it addresses the issues facing the estate more clearly.  There is no indication from current agricultural land classification mapping that the farmland is prime quality. The pylons and water main (the exact position of the latter is unclear) are only two of a number of constraints that would restrict the areas of the site that could be developable.
3541				Mukoon	7. Environmental Network	71. Great Barr Hall and Estate	EN7				Consultee for Great Barr Hall Planning Application but doesn't understand why not consulted on the SAD Policy.  Great Barr Hall has nothing remaining of any historical value. Enormous cost of restoration would need enormous amount of enabling development that would destroy the parkland and views across the area. Latter is of much greater importance than Hall.  Concerned that development would be high end properties rather than affordable housing and gated developments in the area would lead to an increase in crime.  Prime agricultural land should be given consideration.  Concerned about the increase of traffic in the area especially on Chapel Lane and Coronation Road.		No change proposed in response to this representation. However changes to the policy are proposed for other reasons. Since the Council's responses were endorsed by Cabinet, Great Barr Hall and Chapel has been subject to a Listing Review which has downgraded it to a Grade II Listed Building. The proposed modifications to the Policy have been amended to reflect this. (MMSAD30)  Unlike individual planning applications that relate to a single site, the SAD is about potential development all across the borough and it is not practical or possible to directly notify all those parties who may wish to submit representations about particular sites.  The policy wording has to take account of the fact that Great Barr Hall remains a Listed Building albeit downgraded to Grade II partly due to its current poor condition. As the Parkland is also Grade II, it is now of the same status as than the Hall, however publication draft policy EN7(b) in fact refers to maintaining and protecting both the Hall and the Parkland. It should be noted that the parkland is also on the heritage at risk register due to the lack of a suitable management regime and vulnerability to change: many of the features of the parkland have been lost. The proposed

												<p>modifications to the policy include rewriting it so that it addresses the issues facing the estate more clearly.</p> <p>Paragraph (g) of UDP Policy ENV8 in fact does refer to enabling development.</p> <p>There is no indication from current agricultural land classification mapping that the land is prime quality.</p> <p>Reference in proposed policy to vehicle access arrangements is identical to the existing UDP policy</p>
3543				White	7. Environmental Network	71. Great Barr Hall and Estate	EN7			<p>Not notified of SAD preparation despite being consultee for planning application.</p> <p>EN7 is significantly different to UDP ENV8 and will allow inappropriate development to take place and pave way for further development in the Green Belt.</p> <p>UDP Policy ENV8 makes no mention of enabling development. EN7 now focuses predominantly on enabling development.</p> <p>Great Barr Hall has nothing remaining of any historical value. Enormous cost of restoration would need enormous amount of enabling development that would destroy the parkland. Latter is of much greater importance than Hall.</p> <p>EN7 must reflect previous decisions by Walsall Council and Planning Inspectorate that an holistic approach is necessary in considering the future of this sensitive site.</p> <p>Current review of listing by Historic England is not mentioned.</p> <p>Prime agricultural land/ electricity pylons and water main should be given consideration.</p>	<p>No change proposed in response to this representation. However changes to the policy are proposed for other reasons. Since the Council's responses were endorsed by Cabinet, Great Barr Hall and Chapel has been subject to a Listing Review which has downgraded it to a Grade II Listed Building. The proposed modifications to the Policy have been amended to reflect this. (MMSAD30)</p> <p>Unlike individual planning applications that relate to a single site, the SAD is about potential development all across the borough and it is not practical or possible to directly notify all those parties who may wish to submit representations about particular sites.</p> <p>The policy refers to the need to justify the likely impact of any development against the benefits; including the impact on the Green Belt. The policy wording has to take account of the fact that Great Barr Hall remains a Listed Building albeit downgraded to Grade II partly due to its current poor condition. As the Parkland is also Grade II, it is now of the same status as than the Hall, however publication draft policy EN7(b) in fact refers to maintaining and protecting both the Hall and the Parkland. It should be noted that the parkland is also on the heritage at risk register due to the lack of a suitable management regime and vulnerability to change: many of the features of the parkland have been lost. The proposed modifications to the policy include rewriting it so that it addresses the issues facing the estate more clearly.</p> <p>Paragraph (g) of the existing UDP Policy ENV8 in fact does refer to enabling development.</p> <p>The Historic England review was not announced until after the Publication Draft SAD was prepared. However, this has now been completed and has been used to inform the proposed modifications that have been made to Policy EN7 for the next phase of consultation on the SAD Draft Plan.</p> <p>The power lines and water main (although the precise location of the latter is unclear) are recognised as constraints that may affect where within the site any enabling location might be located, but are just two of the factors that would have to be addressed in any development. There is no indication from current agricultural land classification mapping that the land is prime quality.</p> <p>The Secretary of State decision only related to the part of the site owned by Bovis, that is the former St Margaret's Hospital, which is most appropriately accessed from Queslett Road. The proposed policy is intended to apply to any further development that may occur elsewhere within the wider area it covers.</p>	

												However, the wording in relation to access arrangements is identical to that in the UDP policy.	
3544				Eccleston	7. Environmental Network	71. Great Barr Hall and Estate	EN7				<p>Not notified of SAD preparation despite the Council having said it was consulting with residents.</p> <p>EN7 is significantly different to UDP ENV8 and will allow inappropriate development to take place and pave way for further development in the Green Belt.</p> <p>UDP Policy ENV8 makes no mention of enabling development. EN7 now focuses predominantly on enabling development.</p> <p>Great Barr Hall has nothing remaining of any historical value. Enormous cost of restoration would need enormous amount of enabling development that would destroy the parkland. Latter is of much greater importance than Hall. Local community will receive no benefit from development of the parkland.</p>		<p>No change proposed in response to this representation. However changes to the policy are proposed for other reasons. Since the Council's responses were endorsed by Cabinet, Great Barr Hall and Chapel has been subject to a Listing Review which has downgraded it to a Grade II Listed Building. The proposed modifications to the Policy have been amended to reflect this. (MMSAD30)</p> <p>Unlike individual planning applications that relate to a single site, the SAD is about potential development all across the borough and it is not practical or possible to directly notify all those parties who may wish to submit representations about particular sites.</p> <p>The policy refers to the need to justify the likely impact of any development against the benefits; including the impact on the Green Belt. The policy wording has to take account of the fact that Great Barr Hall remains a Listed Building albeit downgraded to Grade II partly due to its current poor condition. As the Parkland is also Grade II, it is now of the same status as than the Hall, however publication draft policy EN7(b) in fact refers to maintaining and protecting both the Hall and the Parkland. It should be noted that the parkland is also on the heritage at risk register due to the lack of a suitable management regime and vulnerability to change: many of the features of the parkland have been lost. The proposed modifications to the policy include rewriting it so that it addresses the issues facing the estate more clearly.</p>
3545				Eccleston	7. Environmental Network	71. Great Barr Hall and Estate	EN7				<p>Not notified of SAD preparation despite being consultee for planning application.</p> <p>EN7 is significantly different to UDP ENV8 and will allow inappropriate development to take place and pave way for further development in the Green Belt.</p> <p>UDP Policy ENV8 makes no mention of enabling development. EN7 now focuses predominantly on enabling development.</p> <p>Great Barr Hall has nothing remaining of any historical value. Enormous cost of restoration would need enormous amount of enabling development that would destroy the parkland. Latter is of much greater importance than Hall.</p> <p>EN7 must reflect previous decisions by Walsall Council and Planning Inspectorate that an holistic approach is necessary in considering the future of this sensitive site.</p> <p>Current review of listing by Historic England is not mentioned.</p>		<p>No change proposed in response to this representation. However changes to the policy are proposed for other reasons. Since the Council's responses were endorsed by Cabinet, Great Barr Hall and Chapel has been subject to a Listing Review which has downgraded it to a Grade II Listed Building. The proposed modifications to the Policy have been amended to reflect this. (MMSAD30)</p> <p>Unlike individual planning applications that relate to a single site, the SAD is about potential development all across the borough and it is not practical or possible to directly notify all those parties who may wish to submit representations about particular sites.</p> <p>The policy refers to the need to justify the likely impact of any development against the benefits; including the impact on the Green Belt. The policy wording has to take account of the fact that Great Barr Hall remains a Listed Building albeit downgraded to Grade II partly due to its current poor condition. As the Parkland is also Grade II, it is now of the same status as than the Hall, however publication draft policy EN7(b) in fact refers to maintaining and protecting both the Hall and the Parkland. It should be noted that the parkland is also on the heritage at risk register due to the lack of a suitable management regime and vulnerability to change: many of the features of the parkland have been lost. The proposed modifications to the policy include rewriting it so that it addresses the issues facing the estate more clearly.</p> <p>Paragraph (g) of the existing UDP Policy ENV8 in fact does refer to enabling development.</p>



												<p>The Historic England review was not announced until after the Publication Draft SAD was prepared. However, this has now been completed and has been used to inform the proposed modifications that have been made to Policy EN7 for the next phase of consultation on the SAD Draft Plan.</p> <p>The Secretary of State decision only related to the part of the site owned by Bovis, that is the former St Margaret's Hospital, which is most appropriately accessed from Queslett Road. The proposed policy is intended to apply to any further development that may occur elsewhere within the wider area it covers. However, the wording in relation to access arrangements is identical to that in the UDP policy.</p>
3546				Mead	7. Environmental Network	71. Great Barr Hall and Estate	EN7				<p>Resident of Great Barr area objects to building on the green belt and is concerned the destruction of the parkland will result in huge environmental loss to the area.</p>	<p>No change proposed in response to this representation. However changes to the policy are proposed for other reasons. Since the Council's responses were endorsed by Cabinet, Great Barr Hall and Chapel has been subject to a Listing Review which has downgraded it to a Grade II Listed Building. The proposed modifications to the Policy have been amended to reflect this. (MMSAD30)</p> <p>The policy refers to the need to justify the likely impact of any development against the benefits; including the impact on the Green Belt. The policy wording has to take account of the fact that Great Barr Hall remains a Listed Building albeit downgraded to Grade II partly due to its current poor condition. As the Parkland is also Grade II, it is now of the same status as than the Hall, however publication draft policy EN7(b) in fact refers to maintaining and protecting both the Hall and the Parkland. It should be noted that the parkland is also on the heritage at risk register due to the lack of a suitable management regime and vulnerability to change: many of the features of the parkland have been lost. The proposed modifications to the policy include rewriting it so that it addresses the issues facing the estate more clearly.</p>
3547				Winters	7. Environmental Network	71. Great Barr Hall and Estate	EN7				<p>EN7 is significantly different to UDP ENV8 and will allow inappropriate development to take place and pave way for further development in the Green Belt which should be protected.</p> <p>UDP Policy ENV8 makes no mention of enabling development. EN7 now focuses predominantly on enabling development.</p> <p>Great Barr Hall has nothing remaining of any historical value. Enormous cost of restoration would need enormous amount of enabling development that would destroy the parkland. Latter is of much greater importance than Hall and provides more value to the communities of Walsall and Sandwell.</p> <p>Concerned about the increase of traffic in the area that development would cause.</p>	<p>No change proposed in response to this representation. However changes to the policy are proposed for other reasons. Since the Council's responses were endorsed by Cabinet, Great Barr Hall and Chapel has been subject to a Listing Review which has downgraded it to a Grade II Listed Building. The proposed modifications to the Policy have been amended to reflect this. (MMSAD30)</p> <p>The policy refers to the need to justify the likely impact of any development against the benefits; including the impact on the Green Belt. The policy wording has to take account of the fact that Great Barr Hall remains a Listed Building albeit downgraded to Grade II partly due to its current poor condition. As the Parkland is also Grade II, it is now of the same status as than the Hall, however publication draft policy EN7(b) in fact refers to maintaining and protecting both the Hall and the Parkland. It should be noted that the parkland is also on the heritage at risk register due to the lack of a suitable management regime and vulnerability to change: many of the features of the parkland have been lost. The proposed modifications to the policy include rewriting it so that it addresses the issues facing the estate more clearly.</p> <p>Paragraph (g) of the existing UDP Policy ENV8 in fact does refer to enabling development.</p>

