

Sandwell_localPlan@sandwell.gov.uk

Your Ref

Our Ref CRTR-POL-2023-40430

Monday 18 December 2023

Dear Strategic Planning Team,

Re: Sandwell Local Plan - Regulation 18 Public Consultation

Thank you for your consultation on the above document.

We are the charity who look after and bring to life 2000 miles of canals & rivers. Our waterways contribute to the health and wellbeing of local communities and economies, creating attractive and connected places to live, work, volunteer and spend leisure time. These historic, natural and cultural assets form part of the strategic and local green-blue infrastructure network, linking urban and rural communities as well as habitats. By caring for our waterways and promoting their use we believe we can improve the wellbeing of our nation. The Canal & River Trust (the Trust) is a statutory consultee in the Development Management process, and as such we welcome the opportunity to input into planning policy related matters to ensure that our waterways are protected, safeguarded and enhanced within an appropriate policy framework.

Background

The Trust made comment on the previous Black Country Plan Regulation 18 consultation on 11th October 2021 in relation to the now discontinued Black Country Core Strategy review. We also commented on the Sandwell Local Plan - Issues & Options Consultation in our response of 20th March 2023, under our reference CRTR-POL-2023-38327. In this latter consultation we commented:

“The Trust continues to work with the Council in formulating its strategies and policies to address future development. Amongst other work with the Trust, the Council has commenced engagement with us on the Rolfe Street Masterplan (our ref CRTR-POL-2023-38233), together with on-going engagement on the emerging Smethwick to Birmingham Corridor Framework and Grove Lane Masterplan SPD and aspirational strategy work for the canal network within Sandwell and the wider Black Country.

It is noted that the Issues and Options document lists the following as comprising the current local plan for Sandwell; the Black Country Core Strategy (BCCS) (adopted 2011), the Sandwell Site Allocations and Delivery Development Plan Document (SAD) (adopted 2012), the West Bromwich Area Action Plan (WBAAP) (adopted 2012), the Tipton Area Action Plan (adopted 2008), the Smethwick Area Action Plan (adopted 2008). It is assumed, although is not expressly stated, that the Sandwell Local Plan will ultimately replace all these documents as a single plan document and rather than just replacing the BCCS and the Council will therefore also be carrying out subsequent reviews of the SAD DPD and AAP's listed above. If this is the case the DPD and AAP's include important policies that address canal-side development, e.g. land instability, contamination, light pollution, landscaping etc. and therefore it is important that the relevant DPD/AAP policies are maintained to ensure such policies and protection are not lost. Otherwise, this replacement single Local Plan will also need to pick up these

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types of policies.”

We note that the current draft SLP version is a comprehensive document addressing core policies, regeneration areas and site allocations, and development management policies.

Context: Sandwell's canal network and its significance

The Trust's waterways and water spaces form a key part of blue and green infrastructure in Sandwell. Within the district we own and manage stretches of several canals, including the Birmingham New and Old Mainline Canals, Titford Canal, Gower Branch Canal, Walsall Canal, Ridgacre Canal, and the Tame Valley Canal. We also own land and properties within the district. Specifically, Sandwell includes 25 Canals, 14 Aqueducts, 91 Bridges, 54.01 km of Canal length, 70 Listed Assets, 28 Locks, 2 Tunnels and no reservoirs.

The canal network has been central to the development of Sandwell and the wider Black Country and Birmingham region from the very beginning of the industrial revolution and remains core to the regeneration aspirations of Sandwell – our waterways are one of the borough's most important historic features and the canal network is engrained into the area's character, historic environment, and cultural identity.

Waterways are acknowledged as significant green infrastructure, but they also function as blue infrastructure, serving as a catalyst for regeneration; a sustainable travel resource for commuting and leisure; a natural health service acting as blue gyms and supporting physical and healthy outdoor activity; an ecological and biodiversity resource; a tourism, cultural, sport, leisure and recreation resource; a heritage landscape; and, a contributor to water supply and transfer, drainage and flood management. The waterway network forms part of the historic environment, the character, cultural and social focus of the locality.

Based on the mid-2020 population estimates from the ONS the total population of Sandwell is 329,042. Within those figures the size of population of Sandwell within 1km of a waterway is 263,672 (80%). The canal network therefore represents a highly accessible resource within easy reach of the majority of Sandwell residents.

