



**Canal &  
River Trust**

Making life better by water

South Staffordshire District Council  
Council Offices  
Wolverhampton Road  
Codsall  
South Staffordshire  
WV8 1PX

**Your Ref** Local Plan Review -  
Preferred Options  
**Our Ref** CRTR-POL-2021-34198

**Friday 10<sup>th</sup> December 2021**

Dear Sir/Madam,

**Proposal: South Staffordshire District Local Plan Review 2018-2038: Local Plan Preferred Options (November 2021)**

**Location: South Staffordshire**

**Waterway: Staffordshire & Worcestershire Canal, Shropshire Union Canal, Stourbridge Canal and the Hatherton Canal**

Thank you for your consultation.

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 Trust is a statutory consultee in the Development Management process.

The canal network is a significant historic feature bearing reference to the district's part within the industrial revolution. This is now an engrained part of the character, historic environment, and cultural identity of South Staffordshire District.

Within the South Staffordshire District boundary, the Trust maintains a network of approximately 60km, which includes 36 locks, 55 listed structures, 134 bridges, 8 aqueducts, one tunnel and is made up of parts of four waterways which are largely designated as Conservation Areas. We also own and manage the Belvide, Calf Heath, Dimmingsdale and Upper & Lower Gailey reservoirs because they store and provide water for the canal system to operate.

The waterways are significant green infrastructure, but also function as blue infrastructure, 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 district.

Other agencies recognise and value the benefits that our network provides and examples of this include The National Forest website links to various canal walks and Staffordshire Wildlife Trust also lead wildlife walks featuring

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the canals. Both of these examples demonstrate the importance of our network for a variety of purposes including leisure/tourism/ecology purposes.

Please find below the Trust's response to your draft Development Plan documents. We hope that the comments provided are clear, helpful and that your next revision will address these points. We are willing to continue to work with you, to meet and discuss these points for clarity and to seek to work together towards high-quality canal environs within your District. Please contact me with any queries that you may have, my details are below.

### South Staffordshire: Setting the scene

#### Map 1: South Staffordshire context map and proposed settlement hierarchy

Like the roads and the railway, the canals within the district form part of its permanent infrastructure and would give context to the interconnectivity of the settlements by means of active travel. We recommend the addition of the existing navigational canals to 'Map 1' to show this key attribute to the district.

### Issues and challenges for South Staffordshire

#### Table 4: Economic Vibrancy – issues and challenges

The potential for towpaths to be used as off-road active travel routes doesn't come across. The canal network is quite extensive in the district and offers direct links into the West Midlands conurbation. Staffordshire LCWIP <https://www.staffordshire.gov.uk/Transport/transportplanning/Walking-and-cycling.aspx> specifically calls for Local Plans to consider active travel routes and canals, especially where there are links into the conurbation. The towpaths in the district have mixed surfacing quality which we are seeking to improve. We wish to welcome additional users to our network but need support in mitigating the impact of additional users. It is therefore important when considering growth options that the impact on the canal towpath network is fully considered and proposals incorporate mitigation measures where appropriate to promote active travel. Appropriate contributions will be sought from new developments close to our network as well as working with the Council to undertake improvements within existing communities.

#### Table 5: Natural and Built Environment – issues and challenges

The table is correct that the Hatherton Canal Restoration Project does offer tourism and flood risk alleviation benefits. This is also true of the existing canal network along with many other wider environmental benefits. Our waterways and reservoirs with their diverse ecology are not directly acknowledged here, but we consider that the wording could go further by saying *“Conserving, protecting and enhancing valued finite resources is a key issue to consider when planning new development”* as this would fit better with the aim of Net Gain and the National Planning Policy Framework.

The management of water in the landscape to avoid increased flooding and pressures on our waterways is also a key challenge that is not specifically covered in this table. This is particularly important where building in the flood or breach inundation zone of a dam could adversely alter the risk assessment for the reservoir. We therefore provide the following general advice, and you may wish to discuss this further with us as it is relevant to Strategic Objective 12 and the aims of Policy NB7. Such additional risk may require additional works to be carried out at the expense of the applicant/developer, to reduce the risk to an acceptable level. Whilst the likelihood of reservoir failure may be considered low, the consequences of such a failure can be significant due to the sudden release of large volumes of water. This change in risk cannot be properly quantified and assessed without detailed information and may require updated breach models, funded by the developer, to compare the current and proposed consequences of a dam failure. The outcome of this modelling should then form a key part of the Flood Risk Assessment for the site and will aid in determining whether mitigation measures either on or off-site can alleviate concerns and make the development compliant with national planning policy. This work would be necessary for

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the Trust to determine whether the applicant / developer would need to fund any work at a reservoir to mitigate increased risk. It should however be recognised that it is highly unlikely to be able to remove the risk entirely.

