



**Walsall Council**

**Walsall Site Allocation Document (SAD)**

**Minerals Technical Appendix 2**

**Permitted Minerals Sites in Walsall**

**Site Profiles**

**(January 2019)**

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## Introduction

There are nine Permitted Minerals Sites in Walsall, although at the sites where restoration is now underway, the working conditions do not permit any further mineral extraction. The sites are listed in Table 1 below, which also indicates their operational status at 31.12.16, progress on restoration, and which SAD and BCCS Policies apply.

As part of the background evidence for the preparation of the SAD Minerals policies, the Council has produced detailed Site Profiles for each of the Permitted Minerals Sites. The original versions were produced in 2014 to inform the Walsall SAD & AAP Minerals Project, and these have been expanded and updated to reflect the situation at the end of March 2017. Footnotes are also included where more recent information has become available, up to the date of publication (February 2018). However information about permitted reserves and void space relates to the situation at the end of December 2016, as mineral sites are usually monitored by calendar year (1 January – 31 December) rather than by monitoring year (1 April – 31 March).

The updated Site Profiles provide information on the operational status of each site, the constraints to further mineral extraction, potential benefits/ opportunities of mineral extraction, and the most recent planning applications/ permissions. Each Site Profile contains the following:

1. Site Location Plan
2. General Information and Site Characteristics
3. Current Situation at 31.12.16 – Overview
4. Site Constraints and Opportunities
5. Sustainability Appraisal (January 2016) – Summary of Results
6. Planning History – Key Applications and Permissions

**Table 1: Permitted Minerals Sites in Walsall – Operational Status at 31.03.17 and Relevant Local Plan Policies**

SAD Site Reference	Site Name	Operational Status at 31.03.17	Restoration Status at 31.03.17	SAD Policy	BCCS Policy
MP1	Aldridge Quarry	Closed	Not Started	M4	MIN2
MP2	Atlas Quarry	Active	Not Started	M7	MIN3
MP3	Birch Coppice	Closed Stockpile Remaining	Partly Restored	M9	MIN3, MIN4
MP4	Branton Hill Quarry	Inactive	Partly Restored	M5	MIN3
MP5	Land at Brownhills Common	Dormant	Not Started	M9	MIN3, MIN4
MP6	Highfields South	Closed	Restoration Underway	M8	MIN3, WM2
MP7	Sandown Quarry	Active	Not Started	M7	MIN3
MP9	Highfields North	Dormant	Not Started	M8	N/A

Source: Walsall Council Planning Register

### Operational Status – Definitions in Table 1:

1. Active = quarry is currently operating.
2. Inactive = quarry is not currently operating but mineral working could resume.
3. Closed = quarry is closed and the working conditions do not permit any further mineral extraction.
4. Dormant = old mineral permission which cannot be implemented until a schedule of modern working conditions is in place.

This Appendix **does not include a profile for Site MP8: Vigo/ Utopia**. This site is mentioned in SAD Policy M8, but is not shown as a Permitted Minerals Site on the SAD Policies Map because restoration of the site as an area of open space is almost complete. The infilling operations were completed in 2010, and final landscaping operations were nearing completion at the end of December 2016. The site has been designated as Open Space on the Policies Map for Walsall and is identified as a New Open Space site (OS3052: Former Vigo/ Utopia Landfill Site) in the SAD Technical Appendices – List of Open Space Site Allocations Updated (November 2016).

Table 2 below provides a list of the abbreviations used in the profiles. Further information about Assets and Constraints affecting individual Permitted Minerals Sites can be found in other SAD Technical Appendices.

**Table 2: Glossary of Abbreviations Used in this Appendix**

Abbreviation	Definition	Explanation
BCCS	Black Country Core Strategy	Joint Core Strategy for the Black Country (Dudley, Sandwell, Walsall and Wolverhampton) adopted in February 2011. The Core Strategy includes five policies on minerals (Policies MIN1 – MIN5) which apply in Walsall. The Walsall SAD has not superseded the Core Strategy but supplements it at a local level.
EIA	Environmental Impact Assessment	Assessment of the effects of development on the environment. This is a statutory requirement for ‘EIA developments’ – developments likely to have ‘significant’ environmental effects – under the EIA Regulations. <sup>1</sup> It is for the Council to determine whether or not EIA is required for a particular development proposal, having regard to the criteria in the regulations. By their nature, large-scale mineral extraction proposals are likely to have ‘significant’ environmental effects and to be ‘EIA developments.’
HER	Historic Environment Record	Database of historical and archaeological records, which include information about historic buildings and structures, landscape features and archaeological remains. Records for Walsall are jointly maintained with those for Wolverhampton. Records are publicly available on the ‘Heritage Gateway’ website.
HLC	Historic Landscape Characterisation	A method of defining landscape character developed by English Heritage (now Historic England). This method has been applied to the Black Country through the Historic Landscape Characterisation Project. The project report published in 2009 has identified 14 different character areas in Walsall.
HoL	House of Lords	Self-explanatory.
MT	Million Tonnes	Self-explanatory.
NMR	National Monuments Record (now Historic Record Archive)	Database of historical, archaeological and architectural records held by Historic England which can be searched online through the Historic England website. The Historic Record Archive comprises collections of photographs, drawings, plans and documents, including archaeological reports and other research reports.
PH	Public House	Self-explanatory.
PRN	Primary Route Network	Network of main roads in Walsall as defined on the Policies Map for Walsall Borough.
PROW	Public Right of Way	Public footpaths which have legal protection. The route of a Definitive PROW (i.e. one shown on the ‘Definitive Map’ of PROWs produced by the Council) cannot be altered without the Council making an order to that effect, which is subject to public consultation. Where there are outstanding objections to draft orders published by the Council it is the Secretary of State’s decision whether or not the order should be made.
RBMP	River Basin Management Plan	Plan prepared by the Environment Agency for each river basin district in England, as required by the European Water Framework Directive (WFD – see below). It explains how water bodies will be managed to meet the water quality standards in the Directive and who will be responsible. Walsall is within the Humber River Basin District as most of its rivers and streams drain northwards into the River Trent and ultimately into the Humber Estuary, and is therefore covered by the Humber RBMP.
ROMP	Review of Old Mineral Permission	Review of old mineral permissions under the Environment Act 1995 (as amended). The Act introduced a requirement for all old mineral permissions to be periodically reviewed by the mineral planning authority to ensure that the working conditions provide adequate controls. Once the first review has taken place, further reviews may take place after 15 years. In the case of ‘dormant’ sites (sites subject to old permissions where there was no substantial mineral development between 22 February 1982 and 6 June 1995) mineral working may not lawfully commence until appropriate working conditions have been approved.

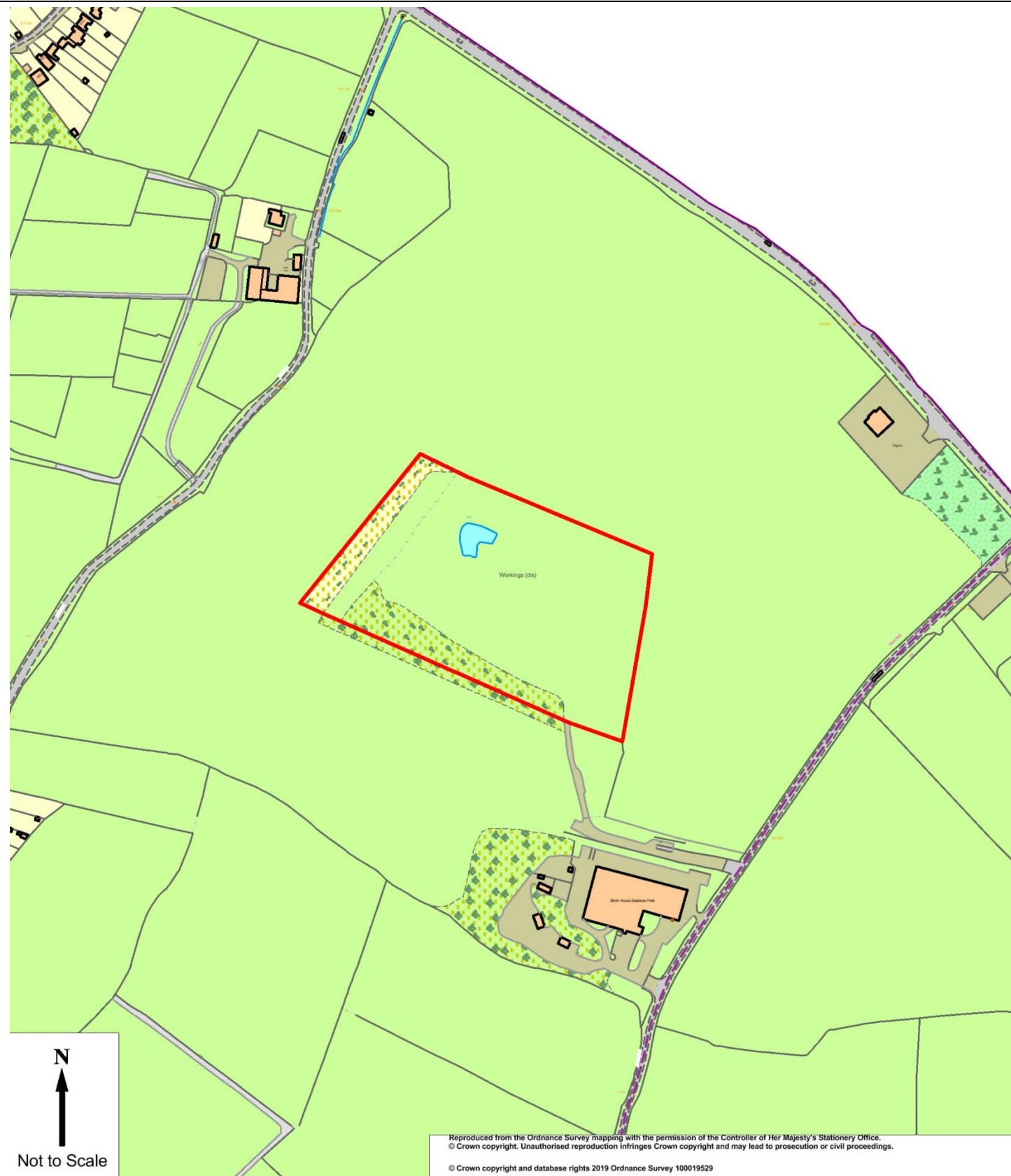
<sup>1</sup> The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (SI 2017 No. 571).

SAC	Special Area of Conservation	Nature conservation site which forms part of the European ('Natura 2000') network of sites (also including 'Ramsar' Sites and Special Protection Areas) which have statutory protection under the European Habitats Directive (92/43/EEC) and 'new' Birds Directive (2009/147/EC). <sup>2</sup> There is a requirement for an 'appropriate assessment' of the implications of any development project likely to have a significant effect on a European Site, and permission can only be granted if it has been demonstrated that the development would not harm the integrity of the site.
SINC	Site of Importance for Nature Conservation	Nature conservation site or geological conservation site of regional importance designated by the local authority in consultation with Natural England. These sites do not have statutory protection but are protected through local plans and national planning guidance.
SLINC	Site of Local Importance for Nature Conservation	Nature conservation site or geological conservation site of local importance, designated by the local authority. These sites do not have statutory protection but are protected to an extent through local plans and national planning guidance.
SoS	Secretary of State	Government Minister responsible for making planning decisions in some circumstances (for example, he/ she has the power to 'call in' an application for decision if there is potential for significant conflict with national policy, and is also responsible for deciding whether an Order to divert a public right of way (PROW) should be confirmed if there are outstanding objections to it). Currently the Secretary of State for Housing, Communities and Local Government.
SPZ	Source Protection Zone	Zones drawn around important groundwater resources from which drinking water is abstracted. Groundwater SPZs are defined by the Environment Agency and their groundwater protection policy restricts what developers can do within these areas. The extent of groundwater SPZs can be viewed on the Environment Agency's online maps.
SSSI	Site of Special Scientific Interest	Nature conservation site or geological conservation site of national importance, designated by Natural England. These sites have statutory protection and the operations specified by Natural England must not be carried out on or near them without their consent.
TPA	Tonnes Per Annum	Annual throughput – average (mean) tonnes of mineral expected to be produced each year.
WFD	Water Framework Directive	European Directive establishing a framework for Community action in the field of water policy (Directive 2000/60/EC). Amongst other things, the Directive requires Member States to identify river basin districts within their area, and identifies the quality objectives that all water bodies are expected to meet and the timescales by which these objectives should be met.
WMBC	Walsall Metropolitan Borough Council	Self-explanatory.

<sup>2</sup> Transposed into English legislation through the Conservation of Habitats and Species Regulations 2017 (SI 2017 No. 1012) which came into effect at the end of November 2017. This has consolidated and updated the amendments to the previous 2010 regulations.

## Permitted Minerals Site Profile - Site MP1: Aldridge Quarry

### 1. Site Location Plan



2. General Information and Site Characteristics	
<b>SAD Policy References</b>	Policy M4
<b>BCCS Policy References</b>	Policy MIN2
<b>Site Address</b>	Birch Lane, Aldridge, Walsall, WS9 0NF
<b>NGR</b>	E: 406976 N: 302464
<b>Site Area</b>	4.45 hectares
<b>Site Description</b>	Former sand and gravel quarry surrounded by agricultural land. There is also a small industrial estate (SAD Site IN8: Birch House Business Park) to south west. Quarry is not highly visible from surrounding areas, as it is largely screened by hedges, trees and ground levels.
<b>Land Owner</b>	Ikin Family Trust
<b>Operator</b>	Cemex UK Materials Ltd (former operator)
<b>Mineral Type</b>	Sand & Gravel (Bedrock – Kidderminster Formation)
<b>Geological Association</b>	Triassic (Sherwood Sandstone)
<b>End Products</b>	Sand only (at the end of its working life)
<b>Main Supply Outlets</b>	Not known, but probably mostly sold as building sand
<b>Operational Status at 31.03.17</b>	Closed – working ceased in 2008
<b>Estimated Annual Production</b>	N/A – site closed
<b>Estimated Permitted Reserves at 31.12.16</b>	No reserves remaining
<b>Estimated Years' Supply at 31.12.16</b>	0
<b>Estimated Void Space Requiring Restoration</b>	Around 600,000 tonnes / 500,000 cubic metres <sup>3</sup>
<b>Restoration Status at 31.03.17</b>	Not started
3. Current Situation at 31.03.17 - Overview	
<p>The quarry was operated by Cemex UK Materials Ltd under a mineral permission granted in 1985 (BA13383P) and a schedule of conditions approved in 2001 (BC61247P), with variations approved in 2005 (02/1376/MI/M1). It was an extension to a previous quarry to the south which has now been restored to agricultural after-use/ use for soil storage.</p> <p>An application for recycling of inert waste at the quarry was refused in 2003 (BC63579P), and another proposal to vary a condition to allow recycling was refused in 2003 (02/1376/MI/M1). Appeals against refusal of both recycling proposals were dismissed in 2005 (following a High Court challenge to a previous appeal decision to dismiss them), but variations to other conditions applied for under 02/1376/MI/M1 were allowed.</p> <p>The quarry was producing mainly building sand at the end of its life. Mineral extraction ceased in 2008, and the former operator has confirmed that no winnable resources remain other than soils and other material required for use in the final restoration. The permission for mineral extraction ended in September 2010 (Condition 1 of 02/1376/MI/M1) but conditions relating to restoration, aftercare and after use still have effect. These conditions require the site to be restored by infilling with inert waste to previous ground levels to return the site to an agricultural end use, and infilling is required to cease by 12.09.16 (Condition 1 of 02/1376/MI/M1). Details of restoration in accordance with Condition 22 of BC61247P were approved, and commencement of infilling with imported inert waste was authorised, in August 2003, subject to submission of a plan showing final surface contours of the landfill. However, the outstanding details were never submitted for approval. There is also still a 'live' application for continued retention of the soil storage bunds to</p>	

<sup>3</sup> The void space of this site is currently 0 according to the December 2016 Remaining Landfill Capacity data released by the Environment Agency early in 2018. It is not clear why a figure of 0 is assumed, because the site is likely to require importation of at least some inert waste to achieve satisfactory restoration. The inert landfill permit was transferred in August 2017 according to the Environment Agency Public Register.

<p>the south of the site (05/0916/MI/M1), which is in abeyance pending progress on the restoration of the site. Until restoration is completed, the site is not capable of any beneficial use, and is identified as a derelict site on the National Land Use Database (NLUD).</p> <p>Periodic review of the working conditions for the site (ROMP) became due in April 2016, and notice was served on the owners beforehand, but no response was received by the due date. The Council is currently discussing options for the restoration of the site with the owner.</p>	
<b>4. Site Constraints and Opportunities</b>	
<b>Physical Constraints and Opportunities</b>	
<b>Access</b>	<p>Vehicular Access - current site access off Birch Lane, giving access to A452 Chester Road. Birch Lane is a narrow road, not suited to high volumes of HGV traffic. During Issues &amp; Options consultation (2013), several local residents raised concerns about the adequacy of the existing access.</p> <p>Public Rights of Way (PROWs) – there are no PROWs within the permitted area or in the vicinity of the site.</p> <p><b>Local Highway Authority has raised no concerns about access in principle, although this could be an issue if there is a further intensification of use e.g. recycling operations.</b></p>
<b>Ground Conditions</b>	<p>Site is adjacent to a Historic Landfill Site (previous Aldridge Quarry) and is in an area where contamination may have to be addressed (see SAD Technical Appendices – Assets and Constraints Maps Updated November 2016). Site is also identified as Derelict Land on the Council's monitoring database.</p> <p>Quarry ceased operating in 2008 and has not been restored. A four-phase restoration programme and commencement of landfilling was authorised in August 2003, subject to submission of details of surface contours of landfill prior to commencement (as required by Condition 22 of BC61247P). There is no record that the outstanding details were submitted. There is an inert landfill Waste Permit in place<sup>4</sup> but no infilling has so far taken place. A proposal to vary Condition 23 (f) of BC61247P to allow on-site recycling of inert waste prior to deposit in the landfill was refused in January 2005, following an appeal and High Court challenge. The quarry slopes were reported to be unstable following a site inspection by a Council officer in 2015.</p> <p><b>Updated restoration proposals should be supported by an up-to-date evaluation of the condition of the quarry, including details of measures proposed to maintain stability of quarry slopes during each phase of the restoration programme.</b></p>
<b>Current Land Use</b>	<p>Derelict former sand and gravel quarry in the green belt, prior to quarrying the site was in agricultural use.</p> <p>Current working conditions (Conditions 22 and 23 of BC61247P as varied by 02/1376/MI/M1) require the site to be restored by infilling with inert waste to previous ground levels, to support agricultural after use. Engineering operations for the purpose of restoring a former quarry are not regarded as 'inappropriate' development in a green belt (NPPF paragraph 146). The proposed after use would maintain 'openness' and be consistent with the purposes of including land in the green belt. Restoration programme has been approved (subject to provision of details of surface contours) but infilling has not started. The condition of the site has deteriorated since working ceased, so the approved restoration programme may no longer be feasible.</p> <p><b>Alternative restoration programmes and after uses will be expected to be consistent with current policy requirements for land in the green belt.</b></p>
<b>Other</b>	None identified.
<b>Environmental Constraints and Opportunities</b>	
<b>Air and Noise Pollution</b>	<p>NO<sub>2</sub> – A461 corridor</p> <p>NOISE - Important Area (A461 corridor)</p> <p>(See SAD Technical Appendices – Assets and Constraints Maps Updated November 2016)</p> <p>A461 is potential haulage route for imported waste. Conditions 9 &amp; 10 of BC61247P cover current requirements for dust management.</p> <p><b>Additional measures are likely to be required if restoration has to involve on-site treatment/ recycling of CD&amp;EW. Effects will therefore have to be re-evaluated as part of ROMP and/or proposals for new restoration programme for the site.</b></p>
<b>Flood Risk</b>	<p>Fluvial Flooding – Flood Zone 1 (Low Risk) according to Environment Agency/ Walsall Council flood risk mapping (see SAD Technical Appendices - Assets and Constraints Maps Updated November 2016).</p> <p>Surface Water Flooding – two areas within the quarry void are at Medium to High risk according to Environment Agency long-term flood risk mapping (2016). EA advice is that new development proposals should be supported by investigations into surface water flows and surface water management strategy.</p> <p><b>Updated restoration proposals should be supported by investigations into surface water flows and a surface water management strategy.</b></p>

<sup>4</sup> According to the Environment Agency Public Register, this was transferred to Cemex UK Materials Limited in August 2017.



<b>Historic Environment</b>	<p>No designated heritage assets within the permitted area or in the Area of Search around it (SAD Site MXA1: Birch Lane) (see SAD Technical Appendices - Assets and Constraints Maps Updated November 2016 and Designated Heritage Assets – Updated November 2016).</p> <p>Previous Aldridge Quarry site to the south is identified on the Wolverhampton &amp; Walsall HER (HER Ref. 9024). During Issues &amp; Options consultation (2013), a local resident raised concerns about impacts of quarrying and related activities on archaeology in this area. Archaeological evaluation of the quarry was carried out in 2000 in advance of ROMP and found no evidence of any surviving below-ground remains.</p>
<b>Landscape Character</b>	<p>Former sand and gravel quarry in the green belt, surrounded mainly by agricultural land. There is a small industrial/ commercial development fronting onto Birch Lane immediately to the south (Birch House Business Park).</p> <p>National Nature Natural Area 43: Midlands Plateau</p> <p>National Character Area 67: Cannock Chase and Cank Wood</p> <p>Walsall Countryside Area Profile: East of Aldridge</p> <p>Black Country HLC Character Area WL09: Barr Beacon &amp; Aldridge Fields</p> <p>Site has been left in un-restored state since 2008 but is well screened by trees and topography so impacts on local landscape are minimal. Current working conditions (Conditions 22 and 23 of BC61247P as modified by 02/1376/M1/M1) require the site to be returned to agricultural end-use following restoration, which is also consistent with the character of the surrounding land. However, it is likely that the restoration programme will have to be revised to take account of the current condition of the site, which has deteriorated since working ceased.</p> <p><b>Updated restoration proposals should be supported by an up-to-date landscape assessment and address any identified harmful visual impacts from proposed operations.</b></p>
<b>Natural Environment</b>	<p>Nearest designated sites are Lazy Hill Road Hedge and Stonnall Road and Birch Lane Hedges which have been designated as SLINCs (see SAD Technical Appendices – Assets and Constraints Maps Updated November 2016 and Nature Conservation Designated Sites and Assets, Sites WA024 and WA025).</p> <p>During Issues &amp; Options consultation (2013) several local residents raised concerns about impacts of quarrying and related activities on wildlife in this area. As no working has taken place since 2008 and the site has been unused since then, there may have been changes to the ecological status of the site.</p> <p><b>Updated restoration proposals should be supported by an up-to-date ecological assessment.</b></p>
<b>Water Resources and Water Quality</b>	<p>Principal Aquifer (Bedrock)</p> <p>Groundwater SPZ (Zone 3 - Total Catchment) (see SAD Technical Appendices – Assets and Constraints Maps Updated November 2016).</p> <p>Site is within the catchment of the following water bodies:</p> <p>Groundwater - GB40401G301000: Tame Anker Mease - PT Sandstone Birmingham Lichfield</p> <p>Surface Water - GB104028046450: Fotherley Brook from Source to Black-Bourne Brook</p> <p>The Humber RBMP (2009), Annex B and Humber RBMP (2015) indicate that these water bodies are currently failing the standards set by the Water Framework Directive (WFD) and are not expected to achieve overall 'good' status against all measures until 2027. The main pressures on the groundwater body identified in 2015 were diffuse pollution from agricultural chemicals/ changes to abstraction and flow, and the main pressures on the Fotherley Brook catchment were point source pollution with ammonia, phosphate and dissolved oxygen from waste water treatment/ sewage discharge.</p> <p>Risks to groundwater from permitted operations are controlled by working conditions including a requirement for infill with inert materials only (Conditions 12 – 14 and 23 of BC61247P). Impact of restoration on water quality will need to be considered if a revised restoration programme is submitted.</p> <p><b>Updated restoration proposals should be supported by an up-to-date hydrological assessment.</b></p>
<b>Infrastructure/ Utility Constraints and Opportunities</b>	
<b>Highway Capacity</b>	<p>Access to PRN is currently via Birch Lane and Chester Road (A452), which intersects with Walsall Road/ Lichfield Road (A461) at Shire Oak. There is a need for improvements to key junctions in the A461 corridor, including that at Shire Oak, to alleviate congestion. The Local Highway Authority has also identified a potential need for widening of Birch Lane and junction improvements with A452 Chester Road, if there is any intensification of operations within the site and/ or the surrounding area.</p> <p>During the Issues &amp; Options stage of the SAD (2013), local residents in Walsall and residents in Stonnall in Lichfield District raised concerns about the adequacy of the local roads to cope with increased HGV traffic generated by further development in this area. The junction of the A461 with Salter's Lane and the junction of the A461 with the A452 Chester Road at Shire Oak have been identified in the Council's Local Transport Plan Settlement and Transport Capital Programme 2014/15 as requiring improvement.<sup>5</sup></p>

<sup>5</sup> Funding for the improvements to these two junctions has now been secured and the improvements are scheduled to take place during 2017/18.

	<b>If imported material to be used in restoration is to be hauled to the site via the A461, the implications for the planned junction improvements will need to be considered.</b>
<b>Other Infrastructure/Utilities</b>	None identified.
<b>Land Use Constraints and Opportunities</b>	
<b>Agricultural Land</b>	<p>Former quarry was previously in agricultural use and is surrounded by agricultural land (mostly arable). This area is not included in the Post 1988 Agricultural Land Classification published by Defra (see SAD Technical Appendices – Assets and Constraints Maps Updated November 2016).</p> <p>However, the previous MAFF Agricultural Land Classification Map of Aldridge &amp; Brownhills (1981) classifies the land surrounding the quarry as Grade 2 or 3a. Current working conditions require the site to be returned to agricultural end-use following restoration (Conditions 22 and 23 of BC61247P as modified by 02/1376/M1/M1). Provided that any new end use proposed is either agriculture or a compatible land use, no adverse effects on agricultural land are anticipated.</p>
<b>Amenity – Proximity to Businesses</b>	<p>The nearest business premises are Birch House Business Park about 100m to the south-west of the site and Cromwell Commercials (commercial vehicle hire depot) about 200m to the north on Chester Road (A452). Birch House Business Park is classified as Local Quality Industry in SAD Policy IND3 (Site IN8).</p> <p>The business park was originally classified as Consider for Release to housing, but this was changed following Publication because it was recognised that it would be inappropriate to allow housing development so close to the Birch Lane Area of Search for sand and gravel extraction (MXA1). The quarry site is screened from business park by tree planting on the boundary between the sites, and from vehicle hire depot by site levels. Current working conditions (Conditions 5 – 11 and 16 - 19 of BC61247P) also control potential impacts from pollution, noise, dust, traffic and hours of operation.</p> <p><b>Any further proposals relating to restoration would be expected to include measures to safeguard the occupiers from noise, dust and traffic.</b></p>
<b>Amenity – Proximity to Housing</b>	<p>The nearest housing to the site is on Lazy Hill Road just over 300m away from the SW corner of the site, there is also housing in Druids Heath (Cotswold Close, Clifton Avenue and Ledbury Close) between 600 - 700m away from the S boundary. The quarry is currently screened from the housing by tree planting along the S and W boundaries of the site. Current working conditions (Conditions 5 – 11 and 16 - 19 of BC61247P) control potential impacts on amenity and health from pollution, noise, dust, traffic and hours of operation. At the Issues &amp; Options stage of the SAD (2013) there were significant objections from local residents to landfilling on the site, mainly on the grounds of impact on amenity from noise, dust and traffic. However, as the site is now derelict and needs to be restored, this will require the importation of at least some fill material, although the operations would be temporary and capable of being controlled.</p> <p><b>Any further proposals relating to restoration would be expected to include measures to safeguard residents from noise, dust and traffic.</b></p>
<b>Cross-Boundary Issues</b>	<p>Close to boundary with Lichfield District in Staffordshire County. Potential for impacts on residents in Stonnall village and surrounding settlements in Lichfield. Also potential impacts on Staffordshire County highway infrastructure (e.g. A452, A461) from HGV traffic associated with further operations at the site, if material is transported to the site to and from that direction. Some potential for indirect benefits if revised restoration programme provides an amenity that meets the objectives of all three authorities towards local landscape character, biodiversity and outdoor recreation. However, approved scheme would have no tangible benefits for adjoining areas in terms of amenity, landscape and biodiversity, as the site is well screened by trees and it is proposed to restore it to an agricultural after use (Condition 1 of BC61247P).</p>

## 5. Sustainability Appraisal (January 2016) – Summary of Results

### Appraisal of SAD Policy M4 (e – g)

#### MP1: Aldridge Quarry Permitted Minerals Site

Air Quality	Biodiversity & Geodiversity	Climate Change	Communities & Population	Cultural Heritage	Economy & Centres	Equality & Diversity	Health & Wellbeing	Landscape & Townscape	Material Resources	Renewable & Low Carbon Energy	Soil & Ground Conditions	Transport & Accessibility	Water Environment
SA1	SA2	SA3	SA4	SA5	SA6	SA7	SA8	SA9	SA10	SA11	SA12	SA13	SA14
?	0	0	?	0	+	0	0	++	0	0	++	?	0

