WALSALL BOROUGH LOCAL PLAN

Issues and Preferred Options

Walsall Council

Part One: General Policies

Chapter 1 – Introduction

The Walsall Borough Local Plan (WBLP) will be the local plan for the area. It will show where we expect new homes, factories and other types of building to take place. It will also seek to protect the natural and historic environment, as well as open space. We will use the plan when we determine planning applications. It will also show developers where there is land available.

The plan consists of written policies and supporting information, together with a map. These policies are of three main types, although some policies are of more than one type:

Objective Policies. These set out what we are trying to achieve, for example

- the total number of new homes we are aiming to provide; or
- the protection of nature.

The objectives come from the vision for the plan set out at the start of this document. The vision derives from the council's wider vision for the area.

Development Type Policies: These are about particular types of land use. An example is the mix of tenures we will expect in new housing developments.

Site Specific Policies: These describe what we expect to see on particular sites. Some sites will stay in their existing use, for example existing open space.

The policies map shows the sites and areas of land that we refer to in the plan.

Before the council can adopt the plan, we have to ask what the plan ought to contain. This consultation is the issues and preferred options consultation. It is under regulation 18 of the Local Planning Regulations 2012.

We must take into account any representations made when we prepare the next stage of the plan. The next stage will be the publication plan under regulation 19. We will consult again about the publication plan. We will then submit it for the Secretary of State to examine. The Secretary of State will appoint an inspector to hold an examination in public of the plan. If the examination supports the plan, we will then adopt it.

Issues and Preferred Options Consultation

This regulation 18 draft plan contains the policies and site allocations that we think the plan should contain. We are inviting comments on:

- Should other policies be included?
- Should the policies be worded differently?

- Do you agree with the sites that are proposed to be allocated and the uses proposed for them?

We have included other questions about some of the individual policies. Some of the policies are not fully formed and for others there are options about what they should say. Several technical studies are underway and the outcome of these may mean that we will have to change or add to some of the policies.

We have major challenges to meet. These include:

- Ensuring sufficient land for homes is provided to meet our future needs
- Providing for the needs of industry and economic growth
- Dealing with our centres, some of which are in decline
- Improving the health of our residents and ensuring adequate open space is provided
- Enabling people and goods to move around
- Addressing climate change and reducing carbon usage
- Safeguarding the natural and historic built environment

There are choices to be made about how we should address many of these challenges, especially where new development should take place. We explain in this document what we think these choices should be.

What is happening to the existing local plan documents?

Our local plan currently comprises the following:

- Black Country Core Strategy (BCCS), adopted in 2011
- Walsall Site Allocation Document (SAD), adopted in 2019
- Walsall Town Centre Area Action Plan (AAP), adopted in 2019
- Walsall Unitary Development Plan (UDP), adopted in 2005.

The BCCS provides strategic policies such as the number of new homes and the amount of employment land to be provided over the plan period. The SAD and AAP are ‘tier two’ plans that allocate specific sites that seek to achieve the aims of the BCCS. The policies in the SAD and AAP are illustrated on a map of the borough called the ‘Policies Map’.

The UDP is an older document. Many of its policies have been replaced by the BCCS, SAD and AAP. The remaining ‘saved’ policies in the UDP are mainly about detailed development management matters such as parking standards. The ‘Proposals Map’ that was attached to the UDP has been replaced by the Policies Map, except for the five district centres of Aldridge, Bloxwich, Brownhills, Darlaston and Willenhall which remain subject to the district centre inset maps to the UDP.

The local plan documents are supported by supplementary planning documents (SPD) that provide technical details to support various policies in the local plan.

Having our planning policies contained in four different documents can make it difficult to find those that are relevant to particular development proposals. It is therefore intended that the WBLP will replace all four existing local plan documents, as well as

the Policies Map and the UDP district centre inset maps. Many of the draft policies in the WBLP have been carried forward from the existing documents. We are updating these to reflect changes in legislation, national policy and what has happened in the area since the policies were written.

How has the WBLP been prepared?

The WBLP seeks to address the requirements of current national legislation, planning policy and guidance. We have reviewed the policies in our existing local plan documents. Many of these policies no longer comply with national requirements. In some cases, the policies in different documents duplicate or conflict with each other. We have also identified some matters where inadequate or out of date policies have made it difficult to determine planning applications. New challenges have arisen since some of the existing policies were written, for example the need to place greater emphasis on addressing climate change and public health.

The WBLP builds on work that was carried out for the Black Country Plan (BCP). Work on the BCP ended in 2022 but much of the supporting evidence remains valid and some of the policies proposed for the BCP have been incorporated into this draft WBLP, with adaptions to meet Walsall's requirements. The draft policies in the BCP were the subject of consultation and the results of this have been taken into account where appropriate in the drafting of the WBLP policies.

The WBLP should be read in conjunction with national planning policy set out in the National Planning Policy Framework (NPPF) along with more detailed advice in Planning Practice Guidance (PPG). The chapters in the WBLP reflect those in the NPPF. See national planning policy fraework and planing practice guidance

Chapter 2 – Vision and strategic priorities

Vision – existing council and borough-wide strategies

The council and other organisations in the borough have produced We Are Walsall 2040 (WAW2040). This is the vision for what residents and businesses want the borough to be like by 2040. Over 8,000 people, organisations and groups helped shape the vision. They highlighted the need to continue to create a thriving borough where people feel safe, with clean green streets and spaces, good jobs and leisure opportunities for all.

The WBLP aims to contribute to bringing about this vision through decisions on the use and development of land.

The WBLP Vision: to improve the borough, making it a vibrant, safe, healthy and green place to live. We want to make a sustainable borough that people can be proud to live in*: This includes directing the right development to the right places, ensuring we meet current needs while not disadvantaging future generations.*

[this section is to be expanded]

Strategic Priorities

The strategic priorities for the WBLP are taken from We are Walsall 2040 where they match with things we can deliver through the planning system.

We are Walsall 2040 – key Outcomes:

Prosperous and innovative: Quality homes

- By 2040 Walsall will have implemented our housing strategy and ambitious local plan to ensure houses are in the right numbers, in the right places, of the right size to meet local choice and need and are quality, affordable, and sustainable.

Prosperous and innovative: Strong economy for all

- By 2040 Walsall will be an international centre of excellence for advanced manufacturing, modern construction, low carbon innovation, logistics and health.

Prosperous and innovative: Connected Borough

- By 2040 Walsall will be a cycling borough with a network of cycling routes and facilities that are safe and secure.

Proud of our Borough: Clean and green

- By 2040 we will be a clean and green borough with highly regarded parks and open spaces and be known as a place where nature is respected and protected.
- By 2040/41 Walsall will be a leader regionally in carbon sustainability with a leading net zero economy and all public sector partners will be carbon neutral in their operations with sustainable public buildings and new homes.

- By 2040 we will have infrastructure in place to enable residents to be prepared to smoothly switch off fossil fuel consumption.
- By 2040 Walsall will be a leader in waste technology and we will have closed the gap in our recycling rate and be known as a high performer regionally.

Proud of our Borough: Celebrate our heritage and culture

- By 2040 we will have diverse leisure and tourism opportunities for all ages that make Walsall a key destination in the region.
- By 2040 we will continue to build on our heritage and identity within the Black Country and celebrate our shared stories and legacy.

Proud of our Borough: Vibrant towns

- By 2040 our towns will be revamped with improved infrastructure where shopping and socialising locally will be the first choice for residents.
- By 2040 our local areas will retain their unique identity and Walsall town centre will be a reimagined destination with mixed use culture, leisure, retail, and green amenity space.
- By 2040 Walsall town centre will be a destination of choice for people to live with a keen sense of community

Thriving and happy: Child friendly Borough

- By 2040 Walsall will be a borough of fun with opportunities for children and young people to safely play and learn across all areas of the borough.

Thriving and happy: Feeling safe

- By 2040 we will have vibrant town centres where the built environment is designed to promote safety and wellbeing day and night.

Thriving and happy: Empowered communities

- By 2040 Walsall will have vibrant and sustainable community spaces that act as a hub for community life.

Chapter 3 – Spatial strategy: making effective use of land

In preparing the WBLP, we have explored several options to find ways of meeting our needs. More detail about them is set out in the Sustainability Appraisal that accompanies the plan. We set out below the amount of our development needs we think each option will deliver. Most of the figures are estimates and the capacity of sites within the borough is likely to reduce as we examine them in more detail.

The WBLP is a brownfield first strategy but we have a limited supply of such land to meet our needs. Where it is necessary to use greenfield land for building, we want to minimise the amount that is taken. We will therefore make effective use of land by ensuring that priority is given to using land for homes, employment and other uses for which there is a demonstrated shortfall of land supply in the borough. Proposals for other uses on previously developed land that is suitable for uses that have a shortfall of land supply will not be supported.

More details about how we will deal with brownfield land and ensure good design to make effective use of land are contained in chapter 9.

See also policies on Green Belt and housing space standards.

Spatial Strategy Policy 1: Overall Objectives

A sustainability appraisal (SA) is being carried out to help identify what the most appropriate strategy should be for the WBLP. The following options have been identified for housing and employment:

A. Brownfield/ urban only using known supply from the following sources:

1. Existing housing supply on previously developed land (existing allocations, planning permissions and suitable non-employment land)

2. Redevelop existing previously developed employment land for continued industrial use (‘churn’)

3. Build housing on surplus open space within urban area,

4. Residual need exported to neighbouring authorities through duty to co-operate or spatial development strategy under Planning and Infrastructure Bill

Projected outcomes from option A

New Homes: 5,358 homes plus unknown number on surplus open space (likely to be fewer than 1,000)

Employment Development: 61ha

Exported Homes: 14,498

Exported Employment: 26.5ha

Affordable housing provision at 10 – 25% likely to be lower because of viability challenges, vacant building credit and much of the supply coming from small sites

B. Brownfield/ urban only with 'active intervention' to make more effective use of existing urban area

As A, plus:

5. Interventions such as use of compulsory purchase to acquire occupied and under-occupied poor quality employment land and premises to redevelop for housing

6. Increase density of housing on urban sites already identified plus other land especially in centres

Projected outcomes from option B

New Homes: 8,024 homes plus unknown number on surplus open space (likely to be fewer than 1,000) and increased densities. Assumes all poor quality occupied employment land is redeveloped for housing at medium density of 45 dwellings per hectare

Employment Development: 61ha

Exported Homes: 11,832

Exported Employment: 26.5ha plus replacement for lost poor quality employment land (up to an additional 47ha but likely to be less because some existing land has low employment occupancy levels)

Affordable housing provision at 10 – 25% likely to be lower because of viability challenges, vacant building credit and much of the supply coming from small sites~ [approx.]. High density housing may also be unsuitable for families, who comprise a high proportion of the households that are eligible for affordable housing.

C. Brownfield first plus grey belt

As A, plus:

7. Housing and/or employment on Green Belt land identified as grey belt

Potential capacity and sustainability implications not known until completion of Green Belt study. However, grey belt land will exclude sustainable locations that perform strongly against the Green Belt purposes.

D. Brownfield first with sustainable urban extensions (SUE) in Green Belt

As A, plus:

8. Housing and/or employment on sustainable locations in Green Belt regardless of whether they are identified as grey belt. These to comprise locations adjoining the existing urban area, where development will not significantly impact on, or harm, defined environmental, heritage and other community assets, and where development will contribute significantly to the delivery of new or substantially enhanced community, transport and accessible, large-scale green infrastructure, including strategic nature recovery networks.

Density uplift on urban sites and maximise capacity on SUEs

New Homes: 18,606 homes (but likely to be 17,629 because of the need to provide open space, BNG and community facilities on Green Belt sites)

Employment Development: 87ha

Exported Homes: 1,250

Exported Employment: zero

Affordable housing provision up to 50% applying the 'golden rules' to grey belt sites. Provision lower on pdl in the urban area because of viability challenges, vacant building credit and much of the supply coming from small sites~

E. Brownfield first with sustainable urban extensions in Green Belt: increased density (45dph) of housing on potential pdl and realistic capacity on SUE sites

New Homes: 14,877 homes (but likely to be 14,096 after reduction to provide open space, BNG and community facilities on Green Belt sites)

Employment Development: 87ha

Exported Homes: 4,979

Exported Employment: zero

Affordable housing provision up to 50% applying the 'golden rules' to grey belt sites. Provision lower on pdl in the urban area because of viability challenges, vacant building credit and much of the supply coming from small sites~

F. As option E but with addition of rejected Green Belt sites excluding sites with 'showstopper' issues

New Homes: 23,742 homes (after reduction to provide open space, BNG and community facilities on Green Belt sites)

Employment Development: 87ha

Exported Homes: zero (5,202 home surplus)

Exported Employment: zero

This option has been included to demonstrate the effect of including the 'rejected' Green Belt sites on the housing supply, but it is unlikely to be reasonable because of the impact on infrastructure and the landscape character of the area.

Preferred Option

Of the above options, we think that option E is the most likely to be achievable. It proposes as much use as possible of brownfield land within the existing urban area. There will be considerable impact on the existing Green Belt but it will provide for development on Green Belt to include new and improved open space as well as services such as new schools and other community facilities.

The spatial strategy should seek to ensure that all development contributes to the achievement of sustainable development. This comprises three objectives, as set out in the NPPF:

a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
c) an environmental objective – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

Spatial Strategy 2: Making Effective Use of Land and Resources

All development will be required to address the strategic policies in the WBLP. These include:

a) Giving priority to land uses which will be of social, economic or environmental benefit to the borough but for which there is a shortage of suitable sites.
b) Making effective use of land. This will include maximising the density of housing development whilst providing dwelling types for which there is need and ensuring adequate amenity for residents. See chapter 4 for more detail.
c) New development and changes of use should contribute to place-making in accordance with the council's vision for the area. Chapter 10 contains policies about design and how development should fit into the area.

d) Addressing climate change by ensuring that the development minimises energy consumption and water usage in its construction and future usage, and addresses flood risk. See chapter 12 for more detail.
e) Safeguarding and enhancing the natural environment. See chapter 13 for more detail.
f) Minimising waste during construction and in future operation. Maximising the re-use of materials in construction. See chapters 15 and 16.

Chapter 4 – Housing

We are Walsall 2040 Vision

Links to

“We are prosperous and innovative” – quality homes

“We are proud of our Borough” – vibrant towns

“We are healthy and well” – a community that cares

“We are thriving and happy” – feeling safe/ child friendly borough

Housing development relates to many other policy areas. Key related topics include:

- Strategic Priorities
- Making effective use of land
- Green Belt
- Climate Change
- Site Allocations
- Infrastructure

Housing Policy 1: Overall Housing Need

We will seek to provide land for **19,924 net new homes** over the period 2025-2042 or the latest number based on current government guidance. This will be achieved through:

a) carrying forward allocations from previous development plan documents and planning permissions where the sites remain deliverable over the plan period. These include sites where planning permission has lapsed, except where residential development would conflict with the allocation or other policies in the WBLP;
b) allocating additional land for housing development, including housing mixed with other land uses, especially in town and district centres and other sustainable locations;
c) supporting ‘windfall’ housing development on previously developed land where this is in accordance with other policies of the WBLP and would not conflict with the allocated use of the site or adjacent land; and
d) working with neighbouring authorities to secure the provision of housing development in their areas in locations that will help to meet housing needs arising from Walsall.

Sites allocated for housing, including those carried forward from previous plans and ones with planning permission, are shown on the policies map and described in part two of the WBLP.

Justification

Our total local housing need is set by the Government using the standard method in national planning practice guidance. This uses the total housing stock with an adjustment for housing affordability so is subject to change each year. The figure starting in the current year 2025-26 is 1,168 homes per annum. This is much higher than the number of completions recorded for many years. Since 2006, the average number has been close to the BCCS target of 599 homes per annum. There are three main challenges in seeking to meet the higher target.

The first challenge is the supply of land. The WBLP is supported by technical papers about land supply. The Strategic Housing Land Availability Assessment (SHLAA) shows our current and potential future supply of land for housing. In recent decades almost all new homes in Walsall have been provided on previously developed land (brownfield land). Most of this has become available as a result of the decline of heavy industry and mining. The supply of land from this source has almost run out. What remains is often unstable or contaminated, and is only suitable for industrial or storage uses. The remaining industry meanwhile has proved to be more resilient than expected, and a large amount of new industrial development has taken place, for example the Spark development on the former IMI Copperworks in Pleck.

We therefore think that there is little option but to allocate land for housing that is currently Green Belt, if this housing target is to be met in Walsall. NPPF paragraph 147 states:

> *Before concluding that exceptional circumstances exist to justify changes to Green Belt boundaries, the strategic policy-making authority should be able to demonstrate that it has examined fully all other reasonable options for meeting its identified need for development. This will be assessed through the examination of its strategic policies, which will take into account the preceding paragraph and whether the strategy:*
>
> *a) makes as much use as possible of suitable brownfield sites and underutilised land;*
>
> *b) optimises the density of development in line with the policies in chapter 11 of this Framework, including whether policies promote a significant uplift in minimum density standards in town and city centres and other locations well served by public transport; and*
>
> *c) has been informed by discussions with neighbouring authorities about whether they could accommodate some of the identified need for development, as demonstrated through the statement of common ground.*

The spatial options in chapter 3 explore clauses a) and b) of paragraph 147. We are working with neighbouring authorities in the West Midlands to identify the potential for exporting some of our need to other areas. However, most of our neighbours also have high housing need targets and are constrained by Green Belt. Land beyond the Green Belt, which is mostly greenfield, is some distance from Walsall so would not be very accessible to households from Walsall seeking a home.

The second challenge is the need to provide infrastructure to support new housing. Homes need to be supported by schools, health services, open space, adequate transport links and other infrastructure. An infrastructure plan is being prepared alongside the WBLP to examine these issues.

The third challenge is the deliverability of this high number. Construction of new homes requires builders and raw materials, both of which have a limited supply. The minerals chapter in the WBLP identifies the need to safeguard resources of sand, gravel and brick clay in Walsall. Housebuilders will only build homes for sale if the development is viable and if there are households able to buy them (the market absorption rate). A viability study is in preparation to assess the impact of the policies proposed in the WBLP on viability.

Part Two of the draft WBLP contains options for the sites within Walsall that might be allocated for housing and related development.

To minimise the length and complexity of the document, the WBLP only allocates and carries forward permissions or allocations for sites of 10 or more dwellings, although some smaller sites are included where housing would be contrary to the existing local plan allocation. Smaller housing sites however will continue to make an important contribution to the housing land supply, and deliverable small sites will be listed in the Strategic Housing Land Availability Assessment (SHLAA).

The NPPF states in paragraph 11 that strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas, unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area; or
ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

The areas or assets of particular importance referred to in clause i are listed in footnote 7.. They include Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, designated heritage assets (which include conservation areas) (and other heritage assets of archaeological interest referred to in footnote 75); and areas at risk of flooding.

A large part of Walsall comprises Green Belt, whilst part of the Green Belt is also a conservation area. We consider that the need for additional homes, based on the standard method, is so great that it is necessary to allocate some land which is currently in the Green Belt for housing, as well as a limited amount of employment development. The alternative would be a worsening housing supply for Walsall residents, in particular a lack of affordable housing, unsustainable travel patterns as Walsall workers are forced to live outside the borough and commute in, and a continuing decline in our centres as new households move out of the area.

Housing Policy 2: Affordable Housing

We will seek to secure at least **4,440 net additional affordable homes** over the period 2025-2042 (261 per annum). All developments of ten homes or more shall provide a proportion of affordable housing, unless planning applications are supported by evidence that this provision would make the development financially unviable or where this would be contrary to national policies such as vacant building credit. The minimum proportion of affordable housing that shall be provided on developments of ten homes or more (rounded up) is:

Sites not in the Green Belt prior to the adoption of the WBLP

a) On all sites in lower value zones and brownfield sites in medium value zones: 10% affordable housing;
b) On greenfield sites in medium value zones: 20% affordable housing;
c) On all sites in higher value zones: 30% affordable housing.

Sites in the Green Belt and sites released from the Green Belt by the WBLP

50% affordable housing.

Lower value zones comprise sites in the following wards: Bentley and Darlaston North, Birchills Leamore, Blakenall, Bloxwich East, Bloxwich West, Darlaston South, Palfrey, Pleck, Short Heath, St. Matthews, Willenhall South

Medium value zones comprise sites in the following wards: Brownhills, Pelsall, Rushall-Shelfield, Willenhall North

Higher value zones comprise sites in the following wards: Aldridge Central and South, Aldridge North and Walsall Wood, Paddock, Pheasey Park Farm, Streetly

The requirements for affordable housing shall include sites where a planning application relates to part of a larger development where the total housing capacity is ten or more dwellings.

Affordable housing within a development shall be of the same standard as open market housing within that development. Development that proposes a higher proportion of affordable housing than required by the above policy, for example where the development is grant-funded, and affordable housing on smaller sites, will be supported provided it contributes to creating mixed and balanced communities in the wider area. Affordable housing provision shall be secured through a section 106 agreement.

Provision of affordable housing shall be on-site unless evidence is provided that it would not be practical to do so, for example in the case of flats where it would be difficult for a registered provider to manage individual flats within a larger open market development. Where the required affordable housing is not provided on site, an equivalent amount shall be secured off-site through a commuted sum, the value of which shall be calculated in accordance with the most recent guidance published by or agreed with the council.

More guidance about the working of this policy is contained in a supplementary planning document and technical guidance.

Justification

The Strategic Housing Market Assessment (SHMA) projects the existing mix of tenures and dwelling types forward to calculate the increase that will be needed over the plan period. The creation of balanced communities means that affordable housing should be provided on all major developments. It is also important that new housing contributes to the infrastructure such as open space, schools, health and transport that is needed to support residents. Many sites however have viability challenges, especially those that involve previously developed land. The policy therefore provides variable rates for affordable housing to take account of differing land values.

The requirement for 50% affordable housing on land that was in the Green Belt prior to the adoption of the WBLP, or development within the Green Belt that is allowed through the development management process, is part of the ‘golden rules’ set out in national planning policy. See also policy xx on Green Belt.

Housing Policy 3: Dwelling Mix

Developments of 50 or more dwellings shall include a mix of dwelling sizes, tenures and specialist housing types in accordance with the most recent evidence of need from the Strategic Housing Market Assessment and other sources. This requirement will also apply to planning applications for a lower number where the application relates to part of a larger site.

When there is an imbalance between households in housing need and the types of accommodation available, the conversion of dwellings into smaller or larger units will be encouraged, provided that the Council's standards of amenity and design are met. Reference should also be made to policy 5 about specialist housing.

Justification

The 2025 SHMA (tables 5.4 to 5.8) indicates the mix of new homes that should be aimed for to achieve a balanced housing market:

Table: Dwelling Mix	% of new build	One bedroom	Two bedrooms	Three bedrooms	Four or more bedrooms
Owner Occupied	60.1%	21.2%	29.6%	20.5%	28.7%
Private Rent	17.6%	19.7%	25.7%	20.3%	34.2%
Shared Ownership	8.9%	27.4%	31.6%	23.1%	17.9%

Table: Dwelling Mix	% of new build	One bedroom	Two bedrooms	Three bedrooms	Four or more bedrooms
Social Rent/ Affordable Rent	13.4%	18.5%	18.1%	20.0%	43.4%
All Tenures	100%	21.1%	27.6%	20.6%	30.7%

Housing Policy 4: Space Standards and Density

All housing development, including both new build and changes of use, shall provide adequate indoor and outdoor amenity space in accordance with the nationally described space standards and council guidance. All new build developments of 10 or more dwellings shall be built to at least the following densities unless the development is within an existing built-up area (not on land released from the Green Belt by the WBLP) and a lower density is necessary to be in keeping with the existing character of the area:

100 dwellings per hectare: within Walsall Town Centre and the other town and district centres.

45 dwellings per hectare: within 400m walking distance of a railway station or a high frequency (at least every 10 minutes during the daytime) bus service.

40 dwellings per hectare: sites elsewhere.

These densities shall be based on the net site area, excluding open space, other land within the site required for biodiversity net gain and land within the site to be used for community services such as schools.

Housing in centres

Some form of amenity space for housing in centres should be provided, in the form of outdoor amenity space (private or public), access to windows, and roof top spaces where appropriate.

Housing in centres should support, and not prejudice, a centre's retail, commercial and leisure functions.

Housing will not be supported on ground floor frontages in centres where this would displace an existing main town centre use.

Housing in centres and adjacent to existing activities elsewhere that generate noise or other disturbance will be expected to include sound insulation and other measures to address noise and other potential disturbance arising from those activities.

Justification

The council's space standards are set out in appendix D to the Designing Walsall SPD.

Housing Policy 5: Specialist Housing

Specialist housing that meets identified needs of the community will be supported subject to the following:

Looked after children

Planning permission for the change of use of existing dwellings to house more than two looked after children will not normally be granted for the conversion of terraced or semi-detached houses. Premises to house looked after children should be in locations where public transport including evening and Sunday services is available within a 400m walk.

Retirement housing, housing with care and nursing homes

These types of accommodation will be supported in locations that are suitable for general housing. Accommodation where care is provided should be in locations where public transport including evening and Sunday services is available within a 400m walk. Such accommodation will be particularly encouraged in and near to centres, provided it does not conflict with main town centre uses.

Planning permission for the change of use of existing dwellings to housing with care and nursing homes will not normally be granted for the conversion of terraced or semi-detached houses.

Accommodation that includes self-contained units where residents are able to cook their own meals will be required to contribute to affordable housing and off-site infrastructure in accordance with the policy requirements for general housing.

Housing for people with disabilities

The adaption of existing homes to facilitate the use by residents with disabilities will be supported subject to any impact on the heritage interest of buildings that are listed, locally listed or in conservation areas being addressed.

All developments of 10 or more homes shall provide a proportion of accessible housing, unless planning applications are supported by evidence that this provision would make the development financially unviable, or equivalent or greater provision is mandated by changes to the Building Regulations. The minimum proportion that should be provided is:

a) Low and medium value zones (see housing policy 2 for list of areas): 20% of homes to meet the optional Building Regulations Requirement M4(2) (accessible and adaptable dwellings);
b) High value and Green Belt zones: 15% of homes to meet the optional Building Regulations Requirement M4(3) (wheelchair user dwellings) and all homes to meet requirement M4(2).

Other than for reasons of financial viability, these requirements will only be reduced where it can be demonstrated that any of the following apply:

a) it is not practically achievable given the physical characteristics of the site, or

b) site specific factors mean that step-free access to the dwelling cannot be achieved, or
c) the homes are located on the first floor or above of a non-lift serviced multi-storey development.

Travellers

Existing gypsy and traveller pitches and travelling showpeople plots shall be safeguarded against the change of use or redevelopment to other uses unless there is evidence that alternative provision has been made elsewhere or the site is no longer required. This includes sites that were in existence by 2015 regardless of their current planning status.

Proposals for new permanent pitches and plots will be assessed against the following criteria:

a) The site should comply with other WBLP policies including those in relation to windfall housing development and development in Green Belt. Sites allocated for general housing may also be suitable as traveller sites subject to other policies of the WBLP.
b) The site should be suitable as a place to live, particularly regarding health and safety, and the development should be designed to provide adequate levels of privacy and amenity for both occupants and neighbouring uses.
c) The site should be located and designed to facilitate integration with neighbouring communities.
d) The site should be suitable to allow for the planned number of pitches, an amenity block, a play area, access roads, parking and an area set aside for work purposes where appropriate, including, in the case of travelling showpeople, sufficient level space for outdoor storage and maintenance of equipment;
e) The site should be served or capable of being served by adequate on-site services for water supply, power, drainage, sewage and waste disposal (storage and collection).

Proposals for transit sites will be assessed against criteria a), b) and e) above.

Custom and self-build housing

Proposals for self-build and custom-built housing will be supported subject to other policies of the WBLP. On developments of 50 homes or more, when there is currently a need for self-build and custom build plots identified in the self-build and custom build register, at least 5% of plots shall be serviced and made available for self-build or custom build, or sufficient to match the current number on the register if lower. Any plots that have not been sold after 12 months of appropriate marketing will revert to the developer to build.

Hostels and Houses in multiple occupation

Proposals for the creation of hostels and Houses in Multiple Occupation (HMOs), including the conversion of buildings or sub-division of dwellings, will be permitted provided that:

a) The development provides adequate indoor and outdoor amenity space in accordance with the national space standards (where applicable) and council guidance for residential development;
b) Adequate provision is made for the storage and disposal of refuse and recycling, outdoor amenity space for sitting out, play and drying clothes and for external storage space, and cycle storage.
c) There is no evidence that the proposal would add to the cumulative impact of similar uses nearby that would harm the character of the area by way of noise, overlooking, general disturbance, or impact on visual amenity;
d) Provision for off- and on-street car and cycle parking is sufficient and appropriately incorporated and would not have an adverse impact on the surrounding area by way of increased on-street parking, impaired highway safety or impeding proper access to the area;
e) The site is in an area that has good access by walking and public transport to shops, public services and employment.
f) All planning applications for an HMO shall be accompanied by a management plan.

Justification

There is evidence of need for all types of specialist housing, and this is likely to grow with the expected increase in the general population. Specialist housing can however raise particular issues that should be addressed to ensure the needs of residents both of the developments themselves and also those of neighbours, are addressed satisfactorily.

Looked after children and housing with care

Housing where care is provided for residents should be in locations that can be easily accessed both by care workers and visitors. Care workers are often on low wages and dependant on public transport. The families of residents of care and nursing homes are often themselves elderly and no longer able to drive.

Housing for looked after children and small scale housing for others in need of care is usually intended to provide an environment that is as close to a family home as possible. It is recognised however that the physical or mental conditions of some residents of such housing can create disturbance to neighbours. The use of terraced or semi-detached houses for such accommodation should therefore be discouraged.

Residents of specialist housing are likely to make less use of some types of infrastructure such as off-site open space for those who are non-ambulant. Where residents will still require services, such as health provision for example, it is expected that relevant specialist developments will continue to contribute to the cost of providing these.

Housing for people with disabilities

The Government has proposed to amend the Building Regulations to make the current M4(2) (category 2: accessible and adaptable dwellings) requirement a minimum standard for all new homes. M4(3) (category 3: wheelchair user dwellings) would continue as now where a need has been identified and evidenced. There is limited information on the number of dwellings that fulfil these criteria in Walsall currently, however the SHMA indicates that by the end of the plan period there will be a requirement for 6,768 accessible and adaptable homes in category 2, and 1,715 wheelchair user dwellings in category 3.

Travellers

The Government uses the term 'Travellers' for the purposes of planning policy to include both persons that have a cultural tradition of nomadism or of living in a caravan, and showpeople who travel solely for business purposes. Walsall has longstanding communities from at least three ethnic groups with a nomadic tradition and also has a large community of showpeople.

The nature of nomadic communities means that it is difficult to accurately assess current or future housing needs. The majority of 'cultural' travellers in Walsall live in bricks and mortar accommodation. The 2021 census recorded over 500 residents who described themselves as Gypsy or Irish Traveller or Roma. There are only currently approximately 34 pitches in the borough. It is expected that the housing needs of residents in bricks and mortar will continue to be addressed through the general housing policies, including those for affordable and accessible housing.

The SAD allocates land for an additional 17 pitches, but none have yet been developed. It is intended to carry these forward to the WBLP. It is also proposed to regularise two existing sites (containing a total of eight pitches) that are currently in the Green Belt and which are the subject of personal or temporary planning permissions.

The council has developed a transit site for use by travellers passing through or visiting the borough for a short period. This only has a temporary planning permission period but it is proposed to allocate this site as a permanent transit site.

Showpeople in Walsall mainly live in three areas. Several adjacent sites in Goscote contain the winter quarters of working showpeople together with a community of retired members. Another collection of winter quarters is in Leamore. There is a third site in Brownhills that provides the winter quarters for a single family. The latter site is cramped but there is the potential to expand onto adjacent land that is owned by a third party.

The SAD allocates sites for an additional nine plots but, apart from the site in Brownhills, there is little evidence that these are required. Two of the plots have since been redeveloped for general housing following confirmation from the Showmen's Guild that they were not required.

There are two options for the WBLP, either allocate additional sites for travellers (including carrying the existing allocations forward) or provide criteria to assess individual proposals that may come forward through the development management process. No proposals for new sites have been submitted in response to the call for sites for the WBLP.

Custom and self-build housing

The council's self-build register lists a total of 127 individuals, although many of these date back to 2016. Only 74 of these are resident in Walsall, and 27 applications were received in 2024-25. It is not possible to confirm how many have had their housing needs addressed either in Walsall or elsewhere, as planning permissions are not normally restricted to self-build. 37 homes were completed in 2024-25 on sites for one or two dwellings and it is possible that many of these were self-build even if not identified as such.

Houses in multiple occupation

HMOs are an important source of housing for those who only require a home for a short period or who are unable to afford other types of housing. However they can give rise to issues such as rubbish dumping, noise, other anti-social behaviour and parking. The council has introduced measures including additional licensing and an article 4 direction to seek to address these issues. The latter means that planning permission is now required for new HMOs.

Housing Policy 6: Estate Renewal and Redevelopment of Individual Dwellings

The refurbishment of existing dwellings to improve energy efficiency, and address zero carbon and climate change, will be supported subject to the impact on heritage assets. Proposals for the redevelopment of existing dwellings, whether as part of an estate regeneration scheme or for an individual dwelling, will be required to demonstrate how embedded carbon is to be addressed through the demolition phase and subsequent redevelopment and management of the site. Reference should also be made to policies on climate change and waste management.