### Vision and strategic objectives

The Trust note the Council's Vision and Strategic Objectives and our comments on how the draft policies of the Local Plan Review could better support the vision and objectives follow.

### Policy SA1 – Strategic development location: Land East of Bilbrook

This policy proposes a settlement expansion scheme including a primary school and shops adjacent to the Shropshire Union Canal. A Supplementary Planning Design document is proposed by the Council to clarify what the development should consider/include. Please can you include us as a stakeholder in the production of this document.

It would be helpful to have the canal (and River Penk) highlighted in blue on the allocation plans, because they are important infrastructure to which connectivity is sought within the strategic objectives. The roads, though knocked back in colour, are more obvious. The allocation maps appears to show a 'Proposed access' off Barnhurst Lane adjacent to the canal and it is considered that this presents opportunity to include the canal within the master planning of this frontage. The canal is Conservation Area and at a slightly lower level than the Barnhurst Lane site frontage which is currently dominated by a mature hedge with trees that forms part of the canals rural setting in this location. We would wish to see the masterplan retain this rural character with the potential to provide supplemental planting along Bathurst Lane to bolster this rural character. This would assist the proposal in meeting Strategic Objectives 11, 12 and 13.

The site is beyond Barnhurst Lane from the canal with Pendeford Bridge (Bridge 4) on Wobaston Road the nearest towpath access point. The development is likely to create additional towpath users seeking recreation in the canal corridor that is a green/blue infrastructure asset, access to the supermarket in Pendeford and for commuters travelling the 4-6km into Wolverhampton to the south. It is noted that encouraging active travel from this site is already mentioned and the towpath can contribute to this network. For these reasons the towpath would benefit from being upgraded from Pendeford Bridge to Autherley Junction, so that the proposal would meet Strategic Objectives 9, 10, 12 and 13. Currently, the towpath access at Pendleford Bridge is stepped and accesses an unmade towpath. The cost of upgrading the towpath to a "rural" specification comprising self-bind aggregate would be sought from the applicant/developer for an appropriate distance.

It would be preferable for storm water from this site allocation to be discharged to the north into Moat Brook rather than into the River Penk to the south. Pendeford Aqueduct is more likely to have better capacity for increased discharge than the culvert at Wolverhampton boat club, Culvert 136 (Pendeford No 2). Consideration of this discharge at an early stage will assist the development in being resilient to climate change to meet with Strategic Objective 12. An alternative may be to discharge attenuated water into the canal which is higher up the drainage hierarchy than the watercourses, because it is a managed system. **This is a link to the Trust's Surface Water Drainage advice note (<https://canalrivertrust.org.uk/refresh/media/thumbnail/22749-surface-water-drainage-leaflet-august-2015.pdf>) regarding the application process and the reasons why the Trust's approval for a discharge to the canal would be needed.**

The policy should capture these infrastructure considerations to ensure they are included in the proposed SPD and future funding considerations for the site's master planning.

### Policy SA2 – Strategic development location: Land at Cross Green

This policy proposes 1200 dwellings over two sites 646a and 646b east of the Staffordshire & Worcester Canal south of Coven. A Supplementary Planning Design document is proposed by the Council to clarify what the

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development should consider/include. Please can you include us as a stakeholder in the production of this document.

The non-towpath side (offside) canal bank north of our Culvert N2, Three Hammers would be the western boundary of site 646a with the winding hole (see <https://canalrivertrust.org.uk/specialist-teams/planning-and-design/planning-and-waterway-jargon-busters/waterway-jargon-buster>) the northern most interaction between this site and the canal. Green infrastructure is proposed on the offside bank between 646a and 646b and the Trust wish to maintain the rural character of the canal Conservation Area in this location to meet with Strategic Objectives 11, 12 and 13. Further strategic landscaping to the north of the existing identified area would provide an appropriate rural buffer to the canal corridor.