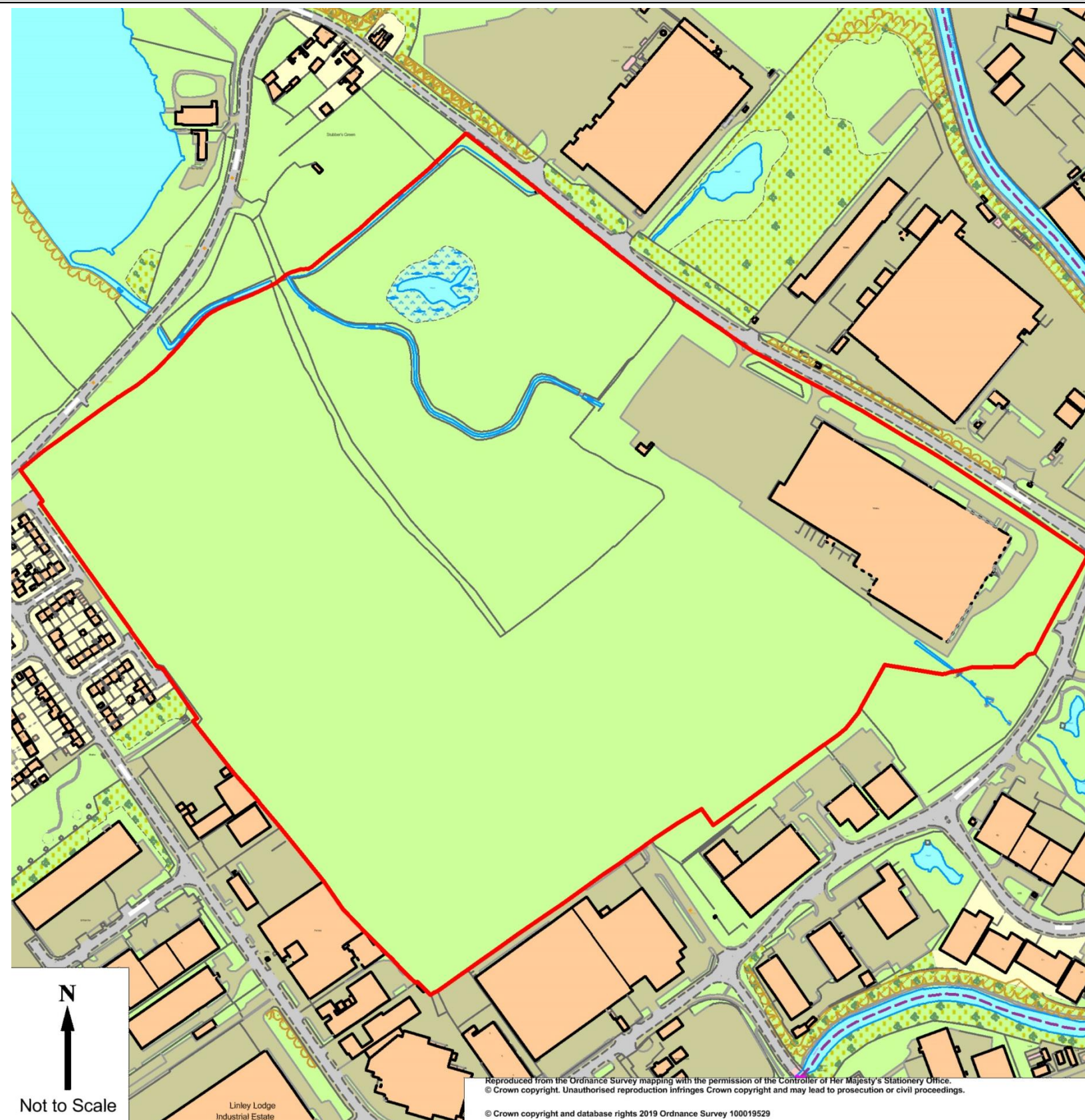
Commentary on Sustainability Appraisal Results			
Overall Appraisal Score	++	The overall effects of the policy in combination with BCCS Policies MIN2 and MIN5 are likely to be very positive, although there are some uncertainties, the main ones being whether a restoration programme comes forward at all, and whether the review of the working conditions, which is due in 2016, will provide a means of addressing this.	
		Assuming that a restoration programme comes forward, the policy is likely to have very positive effects on SA9 and SA12, as it provides a framework for evaluating such a programme, which requires the site to be restored to an appropriate standard, within an acceptable timescale, and for an end use that is appropriate to an open, Green Belt location. Positive effects on SA6 are also likely if the site is restored by infilling with inert waste, as it will provide an appropriate site for disposing of residual inert waste generated by the local construction industry.	
		There are some uncertainties about the effects of quarry restoration on the amenity of the residential areas to the south and west of the site, and highway infrastructure (SA4, SA13), as local residents have objected to the proposal on the grounds of impacts from noise, dust, visual amenity and traffic, and the local highway authority has also identified a potential need to improve the site access.	
		There is also uncertainty about the impacts on highway infrastructure and related impacts on air quality and noise (SA1, SA4, SA13), as haulage routes for imported/ exported material are likely to include the A461 and A452 corridors, both of which are Noise Priority Areas (Important Areas), and the A461 is also a Nitrogen Dioxide (NO2) Area of Exceedance. Although the policy requires the potential effects to be evaluated and addressed, the effectiveness of any mitigation cannot be established with certainty until a comprehensive restoration programme and landscape plan for the former quarry has been received, which can be evaluated through the development management process.	
		Effects on other SA Objectives are likely to be neutral overall, as the policy identifies the main areas where restoration operations could have harmful effects (e.g. on nearby residential properties, the Birch House Business Park, the local highway network, and water resources within the groundwater source protection zone) and requires these to be addressed.	
6. Planning History - Key Planning Applications and Permissions			
Application Ref.	Decision Date	Application Description/ Summary	Current Situation at 31.12.16
BA13383P	Permission Granted 12.09.85	<b>Extension to Aldridge Sand Quarry, Birch Lane, Aldridge</b> Permission covering existing permitted mineral site. This was an extension to the original quarry, which lay to the south. Extraction to be carried out in two phases over 25-year period.	Extraction ceased in 2008.
BC51155P	Withdrawn 17.09.98	<b>Birch Lane Sand Quarry, Birch Lane, Aldridge, Walsall: Restoration of quarry to agriculture pursuant to condition 25 of planning permission BA13383P</b> Previous restoration programme for site which was withdrawn.	Withdrawn by applicant. Further details of restoration were submitted in 2003 in compliance with current working conditions – see BC61247P below.
BC61247P	Permission Granted (ROMP) 26.04.01	<b>Birch Lane Quarry, Birch Lane, Aldridge: New Conditions for Existing Mineral Working Permission BA13383P Pursuant to Schedule 14 of the Environment Act 1995</b> Current schedule of conditions covering the quarry and proposed landfill site, some conditions have been varied by 02/1376/M1/M1 (see below). Conditions require restoration by infilling with solid inert wastes, to an agricultural after-use, and prohibit treatment, processing, sorting and storage of waste imported for use as infill. In a letter dated 22 August 2003, details of restoration in accordance with Condition 22 were approved, and commencement of landfilling authorised, subject to submission of a plan showing final surface contours of the landfill. There is no record that such a plan was received and approved by the Council. The approved restoration programme included four phases of progressive infilling with imported inert waste.	These conditions (as varied) are still in place. Mineral working ceased in 2008 in accordance with the revised Condition 4 but not all Conditions relating to restoration have been discharged and restoration has not commenced.
BC63579P	Refused 15.07.03	<b>Birch Lane Quarry, Birch Lane, Aldridge: Inert Materials Recycling Facility</b> Application refused on the grounds that it would result in a significant extension in the time required to restore the quarry, leading to unacceptable impacts on the Green Belt, and non-compliance with national policy guidance and UDP policy. Further application to vary parts of Condition 23 of BC61247P, which would have the effect of permitting recycling (02/1376/MI/M1) was submitted in 2002 – see below.	Superseded by application 02/1376/MI/M1 – see below.

BC64771P	Permission Granted 15.07.03	<b>Birch Lane Quarry, Birch Lane, Aldridge: Variation of Conditions for implementation of Planning Permission No. BC61247P without compliance with Condition Nos. 4 and 23 (e).</b> Condition 4 specifies end date for extraction and Condition 23 (e) specifies duration of landfilling operations. Both conditions were varied again by appeal decision on 02/1367/MI/M1 (see below).	Mineral working ceased in 2008 in accordance with the revised Condition 4 but not all Conditions of BC612457P relating to restoration have been discharged and restoration has not commenced.
02/1376/MI/M1	Refused 11.07.03  Appeal Decision: Condition 23 (f) – Appeal Dismissed Conditions 4 and 23 (a) – Appeal Allowed 21.01.05	<b>Birch Lane Quarry, Birch Lane, Aldridge: Implementation of Permission No: BC61247P without compliance with Condition Nos. 4 and 23 (e) and (f)</b> Condition 4 specifies end date for extraction, Condition 23 (e) specifies duration of landfilling operations and Condition 23 (f) prohibits treatment, processing, sorting and storage of waste and removal of imported waste. Application was refused by the Council 11 July 2003 on the grounds that the application was to make way for implementation of a recycling proposal already refused, which would result in a significant extension in the time required to restore the quarry, leading to unacceptable impacts on the Green Belt, and non-compliance with national policy guidance and UDP policy. Appeal decision issued 25 May 2004 (partly upheld, partly dismissed) was quashed by the High Court, new decision issued by Inspector on 21 January 2005 had a similar outcome. Variation of Condition 4 and non-compliance with Condition 23 (e) were allowed (in accordance with application) but appeal against Condition 23 (f) was dismissed. Decision is subject to new conditions replacing Conditions 4 and 23 (e). Condition 1 requires mineral extraction to cease by 10 September 2010, and permits no other operations for restoration (other than aftercare) to the approved after-use for agriculture after 12 September 2016. Condition 2 prohibits any development except in accordance with operation of quarry and restoration under Conditions 23 (a) to (d), (f) and (g) of BC61247P.	No new recycling proposals submitted. Mineral working ceased in 2008 in accordance with the revised Condition 4 but not all Conditions of BC612457P relating to restoration have been discharged and restoration has not commenced.
03/2195/MI/M1	Permission Granted 21.04.04	<b>Aldridge Quarry, Birch Lane, Stonnall, Nr Walsall: Proposed Temporary Retention of Existing Soil Bunds</b> Bunds contain soil stored temporarily, pending use in final restoration. Application approved subject to conditions. Condition 1 requires removal of the storage bunds by 31 March 2005 unless proposed planting completed by 31 March 2005. Condition 2 stipulates that if planting not completed by that date, stored soils are to be removed and replaced within the quarry by 30 June 2005. Condition 4 stipulates that no soils are to be stored after the expiry of 6 years from commencement of landfilling of the quarry void, or after 12 September 2016, whichever is the earlier.	Bunds still not removed – current application to retain them for further period (05/0916/MI/M1).
05/0916/MI/M1	Not Determined	<b>Birch Lane Quarry, Birch Lane, Aldridge: Proposed Continued Implementation of Existing Planning Permission (03/2195/MI/M1) Without Compliance with Condition Numbers 1 and 2</b> Section 73 application to vary conditions relating to continued retention of soil storage bunds (see 03/2195/MI/M1 above). Application still not determined – in abeyance pending action on restoration, as soil is required for this purpose.	Application still in abeyance as restoration has not yet commenced.



## Permitted Minerals Site Profile - Site MP2: Atlas Quarry

### 1. Site Location Plan



2. General Information and Site Characteristics	
<b>SAD Policy References</b>	Policies M6 and M7
<b>BCCS Policy References</b>	Policy MIN3
<b>Site Address</b>	Stubbers Green Road, Aldridge, Walsall, WS9 8BU
<b>NGR</b>	E:404520 N:301200
<b>Site Area</b>	28.80 hectares
<b>Site Description</b>	Active clay extraction site adjacent to brickworks (Atlas Factory) on the edge of the urban area. Site is not highly visible from the surrounding area being largely screened by the brickworks and car park/ brick stockyards fronting onto Stubbers Green Road, and trees/ landscaping along the other boundaries.
<b>Land Owner</b>	Ibstock Brick Ltd
<b>Operator</b>	Ibstock Brick Ltd
<b>Mineral Type</b>	Brick Clay (Etruria Marl)
<b>Geological Association</b>	Upper Coal Measures (Etruria Formation)
<b>End Products</b>	Brick clay used to manufacture bricks and blocks
<b>Main Supply Outlets</b>	Atlas Factory (adjacent brickworks) and Aldridge Factory approximately 1.5 km from site by road
<b>Operational Status at 31.03.17</b>	Active
<b>Estimated Annual Production</b>	120,000 <sup>6</sup>
<b>Estimated Permitted Reserves at 31.12.16</b>	Around 1.23 MT <sup>7</sup>
<b>Estimated Years' Supply at 31.12.16</b>	10.25 years <sup>8</sup>
<b>Estimated Void Space Requiring Restoration</b>	Around 4 million cubic metres
<b>Restoration Status at 31.03.17</b>	Not started and not expected to start until well after the end of the plan period.
3. Current Situation at 31.03.17 - Overview	
Atlas Quarry and the adjacent Atlas Factory (brickworks) are both operated by Ibstock Brick Ltd. A single mineral permission granted in 1989 covers the quarry and brickworks (BC24328P), and both are also covered by the same schedule of modern working conditions approved in 2004 (04/1603/MI/M1). The quarry produces high quality brick clay/marl and occupies an L-shaped area to the south of the brickworks. It is understood that the quarry supplies around 97% of the factory's current requirements.	

<sup>6</sup> Supporting statement provided with application 14/0619/CM stated that at April 2014, average annual production of clay to supply Atlas Factory was 120,000 TPA, but would rise to **200,000 TPA** following expansion onto 'Recordon Land' as the expanded quarry will also supply Aldridge Factory.

<sup>7</sup> Supporting statement provided with application 14/0619/CM stated that at April 2014 there were 13 years' of permitted reserves remaining. This would have been equivalent to around 1.56 million tonnes of reserves (0.12 TPA x 13 years = 1.56 MT). Assuming average annual depletion rate of 120,000 TPA from April 2014 to December 2016 (2.75 years = 0.33 MT), there would have been approximately 1.23 MT remaining at 31.12.16, equivalent to 10.25 years' supply to Atlas Factory only. However, following the grant of permission in February 2017, permitted reserves have increased significantly. The supporting statement provided with 14/0619/CM indicated that total permitted reserves would increase to around 5.1 MT. Assuming reserves have been depleted by around 120,000 TPA over the 3 years between April 2014 and February 2017 (3 years x 0.12 MT = 0.36 MT), there would have been around **4.74 MT** of permitted reserves when permission was formally granted in February 2017 (= 5.1 MT – 0.36 MT). This equates to around 24 – 25 years' supply to Aldridge and Atlas Brickworks at the anticipated future depletion rate of around 200,000 TPA, allowing for imports. Condition 41 of 14/0619/CM permits up to 30% of the clay processed at Atlas Brickworks to be imported, and there are no restrictions over importation of clay to Aldridge Brickworks.

<sup>8</sup> This has now increased to around 25 years including imports, following grant of permission for quarry expansion - see footnote above.

Permission BC24328P covered three phases of working, but the working conditions 04/1603/MI/M1 only permitted working in the Phase I and Phase II areas - Condition 11 of 04/1603/MI/M1 prohibited working in the Phase III area until a new working plan and programme was submitted and approved. The rate of clay extraction has increased significantly from around 50-55,000 TPA when the original application was submitted in 1988 (BC24328P) to around 120,000 TPA in April 2014 (as stated in application 14/0619/CM – see below). A further increase to around 200,000 TPA is anticipated, to enable the site to supply Aldridge brickworks (also operated by Ibstock) which lost one its main sources of supply when clay extraction ceased at Highfields South (Permitted Minerals Site MP6) in 2013.

Permission was granted in February 2017 (14/0619/CM) to extend the quarry onto the adjacent 'Recordon Land' which has been designated as a SINC (Stubbers Green). The permission is subject to a S106 agreement committing the applicant to provide ecological mitigation for progressive loss of Stubbers Green SINC. The mitigation measures provided through the S106 agreement include hydrological monitoring to address potential effects on The Swag which is part of the Swan Pool and The Swage SSSI, dedication and management of the 'Mitco Land' adjacent to Aldridge Brickworks for nature conservation purposes and mitigation works on open space to the west of The Swag.

The permission includes new working conditions to be applied to the expanded quarry and a revised working plan. The objectives of the proposal are to provide a more logical phasing plan and direction of working than what is currently in place, allowing deeper working, and enabling the site to provide a 25-year supply of clay to both Aldridge and Atlas brickworks, at anticipated future rates of production (see above and footnotes). The remaining permitted reserves and the extension area will be worked in three phases over a 26 year period.

It is implicit from the wording of the previous working conditions (04/1603/MI/M1) that the void was originally intended to be restored by infilling with imported waste to support an 'appropriate' after-use. However, the new permission permits an alternative method of restoration involving partial infilling of the void created by the expanded quarry with quarry waste only, to create a water body and open space/ wetland habitats. It also proposes that new wetland habitats will be created off-site during the working phases of the scheme, to compensate for the progressive loss of Stubbers Green SINC during the final working phase.

#### 4. Site Constraints and Opportunities

##### Physical Constraints and Opportunities

<b>Access</b>	<p>Vehicular Access - access to Atlas Quarry and brickworks is off Stubbers Green Road. Extracted clay is currently (31.12.16) supplied only to adjacent Atlas Factory. Aldridge Factory is on Brickyard Road, which is near to Stubbers Green Road, and is approximately 1.5 km from the quarry (road travel distance). Application 14/0619/CM for extension of quarry identifies no need for access improvements if the quarry were to supply Aldridge brickworks as well - this is feasible using existing highway network without impacting on residential areas. Local Highway Authority has raised no objections to the proposal in principle.</p> <p>Public Rights of Way (PROWs) – there is a Definitive PROW (Ald17) running along the south-eastern boundary of the site, from Stubbers Green Road to Dumblederry Lane. Conditions 24a, 24b, 25a and 25b require prior approval of proposals to divert the PROW and measures to maintain public access during the working phases and following restoration. Condition 10 also requires the applicant to notify the Council if geotechnical assessments carried out in accordance with Condition 9 identify risks of structural failure or instability to land outside the permission area, including the public highway and PROW Ald17.</p>
<b>Ground Conditions</b>	<p>Atlas Quarry and proposed extension site (Recordon Land) are near to Historic Landfill Sites and are in an area where contamination may have to be addressed (see SAD Technical Appendices – Assets and Constraints Maps Updated November 2016).</p> <p>Conditions 9, 10, 28 - 29, 31a and 42a – 42b of 14/0619/CM control potential geotechnical risks and risks from pollution including from surface water run-off. Condition 9 requires submission of a geotechnical assessment within 12 months of approval and every 5 years thereafter, demonstrating achievement of permanent stability of quarry slopes adjacent to the external boundaries of the site and Condition 10 requires the applicant to notify the Council if such assessments identify risks of structural failure or instability to land outside the permission area. Condition 31a requires prior approval of a hydrological monitoring regime and the S106 agreement includes an agreed approach towards this. The Environmental Statement submitted with application 14/0619/CM identifies potential risks from pollution arising from the expanded quarry and revised restoration programme (Section 15). It is proposed that the existing quarry sump (at the bottom of the quarry) will continue to be pumped to additional settlement lagoons placed at ground level prior to discharge to Anchor Brook. The plans and Environmental Statement propose a strategy to move the lagoons and change the arrangements for discharge of water into Anchor Brook throughout the working phases, including the latter phases when it is proposed to divert the brook (see Flood Risk).</p> <p><b>Any revisions to restoration programme should ensure that quarry slope stability is maintained, and that there will be no 'legacy' issues remaining following final restoration.</b></p>
<b>Current Land Use</b>	<p>Brick clay extraction site with associated brickworks in the green belt, subject to a mineral permission granted in 1989 (BC24328P), extension site ('Recordon Land') is an open field which is being used for horse grazing.</p> <p>Mineral extraction and engineering operations for the purpose of restoring a former quarry are not regarded as 'inappropriate' development in a green belt (NPPF paragraph 146). Current working conditions (Conditions 1 and 58 of 04/1603/MI/M1) require restoration by infilling with to previous ground levels, to support an approved after use appropriate to the status of the site. Application 14/0619/CM proposes an alternative method of restoration for the quarry and proposed expansion site, involving partial infilling with quarry waste and infilling of the remaining void with water, to provide open space/ wetland after use complementary to existing nature conservation sites in the surrounding area. The proposed land uses would maintain 'openness' and would be consistent with the purposes of including land in the green belt.</p> <p><b>Alternative restoration programmes and after uses will be expected to be consistent with current policy requirements for land in the green belt.</b></p>



<b>Other</b>	None identified.
<b>Environmental Constraints and Opportunities</b>	
<b>Air and Noise Pollution</b>	<p>Not in an area where limit values for NO<sub>2</sub> are currently being exceeded (NO<sub>2</sub>) or in a Strategic Noise Area (NOISE) (see SAD Technical Appendices – Assets and Constraints Maps Updated November 2016).</p> <p>Conditions 17 – 21 and 24 - 31 of 04/1603/MI/M1 require measures to be put into place to control noise, traffic and dust, and Condition 47 also restricts the importation of clay. Application 14/0619/CM seeks to allow export of clay to Aldridge Factory in Brickyard Road, but access route to the brickworks is not currently affected by exceedance of NO<sub>2</sub> limit values or excessive noise.</p> <p><b>Any revisions to working and restoration programmes should include measures to address any outstanding/ new effects likely to arise from noise, dust and other air pollutants.</b></p>
<b>Flood Risk</b>	<p>Fluvial Flooding – Atlas Quarry (MP2) is low risk, but parts of Recordon Land are within Flood Zones 2 and 3 and are therefore at High to Medium risk of fluvial flooding according to Environment Agency/ Walsall Council flood risk mapping (see SAD Technical Appendices - Assets and Constraints Maps Updated November 2016). An ‘ordinary’ watercourse (Anchor Brook) runs across the permitted area in culvert to the rear of the brickworks, and runs across the Recordon Land site at the ground surface. Regulation of flood risk from this watercourse falls within remit of Walsall MBC as Lead Local Flood Authority.</p> <p>Surface Water Flooding – parts of Atlas Quarry (MP2) and Recordon Land are at High or Medium risk according to Environment Agency long-term flood risk mapping (2016) which identifies risks from surface water flooding. EA advice is that development proposals in areas affected should be supported by investigations into surface water flows and surface water management strategy.</p> <p>An effective flood water and surface water management regime is already in place, although the proposed extension site (Recordon Land) is prone to flooding - environmental information provided with the application to expand the quarry included a flood risk assessment and details of proposed modifications to the existing water management arrangements. Conditions 42a and 42b of 14/0619/CM require prior approval of a water management scheme prior to commencement of any works within the extension to the quarry or to divert Anchor Brook, and for this to be fully implemented and monitored in accordance with the agreed details. The approach towards hydrological monitoring has also been agreed through the S106 agreement.</p> <p><b>Any revisions to working and restoration programmes should be supported by an up-to-date flood risk assessment and should address any identified potential risks from fluvial or surface water flooding of the site and/ or surrounding land.</b></p>
<b>Historic Environment</b>	<p>No designated heritage assets within Atlas Quarry, the adjacent Recordon Land or the Area of Search around these sites (MXA3: Stubbers Green) (see SAD Technical Appendices - Assets and Constraints Maps Updated November 2016 and Designated Heritage Assets – Updated November 2016).</p> <p>Previous archaeological assessment provided with ROMP of Atlas Quarry permission in 2004 (04/1603/MI/M1) concluded that archaeological potential is low. Wolverhampton &amp; Walsall HER records a number of former buildings and features within the quarry and in the surrounding area, some of which no longer survive due to previous quarrying activity. The main surviving heritage assets identified are Stubbers Green Road (probably mediaeval in origin) which forms the southern boundary of the site (HER Reference: 13526), and the former Dumblederry Lane (of at least 18th century date), a section of which still survives within the quarry and proposed extension area (HER Reference: 13525). The archaeological potential of the Recordon Land is likely to be low as ground works carried out several years ago will have affected any below ground remains on part of the site. Condition 30 of 14/0619/CM requires the applicant to notify the Council prior to the commencement of works likely to expose archaeological remains and to allow access to the site for archaeological recording.</p>
<b>Landscape Character</b>	<p>Large clay pit on the edge of the urban area, adjacent land used for horse grazing (Recordon Land) is proposed as an extension to the quarry. The quarry and proposed extension site are designated as green belt but they are surrounded on three sides by urban development comprising housing to the west and industry to the south and east. To the north are areas of open space comprising grassland, wetland and open pools, some of which are former coal and clay working sites which have settled and regenerated naturally since the workings were abandoned.</p> <p>National Nature Natural Area 43: Midlands Plateau</p> <p>National Character Area 67: Cannock Chase and Cank Wood</p> <p>Black Country HLC Character Area WL14: Rushall &amp; Shelfield<sup>9</sup></p> <p>Approved restoration proposals submitted with quarry extension application (14/0619/CM) include measures designed to maintain the character and appearance of the Stubbers Green Road frontage during extraction and afterwards, and to restore the whole site as a water body and wetland/ grassland habitat, of a similar landscape character to the surroundings.</p> <p><b>Any revisions to working and restoration programmes should be supported by an up-to-date landscape assessment and should address any identified harmful visual impacts from proposed operations.</b></p>

<sup>9</sup> Walsall Council has not prepared a Countryside Area Profile covering this area. Although it was originally intended to prepare these for the whole of the Walsall Green Belt, only five were ever completed, and only four are still available: Barr Beacon, East of Aldridge, Longwood Gap, and Rough Wood Chase.



<b>Natural Environment</b>	<p>Part of permitted area (Phase III of Working Plan approved under 041603/MI/M1) is designated as a SLINC (Dumblederry Lane) and proposed extension site (Recordon Land) is designated as Stubbers Green SINC. Both sites are also linked by watercourses to other designated sites: Anchor Brook Valley SLINC, Stubbers Green Bog SSSI and Swan Pool and the Swag SSSI (see SAD Technical Appendices – Assets and Constraints Maps Updated November 2016 and Nature Conservation Designated Sites and Assets, SSSIs and Sites WA059, WA061, WA63).</p> <p>Conditions 46, 47a – 47d, 48a – 48d, 49a – 49d and 50a – 50b of 14/0619/CM control effects on ecology including mitigation during working phases and through restoration, including provision of habitats off-site to compensate for loss of habitats and requirements to safeguard any protected species that may be present. Method of restoration and ecological mitigation programme has changed significantly following this permission, as the expansion of the quarry onto the ‘Recordon Land’ will result in the progressive loss of Stubbers Green SINC as well as Dumblederry Lane SLINC. Without mitigation the quarry expansion could also have indirect effects on Swan Pool &amp; The Swag SSSI because of the effects on hydrology. It has been agreed through a S106 agreement that the progressive loss of Stubbers Green SINC will be compensated for through provision of compensatory habitats of similar character and quality off-site but nearby (i.e. ‘Mitco Land’ adjacent to Aldridge Brickworks and land to the west of The Swag). The S106 agreement also sets out an agreed approach towards hydrological monitoring and prevention of risks to other designated sites, including the SSSI.</p> <p><b>Any revisions to working and restoration programmes should be supported by an up-to-date ecological assessment, should include compensation for any further loss of habitats, and should address any potential indirect harmful effects on habitats in the surrounding area.</b></p>
<b>Water Resources and Water Quality</b>	<p>Secondary A Aquifer (Bedrock)</p> <p>Site is within catchment of the following water bodies:</p> <p>Groundwater – GB40402G990800: Tame Anker Mease - Secondary Combined</p> <p>Surface Water – GB104028046990: Ford Brook from Source to River Tame</p> <p>The culverted Anchor Brook runs to the rear of the brickworks and emerges at the ground surface near the boundary with the Recordon Land. There is a drain running along the northern boundary of the Recordon Land which discharges into the brook. The brook drains in a north-westerly direction into The Swag and from there into the Ford Brook. Humber RBMP (2009), Annex B and Humber RBMP (2015) indicate that these water bodies are currently failing the standards set by the Water Framework Directive (WFD) and are not expected to achieve overall ‘good’ status against all measures until 2027.<sup>10</sup> The main pressures on the Ford Brook identified in 2015 were physical modifications, diffuse and point source pollution with ammonia and dissolved oxygen from urban development, and point source pollution with ammonia and phosphate from waste water treatment/ sewage discharge.</p> <p>Conditions 28 - 29, 31a and 42a – 42b of 14/0619/CM control potential geotechnical risks and risks from pollution including from surface water run-off. Condition 31a requires prior approval of a hydrological monitoring regime and the S106 agreement includes an agreed approach towards this. The Environmental Statement submitted with application 14/0619/CM identifies potential risks from pollution arising from the expanded quarry and revised restoration programme (Section 15). If there are any significant changes in the future, impacts of continued working and restoration on water quality will need to be considered.</p> <p><b>Any revisions to working and restoration programmes should be supported by an up-to-date hydrological assessment.</b></p>
<b>Infrastructure/ Utility Constraints and Opportunities</b>	
<b>Highway Capacity</b>	No issues identified by Local Highway Authority.
<b>Other Infrastructure/ Utilities</b>	<p>Electricity Distribution - there are three electricity sub-stations near the site. One is off Westgate near to the pumping station, about 50m from the southern boundary of the permitted area, one is located within the Anchor Brook Industrial Estate to the east of the brickworks about 50m from the permitted area boundary, and one is on the opposite side of Stubbers Green Road adjacent to the Mercian Weldcraft site, about 40m from the frontage of the brickworks. There is a fourth electricity sub-station on the same side of Stubbers Green Road about 85m from the boundary of the Recordon Land.</p> <p>Surface Water Management – there is already a surface water management system in place within the site (see Flood Risk). To the east there are balancing ponds and drains into the Anchor Brook, serving the adjacent Anchor Brook Industrial Estate and Anchor Brook Industrial Park.</p> <p>Waste Water Treatment - the Westgate Sewage Pumping Station is adjacent to the south-western boundary of the permitted area.</p>
<b>Land Use Constraints and Opportunities</b>	
<b>Agricultural Land</b>	The current quarry operations are not in an agricultural area and do not affect any agricultural land. The proposed expansion site (Recordon Land) is currently used for horse grazing but has not been included in the Post 1988 Agricultural Land Classification published by Defra (see SAD Technical Appendices – Assets and Constraints Maps Updated November 2016).

<sup>10</sup> Water quality of the groundwater body does not appear to have been measured in 2015.

	Based on soil survey and using current guidelines for agricultural land classification, the supporting information provided with application 14/0619/CM has classified the Recordon Land site as 'Sub-grade 3b and 4.'
<b>Amenity – Proximity to Businesses</b>	The brickworks supplied by the quarry (Atlas Factory) is adjacent to it. There is also an industrial estate (Westgate) immediately to the SE/ SW of the permitted area. This industrial area (including Atlas Factory) is classified as Existing/ Potential High Quality Industry in the SAD (Sites IN10.1, IN10.3 and IN12.13). The part of the quarry nearest to these properties is already being worked as part of Phase 1a of the new permission (14/0619/CM). The quarry operations are screened from the adjacent industrial estate by perimeter fencing and advance tree planting, and the other industrial units also turn their backs to the site. The boundary treatment adjoining the rear of the industrial estate would be unaffected by the proposed expansion of the quarry onto the 'Recordon Land' and Condition 18 of 14/0619/CM requires this to be retained and maintained for the duration of the period of operation of the site. <b>Any revisions to working and restoration programmes would be expected to include measures to safeguard the occupiers from noise and dust.</b>
<b>Amenity – Proximity to Housing</b>	The nearest residential properties to the site are in Stubbers Green Road to the N, and in Barns Lane, Rufford Way, Pool View and Sherwood Walk to the SE. These are adjacent to the Phase III area of the previous permissions (BC24328P and 04/1603/MI/M1) but are screened from the site by perimeter fencing and advance tree planting. Under the new permission (14/0619/CM) the area of the quarry nearest to the residential properties will be worked during Phase 2. A 'buffer' of land will be retained between the site boundary and these properties and the nearest slopes will be temporarily grassed during the remaining working phases until restoration begins. In addition to this, Conditions 11 – 17 and 26 - 27 of 14/0619/CM address requirements for noise and dust management and hours of operation, and restrict the height of stockpiles to minimise visual impacts. <b>Any revisions to working and restoration programmes would be expected to include measures to safeguard residents from noise, dust and harmful visual impacts.</b>
<b>Cross-Boundary Issues</b>	Atlas Quarry is the main source of supply of brick clay to the adjacent Atlas Factory (brickworks). However, there were estimated to be only 13 years' supply remaining within the quarry at the time the application was submitted (April 2014), so if the quarry had not been allowed to expand the factory would have eventually become reliant on imports from other areas for supplies. Aldridge Factory in Brickyard Road, which is in the control of the same operator (Ibstock Brick Ltd), is already 100% reliant on imports. Until permission 14/0619/CM allowed clay to be imported from Atlas Quarry, this factory's supplies were being imported from sites outside Walsall, as its former source of supply of Etruria Marl (MP6: Highfields South) ceased operating in 2013. The quarry expansion will provide a long-term supply of Etruria Marl to both Atlas and Aldridge brickworks, reducing reliance on imports from other areas.

#### 5. Sustainability Appraisal (January 2016) – Summary of Results

##### Appraisal of SAD Policy M7 (d - e)

##### MP2: Atlas Quarry – Permitted Minerals Site and MXP3: Recordon Land – Potential New Minerals Site

Air Quality	Biodiversity & Geodiversity	Climate Change	Communities & Population	Cultural Heritage	Economy & Centres	Equality & Diversity	Health & Wellbeing	Landscape & Townscape	Material Resources	Renewable & Low Carbon Energy	Soil & Ground Conditions	Transport & Accessibility	Water Environment
SA1	SA2	SA3	SA4	SA5	SA6	SA7	SA8	SA9	SA10	SA11	SA12	SA13	SA14
0	-	?	0	0	++	0	0	-	++	0	0	0	?