Justification

There are no current proposals for housing estate renewal. However, the borough's housing stock is aging and few older homes meet current standards for energy efficiency. This policy is intended to ensure that refurbishment is the preferred option when upgrading homes and other buildings to addressed net zero.

Housing Policy 7: Infrastructure to Serve New Housing

This policy provides a summary of the requirements for new housing. Some of these are also contained in other policies about particular topics.

All housing development shall contribute to additional or improvements to existing infrastructure to address the impact of the development. Proposals that are unable to provide necessary infrastructure must be accompanied by a detailed financial viability assessment. Proposals that accord with site allocations in the WBLP will be assumed to be viable.

More detailed guidance about the working of this policy is contained in technical guidance and a supplementary planning document. Reference should also be made to the infrastructure policy in chapter 17.

Developments of 10 or more dwellings.

Affordable housing: see housing policy 2: affordable housing for more detail, including the 'golden rules' that will apply to housing development on sites released from the Green Belt..

Education and Primary Health Care where justified by the need arising from the proposed development.

New health care facilities and pre-school, school and further and higher education facilities, whether funded by housing development or by other means, shall be:

a) Well designed and well related to neighbourhood services and amenities;
b) Served by active travel and public transport, and directed to a location appropriate in role and scale to the proposed development and its intended catchment area. Where the catchment includes a centre, the facilities should be located within that centre unless justified by relevant national policy;

New and redeveloped education facilities shall include provision for community use of sports and other facilities.

Open space: see health policy 6: provision of new open spaces, sport and recreational facilities for more detail. Sites within the Green Belt or on land that was in the Green Belt prior to the adoption of the WBLP will be required to meet the 'golden rules' set out in national planning policy.

All housing developments where required by legislation

Biodiversity net gain (BNG). See natural environment policy 2 biodiversity net gain for details

All housing developments within the 15km zone of influence of Cannock Chase Special Area of Conservation:

SAC mitigation. See natural environment policy 4: Cannock Chase Special Area of Conservation for details

All housing development where site specific issues are identified

These include

a) Transport: see transport policy 2: Managing Transport Implications of New Development for more detail
b) Flood protection and water management: see climate change policy 5: flood risk

Requirements for large sites allocated for housing by the WBLP are set out in part two of the WBLP (sites allocations).

Justification

New housing development usually generates additional demand and places pressure on a wide range of services. This policy seeks to ensure that this demand is addressed.

New and expanded services such as schools and health provision should be in locations that are easily accessible to residents by a choice of means of transport.

Chapter 5 – Economy

We are Walsall 2040 Vision

For the purpose of the WBLP, this chapter is about land uses that provide employment and which require substantial quantities of land. These are principally uses within classes E1(g)(ii) and (iii), B2 and B8 of the Use Classes Order (industry and warehouses). Main town centre uses that provide employment such as offices, shops and the leisure sector are addressed in the centres chapter. Other employment sectors that provide employment such as health, care and education are addressed under their respective chapters.

Changes to the Use Classes Order mean that industrial land used for purposes within the former class B1 (defined as use as an office, research and development, or any industrial process, which can be carried out in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit) now falls within class E which also includes retail. This means that land formerly used for 'light industry' could be changed to retail or the other uses listed within class E without the need for planning permission.

There is however little evidence of this happening to date in Walsall. Most of our employment land is used for 'heavy industry' or storage uses within classes B2 or B8. Changes in the retail sector with the growth of internet shopping also mean that there is little interest in expanding most forms of 'bricks and mortar' retail. Some industrial land contains 'quasi retail' operations such as DIY and bulky goods retailers that sell direct to the public. Most of these however are long established.

Some 'sui generis' uses such as waste and minerals infrastructure are typically located in employment areas. However they are the subject of separate national planning policies so are addressed in their own chapters in the WBLP.

Economy Policy 1: Additional Employment Land

Walsall will seek to deliver at least **115ha of additional occupied employment land** in use classes E(g)(ii), E(g)(iii), B2 and B8 between 2025 and 2042. This requirement will be met through sites allocated for development in the WBLP and sites that were under construction in 2025. These sites will be safeguarded as strategic employment areas, except where they lie within and form part of existing local employment areas.

Land which is allocated for new employment development is shown on the policies map.

Justification

Industry and storage where people make, repair and store goods is a key driver of economic growth in Walsall. The BCCS envisaged that the need for employment land would reduce over the plan period as jobs transferred to offices and other parts of the service sector. This has proved not to be the case however as the industrial sector has remained resilient and the demand for offices has failed to grow, even prior to the pandemic. The WBLP therefore provides for growth by providing additional employment land as well as by protecting existing occupied land.

Unlike housing need, there is no standard national method to calculate the amount of employment land that is required. The most recent evidence of need has been calculated in the Black Country Economic Development Needs Assessment (EDNA), which was updated in 2024. The requirement for additional land set out in this policy would, if delivered, make Walsall almost self-sufficient taking account of the contribution to Walsall's (and the rest of the Black Country's) needs that will be provided by West Midlands Interchange which is currently under construction in South Staffordshire.

Most of the land which is allocated for employment development was previously used for this purpose and was also allocated in the previous development plan. The WBLP proposes two major new employment areas on greenfield sites, one of which already has planning permission.

Economy Policy 2: Strategic Employment Areas

The Strategic Employment Areas are shown on the Policies Map. They are characterised by excellent accessibility, high-quality environments and clusters of high technology growth sector businesses. These areas will be safeguarded for manufacturing and logistics uses within Use Classes E(g)(ii), E(g)(iii)), B2 and B8. Proposals for development or redevelopment for these uses in these areas will be strongly supported subject to other policies in the development plan.

Within Strategic Employment Areas, high-quality development or redevelopment of sites and premises will be required, and planning applications that prejudice or dilute the delivery of appropriate employment activity, or deter investment in such uses, will be refused.

Strategic Employment Areas will be safeguarded from redevelopment for other non-manufacturing / logistics uses.

Ancillary employment-generating non-Class E(g)(ii), E(g)(iii)), and Class B2 and B8 uses, such as childcare facilities and small-scale food and drink outlets, may also be permitted in Strategic Employment Areas, where they can be shown to strongly support, maintain or enhance the business and employment function and attractiveness of the area, and meet sequential and other national or local policy tests. The gross internal floor area of such uses must not exceed 200m2 per unit.

Such uses will not be supported where land or premises for these uses are available in nearby centres that are equally or more accessible from the employment area.

Justification

The quality of existing employment areas has been assessed against a number of factors in the Black Country Employment Area Review (BEAR). It is recognised that they fall into two distinct types, strategic and local as defined in these policies. Some employment areas and individual premises are of poor quality and not suitable for long term retention in employment use. Polices 2, 3 and 4 define these different areas.

Economy Policy 3: Local Employment Areas

Local Employment Areas are shown on the Policies Map. They are characterised by a critical mass of industrial, warehousing and service activity with good access to local markets and employees. These areas will provide for the needs of locally-based investment and will be safeguarded for the following uses;

a) Industry and warehousing (E(g)(ii), E(g)(iii)), B2 and B8 use)

b) Motor trade activities, including car showrooms and vehicle repair

c) Haulage and transfer depots

d) Trade, wholesale retailing and builders' merchants

e) Scrap metal, timber and construction premises and yards

f) Waste collection, transfer and recycling uses as set out in the waste policies in the WBLP.

Not all areas will be suitable for all uses.

Proposals for development or redevelopment for these uses in these areas will be strongly supported subject to other policies in the development plan.

Ancillary employment-generating non-Class E(g)(ii), E(g)(iii)), and Class B2 and B8 uses, such as childcare facilities and small-scale food and drink outlets, may also be permitted in Local Employment Areas, where they can be shown to strongly support, maintain or enhance the business and employment function and attractiveness of the area, and meet sequential and other national or local policy tests. The gross internal floor area of such uses must not exceed 200m2 per unit.

Such uses will not be supported where land or premises for these uses are available in nearby centres that are equally or more accessible from the employment area.

Justification

See economy policy 2

Economy Policy 4: Other Employment Areas

For other areas that are not designated as either Strategic Employment Areas or Local Employment Areas on the Policies Map, but comprise existing occupied employment land, development will be supported for:

a) new industrial employment uses or extensions to existing industrial employment uses, or

b) housing or other non-industrial employment uses.

c) Where an area lies within a 500m walking distance from a centre, uses within class E of the Use Classes Order or 'sui generis' uses will be supported where

they combine light industry with community, entertainment, food and drink or leisure and recreation uses.

Development or uses under (b) will be subject to the following requirements:

i. The site must be suitable for the proposed use(s) in accordance with other policies of the WBLP and national policy.
ii. The new use(s) must not adversely affect the ongoing operation of remaining employment uses on the site or nearby.
iii. Redevelopment or conversion should be done in a comprehensive manner and not as piecemeal development.

Justification

Whilst in general there is a need to safeguard and expand the supply of employment land it is recognised that some existing land and premises are poorly located, in isolated locations and/or in poor quality premises where there is little potential to upgrade. The loss of such land to other uses can therefore be supported in principle. Any losses will be monitored and taken into account in future assessments of employment and need.

Clause c) of the first part of this policy is intended to encourage community uses such as retail/ repair shops or tap houses that attract members of the public. Such uses may not be suitable for a centre but can add to the viability of declining industrial areas.

Economy Policy 5: Improving Access to the Labour Market

Planning applications for new major job-creating development will be required to demonstrate how job opportunities arising from the proposed development will be made available to the residents of the Black Country, particularly those in the most deprived areas of the sub-region and priority groups.

Developers will be encouraged to provide contributions to a range of measures to benefit the local community, including the potential for working with local colleges and universities, to ensure:

a) The provision of training opportunities to assist residents in accessing employment opportunities;

b) The provision of support to residents in applying for jobs arising from the development;

c) Enhancement of the accessibility of the development to residents by a choice means of transport;

d) Child-care provision which enables residents to access employment opportunities;

e) Measures to assist those with physical or mental health disabilities to access employment opportunities.

Justification

New developments for housing, industry and other uses are a major source of employment, both during construction and in the subsequent operation. Ensuring these new jobs are available to local people will help to maximise the benefits of the developments.

Chapter 6 – Centres & Town Centre Uses

This chapter is about **main town centre uses** as defined in the NPPF. These comprise retail development (including warehouse clubs and factory outlet centres); leisure, entertainment and more intensive sport and recreation uses (including cinemas, restaurants, drive-through restaurants, bars and pubs, nightclubs, casinos, health and fitness centres, indoor bowling centres and bingo halls); offices; and arts, culture and tourism development (including theatres, museums, galleries and concert halls, hotels and conference facilities).

We also consider that facilities for education, health and other community needs are uses that should be located in centres. These share in common with main town centre uses a requirement to be central to the communities they serve and easy to access by a choice of means of travel.

This chapter also uses other terms that match the definitions in the NPPF:

Primary Shopping Area (PSA): Defined area where retail development is concentrated.

Edge of Centre: For retail purposes, a location that is well connected to, and up to 300 metres from, the primary shopping area. For all other main town centre uses, a location within 300 metres of a town centre boundary. For office development, this includes locations outside the town centre but within 500 metres of a public transport interchange. In determining whether a site falls within the definition of edge of centre, account should be taken of local circumstances.

Out of Centre: A location which is not in or on the edge of a centre but not necessarily outside the urban area.

The role and function of centres nationally and locally is changing as people shop and undertake leisure activities in different ways than they have done in the past, particularly within a post-Covid-19 context. The demand for offices has fallen as a result of hybrid working. In the case of Walsall Town Centre, the office demand anticipated by the existing local plans has never materialised.

There is an opportunity to re-purpose centres to include leisure, commercial, residential, community and health services as well as their traditional role for retail. It is a priority to maintain and enhance them appropriate to their scale, role and function in order to underpin the vital role they play in contributing to the economic growth, character and identity of Walsall.

The centres policies will aim to help secure the investment, jobs and regeneration needed to create a well-balanced, vibrant and functioning network of centres. Concentrating development in centres that are highly accessible by sustainable transport contributes towards planning priorities such as health and wellbeing and addressing climate change. Delivering a vital and viable network of centres will significantly contribute towards meeting the current and future needs of Walsall residents.

Our centres remain the most appropriate locations to accommodate main town centre uses and other uses such as offices and leisure that attract large numbers of users from a wide area. They have the best accessibility for all means of transport. Our policies will seek to maintain and enhance the vitality and viability of Walsall's network of centres in line with national policy.

The priority for Walsall's Centres is to ensure that they remain focused on serving the needs of their communities while enabling centres to repurpose and diversify by providing a well-balanced mix of commercial, business and service functions. This includes both retail provision and a mix of leisure, office, residential and other appropriate, complementary town centre uses that are accessible by a variety of sustainable means of transport.

Walsall Town Centre, most of the district centres and some of the local centres contain considerable historic environment interest. Reference should therefore also be made to policies about this issue in chapter 13.

Class E of the Use Classes Order as amended includes both retail, some office uses and light industry. This has the potential to lead to retail uses moving out of centres and the loss of industrial areas to retail or other town centre uses. There is little evidence of this happening to date in Walsall however. This is likely to be due to the general poor health of the retail sector in recent years, at least for comparison shopping, which means that there is little incentive to expand.

Centres Policy 1: Hierarchy of Centres

Our centres will be the preferred locations for main town centre uses and other uses that attract large numbers of users from beyond the local area. They will also accommodate housing, at high densities where appropriate and in accordance with the character of the area, and in a way that provides a mix of house types and ensures the creation of balanced communities. Some centres will also continue to contain employment uses. Site specific policies for Walsall Town Centre and the district centres are set out below. The centres are listed below, and their boundaries are shown on the Policies Map.

(a) Walsall Town Centre.

Walsall Town Centre plays a crucial role as a key focus in the Growth Network, serving the town and economy. It will be the location for large-scale proposals that serve the wider catchment, to maximise linked trips, promote the use of sustainable modes of transport and regeneration.

Walsall Town Centre will be sustained and enhanced in its sub-regional role as the main centre for the Borough, and some places farther afield, for comparison shopping and other town centre uses. These should particularly include leisure and entertainment facilities appropriate to the centre's sub-regional role. It is also recognised that Walsall

has a local role meeting the needs of adjacent communities for convenience shopping and local amenities and services.

As part of our Council Plan and Town Centre Masterplan, residents, businesses and visitors have told us that they want Walsall town centre to be a focal point for the borough – a destination for shopping locally and participating in activities, sport, and leisure. Our Town Centre Masterplan sets out how we will improve Walsall town centre, respond to economic challenges and shape our economy for the future. Residents have also told us they want to retain the unique identities of our district centres, while strengthening the local offer for employment, retail, leisure and housing. There are a range of regeneration schemes planned that aim to rejuvenate these places and help them to thrive.

Walsall Town Centre was formerly the subject of the Area Action Plan. This included a number of policies for specific sites and particular uses. We are reviewing these policies in the light of changes in circumstances since the AAP was prepared and recent evidence. The AAP was to be delivered in part through the Town Centre Framework. The Framework is also being reviewed and this will inform the final form of the policies in the WBLP.

The AAP contained some policies about specific issues that are now addressed through policies in the WBLP that cover the whole of the borough. These includes policies relating to open space, canals, trees, climate change and the historic environment.

Further work is needed to review the existing policies in the AAP, especially those that relate to specific sites. In particular, we are seeking to provide good quality housing in the town centre without comprising the role of the centre in providing retail and leisure facilities to drive economic growth. Some issues to be looked at include:

a) Focussing development within the Primary Shopping Area and Centralised Retail Core, including High Street and Victoria Arcade
b) Creating strong visual and physical links between transport hubs and key town centre locations
c) Re-defining highways to provide better pedestrian and cycle connectivity between the town centre and key facilities
d) Linking quality public spaces to improve legibility and provide a range of public uses
e) Providing a balanced residential offer which meets the housing need
f) The role of major sites including Old Square, Station Street, Jerome Retail Park and the remaining undeveloped part of Waterfront North (Lex Site)
g) Walsall Market
h) Car parking policy
i) The historic environment

The Walsall Town Centre Inset Map indicates some specific sites that we are proposing to allocate for housing and other uses.

(b) District Centres

Aldridge, Bloxwich, Brownhills, Darlaston and Willenhall.

The district centres are smaller than Walsall Town Centre and serve more localised roles. However, they do provide substantial retail, service and other facilities. They all benefit from good public transport links, car parking provision and a strong walk-in catchment area. They provide a focus for community facilities and are traditionally a main shopping destination. It is important that these centres retain or improve their existing level and quality of convenience retail as well as other shops to sustain and enhance their viability.

The district centres could also potentially have roles in accommodating facilities of Borough-wide importance which cannot be located in Walsall Town Centre.

It is a priority for district centres to serve the day-to-day shopping and service needs of the communities that they serve. Convenience retail developments and proposals to extend or refurbish existing food store where they are well integrated with the centre will be supported.

Developments within district and local centres should reflect the scale, character and nature of the centre and help the centre's role and function in serving the local needs and sustain the economic viability and vitality of the centre. All new developments will need to be sensitive to the local character and enhance the public realm of the centre.

Proposals should reduce the need to travel, and promote the use of sustainable transport methods, including public transport, walking and cycling.

District Centres Primary Shopping Areas

The primary shopping areas are shown on the Policies Map. New retail development and investment will be concentrated within these areas. Outside the primary shopping areas, the Council will encourage service, leisure, community and other main town centre uses. Retail development will be acceptable where it can be linked directly to the primary shopping area.

Moving Around and Parking

The council will seek to improve routes for walking and cycling within and around the district centres. Improvements to facilities for bus services will also be supported. The council will seek to ensure car parking provision is coherent, with priority given to shoppers and other visitors in preference to long-stay parking.

Markets

The council will seek to retain and enhance the markets in Bloxwich, Darlaston and Willenhall.

Conservation Areas

The council will seek to preserve and enhance the conservation areas in Aldridge Bloxwich, Darlaston and Willenhall district centres in accordance with the policies in chapter 14.

Open Space

Areas of open space within the district centres will be safeguarded and enhanced.

Development Opportunities

A number of development opportunities exist in the district centres: These include vacant or under-used sites that have the potential to contribute to our development needs including housing. Further work is needed to confirm these, but they include:

Aldridge

The Council supports the provision of a railway station for Aldridge, with associated park and ride facility, on land at Anchor Meadow.

Bloxwich

The redevelopment or improvement of the Asda foodstore and adjacent unused land and buildings for main town centre uses and/or residential use will be supported subject to other policies in the WBLP.

Brownhills

Ravenscourt

Darlaston

Development Opportunities?

Willenhall

Link to Willenhall Framework which is addressing areas around the periphery of the district centre

(c) The Local Centres

These are shown on the policies map and numbered as follows:

Beacon Road Pheasey – LC27
Beechdale – LC13
Bentley – LC20
Birchills – LC30
Blackwood – LC22
Blakenall - LC3
Brackendale – LC32
Buxton Road - Bloxwich – LC33
Caldmore – LC1
Coalpool / Ryecroft -LC6
Collingwood Drive - Pheasey – LC16
Coppice Farm – LC21
Dudley Fields – LC29
Fullbrook – LC24
High St - Walsall Wood – LC9
Lane Head – LC11
Lazy Hill – LC15
Leamore – LC8
Moxley – LC12
New Invention – LC26
Palfrey – LC23
Park Hall – LC17
Pelsall – LC2
Pleck – LC10

Queslett – LC14
Rushall – LC4
South Mossley – LC31
Shelfield – LC18
Spring Lane Shelfield – LC35
Stafford Street – LC5
Streetly -LC19
Streets Corner LC7
The Butts – LC28
Turnberry Road – Bloxwich – LC25
Woodlands – LC34

The main function of the local centres is to meet the day-to-day convenience shopping and local service needs of their communities. These centres often have a special importance for certain sections of the community, such as ethnic minorities and the elderly. It will remain important to provide sufficient and attractive well located car parking and access to public transport to underpin the relative competitiveness of each centre both in terms of attracting investment and meeting the public's needs.

The district and local centres range in scale but all provide day-to-day convenience shopping and services to meet local needs and provide important services to the communities they serve; therefore, it is important to retain the viability and vitality of these centres.

The allocated local centres are shown on the Policies Map. This network of vibrant local centres provide particularly for day-to-day convenience shopping and service needs. These boundaries are drawn tightly to concentrate investment.

Within these areas the retention, enhancement and further development of shops, services and other town centre uses will be encouraged.

Housing will be supported especially where centre uses are proved to be contracting and unlikely to be restored or expanded in the period covered by this plan, provided that the retail / service function of the centre is not prejudiced.

A number of development opportunities exist in the local centres. These are currently contained in the SAD but will be reviewed for the submission draft of the WBLP.

(d) Other Local Shops

Within the borough there are also a significant number of small-scale local shops, located individually or in small parades of shops. Such provision complements the retail hierarchy by; providing residents with access to local shops and services to meet essential day-to-day needs; as well as being located within walking distance of the residential communities they serve. On this basis such provision, wherever possible, should be protected.

Within retail parades outside of designated centres, small scale commercial uses (Class E) and community facilities will be supported where the proposal would not result in the parade being unable to meet the day-to-day needs and it can be demonstrated that:

a) The proposal meets the provisions of centres policy 5 (Small Scale Local Facilities).
b) The proposal would retain an active frontage.
c) The development would not either individually or cumulatively have a detrimental impact on the amenity of local residents, due to noise, odour or highway safety.
d) Would not impact on the viability or vitality of any designated centres.

Development involving the loss of valued local services, local shops (F.2) and community facilities, including public houses, particularly where the facility serves a community within a defined accessible neighbourhood will be refused, unless it can be demonstrated that:

a) the use is no longer viable, by providing evidence that the property has been actively and appropriately marketed for a minimum of 6 months, and that the use cannot be viably sustained.
b) There is an alternative or similar facility available within a safe and reasonably achieved 1km walking distance.

(e) Existing retail parks and other existing retail uses outside centres.

There are a number of existing retail parks and freestanding large retail and quasi-retail stores in out of centre locations in Walsall. Some of these are subject to planning permissions that restrict the range of goods they can sell. Proposals to expand these sites or increase the range of goods they can sell will be subject to the sequential test.

Proposals to change the use of these sites to employment uses within classes B2 or B8 of the Use Classes Order will be supported subject to the impact on the amenity of nearby housing and the functioning of the highway network. Proposals to redevelop the sites for housing will be supported subject to housing being an appropriate use in accordance with other policies of the WBLP.

Justification

The labelling of centres is a continuation from the previous Local Plan.

This policy establishes a clear hierarchy of centres in Walsall, supporting their vitality and viability as the preferred location for main town centre uses, retail, leisure, housing and community facilities. The NPPF (December 2024) is reflected in the policy by requiring a sequential test for town centre uses, planning positively for the future of town centres, and as mixed, accessible centres.

The policy aligns with the Walsall Town Centre Masterplan (2022) and the Council Plan, which sets ambitions for regeneration, improved connectivity, reduce the need to travel, and support economic resilience.

Centres Policy 2: Primary Shopping Areas

The Policies Map shows the boundaries of the PSA for Walsall Town Centre and the district centres [in the issues and preferred options plan, reference should be made to the existing PSAs shown in the AAP and UDP]. The PSAs form the main focus of activity in the town and district centres. It is important to help promote their long-term vitality and viability by allowing them to grow and diversify in a way that can respond to rapid changes in retail and leisure industries, allows a suitable mix of uses (including housing) and reflects their distinctive heritage characters. This will be achieved by:

a) Concentrating new retail floorspace and investment within or immediately adjacent to the Primary Shopping Area;

b) Enabling the diversification and improve the vitality of the centres following a range of uses which are considered acceptable unless a site-specific use has been identified in a site allocation policy:

Ground floors within the designated PSA should be used for retail and leisure uses (including eating and drinking establishments, and performance venues) where there is an active frontage at ground floor level.

Upper floors within the PSA are suitable for other main town centre uses, as well as residential:

Ground floors within the PSA should have active frontages with windows and varying displays.

Justification

The policy supports the long-term viability and vitality of Walsall Town Centre and district centres by focusing retail growth and diversification within the PSAs. This policy reflects the NPPF (December 2024), which requires the council to define town centre boundaries, promote competitive and vibrant centres, and apply the sequential test to main town centre uses. Additionally, the policy aligns with the Planning Practice Guidance for Town Centres and Retail which states the importances of planning flexibly to respond to rapid changes in the retail and leisure sectors.

The policy is informed by the Walsall Town Centre Masterplan (2022), which prioritises concentrating investment in the town centre, supporting active frontages, and diversifying uses to improve visitor experience, strengthen the evening economy, and encourage mixed-use development.

Centres Policy 3: Development within centres outside of the Primary Shopping Areas

These areas should be for main town centre uses other than retail, and facilities for education, health and other community needs.

They are also suitable for bulky goods retail and convenience retail that cannot be accommodated within the PSA, as well as for residential use.

To ensure the proper integration of developments in or on the edge of centres, proposals should:-

a) Be of a scale and nature appropriate to the size and function of the centre concerned.
b) Be sensitively integrated, in functional and visual terms, with the primary shopping area and other land uses, pedestrian routes, car parking provision, public transport facilities, servicing arrangements, traffic circulation, and the local townscape.

Retail development should be linked directly to a shopping frontage in the PSA.

All applications for Hot Food Takeaways (Sui-Generis), whether through new build or change of uses, will be assessed on their individual merits, subject to considerations on their location and the number, distribution and proximity of other Hot Food Takeaways and impact on the vitality and viability of centres.

Justification

This policy manages the mix and location of main town centre uses outside of the PSAs to ensure centre remain vibrant, accessible, and adaptable. The policy aligns with the NPPF (December 2024), which requires councils to define centre boundaries, direct retail and leisure to appropriate locations, and apply the sequential test for proposals outside of PSAs.

The Walsall Town Centre Masterplan (2022) highlights the need for diversification, sensitive design integration, and sustainable transport connections to secure regeneration and long-term resilience to market changes.

Centres Policy 4: Edge of Centre and Out-of-Centre Proposals - Sequential and Impact Tests

The council will not permit proposals in out-of-centre locations for the provision of new or the expansion of existing main town centre, education, health and other community needs uses that will result in the creation of more than 280m2 gross additional floorspace in these uses unless they satisfy the sequential test as below. The sequential test will also be required for retail proposals of this size and above that are within town and district centres but outside the PSA of those centres.

This requirement includes proposals to vary conditions attached to existing planning permissions that restrict the range of goods to be sold or activities that can be undertaken.

An impact assessment will be required for all new or expanded retail uses outside a PSA and all other new or expanded main town centres uses outside a town or district centre boundary that propose an increase in gross floorspace of more than 280m2.

Sequential and impact assessments must be prepared in line with national policy and guidance. Catchment areas for both sequential tests and impact assessments will be considered on a case-by-case basis to reflect the application/site specific circumstances under consideration.

The Sequential Test

Proposals for main town centre uses, and other uses that attract visitors and users from a wide area, in a location outside an appropriate centre or, the case of retail, outside the PSA of a centre, will be subject to the sequential test. These uses should be located in the following priority order:-

a) Within the Town, District and Local Centres; then
b) On the edge of the Town, District and Local Centres; and only then
c) Other places, in out-of-centre locations, that have, or will have, good accessibility by a choice of means of transport.

The relevant centre(s) in which to search for sites will depend on the nature and scale of the proposed development and the catchment which it is intended to serve. A higher order proposal in a lower order centre will not be acceptable if it would adversely affect the prospects for investment in a higher order centre, for example, a major proposal in a district or local centre would not be acceptable if it would adversely affect the trade or prospects for investment in a town centre. Out-of-centre development will only be acceptable if it can be demonstrated that there are no alternative opportunities within or, failing that, on the edge of existing centres. Out-of-centre development may be acceptable where there is a specific local need.

The Council will apply the sequential approach in a flexible, realistic and sensitive manner, and will consider the needs of developers and operators. It will also expect applicants to be flexible about their requirements - in terms of unit sizes, layouts, ancillary facilities, car parking, servicing and design - so as not to preclude the possibility of identifying locations in centres. Where an edge-of-centre or out-of-centre proposal comprises different elements or units, or involves adding floorspace to or within an existing or permitted development, then each part of the proposal should be considered separately for an in-centre location. In all cases, the key issue will be whether the type of activity proposed - rather than the type of building preferred by the developer or operator - can be accommodated in a more central position.

The Council will resist proposals for the movement of existing retailing, leisure, other town centre uses and public transport facilities to edge-of-centre or out-of-centre locations where this would:-

a) Lead to the loss of trade, activity or investment from the centre (taking into account any proposals for the re-use of the existing site); and/or
b) Reduce accessibility to a range of facilities by means other than the car,

Justification

This policy manages the mix and location of main town centre uses outside of the PSAs to ensure centre remain vibrant, accessible, and adaptable. The policy aligns with the NPPF (December 2024), which requires councils to define centre boundaries, direct retail and leisure to appropriate locations, and apply the sequential test for proposals outside of PSAs.

The Walsall Town Centre Masterplan (2022) highlights the need for diversification, sensitive design integration, and sustainable transport connections to secure regeneration and long-term resilience to market changes.

The 280m2 threshold for impact assessments matches the Sunday trading regulations that allow extended opening hours for small stores, and is consistent with local plan policies of neighbouring local authorities. However, new stores are unlikely to have significant impact on the vitality and viability of most centres unless they are substantially larger than this.

Centres Policy 5: Small scale local and community facilities

New facilities and extensions to existing floorspace for small-scale local facilities for main town centre uses, will be permitted in edge of and out-of-centre locations where the new or extended unit does not result in more than 280sqm (gross) of floorspace, subject to the following requirements being met:

a) The proposal does not unduly impact on the health and wellbeing of the community it is intended to serve;
b) The proposal is of an appropriate scale and nature to meet the specific day-to-day needs of a population with convenient, safe walking distances for new or improved facilities, with particular reference to accessible neighbourhoods;
c) Existing facilities that meet day-to-day needs will not be undermined;
d) Access to the proposal by means other than by car can be demonstrated and will be improved

The enhancement of existing, and the provision of new, facilities for education, health and other community needs (including those of religious groups and other community organisations) will be encouraged. Particular emphasis will be placed on locations which are accessible to all sections of the community by a choice of means of transport, including locations within or adjoining established centres where possible and appropriate. Proposals will be subject to the sequential test as for main town centre uses except where it can be demonstrated that the facility will only serve a particular local community and there are no suitable premises in a centre within the catchment area.

Justification

This policy supports the need for small scale and local businesses to operate in the right places to ensure vitality and diversification of the area. The policy supports NPPF (December 2024) guidance that local business needs to be considered when looking at supporting economic growth and productivity.

The 280m2 threshold for impact assessments matches the Sunday trading regulations that allow extended opening hours for small stores, and is consistent with local plan policies of neighbouring local authorities. However, new stores are unlikely to have significant impact on the vitality and viability of most centres unless they are substantially larger than this.

Centres Policy 6: Housing in Centres

Reference should be made to the housing chapter for requirements in respect of residential development in centres.

Residential development in centres will be supported where there is no evidence of demand for the use of a site for a main town centre use. Residential development in centres and above shopping parades elsewhere should retain an active frontage containing a main town centre use on the ground floor facing the street unless the site is outside a primary shopping area and the site forms part of a continuous frontage none of which is in a centre use.

Justification

This policy recognises the need to diverse centres because of rapid market changes to need and demand. The policy aligns with the NPPF (December 2024) to allow a suitable mix of uses (including housing) into centre while reflecting their distinctive characteristics.

The Walsall Town Centre Masterplan (2022) highlights the need for diversification, sensitive design integration, and sustainable transport connections to secure regeneration and long-term resilience to market changes.

Centres Policy 7: Shop Fronts

Any alteration that will result in a material change to the external appearance of a shop front will normally require planning permission.

The Council will support a hierarchical approach to shopfront security with the preference for other security measures being fully exhausted before resorting to physical barriers such as an external grille or shutter. Early discussions with the local planning authority are actively encouraged.

When considering security for a shopfront the following principles should be applied:

a) Within conservation areas, on listed and locally listed building, or where proposals affect the appearance or setting of a Heritage Asset, external roller grilles or shutters will not be permitted.
b) Security requirements should be carefully considered and integrated in the design of all new or replacement shopfronts, using the established Secured by Design approach.
c) Security fixtures should not be located on architectural features of the shopfront or building. Alarm boxes and security cameras, where deemed appropriate, should be positioned unobtrusively, having regard to the symmetry of the building.
d) Priority should be given to integrating physical measures (such as stallriser, smaller paned glass with mullions and transoms, the use of toughened or laminated glass etc.) into the design of existing and new shopfronts.
e) If additional security is deemed necessary priority should be given to the use of discreetly designed and retractable internal security shutters/grilles.
f) In circumstances where external security measures are agreed to be necessary, demountable external grilles of a visually appropriate design and colour should be considered.
g) To secure recessed doorways, retractable or folding gates can be used, however the use of roller shutters or in recessed doorways would be not supported.

