

Report title	Wolverhampton Local Plan Issues and Preferred Options Consultation	
Decision designation	AMBER	
Cabinet member with lead responsibility	Councillor Stephen Simkins Leader of the Council	
Key decision	Yes	
In forward plan	Yes	
Wards affected	All Wards	
Accountable Director	Richard Lawrence, Director of Regeneration	
Originating service	City Planning	
Accountable employee	Michele Ross	Lead Planning Manager
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Report has been / will be considered by	Regeneration Leadership Team	19 December 2023
	Strategic Executive Board	16 January 2024
	Scrutiny Board	21 February 2024

Recommendations for decision:

The Cabinet is recommended to:

1. Approve the Wolverhampton Local Plan Issues and Preferred Options Report (Appendix 1), Sustainability Appraisal Report (Appendix 2), and Summary Leaflet (Appendix 3), for consultation during spring 2024.
2. Delegate authority to the Leader of the Council, in consultation with the Director of Regeneration, to make any necessary minor amendments to the Wolverhampton Local Plan Issues and Preferred Options Report (Appendix 1), Sustainability Appraisal Report (Appendix 2), and Summary Leaflet (Appendix 3), prior to commencement of the consultation process.
3. Request a further report summarising key issues raised during the consultation and seeking approval for consultation on the Publication Wolverhampton Local Plan.
4. Approve a new Wolverhampton Local Development Scheme (2024-2027) (Appendix 4).

1.0 Purpose

- 1.1 This report seeks approval to consult on a Wolverhampton Local Plan Issues and Preferred Options Report and associated Sustainability Appraisal Report during spring 2023 and to adopt a new Wolverhampton Local Development Scheme (2024-2027).

2.0 Background

- 2.1 The Black Country Core Strategy (BCCS), adopted in 2011, is the key strategic planning and regeneration document covering the Black Country Authorities (BCA) of Dudley, Sandwell, Walsall and Wolverhampton. The BCCS covers the period to 2026 and contains a commitment to a review in 2016. The review began with production of key evidence in 2016, followed by consultation on an Issues and Options Report in summer 2017.
- 2.2 On 17 October 2018, Cabinet received a report summarising key issues raised during the consultation and agreed to widen the scope of the review to include detailed site allocations and change the name of the document to the Black Country Plan (BCP). The BCP would have become the key Local Plan document for Wolverhampton, replacing the out-of-date BCCS and elements of Wolverhampton specific Area Action Plans.
- 2.3 On 7 July 2021, Cabinet approved consultation on the Draft BCP (Regulation 18) during summer 2021. The Draft Plan included proposed site allocations for housing and employment development and attracted a large number of consultation responses. On 6 July 2022, Cabinet approved public consultation on Additional Housing Sites in Walsall (Regulation 18) during summer 2022.
- 2.4 On 6 October 2022 Dudley Council announced that they were withdrawing from the BCP. On 19 October 2022 Cabinet approved a new Wolverhampton Local Development Scheme and requested a further report to approve Issues and Preferred Options consultation on a Wolverhampton Local Plan (WLP).
- 2.5 The WLP will take forward the parts of the Draft BCP relating to Wolverhampton, whilst taking into account new evidence and consultation responses made to date. This approach was taken because there is an urgent need for Wolverhampton to prepare and adopt a new Local Plan and it will make most effective use of the large amount of work undertaken and resources expended to date, including the Draft BCP consultation responses received in 2021.
- 2.6 In December 2022, the Government published a consultation on changes to the National Planning Policy Framework (NPPF) which would remove the need to review the green belt to meet housing need as part of the Local Plan preparation process. As this change was likely to have a significant impact on the WLP, it was necessary to wait for the results of the consultation before progressing the WLP Issues and Preferred Options. In December 2023 the revised NPPF was issued, including the statement that: "there is no requirement for Green Belt boundaries to be reviewed or changed when plans are being

prepared or updated” (para 145). Therefore, it is now possible to progress the WLP to a revised timetable, as set out below:

Issues and Preferred Options Consultation (Reg 18):	Feb 2024 – Apr 2024
Publication Consultation (Regulation 19):	Dec 2024 – Jan 2025
Submission (Regulation 20):	Mid 2025
Examination:	Mid 2025 – Mid 2026
Adoption:	Mid 2026

This new timetable is set out in a new Wolverhampton Local Development Scheme (LDS), attached as Appendix 4 to this report.