Given the benefits the canal network provides, canals have a role to play in addressing deprivation levels. It is interesting to note that data for those living within 1km of the canal network also demonstrates that those living closest to the canal network experience higher levels of deprivation, as outlined below:

1km Population Deprivation (source: 2019 IMD):

IMD Decile	Population within 1km of a canal	% of population within 1km of canal network covered by the decile
1	61,732	23.4
2	106,329	40.3
3	37,521	14.2
4	16,404	6.2
5	12,532	4.8
6	20,538	7.8
7	7,222	2.7
8	1,394	0.5
9	0	0.0
10	0	0.0

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Data from Natural England's 'Monitor of Engagement with the Natural Environment', also showed that 23% of residents in Sandwell within 1km of the canal network do not have access to a garden, compared to almost 13% outside of the 1km area:

Figures for garden access:

Where	I don't have access to a garden	I have access to a private communal garden	I have access to a private garden	I have access to a private outdoor space but not a garden (balcony, yard, patio area)
Sandwell (NOT w/in 1km)	12.88%	9.79%	76.59%	0.75%
Sandwell (w/in 1km)	23.22%	3.85%	62.19%	10.74%
National	12.22%	4.38%	79.75%	3.65%

Up-to-date towpath counter data for 2023 also indicates levels of daily use of the canal network at our main towpath counter locations within Sandwell as follows:

Average Daily Count (2023 to Date - January 2023 to end of November 2023):

	Churchbridge Along Canal	Churchbridge to Bridge	Bromford Lane	Cradley Heath
Average Daily Count (2023 to date)	36	19	103	17

The Trust considers that this data outlines the importance of the canal network and the benefits it provides through accessibility to green space. We continue to believe that waterways can play a valuable role in helping to tackle disadvantage through providing a space for healthier lifestyles, community engagement and skills development. Our historical Towpath Counter data also shows how use of Sandwell's, and wider Black Country towpaths, increased significantly during the Covid-19 pandemic. We are keen to build on this increased awareness and appreciation for the canal network within Sandwell, and the Black Country as a whole is a regional priority area for the Trust.

Enhanced waterways form an important part of the vision for the development of the area and we believe that this can support many of the strategic objectives, including providing a built and natural environment that supports the making of healthier choices; protecting health and wellbeing; promoting sustainable and active travel; improving public realm; enhancing the natural environment, and mitigating climate change.

Please find below the Trust's response to your draft Reg 18 Sandwell Local Plan. We hope that the comments provided are clear and helpful and that your next revision will address these points. We are very willing to continue to work with you, to meet and discuss these points for clarity and to seek to work together towards a high-quality borough that relates positively with the waterway network.

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1. Sandwell 2041: Spatial Vision, Priorities and Objectives

The ten ambitions for a successful Sandwell as set out in the Sandwell Vision 2030 continue to represent a set of aspirations to which the waterway network can successfully contribute, particularly:

- Ambition 1 (delivering strong policy support to combatting climate change adaptation and mitigation; and protecting and enhancing the natural environment, nature conservation and open spaces; and delivering opportunities for biodiversity net gain, landscaping and tree planting)
- Ambition 2 (protecting, enhancing and making accessible land for sport and leisure including active and passive recreation; and providing clear policy support for development aimed to deliver health and welfare infrastructure)
- Ambition 5 (promoting the development and improvement of attractive, safe and accessible public realm, support services and community infrastructure as part of new development and project delivery)
- Ambition 6 (delivering a co-ordinated and strategic travel and transport network through Sandwell that links communities to opportunities both within and beyond its boundaries, supported by appropriate planning policies and land use designations), and,
- Ambition 8 (promoting and supporting sustainable development that helps to meet local need/demand; and providing for sufficient services and facilities in locations accessible to all in Sandwell's communities.)

As such the Trust endorses the Sandwell Local Plan Vision 2041 and its emphasis on tackling climate change, and the promotion of the natural and historic environments, active and passive recreation and leisure opportunities, access to district and low-cost energy and heating projects, delivery of sustainable drainage, and emphasis on active and sustainable travel opportunities. In particular we support and acknowledge our allied role in delivering a number of the draft Plan's key priorities and objectives under the headings of:

- Climate Change (notably Objective 1: Ensure new development takes a proactive approach to climate change mitigation, adaptation and carbon reduction, and that development is resilient to climate change, and Objective 2: Deliver sustainable development in locations where people can access jobs and services, delivering wider positive social and economic outcomes and protecting and enhancing local built and natural environments)
- Enhancing our natural environment (notably Objective 3: To protect and enhance Sandwell's natural environment, natural resources, biodiversity, wildlife corridors geological resources, countryside and landscapes, whilst ensuring that residents have good access to interlinked green infrastructure)
- Enhancing our historic environment (notably Objective 4: To protect, sustain and enhance the quality of the historic built environment, ensuring the retention of distinctive and attractive places and beautiful buildings, including listed parks, scheduled monuments and their settings, and Objective 5: To manage and maintain the wider historic environment across Sandwell, including parks and gardens, areas of industrial heritage value, sites of geological and archaeological interest and locally listed buildings, structures and historic assets)
- Improving the Health and Wellbeing of residents and promoting social inclusion (notably Objective 10: To provide a built and natural environment that supports the making of healthier choices through provision for physical activity and recreation, active travel, encouraging social interaction and discouraging harmful behaviours; Objective 11: Ensure new development and open spaces support health and wellbeing for all, reduce health inequalities and encourage active and healthy lifestyles, and Objective 12: To provide a built and natural environment that protects health and wellbeing through minimising pollution (air, noise and other forms), providing healthy homes, reducing the negative health effects of climate change and providing streets safe for active travel, and low emission travel for all)
- Good Design (notably Objective 13: Require new development to deliver a high standard of design reflecting local character and distinctiveness and that creates greener and safer places that people feel proud to live and work in)

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- Promoting sustainable transport and active travel (notably Objective 16: To prioritise sustainable and active travel and seek to improve transport infrastructure to ensure efficient and sustainable accessibility within an integrated network), and,
- Meeting our resource and infrastructure needs (notably Objective 18: Ensure development is supported by essential infrastructure and services and promotes safe movement and more sustainable modes of travel through promoting greener travel networks for walking, cycling and public transport)

2. Spatial Strategy

2.18 The Trust endorses the 'key issues addressed in the SLP' as including Nature Conservation; Nature Recovery Network and Biodiversity Net Gain; Provision, retention and protection of trees, woodlands and hedgerows; Historic Character and Local Distinctiveness of the Black Country; Geodiversity and the Black Country UNESCO Global Geopark; Canals; The protection and enhancement of designated and undesignated heritage assets; and, Rejecting poor design.

2.30 As such we acknowledge the approach of Balanced Green Growth in forming the basis of the Sandwell Local Plan's Development Strategy (Policy SDS1). However, the Trust requests that our canal network be included within Figure 2 - Sandwell Spatial Map so that the contribution our network makes towards the delivery of Sandwell's Spatial Strategy and overall Sandwell Local Plan Vision 2041 can be fully appreciated and realised by citizens and developers alike. (ACTION REQUEST)

3. Development Strategy

As set out within our response to the Issues and Options consultation the Trust welcomes the retention and enhancement of a canal-specific policy (Policy SNE6) within the Reg 18 SLP and as such does not seek the addition of replica canal-specific wording within every other relevant policy wording within the SLP. However, where specified we request cross-referencing to Policy SNE6 as identified in the requests below as a means of identifying the needs and opportunities of the waterway network in delivering Sandwell's vision.

Specifically, the Trust notes Policy SDS2 – Regeneration in Sandwell and the extent to which the Dudley Port and Tipton, Wednesbury and Smethwick Regeneration Areas interact with the canal network. The Trust welcomes mention of our network within both policy wording and justification text for these areas and requests continued engagement through existing (e.g, Smethwick-Birmingham Corridor Framework and Rolfe Street Masterplans) and newer stakeholder engagement groups and the implementation and development of associated Supplementary Planning Documents resulting throughout the plan period (ACTION REQUEST).

Placemaking – achieving well-designed places

The Trust requests incorporation of cross-referencing to Canal Policy SNE6 within the justification text to Policy SDS4 - Achieving Well-designed Places, for example at para 3.64, to reflect the role active incorporation of the canal network can have in delivering good design, well-being, and sustainable travel and the need to take the canal into account when designing new development near it (ACTION REQUEST).

We believe protection and enhancement of the canal network through design, layout and integration into developments should always be an expectation for canal-side sites, as this is consistent with the NPPF chapters on design and the historic environment and the National Design Guide on integrating nature and public spaces. The avoidance of fly-tipping and anti-social behaviour reduction can also be achieved through the use of good design techniques. Future local Design Codes can also provide developers with detailed guidance encouraging high quality design, following on from the principles advocated within the National Design Guide and Design

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Code. Given the importance and extent of canals within the borough such codes will need to address waterside developments specifically and various key design principles for successful canal-side developments could be outlined within them, including creating activation with the canal, natural surveillance and appropriate landscaping. The Trust requests consultation on any local design codes which are to be developed (**ACTION REQUEST**). We acknowledge that positive place-making next to a canal, waterway or water body is often site-specific on a case-by-case basis, and therefore early consultation with the Trust is recommended to receive guidance on the best approach to achieving good design. This could be through stakeholder-led master planning approaches or through individual pre-application engagements. The Trust requests on-going engagement from the Council on submitted pre-application enquiries, and can also encourage developers to seek pre-application advice from us direct:

<https://canalrivertrust.org.uk/specialist-teams/planning-and-design/our-statutory-consultee-role/what-were-interested-in/pre-application-advice> (**ACTION REQUEST**)

Cultural Facilities and the Visitor Economy

The Trust welcomes inclusion of the canals within both Policy SDS5 - Cultural Facilities and the Visitor Economy and its justification text.