These sites are likely to create additional towpath users seeking recreation in the canal corridor that is a green/blue infrastructure asset. For this reason, the towpath would benefit from the upgrading of the surfacing and access points to provide a towpath of rural character that can support the use by increasing numbers of users. The cost of upgrading the towpath to a "rural" specification comprising self-bind aggregate would be sought from the applicant/developer for an appropriate distance. This would assist the proposal in meeting Strategic Objectives 10, 12 and 13.

It may be possible to discharge attenuated water from these sites into the canal, which is higher up the drainage hierarchy than watercourses, because it is a managed system. This would assist the development in being more resilient to climate change and meet with Strategic Objective 12. This is a link to the Trust's Surface Water Drainage advice note (<https://canalrivertrust.org.uk/refresh/media/thumbnail/22749-surface-water-drainage-leaflet-august-2015.pdf>) regarding the application process and the reasons why the Trust's approval for a discharge to the canal would be needed.

The policy should capture these infrastructure considerations to ensure they are included in the proposed SPD and future funding considerations for the site's master planning.

#### **Policy SA4 – Strategic development location: Land North of Penkridge**

This is a proposal for 1129 dwellings between the River Penk and the railway north of the village. A Supplementary Planning Design document is proposed by the Council to clarify what the development should consider/include. Please can you include us as a stakeholder in the production of this document. Whilst this proposal is not adjacent to the canal there is connectivity via a bridleway at Drayton Farm that links under the M6 motorway to the canal at Fancy Bridge (Bridge 89). This provides an off-road route into Penkridge village and it is for this reason, the towpath would benefit from the upgrading to the surfacing and access points to provide a towpath of rural character that can support the use by increasing numbers of users. The cost of upgrading the towpath to a "rural" specification comprising self-bind aggregate would be sought from the applicant/developer for an appropriate distance. Such a requirement on the proposal would assist in meeting Strategic Objectives 9, 10, 12 and 13 and so this infrastructure consideration should be captured within the policy to ensure it is included in the proposed SPD and future funding considerations for the site's master planning.

#### **SA5: Housing Allocations and Appendix C Housing Land Proformas**

**Land south of Kiddemore Green Road, Brewood (Site 079)** - This residential housing allocation is located on the non-towpath side (offside) of the canal at the top of cutting 70 on the Shropshire Union Canal. The means of disposing of surface water from the site is not immediately obvious and would need to ensure that it would not discharge towards the canal where it would have potential to cause structural instability in the canal cutting slope. We request that the disposal of surface water is added to the key infrastructure requirements for this site in **Appendix C: Housing Site Proformas**.

**Land at Cherry Brook, Penkridge (Site 005)** – This is a residential housing allocation proposal on a short stretch of non-towpath side of the Staffordshire & Worcester Canal. As drafted the Key Infrastructure requirements do **Canal & River Trust**  
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not mention the protection or enhancement of the canal Conservation Area. We request that **heritage impact mitigation** is added to the key infrastructure requirements for this site in **Appendix C: Housing Site Proformas**, which should be informed by an assessment of the impact on the canal. If a pedestrian/cycle link to Brooms Bridge were to be proposed as previously (Your ref: 18/00307/OUT) the Trust would wish to provide more detailed advice on this at the time of an application – matters regarding increased accessibility mentioned above would be relevant.

### **SA6: Gypsy and Traveller Allocations**

The proposed allocation **GT08 - Brinsford Bridge, Stafford Road, Coven Heath** is for 7 pitches (6 pitches on a site extension and 1 unauthorised pitch to permanent) where there is an existing 2 pitch provision. The site is located on the non-towpath side of the Staffordshire & Worcester Canal Conservation Area. We have already advised in response to the recent planning application (Your Ref: 21/00699/FUL) on the site that the visual impact of the proposal as viewed from the Conservation Area needs to be fully assessed and mitigated through the retention of the existing hedgerow and supplemental native species planting provided as appropriate. The safe disposal of foul water to the mains drains along with the disposal of surface water via soakaways that are located away from the canal infrastructure to protect the structural stability of the canal embankment is also a concern to us on this site. If the numbers on the site are to be expanded as proposed, we would request that these considerations are added to the site-specific planning requirements for GT08 to enable to proposal to accord with Strategic Objectives 11, 12 and 13.