												Reference in proposed policy to vehicle access arrangements is identical to the existing UDP policy
3548		Friends of Merrions Wood		Winters	7. Environmental Network	71. Great Barr Hall and Estate	EN7				<p>Not notified of SAD preparation despite being consultee for planning application.</p> <p>EN7 is significantly different to UDP ENV8 and will allow inappropriate development to take place and pave way for further development in the Green Belt. UDP Policy ENV8 makes no mention of enabling development. EN7 now focuses predominantly on enabling development.</p> <p>Enabling development will destroy longstanding views between main Parkland and the Avenue at Merrions Wood as well as habitats for wildlife within and near to the park.</p> <p>Registered Parkland is important to local community and as part of the Green Belt.</p>	<p>Changes proposed. Additionally further changes to the policy are proposed for other reasons. Since the Council's responses were endorsed by Cabinet, Great Barr Hall and Chapel has been subject to a Listing Review which has downgraded it to a Grade II Listed Building. The proposed modifications to the Policy have been amended to reflect this. (MMSAD30)</p> <p>References to the need to protect key linkages and views that provide part of the relationship between the Hall, its parkland and the wider area have been added to the policy.</p> <p>Paragraph (g) of UDP Policy ENV8 in fact does refer to enabling development.</p> <p>The policy refers to the need to justify the likely impact of any development against the benefits; including the impact on the Green Belt. The policy wording has to take account of the fact that Great Barr Hall remains a Listed Building albeit downgraded to Grade II partly due to its current poor condition. As the Parkland is also Grade II, it is now of the same status as than the Hall, however publication draft policy EN7(b) in fact refers to maintaining and protecting both the Hall and the Parkland. It should be noted that the parkland is also on the heritage at risk register due to the lack of a suitable management regime and vulnerability to change: many of the features of the parkland have been lost. The proposed modifications to the policy include rewriting it so that it addresses the issues facing the estate more clearly.</p> <p>The need to protect sites of nature conservation and environmental interest is included in the Publication Consultation draft of EN7 in several places under: b)iv; d), e)ii; f)ii and g).</p>
3549				Withers	7. Environmental Network	71. Great Barr Hall and Estate	EN7				<p>EN7 is significantly different to UDP ENV8 and will allow inappropriate development to take place and pave way for further development in the Green Belt.</p> <p>UDP Policy ENV8 makes no mention of enabling development. EN7 now focuses predominantly on enabling development.</p> <p>Great Barr Hall has nothing remaining of any historical value. Enormous cost of restoration would need enormous amount of enabling development that would destroy the parkland. Latter is of much greater importance than Hall. Registered Parkland is important to local communities of Walsall and Sandwell.</p> <p>Concerned about the increase of traffic in the area that development would cause.</p>	<p>No change proposed in response to this representation. However changes to the policy are proposed for other reasons. Since the Council's responses were endorsed by Cabinet, Great Barr Hall and Chapel has been subject to a Listing Review which has downgraded it to a Grade II Listed Building. The proposed modifications to the Policy have been amended to reflect this. (MMSAD30)</p> <p>The policy wording has to take account of the fact that Great Barr Hall remains a Listed Building albeit downgraded to Grade II partly due to its current poor condition. As the Parkland is also Grade II, it is now of the same status as than the Hall, however publication draft policy EN7(b) in fact refers to maintaining and protecting both the Hall and the Parkland. It should be noted that the parkland is also on the heritage at risk register due to the lack of a suitable management regime and vulnerability to change: many of the features of the parkland have been lost. The proposed modifications to the policy include rewriting it so that it addresses the issues facing the estate more clearly.</p> <p>Paragraph (g) of the existing UDP Policy ENV8 in fact does refer to enabling development.</p> <p>Reference in proposed policy to vehicle access</p>

												arrangements is identical to the existing UDP policy
3550				Smith	7. Environmental Network	71. Great Barr Hall and Estate	EN7				<p>EN7 is significantly different to UDP ENV8 and will allow inappropriate development to take place and pave way for further development in the Green Belt.</p> <p>UDP Policy ENV8 makes no mention of enabling development. EN7 now focuses predominantly on enabling development.</p> <p>Great Barr Hall has nothing remaining of any historical value. Enormous cost of restoration would need enormous amount of enabling development that would destroy the parkland, its flora and fauna. Parkland is of much greater importance than Hall.</p>	<p>No change proposed in response to this representation. However changes to the policy are proposed for other reasons. Since the Council's responses were endorsed by Cabinet, Great Barr Hall and Chapel has been subject to a Listing Review which has downgraded it to a Grade II Listed Building. The proposed modifications to the Policy have been amended to reflect this. (MMSAD30)</p> <p>The policy refers to the need to justify the likely impact of any development against the benefits; including the impact on the Green Belt. The policy wording has to take account of the fact that Great Barr Hall remains a Listed Building albeit downgraded to Grade II partly due to its current poor condition. As the Parkland is also Grade II, it is now of the same status as than the Hall, however publication draft policy EN7(b) in fact refers to maintaining and protecting both the Hall and the Parkland. It should be noted that the parkland is also on the heritage at risk register due to the lack of a suitable management regime and vulnerability to change: many of the features of the parkland have been lost. The proposed modifications to the policy include rewriting it so that it addresses the issues facing the estate more clearly.</p> <p>Paragraph (g) of the existing UDP Policy ENV8 in fact does refer to enabling development.</p>
3551				Smith	7. Environmental Network	71. Great Barr Hall and Estate	EN7				<p>EN7 is significantly different to UDP ENV8 and will allow inappropriate development to take place and pave way for further development in the Green Belt.</p> <p>UDP Policy ENV8 makes no mention of enabling development. EN7 now focuses predominantly on enabling development.</p> <p>Great Barr Hall has nothing remaining of any historical value. Enormous cost of restoration would need enormous amount of enabling development that would destroy the parkland. Latter is of much greater importance than Hall. Registered Parkland is important to local communities of Walsall and Sandwell.</p> <p>Concerned about the increase of traffic in the area that development would cause.</p>	<p>No change proposed in response to this representation. However changes to the policy are proposed for other reasons. Since the Council's responses were endorsed by Cabinet, Great Barr Hall and Chapel has been subject to a Listing Review which has downgraded it to a Grade II Listed Building. The proposed modifications to the Policy have been amended to reflect this. (MMSAD30)</p> <p>The policy refers to the need to justify the likely impact of any development against the benefits; including the impact on the Green Belt. The policy wording has to take account of the fact that Great Barr Hall remains a Listed Building albeit downgraded to Grade II partly due to its current poor condition. As the Parkland is also Grade II, it is now of the same status as than the Hall, however publication draft policy EN7(b) in fact refers to maintaining and protecting both the Hall and the Parkland. It should be noted that the parkland is also on the heritage at risk register due to the lack of a suitable management regime and vulnerability to change: many of the features of the parkland have been lost. The proposed modifications to the policy include rewriting it so that it addresses the issues facing the estate more clearly.</p> <p>Paragraph (g) of the existing UDP Policy ENV8 in fact does refer to enabling development.</p> <p>Reference in proposed policy to vehicle access arrangements is identical to the existing UDP policy</p>

3552				Smith	7. Environmental Network	71. Great Barr Hall and Estate	EN7				<p>EN7 is significantly different to UDP ENV8 and will allow inappropriate development to take place and pave way for further development in the Green Belt.</p> <p>UDP Policy ENV8 makes no mention of enabling development. EN7 now focuses predominantly on enabling development.</p> <p>Great Barr Hall has nothing remaining of any historical value. Enormous cost of restoration would need enormous amount of enabling development that would destroy the parkland. Latter is of much greater importance than Hall and development would destroy the parklands flora and fauna.</p> <p>Concerned about the increase of traffic in the area that development would cause.</p>		<p>No change proposed in response to this representation. However changes to the policy are proposed for other reasons. Since the Council's responses were endorsed by Cabinet, Great Barr Hall and Chapel has been subject to a Listing Review which has downgraded it to a Grade II Listed Building. The proposed modifications to the Policy have been amended to reflect this. (MMSAD30)</p> <p>The policy refers to the need to justify the likely impact of any development against the benefits; including the impact on the Green Belt. The policy wording has to take account of the fact that Great Barr Hall remains a Listed Building albeit downgraded to Grade II partly due to its current poor condition. As the Parkland is also Grade II, it is now of the same status as than the Hall, however publication draft policy EN7(b) in fact refers to maintaining and protecting both the Hall and the Parkland. It should be noted that the parkland is also on the heritage at risk register due to the lack of a suitable management regime and vulnerability to change: many of the features of the parkland have been lost. The proposed modifications to the policy include rewriting it so that it addresses the issues facing the estate more clearly.</p> <p>Paragraph (g) of the existing UDP Policy ENV8 in fact does refer to enabling development.</p> <p>Reference in proposed policy to vehicle access arrangements is identical to the existing UDP policy</p>
3553				Smith	7. Environmental Network	71. Great Barr Hall and Estate	EN7				<p>Not notified of SAD preparation despite being consultee for planning application.</p> <p>EN7 is significantly different to UDP ENV8 and will allow inappropriate development to take place and pave way for further development in the Green Belt.</p> <p>UDP Policy ENV8 makes no mention of enabling development. EN7 now focuses predominantly on enabling development.</p> <p>Great Barr Hall has nothing remaining of any historical value. Enormous cost of restoration would need enormous amount of enabling development that would destroy the parkland. Latter is of much greater importance than Hall and development would destroy the parklands flora and fauna.</p>		<p>No change proposed in response to this representation. However changes to the policy are proposed for other reasons. Since the Council's responses were endorsed by Cabinet, Great Barr Hall and Chapel has been subject to a Listing Review which has downgraded it to a Grade II Listed Building. The proposed modifications to the Policy have been amended to reflect this. (MMSAD30)</p> <p>Unlike individual planning applications that relate to a single site, the SAD is about potential development all across the borough and it is not practical or possible to directly notify all those parties who may wish to submit representations about particular sites.</p> <p>The policy refers to the need to justify the likely impact of any development against the benefits; including the impact on the Green Belt. The policy wording has to take account of the fact that Great Barr Hall remains a Listed Building albeit downgraded to Grade II partly due to its current poor condition. As the Parkland is also Grade II, it is now of the same status as than the Hall, however publication draft policy EN7(b) in fact refers to maintaining and protecting both the Hall and the Parkland. It should be noted that the parkland is also on the heritage at risk register due to the lack of a suitable management regime and vulnerability to change: many of the features of the parkland have been lost. The proposed modifications to the policy include rewriting it so that it addresses the issues facing the estate more clearly.</p> <p>Paragraph (g) of the existing UDP Policy ENV8 in fact does refer to enabling development.</p>