Green and Blue Infrastructure

The Trust welcomes inclusion of the canals within Policy SDS7 - Green and Blue Infrastructure in Sandwell and its introductory and justification texts. We also request partner engagement with the Council in the forthcoming preparation, adoption and implementation of a Green Infrastructure Strategy as identified in Policy SDS5 sub-section 1a.

The Trust reiterates its Issues and Options advice in relation to Green Infrastructure improvements, "There are opportunities for developers and other agencies to contribute towards further GI improvements through a variety of mechanisms, such as developer contributions through the planning process, corporate partnerships <https://canalrivertrust.org.uk/donate/partner-with-us/corporate-partnerships> or adopting a section of canal <https://canalrivertrust.org.uk/donate/partner-with-us/volunteering-in-partnership>. Improvements could also be made through the design of canal-side developments providing open space and landscaping adjacent to the waterside. Any future policy should acknowledge such opportunities and will need to set out the requirements for GI developer contributions consistent with para 34 of the NPPF.

GI Improvements could also be made through the provision of recreation facilities for use by the public. In the context of the canal network this could range from paddle craft launching provision and fishing pegs, including wheelchair accessible pegs, to larger visitor attractions, such as at the Roundhouse (albeit not an example within Sandwell), which provides for guided tours, visitors centre with exhibitions, events, and a café within a canal-side Grade II* Listed Building.

The Plan should recognise that GI improvement opportunities can come about through future development providing a policy framework for securing improvements whether that be through the design and layout of a site, through financial contributions or other means. It is also important to acknowledge that the quality of GI is dependent on its ongoing maintenance, which should be addressed in policy and considered early on at the design stage, to ensure it continues to provide benefits for users."

4. Sandwell's Natural and Historic Environment

Nature Conservation

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This section contains a number of policies in relation to Nature Conservation (SNE1), Protection and Enhancement of Wildlife Habitats (SNE2 including Biodiversity net gain, Local Nature Recovery Network Strategy, and Local opportunities for habitats and wildlife); Provision, Retention and Protection of Trees, Woodlands, And Hedgerows (SNE3); Geodiversity and the Black Country UNESCO Global Geopark (SNE4); and The Rowley Hills (SNE5).

In relation to Policy SNE2 – Protection and Enhancement of Wildlife Habitats the Trust considers that the value of the canal network to Biodiversity Net Gain (BNG) will manifest itself as the implementation of BNG gains traction in 2024 and beyond. For example, canals are part of the local Biodiversity Action Plan (BAP) and as such will provide an increasing value and essential role in the Local Nature Recovery Strategy. Canals more broadly play a crucial role within Sandwell for nature conservation and provide large populations of urban dwellers with access to nature. As such Sandwell's canals should be recognised for the crucial role they facilitate in priority species movements and recovery through the West Midlands.

More specifically, and as an example, the Great Canal Orchard project potentially includes spaces for BNG orchards both as pockets and linear habitats along the canal, incorporated into developments where national priority habitats are not already present. Orchard trees also provide air quality improvements, a role in flood prevention, shade for climate adaption, free healthy fruit resources for communities, and potential for green economy gain if scaled up. Species recovery strategies under the Environment Act 2021 consider species of importance for Sandwell to include water vole, otter and soprano pipistrelle bats along canal corridors. As commented elsewhere in this response, water quality should be protected and improved, air quality must be protected from degradation and more broadly improved, and dark corridors should be protected from light pollution where these protected species are present, or could be recoverable.

Accordingly, we seek on-going engagement in the evolution of BNG-related policy wording throughout the plan preparation stages over 2024, including Examination stages ([ACTION REQUEST](#))

Canals in Sandwell – SNE6

The Trust welcomes the inclusion of canal-specific Policy SNE6 – Canals within the draft plan, and further that it enhances the previous ENV4 policy wording within the adopted Black Country Core Strategy. In particular, clear reference has been added in relation to the importance of assessing impact on structural integrity, maintaining opportunity for canal restoration, and in identifying the role the canal network can play in delivering good design. We further welcome mention of delivery of integrated sustainable travel through towpath and way-faring enhancements. In relation to design quality, the canal network presents also opportunities for positive placemaking and the reduction of anti-social behaviour.