##### Commentary on Sustainability Appraisal Results

<b>Overall Appraisal Score</b>	?	<p>The policy is to be applied in combination with BCCS Policies MIN3 and MIN5, and SAD Policy M6, which is a policy for the supply of clay to the brickworks in the Stubbers Green area. The policy provides further guidance for future proposals to amend the existing planning permissions, such as variation or review of working conditions, new working plans, proposals to expand the quarry, and restoration programmes.</p> <p>The effects of policy on Atlas Quarry are limited as operations are already controlled by the existing working conditions approved in 2004 which include requirements to manage noise, dust and drainage, and which are expected to be replaced by a new planning permission covering the expanded quarry once this is formally approved. The existing quarrying operations are not continuous throughout the year, and involve three or four "campaigns" of clay extraction per annum followed by stockpiling of clay to allow it to weather prior to use. The overall effects of the policy in combination with existing BCCS policies and the approved working conditions are uncertain, but are likely to be net neutral if the measures proposed to mitigate and compensate for the impacts of the quarry expansion are effective.</p>
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		<p>Effects on SA6 and SA10 are likely to be very positive, as the expansion of the quarry would allow a 25-year supply of permitted reserves of clay to be provided for both Aldridge and Atlas Brickworks, enabling them to be kept in operation throughout the plan period and beyond, and the jobs at the brickworks to be retained. However, the proposed quarry expansion would have unavoidable negative effects on biodiversity and landscape (SA2, SA9), which although temporary would be long-term, because the expanded quarry would have at least a 25-year life and the expansion would also result in the progressive loss of Dumblederry Farm SLINC (within the permitted area of the quarry) and the Recordon Land extension site (SAD Site MXP3), which is designated as Stubbers Green SINC. It is also likely to have consequential effects on flood risk and surface water management and designated sites in the vicinity of the quarry including the nearby Swan Pool &amp; The Swag SSSI, Stubbers Green Bog SSSI and Anchor Brook Valley SLINC, because of the effects on hydrology.</p> <p>The information provided with the current application indicates that it is likely to be possible to mitigate and compensate for the hydrological effects of expanding the quarry and the related risks from surface water flooding, although there is an element of doubt whether the effects on SA2, SA12 and SA14 would be net neutral. The policy therefore identifies the requirements that would have to be addressed in revised proposals for working at Atlas Quarry or for quarry expansion, reflecting the issues identified during the determination of the application.</p> <p>Evidence provided with the application indicates that the effects on other SA objectives are likely to be neutral, as there will be working conditions and regulatory controls in place to control the ongoing effects of clay extraction on nearby residential areas and highway infrastructure. The policy identifies the issues that future proposals at the quarry will be expected to address to minimise any additional harmful effects.</p>	
6. Planning History - Key Planning Applications and Permissions			
Application Ref.	Decision Date	Application Description/ Summary	Current Situation at 31.12.16
BC24328P	Permission Granted 27.07.89	<p><b>Dumblederry Farm, Stubbers Green Road, Aldridge: Erection of brickworks, ancillary offices and stockyard, extraction of Etruria Marl and restoration by infill to open space and woodland.</b></p> <p>Original mineral permission covering Atlas brickworks and quarry. Includes proposals for restoration of the quarry once working phases have been completed by infilling of the void with non-hazardous waste to previous ground levels and landscaping to provide open space and woodland habitat.</p>	Conditions varied by 02/1134/FL/M1 in 2002, later superseded by 04/1603/MI/M1.
BC27424P	Permission Granted 18.08.89	<p><b>Dumblederry Farm, Stubbers Green Road, Aldridge:Reserved Matters to BC24328P for Siting, Design and External Appearance for Brickworks, Offices (in part) Stockyard, Ancillary Works and Landscaping.</b></p> <p>Reserved Matters for design of Atlas Brickworks – approval of submitted plans.</p>	No change.
02/1134/FL/M1	Permission Granted 28.08.02	<p><b>Atlas Brickworks, Stubbers Green Road, Aldridge, Walsall WS9 8BL: Variation of conditions Nos. 11 &amp; 45 of Planning Permission BC24328P.</b></p> <p>Condition 11 related to submission of a 10 year working plan and Condition 24 related to importation of clay. All the conditions approved under BC24328P, including those varied by this permission, were subsequently superseded by new conditions approved in July 2004 (04/1603/MI/M1) – see below.</p>	Superseded by 04/1603/MI/M1.
04/1603/MI/M1	Permission Granted (ROMP) 08.11.04	<p><b>Atlas Brickworks and Quarry, Stubbers Green Road, Aldridge: New Conditions for Existing Mineral Working Permission.</b></p> <p>This is the current schedule of working conditions. Require mineral working to cease by March 2054 and restoration of site to approved levels and contours by March 2054 or three years after cessation of working, whichever is the earlier. Brickworks, ancillary offices, stockyard and stockpiles not permitted to continue after end of March 2051, or two years after the cessation of extraction, whichever is the earlier.</p>	Still the current working conditions at 31.12.16 but superseded by conditions of new permission to extend the quarry 14/0619/CM granted on 23 February 2017.
14/0619/CM	Permission Granted 23.02.17 subject to S106 Agreement	<p><b>Ibstock Brick Ltd, Atlas Quarry, Stubbers Green Road, Walsall, WS9 8BL: Extension of existing quarry workings, amendment of approved restoration scheme to enable restoration to water, exportation of clay to supply other brickworks, ecological mitigation works.</b></p> <p>Application submitted April 2014 for expansion of quarry onto adjacent Recordon Land. To include new working conditions to be applied to expanded working area and amended proposals for restoration, involving partial infilling with quarry waste to provide water body and wetland habitat, and provision of compensatory habitats on nearby sites to offset eventual loss of SINC which would occur in the final working phase. Also includes measures to mitigate effects on hydrology and consequential impacts on nearby SSSIs (Stubbers Green Bog and Swan Pool and The Swag). Planning Committee approved the scheme ‘in principle’ in April 2015 subject to</p>	No change.

		a S106 agreement covering details of hydrological monitoring, creation of habitats off site on nearby 'Mitco land' to compensate for loss of Stubbers Green SINC, and mitigation works adjacent to The Swag. Formal permission was granted in February 2017 following the signing of the S106 agreement.	
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## Permitted Site Profile – Site MP3: Birch Coppice

### 1. Site Location Plan



2. General Information and Site Characteristics	
<b>SAD Policy References</b>	Policy M9
<b>BCCS Policy References</b>	Policies MIN3 and MIN4
<b>Site Address</b>	Off Pelsall Road, Brownhills, Walsall WS8 7DL
<b>NGR</b>	403870 305360
<b>Site Area</b>	23.25
<b>Site Description</b>	Former fireclay extraction site on the edge of the urban area, comprising partly restored areas of woodland and heathland and a retained clay stocking area which supplies fireclay to the adjacent Swan Works (which manufactures pot clay blends). The site is largely screened from nearby residential properties along Pelsall Road (A4124), the Wyrley & Essington Canal and the industrial properties at Coppice Side by tree planting and landscaping on the boundaries.
<b>Land Owner</b>	Potters Clay & Coal Company Ltd/ Little Wyrley Estate
<b>Operator</b>	Potters Clay & Coal Company Ltd
<b>Mineral Type</b>	Coal and Fireclay
<b>Geological Association</b>	Upper and Lower Coal Measures (South Staffordshire Coalfield)
<b>End Products</b>	Fireclay (now stockpiled) used to manufacture pot clay blends
<b>Main Supply Outlets</b>	Swan Works (within permitted area)
<b>Operational Status at 31.03.17</b>	Quarry closed, stockpile only
<b>Estimated Annual Production</b>	Around 2,000 TPA (removed from stockpile)
<b>Estimated Permitted Reserves at 31.12.16</b>	Around 0.03 MT <sup>11</sup>
<b>Estimated Years' Supply at 31.12.16</b>	Around 15 years
<b>Estimated Void Space Requiring Restoration</b>	No significant void as the site was worked using surface extraction methods. Stockpiled clay is still being stored within the un-restored area and is removed as and when required.
<b>Restoration Status at 31.03.17</b>	Incomplete – around 2/3 of the site has been infilled and planted with trees, but the rest of the site is still being used for clay stockpiling.
3. Current Situation at 31.03.17 – Overview	
<p>Brownhills Common (see separate Site Profile for Site MP5) and Birch Coppice are both covered by the same old mineral permission granted on appeal in 1955 (EB233). It is understood that the freehold of both sites is owned by the mineral operator (Potters Clay &amp; Coal Company Ltd.) but that the former freeholder, Little Wyrley Estate, has retained the mineral rights in some of the underlying coal seams.<sup>12</sup></p> <p>Coal and fireclay extraction took place at the Birch Coppice site intermittently in the 1950s and 1960s and thereafter in a more orderly manner until a comprehensive scheme for working and restoration was approved by the West Midlands County Council in 1975 (the mineral planning authority at that time) subject to a schedule of working conditions. Subsequently, coal and clay were extracted across the whole site using opencast methods, the coal being removed off-site and the clay being stockpiled in the eastern area of the site. It is understood that the 'lower grade' clays were sold for other uses, for example, for brick manufacture, for use as puddle clay and as bulk fill material, whereas the higher grade fireclay has been supplied to the adjacent factory, Swan Works, off Pelsall Road. This factory processes different clays to produce pot clay blends, which are supplied to artisan potters, schools, colleges, etc. Stockpiled fireclay stored on the eastern part of the site is still being removed at a rate of around 2,000 TPA to supply the factory, whose head office and main factory is in Etruria, Stoke-on-Trent.</p>	

<sup>11</sup> Estimated permitted reserves and years' supply remaining are based on information provided by operator's agent (Resource UK) in his representation on behalf of Potters Clay & Coal Company Ltd in response to the Publication SAD (June 2016). Assuming a 2,000 TPA consumption rate, as advised by the operator's agent at the BCCS Examination, a 15 year supply would mean a total supply of around 30,000 tonnes (0.03 MT).

<sup>12</sup> Information provided by the operator in June 2016 further to their representation on the SAD at Publication stage.



<p>No other working conditions for the site have been approved since 1975. Pursuant to the requirements of the 1995 Environment Act, an application for new working and restoration conditions to be applied to Birch Coppice and Brownhills Common was submitted in 1997 (BC48813P) but has not been determined. Determination of the application was deferred pending the outcome of a House of Lords ruling in 1999 ('Wensley Quarries'), which established that the EIA regulations apply to ROMP applications. Further to this decision the application was determined to be EIA development, but in the absence of an environmental statement it will remain in abeyance until one is provided by the applicant.</p> <p>During the 1990s permission was also sought for a restoration programme that would allow the stockpile to remain for a longer period than allowed for in the 1975 working conditions. The Council refused permission for this in 1994, and later that year an enforcement notice was also served against an alleged breach of the conditions approved in 1975. The operator appealed against the refusal of permission and the enforcement notice. The appeal against enforcement was partly upheld, but permission was granted for the submitted phased restoration programme (BC40542P), subject to a condition requiring all restoration, drainage and landscaping works to be completed and stockpiles removed by the end of 2004. This condition has not been complied with as the stockpile remains in place, and as no enforcement action appears to have been taken within the '10 year rule' period, the condition is now considered to be un-enforceable.<sup>13</sup></p>	
<b>4. Site Constraints and Opportunities</b>	
<b>Physical Constraints and Opportunities</b>	
<b>Access</b>	<p>Vehicular Access - access to site and to Swan Works is via Pelsall Road (A4124).</p> <p>Public Rights of Way (PROWs) – there are no PROWs within the permitted area.</p> <p>The Local Highway Authority has not identified any concerns about the current access arrangements.</p>
<b>Ground Conditions</b>	<p>Within Coal Mining Development High Risk Area, also identified as a Historic Landfill Site and is in an area where contamination may have to be addressed (see SAD Technical Appendices – Assets and Constraints Maps Updated November 2016).</p> <p>First two phases of restoration were completed in accordance with approved restoration programme (BC40542P), but Phase 3 was not completed by 31.12.04 accordance with Condition 1 of permission BC40542P. This part of the site is still being used as a clay stocking area. No action was taken to enforce the Condition within the timescale allowed, and it is now believed to be unenforceable. Assuming this is the case there is nothing to prevent the clay stocking area from remaining in place until February 2042, which is the 'default' end date for all mineral permissions. There appears to be no remedy for restoring the site before 2042 unless the operator brings forward a new restoration programme sooner.</p>
<b>Current Land Use</b>	<p>Partly restored former coal and clay extraction site in the green belt subject to an old mineral permission (EB233) and an approved restoration programme (BC40542P). The western two-thirds of the site have been restored as an area of informal woodland and heathland, the remainder is still being used for stockpiling of extracted clay for use at the adjacent Swan Works, which is a factory producing pot clay blends. The existing land uses are not necessarily 'inappropriate' development in a green belt (NPPF paragraph 146) but any new after uses would be expected to maintain 'openness' and be consistent with the purposes of including land in the green belt.</p> <p><b>Alternative after uses for the clay stocking area following final restoration will be expected to be consistent with current policy requirements for land in the green belt.</b></p>
<b>Other</b>	None identified.
<b>Environmental Constraints and Opportunities</b>	
<b>Air and Noise Pollution</b>	<p>NO2 – A461 and A5 corridors</p> <p>NOISE - Important Area (A461 corridor)</p> <p>(See SAD Technical Appendices – Assets and Constraints Maps Updated November 2016)</p> <p>The continued use of part of the site for clay stocking is not likely to be generating any significant traffic emissions or noise because the stockpiled fireclay is mainly being supplied to the adjacent Swan Works, and is therefore not generating any road trips. While some dust and noise is being generated by the occasional removal of material from the stockpile, the effects are temporary and localised. The operator has confirmed that other clays are being imported by road to Swan Works from Stoke-on-Trent, but as the tonnages involved are relatively small, this is unlikely to be generating significant traffic emissions or noise. In the long-term, it may be necessary to import additional fill material to complete the restoration of the existing clay stocking area, and if material is to be imported via routes affected by air and noise pollution, the effects will need to be assessed.</p> <p><b>Proposals to import fill material for use in final restoration of the clay stocking area should be supported by up-to-date air quality and noise assessments if the proposed haulage route includes the A461 and A5 corridors.</b></p>

<sup>13</sup> There is an undetermined application (submitted in 2004) to extend the time allowed to complete the restoration to 31.12.06 (04/2709/FL/M1).

<b>Flood Risk</b>	<p>Fluvial Flooding – part of site (between restored area and clay stocking area) is within Flood Zones 2 and 3 and therefore at High to Medium risk of fluvial flooding according to E according to Environment Agency/ Walsall Council flood risk mapping (see SAD Technical Appendices - Assets and Constraints Maps Updated November 2016).</p> <p>Surface Water Flooding – part of site (between restored area and clay stocking) area are at High to Medium risk from surface water flooding according to Environment Agency long-term flood risk mapping (2016).</p> <p>There are already measures in place within the site to manage flood risk and surface water – there are balancing ponds and a drainage channel runs NE-SW across the site, separating the restored areas from the clay stocking area.</p> <p><b>Revised restoration programmes for the site should be supported by up-to-date investigations into surface water flows and a surface water management strategy.</b></p>
<b>Historic Environment</b>	<p>There are no designated historic assets within the site and the nearest designated assets are some distance away (see SAD Technical Appendices - Assets and Constraints Maps Updated November 2016 and Designated Heritage Assets – Updated November 2016).</p> <p>Any above- or below-ground archaeology within the ‘red line’ area is would have been destroyed by coal and clay extraction between the 1950s and 1980s. Wyrley &amp; Essington Canal forms part of southern boundary of site, and eastern boundary is formed by a former railway line which is still a visible feature on the landscape (though not recorded on Wolverhampton &amp; Walsall HER). HER identifies other sites in the area, including canal bridges, former canal wharf and site of ‘Jolly Collier’ PH (HER References: 9180, 9330, 9544 and 9280), Coppice Lane/ Engine Lane, of possible mediaeval origin (HER Reference: 9139), Birch Coppice (Coppice Lane Wood) semi-natural ancient woodland also designated as SLINC (HER Reference: 4475), site of former late C18th/ early C19th house adjacent to the woodland (Woodside, later Coombe House) (HER Reference: 9282), and site of Big House Farm and former mining and industrial uses on land now occupied by Coppice Side Industrial Estate (HER References: 9328, 9179 and 9266). The embankment of a dismantled railway line (not recorded in the HER) also runs along the eastern boundary of the site. This was part of the ‘Walsall Wood Extension’ line developed in the 1880s by Midland Railways to serve the collieries in this area. It carried passengers between 1884 and 1930, then reverted to being a freight line only before finally closing in 1962.</p>
<b>Landscape Character</b>	<p>Partly restored former mineral extraction site in the green belt on the edge of the urban area, comprising an area of woodland/ scrub and an active clay stocking area. There is an adjacent pot clay factory (Swan Works) to the south, otherwise, the surrounding land uses are industry to the west (Coppice Side Industrial Estate), housing to the south and east, and open land (naturally regenerated woodland/ scrub) to the north.</p> <p>National Nature Natural Area 43: Midlands Plateau</p> <p>National Character Area 67: Cannock Chase and Cank Wood</p> <p>Black Country HLC Character Area WL13: Pelsall<sup>14</sup></p> <p>Around two-thirds of the site have been restored as an area of woodland/ heathland, the remainder is being used for clay stocking.</p>
<b>Natural Environment</b>	<p>No designated nature conservation areas within the site, but it is adjacent to Coppice Lane Wood, an area of Ancient Woodland that is also designated as a SLINC, and the Wyrley &amp; Essington Canal which forms part of the southern boundary of the site and has been designated as a SLINC and LNR. The site is also near to Brownhills Common SINC which lies to the north of Coppice Lane (see SAD Technical Appendices – Assets and Constraints Maps Updated November 2016 and Nature Conservation Designated Sites and Assets, LNRs, Ancient Woodland and Sites WA009, WA013 and WA014). These sites together provide a variety of woodland, wetland and heathland habitats.</p> <p>Pre-WW2 OS maps show that the permitted site was previously an area of woodland (Birch Coppice). While most of the permitted area has now been restored as an area of birch woodland, about a third of the site is still being used as a clay stocking area and has not been restored. Continued use of this area may be having some impacts on adjoining land from disturbance and severance, although operations to remove clay from the stockpile are intermittent not continuous. Restoration would compensate for the habitats lost and enhance biodiversity by restoring links between habitats.</p> <p><b>Any new after-uses proposed for the clay stocking area following final restoration should include wildlife habitats complementary to those present within nearby designated sites.</b></p>
<b>Water Resources and Water Quality</b>	<p>Secondary A Aquifer (Bedrock)</p> <p>Site is within catchment of the following water bodies:</p> <p>Groundwater – GB40402G990800: Tame Anker Mease - Secondary Combined</p> <p>Surface Water – GB104028046990: Ford Brook from Source to River Tame</p>

<sup>14</sup> Walsall Council has not prepared a Countryside Area Profile covering this area.



	Humber RBMP (2009), Annex B and Humber RBMP (2015) indicate that these water bodies are currently failing the standards set by the Water Framework Directive (WFD) and are not expected to achieve overall 'good' status against all measures until 2027. <sup>15</sup> The main pressures on the Ford Brook identified in 2015 were physical modifications, diffuse and point source pollution with ammonia and dissolved oxygen from urban development, and point source pollution with ammonia and phosphate from waste water treatment/ sewage discharge.
<b>Infrastructure/ Utility Constraints and Opportunities</b>	
<b>Highway Capacity</b>	<p>No significant highway capacity issues have been identified by the Local Highway Authority.</p> <p>The overall effects of the existing operations on highway capacity are minimal. The remaining stockpile of fireclay is mainly supplying the adjacent Swan Works which has no impact on highway capacity. The import of other clays to the factory from the company's main site in Stoke-on-Trent is also unlikely to be having a significant effect on highway capacity because the tonnages imported are not significant. It is possible that imported fill material will be required to complete the restoration of the existing clay stocking area, in which case there would be a temporary increase in road trips.</p> <p><b>Proposals to import fill material for use in final restoration of the clay stocking area should be supported by an up-to-date transport assessment.</b></p>
<b>Other Infrastructure / Utilities</b>	<p>Canal Network – the Wyrley &amp; Essington Canal runs along part of the southern boundary of the site.</p> <p>Electricity Distribution – there are two electricity sub-stations within the Coppice Side Industrial Estate which are around 100 - 120m from the western boundary of the site.</p> <p>Rail Infrastructure - dismantled section of 'Walsall Wood Extension' railway line (on embankment) runs along the western boundary of the site. The track bed has been removed and the alignment severed by development in a number of locations, and is unlikely to be feasible for re-instatement.</p> <p>Surface Water Management - there is a drainage channel running NE-SW across the site (see Flood Risk).</p>
<b>Land Use Constraints and Opportunities</b>	
<b>Agricultural Land</b>	The site is not in an agricultural area, and before mineral working took place it was an area of woodland (Birch Coppice – shown on OS 1 <sup>st</sup> edition map). Most of the site has now been restored as woodland.
<b>Amenity – Proximity to Businesses</b>	Coppice Side Industrial Estate adjoins the site to the west, however, the units immediately adjacent to the site boundary are in general industrial/ warehousing uses. There are currently no potentially sensitive business uses adjoining the site, such as food manufacture, packaging and storage.
<b>Amenity – Proximity to Housing</b>	<p>Clay stocking area and Swan Works adjoin housing fronting onto Pelsall Road. If restoration works resume/ intensify within the clay stocking area, there could be amenity impacts in the short-term. There is a record of a flat (presumably for a caretaker/ concierge) within Lichfield House off Coppice Side (part of the industrial estate), which is less than 150m away from the western boundary of the site, but this is unlikely to be affected by any current or future operations within the site, as the clay stocking area is around 350m away from this building.</p> <p><b>Any proposals for future restoration of the clay stocking area should include mitigation of effects on amenity of nearby residential properties from noise, dust and traffic.</b></p>
<b>Cross-Boundary Issues</b>	Operator of Swan Works is based in Stoke-on-Trent. It is understood that the factory obtains supplies of other clays from that area, although the quantities of material imported are not believed to be significant, and no concerns have been raised by Staffordshire County Council or Stoke-on-Trent City Council.

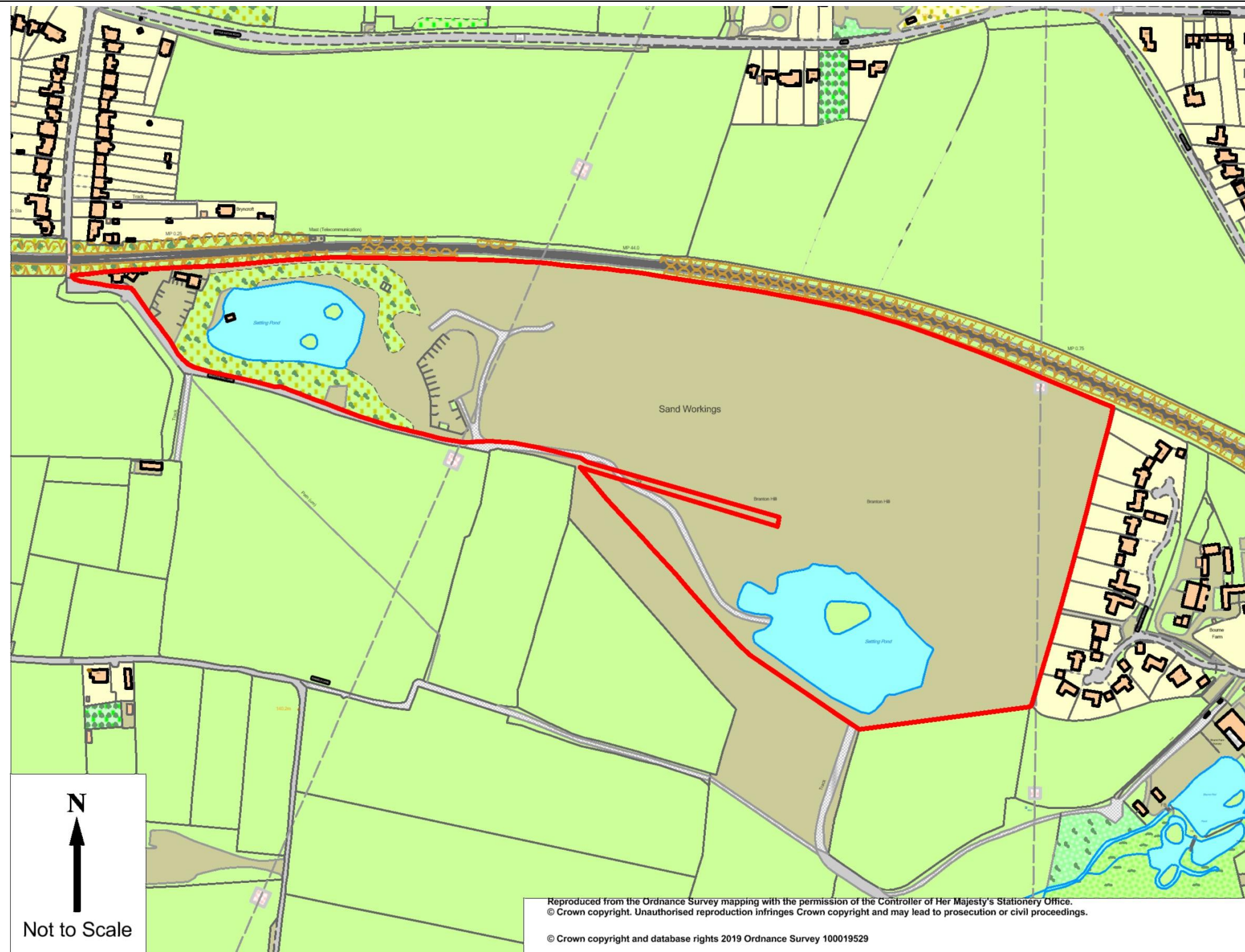
<sup>15</sup> Water quality of the groundwater body does not appear to have been measured in 2015.

5. Sustainability Appraisal (January 2016) – Summary of Results													
Appraisal of SAD Policy M9 (b - e): MP3: Birch Coppice													
Air Quality	Biodiversity & Geodiversity	Climate Change	Communities & Population	Cultural Heritage	Economy & Centres	Equality & Diversity	Health & Wellbeing	Landscape & Townscape	Material Resources	Renewable & Low Carbon Energy	Soil & Ground Conditions	Transport & Accessibility	Water Environment
SA1	SA2	SA3	SA4	SA5	SA6	SA7	SA8	SA9	SA10	SA11	SA12	SA13	SA14
0	0	0	+	?	?	?	0	+	0	0	+	0	0
Commentary on Sustainability Appraisal Results													
Overall Appraisal Score	+	<p>The SAD policy is intended to replace ‘saved’ UDP Policy M7 and is to be applied in combination with BCCS Policies MIN3, MIN4 and MIN5. The policy provides further guidance for future proposals relating to this site, which has not been fully restored and retains a stockpile of clay on part of the site.</p> <p>The policy recognises that the final restoration of the site is overdue, and that there is also an outstanding application for new working conditions to be applied to this site and to the Land at Brownhills Common (MP5) which is subject to the same old mineral permission. The application is in abeyance pending the submission of an environmental statement. The main objective of the policy is to secure the removal of the remaining clay stockpile and complete the final phase of restoration of Birch Coppice as soon as possible.</p> <p>The policy is therefore likely to have positive effects overall. Effects on SA4, SA9 and SA12 would be positive, as completing the restoration would improve the amenity of nearby residents, as well as enhancing the landscape and improving the ground conditions of the site. While effects on supply of clay at Swan Works are uncertain, the remaining reserves are limited and could be stored more efficiently, so it is unlikely to have significant harmful effects on the business.</p> <p>Effects on other SA Objectives are likely to be neutral overall.</p>											
6. Planning History - Key Planning Applications and Permissions													
Application Ref.	Decision Date	Application Description/ Summary									Current Situation at 31.12.16		
EB233	Permission Granted Subject to Conditions 28.01.54	<p><b>Land at Brownhills: Winning and Working of Clay and Coal by Underground and Surface Mining</b></p> <p>Permission was granted on appeal and covers two separate sites, Brownhills Common and Birch Coppice, both in Walsall. Restoration conditions and a working plan for both sites were imposed by the Secretary of State in a letter dated 9 December 1955 after negotiations between the operator and the Council broke down.</p> <p>A schedule of working conditions for the Birch Coppice Site was subsequently approved and registered under permission EB233 on 01.09.75 by the West Midlands County Council (WMCC), which was the mineral planning authority at the time. These conditions required all clay stockpiles to be removed not later than 31.12.88 but permission was subsequently granted on appeal to extend this to 31.12.04 (see BC48813P below).</p>									<p>Conditions approved by WMCC in 1975 may still have effect as no other conditions have been approved. Working has ceased and no permitted reserves remain, although clay is still being stockpiled on the eastern part of the site which remains un-restored.</p>		
BC33499P	Refused 07.07.92	<p><b>Birch Coppice Site, Pelsall Road, Brownhills: Request for agreed extension to period allowed for stocking of clays on land occupied by Potters Clay &amp; Coal Company</b></p> <p>This application sought to extend the period allowed for clay stocking for a further five years beyond the time allowed in the conditions approved in 1975 under mineral permission EB233. The application was refused by the Council on the grounds that it was contrary to emerging UDP policy, and had not been demonstrated that amenity and environmental effects could be kept within limits or that need for clay outweighed MPA’s objectives to secure early restoration. The applicant appealed against the decision but subsequently withdrew the appeal.</p>									<p>Revised application BC40542P was subsequently submitted and approved following an appeal – see below.</p>		

BC48813P	Not Determined (ROMP)	<p><b>Conditions to be applied to Mineral Working Permission EB233: Brownhills Common and Birch Coppice</b></p> <p>Application for modern conditions submitted in 1997. At the time of submission, it was uncertain whether applications to review mineral conditions were subject to EIA. However, the 'Wensley Quarries' House of Lords ruling in 1999 established that they are. Until an environmental statement is provided in accordance with the current EIA Regulations, the Council may not determine the application.</p>	The application remains 'stalled' pending the submission of an environmental statement.
BC40542P	<p>Refused 27.07.94</p> <p>Appeal Decision: Upheld – Grant Permission Subject to Conditions 01.02.96</p>	<p><b>Birch Coppice Site, Pelsall Road, Brownhills: Request for an Extension of Time for Continued Clay Stocking and Restoration</b></p> <p>Application for phased restoration of Birch Coppice site. Permission was sought for three phases of restoration, and a programme was submitted, indicating that all restoration would be completed by 31.12.04. Permission was refused on 27 July 1994 on the grounds that it was contrary to UDP Policy MWD7, in that the proposed period of working and removal of clay stockpiles would have an unacceptable impact on the amenity of the area and completion of the restoration scheme by 2004 would unacceptably extend the timescale for restoration.</p> <p>Clay continued to be stocked on the site contrary to the conditions of the original permission EB233 and the conditions approved in 1975 by WMCC, and an enforcement notice was served on 06.11.94 against the breach of planning control. The operator appealed against the notice and refusal of planning permission, and the appeal was partly upheld. The Inspector granted permission for the restoration programme subject to conditions. Condition 1 requires restoration to proceed in accordance with the phasing specified in the approved programme, and specified the following timescales for completion of each restoration phase: Phase 1A – 31.12.96, Phase 1B – 31.12.97, Phase 2 – 31.12.00 and Phase 3 – 31.12.04.</p> <p>However, Phase 3 of the restoration was not completed by the specified end date, and the stockpile remains in place within this area. No action was taken to enforce the Condition within the time allowed (i.e. 10 years), so it is no longer enforceable. Unless the operator seeks to remove the stockpile and restore the site sooner, there is nothing to stop it from remaining in place until February 2042, which is the default end date for all mineral permissions.</p>	Phases 1A, 1B and 2 completed and most of site has now been restored to woodland. However, Phase 3 was not completed by the due date and the breach of condition is now unenforceable - see 04/2709/FL/M1 below.
BC61541P	<p>Permission Granted Subject to Conditions 28.06.00</p>	<p><b>Pot Clays Ltd, Swan Works, Birch Coppice, Pelsall Road, Brownhills: Modification of Phased Restoration Arrangements at Birch Coppice</b></p> <p>Amendments approved did not affect phasing or end date of restoration.</p>	See 04/2709/FL/M1 below.
04/2709/FL/M1	Not Determined	<p><b>Birch Coppice Site, Pelsall Road, Brownhills: Extension of Time to Allow for Completion of Phased Restoration to December 2006</b></p> <p>Still a current application, the proposed end date has now expired.</p>	This application remains in abeyance and there is little point in determining it now as the proposed end date has expired and the Condition it sought to vary is now unenforceable.

## Permitted Minerals Site Profile – Site MP4: Branton Hill Quarry<sup>16</sup>

### 1. Site Location Plan



<sup>16</sup> The information for this site also includes information on the proposed quarry extension which includes land to the south within the Branton Hill Area of Search identified in the SAD (MXA2).



