

Report title	Progress on Black Country Core Strategy Review	
Decision designation	AMBER	
Cabinet member with lead responsibility	Councillor John Reynolds City Economy	
Key decision	Yes	
In forward plan	Yes	
Wards affected	All Wards	
Accountable Director	Richard Lawrence, Director of Regeneration	
Originating service	Planning	
Accountable employee	Michèle Ross	Lead Planning Manager (Sub-Regional Strategy)
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Report to be/has been considered by	Future City Board	26 September 2018
	Strategic Executive Board	2 October 2018

Recommendations for decision:

The Cabinet is recommended to:

1. Approve the Local Development Scheme, attached at Appendix 1 to this report, to come into effect from 24 October 2018.
2. Approve the Statement of Community Involvement, attached at Appendix 2 to this report, to come into effect from 24 October 2018.
3. Agree to receive a further report in Autumn 2019 to approve consultation on the Draft Black Country Plan.

Recommendations for noting:

The Cabinet is recommended to:

1. Note progress to date on the Black Country Core Strategy review and endorse the new scope, name and timetable for the review.

1.0 Purpose

- 1.1 To provide an update on progress regarding the Black Country Core Strategy review, to seek approval to adopt a new Local Development Scheme including a revised timetable for the review, and an updated Statement of Community Involvement (SCI), to support the review process.