In terms of additions the Trust requests the following:

- Amend 'reinstate and/or upgrade towpaths,' to 'reinstate, introduce and/or upgrade towpaths and access points' within sub-heading 2(g)
- Add 'To be delivered through the reasonable use of planning conditions or S106/CIL obligations' to the end of 2(g)
- Add 2(h) for 'use of canals for surface water management purposes, provided that SuDS and other mitigation measures are built into a scheme'
- Add into 3(a), "and delivery of the wider well-being agenda"
- Include an additional sub-section specifying, 'Facilitate continued access to Trust assets for inspection and maintenance purposes'
- In relation to Residential Moorings, add to 10 that moorings also should not be permitted near existing uses which currently give rise to adverse amenity impacts, noise for example, in accordance with 'agent of change' principles
- The justifying text on 4.101 should identify that the assessment of 'all necessary boating facilities' should consider bin storage, collection and waste disposal, water and power supplies, and car parking provision

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on a case-by-case basis to allow greater flexibility in relation to site-specific needs. Para 4.101 should also state that need for parking and access requirements for residential moorings is to be assessed against other relevant SLP policies and SLP car parking standards on a case-by-case basis.

- The justification text within 4.102 and 4.103 should state that the identified Trust and non-Trust residential mooring sites may not remain in existence for the whole duration of the Plan until 2041, and up-to-date statistics for our own moorings are available from us on request. (ACTION REQUEST)

The Historic Environment

This section includes a number of policies in relation to Listed Buildings and Conservation Areas (SHE1), Development in the Historic Environment (SHE2), Locally Listed Buildings (SHE3), and Archaeology (SHE4).

In particular the Trust welcomes mention of 'the canal network and its associated infrastructure, surviving canal-side pre-1939 buildings and structures, and archaeological evidence of the development of canal-side industries and former canal routes' within SHE2 5e. Similarly, we welcome the addition of Chances Glassworks, Smethwick Engine Arm Aqueduct, and Smethwick Engine House within the list of Scheduled Ancient Monuments within Sandwell and acknowledges the protection afforded to them under SNE4 - Archaeology.

The Trust also requests cross-referencing to Canal Policy SNE6 within the justification text to this section of the Policy SHE2 – Development in the Historic Environment, to reflect the role of canal network can have in conserving locally distinctive historic aspects of Sandwell, both designated and non-designated (ACTION REQUEST).

5. Climate Change

This section contains a number of policies in relation to Increasing efficiency and resilience (SCC1), Energy Infrastructure (SCC2), Managing Heat Risk (SCC3), Flood Risk (SCC4), Sustainable drainage and surface water management (SCC5), and Renewable and Low Carbon Energy and BREEAM Standards (SCC6).

The Trust notes that retrofitting is only briefly mentioned in Section 5, para 5.15, of the justification text to Policy SCC1 – Increasing efficiency and resilience, namely: 'where possible and appropriate, the retrofitting of residential and other properties to achieve higher standards of energy and water efficiency will be encouraged and supported.' The Trust considers that for a high proportion of heritage property stock, as well as modern up to the early 21st century stock (prior to BREEAM standards), retrofitting will be the substantial mainstay for making a property energy efficient and sustainable. The design and installation of solar panels, heat source pumps and triple glazing etc., their position on a building or location on site can be significantly detrimental, and risks degrading a building that makes a positive contribution through its architectural attributes or local distinctiveness. Accordingly, we request that para 5.15 be augmented to reflect this reality and to require that development proposals ensure that the chosen approach considers any consequential visual impacts on the canals' setting, heritage significance, or amenity value. (ACTION REQUEST). Reference is also drawn to advice contained within Historic England Advice Notes, in particular that to be found within the HEAN on Heat Pumps within Historic Buildings (2023) (<https://historicengland.org.uk/advice/find/latest-guidance/>)

The Trust welcomes mention of the canals as a potential component of heat risk management within Policy SCC3 – Managing Heat Risk, and associated text within para 5.43.

Given the increasing susceptibility of the historic canal network to climate change stress the Trust welcomes the inclusion of 'there is an extensive canal network throughout the Sandwell area, including culverts and feeder streams' within 5.48 of the justification text to Flood Risk Policy SCC4. Given this we request that Canal and River

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Trust are listed within the bodies to be consulted on site-specific requirements within sub-section 16 of SCC4 and that citizens and developers can access our open source mapping data to identify our assets here:

<https://data-canalrivertrust.opendata.arcgis.com/> (ACTION REQUEST).