2. General Information and Site Characteristics	
<b>SAD Policy References</b>	Policy M5
<b>BCCS Policy References</b>	Policy MIN2
<b>Site Address</b>	30a Branton Hill Lane, Aldridge, Walsall, WS9 0NS
<b>NGR</b>	406770 302710
<b>Site Area</b>	15.17 hectares
<b>Site Description</b>	Former sand quarry, landfill site and recycling facility, parts of which have been restored as wetland habitats/ open space. Infilling of quarry voids has been completed but restoration and landscaping are still underway on parts of the site. The site is not highly visible from the surrounding area being largely screened by site levels, retained hedges/ tree planting and a railway embankment.
<b>Land Owner</b>	Mr J Bliss
<b>Operator</b>	Jack Moody Ltd
<b>Mineral Type</b>	Sand
<b>Geological Association</b>	Triassic (Sherwood Sandstone, Kidderminster Formation)
<b>End Products</b>	Building sand and secondary/ recycled aggregates
<b>Main Supply Outlets</b>	Mostly local builders
<b>Operational Status at 31.03.17</b>	Inactive
<b>Estimated Annual Production</b>	Variable but in later years typically <10,000 TPA
<b>Estimated Permitted Reserves at 31.12.16</b>	Negligible
<b>Estimated Years' Supply at 31.12.16</b>	Probably none
<b>Estimated Void Space Requiring Restoration</b>	Negligible <sup>17</sup>
<b>Restoration Status at 31.03.17</b>	Not started
3. Current Situation at 31.03.17 – Overview	
<p>Operations ceased in May 2013 and the site was still inactive at the end of December 2016. When it was in operation the quarry was producing building sand and secondary/ recycled aggregates, and was operated under mineral permissions granted in 1962 and 1971 (EA3966 and EAB2352) and a CLEUD for the recycling and recovery operations issued in 2000 (BC61721P). In recent years annual production of primary building sand was very limited. Annual production of secondary and recycled aggregate at this site was around 25,000 TPA according to a more recent planning application to relocate the quarry access road and the recycling area (11/0943/FL – see below). When the quarry was in operation, the direction of working generally proceeded in a west to east direction, with progressive infilling of previously-worked areas with quarry spoil and imported inert construction, demolition and excavation waste.</p> <p>The Branton Hill Quarry SINC is located within the permitted area and covers two sites: a wetland area on part of the original quarry which was developed as part of the restoration of this area, and a section of exposed sandstone face with retained hedgerow in the area that has been worked most recently. The existing permitted areas have now been infilled and final restoration and landscaping is underway.</p> <p>The original access to the quarry was off Branton Hill Lane, a narrow lane unsuitable for large quarry traffic that crosses a railway bridge and runs through a residential area. It was also remote from the areas worked most recently and the proposed extension area. To address this problem, planning permission was granted for a new access to the quarry off the A452 Chester Road in 2009 (06/0169/OL/E4). This included outline</p>	

<sup>17</sup> The void space of this site is currently 0 according to the 2016 Remaining Landfill Capacity data released by the Environment Agency in January 2018, although it was estimated to be around 100 cubic metres at the end of 2015. Although infilling of the existing permitted areas has been completed, final restoration and landscaping of these areas is still not complete, which may require importation of some inert waste.

<p>planning permission for a small housing development at Bourne Farm to help fund the construction of the new access, which was originally to be shared with the new housing. Permission was subsequently granted for a new access road on a different alignment, not shared with the housing, in October 2013 (11/0943/FL). As it was still intended that the housing scheme would part fund the new quarry access road, a time extension for submission of Reserved Matters pursuant to 06/0169/OL/E4 was approved at the same time (11/1033/FL), and details of the new housing were approved in 2015 (14/1146/RM). At the end of March the new quarry access road was almost completed and the housing development was under construction.<sup>18</sup></p> <p>An appeal against modern conditions approved by the Council in 1999 (BC52105P) is still in abeyance pending consideration of another application for an extension to the quarry (BC64995P). This application was itself in abeyance for several years, pending the resolution of the access constraint issues, which have now been addressed through the permission for a new access road directly off the A452 Chester Road which has been partly built (see above). The application for the quarry extension had still not been determined at the end of March 2017 but updated supporting information had been submitted by the applicant, and it is expected to be determined in 2018.</p>	
<b>4. Site Constraints and Opportunities</b>	
<b>Physical Constraints and Opportunities</b>	
<b>Access</b>	<p>Vehicular Access – original quarry access via Branton Hill Lane onto Chester Road (A452) was unsatisfactory as it involved and heavy vehicles crossing a narrow railway bridge and running through a residential area. Permission was granted in October 2013 (11/0943/FL) for a new quarry access road on a different alignment directly off Chester Road, which has mostly been completed, although some works were still to be done at the end of December 2016. There are conditions and a S106 agreement attached to the permission that require the former access off Branton Hill Lane to be permanently closed once the new access has been completed and brought into use. Once this has been fully implemented there should be no outstanding access issues for the permitted site including the relocated recycling area (also approved under 11/0943/FL) and the proposed southern extension (application BC64995P).</p> <p>Public Rights of Way (PROWs) – previous quarrying operations have removed part of a Definitive PROW (Ald37). The new access road crosses another Definitive PROW (Ald38), therefore Conditions 5 and 6 of 11/0943/FL require public access to be maintained through installation of crossing points with 'kissing gates' and warning signs for pedestrians. The quarry extension proposal (BC64995P) potentially affects a third Definitive PROW (Ald36). Before working could commence, the PROWs affected would have to be diverted to maintain public access throughout the working life of the site including the restoration phases. This would require the necessary Orders to be made by the Council (or by the Secretary of State in the event of objections), and would be subject to agreement with the local highway authority.</p> <p><b>Approval of the proposed extension area should be conditional on the permanent closure of the former access off Branton Hill Lane, and on addressing effects of existing and proposed development on Definitive PROWs Ald36, Ald37 and Ald38.</b></p>
<b>Ground Conditions</b>	<p>Site is identified as Operational Landfill Site and is in an area where contamination may have to be addressed (see SAD Technical Appendices – Assets and Constraints Maps Updated November 2016).</p> <p>Permitted area is a former landfill site which was subject to infilling with inert waste before the quarry closed in accordance with the approved working conditions (BC52105P - subject to appeal). There is still an inert landfill Waste Permit in place. Although no void space remains, final restoration and landscaping is still underway and has not been completed across the whole site. The approved working conditions require the permitted areas of EA3966 and EAB2352 to be restored to 'beneficial' after uses appropriate to the green belt location. The quarry extension proposal (BC64995P) is supported by a Landscape and Restoration Masterplan which proposes that part of the existing permitted area ('CLEUD' relocation area) be restored as a recycling facility in accordance with permission 11/0943/FL. It is proposed that the after use of the remainder will be agricultural land, woodland and wetland habitats. The area to be occupied by the recycling facility has been infilled to lower contour levels than the rest of the site, with soil storage bunds around it, to help screen the operations from the surrounding land.</p> <p><b>Approval of the proposed extension area should be conditional on the submission of a comprehensive restoration programme to complete the restoration of the existing permitted areas and the proposed extension area within an appropriate timescale, and to a standard that will support appropriate and beneficial after uses.</b></p>
<b>Current Land Use</b>	<p>Former sand quarry and inert landfill site in the green belt, subject to three old mineral permissions (IDO1144, EA3966 and EAB2352).</p> <p>Land to the south, proposed as an extension to the quarry (BC64995P) is in agricultural use. Parts of the existing permitted areas (around 4.2 hectares of the site) were also used for open storage, blending and recycling of inert construction and demolition waste, under a CLEUD issued in 2000 (BC61721P). There is planning permission to consolidate and relocate the recycling operations to another part of the permitted area (11/0943/FL). Mineral extraction and engineering for the purposes of quarry restoration are not regarded as 'inappropriate' development in the Green Belt (NPPF paragraph 146). The recycling operations have been deemed lawful under the CLEUD and may therefore continue to operate after mineral working ceases.</p> <p><b>Alternative after uses for the previously-worked areas (other than the 'CLEUD' site for recycling) and proposed extension site will be expected to be consistent with current policy requirements for land in the green belt.</b></p>
<b>Other</b>	None identified.

<sup>18</sup> The housing development has since been completed.

Environmental Constraints and Opportunities	
<b>Air and Noise Pollution</b>	<p>Not in an area where limit values for NO<sub>2</sub> are currently being exceeded or in a Strategic Noise Area (see SAD Technical Appendices – Assets and Constraints Maps Updated November 2016).</p> <p>Approved working conditions (Conditions A8 - A20 of BC52105P - assuming they have effect) require measures to control dust and noise. The quarry extension proposal (BC64995P) is supported by assessments of dust and particulates.</p> <p><b>Revised proposals for quarry expansion, relocation of recycling area and restoration should include measures to control dust and noise.</b></p>
<b>Flood Risk</b>	<p>Fluvial Flooding – Low Risk according to Environment Agency/ Walsall Council flood risk mapping (see SAD Technical Appendices - Assets and Constraints Maps Updated November 2016).</p> <p>Surface Water Flooding – pockets of land within the permitted area are at High to Medium risk according to Environment Agency long-term flood risk mapping (2016), and there is a stream running across the proposed extension site, which is also at High to Medium risk.</p> <p>The partly restored areas of the site near to Branton Hill Lane include wetland habitats which are providing some drainage. The quarry extension proposal (BC64995P) is supported by updated information on flood risk and hydrology.</p> <p><b>Revised proposals for quarry expansion, relocation of recycling area and restoration should include up-to-date investigations into surface water flows and a surface water management strategy.</b></p>
<b>Historic Environment</b>	<p>No designated heritage assets within the existing permitted area or the area of search around it (MXA2: Branton Hill) although there are a number of buildings on the 'Local List' nearby (see SAD Technical Appendices – Assets and Constraints Maps Updated November 2016, see also Council website for Register of Locally Listed Buildings). These are as follows:</p> <p><b>Branton Hill Lane Railway Bridge (1879)</b>, carries Branton Hill Lane over the former Midland Railway Water Orton Branch. Blue engineering brick, has three segmental arches and brick parapet, piers have semi-circular relieving arches.</p> <p><b>Chester Road Railway Bridge (1879)</b>, carries the former Midland Railway Water Orton Branch over Chester Road. Blue engineering brick, has a large-span segmental arch built on a skew.</p> <p><b>Bourne Farm (Early-mid C19th)</b>, Chester Road, farm house, stucco-faced, with sash windows and steep pitched tile roof.</p> <p><b>Bourne Vale Pumping Station (1894)</b>, Chester Road, built by South Staffs Water Co. Brick, Italianate in style, has two stories with hipped slate roof culminating in a skylight, pilasters and strings in brick, round-arched openings, with a 3-bay street frontage.</p> <p>There are also various records on the Walsall &amp; Wolverhampton HER in the surrounding area, suggesting there may be potential for below ground archaeological remains within the proposed southern quarry extension site. Relevant records are reproduced in an Archaeology Report submitted with application 11/0943/FL for new quarry access road and relocated recycling area. This identifies potential impact from new access road on Loaches Banks (earthworks believed to be Iron Age in date), therefore Condition 8 of 11/0943/FL requires archaeological evaluation to be carried out in advance of development. The quarry extension proposal (BC64995P) is supported by updated information about impacts on archaeology and the historic environment.</p> <p><b>Revised proposals for quarry expansion, relocation of recycling area and restoration should address potential effects on the setting of buildings and structures on the Local List and on above- and below-ground archaeology.</b></p>
<b>Landscape Character</b>	<p>Open land designated as Green Belt.</p> <p>National Nature Natural Area 43: Midlands Plateau</p> <p>National Character Area 67: Cannock Chase and Cank Wood</p> <p>Walsall Countryside Area Profile: East of Aldridge</p> <p>Black Country HLC Character Area WL09: Barr Beacon &amp; Aldridge Fields.</p> <p>Conditions 17 - 19 of permission 11/0943/FL for new access road required prior approval of landscaping, boundary treatment and geological recording before development commenced. Existing permitted areas of quarry have now been infilled, but final restoration and landscaping are not complete. Application BC64995P includes a Landscape and Restoration Masterplan which proposes to restore these areas – with the exception of the recycling area - as open grazing land and woodland. Similar restoration is proposed for the quarry extension area. Recycling area to be screened from other restored areas by lower ground levels and tree planting.</p> <p><b>Revised proposals for quarry expansion, relocation of recycling area and restoration should address any harmful effects on landscape character throughout the life of the operations and include appropriate arrangements for after-care and long-term management.</b></p>
<b>Natural Environment</b>	<p>Parts of the existing permitted area have been designated as Branton Hill Quarry SINC. The SINC is in two parts comprising a pond and surrounding wetland on part of the original quarry area, and a section of exposed sandstone face and retained hedgerow adjacent to the final working phase area. The approved working conditions (BC52105P) require retention of trees and hedgerows along the site boundary, but these conditions are subject to an appeal which has been in abeyance since 1999 and have not been enforced. There are several SLINCs in the vicinity of the site and</p>

	<p>the proposed extension area: Daniel's Lane Hedges SLINC, Branton Hill Lane Hedge SLINC, Corporation Wood and Tower's Covert SLINC, Osier Beds SLINC and Bourne Pool SLINC (see Assets and Constraints – Updated November 2016 and Nature Conservation Designated Sites and Assets, Sites WA033, WA034, WA037, WA125, WA126, WA127, WA128).</p> <p>Application BC64995P for the proposed quarry extension includes an Ecological Impact Assessment which considers the impact of the proposed quarry extension on habitats and species. It also includes a Landscape and Restoration Masterplan which proposes to retain and enhance the SINC and other remaining hedgerows and complementary restoration of surrounding land as open grazing land and woodland.</p> <p><b>Revised proposals for quarry expansion, relocation of recycling area and restoration should address potential effects on the SINC and SLINC, and any protected species and priority habitats present within the site and the surrounding area.</b></p>
<b>Water Resources and Water Quality</b>	<p>Principal Aquifer (Bedrock), Groundwater SPZ (Zone 3 - Total Catchment)</p> <p>Site is within catchment of the following water bodies:</p> <p>Groundwater - GB40401G301000: Tame Anker Mease - PT Sandstone Birmingham Lichfield</p> <p>Surface Water - GB104028046450: Fotherley Brook from Source to Black-Bourne Brook</p> <p>Humber RBMP (2009), Annex B and Humber RBMP (2015) indicate that these water bodies are currently failing the standards set by the Water Framework Directive (WFD) and are not expected to achieve overall 'good' status against all measures until 2027. The main pressures on the groundwater body identified in 2015 were diffuse pollution from agricultural chemicals/ changes to abstraction and flow, and the main pressures on the Fotherley Brook catchment were point source pollution with ammonia, phosphate and dissolved oxygen from waste water treatment/ sewage discharge.</p> <p>Risks to groundwater from permitted operations are controlled by working conditions including a requirement for infill with inert materials only (Conditions 12 – 14 and 23 of BC61247P). Although these conditions are subject to appeal, infilling with inert waste is also a requirement of the landfill permit which is regulated by the Environment Agency. The impact of restoration works and the proposed quarry extension (BC64995P) on the achievement of the WFD objectives also needs to be considered.</p> <p><b>Revised proposals for quarry expansion, relocation of recycling area and restoration should be supported by an up-to-date hydrological assessment.</b></p>
<b>Infrastructure/ Utility Constraints and Opportunities</b>	
<b>Highway Capacity</b>	No issues have been identified by the Local Highway Authority.
<b>Other Infrastructure/ Utilities</b>	<p>Education – there is a secondary school (St. Francis of Assisi Catholic Technology College) to the west of the site, whose playing fields are adjacent to the proposed extension area. The school buildings are within 300m of the extension area.</p> <p>Electricity Distribution – there is an overhead power line running across the site, which is a constraint to working within the proposed extension area, although it is unlikely to have been a significant constraint to mineral working within the existing permitted area because it only affects the site fringes. Supporting information on safe working around the power lines has been provided with BC64995P.</p> <p>Telecommunications – there is a telecommunications mast on railway operational land to the north of the site on the opposite side of the railway line.</p> <p>Water Supply – Bourne Vale Pumping Station (South Staffordshire Water) is located about 250m to the south-east of the site, off Chester Road (A452).</p> <p><b>Quarry expansion and restoration proposals should be supported by details of measures to maintain safety around the overhead power lines.</b></p>
<b>Land Use Constraints and Opportunities</b>	
<b>Agricultural Land</b>	<p>The permitted site was previously used as agricultural land, and there is agricultural land adjacent to it including the proposed southern extension site (BC64995P). The agricultural land in this area has not been included in the Post 1988 Agricultural Land Classification published by Defra (see SAD Technical Appendices – Assets and Constraints Maps Updated November 2016).</p> <p>The agricultural land in this area is also not included in the MAFF Agricultural Land Classification of Aldridge and Brownhills (1981), which shows Grade 2 and 3a land north of the railway line and beyond. WMBC aerial photographs show that the proposed extension area has been in continued use for agriculture since 2004, sometimes being used as pasture and sometimes as arable (2013 aerial photograph shows all the land as arable).</p> <p><b>Revised proposals for quarry expansion, relocation of recycling area and restoration should be supported by details of impacts on agricultural land and how such impacts will be managed throughout the lifetime of the operations and in the long-term.</b></p>



<b>Amenity – Proximity to Businesses</b>	<p>The nearest business premises are Simons Restaurant (at Bourne Farm) about 180m to the east of the permitted site boundary, Wheat's garden centre around 120 - 150m to the south-east of the permitted site boundary, and Bourne Vale Pumping Station around 250m to the south-east of the permitted site boundary, all off the A452 (Chester Road). If approved, the proposed southern extension to the quarry (application BC64995P) would bring quarry operations much closer to the garden centre and pumping station.</p> <p>Impacts on the restaurant would be mitigated by the re-routing of quarry traffic via the proposed new access road. Conditions of the permission for this (11/0943/FL) also prohibit use of the existing access once the new access road is built, control potential impacts on amenity and safety from pollution, noise and dust and traffic, require prior approval of a landscaping scheme, and restrict hours of operation. The potential effects of the quarry extension on the garden centre and pumping station will also need to be considered before the current application is determined.</p> <p><b>Revised proposals for quarry expansion, relocation of recycling area and restoration should include measures to control effects on amenity of local businesses from noise, dust, vibration, traffic and other effects likely to arise from the site operations.</b></p>
<b>Amenity – Proximity to Housing</b>	<p>There are new properties at Bourne Farm near the eastern boundary of the permitted area. These were constructed during 2015 and 2016 as 'enabling development' to help fund the construction of the new quarry access road (see below). There are also residential properties on Branton Hill Lane on the opposite side of railway line, less than 50m from the permitted area boundary, there is a bungalow on opposite side of Chester Road around 260m from the permitted area boundary, and there is a group of cottages next to Bourne Vale Pumping Station around 300m from the permitted area boundary. There are also properties on Daniel's Lane within 50 – 60m of the boundary of the proposed southern quarry extension area, and properties at Bourne Vale within 200m of the boundary of this area.</p> <p>While in recent years the working areas were a significant distance away from any residential properties, the operation of the quarry was still having harmful effects on the amenity of the properties on Branton Hill Lane because the access to the quarry was off this road so quarry traffic was continuing to use it. These effects have now been addressed through the construction of a new quarry haul road directly off the A452 (Chester Road) which avoids residential areas. Permission for this was granted in October 2013 (11/0943/FL) and it was mostly completed during 2015 and 2016.</p> <p>The main recycling area operating under the CLEUD (BC61721P) was around 200 – 300m away from the properties on Branton Hill Lane, but permission 11/0943/FL proposes to consolidate the recycling operations and relocate them onto another part of the permitted site which is further away. The effect of this is that the recycling operations will be much closer to the new residential properties at Bourne Farm. The nearest of these properties is only around 50m away from the new recycling area. The Landscape and Restoration Masterplan provided with application BC64995P for the quarry extension (still not determined) proposes that acoustic and visual screening will be provided by site levels (the recycling area being located at a lower level than the surrounding land), landscaping and tree planting.</p> <p><b>Revised proposals for quarry expansion, relocation of recycling area and restoration should include measures to control effects on amenity of residential properties and the school from noise, dust, vibration, traffic and other effects likely to arise from the site operations.</b></p>
<b>Cross-Boundary Issues</b>	<p>Site is close to boundary with Lichfield District in Staffordshire County. Potential for impacts on residents in Stonnall village and surrounding settlements in Lichfield. Also potential impacts on Staffordshire County highway infrastructure (e.g. A452, A461) from HGV traffic associated with further operations at the site, if material is transported to the site to and from that direction. Some potential for indirect benefits, if final restoration provides an amenity that meets the objectives of all three authorities towards local landscape character, biodiversity and outdoor recreation.</p> <p><b>Where proposals for quarry expansion, relocation of recycling area and restoration could affect residents in adjoining parts of Lichfield, applications should provide details of measures proposed to mitigate the effects.</b></p>

## 5. Sustainability Appraisal (January 2016) – Summary of Results

### Appraisal of SAD Policy M5 (f – g): Branton Hill Quarry

Air Quality	Biodiversity & Geodiversity	Climate Change	Communities & Population	Cultural Heritage	Economy & Centres	Equality & Diversity	Health & Wellbeing	Landscape & Townscape	Material Resources	Renewable & Low Carbon Energy	Soil & Ground Conditions	Transport & Accessibility	Water Environment
SA1	SA2	SA3	SA4	SA5	SA6	SA7	SA8	SA9	SA10	SA11	SA12	SA13	SA14
0	+	0	?	0	?	?	+	+	0	0	+	?	0

Commentary on Sustainability Appraisal Results			
Overall Appraisal Score	?	The overall effects on the SA objectives are uncertain because there are site constraints which need to be addressed as part of any restoration programme, and there is also uncertainty about whether a final restoration and landscaping programme comes forward at all, and whether the determination of the current application for an extension to the quarry will provide a means of addressing this.	
		Assuming that a restoration programme comes forward, the policy is likely to have positive effects on SA2, SA8, SA9 and SA12, as it provides a framework for evaluating proposals to complete the final restoration and landscaping of the previously worked areas of the site to a standard that can support a beneficial open space/ wildlife habitat end use, and the proposed consolidation and relocation of the recycling area, and reinstate links to the public rights of way network to provide public access to the restored areas.	
		Effects on most other SA Objectives are likely to be neutral overall as the policy identifies the main areas where restoration operations could have harmful effects (e.g. on biodiversity, water resources within the SPZ, risks from overhead power line, flood risk) and requires these to be addressed. Effects on people living in Branton Hill Lane who were previously affected by quarry traffic (SA4, SA7) and on the highway network (SA13) are uncertain, as this depends on whether proposed new access road is built and is used to access the site for the purpose of restoration.	
		However, policy does require applicant to address harmful effects on amenity of nearby residential and business properties. Effects on SA6 also uncertain as infilling has largely been completed and the final restoration is unlikely to provide much opportunity for waste disposal although the relocation and re-opening of the recycling facility would be of some benefit to the construction industry.	
6. Planning History - Key Planning Applications and Permissions			
Application Ref.	Decision Date	Application Description/ Summary	Current Situation at 31.12.16
IDO1144	Permission Granted 1945	Old mineral permission covering the original quarry where working ceased in 1964. This area has been partly restored and includes areas subsequently designated as Branton Hill Quarry SINC.	This part of the site is partly restored and has been managed for nature conservation.
EA3966	Permission Granted Subject to Conditions 19.10.62	<b>North of Branton Hill Lane, Aldridge: Use of Land for Extraction of Sand and Gravel</b> Permission for working to the west of the area covered by IDO1144. Extraction ceased on this part of the site some years ago. The area has been partly restored and includes part of Branton Hill Quarry SINC, comprising a wetland area with a pool.	This part of the site is partly restored and has been managed for nature conservation.
EAB2352	Permission Granted Subject to Conditions 20.03.71	<b>Winning of Sand and Gravel – Extension of Existing Quarry at Bourne Farm, Aldridge</b> Permission for extension to Branton Hill Quarry, to the south and east of the original working area. This permission covers the current working area and landfill site which has an EA waste permit for inert landfill. Mineral working continued until recently, proceeding in an easterly/ clockwise direction from the original quarry. The Conditions require restoration to an agricultural end use but do not specify the method of restoration or an end date for working.	Significant infilling of worked areas has taken place, but these areas have not been restored to an acceptable standard. Limited reserves were remaining when the site was last surveyed (31.12.12). Site ceased operating in May 2013, and is still inactive.
BC9335P	Permission Granted Subject to Conditions 1985	<b>Branton Hill Lane, Aldridge: Extension to Quarry</b> Retrospective permission for a small extension to the extraction area approved under EAB2352.	See above.
BC21813P	Refused 16.06.89	<b>Bliss Sand &amp; Gravel Co Ltd, Branton Hill Lane, Aldridge: Winning and Working of Sand and Gravel, Infilling of Excavated Void Space Using Suitable Imported Waste Material and Subsequent Restoration to Agricultural Land</b>	Subsequent application for extension to quarry submitted in (BC64995P) – see below.

		Application for working on land to the south of the existing quarry, refused on the grounds that long-term use of Branton Hill Lane by HGVs unacceptable due to adverse impact on environment amenity, applicant had not justified release of further reserves or that site could be satisfactorily worked and restored within a reasonable timescale and without harmful impacts on environment, amenity and character of area.	
BC52105P	Permission Granted (ROMP) 26.03.99 Appeal Pending	<b>Conditions to be Applied to Mineral Working Permissions EA3966 and EAB2352 at Branton Hill Quarry, Aldridge, Pursuant to Requirements of Schedule 13 of Environment Act 1995</b>  Schedule of modern conditions to be applied to the existing quarry. These conditions sought to control dust, vehicle movements, noise and importation of materials and impose an end date for working of 22 February 2042 (the 'default' date for all old mineral permissions). It is understood that the operator appealed against the conditions, but that the appeal has been put 'on hold' indefinitely, pending the determination of a separate application for a southern extension to the quarry (BC64995P), which is still 'live' because of other outstanding issues (see below). Determination of this application will allow the conditions previously approved under permission BC64995P to be reviewed, to ensure that appropriate working and restoration conditions are in place for whole site, including the areas previously worked as well as the extension site.	Appeal is believed to still be 'live' and has not been withdrawn. It is unclear whether these working conditions have effect.
BC61721P	Certificate Issued 30.08.00	<b>Branton Hill Quarry, Branton Hill Lane, Aldridge: Certificate of Lawful Use or Development</b>  Certificate covers the storage of imported sand, importation, stocking, and/ or screening for sale of imported soils, importation, stocking and sale of imported primary aggregates, and the importation, sorting, storage and segregation for sale of broken tarmac, hard core, concrete, gravel, limestone, railway ballast, road planings, crushed brick, sand based fill materials and other clean inert waste from the construction industry and quarrying, on around 4.2 ha of land within the quarry, and also includes use of means of access to the quarry.	Planning permission for new quarry access road (11/0943/FL) includes a proposal to consolidate and relocate the recycling area – see below.
BC64995P	Not Determined	<b>Bliss Sand &amp; Gravel Pit, Extraction of Sand and Gravel, Backfilling, Restoration to Agriculture and Wildlife Habitat</b>  Application submitted in 2001 for southern extension to existing permitted working areas, and for conditions covering existing and proposed working areas. Information provided with the application indicates that there are around 1.2 million tonnes of sand and gravel within the extension area. Application was held 'in abeyance' for several years pending receipt of further environmental information, and also to allow time to resolve site access problems which later permissions for new access routes (06/0169/OL/E4 and 11/0943/FL) have sought to address. Updated environmental information was submitted in 2009 with further updates in 2016. The application had still not been determined at the end of December 2016.	No change – application still not determined.
06/0169/OL/E 4	Permission Granted Subject to Conditions 26.03.08 Called In - SoS Decision: Permission Granted Subject to Conditions 26.03.09	<b>520 Chester Road, Aldridge, Walsall: Outline Residential Development and Construction of New Access Road to Serve Branton Hill Quarry</b>  Application for 'enabling' housing development to facilitate construction of new quarry access road for Branton Hill Quarry. Approved subject to legal agreement requiring construction of access road before housing built. Approved by Council 26.03.08 and referred to Secretary of State under Green Belt Direction, subsequently called-in and approved by Secretary of State on 26.03.09 following a public local inquiry.	Approved access road scheme superseded by new application for alternative alignment in 2011 – see below. Time extension for outline housing development approved October 2013 (11/1033/TE) and Reserved Matters approved December 2014 (14/1146/RM) – see below.
11/0943/FL	Permission Granted Subject to Conditions and	<b>30A Branton Hill Lane, Aldridge: New Access Road to Quarry off Chester Road and Relocated Recycling Centre, Associated Buildings</b>  Revised scheme for new quarry access road on a different alignment to that approved under 06/0169/OL/E4, proposal also includes consolidation and relocation of recycling area that previously operated under a CLEUD issued in 2000 (BC61721P). Permission is	Operations at the quarry ceased in May 2013 and it remains inactive. New access road and recycling area

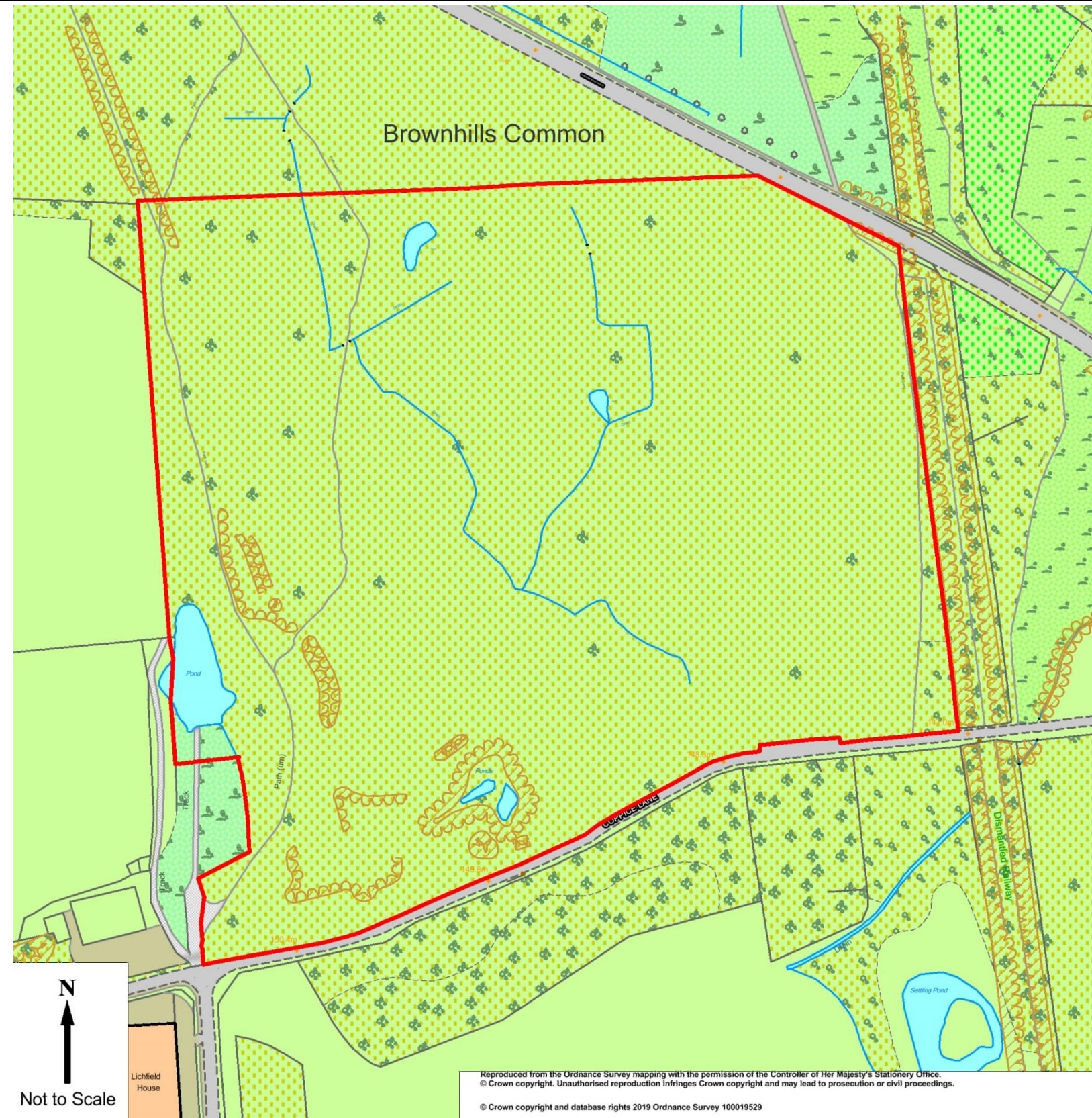
	S106 agreement 23.10.13	subject to a S106 agreement to prevent the use of the former access once the new one is constructed. New access road has been partly constructed and development of the new recycling area is also underway but the developments have not yet been completed and fully brought into use.	developments have been implemented but not yet completed.
11/1033/TE	Permission Granted Subject to Conditions and S106 agreement 23.10.13	<b>520 Chester Road, Walsall, WS9 0PU: Time extension for implementing permission 06/0169/OL/E4.</b> Application for extension of time for submission of Reserved Matters for housing development approved in outline under 06/0169/OL/E4, which is proposed as 'enabling development' to help fund construction of new quarry access road approved under 11/0943/FL. Approved in October 2013 at same time as 11/0943/FL and subject to the same S106 agreement.	Reserved Matters approved December 2014 - see 14/1146/RM below. Housing under construction in 2016.
14/1146/RM	Permission Granted Subject to Conditions 03.12.14	<b>520 Chester Road, Walsall, WS9 0PU: Reserved Matters proposals pursuant to outline permission 06/0169/OL/E4 as extended by permission 11/1033/TE for residential development and construction of new access road for Branton Hill Quarry (considering access, appearance, landscaping, layout and scale of the residential development) affecting Public Footpaths ALD38 and ALD37.</b> Details of housing scheme approved in December 2014. Housing was under construction at the end of December 2016. <sup>19</sup>	See above.