External roller grilles or shutters will only be accepted if it has been clearly demonstrated that all other security options have been fully exhausted and where a departure from this stance can be justified. The Local Planning Authority will work with applicants to consider these options. In these circumstances, external roller grilles or shutters would only be acceptable if designed in accordance with the following guidelines:

a) It must be of a design that allows for the shop window display to remain clearly visible behind.
b) The use of solid or perforated roller shutters for shopfronts would not be supported.
c) Shutters must not extend beyond the span of the shop window and must be contained within an area defined by the fascia and pilasters of the shop front.
d) Shutter box housings and guide channels should form an integral part of the shopfront design and be concealed behind the fascia or should be set back flush with the shopfront. Where visible they should be finished in a colour to match that of the shopfront.
e) The installation of shutters should not result in the loss, removal or inappropriate alterations of an historic shopfront.

The design of frontages to shops and other commercial premises should be appropriate to their setting and sympathetic to the building on which they are situated. In considering proposals for shop fronts, shutters and grilles, canopies, blinds and signs, the Council will take the following factors into account:-

a) The architectural and historic merits of the building.
b) The character of the area in which they are located.
c) The prominence of the building.
d) Whether the building is subject to surveillance by CCTV.
e) Any exceptional justification for the proposal.
f) Any proposals and initiatives for the enhancement of the centre in which they are located.

Detailed shop front design guidance has been produced to support this policy.

Justification

This policy recognises the need of good design principles when it comes to promoting the use of shops and attracting visitors, while also ensuring the security of shops is enhanced. The design features capture NPPF guidance on the need to maintain local identity, including heritage and design aspects of the area. Part of this policy is carried forward from the UDP.

Centres Policy 8: Advertisement Consent

Most advertisements, including illuminated and certain other types of signage on shops, require Advertisement Consent. This is separate to planning permission and needs to be applied for when the signage/advertisements proposed are not classed as ‘deemed consent.

Poster hoardings will not be permitted where they have a detrimental effect on either the amenity of an area and its residents or public safety. The most appropriate locations are likely to be in areas of mainly commercial character. Hoardings are unlikely to be permitted:-

a) In Conservation Areas.
b) Adjacent to Listed Buildings.
c) In residential areas.
d) In the Green Belt or on areas of open space.
e) On sites visible from motorways and on prominent sites on classified roads.
f) Where they would screen attractive views.

Where a hoarding is acceptable in principle:-

a) A high standard of design and maintenance will be required.
b) The scale of the proposed hoarding should be appropriate to its setting.

The Council will consider taking action against existing hoardings that do not meet these criteria.

Smaller sizes of poster panel advertisements will usually have less impact on the street scene and on public safety, although if sited inappropriately this impact can be significant. As they are commercial features, they are unlikely to be acceptable in

residential areas, in the Green Belt or on areas of open space. In considering proposals, the Council will have regard to the following factors:-

a) Possible effect on public safety.
b) The impact of the proposal on the appearance of any designated heritage asset (such as listed buildings and conservation areas)..
c) The prominence of the proposed advertisement in the street scene and in any long distance views.
d) The degree of visual clutter in the street.
e) The scale and design of the proposal in relation to its setting.
f) For freestanding advertisements, the possible effect on pedestrian circulation

This policy applies to illuminated panel structures as well as other advertisements

Further detail will be added to this policy concerning advertisements in conservation areas.

Justification

This policy recognises that advertisements need to be sensitively designed and sited to avoid or ameliorate any negative impacts on amenity and neighbouring use. This policy sets out the factors that the Council will consider in assessing proposals. This policy is carried forward from the UDP.

Centres Policy 9: Sui Generis Uses. Hot Food Take-Aways, Restaurants, Other Food and Drink Outlets, and Gambling Establishments

These uses will be appropriate in the Town, District and Local Centres subject to the following considerations:-

a) The use proposed must not adversely affect the amenities of existing or proposed dwellings (including those on upper floors above commercial premises) by reason of noise, smell, disturbance or traffic impact. Where there are existing activities which are open during the late evening, the Council will have regard to the cumulative impact on residential amenity.
b) Where the Council is minded to grant planning permission, the closing time for hot food takeaways will be considered in relation to the amenities of nearby dwellings - both existing and proposed - where these are likely to be affected. In such locations, the Council will usually impose a condition requiring the premises to close at 23.00 hours Monday to Friday and 23.30 hours on Saturdays. Later opening hours and Sunday opening will be considered on their merits.
c) Permission will not be granted where the absence of adequate off-street parking would be likely to lead to on-street parking in a hazardous location.
d) Permission will only be granted where ventilation and fume extraction equipment can be positioned to avoid potential problems of noise, vibration and/or odour

nuisance for nearby occupiers and the equipment would not be detrimental to visual amenity.

Gambling premises or gambling related:

Uses include, but are not limited to, betting shops, bingo, adult gaming centres, and amusement arcades.

a) These uses will be appropriate, in principle, within the Town, District and Local Centres but will not normally be permitted if the proposal would:-
   i. Be prejudicial to the predominant retail function of a primary shopping frontage S4).
   ii. Adversely affect the amenities of existing or proposed dwellings (including those on upper floors above commercial premises) or other sensitive uses such as schools and places of worship, by reason of noise or disturbance (see also Policy Health 3 in Chapter 7).
   iii. Adversely affect the appearance or setting of a Listed Building, or the character or appearance of a Conservation Area.
b) Where permission is to be granted for a proposal in a retail frontage, the Council will normally require:-
   i. Provision of a shop front and permanent shop window display.
   ii. Conditions to regulate opening hours to ensure that the use normally operates during shopping hours and that closing times are set so as to limit the impact on any nearby residents - in such situations, the Council will usually impose a condition requiring the premises to close at 23:00 hours Monday to Friday and 23:30 hours on Saturdays - later opening hours and Sunday opening will be considered on their merits.
   iii. Noise attenuation measures to restrict the impact on the surrounding area including upon nearby residents

Some of these uses will require a health impact assessment in accordance with policy 7.1

Justification

This policy recognises the role that hot food takeaways, restaurants, other food uses, and gambling establishments have in the centres to ensure vitality and fulfil demand. However, this policy also recognises the link with health and wellbeing regarding these types of uses and seeks to promote healthier lifestyles to boost economic productivity and residents' health. This recognition is defined in the NPPF (December 2024) as reasons why these uses need to have their locations controlled to ensure no adverse health impacts occur.

Centres Policy 10: Drive-Through Facilities

Drive-through or drive-in facilities will be discouraged, unless it can be shown that this format is an absolute requirement of the use proposed, which cannot be met in any other way, rather than simply the preference of the operator. In particular, insistence on

the inclusion of a drive-through facility should not be a reason to require an edge-of-centre or out-of-centre, rather than an in-centre, location.

Proposals will be subject to the sequential test for main town centre uses as appropriate depending on their size. They should be located in centres, where they will be accessible by a choice of means of transport, and must be well integrated, both functionally and visually into the centre concerned, with any parking provision serving the centre as a whole.

Justification

This policy understands the business need for drive-thru facilities where it is considered appropriate. This aligns with national guidance and local objectives to reduce car dependency and promote active and public travel methods of transportation.

Centres Policy 11: Filling and Electric Vehicle Charging Station Shops

Retailing at petrol filling or electric vehicle charging stations should be ancillary to the principal use of the site for the sale of fuel and confined to motoring accessories, newspapers and magazines, tobacco and confectionery, and a limited range of basic food and convenience goods. The gross retail floorspace should not normally exceed 280 square metres.

The customer base of such shops should primarily be motorists who are visiting the site to purchase fuel, although it is accepted that some petrol filling or electric vehicle charging station shops also have a small element of walk-in trade from local people. The shop should not seek to trade as a significant retail destination in its own right.

Proposals for retailing over and above that allowable under (a) and (b) will be subject to the sequential test for town centre uses.

Justification

This policy may require amendment to address the different requirements for electric vehicle charging points compared with filling stations. In particular, EV stations usually require vehicles to be parked for longer.

The 280m2 threshold for impact assessments matches the Sunday trading regulations that allow extended opening hours for small stores, and is consistent with local plan policies of neighbouring local authorities. However, new stores are unlikely to have significant impact on the vitality and viability of most centres unless they are substantially larger than this.

Centres Policy 12: Nurseries, Garden Centres & Builders Merchants

Nurseries, garden centres and builders merchants, because of the bulky nature of the products involved, may need to trade from out-of-centre locations. Such uses should, however, be located as far as possible in places accessible by a choice of means of transport.

The Council will impose conditions to ensure that the goods to be sold are limited to an appropriate range of gardening and/or building products and do not include other goods that can more appropriately be retailed in centres.

The establishment of new, or the expansion of existing, nurseries, garden centres and builders merchants in the Green Belt will be subject to policies in Chapter 10.

Justification

This policy recognises the locality of nurseries, garden centres and builders' merchants can be diverse because of the nature of the product being sold.

Centres Policy 13: Farm Shops

The establishment or expansion of farm shops will only be permitted if:-

a) This involves the conversion of an existing building within the farm curtilage.
b) Satisfactory vehicular access, and off-road parking, can be provided to safeguard highway safety.
c) The proposal is otherwise acceptable in terms of policies relating to development in the Green Belt and to agriculture.

Where planning permission is granted, conditions will be imposed limiting the range of goods for sale primarily to agricultural produce from the general locality.

Justification

This policy recognises the market growth in farm shops and how they can operate in the borough. The policy is flexible and pro-active in understanding the changing market, but ensuring that design principles and heritage are a consideration to these types of uses.

Centres Policy 14: Banking and Cashpoint Facilities

Banking and ATM facilities will be encouraged in Town, District and Local Centres where appropriate. They will also be accepted in out-of-centre developments where a clear need can be demonstrated and they would not place at risk the continued provision of such facilities in any established centre.

In all cases, proposals for these facilities, and particularly for ATM’s, should be appropriately located and designed to ensure:-

a) That the amenities of nearby residents are not adversely affected, and the Council may impose conditions to prevent the facility from operating after 23:00 hours Sunday to Friday and 23:30 hours on a Saturday.
b) The facility can be used and accessed safely, in accordance with crime prevention design standards.
c) Satisfactory, preferably off-street, parking can be provided in the interests of highway safety

Justification

This policy recognises the need to diverse the location of cash points dependent on local demands and needs of the use. The policy is flexible to ensure this, whilst maintaining standards over transport safety and residential amenity.

Chapter 7 - Health and well-being

The Council will improve and promote strong, vibrant and healthy communities through protecting and enhancing a high quality network with local infrastructure to support health, social and cultural wellbeing, open space, sport and recreation facilities, encouraging active travel (walking and cycling), addressing the causes of poor physical and mental health, and reducing inequalities including health inequalities.

Health Policy 1: Health Impact Assessment

Planning applications for the following types of development must be accompanied by a Health Impact Assessment (HIA) to a level of detail appropriate to their scale and nature:

a) residential developments over 150 dwellings or 5ha
b) Industrial developments over 5ha
c) other developments over 1ha
d) Proposals involving the setting up or expansion of any of the following uses:
    i. Hot food takeaways or restaurants (sui generis), or hybrid uses incorporating such uses;
    ii. Gambling premises (sui generis) including, but not limited to, betting shops, adult gaming centres and amusement arcades. This includes hybrid uses.
    iii. Hookah/shisha cafes/lounges or any similar use (sui generis), where the balance of uses is such that the use of the premises is predominantly for shisha/hookah smoking
    iv. Vape shops and E-cigarette shops (sui generis)
    v. Pay day loan shops or pawnbrokers (Use Class E or Sui Generis)
    vi. Tanning salons (Use Class E)
    vii. Establishments selling alcohol either on or off premises, such as pubs, wine bars, or other drinking establishments (sui generis, E or F2).
e) Any other proposal where the scale, nature or location is likely to result in public health impacts (including but not limited to air quality, noise, active travel, access to open space, community safety) will be required to assess and, where necessary, mitigate such impacts through a HIA.
f) developments which would result in the loss of any of the following uses:
    i. Education Facilities
    ii. Health Facilities
    iii. Leisure and Community Facilities
    iv. Publicly Accessible Open Space

The council will provide guidance about the information that should be contained in a HIA. Development proposals that are required to complete a Health Needs Assessment (HIA) will need to outline and establish;

a) If the development will have any significant negative or positive impacts on health and wellbeing, and;

b) Where a development is shown to have negative impacts on health and wellbeing, the HIA must clarify what mitigation methods will be used to reduce the negative impact.

Developments which have a significant negative impact on health and wellbeing will not be supported unless mitigation or compensation for such impacts can be provided. This will be secured through planning conditions and/or planning obligations.

Justification

The NPPF sets out the Government's planning policies and how they should be applied. It requires planning policies and decisions to aim to achieve healthy, inclusive and safe places (Section 8). It also emphasises that the level of detailed supporting information provided to local planning authorities should be relevant, necessary and material, and that having the right information is crucial to good decision-making.

HiAP (Health in all policies) as "an approach to public policies across sectors that systematically takes into account the health implications of decisions, seeks synergies, and avoids harmful health impacts in order to improve population health and health equity". The approach is based around acknowledgement of the Wider Determinants of Health and recognising that health and health inequalities are largely the result of the circumstances and conditions of daily life, which are influenced by multiple factors, including the policies and services which are the responsibility of a range of central and local government departments.

Local Authorities are required to use all levers at their disposal to improve health and wellbeing through the Health and Social Care Act 2012.

It is evidenced that Walsall experiences significantly higher-than-average levels of poor health among its population. Issues include obesity and related illnesses, diseases related to smoking and the effects of alcohol. The Council and its partners are concerned about the health of children, other young people and vulnerable adults, both in terms of immediate term safeguarding and the potential long-term consequences that aspects of their lifestyles will have for their health.

The Council and its partners are engaged in a range of long-term actions to address these issues, as well as to encourage people to take greater responsibility for the choices they make themselves. Planning is one aspect of these actions. In some instances, a proposed development may have a direct impact on people's health that will need to be mitigated. In other cases, it may be that the planning process can contribute to improving health by supporting individuals to make healthy choices, through encouraging a suitable range and mix of shops, outlets and activities.

Making it easier for people to make these healthy choices will increase the likelihood that they will do so, and this change in behaviour will improve health outcomes over time.

Health Policy 2: Equality and Disabilities

All relevant development will ensure equality of opportunity including addressing the requirements of the Equality Act 2010.

Justification

The Equality Act 2010 defines nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation. Development can impact on many groups or individuals with one of more of these characteristics for example where their ability to access services or to move around may be affected. At the same time, new development can provide the opportunity to improve existing situations.

Health Policy 3: Hot Food Takeaways

Proposals for hot food takeaways and fast food outlets (including, but not limited to, use Class E where food is prepared for immediate consumption, and Sui Generis hot food takeaways) will be carefully managed to protect public health and local amenity. Proposals will be required to meet the following criteria:

a) Proposals within 800m walking distance of schools and other places where children and young people congregate will only be permitted where it can be demonstrated that the development would not undermine public health objectives and where the site is located within Walsall Town centre; and

b) In locations where there is an existing concentration of such uses, proposals will only be permitted where it can be demonstrated, through proportionate evidence, that the development would not lead to adverse cumulative impacts on health, pollution, amenity, or safety.

Justification

To reduce dietary related ill-health, help people live for longer and improve the health of the children in the borough, we need to increase the accessibility and availability of healthy food in our environment.

Sustrans state that 800m is generally considered a standard walkable distance. 800m typically takes approximately 10 minutes to walk. A 20-minute walking trip (1,600m total) has been found to be the longest distance most people are willing to walk to meet their daily needs.

A “place where children congregate” means schools and child-care establishments, as defined herein, playgrounds, and other places intended for use primarily by persons under 18 years of age. This could be, but is not limited to, indoor or outdoor parks and playgrounds, leisure centres, nurseries and community centres.

"Children" and "young people" both refer to individuals 18 years or younger.

Health Policy 4: Gambling

The Council shall require proposals for new, hybrid or extensions to gambling related uses to demonstrate that:

a) They are not located in areas identified as having estimated high levels of gambling harms or local vulnerabilities, as highlighted by the Walsall Gambling Harm Index or other evidence,
b) They are not within 400m walking distance to sensitive uses including:
    i. Drug and alcohol support services
    ii. Mental health services
    iii. Services that support people living with Special Educational Needs and/or disabilities
    iv. Services that support armed forces personnel
    v. Services that support people experiencing homelessness / rough sleeping
    vi. Colleges and secondary schools.

Where the site falls within a centre, the proposal will also be determined in accordance with Centres Policy 9.

Justification

Gambling and inequalities are interconnected, with gambling harms disproportionately affecting vulnerable and marginalised groups such as those;

a) living in socio-economic difficulties
b) experiencing homelessness or rough sleeping
c) with a current or past addiction to drugs and/or alcohol
d) with Special Educational Needs and/or Disabilities
e) experiencing poor mental health and wellbeing
f) armed forces (current or previously serving)

This list is not exhaustive.

There is also a high proportion of younger adults (18-24 year olds) that have a risk of experiencing gambling harm.

“Gambling premises” or “gambling related uses” include but are not limited to, betting shops, bingo, adult gaming centres and amusement arcades.

Health Policy 5: Protection of existing open space, sports, and recreational facilities

The Policies Map identifies existing areas of open space which are larger than 0.4ha. These sites are listed in Part 2 of the WBLP. All areas of open space of public benefit, including areas of 0.4ha or less, are safeguarded in accordance with national policy.

Development proposals that result in the loss or fragmentation of open space, sport and recreational facilities, particularly where the space or facility is considered important for its amenity, ecological value, sport value, accessibility or contribution to the character of the area will be resisted. This includes children's play facilities.

Open space includes land used for

a) sport and recreation, both formal and informal,
b) children's play,
c) allotments and community gardens,
d) biodiversity,
e) urban forestry; and
f) visual amenity.

Policy 9 refers to indoor facilities.

Development proposals that would increase the overall quality, quantity, social value, and/or ecological value of open space, sport and recreation facilities will be supported, especially in areas of proven deficiency.

Development proposals should protect and enhance existing open space, sport pitches and recreational facilities in line with defined national and local quantity and quality standards.

Where a development will place additional demand on and/or there is a recognised shortage in the locality for the existing open space, sporting use, or recreational facilities, the development will be required to provide new facilities of enhanced quality or expansion of existing facilities to meet the need of existing and future users.

Development that leads to the loss, partial loss or fragmentation of open space, sport pitches and/or recreational facilities of current, former use, or ancillary to will only be permitted where it meets the following criteria:

a) A detailed assessment to be undertaken which clearly evidences a surplus to the requirement for current and future need, and the site is not of good quality; and
b) It can be demonstrated that the site does not make a significant contribution to the character of the area, the ecology, the sporting demand, and the community's ability to access the uses; and
c) Provide better replacement facilities in terms of quantity and quality, suitable location, and connectivity to active and public movement networks ; or
d) The development is for an alternative sport and or recreational provision, the benefits of which clearly outweigh the loss of the current or former use; or

e) The development is ancillary to the current use, and it would assist in the retention and enhancement of the open space, sport, and recreational facilities on the site.

At least equal compensatory provision will be made in respect of quality, quantity, suitability of location, and subject to equivalent or better management arrangements prior to the commencement of development.

The preferred location for replacement facilities is on the same site, unless justification can be given that another area that is accessible to users of the existing facility by public transport or active travel would better suit the replacement or enhanced facilities for current and future users, based on surplus and demand.

Justification

The protection and enhancement of open spaces, sport pitches, and recreational facilities is vital for supporting healthy, active communities and ensuring that opportunities for participation in sport and recreation are sustained and expanded.

National guidance, such as the NPPF (2024) and Planning for Sport guidance (2019) understands the importance of open space and sets out the requirements to protect, maintain or enhance.

Local evidence from the Playing Pitch and Open Space Strategy (2023) (PPOSS) demonstrates that across the borough there are current and projected shortfalls in provision for a range of pitch and non-pitch sports, meaning no existing sites can be considered surplus to requirements. The PPOSS recommends that outdoor sport facilities and protected and where necessary, replaced or enhanced to meet existing deficiencies and future growth. This evidence highlights the importance of providing better quality facilities, secured in suitable locations, with strong connections to public transport and active travel networks.

Addressing these shortfalls by protecting and enhancing these spaces is essential to meeting demand for both existing residents and projected population growth, as well as ensuring equal access to sport and recreation opportunities across the borough.

Sport England: Assessing Needs and Opportunities Guide for Indoor and Outdoor Sports Facilities (2013) recommends a 20 minute drive time to replacement facilities.

Children’s play areas support healthy child development, social interaction, and community well-being. Within the Green Space Strategy and Walsall Open Space Strategy, there is an identified deficiencies in children’s play areas in parts of the borough, particularly the most built up areas and highlight the need for additional accessible, safe, and inclusive play spaces.

Fields in Trusts “guidance for outdoor sport and play” (2022) and active design principles advocate for play areas to be within walking distance of family housing and inclusive play opportunities to be part of everyday environments.

Health Policy 6: Provision of new open spaces, sport and recreational facilities

Development proposals for the provision of new open space, sport or recreational facilities, or improvements to existing facilities, will be supported, subject to the following requirements:

a) The site is not allocated in the development plan for another use for which there is an identified requirement;
b) There being an identified need for the new provision in the locality;
c) The proposed facilities are of a style and scale appropriate to the identified need;
d) The site is readily accessible by active and public transportation; and
e) The facilities are made available for public use, where appropriate, through a community use agreement if under private ownership, to promote and allow local communities access to sport.
f) The proposals should provide for multi-functional and multi-sport use unless they are supported by evidence that they are to address a need that requires specialist facilities.

All major new residential developments must make provision for open space, sport pitches and recreational facilities through on site provision as the preferred approach. Where on site provision is not considered appropriate, equivalent off site provision and/or financial contributions will be sought to improve the quality, quantity and accessibility of new and/or existing spaces. This provision must be accessible to residents by active and public transport in accordance with the above policy.

Wherever feasible, there should be a local equipped play area within easy and safe walking distance, as set out in local guidance, of family dwellings. The siting and design of new facilities for children's play should have regard to the need for safety, attractiveness, inclusiveness, and supervision of young children and to safeguarding the amenity of nearby residents.

All developments that include an element of open space, sport pitches or recreational facilities must specify a management and maintenance plan prior to the commencement of development with arrangements for the appropriate management and maintenance of the open space for a minimum of 30 years (*in line with BNG*).

More detailed guidance about the working of this policy is contained in technical guidance and a supplementary planning document. Reference should also be made to the infrastructure policy in chapter 17.

Justification

This policy seeks to ensure that new and enhanced open space, sport, and recreational facilities meet identified local needs, are accessible, and contribute positively to health and wellbeing. This aligns with the NPPF (December 2024), which requires planning policies to positively plan for open space, sport, and recreation, and ensure provision is based on robust and up-to-date assessments of need.

There is a local need to have improve quality, quantity, and accessibility of facilities to address the health inequalities, support active lifestyles, and strengthen community cohesion. National guidance from Sport England's Strategic Outcomes Planning Guidance (2020) states that provision should be based on clear evidence of need and designed to maximise participation. Also, Sport England's Active Design principles promote well-located and accessible facilities to encourage everyday physical activity. Similarly, Public Health England's Spatial Planning for Health (2017) identifies access to quality green space and recreational facilities as key determinants of health, wellbeing, and reducing inequalities.

Health Policy 7: Design of open spaces

Open spaces should be inclusively accessible to a broad range of ages, including children, the elderly and impaired mobility. Design solutions to be appropriate and practical to the locality that look to meet the needs of current and future needs of communities and demands of spaces.

The design of open space, sport and recreational facilities shall be in compliance with the most recently published standards on design of developments. This will include, but not limited to, national policy and guidance, active design standards, safety standards, crime prevention, and local guidance in the supporting documents and strategies.

All development proposals, where relevant, shall address as appropriate the following functions of open space that are of particular importance to Walsall:

a) Promote active and public travel to open spaces to encourage accessibility;
b) Strengthening and providing components of high-quality, multifunctional green spaces and greenway networks in the form of extensions, increased access, maintenance, and ecological value;
c) Respect, protect, and enhance the existing features within the open spaces;
d) Mitigate the effects of climate change through green infrastructure and creative, sustainable landscaping initiatives;
e) Increase the biodiversity of the spaces in line with national policies and guidance.
f) To provide inclusive measures within the open space to make the space safe, attractive, and accessible for all.

Access to open space, sport facilities shall be improved through the multi-purpose use of facilities buildings and sites.

Justification

The policy seeks to ensure that the design of new and improved open spaces, sport pitches, and recreational facilities in Walsall is of the highest quality, sustainable, and inclusive. It reflects the NPPF (December 2024) that emphasises the role of planning in promoting healthy, inclusive, and safe environments for people to access and enjoy. The role of open space is there to support green infrastructure and to mitigate climate change to support current and future generations living in the area.

England's Active Design (2021) advocates design principles that embed activity into everyday life, improve accessibility, and create safe, inclusive environments.

The policy's emphasis on BNG and climate resilience algins with the Environment Act 2021 and supports Walsall's strategic green infrastructure and ecological priorities.

Health Policy 8: Urban Open Space

The council will seek to address existing shortfalls in the provision of open space, and shortfalls that may arise as a result of new residential development, through the provision of new or the improvement of existing facilities. This will be achieved through the identification of funding sources from the public and private sector, including via section 106 agreements in connection with new development.

New and improved open space will seek to address the following:

a) Redressing or avoiding deficiency.
b) Providing for sport and recreation, both formal and informal.
c) Providing for children's play.
d) Buffering incompatible land uses.
e) Defining community boundaries.
f) Accommodating greenways and other pedestrian and cycle routes.
g) Providing for allotment gardens.
h) Contributing to biodiversity.
i) Contributing to the urban forest.
j) Contributing to visual amenity.
k) Achieving local community aspirations.

Justification

The policy safeguards and enhances Walsall's urban open spaces, recognising their critical role in addressing health inequalities, improving quality of life, and supporting sustainable growth.

The Walsall Open Space Strategy identifies significant gaps in provision and accessibility to open space, particularly in the borough's most built-up areas, where demand is highest. The Walsall Green Space Strategy and Public Health England Spatial Planning for Health (2017) further highlights the importance of open space for biodiversity, climate resilience, reducing heat island effect, improved air quality, and community cohesion.

Health Policy 9: Indoor Sport, Recreation and Community Facilities

The Council will encourage the widest range of indoor sport,recreation and community facilities, through improvement to existing facilities and provision of new ones. First preference will be given to enhancing and expanding existing sport and recreation

centres which are accessible to the whole community. New major facilities will be directed towards the Town and District Centres in accordance with the “sequential approach” and the other policies set out in chapter 6. These policies will also be applied to smaller facilities, which should also, wherever possible, be in centres and, otherwise, in places which are easily accessible by a choice of means of transport.

Proposals for development that would result in the loss or reduction of existing facilities will be considered favourably only where it is demonstrated that:-

a) There is no need for the facility and a shortage of similar facilities for indoor sport and recreation would not result; or
b) Adequate compensatory sport and recreation provision will be provided to offset the loss of the existing facility in accordance with the identified need in the locality

Proposals involving the loss of local community facilities, including public houses, clubs and other meeting places, will only be permitted if it can be demonstrated that:-

a) There are other existing facilities, in an equally or more convenient location, which could accommodate any community activities displaced by the proposed development; or
b) A replacement facility could be provided in an equally or more convenient location; or
c) There is no longer a need for the facility, or for any other community use which could be appropriately provided on the site in accordance with other policies of this Plan; or
d) It would not be possible to retain the facility, or provide an alternative community facility because, despite all reasonable efforts, this would not be viable.

Justification

This policy seeks to protect and enhance indoor, sport, recreation and local community facilities, recognizing their essential hole in support health, wellbeing, and social cohesion. The approach aligns with the NPPF (December 2024), which requires planning policies to positively plan for social, recreational and cultural facilities and guard against unnecessary loss. By directing new major facilities to towns and district centres also reflects the NPPF’s sequential test for main town centre uses, ensuring facilities are accessible, sustainable, and support the vitality of centres.

Walsall recognises the need to improve quality and accessibility of indoor facilities to meet current and future demand to promote active lifestyles. The policy ensures that this type of developments comes forward in the right places where there are active and public transport routes.

Chapter 8 – Transport

Transport Policy 1: Vision

We want it to be easy for people to travel and for goods to be moved around the borough, whilst minimising the number and length of journeys needed for employment, shopping, leisure, education and other activities. Our vision is for new and existing development to be accessible by a choice of means of transport, and to reduce or minimise carbon emissions. Priority will be given to active travel (walking and cycling), followed by public transport and freight movement. We will seek to enhance the network of routes for walking, cycling and public transport (bus and rail). New development that generates significant amounts of people movement should provide for access by active travel and public transport. Transport considerations, including the design of streets, pedestrian and cycle routes, and parking, should contribute to making high quality places.

All development that has transport implications should address the following:

a) The impact on people with protected characteristics as defined in the Equality Act 2010;
b) Facilities for walking, cycling and public transport; and
c) Provision for low emission vehicles.

Justification

The NPPF states that transport issues should be considered using a vision-led approach to identify transport solutions that deliver well-designed, sustainable and popular places.

Transport Policy 2: Managing Transport Implications of New Development

Planning permission will not be granted for any proposals that are likely to have significant transport implications, unless accompanied by mitigation schemes that demonstrate an acceptable level of accessibility and safety can be achieved using all modes of transport to, from and through the development. Mitigation schemes must address in particular access by walking, cycling, public transport and car sharing.

These proposals should be in accordance with an agreed Transport Assessment, where required, and include the implementation of measures to promote and improve such sustainable transport facilities through agreed Travel Plans and similar measures.

This policy will be expanded to address the impact of the major development proposals in the WBLP. A transport study is currently underway to examine these.

Justification

Major developments, and some smaller ones, often generate significant impacts on the existing transport network. A transport assessment should address these impacts and identify measures to address them.

Transport Policy 3: The Highway Network

The Council classifies the highway network as follows:

a) The Strategic Road Network (SRN) in Walsall consists of the M6 motorway and A5 Watling Street that are managed by National Highways.
b) The Key Route Network consists of other roads of strategic significance. Street parking and direct frontage access will be kept to a minimum. The Council will give a high priority to improvements and traffic management measures to assist traffic flows on that part of the Strategic Highway Network over which it retains control.
c) District Distributors, which are important routes connecting the main residential and employment areas of the Borough. Heavy commercial traffic will be allowed (except where subject to HCV restrictions), but will not be encouraged where satisfactory routes exist on the Strategic Highway Network. Street parking and direct frontage access will be strictly regulated.
d) Local Distributors, which consist mainly of key spine roads within residential and employment areas. Except where these specifically serve employment areas, heavy commercial vehicles will be discouraged. Traffic restraint measures will be used to deter through traffic and reduce traffic speeds. Frontage access will be allowed in principle, subject to local circumstances.
e) Local Access Roads, which provide direct access to most premises. Where appropriate, stringent traffic calming measures will be used to deter through traffic and reduce traffic speeds. Heavy Goods Vehicles may be prohibited, except where they need to use these roads for access.
f) Residential Streets are minor roads where traffic volumes and speeds should be quite low. Nevertheless, the Council may sometimes need to employ traffic calming measures to ensure that the environment and safety of these streets is protected. This will be particularly important in the design of new developments.

Development proposals that involve the creation of new accesses or that will generate additional traffic through existing accesses will be assessed against the position of the relevant road in the hierarchy as above.

Justification

The hierarchy of routes that make up the highway network is intended to ensure that the most appropriate roads are used for longer distance journeys, local trips or for access to individual premises.

Transport Policy 4: The Efficient Movement of Freight

The movement of freight by sustainable modes of transport such as rail and waterways will be encouraged. Road-based freight will be encouraged to use the Key Route Network, as shown on the policies map, whenever practicable.

Proposals that generate significant freight movements will be directed to sites with satisfactory access to the Key Route Network. Junction improvements and routeing strategies will be focussed on those parts of the highway network evidenced as being of particular importance for freight access to employment sites and the motorway network.

Sites with existing and potential access to the rail network for freight will be safeguarded for rail-related uses.

Proposals for secure parking for heavy good vehicles will be supported in locations that have good access to the key route network, subject to other policies of the WBLP.

Justification

Manufacturing, and storage and logistics, form a major part of the economy of Walsall and the surrounding area. The large population of the area also require the efficient delivery of food and other goods. The logistics sector has changed considerably in recent years with the move to on-line shopping.

There are two rail freight terminals within Walsall that provide for the delivery of construction materials, and others lie in neighbouring authority areas. There are also disused railway routes and freight terminals within or close to the borough. Whilst there appears to be no funding or evidence of demand to reopen these, the situation may change over the period of the WBLP.

A large proportion of traffic that moves through the area however comprises goods being moved along the motorway and rail network between other parts of the country. In particular, the M6 motorway, M6 (Toll), A5 and an arm of the West Coast Mainline pass through the borough. The M5 and M54 also branch off the M6 just outside the borough.

Whilst large numbers of heavy good vehicles serve premises in the borough, there are few secure parking facilities that provide for drivers' rest periods. This results in lorries often parking on streets causing highway obstructions and attracting crime.

Transport Policy 5: Creating Coherent Networks for Cycling and for Walking

We will encourage the provision and maintenance of a comprehensive cycle network including links to existing routes and networks in adjacent local authority areas. The network should be safe, direct and not impeded by infrastructure provided for other forms of transport.

The Greenway network, as shown on the Policies Map, will continue to be created, enhanced and safeguarded. The design of Greenways should take account of

community safety objectives and avoidance of potential nuisance to adjoining residents. Greenways will not be permitted in close proximity to existing or proposed rail lines if this would be prejudicial to safety or rail operational / design requirements.