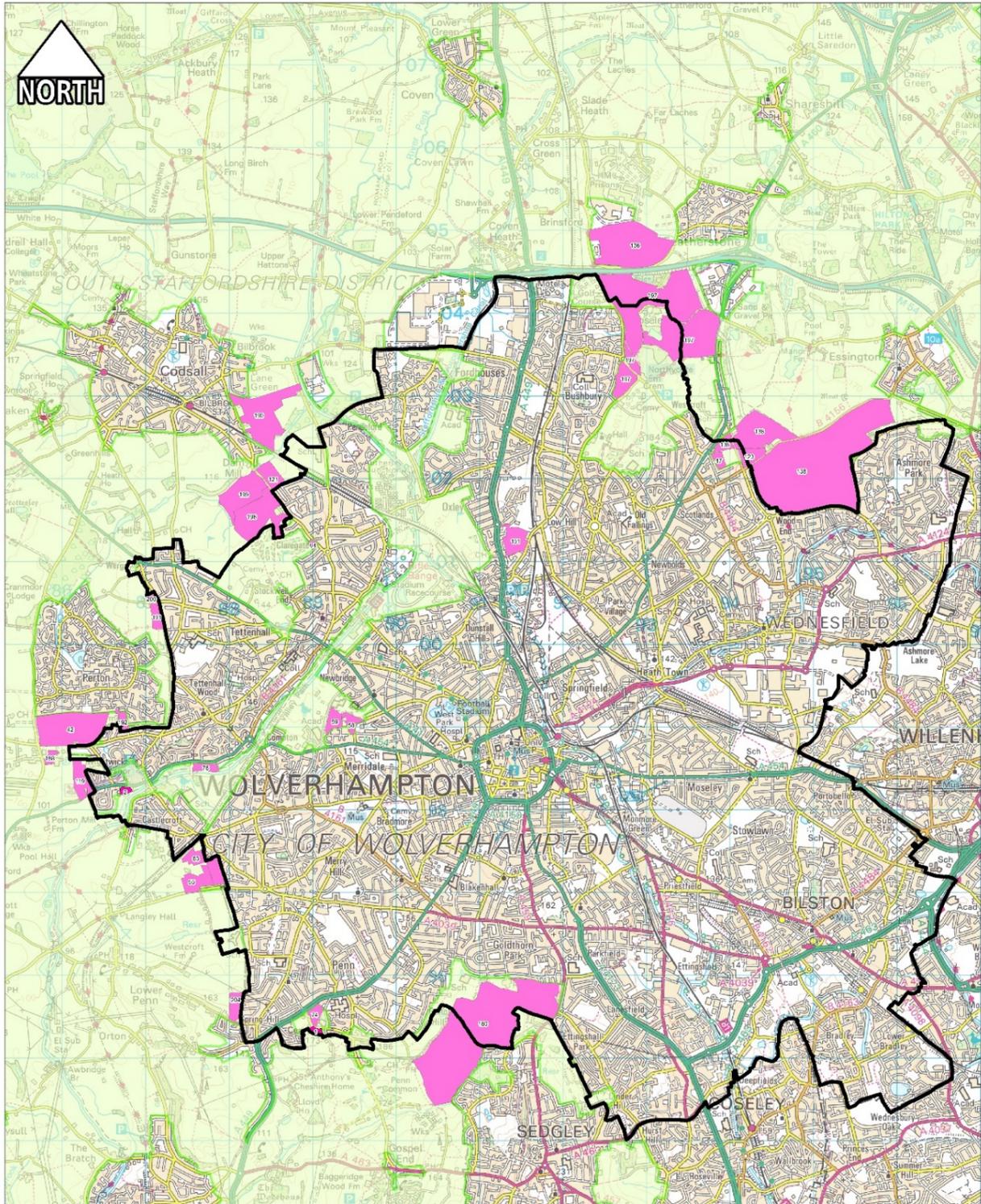
2.0 Background

- 2.1 The Black Country Core Strategy (BCCS), which was adopted in 2011, is the key strategic planning and regeneration document covering the Black Country authorities of Dudley, Sandwell, Walsall and Wolverhampton. The BCCS establishes housing and employment land targets, identifies priority regeneration areas and key infrastructure projects and includes a set of strategic planning policies which are used to determine planning applications, in the context of an overarching vision for the sub-region. The BCCS covers the period up to 2026 and contains a commitment to a review, which will extend the lifespan of the BCCS to 2036.
- 2.2 Work on the BCCS review began in 2016 and has focussed on production of key evidence to establish up-to-date housing and employment land requirements. This work informed the development of an Issues and Options Report. On 27 June 2017, Cabinet approved consultation on the Issues and Options Report and requested a further report summarising key issues raised during the consultation.
- 2.3 Consultation took place from 3 July 2017 for 10 weeks and included a “call for sites” inviting land owners and developers to put forward potential development sites. The consultation included a launch event for key stakeholders, local events, press articles and a social media campaign involving a series of videos.
- 2.4 The next stage of the current timetable for the BCCS review is consultation on a Preferred Spatial Option report in Summer 2018 followed by a Draft Plan consultation in Summer 2019.

3.0 Summary of Key Issues Raised During Consultation

- 3.1 During the consultation period there were 1,500 responses and 150 “call for sites” submissions and the videos were viewed 175,000 times. The consultation responses and “call for sites” information received were published in March 2018 (available at: www.blackcountrycorestrategy.dudley.gov.uk/t5/). The “call for sites” submitted within and adjoining Wolverhampton are shown on Plan 1 below.
- 3.2 A Summary and Initial Commentary Report on the BCCS Issues and Options Consultation can be viewed at www.blackcountrycorestrategy.dudley.gov.uk/t1/. The responses will be taken into account and help shape the next stages of the review.

Plan 1 "Call for Sites" within or adjoining Wolverhampton



Legend

-  Wolverhampton City Boundary
-  Call for Sites within or adjoining Wolverhampton
-  West Midlands Green Belt