3554				Cockitt	7. Environmental Network	71. Great Barr Hall and Estate	EN7			<p>Agree with recommendation in EN7 that vehicular access from Chapel Lane will be minimised.</p>	<p>Not notified of SAD preparation despite being consultee for planning application.</p> <p>EN7 is significantly different to UDP ENV8 and will allow inappropriate development to take place and pave way for further development in the Green Belt.</p> <p>UDP Policy ENV8 makes no mention of enabling development. EN7 now focuses predominantly on enabling development.</p> <p>Great Barr Hall has nothing remaining of any historical value. Enormous cost of restoration would need enormous amount of enabling development that would destroy the parkland. Latter is of much greater importance than Hall and development would destroy the parklands flora and fauna. Registered Parkland is important to local communities of Walsall and Sandwell.</p> <p>EN7 must reflect previous decisions by Walsall Council and Planning Inspectorate that an holistic approach is necessary in considering the future of this sensitive site.</p> <p>Current review of listing by Historic England is not mentioned.</p> <p>Prime agricultural land/ electricity pylons and water main should be given consideration.</p>		<p>No change proposed in response to this representation. However changes to the policy are proposed for other reasons. Since the Council's responses were endorsed by Cabinet, Great Barr Hall and Chapel has been subject to a Listing Review which has downgraded it to a Grade II Listed Building. The proposed modifications to the Policy have been amended to reflect this. (MMSAD30)</p> <p>Unlike individual planning applications that relate to a single site, the SAD is about potential development all across the borough and it is not practical or possible to directly notify all those parties who may wish to submit representations about particular sites.</p> <p>The policy refers to the need to justify the likely impact of any development against the benefits; including the impact on the Green Belt. The policy wording has to take account of the fact that Great Barr Hall remains a Listed Building albeit downgraded to Grade II partly due to its current poor condition. As the Parkland is also Grade II, it is now of the same status as than the Hall, however publication draft policy EN7(b) in fact refers to maintaining and protecting both the Hall and the Parkland. It should be noted that the parkland is also on the heritage at risk register due to the lack of a suitable management regime and vulnerability to change: many of the features of the parkland have been lost. The proposed modifications to the policy include rewriting it so that it addresses the issues facing the estate more clearly.</p> <p>Paragraph (g) of the existing UDP Policy ENV8 in fact does refer to enabling development.</p> <p>The Historic England review was not announced until after the Publication Draft SAD was prepared. However, this has now been completed and has been used to inform the proposed modifications that have been made to Policy EN7 for the next phase of consultation on the SAD Draft Plan.</p> <p>The power lines and water main (although the precise location of the latter is unclear) are recognised as constraints that may affect where within the site any enabling location might be located, but are just two of the factors that would have to be addressed in any development. There is no indication from current agricultural land classification mapping that the land is prime quality.</p> <p>The Secretary of State decision only related to the part of the site owned by Bovis, that is the former St Margaret's Hospital, which is most appropriately accessed from Queslett Road. The proposed policy is intended to apply to any further development that may occur elsewhere within the wider area it covers. However, the wording in relation to access arrangements is identical to that in the UDP policy.</p>
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3555				Rutter	7. Environmental Network	71. Great Barr Hall and Estate	EN7					<p>Not notified of SAD preparation despite being consultee for planning application.</p> <p>St Margaret's Church linked to Great Barr Hall as part of the designed landscape and vistas of the park</p> <p>EN7 is significantly different to UDP ENV8 and will allow inappropriate development to take place and pave way for further development in the Green Belt.</p> <p>UDP Policy ENV8 makes no mention of enabling development. EN7 now focuses predominantly on enabling development. Enormous cost of restoration of Great Barr Hall would need enormous amount of enabling development that would destroy the parkland. Latter is of much greater importance than Hall and development would destroy the parklands flora and fauna as well as its significance.</p> <p>Enabling development will destroy longstanding views and links between main Parkland and Merriions Wood as well as habitats for wildlife within and near to the park.</p> <p>Should not change policy half way through a planning application and ongoing discussions with Historic England should be acknowledged.</p> <p>Policy does not consider the whole conservation area</p> <p>Prime agricultural land/ electricity pylons and water main should be given consideration.</p>		<p>Changes proposed. Additionally further changes to the policy are proposed for other reasons. Since the Council's responses were endorsed by Cabinet, Great Barr Hall and Chapel has been subject to a Listing Review which has downgraded it to a Grade II Listed Building. The proposed modifications to the Policy have been amended to reflect this. (MMSAD30)</p> <p>References to the need to protect key linkages and views that provide part of the relationship between the Hall, its parkland and the wider area have been added to the policy.</p> <p>Unlike individual planning applications that relate to a single site, the SAD is about potential development all across the borough and it is not practical or possible to directly notify all those parties who may wish to submit representations about particular sites.</p> <p>The policy refers to the need to justify the likely impact of any development against the benefits; including the impact on the Green Belt. The policy wording has to take account of the fact that Great Barr Hall remains a Listed Building albeit downgraded to Grade II partly due to its current poor condition. As the Parkland is also Grade II, it is now of the same status as than the Hall, however publication draft policy EN7(b) in fact refers to maintaining and protecting both the Hall and the Parkland. It should be noted that the parkland is also on the heritage at risk register due to the lack of a suitable management regime and vulnerability to change: many of the features of the parkland have been lost. The proposed modifications to the policy include rewriting it so that it addresses the issues facing the estate more clearly.</p> <p>Paragraph (g) of the existing UDP Policy ENV8 in fact does refer to enabling development.</p> <p>The Historic England review was not announced until after the Publication Draft SAD was prepared. However, this has now been completed and has been used to inform the proposed modifications that have been made to Policy EN7 for the next phase of consultation on the SAD Draft Plan. However, until the outcome of this review is known, the policy and any decisions on individual planning applications have to be determined on the basis of the current status of the building.</p> <p>The power lines and water main (although the precise location of the latter is unclear) are recognised as constraints that may affect where within the site any enabling location might be located, but are just two of the factors that would have to be addressed in any development. There is no indication from current agricultural land classification mapping that the land is prime quality.</p> <p>The Secretary of State decision only related to the part of the site owned by Bovis, that is the former St Margaret's Hospital, which is most appropriately accessed from Queslett Road. The proposed policy is intended to apply to any further development that may occur elsewhere within the wider area it covers. However, the wording in relation to access arrangements is identical to that in the UDP policy.</p>
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3560				Doggett	7. Environmental Network	71. Great Barr Hall and Estate	EN7					<p>EN7 is significantly different to UDP ENV8 and will allow inappropriate development to take place and pave way for further development in the Green Belt.</p> <p>UDP Policy ENV8 makes no mention of enabling development. EN7 now focuses predominantly on enabling development.</p> <p>Great Barr Hall has nothing remaining of any historical value. Enormous cost of restoration would need enormous amount of enabling development that would destroy the parkland. Latter is of much greater importance than Hall and development would destroy the parklands flora and fauna. Registered Parkland is important to local communities of Walsall and Sandwell.</p> <p>EN7 must reflect previous decisions by Walsall Council and Planning Inspectorate that an holistic approach is necessary in considering the future of this sensitive site.</p> <p>Current review of listing by Historic England is not mentioned.</p> <p>Prime agricultural land/ electricity pylons and water main should be given consideration.</p>		<p>No change proposed in response to this representation. However changes to the policy are proposed for other reasons. Since the Council's responses were endorsed by Cabinet, Great Barr Hall and Chapel has been subject to a Listing Review which has downgraded it to a Grade II Listed Building. The proposed modifications to the Policy have been amended to reflect this. ((MMSAD30)</p> <p>The policy refers to the need to justify the likely impact of any development against the benefits; including the impact on the Green Belt. The policy wording has to take account of the fact that Great Barr Hall remains a Listed Building albeit downgraded to Grade II partly due to its current poor condition. As the Parkland is also Grade II, it is now of the same status as than the Hall, however publication draft policy EN7(b) in fact refers to maintaining and protecting both the Hall and the Parkland. It should be noted that the parkland is also on the heritage at risk register due to the lack of a suitable management regime and vulnerability to change: many of the features of the parkland have been lost. The proposed modifications to the policy include rewriting it so that it addresses the issues facing the estate more clearly.</p> <p>Paragraph (g) of the existing UDP Policy ENV8 in fact does refer to enabling development.</p> <p>The Historic England review was not announced until after the Publication Draft SAD was prepared. However, this has now been completed and has been used to inform the proposed modifications that have been made to Policy EN7 for the next phase of consultation on the SAD Draft Plan. However, until the outcome of this review is known, the policy and any decisions on individual planning applications have to be determined on the basis of the current status of the building.</p> <p>The Secretary of State decision only related to the part of the site owned by Bovis, that is the former St Margaret's Hospital, which is most appropriately accessed from Queslett Road. The proposed policy is intended to apply to any further development that may occur elsewhere within the wider area it covers. However, the wording in relation to access arrangements is identical to that in the UDP policy.</p> <p>There is no indication from current agricultural land classification mapping that the farmland is prime quality. The pylons and water main (the exact position of the latter is unclear) are only two of a number of constraints that would restrict the areas of the site that could be developable.</p>
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3561				Price	7. Environmental Network	71. Great Barr Hall and Estate	EN7				<p>EN7 is significantly different to UDP ENV8 and will allow inappropriate development to take place and pave way for further development in the Green Belt.</p> <p>UDP Policy ENV8 makes no mention of enabling development. EN7 now focuses predominantly on enabling development.</p> <p>Great Barr Hall has nothing remaining of any historical value. Enormous cost of restoration would need enormous amount of enabling development that would destroy the parkland. Latter is of much greater importance than Hall</p>		<p>No change proposed in response to this representation. However changes to the policy are proposed for other reasons. (MMSAD30)</p> <p>The policy refers to the need to justify the likely impact of any development against the benefits; including the impact on the Green Belt. The policy wording has to take account of the fact that Great Barr Hall remains a Listed Building albeit downgraded to Grade II partly due to its current poor condition. As the Parkland is also Grade II, it is now of the same status as than the Hall, however publication draft policy EN7(b) in fact refers to maintaining and protecting both the Hall and the Parkland. It should be noted that the parkland is also on the heritage at risk register due to the lack of a suitable management regime and vulnerability to change: many of the features of the parkland have been lost. The proposed modifications to the policy include rewriting it so that it addresses the issues facing the estate more clearly.</p> <p>Paragraph (g) of the existing UDP Policy ENV8 in fact does refer to enabling development.</p>
3564				Michelle	7. Environmental Network	71. Great Barr Hall and Estate	EN7				<p>EN7 is significantly different to UDP ENV8 and will allow inappropriate development to take place and pave way for further development in the Green Belt.</p> <p>UDP Policy ENV8 makes no mention of enabling development. EN7 now focuses predominantly on enabling development.</p> <p>Prime agricultural land should be given consideration.</p>		<p>No change proposed in response to this representation. However changes to the policy are proposed for other reasons. Since the Council's responses were endorsed by Cabinet, Great Barr Hall and Chapel has been subject to a Listing Review which has downgraded it to a Grade II Listed Building. The proposed modifications to the Policy have been amended to reflect this. (MMSAD30)</p> <p>The policy refers to the need to justify the likely impact of any development against the benefits; including the impact on the Green Belt. The policy wording has to take account of the fact that Great Barr Hall remains a Listed Building albeit downgraded to Grade II partly due to its current poor condition. As the Parkland is also Grade II, it is now of the same status as than the Hall, however publication draft policy EN7(b) in fact refers to maintaining and protecting both the Hall and the Parkland. It should be noted that the parkland is also on the heritage at risk register due to the lack of a suitable management regime and vulnerability to change: many of the features of the parkland have been lost. The proposed modifications to the policy include rewriting it so that it addresses the issues facing the estate more clearly.</p> <p>Paragraph (g) of the existing UDP Policy ENV8 in fact does refer to enabling development.</p> <p>There is no indication from current agricultural land classification mapping that the farmland is prime quality.</p>