The Trust also considers that a similar list of bodies to be consulted should be included within the policy text for Policy SCC5 - Sustainable drainage and surface water management, and that Canal and River Trust be listed within them given the risk of polluting ground and surface water to our network, and other watercourse, from the 'legacy of contaminated land created by heavy industry and extractive activities in Sandwell' identified in para 5.56 (ACTION REQUEST).

The Trust reiterates its Issues and Options stage advice in relation to flood risk and surface water management, "Subject to the Trust's owner agreement to technical and commercial details, surface water can potentially be sustainably discharged to the canal network. Water levels in the canal network are managed by the Trust using control structures such as weirs and sluices to maintain a suitable depth for navigation by boats, but also to try to avoid water levels becoming too high in periods of heavy rainfall where runoff from hard surfaces can lead to excess water passing into the canals. Given this, surface water discharge to canals can be a highly effective way of managing local surface water flood risk and may allow development of sites that would otherwise not be viable due to concerns with alternative site drainage options.

SUDs adjacent to or connecting to canals will need to be maintained to ensure they function as they were designed to and do not cause pollution or excess flows. In the interests of local flood risk management and the protection of water quality, where a site proposes SUDs, this system should be designed in a way that if it were to fail the canal would not be inundated with water.

In many areas canals will also provide developers with opportunities to dispose of surface water drainage, noting that drainage to surface water bodies, such as canals is higher up the drainage hierarchy than discharge to sewers and drains. With the right investment they could also play a role in some places in mitigating flood risks. Accordingly, canals as an option for surface water drainage should be listed within forthcoming drainage policies provided that SuDS and appropriate pollution control and mitigation measures are built into the development scheme."

Finally, the Trust welcomes inclusion of our network within Policy SCC6 – Renewable and Low Carbon Energy and BREEAM Standards sub-section 5 and justification text para 5.61 in relation to the potential for use of our network for water-source heat pumps.

6. Health and Wellbeing in Sandwell

This section contains a number of policies in relation to Health Impact Assessments (SHW1), Healthcare Infrastructure (SHW2), Air Quality (SHW3), Open Space and Recreation (SHW4), Playing Fields and Sports Facilities (SHW5), and Allotments (SHW6),

Given our request above that the canal network's contribution to the broader well-being agenda be explicitly included with the wording of Policy SNE6 - Canals in Sandwell, the Trust requests the incorporation of cross-referencing to Canal Policy SNE6 within the introductory text to this section, for example after para 6.11. (ACTION REQUEST).

In relation to Air Quality the Trust welcomes the inclusion of 'Emissions from Construction Sites' within the wording of policy SHW3 (sub-section 7) as this aligns to our regular requests for Construction and Environmental Management Plans within our statutory consultation responses to planning applications.

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The Trust also welcomes mention of canal corridors within para 6.50 of the justification text for Policy SHW4– Open Space and Recreation and the restoration of towpaths as a component of enhancing green networks through the mechanisms of planning conditions and obligations.

7. Sandwell's Housing

The Trust is content that canal-specific implications arising from the Council's draft Housing need and supply policies and allocated sites can be adequately addressed through the issues-specific policies identified elsewhere in this response, and in particular the use of Policy SNE6 - Canals in Sandwell (as requested amendments above refer). However, inclusion of the canal network within relevant policy and allocation maps (**ACTION REQUEST**) will enable developers to identify canal-related constraints at an early stage and engage with us accordingly, ideally at pre-application stage. The Trust therefore requests on-going engagement from the Council on submitted pre-application enquiries, and also encourages developers to seek pre-application advice from us direct:

<https://canalrivertrust.org.uk/specialist-teams/planning-and-design/our-statutory-consultee-role/what-were-interested-in/pre-application-advice> (**ACTION REQUEST**).

See also comments on Appendix B below.

In relation to towpath improvement aspirations the Trust has identified the Tame Valley Canal, Walsall Canal and the Old Wednesbury Canal as priority areas for upgrading over the plan period, and will seek to request Section 106/CIL monies from appropriate schemes where they arise in proximity to these stretches of the network.

The Trust also advises that it has some specific critical assets within the Sandwell area such as Spouthouse Embankment, Titford Pools feeder, and Netherton Tunnel which will require careful assessment of allocations for impact and mitigation under the provisions of SNE6 – Canals, particularly in relation to matters of land stability and infrastructure maintenance, cross-referenced with historic coal mining activity within Sandwell.

