Item No.6

Walsall Council

PLANNING COMMITTEE

9th March 2023

REPORT OF HEAD OF PLANNING & BUILDING CONTROL

Response to Sandwell Local Plan Consultation

1. PURPOSE OF REPORT

To consider the Sandwell Local Plan Issues and Options Review, and to make appropriate recommendations to Cabinet.

2. RECOMMENDATION

a) Agree the response as set out in the appendix, and refer it to Cabinet for endorsement:

b) Authorise the Head of Planning and Building Control to add additional comments to the response as necessary, and to submit an initial officer response to the authorities in advance of endorsement by Cabinet.

3. FINANCIAL IMPLICATIONS

None arising directly from this report.

4. POLICY IMPLICATIONS

Following the decisions of the four local authorities to cease work on the Black Country Plan (BCP), each authority is now beginning work on their own local plans. 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 very little land available to meet its own needs. As a result, the BCP envisaged some of its supply being provided in neighbouring authority areas, notably Walsall and Dudley. 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 Local Plan.

5. LEGAL IMPLICATIONS

Walsall Council is under a legal 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 both Walsall's and Sandwell's local plans.

6. EQUAL OPPORTUNITY IMPLICATIONS

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

7. ENVIRONMENTAL IMPACT

The issues and options review is accompanied by a sustainability appraisal and Habitat Regulations assessment which will be updated as the plan is progressed.

8. WARD(S) AFFECTED

All.

9. CONSULTEES

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

10. CONTACT OFFICER

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11. BACKGROUND PAPERS

All published. Documents for the Sandwell Local Plan can be viewed at: https://www.sandwell.gov.uk/info/200317/planning_policy/4990/sandwell_local_plan

Response to Sandwell Council Local Plan Consultation

1 Background

1.1 The council is frequently consulted about local plans that are being prepared by neighbouring authorities. In recent years, formal responses have been agreed jointly by the leaders of the four Black Country authorities meeting as the Association of Black Country Authorities (ABCA). The decision to end work on the Black Country Plan however means that there is no longer a joint planning framework in which to consider responses to such plans. It is therefore now necessary for each authority to provide its own response. Under the Council's scheme of delegations, Planning Committee is authorised to consider development plans prepared by neighbouring authorities, and other consultations on planning policies and proposals by outside bodies and persons to make appropriate recommendations thereon to the Executive (i.e. Cabinet).

1.2 Responses to consultations on development plans have to meet strict deadlines. It is therefore sometimes necessary for officers to submit draft responses prior to authorisation by Planning Committee and/or Cabinet, but these are subject to agreement by the two bodies.

1.3 It is becoming increasingly important that Walsall plays an active role in the production of plans by neighbouring authorities. Both Walsall and the other Black Country authorities, as well as Birmingham City Council, have large needs for homes and employment land. However, much of our area is already developed and we are heavily constrained by Green Belt. We are therefore reliant on neighbouring authorities, in particular those in Staffordshire and Shropshire, to help meet some of these needs.

1.4 Currently the legal mechanism for discussing local plans with neighbouring authorities is the Duty to Cooperate (DtC). Regular discussions take place at officer level between the authorities in the Greater Birmingham and Black Country Housing Market Area (GBBCHMA) as well as those further afield such as Shropshire. Authorities are expected to agree and sign Statements of Common Ground with their neighbours when plans are submitted for examination. The Levelling-up and Regeneration Bill that is currently being considered by Parliament proposes to abolish the DtC and replace it with a more flexible alignment test that is yet to be defined.

1.5 The end of the Black Country Plan (BCP) means that each of the four Black Country authorities now have to produce their own local plans. The nature of the issues facing each authority, and the status of their existing plans, means that each authority is approaching their new plans differently. In Sandwell's case, the Black Country Core Strategy (BCCS) is supported by the Sandwell Site Allocations and Delivery Development Plan Document (SAD), the West Bromwich Area Action Plan (WBAAP), the Tipton Area Action Plan and the Smethwick Area Action Plan. The SAD only provides detailed land use allocations and designations up to 2021 so there is an urgent need for review.