3.0 The Wolverhampton Local Plan Issues and Preferred Options Consultation
















- 3.1 The WLP Issues and Preferred Options (I&PO) Report (attached as Appendix 1) details the proposed scope for the WLP. This is similar to the scope of the Draft BCP, except in one key regard: in line with the revised NPPF the WLP will not include a review of the green belt and therefore no green belt sites will be released for development. The WLP will contain strategic policies¹ for Wolverhampton and housing and employment allocations for all parts of the City excluding Wolverhampton City Centre to meet needs up to 2042. Non-strategic policies for Wolverhampton are contained in the saved parts of the Wolverhampton Unitary Development Plan and the three Area Action Plans (AAPs) covering the City. Parts of these documents will be replaced when the WLP is adopted. The Wolverhampton LDS sets out the intention to prepare a Supplementary Plan under the new national planning system to make any additional housing allocations in Wolverhampton City Centre which are required to deliver WLP housing targets.
- 3.2 The I&PO provides the policy context for the WLP, a spatial portrait of the Wolverhampton area and key evidence which has been prepared or will be prepared to support the Publication Plan. The I&PO then sets out the key issues which the Plan needs to address, followed by a series of strategic, spatial, policy and site allocation preferred options to address these issues. These preferred options propose substantially carrying forward the Draft BCP as it relates to Wolverhampton, but with some major changes to respond to planning issues raised during consultation, new evidence, changes in national guidance and extension of the Plan period from 2039 to 2042. References to how planning issues raised by Draft BCP consultation responses have been addressed are provided throughout the I&PO, and further detail will be provided in the WLP Consultation Statement to be published alongside the I&PO.
- 3.3 A number of strategic and spatial options for the Plan were considered when selecting the preferred options for the WLP, in light of available evidence. These options have

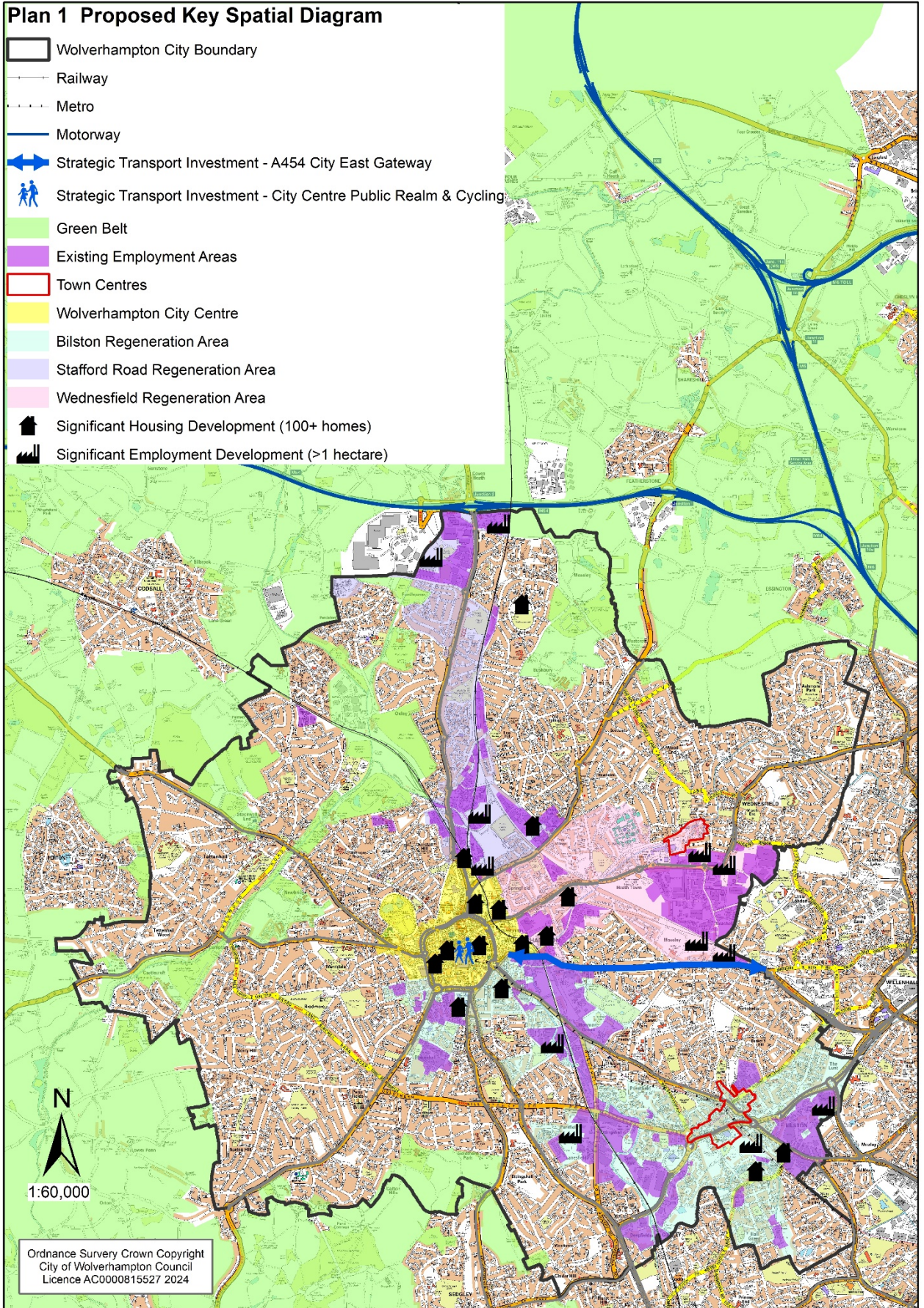
¹ National Planning Policy Framework para's 17-23

