**Item** **No.** **6**



**PLANNING** **COMMITTEE**

**31** **October** **2024**

**REPORT** **OF** **HEAD** **OF** **PLANNING** **&** **BUILDING** **CONTROL**

**Response** **to** **Sandwell** **Local** **Plan** **Publication** **Version** **Consultation**

# PURPOSE OF REPORT

* 1. To consider and agree the council’s response to the Sandwell Local Plan Regulation 19 Publication Version consultation.

# RECOMMENDATION

* 1. Agree the response as set out in the appendix, and authorise the Executive Director for Economy, Environment & Communities, in consultation with the Portfolio Holder for Regeneration, to submit the response to Sandwell Council.
  2. Authorise the Head of Planning and Building Control to amend the final response as necessary.

# FINANCIAL IMPLICATIONS

* 1. None arising directly from this report.

# POLICY IMPLICATIONS

* 1. The nature of the Black Country is that the supply of land for housing, employment and other land use requirements overlap between the authorities. Sandwell is physically constrained with insufficient land available to meet its own needs. As a result, some its need is expected to be met by neighbouring authorities, notably Walsall and Dudley, and ‘exported’ to other areas such as Staffordshire and Shropshire. The extent to which the proposed Sandwell Local Plan meets Sandwell’s needs will therefore have implications for the need expected to be met in the Walsall Borough Local Plan.

4.3 The current consultation from Sandwell Council is in respect of the regulation 19 version of their local plan. This is the final version of the plan before it is submitted for examination. At regulation 19 stage, it is only possible to comment on whether the local plan is legally compliant and meets the tests of ‘soundness’ as set out in legislation and the National Planning Policy Framework (NPPF).

4.5 The previous stage of the Sandwell local plan, the draft plan, which was published in November 2023, included a strategic objective to deliver at least 11,167 net new

homes, and at least 29 hectares of new employment land over the period 2022- 2041. It also allocated 1,177 hectares of existing occupied employment land to be retained in this use. The Publication Plan reduces the number of homes to be provided to 10,434 but increases the amount of new employment land to be provided to 42 hectares. However, the time period to be covered by the Publication Plan is different (2024-41) so the number of new homes per annum has increased from 588 to 614.

# LEGAL IMPLICATIONS

* 1. Local planning authorities are currently subject to a Duty to Cooperate with neighbouring planning authorities with regards to strategic cross boundary planning matters. The extent of engagement with neighbouring authorities will be tested as part of the examination of the respective authority local plans.
  2. Local plans are examined to assess whether they have been prepared in accordance with legal and procedural requirements, and whether they are sound. The NPPF states that plans are ‘sound’ if, amongst other requirements, they seek to meet the area’s objectively assessed needs; and are informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development.

# EQUAL OPPORTUNITY IMPLICATIONS

* 1. The Sandwell Local Plan will be required to ensure the needs of all sections of the community are met.

# ENVIRONMENTAL IMPACT

* 1. The Regulation 19 Publication Version of Sandwell’s Local Plan is accompanied by a sustainability appraisal and Habitat Regulations assessment which will be updated as the plan is progressed.

# WARD(S) AFFECTED

All.

# CONSULTEES

Officers in Planning and Building Control have been consulted in the preparation of this report.

# CONTACT OFFICER

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# BACKGROUND PAPERS

All published.

Documents for the Sandwell Local Plan can be viewed at:

<https://www.sandwell.gov.uk/planning/sandwell-local-plan>

# Appendix

**Sandwell** **Local** **Plan** **– Proposed** **Walsall** **Response** **to** **Regulation** **19** **Publication** **Plan** **consultation**

Planning Committee has previously commented on the two earlier stages of the plan. On 9 March 2023 it agreed a response to the issues and options report (regulation 18) for forwarding to Cabinet. On 30 November 2023 it agreed a response to the draft (preferred options) version.

The publication version of the plan contains in common with the previous draft plan a large number of policies on various topics. Most of these are site-specific or are about development management. As such, they raise no direct concerns for Walsall. The plan ‘carries forward’ existing site-specific proposals.

Under the current standard method, not taking account of the July 2024 government consultation that proposes to change it, the annual local housing need for Sandwell, using the current year as the starting date, is 1,550 homes per annum. The revised method would reduce this slightly, to 1,509 homes per annum. However, the transitional arrangements proposed in the consultation state that the current standard method would continue to apply to local plans submitted for examination within one month of any revised NPPF coming into effect.

There is no standard national method for calculating the need for employment land. The need for the Black Country has been calculated through a combination of projecting recent trends in employment land completions and economic forecasts based on the expected future workforce.

The annual housing supply proposed in the publication plan has increased slightly compared with the draft plan from 588 to 614. The proposed supply of additional employment land has also increased, from 29 to 42 hectares. All of these figures remain well below those required to meet local need, but they are higher than was proposed in the draft Black Country Plan (BCP). The BCP proposed 9,158 homes (482 per annum) and 29 hectares of new employment land. This increase in provision means that the number of homes and amount of employment land that will need to be exported to neighbouring authorities (including Walsall) will be reduced.

It is recognised that Sandwell is heavily constrained, being surrounded by other urban authorities. It has very little Green Belt (most of this comprises Sandwell Valley) and very few vacant or unused open spaces. Walsall’s planning committee on 9 March 2023 and 30 October 2023, and cabinet on 22 March 2023, recognised this factor in response to consultation on the earlier drafts of Sandwell’s local plan. Walsall’s response was that the plan should aim to ensure that Sandwell is able to accommodate as much housing and employment as possible to meet its own needs by making effective use of land and maximising densities.

As such, the local plan (publication stage) can be supported.