1.6 The Sandwell Local Plan (SLP) will combine the strategic policies (such as the overall housing land requirement) which are currently contained in the BCCS with

detailed policies such as site allocations. Rather than carrying forward the Sandwell elements that were proposed to be in the BCP therefore, the current consultation goes back to the starting point by asking what the plan should contain and what issues it should address. This is known as the Regulation 18 stage. The consultation document does not contain any specific proposed policies but instead asks a series of questions. These questions and Walsall's recommended responses are set out below.

1.7 The consultation contains a total of 52 questions but policies in the future Sandwell plan that respond to many of these will not be directly relevant to Walsall (for example policies about particular areas in Sandwell), although similar issues will need to be addressed by the Walsall Local Plan. Suggested responses have therefore only provided in response to questions that could impact on Walsall.

1.8 The main issues for which a response is recommended concern housing and employment land. Detailed comments are also recommended in relation to transport and renewable energy, green/ blue infrastructure (open space and water), biodiversity, waste and the historic environment.

1.9 The Issues and Options Review can be seen in full on Sandwell's web site at https://www.sandwell.gov.uk/info/200317/planning_policy/4990/sandwell_local_plan

Appendix

Sandwell Local Plan – Proposed Walsall Response to Issues and Options Consultation

Part A, questions where a response from Walsall is recommended.

1) Questions – Vision and Objectives

What do you think are the main issues that the new SLP should address in Sandwell?

Walsall Response: The plan should aim to ensure that Sandwell is able to accommodate as much housing and employment (classes E(g)(ii)/(iii), B2 and B8 and related uses) as possible to meet its own needs and contribute to meeting the needs of neighbouring areas in Birmingham and the Black Country. This should be achieved by making effective use of land, including land that may be surplus to requirements for other purposes, and maximising densities.

Please indicate which option you think should be used as the basis for preparing the SLP Vision:

- **Option A: The Sandwell Vision 2030 should be used as the basis of preparing the Local Plan, bearing in mind that it will be for the Local Plan to establish a sustainable strategy for the scale and location for future growth and development.**

- **Option B: Create a new vision specifically for the Local Plan and the plan period it will cover along the lines of the suggested wording included above.**

If you think the SLP should include a new Vision (along the lines of the suggested wording above), do you think the Vision should cover any other issues?

Once you have had a look at the issues raised in this document, please let us know your thoughts on the following overall matters:

- **Are the topic areas and issues being covered the rights ones for Sandwell?**

- **Is there anything else we should be covering?**

- **Do you have any thoughts on the evidence base needed to support the Local Plan Review?**

Should the Sandwell Local Plan:

- **promote higher levels of development to support economic growth; or**

- **plan for the minimum necessary to help meet the needs of our population?**

Walsall Response: The plan should promote higher levels where this will contribute to

meeting identified needs in the Black Country and Birmingham that cannot be accommodated in the neighbouring authority areas.

Do you think the SLP should be valid until 2041 or should it run for longer?

- **If you think the Plan should run for longer, what would be your reason for this?**

What are your thoughts on the draft objectives?

- **Do you think they are appropriate?**
- **Are there any other objectives we should be including?**
- **Do you disagree with them - if so, can you explain which ones and why?**

No Walsall response is required to this part of question 1.

2) Questions – Strategic Policies

Do you agree with the Council's decision to incorporate some of the former BCP policies into the SLP, to benefit from the work already done on them and to make it potentially easier for the four Black Country councils to address certain wider-than-local matters in a joined-up manner?

Walsall Response: Agree, as they deal with strategic cross-boundary issues

If so: -

- **Are there any of the BCP policies listed in the appendix that you think the Council should definitely include?**
- **Are there any of the BCP policies in the appendix that you think the Council does not need to include?**

No Walsall response is required to this part of question 2.

3) Questions – Climate Change

How should we address the climate crisis in the Local Plan Review – what should be our priority or priorities?

The following are examples only and you are invited to identify as many other ways as you feel are necessary:

- **Reducing the need to travel through promoting accessibility or traveling by more sustainable modes of transport than the car**
- **Promoting alternative and low-carbon means of travel**

- **Protecting open space**
- **Planting more trees**
- **Promoting climate change-focussed ways of building homes and businesses**
- **Requiring development to be carbon-neutral or low carbon**
- **Any other priorities**

Walsall Response: All these examples should be addressed in the plan, but from Walsall's perspective we would recommend giving priority to sustainable transport, as this would have the most obvious cross-boundary impact.

How else can new development reduce greenhouse gas emissions and respond to the climate crisis?