3566				Neale	7. Environmental Network	71. Great Barr Hall and Estate	EN7					<p>EN7 is significantly different to UDP ENV8 and will allow inappropriate development to take place and pave way for further development in the Green Belt.</p> <p>UDP Policy ENV8 makes no mention of enabling development. EN7 now focuses predominantly on enabling development.</p> <p>Prime agricultural land should be given consideration.</p>		<p>No change proposed in response to this representation. However changes to the policy are proposed for other reasons. Since the Council's responses were endorsed by Cabinet, Great Barr Hall and Chapel has been subject to a Listing Review which has downgraded it to a Grade II Listed Building. The proposed modifications to the Policy have been amended to reflect this. (MMSAD30)</p> <p>The policy refers to the need to justify the likely impact of any development against the benefits; including the impact on the Green Belt. The policy wording has to take account of the fact that Great Barr Hall remains a Listed Building albeit downgraded to Grade II partly due to its current poor condition. As the Parkland is also Grade II, it is now of the same status as than the Hall, however publication draft policy EN7(b) in fact refers to maintaining and protecting both the Hall and the Parkland. It should be noted that the parkland is also on the heritage at risk register due to the lack of a suitable management regime and vulnerability to change: many of the features of the parkland have been lost. The proposed modifications to the policy include rewriting it so that it addresses the issues facing the estate more clearly.</p> <p>Paragraph (g) of the existing UDP Policy ENV8 in fact does refer to enabling development.</p> <p>There is no indication from current agricultural land classification mapping that the farmland is prime quality.</p>
3567				Wheale	7. Environmental Network	71. Great Barr Hall and Estate	EN7					<p>Not notified of SAD preparation despite being local resident.</p> <p>EN7 fails to give equal or more value to the historical listed parkland by allowing its destruction with an enabling development to fund the rebuilding of Great Barr Hall. The destruction of the parkland will result in huge historical and environmental loss to the area. Also fails to identify and protect the green belt's prime agricultural land.</p>		<p>No change proposed in response to this representation. However changes to the policy are proposed for other reasons. Since the Council's responses were endorsed by Cabinet, Great Barr Hall and Chapel has been subject to a Listing Review which has downgraded it to a Grade II Listed Building. The proposed modifications to the Policy have been amended to reflect this. (MMSAD30)</p> <p>Unlike individual planning applications that relate to a single site, the SAD is about potential development all across the borough and it is not practical or possible to directly notify all those parties who may wish to submit representations about particular sites.</p> <p>The policy refers to the need to justify the likely impact of any development against the benefits; including the impact on the Green Belt. The policy wording has to take account of the fact that Great Barr Hall remains a Listed Building albeit downgraded to Grade II partly due to its current poor condition. As the Parkland is also Grade II, it is now of the same status as than the Hall, however publication draft policy EN7(b) in fact refers to maintaining and protecting both the Hall and the Parkland. It should be noted that the parkland is also on the heritage at risk register due to the lack of a suitable management regime and vulnerability to change: many of the features of the parkland have been lost. The proposed modifications to the policy include rewriting it so that it addresses the issues facing the estate more clearly.</p> <p>There is no indication from current agricultural land classification mapping that the land is prime quality.</p>

3507				Mathers	7. Environmental Network	71. Great Barr Hall and Estate	EN7				<p>New housing scheme with a few hundred houses will cause congestion</p> <p>If lights were turned off in new housing building this would save a fortune</p> <p>Don't want banqueting suite. Why is greenbelt land being ruined?</p>		<p>No change proposed in response to this representation. However changes to the policy are proposed for other reasons (MMSAD30)</p> <p>Representation appears to be referring to current planning application rather than the SAD policy, although the application does not propose "a few hundred houses".</p> <p>Reference to "lights" is assumed to relate to a building in Walsall Town Centre (which is not occupied by the Council).</p>
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Chapter 8: Sustainable Waste Management													
Unique Ref - Respondent	Unique Ref - Other (where Respondent is Agent)	Respondent Organisation	Agent	Last Name	Topic	Sub-Topic	Policy Reference	Site Reference	Section Reference	Supports the Plan - Provide Summary	Objects to the Plan - Provide Summary	Proposed Modifications	Council Final Response
1673		Walsall Group of the Ramblers		Turton	8. Sustainable Waste Management	6b. Sports and Recreation - General				Our concerns relating to quarrying and waste management appear to have been covered by the latest documentation and although there may be long-term disruption to some areas whilst these activities are underway we believe that restoration of the sites subsequently to open spaces with public rights of way included will be a great benefit to Walsall residents.			No Change Proposed. Welcome Support.
2658		Environment Agency		Ross	8. Sustainable Waste Management	8a. Waste Management - General	W1 - W4			In Planning Policy Terms, aside from the recommended amendment to the reference to Fire Protection in Policy W3, we are reasonably satisfied with this Chapter as it now stands.			No Change Proposed. Welcome Support.
481		Cory Environmental		Owen	8. Sustainable Waste Management	8f. Existing Waste Management Sites - Strategic Waste Sites	W2	WS10	Table of Strategic Waste Sites	The Table of Strategic Waste Sites in Policy W2 states that the Highfield South Landfill Site (WS10) has an "Estimated Maximum Annual Throughput Capacity" of 110,000 tonnes per annum (tpa). This figure is not justified by factual evidence. Taking the last few years of inputs at the Highfield South site, at no time have annual inputs been as low as 110,000 tpa. Even during the last two calendar years, i.e. since the ending of the Walsall domestic waste contract in 2013, the site has averaged 120,000 tonnes per annum of waste inputs. In addition, the site now benefits from a new contract for the disposal of up to 11,000 tpa of residual waste from the household waste recycling centres within Walsall. As a consequence, the estimated maximum annual throughput capacity is now nearer 130,000 tpa, not the 110,000 tpa suggested in the Table. The above information is supplied for greater accuracy and to properly reflect the situation at Highfield South. The current figure of 110,000 is not justified by the evidence.	Amend annual throughput figure for Site WS10: Highfields South Landfill Site in Table of Strategic Waste Sites by replacing the stated figure of '110,000 TPA' with '130,000 TPA.'	Change Proposed. Proposed Modification to Policy W2: (MMSAD31) Policy W2, Strategic Waste Sites, Site WS10: Highfields South Landfill Site - replace annual throughput figure of "110,000 TPA" with "130,000 TPA". It is accepted that the annual throughput figure for Highfields South in the policy is not based on the latest evidence for current and projected annual inputs into the site, and that it should be revised in the light of the evidence provided by the objector.	
2121		St Francis Group		Kelly	8. Sustainable Waste Management	8f. Existing Waste Management Sites - Strategic Waste Sites	W2	WS17 IN54.4		WS17: Bescot Triangle South - no objection on the assumption that retained local quality industry would incorporate Use Classes B1c, d, B2, B8.			No Change Proposed Welcome support in principle. Assuming that the reference to "Use Classes B1c, d, B2, B8" means Use Classes B1 (b), B1 (c), B2 or B8, no modifications are required as the SAD policy supports Black Country Core Strategy Policy EMP3, which permits development falling within these Use Classes on Retained Local Quality Industry sites. Identification of the site as a Strategic Waste Site in Policy W2 reflects its current use, and the need to safeguard existing waste infrastructure where appropriate, in accordance with the National Planning Policy for Waste (paragraphs 4 and 8). However, it is unlikely that a more intensive waste management use would be viable on this site in practice, due to the access constraints and potential ground condition problems (see Walsall SAD, CIL Viability & Deliverability Study (2015), DTZ).

2658		Environment Agency		Ross	8. Sustainable Waste Management	8f. Existing Waste Management Sites - Strategic Waste Sites	W2		c)	We welcome the reference made to Fire Protection Plans within Policy W2.			No Change Proposed. Welcome Support.
2121		St Francis Group		Kelly	8. Sustainable Waste Management	8h. New Waste Treatment & Transfer - Potential Waste Sites	W3	WP11 IN98.1		WP11: Cemetery Road - support.			No Change Proposed Welcome Support.
2658		Environment Agency		Ross	8. Sustainable Waste Management	8h. New Waste Treatment & Transfer - Potential Waste Sites	W3	WP13 IN12.8			It appears that all sites have been left in the plan for Waste Treatment, including the sites' we flagged up as potentially causing issues. Whilst we accept that in theory, most activities and the potential impacts they cause should be mitigated by the permitting process, sites coming forward in closest proximity to residential areas will have a significantly higher chance of generating complaints. The Local Authority will also have to consider such impacts as lorry movements and for sites such as the Former McKechnies Site in Aldridge, (IN12.8), this will undoubtedly be contentious.		Changes Proposed. Proposed Modification to Policy W3 and SAD Policies Map: (MMSAD34) Policy W3, Potential Waste Sites - Enclosed Treatment and Transfer Table, Site WP13: Former McKechnie's Site - delete site from table SAD Policies Map - delete Potential Waste Site symbol.  It is accepted that as the land owner is unwilling to consider waste management options for the site, there is little point in identifying it as a Potential Waste Site in the SAD. However, no change is proposed to the Potential High Quality Industry designation of the site on the Policies Map and in Policy IND2 (Site IN12.8).
2121		St Francis Group		Kelly	8. Sustainable Waste Management	8h. New Waste Treatment & Transfer - Potential Waste Sites	W3	WP13 IN12.8			WP13: Former McKechnie's Site - object to allocation of the site as waste management, as this is incompatible with its context.	Remove zoning for new waste treatment and transfer facilities	Changes Proposed. Proposed Modifications to Policy W3 and SAD Policies Map: (MMSAD34) Policy W3, Potential Waste Sites - Enclosed Treatment and Transfer Table, Site WP13: Former McKechnie's Site - delete site from table SAD Policies Map - delete Potential Waste Site symbol.  It is accepted that as the land owner is unwilling to consider waste management options for the site, there is little point in identifying it as a Potential Waste Site in the SAD. However, no change is proposed to the Potential High Quality Industry designation of the site on the Policies Map and in Policy IND2 (Site IN12.8). The objector is also mistaken in assuming that the Draft SAD has 'zoned' or allocated the site for waste management development. The sites listed in Policy W3 are Industrial Sites which are identified as being <u>potentially suitable</u> for development with enclosed waste treatment or transfer facilities. The plan is not inflexible and recognises that waste management development is only one possible option for these sites - the Policy Justification (8.4.1) states they are more likely to be developed with alternative industrial uses.
2658		Environment Agency		Ross	8. Sustainable Waste Management	8h. New Waste Treatment & Transfer - Potential Waste Sites	W3		h)		Question why reference has not been made to Fire Protection Plans within Policy W3 for New Waste Treatment and Transfer Sites.	Request an addition to this policy requiring Fire Protection Plans similar to requirement included in Policy W2.	Changes Proposed. Proposed Modification to Policy W3: (MMSAD35) Policy W3, Paragraph h) - move requirement to evaluate fire risk on open land and unenclosed sites from paragraph h) of the policy to a new paragraph b) at the beginning, and re-word paragraph so that it is clear that it applies to both enclosed and unenclosed facilities, cross-referencing to similar requirement in paragraph c) of Policy W2. Consequential Modifications are also proposed, to re-number the following paragraphs of the policy. Paragraph h) of the policy already includes a requirement for facilities proposed on open land and unenclosed sites to assess fire risk, as this is where the main risks are likely to arise. However, it is accepted that enclosed facilities could sometimes be at risk, and that