been subject to sustainability appraisal, as set out in the Sustainability Appraisal Report (attached as Appendix 2).

- 3.4 The proposed Vision and Strategic Priorities for the WLP are based upon Our City:Our Plan, which is the Council's strategic framework to improve outcomes for local people and deliver levelling up ambitions, and are also aligned with the City's Vision for Public Health, Climate Commitment and Good Growth Strategy. The preferred growth options for housing and employment land will provide sufficient land to deliver 10,307 homes and 52 ha of employment development up to 2042. This translates into a preferred spatial strategy which balances the need to bring forward a supply of land to provide new homes and jobs, while at the same time protecting and enhancing key environmental assets and safeguarding the amenity of the City's residential areas. To achieve these objectives, the Strategy directs the great majority of development onto brownfield land within the urban area, with a focus on the City Centre and a series of Core Regeneration Areas. The Strategy is illustrated in Plan 1 below.

Plan 1 Proposed Key Spatial Diagram

-  Wolverhampton City Boundary
-  Railway
-  Metro
-  Motorway
-  Strategic Transport Investment - A454 City East Gateway
-  Strategic Transport Investment - City Centre Public Realm & Cycling
-  Green Belt
-  Existing Employment Areas
-  Town Centres
-  Wolverhampton City Centre
-  Bilston Regeneration Area
-  Stafford Road Regeneration Area
-  Wednesfield Regeneration Area
-  Significant Housing Development (100+ homes)
-  Significant Employment Development (>1 hectare)