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- 3.3 Responses were received on all aspects of the Issues and Options Consultation document including housing, business and employment, health and well-being, transport, infrastructure, minerals and waste. Many of the representations were focussed on the subject of delivering future growth across the Black Country, particularly in terms of housing and jobs.
- 3.4 As expected, a large proportion of the responses with respect to future growth centred on the potential for development in parts of the existing Green Belt. There was a clear division between the views of local residents and those of the development industry. The majority of local residents questioned the need generally for further growth, especially in the Green Belt and particularly without further improvements to infrastructure. This contrasted with the views of the development industry, which included landowners and developers, and provided evidence seeking to justify the land requirements to meet the need for housing and employment land.
- 3.5 Through these representations, the development industry also sought to cast doubt over the viability of remaining brownfield sites within the Black Country and advocated the need for sustainable development in Green Belt locations to meet the projected needs for housing and employment land. Many of the sites submitted for consideration at future stages in the development of the BCCS were Green Belt sites, and the submissions offered evidence seeking to justify their inclusion in the Plan.

4.0 Implications of new National Planning Policy Framework

- 4.1 In Spring 2018, the Black Country responded to Government consultations on a range of proposed changes to national planning policy and planning contributions. On 24 July 2018 the Government published a new National Planning Policy Framework (NPPF) and Housing Delivery Test measurement rule book, accompanied by changes to the Viability and Housing Need sections of National Planning Policy Guidance (NPPG). Further changes to the NPPG were made on 17 September 2018. These changes are largely in line with the consultation.
- 4.2 Further revisions to NPPG, supporting documents and legislation are expected, including in respect of developer contributions. In particular, the Government states that it will revisit the standard method for calculating housing need when new household projections are published in September, to ensure that these result in an increase in national housing completions to meet ambitions to deliver 300,000 homes pa by the mid-2020's. This means that, although the new NPPF establishes a new housing need figure for the Black Country which is almost identical to that established in the Issues and Options Report, this might change shortly.
- 4.3 The key changes to the NPPF, with particular reference to issues raised in the Black Country consultation response, are summarised below:

- The changes do not provide any new tools to address brownfield delivery constraints or incentivise landowners to bring forward stalled sites. Without this, and with the introduction of the Housing Delivery Test and challenges in demonstrating brownfield sites are deliverable, there is a likelihood that development pressures will increase outside of existing urban areas, including on Green Belt.
- The changes impose a new requirement on developers of 10-14 private sale general purpose homes in the Black Country to provide 10% affordable home ownership. The changes also restrict the ability of the Black Country authorities to tailor the tenure of affordable housing to meet local need by requiring 10% affordable home ownership to take precedence as part of the normal 25% requirement on developments of 15 or more homes. Changes have also been made to allow private “build to rent” providers to provide affordable housing for rent at 20% below market rent in perpetuity.
- New viability guidance places more emphasis on the Plan preparation process to assess viability, however there is flexibility to use typologies rather than site specific information, which will be essential for brownfield sites in the Black Country. Flexibility has also been retained for authorities to require viability reports at planning application stage, which must now be published.
- The standard method for calculating housing need, which was supported by the Black Country and results in minimal change to existing housing need figures in the Black Country, has been adopted. However, this method will be subject to change following publication of household projections in September, and there is still a caveat that exceptional circumstances could justify a higher figure where growth strategies are in place or there is an agreement to take on unmet need from a neighbouring authority.
- The Housing Delivery Test (HDT) has been introduced to impose sanctions on authorities which fail to meet housebuilding targets. As there are transitional arrangements until 2019, the implications of the HDT for the Black Country will not fully take effect until November 2020. At this point, if 2017-20 delivery is less than 75% of need there would be a presumption in favour of granting permission for sustainable housing proposals. Currently only Sandwell falls below the 75% threshold. However, all Black Country authorities will be at risk if housing completions are not increased over the next two years.
- The revised NPPF introduces a distinction between strategic and non-strategic policies, and a duty for authorities preparing strategic policies to work together to reach agreement on cross-boundary issues and publish their positions in Statements of Common Ground.
- Authorities will be required to revisit plan policies at least five years after adoption, decide if they need revising due to “changes” (including significant changes to housing need), and publish their decision and reasoning. There is unlikely to be a significant change in Black Country annual housing need in future years. However, if there were

such “changes”, this could impose pressure to begin a Plan review soon after the BCCS review adoption.