Should the new plan leave the issue of carbon reduction in new buildings to other relevant legislation rather than making its own provision – i.e., should the plan <u>not</u> include policies on carbon reduction but instead wait for emerging Building Regulations legislation to become law?

How would you feel about building extensions and alterations to your property that were more climate-change adapted and low carbon? For example;

- **choosing a design that maintained a more constant indoor temperature during extremes of both heat and cold;**
- **using a heat pump instead of a normal central heating boiler;**
- **only using certain building materials developed to be lower in carbon; or**
- **planting trees and other vegetation to shade parts of your property that would otherwise get too hot?**

What potential sources of renewable energy should the Council be looking at supporting in its local plan policies – examples include, but are not limited to, the following: -

- **heat pumps (ground, air, water)**
- **battery farms**
- **energy from waste**
- **solar photovoltaic panels / solar water heating**
- **energy from wind / water**

- **biomass crops**
- **other renewable sources**

Walsall Response: 'Battery Storage Facilities' is a more accurate and appropriate term than 'battery farms', the latter is traditionally associated with intensive poultry farming and may create confusion or a negative connotation with the policy's wider aims. It is important to refer to such facilities directly in policy dealing with renewables, to ensure that renewable power sources and their related infrastructure, are subject to consistent policy approaches.4) Questions - Heat Networks

Do you agree that Sandwell Council should support the development and delivery of heat networks as part of its own building proposals, to help deliver Net Zero construction?

Walsall Response: Yes, as well as recognising that district heating systems can transcend borough boundaries and so potentially require policy alignment with neighbouring local authorities.

Do you think the Council should require private sector and other developers to make provision for heat networks, particularly on larger sites?

7) Questions – Future Development in Sandwell

What do you think are the main challenges we face in planning for housing and employment in Sandwell between now and 2041?

What are your views on the overall amount of new housing and employment that is needed in Sandwell?

Walsall Response: An appropriate balance between both land uses is required to ensure that an adequate supply of employment land is provided to meet the needs of the growing number of households and minimise the need for residents to travel outside the authority's area for employment, or for people working in the area to have to live outside it. At the same time, we recognise that the supply of land in Sandwell both for housing and employment is constrained.

What types of homes are needed in Sandwell?

Examples may include, but not be limited to:

- **Detached or semi-detached family housing**
- **Bungalows**
- **Smaller houses such as maisonettes or terraced housing**
- **Higher density development such as flats and town houses**
- **Co-housing**

- **Self- and custom-build homes**

Where do you think this new housing should be built?

- **On brownfield or underused land**
- **On previously undeveloped or greenfield sites**
- **On underused or derelict open space**
- **On the sites of older or derelict / vacant buildings, including areas of older housing, flats, factories or other unused buildings?**

What sort of new development (homes, workplaces, shops, leisure facilities etc) do you think would help make Sandwell a better place to live by 2041?

- **Where do you think it should be built?**

Do you think there are any sorts of new development that would make Sandwell a worse place to live by 2041?

- **What harm do you think that sort of development might do to Sandwell?**

Do you think we should be asking for higher density developments in centres and on sites near public transport hubs / links?

- **If so, do you think we should use the densities identified in the draft BCP (Policy HOU2) and set out above?**
- **Should we ask for higher densities than this?**
- **Should we ask for lower densities than this?**

What do you think a sustainable urban land use and an unsustainable urban land use would be, from a transport point of view?

Tell us about some modern developments or buildings that you know and like.

- **Why do you like them?**

Tell us about some modern developments or buildings that you know and don't like.

- **Why don't you like them?**
- **How might they have been done better?**

Which of the following issues are most important to you (they are not listed in any order)?

Please identify your preferred options in order if you can, as this will help us address what is most important to Sandwell's occupants.

i. **Building affordable housing.**

ii. **Increasing the number of well-paid jobs in the area.**

iii. **Creating new green spaces and nature networks**

iv. **Protecting and improving existing green spaces and wildlife habitats.**

v. **Attracting investment and new businesses to the area.**

vi. **Reducing greenhouse gas emissions and tackling the climate crisis.**

vii. **Making it easier to travel by bus, tram, train, walking and cycling.**

viii. **Providing houses of a good size, with gardens and associated open spaces.**

ix. **Developing a well-designed and attractive built environment, with new buildings and areas that make a positive contribution to their surroundings.**

x. **Maintaining a safe and welcoming environment that minimises the likelihood of crime / antisocial behaviour taking place.**

xi. **Promoting pleasant, clean and lively town centres that people want to visit and use.**

Should there be a greater emphasis on: -

- **allocating land for mixed-use development (where housing, employment / business development, community facilities etc. sit next to each other);**

- **allocating land for single end uses, such as just housing or just employment?**

Do you have any other comments to make about what development options for housing, employment or other land uses you think we should consider as we draft the Sandwell Local Plan?