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- 3.5 To deliver regeneration ambitions and respond to national trends affecting town centres, 44% of all housing will be delivered in Wolverhampton City Centre, and 22% in the Bilston, Wednesfield and Stafford Road Core Regeneration Areas.
- 3.6 The preferred spatial strategy will provide additional land for employment development in suitable locations, however this will not be enough to meet forecast growth in key employment sectors within Wolverhampton. Evidence indicates that there will be a shortfall of 53 ha in Wolverhampton and 152 ha across the Black Country Functional Economic Market Area, of which Wolverhampton is a part. Government guidance requires Local Plans to have regard to needs arising in wider areas where there is evidence of strong economic relationships. The Black Country is recognised as such an area, therefore it is proposed that the WLP recognises the importance of continuing to engage with the other Black Country Councils and neighbouring authorities to address an identified shortfall of employment land across the Black Country as a whole.
- 3.7 Whilst the preferred spatial strategy will provide significant land for housing, this is not enough to meet local needs and there will be a significant shortfall of around 11,413 homes against Government housing need figures for Wolverhampton. It is proposed to address this shortfall by requesting that neighbouring authorities' Local Plans provide levels of housing above their own needs and make a specific contribution towards Wolverhampton's unmet need. It is important to develop an evidence-led approach to dividing up such contributions between authorities across the region which can demonstrate unmet housing needs. The proposed approach is based on the proportion of historic net migration flows from Wolverhampton compared to other authorities across the region with a demonstrable unmet housing need.

Policies

- 3.8 The Draft BCP included 63 strategic policies covering a range of strategic planning subjects, as required by national guidance. The Draft BCP consultation responses raised a number of issues regarding these policies and in some cases new evidence or national guidance is now available which requires changes in policy. The change in geography of the Plan from Black Country to Wolverhampton has also made it necessary to reconsider the scope of certain policies e.g. for minerals. As a result, a limited number of major changes are proposed to the Draft BCP policies. For all other Draft BCP policies, it is considered appropriate to retain the broad policy approach, subject to minor changes to respond to issues raised through the Draft BCP consultation, new evidence and the need to refer to Wolverhampton only.
- 3.9 For each of the ten subject areas of the Draft BCP, a summary of the Draft BCP policies and proposed major changes is provided. The key proposed major changes to the Draft BCP policies are:
- Remove all references to Neighbourhood Growth Areas, release of land from the green belt for housing, and compensatory improvements for loss of green belt;

- Amend figures relating to employment land, housing, gypsy and traveller accommodation and waste so that they relate to Wolverhampton only, extend to 2042 and reflect up-to-date evidence of need and supply;
- Remove requirement for brownfield housing sites to provide 20% accessible and adaptable homes, as this is likely to make development unviable;
- Include a new policy on playing fields and built sports facilities in line with Sport England advice, including new requirement for strategic housing allocations to provide playing pitch contributions as recommended in the Wolverhampton Playing Pitch Strategy (2022), if this is supported by a viability study update;
- Include a new policy on water quality, in line with Environment Agency advice;
- Amend existing health policies to clarify the supporting evidence developers will be required to provide on health impacts, and policy on hot food takeaways, shisha bars and other uses with potential negative effects on health and well-being;
- Clarify that transport evidence will be provided to support site allocations, update the transport projects list; and strengthen references to influencing travel demand and choices, including parking;
- Clarify that any development in Wolverhampton City Centre which requires a Transport Statement will need to be compatible with and contribute to accessibility and sustainable development;
- Require large leisure / evening economy developments to address anti-social behaviour;
- Commit to carry out air quality modelling to estimate the impact of traffic arising from WLP developments on the habitat value of nearby Special Areas of Conservation (SACs) – if analysis shows there will be harmful impacts, the WLP may need to introduce policies to mitigate these impacts.

Site Allocations

- 3.10 As set out in para 3.1, the WLP will not include a review of the green belt and therefore no green belt sites will be released for development. This means that a number of sites which were proposed for release from the green belt for housing in the Draft BCP are not included in the I&PO report - including land at Bushbury, land at Fallings Park and the former Wolverhampton Environment Centre (WEC) site, Westacre Crescent.
- 3.11 Following consultation on the Draft BCP, a number of planning issues have arisen regarding four greenfield sites which were proposed as housing allocations in the Draft BCP, as set out in Table 1. These sites are now not suitable for housing development for planning reasons including highways constraints, sufficiency of open space, wildlife value and viability, and therefore will not be included in the WLP. This will remove 238 homes from supply (following discount) and reduce the proportion of housing supply on greenfield land to only 3%.