Chapter 9: Sustainable Use of Minerals													
Unique Ref - Respondent	Unique Ref - Other (where Respondent is Agent)	Respondent Organisation	Agent	Last Name	Topic	Sub-Topic	Policy Reference	Site Reference	Section Reference	Supports the Plan - Provide Summary	Objects to the Plan - Provide Summary	Proposed Modifications	Council Final Response
1673		Walsall Group of the Ramblers		Turton	9. Sustainable Use of Minerals	9a. Minerals - General				Our concerns relating to quarrying and waste management appear to have been covered by the latest documentation and although there may be long-term disruption to some areas whilst these activities are underway we believe that restoration of the sites subsequently to open spaces with public rights of way included will be a great benefit to Walsall residents.			No Change Proposed. Welcome Support.
2301		Gallagher Estates	Pegasus Planning	Cox	9. Sustainable Use of Minerals	9b. Minerals Safeguarding Area (MSA)	M1		c)	It is recognised that land at Home Farm, Sandhills is located within the Minerals Safeguarding Area as refined within the Publication Draft Plan SADSAD Policy M1 recognises that, in Walsall, "prior extraction" of minerals will rarely be feasible, and provides support for non-mineral developments within the MSA where this can be demonstrated. This approach has been informed by an up to date review of the evidence base for minerals and is therefore justified. Gallagher Estates supports SAD Policy M1 as drafted.			Changes Proposed Support for policy in principle is welcomed. However, it is proposed to modify Policy M1 by deleting the paragraph that the respondent supports, in response to objections from the Mineral Products Association (441) and Coal Authority (681). While the Council remains of the view that 'prior extraction' on small urban sites will rarely be feasible, it is recognised that development on peripheral greenfield sites could sterilise potentially winnable mineral resources and compromise future mineral working. (MMSAD37)
719		Staffordshire County Council		Griffin	9. Sustainable Use of Minerals	9b. Minerals Safeguarding Area (MSA)	M1		d) and e) and 9.2.4	Support additions (paragraphs d and e) to policy M1 to safeguard permitted and proposed mineral working areas.		To assist in implementing the policy, consideration should be given to the way in which permitted mineral working sites and proposed areas for mineral working can be safeguarded from non-mineral development that could restrict mineral operations. For example, buffers could be defined on mapping around identified sites to clarify those areas where the policy needs to be applied. There should also be a requirement to maintain updated information about sites.	No Change Proposed. Welcome Support for policy in principle. It is not necessary to identify 'buffers' around Permitted Minerals Sites and/ or Areas of Search. For permitted sites any potential conflict between mineral working and proximal development will have already been taken into account when the permission was granted. On active sites, potential conflicts are being managed through the mitigation measures already in place and the requirements imposed by the existing working conditions (as in the case of Atlas Quarry and Sandown Quarry). With regard to the two 'dormant' sites at Brownhills Common and Highfields North, such measures would be a matter for negotiation when applications for modern conditions are determined. Three Areas of Search have been identified around active/ recently active sites at Birch Lane, Branton Hill and Stubbers Green, which provide further scope for managing land use conflicts in the locations where future mineral working is most likely to occur during the plan period. The boundary of one Area of Search boundary (MXA1: Birch Lane) was also changed following the Issues & Options consultation to provide distance separation between potential working areas and existing residential development and reduce risks of future conflict. It is also implicit in the monitoring indicators identified at 9.2.4 that changes affecting Permitted Minerals Sites and Area sites will be monitored.

441		Mineral Products Association		Ratcliff	9. Sustainable Use of Minerals	9b. Minerals Safeguarding Area (MSA)	M1					<p>You have identified one amorphous MSA for all minerals which is not helpful to either the local planning authority or to developers in formulating plans and proposals. The more logical approach is to have separate MSAs for each mineral even if they overlap and that this is more consistent with national policy than the approach proposed. NPPF para 143 bullet point 3 says that local planning authorities should in making their plans define Minerals Safeguarding Areas (plural) and adopt appropriate policies in order that known locations of specific minerals resources of local and national importance are not needlessly sterilised by non-mineral development, whilst not creating a presumption that resources defined will be worked, and define Minerals Consultation Areas (plural) based on these Minerals Safeguarding Areas (plural). A reasonable interpretation of this policy statement is that plural MSAs are envisaged. Separate MSAs are necessary because the operational and technical and environmental effects of mineral working differ substantially between different mineral types. The guidance also specifically advises that the whole resource should be safeguarded. If the area of the sand and gravel deposit (for example) is not identified then this cannot be done. Furthermore, neither prospective developers nor development managers will be aware that there is any sand and gravel resource that needs protection because sand and gravel will not be shown on the Proposals and Policies Map or the Constraints Map, and the potential could easily be missed especially if another is the focus of study. Moreover, applicants cannot propose alternative locations for development that avoids mineral resource effects if the whole plan area is an MSA.</p>	<p>We consider that a mineral safeguarding regime in line with national policy and guidance should include the following:</p> <ul style="list-style-type: none"> <li>- Identify MSAs based on individual minerals;</li> <li>- Add buffers to those boundaries identified and consult industry (including the trade associations) on revisions to the boundaries;</li> <li>- Consult other sources of information on past activity to exclude areas already worked for MSAs; and</li> <li>- If the position adopted is that urban development has sterilised the resource, nevertheless include the edges of the urban areas because even small developments particularly on the edge of urban areas can sterilise adjacent mineral through proximal sterilisation as explained in the national guidance.</li> </ul>	<p>Changes Proposed.</p> <p>Proposed Modifications to Policy M1 and Policy Justification, Map 9.1 and SAD and AAP Policies Maps: (MMSAD37 and MMSAD39)</p> <p>Policy M1, paragraph a) - Amend to explain that the MSA designation on the SAD Policies Map is based on the MSA shown on the BCCS Minerals Key Diagram, and that indicative MSA(s) for each mineral type are shown on SAD Map 9.1.</p> <p>Policy Justification (9.2.1) - amend to explain how the MSA(s) have been developed and the evidence used.</p> <p>SAD and AAP Policies Maps - replace MSA boundary shown on the Publication Draft SAD and AAP Policies Maps with the indicative MSA shown on the BCCS Minerals Key Diagram</p> <p>Map 9.1 (page 221) - replace with a new map showing the indicative MSAs identified in BCCS Appendix 7 and an indicative MSA for fireclay.</p> <p>Consequential Modifications are also proposed to AAP Policy AAPINV7 for consistency. It is also proposed to publish a SAD and AAP Minerals Technical Appendix with further information about mineral resources in Walsall. The indicative MSA(s) identified in the BCCS were based on the recommendations of a study undertaken in 2008 by RPS which used the best evidence available at the time. The Walsall SAD &amp; AAP Minerals Project (2015) did not identify any new evidence in support of further refinement of the boundaries of the BCCS MSA(s) in Walsall. However, subsequent to this, evidence was obtained from a mineral operator on the extent of winnable fireclay resources in Brownhills, which has enabled a new MSA to be identified for this mineral. The indicative BCCS MSA(s) include 'buffers' in accordance with the good practice guidance, even though they do not serve any practical purpose in a situation where the MSA(s) overlap with each other to the extent that they cover nearly the whole of Walsall's administrative area. As the safeguarded areas overlap each other and overlie every other designation/ site allocation on the SAD and AAP Policies Maps, separate MSAs would be unintelligible. Showing a single MSA designation on the Policies Maps and separate indicative MSAs for each mineral on SAD Map 9.1 is therefore the best compromise. There is no need to have a separate Minerals Consultation Area in Walsall because it is a Unitary Authority - the mineral planning authority and the local planning authorities are therefore not separate entities.</p>
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441		Mineral Products Association		Ratcliff	9. Sustainable Use of Minerals	9b. Minerals Safeguarding Area (MSA)	M1				<p>The overall thrust of this policy and its explanation in the supporting text is defeatist in respect of mineral safeguarding and the effect is to play lip service to the concept enshrined in national policy and is moreover, unconvincing. We also believe that your policy has been overly influenced by the principle of prior extraction and has not adequately considered proximal sterilisation. We consider the default position for development proposed in an MSA (backed by national policy) is protection of the mineral, and justification for overturning national policy in respect of any individual development proposal is required based on evidence of the impact on mineral resources. If the Local Plan admits that such protection will not be forthcoming we cannot see how it can pass the test of soundness. We also believe you have also erred in other respects; you have pre-judged the case for development in MSAs without evidence and have compromised (perhaps fatally) the ability to safeguard mineral in the Borough, you have proposed thresholds which national good practice tells you to avoid, you assume that prior extraction can only take place in commercial quantities, you do not appear to have considered the potential for proximal sterilisation.</p>	<p>We consider that a mineral safeguarding regime in line with national policy and guidance would be as follows (and these are suggested as proposed changes),</p> <ul style="list-style-type: none"> <li>- Make the default policy for development in MSAs, protection of the resource;</li> <li>- Remove the thresholds for mineral assessment and prior extraction which are not in accordance with good practice guidance, and which if continued may compromise the mineral resource;</li> <li>- Do not prejudge the merits of development over protecting the mineral resource without adequate evidence. We believe this is most certainly unsound and not based on evidence and in practice frustrates the intention of national policy; and</li> <li>- Do not make the assumption that prior extraction is unfeasible because no examples of proper extraction are available. This is because it has not been made a requirement in the past especially for aggregates.</li> </ul>	<p>Changes Proposed.</p> <p>Proposed Modifications to Policy M1 and Policy Justification: (MMSAD37 and MMSAD39)</p> <p>Policy M1, Paragraph c) - delete paragraph and re-number the remaining paragraphs</p> <p>Policy M1, paragraph e) - amend paragraph to include development near to Areas of Search</p> <p>Policy Justification - amend to explain how the BCCS spatial strategy and the site selection process for non-mineral development in the SAD have taken into account potential impacts on future mineral working and is consistent with national policy guidance, that potential minerals safeguarding constraints have been identified in site allocation policies, and to expand on reasons why 'prior extraction' is rarely likely to be feasible on small previously-developed sites in Walsall. It is recognised that the wording of part c) of the policy could be interpreted as being inconsistent with parts a) and b) and BCCS Policy MIN1. However, it is not accepted that the focus on 'prior extraction' in the SAD is inappropriate, because all but one of the sites allocated for new development are on previously developed land. The application of the thresholds in BCCS Policy MIN1 to new development within the MSA is justified by the evidence in support of the BCCS and no new evidence has come forward since then to show that the thresholds are inappropriate. The approach towards minerals safeguarding in SAD Policy M1 and AAP Policy AAPINV7 (as modified) is in conformity with BCCS Policy MIN1 and there is no justification for departing from this. The approach towards site selection has taken into account the potential for other development within the MSA to compromise future mineral extraction in line with NPPF paragraph 144. Modifications to Policies HC1, IND3 and IND4 (Sites HO58, IN6 and IN8) are proposed to address inconsistencies in the approach which have been identified following the Publication stage. A Modification to paragraph e) of Policy M1 is also proposed to address risks from development near to Areas of Search, for consistency with paragraph d), and it is proposed to modify Table 2.1 to identify development near to permitted minerals site as a constraint, and to add any missing constraints relating to permitted sites, Areas of Search and minerals safeguarding to the relevant site allocation policies (HC1, HC4, IND4 and IND5).</p>
681		Coal Authority		Northcote	9. Sustainable Use of Minerals	9b. Minerals Safeguarding Area (MSA)	M1				<p>The Coal Authority continues to consider that the statement made in the Policy regarding prior extraction being rarely feasible in Walsall is not justified. The supporting text could be retained however criterion c) undermines the principle of mineral safeguarding and prior extraction set out in criteria a) and b). This would in our view render the Site Allocations Plan out of general conformity to the Black Country Core Strategy and to the NPPF paragraphs 143 and 144. If this criterion is retained we consider the policy is unsound.</p>	<p>The Site Allocations Policy M1 should be amended as follows:</p> <p>"Non-Mineral Development within the MSA</p> <p>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').</p> <p><del>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</del></p>	<p>Changes Proposed.</p> <p>Proposed Modifications to Policy M1 and Policy Justification: (MMSAD37 and MMSAD39)</p> <p>Policy M1, Paragraph c) - delete paragraph and re-number the remaining paragraphs</p> <p>Policy Justification (9.2.1) - amend to expand on reasons why 'prior extraction' is rarely likely to be feasible on small previously-developed sites in Walsall. It is recognised that the wording of part c) of the policy could be interpreted as being inconsistent with parts a) and b) and BCCS Policy MIN1. However, the respondent has provided no evidence that it is feasible to extract coal in advance of development on previously-developed sites in Walsall except in very rare cases. There have been no documented 'prior extraction' schemes in Walsall for coal or for other minerals since the BCCS was adopted.</p>



