

Sandwell Local Plan – Regulation 18 Draft Plan Consultation Form

Draft Plan Regulation 18 Consultation (November 2023)

We are inviting your views on the Draft Sandwell Local Plan and this form should be used to make comments in response to this consultation.

The consultation period begins on **Monday 6th November 2023** and ends at **5pm** on **Monday 18th December 2023**

Comments can also be submitted online using our website at <https://sandwell.oc2.uk/>. We would encourage you to respond to our Sandwell Local Plan – Regulation 18 Draft Plan consultation using our online form as it saves time and reduces cost.

However, if you prefer, you can use this version of the response form and email it to Sandwell_LocalPlan@sandwell.gov.uk or post it to Sandwell Local Plan, Planning Policy, Sandwell Council House, Freeth Street, Oldbury, B69 3DE

PLEASE NOTE:

This form has two parts:

- Section 1: Personal details
- Section 2: Your representation/comments on the Draft Plan or Sustainability Appraisal
- Section 3: A declaration which you will need to read and sign

1. Please complete a separate response for each part of the Draft Plan / Sustainability Appraisal that you wish to comment on. If you wish to make comments on more than two parts, please copy and paste the text in Section 2 or complete more than one paper form.
2. Responses must include your name and address.
3. **Your comments cannot be treated as confidential.** By completing this form, you agree to your details being shared and your name and comment (but not your address or other personal details) being made available for public viewing.
4. It is recommended that groups that share a common view send a single response rather than multiple copies of the same response. Please attach a list of the contact details of each person who supports the comments, including their names and addresses.
5. Further paper copies can be provided by emailing Sandwell_LocalPlan@sandwell.gov.uk
6. Completed forms should be received by us no later than **5pm on 18th December 2023**

For official use only:

Respondent No:		Representation Number:	
Date Received:			

Section 1- Your Details

	1. Personal details	2. Agent's details (if applicable)
Title		Mr
First name		Chris
Last Name		Dodds
Job Title (where relevant)		Associate Director
Organisation (where relevant)	Oldbury (Smethwick) Ltd c/o Planning Prospects Ltd	Planning Prospects Ltd
House No./Street		
Town		
Post Code		
Telephone Number		
Email address		

Notes:

1. If you are an agent responding on behalf of an organisation please ensure that your details are in the Agent's details column and give the details of the client you are responding for in the Personal Details column, only the title, name and organisation boxes are necessary.
2. If you are responding as an individual (e.g. a resident) you do not need to fill in the job title and organisation boxes unless you are responding as a member of an organisation.

Please indicate which of this best describes you / your role in responding to this consultation			
Resident or Individual		Local Authority	
Planning Agent or Consultant	X	Public service provider e.g. education establishment, health etc	
Developer or Investor		Public agency /organisation	
Landowner		Community or Organisation	
Business		Charity	
Land & Property Agent or Surveyor		Other (please specify in space below)	

Please note that copies of all comments received, including the name(s) of the respondent(s) will be made available for the public to view. All other personal details will remain confidential. Sandwell Council will process your personal data in accordance with the Data Protection Act 2018. Our Privacy Notice is at the end of this form.

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Section 2: Your Representation / Comments

Please complete a separate copy of this section for each part of the document(s) you wish to comment on (i.e. Draft Plan or Sustainability Appraisal)

Title of document you are commenting on	Sandwell Local Plan – Regulation 18 Draft Plan
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To which part of the document do your comments relate? *Please state the policy number, Sandwell Local Plan reference number, paragraph number, page number or figure number*

Policy SH01 and residential allocation SH55 “Cape Arm / Cranford Street”

What is the nature of your comments? (Mark as appropriate)

General comment

☐

Support

☐

Objection

☐

Please provide your comment below:

Expand this box as necessary. If attaching additional sheets, please clearly mark these with the title of document and part of the document that the comment relates to, and your name.

It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

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Policy SHO1 (Delivering Sustainable Housing Growth) sets out that sufficient land will be provided to deliver at least 11,167 net new homes over the period 2022 – 2041 and includes 6,951 homes from “Housing Allocations that the Plan considers can be delivered over the Plan period.