<sup>19</sup> Housing scheme had been completed at the time this Appendix was completed (December 2017).



## Permitted Minerals Site Profile – Site MP5: Land at Brownhills Common

### 1. Site Location Plan





2. General Information and Site Characteristics	
<b>SAD Policy References</b>	Policy M9
<b>BCCS Policy References</b>	Policies MIN3 and MIN4
<b>Site Address</b>	Off Coppice Lane, Brownhills, Walsall
<b>NGR</b>	E: 403690 N: 306020
<b>Site Area</b>	14.73 hectares
<b>Site Description</b>	Area of open space comprising woodland and heathland on the edge of the urban area. Site is part of an extensive 'green wedge' of open land extending beyond the borough boundary into Staffordshire. It is bounded by Chester Road North (A452) and an area of former mineral working to the north, two former railway lines to the east and west, and Coppice Lane to the south.
<b>Land Owner</b>	Potters Clay & Coal Company Ltd/ Little Wyrley Estate
<b>Operator</b>	Potters Clay & Coal Company Ltd
<b>Mineral Type</b>	Coal and Fireclay
<b>Geological Association</b>	Upper and Lower Coal Measures (South Staffordshire Coalfield)
<b>End Products</b>	Fireclay to be used in manufacture of pot clay blends and bricks, other clays likely to be used as 'puddle clay' for lining ponds and/ or landfill engineering, shale and sandstone (secondary aggregate) likely to be used mainly as fill material in building/ engineering projects <sup>20</sup>
<b>Main Supply Outlets</b>	Swan Works
<b>Operational Status at 31.12.16</b>	Dormant Mineral Permission (EB233)
<b>Estimated Annual Production</b>	Uncertain – depends on working programme. <sup>21</sup>
<b>Estimated Permitted Reserves at 31.12.16</b>	Fireclay - around 0.27 MT, Coal - around 0.03 MT <sup>22</sup>
<b>Estimated Years' Supply at 31.12.16</b>	Uncertain – depends on demand.
<b>Estimated Void Space Requiring Restoration</b>	Uncertain <sup>23</sup>
<b>Restoration Status at 31.12.16</b>	Not applicable as working has not started.
3. Current Situation at 31.12.16 - Overview	

<sup>20</sup> Potential end uses as indicated in information provided by the operator's agent in June 2016 further to their representation on the SAD at Publication stage.

<sup>21</sup> Extraction of clay, coal, shale and sandstone may be a relatively rapid opencast operation, or the site could be worked much more slowly, as was Birch Coppice (SAD Site MP3), depending on whether it is driven by demand for coal or demand for clay. Also, if fireclay and other clays are stockpiled on part of the site following the extraction phases, production would continue as material would be gradually removed from the stockpile as and when required. Annual consumption of fireclay at Swan Works is relatively low (around 2,000 TPA), but depletion of stockpile could be higher if fireclay and other clays are supplied to other end users.

<sup>22</sup> Permitted reserves are based on information supplied with original application (coal) and information provided by operator's agent at BCCS Examination (fireclay). No information has been provided on the quantities of other clays and shale/ sandstone likely to be present.

<sup>23</sup> Void space cannot be easily quantified as this depends on the method and phasing of working, the quantities of material removed and the phasing of the restoration. Birch Coppice (SAD Site MP3) which was subject to the same old mineral permission (EB233) was worked very slowly over a very long time-frame followed by clay stocking also over a very long time-frame, and the ROMP application BC48813P proposes a similar approach.

<p>Brownhills Common and Birch Coppice (see separate Site Profile for Site MP3) are both covered by the same old mineral permission granted on appeal in 1955 (EB233). The freehold of both sites is owned by the mineral operator (Potters Clay &amp; Coal Company Ltd) but the former freeholder, Little Wyrley Estate, has retained the mineral rights to some of the underlying coal seams.<sup>24</sup></p> <p>Old OS maps show that coal extraction has taken place in and around the Brownhills Common site in the C19th. Collieries and mine shafts are shown on OS maps from the 1880s within the ‘red line’ area (on the western boundary) and to the north of the ‘red line’ area. It is unclear to what extent this has affected the potential for future working. No working has taken place at Brownhills Common in recent times, so permission EB233 for this site has been registered by Walsall Council as a ‘dormant’ mineral permission. Information provided with the original application indicates that there are reserves of 200,000 tonnes of clay and 30,000 tonnes of coal within the Brownhills Common site, but at the BCCS Examination the operator’s agent indicated that fireclay reserves are likely to be higher than that, around 270,000 tonnes.</p> <p>Pursuant to the requirements of the 1995 Environment Act, an application for new working and restoration conditions to be applied to Birch Coppice and Brownhills Common was submitted in 1997 (BC48813P) but has not been determined. Determination of the application was deferred pending the outcome of a House of Lords ruling in 1999 (‘Wensley Quarries’), which established that the EIA regulations apply to ROMP applications. Further to this decision the application was ‘stalled’ because it was determined to be EIA development and no environmental statement was provided by the applicant. The application is still ‘live’ until an environmental statement is submitted, and the operator has not indicated any intention of doing so. Until a schedule of modern conditions has been approved by the Council, permission EB233 remains ‘dormant’ and no mineral working may take place at Brownhills Common.</p> <p>There are also specific legal protections that apply to Brownhills Common, which are important material considerations that would have to be taken into account if the ROMP application is progressed. The site is Registered Common Land, meaning that the permission of the Secretary of State would be required for any works that affect the common rights over the land. There are also a number of Definitive Public Rights of Way (PROWs) running across the site, and it would not be possible to work it without diverting these. For the PROWs to be diverted, the necessary Orders would have to be made by the Council. A proposal to divert a PROW is subject to public consultation, and if there are outstanding objections the final decision rests with the Secretary of State.</p>	
<b>4. Site Constraints and Opportunities</b>	
<b>Physical Constraints and Opportunities</b>	
<b>Access</b>	<p>Vehicular Access - there is no existing vehicular access. Access could be provided off Chester Road North (A452), which forms part of the northern boundary of the site. There is also a small lay-by adjoining the southern boundary of the site on Coppice Lane.</p> <p>Public Rights of Way - there are four Definitive public rights of way (PROWs) running across the site (PROWs Bro 0.162, Bro 0.163, Bro 0.165 and Bro 0.168) north-south across the site and provide pedestrian links between Coppice Lane and Chester Road North (A452)/ Watling Street (A5). As they run right across the permitted site, it would not be possible to implement the mineral permission without diverting these PROWs.</p> <p>Design of new access would be subject to the approval of the local highway authority. Effects on the lay-by would also have to be considered. Before working could commence, the PROWs would also have to be diverted to maintain public access throughout the working life of the site including the restoration phases. This would require the necessary Orders to be made by the Council (or by the Secretary of State in the event of objections), and would be subject to agreement with the local highway authority.</p> <p><b>To progress the ROMP application, site access details and proposals for diversion of PROWs Bro 0.162, Bro 0.163, Bro 0.165 and Bro 0.168 to maintain public access will be required. The views of the local highway authority on these proposals will be an important material consideration.</b></p>
<b>Ground Conditions</b>	<p>Site is within the Coal Mining Development High Risk Area, and much of the site is also within an area where contamination may need to be addressed (see SAD Technical Appendices - Assets and Constraints Maps Updated November 2016).</p> <p>The OS 1<sup>st</sup> edition maps (1880s) show areas of historic coal mining (including ‘Old’ mine shafts) and related industrial development on the western and northern fringes of the site. This indicates potential ground stability risks in these areas, as well as potential risks from ground contamination from contaminative industrial activities. Further risks are likely to arise from any new mineral extraction and long-term clay stocking on the site, although there is also potential to improve the condition of areas affected by mining ‘legacy’ if the site is worked appropriately and restored to a high standard.</p> <p><b>To progress the ROMP application information about current ground conditions based on recent site investigations will be required. This should identify potential geotechnical and ground contamination risks from mineral extraction and clay stocking and appropriate solutions to be implemented as part of the mineral development and subsequent restoration programme.</b></p>
<b>Current Land Use</b>	Area of informal open space/ nature reserve in the green belt, subject to ‘dormant’ old mineral permission (EB233).

<sup>24</sup> Information provided by the operator’s agent in June 2016 further to their representation on the SAD at Publication stage.

	<p>Mineral extraction and engineering operations for the purpose of restoring a former quarry are not regarded as ‘inappropriate’ development in a green belt (NPPF paragraph 146). However, the green belt location will be a constraint on potential after uses for the site following restoration, which will be expected to maintain ‘openness’ and be consistent with the purposes of including land within the green belt.</p> <p><b>Restoration programmes and after uses will be expected to be consistent with current policy requirements for land in the green belt.</b></p>
<b>Other</b>	None identified.
<b>Environmental Constraints and Opportunities</b>	
<b>Air and Noise Pollution</b>	<p>NO2 – A461 corridor and A5 corridor</p> <p>NOISE - Important Area (A461 corridor)</p> <p>(See SAD Technical Appendices - Assets and Constraints Maps Updated November 2016).</p> <p>A461 (Walsall Road) corridor and in the A5 (Watling Street) corridor are potential haulage routes between the site and end users for extracted clay and other materials.<sup>25</sup> Off-site transportation of extracted and stockpiled material along these routes is likely to generate a net increase in HGV traffic and therefore a corresponding net increase in road traffic emissions and noise.</p> <p><b>To progress the ROMP application an up-to-date transport assessment and air quality assessment would be required, to establish whether planned improvements in the A461 corridor would remain effective (see Accessibility). As there is potential for cross-boundary impacts on the highway network in Staffordshire and the A5 is a trunk road, further consultation with the Highways Agency, Staffordshire CC and Cannock Chase DC would also be required.</b></p>
<b>Flood Risk</b>	<p>Fluvial Flooding – Low Risk according to Environment Agency/ Walsall Council flood risk mapping (see SAD Technical Appendices - Assets and Constraints Maps Updated (November 2016)).</p> <p>Surface Water Flooding – parts of the site are at High to Medium risk according to Environment Agency long-term flood risk mapping (2016). There are already several drainage channels in place across the site, which are providing some protection. However, further mineral extraction and clay stockpiling would affect the drainage and hydrology of the site and could increase risks, which would need to be evaluated.</p> <p><b>To progress the ROMP application, up-to-date investigations into surface water flows and a surface water management strategy will be required.</b></p>
<b>Historic Environment</b>	<p>There are no designated heritage assets within the ‘dormant’ site and the nearest designated assets are some distance away (see SAD Technical Appendices - Assets and Constraints Maps Updated November 2016).</p> <p>A local residents’ group has raised concerns about the impact of mineral permission on heritage assets. Wolverhampton &amp; Walsall HER and NMR Index records that an archaeological survey focusing on historic coal mining was carried out in 1997 in this area as Stage 1 of work on a proposed development of land close to the Staffordshire border (Brownhills and Pelsall Archaeological Survey HER Reference: 10990, NMR Index Reference: B.06.2807) but the results of this are not published online. HER identifies Brownhills Common as an area of common land - tract of ancient waste land formerly belonging to the Lords of the Manor of Little Wyrley (HER Reference: 9337).<sup>26</sup> HER also records site of former Coppice Colliery No. 5 at the western edge of the site and associated tramway, linking to former Coppice Colliery No. 1 on the northern boundary (HER References: 9145, 9143 and 9144), another area of former coal working, site of a former engine house, site of a former brickworks, and an area of sand and gravel extraction within the ‘dormant’ site (HER References: 9535, 9336, 9192 and 9340). These are clustered along the western boundary of the site. The HER also records the site of the former Brownhills Midland Railway Station to the north-east (HER Reference: 9343), but not the embankment of the dismantled railway line itself which runs along the eastern boundary of the site. This was part of the ‘Walsall Wood Extension’ line developed in the 1880s by Midland Railways to serve the collieries in this area. It carried passengers between 1884 and 1930, then reverted to being a freight line only before finally closing in 1962. Most of these features are shown on the Ordnance Survey 1st edition map (1880s). A possible ring ditch was also identified to the west of the dormant’ site on a 1995 WMBC aerial photograph (HER Reference: 9510), but a watching brief in 2000 during pipeline construction did not identify any associated features.</p> <p><b>To progress the ROMP application, an up-to-date assessment of impacts on archaeology and other heritage assets will be required.</b></p>
<b>Landscape Character</b>	<p>Site forms part of an extensive area of open heathland, woodland and wetland on the edge of the urban area which extends beyond the borough boundary into Staffordshire, and has been designated as green belt. It is part of a ‘green wedge’ that extends into the built-up area.</p> <p>National Nature Natural Area 43: Midlands Plateau</p> <p>National Character Area 67: Cannock Chase and Cank Wood</p>

<sup>25</sup> See Highway Capacity below.

<sup>26</sup> The site is now within an area of Registered Common Land – see Current Situation at 31.12.16 – Overview.



	<p>Black Country HLC Character Area WL13: Pelsall<sup>27</sup></p> <p>The site is currently an area of woodland and open heathland, which is being managed as an area of open space and nature reserve. The key landscape features are the former railway lines which form the western and eastern boundaries, the Chester Road North (A452) to the north, and Coppice Lane, which forms the southern boundary. There is also evidence of historic mining, quarrying and industrial activity characteristic of this area on the western and northern fringes of the site (see Historic Environment summary above).</p> <p><b>To progress the ROMP application, an up-to-date landscape assessment and restoration strategy will be required.</b></p>
<b>Natural Environment</b>	<p>Site is within the Brownhills Common and The Slough SINC, and is also adjacent to the Chasewater and Southern Staffordshire Coalfield Heaths SSSI (see SAD Technical Appendices - Assets and Constraints Maps Updated November 2016).</p> <p>This is an area of significant biodiversity value – the SINC and SSSI form part of a network of linked marshy grassland, dry acid heathland and semi-natural woodland habitats, extending into Staffordshire. Some of these habitats have regenerated naturally from historic industrial and mineral extraction activities. The SSSI was designated in 2010 because of its national importance for wet and dry lowland heath, fens and oligotrophic (nutrient-poor) standing open water habitats, and for its populations of two nationally scarce vascular plant species: floating water plantain <i>Luronium natans</i> (listed in Schedule 8 to the Wildlife and Countryside Act 1981, as amended) and round-leaved wintergreen <i>Pyrola rotundifolia</i> (a regional rarity).</p> <p>Further mineral extraction would lead to loss of part of the SINC, which could be permanent/ long-term, if stockpiling of clay is permitted following extraction. There are also likely to be indirect impacts on adjacent parts of the SINC and the SSSI without adequate mitigation. However, if extraction is carried out over a short-term period and the site is restored immediately afterwards, or if the site is worked more slowly with progressive restoration of worked areas, there is also potential for restoration to provide for re-creation and enhancement of habitats and enhancement of existing wildlife corridors.</p> <p><b>To progress the ROMP application, an up-to-date ecological assessment will be required which evaluates the impacts of the development on designated sites, trees and woodland, protected species and priority habitats and identifies measures to compensate for habitat loss and reduce or mitigate other effects. This should be supported by appropriate surveys and a strategy for restoration of the site.</b></p>
<b>Water Resources and Water Quality</b>	<p>Secondary A Aquifer (Bedrock)</p> <p>Site is within catchment of the following water bodies:</p> <p>Groundwater – GB40402G990800: Tame Anker Mease - Secondary Combined</p> <p>Surface Water – GB104028046990: Ford Brook from Source to River Tame</p> <p>Humber RBMP (2009), Annex B and Humber RBMP (2015) indicate that these water bodies are currently failing the standards set by the Water Framework Directive (WFD) and are not expected to achieve overall ‘good’ status against all measures until 2027.<sup>28</sup> The main pressures on the Ford Brook identified in 2015 were physical modifications, diffuse and point source pollution with ammonia and dissolved oxygen from urban development, and point source pollution with ammonia and phosphate from waste water treatment/ sewage discharge. Mineral extraction and long-term stockpiling of clay is likely to affect the underlying hydrology and could increase risks of pollutants entering water bodies.</p> <p><b>To progress the ROMP application, an up-to-date hydrological report, surface water management strategy and pollution control strategy will be required.</b></p>
<b>Infrastructure/ Utility Constraints and Opportunities</b>	
<b>Highway Capacity</b>	<p>Subject to suitability, exported fireclay and other clays could be hauled to end users in South Staffordshire, Tamworth and North Warwickshire (via the A5), and possibly even beyond, as well as to brickworks and other end users in Walsall and the wider Black Country via the A461 and other routes. There are current problems of congestion and air pollution in the A461 and A5 corridors (see Air Quality), which are potential haulage routes between the site and the end users for extracted/ stockpiled materials. Improvements to key junctions in the A461 corridor are planned to improve capacity, relieve congestion and transport emissions.<sup>29</sup> Walsall Local Highway Authority has identified a potential need for further highway improvements to support a mineral extraction scheme in this location. Staffordshire Local Highway Authority has also identified a need for further consultation if material would be hauled via the highway network in Staffordshire, and also with the Highways Agency (now Highways England) if haulage routes include the A5, which is a trunk road.</p> <p><b>To progress the ROMP application, an up-to-date transport assessment would be required to establish whether any further highway improvements would be needed to support the development. As there are also cross-boundary implications, and the A5 is a trunk road, it would be necessary to consult Highways England, Staffordshire CC and Cannock Chase DC as well as Walsall local highway authority on the adequacy of the supporting information.</b></p>

<sup>27</sup> Walsall Council has not prepared a Countryside Area Profile covering this area.

<sup>28</sup> Water quality of the groundwater body does not appear to have been measured in 2015.

<sup>29</sup> Improvements to the junction of the A461 with Salter's Lane and the junction of the A461 with the A452 (Chester Road) at Shire Oak are programmed in 2017/18.

Other Infrastructure / Utilities	Rail Infrastructure - dismantled section of ‘Walsall Wood Extension’ railway line (on embankment) runs along the western boundary of the site. The track bed has been removed and the alignment is severed by development in a number of locations, and is unlikely to be feasible for re-instatement.  Surface Water Management - there are several drainage channels running across the site (see Flood Risk).												
Land Use Constraints and Opportunities													
Agricultural Land	Site is not in use for agriculture but there is agricultural land to the west extending into Cannock Chase District in Staffordshire. Land west of the site used as pasture has been classified in the Defra Agricultural Land Classification (Post 1988) as Grade 3b. Land further west, including part of the ‘Yorks Bridge’ site, has been classified as Grade 2, 3a and 3b (see SAD Technical Appendices - Assets and Constraints Maps Updated November 2016).												
Amenity – Proximity to Businesses	At its nearest point, Coppice Side Industrial Estate is less than 50m away from the south-western corner of the site boundary.  <b>To progress the ROMP application, an evaluation of impacts on local businesses would be required with details of measures to safeguard amenity from noise, dust, traffic and other effects likely to arise from working the site.</b>												
Amenity – Proximity to Housing	The nearest residential property is a flat within Lichfield House on the edge of Coppice Side Industrial Estate which is less than 50m away from the south-western corner of the site boundary. There are also residential properties on Coppice Lane and Bradford Road less than 200m away from the eastern boundary of the site, and properties less than 250m away fronting onto the opposite side of Chester Road North (A452).  <b>To progress the ROMP application, an evaluation of impacts on the nearest residential properties would be required with details of measures to safeguard amenity from noise, dust, traffic and other effects likely to arise from working the site.</b>												
Cross-Boundary Issues	Allowing extraction of fireclay from this area could help to supply brickworks in Staffordshire and Warwickshire as well as brickworks in Walsall. However, views of Staffordshire Highway Authority and the Highways Agency would need to be sought on any routing for haulage of extracted materials that would affect the A5 Watling Street and other roads in Staffordshire (see Highway Capacity above).  <b>To progress the ROMP application, an evaluation of impacts on adjoining authority areas (including effects on highways infrastructure) would be required, and details of measures proposed to mitigate any harmful effects.</b>												
5. Sustainability Appraisal (January 2016) – Summary of Results													
Appraisal of SAD Policy M9 (b – d, f): MP5: Land at Brownhills Common													
Air Quality	Biodiversity & Geodiversity	Climate Change	Communities & Population	Cultural Heritage	Economy & Centres	Equality & Diversity	Health & Wellbeing	Landscape & Townscape	Material Resources	Renewable & Low Carbon Energy	Soil & Ground Conditions	Transport & Accessibility	Water Environment
SA1	SA2	SA3	SA4	SA5	SA6	SA7	SA8	SA9	SA10	SA11	SA12	SA13	SA14
?	-	-	-	?	?	-	-	-	+	-	0	-	?
Commentary on Sustainability Appraisal Results													
Overall Appraisal Score	-	The SAD policy is to be applied in combination with BCCS Policies MIN3, MIN4 and MIN5. The policy provides further guidance for future applications for new or amended working conditions for this site. No modern conditions have so far been approved by the Council, although there is an outstanding application for new working conditions to be applied to this site and to the Birch Coppice site (MP3) which is subject to the same old mineral permission. The application is in abeyance pending the submission of an environmental statement. The policy identifies the issues that such a statement will be expected to address, and the other supporting information that will be required.  The overall effects are likely to be negative, even if the requirements of the policy are met. There are likely to be positive effects on supply of mineral products (SA10), as implementing this permission could help to provide a long-term supply of fireclay to meet the future requirements of Swan Works (MC1), and if there is a demand in the future, it may also help to address requirements for coal. However, it is unclear whether the extracted fireclay would also meet the requirements of any of the brickworks in Walsall, therefore the overall effects on SA6 are uncertain. Any benefits are likely to be outweighed by the harmful effects that mineral extraction would have on biodiversity, the landscape and the open space network (SA2, SA4, SA8,											

		<p>SA9). It would involve the loss of at least part of the Brownhills Common and the Slough SINC, which forms part of a wider area of lowland heathland habitat that includes the adjacent Chasewater and Southern Staffordshire Coalfield Heaths SSSI. As the method of extraction would involve stripping the whole site, there could also be harmful effects on wider ecological networks outside the site.</p> <p>Effects on SA3 and SA11 are also likely to be negative overall, as extraction of coal for use as energy will contribute towards greenhouse gas emissions (in particular, CO<sub>2</sub>), although increases in CO<sub>2</sub> from haulage of material by road is unlikely to be significant. Access to the site is also poor, and as any clay and coal extracted would have to be exported off site by road for use elsewhere, the additional HGV traffic generated is likely to have adverse effects on the highway network in Walsall and in adjoining areas of Staffordshire, including possibly on the A5 trunk road.</p> <p>The effects on most other SA objectives are uncertain, as they have not been evaluated through recent planning applications. While mineral working and restoration would be of relatively short-lived duration, people and wildlife living near the site and along the haulage routes would be affected by noise, dust, traffic and visual impacts, and there could also be impacts on air quality along haulage routes from increased HGV movements.</p> <p>Following restoration, it is also likely to take several years for the landscaping to mature sufficiently that the site will have similar value for biodiversity, recreation and amenity as before. These effects would be prolonged if clay is stockpiled on part of the site following extraction, as the stockpile could remain in place and be operated as a ‘virtual quarry’ for many years - the policy therefore requires justification if stockpiling is proposed, as is the case with the outstanding application.</p> <p>Harmful effects on amenity could impact on households who are already affected by social-economic disadvantage, as Brownhills Ward includes areas with high levels of deprivation, including the Brownhills West area to the north of Brownhills Common, and areas to the east surrounding Brownhills District Centre (2010 Indices of Deprivation).</p> <p>Parts of the site have been subject to mining in the past, and some areas are at risk from surface water flooding. It is therefore unclear what effects opencast mineral extraction will have on ground conditions, hydrology and water resources, or whether the risks of flooding of the site and surrounding land and property would increase. Impacts on archaeology have also not been assessed.</p>
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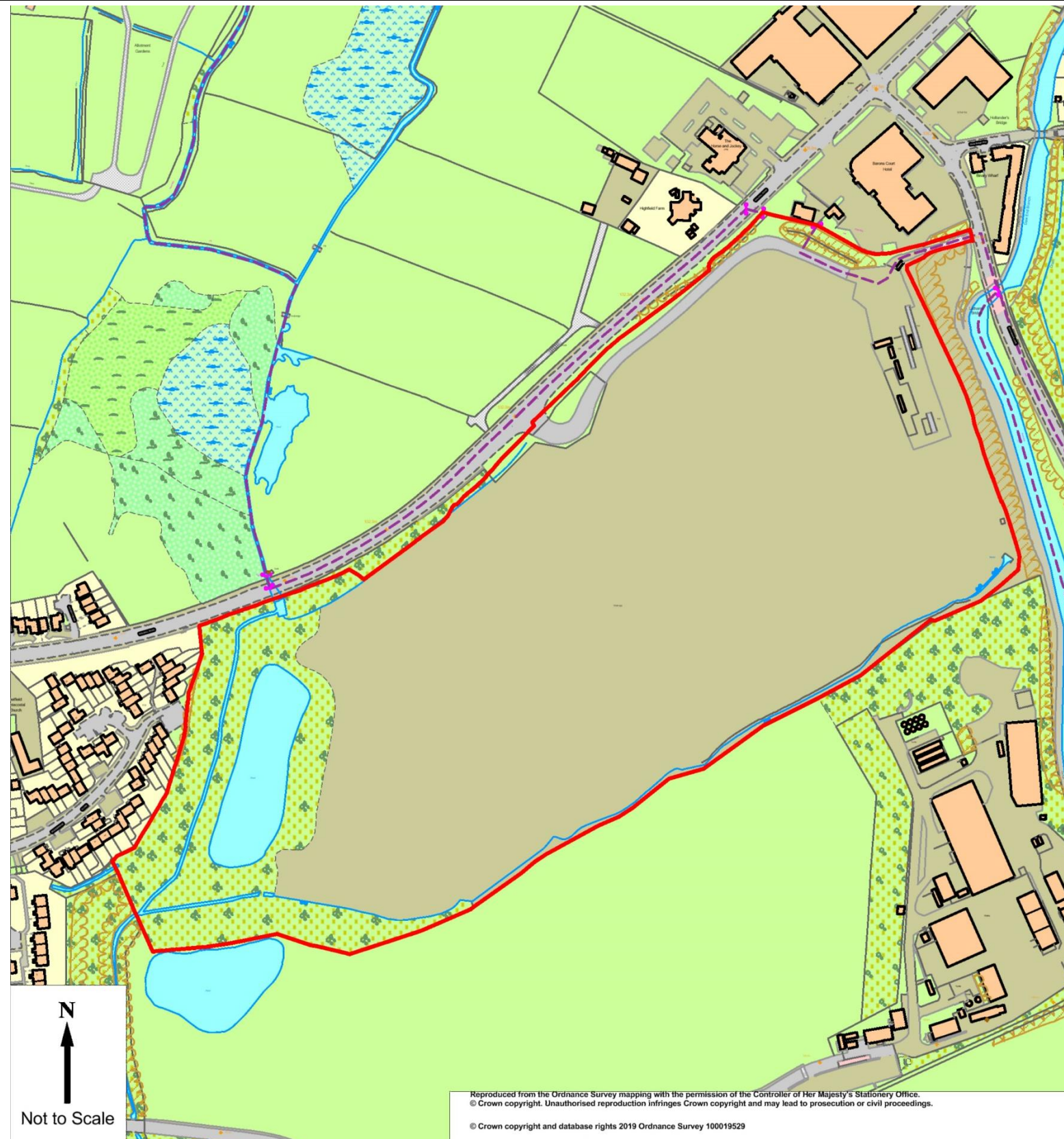
#### 6. Planning History - Key Planning Applications and Permissions

Application Ref.	Decision Date	Application Description/ Summary	Current Situation at 31.12.16
EB233	Permission Granted 28.01.54	<p><b>Land at Brownhills: Winning and Working of Clay and Coal by Underground and Surface Mining</b></p> <p>Permission was granted on appeal and covers two separate sites, Brownhills Common and Birch Coppice, both in Walsall. Restoration conditions and a working plan for both sites were imposed by the Secretary of State in a letter dated 9 December 1955 after negotiations between the operator and the Council broke down. No working has taken place at either site in recent times, so EB233 has been registered by Walsall Council as a “dormant” permission.</p>	No change to status of permission. Birch Coppice is mostly restored and no reserves remain but there is a small stockpile held at the adjacent Swan Works.
BC48813P	No decision	<p><b>Conditions to be applied to Mineral Working Permission EB233: Brownhills Common and Birch Coppice</b></p> <p>Application for modern conditions submitted in 1997. At the time of submission, it was uncertain whether applications for mineral conditions were subject to EIA. However, the “Wensley Quarries” HoL ruling in 1999 established that they are. Until an environmental statement is provided in accordance with the EIA regulations, it cannot be determined.</p>	The current status of this application is unclear and officers are currently reviewing whether any action can or should be taken to progress EIA. Until modern conditions are in place, EB233 remains “dormant.”



## Permitted Minerals Site Profile – Site MP6: Former Highfields South Quarry

### 1. Site Location Plan



2. General Information and Site Characteristics	
<b>SAD Policy References</b>	Policy M8
<b>BCCS Policy References</b>	Policy MIN3
<b>Site Address</b>	Lichfield Road, Shelfield, Walsall, WS9 9AG
<b>NGR</b>	E: 404409 N:302727
<b>Site Area</b>	15.03 hectares
<b>Site Description</b>	Landfill site on the edge of the urban area. Site is largely screened from residential area to the west and commercial and residential land uses (including the Baron's Court Hotel) to the north east by tree planting and landscaping. There is an extensive 'green wedge' of open land to the north of the site on the opposite side of the A461, and to the south is a hazardous waste treatment facility (Empire Works) and another former landfill site which has been infilled.
<b>Land Owner</b>	Cory Environmental (Central) Ltd <sup>30</sup>
<b>Operator</b>	Cory Environmental (Central) Ltd
<b>Mineral Type</b>	Brick Clay
<b>Geological Association</b>	Upper Coal Measures (Etruria Formation)
<b>End Products</b>	When operational was producing clay used to manufacture bricks
<b>Main Supply Outlets</b>	Formerly Aldridge and Sandown Brickworks
<b>Operational Status at 31.03.17</b>	Closed
<b>Estimated Annual Production</b>	N/A <sup>31</sup>
<b>Estimated Permitted Reserves at 31.12.16</b>	0 <sup>32</sup>
<b>Estimated Years' Supply at 31.12.16</b>	0
<b>Estimated Void Space Requiring Restoration</b>	1.15 cubic metres <sup>33</sup>
<b>Restoration Status at 31.03.17</b>	Infilling underway
3. Current Situation at 31.03.17 – Overview	
<p>The site is located in Shelfield off Lichfield Road (A461), and is currently operated as a non-hazardous landfill site by Cory Environmental (Central) Ltd. The site occupies an area of nearly 13 hectares. It was previously subject to an old mineral permission registered in 1954 (EB593), which also covers the 'Highfields North' site to the north of the Lichfield Road (Site MP9 – see separate Site Profile for this site).</p> <p>Working conditions for Highfields South were approved in 1997 (BC48719P), which was the First Periodic Review of conditions under the Environment Act 1995 (as amended). The conditions were replaced by the original approved restoration programme (07/0046/WA/E1) in April 2007 which was itself varied by other permissions (08/0322/WA, 10/0165/FL and 11/0953/FL). These conditions (as modified) were effectively superseded in 2016 when permission was granted to extend the period allowed to complete the landfilling up to the end of December 2025 (16/0465) although the landfilling is subject to the phasing approved</p>	

<sup>30</sup> In 2017 the landfill sites operated by Cory Group, including Highfields South, were sold to an independent company called Enover.