Cycle parking facilities should be provided at all new developments and should be in convenient locations with good natural surveillance, e.g. near to main front entrances for short stay visitors or under shelter for long stay visitors. The design of cycle infrastructure should be in accordance with the principles and standards contained in the West Midlands Cycle Design Guidance (TfWM 2021), or more recent guidance.

Justification

Cycling and walking have major health benefits as well as making more efficient use of the transport network than cars. Roads are often considered to be unsafe for walking or cycling however. Routes for cycling and walking can be disjointed and do not provide convenient to where people want to go.

Transport Policy 6: Parking Management

Parking where under the control of the council and in new development will be managed in a way that encourages travel by sustainable means other than by car, especially for long-stay commuters. Priority will be given to parking for retail and leisure customers, parking for the operational needs of businesses and parking for the disabled.

All development should satisfy the parking standards below, unless they are replaced by a supplementary planning document or other local or national guidance. The requirements are minimum, except in centres.

A General

I. The standard car parking space should be 5.0m by 2.6m. Parking should normally be visible from the highway; where this is not possible, there should be adequate signing. Parking should also, wherever possible, be visible from buildings, in the interests of security.

II. Parking should be allocated for disabled people in all developments as near as possible to the most appropriate entrance to the building. 10% of all parking spaces should be reserved for this purpose, with a minimum of 1 reserved space. Each reserved space should be at least 5.0m by 3.6m.

III. Certain types of development (as indicated below) will also need to provide facilities for taxis, including a pick-up / drop-off point next to the entrance of the building and a telephone.

IV. Bike stands should be located near the entrance of buildings, or in other places where they are clearly visible from the building, in the interests of security. Any employment use which provides toilet facilities should also provide shower, changing and locker facilities for the use of cyclists.

V. In the Town and District Centres the Council will negotiate an appropriate level of parking provision with developers. Parking spaces in centres should be for shared use with other users of the centre, except where parking is for operational employees or disabled occupiers of a building.

B. Residential Development

1, 2 and 3 bedroom houses 2 spaces per unit

4 bedroom houses and above 3 spaces per unit

Flats with individual parking spaces 2 spaces per unit

Flats with communal parking 1.5 spaces per unit

Residential homes 1 space per 3 beds

Nursing homes 1 space per 2 beds

The above may include spaces in garages, but any planning permission will require the garages to be retained for parking use only.

C. Retail Development

Food and convenience goods shops 1 car park space per 14m2 of gross floorspace. At least 1 bike stand for every 20 car park spaces, and absolute minimum of 2 bike stands Taxi facilities.

Other shops 1 car park space per 20m2 of gross floorspace. At least 1 bike stand for every 20 car park spaces, with absolute minimum of 2 bike stands. Taxi facilities.

Hot food takeaways 4 car park spaces for establishments with a gross floorspace up to 50m2; then 1 space per 22m2 of gross floorspace. At least 1 bike stand for every 5 car park spaces with an absolute minimum of 2 bike stands. Taxi facilities.

Garages and vehicle repair workshops 5 car park spaces per service bay. At least 1 bike stand for every 10 car park spaces, with an absolute minimum of 2 bike stands. Taxi facilities.

Car showrooms 10% of gross site area for car parking. At least 1 bike stand for every 10 car park spaces, with an absolute minimum of 2 bike stands. Taxi facilities.

D. Industrial and Commercial Developments

Use class E(g)(i) (offices) 1 car park space per 30m2 of gross floorspace. 1 bike locker for every 10 car parking spaces. Taxi facilities.

Use class E(g)(ii) (research and development) 1 car park space per 30m2 of gross floorspace. 1 bike locker for every 10 car parking spaces. Taxi facilities.

Use class E(g)(iii) (light industry) 1 car park space per 30m2 of gross floorspace. 1 bike locker for every 10 car parking spaces. Taxi facilities.

Use class B2 (general industry) 1 car park space per 50m2 up to 250m2, then 1 space for every additional 100m2 of gross floorspace. 1 bike locker for every 10 car park spaces. Taxi facilities.

Use class B8 (storage and distribution) 1 car park space per 50m2 of gross floorspace up to 250m2; then 1 space per 100m2 up to 2500m2; then 1 space for every 500m2 of gross floorspace. 1 bike locker for every 10 car parking spaces. Taxi facilities.

E. Health and Educational Facilities

Hospitals 1 car park space per 4 staff and 1 space per 3 daily visitors and patients. 1 bike locker for every 10 car parking spaces. Taxi facilities.

Health Centres and surgeries 4 car park spaces per consulting room. 1 bike stand for every 10 car parking spaces, with an absolute minimum of 2 bike stands. Taxi facilities.

Schools 2 car park spaces per classroom. 4 bike lockers for every car parking space. Taxi facilities.

Colleges 1 car park space per 2 staff and 1 space per 15 students. 1 bike locker for every car park space. Taxi facilities.

Other community facilities 1 car park space per 22m2 of gross floorspace. 1 bike stand for every car park space. Taxi facilities.

F. Leisure and Recreation Developments

Cinemas and conference facilities1 space per 5 seats. 1 bike stand for every 10 car park spaces, with a minimum of 2 bike stands. Taxi facilities.

Other buildings for public assembly and food and drink 1 space per 22m2. 1 bike stand for every 10 car park spaces, with a minimum of 2 bike stands. Taxi facilities.

Sports Halls, swimming pools 1 car park space per 22m2 of gross floorspace. 1 bike stand for every car parking space. Taxi facilities.

Health & Fitness clubs 1 car park space per 22m2 of gross floorspace. 1 bike stand for every car park space. Taxi facilities.

Stadiums 1 space per 15 seats. 1 bike stand for every 10 parking spaces. Taxi and coach facilities.

Other outdoor sports pitches 15 car park spaces per pitch. 15 bike stands per pitch. Taxi and coach facilities.

Golf clubs 1 car park space per 22m2 of gross floorspace of clubhouse. 1 bike stand for every 10 car park spaces, with an absolute minimum of 2 stands. Taxi facilities.

Golf driving ranges 1.5 car park spaces per bay. 1 bike stand for every 10 car park spaces. Taxi facilities.

Hotels and guest houses 1 car park space per bedroom, and 1 space per 22m2 of remaining gross floorspace. 1 bike stand for every 10 car park spaces, with a minimum of 2 bike stands. Taxi facilities.

Justification

Parking is a major land use but does not represent an efficient use of land, especially in centres and other workplaces where cars are often parked unused for long periods of time. The above parking standards are intended to ensure that sufficient spaces are provided to enable new development to function effectively and to minimise disruption to surrounding areas, whilst giving priority to parking that is needed for the operation of businesses and for the disabled.

These parking standards are based on those in the 2005 UDP but it is recognised that they will need to be reviewed to take account amongst other matters the increase in the average size of cars.

Transport Policy 7: Low Emission Vehicles

The use of low emission vehicles will be encouraged by supporting the provision of charging points in appropriate locations and other measures to encourage their use in place of existing vehicles.

Justification

Part S of the Building Regulations requires charging points for electric vehicles to be provided for new buildings, buildings undergoing a change of use to dwellings and buildings undergoing major renovation. In order to achieve the transformation in the use of electric vehicles however, charging points will be needed in many other locations including on existing developments. In some cases these will be permitted development.

Chapter 9 – Effective Use of Land

We will seek to ensure that land is used effectively by making sure that previously developed land is used as far as possible in preference to greenfield sites. The industrial legacy of the borough however means that large areas of land are affected by potential contamination and/or ground stability arising from previous activities on or under the land or on adjacent sites. Industrial and other activities, in particular road traffic, continue to affect residents and the natural environment.

See also chapter 10 about design. New development should take account of its surroundings and be designed to function well throughout its lifespan. Buildings should provide an internal and external environment that is safe and comfortable for users. This includes providing mitigation against the effects of climate change, noise and air quality issues.

Effective Use of Land Policy 1: Environmental Protection

The Council will expect all developments to make a positive contribution to the quality of the environment and the principles of sustainable development, and will not permit development which would have an unacceptable adverse impact on the environment. The following considerations will be taken into account in the assessment of development proposals:-

a) Visual appearance
b) The creation of, or susceptibility to, pollution of any kind.
c) Potential problems of land stability, contamination or landfill gas.
d) The storage, use or manufacture of any hazardous, toxic or noxious substances, and any danger to health or the environment arising from this.
e) Proximity to power lines, substations or transformers.
f) Overlooking, loss of privacy, and the effect on daylight and sunlight received by nearby property
g) Accessibility by a choice of means of transport; traffic impact, including the adequacy of the proposed access; and the adequacy of parking facilities
h) The effect on the environment of the countryside and Green Belt.
i) The effect on land or buildings of archaeological, architectural or historical interest
j) The effect on species, habitats and sites of nature conservation or geological interest
k) The effect on the best and most versatile agricultural land
l) The effect on woodland or individual trees on or near the site.
m) The effect on landscape of historic or amenity value, including any proposed changes to land form, levels or land management.
n) The effect on open spaces and outdoor recreation facilities, including footpaths, cycleways and bridleways

o) The implications for water resources including conservation and efficient use of water, and the impact on existing or proposed drainage systems, water courses and aquifers.
p) The provision to be made for energy conservation.
q) The provision made for the sustainable management of any waste generated by the proposed development. Proposals for major development that will generate or use waste during their construction or operation shall evidence how they will minimise waste production, as well as facilitating the re-use and recovery of waste materials including, for example, through recycling, composting and energy from waste. The resource management principles in chapter 15 should be addressed.
r) The effect of interference from radio or other transmissions on equipment in the locality.
s) The hours of operation of any activities proposed.
t) Any other factor of environmental significance.

The development of an industry or facility which may cause pollution will only be permitted if it would not:-

a) Release pollutants into water, soil or air, whether on site or elsewhere, which would cause unacceptable harm to health and safety or the natural environment.
b) Cause unacceptable adverse effect in terms of smoke, fumes, gases, dust, steam, heat, light, vibration, smell, noise or other polluting emissions.
c) Have an unacceptable adverse effect on nearby land uses and/or restrict the types of new development that could be permitted in the locality, or impose special conditions on them.

Development will not be permitted if the health, safety or amenity of its occupants or users would be unacceptably affected by pollution caused by installations or activities that are a source of any form of pollution.

Light Pollution

Applications for development which involve significant external lighting will not be permitted unless they propose the minimum amount of lighting necessary to achieve its purpose and minimise glare and light spillage from the site. Consideration must be given to the effect of the lighting on neighbouring land and premises, vehicle users, pedestrians and wildlife.

Hazardous Installations

Development involving the storage, use or transport of hazardous substances, as defined in the Planning (Hazardous Substances) Act 1990, will only be permitted if it would cause no extra risk to the public or to the natural environment and would not prejudice the use or development of other land.

Permission will not be granted for development in the vicinity of a site known to be used for the storage, use or transport of hazardous substances if there would be an

unacceptable risk to the life or health of its users. To inform its assessment of the risk involved, the Council will seek the advice of the Health and Safety Executive.

Development Near Power Lines, Substations and Transformers

In order to protect the general amenity of occupiers and users, development for uses other than industry and warehousing will not normally be permitted in close proximity to high voltage electricity transmission lines, substations or transformers.

The Council will also apply the appropriate operational safe clearances as published by the electricity supply industry when considering applications near overhead electricity supply lines.

Development of Derelict and Previously-Developed Sites

The Council will encourage the reclamation and development of derelict and previously developed land wherever this is technically feasible and in accordance with other policies of the Plan.

Planning proposals involving or adjoining derelict or previously-developed land must be accompanied by information on all known previous uses of the site and adjoining land (unless this information has been submitted as part of a previous application).

Where either the site or adjoining land is found to have been occupied or underlain by uses or activities which may have:

a) contaminated the site;
b) affected the stability of the site; or
c) led to the generation of landfill gas;

the application must also be accompanied by a site investigation report which identifies the hazards actually present on the site, assesses the level of risk for the proposed development and sets out a strategy and timescale for dealing with them as part of the proposed development.

Site investigations should also consider any nature conservation value or historic interest of the site and the implications for this of the proposed development.

Development on or adjacent to existing waste operations.

Proposals for non-waste uses on existing or proposed waste sites, or for housing or other potentially sensitive uses near existing waste sites will be assessed against the possible need to safeguard those sites in accordance with the policies in chapter 15.

Justification

This policy is derived from existing UDP and BCCS policies

Effective Use of Land Policy 2: Air Quality

Strategic Approach

The WBLP will promote a diverse approach to addressing the issue of poor air quality including:

a) requiring development and other land use proposals to promote the integration of cycling, walking, and electric charging points as part of their transport provision;

b) promoting and supporting (including through continued joint working with authorities across and outside the Black Country) a modal shift from private vehicles to clean, fast and accessible public transport alternatives such as rail, the Metro and bus transport networks;

c) requiring the provision and protection of green open spaces and significant additional tree cover;

d) ensuring the sustainable location of new residential and employment development to minimise commute times; and

e) as part of an integrated zero-emission public transport system, promoting and requiring the use of sustainable technologies, zero-emission vehicles, design and materials and providing new or extended bus services to meet demand when development of a strategic nature is planned and constructed.

New development must be at least air quality neutral. Planning permission for new development or changes of use will be refused where data assessment indicates that development will:

a) lead to deterioration of existing poor air quality;

b) create any new areas that exceed air quality objectives; or

c) delay compliance being achieved in areas that are currently in exceedance of legal limits unless sufficient mitigation can be achieved.

Residential or other sensitive development such as schools, hospitals / health care and care facilities should be sited in areas where air quality already meets national objectives, or where compliance with those objectives can be achieved with suitable mitigation proposed as part of the development proposal and verified as being achieved before occupation of the development.

Developments that will have a moderate air quality impact, and which can be dealt with through standard mitigation measures, will not require an air quality assessment.

Whenever development is proposed in locations where air quality does not / will not meet national objectives, or where significant air quality impacts are likely to be generated onsite or elsewhere by the development itself or its subsequent use / activities, an appropriate Air Quality Assessment will be required to demonstrate that the proposed development will improve air quality in order that it will meet air quality objectives once the development is completed and occupied / operational:

a) the assessment must take into consideration the potential cumulative impact on air quality of all extant planning permissions in the locality, for both large / strategic and small schemes;

b) the impact of point source emissions of pollutants to air on the scheme (pollution that originates from one place) must also be considered;

c) the assessment must take into consideration the types of pollutant emissions likely to be generated by the development and its future use / associated activities that will have an impact on human health;

d) where assessments show that a development is likely to result in exposure to pollutant concentrations that exceed national objectives, a mitigation plan will be required to determine that the development will improve air quality, in order that it will meet air quality objectives once it is complete and occupied / operational;

e) adequate and satisfactory mitigation measures that are capable of implementation, including the planting of additional and replacement trees in appropriate locations, must be identified, submitted as part of an application, and made subject to appropriate conditions before planning permission is granted.

Developments should not include materials or be positioned or ventilated in a way that would result in poor indoor air quality. Guidance will be provided to detail how such issues should be addressed.

More detail about how this policy will be applied is contained in a supplementary planning document and technical guidance.

Justification

This policy is derived from existing UDP policies.

Effective Use of Land Policy 3: Agents of Change

Housing and other sensitive uses in centres and adjacent to existing activities elsewhere that generate noise, dust, smells, emissions or other disturbance will be expected to address the potential impact of the existing activities on future occupiers of the proposed development. This may include for example installing sound insulation.

Justification

This policy reflects NPPF paragraph 200.

Chapter 10 - Design

This chapter contains policies about design. New development should take account of its surroundings and be designed to function well throughout its lifespan. Buildings should provide an internal and external environment that is safe and comfortable for users. This includes providing mitigation against the effects of climate change, noise and air quality issues.

Design Policy 1: Design Quality

All development will be required to demonstrate a clear understanding of the historic character and local distinctiveness of the area and show how proposals make a positive contribution to place-making and environmental improvement.

New development should aim to ensure the provision of a high quality network of streets, buildings and spaces, with an attractive, safe and permeable movement network. Development should consider crime prevention measures and include design features to reduce the urban heat island effect such as tree cover, green roofs and the inclusion of green space in development.

Poorly designed development or proposals which fail to properly take account of the context or surroundings will not be permitted. This policy will be applied to all development but will be particularly significant in the following locations:-

a) Within a Conservation Area.
b) Within a Town, District or Local Centre.
c) On a visually prominent site.
d) Within or adjacent to transport corridors, including canals, railways, motorways and major roads.
e) Water frontages.
f) Areas with a special character arising from the homogeneity of existing development in the neighbourhood.
g) In the vicinity of a Listed Building, building or structure on the Local List, or Registered Parks and Gardens.
h) Within or adjacent to Local Nature Reserves, Sites of Special Scientific Interest, Sites of Importance for Nature Conservation, parks, cemeteries or public open spaces.
i) Within or adjacent to Green Belt, agricultural or open land.

When assessing the quality of design of any development proposal the Council will use some or all of the following criteria:-

a) The appearance of the proposed development.
b) The height, proportion, scale, and mass of proposed buildings / structures.
c) The materials proposed for buildings, external spaces and means of enclosure.
d) The integration and co-ordination of buildings and external space.
e) Community safety and security.

f) The visual relationship of the proposed development with adjacent areas, the street and the character of the surrounding neighbourhood.
g) The effect on the local character of the area.
h) The proposed vehicular and pedestrian circulation patterns.
i) The integration of existing natural and built features of value.
j) The maintenance requirements of the development.

Any new development or alterations should respect the historical or vernacular building character, proportion, massing and relationship between buildings and the spaces between them and with their setting.

Environmental Infrastructure

Development proposals will need to demonstrate that the strategic network of environmental infrastructure will be protected, enhanced and expanded at every opportunity.

The environmental infrastructure network comprises open space, sport and recreation facilities, areas of biodiversity and geodiversity importance, wildlife corridors, the canal network, watercourses and drainage systems, air quality and renewable energy generation, pedestrian and cycle routes, areas and buildings of high design quality, and the special character and historic aspects of locally distinctive elements of Walsall.

Place-Making

Walsall will operate on a permeable street network with pedestrian priority that gives maximum freedom of movement and a good choice of means of transport. Vibrant streets and spaces, defined by surrounding buildings and with their own distinct character, should provide the framework for a coherent interconnected network of places that supports social interaction and displays a clear hierarchy of private, commercial and civic functions.

The design of spaces and buildings will be influenced by their context and seek to enhance the unique attributes the area offers in terms of its local character and heritage whilst responding to current day needs, changes in society and cultural diversity.

More detailed guidance about design is contained in a supplementary planning document and technical guidance.

Justification

This policy is carried forward from the UDP and BCCS, including UDP policies GP2, ENV32 and paragraphs 3.13 to 3.15, as well as BCCS policies CSP3 and CSP4.

Design Policy 2: Design and Heritage in Walsall Town Centre

New developments in Walsall Town Centre should be designed to strengthen local character and identity, with particular reference to the Characterisation Analysis and Sensitivity Plans featured in the town centre Characterisation Study. Developments

should also respect any heritage assets (both surviving buildings/ features and buried archaeological deposits) identified in the Characterisation Study, on the Heritage List for England or at the Wolverhampton and Walsall Historic Environment Record.

Development proposals affecting sites identified as heritage assets or as areas of high sensitivity to change should demonstrate how they will be conserved and enhanced including, where appropriate:

a) Consideration of the need to protect views and enhance the setting of heritage assets;
b) Consideration of the sensitivity to change, opportunities and constraints of the area as defined by the Characterisation Study;
c) Opportunities to promote the enjoyment of and access to the cultural heritage of the area for the benefit of the local community, such as improving access and providing interpretation; and
d) Ensuring good design standards are addressed, with reference to Policy AAPLV6 and the Characterisation Study.

The Council will encourage the sensitive re-use of those buildings of special architectural or historic interest in accordance with BCCS Policy ENV2 and other Policies in Walsall's Local Plan

Development that would result in substantial harm to or demolition of a Heritage Asset will not be permitted unless, in addition to any requirements contained in national guidance, either it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following criteria are met:

a) All reasonable alternatives that would avoid harmful adverse impacts have been fully explored and are not feasible or viable;
b) The proposed development is of high quality and designed to reinforce and enhance local character and distinctiveness;
c) All options to secure the future of the asset have been fully explored, including grant funding and disposal to a charitable organisation or community group;
d) A mitigation strategy has been prepared to minimise harm and provide for an appropriate level of salvage and/or recording; and

Where there is archaeological potential then the development will be required to undertake a desk based archaeological assessment, and where necessary a field based survey, by a qualified professional.

All development proposals in the Walsall Town Centre Inset boundary:

a) Shall take account of the locally distinctive character of the area in which they are to be sited and should respect and respond to its positive attributes.
b) Physical assets (buildings, sites or areas together with their settings) whether man-made or natural that positively contribute to the local character and distinctiveness of Walsall's landscape and townscape should be retained and wherever possible enhanced and their settings should be respected.

c) New development in Walsall Town Centre shall be designed to reinforce and enhance local distinctiveness and full reference should be made in Design and Access Statements accompanying planning applications.
d) Design and Access Statements should clearly set out the steps that have been taken to achieve locally responsive outcomes through either traditional or more contemporary design solutions.

Proposals for the inappropriate demolition, alteration or extension of buildings in the Walsall Town Centre, or proposals for works which would be detrimental to its character or setting and which could inappropriately prejudice views into or out of the Conservation Area, will be resisted. Priority will be given to the retention and enhancement of buildings of heritage value identified in the Conservation Area Appraisal.

Proposals to develop or redevelop sites and convert buildings will be required to preserve or enhance the character or appearance of the Conservation Area and contribute positively to the wider regeneration of Walsall Town Centre.

All proposals within the Walsall Town Centre Conservation Areas will be required to conserve and, where appropriate, enhance the distinctive local character architectural and historic interest of the town centre including buildings, character zones, open spaces and the public realm in particular:

a) Encouraging the reinstatement of lost architectural detail.
b) Maintaining viability through the effective reuse of historic buildings, particularly vacant upper floors.
c) Removing buildings that have a negative impact on the area.
d) Providing infill development that respects prevailing height, form, building line, plot rhythm, proportions and fenestration.
e) Removing poorly designed shop fronts, outdoor advertisements and signage.
f) Making use of traditional building materials or complementary new materials that contribute positively to local distinctiveness.
g) Retaining, enhancing and restoring historic views and vistas identified in the appraisal.
h) Ensuring that advertising and signage proposals respect the character and appearance of the conservation area in terms of siting, size, number, materials, colours and illumination.

Chapter 11 – Green Belt and Landscape

Green Belt Policy 1: The boundaries of the Green Belt

The boundary and extent of the Green Belt within the Borough is shown on the Policies Map. Development in the Green Belt is inappropriate unless one of the exceptions set out in the NPPF applies or as below.

The boundaries of the Green Belt in Walsall have been revised as part of the WBLP to address development needs over the period of the plan and to promote sustainable patterns of development. Apart from proposals on previously developed land, land within the Green Belt as defined by the WBLP will not be considered to be grey belt for the purposes of decision-making.

Redevelopment, changes of use and extensions to existing buildings in the Green Belt will be supported, subject to other policies in the WBLP, provided that:

Redevelopment:

a) The floorspace of replacement buildings must be no more than 40% greater than that of the existing buildings (or previous buildings if they have been demolished within the last five years prior to the date of the planning application).
b) Vehicle parking and circulation areas must not, when combined with the replacement buildings, occupy an area greater than that previously occupied by buildings, hardstanding, parking and vehicle circulation.

Extensions:

a) The floorspace, when added to that of any previous additions to the original building, must not be more than 40% greater than that of the original building. ‘Original’ means the building as it existed in 1948 or as first built if newer.

All Applications

a) All planning permissions within the Green Belt will be subject to the removal of permitted development rights for extensions and new buildings beyond those authorised by the permission.

Justification

The boundaries of the Green Belt have been redrawn to accommodate some of the housing and employment needs that cannot be accommodated in the existing urban area. The WBLP will be supported by evidence of very special circumstances to justify these changes.

NPPF (December 2024) paragraph 154 states that three types of development (amongst others) are not inappropriate in the Green Belt:

c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;

d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces; and

g) limited infilling or the partial or complete redevelopment of previously developed land (including a material change of use to residential or mixed use including residential), whether redundant or in continuing use (excluding temporary buildings), which would not cause substantial harm to the openness of the Green Belt.

It does not however define ‘disproportionate’, ‘materially larger’ and ‘substantial harm’. This WBLP policy provides clarity and allows consistency in decision making.

The WBLP is supported by an evidence base which includes a Green Belt study. This identifies very few areas that are considered to meet the definition of grey belt in accordance with national policy and planning policy guidance. The areas of grey belt that are considered suitable for development have been allocated accordingly.

Green Belt Policy 2: Landscape Protection

Development within or adjacent to the Green Belt will ensure that landscape quality is retained or enhanced. Planning applications within or on the edge of the Green Belt shall include details of topography, the height and positions of existing and proposed buildings, and details of existing trees and hedges or new planting to be retained or provided.

Good landscape design is an integral part of urban design and the Council will require, where appropriate, planning applications proposing development in the locations described in Design Policy 1 to be supported by full details of external layout and landscape proposals.

In addition, development proposals meeting any of the following criteria will also be required to be supported by full details of external layout and landscape proposals:-

a) Land which the Council is expected to adopt.
b) Development sites containing natural and built features the Council requires to be retained or enhanced.
c) Residential / nursing homes where residents would benefit from the sensory stimulation provided by a landscape scheme and who are not in a position to secure it for themselves.
d) Larger development proposals.

Justification

Landscape quality is not one of the purposes of Green Belt, but national planning policy states that local planning authorities should plan Green Belt areas positively to retain and enhance landscapes. Much of Walsall’s Green Belt comprises sensitive landscape where steep slopes and existing screening provided by trees and hedges mean that built development within or on the edge of it can have significant impact. Sensitive landscape includes the Barr Beacon Ridge, the sloping area to the north-east of

Aldridge which includes the area around Castle Fort, and Great Barr Hall Registered Parkland.

Chapter 12 – Climate change

Climate Change Policy 1: Strategy

All new development will seek to address climate change. Development proposals will aim to achieve the following:

a) Reduce climate change by minimising fossil fuel emissions and converting to sustainable energy sources. This includes:
   i. Ensuring development is in locations that have good access by public transport, walking and cycling.
   ii. Design buildings and the spaces between them to minimise the need for energy for heating and cooling.
   iii. Providing for the re-use of existing buildings and other resources in preference to demolition and re-building.
   iv. Providing generation and supporting infrastructure for low carbon energy.
b) Mitigate against the impact of climate change including addressing:
   i. Overheating, through the design of buildings, landscaping and the use of trees
   ii. Flood risk from rivers and surface water
   iii. Water usage and scarcity
   iv. Ensuring new buildings and infrastructure are resilient to climate change.
   v. Taking account of the impact on, and protecting and enhancing, biodiversity and the natural environment.

The chapters about housing and centres seek to direct new development to locations that have good access by sustainable means of transport. Reference should also be made to air quality in the policies about the effective use of land.

Justification

[Text to be added]

Climate Change Policy 2: Design to reduce energy demand

The energy consumption of new and refurbished buildings should be minimised by having regard to landform, layout, building orientation, massing and landscaping. New buildings should be orientated to maximise opportunities for natural heating and ventilation, and to reduce exposure to wind and other elements.

Existing buildings should be re-used in preference to demolition. Where demolition is the only feasible option, materials should be re-used and recycled where suitable.

Sustainable methods of construction should be used. This can include off site construction, the use of local trades and materials, and sustainably sourced materials in construction.

The conversion of non-domestic buildings to residential use will be expected to employ high environmental standards, incorporating improved thermal insulation, appropriate levels of natural ventilation and measures to improve water efficiency;

Proposals for increasing the energy efficiency and resilience to climate change of designated heritage assets will be supported only where this will not cause demonstrable harm to the historic fabric, character, setting or appearance of the asset. Reference should also be made to the WBLP policies about the historic environment.

Proposals that will use or generate waste during construction or operation should have regard to the waste policies in chapter 15.

Justification

[Text to be added]

Climate Change Policy 3: Low Carbon Energy

New buildings should be designed and constructed to be net zero carbon in operation where technically feasible.

Proposals for the installation of renewable energy generation, heat networks and supporting infrastructure will be supported subject to other policies of the WBLP, in particular the impact on the natural or historic built environment, landscape and the amenity of nearby residents. The provision of renewable energy generation equipment, in particular solar panels, will be encouraged on existing buildings and under-utilised land where this does not prevent the use of the land for other purposes. In particular, proposals to install solar panels above existing car parks will be supported.

All proposals for major development and those involving the change of use of existing buildings involving more than 1,000 sq m of floorspace shall incorporate measures to generate electricity from renewable sources sufficient to provide at least 10% of the estimated residual energy usage of the development on completion, unless there would be an unacceptable impact on the natural or historic built environment, or the building is structurally unsuitable.

Developments of 100 homes or more, or non-residential floorspace of 10,000 sq m or more, shall identify and address future energy generation and usage including the potential for the following measures:

a) current and future major sources of demand for heat (e.g. sites such as industrial / manufacturing sites, universities, large-scale sporting or leisure development, hospitals and social housing);

b) demands for heat from existing buildings that can be connected to future phases of a heat network;

c) major heat supply plant;

d) possible opportunities to utilise energy from waste or waste heat from industrial processes;

e) opportunities for heat networks;

f) opportunities for private wire electricity supply;

g) possible land for energy centres and / or energy storage;

h) possible heating and cooling network routes;

i) infrastructure and land requirements for electricity and gas supplies;

j) implementation options for delivering feasible projects, considering issues of procurement, funding and risk, and the role of the public sector.

Heat sources for communal heating systems shall be chosen to minimise likely emissions and to make best use of any local decentralised networks, in preference to other solutions.

Where a communal heating system is provided, development proposals must provide evidence to show that NOx emissions related to energy generation will be equivalent to or lower than those of an ultra-low NOx75 gas boiler.

Justification

[Text to be added]

Climate Change Policy 4: Design to Mitigate Climate Change Impact

New development shall be designed to be resilient to climate change by minimising the risk of overheating, improving water efficiency, and minimising and avoiding the risk of flooding from all sources. Development proposals should minimise both internal heat gain and the impacts of urban heat islands by using appropriate design, layout, orientation and materials.

Development proposals will be expected to demonstrate how their potential for overheating and reliance on artificial cooling systems will be reduced, in accordance with the following cooling hierarchy:

a) minimise internal heat generation through energy-efficient design;

b) reduce the amount of heat entering a building through orientation, shading, colouring of external surfaces, fenestration, insulation and the provision of green roofs and walls;

c) provide passive ventilation;

Trees and other planting in landscaping schemes will be required in new development to provide for the shading of amenity areas, buildings and streets, mitigate against poor

air quality and help connect fragmented habitats and protect and support biodiversity networks.

Justification

[Text to be added]

Climate Change Policy 5: Flood Risk

New development should address the risk of flooding from both rivers and surface water run-off.

Sites allocated for development in the WBLP have been assessed in accordance with the sequential and exception tests for flood risk in national policy. Planning applications for other sites, or for uses on allocated sites other than the uses referred to in the WBLP, will also be assessed against these tests.

All development will seek to minimise the impact of surface water runoff through the design of proposed drainage systems, including where possible grey water recycling and rainwater collection, and the use of permeable surfaces. Schemes should also make provision for sustainable drainage infrastructure, which should be built into landscaping schemes and open space provision as appropriate.

To assist in both reducing the extent and impact of flooding and also reducing potential urban heat island effects, all developments should:

a) Incorporate Sustainable Drainage Systems (SUDs), unless it would be impractical to do so, in order to significantly reduce surface water run-off and improve water quality. The type of SUDs used will be dependent on ground conditions;

b) Open up culverted watercourses where feasible and ensure development does not occur over existing culverts where there are deliverable strategies in place to implement this;

c) Take every opportunity, where appropriate development lies adjacent to the river corridors, or their tributaries or the functional floodplain, to benefit the river by reinstating a natural, sinuous river channel and restoring the functional floodplain within the valley where it has been lost previously;

d) On sites requiring a Flood Risk Assessment, reduce surface water flows back to equivalent greenfield rates;

All planning applications for major development will be accompanied by a surface water drainage strategy. This should consider all sources of flooding to ensure that future development is resilient to flood risk and does not increase flood risk elsewhere.

Natural flood management techniques will be preferred to increasing the capacity of the piped drainage network. This will include the use of green infrastructure to reduce the causes and impacts of flooding

SuDS should provide multifunctional benefits though improvements to water quality, biodiversity, amenity.

All proposals for SuDS and other drainage measures should be accompanied by details of their future management, including measures to ensure public safety.

Justification

[Text to be added]

Climate Change Policy 6: Water Usage

Development will only be permitted in areas where adequate water supplies are available or where they can be made available without detriment to the environment.

Proposals for development will be encouraged to incorporate measures for the conservation of water resources such as the use of water efficient devices, the on-site recycling of water (including grey water systems), the collection and use of rainwater (e.g. the provision of water butts) and minimising the watering needed to sustain landscaping (eg. through the use of mulching and drought tolerant turf and plants).

