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1st November 2024

South Staffordshire Council response to Sandwell Metropolitan Borough Council Local Plan Regulation 19 consultation

Dear Sir/Madam,

South Staffordshire Council (SSC) welcomes the opportunity to comment on the Draft Sandwell Local Plan (SLP) Regulation 19 Publication consultation document.

SSC would wish to submit the following comments which relate to those specific elements of the Plan which raise cross boundary issues of mutual interest.

The comments submitted below were framed in relation to the existing National Planning Policy Framework (NPPF), we have however referred to potential implications of the proposed NPPF changes in a section on the transitional arrangements.

Housing – Policy SHO1

The overspill requirement of 15,916 dwellings identified in the draft plan is a significant contribution to the total Greater Birmingham and Black Country Housing Market Area shortfall. SSC will continue to work closely with Sandwell Metropolitan Borough Council (SMBC) alongside the other relevant partners to address this overspill requirement through the relevant working groups and duty to cooperate arrangements.

SSC has recently completed a consultation on an updated Publication Plan (Regulation 19). It should be noted that SSCs preferred strategy in its April 2024 Regulation 19 consultation is to meet the housing needs of our communities by focus growth primarily on the districts most sustainable Tier 1 settlements including some Green Belt release at these settlements on sites assessed as suitable through our site assessment process. This does result in a potential 640 home surplus based on our current standard method requirement that potentially could be attributed to unmet needs of the Greater Birmingham and Black Country Housing Market Area (GBBCHMA).

Whilst we appreciate the land use constraints within which the Sandwell Plan is operating, we would support a commitment to continued attempts at increasing the supply of dwellings identified within the borough. Specifically, attention should focus on examining the scope for increased densities particularly in the larger urban centres, reallocation of sites from other uses were this doesn't conflict

with other plan objectives, housing area renewal proposals and exploring the potential release of Green Belt sites. Such contributions will assist in reducing the total overspill requirement to be addressed by neighbouring authorities and therefore contribute to directly addressing the total housing market shortfall.

Gypsies, Travellers and Travelling Showpeople – Policy SH09

SSC published an updated Gypsy and Traveller Accommodation Assessment in 2024 which has identified a need within the district for 162 pitches during the plan period.

SSC wrote to SMBC (and other GBBCHMA and neighbouring authorities) in August 2022, October 2023 and subsequently in March 2024, where we set out that we had only identified a supply of 37 pitches this is set against a revised 5-year requirement of 92 pitches, and therefore confirming we had a significant unmet need for pitches. In the letters we set out the steps we had taken to explore supply options including exploring options in the Green Belt, options on publicly owned land, and options for new pitches as part of proposed housing allocations.

SSC are seeking to ensure that neighbouring and GBBCHMA authorities undertake the same steps that SSC have taken in exploring pitch options so we can have confidence that our Duty to Cooperate partners have taken a consistent approach when considering if they can assist with SSCs unmet needs for pitches. We therefore request that through your plan preparation you continue to explore, and evidence, the following options:

- Intensifying supply on existing sites
- Expanding all suitable existing sites
- Exploring all public land options in the city for new public sites
- Approaching sites proposed for general housing allocation to identify if the landowner would be willing to set aside part of the site for pitch needs

It is noted that the Gypsy and Traveller Accommodation Assessment (GTAA) 2022 identified a need for an additional 8 permanent pitches in Sandwell over the period up to 2031 with a further six pitches required from 2031-2041. The plan has identified sufficient supply to meet the requirement to 2031 and envisages that small windfall sites will meet the remaining need over the Plan period. It is not clear that in addressing Gypsy and Traveller needs that all the options identified above have been explored to determine if additional capacity could be available. SSC would welcome an indication that all such options have been explored and we look forward to continuing to engage with SMBC on this issue.

Employment – Policy SEC1

SMBC has identified a significant shortfall of 169 hectares in the supply of employment land to meet the needs of the Borough during the plan period. SSC has identified a potential surplus of 45.2 Ha. of employment land, which includes a new proposed allocation at Junction 13 of the M6. This land has been identified as being available to contribute towards addressing the employment land shortfall within South Staffordshire Functional Economic Market Area. Given the close association of Sandwell with the other Black Country authorities this offer has been extended to include SMBC even though

the authority lies outside the South Staffordshire FEMA. As stated in our signed Statement of Common Ground (SOCG) with SMBC, the role this surplus land will play in helping to address employment land shortfalls will be the subject of two separate SOCG covering the entire South Staffordshire FEMA and also the Black Country FEMA.

SSC will also allocate the consented strategic rail freight interchange (WMI). Though situated in South Staffordshire the WMI serves a wider market area (including Sandwell). Through our 2022 EDNA & 2024 update SSDC identified a requirement of 18.8 ha of the WMI land to meet our labour demand requirements up to 2041. SSDC has acknowledged that there is surplus employment land at WMI that is currently 'unclaimed' and that could be utilised to meet the unmet needs of the wider market area. Whilst we have taken a more in-depth approach to calculating our share of WMI (18.8ha) through our local evidence, we still consider that the 2021 Stantec report¹, that considered potential apportionment across the sites market areas based upon population change within each LPA area, is a reasonable basis for determining wider authorities' potential share of the site given its wider role and in the absence of sub-regional details of labour demand. The Stantec report apportions 18ha of the site towards the B8 employment land needs of Sandwell, and it is noted that this figure has been identified as a commitment in the Plan towards the employment land supply.

Transitional Arrangements

The proposed changes to the NPPF have recently been the subject of consultation and it is the Government's intention to publish a finalised NPPF by the end of the year. Based on the transitional arrangement contained in the consultation NPPF it is our understanding that the Plan would need to be submitted on or before the publication of the revised NPPF (+ one month) if it is to be assessed against the current December 2023 NPPF. Should the Plan be submitted after NPPF publication date (+ one month) it would appear that the Plan would be considered in relation to the revised framework, as it doesn't appear that any of point a-c in paragraph 226 of the draft NPPF would apply to SMBC. This would require SMBC to re-examine the current plan strategy particularly in light of the proposed introduction of a distinction between Green Belt and Grey Belt land and the role which the latter will play in increasing the supply of land for residential development. Therefore, whilst the plan is currently considered sound against the December 2023 NPPF, should the transitional arrangements in paragraph 226 of the consultation NPPF remain in the final version, and should SMBC be unable to meet any of points a-c in this paragraph, then the Publication Plan would not be sound and would need to be revisited.

SSC do not consider it necessary to take part in the hearing sessions for the examination, however equally would be happy to attend these sessions on request of the inspector.

I trust you will find our response helpful, and we will continue to engage with SMBC to address matters of mutual interest.

¹ West Midlands Strategic Rail Freight Interchange: Employment Issues Response Paper – Whose need will the SRFI serve? (Stantec, Feb 2021)



South Staffordshire Council

Yours sincerely

Ed Fox

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