Table 1: Draft BCP Proposed Housing Allocations now Not Suitable for Development

Draft BCP Site Ref	Site Name	Reason(s) not suitable for development
WOH185	Alexander Metals Open Space, Darlaston Lane / Wrenbury Drive, The Lunt (70 homes)	Following ecological survey, the site has been designated a Site of Importance for Nature Conservation (SINC). SINC's are not suitable for development under local planning policy and the site assessment methodology.
WOH193 & WOH194	Former St Luke's Junior School, Goldthorn Road (89 homes)	There is evidence that highways access places significant limits on housing capacity and there is a need to retain flexibility for the site to be used, together with adjoining land, as part of a Royal Primary School reconfiguration scheme.
WOH200	Fmr Nelson Mandela House, Whitburn Close (20 homes)	There is evidence that the site is not viably deliverable for housing.
WOH273 (WOH274 in error in Draft BCP)	Moseley Road Open Space (part), Langdale Drive, Bilston (also known as "Grapes Pool Field") (85 homes)	There is evidence that a reduction in open space in this part of Wolverhampton would lead to deficiencies against open space standards adopted through the Wolverhampton Open Space Strategy and Action Plan (2018).

- 3.12 Since 2021, housing monitoring work has identified four new brownfield sites in the urban area which are suitable for housing and deliverable by 2042, as detailed in Table 2. It is proposed to allocate these sites for housing in the WLP, which will strengthen the brownfield element of the Plan and add 275 homes to supply (following discount).

Table 2: Urban Brownfield Sites now Suitable for Housing Development

Site Name and Address	Indicative Housing Capacity	Site Area (ha)	Further information
Bluebird Industrial Estate and land to rear, Park Lane	130	3.10	Existing housing allocation in Stafford Road Corridor Area Action Plan. Not consulted on through Draft BCP due to delivery concerns - now considered deliverable.
Former Loxdale Primary School, Chapel Street, Bradley	100	1.30	Surplus site.
Fmr Gym, Craddock Street	48	1.20	Existing housing allocation in Wolverhampton Unitary Development Plan. Not consulted on through Draft BCP as operational gym - now considered deliverable.
Fmr Probert Court / Health Centre, Probert Road	35	0.88	Subject to relocation of existing GP surgery.

- 3.13 A number of other key changes are proposed to Draft BCP housing, gypsy and traveller, employment, waste and minerals site allocations for Wolverhampton:

- For all housing site allocations, update delivery timescales and provide a housing trajectory which is broken down by year for the first five years;
- Increase housing capacity of the Former Pipe Hall site in Bilston Town Centre from 20 to 38 homes to reflect the latest proposals for the site;
- Increase the site boundary of West of Qualcast Road housing site to include 0.25 ha required to provide access to the Crane Foundry housing site allocation within Wolverhampton City Centre;
- Provide a detailed site boundary for the employment site allocation at Neachells Lane, and details of buffers required within the site, to reflect the most recent evidence and the latest proposals for the site.

3.14 The details of all housing, gypsy and traveller pitch and employment development site allocations proposed to be taken forward into the WLP are provided in the I&PO report and their locations can be viewed in more detail through an interactive draft Policies Map available on the Council website.

Public Consultation

3.15 Public consultation on the WLP I&PO will take place for six weeks in accordance with the Council's adopted Statement of Community Involvement (SCI) and will allow stakeholders and local residents the opportunity to comment on most details of the Plan in advance of the formal Publication (Regulation 19) stage, when only consultation responses on the legality and soundness of the Plan can be considered. A Summary Leaflet (attached as Appendix 3) has been produced, which pulls out the key information to assist with the public consultation process. The I&PO consultation responses will then be analysed and any relevant planning issues raised, together with any new evidence and changes to national guidance, will feed into preparation of the Publication WLP, which is programmed for consultation in late 2024, subject to Cabinet approval.

4.0 Evaluation of alternative options

4.1 The alternative option would be to make no change to the existing Black Country Core Strategy. This would mean that the City would not have an up-to-date Local Plan in place for a number of years.

4.2 Failure to have a Local Plan that is based on sound evidence could result in the City having insufficient land to meet the need for housing, employment and other land uses that are necessary to support the economic and environmental well-being of the area. It could also result in development taking place in the wrong locations, leading to an inefficient use of resources, traffic congestion and other harm. Having an up-to-date Local Plan in place is also essential to defend the Council's position at planning appeals. Lack of an up-to-date Plan risks intervention from central government and may compromise our ability to make decisions locally.