The quality of all water resources will be protected and, where possible, improved. Development will not be permitted if the drainage from it poses an unacceptable risk to the quality or usability of surface or ground water resources. In particular the Council will need to be satisfied that:-

a) Adequate foul and surface water drainage infrastructure is available to serve the proposed development.
b) Appropriate pollution control measures are incorporated to reduce the risks of any water pollution.
c) Appropriate use will be made of sustainable urban drainage techniques that reduce the volume of surface water runoff by allowing this to replenish groundwater or surface watercourses by natural seepage.
d) No development will be permitted within a groundwater Source Protection Zone that would physically disturb an aquifer, and no permission will be granted without a risk assessment demonstrating there would be no adverse effect on water resources.

The environment of rivers, canals, lakes and ponds will be protected, and enhanced in a comprehensive way. Any developments affecting, or near to, these water spaces should make a positive contribution, as appropriate, to the nature conservation, landscape, heritage, fisheries, amenity or recreational value of the water space. In particular, attention should be given to:-

a) Safeguarding the biodiversity, ecology and any geological interest in the area.
b) Avoiding building over or culverting watercourses unnecessarily and exploiting any opportunities to open-up water courses that are presently culverted where appropriate.

c) Retaining, improving or restoring public access to riverside corridors and other water spaces, whilst taking all reasonable measures to ensure public safety.
d) Promoting appropriate recreational uses for water spaces and waterside areas.
e) Safeguarding access for maintenance

Justification

[Text to be added]

Chapter 13 – Natural Environment

Existing policies in the UDP and BCCS will be carried forward except where they are no longer appropriate in relation to current legislation, national policy and technical evidence.

The canals policy in chapter 13 (historic environment) is also relevant to the natural environment.

Natural Environment Policy 1: Nature Conservation

Development within Walsall will safeguard nature conservation, inside and outside its boundaries, by ensuring that:

a) development will not be permitted where it would, alone or in combination with other plans or projects, have an adverse impact on the integrity of an internationally designated site, such as Special Areas of Conservation (SAC). Cannock Chase SAC is covered in more detail in Natural Environment Policy 4: Cannock Chase Special Area of Conservation;

b) development is not permitted where it would harm nationally (Sites of Special Scientific Interest and National Nature Reserves) or regionally (Local Nature Reserves and Sites of Importance for Nature Conservation) designated nature conservation sites;

c) locally designated nature conservation sites (Sites of Local Importance for Nature Conservation), important habitats and geological features are protected from development proposals that would have a measurable negative impact on them;

d) the movement of wildlife within Walsall and its adjoining areas, through both linear habitats (e.g. wildlife corridors) and the wider urban matrix (e.g. stepping-stone sites) is not impeded by development. This is covered in more detail in Policy NE2. Developers must take account of WMCA LNRS when preparing their schemes and should plan for the maintenance and where possible enhancement of such linkages

e) species that are legally protected, in decline, are rare within Walsall, Black Country or that are covered by national, regional, or local Biodiversity Action Plans will be protected when development occurs.

Adequate information must be submitted with planning applications for proposals that may affect any designated site or important habitat, species, or geological feature, to ensure that the likely impacts of the proposal can be fully assessed, in accordance with wildlife legislation and best practice guidance. Mitigation methods must be put in place to fully reduce the damage or compensate and replace habitat or features. A mitigation strategy must accompany relevant planning applications that will impact nature conservation. Where the necessary information is not made available, there will be a presumption against granting permission.

Sites that have been identified as holding potentially ecological important habitat (e.g. Potential Site of Importance) should be assessed against the Birmingham and Black Country Local Site Assessment Criteria, where appropriate. Where deemed to be of Site of Importance for Nature Conservation and Sites of Local Importance for Nature Conservation value, that value should be attributed and taken into account as part of any development.

Where, exceptionally, the strategic benefits of a development clearly outweigh the importance of a local nature conservation site, species, habitat or geological feature, damage must be minimised. Any remaining impacts, including any reduction in area, must be fully mitigated. Compensation will only be accepted in exceptional circumstances. A mitigation strategy must accompany relevant planning applications.

The council will provide additional guidance on this in technical support documents, where relevant.

Over the plan period, Walsall will update evidence on designated nature conservation sites and Local Nature Reserves as necessary in conjunction with the Local Sites Partnership and Natural England and will amend existing designations in accordance with this evidence. Consequently, sites may receive new, or increased, protection over the Plan period.

All appropriate development proposals will be required to incorporate measures to help mitigate and adapt to the impacts of climate change and positively contribute to the natural environment to provide gains for nature, and the health and wellbeing of residents and species.

Justification

This is derived from existing policies – BCCS ENV1 Nature Conservation, UDP ENV24 Wildlife Corridors and SAD EN1 Natural Environment Protection, Management and Enhancement

Natural Environment Policy 2: Nature Recovery Network and Biodiversity Net Gain (BNG)

Local Nature Recovery Strategy

All development shall deliver the emerging West Midlands Combined Authority (WMCA) Local Nature Recovery Network Strategy (LNRS) in line with the following principles:

a) take account of where in the Local Nature Recovery Network the development is located and deliver benefits appropriate to that area;
b) follow the mitigation hierarchy of avoidance, mitigation and compensation, and provide for the protection, enhancement, restoration and creation of wildlife habitat and green infrastructure;
c) follow the principles of Making Space for Nature and recognise that spaces are needed for nature and that these should be of sufficient size and quality and must

be appropriately connected to other areas of green infrastructure, to address the prioritises and actions of the WMCA LNRS.

d) Protect and enhance existing habitat and ecological corridors and restore and create habitats that contribute to the implementation of the Nature Recovery Network.

All developments should look to include features for wildlife as part of their development scheme. Walsall Council will consider such contributions positively when determining planning applications. These measures can include the inclusion of hedgehog highways, integrated bat boxes and bird boxes.

Biodiversity Net Gain

All development (excluding the exemptions as set out in 'The Biodiversity Gain Requirements (Exemptions) Regulations 2024) is required to deliver Biodiversity Net Gain in accordance with the provisions of the Environment Act. Where developments are exempt for the Biodiversity Gain requirement, there will still be requirement to achieve a net gain in biodiversity, in line within the National Planning Policy Framework.

Losses and gains as a result of proposed development will be calculated using the latest Statutory DEFRA biodiversity metric and guides and following local technical support documents.

Delivery of biodiversity net gain should follow the biodiversity gain hierarchy with gains delivered on site as first preference. Where gains can not be fully implemented on-site, gains should be delivered as close as possible. Offsite gains should be locally prioritised where they can secure the greatest benefit to the Nature Recovery Network.

Where the Biodiversity Net Gain is not evidenced to have been maximised on-site prior to utilising offsite gains, there will be a presumption against granting permission.

Compensation will only be accepted in exceptional circumstances. Provision of off-site compensation should not replace or adversely impact on existing alternative / valuable habitats in those locations and should be provided prior to development.

Developments will be required to meet all BNG requirements onsite, where the development is located fully or in part on Green Belt release sites or ecologically designated sites.

Biodiversity net gain shall be provided in line with the following principles:

a) Be compatible with the features and characteristics of the site and its immediate and surrounding landscape with which it sits, including both green and blue infrastructure;
b) Habitats created or enhancement as part of the contribution towards the achievement of biodiversity net gain are required to be secured and maintained for at least 30 years, or a period of time set out in national policy or legislation if this is greater;
c) The enhancement and maintenance, where possible, known ecological corridors to improve the ability of fauna and flora to move, migrate and genetically disperse across Walsall and the Black Country;

d) The provision / enhancement of priority habitats identified at the national, regional, or local level, having regard to the scarcity of that habitat within Walsall and Black Country;
e) To meet and contribute to the priorities and actions outlined within the emerging West Midlands Combined Authority Local Nature Recovery Strategy.

Justification

This is derived from existing Policies – UDP ENV24 Wildlife Corridors and ENV17 New planting

Natural Environment Policy 3: Trees, Woodlands and Hedgerows

Retention and protection of trees, hedgerows and woodland

Development that would result in the loss of or damage to ancient trees, ancient woodland or veteran trees will not be permitted. Development adjacent to ancient woodland will be required to provide an appropriate landscaping buffer, with a minimum depth of 15m. Where assessment shows impacts are likely to extend beyond this distance, the proposal is likely to have an increased minimum buffer zone.

Provision should also be made for the protection of individual veteran or ancient trees likely to be impacted by development, by providing a buffer around such trees of a minimum of 15 times the diameter of the tree. The buffer zone should be 5m from the edge of the tree's canopy if that area is larger than 15 times its diameter.

There will be a presumption against the removal of trees and hedgerows, especially where surveys have identified them as ecologically important, unless sound arboricultural reasons support their removal. Where removal is unavoidable, replacement trees should be provided to compensate for their loss, on a minimum basis of three for one. The replacement trees should be native, of local provenance and commensurate with the size, stature, rarity, and public amenity of the tree(s) to be removed.

Where sufficient and suitable onsite replacements cannot be provided, off-site planting or woodland enhancement, including support for natural regeneration, in the near vicinity of the removed tree(s) must be provided, in line with the mitigation hierarchy and in agreement with the planning authority. Appropriate planning conditions will be used to secure timely and adequate alternative provision and ongoing maintenance.

Tree Preservation Orders will be used to protect individual tree(s), groups of trees, areas of trees and woodlands that contribute to the visual amenity and / or the character of an area and that are under threat of damage or removal.

Trees, hedgerows and development

An arboricultural survey, carried out in accordance with British Standard 5837:2012 Trees in Relation to Design, Demolition and Construction and planning guidance documents, should be undertaken prior to removal of any vegetation or site

groundworks and used to inform a proposal's layout at the beginning of the detailed design process.

Where Development proposals present opportunities to improve / restore Ancient Woodland, or provide complementary planting, particularly where planting will extend and improve the connectivity of the Nature Recovery Network, in accordance with Natural Environment Policy 2 Nature Recovery Network, these will be supported, subject to other local plan policies. While development proposals which would adversely affect Ancient Woodland will be resisted.

Existing mature trees, trees that are ecologically important, and ancient / veteran trees, must be retained and integrated into the scheme, recognising the important contribution of existing trees to the character and amenity of a development site and to local green infrastructure networks.

Hedgerow retention and reinforcement will be of particular importance where hedgerows form part of an established ecological network enabling the passage of flora and fauna into and out of rural, suburban, and urban areas.

In addition, to meeting the requirements for replacement trees on sites and biodiversity net gain, new tree planting should be included in all new residential developments and other significant proposals, as street trees or as part of landscaping schemes. Development proposals should use native large canopied species where appropriate, which provide a wider range of health, biodiversity and climate change mitigation and adaptation benefits because of their larger surface area and make a positive contribution to increasing overall canopy cover.

New trees on development sites should be planted in accordance with BS8545:2014 Trees: from nursery to independence in the landscape recommendations, including the use of suitably sized planting pits, supporting stakes, root barriers, underground guying, and appropriate protective fencing during the construction phase.

New houses and other buildings must be carefully designed and located to prevent an incompatible degree of shade being cast by both existing and new trees that might result in future pressure for them to be removed.

Trees on development sites must be physically protected during development. Care must be taken to ensure that site engineering / infrastructure works, the storage of plant and machinery, excavations and new foundations do not adversely impact their continued retention, in line with methodology and standard within current guidance as detailed in British Standard 5837:2012 Trees in Relation to Design, Demolition and Construction and Building Regulation requirements.

Where proposed development will impact on the protection, safety and / or retention of a number of trees, or on the character and appearance of trees of importance to the environment and landscape, the use of an arboricultural clerk of works will be required, to be made subject to a condition on the relevant planning permission.

Protection of hedgerows before and during development must be undertaken. This will include: the provision of landscape buffers where appropriate; protective fencing; and

careful management of plant and materials on site to avoid damage to the hedgerow(s) and its root system.

Appropriate conditions will be included in planning permissions to ensure that new trees that fail on development sites are replaced within a five-year period by trees of a suitable size, species, and quality and in prior agreement with the local authority.

Habitat Creation

In areas, where evidence demonstrates that current levels of tree cover are low, proposals that incorporate additional native tree planting, to increase existing levels of habitat and canopy cover, will be considered positively, as part of the wider contribution to biodiversity net gain.

Opportunities for increasing tree provision through habitat creation and the enhancement of ecological networks, including connecting areas of ancient woodland, will be maximised, in particular by means of the biodiversity net gain and West Midlands Combined Authority Local Nature Recovery Strategy.

Local authorities will provide additional guidance within Local Development Documents and technical support documents, where relevant.

Justification

This is derived from existing policies – UDP ENV16 Black Country Urban Forest, ENV18 Existing woodlands, trees and hedgerows, SAD Ancient Woodlands

Natural Environment Policy 4: Cannock Chase Special Area of Conservation (SAC)

Development will only be permitted where it can be demonstrated that it will not be likely to lead directly or indirectly to an adverse effect upon the integrity of the SAC, either alone or in combination with other plans or projects.

Development that will lead to a net increase in residential development or overnight visitor accommodation within the areas of Walsall that fall within the Zone of Influence around the SAC must mitigate for such effects in line with the ongoing work to outline the pressures on the SAC caused by recreation and visitor pressure.

The mitigation may include contributions to habitat management, access management and visitor infrastructure, publicity, education or awareness raising; and provision of suitable alternative natural green recreational space within development sites where they can be accommodated and where they cannot by contributions to offsite alternative green space.

The effective avoidance of and/or mitigation for any identified adverse effects on the SAC must be demonstrated to the Council as the Competent Authority and Natural England and secured prior to the Council giving approval of development. This Policy

has jurisdiction over developments within Walsall only; however, it will be implemented jointly with neighbouring authorities via the application of complementary policies in partner Local Plans.

Development proposals should be consistent with other local development plan policies.

Justification

Current evidence, which is subject to further research, indicates that developments within 15km of the SAC (described as the Zone of Influence) that involve the creation of additional residential development or an increase in overnight visitor accommodation have the potential to increase recreational use of the SAC and harm its ecological value.

Individual development proposals may be subject to appropriate assessment in accordance with the Habitats Regulations. The measures identified in this policy are however considered sufficient to avoid the need for an individual assessment for the development types listed in the policy.

An appropriate assessment will be carried out for any development that leads to a net increase in homes or creates visitor accommodation within 15 km of the boundary of the SAC.

If the appropriate assessment determines that the development is likely to have an adverse impact upon the integrity of Cannock Chase SAC, then the developer will be required to demonstrate that sufficient measures can be provided to either avoid or mitigate the impact, otherwise the proposal will be rejected.

Acceptable mitigation measures will include proportionate financial contributions towards the current agreed Cannock Chase SAC Partnership Site Access Management and Monitoring Measures (SAMMM).

Walsall Council has a duty as a Competent Authority under the Conservation of Habitats and Species Regulations 2010 (Habitat Regs.) to ensure that planning application decisions comply with the Habitats Regulations. Policy NE4 safeguards the Cannock Chase Special Area of Conservation (SAC), which has been designated under the Regulations for its unique heathland habitat.

Evidence produced to inform the production of the policy, by consultants Footprint Ecology, together with that of partner Local Planning Authorities in the Cannock Chase SAC Partnership (Stafford Borough Council, Cannock Chase Council, Lichfield Council, East Staffordshire Council, South Staffordshire Council, City of Wolverhampton Council and Walsall Council), shows that the "in combination" impact of proposals involving a net increase of one or more dwellings within a 15 kilometre radius of the SAC would have an adverse effect on its integrity unless avoidance and mitigation measures are in place.

The effects arise from an increase in recreation over the local plan period and comprise the creation of new paths, path widening, erosion and nutrient enrichment from visitor use and vehicle emissions. SAC Partners have therefore agreed to formally support the Footprint Ecology evidence base reports and acknowledge a 15km Zone of Influence.

Walsall Council, together with other local authorities within the 15km radius of Cannock Chase SAC, have agreed to collect financial contributions from housing developments within the 15km zone and to spend these on a package of mitigation measures to mitigate harmful impacts on the SAC.

Following the production of the Footprint Ecology evidence base, additional advice has been received from Natural England. This has directed the Cannock Chase SAC Partnership authorities to consider mitigating any likely significant effects through the provision of on-site mitigation measures. The use of measures seeking to avoid significant effects, such as offsite Suitable Alternative Natural Greenspaces (SANGs), is not being pursued at this time. This is primarily due to uncertainties regarding their effectiveness and their relatively high cost when compared to on-site mitigation measures.

The Council must ensure that decisions made on planning applications, and policies in the Local Plan, will avoid and mitigate recreation impacts on Cannock Chase SAC. If there are any likely significant effects, the Council is either unable to grant planning permission due to the restrictions of the Habitat Regs., or it must ensure there are appropriate mitigation measures in place. Given the evidence now available that one or more net dwellings would have an adverse effect on the SAC's integrity, the Council has introduced Guidance, as set out below, which includes a simple regime of financial contributions as an alternative to developers providing Habitats Regulations Assessment information to inform mitigation so as to prevent harm to the SAC.

Natural Environment Policy 5: Sites of Geodiversity Value

Black Country UNESCO Global Geopark

The Black Country is one of eight UNESCO Global Geoparks in the UK. These are landscapes of international geological significance. The Black Country Geopark connects the natural geology of the area with its cultural and industrial heritage. The boundary of the Black Country UNESCO Global Geopark is the same as that of the Black Country itself.

The Geopark is a special urban landscape with geology spanning 428 million years. It is well known for its exceptionally well-preserved fossils. The Black Country is rich in coal, ironstone and limestone, resources. These placed the region at the centre of the Industrial Revolution. The Geopark has a variety of geosites. These include landscapes, viewpoints, disused mines and quarries, canals, nature reserves, museums, visitor attractions and many historic buildings. It connects the geology under our feet with cultural and industrial heritage.

The geology of the Black Country is very rich in industrial minerals. These include limestone, ironstone, fireclay and coal. They include the raw materials needed to make iron which meant that the area played an important part in the Industrial Revolution.

The Black Country became a UNESCO Global Geopark on Friday 10 July 2020. The reason for the designation was its internationally important geology, and cultural heritage. The boundary of the Black Country UNESCO Global Geopark is the same as that of the Black Country itself.

Development proposals must protect and enhance designated Geosites that form part of the UNESCO Global Geopark. These sites are internationally important as they represent both the complex geology of the black country and the historic importance through how people have used and interacted with it over time.

The Geosites in Walsall are:

- Barr Beacon Local Nature Reserve
- Brownhills Mining Heritage Monuments (sculpture trail)
- Daw End Railway Cutting and Linley Wood
- Hay Head Quarry
- Moorcroft Wood Local Nature Reserve
- Park Lime Pits Local Nature Reserve
- Shire Oak Quarry Local Nature Reserve
- Walsall Arboretum
- Walsall Geotrail, Museums and Art Gallery

Geodiversity

Other sites of geological value must be protected in a manner commensurate with their statutory status or identified quality in the development plan.

Some SINCs and SLINCs have been designated because of their geological importance; these include…[insert]

Walsall is a very geo-diverse area with underlying geology including limestone, coal measures, sand and gravel and fireclay. In addition, due to the historic industries of the borough there are areas of imported geology such as sand tips from foundry waste and sites where there are spoil heaps from historic mining.

Justification

[Text to be added]

Natural Environment Policy 6: Soils and Agricultural Land

The Council will seek to protect, wherever possible, the best and most versatile agricultural land from loss to inappropriate development or other uses.

Development which would substantially erode the viability of a farm holding or impair farm structure will not normally be allowed. Applicants will be expected to submit details of the effect of the proposed development on farm structure and viability.

Proposals for the further development of agriculture, including the erection, extension or adaptation of farm buildings necessary for the efficient operation of agriculture, and the provision of agricultural dwellings, will be supported, subject to the considerations identified in Green Belt policy 1.

In judging applications for new dwellings the Council will have regard to any recent sales of farm dwellings which could have met the needs identified in the application. Any permission for agricultural dwellings will be subject to a condition to restrict its occupancy to people employed, or last employed, in agriculture.

Proposals for the diversification of the rural economy, particularly for agriculture, forestry and related enterprises, will be supported provided that the character, scale and location of the proposals are compatible with the surroundings and in accordance with the other policies of this Plan.

Justification

This policy is derived from UDP policy ENV6: Protection and encouragement of agriculture

Natural Environment Policy 7: Countryside Natural Capital and Ecosystem Services

[Policy to be confirmed]

Natural Environment Policy 8: Grazing and stabling of horses

The availability of land for grazing horses is an issue in Walsall with many sites over grazed leading to loss of biodiversity, soil erosion and welfare problems for the animals involved. This also leads to increased costs for owners due to the need for supplementary feeds.

The development of stabling and riding facilities will only normally be permitted where all of the following are satisfied:-

a) Adequate grazing land is available for each horse / pony to be kept on the site. The appropriate grazing density will be influenced by the characteristics of individual sites, the season in which grazing is taking place and the use to be made of feed brought in, but the Council will not normally expect grazing densities to exceed 1 horse per 0.6 hectares to prevent overgrazing.
    i. Each animal must be provided with a stable of suitable size and design, where appropriate
    ii. if horses live out they should be provided with adequate field shelters
b) Use is made of existing buildings or where new buildings are proposed they accord with the principles in Green Belt policy. The total number of stables permitted will be limited to the number of horses / ponies that the land can support (see (a)).

c) The proposal is accompanied by an acceptable landscaping scheme including boundary treatment appropriate to the local area.
d) Proposals must include a designated area within the site boundary for the exercising of horses / ponies. The area must be fenced off and suitably surfaced. There must also be an area within the site boundary for the safe loading / unloading of animals into horseboxes or trailers.
e) There would be no material harm to the environment and amenities of the nearby area according to the criteria set out in effective use of land policy 1. Proposals must show how and where feedstuffs and bedding will be stored and how waste from the site will be properly disposed of.

Proposals for the use or development of a site that is currently or most recently used for horse grazing for a purpose unrelated to horses will need to show that the loss of the site will not have a negative impact on the remaining grazing. Sites where there is evidence of supplementary feeding or exercising of horses or ponies within the field (e.g. jumps or obvious riding trails) will be considered as leisure use rather than agricultural grazing regardless of whether they have planning permission for this use or not.

Justification

This policy is derived from UDP policy ENV5 which states:

The development of stabling and riding facilities will only normally be permitted where all of the following are satisfied:-

I. Adequate grazing land is available for each horse / pony to be kept on the site. The appropriate grazing density will be influenced by the characteristics of individual sites, the season in which grazing is taking place and the use to be made of feed brought in, but the Council will not normally expect grazing densities to exceed 1 horse per 0.6 hectares to prevent overgrazing. Each animal must be provided with a stable of suitable size and design.

II. Use is made of existing buildings or where new buildings are proposed they accord with the principles in Policy ENV3. The total number of stables permitted will be limited to the number of horses / ponies that the land can support (see (a)).

III. The proposal is accompanied by an acceptable landscaping scheme including boundary treatment appropriate to the local area.

IV. Proposals must include a designated area within the site boundary for the exercising of horses / ponies. The area must be fenced off and suitably surfaced. There must also be an area within the site boundary for the safe loading / unloading of animals into horseboxes or trailers.

V. There would be no material harm to the environment and amenities of the nearby area according to the criteria set out in Policy GP2. Proposals must show how and where feedstuffs and bedding will be stored and how waste from the site will be properly disposed of.

Chapter 14 Conserving and enhancing the historic environment

NPPF paragraph 203 states that plans should set out a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats. This strategy should take into account:

d) the desirability of sustaining and enhancing the significance of heritage assets, and putting them to viable uses consistent with their conservation;
e) the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring;
f) the desirability of new development making a positive contribution to local character and distinctiveness; and
g) opportunities to draw on the contribution made by the historic environment to the character of a place.

Existing policies in the UDP and BCCS will be carried forward except where they are no longer appropriate in relation to current legislation, national policy and technical evidence.

Historic Environment Policy 1: Historic Character and Local Distinctiveness

All development proposals within the borough should sustain and enhance the locally distinctive character of the area in which they are to be sited, including its historic character, whether formally recognised as a designated or as a non-designated heritage asset. They should respect and respond to its positive attributes in order to help maintain the borough's cultural identity and strong sense of place.

Development proposals will be required to preserve and enhance local character and those aspects of the historic environment - together with their settings - that are recognised as being of special historic, archaeological, architectural, landscape or townscape quality.

Physical assets, whether man-made or natural that contribute positively to the local character and distinctiveness of the borough's landscape and townscape should be retained and, wherever possible, enhanced and their settings respected.

The specific pattern of settlements (urban grain), local vernacular and other precedents that contribute to local character and distinctiveness should be used to inform the form, scale, appearance, details, and materials of new development.

New development in the Borough should be designed to make a positive contribution to local character and distinctiveness and demonstrate the steps that have been taken to achieve a locally responsive design. Proposals should therefore demonstrate that:

a) all aspects of the historic character and distinctiveness of the locality, including any contribution made by their setting, and (where applicable) views into, from, or within them, have been fully assessed and used to inform proposals; and

b) they have been prepared with full reference to the most up to date Historic Landscape Characterisation studies, the Historic Environment Record (HER), and to other relevant historic landscape characterisation documents, supplementary planning documents (SPD's) and national and local design guides where applicable.

All proposals should aim to sustain and reinforce special character and conserve the historic aspects of locally distinctive areas of the Borough, for example:

a) The network of now coalesced but nevertheless distinct small industrial settlements of the former South Staffordshire Coalfield, such as Darlaston;

b) The civic, religious, and commercial cores of the principal settlements of medieval origin such as Walsall town centre;

c) Surviving pre-industrial settlement centres of medieval origin such as Aldridge;

d) Rural landscapes and settlements including hamlets of medieval origin, relic medieval and post-medieval landscape features (hedgerows, holloways, banks, ditches, field systems, ridge and furrow), post-medieval farmsteads and associated outbuildings, medieval and early post-medieval industry (mills etc.) and medieval and post-medieval woodland (see Policy ENV4). The undeveloped nature of these areas means there is also the potential for evidence of much earlier activity that has largely been lost in the urban areas;

e) Areas of Victorian and Edwardian higher-density development, which survive with a high degree of integrity including terraced housing and its associated amenities;

f) Areas of extensive lower density suburban development of the mid-20th century including public housing and private developments of semi-detached and detached housing;

g) Public open spaces, including Victorian and Edwardian municipal parks, often created from earlier large rural estates or upon land retaining elements of relict industrial landscape features;

h) The canal network and its associated infrastructure, surviving canal-side pre-1939 buildings and structures together with archaeological evidence of the development of canal-side industries and former canal routes (see Policy ENV7);

i) Buildings, structures and archaeological remains of the traditional manufacturing and extractive industries of Walsall and the wider Black Country including metal trades (such as lock making), manufacture of leather goods, brick-making, coal mining and limestone quarrying;

j) Geosites of geological, historic, cultural, and archaeological significance within the UNESCO Black Country Geopark (see Policy ENV6);

k) The largely undeveloped high prominences lying along the Queslett to Shire Oak Ridge (including Barr Beacon) and views to and from these locations.

In addition to designated heritage assets, attention should be paid to the following non-designated heritage assets including the local Historic Environment Area Designations (HEADs) described and mapped in the Black Country Historic Landscape Characterisation Study (BCHLCS, 2019 – see evidence section for link):

[this section is to be checked]

a) Areas of High Historic Townscape Value (AHHTV) that exhibit a concentration of built heritage assets and other historic features that, in combination, make a particularly positive contribution to local character and distinctiveness;

b) Areas of High Historic Landscape Value (AHHLV) that demonstrate concentrations of important wider landscape elements of the historic environment, such as areas of open space, woodland, watercourses, hedgerows, and archaeological features, that contribute to local character and distinctiveness;

c) Designed Landscapes of High Historic Value (DLHHV) that make an important contribution to local historic character but do not meet the criteria for inclusion on the national Register for Parks and Gardens;

d) Archaeology Priority Areas (APA) that have a high potential for the survival of archaeological remains of regional or national importance that have not been considered for designation as scheduled monuments, or where there is insufficient data available about the state of preservation of any remains to justify a designation;

e) The Streetly Area of Special Townscape Character;

f) Locally listed buildings / structures and archaeological sites;

g) Non-designated heritage assets of archaeological interest;

h) Any other buildings, monuments, sites, places, areas of landscapes identified as having a degree of significance.

Development proposals that would potentially have an impact on the significance of any of the above distinctive elements, including any contribution made by their setting, should be supported by evidence that the local historic character and distinctiveness of the locality has been fully assessed and used to inform proposals. The level of detail should be proportionate to the assets' importance and sufficient to understand the potential impact of the proposal on their significance. Clear and convincing justification should be provided, either in Design and Access Statements, Statements of Heritage Significance, or other appropriate reports.

In some instances, local planning authorities will require developers to provide in support of their application detailed Heritage Statements and / or Archaeological Desk-based Assessments that have been prepared by suitably qualified persons with the appropriate level of expertise to support their proposals.

For sites with archaeological potential, local authorities may also require developers to undertake Field Evaluation to support proposals.

Justification

[text to be added]

Historic Environment Policy 2: Conservation Areas

The Council will seek to ensure that development preserves or enhances the significance of conservation areas, including their setting, character and appearance, in terms of the requirements set out in national guidance. Opportunities for sustainable new development that enhance or better reveal this significance in line with the NPPF, and having regard to the relevant Conservation Area appraisal (where available), will be encouraged. Consideration will also be given to the following:

a) The degree of harm, loss of or alteration to buildings, structures or features that make a positive contribution to the character and significance of the conservation area.
b) The impact of any new, extended or altered buildings, structures or features on the heritage assets, special townscape and landscape features within the conservation area.
c) The scale, massing, siting, layout, design or choice of materials used in any new or altered building, structure or feature.
d) The nature of any proposed use and the likely provision of parking, infrastructure, utilities and other paraphernalia, and the anticipated levels of traffic and other activities that would result.
e) The inclusion of soft and hard landscaping that respects the character and appearance of the conservation area
f) The retention of open spaces, including garden areas, which make a valuable contribution to the character and/or appearance, and/or allow important views into or out of the Conservation Area; and
g) That do not include internally illuminated advertisement signage unless the signage does not have an adverse impact on the Conservation Area or its setting.

Where a building, structure or feature makes a positive contribution to the significance of a conservation area or its setting, the Council will not grant planning permission for demolition unless the following criteria are met:

a) it can be demonstrated that the substantial harm or loss of significance caused by the demolition is necessary to achieve substantial public benefits that outweigh that harm or loss;
b) all reasonable alternatives that would avoid harmful adverse impacts have been fully explored and are not feasible or viable;
c) the proposed development is of high quality and designed to reinforce and enhance local character and distinctiveness;
d) all options to secure the future of the asset have been fully explored, including grant funding and disposal to a charitable organisation or community group; and

e) a mitigation strategy has been prepared to minimise harm and provide for an appropriate level of building recording and salvage, and the results added to the Historic Environment Record (HER).
f) there is a committed and funded proposal for either a replacement building or landscaping on the site of the building that will preserve or enhance the character of the area.

The council will not permit development within conservation areas that incrementally erodes those special features which the council wishes to protect and enhance.

Justification

The borough's conservation areas will be periodically reviewed in line with Historic England guidance, with a view to consolidating or designating additional areas of special architectural or historical interest.

The council will preserve or enhance the character of each conservation area and will not permit demolition, inappropriate alteration or insensitive redevelopment which will harm the individual or group value of buildings, spaces, or townscape.

Possible alternative wording for this policy (from the AAP):

All proposals within conservation areas will be required to preserve and, where appropriate, enhance the distinctive local character architectural and historic interest of the town centre including buildings, character zones, open spaces and the public realm in particular:

a) Encouraging the reinstatement of lost architectural detail.
b) Maintaining viability through the effective reuse of historic buildings, particularly vacant upper floors.
c) Removing buildings that have a negative impact on the area.
d) Providing infill development that respects prevailing height, form, building line, plot rhythm, proportions and fenestration.
e) Removing poorly designed shop fronts, outdoor advertisements and signage.
f) Making use of traditional building materials or complementary new materials that contribute positively to local distinctiveness.
g) Retaining, enhancing and restoring historic views and vistas identified in the appraisal.
h) Ensuring that advertising and signage proposals respect the character and appearance of the conservation area in terms of siting, size, number, materials, colours and illumination.

Historic Environment Policy 3: Listed Buildings and their Settings

Buildings of special architectural or historic interest (listed buildings) will be safeguarded and the Council will not permit their demolition or alteration in such a way as to cause harm to their character, significance deriving from their archaeological, architectural, artistic or historic interest, or proposals which will harm their setting.

Applications for planning permission or listed building consent involving the alteration, extension, change of use, or any other form of development involving a listed building, its curtilage, or its setting will be required to provide sufficient information to demonstrate how the proposals would contribute to the building's conservation, and would not materially affect the architectural or historic interest, whilst preserving or enhancing its special character, its setting and its appearance. This should be clearly demonstrated by a suitably qualified person employed by the applicant as part of their application.

This would include a full justification to show that the proposal is both necessary and capable of producing the desired result. Details shall demonstrate that the internal and/or external appearance, character, historic and architectural interest of the building, its curtilage and the contribution the building makes to its setting is not adversely affected by the proposals. This would include the removal of any part or feature that contributes to its special architectural or historic interest, whether or not specifically mentioned in its listing description. The Council will provide further guidance on how to comply with this requirement.