- Some of the previous guidance on planning for health and Garden City Principles has been retained, as requested by the Black Country.
- The new NPPF strengthens the importance of good design, stating that the creation of high quality buildings and places is fundamental, permission should be refused for development of poor design that fails to take opportunities to improve the character, quality and function of an area, and the quality of approved development should not be allowed to materially diminish between permission and completion. This should make it easier for authorities to uphold good design.
- There are new requirements to make provision for storage and distribution operations and overnight lorry parking.

4.4 In summary, the changes should not significantly alter the direction of the impacts of Government policy on the BCCS review. They put more pressure on authorities to keep their plans up-to-date and make sure enough housing is built to meet local needs. They also emphasise the need for authorities to seek to address unmet housing needs from neighbouring areas. This partnership working can be reflected through Statements of Common Ground with relevant authorities.

5.0 Revised Scope, Name and Timetable

5.1 Following consideration of the issues raised during consultation and the evidence produced to date it has become clear that the scope of the BCCS will need to be significantly wider than the higher level, strategic Plan adopted in 2011. There is a need for the new Plan to allocate a significant proportion of housing and employment development sites in order to fully demonstrate the housing and employment land capacity of the Black Country area in particular. All site allocations were previously delegated to local Plans, such as Site Allocation Documents and Area Action Plans. This change in scope significantly increases the evidence requirements and complexity of the process. However, the burden for any local Plans required in future will be correspondingly smaller. It is proposed to change the name of the Black Country Core Strategy to the Black Country Plan, to reflect recent changes to plan-making guidance in the National Planning Policy Framework (NPPF) and National Planning Practice Guidance.

5.2 A range of detailed evidence will now be required to support the review. An Urban Capacity Review is being prepared (working draft available at: www.blackcountrycorestrategy.dudley.gov.uk/t2/) which will provide a comprehensive and up-to-date review of the potential of the Black Country urban area to meet housing and employment land needs, including through increased densities. This report will be updated as the Plan review progresses and more evidence is available. Other evidence work will cover Green Belt, employment land, retail, flood risk, historic environment,

nature conservation, waste, minerals and viability. This work will feed into a site assessment and selection process to inform site allocations.

5.3 £570,000 of Government grant has been awarded to support the review and this will allow the costs of all potential evidence and project management requirements to be met (see Financial Implications Section below). However, the need to provide a significant amount of evidence to support allocations, and the delay to commissioning of the Black Country and South Staffordshire Green Belt Review, which will commence during September following approval by Dudley Cabinet on 27 June 2018, make it necessary to revise the current timetable. It is now proposed to progress directly to Draft Plan stage, as set out in the revised timetable below:

- Draft Plan consultation – October / November 2019
- Publication consultation – July / August 2020
- Submission - December 2020
- Examination – Spring 2021
- Adoption – Autumn 2021

5.4 The revised timetable is realistic and achievable and will not change the anticipated year of Plan adoption - 2021. This is important, as the Plan must cover a period of 15 years from adoption to be found “sound”, and the current end date is 2036. If the adoption year is likely to slip, the Plan would need to roll forward to 2037 or beyond, requiring the provision of additional years of housing supply.

6.0 Implications for Wolverhampton

6.1 This change in the Black Country Strategic Plan timetable creates the need to update the Wolverhampton Local Development Scheme (LDS). Every local planning authority (LPA) is required to produce a LDS setting out the timetable for Development Plan Document review or preparation, make it available publicly and keep it up-to-date. A proposed new Wolverhampton Local Development Scheme covering the period 2018-21 is attached as Appendix 1. There are currently no other Development Plan Documents programmed for review or preparation in the new LDS.