Appendix B of the draft Plan sets out details of Sandwell’s proposed allocation sites and first lists each of the Housing Allocations, including Allocation SH55 “Cape Arm / Cranford Street” which is shown as a 2.13 ha brownfield site with a potential yield of 170 homes at a net development density of 80 dwellings per hectare (dph) over an indicative net developable area of 2.13 ha. Appendix B sets out that the Anticipated Delivery Timescale (completion year) for this allocated site is 2030.

Our client, Oldbury (Smethwick) Ltd, a subsidiary of Pall Mall Investments, are the owners of approximately 1.78 ha of land within Allocation SH55. They intend to put forward a residential development proposal for this land and have sought the Council’s pre-application advice to inform their latest proposals for up to 90 homes (under reference PA/22/00618).

As such, our client remains generally supportive of the continued allocation of this site for residential development within the draft Sandwell Local Plan – following its allocation for residential use in the adopted Sandwell Site Allocations Document (2012) and subsequent draft allocation in the now defunct Black Country Plan.

However, the representations made here, and to other draft policies of the draft Sandwell Local Plan, make some initial observations and suggested amendments to the draft policies to ensure they optimize the market attractiveness, viability and deliverability of development for our client’s site in particular. Our comments seek to ensure that the emerging policies are flexible enough to ensure that the anticipated, and allocated, residential regeneration of our client’s land can be achieved.

Whilst our client welcomes the continued residential allocation of the site under SH55, as it will enable them to bring forward residential development of the site when the current temporary use (facilitating the construction of the Midland Metropolitan Hospital) ceases, they have several comments / observations on the draft site allocation as follows:

- The gross site area is shown to be 2.13 ha of brownfield land. Our client assumes that this includes both our client’s land, which at 1.78ha forms the significant majority of the allocation, and the small parcel of land that originally formed part of the site but that is now in the control of the NHS trust by virtue of Compulsory Purchase Order (CPO) to facilitate the construction of the neighbouring Midland Metropolitan Hospital. The draft Local Plan Proposals Map also suggests that a small parcel of land on the southern side of the Cape Arm is also included within this allocation.
- The table provided at Appendix B suggests the indicative development capacity is 170 homes and indicates a development density of 80 dph across a net developable site area of 2.13 ha. By way of background, the former BCP draft allocation indicated a development density of 38dph at this site, equating to an indicative capacity of 70 dwellings (over the former site area of 1.85ha). Our client highlighted that this was at the lower end of the range of development densities that could be achieved at this site, and indicated that its own masterplan / site layout work had indicated an achievable site capacity (at that time) of 80 to 90 homes at a density of approximately 43 to 50 dph.

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On this basis, our client submitted an indicative proposal for up to 90 dwellings (or around 50 dph) as part of a pre-application submission to the Council, demonstrating that this level and nature of development represented a viable proposal (at that time) and one that would have been most attractive to the market, and ultimately one that could have been deliverable here.

The latest draft allocation at a density of 80 dph is significantly higher (60% higher) than the density considered deliverable by our client. It is also significantly higher than the other residential allocations immediately surrounding SH55 and forming part of the wider Grove Lane masterplan area within the wider Smethwick Regeneration Area, at SH54 which has a development density of 40dph and SH58 which has a development density of 56dph – for example.

Moreover, draft allocation SH55 (within Appendix B of the draft Local Plan) suggests the developable area for SH55 is the same 2.13 ha as the total site area of 2.13 ha – suggesting either that the Council is anticipating development to cover the entire site (i.e. with no Green Infrastructure provision etc.) or that the net density calculation has been erroneously undertaken across the entire site and not reflective of a deliverable net developable area.

Ultimately, the approach taken is at odds with other policies within the draft Plan such as SMD1 (Design Quality) which requires major development proposals to contribute towards the greening of Sandwell (for example) and SH03 which takes an alternative approach to development density (for example). For the avoidance of doubt, we have submitted representations to each of these draft policies on behalf of our client also.

As such, the draft allocation must be clear that the density and capacity figures are indicative but they should nonetheless be amended to reflect a deliverable proposal, and to avoid delivery at this allocated site being stifled by an onerous and undeliverable density and capacity requirement.

- Leading on from the point above, the draft allocation's reference to the Grove Lane Masterplan (and Smethwick Regeneration Area generally) must be recognised in context of the Black Country Joint Core Strategy (JCS) which formed the strategic Development Plan Document when the Masterplan (and Regeneration Area) were progressed, and which has ultimately failed to deliver the homes needed in Sandwell, and the wider Black Country, to date.