												described in BCCS Policy MIN1."	
719		Staffordshire County Council		Griffin	9. Sustainable Use of Minerals	9c. Mineral Infrastructure Sites	M2	MI1 - MI8	a) and 9.2.4	Support policy with qualifications.		To assist in implementing the policy, consideration should be given to the way in which mineral infrastructure sites can be safeguarded from non-mineral development that could restrict operations within a site. For example, buffers could be defined on mapping around identified sites to clarify those areas where the policy needs to be applied. There should also be a requirement to maintain updated information about sites.	No Change Proposed. Welcome Support for policy in principle. It is not necessary to identify 'buffers' around Mineral Infrastructure Sites, because all but one of the sites identified in the SAD are in industrial areas identified on the Policies Map which are proposed to be retained in industrial use, and where proposals for non-industrial uses will not be permitted (BCCS Policies EMP2 and EMP3 and SAD Policies IND2 and IND3). The only exception is the recycling facility at Branton Hill Quarry (MI2). The scope for conflicts to arise from proximal development is therefore limited, and can be managed through application of other Local Plan policies (in particular, BCCS Policies EMP2, EMP3 and MIN1 and SAD Policies HC2, IND2 and IND3). Identifying them on the Policies Map should be sufficient to alert prospective developers to the existence of these facilities, and the need to avoid or manage any potential conflicts.
2121		St Francis Group		Kelly	9. Sustainable Use of Minerals	9c. Mineral Infrastructure Sites	M2	MI4 IN54.4		MI4: Bescot Triangle South - no objection on the assumption that retained local quality industry would incorporate Use Classes B1c, d, B2, B8.			No Change Proposed. Welcome support in principle. Assuming that the reference to "Use Classes B1c, d, B2, B8" means Use Classes B1 (b), B1 (c), B2 or B8, no modifications are required as the SAD policy supports Black Country Core Strategy Policy EMP3, which permits development falling within these Use Classes on Retained Local Quality Industry sites. Identification of the site as a Mineral Infrastructure Site/ aggregates recycling site in Policies M2 and M3 reflects its current use, and the need to safeguard existing aggregates recycling facilities where appropriate, in accordance with the NPPF (paragraph 143). However, it is unlikely that a more intensive aggregates recycling operation would be viable on this site in practice, due to the access constraints and potential ground condition problems (see Walsall SAD, CIL Viability & Deliverability Study (2015), DTZ).
3535		Ikin Family Trust		Muzio	9. Sustainable Use of Minerals	9i. Sand and Gravel Extraction - Birch Lane	M4	MP1		The former Aldridge Quarry (MP1) forms part of the land that is held upon trust by the estate of the late Sam Ikin Jr for the benefit of the residuary beneficiaries of the estate of the late Samuel Ikin Senior deceased. Following the recent death of Sam Ikin Jr, we (the majority of the residuary beneficiaries) are currently preparing to have new trustees appointed in order to rectify any and all issues associated with our land. We fully intend to identify, evaluate and address any potential harmful effects on health, the environment, amenity, and infrastructure etc. and address any concerns raised by the relevant regulatory authorities, statutory consultation bodies and infrastructure providers. We realise that Walsall District is one of the only areas referred to in the plan that potentially has winnable primary sand and gravel resources. As the landowners, we are keen to serve the area with the required minerals thus helping Walsall contribute to the annual production targets set out in the Black Country Core Strategy Plan. To this end, we wish to open up a dialogue with Walsall Council in order to explore the possibilities for further extraction of sand and gravel from, and around, the former Aldridge Quarry. All areas of land excavated will thereafter be duly reinstated to be presentable within its normal environment.	We would like to modify the plan to state that the former Aldridge Quarry (MP1) and the surrounding area does have winnable sand and gravel reserves remaining, and that we are intending to seek the necessary approvals to continue extraction.	No Change Proposed. Comments about future intentions for former Aldridge Quarry (MP1) and surrounding land are noted. Further sand and gravel extraction in the Area of Search surrounding the former quarry is supported, provided that the requirements in the policy - which the respondent has not objected to - are met. It is understood that the respondent is already involved in discussions with Council officers in the Development Management Team regarding the restoration of the former quarry and potential future mineral working. There are no permitted reserves remaining within the former Aldridge Quarry, as the working conditions (BC61247P as varied by 02/1376/M1/M1) do not permit mineral extraction after 12 September 2010. Neither the former operator nor the land owner submitted an application for new working conditions within the deadline date for Periodic Review, which fell due in April 2016. The permission for mineral working has therefore now fallen away because the opportunity to vary the relevant conditions has been lost, so a new permission will be required if the beneficiaries of the Trust wish to carry out any further mineral extraction within the former quarry. The mineral resource maps published by the British Geological Survey indicate that there are sand and gravel resources in the area surrounding the former quarry, and while it is likely that they are of similar quality to those within the former quarry, the Council is not aware of any evidence (for example, from mineral	

													surveys, sections or borehole logs) that proves the existence of a viable resource. In the absence of such evidence, there is no justification for modifying the plan as requested.
774		Lichfield District Council		Baldwin	9. Sustainable Use of Minerals	9i. Sand and Gravel Extraction - Birch Lane	M4			Support.			No Change Proposed Welcome Support.
774		Lichfield District Council		Baldwin	9. Sustainable Use of Minerals	9j. Sand and Gravel Extraction - Branton Hill	M5			Support.			No Change Proposed Welcome Support.
719		Staffordshire County Council		Griffin	9. Sustainable Use of Minerals	9l. Brick Works - Future Supply Requirements	M6		9.5.4	Support policy with qualifications.		To improve the monitoring of clay provision to the works referred to under policy M6, the performance indicators should include monitoring of clay supplied from quarries outside Walsall. It is acknowledged that there may be a commercial confidentiality issue in implementing this monitoring but this is a matter that can be addressed by ongoing co-operation between the relevant mineral planning authorities and the industry.	No Change Proposed. Although sufficient evidence has been gathered from recent planning applications to support the SAD policy and to establish a 'baseline' position on brick clay supply, the Council cannot commit to updating this evidence on a regular basis. Monitoring of SAD Policy M6 will depend on whether we have the resources to survey brickworks on an annual basis, and whether the brick manufacturers are willing to provide us with updated information. We cannot guarantee that manufacturers will always tell us where imported clay comes from, and any information that is provided to the Council may be regarded as commercially sensitive. We will therefore not be able to share it with other mineral planning authorities without the manufacturer's agreement.
758		Friends of the Earth		Kells	9. Sustainable Use of Minerals	9n. Brick Clay Extraction - Stubbers Green	M7	MXA3, MP2, MP7, MXP3		We are concerned about the impact of proposals at Stubbers Green on designated sites.		Rather than saying 'proposals should address the following issues' we believe the policy should be clearer that they will be refused if they do not adequately address those issues in line with EN1 (which we also suggest should be strengthened).	No Change Proposed. It is not necessary to amend the policy as suggested. The working conditions attached to existing mineral permissions and other relevant Local Plan policies (such as BCCS Policy ENV1 and SAD Policy EN1) already apply, and these should be sufficient to prevent unacceptable harm to designated sites.
2274		Natural England		Murray	9. Sustainable Use of Minerals	9n. Brick Clay Extraction - Stubbers Green	M7	MXA3, MP2, MP7, MXP3		MP2 /MXP3 - We welcome the inclusion of (e) (Atlas Quarry) which seeks to protect the interests of protected sites in the event new or amended proposals for the expansion of Atlas Quarry are proposed.  MP7 – We welcome a requirement for a restoration programme for Sandown Quarry and the proposed criteria which seek to protect / potentially enhance nearby protected sites.	MXA3 - It is not clear from the Policies Map what sites fall within the MXA3 Stubbers Green Area of Search. We would wish to have clarity on this. We assume that Jockey Fields SSSI and Stubbers Green Bog SSSI are located outside of this. Clarity also required in respect of reference to '(c)' within criterion (c) itself.	No specific changes sought, but typographical error in paragraph c) of the policy is noted (this refers to 'paragraph c) above' but should refer to 'paragraph a) above'). Clarification is also requested on which sites are within the Stubbers Green Area of Search (MXA3).	Changes Proposed. Proposed Modifications to Policy M7 and Policy Justification: Policy M7 Paragraph c), replace reference to 'paragraph c) above' with 'paragraph a) above.' (OMSAD49) Policy Justification (9.4.1) - add Inset Map showing Stubbers Green Area of Search and the minerals sites and the designated nature conservation sites in and around it. (MMSAD40)  No further changes are proposed to the policy for Stubbers Green, as Natural England have confirmed that they support it in principle. The main objective of the policy is to guide the determination of applications that may come forward within the plan period for significant changes to existing mineral operations, or for restoration of Sandown Quarry. The extent of coverage of the Stubbers Green Area of Search (MXA3) was explained to Natural England at a meeting on 24.05.16. It was confirmed that the area includes Stubbers Green Bog SSSI, Stubbers Green SINC and a small part of the Swan Pool and The Swag SSSI. This is because the two SSSIs fall within the boundaries of the mineral permissions covering what is now Sandown Quarry and other land within its curtilage, and the SINC covers the Recordon Land (MXP3), which is subject to the current application to expand Atlas Quarry (14/0619/CM).

2274		Natural England		Murray	9. Sustainable Use of Minerals	9o. Brick Clay Extraction - Other Areas	M8	Brick Clay Extraction - New Sites		The Publication Plan demonstrates that the SAD no longer specifically identifies a specific area of search at land north of the A461 (to include a significant proportion of land located within Jockey Fields SSSI) as appropriate for mineral extraction, subject to criteria. This is welcomed by Natural England. This is replaced by a general enabling policy for brick clay extraction subject to safeguards. Given the limited location of the resource in question this clearly relates to land north of A461. We would advise the insertion of text here (i) & (p206) to make it clear that applications within / adversely affecting the special features of Jockey Fields SSSI will be resisted. This would be consistent with the NPPF and the joint core strategy.		Insert text into SAD Policy M8 (i) & Policy Justification (p206) to make it clear that applications within / adversely affecting the special features of Jockey Fields SSSI will be resisted.	Change Proposed. Proposed Modifications to Policy M8: (MMSAD42) Paragraph j) - delete 'or minimise' from bullet point ii. Other amendments are also proposed to this bullet point to correct inaccuracies. The reasons for removing the indicative Area of Search were explained to Natural England during further discussions following their representation, and they have confirmed that they understand the reasons for having an 'enabling' policy within the SAD for brick clay extraction outside the permitted area of the Highfields North site (MP9). However, it is agreed that paragraph j) of the policy should be modified in accordance with the suggestions made by Natural England in further correspondence following the Publication stage, to avoid harm to the Jockey Fields SSSI in the event that working takes place outside the permitted area of the Highfields North site (MP9).
758		Friends of the Earth		Kells	9. Sustainable Use of Minerals	9o. Brick Clay Extraction - Other Areas	M8	MP9			We believe a similar approach to our suggestion for M7 is required, particularly in relation to MP9 (Highfields North).	Policy should say that permission will be refused unless proposals adequately address the designated site issues in line with EN1 (which we also suggest should be strengthened).	No Change Proposed. It is not proposed to modify the policy as suggested, because this would be beyond the scope of the plan. During further discussions with Natural England following the Publication consultation, they have acknowledged that the 'dormant' permission at Highfields North (MP9) still has effect, which means that the principle of mineral extraction has already been established, and there is nothing that the SAD can do to prevent it, even on a SSSI. However, in the light of further advice from Natural England, it is proposed to modify paragraphs g) xv. and j) ii. to minimise harm to the Jockey Fields SSSI and SLINC as far as possible, and to ensure that any new mineral extraction scheme will provide adequate mitigation and compensation for unavoidable loss of habitats within the SSSI and SLINC.
2274		Natural England		Murray	9. Sustainable Use of Minerals	9o. Brick Clay Extraction - Other Areas	M8	MP9			Object to MP9 The Highfields North allocation is contrary to SSSI protection policies and the NPPF. Following discussions with Walsall MDC Natural England is now clear as to why your authority considers the agreed revocation of the Highfields North minerals planning permission no longer possible. This is regrettable given that this was the agreed approach, via planning agreement, allowing the 1996 Ryders Hayes opencast coal workings to proceed. Natural England is currently looking further into this situation and would welcome further discussion with your authority on this matter. However, clearly, the permission is located upon land which forms a significant part of Jockey Fields SSSI. Whilst via Policy M8 sub criteria 'f, g and h', we appreciate that there are stringent requirements which proposals must meet in order to work the site for mineral extraction, it remains that the site is a nationally designated SSSI for its high biodiversity value and any allocation renders it vulnerable to development. For this reason, we consider it contrary to SSSI protection policies and the NPPF.	Amend text in bullet points on page 203 ('MP6: Highfields North' should say 'MP6: Highfields South'). Remove land within Jockey Fields SSSI from proposed SAD Policy MA7 [sic] in accordance with the requirements of the conservation principle provided by NPPF paragraph's 110 & 118, BCCS Policy CSP3, ENV1 and the conservation provisions of WCA 1981.	Changes Proposed. Proposed Modification to Policy M8 and Policy Justification: (MMSAD41) Paragraph M8, Paragraph g) - replace wording of bullet point xv. with the following: "The entirety of the worked areas covered by the SSSI designation must be restored as recreated wildlife habitats as those habitat types currently present within Jockey Fields SSSI, and of similar and 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 the potential for 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." Policy Justification, Page 203, 1st paragraph - replace 'MP6: Highfields North' with 'MP6: Highfields South' Policy Justification, page 204, 3rd paragraph - consequential Modifications reflecting amendments to paragraph g) xv. of the policy. Policy Justification - Add Inset Map showing the boundaries of the Highfields North site and the Jockey Fields SSSI/ SLINC. It is proposed to amend the typographical error on page 203 of the Policy Justification as suggested, and also to include an Inset Map in the Policy Justification to show the relationship between the permitted area and the Jockey Fields SSSI. It is also proposed to modify paragraph g) xv of the policy to ensure that the restoration and after use will provide replacement habitats of equivalent value to those within the SSSI,