5.0 Reasons for decisions

5.1 It is important that Wolverhampton is covered by an up-to-date Local Plan, in order to meet statutory requirements and to support regeneration and investment in the City and protect areas of value from development. Cabinet approval is required for each consultation stage of the Local Plan preparation process.

6.0 Financial implications

6.1 Following a full review of potential costs, it is estimated that taking the WLP to adoption will cost £465,000 over the period 2023-2026. Work is also required on the Wolverhampton City Centre Supplementary Plan during 2025-2026, to demonstrate that significant development targets for the City Centre will be delivered. It is estimated that this will cost £80,000 in 2025-2026.

6.2 The indicative cost breakdown is provided in the table below:

	2023-2024 £000	2024-2025 £000	2025-2026 £000	Total £000
Wolverhampton Local Plan cost	40	175	250	465
Wolverhampton City Centre Supplementary Plan	0	0	80	80
Available in Existing Budgets / Grants	(40)	(110)	(55)	(205)
<i>Shortfall</i>	<i>0</i>	<i>65</i>	<i>275</i>	<i>340</i>

6.3 It is anticipated that the estimated costs of £40,000 for 2023-2024 can be fully met through existing planning grants and planning revenue budgets, with resources within existing approved budgets contributing £165,000 for the period 2024-2026.

6.4 The 2024-2025 final budget and medium term financial strategy 2024-2025 to 2026-2027 report on the same Cabinet agenda incorporates the growth of £340,000 to mitigate the shortfall and will be subject to approval by full Council on 1 March 2024. In the event that funding is not identified or approved, efficiencies will need to be delivered or additional income achieved to fund these costs.

[LD/12012024/A]

7.0 Legal implications

7.1 As set out in the body of the report, the Council is required to have an up-to-date Local Plan. The legal implications are detailed in this report. The Wolverhampton Local Plan will form part of the adopted Local Plan for the City.

[JA/15012024/C]

8.0 Equalities implications

- 8.1 Preparation of the Wolverhampton Local Plan will include the carrying out of an integrated Sustainability Appraisal at each formal stage, and at later stages an Equality Impact Assessment. The Plan will seek to ensure that sufficient homes, shops and employment, social and recreational facilities are planned and provided for in that time to meet the needs of the communities in the City. This will include meeting the needs of children and young people by seeking to provide sufficient facilities for them as well as having a positive effect for future generations.

9.0 All other implications

- 9.1 A Sustainability Appraisal (SA) is being carried out throughout the plan preparation process. SA is a process for evaluating the environmental consequences of proposed policies and proposals to ensure sustainability issues are fully integrated and addressed at the earliest appropriate stage. The overall aim of the SA process is to inform and influence the development of the Plan and maximise its sustainability value.
- 9.2 There are currently sufficient staff resources in the Planning team to progress the Wolverhampton Local Plan to timetable. Delivery of the timetable will be dependent upon the retention of key staff and maintenance of staffing resource up to adoption.

10.0 Schedule of background papers

- 10.1 Black Country Core Strategy 2006-26, adopted February 2011
- 10.2 Cabinet – 27 June 2017 '[Black Country Core Strategy Review – Issues and Options Report](#)'
- 10.3 Cabinet – 17 October 2018 '[Progress on Black Country Core Strategy Review](#)'
- 10.4 [Cabinet – 7 July 2021 'Black Country Plan Draft for Consultation'](#)
- 10.5 Cabinet – 26 October 2022 [Wolverhampton Local Development Scheme](#)

11.0 Appendices

- 11.1 Appendix 1: Wolverhampton Local Plan Issues and Preferred Options Report
- 11.2 Appendix 2: Sustainability Appraisal of Wolverhampton Local Plan Issues and Preferred Options Report
- 11.3 Appendix 3: Summary Leaflet
- 11.4 Appendix 4: Wolverhampton Local Development Scheme (2024-2027)