Sandwell's latest published 5 year housing land supply position indicates that the Council can demonstrate just 1.57 years' worth of housing land and in turn indicates a chronic failure to deliver sufficient homes needed to meet the Council's identified housing need in the 5 year period. The draft Sandwell Local Plan's housing trajectory projects that there will continue to be a chronic cumulative under supply of homes up to 2031/32, compounded by the Council's continued reliance on windfall sites (being the 3rd largest contributor to the Council's anticipated housing supply over the emerging Plan period (delivering 17% of homes needed in Sandwell). Relying so heavily on windfall sites reflects the Council's continued failure to allocate a sufficient number of deliverable sites and its continued over-reliance on delivery at undeliverable densities from brownfield sites. It also highlights the conflict created from high density aspirations with onerous, unviable and ultimately undeliverable policy aspirations for design, sustainability and Green Infrastructure provision (for example).

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The draft Plan sets out that 11,167 net new homes can be delivered over the Plan period (2022 to 2041) but recognises that this figure, when measured against the Council's calculated Local Housing Need (currently calculated at 29,773 homes over the Plan period), represents a significant shortfall, and generates a substantial unmet need (of 18,606) homes within Sandwell over the Plan period.

In this context, significantly more sites must be allocated for residential development in Sandwell, including green field sites. This would reduce the burden of delivery from brownfield sites which, if the allocated brownfield sites are going to make the contribution they need to make in delivering much needed homes in Sandwell, a more realistic, and flexible, policy approach is needed to facilitate delivery from the allocated brownfield sites, like SH55, which are often subject to more stringent policy criteria than windfall sites (for example) – and demonstrates why the Council has to rely so heavily on windfall sites.

In essence, the brownfield allocation sites are being relied on too heavily to deliver the homes needed and this is leading to unrealistic and undeliverable development densities, which are at odds with other policy aspirations being inflexibly applied. A more flexible approach is needed to avoid continued stifling of these sites.

- The draft Plan Proposals Map indicates that a cycle path is proposed to be routed along the Cape Arm but the Map itself is unclear if this route is proposed to the north of the Cape Arm or to the south, and suggests it is actually to be located within the canal. The Grove Lane Masterplan shows the cycle path on the southern (hospital) side of the Cape Arm and its route should be clarified within the Local Plan Proposals Map.

If this route is delivered on the northern side of The Cape Arm it will further reduce the net density / deliverability from SH55. That said, the area on the southern side, adjacent to the Midlands Metropolitan Hospital site, would readily connect over Cranford Street onto the cycle path which has been delivered through the residential development to the north, and thus connect onto the wider network running along the Birmingham Canal further to the north – suggesting the southern side of The Cape Arm is preferable for the cycle path.

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Section 3: Declaration

How we will use your personal information

The personal information you provide on this form will be processed in accordance with the requirements of the Data Protection Act 2018. The information you provide will only be used for the purposes of the preparation of the Local Plan as required by the Planning and Compulsory Purchase Act 2004, and may be used by the council to contact you if necessary regarding your submission. Your name, organisation and comments will be made available for public inspection when displaying and reporting the outcome of the statutory consultation stage and cannot be treated as confidential. You will not be asked for any unnecessary information and in order to protect personal data, we will not publish signatures, telephone numbers, addresses or email addresses on the internet. To understand more about why we collect your information, what we do with your information, how you can access your information, your personal information rights, how and to whom to raise a complaint about your information, please visit our privacy notice page at <http://www.sandwell.gov.uk/privacynotices>

Please sign and date this form. Forms signed electronically will be accepted.

Declaration:

By completing and signing this form, I agree to my name, organisation and representations being made available for public inspection on the internet.

Signature:

Date: 13/12/2023

I understand that in submitting my representations, that my details will be added to the Sandwell Local Plan Consultation database and I may be contacted at future stages of the local plan process.

All personal data will be processed in accordance with the Data Protection Act 2018 and the General Data Protection Regulation ('GDPR'). If you do not wish to be contacted further, please advise us.

	No, I do not wish to be contacted about the Local Plan
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Thank you for taking time to complete and return this response form.

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