8. Sandwell's Economy

The Trust is content that canal-specific implications arising from the Council's draft Economy policies and allocated sites can be adequately addressed through the issues-specific policies identified elsewhere in this response, and in particular the use of Policy SNE6 - Canals (as requested amendments above refer). However, inclusion of the canal network within relevant policy and allocation maps (**ACTION REQUEST**) will enable developers to identify canal-related constraints at an early stage and engage with us accordingly, ideally at pre-application stage. The Trust requests on-going engagement from the Council on submitted pre-application enquiries, and also encourages developers to seek pre-application advice from us direct:

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See also comments on Appendix C below.

9. Sandwell's Centres and 10. West Bromwich

The Trust is content that canal-specific implications arising from the Council's draft Centres policies and allocated sites can be adequately addressed through the issues-specific policies identified elsewhere in this response, and in particular the use of Policy SNE6 - Canals (as requested amendments above refer). However,

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inclusion of the canal network within relevant policy and allocation maps ([ACTION REQUEST](#)) will enable developers to identify canal-related constraints at an early stage and engage with us accordingly, ideally at pre-application stage. The Trust requests on-going engagement from the Council on submitted pre-application enquiries, and also encourages developers to seek pre-application advice from us direct:

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See also comments on Appendix D below.

11. Transport

The Section contains a number of policies in relation to transportation, including the promotion of active and sustainable travel through modal shift. The canal network can provide robust opportunities for promotion of these agendas and the Trust welcomes the inclusion of the canal network within sub-section 3 of Policy STR5 – Creating Coherent Networks for Cycling and Walking. However, the Trust requests inclusion of the canal network within Figure 13 - Transport Key Diagram, overlaying with cycle and walking networks, to enable its role in the delivery of sustainable transport and modal shift to be more readily identified in conjunction with the implementation of Policy STR5 – Creating Coherent Networks for Cycling and Walking ([ACTION REQUEST](#)).

Similarly, the Trust welcomes mention of encouragement of use of the waterways within sub-section 1 of Policy STR4 – The Efficient Movement of Freight and Logistics as a sustainable alternative to road-based freight movement.

12. Infrastructure and Delivery

The Trust welcomes mention of the potential for use of canal towpaths for the provision of 5G network infrastructure within sub-section 3d of Policy SID1 - Promotion of Fibre to the Premises and 5G Networks and requests additional wording as follows, 'To be delivered through the reasonable use of planning conditions or S106/CIL obligations.' ([ACTION REQUEST](#)).

13. Minerals and Waste

The Trust is content that canal-specific implications arising from the Council's draft Minerals and Waste policies and allocated sites (identified as being preferentially within Local Employment Sites) can be adequately addressed through the issues-specific policies identified elsewhere in this response, and in particular the use of Policy SNE6 - Canals (as requested amendments above refer). However, inclusion of the canal network within relevant policy and allocation maps ([ACTION REQUEST](#)) will enable developers to identify canal-related constraints at an early stage and engage with us accordingly. The Trust therefore requests on-going engagement from the Council on submitted pre-application enquiries, and also encourages developers to seek pre-application advice from us direct:

<https://canalrivertrust.org.uk/specialist-teams/planning-and-design/our-statutory-consultee-role/what-were-interested-in/pre-application-advice> ([ACTION REQUEST](#)).

See also comments on Appendix E and Appendix F below.

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14. Development Constraints and Industrial Legacy

The Trust is content that canal-specific implications arising from the Council's draft Development Constraints and Industrial Legacy policies can be adequately addressed through the issues-specific policies identified elsewhere in this response, and in particular the use of Policy SNE6 - Canals (as requested amendments above refer). Accordingly, we request the incorporation of cross-referencing to Canal Policy SNE6 within the introductory text to this section, for example after para 14.5. or more specifically in the justification texts for Policies SCO2 - Pollution Control and Policy SCO3 - Land contamination and instability (ACTION REQUEST).

Similarly, we request para 14.17 of the justification text lists potential receptors of light pollution impact and includes the canal network within that list. (ACTION REQUEST).

15. Development Management

The Trust is content that canal-specific implications arising from the Council's draft Development Management policies can be adequately addressed through the issues-specific policies identified elsewhere in this response, and in particular the use of Policy SNE6 - Canals (as requested amendments above refer). Accordingly, we request the incorporation of cross-referencing to Canal Policy SNE6 within the introductory text to this section, or more specifically in the justification texts for Policy SDM1 – Design Quality, Policy SDM2 – Development and Design Standards, and Policy SDM3 – Tall Buildings and Gateway Sites.

In relation to design quality, the canal network also presents opportunities for positive placemaking and the reduction of anti-social behaviour as commented on above in relation to Policy SDS4 - Achieving Well-designed Places.