No other Walsall response to question 7 is required

15) Question – Gypsies, Travellers and Travelling Showpeople

Do you agree with the proposal to adapt the draft BCP policy on the needs of travelling communities for use in Sandwell?

Walsall Response: Agree. Whilst the nature of these communities is such that they may regularly move between local authority areas, current evidence indicates that the need from groups requiring accommodation in Sandwell is very low.

16) Questions – Houses in Multiple Occupation

We think that the Sandwell Plan could have a policy on HMOs that seeks to define areas where HMOs would be inappropriate / discouraged, e.g. where there are already a number of existing HMOs.

- **Do you agree and if so what criteria do you think should be used to evidence why they are inappropriate?**

- **If you do not think a policy would be appropriate, can you explain why you think that?**

- **Are there any alternative options we might look to use instead of or alongside a planning policy for HMOs?**

We think that the policy could look to identify aspects of HMO provision that have the potential to adversely affect the amenities of adjoining or neighbouring properties (e.g. noise, overlooking, general disturbance, or impact on visual amenity) and provide criteria to manage those issues;

- **Do you agree and if so, what sort of realistic criteria should we be looking to include?**

We think that the policy could introduce percentage thresholds and clustering criteria to ensure that HMOs are not concentrated in an area above a certain level and to control their numbers across a wider area;

- **Do you agree and if so what evidence is needed to identify and justify these criteria?**

To enable us to further control changes of use to small HMOs, the Council will need to impose an Article 4 direction, which, once adopted, will make such changes of use subject to the planning application process.

- **Do you agree with this approach?**

- **Do you disagree? If so, can you explain why?**

Do you think the Council should:

- **introduce a Sandwell-wide Article 4 Direction for HMOs (requires every proposal to develop an HMO to be subject to planning permission and will involve additional time and resources to manage)?**

- **impose an Article 4 Direction only on those parts of Sandwell where there are already a large number of HMOs and where there is robust evidence of the sorts of issues mentioned previously?**

Walsall Response: Any additional restrictions on HMO's in Sandwell should seek to ensure that they do not result in potential occupiers being displaced to neighbouring local authority

areas.

20) Questions – Green and Blue Infrastructure

Should the SLP take a more positive approach to ensuring green and blue infrastructure and their benefits are maximised in new development?

- **Should new green / blue infrastructure always be required on sites?**
- **Should it be required even if it would mean losing the opportunity to provide more housing or employment development?**

Walsall Response: Given the limited supply of land in Sandwell to meet identified needs, and the consequential pressure on land in surrounding areas, including Walsall's Green Belt, we would not support the use of land in Sandwell to accommodate new green/blue infrastructure except where it is strictly necessary to support and mitigate the impact of development, for example SuDS to address off-site flood risks or to meet emerging legal requirements for biodiversity net gain.

The types of development that might be required to provide for green/ blue infrastructure would need to be defined. It is assumed that any requirement would only apply to major development.

We would however support the protection and enhancement of existing green/ blue infrastructure such as the canal network and existing areas of open space.

33) Questions – Alternative Uses in Industrial Areas

Do you agree that local employment estates / land / sites should be retained exclusively for local and small-scale employment uses?

Walsall Response: Yes, given the current shortfall in the supply of land for industry and the contribution that employment land in Sandwell makes to the wider needs of Birmingham and the Black Country. It is recognised however that some isolated and poor quality sites may no longer be suited to the needs of modern industry, and may conflict with existing nearby uses such as housing. It is also recognised that recent changes in permitted development rights and the Use Classes Order make it difficult to restrict changes from certain employment uses to other uses such as retail or residential.

Are there any circumstances where you feel non-employment uses would be appropriate in such areas?

If so, what sort of uses do you think would be appropriate?