### **Policy SA7 - West Midlands Interchange**

Here the release of Green Belt to accommodate the consented West Midlands Interchange is proposed. The Trust note the retention of the Staffordshire & Worcester Canal Conservation Area within the Greenbelt as indicated on Plan E33 of Appendix E: Employment allocation maps. We are looking forward to working with the Council on the discharge of conditions process for this site.

### **NB1 - Protecting, enhancing and expanding natural assets**

Our network has considerable ecological assets that we wish to preserve and enhance through working with the Council and other partners. Our substantial network of canals and reservoirs within South Staffordshire provide wildlife corridors to link different habitats and lakes, ponds, hedgerows, and trees within our land ownership that add further ecological diversity. Development proposals adjacent to canals need to give special consideration to the ecology and habitats that our waterways and reservoirs offer with the acknowledgement that increased use could adversely affect some species. Baseline data needs to be gathered as part of development proposals, so that the design of the development prevents adverse impact and enhances habitats to promote species diversity. It would be appropriate to incorporate the important contribution that our network offers into this policy in the interests of meeting Strategic Objective 11. Species conservation strategies could be acknowledged within the supportive text of the draft policy.

### **NB6 - Energy and water efficiency, energy and heat hierarchies and renewable energy in new development**

Our network has a big part to play in fighting climate change with nine different ways (<https://canalrivertrust.org.uk/enjoy-the-waterways/canal-and-river-wildlife/nine-ways-canals-can-fight-climate-change>) the canals in South Staffordshire can provide benefits including zero-carbon renewable energy from heating and cooling systems (<https://canalrivertrust.org.uk/enjoy-the-waterways/canal-and-river-wildlife/nine-ways-canals-can-fight-climate-change/heating-and-cooling-systems>). As currently drafted Policy NB6 does not specifically include retrofitting existing developments to ensure these utilise zero-carbon renewable energy where possible, including from our waterways and other sources. Retrofitting frequently requires planning permission, so it would be appropriate to incorporate this important contribution to the mitigation of climate change into the policy in the interests of meeting Strategic Objective 12.

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## NB7 – Managing flood risk, sustainable drainage systems & water quality

In tackling climate change our network has a part to play in mitigating and managing floods (<https://canalrivertrust.org.uk/enjoy-the-waterways/canal-and-river-wildlife/nine-ways-canals-can-fight-climate-change/mitigating-and-managing-floods>). Our network is a managed system that sits higher on the drainage hierarchy than unmanaged waterways such as rivers and streams. We can also provide opportunity for surface water drainage from new developments that use a managed and maintained SuDS system. The management and maintenance of SuDS systems is important to protect the water quality and ecology of the receiving canal/waterway.

It is noted that the possibility of using the Hatherton Canal for flood risk alleviation has been mentioned in Table 5 (as discussed above). A review with us of any Flood Risk Alleviation and/or Surface Water discharge proposed for the Hatherton Canal will be necessary because some local water courses pass close to the canal and do connect to canal feeders.

### Policy NB10 - Canal network

This policy sets out how proposals next to canals will be assessed and we have taken note of its general aims, particularly with regard to connectivity and location/siting of developments on the network. There are the following opportunities that could be incorporated to better support the many strategic objectives that our waterways can contribute to:

- The wording could include increased emphasis on **improving the accessibility** of the canal network as an important green/blue infrastructure resource that is vital to the wellbeing of existing and emerging communities, as well as for active travel. New developments provide the opportunity for the enhancement of access to the canal network through the provision of improved surfacing, access points and wayfinding to encourage users and wellbeing activity that would fit well with Strategic Objectives 4, 5, 7, 8, 9, 10, 12 and 13.
- Whilst the policy currently reads well regarding the consideration of location/siting of developments on the network, more weight could be provided to waterside design considerations, particularly when compared to Policy NB9. We recommend that the policy includes enhancing the setting of the waterway by requiring engaging development that considers the layout, character, massing, form, materials and landscaping as appreciated from the canal corridor. Canal side development would as a result be more likely to meet Strategic Objectives 4, 7, 11 and 13.
- Within the footnotes we would welcome an undertaking by the Council to work with the Trust to upgrade towpaths to improve access, surfacing and wayfinding for the benefit of the local community.

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

Yours sincerely,

**Hazel Smith MRTPI**  
Area Planner - Midlands

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