



Our Ref: P8176/SH/hr  
 Date: 8<sup>th</sup> November 2024

Sandwell Local Plan  
 Planning Policy  
 Sandwell Metropolitan Borough Council  
 Council House  
 Freeth Street  
 Oldbury  
 B69 3DE

Grosvenor House  
 75-76 Francis Road  
 Edgbaston  
 Birmingham B16 8SP

T  
 F

BY EMAIL ONLY: [localplan@sandwell.gov.uk](mailto:localplan@sandwell.gov.uk)

Dear Sir/Madam

**Sandwell Local Plan Regulation 19 Consultation  
 Representations on Behalf of Barratt West Midlands  
 Rowley Regis Golf Club – Omission Site**

Harris Lamb Planning Consultancy are instructed to submit representations to the Regulation 19 Sandwell Local Plan Consultation by Barratt West Midlands. Attached to this letter are a complete set of representation forms. These representation forms should be read alongside this letter.

Barratt West Midlands are promoting the residential development of part of Rowley Regis Golf Club, located off the Portway Road in Rowley Regis (part of the golf club). A plan showing the extent of the site is provided at Appendix 1 to this letter. The site extends to approximately 7.1 hectares. An indicative block plan can be provided at request. It is envisaged that the site will deliver approximately 175 dwellings.

The Regulation 19 consultation draft plan does not apply a policy designation to the southern part of the Rowley Regis Golf Club. The northern section of the site is identified as a SLINC, however, this in itself is not a constraint to development. The emerging replacement Local Plan departs from the adopted Site Allocations and Delivery Development Plan Document that identifies the northern part of the site as a residential allocation, as well as part of a SLINC (helping demonstrate that this is not a constraint to the development of the site). It is Barratt West Midlands' view that there is no reason for the removal of this site as an allocation. Indeed, the allocation should be extended to include all the land identified on the attached plan. Given the significant unmet housing need identified by the Regulation Consultation 19 document, the Council should be actively seeking to deliver all suitable and sustainable residential sites. The site is in the control of an experienced developer who would look to bring the site forward for development promptly.

Part of the site was a former landfill area. This area forms approximately 35% of the land proposed for an allocation. This is not a constraint to the development of the site. Landfill can be addressed through appropriate remediation. In any event, the scheme will be expected to provide public open space on site. This could be provided in the section of the site that formed the landfill if it is concluded that this is more appropriate than treating the site to facilitate the development.

BIRMINGHAM  
 0121 455 9455

STOKE-ON-TRENT  
 01782 272555

NOTTINGHAM  
 0115 947 6236

WORCESTER  
 01905 22666



The site is well suited to residential development. It is surrounded by built form in its north, east and west. The majority of the surrounding development is residential in nature, including the recently approved scheme at Bryan Bud Close.

We would welcome the opportunity to discuss the allocation of the site further with Officers. If you have any queries, or would like to discuss this matter further, please do not hesitate to contact me.

Yours faithfully

**Simon Hawley BA (Hons) MA MRTPI  
Director**

Encs:

Appendix 1 : Completed Consultation Forms (x 7)

Appendix 2 : Land at Rowley Regis Golf Course Location

CC: Dean Leadon – Barratt West Midlands

**APPENDIX 1 :  
COMPLETED  
CONSULTATION FORMS**

## Sandwell Local Plan – Regulation Publication Consultation Form

### Regulation 19 Publication Consultation

We are inviting your views on the Regulation 19 Sandwell Local Plan and this form should be used to make comments in response to this consultation.

The consultation period begins on **Monday 23rd September 2024** and ends at **5pm** on **Monday 11<sup>th</sup> November 2024**

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 19 Publication consultation using our online form as it saves time and reduces cost.

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## Section 1- Your Details

	1. Personal details	2. Agent's details (if applicable)
<b>Title</b>	Mr	Mr
<b>First name</b>	Dean	Simon
<b>Last Name</b>	Leadon	Hawley
<b>Job Title (where relevant)</b>		Partner
<b>Organisation (where relevant)</b>	Barratt West Midlands	Harris Lamb
<b>House No./Street</b>	60 Whitehall Road	4 Brindley Place
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Please indicate which of this best describes you / your role in responding to this consultation			
Resident or Individual	<input type="checkbox"/>	Local Authority	<input type="checkbox"/>
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Landowner	<input type="checkbox"/>	Community or Organisation	<input type="checkbox"/>
Business	<input type="checkbox"/>	Charity	<input type="checkbox"/>
Land & Property Agent or Surveyor	<input type="checkbox"/>	Other (please specify in space below)	<input type="checkbox"/>

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<b>Title of document you are commenting on</b>	Regulation 19 Local 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

<b>Paragraph</b>	1.3 – Ambition 7	<b>Policy</b>		<b>Policies Map</b>	
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### 2. Do you consider the Local Plan is:

2.1 Legally compliant	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
2.2 Sound	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
2.3 Appear at the Examination	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>

### Please provide your comment below:

5. Please give details in the box below of why you consider the Regulation 19 Publication Sandwell Local Plan is not legally compliant or is unsound. Please be as precise as possible.