- **Housing?**
- **Non-industrial employment uses (e.g. gyms, vets, children's play spaces, dog day-care)?**
- **Community spaces?**
- **Banqueting suites and venues?**

- **Any other use?**

Please identify which ones you think would be acceptable and why.

Where else do you think larger community and commercial activities like the examples given above should be located? The preference is for town centre locations in the first instance, as the most sustainable locations, but depending on circumstances this may not be achievable:

- **In vacant units on business parks or industrial estates (this would mean the loss of those units to potential occupiers with larger workforces / more job opportunities)**

- **In large buildings elsewhere in Sandwell (potential for noise, fumes, disturbance etc. may be greater)**

- **On new development sites in purpose-built premises (costs may be prohibitive for operators)**

How do we ensure that <u>if</u> such uses are allowed in employment locations, they do not proliferate / draw trade and activity away from town centres?

- **Sequential test (e.g. clear demonstration that no suitable site can be found within an existing centre or be more sustainably located)?**

- **Proliferation considerations (e.g. no more than X number of similar venues within a set radius)?**

- **Both?**

- **Any other criteria?**

No Walsall response is required to the above parts of question 33.

36) Question – Strategic Waste Management

Do you think that a Strategic Waste policy is still required for Sandwell, to help identify suitable locations for new waste sites?

Walsall Response Yes, waste management is a key land use in the Black Country, with waste imported and processed from many parts of the country.

The Black Country is a net importer of waste and is therefore essential to the wider function of the linear, and increasingly circular, resource economy. The Black Country Waste Study (2019) identified additional waste management capacity will need to be delivered in the Black Country between up to 2038 to maintain net self-sufficiency. Any updated waste evidence base is likely to identify greater requirements capacity up until 2041.

Any policies for waste site allocation should also give consideration toward locations for non-hazardous landfill sites, drawing upon the latest available evidence and any landfill

constraints studies undertaken at the West Midlands level by regional stakeholder groups.

Waste policy should also include targets for the off-setting of waste to landfill in-line with the National Planning Policy for Waste's (2014) Waste Hierarchy and in support of the principles of the Circular Economy, taking account of the West Midlands Circular Economy Route Map (2022). Waste policy should carry forward policy aims and targets in former Black Country Plan, in particular Policy EMP1, Policy W1, and waste management scenarios in Table 8 and capacity requirements in Table 9.

- **If you do, what do you think it should cover?**

37) Question – Protection and Location of Waste Facilities

Do you agree that the SLP should contain a policy protecting Waste Sites from non-conforming development such as residential development?
Should employment areas be identified as suitable locations for the location of new waste facilities?

Walsall Response: Yes, given our response to question 36, facilities that process waste from outside Sandwell should be protected against development on nearby land that might act as a constraint on continuing operations, as well as against development that might result in the loss of the facilities themselves. Some, but not all, existing employment areas will be suitable for new waste facilities: it will be helpful if these are identified and, if necessary, safeguarded for such use. It should however be noted that many modern forms of waste processing that operate inside a building will be suitable for almost any type of employment area.

38) Question – General Infrastructure

Are you aware of any other forms of infrastructure that you think may be required?

Walsall Response: Existing capacity and future provision for Electric Vehicle Charging Points (EVCPs) is becoming regionally important, both in the emerging strategies of partner transport and infrastructure agencies as well as the subject of planning applications for dedicated facilities. A bespoke policy underpinned by relevant evidence would strengthen the LPAs ability to forecast, manage and so ensure appropriate provision and support wider aims toward pollution control, as well as climate and regional energy resilience.

46) Questions – Biodiversity Net Gain

Do you think the SLP should contain a policy on retaining offsite biodiversity net gain in Sandwell?

Walsall Response:

The emerging legal requirement for biodiversity net gain will result in developments potentially requiring off-site provision. In some cases it may be appropriate to make provision outside the local authority area, especially where development sites lie close to the border. At this time, Walsall Council has yet to confirm its practices and process for biodiversity net gain and are awaiting government guidelines, due to be released shortly. We would welcome discussions with Sandwell to discuss offsite Biodiversity Net Gain and any cross boundaries issues that may arise. This should also address related issues such

as the Nature Recovery Network.

If so, how do you think the Council should achieve this?

Please identify which of the following options you prefer; you can pick as many as you like or suggest something different.