Proposals for demolition, inappropriate alteration of or addition to statutorily Listed Buildings, or for development which would harm their significance or be detrimental to their setting, will be resisted. Where Listed Building Consent is granted for demolition or alteration resulting in the loss of historic fabric, the Council will ensure that provision is made for an appropriate level of archaeological buildings recording to take place prior to the commencement of the approved works by appropriate and suitably qualified persons in accordance with the most up to date Historic England guidance.

Justification

[text to be added]

Historic Environment Policy 4: Locally Listed Buildings

The Council will maintain and keep under review a list of buildings, structures, parks and gardens, archaeological sites, geological heritage sites and public works of art of local architectural and historic interest. This is called the Local List.

Development proposals which contain positive measures to conserve and enhance these heritage assets or their settings will be supported.

Proposals for the change of use of a building or structure on the Local List will be required to demonstrate how this would contribute to its conservation whilst preserving or enhancing its architectural or historic interest and conserving and enhancing its significance.

The council will resist development which will involve:

a) inappropriate demolition or part demolition of buildings or structures on the Local List

b) inappropriate alteration or extension to buildings or structures on the Local List which would be harmful to the significance, character and appearance of the heritage asset, and

c) have a detrimental impact on the setting or context of buildings or structures on the Local List including development which conflicts with the intrinsic historic value of the building and its setting and the local character of the wider area.

Where planning permission is granted for demolition or alteration resulting in the loss of historic fabric, the Council will ensure that provision is made for an appropriate level of archaeological buildings recording to take place prior to the commencement of the approved works by appropriate and suitably qualified persons in accordance with the most up to date Historic England guidance.

Justification

[text to be added]

Historic Environment Policy 5: Landscape and Townscape

Proposals for new development in areas of landscape or townscape value such as the conservation areas in town centres, Streetly Area of Special Townscape Character, or the Areas of High Historic Townscape Value (AHHTV) and Areas or High Historic Landscape Value (AHHLV) as defined by the Historic Landscape Characterisation Survey (HLCS), must:

a) consolidate or enhance the existing positive characteristics of the locality, including the public realm, in order to create a locally responsive high-quality design;
b) respond adequately to the character and context of the area of landscape or townscape value;
c) wherever appropriate, conserve and enhance significant heritage assets together with their settings; and
d) seek to protect and enhance the views into, out of and within the area of landscape or townscape value as identified within the HCS.

This should be evidenced through the Heritage Statements and Design and Access Statements accompanying planning applications in or adjacent to areas of landscape or townscape value. These should be produced by a suitably qualified person employed by the applicant as part of their application, and clearly demonstrate that they have been prepared with full reference to the Historic Landscape Characterisation Study (HLCS).

The Council will resist any development or other works taking place which would be detrimental to the character, quality, context and historic integrity of the townscape or landscape. Approval will not be given where key views into, out of, and within the areas would be unduly interrupted or harmed, or where the opportunity to enhance such a view would be lost.

Justification

[text to be added]

Historic Environment Policy 6: Registered Parks and Gardens and Designed Landscapes of High Historic Value (DLHHV)

The Council will protect the Borough's registered parks and gardens from the effects of inappropriate built development and insensitive alteration which would harm the significance or be detrimental to the area's origin, design, history, landscape, setting, character, quality, flora, fauna, management, environmental quality, and historic integrity of Registered Parks and Gardens and Designed Landscapes of High Historic Value (DLHHV) including detailed design features and individual historic components, whether man-made or natural.

The special character and features contained within the park or garden will be considered when assessing development proposals,

The Registered Parks and Gardens at the Arboretum and Walsall Memorial Garden will be preserved and enhanced in order to protect and maintain their unique features and their significance.

Justification

[text to be added]

Historic Environment Policy 7: Archaeology

The archaeological heritage of the Borough will be safeguarded. This will include:-

a) Scheduled monuments, other historic land of national importance (including land registered as of special historic interest) and their immediate settings.
b) Sites and monuments of archaeological significance.
c) Sites and buildings of industrial archaeological significance.

The Council will maintain and enhance a database of all known archaeological sites structures, buildings, landscapes and monuments within the Borough, as part of the Wolverhampton and Walsall Historic Environment Record (HER).

Proposals for development which affect archaeological heritage assets will normally need to be accompanied by an evaluation of the archaeological resource. An evaluation will normally comprise a desk based assessment and fieldwork. The scope of the work will be agreed in advance in writing by the Council. It should be carried out by a suitably qualified archaeologist or professional organisation.

Development adversely affecting monuments of national importance, whether scheduled or not, or their setting, will not normally be permitted.

Where a site is of less than national importance and the benefits of the development outweigh the need for protection of the archaeological heritage asset, development will

not be allowed to proceed until it has been demonstrated that the archaeological heritage assets will be preserved in situ or by record. Preservation by record may comprise fieldwork before or during development and will include the publication of a report upon completion of the work. A combination of preservation and recording may be required as part of a mitigation strategy.

The Council will promote the conservation, protection and enhancement of the archaeological heritage of Walsall and, where appropriate, its interpretation and presentation to the public.

Justification

Walsall Borough has both urban and rural areas, and as such retains a rich variety of archaeological heritage assets, ranging from prehistoric flint scatters, medieval settlements, to a wealth of industrial archaeology, buildings and structures.

There are, at present, 2096 entries for Walsall Borough on the Wolverhampton and Walsall Historic Environment Record, including 5 scheduled monuments, and 43 Archaeological Priority Areas (APA). Many more archaeological sites are likely to exist unrecognised due to lack of documentary research and fieldwork. This is particularly the case in the undeveloped areas to the north and west of the Borough.

The prerequisite for protection of such heritage assets is that all available evidence is collected and stored on a single database. This has been achieved for Walsall as part of the Wolverhampton and Walsall Historic Environment Record. This record is now a statutory requirement following the Levelling Up and Regeneration Act, and needs constant maintenance and updating as more information is discovered about existing sites, new sites are found, or technological advances for storage and display of information are made. In addition, the record is the principal means of checking for archaeological heritage assets in proposed development and for recording management data.

The NPPF states that for proposals for sites which have, or have the potential to include, heritage assets with archaeological interest, LPAs should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation. The scope of the evaluation should be agreed in writing by the Council. A copy of any evaluation report should be lodged with the Wolverhampton and Walsall Historic Environment Record.

The NPPF makes it clear that archaeological heritage assets are a material consideration in the planning process and for assets of the highest significance, such as scheduled monuments, substantial harm to or loss of, should be wholly exceptional. Monuments of regional or local significance should be preserved wherever possible unless there is an overriding benefit of another kind in the development taking place. In this case, archaeological heritage assets should either be preserved within the development area or, where this is not possible, recorded ahead of destruction. Again, the scope of any mitigation work should be agreed in writing by the Council.

In certain circumstances, it will be appropriate for the Council to assist in the management and protection of archaeological sites in order to ensure their preservation

for this and future generations and, where appropriate, their use as an educational, leisure and tourist resource.

Historic Environment Policy 8: Industrial Archaeology

The Council will define areas, buildings, structures and sites of industrial archaeology interest. In considering proposals for development, the Council will have regard to the industrial and/or historical importance of the site or building.

There will be a presumption against the granting of planning permission for development schemes which involve the demolition or damaging of significant buildings or sites relating to the Borough's traditional industries. Restoration and appropriate adaptation will be encouraged. Where development proposals affect buildings or sites of industrial archaeology interest that do not merit retention, the Council will make positive recommendations for the recording and preservation of artefacts and features.

The Council will seek to protect and improve the Borough's canal heritage, including canalside buildings and structures or sites associated with the history of the canal. New development adjacent to canals should:-

a) Where applicable, retain and incorporate surviving canalside buildings, structures and features of heritage value.
b) Take full account of the opportunities created by this setting, in terms of design, layout, landscape detail and boundary.

Justification

The extensive range of industrial archaeology within the Borough includes many survivals from industries of international and national importance. Examples of the Borough's industrial heritage are:-

a) Mining and quarrying of coal, limestone, iron ore, dolerite and brickmaking clays and related industries based on these minerals.
b) Part of the Birmingham Canal Navigations waterway system.
c) Sections of the Grand Junction Railway (1837), the South Staffordshire Railway (1847-49) and numerous other rail routes.
d) Lorinery manufacture (iron and brassware for harness and saddlery).
e) Leather tanning and currying, together with saddlery, harness, bridlecutting, horse-collar manufacture, hame-making and whip-making.
f) Nuts and bolts (Darlaston), door locks (Willenhall) and awls (Bloxwich).
g) Malting and brewing.

It must be recognised that the buildings, sites and artefacts associated with the Borough's industrial archaeology are of local and often wider historical significance, yet much of this heritage is unprotected by current statutory designations. Only part of such archaeology is below ground; the vast majority is found in existing buildings, plant and machinery, which may still be in use.

The Borough's canal network is considered an asset for many reasons, not least because of its enormous historic and heritage value. Several canal structures are listed buildings. These are intermingled with other structures which are not listed but which provide an essential part of the canal's character. Canalside development should take account of the principles set out in the landscape and design policies ENV32 and ENV33 and also Policy LC9 for Canals in Chapter 8.

Historic Environment Policy 9: Canals

All development proposals likely to affect the canal network must:

a) safeguard the continued operation of a navigable and functional waterway;
b) ensure that any proposals for reinstatement or reuse where canals are not currently navigable would not adversely impact on locations of significant environmental value;
c) protect and enhance its special historic, architectural, archaeological, and cultural significance, including the potential to record, preserve and restore such features;
d) protect and enhance its nature conservation value including habitat creation and restoration along the waterway and its surrounding environs;
e) protect and enhance its visual amenity, key views and setting;
f) protect and enhance water quality in the canal.
g) reinstate and / or upgrade towpaths and link them into high quality wider pedestrian and cycle networks, particularly where they can provide links to transport hubs, centres and opportunities for employment.

For residential moorings, planning consent will only be granted for proposals that include the provision of:

a) the necessary boating facilities (a minimum requirement of electrical power, a water supply and sanitary disposal);
b) dedicated car parking provided within 500m of the moorings, suitable vehicular access, including access by emergency vehicles and suitable access for use by people with disabilities;
c) appropriate access to cycling and walking routes;
d) an adequate level of amenity for boaters, not unduly impacted upon by reason of noise, fumes or other nearby polluting activities.
e) adequate security measures that do not impact on existing walking and cycling routes.

In determining a planning application for residential moorings, account will be taken of the effect that such moorings and their associated activities may have on the amenities or activities of nearby residential or other uses.

Any proposals to reinstate disused parts of the network as a navigable waterway must address any potential impact on the Cannock Extension Canal Special Area of

Conservation (CECSAC) and Site of Special Scientific Interest (SSSI), as well as the need to ensure an adequate water supply for the rest of the network.

Justification

Walsall has over 30 miles of canals and towpaths, nearly all of which remain in use and available for boats, pedestrians and cyclists. The network was originally built to serve industry, enabling coal or limestone to be carried from the pits to domestic and commercial users, and to carry other raw materials and finished goods between manufacturers and consumers. It is now of importance as a key feature of Walsall's built heritage, but is also valuable for nature conservation and as an attractive route for off-road walking and cycling.

Parts of the canal have heritage designations, such as Walsall Locks which are listed and within a conservation area. Much of the canal is a SLINC and is a major wildlife corridor. The CECSAC is a SAC because of its colony of floating water plantain.

The former link to the Lichfield Canal from Brownhills is in the process of being reinstated, whilst there have also been proposals to reinstate the Hatherton Canal from Pelsall to Cannock. Both proposals provide a challenge with respect to the impact on water supply and quality. Most of the canals in Walsall lie at the highest point of the network, with water supply fed from Chasewater.

Historic Environment Policy 10: Cultural Facilities and the Visitor Economy

In order to help deliver economic, social and environmental transformation, sub-regionally important cultural facilities within the Black Country (including tourist attractions, leisure facilities, museums, theatres & art galleries as identified on the Economy Theme Diagram) will be protected and, where necessary enhanced, promoted and expanded in partnership with key agencies and delivery partners.

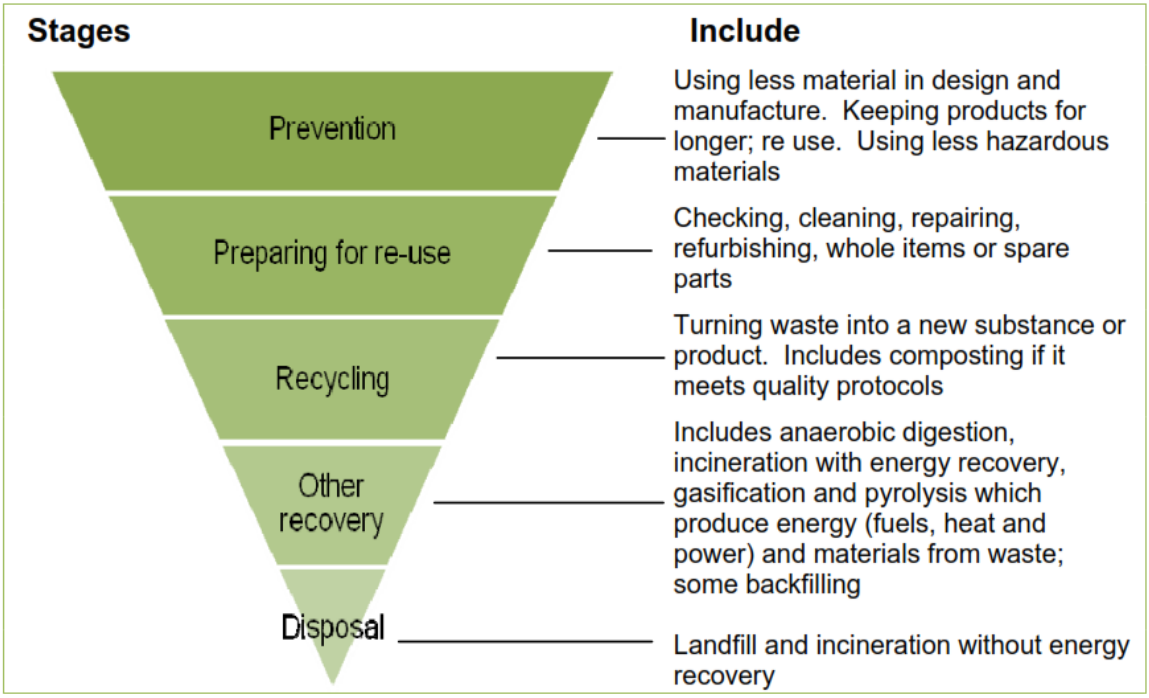
Justification

This policy is derived from BCCS EMP6 Cultural Facilities and the Visitor Economy

Chapter 15 – Waste and Circular Economy

These policies apply both to existing and proposed waste operations but also to other development types that generate waste during the construction or during their operation. Some of the policies relate to development proposals for other uses on land near to existing or proposed waste sites.

Waste should be managed through the waste hierarchy in order of preference: prevent/ reduce, re-use, recycle, recover, disposal. The aim should be first to reduce the amount of waste generated, then re-use any waste that is produced. If it is not possible to re-use. Chapter 9 (effective use of land) addresses how non-waste uses that generate waste during their construction and operation should deal with waste, and requires proposals for non-waste uses to address waste uses on or adjacent to their site.



Walsall has a significant waste industry, including the collection and recycling of metals, the processing of other waste including hazardous materials, and existing or permitted landfill sites. An energy from waste plant is expected to open in Bloxwich in 2027.

[Some of the figures in this section are to be confirmed]

Waste Policy 1: Requirements for New Waste Infrastructure

Waste Management Targets

Over the plan period the targets for new waste management capacity/ requirements are set as follows:

a) Treatment and Transfer of non-hazardous household and commercial & Industrial Waste:

   i. XX Tonnes per annum of additional capacity for re-use, recycling or composting/ anaerobic digestion of waste paper, card, cans, glass, plastics, food and green waste generated by households and businesses; and

   ii. XX tonnes per annum of additional capacity for recovery of energy from pre-treated residual non-hazardous household and commercial and industrial waste; and

   iii. XX tonnes per annum of additional capacity for sorting and transfer of non-hazardous waste from households and businesses.

b) Construction, demolition and excavation waste:

   i. No targets set

c) Waste Disposal:

   i. 3,744,062 cubic metres remaining or permitted landfill capacity on former quarry workings.

   ii. Additional capacity will be available as quarries are worked out.

These targets are indicative only. Waste management infrastructure which would contribute towards these targets will be supported where they comply with the other policies of the Walsall Borough Local Plan and current national policy guidance. The Council may also support proposals for treatment of other wastes, and proposals that would exceed the above targets, where there is evidence that the facility would be appropriately located in relation to the sources of the waste to be managed.

Waste Infrastructure – Future Requirements

Proposals for waste management facilities will be supported based upon the following principles;

a) managing waste through the waste hierarchy in sequential order. Sites for the disposal of waste will only be permitted where it meets a need which cannot be met by treatment higher in the waste hierarchy;

b) promoting the opportunities for on-site management of waste where it arises and encouraging the co-location of waste developments that can use each other's waste materials;

c) enabling the development of recycling facilities across the borough, including civic amenity sites, and ensuring that there is enough capacity and access for the deposit of municipal waste for re-reuse, recycling, and disposal;

d) ensuring waste is disposed of, or recovered in, one of the nearest appropriate facilities, by means of the most appropriate methods and technologies, to ensure a high level of protection for the environment and public health;

e) ensuring new waste management facilities are located and designed to avoid unacceptable adverse impacts on the townscape and landscape, human health and well-being, nature conservation and heritage assets and amenity.

Justification

The national Planning Policy for Waste (NPPW) requires local plans to identify what the need for waste management facilities is in the areas they cover. This includes making sure there are sufficient opportunities to meet the identified needs of the area for the management of waste streams.

This is done by identifying the tonnages and percentages of municipal, and commercial and industrial, waste requiring different types of management in the borough over the period of the plan. It can be hard to set targets for some of the waste streams as they are not covered by the Environment Agency's permit scheme which requires an annual return detailing the amount and types of waste received at, or removed from permitted sites.

The Council's draft waste strategy, which covers local authority collected waste (LACW) seeks to address the following key national targets:

a) Zero avoidable waste by 2050 and elimination of avoidable plastic waste by 2042.
b) Achieve 65% recycling of municipal waste by 2035.
c) The waste hierarchy prioritises recovery over disposal, and energy-from-waste is supported where it displaces more polluting alternatives.
d) Near elimination of biodegradable waste in landfill from 2028
e) Embed not only positive waste management practices, but a clear and detailed understanding as to why we need to recycle and manage our waste correctly

These are taken from the government's Resources and Waste Strategy (2018),

Walsall is home to a number of businesses that use materials classed as waste by the Environment Agency as their raw materials. This means that more waste comes into the borough to be recycled, treated or repurposed than is produced within the borough. Some of these sites are specialists that process waste into materials that can be used in manufacturing as part of the circular economy. These sites are important as they provide jobs and help to achieve the goals of recovery over disposal.

New waste infrastructure and capacity is also required to address the needs of the new housing and employment that will be delivered through out the plan period, along with the impact of the Simpler Recycling which is changing the way that certain types of waste are collected and dealt with.

While the aim is to manage waste in accordance with the waste hierarchy and limit the amount of waste being sent to landfill, sometimes landfill is unavoidable in order to restore the land after quarrying has taken place. Walsall has two sites where landfill is permitted currently, these are both former quarries where the restoration plans require infilling with inert waste as landfill. The landfill capacity target has been based on the remaining landfill capacity at Highfields South (644,062 cubic metres) derived from 2024

remaining landfill dataset, and the planning permission for the restoration of Sandown Quarry (3,100,000 cubic metres). Highfields South is likely to be completed during the plan period, however there are a number of other quarries around the borough that may require restoration including landfill during the plan period, and the capacity of these is not yet known.

Waste Policy 2: Existing Waste Sites

Protecting Waste Sites

All existing strategic and other waste management facilities will be safeguarded from inappropriate development, in order to maintain existing levels of waste management capacity, manage waste as a resource, and minimise the amount of waste sent to landfill, unless it can be demonstrated that:

a) there is no longer a need for the facility; and

b) capacity can be met elsewhere; or

c) appropriate compensatory provision is made in appropriate locations elsewhere in the Borough or wider Black Country; or

d) the site is required to facilitate the strategic objectives of the borough.

Proposals to upgrade, expand or modify the waste management operations at an existing waste management site will be supported where they would not have unacceptable effects on health, the environment, amenity or infrastructure. Any concerns raised by the relevant regulatory authorities, statutory consultation bodies and infrastructure providers will be an important material consideration.

Where sites are affected by environmental constraints this will also be an important material consideration, and proposals will be expected to demonstrate compliance with relevant local plan policies and national policy guidance. Where proposals include extensive open storage or processing of waste, they will also be expected to demonstrate that they will not present unacceptable risks from fire to occupiers of the site, including employees and visitors, and to people, land, property and infrastructure, including transport networks, in the vicinity of the site.

This policy will also apply to all new waste management sites that are implemented within the lifetime of the plan.

New development near existing waste facilities

Proposals for housing and other potentially sensitive uses will not be permitted near to or adjacent to an existing waste management site where there is potential for conflict between the uses,

a) unless a temporary permission for a waste use has expired, or the waste management use has otherwise ceased, and the site or infrastructure is considered unsuitable for a subsequent waste use;

b) or redevelopment of the waste site or loss of waste infrastructure would form part of a strategy or scheme that has wider environmental, social and / or economic benefits that outweigh the retention of the site or infrastructure for the waste use and alternative provision is made for the displaced waste use;

c) or a suitable replacement site or infrastructure has otherwise been identified and permitted.

Waste Site Impact Assessments

Applications for non-waste development, which could be sensitive to the operation of a waste management site, on or near to an existing or planned waste site must include a Waste Site Impact Assessment These should:

a) identify the waste site potentially affected;

b) explain the spatial relationship between the application site and the waste site;

c) provide a brief description of the waste site, which should include:

   i. its operational status and any proposed changes;

   ii. the facility type;

   iii. whether the site is a strategic waste site;

   iv. the types of waste managed;

   v. the waste operations permitted on the site.

d) summarise the main effects of the waste operations

e) identify any effects that could be harmful to the health, wellbeing, and amenity of the occupiers of the new development;

f) consider how the occupiers of the new development could be affected;

g) consider how the waste site could be affected by the development;

h) demonstrate how the development complies with the policy and the measures proposed to ensure that the waste site and the proposed development can co-exist without compromising each other.

Applications should also identify any ‘legacy’ issues arising from existing or former waste uses, and how these will be addressed through the design of the development and the construction process.

Justification

Walsall is home to a number of businesses that use materials classed as waste by the Environment Agency as their raw materials. This means that more waste comes into the borough to be recycled, treated or repurposed than is produced within the borough. Some of these sites are specialists that process waste into materials that can be used in

manufacturing as part of the circular economy. These sites are important as they provide jobs and help to achieve the goals of recovery over disposal.

Waste Policy 3: New Waste Facilities

Proposals for new waste management facilities should be in areas of Local Quality Employment Land. This is the preferred locations for waste management facilities and is shown on the Waste Key Diagram and Policies Map.

All proposals for new waste management facilities should:

a) Provide evidence of the need for the facility

b) Make sure that all waste processes and operations are contained, processed and managed within buildings. Unless there are acceptable operational reasons why these processes cannot be contained in buildings.

c) Show that the proposal provides benefits such as co-location of related uses and / or other opportunities such as managing a range of waste types or streams; producing high quality aggregates or other useful raw materials; or supplying heat and power or other forms of energy to adjacent uses.

d) Show how they will contribute to the strategic objectives and vision of the plan

e) accord with all other policies in relation to the protection of the environment and public amenity, or demonstrate that other material considerations outweigh any policy conflicts;

Key Locational Considerations for All Waste Management Proposals

Consideration will be given to the potential impacts of waste management proposals on;

a) minimising adverse visual impacts;

b) potential detrimental effects on the environment and public health;

c) generation of odours, litter, light, dust, and other infestation;

d) noise, excessive traffic and vibration;

e) risk of serious fires through combustion of accumulated wastes;

f) harm to water quality and resources and flood risk management;

g) land instability;

h) land use conflict; proposals should demonstrate compatibility with the uses already present within / adjacent to the area;

i) where necessary mitigation measures should be identified to reduce any adverse effects to an acceptable level.

Waste Applications – Supporting Information

The following types of planning applications should include supporting statement clearly describing the key characteristics of the development and explaining the contribution the development would make towards driving waste up the waste hierarchy, supporting the development of a more circular economy, meeting the Black Country's additional waste capacity requirements, and broadening the range of waste facilities currently available in the plan area.

a) new build waste developments,

b) changes of use to waste developments,

c) applications for new operational development and other material changes to existing waste sites, and

d) applications to vary a condition attached to an existing waste permission.

The following information should also be included in the supporting statement and / or on the planning application form:

a) the type of waste facility or facilities proposed;

b) the waste streams and types of waste to be managed;

c) the types of operation to be carried out on the site;

d) whether waste would be sourced locally, regionally or nationally;

e) the maximum operational throughput in tonnes per annum;

f) for waste disposal, the total void space to be infilled in cubic metres;

g) the outputs from the operations, including waste residues;

h) the expected fate and destination of the outputs;

i) the number of associated vehicular movements;

j) the number of jobs created.

Proposals for unenclosed waste treatment and transfer operations on industrial sites and other previously developed land will only be supported where applicants are able to demonstrate that:

a) enclosure of the operations within a building is not feasible

b) there is adequate distance separation from 'sensitive receptors', and

c) it can be demonstrated that risks from fire have been evaluated and will be effectively managed

Justification

New waste facilities may be needed to replace outdated facilities that are no longer fit for purpose, or to address gaps in the management of waste within the borough.

This aligns with the priorities from the council's Net Zero strategy which include making Walsall a leader in waste technology, and ensuring that the borough has the right infrastructure and technology to process waste and recycling.

Waste Policy 4: Resource Management and New Development

All new developments should;

a) address waste as a resource;

b) minimise waste as far as possible;

c) design sites with resource and waste management in mind;

d) manage unavoidable waste in a sustainable and responsible manner; and

e) maximise use of materials with low environmental impacts.

Where a proposal includes uses likely to generate significant amounts of waste, these should be managed either on-site or in as close a proximity as possible to the source of the waste.

Resource and waste management requirements should be reflected in the design and layout of new development schemes. Wherever possible building, engineering and landscaping projects should use alternatives to primary aggregates, such as secondary and recycled materials, renewable and locally sourced products and materials with low environmental impacts. Consideration should also be given to how waste will be managed within the development once it is in use.

Where redevelopment of existing buildings or structures and / or remediation of derelict land is proposed, construction, demolition and excavation wastes (CD&EW) should be managed on-site where feasible and as much material as possible should be recovered and re-used for engineering or building either on-site or elsewhere.

Justification

This policy aligns with the Council's draft waste strategy, which covers local authority collected waste (LACW) seeks to address the following key national targets:

a) Zero avoidable waste by 2050 and elimination of avoidable plastic waste by 2042.
b) Achieve 65% recycling of municipal waste by 2035.
c) The waste hierarchy prioritises recovery over disposal, and energy-from-waste is supported where it displaces more polluting alternatives.
d) Near elimination of biodegradable waste in landfill from 2028
e) Embed not only positive waste management practices, but a clear and detailed understanding as to why we need to recycle and manage our waste correctly

These are taken from the government's Resources and Waste Strategy (2018).

Waste Policy 5: Landfill sites and disposal of Waste onto or into Land.

The remaining life of permitted landfill sites depends on: a) the void space remaining and b) the end date specified for cessation of infilling operations in the current working conditions / conditions of the approved working programme.

Further proposals relating to the disposal of waste at permitted landfill sites at former quarries in Walsall will be subject to the Minerals policies which set out the requirements for proposed changes to quarry restoration programmes for those sites.

Proposals for the disposal of pre-treated waste at other quarries in the borough may also be supported where it can be demonstrated that this is the most appropriate method of restoration to achieve a beneficial and appropriate end use for the site. Proposals will also be expected to comply with the requirements of the Minerals policies, and relevant national policy guidance on the restoration of former mineral working sites.

Disposal of Waste onto or into Land

Disposal of pre-treated inert waste onto or into land may be permitted on other sites where it is for the legitimate purpose of infilling historic mining and quarrying voids, railway cuttings, land remediation, site preparation or landscaping, to prepare the site for a beneficial end use. Such proposals will be expected to be subject to a phasing plan for the infilling operations, to be agreed between the Council and the applicant.

The Council may also impose Conditions on any grant of permission for disposal of waste onto or into land, relating to:

a) The end date for the infilling operations;
b) The tonnages of waste to be imported and / or disposed of;
c) The submission of further details relating to on-site pre-treatment of waste (see SAD Policy W3);
d) The timescale and phasing of the infilling operations, landscaping, and after-care where required; and
e) The proposed end use of the site.

Justification

While the aim is to manage waste in accordance with the waste hierarchy and limit the amount of waste being sent to landfill, sometimes landfill is unavoidable in order to restore the land after quarrying has taken place. Walsall has two sites where landfill is permitted currently, these are both former quarries where the restoration plans require infilling with inert waste as landfill. Planning permission has recently been granted for the restoration of Sandown Quarry, while Highfields South is likely to be completed during the plan period, however there are a number of other quarries around the borough that may require restoration including landfill during the plan period, and the capacity of these is not yet known.

Chapter 16 – Minerals

Walsall has historically provided a wide range of minerals that helped fuel the Industrial Revolution. These include coal, limestone, iron ore, dolerite, fireclay, sand and gravel. The significance of these has led to the designation by UNESCO of the Black Country Geopark. Forming mineral workings continue to affect development in parts of the borough, with the presence of mineshafts, untreated underground caverns and quarries that have subsequently been infilled with waste restricting the uses that can take place in some areas.

There remain significant reserves of clay, sand and gravel, and two operational brickworks. These reserves are important to support the construction of the homes and other development that is proposed in the WBLP.

Walsall also has several installations of mineral infrastructure. Some of these are of strategic significance. They include rail freight facilities for the delivery of crushed rock and cement for construction, and tarmac coating plants for use in highway maintenance.

Mineral operations can however have adverse impacts on the natural environment and local communities. The WBLP seeks to ensure these impacts are managed.

The policies relating to the areas of search and specific mineral sites in Walsall were examined through the SAD. It has been necessary to make factual updates in respect of a small number of sites but the proposed policies are otherwise unchanged. The general minerals policies were also the subject of consultation on the Black Country Plan.

Minerals Supply: Landbanks

The permitted minerals reserves in Walsall form a significant part of the minerals landbank in the West Midlands Metropolitan area and wider West Midlands Region both for aggregates minerals, brick clay and fireclay. In addition to the permitted reserves we also have some areas where there may be more minerals supplies that could be extracted in the future.

Minerals Policy 1: Mineral Production – Requirements

The mineral resources in Walsall make up a large part of both local and regional landbanks. It is the only Black Country authority with active quarries or minerals permissions. The minerals resources in Walsall are aggregates minerals, brick clay and fireclay. There are also areas where there are more minerals which could be worked in the future. These sites are called areas of search as they do not have minerals permissions in place yet.

The following provision is identified for minerals over the plan period.

Construction Aggregates

Primary Land Won Sand and Gravel

The existing permission for sand and gravel extraction at Branton Hill Quarry Extension was for 1,028,000 tonnes of sand and gravel with a potential annual supply rate of 120,000 tonnes per annum. This permission is only until 2027/28.

The Birch Lane Area of Search has a potential for 5,200,000 tonnes of sand and gravel resources, with the smaller area allocated potentially providing 2,600,000 tonnes of this

The other resources in the Minerals Safeguarding Areas (MSAs) also have the potential to contribute towards future sand and gravel production.

Secondary and Recycled Aggregates

At the end of 2017, Walsall was estimated to be producing around 750,000 tonnes of secondary and recycled aggregates per annum at operational permitted production sites. A further two sites were not operating but would account for an additional capacity of 35,000 tonnes per annum. As a minimum, Walsall will aim to maintain this level of production throughout the plan period. In support of this, permitted secondary and recycled aggregate sites expected to continue in production up to 2042 will be safeguarded (see minerals policy 3).

Industrial Minerals

Brick Clay (Etruria Marl)

The extraction of brick clay (Etruria Marl) is currently permitted at the following sites in Walsall:

1. MX2: Atlas Quarry
2. MX3: Sandown Quarry
3. MX4: Highfields North

Atlas and Sandown Quarries are active clay pits which are supplying the adjacent brickworks, whereas Highfields North is a ‘dormant’ site.

Due to the constraints on the Etruria Formation resource areas in the borough, there is unlikely to be scope for further clay extraction outside of the permitted sites. However, if such proposals should come forward within the Brick Clay MSA during the plan period, significant weight will be given to the contribution that they would make towards providing or maintaining a 25-year supply of clay to a brick manufacturing plant.

This brick clay resource should therefore be safeguarded from inappropriate development (see also Policy MIN2).

Fireclay

2. There is a stockpile of fireclay remaining from the former Birch Coppice site in Brownhills (MS1). This is the main source of supply to the adjacent Swan Works, which manufactures pot clay blends and has an annual requirement of around 2000 tonnes.

3. The extraction of fireclay is only likely to be economically viable when worked concurrently with surface coal extraction, which is considered unlikely during the plan period. However, it is still important to safeguard the existing resources as they may be required in the future.