6.2 As part of the evidence work, a series of ecological surveys are underway on “call for sites” and other land in Wolverhampton, which could support the revision of existing and the creation of new Sites of Importance for Nature Conservation (SINCs) and Sites of Local Importance for Nature Conservation (SLINCs). Conservation Area appraisals are also planned for Conservation Areas in parts of the City which contain or adjoin “call for sites” and which do not have up-to-date Conservation Area appraisals.

6.3 In order to progress the Black Country Plan, and to meet statutory requirements, it is also important that Wolverhampton has an up-to-date Statement of Community Involvement (SCI), which sets out when and how the City of Wolverhampton Council intends to

involve communities and other key partners in the planning process, including consultation on various Development Plan Documents. The current SCI was adopted in 2007 and regulations require SCIs to be reviewed and updated at least every five years. Regulations require adoption of a SCI by Cabinet. An updated Wolverhampton SCI is attached as Appendix 2.

7.0 Evaluation of alternative options

7.1 City of Wolverhampton Council is committed to the Black Country Core Strategy review. The alternative option would be to carry on with the existing preparation timetable. This would not now deliver the type of Plan required.

8.0 Reasons for decisions

8.1 It is important that Wolverhampton is covered by an up-to-date Local Plan, Local Development Scheme and Statement of Community Involvement, in order to meet statutory requirements, and to support regeneration and investment in the City and protect areas of value from development.

9.0 Financial implications

9.1 The costs of preparing the review are shared on an equal basis between the four Black Country Local Authorities with Sandwell taking the lead role. Costs incurred by Wolverhampton during 2017-2018 totalled £22,000, which was met from Planning revenue budgets for 2017-2018.

9.2 A review of detailed cost projections is on-going. It is currently estimated that total costs during 2018-2022 will not exceed £1,770,000, of which Government Planning Delivery Fund Grant will cover £570,000, and the Wolverhampton share of the remaining cost would be £300,000.

9.3 For Wolverhampton, these costs could be met from Planning revenue budgets including approved budgets for 2018-2019 and future budgets subject to budgetary approval processes. An indicative breakdown is provided in the table below:

	2018- 2019 £000	2019- 2020 £000	2020- 2021 £000	2021- 2022 £000	Total £000
Black Country cost	850	472	204	244	1,770
Of which Wolverhampton cost	70	118	51	61	300

[ES/20092018/Y]

10.0 Legal implications

- 10.1 The legal implications are set out in the body of this report and its appendices.
[LD/25072018]

11.0 Equalities implications

- 11.1 The Issues and Options consultation involved engagement with a wide range of organisations and individuals and information from this will be used to inform the Equality Analysis. On-going equality analysis will be undertaken and completed in a phased manner as the development of the Review progresses, with a particular focus on housing and employment issues to ensure that the needs of the people and the City are addressed.

12.0 Environmental implications

- 12.1 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.

13.0 Human resources implications

- 13.1 The review is being produced by a team of officers working across the four Black Country Councils. Within Wolverhampton, around two full time equivalent posts are currently dedicated to the review, with further support from colleagues in City Development, Transportation and Corporate Landlord. Delivery of the timetable will to a large extent be dependent upon: the retention of key staff; maintenance of staffing resource up to adoption; and short term increases in staffing resource between now and the end of 2019, when workloads will be heaviest.

14.0 Corporate landlord implications

- 14.1 The policies and proposals in the review will apply to any Council land and property which is subject to a development proposal. Liaison with corporate landlord has been and will continue to take place on an on-going basis.

15.0 Schedule of background papers

Cabinet – 27 June 2017 '[Black Country Core Strategy Review - Issues and Options Report](#)'

[Black Country Core Strategy 2006-2026](#), adopted February 2011

Summary and Initial Commentary Report on the Core Strategy Issues and Options Consultation, June 2018

Black Country Urban Capacity Review (working draft), June 2018

16.0 Appendices

Appendix 1 – Wolverhampton Local Development Scheme 2018-21

Appendix 2 – Wolverhampton Statement of Community Involvement