<sup>31</sup> Site is no longer an active quarry - mineral extraction ceased in 2013. The site had an annual production rate of around 60,000 TPA in the last few years of production according to the supporting information provided with the original restoration programme approved in April 2007 (07/0046/WA/E1).

<sup>32</sup> There are no longer any permitted reserves remaining within the site. Mineral extraction was required to cease by 30.10.13 under permission 11/0953/FL, so a new planning permission would be required for any further brick clay extraction.

<sup>33</sup> This was the projected remaining void space at the end of December 2016, according to supporting information provided with application 16/0465.

<p>previously under 11/0953/FL. Supporting information provided with application 16/0465 stated that the total void space requiring infilling to achieve the approved final landform at the start date in April 2008 was around 2.1 cubic metres, and that the remaining void space at the end of December 2016 was projected to be around 1.15 million cubic metres.</p> <p>Annual production of clay in the last years when the quarry was operating was around 60,000 TPA according to the supporting information provided with 07/0046/WA/E1. This was being supplied to two brickworks (Aldridge and Sandown) located nearby. As this source of supply is no longer available to these factories, the operators have been seeking alternative supplies. Permission has recently been granted to allow up to 95% imports to Sandown Brickworks allowing more flexibility (see Site Profile for Site MP7: Sandown Quarry for details), and an application to expand Atlas Quarry has been submitted (14/0619/CM) which would enable this site to supply Aldridge Factory as well as Atlas Factory (see Site Profile for Site MP3: Atlas Quarry for details).</p> <p>Clay extraction at Highfields South ceased in 2013 in accordance with permission 11/0953/FL, so there are no longer any permitted reserves of brick clay remaining within the site. It is estimated that around 0.5 million tonnes of brick clay reserves were relinquished when the original restoration programme was approved in April 2013. Some clay reserves (quantity not known) were removed and stockpiled in the quarry void before the end date for working in October 2013. However, the operator has confirmed that any remaining clay being stored on the site is to be used for engineering and restoration purposes only.</p> <p>Arrangements are in place for ongoing management of leachate and gas generated by the landfill deposits. Leachate is collected in a holding tank and is piped to the existing leachate treatment plant at the Vigo/ Utopia site to the east. A landfill gas engine was installed in 2013 to capture and recover value from landfill gas. Permission was granted for this in 2012 (12/0296/FL). This was a revised design, smaller than the one originally proposed because infill rates for organic wastes have been lower than was at first envisaged.</p>	
<b>4. Site Constraints and Opportunities</b>	
<b>Physical Constraints and Opportunities</b>	
<b>Access</b>	<p>Vehicular Access - site access is off Lichfield Road (A461) which forms the northern boundary of the site. This replaced the previous access off Boatman's Lane - an appeal against refusal of permission for the new access was allowed in 1999 (BC54925P and BC54927P).</p> <p>Public Rights of Way (PROWs) – the nearest Definitive PROW (Ald1) runs to the south of the site, providing a pedestrian link from Brickyard Road to Stubbers Green Road. However, this is not affected by the permitted working area or the restoration programme.</p>
<b>Ground Conditions</b>	<p>Site is identified as Operational Landfill Site and is within an area where contamination may need to be addressed (see SAD Technical Appendices - Assets and Constraints Maps Updated November 2016).</p> <p>Site is a former quarry which is being restored by infilling with inert and non-hazardous waste in accordance with an approved restoration programme. There are potential risks from migration of contaminants from the adjacent former Empire/ Butterley landfill site were evaluated before the restoration programme was approved and the measures proposed to manage the risks are considered satisfactory, subject to ongoing monitoring. A pollution control regime, including installation of site curtilage drainage ditches and settlement lagoon, provision of designated discharge points, and arrangements for ongoing monitoring and management, are already in place, in accordance with Conditions 40 - 44 of BC48719P. Types of waste to be deposited in the landfill are restricted to inert and non-hazardous wastes only, which is controlled by Conditions (currently Condition 2 of 16/0244) and by the Waste Permit. A landfill gas plant (approved under 12/0926/FL) was installed in 2013, and leachate is being piped off site for treatment at the nearby Vigo/ Utopia leachate treatment plant which is in the process of being upgraded.</p> <p><b>Revised restoration programmes and after uses will be expected to achieve restoration to a satisfactory standard.</b></p>
<b>Current Land Use</b>	<p>Non-hazardous landfill site (former brick clay quarry) in the green belt on the edge of the urban area, with an associated landfill gas plant.</p> <p>The former quarry is being progressively restored by infilling with non-hazardous waste in accordance with the approved restoration programme (16/0244). A Waste Permit is also in place for the non-hazardous landfilling operations. Engineering operations for the purpose of restoring a former quarry are not regarded as 'inappropriate' development in a green belt (NPPF paragraph 146). The approved restoration programme is to restore the site to an open space after use comprising grassland with areas of woodland and wetland. The proposed after use would maintain 'openness' and is consistent with the purposes of including land within the green belt.</p> <p><b>Revised restoration programmes and after uses will be expected to be consistent with current policy requirements for land in the green belt.</b></p>
<b>Other</b>	None identified.
<b>Environmental Constraints and Opportunities</b>	
<b>Air and Noise Pollution</b>	<p>NO<sub>2</sub> – A461 corridor</p> <p>NOISE - Important Area (A461 corridor)</p> <p>(See SAD Technical Appendices - Assets and Constraints Maps Updated November 2016)</p>



	Site access is off Lichfield Road (A461) which forms the northern boundary of the site – all infill material is being imported via this route. Conditions 7 – 13 of 16/0465 require measures to control dust, air pollutants, odour and noise. A programme of highway improvements is planned in this corridor to improve highway capacity, reduce congestion and reduce transport emissions - this will have been designed to take into account current HGV trips.
<b>Flood Risk</b>	<p>Fluvial Flooding – parts of the site are within Flood Zones 2 and 3 and are therefore at High or Medium risk from fluvial flooding according to Environment Agency/ Walsall Council flood risk mapping (see SAD Technical Appendices - Assets and Constraints Maps Updated November 2016).<sup>34</sup></p> <p>Surface Water Flooding – parts of the site are at High to Medium risk according to the latest Environment Agency long-term flood risk mapping (2016).</p> <p>There is already an effective pollution control, flood management and surface water management regime in place, including site curtilage drainage ditches, lagoons, and provision of designated discharge points into the diverted Vigo Brook which runs in culvert along the southern boundary of the site, and another unnamed culverted watercourse running along the western boundary which joins the Vigo Brook. This was installed in accordance with Conditions 40 - 44 of BC48719P and its effectiveness was reviewed during evaluation of the original restoration programmes approved in 2007 (07/0046/WA/E1). The arrangements were considered satisfactory, subject to ongoing monitoring. Details of drainage arrangements submitted in compliance with the conditions of restoration programme (10/0224/DOC, 10/1543/DOC) and amendments to the restoration programme (16/0465) have also been approved since then.</p>
<b>Historic Environment</b>	<p>No designated heritage assets within the site or in the vicinity (see SAD Technical Appendices - Assets and Constraints Maps Updated November 2016 and Designated Heritage Assets - Updated November 2016).</p> <p>Wolverhampton &amp; Walsall HER records site of Brickiln House, an undated dwelling shown on OS 1st Edition Map (1885) fronting onto Walsall Road, within the north-west corner of the permitted area (HER Reference: 13283). The name of the house implies that there was a brick kiln and associated clay pits nearby. The OS 1<sup>st</sup> Edition Map also shows a water body near to the house which corresponds to the existing Brick Kiln Pool within the permitted area. The pool is almost certainly a former clay pit which must have gone out of use long enough ago to have filled with water before the OS map was created in the 1880s. Below-ground archaeological remains associated with the house site and brick kiln may survive within the strip of land between the site boundary and the road, which is outside the existing permitted area. HER also records the Daw End Branch of Wyrley &amp; Essington Canal and associated Walsall Wood, Latham (Boats) and Hollander's Bridges to the east of the site (HER References: 5876, 10235, 10233 and 10234).</p>
<b>Landscape Character</b>	<p>Area of open land on the edge of the urban area, designated as green belt, which is in an area that has been subject to mineral working and associated industry in the past. Site forms part of a 'green wedge' between the residential area of Shelfield to the west, and a commercial/ industrial/ residential area to the north-east. To the south and east are other former landfill sites and the Empire Works (hazardous waste treatment facility).</p> <p>National Nature Natural Area 43: Midlands Plateau</p> <p>National Character Area 67: Cannock Chase and Cank Wood</p> <p>Black Country HLC Character Area WL14: Rushall &amp; Shelfield<sup>35</sup></p> <p>Approved restoration scheme (07/0046/WA/E1 as amended by 16/0465) proposes an open space after use, comprising mainly grassland and wetland habitats with areas of trees and woodland, of similar character to surrounding area.</p>
<b>Natural Environment</b>	<p>Site is adjacent to Daw End Branch Canal SLINC. The canal acts as a wildlife corridor linking habitats to the north and south, including designated sites nearby such as Jockey Fields SSSI and SLINC on the northern side of Walsall Road (A461) (see SAD Technical Appendices - Assets and Constraints Maps Updated November 2016 and Nature Conservation Designated Sites and Assets, SSSIs and Sites WA028 and WA052). These sites provide a variety of mainly wetland habitats, including well-grazed damp pasture, neglected grassland, fen and mire.</p> <p>This former quarry is now being restored by infilling with inert and non-hazardous waste in accordance with the approved restoration programme (currently 16/0465). Following the infilling phases the whole site will be restored as an area of informal open space with wetland, grassland and woodland habitats, complementing the range of habitats present in the surrounding area.</p>
<b>Water Resources and Water Quality</b>	<p>Secondary A Aquifer (Bedrock)</p> <p>Site is within catchment of the following water bodies:</p> <p>Groundwater – GB40402G990800: Tame Anker Mease - Secondary Combined</p> <p>Surface Water – GB104028046990: Ford Brook from Source to River Tame</p>

<sup>34</sup> In 2017 the flood risk mapping for the area around the site was re-modelled, following objections from the operator to the inclusion of the site within Flood Zones 2 and 3. The re-modelling has removed most of the flood zones from the permitted site area. It is proposed to replace Maps 7.7 and 7.8 with new flood risk maps including the re-modelled flood zones as part of the Post Examination Modifications. Maps 9.1 and 9.2 will also be modified to include the re-modelled Flood Zones.

<sup>35</sup> Walsall Council has not prepared a Countryside Area Profile covering this area.

	Humber RBMP (2009), Annex B and Humber RBMP (2015) indicate that these water bodies are currently failing the standards set by the Water Framework Directive (WFD) and are not expected to achieve overall 'good' status against all measures until 2027. <sup>36</sup> The main pressures on the Ford Brook identified in 2015 were physical modifications, diffuse and point source pollution with ammonia and dissolved oxygen from urban development, and point source pollution with ammonia and phosphate from waste water treatment/ sewage discharge.
<b>Infrastructure/ Utility Constraints and Opportunities</b>	
<b>Highway Capacity</b>	The junction of the A461 with Salter's Lane and the junction of the A461 with the A452 Chester Road at Shire Oak have been identified in the Council's Local Transport Plan Settlement and Transport Capital Programme 2014/15 as requiring improvement. <sup>37</sup> The Local Highway Authority has also identified
<b>Other Infrastructure / Utilities</b>	<p>Canal Network - the Daw End Branch of the Wyrley &amp; Essington Canal runs along the eastern boundary of the site.</p> <p>Electricity Distribution - there is an electricity sub-station within the curtilage of the Empire Treatment Works, which is about 250m from the boundary of the Highfields South site.</p> <p>Pollution Control - landfill gas is being captured by the landfill gas plant located within a compound along the eastern boundary of the site. Leachate from the site is being piped to the leachate treatment plant at the former Vigo/ Utopia site, which is approximately 250m east of the Highfields South site.</p> <p>Surface Water Management - there are two culverted waterways within the site which form part of the flood water management regime.</p> <p>Waste Infrastructure - there is a large hazardous waste treatment facility (Empire Treatment Works) adjoining the southern boundary of the site.</p>
<b>Land Use Constraints and Opportunities</b>	
<b>Agricultural Land</b>	The site is not in agricultural use. The nearest agricultural land is to the north of the site, on the opposite side of the Walsall Road (A461), which is not affected by the current landfill operations on the Highfields South site.
<b>Amenity – Proximity to Businesses</b>	<p>There is a hotel (Baron's Court) adjacent to the site fronting onto Walsall Road (A461) and there is a public house (Horse &amp; Jockey) on the opposite side of Walsall Road – both properties are within 50m of the site boundary. Beyond these properties there are other industrial/ commercial properties fronting onto both sides of Walsall Road. To protect the amenity of the patrons of the Baron's Court Hotel, Conditions 6a and 6b of the approved restoration programme (16/0465) control the hours of operation of the site. Conditions 7 – 13 also require measures to control and monitor dust, air pollutants, odour and noise.</p> <p><b>Revised restoration programmes and after uses will be expected to mitigate the effects of significant changes to the existing operations from noise, dust and traffic on businesses.</b></p>
<b>Amenity – Proximity to Housing</b>	<p>Nearest housing is at Woodbridge Close/Walsall Road to the west of the site - the nearest properties have rear boundaries adjacent to the boundary and are less than 20m away, and more than 50 of these properties are within 50m of the boundary. There is also a new housing development on the opposite side of Walsall Road (A461) within 100m of the site boundary.<sup>38</sup> In addition there is a farm house (Highfield Farm) on the opposite side of Walsall Road and an isolated property on the same side of Walsall Road, both of which are within 50m of the site boundary. Another housing development on the opposite side of Boatman's Lane, next to the Baron's Court Hotel (Binary Mews) is within 100m of the site boundary. Proximity to the Woodbridge Close residential area has been a constraint to mineral extraction. The original restoration programme approved in 2007 (07/0046/WA/E1) included a significant 'buffer zone' between the working area and this residential area, resulting in relinquishment and sterilisation of around 0.5 million tonnes of permitted reserves. Other protection has been provided through screening mounds, retention of trees and hedgerows (protected by TPOs) and a lagoon installed as part of the flood management regime in accordance with the working conditions for the site (Conditions 35, 38 and 40 of BC48719P) – these have been incorporated into the approved restoration programme . To protect the amenity of nearby residential occupiers, Conditions 6a and 6b of the approved restoration programme (16/0465) control the hours of operation of the site. Conditions 7 – 13 also require measures to control and monitor dust, air pollutants, odour and noise.</p> <p><b>Revised restoration programmes and after uses will be expected to mitigate the effects of significant changes to the existing operations from noise, dust and traffic on residential properties.</b></p>
<b>Cross-Boundary Issues</b>	This site is currently Walsall's only 'open gate' landfill site, which is accessible to users seeking to dispose of inert and non-hazardous waste from other parts of the West Midlands, such as adjoining parts of the Black Country, Birmingham and Staffordshire. Information from the Environment Agency Waste Data Interrogator shows that the site is accepting waste from other parts of the West Midlands, although a high proportion of the waste received is not coded to a specific authority area. Given the location in Walsall Wood, the new area of open space that will be created once restoration and aftercare is complete is unlikely to benefit communities living outside Walsall. However, the wildlife habitats created will be complementary to the network of habitats that exist within the northern parts of Walsall Borough and adjoining areas of Staffordshire.

<sup>36</sup> Water quality of the groundwater body does not appear to have been measured in 2015.

<sup>37</sup> Funding for the improvements to these two junctions has now been secured and the improvements are scheduled to take place during 2017/18.

<sup>38</sup> Developed during 2015 and 2016 on the former Bournevale Motors site – planning permission 14/1720/FL varied by 16/0266.

5. Sustainability Appraisal (January 2016) – Summary of Results													
Appraisal of SAD Policy M8 (b - c) : MP6: Highfields South													
Air Quality	Biodiversity & Geodiversity	Climate Change	Communities & Population	Cultural Heritage	Economy & Centres	Equality & Diversity	Health & Wellbeing	Landscape & Townscape	Material Resources	Renewable & Low Carbon Energy	Soil & Ground Conditions	Transport & Accessibility	Water Environment
SA1	SA2	SA3	SA4	SA5	SA6	SA7	SA8	SA9	SA10	SA11	SA12	SA13	SA14
?	+	0	?	0	+	0	0	0	0	+	+	?	0
Commentary on Sustainability Appraisal Results													
Overall Appraisal Score	+	<p>The policy is to be applied in combination with BCCS Policies MIN3 and MIN5. The policy provides further guidance for future proposals to amend the approved restoration programme. As restoration is underway and controls are already in place to manage the effects through the existing planning conditions, the effects of the policy are likely to be limited.</p> <p>The overall effects of the policy in combination with existing BCCS policies, SAD Policy W2, which identifies the site as a Strategic Waste Site, and the approved restoration programme, are expected to be positive. The policy recognises that the site is now undergoing restoration, and that brick clay extraction is unlikely to resume again during the plan period because the remaining reserves of clay are only sufficient to provide for the engineering of the landfill and for restoration. Effects on objectives towards sustainable resource use and mineral production (SA10) are therefore neutral.</p> <p>The policy reflects the requirements of the approved restoration programme for the site, including the after uses, which will comprise open space and wildlife habitats. This is expected to have positive effects on biodiversity, the health and wellbeing of local communities, the landscape and ground conditions (SA2, SA4, SA8, SA9 and SA12) in the long-term, although in the short-term, effects on SA1, SA4 and SA13 are less certain. The site is near to residential areas, and there are also residential properties along the nearest major road which is likely to be the main haulage route of imported waste to the site, the A461 Walsall Road/ Lichfield Road, which is an area of NO2 exceedance and an 'Important Area' for noise. Measures are in place to minimise and control effects on residents from noise, odours and traffic. However, the operator has indicated that the site is likely to take longer to infill than originally expected, meaning that the effects will also last longer.</p> <p>This also means that the site will continue to provide a resource for disposal of residual non-hazardous household and business waste, and will therefore have positive effects on SA6. Generation of methane and leachate from the landfill and effects on the Vigo Brook channel and risks from flooding are already being effectively managed at the adjacent landfill gas plant and the Vigo/ Utopia leachate management plant, and provided this continues for as long as necessary, effects on SA3 and SA14 should be neutral.</p> <p>Effects on SA11 are likely to be positive, as the landfill gas plant is generating renewable energy. The existing mitigatory measures will need to remain in place throughout the life of the landfill. Planning permission will be required to extend its life beyond September 2016, so the policy sets out the essential requirements that proposals to amend the restoration programme will be expected to address, to ensure that the necessary controls remain in place.</p>											
6. Planning History - Key Planning Applications and Permissions													
Application Ref.	Decision Date	Application Description/ Summary									Current Situation at 31.12.16		
EB593	Permission granted 05.04.54	<b>Parts of Highfield and Deepmoor Farms (south-east of A461): Mineral Working.</b> Original mineral permission covering Highfields South Quarry and Highfields North sites. Only Highfields South was implemented. It was intended that the Highfields North permission would be revoked following appeal decision to allow opencast coal and clay extraction at Ryders Hayes, but the Revocation Order does not appear to have been made.									No change.		
BA5828	Permission Granted 02.05.77	<b>Highfields South Area, Lichfield Road, Walsall Wood: Programme for winning and working of minerals and restoration of the land permitted under B/593</b> Approval of working programme for Highfields South Quarry.									Mineral working has now ceased, restoration programme approved March 2007 - see 07/0046/WA/E1.		

BC39679P	No decision - withdrawn by applicant	<b>Highfields South Quarry, Lichfield Road, Shelfield, Walsall: Construction of site access from Lichfield Road and submission of a proposed range of wastes for landfilling and restoration.</b> Application submitted September 1993, subsequently withdrawn by applicant in November 1995. Revised applications for re-siting of access were submitted in May 1998 following ROMP – see BC45925P and BC54927P.	Revised applications for re-siting of access submitted in 1998 - see BC45925P and BC54927P.
BC48719P (ROMP)	Permission Granted 10.07.97	<b>Highfields South Quarry, Lichfield Road, Shelfield: Application for Determination of Conditions for a mineral site.</b> Revised working conditions for the site, varied by BC54927P (Condition 10) relating to access. The conditions were reviewed in 2007 when an application for a restoration programme was submitted (07/0046/WA/E1). Mineral extraction ceased in 2013 in accordance with Condition 3 of 07/0046/WA/E1, as varied by 11/0953/FL – see below for details.	Partly superseded by approved restoration programme – see 07/0046/WA/E1 below.
BC54925P BC54927P	Permissions Granted 11.08.99 (appeals allowed)	<b>Highfields South Quarry, Lichfield Road, Shelfield, Walsall: Re-siting of an access to existing quarry onto Lichfield Road</b> 'Twin-track' applications to relocate access to quarry. Original access was off Boatman's Lane - Condition 10 of BC48719P stipulated that this should be the sole access. Application BC54925P sought to re-site access to Lichfield Road/ Walsall Road (A462), and application BC45927P sought to vary Condition 10 of BC48719P to the same effect. Both applications were refused by the Council on highway safety grounds on 08.01.99, and were subsequently allowed on appeal.	Change to access was implemented, no change since then – current access to landfill site is still off Walsall Road (A461).
07/0046/WA/E1	Permission Granted 26.04.07	<b>Highfields South Quarry, Lichfield Road, Shelfield: Planning Application and Environmental Statement to amend Conditions 27, 42, 43, 48 and 50 of Planning Permission Reference BC48719P dated 9 July 1997, and the development details in particular: the provision of information regarding the waste types imported to restore the site to wet and deciduous woodland, grassland and a water body with public with public access</b> Approved restoration programme for Highfields South Quarry, involving infilling of void with inert and non-hazardous waste, to be followed by final restoration and landscaping to provide open space and wildlife habitats.	Infilling of site began in 2008, but did not become fully operational landfill until 2010. Infilling still underway.
08/0322/WA	Permission Granted 09.05.08	<b>Highfields South Quarry, Lichfield Road, Shelfield: Installation of a holding tank and pipe to enable the leachate generated at the Highfields South to be treated at the existing treatment facility at the Vigo Utopia Landfill Site</b> This was implemented following provision of drainage details in accordance with Condition 2 – see 09/1779/DOC.	Implemented – no change
09/0798/DOC	Condition Discharged 25.08.09	<b>Highfields South Quarry, Lichfield Road, Walsall WS9 9AH: Request for discharge of Condition 60 of BC48719P</b> Condition 60 requires approval of a gas and leachate collection and flaring system, in the event that monitoring demonstrates a requirement for it. Permissions 08/0322/WA and 09/1779/DOC effectively discharged the requirement for details of leachate treatment. This proposal was for installation of a landfill gas utilisation compound, comprising a gas plant and generating plan. The landfill gas plant approved under this permission was subsequently superseded by a revised scheme – see 12/0926/FL.	Superseded by revised landfill gas plant proposal – see 12/0926/FL
09/1721/DOC	Condition Discharged 18.01.10	<b>Highfields South Quarry, Lichfield Road, Walsall WS9 9AH: Request for Discharge of Condition 2 of 08/0322/WA</b> Permission 08/0322/WA related to the installation of a holding tank and a pipe to transfer leachate from this to the Vigo/ Utopia leachate treatment plant. Condition 2 requires submission of method statement for excavation of trench in proximity to trees.	Implemented – no change
09/1779/DOC	Condition Discharged 12.04.10	<b>Highfields South Quarry, Lichfield Road, Walsall WS9 9AH: Request for Discharge of Conditions 13, 14, 16 and 17 of BC48719P and 07/0046/WA/E1</b> These Conditions relate to submission of surveys and management plans for protected and priority species (bithynian vetch, great crested newts and water voles).	No change.
10/0165/FL	Permission Granted 08.04.10	<b>Highfields South Quarry, Lichfield Road, Walsall WS9 9AH: Continued operation of Highfields South Quarry with variation of Condition 1 of 07/0046/WA/E1.</b> The variation of Condition 1 allowed Highfields South Quarry to operate concurrently with the deposit of waste at the neighbouring Vigo Utopia Quarry for an extended period until 30.09.10.	Deposit of waste at Vigo/ Utopia ceased in 2010 in accordance with the permission.

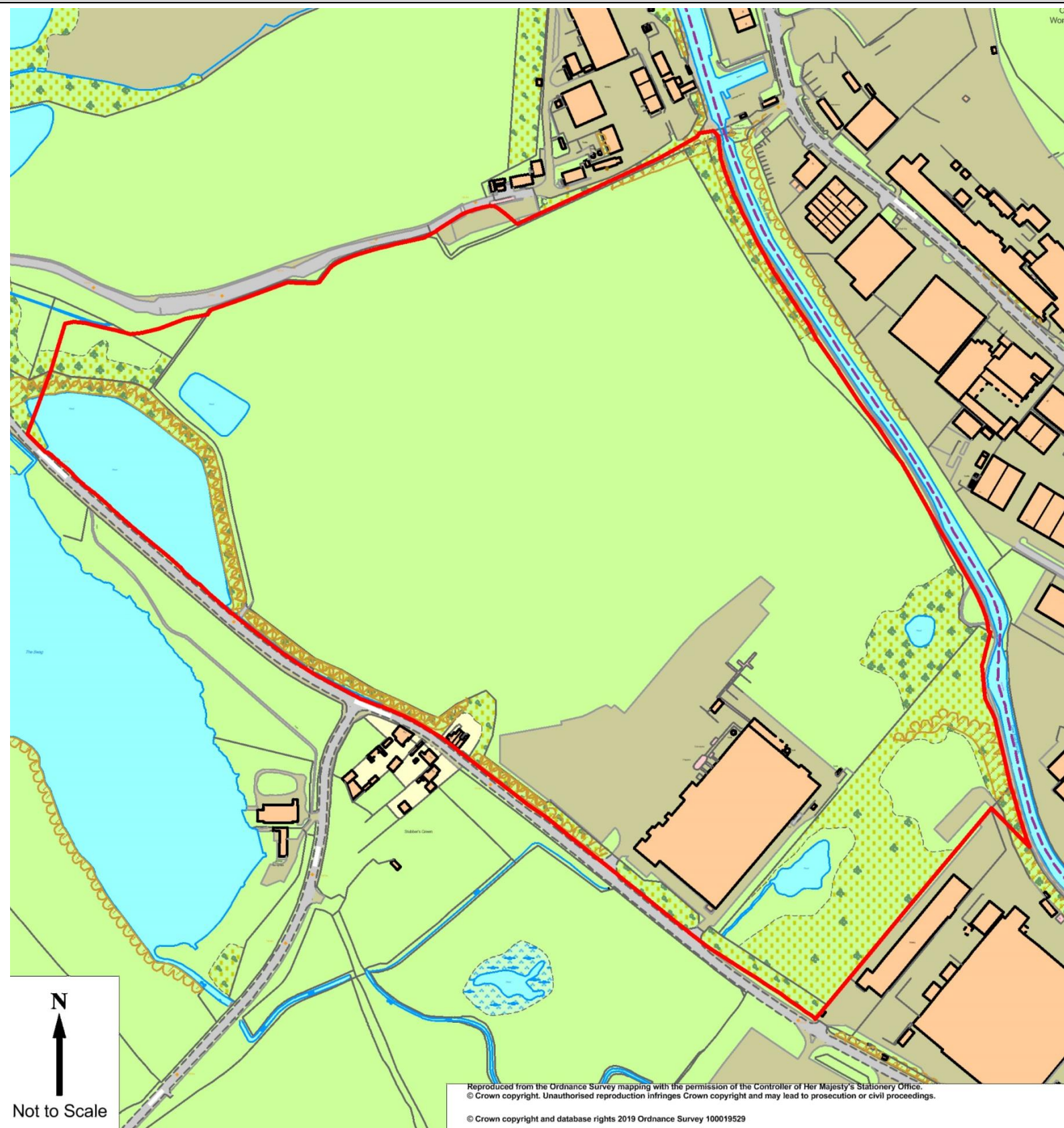
10/0224/DOC	Condition Discharged 26.07.10	<b>Highfields South Quarry, Lichfield Road, Walsall WS9 9AH: Discharge of Condition 15 of 07/0046/WA/E1 and Condition 51 of BC48719P.</b> Condition 15 requires submission of details of the phased management and treatment of the restored landform, and Condition 51 of BC49719P requires submission of details of aftercare.	No change.
11/0953/FL	Permission Granted 16.09.11	<b>Highfields South Quarry, Lichfield Road, Walsall WS9 9AH: Variation of Condition 3 [of 07/0046/WA/E1] to permit extra time to complete the approved mineral extraction works and variation of phasing plans approved under condition 4 of planning permission 07/0046/WA/E1.</b> This permission varied Condition 3 of 07/0046/WA/E1, to extend the time limit allowed for clay extraction at Highfields South up to 30.10.13 (the Condition required this to cease by 30.09.10). Amendments to restoration phasing plans were also approved as part of the same application.	Extraction of clay at Highfields South has now ceased. Operator is awaiting results of further survey work to establish whether any winnable reserves remain within the quarry.
12/0926/FL	Permission Granted 13.09.12	<b>Highfields South Quarry, Lichfield Road, Walsall WS9 9AH: Revised proposals for the installation of plant for the management and recovery of energy from landfill gas to produce electricity.</b> The approved scheme is a smaller plan than the one originally proposed - it was scaled down because infill rates of biodegradable waste have been lower than originally anticipated. The revised scheme supersedes the previous landfill gas plant scheme whose details were approved through discharge of conditions 09/0798/DOC. The new landfill gas plant was completed in 2013.	Implemented.
15/1403/EIA	Screening Opinion Adopted 09.10.15 – Not EIA Development	<b>Cory Environmental, Highfields South Quarry, Walsall Road, Walsall Wood, Walsall WS9 9AH: Screening Opinion to extend the landfill completion until 31/12/25.</b> Request for EIA screening opinion from the Council on the need for an environmental statement with an application to extend the life of the landfill site.	Planning application subsequently submitted and approved in September 2016 – see 16/0465 below.
16/0465	Permission Granted 13.09.16	<b>Highfields South Quarry, Walsall Road, Walsall Wood, Walsall WS9 9AH: Variation of Condition 4 of planning permission 07/0046/WA/E1 to allow additional 9.2 years, until 31/12/25, to complete the existing approved scheme for the phased filling and restoration of Highfields South Quarry to create open space.</b> This permission has effectively superseded the original restoration programme approved under 07/0046/WA/E1 and is subject to all the Conditions that remain relevant to the continued operation of the site. Permission 07/0046/WA/E1 required landfilling to be progressed over 8.5 year period in accordance with the approved infilling and phasing plan. Landfilling commenced in April 2008, meaning that it should have been completed by October 2016. However, the site has been accepting less than half the tonnages of waste originally anticipated. An average annual infill rate of 120,000 - 130,000 TPA is now expected compared to around 300,000 TPA envisaged in the original restoration programme. The remaining void space at the end of 2016 was projected to be around 1.15 million cubic metres. Infilling of the remaining void will take place in phases and each phase will be restored once it is completed as per the original programme. Condition 1 of 16/0465 requires this to continue in accordance with the phasing approved under permission 11/0953/FL.	No change. <sup>39</sup>

<sup>39</sup> Permission was subsequently granted on 22 May 2017 for Variation of Conditions 4 and 5 of 16/0465 to allow an updated Ecological Management Plan (17/0244). The Ecological Management Plan approved previously included measures to provide habitats for three Protected Species: Water Voles, Great Crested Newts and Bithynian Vetch. However, it has since been confirmed that Water Voles and Great Crested Newts are not present, therefore the new management plan focuses primarily on maintaining habitats to support Bithynian Vetch.