Justification

[text to be added]

Construction aggregates

Primary land won sand and gravel

Secondary and recycled Aggregates

There are six sites within Walsall with permission for the production of aggregates from construction and demolition waste and industrial by-products, but only four of them were operating in 2017. Of the operational sites, one is a coating plant which is not likely to be producing any aggregates for off-site sales. Total capacity of the non-operational sites is estimated to be around 35,000 tonnes per annum, and total annual capacity of the operational sites (excluding the coating plant) is estimated to be around 75,000 tonnes per annum. Sales of material are estimated to have been approximately 40,000 tonnes for aggregate use during 2017 (mostly for construction fill) and approximately 10,000 tonnes for recycled soils. No information is available on actual production in 2017 but production for aggregate use is likely to have been similar to that in 2016.

Industrial minerals

Brick clay (Etruria marl)

Fireclay

Minerals Policy 2: Efficient Use of Mineral Resources

All new developments will be encouraged to be resource-efficient, by making the maximum possible use of recycled mineral products in construction, to reduce reliance on quarried products and help maintain existing supplies for longer. This includes:

a) Requiring new mineral developments to minimise waste produced through the extraction process, and encouraging the re-use, reprocessing and recycling of secondary material produced as a byproduct of the operation;

b) Encouraging the production and use of alternatives to primary land won minerals, including re use or recycling of potentially usable materials already present on the site;
c) Development coming forward in MSA should consider the use of prior extraction to ensure that minerals are not sterilised unnecessarily.

Justification

Text

Minerals Policy 3: Minerals Safeguarding

Minerals Safeguarding Areas (MSAs)

Minerals safeguarding areas (MSAs) have been defined around the following mineral resources:

a) sand and gravel - Bedrock (Triassic, Sherwood Sandstone);

b) brick clay - Etruria Formation (principal brick clay resource within Carboniferous Upper Coal Measures); and

c) fireclay (potentially winnable resources underlying the principal coal seams within the Carboniferous - Upper Coal Measures).

The MSAs are identified on the Minerals Key Diagram and on the Policies Map.

Non-Mineral Development within the MSA

Planning applications for non-mineral development in an MSA will need to provide a mineral viability assessment that demonstrates that

a) the proposed development will not compromise existing or future mineral working within the MSA;

b) the feasibility of extracting some or all of the mineral resource prior to development, where is practicable to do so; or

c) the site does not contain any mineral resources of economic value.

Exceptions to this policy will apply to applications that do not entail new built development such as:

a) listed building consents,

b) advertisements,

c) reserved matters,

d) certificates of lawfulness,

e) minor works or demolition

f) converted buildings adjacent to an existing dwelling;

g) changes of use;

h) development within the curtilage of an existing dwelling;

i) amendments to current permissions (with no additional land take involved);

j) temporary development (for up to five years).

k) local plan allocations where the plan took account of mineral safeguarding requirements, except where development would be at a higher density or demonstrably different in nature to that envisaged in the Local Plan;

l) Infilling within a settlement;

Non-minerals developments outside the MSAs

Outside MSAs, mineral deposits that are identified as being, or may become of, economic importance will be safeguarded from unnecessary sterilisation.

Where development is proposed, encouragement will be given to the extraction of the mineral resource prior to or in conjunction with, development, where this would not have unacceptable impacts on neighbouring uses. Developments over five hectares should be accompanied by supporting information (as set out in the Justification) demonstrating that mineral resources will not be needlessly sterilised.

Existing Mineral Sites

The location of all permitted mineral extraction and mineral infrastructure sites are identified on the Minerals Key Diagram, and these sites are also listed in the site allocations section of this plan. Applications for development within a 150m buffer zone of these sites will need to demonstrate they will not have any unacceptable impacts on these sites that would prevent them from continuing to operate.

Justification

[Text to be added]

Minerals Policy 4: Safeguarding of Minerals Infrastructure

Mineral Infrastructure Sites

The Mineral Infrastructure Sites listed below are shown on the Policies Map and the Minerals key diagram. These sites will be safeguarded against needless loss to non-mineral development.

- MI1: Former Bace Groundworks Site,

- MI2: Branton Hill Recycling Relocation Site,
- MI3: Walsall Cement and Aggregates Depot,
- MI4: Bescot Triangle South,
- MI5: Express Asphalt Darlaston
- MI6: SGM 2003 Ltd,
- MI7: Interserve Waste Recycling Centre
- MI8: Tarmac, Fenchurch Close,
- MI11: Flowmix Westgate One, Aldridge

These include storage, handling and processing facilities (including facilities processing waste into aggregates) and existing and potential rail heads (see also waste policy 2).

Mineral Infrastructure Sites – Mineral Development

Proposals to upgrade, expand, modify or relocate existing operations at minerals infrastructure sites, will be supported where the development would help to improve the supply and distribution of mineral products in the Black Country, provided that potentially harmful effects on health, the environment, local amenity or infrastructure will be effectively managed.

Where sites are affected by existing environmental constraints this will also be an important material consideration, and proposals should demonstrate compliance with relevant local plan policies and national policy guidance on the protection of the environment.

Development proposals which would result in the loss of a minerals infrastructure site to a non-mineral related use will be expected to demonstrate that the site has no realistic potential for the development of mineral related infrastructure or no longer meets the needs of the minerals industry.

Mineral Infrastructure Sites – Non-Mineral Development

Proposals to change the use of a Mineral Infrastructure Site to a non-mineral land use (including a vacant site with planning permission or a lawful use for processing or bulk transport of minerals) should be supported by evidence justifying the change of use.

This should include evidence demonstrating that there is no realistic prospect of the site being re-used. Where an operational site would be lost as a result of the development, applicants should also provide evidence that the loss would not have adverse impacts on the future production and supply of mineral products in the Black Country.

Proposals for non-mineral development near or adjacent to a Mineral Infrastructure Site should be supported by evidence demonstrating that the development would not compromise the continued operation of the facility.

Justification

Text

Minerals Policy 5: Preferred Areas for New Mineral Development

The preferred areas for new mineral development over the plan period are identified below and are shown on the Minerals Key Diagram and the Policies Map. New mineral extraction proposals will be supported in these locations, provided that the development would not conflict with other policy requirements or site allocations in this plan or in any other adopted development plan.

Aggregate Minerals

Sand and Gravel

New or amended proposals for sand and gravel quarries will be acceptable in the MSA for sand and gravel. The main sites for sand and gravel extraction are:

MP1: Aldridge Quarry, Birch Lane, Aldridge

MP2: Branton Hill Quarry, Chester Road, Aldridge

Currently, only MP2 Branton Hill Quarry has planning permission for sand and gravel extraction. There is also a preferred area for sand and gravel extraction at MP1: Birch Lane Aldridge.

Sand and gravel extraction will also be acceptable elsewhere within the MSA. When considering new sand and gravel extraction proposals, significant weight will be given to the contribution this would make towards the 7 year sand and gravel landbank and requirements of Policy MIN1.

[add policy for prior extraction]

Borrow Pits

“Borrow pits” required for specific construction or engineering projects may also be supported. Proposals for "borrow pits" should provide evidence that

- they are as near as possible to the project they will be supplying
- secondary or recycled materials are either not available or are insufficient to meet the identified need for fill.

Where permission is granted for a borrow pit conditions will ensure that:

it is time limited to the duration of the operation

the use of the material extracted is restricted to the specified project.

Industrial Minerals

Brick Clay

The extraction of brick clay (Etruria Marl) is currently permitted at the following sites in Walsall:

- MX2: Atlas Quarry
- MX3: Sandown Quarry

- MX4: Highfields North

Atlas and Sandown Quarries are active clay pits which are supplying the adjacent brickworks, whereas Highfields North is a ‘dormant’ site.

Due to the constraints on the Etruria Formation resource areas in the Black Country, there is unlikely to be scope for further clay extraction outside of the permitted sites. However, if such proposals should come forward within the Brick Clay MSA during the plan period, significant weight will be given to the contribution that they would make towards providing or maintaining a 25-year supply of clay to a brick manufacturing plant.

Fireclay

There is a stockpile of fireclay remaining from the former Birch Coppice site in Walsall (MS1). This is the main source of supply to the adjacent Swan Works, which manufactures pot clay blends.

There is a “dormant” mineral permission for clay and coal working both Birch Coppice and Land at Brownhills Common (MX5). Working can only commence when a modern scheme of conditions has been submitted to and approved by the Council. Due to the constraints of the Brownhills Common site, mineral working is not expected to take place during the plan period.

Proposals for clay and coal extraction elsewhere within the Fireclay MSA identified on the Key Diagram, and for the stocking of fireclay following extraction, will be supported in principle where it can be demonstrated that this is essential to maintain supplies of fireclay to brickworks over the long-term, and that there are no alternative sources of supply available.

Significant weight will be given to proposals that would allow for the revocation of the existing ‘dormant’ permission at Brownhills Common.

Proposals for fireclay and coal working in the vicinity of the Cannock Extension Canal must be accompanied by a Habitats Regulations Assessment (HRA) demonstrating that they would not harm the integrity of the SAC.

The specific requirements that will apply to new or amended proposals at Birch Coppice (MP3) and Land at Brownhills Common (MP5) and proposals for opencast coal and clay extraction in the York’s Bridge area are set out in the site specific policies below.

Building Stone

There have been no building stone quarries in Walsall for a long time. It is unlikely that there will be any major new proposals for this in the plan period. Proposals for working building stone for the repair and conservation of heritage assets will be supported. These will be of small scale and time limited workings.

Energy Minerals

Coal

There is a general presumption against deep mining of coal, surface coal working (except where this is in relation to the working of fireclay) and colliery spoil disposal in

the Black Country, unless the proposal would meet the tests of environmental acceptability set out in national policy guidance. Any such proposals will be expected to be fully justified in terms of the economic and energy benefits they will generate. Proposals for the working of coal will also be expected to extract maximum value from other mineral resources associated with coal deposits.

Unconventional Hydrocarbons

a) It is unlikely that proposals for oil and gas exploration, appraisal and production will come forward in Walsall within the plan period as there are currently no Petroleum Exploration Development Licences (PEDLs) allowing exploration for oil and gas within the Ordnance Survey grid squares covering Walsall Borough.

b) However, in the event that any PEDLs are issued during the plan period, planning applications for development relating to oil and gas exploration, appraisal and production (including for coal bed methane or shale gas) will be expected to demonstrate compliance with the other policies of the local plan and current national policy guidance on oil and gas exploration.

Justification

Text

Minerals Policy 6: Managing the Effects of Mineral Development

General Requirements for Minerals Developments

All mineral proposals at both new and existing sites should demonstrate how they will contribute towards meeting our resources and infrastructure needs.

Proposals should minimise waste and provision should be made for the extraction, re-use, or recycling of any other potentially useable materials.

Working plans and restoration proposals should include measures to maintain the stability of the working face, site, and surrounding area.

When working ceases, all plant and equipment should be removed, and sites should be restored as soon as possible.

The working, processing or recycling of minerals must accord with all other policies in relation to the protection of the environment, public amenity and health, and surrounding land uses as set out in this plan or in any other adopted development plan – or otherwise demonstrate that other material considerations outweigh any policy conflict.

Restoration programmes and after-uses for former mineral workings should reflect local character, include provision for after care, and where appropriate contribute towards environmental quality and infrastructure.

Long-distance transport or haulage of material should be avoided wherever possible, and the potential for transporting material by rail or inland waterways should be explored where feasible.

Proposals should address the impact of transporting minerals and mineral products on the highway network and should be accompanied by a Transport Assessment if generating a significant number of vehicle movements.

Additional Assessment Criteria for Minerals Developments

In addition to the general requirements set out above, proposals for mineral working or mineral-related infrastructure at both new and existing sites will be further assessed in terms of:

a) minimising any adverse visual impacts;

b) effects on natural, built, and historic (including archaeological) environments and on public health;

c) generation of noise, dust, vibration, lighting, and excessive vehicle movements;

d) compatibility with neighbouring uses – taking into account the nature of the operations, hours of working, the timing and duration of operations and any cumulative effects;

e) harm to water quality and resources and flood risk management;

f) ground conditions and land stability;

g) land use conflict – proposals should demonstrate compatibility with the uses already present within the surrounding area;

h) impacts on the highway, transport, and drainage network;

i) where necessary, mitigation measures should be identified to reduce any adverse effects to an acceptable level.

The above criteria will be used to identify and select sites for inclusion in other development plan documents (where appropriate) as well as for assessing planning applications.

Justification

[Text to be added]

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Chapter 17 - Infrastructure & delivery

Infrastructure Policy 1: Infrastructure for New Development

All new development will be required to address its impact on the transport network, public services, utilities, flood risk, open space and the natural environment. This will be secured through planning conditions, planning obligations, agreements under the Highways Act, the Community Infrastructure Levy or other appropriate mechanisms. Reference should also be made to housing policy 7 in respect of housing developments.

Proposals that are unable to provide necessary infrastructure must be accompanied by a detailed financial viability assessment. Proposals that accord with site allocations in the WBLP will be assumed to be viable.

More detailed guidance about the working of this policy will be contained in technical guidance and a supplementary planning document.

Justification

The scale of growth proposed in the WBLP will have significant impact on the transport network, local services and the environment. It is important therefore that new development contributes to addressing this.

The WBLP is supported by a transport study and an infrastructure plan that examines the likely impact of development proposals on local services.

Infrastructure Policy 2: Telecommunications and Energy Networks

New development will be expected to include provision for current and future telecommunications technology. Proposals for infrastructure to support the delivery of telecommunications and energy supplies will be supported in principle. This includes proposals for masts and energy storage sites.

Equipment must be sensitively sited and designed to minimise the impact on the environment, amenity and the character of the surrounding area. They must take account of designated and non-designated heritage assets, sites of ecological interest and areas of landscape sensitivity.

When considering proposals for new equipment, the Council will require operators to demonstrate that they have fully investigated the possibility of avoiding the need for the erection of new masts by:-

a) Use of existing high level buildings and structures; and
b) Mast and site sharing.

Measures to reduce the impact of the equipment, such as screening and mast camouflage, will be required where necessary.

All proposals should comply with the radiation safety requirements of the International Commission on Non-Ionising Radiation Protection and any other relevant guidance that may be published in the future by this body (and accepted by Government), the National

Radiological Protection Board or other research findings as may be recommended by the Government.

Justification

The technology involved in telecommunications and energy supply is changing rapidly. Fixed infrastructure includes underground cabling, solar panels, transmission masts, overhead power lines and battery storage facilities. The need for these items of infrastructure is recognised but they can have an adverse impact on visual amenity, particularly in residential areas, the countryside, areas of historic or landscape importance, and areas of ecological interest.

Chapter 18 - monitoring & review

Part Two: Site Specific Policies/ Site Allocations

The sites listed below and shown on the policies map are allocated for the uses specified in accordance with the policies in part one of the WBLP. Any development will need to address the assets and constraints listed against each site, as well as all other policies of the development plan.

This list is subject to change. The current status of individual site should be checked with the planning policy team.

For sites allocated in whole or in part for housing, an estimate is given of the number of dwellings that the site can accommodate, taking account of the assets and constraints. Proposals for a higher or lower number of dwellings will be supported where this number takes account of other policies in the WBLP.

Assets, constraints and infrastructure issues are those known about at the time of preparing the WBLP. Some of them are subject to change and additional issues may be identified through any subsequent planning process.

Notes about assets and constraints

[text to be added]

Housing Allocations

The following sites, which are shown on the Policies Map, are allocated for housing. Any housing development will need to have regard to the listed assets and constraints, and the additional notes against each site below.

It is intended that in the submission version of the WBLP, all the listed sites will be described as allocated regardless of their source. Some site reference numbers and site names may also change to improve clarity.

Carried forward from SAD/AAP

Sites allocated in existing local plans that are considered to remain deliverable. In some cases the boundaries and capacities have altered.

Site_Ref	WBLP_Ref	SITE NAME	ASSETS AND CONSTRAINTS	DWELLINGS
TC15		FE Towe Ltd, Charles Street		12
HO0176		LAND ADJACENT BENTLEY GREEN, BENTLEY ROAD NORTH, WALSALL		31
HO0062		Former Metal Casements, Birch Street, Walsall		95
HO0046	WBLP0295,0441	Noose Crescent (former Lakeside School), Willenhall		59
HO0313	WBLP0439	Royal British Legion Club, Broad Lane Gardens, Bloxwich		34
HO0053		Rear of 16 High Road, Lane Head, Willenhall		29
HO0320		Birway Garage, Newhall Street, Willenhall		28
HO0011		Somerford Place (former Dorsetts Scrapyard), Willenhall		26

Site_Ref	WBLP_Ref	SITE NAME	ASSETS AND CONSTRAINTS	DWELLINGS
HO1314		GORWAY ROAD		25
HO0126	WBLP0448	Field Road Education Development Centre		25
HO0044		Poplar Avenue (east), Bentley		23
HO0125		Essington Lodge, Essington Road, New Invention		23
HO0217a		Former Petrol Station corner of Bentley Mill Way, Wolverhampton Road West, Walsall		21
HO0147		ASK Motors, 664 Bloxwich Road, Walsall		20
HO0023c	WBLP0426	Kendrick Place and Castle View Road, Moxley		16
HO0201		Rear of Pinson Road, Willenhall		15
HO0043		Watling Street (land north of Kings Deer Road), Brownhills		15
HO0307		Former Royal Navy Club, 120 Elmore Green Road, Bloxwich		14
HO0117		New Invention Methodist Church, Lichfield Road, New Invention		14
HO0065		Hollyhedge Lane (west side), Walsall		14
HO0305b		Cricket Close Tennis Courts, Walsall		13
HO0312		Pleck Working Men's Club, Pleck Road, Walsall		11
HO0185		BENTLEY MOOR CLUB,BENTLEY DRIVE,WALSALL,WEST MIDLANDS		10

Site_Ref	WBLP_Ref	SITE NAME	ASSETS AND CONSTRAINTS	DWELLINGS
HO0194		LICHFIELD ROAD, LITTLE BLOXWICH		10
HO0304	WBLP0395	BETWEEN 114 AND 120 AND 122A AND 127 WATLING STREET/ ROMAN CLOSE BROWNHILLS		10
HO0060	includes WBLP0404	Hollyhedge Lane (East Side), Walsall		113
HO0124	WBLP0455	Allen's Centre, Hilton Road, New Invention		54
HO0168	WBLP0294	HOWDLES LANE/CASTLE STREET/GLADSTONE HOUSE, BROWNHILLS		46
HO0137		Walsall Road and Fletchers Lane, Willenhall		36
HO0322	WBLP0181	ROWLEY VIEW, MOXLEY		26
HO0039		Joynson Street (site of former Kings Hill JMI School and west of 15), Darlaston		25
HO0041	adjacent to WBLP0116	Mill Street, Walsall		24

Planning Permissions and Lapsed Permissions

Sites for 10 or more dwellings with an existing or lapsed permission that are considered to be deliverable over the plan period.

Site_Ref	WBLP_Ref	SITE NAME	ASSETS AND CONSTRAINTS	DWELLINGS
TC11		Kirkpatricks, Charles Street		45
HO1654		3 Bradford Place, Walsall WS1 1PL		35
HO1717		St Edmunds Gennings, Forest Gate, Willenhall WV12 5LF		33
HO0305a		Cricket Close Allotments, Walsall		29
HO2029		132-132a Lichfield Street, Walsall WS1 1SL		28
HO1140		THE SUBSTATION, PARK LANE, DARLASTON WS10 9SE		20
HO1767		Former Windmill Public House, Aston Road, Willenhall		19
HO2239		FORMER WILLENHALL POLICE STATION, JOHN STREET, WILLENHALL, WV13 1PJ		19
HO1464		HATHERTON WORKS, LEAMORE LANE, WALSALL, WS3 2BJ		15
HO1728		107-110, Paddock Lane, Walsall, WS1 2EH		15
HO1474		FORMER MILLFIELDS NURSERY, C/O STONEY LANE AND LICHFIELD ROAD, BLOXWICH, WALSALL, WS3 3DW.		14

Site_Ref	WBLP_Ref	SITE NAME	ASSETS AND CONSTRAINTS	DWELLINGS
HO2087		BEECHWOOD HOUSE, 22, NEW ROAD, WILLENHALL, WV13 2BG		14
HO2098		115-119, WEDNESBURY ROAD, WALSALL, WS1 4JQ		14
HO2104		WALSALL DEAF PEOPLES CENTRE, 59A, LICHFIELD STREET, WALSALL, WS4 2BX		14
HO2044		SPEEDY CASH, UNIT 3, 3-5, THE BRIDGE, WALSALL, WS1 1LG		13
HO2069		FORMER SABRE LEATHER CO LTD, 19-21, SANDWELL STREET, WALSALL, WS1 3DR		12
HO1120		Former Roapp Hall, Dorsett Road Terrace, Darlaston		11
HO1058 b		LAND OFF REEDSWOOD CLOSE (REAR OF ROSE & CROWN PH) WALSALL.		10
HO1009	WBLP0115	Argyle Works, Navigation Street, Greatrex Works, Marsh Street, and William House, Marsh Lane, Walsall (Saddlers Quay)		222
TC52	WBLP0004,0072,0086	Green Lane Police Station		130
HO1943		GLEBE HOUSE, GLEBE STREET, WALSALL, WS1 3LT		36
HO0037		Bentley Road North (corner of King Charles Avenue), Bentley		18

Site_Ref	WBLP_Ref	SITE NAME	ASSETS AND CONSTRAINTS	DWELLINGS
HO2060		UNIT 1 AND 2, LAND BETWEEN ACORN STREET AND ALBION STREET, WILLENHALL, WV13 1NP		22
HO2024		LEICESTER BUILDINGS, BRIDGE STREET, WALSALL WS1 1JY		21
LC08A		BUTLER'S ARMS SITE, BLOXWICH ROAD/ HARDEN ROAD, LEAMORE		18
HO1342		MURCO SERVICE STATION, PINFOLD STREET, DARLASTON		16
HO1741		GOSCOTE HOUSE, GOSCOTE LANE, BLOXWICH, WALSALL, WS3 1SJ		15
HO2023		GREYBURY HOUSE, BRIDGE STREET, WALSALL, WS1 1EP		15
LC14A	WBLP0174,0218	CORNER OF MORETON AVENUE & BEACON ROAD,GREAT BARR,BIRMINGHAM,B43 7BW		14
HO1885		BEACON DAIRY FARM, DOE BANK LANE, GREAT BARR, WALSALL, WS9 0RQ		14
LC30A		70 HOLLYHEDGE LANE (111)		12
HO1118		LAND ON THE FORMER COALPOOL CLINIC,SITE, OFF ROSS ROAD,RYECROFT,WALSALL,WEST MIDLANDS		12
HO1346		POOL STREET (site of former 12 to 15)		10

Site_Ref	WBLP_Ref	SITE NAME	ASSETS AND CONSTRAINTS	DWELLINGS
HO1347		STATION STREET WMC, 119 MILTON STREET,WALSALL,WS1 4LW		10
IN0075.11	WBLP0322,0323,0324,0325	Moat Street, Willenhall (west)		35
HO0180	WBLP0182	LAND AT CHURCHILL ROAD AND KENT ROAD TO THE REAR OF 2-14 KENT ROAD AND 201-205 CHURCHILL ROAD, BENTLEY, WALSALL		26
IN0075.22	WBLP0319	Stafford Street , Willenhall (former Ingersoll Rand)		22
IN0077.01	WBLP0326	Newhall Street opposite Cemetery, Willenhall		20
IN0075.12	WBLP0321	Moat Street, Willenhall (east)		15
HO1349		LAND REAR OF 17-33 STAFFORD ROAD, BLOXWICH, WS3 2JR		10

Housing Potential under Current Local Plan

These are mainly brownfield sites that are already vacant or believed to be not required for the current use in the long term, where housing could be supported under the current development plan. Further assessment is required to confirm if these sites should be allocated in the WBLP.

Site_Ref	WBLP_Ref	SITE NAME	ASSETS AND CONSTRAINTS	DWELLINGS
HO1939	WBLP0379	Green Lane - Stafford Street, Walsall		43
HO1010		LAND BETWEEN STATION STREET/NAVIGATION STREET AND MARSH STREET, WALSALL.		38
HO1317		LAND BETWEEN WOOD STREET AND LOWER LICHFIELD STREET, WILLENHALL		30
TC02	WBLP0010,0068,0074,0125,0263	Old Square Phase 3		100
TC08		Waterfront Lex		91
TC50		Day Street Car Park and Stafford Street		74
HO1513		Forest Arts Centre, Hawbush Road, Walsall		69
335		Bloxwich Hospital, Reeves Street, Walsall		66
HO1022	WBLP0153,0263,0264	Lower Rushall Street (south of Intown Row)		63
HO1736	WBLP0007,0057,0187,0269	Pelsall Villa Football Club and Old Bush Inn		62
TC09		Holiday Hypermarket		56

HO2011	WBLP0263,0264	Bridge House, 47-55 Bridge Street, Walsall		43
IN0070.71		Temple Bar (former Marrens), Willenhall		41
IN0031.2		Green Lane/ Old Birchills, Walsall		38
IN0050.1	WBLP0159	Network Rail, Meadow Street/ Tasker Street		37
HO1012		Mountrath Street car park		36
TC37	WBLP0100	Lower Forster Street, former Jabez Clift		33
HO1011	WBLP0114	BOAK BUILDING, LAND BETWEEN STATION STREET/NAVIGATION STREET AND MARSH STREET, WALSALL.		25
HO1017	WBLP0454	Tantarra Street		27
TC01	WBLP0010,0008,0074,0263	Old Square Phase 2		27
HO1519		Travelodge, Birmingham Road (Metro Inns)		26
HO1709		Pier Street, Brownhills		26
HO1938b		Land between 239 (The Prince) and 245 Stafford Street, Walsall		21
HO1473		Seymour Parade		20
HO1729		Land adjacent to ASDA Bloxwich		20
WBLP0227	WBLP0227	M AND J MAHONEY AND SON LTD MEADOW FARM ALDRIDGE ROAD STREETLY SUTTON COLDFIELD B74 2AS		19
HO1018		Paddock Lane Car park		18

LC06B	WBLP0450	Dartmouth House, Ryecroft Place, Walsall, WS3 1SW		18
HO1511		FELLOWS & JONES, PINFOLD STREET, DARLASTON WS10 8SY		18
WBLP0333	WBLP0333	Aldridge Police Station, Anchor Road. Aldridge, Walsall WS9 8PN		17
HO1023		Intown (Whittimere Street Car Park)		16
HO2205		81-91 Caldmore Road		16
LC20A	WBLP0420	BENTLEY LIBRARY SITE, CHURCHILL ROAD/ QUEEN ELIZABETH AVENUE		15
HO2172	WBLP0446	Dale Street Family Centre		15
HO1696		REAR OF 27, HIGH STREET, BROWNHILLS, WALSALL, WS8 6EF		14
HO1493	adjacent to WBLP0387	Wolverhampton Street, Willenhall (adjacent to car park rear of 58)		13
HO1471		45-47 Blakenall Heath		13
LC15A		Rear of 196-228A Walsall Wood Road, Aldridge		13
HO1935		1 Freer Street and 28 Bridge Street, Walsall		13
HO1477		61 Church Street, Darlaston		12
HO1455		15 MARSH STREET, WALSALL		12
HO2206		102A-108 Bath Street		12
HO1478		Rear of Franchise Street		11

HO2012		New Invention Workings Mens Victory Club, Lichfield Road, New Invention WV12 5BB		11
HO2048		Land adjacent 26 Bradley Lane, Moxley		11
HO1480		Community Mental Health Unit,Daisy Bank Annex,Skip Lane,Walsall		10
LC01B		Land behind West Bromwich Street, Caldmore		10

Proposed Allocation in WBLP

These are mainly large greenfield sites. It is intended that a separate map and notes will be provided for each of these to highlight any site-specific issues that will need to be addressed by developers.

Site_Ref	WBLP_Ref	SITE NAME	ASSETS AND CONSTRAINTS	DWELLINGS
WBLP0342	WBLP0342, 0344, 0201	Calderfields		1000
HO1533	WBLP0220	Home Farm, Sandhills, Walsall Wood		1200
HO1532	WBLP0341	Land at Stencill's Farm, North of Mellish Road (area in Green Belt)		690
HO1534	WBLP0339/ 0347	Queslett Road East/ Aldridge Road/ Doe Bank Lane, Streetly		771
HO2204	WBLP0437	Black Cock Farm		1070
HO3004	WBLP0338	Land at Yieldsfield Farm, Stafford Road, Bloxwich		978
HO3011	WBLP0108/ 0108a	West of Chester Road, North of Little Hardwick Road, Streetly		431
HO1536	WBLP0197	York's Bridge, Lichfield Road, Pelsall		580
HO1544b	WBLP0365	Land at Birch Lane, Aldridge		363
332	WBLP0362	Land at south of Little Aston Road, Aldridge		341
WBLP0163	WBLP0163	Bescot Retail Park		229
HO3001	WBLP0199/ 0225/0436	Land to the East of Chester Road, Hardwick, Walsall		332
HO3007	WBLP0360	Land at (South of) Stonnall Road Aldridge		80

Site_Ref	WBLP_Ref	SITE NAME	ASSETS AND CONSTRAINTS	DWELLINGS
353	WBLP0400	Odell Road Playing Fields		177
WBLP0301	WBLP0301	Land at Harpur Close, Walsall,		84
331	WBLP0190	251 Lichfield Road, Rushall, Walsall		105
HO1594	WBLP0040/ 0377	REEDSWOOD GOLF COURSE (SITE)		94
WBLP0371	WBLP0371	Barn Farm		83
HO1933a	WBLP0211	Land adjacent to Barr Common Road, Aldridge		76
WBLP0459	WBLP0459	Former Black Country UTC, Vernon Way	Likely to include a school or other education facility on part of the site	73
HO1559	WBLP0369	Land to the West of Clayhanger Lane		64
HO1548	WBLP0175/ 0266	Sunny Bank Quarry		57
WBLP0270	WBLP0270	Chamberlain and Hill, Beacon Street		43
HO1563	WBLP0370	Land off Middlemore Lane West		35
IN0126	WBLP0102	Former London Works, Stafford Road, Darlaston		33
HO3002c	WBLP0225	Pacific Nurseries		30
HO0221a	none	GEORGE CARTER PRESSINGS LTD,CLOTHIER STREET, WILLENHALL, WV13 1BG		23

Site_Ref	WBLP_Ref	SITE NAME	ASSETS AND CONSTRAINTS	DWELLINGS
222	WBLP0266	Land to the rear of 118 Little Hardwick Road, Streetly		18
WBLP0025	WBPL0025	Black Cock Inn, Green Lane WS9 9BE		16
220	WBLP0169	Rising Sun, Chester Road North, Brownhills		15
HO1569	WBLP0144	Land at Oakwood Close and bordering Hall Lane and Green Lane, Walsall Wood		7
WBLP0044	WBLP0044	Cloudwood Arabian Stud		40
HO1590	WBLP0411	Monmer Bridge OS		57

Traveller Sites

[details to be added in the submission version of the WBLP]

Existing Pitches to be Safeguarded

Existing Plots to be Safeguarded

Existing Transit Site to be Allocated

Existing Pitches with Personal or Time-Limited Permission to be made permanent

New Showpeople Plots

Employment Allocations

It is intended that in the submission version of the WBLP, all the listed sites will be described as allocated regardless of their source. Some site reference numbers and site names may also change to improve clarity.

Sites for New Development Carried forward from SAD/AAP

[details to be added in the submission version of the WBLP]

Sites for New Development New Allocations

Site_Ref	WBLP_Ref	SITE NAME	ASSETS AND CONSTRAINTS	SITE SIZE
IN0409 - WAE413	WBLP0019	HOLIDAY INN,WOLVERHAMPTON ROAD WEST,WALSALL,WS2 0BS	Pp granted 22/0190	2.22
WBLP0422	WBLP0422	Pinfold Centre		0.27
IN0404 - CFS269	WBLP0180	Land South of Bentley Lane	PP granted 23/1501	11.25
BL37 - CFS049 - IN0409	WBLP0262	237 Watling Street, Brownhills, Walsall	Current planning application 23/1600	5.94
BL37 - GBP003 - IN0410	WBLP0262	Johnsons Farm & Meadow Farm	Current planning application 23/1600	8.43
WBLP0003	WBLP0003	WBLP0003 - North of A5, Twist field		1.97
WBLP0425	WBLP0425	Hannay Hay Road		0.77

Existing Occupied Strategic Employment Areas

[details to be added in the submission version of the WBLP]

Existing Occupied Local Employment Areas

[details to be added in the submission version of the WBLP]

Other Employment Areas

[details to be added in the submission version of the WBLP]

Open Space

[details to be added in the submission version of the WBLP]

Minerals Sites

Birch Lane: Former Aldridge Quarry and Area of Search

New or amended proposals for mineral development at the former Aldridge Quarry and elsewhere within the Birch Lane Area of Search will be expected to identify, evaluate and address any potential harmful effects on health, the environment, amenity, and infrastructure, including any effects not specifically identified in this policy. Any concerns raised by the relevant regulatory authorities, statutory consultation bodies and infrastructure providers will be an important material consideration.

New mineral extraction proposals in the Area of Search must provide evidence:

a) that the restoration of the former Aldridge Quarry is being progressed in a timely manner,

b) that there will be no adverse effects on water resources and water quality within the Groundwater Source Protection Zone (SPZ), and
c) that impacts on the local highway network will be minimised as far as possible.