In relation to tall buildings and gateway sites the Trust requests that Policy SDM3 – Tall Buildings and Gateway Sites sub-heading 5(c) specify that this relates to both designated and non-designated heritage assets (ACTION REQUEST). The associated justification text should also contain reference to the need for impact of tall buildings within typically lower height profile canal environments to be a material consideration, to enable assessment of impact on the prevailing visual environment and character of the canal network (ACTION REQUEST).

Delivery, Monitoring, and Implementation

The Trust requests opportunity to engage with the Council on an on-going basis throughout the plan period to secure the benefits to the canal network envisaged by the Plan's suite of policies (ACTION REQUEST).

Furthermore, the Trust notes that use, delivery and monitoring of Section 106 and CIL payments is not included within the policy wording and queries its absence (ACTION REQUEST).

APPENDIX A – Nature Recovery Network and Biodiversity Net Gain

The Trust seeks to maintain engagement with the Council on the evolution of BNG delivery within Sandwell in its forthcoming formative roll-out stages (2024/25) and thereafter on an implementation basis throughout the plan period (ACTION REQUEST).

APPENDIX B - Sandwell Site Allocations

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SH7 - The Boat Gauging House and adjoining land, Factory Road, Tipton – development proposals should have particular regard to the heritage assets on site in scale, form and impact on character

SH14 - Langley Maltings, Western Road, Langley – development proposals should have full regard to adjacent heritage assets in scheme layout, design and appearance

SH19 - Land at Horseley Heath, Alexandra Road, and Lower Church Lane, Tipton – development proposals where adjacent to the canal should have full regard to the nature conservation needs of the SLINC

SH21 - Dudley Road East, Oldbury – development proposals where adjacent to the canal should have full regard to the nature conservation needs of the adjacent SINC

SH30 - Land to east of Black Lake, West Bromwich - development proposals where adjacent to the canal should have full regard to the nature conservation needs of the adjacent SINC

SH35 - Rattlechain site - land to north of Temple Way, Tividale – development proposals where adjacent to the canal should have full regard to the land contamination, water quality and land stability issues arising from this site

SH36 - Land between Addington Way and River Tame, Temple Way (Rattlechain) – comments as SH35 above

SH41 - North Smethwick Canalside – development proposals where adjacent to the canal should pay full regard to Smethwick-Birmingham Corridor Framework (2022) and the Rolfe Street Masterplan (2023)

SH53–58 – various sites within the Part of Grove Lane Masterplan – comments as SH41 above

SM1 - Chances Glass Works, Land west of Spon Lane, north of Palace Drive – development proposals should have particular regard to the heritage assets on site in scale, form and impact on character

APPENDIX C – Employment Allocations – vacant land

SEC1-10 - Brandon Way/ Albion Road - development proposals where adjacent to the canal should have full regard to the land stability issues of the canal

APPENDIX D – West Bromwich Masterplan and Carter's Green Framework Plan

The Trust has no comment to make on these proposals.

APPENDIX E – Strategic Waste Sites

The Trust notes the identification of the existing Strategic Waste Sites within the Black Country authorities, (rather than just Sandwell) and raises no additional comments subject to statutory consultation on any forthcoming planning applications on any of these sites within our notified areas, and assessment in line with the emerging Policy SNE6 - Canals (for any sites within Sandwell) if applicable.

APPENDIX F – Minerals

The Trust notes the identification of existing Key Mineral Infrastructure sites and raises no additional comments

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subject to statutory consultation on any forthcoming planning applications on any of these sites within our notified areas, and assessment in line with the emerging Policy SNE6 – Canals, for sites within Sandwell, if applicable.

APPENDIX G – Site allocations - changes

The Trust notes the changes in allocations, largely from housing to employment uses, and raises no additional comments subject to statutory consultation on any forthcoming planning applications on any of these sites within our notified areas, and assessment in line with the emerging Policy SNE6 - Canals.

It is noted that in principle some employment uses may give rise to additional assessment needs and mitigation requirements in relation to operational pollution control e.g. air and water quality.

APPENDIX H – Rowley Hills

The Trust has no comments to make on the proposed Extent of Strategic Open Space Designation.

APPENDIX I – Sandwell Local Plan Housing Trajectory

The Trust has no comments to make.

APPENDIX J – Sandwell Playing Pitch and Outdoor Sports Strategy (extract)

The Trust has no comments to make.

APPENDIX K – Open space and play provision standards for development

The Trust has no additional comments to make on the proposed standards.

APPENDIX L – Transportation Policy

The Trust has no comments to make on the proposed parking standards.

APPENDIX M – Glossary

The Trust has no comments to make on the proposed definitions.

Please do not hesitate to contact me with any queries you may have.

Yours sincerely,

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