## Permitted Minerals Site Profile - Site MP7: Sandown Quarry

### 1. Site Location Plan



2. General Information and Site Characteristics	
<b>SAD Policy References</b>	Policies M6 and M7
<b>BCCS Policy References</b>	Policy MIN3
<b>Site Address</b>	170 Stubbers Green Road, Aldridge, Walsall, WS9 8BL
<b>NGR</b>	E: 404430 N: 301950
<b>Site Area</b>	19.67 hectares
<b>Site Description</b>	Active clay extraction site adjacent to brickworks (Sandown Works) on the edge of the urban area. Site is not highly visible from the surrounding area being largely screened by the brickworks and car park/ brick stockyards, and by trees/ landscaping along the other boundaries.
<b>Land Owner</b>	Wienerberger Ltd
<b>Operator</b>	Wienerberger Ltd
<b>Mineral Type</b>	Brick Clay
<b>Geological Association</b>	Upper Coal Measures (Etruria Formation)
<b>End Products</b>	Clay used to manufacture bricks
<b>Main Supply Outlets</b>	Sandown Brickworks (within permitted area)
<b>Operational Status at 31.03.17</b>	Active
<b>Estimated Annual Production</b>	10,500 – 11,000 TPA
<b>Estimated Permitted Reserves at 31.12.16</b>	<0.3 MT
<b>Estimated Years' Supply at 31.12.16</b>	Approximately 25 years, with up to 95% imports.
<b>Estimated Void Space Requiring Restoration</b>	Approximately 3 million cubic metres
<b>Restoration Status at 31.03.17</b>	Not started and unlikely to start until after the end of the plan period.
3. Current Situation at 31.03.17 – Overview	
<p>Sandown Quarry and the adjacent brickworks are both operated by Wienerberger Ltd. They are located off Stubbers Green Road in Aldridge, and together they occupy an area of around 30 hectares. The quarry is operating under mineral permissions covering five separate areas which have now been merged to form a single working site. The quarry and brickworks are subject to five separate mineral permissions as follows:</p> <ul style="list-style-type: none"> <li>• Former Sandown and Barnett &amp; Beddows sites (IDO670 granted in 1947 and registered as BC35785P in 1994);</li> <li>• Part of the former Empire/ Butterley Quarry (EA1444 granted in 1955);</li> <li>• A section of a former mineral railway line between the Sandon and Barnett &amp; Beddows sites (EAB2405 granted in 1970);</li> <li>• Erection of Sandown Brickworks – replacement for existing brickworks (BA17797P granted in 1986); and</li> <li>• 'The Causeway,' another section of the above mentioned mineral railway line (09/1730/MI/M1 granted in 2010).</li> </ul> <p>Most of the working area is operating under a schedule of conditions approved in 1999 (BC40528P), which was the First Periodic Review of conditions under the Environment Act 1995 (as amended). Similar conditions were adopted for working 'The Causeway' site under permission 09/1730/MI/M1, which post-dates the 1999 working conditions. These conditions are still in effect as no subsequent ROMP has been carried out and legal advice in 2013 confirmed that this has not affected the validity of the mineral permission. The end date for working is therefore February 2042.</p>	

<p>The quarry and brickworks are both in the green belt. The brickworks is subject to a separate planning permission to the quarry, which was granted in 1986 (BA17797P). Annual consumption of clay at the factory has increased significantly in recent years, and to keep up with demand, the factory has become increasingly reliant on imported clay. Permission was granted in 2009 to vary Condition 14 of BA17797P, to increase the amount of imported clay allowed from 49% to 65% (08/1338/FL), and a further variation of the Condition was approved in 2015 to increase imports to up to 95% of total clay consumption (15/0303/FL). Both permissions are subject to a condition requiring the submission an annual report on consumption of imported clay and reserves at Sandown Quarry to the Council.</p> <p>The current working plan approved in September 2015 at the same time as the latest permission to increase imports (15/0303/FL) indicates that there were just over 0.3 million tonnes (0.15 million cubic metres) of clay reserve remaining at the quarry in 2015. It is proposed to work this at a rate of around 10,500 – 11,000 TPA over 4 or 5 phases between 2015 and 2042. Assuming a depletion rate of this scale between 2015 and 2016, at the end of 2016 the remaining reserve would have been somewhat less than 0.3 million tonnes. The operator is proposing to bring forward a restoration programme before the end of Phase 4. A 'Concept Restoration Plan' was provided with application 15/0303/FL, proposing partial infilling with overburden/ inert quarry waste and restoration of the rest of the void as a water body. However, this is only one possible option, as the existing working conditions (BC40528P and 09/1730/MI/M1) would also permit infilling with imported waste.</p>	
<b>4. Site Constraints and Opportunities</b>	
<b>Physical Constraints and Opportunities</b>	
<b>Access</b>	Current access to site is off Stubbers Green Road, improvements to access were approved in 2008 (08/0973/FL). Permission 08/1338/FL identifies designated haulage routes for imported clay to Sandown brickworks via Stubbers Green Road, Leighswood Avenue, Leighswood Road Northgate/ Salter's Road (B4152), Lichfield Road (A461) and Chester Road (A452) from the A5 and beyond. It is unlikely that the access arrangements will change.
<b>Ground Conditions</b>	<p>Site is adjacent to a Historic Landfill Site (former Empire/ Butterley Quarry) and is in an area where contamination may have to be addressed (see SAD Technical Appendices – Assets and Constraints Maps Updated November 2016).</p> <p>There is a history of instability of slopes on part of the site. There are also potential risks from leachate of contaminants from the adjacent former Empire/ Butterley site which is believed to have been infilled with a mix of hazardous and non-hazardous wastes. Potential risks have been re-evaluated recently, firstly during the determination of the application to work 'The Causeway' site (09/1730/MI/M1) and secondly during the determination of the application to increase imports to Sandown Brickworks which included a new working plan for the quarry (15/0303/FL). Risks from pollution are also controlled by Conditions 17 of BC40528P and 18 of 09/1730/MI which impose restrictions over storage of oils and fuels.</p> <p><b>A future restoration programme will need to re-evaluate risks from industrial and mining legacy following the final phase of extraction, and if necessary, include measures to safeguard the stability of quarry slopes and prevent leachate of contaminants from adjacent land. The standard of restoration and landscaping should also be sufficient to support the approved after uses.</b></p>
<b>Current Land Use</b>	<p>Active brick clay quarry with adjacent brickworks, both of which are in the green belt. Quarry and brickworks are operating under mineral permissions covering five separate areas (IDO670 registered as BC35785P, part of the area approved under EA1444, EAB2405, BC17797P, and 09/1730/MI/M1). Several previously separate mineral working areas have been merged to form a single working area now known as Sandown Quarry.</p> <p>Mineral extraction is not regarded as 'inappropriate' development in a green belt, but a brickworks is 'inappropriate' so 'very special circumstances' must be demonstrated to justify retaining it beyond the working life of the quarry (NPPF paragraph 146). Under the current working conditions, the end date for working is February 2042 and the current working plan (approved as part of 15/0303/FL) assumes that working will continue until then. An earlier end date would be a matter for negotiation between the Council and the operator. Condition 26 of BC40528P and Condition 22 of 09/1730/MI require the site to be restored for "forestry, amenity, or other beneficial use as appropriate to the status of any part of the site."</p> <p><b>A future restoration programme will be expected to restore the site for the approved after uses unless there is justification for alternative uses. The standard of restoration and landscaping should also be sufficient to support the approved after uses.</b></p>
<b>Other</b>	None identified.
<b>Environmental Constraints and Opportunities</b>	
<b>Air and Noise Pollution</b>	<p>Not in an area where limit values for NO<sub>2</sub> are currently being exceeded (NO<sub>2</sub>) or in a Strategic Noise Area (NOISE) (see SAD Technical Appendices – Assets and Constraints Maps Updated November 2016).</p> <p>Condition 15 of BC40528P and Condition 15 of 09/1730/MI cover requirements for dust management.</p> <p><b>A future restoration programme for the site will need to re-evaluate risks from noise, dust and other air pollutants likely to be generated by the restoration operations, and should include effective measures to control and manage the effects.</b></p>

<b>Flood Risk</b>	<p>Fluvial Flooding – quarry and brickworks are not at significant risk, but land on the opposite side of Stubbers Green Road is within Flood Zones 2 or 3 and is at High or Medium risk from fluvial flooding according to Environment Agency/ Walsall Council flood risk mapping (see SAD Technical Appendices - Assets and Constraints Maps Updated November 2016).<sup>40</sup></p> <p>Surface Water Flooding – parts of the site including the quarry void are at High to Medium risk according to the latest Environment Agency long-term flood risk mapping (2016).</p> <p>Surface water flooding is a potential risk to vulnerable wetland habitats near the site, including Stubbers Green Bog SSSI, Swan Pool &amp; The Swag SSSI and Daw End Branch Canal SLINC, from flash-flooding and contaminants in surface water run-off. Supporting information provided with application 09/1730/MI to work 'The Causeway' site provides details of the current water management regime. Surface water run-off and groundwater is collected in a sump via a system of open drainage ditches, and from there is pumped into a silt pond at the ground surface near the western boundary of the site. Clean water is then discharged by gravity into a local drain. The drainage ditches include a 'toe drain' adjacent to the Daw End Branch Canal which is required to be maintained by Condition 18 of BC40528P. The working conditions also control the storage of oils and fuels which could be a potential source of contamination (Condition 17 of BC40528P and Condition 18 of 09/1730/MI). The 'Concept Restoration Plan' provided with application 15/0303/FL proposes that most of the quarry void be restored as a lake. It also proposes other measures to manage potential risks to the site and adjacent land from surface water flooding, such as creation of wetland habitats that drain into existing ditches.</p> <p><b>A future restoration programme for the site will need to re-evaluate risks from surface water flooding following the final phase of extraction, and include an effective surface water management strategy and pollution control regime.</b></p>
<b>Historic Environment</b>	<p>No designated heritage assets within the site or in the area of search around it (MXA3: Stubbers Green) (see SAD Technical Appendices - Assets and Constraints Maps Updated November 2016 and Designated Heritage Assets – Updated November 2016).</p> <p>Previous mineral extraction is likely to have destroyed any above- or below-ground archaeology within the permitted area, including some sites recorded on the Walsall &amp; Wolverhampton HER. The main surviving heritage assets near the site are Stubbers Green Road (probably mediaeval in origin) which forms the southern boundary of the site (HER Reference: 13526) and the Daw End Branch Canal, linking the Wyrley &amp; Essington Canal to the Rushall Canal, which forms the northern boundary (HER Reference: 5876). Condition 26 of BC40528P and Condition 22 of 09/1730/MI require the site to be restored for "forestry, amenity, or other beneficial use as appropriate to the status of any part of the site." The 'Concept Restoration Plan' provided with application 15/0303/FL proposes the retention of the existing trees and vegetation along the canal corridor and along the frontage of Stubbers Green Road.</p> <p><b>A future restoration programme for the site will be expected to be designed to protect and enhance surviving heritage assets, in particular, the canal corridor and associated structures and the frontage of Stubbers Green Road and the standard of restoration and landscaping should be sufficient to support the approved after uses.</b></p>
<b>Landscape Character</b>	<p>Open land designated as Green Belt.</p> <p>National Nature Natural Area 43: Midlands Plateau</p> <p>National Character Area 67: Cannock Chase and Cank Wood</p> <p>Black Country HLC Character Area WL14: Rushall &amp; Shelfield<sup>41</sup></p> <p>The most important positive aspects of the local landscape are the Daw End Branch Canal corridor which forms the northern boundary of the site, the environment along Stubbers Green Road, and the openness characteristic of the Green Belt. The after uses for the site following restoration are specified in the working conditions and would complement the existing landscape in the surrounding area. Condition 26 of BC40528P and Condition 22 of 09/1730/MI require the site to be restored for "forestry, amenity, or other beneficial use as appropriate to the status of any part of the site." The 'Concept Restoration Plan' provided with application 15/0303/FL proposes the restoration of most of the quarry void as a lake and to create woodland, wetland and grassland habitats around the edges of the site, including the retention of the existing trees and vegetation along the canal corridor and the frontage of Stubbers Green Road and around the Swan Pool. This would maintain openness and would complement existing landscape features.</p> <p><b>A future restoration programme for the site should complement positive aspects of the local landscape and the standard of restoration and landscaping should be sufficient to support the approved after uses. The Canals &amp; Rivers Trust would also need to be consulted on any proposals impacting on the canal corridor.</b></p>
<b>Natural Environment</b>	<p>Site is adjacent to Swan Pool &amp; The Swag SSSI and Stubbers Green Bog SSSI, and Daw End Branch Canal SLINC. These sites include important wetland habitats and together form an important wildlife corridor linking to other habitats in the wider area (see SAD Technical Appendices – Assets and Constraints Maps Updated November 2016 and Nature Conservation Designated Sites and Assets, SSSIs and Site WA028).</p> <p>Potential harmful impacts on these sites from dust, pollution, and changes to hydrology and soils during the working phases and during restoration are controlled by the current working conditions BC40528P and 09/1730/MI, and the latter permission is subject to specific requirements to protect the Swan Pool &amp; The Swag SSSI and the Daw End Branch Canal SLINC (see Conditions 14,</p>

<sup>40</sup> In 2017 the flood risk mapping for the area around the site was re-modelled, following objections from the operator to the inclusion of the site within Flood Zones 2 and 3. The re-modelling has removed most of the flood zones from the permitted site area. It is proposed to replace Maps 7.7 and 7.8 with new flood risk maps including the re-modelled flood zones as part of the Post Examination Modifications. Maps 9.1 and 9.2 will also be modified to include the re-modelled Flood Zones.

<sup>41</sup> Walsall Council has not prepared a Countryside Area Profile covering this area.

	<p>15, 17, 18 and 21 - 32 of BC40528P and Conditions 6 - 9, 15, 18 and 21 - 31 of 09/1730/MI). Condition 26 of BC40528P and Condition 22 of 09/1730/MI require the site to be restored for "forestry, amenity, or other beneficial use as appropriate to the status of any part of the site." The 'Concept Restoration Plan' provided with application 15/0303/FL proposes to restore most of the quarry void as a lake and to create woodland, wetland and grassland habitats around the edges of the site, including the retention and enhancement of existing trees and vegetation along the canal corridor and the frontage of Stubbers Green Road and around the Swan Pool. This would provide similar habitats to those already existing in the area.</p> <p><b>A future restoration programme for the site should enhance the adjacent designated sites and related ecological and hydrological networks and prevent any further harmful effects, and the standard of restoration and landscaping should be sufficient to support the approved after uses.</b></p>
<b>Water Resources / Water Quality</b>	<p>Secondary A Aquifer (Bedrock)</p> <p>Site is within catchment of the following water bodies:</p> <p>Groundwater – GB40402G990800: Tame Anker Mease - Secondary Combined</p> <p>Surface Water – GB104028046990: Ford Brook from Source to River Tame</p> <p>Humber RBMP (2009), Annex B and Humber RBMP (2015) indicate that these water bodies are currently failing the standards set by the Water Framework Directive (WFD) and are not expected to achieve overall 'good' status against all measures until 2027.<sup>42</sup> The main pressures on the Ford Brook identified in 2015 were physical modifications, diffuse and point source pollution with ammonia and dissolved oxygen from urban development, and point source pollution with ammonia and phosphate from waste water treatment/ sewage discharge. Impacts on hydrology were considered in 2009 when the application to work 'The Causeway' site (09/1730/MI) was submitted and it was confirmed that an effective surface water management regime is in place (see Flood Risk).</p> <p><b>A future restoration programme for the site will need to re-evaluate risks to hydrology following the final phase of extraction, and include an effective surface water management strategy and pollution control strategy.</b></p>
<b>Infrastructure/ Utility Constraints and Opportunities</b>	
<b>Highway Capacity</b>	No issues of concern identified by the Local Highway Authority.
<b>Other Infrastructure / Utilities</b>	<p>Canal Network - the Daw End Branch of the Wyrley &amp; Essington Canal runs along the north-eastern boundary of the site.</p> <p>Electricity Distribution - there are two electricity sub-stations near the site. One is within the curtilage of the Empire Treatment Works, within 50m of the northern boundary of the site and the other is on Stubbers Green Road adjacent to Stubbers Green Bog/ Mercian Weldcraft, about 120m from the frontage of the brickworks.</p> <p>Pollution Control – there are arrangements in place to control pollution within the site (see Ground Conditions).</p> <p>Surface Water Management - there are drains running around the northern, western and southern boundaries of the permitted area, which are part of the existing surface water management and pollution control regime.</p> <p>Waste Infrastructure - there is a large hazardous waste treatment facility (Empire Treatment Works) adjoining the northern boundary of the site.</p>
<b>Land Use Constraints and Opportunities</b>	
<b>Agricultural Land</b>	The current quarry operations are not in an agricultural area and do not affect any agricultural land. Land on the opposite side of Stubbers Green Road (Recordon Land), proposed as an extension to Atlas Quarry, is currently used for horse grazing but has not been included in the Post 1988 Agricultural Land Classification published by Defra (see SAD Technical Appendices – Assets and Constraints Maps Updated November 2016).
<b>Amenity – Proximity to Businesses</b>	<p>The site is separated from the nearest businesses by the Daw End Branch of the Wyrley &amp; Essington Canal and an area of open space which has been designated as a SSSI (Stubbers Green Bog). The quarry operations are unlikely to be having any significant direct effects on these businesses, although there is potential for effects from quarry traffic which is likely to be using the same haulage routes as nearby industrial businesses.</p> <p><b>A future restoration programme for the site will be expected to mitigate the effects of significant changes to the existing operations from noise, dust and traffic on businesses.</b></p>
<b>Amenity – Proximity to Housing</b>	There are three residential properties on Stubbers Green Road next to the quarry and three others on the opposite side of Stubbers Green Road. Impacts on amenity from quarrying operations been mitigated as far as possible by screening and through the current working conditions. However, restoration programme (yet to be submitted, 'Concept Restoration Plan' only provided with 15/0303/FL) will be expected to mitigate any impacts from the restoration operations. Haulage of imported clay to the brickworks and bricks from the brickworks also has impacts on residents living along the designated haulage routes, and this would continue during the restoration phases, if vehicles delivering restoration materials use the same route. Restoration by infilling with non-

<sup>42</sup> Water quality of the groundwater body does not appear to have been measured in 2015.



	hazardous waste is unlikely to have any effects on the health of adjacent occupiers that cannot be controlled through current working conditions and waste permitting regime. Alternative restoration methods such as proposed in the ‘Concept Restoration Plan’ provided with application 15/0303/FL would take less time and could have fewer impacts on people living near the site and along the haulage routes for imported restoration materials.  <b>A future restoration programme for the site will be expected to mitigate the effects of significant changes to the existing operations from noise, dust and traffic on residential properties.</b>												
<b>Cross-Boundary Issues</b>	Quarry has limited permitted reserves remaining and Sandown brickworks is increasingly reliant on imports from other areas. The factory is permitted to import up to 95% of the clay used under permission 15/0303/FL granted in September 2015. Supporting information provided with this application indicate that the main sources of imported clay are currently Staffordshire and Warwickshire, and in the long-term South Staffordshire is expected to be the principal supply area. Staffordshire County Council and South Staffordshire Council were consulted on application 15/0303/FL and did not raise any objections.												
<b>5. Sustainability Appraisal (January 2016) – Summary of Results</b>													
<b>Appraisal of SAD Policy M7 (f - h): MP7: Sandown Quarry</b>													
<b>Air Quality</b>	<b>Biodiversity &amp; Geodiversity</b>	<b>Climate Change</b>	<b>Communities &amp; Population</b>	<b>Cultural Heritage</b>	<b>Economy &amp; Centres</b>	<b>Equality &amp; Diversity</b>	<b>Health &amp; Wellbeing</b>	<b>Landscape &amp; Townscape</b>	<b>Material Resources</b>	<b>Renewable &amp; Low Carbon Energy</b>	<b>Soil &amp; Ground Conditions</b>	<b>Transport &amp; Accessibility</b>	<b>Water Environment</b>
<b>SA1</b>	<b>SA2</b>	<b>SA3</b>	<b>SA4</b>	<b>SA5</b>	<b>SA6</b>	<b>SA7</b>	<b>SA8</b>	<b>SA9</b>	<b>SA10</b>	<b>SA11</b>	<b>SA12</b>	<b>SA13</b>	<b>SA14</b>
0	0	0	0	0	+	0	0	?	+	0	?	0	?
<b>Commentary on Sustainability Appraisal Results</b>													
<b>Overall Appraisal Score</b>	?	<p>The policy is to be applied in combination with BCCS Policies MIN3 and MIN5, and SAD Policy M6, which is a policy for the supply of clay to the brickworks in the Stubbers Green area. The policy provides further guidance for future proposals to amend the existing planning permissions for the quarry, such as variation or review of working conditions, new working plans, proposals to expand the quarry, or restoration programmes.</p> <p>The effects of policy are limited as the existing operations at the quarry are controlled by the existing working conditions approved in 1996 and 2010 and the policy cannot impose requirements that conflict with the existing planning conditions. The quarrying operations are not continuous throughout the year, and involve three or four "campaigns" of clay extraction per annum followed by stockpiling of clay to allow it to weather prior to use. The overall effects of the policy in combination with existing BCCS policies and the approved working conditions are uncertain but could be neutral or positive, depending on whether existing regulatory controls remain effective, and whether restoration of the quarry is progressed within the plan period.</p> <p>The policy recognises that the site will continue in production for much if not all of the plan period to produce clay for use at the adjacent Sandown Brickworks, supporting the production of essential building materials - effects on SA6 and SA10 therefore likely to be positive. However, the current working plan, approved in 2015, indicates a significant reduction in annual production at the quarry, which is anticipated to continue to be worked at a low level until the end date specified in the working conditions, which is February 2042. The SAD can do nothing to alter the existing conditions or the end date for working because no further reviews are possible without the agreement of the operator.</p> <p>The effects on SA9 and SA12 are uncertain, because the operator is unlikely to bring forward restoration of the site unless this is necessary to ensure that quarry slopes remain stable and to prevent any risks of contamination arising from the adjacent Empire Butterley site, or to maintain supplies of clay to the adjacent factory, for example, if a new stockyard is needed within the quarry area to stockpile imported clay. The SAD can do nothing to mitigate any harmful effects that may arise if the site is not restored within a reasonable timescale, as this can only be resolved through the development management process.</p> <p>Effects on other SA objectives are likely to be neutral overall as there are measures in place through the existing working conditions to control noise, dust, impacts on adjacent nature conservation sites and ecological networks, hydrology and water resources.</p>											

<b>6. Planning History - Key Planning Applications and Permissions</b>			
<b>Application Ref.</b>	<b>Decision Date</b>	<b>Application Description/ Summary</b>	<b>Current Situation at 31.12.16</b>
IDO670	Permission Granted 07.10.47	<b>Extraction of minerals and depositing waste materials, erection of kilns, sheds, offices stores and equipment for brick and tile making and houses for employees.</b> Old mineral permission covering former Barnett & Beddows and Sandown Quarries, which were subsequently merged to form a single quarry, comprising most of the current Sandown Quarry.	Superseded by registered permission BC35785P and comprehensive mineral permission and conditions covering whole of Sandown Quarry (BC40528P).
EA1444	Permission Granted 04.02.55	<b>Land off Brickyard Road, Aldridge: Opencast clay workings.</b> Old permission covering former Empire/ Butterley site and adjacent land, a small part of which is now within Sandown Quarry.	Superseded by comprehensive mineral permission and conditions covering whole of Sandown Quarry (BC40528P).
EAB2405	Permission Granted 21.04.70	<b>Use of land for mineral workings at Aldridge – on railway land to the west of Barnfield Bridge</b> Old mineral permission covering part of former mineral railway line forming the boundary between the former Sandown and Barnett & Beddows Quarries, which now forms part of Sandown Quarry.	Superseded by comprehensive mineral permission and conditions covering whole of Sandown Quarry (BC40528P).
BA17797P	Permission Granted 25.09.86	<b>Barnett &amp; Beddows Ltd, Stubbers Green Road, Aldridge, Walsall: Erection of brickworks.</b> Original permission for development of replacement brickworks on eastern part of permitted mineral working area covered by IDO670 (Sandown and Barnett & Beddows) and EAB2405 (former mineral railway line). Condition 14 only allows the development to be operated in association with the adjacent clay extraction operations, and restricts importation of clay to 49%. This condition has since been varied by permissions 08/1338/FL and 15/0303/FL to allow increased imports – see below.	Condition 14 varied by 08/1338/FL and 15/0303/FL.
BA17572P	Permission Refused 25.01.96 (appeal dismissed)	<b>Barnett &amp; Beddows Ltd, Stubbers Green Road, Aldridge: Continued working and restoration of site (amendment to BA17389).</b> Refusal of permission to allow continued extraction of clay from part of former mineral railway, referred to as the Causeway/ Spur Site/ former Mineral Railway. Appeal against refusal was dismissed.	Permission was subsequently granted for extraction in this area under 09/1730/MI/M1.
BC35785P	Permission Granted 01.09.93 (appeal upheld)	<b>Salveson Brick Ltd, Stubbers Green Road, Aldridge: Extraction of minerals and depositing of waste materials.</b> This application related to the registration of IDO Permission No. 670 as a valid mineral permission. It was approved by the Secretary of State following an appeal against refusal by the Council.	Superseded by comprehensive mineral permission and conditions covering whole of Sandown Quarry (BC40528P).
BC39250P	Approved – Reserved Matters 19.01.94	<b>Sandown Quarry, Stubbers Green Road, Aldridge, Walsall: Operational Plan for Years 6-10.</b> Working plan for Sandown and Barnett & Beddows, which were by then being worked as a single quarry. Later working plans were approved in 2000 (BC57897P) and 2015 (15/0303/FL).	Superseded by later working plans - see BC57897P and 15/0303/FL.
BC40528P (ROMP)	Permission Granted 17.01.96	<b>Salveson Brick Ltd, Stubbers Green Road, Aldridge: Determination of conditions to which the registered IDO permission 670 (Local Authority Ref: BC35785P) will be subject.</b> Modern conditions to be applied to Sandown Quarry under Environment Act 1995. These are still the current working conditions that apply to Sandown Quarry, i.e. the former Sandown and Barnett & Beddows sites approved under IDO670, part of Empire Butterley site approved under EA1444, former mineral railway area approved under EAB2405, and part of Sandown factory site approved under BC17797P. Although the periodic review fell due in 2010, notice was not served by the Council. Legal opinion was sought and this confirmed that the conditions remain in place and have effect. The end date for working at the quarry is therefore February 2042.	No change except for permission to work 'The Causeway' under separate but similar conditions - see 09/1730/MI/M1.

BC51997P (ROMP)	No decision	<b>Clay workings off Brickyard Road, Aldridge: Determination of conditions to which mineral working permission EA1444 is to be subject, pursuant to the Environment Act 1995.</b> Modern conditions covering working on the part of what is now Sandown Quarry covered by permission EA1444, which is the part of the quarry that was formerly part of the Empire Butterley site. Has never been determined or withdrawn according to Council's planning application system. It appears to have been superseded by BC40528P.	Superseded by BC40528P.
BC57897P	Permission Granted 14.06.00	<b>Sandown/ Barnett and Beddows Quarry, Stubbers Green Road, Walsall: Working Plan for Sandown/ Barnett and Beddows Quarry under the requirements of Condition7 of permission BC40528P.</b> This working plan covered the whole of the permitted area at the time (i.e. the former Sandown and Barnett & Beddows sites approved under IDO670, part of the Empire/ Butterley site approved under EA1444, the former mineral railway area approved under EAB2405, and part of Sandown factory site approved under BC17797P). A new five-year working plan was approved as part of the permission to work 'The Causeway' in 2010 (see 09/1730/MI/M1).	Superseded by new working plan approved in 2010 – see 09/1730/MI/M1.
BC58809P	No decision	<b>Chelwood Brick Ltd, Sandown Works, Stubbers Green Road, Walsall: New conditions for existing mineral working permission EAB2405 Sandown/ Barnett &amp; Beddows Quarry.</b> Application submitted in 1999 for new conditions covering working on the part of the former mineral railway covered by permission EAB2405. Has never been determined or withdrawn according to Council's planning application system. It appears to have been superseded by BC40528P.	Superseded by BC40528P.
08/0973/FL	Permission Granted 11.09.08	<b>Sandown Factory, 175 Stubbers Green Road, Walsall, WS9 8BL: Widening of rear exit to highway and additional access to highway to side of building.</b> Improvements to access and circulation arrangements at brickworks.	Not clear whether this has been implemented – aerial photographs from 2006 and 2009 show some changes to circulation but do not appear to show a new access road.
08/1338/FL	Permission Granted 04.11.08	<b>Sandown Factory, 175 Stubbers Green Road, Walsall, WS9 8BL: Vary Condition 14 of BA17797P to allow increase of limit on imported clays from 49% to 65%.</b> This varied Condition 14 of BA17797P, increasing the amount of imports allowed but retaining the original stipulation that the development may only be operated in association with the adjacent clay extraction operations. Modified condition requires Wienerberger to provide the Council with an annual report on clay consumption by source, demonstrating compliance. As reserves at the quarry have become depleted, the factory has become increasingly reliant on imports, and the Condition was varied again in 2015 to allow up to 95% imports – see 15/0303/FL.	Condition 14 varied again in 2015 by 15/0303/FL.
08/1977/DOC	Conditions Discharged 25.08.09	<b>Sandown Factory, 175 Stubbers Green Road, Walsall, WS9 8BL: Discharge of Conditions 3, 4, 5, 6, 7, 8, 9 and 10 of 08/0973/FL.</b> Discharge of conditions relating to construction details, signage and management plan for SSSI, required before access improvements approved under 08/0973/FL could be implemented.	No change.
09/1730/MI/M1	Permission Granted 08.06.10	<b>Sandown Quarry, 175 Stubbers Green Road, Aldridge, WS9 8BJ: Extraction of clay from beneath section of former railway line with importation of limited quantities of inert fill materials (clay and overburden).</b> Permission for extraction of clay at The Causeway – remaining section of mineral railway line for which permission was granted in 1970 (see EAB2405). This was previously refused on appeal – see BA17572P. Permission was granted in June 2010 and the site has now been absorbed into Sandown Quarry and is being worked with previously permitted reserves. The permission is subject to a schedule of working conditions similar to BC40528P. An indicative five year working plan covering two phases of quarry development including 'The Causeway' site 2010 – 13 and 2014-15 was approved as part of this permission.	Conditions 7 and 9 discharged in 2011 – see 11/0136/DOC. New working plan approved in 2015 – see 15/0303/FL. Extraction in this area is underway and will continue during Phases 1 – 3 of the current working plan.
11/0136/DOC	Conditions Discharged 13.07.11	<b>Sandown Quarry, Stubbers Green Road, Aldridge: Discharge of Conditions 7 and 9 of 09/1730/MI</b> Discharge of conditions relating to details of connection to adjacent canal towpath to maintain access for monitoring purposes, and arrangements for monitoring of water levels at Swan Pool.	No change.