Proposals should therefore be supported by proposals for restoration of the former quarry, a hydrological assessment, a strategy for surface water management and pollution control, and a transport assessment.

Applicants will also be expected to address the following:

a) Adequacy of existing quarry access off Birch Lane, and the need for improvements to address potential impacts of quarry traffic on highway infrastructure and safety of other road users;
b) Potential impacts from increased HGV movements on capacity of A452 Chester Road, A461 Walsall Road and Shire Oak Junction, and related impacts from road traffic emissions and noise;
c) Potential impacts on the amenity of nearby residential areas and businesses, both in Walsall and in neighbouring areas of Lichfield District in Staffordshire;
d) Potential impacts on surrounding agricultural land and holdings;
e) Potential impacts on Stonnall Road Hedge and Lazy Hill Road Hedge SLINCs and related ecological networks;
f) Potential impacts on local landscape character, including the setting of heritage assets; and
g) Potential impacts on archaeology.

Suitable after uses for mineral working sites in this area would include agriculture or alternative land uses that maintain openness and are appropriate to the Green Belt location. Any imported wastes used in restoration must be suitable inert wastes that minimise risks to groundwater resources and will be capable of supporting these end uses.

There is currently no fully approved restoration programme for this site. A new restoration programme will be expected to be submitted to the Council for approval at the earliest opportunity, and will be expected to address the following issues:

a) Stabilisation of quarry slopes, which are now in an unstable condition;
b) Infilling to be with imported pre-treated inert waste to previous ground levels, unless an alternative method of restoration is agreed by the Council;
c) Standard of restoration, landscaping and aftercare to be of sufficient quality to support the proposed after use;
d) Soil stored in bunds to the south of the site to be removed and used in capping and landscaping, on completion of infilling phases;
e) Potential impacts on nearby residential areas and business park from increased noise, dust and HGV movements arising from restoration works;

f) Potential impacts on surrounding agricultural land;
g) Potential impacts on highway network and highway safety from haulage of imported infill material to the site;
h) Potential risks to water quality within the Groundwater SPZ; and
i) After use to be agriculture, or subject to approval by the Council, an alternative land use that maintains openness and is appropriate to the Green Belt location.

The existing working conditions for Aldridge Quarry (BC61247P) were due to be reviewed in 2016. Proposals for revised conditions relating to restoration, landscaping, aftercare and after use will be expected to address the above issues, and to set a clear end date for completion of the restoration programme

Justification

Mineral extraction ceased at Aldridge Quarry in 2008 and is not expected to resume, as there are no winnable sand and gravel reserves remaining. Restoration has not started, and the site is now derelict, so the main priority is for restoration to be completed to an appropriate standard, to support a beneficial end use. [move this text to justification?]

Branton Hill Quarry and Area of Search

New or amended proposals for mineral development at Branton Hill Quarry (site MP4) and elsewhere within the Branton Hill Area of Search (site MXA2) should identify, evaluate and address any potential harmful effects on health, the environment, local amenity, and infrastructure, including any effects likely to arise which are not specifically identified in this policy. Any concerns raised by the relevant regulatory authorities, statutory consultation bodies and infrastructure providers will be an important material consideration.

The Council will not support applications for further sand and gravel extraction within the Area of Search unless they are supported by evidence that

a) the restoration of the previously-worked areas of Branton Hill Quarry (MP4) will be progressed in a timely manner, and
b) that there will be no adverse effects on water resources and water quality within the Groundwater Source Protecton Zone (SPZ).

Applications should be supported by proposals to restore the former quarry, a hydrological assessment, and a strategy for surface water management and pollution control.

In addition to the requirements above, the main issues that applicants will be expected to address are as follows:

a) Potential impacts on nearby residential properties, businesses and community facilities, both in Walsall and in neighbouring areas of Lichfield District in Staffordshire;
b) Potential impacts on Public Rights of Way linking A452 Chester Road to Branton Hill Lane and Daniel's Lane (Ald36, Ald37 and Ald38);
c) Potential risks to safety from overhead power line and pylons;
d) Potential impacts on surrounding agricultural land and holdings;
e) Requirement for an appropriate surface water management strategy;
f) Potential impacts on Branton Hill SINC and Bourne Pool SLINC and related ecological networks;
g) Potential impacts on local landscape character; and
h) Potential impacts on archaeology.

Suitable after uses for mineral working sites in this area would include agriculture or alternative land uses that maintain openness and are appropriate to the Green Belt location. Any imported wastes used in restoration must be suitable inert wastes that minimise risks to groundwater resources and will be capable of supporting these end uses.

Mineral extraction ceased at Branton Hill Quarry in 2013. While it is possible that working will resume at some point during the plan period, only limited winnable sand reserves are likely to remain. Restoration has not been completed, and parts of the site are derelict, so the main priority is for restoration of the whole site to be completed to an appropriate standard, to support a beneficial end use.

There is currently no approved restoration programme for the site. In accordance with c) above, new or amended proposals to extend the quarry should include a phased restoration programme for the existing quarry, which will be expected to address the following issues:

a) Completion of infilling of any remaining voids with pre-treated inert waste;
b) Standard of restoration, landscaping and aftercare to be of sufficient quality to support the proposed after uses;
c) Public Right of Way (Ald37), linking Branton Hill Lane to the A452 Chester Road and Daniel's Lane via Public Right of Way Ald38, to be re-instated on its previous alignment, or subject to approval by the Council, an alternative alignment, and brought back into use;
d) Potential impacts on nearby residential areas and businesses from increased noise, dust and HGV movements arising from restoration works;
e) Potential risks to Branton Hill SINC while final restoration and landscaping of the rest of the site is underway;
f) Potential risks to safety arising from overhead power line;
g) Potential risks to groundwater resources within the Groundwater SPZ;
h) Requirement for an appropriate surface water management strategy and pollution control strategy;

After uses for permitted areas to be as follows:

a) Branton Hill SINC – both sites (area of wetland habitat and area of relict hedgerow) to be retained and managed for nature;
b) SAD Mineral Infrastructure Site MI2 – aggregates recycling operations to be relocated to this site, subject to construction of a new haul road with access off the A452 Chester Road;
c) Rest of Permitted Area – publicly accessible open space, to be accessed from re-instated Public Right of Way (Ald37), including wildlife habitats complementary to Branton Hill SINC, or subject to approval by the Council, alternative land uses that maintain openness and are appropriate to the Green Belt location.

Justification

[Text to be added]

MB1: Aldridge Brickworks

This factory is operated by Ibstock Brick Ltd. It has no clay pit of its own and relies on clay imported from Atlas Quarry and other sites outside of Walsall. There are currently no restrictions on importation of clay to this factory.

The Council will support proposals to supply the factory from other permitted production sites in Walsall where this would provide a 25-year supply in accordance with current national policy guidance, subject to addressing the issues outlined in SAD Policies M7 and M8 and the requirements of BCCS Policy MIN3 on the importation of brick clays.

MB2: Atlas Brickworks

This factory is operated by Ibstock Brick Ltd and is currently supplied with brick clay from the adjacent Atlas Quarry (MP2). The quarry is the factory's main source of supply, and currently provides more than 90% of its brick clay requirements, although the factory is allowed to import up to 30% of the clay it uses. The existing permitted reserves at the quarry are sufficient to provide a 25-year supply to the factory as required by current national policy guidance.

MP2: Atlas Quarry – Permitted Minerals Site

Atlas Quarry is an active clay extraction site which currently supplies the adjacent Atlas Brickworks (site MB2), and is expected to continue in production throughout the plan period and beyond. An extension to the quarry (to include the 'Recordon Land'), revised working conditions and an indicative restoration programme for the expanded site were formally approved by the Council in February 2017 (14/0619/CM). The Recordon Land is part of an important network of wetland

habitats and is designated as a Site of Importance for Nature Conservation (Stubbers Green SINC), so there is potential for the quarry expansion to have harmful effects on ecology and hydrology.

The Council will support proposals to haul clay from the expanded Atlas Quarry to other brickworks in Walsall, where this would help maintain supplies and reduce reliance on imports from other areas, subject to addressing any harmful effects on the local highway network, the environment and amenity. Any new or amended proposals for the expansion of Atlas Quarry should address the following issues:

a) Need for updated phasing plan showing the extent of working areas of the expanded quarry and gradients of quarry slopes at the end of each working phase;
b) Measures to mitigate impacts of mineral extraction on nearby residential areas, businesses and areas of open space from noise, dust and HGV movements during the working and restoration phases;
c) Flood risk assessment, hydrological assessment, hydrological monitoring regime, surface water management strategy, pollution control strategy, and details of arrangements for maintenance of Anchor Brook channel;
d) Evaluation of impacts on ecological networks and designated sites in the vicinity of the expanded quarry, including impacts from loss of Stubbers Green SINC and Dumblederry Farm SLINC and impacts on nearby Stubbers Green Bog SSSI, Swan Pool and The Swag SSSI, and Anchor Brook Valley SLINC;
e) A strategy for minimising, mitigating and monitoring impacts on ecological networks and designated sites throughout the working and restoration phases, including retention of existing habitats for as long as possible, mitigation and monitoring of hydrological impacts on the SSSIs, and provision of replacement habitats of equivalent value off-site to compensate for the loss of Stubbers Green SINC and Dumblederry Farm SLINC;
f) A strategy for minimising harmful impacts on local landscape character, including landscape plans for each working and restoration phase;
g) Indicative restoration strategy and programme for the site, including proposed methods of restoration and arrangements for aftercare, demonstrating that the site will be restored within an appropriate timescale and to an appropriate standard – any imported wastes used in restoration must be suitable inert wastes capable of supporting the end uses specified at viii. below;
h) After use to be publicly accessible open space comprising water body, wetland, woodland and grassland habitats complementary to those already present in the surrounding area, accessed from Stubbers Green Road via Public Right of Way Ald17, or subject to approval by the Council, alternative land uses that maintain openness and are appropriate to the Green Belt location.

MB3: Sandown Brickworks

This factory is operated by Wienerberger and is currently supplied with brick clay from the adjacent Sandown Quarry (SAD Site MP7), and from other sources imported from outside Walsall. This factory is currently allowed to import up to 100% of the clay it uses. The remaining reserves at the quarry are not expected to last beyond the end of the plan period and are insufficient to provide a 25-year supply to the factory, as required by current national policy guidance.

Proposals for new or expanded stockyards for stockpiling of imported clay will be supported in principle, where they form part of a comprehensive programme to restore the quarry. Such proposals will also be expected to demonstrate compliance with other relevant local plan policies, including BCCS Policies MIN3 and MIN5 and SAD Policy M7. The development of a new stockyard will require planning permission, as it is not currently permitted under the existing permissions for the quarry and brickworks.

Proposals to import clay from extraction sites in Walsall will be supported in principle, provided that this would not have unacceptable effects on the environment, transport infrastructure, and the amenity of the occupiers of land near to the proposed extraction site(s) and haulage route(s). Such proposals will be expected to demonstrate compliance with other relevant local plan policies, including BCCS Policies MIN4 and MIN5 and SAD Policies M7 and M8 on extraction of brick clay.

MP7: Sandown Quarry - Permitted Minerals Site

Sandown Quarry is an active clay extraction site which currently supplies the adjacent Sandown Brickworks (site MB3) and is expected to continue in production until the end of the plan period and possibly beyond, depending on future rates of extraction. The quarry is operating under working conditions approved in 1996 and 2010 (planning permissions BC40528P and 09/1730/MI/M1) which allow production to continue until February 2042, however, the Council will support proposals to restore the quarry within an earlier timescale.

The approved restoration programme for the quarry was granted in March 2025 (planning permission 23/0120). This involves the restoration of the quarry through the importation of 3,100,000m^3 of inert/non-hazardous material over a 20 year period.

Any alternative or future proposals for the restoration programme for the quarry will be expected to address the following issues:

a) Restoration to be achieved by infilling of quarry void with inert wastes and / or water;
b) Standard of restoration, landscaping and aftercare to be of sufficient quality to support the proposed after uses;

c) Potential impacts on nearby residential areas and businesses from noise, dust and HGV movements arising from restoration works;
d) Potential impacts on Stubbers Green Bog SSSI, Swan Pool and The Swag SSSI, Daw End Branch Canal SLINC, and related ecological and hydrological networks;
e) Potential risks from hazardous and toxic wastes deposited into the adjacent former Empire / Butterley site;
f) Requirement for flood risk assessment and an appropriate fluvial flooding and surface water management strategy and pollution control strategy;
g) After use to be publicly accessible open space linking to existing public footpath network via Public Right of Way Ald1, comprising wetland, woodland and grassland habitats complementary to the habitats already existing in the surrounding area, accessed from Stubbers Green Road, or subject to approval by the Council, alternative land uses that maintain openness and are appropriate to the Green Belt location.
h) The Council may also support proposals for new stockyards on part of the permitted quarry area where these come forward as part of a comprehensive package for restoration of the quarry (see Minerals Policy M6: Brickworks).

Justification

[Text to be added]

MXA3: Stubbers Green Area of Search

In accordance with BCCS Policy MIN3, applications for brick clay extraction within the Area of Search will be expected to support restoration of previously-worked areas, and address risks from flooding and impacts on biodiversity and transport infrastructure. The specific requirements for each site are identified below.

While there is unlikely to be any further scope for mineral extraction within the Stubbers Green Area of Search other than at the sites identified in this policy, the Council may support proposals for working elsewhere within the area where the requirements in a) above and in BCCS Policy MIN5 are met. The Council may also support proposals for deeper working at existing Permitted Minerals Sites, where it can be demonstrated that stable slope gradients can be maintained, and that there would be no adverse effects on the environment (including impacts on hydrology and designated nature conservation sites), or on ground conditions such that it would prevent sites from being restored to a standard that would support appropriate and beneficial end uses.

MP6: Highfields South – Permitted Minerals Site

Clay extraction ceased at Highfields South in 2013. Although there are some permitted reserves of clay remaining, the operator has confirmed that this is only sufficient to provide material needed for the engineering of the landfill and for restoration, and the approved restoration programme also does not permit further mineral extraction. Clay extraction is therefore not expected to resume again on this site within the plan period.

Restoration by infilling with non-hazardous waste is currently underway, in accordance with the approved restoration programme and phasing (planning permission 16/0465 as varied by 17/0244). Infilling is required to be completed by 31 December 2025. In the event that revised proposals for restoration and/ or phasing are brought forward while this policy remains in effect, they will be expected to comply with the following requirements of the approved restoration programme:

a) Restoration to be achieved by infilling of quarry void with inert and non-hazardous wastes only;
b) Standard of restoration, landscaping and aftercare to be of sufficient quality to support the proposed after uses;
c) Measures to address potential impacts on nearby residential areas and businesses from noise, dust, odours and HGV movements arising from restoration works;
d) Requirement for an appropriate surface water management strategy including maintenance of Vigo Brook channel around perimeter of site;
e) After use to be publicly accessible open space, comprising woodland, grassland and wetland habitats that support the species specified in the approved restoration programme, accessed from A461 Walsall Road and Boatman's Lane.

MP8: Vigo / Utopia – Permitted Minerals Site

This former clay extraction site has now been restored as an area of open space and the final phase of landscaping is underway. The restored site is therefore designated as New Open Space on the Policies Map (OS3052).

A compound to the south of the open space includes facilities for the treatment of landfill gas from this site and leachate from this site and Highfields South (site MP6). This is identified as a Strategic Site for waste (Site WS15 - see SAD Policy W2) as these facilities are expected to remain in place for the duration of the plan period.

MP9: Highfields North – Permitted Minerals Site

Highfields North is classified as a dormant site because it is subject to an old mineral planning permission (EB593 registered under permission EB3410) which has not been implemented. The permitted site is in an area of wetland habitat which is of significant importance for nature conservation. The dormant site has been included in a Site of Special Scientific Interest (Jockey Fields SSSI) and much of the surrounding area is designated as a Site of Local Importance for Nature Conservation (Jockey Fields SLINC), being within the consultation area for proposals affecting the SSSI. Mineral extraction within this site will therefore permanently destroy at least some of the site's special features.

As this is a dormant site, mineral working may not commence until a modern schedule of working conditions has been approved by the Council. An application for modern working conditions for this site will be expected to include the following supporting information:

a) Updated information on estimated total reserves, annual production rates and the brickworks to be supplied with clay exported from the site;
b) Revised phasing plan for the quarry showing extent of working areas and gradients of quarry slopes at end of each working phase;
c) Air Quality Assessment evaluating impacts from dust generated by quarrying operations and pollutants generated by vehicles exporting material from the site along the A461 corridor, which has been identified as a Nitrogen Dioxide (NO2) Area of Exceedance;
d) Noise Assessment evaluating impacts from noise generated by the quarrying operations and by vehicles exporting material along the A461 corridor, which has been identified by the Council as a Noise Action Area ('Important Area');
e) Details of new vehicular access to working area;
f) Transport Assessment evaluating impacts on capacity of A461 Walsall Road, including the Shelfield, Salter's Road and Shire Oak Junctions, and details of improvements proposed to address impacts on highway capacity where required;
g) Details of arrangements for diversion of Public Right of Way linking A461 Walsall Road to Green Lane (Bro41);
h) Assessment of impacts on nearby residential properties, businesses and community facilities;
i) Assessment of potential impacts on surrounding agricultural land and holdings;
j) Hydrological and Hydrogeological Assessments and Flood Risk Assessment, evaluating potential risks to soils, groundwater, water resources and water quality, and a proposed strategy for surface water management, waste water management and pollution control during working and restoration phases;
k) Ecological Assessment evaluating impacts on Jockey Fields SSSI and SLINC, and related ecological networks, and a strategy for minimising loss of the SSSI's special features and harmful effects on priority habitats within both

sites, which should include permanent retention of a proportion of the SSSI's special features throughout the working phases of the site, retention of other habitats of ecological value for as long as possible, provision of replacement habitats of equivalent value to compensate for unavoidable loss of special features of the SSSI and other priority habitats, and maintenance of important linkages between habitats throughout the working and restoration phases;

l) Landscape Assessment evaluating impacts on local landscape character, and a landscape strategy for each working phase and restoration phase, demonstrating how harmful effects will be minimised as far as possible;
m) Archaeological Assessment evaluating the impacts on above- and below-ground archaeology, and a strategy for preservation and / or recording of any archaeological remains present;
n) Indicative restoration strategy and programme for the site, demonstrating that the site will be restored within an appropriate timescale and to a standard that will enable it to support the proposed after uses - any imported wastes used in restoration must be inert wastes capable of supporting the end uses required at xv. below;
o) The entirety of the worked areas covered by the SSSI designation must be restored to the wildlife habitats currently present within Jockey Fields SSSI and referred to in the SSSI Citation, and managed to achieve and maintain favourable condition. The restored site should also be publicly accessible natural green space that re-instates the existing pedestrian links provided by Public Right of Way Bro41. Consideration should also be given to alternative forms of ownership for the restored site, such as a conservation trust, community group or similar body that will accept responsibility for the ongoing management of the re-created habitats.

The Applicants are also strongly advised to seek an EIA screening opinion from the Council before submitting an application for modern working conditions for this site.

MP3: Birch Coppice – Permitted Minerals Site & MP5: Land at Brownhills Common – Permitted Minerals Site

There is a current application for modern working conditions for both sites (BC48813P). As the total site area is more than 25ha, the proposal is EIA development falling within Schedule 1 of the EIA Regulations 2011 (as amended). The application has been in abeyance since 1999 pending the submission of an environmental statement. The application will not be determined until such a statement has been provided by the applicant.

The current application includes proposals for on-site stockpiling of clay. However, as this is likely to have significant, long-term, harmful effects on the environment and visual amenity, the Council is unlikely to support such a proposal unless it has been demonstrated that alternative options for supply of fireclay to Swan Works (site MC1 on the Policies

Map) have been fully evaluated, that the area to be used for stockpiling has been minimised as far as possible, and that the benefits of on-site stockpiling of fireclay will outweigh any harm caused.

Applications for further mineral development at Birch Coppice and Brownhills Common (including proposals to progress the current application) will be expected to include the following supporting information, in addition to an environmental statement.

Birch Coppice (MP3):

The Council will support proposals that include the removal of the remaining clay stockpile and arrangements for completion of Phase 3 of the restoration at the earliest opportunity. New or revised proposals for this site should include the following:

a) An updated restoration programme and landscape plan for the site, which should include a strategy and timetable for addressing the outstanding requirements for final restoration and landscaping of the whole site, and arrangements for after-care;
b) Details of measures proposed to mitigate the effects of the operations on nearby residential properties from noise, dust and traffic; and
c) Details of proposed end uses for the restored site, which may include the following:
d) Wildlife habitats complementary to those currently present within the adjacent Coppice Lane Wood SLINC, and the nearby Wyrley & Essington Canal SLINC and Brownhills Common SINC;
e) Publicly accessible open space; and
f) Subject to approval by the Council, alternative land uses that maintain openness and are appropriate to the Green Belt location.

Brownhills Common (MP5):

The following information should be provided in the environmental statement and / or in other supporting documents:

a) Details of new vehicular access to working area;
b) Updated information on estimated total fireclay and coal reserves;
c) Proposed working programme for the site, including phasing plan showing extent of working areas and depth of working;

d) Proposed arrangements for export of fireclay and coal off-site, the intended destination of the extracted fireclay and coal, and arrangements for long-term stocking of clay on-site if applicable;
e) Transport Assessment evaluating impacts on capacity of A461 Walsall Road, A452 Chester Road North and A5 Watling Street and road junctions, and details of improvements proposed to address impacts on highway capacity where required;
f) Air Quality Assessment and Noise Assessment, where haulage routes for export of coal and clay include Nitrogen Dioxide (NO2) Areas of Exceedance and / or Noise Action Areas (Important Areas or First Priority Areas);
g) Details of arrangements for diversion of Public Rights of Way which currently cross Brownhills Common, providing pedestrian links between Coppice Lane, A452 Chester Road North and A5 Watling Street (Bro 0.162, Bro 0.163, Bro 0.165 and Bro 0.168), and for implementation of the proposed greenway (which would rationalise sections of PROWs Bro 0.163, Bro 0.164 and Bro 0.168) in accordance with Policy LC5;
h) Assessment of impacts on nearby residential properties and businesses, and details of measures proposed to mitigate impacts from noise, dust, vibration and traffic;
i) Coal Mining Risk Assessment and evaluation of risks from ground contamination, and a strategy for remediation of land affected by previous mining and industrial activity;
j) Hydrological and hydrogeological assessment, surface water management strategy and pollution control strategy;
k) An assessment of the Impacts on Cannock Extension Canal SAC / SSSI / SLINC – detailed Habitats Regulations Assessment (HRA) will be required, having regard to the HRA screening assessment already undertaken by the Council (2016). This should evaluate the implications of the development for the site in view of its conservation objectives, and demonstrate that the development would not adversely affect the integrity of the SAC contrary to the Habitats Directive. This should take into account the cumulative impacts from other development that could affect the canal, such as other mineral extraction and the Hatherton Canal restoration project assuming it is deliverable.
l) Ecological Assessment of impacts, including cumulative impacts, on Brownhills Common and The Slough SINC, Clayhanger SSSI, Pelsall North Common SINC, Chasewater and Southern Staffordshire Coalfield Heaths SSSI, and related ecological networks, and a strategy for minimising loss of important linkages and priority habitats within the SINC, and harm to the special features of the SSSI and other priority habitats within the SSSI and SINC, which should aim to retain the most important habitats within the site for as long as possible, provide replacement habitats of equivalent value to compensate for unavoidable losses, and maintain important linkages between habitats throughout the working and restoration phases;
m) Landscape Assessment evaluating impacts on local landscape character, and a landscape strategy for each working phase and restoration phase, demonstrating how harmful effects will be minimised as far as possible;

n) Archaeological Assessment evaluating the impacts on above- and below-ground archaeology, and a strategy for preservation and / or recording of any archaeological remains present;
o) Indicative restoration strategy and programme for the site, including proposed methods of restoration and arrangements for aftercare, demonstrating that the site will be restored within an appropriate timescale and to an appropriate standard, – any imported wastes used in restoration must be suitable inert wastes capable of supporting the end uses specified at xiii. below; and
p) After use of the restored site must be publicly accessible Open Space, comprising wildlife habitats of equivalent type and value to those currently present within the Brownhills Common and The Slough SINC. The restored site must also include pedestrian routes that maintain or reinstate the existing Public Rights of Way linking the site to the wider public footpath network and to Coppice Lane, the A452 Chester Road North and A5 Watling Street (see vi. above).

Yorks Bridge

The BCCS identifies an indicative Area of Search for fireclay extraction at Yorks Bridge, to the west of Brownhills Common, on the boundary between Walsall Borough and Cannock Chase District in Staffordshire (BCCS Policy MIN3 and Minerals Key Diagram). This was based on a site promoted by Potters Clay & Coal Company and the Little Wyrley Estate (for details see Map 9.3). However, it is not proposed to designate the site as an Area of Search for fireclay extraction on the Policies Map because there is no evidence that a fireclay extraction proposal can be delivered within the plan period. The Yorks Bridge site is mainly in agricultural use and includes some of the “best and most versatile” agricultural land. A small part of the site is within the Brownhills Common and the Slough SINC, and it is also in the vicinity of the Cannock Extension Canal SAC / SSSI / SLINC, Clayhanger SSSI, Chasewater and Southern Staffordshire Coalfield Heaths SSSI, and other sites of local importance for nature conservation.

In the event that any proposal comes forward for coal and clay extraction on any part of the Yorks Bridge site, or any other unpermitted site in the surrounding area (see Map 9.3), BCCS Policies MIN3, MIN4 and MIN5 will apply. Opencast clay and coal extraction and long-term stockpiling of fireclay is likely to have significant, unavoidable harmful effects on the environment and visual amenity. The Council is therefore unlikely to support such proposals unless it has been demonstrated that there are no other realistic options for supply of fireclay to the intended end users, that the area affected by the proposals is the minimum necessary to meet the identified requirements, and that the benefits of the proposals will outweigh any harm caused. The Council will expect applicants to identify, evaluate and address the following issues:

a) Details of new vehicular access to working area;
b) Updated information on estimated total fireclay and coal reserves;
c) Proposed working programme for the site, including phasing plan showing extent of working areas and depth of working;
d) Proposed arrangements for export of fireclay off-site, the intended destination of the fireclay, and arrangements for long-term stocking of clay on-site if applicable;
e) Impacts on local and strategic highway networks in Walsall and Staffordshire, in particular, Engine Lane, Coppice Lane, A452 Chester Road North / Brownhills High Street / Chester Road, A5 Watling Street, B4154 Lime Lane, A4124 Pelsall Road, A461 Walsall Road, B4152 Salters Lane / Northgate and road junctions – a Transport Assessment will be required together with details of improvements proposed to address impacts on highway capacity where required;
f) Impacts on air quality and noise, where haulage routes for export of coal and clay include Nitrogen Dioxide (NO2) Areas of Exceedance and / or Noise Action Areas (Important Areas or First Priority Areas);
g) Impacts on amenity of nearby residential properties, businesses and areas of open space both in Walsall and in adjoining areas of Cannock Chase District in Staffordshire;
h) Coal Mining Risk Assessment and evaluation of risks from ground contamination, and a strategy for remediation of land affected by previous mining and industrial activity;
i) Impacts on agricultural land and holdings, including justification for any anticipated losses of the “best and most versatile” agricultural land and a strategy for mitigation of effects;
j) Impacts on hydrology and hydrogeology and risks from surface water flooding – a surface water management strategy will also be required;
k) Impacts on Cannock Extension Canal SAC / SSSI / SLINC – detailed Habitats Regulations Assessment (HRA) will be required, having regard to the HRA screening assessment already undertaken by the Council (2016). This should evaluate the implications of the development for the site in view of its conservation objectives, and demonstrate that the development would not adversely affect the integrity of the SAC contrary to the Habitats Directive. This should also take into account the cumulative impacts from other development that could affect the canal, such as other mineral extraction and the Hatherton Canal restoration project assuming it is deliverable;
l) Impacts, including cumulative impacts, on Brownhills Common and The Slough SINC, Clayhanger SSSI, Pelsall North Common SINC, Wyrley and Essington Canal SLINC and Chasewater and Southern Staffordshire Coalfield Heaths SSSI, and related ecological networks, and a strategy for minimising loss or harm to these sites, including retention of existing habitats for as long as possible;
m) Impacts on local landscape character during each working phase and restoration phase;
n) Impacts on above- and below-ground archaeology;

o) Indicative restoration strategy and programme for the site, including proposed methods of restoration and arrangements for aftercare, demonstrating that the site will be restored within an appropriate timescale and to an appropriate standard – any imported wastes used in restoration must be suitable inert wastes capable of supporting the end uses specified at xii. below; and
p) Details of proposed after uses for the site, which may include:
q) Wildlife habitats of equivalent type and value to those currently present within the Brownhills Common and The Slough SINC;
r) Agricultural land;
s) Publicly accessible open space to be accessed via existing pedestrian routes and new pedestrian access routes where necessary; and
t) Subject to approval by the Council, alternative land uses that maintain openness and are appropriate to the Green Belt location.

Justification

[Text to be added]

Other Site Specific Policies

The current development plan includes specific policies for particular sites. These include Wolverhampton University, Great Barr Hall and Highgate Brewery. We think the issues covered by these polices are addressed by other general policies such as those relating to heritage and nature conservation. As such, the policies are no longer necessary.

Given the size of the site however and the unique challenges it raises, a specific policy for Great Barr Hall and Estate my still be justified. The current policy for the site is SAD policy EN7 as below. If retained, some updates would be required at least to amend the development plan references.

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

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

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

Overall estate

b) All proposals must provide for and / or demonstrate the following:

- **i. An assurance that the linkages and relationship between the Hall and the park and garden are retained, including key views both within the park and the wider landscape;**
- **ii. Functionally, visually and environmentally satisfactory arrangements for vehicular access from Queslett Road; the Council will require the developer to meet the costs of necessary off-site highway improvements. Any access from Chapel Lane should be minimised for environmental and traffic management reasons;**
- **iii. The preservation and enhancement of the character and appearance of the Great Barr Conservation Area;**
- **iv. The protection of the areas of the best and most versatile agricultural land [1] where possible;**
- **v. Evidence of how they will contribute and relate to the aim of achieving a comprehensive approach towards the future use and management of the Estate;**
- **vi. Sensitively designed and located development in order to be in keeping with, and minimise the impact upon, heritage assets and / or historic landscape and their settings in line with the NPPF;**
- **vii. The contribution the proposal makes to the aim of achieving a comprehensive approach to the conservation of the significance of the site of Great Barr Hall, the historic landscape of the Registered Park and Garden and the wider setting of the Conservation Area (where applicable).**

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

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

Enabling development

[1] As defined in national guidance

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

- **i. Follow the guidance in the Historic England's Policy Statement 'Enabling Development and the Conservation of Significant Places'[2], or any further up to date guidance from Historic England;**
- **ii. Consider whether the enabling development could be provided off site**
- **iii. Ensure the economic viability of the proposal is properly tested and market driven. The applicant(s) should make sure that the Council can also test these figures as necessary through the provision of a Financial Assessment. Enabling development must be justified by the inherent lack of viability of the significant place, not the owner's inability to fund a commercially viable scheme; and**
- **iv. Be able to provide for the ongoing maintenance of the hall and the park and garden.**

<u>Park and Garden</u>

e) The Grade II Registered Park and Garden is a unique feature in the Black Country and provides the setting to Great Barr Hall; any proposals within the park and garden should consider the following:

- **i. The potential for alternative forms of ownership such as a trust;**
- **ii. The preservation, enhancement and management of the historic landscape, which includes areas of the UK BAP Priority Habitat – Wood Pasture and Parkland; Sites of Importance for Nature Conservation and other areas of nature conservation value, as well as key views;**
- **iii. The reinstatement and re-use of key parkland buildings, structures or features where supported by historic evidence such as:**
  - **The lakes, boat house, bridges and associated structures**
  - **The walled garden**
  - **The park pale or wall, other walls of the estate, gateways and historic pathways**
  - **The reinstatement of planting**

[2] Historic England (2012 – as English Heritage), available from Historic England's website

f) Where historic evidence has not demonstrated the details of historic buildings, structures or features, an innovative approach to their design should be adopted in accordance with BCCS Policy ENV2 and other relevant policies of the Local Plan.

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

<u>Great Barr Hall and Chapel</u>

h) This is a Grade II listed building which forms the focal point of the park and garden. In considering development of the Great Barr Hall and Chapel any harm caused must be 'exceptional' in line with the NPPF; and should consider the following:

- **i. The potential for alternative forms of ownership such as a trust;**
- **ii. The long-term viability for the retention and restoration of the Hall and Chapel;**
- **iii. Any development or restoration should be in accordance with the policies of the BCCS, ENV2, ENV3 and UDP Saved Policies ENV27, ENV33;**
- **iv. The range of potential new uses and an assessment of harm upon the Hall's significance utilising Historic England's 'Conservation Principles, Policies and Guidance'[3] ;**
- **v. An assessment of the impact on biodiversity in accordance with SAD policy EN1, relevant UDP Saved Policies, BCCS policy ENV1 and the NPPF.**

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

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

[3] Historic England (2008 – as English Heritage), available from Historic England's website