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Ambition 7 of the Plan is to ensure that Sandwell has new homes to meet a full range of housing needs to create an attractive neighbourhoods and deliver housing close to key transport routes. Whilst we fully support this ambition, it is not realized in the policies in the Plan. The Plan does not allocate enough housing land to meet the identified housing need. There is no agreement in place through the Duty to Cooperate to deliver the housing shortfall in other local authority areas. It is, therefore, imperative that the emerging Plan allocates all suitable and sustainable housing sites for development to address the significant housing shortfall.

As detailed in the covering letter accompanying these representations, Barratt West Midlands are promoting part of Rowley Regis Golf Club. The site is a suitable and sustainable housing site and should be identified as an allocation in the Plan as a housing allocation.

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## Section 4: Declaration

### How we will use your personal information

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<b>Last Name</b>	Leadon	Hawley
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<b>Title of document you are commenting on</b>	Regulation 19 Local 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

<b>Paragraph</b>	15 - 18	<b>Policy</b>		<b>Policies Map</b>	
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### 2. Do you consider the Local Plan is:

2.1 Legally compliant	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
2.2 Sound	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
2.3 Appear at the Examination	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>

### Please provide your comment below:

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The draft Local Plan identifies a requirement for the provision of 26,350 homes by 2041. However, the Plan advises that only 10,434 dwellings can be provided within the plan area, resulting in an unmet housing need of 15,916 dwellings. It is the intention that the housing shortfall will be met through the Duty to Cooperate. It is recognised in the "Duty to Cooperate" section of the Plan that agreement on such matters through Statements of Common Ground are now a necessity.

At the present time there are no agreed Statements of Common Ground or an agreed solution to delivering the housing shortfall through the Duty to Cooperate. Given that a significant proportion of the Plan's housing requirement will need to be met in other local authority areas this has the potential to cause a range of potential problems with ensuring sufficient housing delivery during the course of the plan period.

It is, therefore, incumbent upon Sandwell to identify as much housing development as possible on suitable and sustainable sites within the Plan area to reduce the housing shortfall.

As detailed within Barratt West Midlands' representations, it is our view that their land interest at Rowley Regis Golf Club should be identified as a residential allocation in the Plan. The rationale for this is provided in the accompanying cover letter.

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Paragraph  Policy  Policies Map

### 2. Do you consider the Local Plan is:

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Policy SDS1 – Spatial Strategy for Sandwell, does not provide an appropriate approach to meet the Plan’s housing requirement.

Paragraph 2.6 of the draft Plan confirms that there is a need to identify 26,350 homes to meet the growth requirements of Sandwell by 2041. There is not, however, sufficient land within the Plan area to meet this requirement. As a consequence policy SDS1 advises that the Plan will deliver “at least” 10,434 dwellings. Given that there are no strategies in place to meeting the housing shortfall the spatial strategy set out in policy SDS1 should be designed to deliver as much of the housing requirement as possible within Sandwell’s administrative area. The policy should be amended to advise that a minimum of 10,434 dwellings will be delivered during the course of the plan period, however, the Council will adopt a positive approach to the determination of all residential planning applications to try to exceed this figure. In doing so, the Council will actively support planning applications proposing the redevelopment of suitable and sustainable sites within the plan area including those sites that are not allocated for residential development in the Plan.

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<b>Title of document you are commenting on</b>	Regulation 19 Local 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

Paragraph	<input style="width: 90%;" type="text"/>	Policy	<input style="width: 90%;" type="text" value="SDS8"/>	Policies Map	<input style="width: 90%;" type="text"/>
-----------	--	--------	---	--------------	--

### 2. Do you consider the Local Plan is:

2.1 Legally compliant	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
2.2 Sound	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
2.3 Appear at the Examination	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>

### Please provide your comment below:

5. Please give details in the box below of why you consider the Regulation 19 Publication Sandwell Local Plan is not legally compliant or is unsound. Please be as precise as possible.

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Whilst we generally support the provisions of policy SDS8 – Green and Blue Infrastructure in Sandwell, further clarity should be added to the policy to help confirm which sites in the plan area are afforded protection by the policy.

The Proposals Map identifies areas of community open space, wildlife corridors, strategic green space, local nature reserves, SINCs, areas of ancient woodland, SLINCs, amongst other designations as green and blue infilling. These designations should be afforded proportionate protection and control from development. There are, however, areas of “white land” on the Proposals Map that are not subject to any such designation. Sites such as this, that perform no natural or green space role, should be priority areas for development to help meet the housing requirement if they are subject to planning applications that demonstrate other policy requirements in the Plan can be met.

A large proportion of Barratt West Midlands’ land interest at Rowley Regis Golf Club is “white land” with the remainder forming part of a SLINC. The SLINC is not a constraint to development and can be addressed through appropriate mitigation. A SLINC section of the site is allocated for residential development by the adopted Local Plan, demonstrating it is suitable for development.