													thereby compensating for the unavoidable harm that will be caused to the Jockey Fields SSSI from mineral working. It has been demonstrated to Natural England that the 'dormant' permission at Highfields North (MP9) still has effect, which means that the principle of mineral extraction has already been established and there is nothing that the SAD can do to prevent it, even on a SSSI. They have confirmed that they understand the position, and that with the proposed changes to paragraph g), the requirements in the policy are reasonable, justified and the most appropriate way forward for the plan.
2597		Parkhill Estates		Ferguson	9. Sustainable Use of Minerals	9o. Brick Clay Extraction - Other Areas	M8	MP9		Support policy with reservations. The acknowledgement that planning permission exists for the extraction of Brick Clay on the Highfields North Site is welcomed. This accords with National planning policy (reflected in the SAD Policy M1) which recognises that minerals are a finite natural resource which can only be worked where they are found, and it is necessary to make best use of these resources, to ensure there will continue to be sufficient supplies remaining for future generations. Mineral planning authorities are therefore required adopt policies to prevent other development from needlessly compromising (sterilising) future exploitation of these resources. This is emphasised as the Plan recognises the need to maintain brick clay supplies to local brickworks and the potential shortfall which is likely to occur.	It is acknowledged that the site offers various challenges, not least of which is the designation of part of the site as an SSSI with the remainder being included within a SLINC. Policy M8 consequently requires that an application for modern working conditions for this site will be expected to include a significant level of supporting information including Ecological Assessment and a strategy for minimising loss of the SSSI's special features, together with permanent retention of a proportion of the SSSI's special features throughout the working phases of the site. Laudable as this requirement is, it must be recognised that the imposition of severe restrictions on working the site could seriously impact upon the viability of the site. As the planning permission pre-dates the SSSI designation the policy ought to acknowledge the potential implications of the viability/loss of value which may result. The conflict which arises – need for the mineral versus retention of ecological features – needs to be fully explored. In the light of the identified importance of this site as a potential reserve for local brickworks, it appears perverse to allocate land adjoining (Allocation Site HO58) for housing when this can only result in further restrictions on working this valuable and limited mineral reserve.	Modify the proposed supporting information requirements to take account of the points raised above, particularly the fact that the planning permission pre-dates the SSSI designation.	No Change Proposed. Support for policy in principle is welcomed. However, it is not proposed to modify Policy M8 or the Policy Justification along the lines suggested. It is acknowledged that mineral extraction at Highfields North will be challenging given the constraints of the SSSI designation and other site constraints, even though the principle of the mineral development was established many years ago. However, a SSSI is designated on the basis of the site's ecological value, so the existence of a previous mineral permission does not override the SSSI designation, or remove the owner's obligations to protect the site. The fact that the SSSI designation post-dates the mineral permission is therefore not relevant. The policy aims to be helpful to applicants by setting out the key issues that an application for modern working conditions will be expected to address, to demonstrate that the development will be sustainable and that unavoidable harmful effects on the environment, amenity and infrastructure will be minimised as far as possible. Natural England has confirmed that with further Modifications to paragraph g) xv of the policy to ensure that the restoration and after use will provide replacement habitats of equivalent value to those within the SSSI, thereby compensating for the unavoidable harm that will be caused to the Jockey Fields SSSI from mineral working, the requirements are reasonable, justified and the most appropriate way forward for the plan. However, it is acknowledged that the allocation of sites for housing adjacent to the site is not appropriate as this could compromise the implementation of the permission. It is therefore proposed to delete the housing allocation HO58: Walsall Road, Walsall Wood from the plan, and to amend the designation of part of the adjacent industrial site IN6: Hall Lane, Walsall Wood from 'Local Quality Consider for Release' to 'Retained Local Quality,' and to identify the proximity to the Permitted Minerals Site as a constraint - see Proposed Modifications to Policies HC1, IND3, IND4 and related Modifications to the Policies Map for details.
219		Potters Clay and Coal Company Ltd	Resource UK	Carp	9. Sustainable Use of Minerals	9p. Coal and Fireclay Extraction - General	M9	MP5		The Potter's Clay and Coal Company Ltd does not object in principle to the Publication Draft Plan. However, the Council is referred to the Black Country Core Strategy Public Inquiry at which the exceptionally high quality of Brownhills fireclays for ceramics, particularly studio pottery and hobby craft, was demonstrated. Whilst not repeating the evidence here, it is considered sufficient to note three critical points:		The Company would prefer York's Bridge to remain designated as an Area of Search for fireclay.	Changes Proposed. Proposed Modification to SAD Policy M9, paragraph a) - add reference to indicative MSA for fireclay. (MMSAD46) Proposed Modification to SAD Map 9.1 - add indicative MSA for fireclay.  The information provided by Resource UK on 17.06.16 following their original representation does not demonstrate that a viable and deliverable scheme is likely to come forward for fireclay extraction at Yorks

									<p>1 - The same seams worked at Birch Coppice also occur at Brownhills Common and York's Bridge.</p> <p>2 – The Company recognises the environmental and nature conservation value of Brownhills Common and is therefore willing to exchange the existing permission for Brownhills Common (MP5) for an alternative area at York's Bridge.</p> <p>3 - The fireclays extracted from the former Birch Coppice site are still being supplied to a very large number of clients both in the UK and world-wide from the Company's Swan Works, which is adjacent to the site.</p> <p>The current rate of usage from the Birch Coppice stockpiles is confirmed to be in the region of 2,000 tonnes per annum, but this is in the context of a global market for the company which has seen an increase in sales in recent years. Therefore the existing stockpiles are expected to last for approximately 15 years, depending on sales demand. It is accepted that a partner will be required to bring forward a new extraction site, although due to economic conditions it has proved impossible to find a partner during the current Plan period. For this reason the Company would prefer York's Bridge to remain designated as an Area of Search for fireclay. I can confirm that the geological evidence indicates that the eastern half of the site is likely to be more economically viable as the fireclays are closer to surface, thereby reducing the amount of overburden to be removed. A designated Area of Search in the eastern part of York's Bridge would also reduce the potential effects on environmentally designated sites associated with the canal. However, the 'enabling' inclusion in Policy M9 is welcomed. The Company still intends to work fireclays in Brownhills at some point in the future, and that whilst this may not be within the Plan period it may be that preparations for an application could start prior to 2026.</p>			<p>Bridge within the plan period. The designation of an Area of Search is therefore not justified at the present time. However, it is accepted that there is likely to be a need for fireclay beyond the plan period to provide for the long-term supply requirements of Swan Works and possibly other end users, and that there are potentially winnable fireclay resources in the Brownhills area which could meet this need. It is therefore proposed to identify an indicative MSA for fireclay on Map 9.1 of the SAD, which includes the coal seams associated with potentially winnable fireclay resources underlying the Yorks Bridge, Birch Coppice (MP3) and Brownhills Common (MP5) sites. This will highlight the existence of a potentially valuable fireclay resource, preventing needless sterilisation and allowing a suitable extraction proposal to come forward in an appropriate location if it proves viable.</p>
681		Coal Authority		Northcote	9. Sustainable Use of Minerals	9p. Coal and Fireclay Extraction – General	M9		The Coal Authority supports this Policy.			No Change Proposed. Welcome Support.

758		Friends of the Earth		Kells	9. Sustainable Use of Minerals	9q. Coal and Fireclay Extraction - Brownhills	M9	MP5			We believe a similar approach to our suggestion for M7 is required, particularly in relation to MP5, (Brownhills Common).	Policy should say that permission will be refused unless proposals adequately address the designated site issues in line with EN1 (which we also suggest should be strengthened).	Change Proposed. It is not necessary to amend the policy as suggested, because other relevant Local Plan policies (such as BCCS Policy ENV1 and SAD Policy EN1) will also apply, and this should be sufficient to prevent unacceptable harm to designated sites. In the case of the Land at Brownhills Common, there is a 'dormant' permission in place, which means that the principle of mineral extraction has already been established and there is nothing that the SAD can do to prevent it. The policy goes as far as possible in setting out the requirements that will have to be met if the 'stalled' application for modern conditions to be applied to this site and Birch Coppice (BC48813P) is to be determined, in order to minimise harm to the Brownhills Common and The Slough SINC and Chasewater and Southern Staffordshire Coalfield Heaths SSSI, and to provide adequate compensation for unavoidable loss of habitats.  However, modification MMSAD47 is proposed to the policy relating to public rights of way.
1812		Cannock Chase District Council		Eggington	9. Sustainable Use of Minerals	9q. Coal and Fireclay Extraction - Brownhills	M9	Yorks Bridge		Support for not allocating a minerals development site at Yorks Bridge based upon the existing evidence. Support for criteria set out to assess any future proposals.			No Change Proposed. Welcome Support.
2274		Natural England		Murray	9. Sustainable Use of Minerals	9q. Coal and Fireclay Extraction - Brownhills	M9	Yorks Bridge			Object to Policy M9 (g & h) on the basis that the LPA is unable to ascertain that there are no likely significant effects associated with the policy upon the integrity of Cannock Extension Canal SAC. While Natural England accepts that there is no specific site in the SAD which may be accessed via a HRA, as the Yorks Bridge proposal identified in the BCCS is not shown on the SAD Policies Map, paragraph (h)(xi) of Policy M9 includes a requirement for HRA of the impacts on the Cannock Extension Canal SAC, if proposals come forward for mineral extraction at Yorks Bridge. As this provision still forms part of a policy of the SAD, we consider that, under the Habitats Regulations, a HRA of the policy is still required and is currently awarded insufficient consideration.	HRA of the policy for Yorks Bridge is required.	Changes Proposed. Proposed Modifications to Policy M9 (MMSAD49) and Policy Justification: (MODSAD106) Policy M9, Paragraph h) - amend bullet point xi. as follows: "xi. Impacts on Cannock Chase 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;" Policy M9, Policy Justification (9.5.1) - amend 3rd paragraph on page 216 to explain the conclusions of the high level HRA screening assessment on the likely effects of mineral working at Yorks Bridge on the integrity of the Cannock Extension Canal SAC, and the justification for deferring detailed HRA until the project stage, in accordance with the requirement in SAD Policy M9, paragraph h), bullet point xi. (MODSAD106)  It has been agreed with Natural England during further discussions and correspondence following their formal representation that a high level HRA of the potential effects of mineral working at Yorks Bridge on the Cannock Extension Canal SAC should be carried out, and the results set out in the SAD & AAP HRA Screening Assessment report. The outcome of the evaluation has confirmed that any harmful effects likely to arise from fireclay extraction and associated development at Yorks Bridge are capable of being prevented through mitigation, and that as there is considerable uncertainty about where working might take place, the effects can only be determined with confidence at the planning application stage. The requirement at paragraph h) xi. of the policy to provide a detailed HRA with a planning application is therefore justified and the background to this is explained in the Proposed Modifications to the Policy Justification. The outcome of the HRA Screening

													Assessment has also been reflected in the updating of the SAD and AAP SA Report.
774		Lichfield District Council		Baldwin	9. Sustainable Use of Minerals	9q. Coal and Fireclay Extraction – Brownhills	M9			Support.			No Change Proposed Welcome Support.
681		Coal Authority		Northcote	9. Sustainable Use of Minerals	9s. Energy Minerals - Unconventional Hydrocarbons	M10			The Coal Authority supports this Policy.			No Change Proposed. Welcome Support.