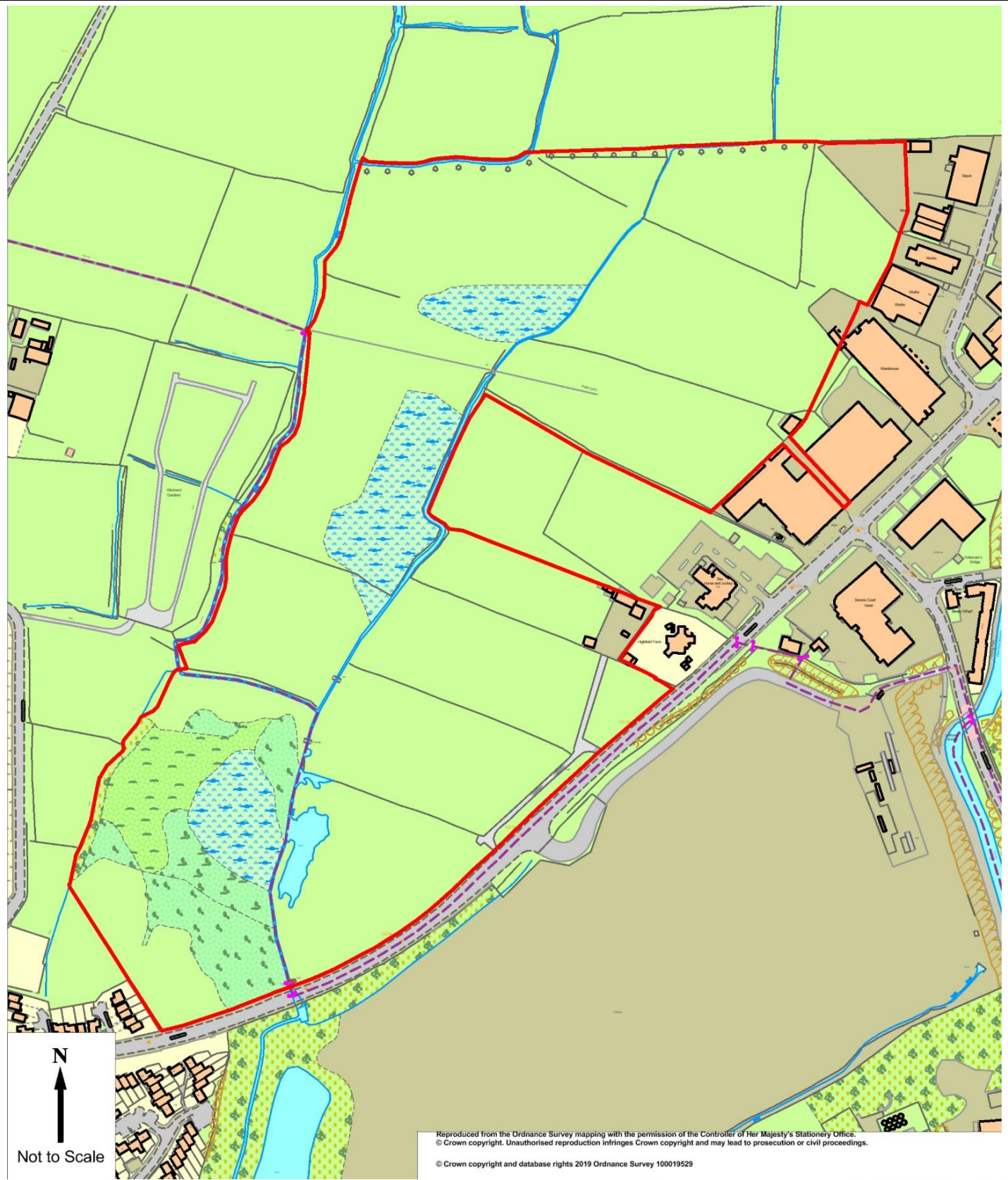
15/0303/FL	Permission Granted 03.09.15	<p><b>Wienerberger Ltd, Sandown Works, Stubbers Green Road, Aldridge, West Midlands, WS9 8BL: Erection of brickworks without compliance with condition 14 of planning permission BA17797P, (as amended by 08/1338/FL) to allow an increase in the limited on imported clays from 65% to 95%.</b> Supporting information indicates that factory uses a variety of imported clays, mainly from Staffordshire, although certain types of clay (including fireclay) are also sourced from Shropshire (Caughley), Warwickshire (Kingsbury) and Leicestershire (Donington Island). Going forward, imports of Etruria Marl are expected to be sourced increasingly from South Staffordshire.<sup>43</sup> Permission is subject to similar condition to 08/1338/FL and requires applicant to provide annual return to the Council with details of clay consumption by source and remaining reserves at Sandown Quarry. A new working plan for the quarry was approved at the same time the application was determined. This indicates that there were just over 0.3 million tonnes of reserve remaining within the quarry at April 2015. It is proposed to work this at a rate of around 10,500 – 11,000 TPA over 4 or 5 phases between 2015 and 2042. The operator is proposing to bring forward a restoration programme before the end of Phase 4. A ‘Concept Restoration Plan’ was also provided, proposing partial infilling with overburden/ inert waste and restoration of the rest of the void as a water body.</p>	No change.
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<sup>43</sup> Permission has also been granted by Dudley MBC to allow export of Etruria Marl from Oak Farm in Himley (which used to supply the former Sedgley brickworks, now demolished) to Sandown brickworks (P14/1780). However, this site is only likely to provide Sandown with a short-term supply.



Permitted Minerals Site Profile - Site MP9: Highfields North

1. Site Location Plan





2. General Information and Site Characteristics	
<b>SAD Policy References</b>	Policy M8
<b>BCCS Policy References</b>	N/A
<b>Site Address</b>	Lichfield Road, Shelfield, Walsall
<b>NGR</b>	E: 404020 N: 302750
<b>Site Area</b>	18.31 hectares
<b>Site Description</b>	Area of woodland, wetland and grassland on the edge of the built-up area forming part of an extensive 'green wedge' of open land that extends to the north of the site. There is further open land to the west with housing beyond, to the south on the opposite side of Walsall Road (A461) is Highfields South landfill site, and to the east there is further open space and beyond this there is commercial and industrial development on either side of Walsall Road.
<b>Land Owner</b>	Parkhill Estates Ltd
<b>Operator</b>	No operator identified
<b>Mineral Type</b>	Brick Clay
<b>Geological Association</b>	Upper Coal Measures (Etruria Formation)
<b>End Products</b>	Clay and shale used in manufacture of bricks and blocks, possibly also sand and gravel.
<b>Main Supply Outlets</b>	Not known
<b>Operational Status at 31.03.17</b>	Pre-Operational
<b>Estimated Annual Production</b>	Approximately 260,200 TPA (annual (mean) average) assuming 19 year working life <sup>44</sup>
<b>Estimated Permitted Reserves at 31.12.16</b>	2.565 million cubic metres <sup>45</sup>
<b>Estimated Years' Supply at 31.12.16</b>	19 years according to approved working plan.
<b>Estimated Void Space Requiring Restoration</b>	Not specified in approved working plan.
<b>Restoration Status at 31.03.17</b>	Not started but advanced landscaping and tree planting has been carried out.
3. Current Situation at 31.03.17 – Overview	
<p>This site lies north of Lichfield Road (A461) and occupies an area of nearly 18.5 hectares. It is subject to an old mineral permission which also includes the Highfields South site (MP6) to the south of Lichfield Road – see separate Site Profile for details.</p> <p>An interim development order (IDO) was issued in 1947 for mineral working on part of Highfields and Deepmoor Farms (now Highfields North and Highfields South), which was registered in 1954 as permission EB593. Permission for working within an amended 'red line' boundary at Highfields North was granted in 1966 (EB3410). A working plan for the site was approved in 1977 (BA5827) which included the construction of a conveyor tunnel beneath the A461 to transport material from the site to Highfields South. The working plan proposes five phases of working over a 19 year period, and progressing infilling of voids with overburden and imported inert material. The proposed advance landscaping and tree planting has been carried out, but the rest of the working plan has not been implemented. The site was therefore classified as 'dormant' in</p>	

<sup>44</sup> A 19 year working life is proposed in the working plan approved in 1977 (BA5827), to be worked over five phases. The working plan estimates that the site contains around 4.866 million tons (imperial) of clay excluding overburden, which equates to around 4.944 million tonnes (metric) using the following conversion formula: 1 imperial ('long') ton = 1.0160463 metric tonnes. Assuming it would be worked for 19 years in total, the site would produce an average of 260,200 tonnes of clay per annum over its lifetime, although there would be variations in annual production according to the proposed phasing.

<sup>45</sup> The working plan approved in 1977 (BA5827) estimates that the site contains around 3.356 cubic yards of clay excluding overburden, which equates to around 2.565 cubic metres using the following conversion formula: 1 cubic yard/1.3080 = 1 cubic metre.

the first review of old permissions required under Section 96 of the Environment Act 1995 (as amended). This means that the mineral permission cannot be implemented until a schedule of modern working conditions has been approved.

Pre-WW2 Ordnance Survey maps (1938-39) appear to show a mineral extraction area within the site (field reference 434), suggesting that part of the site was subject to mineral extraction before the IDO was issued in 1947. This is now a pool which forms part of an extensive area of wetland, grassland and woodland habitats in a stream valley, known as Jockey Fields. Part of this area, including most of the permitted site, was designated by English Nature (now Natural England) as the Jockey Fields Site of Special Scientific Interest (SSSI) in 1994. The area surrounding the SSSI has been designated as the Jockey Fields SLINC and forms part of the SSSI consultation area. The site is currently being managed as a nature reserve, with some areas used for horse grazing. As well as contributing to the biodiversity value of the site, the existing land uses have preserved part of the historic field pattern, characterised by small pasture fields bounded by hedgerows, although there has been encroachment of woodland in some areas including an area of advance planting at the south-western end of the site.

In November 2014 the Council received a prior notification of test drilling on the site, on behalf of the current land owner – the proposed investigations were deemed to be permitted development. The outcome of the test drilling is not known, and has not been followed up by a ROMP application. Given the sensitivity of the site, an application for new working conditions would almost certainly be EIA development, and would require an environmental statement and supporting information. To date, no scoping request has been received by the Council.

#### 4. Site Constraints and Opportunities

##### Physical Constraints and Opportunities

<b>Access</b>	<p>Vehicular Access - approved working plan for the site (BA5827) shows a proposed access point off Walsall Road (A461) adjacent to Highfield Farm. It is also proposed to construct a conveyor tunnel beneath the road near to the access point, to transfer material from Highfields North to Highfields South and from there to the (unspecified) brickworks. The construction of such a tunnel is a specific requirement of Condition 19 of permission EB3410.</p> <p>Public Rights of Way (PROWs) – there is a Definitive PROW running east-west across the site, linking Green Lane to Walsall Road (Bro41).</p> <p>The local highway authority has not objected in principle to access off the A461. As the Highfields South site is now an operational landfill site in separate ownership, it is doubtful that the conveyor tunnel arrangement proposed in the 1977 working plan would be feasible, so extracted clay is more likely to be exported by road via the A461 to the brickworks that would be supplied. Before working can commence, the PROW will also have to be diverted to maintain public access throughout the working life of the site including the restoration phases. This would require the necessary Order to be made by the Council (or by the Secretary of State in the event of objections), and would be subject to agreement with the local highway authority.</p> <p><b>A ROMP application will be expected to include site access details and proposals for diversion of PROW Bro41 to maintain public access. The views of the local highway authority on these proposals will be an important material consideration.</b></p>
<b>Ground Conditions</b>	<p>Site is near to an existing landfill site (Highfields South) part of it is identified as an area where contamination may have to be addressed (see SAD Technical Appendices – Assets and Constraints Maps Updated November 2016).</p> <p>The area identified as having potential ground contamination is in the south-west corner of the site, where pre-WW2 Ordnance Survey maps (1938-39) show a quarry void although it is not labelled as such. There is a reference to the “existing production pit to the south” in Condition 2 of EB3410 which must relate to this. No working has taken place in this area for years and it has since regenerated naturally to form a pool. There are also potential risks from pollution to soils and groundwater from further mineral extraction within this site - site investigations and hydrological survey will be required to identify potential risks. Conditions 6 of EB3410 cover slope stability during extraction and infilling following extraction, but do not address risks from pollution. Given the length of time since the permission was granted in 1966, the arrangements will need to be reviewed to ensure that working and restoration programmes address existing and potential problems from ground instability and contamination.</p> <p><b>A ROMP application should include information about current ground conditions based on recent site investigations. This should identify potential geotechnical and risks from previous mineral extraction and appropriate solutions to be implemented as part of the mineral development and subsequent restoration programme.</b></p>
<b>Current Land Use</b>	Permitted mineral extraction site in the green belt which is currently in use as an area of informal open space/ grazing land and is being managed as a nature reserve. Nearly all of the site has been designated as a SSSI (Jockey Fields).
<b>Other</b>	None identified.
<b>Environmental Constraints and Opportunities</b>	
<b>Air and Noise Pollution</b>	<p>NO<sub>2</sub> – A461 corridor</p> <p>NOISE - Important Area (A461 corridor)</p> <p>(See SAD Technical Appendices - Assets and Constraints Maps Updated November 2016)</p>

	<p>The access to the site would be off the A461 (Walsall Road), which forms the southern boundary of the site. A new mineral extraction site at Highfields North is likely to generate a significant net increase in HGV trips along this route, and would therefore result in an increase in traffic emissions and noise within this corridor. While the conveyor tunnel proposed in the approved working plan (BA5827) would minimise the effects, it is unlikely to be feasible to implement this now that the Highfields South site is an operational landfill site in separate ownership (see Access). A programme of highway improvements is planned in this corridor to improve highway capacity, reduce congestion and reduce transport emissions but it is unclear whether this has been designed to cope with the HGV trips likely to be generated if the mineral permission is implemented. Without adequate mitigation, the benefits of the planned improvements could be negated by the implementation of the permission.</p> <p><b>A ROMP application will be expected to evaluate risks from noise, dust and other air pollutants likely to be generated by the implementation of the permission (including emissions from quarry traffic), and should include effective measures to control and manage the effects.</b></p>
<b>Flood Risk</b>	<p>Flood Zone 1 (Low Risk) according to Environment Agency/ Walsall Council flood risk mapping (see SAD Technical Appendices - Assets and Constraints Maps Updated November 2016). The site is crossed by a small stream and its tributary (classified as 'ordinary' watercourses which are the responsibility of the Council as Lead Flood Authority). These watercourses drain in a south-westerly direction into The Swag and the Ford Brook.</p> <p>Surface Water Flooding – a significant part of the site is at Medium to High risk according to Environment Agency long-term flood risk mapping (2016). EA advice is that new development proposals should be supported by investigations into surface water flows and surface water management strategy.</p> <p>Conditions 16 – 18 of EB3410 cover surface water management and drainage. Condition 16 requires continuation of the drainage of the existing watercourse bisecting the site by diverting it along the northern and western boundaries to discharge to an existing outfall point shown on the plan, and Condition 17 requires a satisfactory system of land drainage to be installed once the site is reinstated. Condition 18 requires surface water to be disposed of so as not to cause nuisance, flooding or danger to the amenity of the locality, in a manner to be approved by the local planning authority. Given the length of time that has elapsed since the permission was granted in 1966 and the requirement for prior approval of surface water management arrangements anyway, the adequacy of these conditions will need to be reviewed as part of any forthcoming ROMP.</p> <p><b>A ROMP application should be supported by investigations into surface water flows and a surface water management strategy.</b></p>
<b>Historic Environment</b>	<p>No designated heritage assets within the permitted area or in the surrounding area (see SAD Technical Appendices - Assets and Constraints Maps Updated November 2016 and Designated Heritage Assets – Updated November 2016).</p> <p>As the area has not been developed or subject to recent arable cultivation, there is likely to be reasonable potential for survival of below-ground archaeological remains, although some damage is likely to have resulted from historic quarrying in the south-western corner of the site and possibly also from recent landscaping/ tree-planting carried out in the 1960s and subsequently as part of the management of the Jockey Fields SSSI and SLINC. Wolverhampton &amp; Walsall HER does not record the former quarry site shown on the pre WW2 Ordnance Survey maps (1938-39), but does record an area of ridge and furrow in the southern part of the permitted area (HER Reference: 13315) which is still occupied by grazing fields, although the ridge and furrow is not visible on recent aerial photographs. HER also identifies the adjacent Horse &amp; Jockey PH (HER Reference: 10242), Green Lane, to the west of the site, as an old, possibly mediaeval, route (HER Reference: 13319) and Daw End Branch of Wyrley &amp; Essington Canal and associated Walsall Wood, Latham (Boats) and Hollander's Bridges to the east of the site (HER References: 5876, 10235, 10233 and 10234).</p> <p><b>A ROMP application should be supported by an assessment of impacts on archaeology and the historic environment, and a strategy to manage any harmful effects likely to arise from mineral extraction, including further archaeological investigations if required.</b></p>
<b>Landscape Character</b>	<p>Open land designated as Green Belt.</p> <p>National Nature Natural Area 43: Midlands Plateau</p> <p>National Character Area 67: Cannock Chase and Cank Wood</p> <p>Black Country HLC Character Area WL13: Pelsall<sup>46</sup></p> <p>There is good survival of historic field boundaries in the southern part of the site which are still in use for pasture/ horse grazing. However, the north-western half of the site, south of Green Lane, is now occupied by an extensive area of woodland on what was previously small fields – the original field pattern is shown on old Ordnance Survey maps. Some of this may have regenerated naturally, although it may have been augmented by a landscaping scheme comprising advance planting of trees along the A461 frontage and along the western boundary, which was implemented in the 1960s as a requirement of Condition 4 of permission EB3410, and from subsequent management of the Jockey Fields SSSI and SLINC. Pre-WW2 Ordnance Survey maps (1938-39) show a quarry void in the south-western corner of the site (field reference 434), and Condition 2 of EB3410, approved in 1966, refers to the “existing production pit to the south” which presumably relates to this. However, the clay pit must have been abandoned many years ago, because it has since regenerated naturally to form a pool within the surrounding woodland. This suggests that the wetland habitats of the Jockey Fields SSSI and SLINC may have partly been created by previous mineral extraction, though this is not mentioned in the SSSI Citation.</p>

<sup>46</sup> Walsall Council has not prepared a Countryside Area Profile covering this area.

	<b>A ROMP application should be supported by an up-to-date landscape assessment and a landscape and restoration strategy for the site, which should address any identified harmful visual impacts from proposed operations.</b>
<b>Natural Environment</b>	<p>Nearly the whole of the permitted site has been designated as a SSSI (Jockey Fields) and the remainder is designated as a SLINC (Jockey Fields) and is identified as being within the SSSI consultation area. The site includes a variety of mainly wetland habitats, including well-grazed damp pasture, neglected grassland, fen and mire. It forms part of a network of habitats of similar type, including the Daw End Branch Canal SLINC which runs to the east, and acts as a wildlife corridor linking this area to habitats to the north and south (See SAD Technical Appendices - Assets and Constraints Maps Updated November 2016 and Nature Conservation Designations and Assets, SSSIs and Sites WA027 and WA052). The Highfields South site (MP6) to the south of Walsall Road (A461) is also being restored to support wetland, grassland and woodland habitats.</p> <p>Natural England has objected to mineral extraction on the site because it would result in the destruction of part of the SSSI. Following the submission of the plan Natural England has accepted that the mineral permission exists and that it would not be possible to avoid significant harm to the SSSI if it was implemented. It is proposed to modify Policy M8 so that a ROMP application would be subject to requirements to minimise the harm to the SSSI as far as possible and Natural England has confirmed that they are satisfied with this approach. As well as having direct effects on the Jockey Fields SSSI and SLINC, mineral extraction is also likely to affect other sites further downstream, including the Swan Pool and the Swag SSSI. There is an outstanding objection from the land owner on the ground that in their view the requirements relating to the SSSI would make mineral extraction unviable.</p> <p><b>A ROMP application should be supported by an ecological assessment and appropriate survey reports, and a strategy to manage the harmful effects of mineral extraction on designated sites (in particular Jockey Fields SSSI and SLINC) and other priority habitats and protected species which should include effective measures to conserve and enhance the SSSI and avoid or minimise harmful effects as far as possible, adequate compensation for unavoidable loss or harm to habitats that contribute towards its special features and a strategy for management of the site during the extraction and restoration phases and beyond.</b></p>
<b>Water Resources / Water Quality</b>	<p>Secondary A Aquifer (Bedrock)</p> <p>Site is within catchment of the following water bodies:</p> <p>Groundwater – GB40402G990800: Tame Anker Mease - Secondary Combined</p> <p>Surface Water – GB104028046990: Ford Brook from Source to River Tame</p> <p>The site is crossed by a small stream and its tributary which drain in a south-westerly direction into The Swag and the Ford Brook. The hydrology of this area is complex and because of the direction of water flow there is potential for indirect effects on designated sites outside the permitted area such as Swan Pool and The Swag SSSI (see Natural Environment). The main pressure on the streams within the site – which ultimately drain into the Ford Brook - are likely to be surface water run-off and discharge of water into drains from the agricultural land to the north. Humber RBMP (2009), Annex B and Humber RBMP (2015) indicate that the Ford Brook and the groundwater body are currently failing the standards set by the Water Framework Directive (WFD) and are not expected to achieve overall 'good' status against all measures until 2027.<sup>47</sup> The main pressures on the Ford Brook identified in 2015 were physical modifications, diffuse and point source pollution with ammonia and dissolved oxygen from urban development, and point source pollution with ammonia and phosphate from waste water treatment/ sewage discharge.</p> <p><b>A ROMP application should be supported by an up-to-date hydrological report, surface water strategy and pollution control strategy.</b></p>
<b>Infrastructure/ Utility Constraints and Opportunities</b>	
<b>Highway Capacity</b>	<p>The access to the site would be off the A461 (Walsall Road), which is affected by congestion. A new mineral extraction site at Highfields North is likely to generate a significant net increase in HGV trips along this route, which is likely to increase congestion. While the conveyor tunnel proposed in the approved working plan (BA5827) would minimise the effects, it is unlikely to be feasible to implement this now that the Highfields South site is an operational landfill site in separate ownership (see Access). A programme of highway improvements is planned in this corridor to improve highway capacity, reduce congestion and reduce transport emissions but it is unclear whether this has been designed to cope with the HGV trips likely to be generated if the mineral permission is implemented. Without adequate mitigation – which may include further highway improvements - the benefits of the planned improvements could be negated by the implementation of the permission.</p> <p><b>A ROMP application will be expected to include an up-to-date transport assessment to establish whether any further highway improvements would be needed to support the development.</b></p>
<b>Other Infrastructure / Utilities</b>	<p>Electricity Distribution - there are two electricity sub-stations near the site. One is adjacent to the Ricspur Works on Walsall Road (A461) about 60m from the site boundary, and the other is on Hall Lane (between 5 and 7 Hall Lane), about 100m away from the site boundary.</p> <p>Surface Water Management - the streams within the site have been diverted along field boundaries to provide drainage. They form part of a network of field drains serving the agricultural land to the north of the site. There are three foot bridges crossing the streams.</p>

<sup>47</sup> Water quality of the groundwater body does not appear to have been measured in 2015.

	<p>Waste Water Treatment - Green Lane Sewage Pumping Station is just over 0.5km from the northern boundary of the site, and Walsall Wood Sewage Treatment Works (Severn Trent Water) is about 1km away from the north-western boundary of the site. There are allotment gardens (Greenfields Road Allotments) adjacent to the north-western boundary of the site.</p> <p><b>A ROMP application will be expected to consider impacts on utilities infrastructure and other infrastructure within and around the site.</b></p>												
<b>Land Use Constraints and Opportunities</b>													
<b>Agricultural Land</b>	<p>The site has been classified as Grade 2, 3a and 5 agricultural land in the Post 1988 Classification by Defra (See SAD Technical Appendices - Assets and Constraints Maps Updated November 2016). However, the site is not currently in agricultural use and is mostly managed as a nature reserve, although part of the land (classified as Grade 5) is used for horse grazing.</p> <p>Land to the north of the site forms part of an extensive farm holding. The previous MAFF Agricultural Land Classification Map of Aldridge &amp; Brownhills (1981) does not include the permitted site but classifies much of the agricultural land to the north of the site as Grade 2, 3a and 3b. A significant proportion of this land is farmed by the Holford Farm Group who kindly allowed Council officers to make a copy of the 1981 MAFF Agricultural Land Classification Map in their possession.</p> <p><b>A ROMP application should be supported by an assessment of impacts on agricultural land and holdings.</b></p>												
<b>Amenity – Proximity to Businesses</b>	<p>The south-eastern boundary of the site adjoins a group of commercial and industrial properties fronting onto Walsall Road (A461) and Hall Lane. These include a public house (Horse &amp; Jockey) adjoining the site boundary and a hotel (Baron's Court) on the opposite side of Walsall Road.</p> <p><b>A ROMP application should be supported by an assessment of impacts on the nearest commercial and industrial properties and details of measures to safeguard amenity from noise, dust, traffic and other effects likely to arise from working the site.</b></p>												
<b>Amenity – Proximity to Housing</b>	<p>The site is located on the edge of the green belt near to the Shelfield residential area. The north-eastern boundary of the permitted area wraps around the curtilage of a large bungalow fronting onto Walsall Road (A461) which has been built recently on the site of the former Highfield Farm complex (permission 09/0609/FL) and is around 60m from the site boundary. The south-western corner of the site adjoins another recent housing development fronting onto Walsall Road, developed on the site of the former Bournevale Motors garage (permission 14/1720/FL). This adjoins a larger residential area to the west of the site, the nearest properties being on Greenfields Road around 60m from the western boundary of the site. On the opposite side of Walsall Road is another residential area, the nearest properties of which are around 30 – 50m from the southern boundary of the site.</p> <p>The site is already well screened from residential properties by advance planting of trees along the southern and western boundaries of the site carried out in the 1960s, in accordance with Condition 4 of permission EB3410. Conditions 10 – 12 of that permission also control blasting, hours of operation and effects on amenity from noise, vibration, smoke, fumes, dust and smell.</p> <p><b>A ROMP application should be supported by an assessment of impacts on the nearest residential properties and details of measures to safeguard amenity from noise, dust, traffic and other effects likely to arise from working the site.</b></p>												
<b>Cross-Boundary Issues</b>	<p>The site is not owned by a brick manufacturer, so it is unclear which brickworks would be supplied with clay extracted from the site. Brick clay from the site could in theory be exported by road to any brickworks with a need, including brickworks outside the borough. Any other minerals present such as sandstone and conglomerate that may have potential for use as secondary aggregates would also have to be transported by road.</p>												
<b>5. Sustainability Appraisal (January 2016) – Summary of Results</b>													
<b>Appraisal of SAD Policy M8 (f - h): MP9: Highfields North</b>													
<b>Air Quality</b>	<b>Biodiversity &amp; Geodiversity</b>	<b>Climate Change</b>	<b>Communities &amp; Population</b>	<b>Cultural Heritage</b>	<b>Economy &amp; Centres</b>	<b>Equality &amp; Diversity</b>	<b>Health &amp; Wellbeing</b>	<b>Landscape &amp; Townscape</b>	<b>Material Resources</b>	<b>Renewable &amp; Low Carbon Energy</b>	<b>Soil &amp; Ground Conditions</b>	<b>Transport &amp; Accessibility</b>	<b>Water Environment</b>
<b>SA1</b>	<b>SA2</b>	<b>SA3</b>	<b>SA4</b>	<b>SA5</b>	<b>SA6</b>	<b>SA7</b>	<b>SA8</b>	<b>SA9</b>	<b>SA10</b>	<b>SA11</b>	<b>SA12</b>	<b>SA13</b>	<b>SA14</b>
?	--	?	?	?	?	?	0	--	+	0	-	?	?



Commentary on Sustainability Appraisal Results			
<b>Overall Appraisal Score</b>		<p>The Highfields North site is not referred to in BCCS Policy MIN3 and the effects of brick clay extraction on this site were not taken into account in the SA of the BCCS policy, as the "dormant" permission was believed to have been revoked at the time the BCCS was prepared. It has since become apparent that this is not the case, hence the SAD includes a policy for the site. The policy provides further guidance on future applications for working conditions to be applied to the site, which once in place, will allow the "dormant" permission to be implemented.</p> <p>The guidance has had regard to the requirements of the existing permissions, as well as the current nature conservation status of the site, around 90% of which is designated as a SSSI (Jockey Fields). Much of the rest and the surrounding area is designated as a SLINC which is part of the consultation area for the SSSI. The site also includes Grade 2 agricultural land, and is in an area of relatively unspoiled landscape that forms part of an important "Green Wedge" separating settlements to the east and west.</p> <p>The combined effects of the BCCS and SAD policies are limited, as they would not be able to prevent the destruction of at least some of the special features of the SSSI, consequential effects on adjacent designated nature conservation sites and ecological networks, harmful effects on landscape character, and the loss of some of the "best and most versatile" agricultural land, if the "dormant" permission was implemented. Significant harmful effects on SA2, SA9 and harmful effects on SA12 would be unavoidable even if the mitigatory and compensatory measures required by the policy were in place. It is uncertain how effective the SAD policy is likely to be in addressing these effects.</p> <p>Although implementing the permission would provide a new source of brick clay and would therefore have positive effects on SA10, it is unclear whether any of the brickworks in Walsall would be supplied from this site, therefore effects on SA6 are uncertain. There is currently no site access, so a new access would have to be created off the A461 to serve the quarry. However, this is a congested route and is a NO2 Area of Exceedance and Noise Priority Area (Important Area). A net increase in HGV traffic along this route is likely to make air pollution, traffic congestion and traffic noise worse, which will have negative effects (SA1, SA13) unless mitigation is possible.</p> <p>The hydrology and hydrogeology of this area is also very complex, and includes a mixture of wetland areas fed by a network of streams and pools, which are at high to medium risk from surface water flooding, but also make an important contribution to the special features of the Jockey Fields SSSI. The main watercourse running through the Highfields North site (which does not have a name) flows southwards beneath the A461, into the Highfields South site, and into the Swan Pool and The Swag, which is also designated as a SSSI. Therefore, mineral extraction within the "dormant" site or the surrounding area could not only have direct effects on the wetland habitats within the Jockey Fields SSSI and SLINC but also indirect harmful effects on the Swan Pool and the Swag SSSI if the supply of water from the brook or the quality of the water was affected. The effects of mineral extraction on SA3, SA12, SA14) are therefore uncertain but could be negative.</p> <p>There are also likely to be some adverse effects on the amenity and wellbeing of people living near to the site (SA4, SA7, SA8) from increased noise, dust and vibration, visual impacts, from quarrying operations as well as from quarry traffic, and it is unclear to what extent these effects can be mitigated. Effects on archaeology (SA5) are also uncertain as no evaluation has taken place. Other effects are likely to be neutral, as there would either be no impact or any effects could be mitigated.</p>	
6. Planning History - Key Planning Applications and Permissions			
Application Ref.	Decision Date	Application Description/ Summary	Current Situation at 31.12.16
EB593	Permission Granted 05.04.54	<b>Parts of Highfield and Deepmoor Farms (south-east of A461): Mineral Working.</b> Original mineral permission covering Highfields South Quarry and Highfields North sites (registration of old IDO). Only Highfields South was implemented. Permission for Highfields North was amended by a subsequent permission which amended the 'red line' boundary (see EB3410 below).	No change.
EB3410	Permission Granted 23.09.66	<b>Lichfield Road, Walsall Wood, Staffs: Winning and Working of Minerals.</b> Registration of permission EB593 for Highfields North following implementation of mineral working at Highfields South. This permission has established the current extent of the permitted area, which was amended to exclude land not in the applicant's ownership and to address concerns about the zoning of part of the site in the former Brownhills Town Map.	No change to 'red line' boundary since permission granted.
BA5827	Permission Granted 02.05.77	<b>Highfields North Area, Lichfield Road, Walsall Wood: Reserved Matters – Working Programme and Conveyor Tunnel</b> Approved working programme for clay extraction at Highfields North. The working programme proposes that before working commences, trees will be planted at the south-west end of the site and soil will be stripped and stored around the periphery of the site in the form of screening mounds. There would be five phases of working over a 19 year period. At the end of each working phase areas previously worked would be infilled with overburden and imported inert waste followed by capping with soil taken from the storage bunds. Access to the site would be off Walsall Road (A461) adjacent to Highfield Farm where there would also be a parking	No change – no ROMP application submitted to date.

		and plant storage area. A conveyor tunnel would be constructed under the road near to the access point, to transfer material from Highfields North to the Highfields South site, and from there to the (unspecified) brickworks (a requirement of Condition 19 of EB3410). The working programme has not been implemented, although the advance landscaping and tree planting has been carried out. While the original mineral permission (EB593 as modified by EB3410) remains in place, the approved working programme cannot now be implemented until the working conditions for the site have been reviewed and updated in accordance with the Environment Act 1995 (as amended).	
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