

Report title	Sandwell Local Plan Consultation Response	
Decision designation	AMBER	
Cabinet member with lead responsibility	Councillor Stephen Simkins Deputy Leader: Inclusive City Economy	
Key decision	Yes	
In forward plan	Yes	
Wards affected	All Wards	
Accountable Director	Richard Lawrence, Director of Regeneration	
Originating service	City Planning	
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Report has been considered by	Regeneration Leadership Team 3 April 2023	

Recommendation for decision:

The Cabinet is recommended to:

1. Approve the City of Wolverhampton Council response to the Sandwell Local Plan Issues and Options consultation set out in Appendix 1 to this report.

1.0 Purpose

- 1.1 To approve the interim City of Wolverhampton Council response to the Sandwell Local Plan Issues and Options consultation attached as Appendix 1 to this report, which was submitted in March 2023 to meet the consultation deadlines.

2.0 Background

- 2.1 Following the end of work on the Black Country Plan in autumn 2022, Sandwell Council has moved forward quickly to produce a new Sandwell Local Plan. Consultation on an Issues and Options report took place during February and March 2023. Given that the Duty to Cooperate is still a key element of planning law and national policy, and that Councils will continue to be required to work together under anticipated future changes, it is important that City of Wolverhampton Council responds to the consultation. Council officers submitted an interim response to the consultation during March (attached as Appendix 1 to this report), subject to approval by Cabinet.

3.0 Sandwell Local Plan Issues and Options Consultation

- 3.1 The Issues and Options consultation proposes the preparation of a Sandwell Local Plan which covers both strategic and non-strategic policies. The policies, spatial strategy and sites selected for allocation for housing and employment development would be broadly similar to those consulted on through the Draft Black Country Plan in 2021.
- 3.2 The consultation identifies a Sandwell Local Housing Need of 30,300 homes for the new Plan period up to 2041 and an anticipated housing land supply of 9,492 homes, resulting in a shortfall of 20,808 homes. This is broadly consistent with the work undertaken through the Black Country Plan. The document points to several options for dealing with this, including increased densities on new sites.
- 3.3 The consultation identifies an employment development land need of 205.5ha arising in Sandwell, and a forecast supply of 69.9ha, resulting in a shortfall of 135.5ha. This level of need and supply is based on the jointly commissioned Black Country Economic Development Needs Assessment (EDNA) update, published alongside the Issues and Options consultation.

Proposed Consultation Response

- 3.4 The principles for a proposed consultation response are set out below. The detailed response is attached as Appendix 1 to this report.
- 3.5 It is welcome that good progress has been made with the new Local Plan, and that the document has been informed by work undertaken to prepare the Black Country Plan (BCP) – particularly the shared evidence base and associated policy development. It is also welcome that the programming of the Local Plan is broadly aligned to that for the Wolverhampton Local Plan as set out in the Wolverhampton Local Development Scheme 2023-2026. This is important given the need to progress a regional solution to

addressing strategic housing and employment land needs which form a key element of the consultation.

- 3.6 Sandwell Council should be encouraged to continue to fully explore all opportunities within the Borough to maximise development capacity, however there is a need to prevent the loss of viable employment land and premises, given the evidenced shortfall of land across the Black Country Functional Economic Area (FEMA). While further work may identify some additional capacity, it is accepted that it will not be possible to meet all needs within the Borough, and that it will be necessary for Sandwell to ask adjacent authorities if they are able to contribute towards meeting Sandwell needs through the allocation of land in their Local Plans.
- 3.7 For this reason, it is recommended that the Council continues to engage with the work of the Greater Birmingham and Black Country Housing Market Area (GBBCHMA) officer group and the programme of work contained within the Statement of Common Ground as circulated by South Staffordshire Council in 2022. Clearly, given the scale of the Sandwell shortfall, a regional approach is required, and the reference to approaching only adjacent Local Plan areas for assistance will be too limiting given acknowledged housing shortfalls arising across the Black Country as a whole and also in Birmingham. Any solution should be based on an understanding of the pattern of functional and physical relationships across the GBBCHMA including migration and travel to work data so that, where practicable, needs are addressed as close as is possible to where they arise.
- 3.8 In the case of Wolverhampton, our current position on housing and employment land need and supply is as set out in the Draft BCP, published for consultation in 2021. The Draft BCP identified a shortfall of some 28,000 homes to 2039 across the four Council areas. For Wolverhampton, the housing shortfall was substantial at some 7,700 homes to 2039. On the basis of the December 2022 consultation version of the National Planning Policy Framework, the Leader of the Council has committed to excluding any sites which are currently located within the green belt as development allocations within the emerging Wolverhampton Local Plan. This would further increase the City's housing shortfall up to 2039 to some 8,700 homes. The new Local Plan will also have a Plan period extending to 2041, which could further increase this shortfall. For this reason, Wolverhampton will not be in a position to provide land within the Local Plan to meet housing needs arising in Sandwell.
- 3.9 Turning to employment land, the document identifies an employment land need of 205.5ha arising in Sandwell and a corresponding forecast supply of 69.9ha, resulting in a shortfall of 135.5ha. This level of need and anticipated supply is recognised, given its basis in the jointly commissioned Black Country EDNA update, published alongside the Issues and Options consultation.
- 3.10 In the first instance, needs arising within the Black Country FEMA should be addressed within the FEMA itself. The EDNA update recommends that, collectively, the

employment development land 'need' across the FEMA is some 512ha and the shortfall is 22.4ha allowing for proposed contributions from neighbouring Local Plan areas – namely Shropshire and South Staffordshire. It is recommended that the closing of this gap should be addressed through ongoing Duty to Cooperate activity, with a focus on those areas having a strong or moderate functional economic relationship with the Black Country (as defined in the 2017 EDNA), and other areas where there is evidence of a functional relationship. In the case of Wolverhampton, the Report advises that employment land need and anticipated supply are finely balanced, and it is highly unlikely that additional land will be identified through the new Local Plan which could make significant headway into addressing the shortfall arising across the FEMA as a whole. Sandwell should therefore be supported to continue of Duty to Cooperate engagement with neighbouring Local Plan areas to address the shortfall, with a focus on the areas identified in the 2017 EDNA.

4.0 Evaluation of alternative options

4.1 The alternative option to making a response to the consultation would be to make no response. This would not be in accordance with the Duty to Cooperate responsibilities of the Council.

5.0 Reasons for decisions

5.1 It is important that the Council responds to consultations on Local Plans being progressed for neighbouring authorities, in line with the Duty to Cooperate.

6.0 Financial implications

6.1 There are no direct financial implications associated with the recommendation of the report.

[AI/28032023/F]

7.0 Legal implications

7.1 The Council has a duty to respond to consultations on Local Plans being progressed for neighbouring authorities in accordance with the Duty to Cooperate, which is a key element of planning law and national policy.

[TC/12042023/A]

8.0 Equalities implications

8.1 There are no equalities implications of this report.

9.0 All other implications

9.1 There are no other implications of this report.

10.0 Schedule of background papers

- 10.1 Sandwell Local Plan Issues and Options Consultation, February 2023 ([Sandwell Local Plan - Issues & Options Consultation | Sandwell Council](#))
- 10.2 Wolverhampton Local Development Scheme 2023-26 ([Local Development Scheme | City Of Wolverhampton Council](#))

11.0 Appendices

- 11.1 Appendix 1: City of Wolverhampton Council Response to Sandwell Local Plan Issues and Options Consultation