Chapter 10: Transport and Infrastructure													
Unique Ref - Respondent	Unique Ref - Other (where Respondent is Agent)	Respondent Organisation	Agent	Last Name	Topic	Sub-Topic	Policy Reference	Site Reference	Section Reference	Supports the Plan - Provide Summary	Objects to the Plan - Provide Summary	Proposed Modifications	Council Final Response
758		Friends of the Earth		Kells	10. Transport and Infrastructure	10a. Transport - General	T4				Transport policies have been largely saved from the UDP, which predates the NPPF and NPPG. T4(g) is out of date.	Reference to the need to meet three policy requirements of the NPPF para 32, and add reference to travel plans being developed alongside proposals.	Change Proposed Modify T4(g) to refer to sustainable transport modes and cost-effective transport improvements to reflect NPPF paragraph 32. (MMSAD56)
2301		Gallagher Estates	Pegasus Planning	Cox	10. Transport and Infrastructure	10c. Bus Services - General	T2			Gallagher Estates support the changes proposed to the policies within this section.			No Change Proposed. Welcome Support.
2275		West Midlands ITA		Davies	10. Transport and Infrastructure	10d. Bus Services - Improvements	T2		10.2.8 (to be renumbered 10.3.3)		Support, but reference to the Black Country Rapid Transit Review should be made.	When completed, would be grateful if reference made to the Bus Network development plan for Walsall.	Change Proposed Add reference to Bus Network development plan in preparation to Delivery section (paragraph 10.2.4, renumbered from 10.2.9, after policy T2) (OMSAD57)
2275		West Midlands ITA		Davies	10. Transport and Infrastructure	10f. Rail Network - General	T3		10.2.8	Support. Protection for the Stourbridge - Walsall - Lichfield rail line should continue in view of the strategic benefits.	Reference to the Black Country Rapid Transit Review should be made.	Add reference to the Black Country Rapid Transit Review Study in the Evidence section.	Change Proposed. Proposed Modification to Section 10.2.8 (Evidence) - add reference to Black Country Rapid Transit Network Review. (OMSAD56 and OMSAD59)
2301		Gallagher Estates	Pegasus Planning	Cox	10. Transport and Infrastructure	10f. Rail Network - General	T3			Gallagher Estates support the changes proposed to the policies within this section.			No Change Proposed. Welcome Support.
774		Lichfield District Council		Baldwin	10. Transport and Infrastructure	10h. Rail Network - Potential Passenger and Freight Services	T3			Support.			No Change Proposed Welcome Support.
2275		West Midlands ITA		Davies	10. Transport and Infrastructure	10l. Highway Network - General	T5				Support, but more efficient use of road space taking account of all modes should be noted under the Key Route Network.	Making more efficient use of road space, taking account of all modes, should be noted under the Key Route Network.	Change Proposed. Explanatory text about the Key Route Network added to the Policy Justification under policy T4
2301		Gallagher Estates	Pegasus Planning	Cox	10. Transport and Infrastructure	10m. Highway Network - SHN	T4			Gallagher Estates support the changes proposed to the policies within this section.			No Change Proposed. Welcome Support.
2402		Highways England		Dray	10. Transport and Infrastructure	10m. Highway Network - SHN				We welcome that the SAD recognises an aspiration to maintain a 25 metre buffer between development and the SRN to allow for future maintenance and any potential improvements. We also welcome that the SAD sets out the requirement for development to adhere to DfT Circular 02/2013 and the Design Manual for Roads and Bridges (DMRB) guidance and standards, where applicable.			No Change Proposed. Welcome Support.



3531		Vodafone and Telefonica (O2)	CTIL	McHenry	10. Transport and Infrastructure	10y. Infrastructure - Other	Omission Policy					<p>We consider it important that there is a specific telecommunications policy within the emerging Local Plan. We consider that the vital role that telecommunications play in both the economic and social fabric of communities merit the inclusion of a policy which refers specifically to telecommunications developments.</p>	<p>We would suggest some introductory wording and a policy which reads:  “Proposals for telecommunications development will be permitted provided that the following criteria are met:  (i) the siting and appearance of the proposed apparatus and associated structures should seek to minimise impact on the visual amenity, character or appearance of the surrounding area;  (ii) if on a building, apparatus and associated structures should be sited and designed in order to seek to minimise impact to the external appearance of the host building;  (iii) if proposing a new mast, it should be demonstrated that the applicant has explored the possibility of erecting apparatus on existing buildings, masts or other structures. Such evidence should accompany any application made to the (local) planning authority.  (iv) If proposing development in a sensitive area, the development should not have an unacceptable effect on areas of ecological interest, areas of landscape importance, archaeological sites, conservation areas or buildings of architectural or historic interest.  When considering applications for telecommunications development, the (local) planning authority will have regard to the operational requirements of telecommunications networks and the technical limitations of the technology.”</p>	<p>No Change Proposed.  The level of detail in the suggested policy relates to development management matters and would not be appropriate for a site allocation document. In any case, the wording is similar to the existing saved UDP policy ENV38.</p>
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**11: Miscellaneous Comments**

Unique Ref - Respondent	Unique Ref - Other (where Respondent is Agent)	Respondent Organisation	Agent	Last Name	Topic	Sub-Topic	Policy Reference	Site Reference	Section Reference	Supports the Plan - Provide Summary	Objects to the Plan - Provide Summary	Proposed Modifications	Council Final Response
2264		Home Builders Federation		Green	11. Miscellaneous Comments	1a. SAD - General	HC1		Overall Plan		<p>Walsall has a role in meeting housing needs arising from Birmingham. The Objectively Assessed Housing Need in the Greater Birmingham Housing Needs Study shows a greater housing requirement than referred to in the SAD.</p> <p>Policy HC1 does not distinguish between sites with planning permission and those without. It is not certain that the plan demonstrates a 5 year housing land supply.</p> <p>The widest possible range of housing sites is required.</p> <p>The brownfield first principle relates back to previous national policies.</p> <p>The plan period should be extended or an early review policy should be included. An up to date viability assessment is also required.</p>	Review the Draft Walsall SAD with respect to the Duty to Co-operate, the plan period, and objectively assessed housing needs / housing requirement.	No Change Proposed. The SAD and evidence contained elsewhere, including the 2016 SHLAA, already address the issues raised
2301		Gallagher Estates	Pegasus Planning	Cox	11. Miscellaneous Comments	1a. SAD - General			Overall Plan		<p>Whilst the Publication Draft Plan document does provide some planning policy context, it fails to recognise that the BCCS was adopted prior to the introduction of the NPPF and that much of the evidence base that supported the Strategy is significantly out of date. The document, for example, does not debate the appropriateness of the housing requirement contained within the BCCS or reference more recent evidence which considers the objectively assessed housing need within the Borough and the wider Greater Birmingham Housing Market Area in which Walsall lies.</p> <p>The most recent Walsall Local Development Scheme anticipates that a review of the BCCS will commence in 2016 but there is no reference to this review within the SAD Publication Draft Plan.</p>	Abandon SAD and divert resources towards review of BCCS.	<p>No Change Proposed.</p> <p>The SAD is intended to help bring forward housing sites that will contribute to meeting not just the borough's own needs but also potentially need arising from Birmingham or elsewhere. Abandoning the SAD at this stage would simply delay the development of these sites.</p> <p>The appropriate forum for considering any increase in housing requirements above those proposed in the adopted BCCS would be through a review of the BCCS. Section 1.3 of the SAD Publication Document already refers to this proposed review.</p>
2616		Walton Homes	JVH Town Planning Consultants Ltd	Beavin	11. Miscellaneous Comments	1a. SAD - General			Overall Plan		<p>The plan is not positively prepared – the plan fails to allocate enough land to meet the needs of the various uses required and is inconsistent in placing development in the right locations, especially in terms of housing provision which is restricted to only being delivered on Brownfield sites. The plan is not justified – it is taking an out of date strategy approach and failing to meet the OAHN [objectively assessed housing need] by not looking ahead to incorporate the most appropriate strategy when considered against reasonable alternatives such as a Green Belt Review. The plan is ineffective – as it fails to make provision for housing on land which other than brownfield sites this is an ineffective approach and likely to see the plan fail to deliver on account of viability and attractiveness to the market with an overreliance on such sites. The plan is inconsistent with national policy – as it fails to meet the OAHN and allocate sustainable housing sites having undertaken an appropriate review of all</p>	A Green Belt review is required.	<p>No Change Proposed.</p> <p>The SAD, together with other housing sites identified in the SHLAA, identify developable sites for housing in excess of the number required to meet housing need to at least 2026 without the need to release sites in the green belt. The completion of housing sites since 2026 has exceeded the trajectory in the BCCS, so housing needs are demonstrably being met.</p>

										development options including a review of the Green belt and taking account of the housing requirements from Birmingham.		
1741		Aldridge Central & South Ward		Rochelle	11. Miscellaneous Comments	1a. SAD - General				The report to the Aldridge and Beacon Area Panel on the SAD by Council officers was well received, with sufficient sites identified for the next ten years. We were pleased that conservation and Green Belt land was retained. Our area provides a 'green lung' for Walsall. The area has the remarkable distinction of having the oldest age profile in Great Britain with Aldridge being the oldest and Pheasey being close behind, with close to 30% of the population over 60 years of age and 60% being over the age of 45 years. The area is worthy to be conserved and far from affluent. We have a balance of industrial areas and residential areas.		No Change Proposed. Welcome Support.
1797				Treadwell	11. Miscellaneous Comments	1a. SAD - General				I had the opportunity to look at your plans when you brought them to Aldridge shopping centre last week. The current plans seem to be well thought out and I am delighted that so much of the development sites are in brownfield areas. It is really important to protect the green belt.		No Change Proposed. Welcome Support.
2220				Gregory	11. Miscellaneous Comments	1a. SAD - General				No comments on Plan.		Noted.
2339				Cox	11. Miscellaneous Comments	1b. Consultation Process					Would like to comment on the lack of information regarding the recent meeting at the Town Hall. Only one resident in my area was aware of this - how can we give an opinion if we are not aware of the meeting?	No Change Proposed.  The respondent - like all who provide their details - will be contacted as part of forthcoming consultations.