Policy SDS8 should clarify that it will not afford disproportionate protection to areas of open space in the plan area simply because they are undeveloped. Any protection will be proportionate to their value as a role of open space or their environmental resource.

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Date Received:			

## Section 4: Declaration

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**For official use only:**

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## Section 1- Your Details

	1. Personal details	2. Agent's details (if applicable)
<b>Title</b>	Mr	Mr
<b>First name</b>	Dean	Simon
<b>Last Name</b>	Leadon	Hawley
<b>Job Title (where relevant)</b>		Partner
<b>Organisation (where relevant)</b>	Barratt West Midlands	Harris Lamb
<b>House No./Street</b>	60 Whitehall Road	4 Brindley Place
<b>Town</b>	Halesowen	Birmingham
<b>Post Code</b>	B63 3JS	B1 2HZ
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Paragraph  Policy  Policies Map

### 2. Do you consider the Local Plan is:

2.1 Legally compliant	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
2.2 Sound	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
2.3 Appear at the Examination	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>

### Please provide your comment below:

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Policy SHO1 should be revised to confirm that whilst a minimum of 10,434 new dwellings will be delivered during the course of the plan period it will be an objective to deliver as many houses as possible on suitable and sustainable sites to meet the identified housing need.

Whilst the policy advises that additional housing supply will also be secured on windfall sites throughout the urban area it should actively encourage and facilitate the delivery of windfall housing development given the significant housing shortfall. It is our view that the policy should adopt a similar approach to paragraph 11.d of the Framework when local authorities are unable to demonstrate a 5 year housing land supply to actively facilitate housing development. It should advise that given the significant housing shortfall the Council will grant residential planning applications on sustainable sites unless the adverse impacts of doing so significantly and demonstrably outweigh the benefits.

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<b>Title</b>	Mr	Mr
<b>First name</b>	Dean	Simon
<b>Last Name</b>	Leadon	Hawley
<b>Job Title (where relevant)</b>		Partner
<b>Organisation (where relevant)</b>	Barratt West Midlands	Harris Lamb
<b>House No./Street</b>	60 Whitehall Road	4 Brindley Place
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Business	<input type="checkbox"/>	Charity	<input type="checkbox"/>
Land & Property Agent or Surveyor	<input type="checkbox"/>	Other (please specify in space below)	<input type="checkbox"/>

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Paragraph  Policy  Policies Map

### 2. Do you consider the Local Plan is:

2.1 Legally compliant	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
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We have a number of significant concerns with policy SHO2 – Windfall Development. Whilst we support the recognition that the policy actively supports windfall developments on sustainable previously developed sites, its approach to residential planning applications on unallocated greenfield sites is entirely inappropriate. The Council have a significant housing shortfall and there are currently no arrangements in place for it to be met. The policy should support the development of unallocated greenfield sites unless there are specific reasons to resist development, such as an insurmountable ecological designation, or if re-identification of the site is an area of parkland or public open space.

It is also entirely inappropriate for the policy to prioritise “Council owned land that is deemed surplus to requirements”. There are owners of greenfield sites in the borough that are also surplus to their requirements. It is entirely inappropriate to the Council to differentiate the approach to supporting windfall planning applications based purely upon land ownership, particularly given that the preferred landowner is the Council.

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Paragraph  Policy  Policies Map

### 2. Do you consider the Local Plan is:

2.1 Legally compliant      Yes       No

2.2 Sound      Yes       No

2.3 Appear at the Examination      Yes       No

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Policy SHW5 – Playing Fields and Sports Facilities, advises that playing fields and sports facilities will not be built upon unless one of four criteria are met. The policy or its supporting text should clearly define what is meant by “playing fields” and “sports facilities”.

The Town and Country Planning (General Development Procedure) (Amendment) Order 1996 defines playing fields/pitches as sites of 0.4 hectares or more which are used for association football, American football, rugby, cricket, hockey, lecross, rounders, baseball, softball, Australian football, Gaelic football, shinty, hurling, polo or cycle polo. The policy supporting text advises that there is an issue in Sandwell with the low quality of playing pitches, therefore it is rational for this policy to afford playing pitches protection from development unless these criteria can be met. The term “sports facilities” is not defined by the policy or in legislation. However, the policy supporting text appears to suggest that this is principally built sport facilities, albeit this is not clear.

It should be made clear that this policy does not afford protection to golf courses. Golf courses fall outside the definition of “playing pitch”. Private golf courses have no public access and are, in effect, recreational businesses. As they have no public access they are only of benefit to fee paying members. They should not, therefore, be afforded protection from development by policy SHW5.

**For official use only:**

Respondent No:		Representation Number:	
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Date Received:			

**APPENDIX 2 :  
LAND AT ROWLEY REGIS  
GOLF COURSE LOCATION**

Land at Rowley Regis Golf Course, Tippity Green, Rowley Regis