1. Identify privately-owned sites as receptors for BNG credits and allocate them in the SLP?

2. Identify Council-owned sites as receptors for BNG credits and allocate them in the SLP?

3. Support wider landscape-scale schemes such as the Natural England Purple Horizons project (restoring and connecting fragmented heathlands to create a mosaic of heathlands, wetlands, woodlands and grasslands between Cannock Chase and Sutton Park) that are nearby but not necessarily in Sandwell itself?

4. A combination of private and public approaches?

5. Something else (please specify)?

Are you the owner of any sites or land within Sandwell that you think may be suitable for allocation as a potential receptor site for biodiversity net gain (bearing in mind it would then be protected from further development or change for at least 30 years, through a covenant agreement)?

- **If so, would you be willing to have your site allocated for this purpose in the SLP (assuming it was considered suitable after an ecological assessment)?**

Do you think we should explore a requirement for additional biodiversity net gain credits (e.g. more than 10% minimum) should developers be proposing to purchase them for schemes outside Sandwell?

No Walsall response is recommended to this part of question 46.

49) Questions – Heritage Assets

Do we need to prepare a policy to support the adoption of a Sandwell Local List of buildings of historic / architectural merit?

Walsall Response: The four Black Country Authorities (Sandwell, Wolverhampton, Dudley and Walsall) were awarded funding for the Black Country Local List project by the then Ministry of Housing, Communities & Local Government.

The aim of the project was to update and enhance the local heritage lists for each of the authorities, to help protect and promote the historic buildings, structures and other heritage assets that do not fulfil the criteria for inclusion on the National Heritage List for England, but nonetheless play a significant role in the local character and distinctiveness of our areas.

The four authorities have been working together along with TDR Heritage to update and review the current local lists in each authority (Sandwell, Wolverhampton, Dudley and Walsall). The 'working criteria' for assessing potential local list nominations were agreed by all four BC Local Authorities.

A policy to support the adoption of local buildings of historic and architectural merit should be considered to support this local list project work.

Do we need to prepare a new policy to address the safeguarding of heritage assets when mitigating against and adapting to the climate change emergency?

Do we need to consider the introduction of special controls that prevent the demolition of non-designated, locally important heritage assets[43]?

Walsall Response: Agree, if there are current issues with retaining non designated locally important heritage assets. It could include a preference for the retention and re-use of non-designated heritage assets or locally important heritage assets, as opposed to demolition.

No question has been asked about designated heritage assets other than conservation areas. Whilst these are primarily a matter for Sandwell and Historic England, the Great Barr Hall Registered Park and Garden, and Great Barr Hall Estate, lies partly within Sandwell and partly within Walsall. Walsall will need to understand how Sandwell will be safeguarding the parts of these heritage assets that sit within the Sandwell boundary.

Page 85 of the Sandwell Consultation Plan document should state Great Barr Hall rather than Great Barr Park.

50) Questions - Conservation Areas

Some of the conservation areas in Sandwell are in centres where there is or has been a lot of pressure for development and growth. As a result, any previous appraisals (undertaken when they were first designated) are likely to be out of date.

Other conservation areas are unlikely to have changed much since they were first adopted.

Do you think the Council should: -

- **undertake a review of all conservation areas whether they have been subject to any development pressure or not;**

Walsall Response: Whilst this is primarily a matter for Sandwell, it is understood that the area of Great Barr Hall Registered Park and Garden in Sandwell is a conservation area. Local planning authorities have a duty to review under Part II (sections 69 and 70) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990, and Historic England Advice Note 1: Conservation Area Appraisal, Designation and Appraisal (and other relevant HE guidance).

- **undertake comprehensive appraisals of those conservation areas where there**

has been a significant amount of development or other physical changes (such as new infrastructure or changes to road layouts, etc.), to ensure the appraisals remain relevant and up to date for use in making decisions on planning applications;

- **leave the current conservation area appraisals as they are and accept that the contribution the appraisals can make to the determination of planning applications and appeals will be limited?**

Do you think the Council should also be exploring: -

- **whether there are any new conservation areas that could be designated; or**

- **whether any current conservation areas no longer carry sufficient interest and importance to be retained as a conservation area?**

- **Do you know of any areas of historic interest in your local area that you think could be made into a conservation area?**

- *Part B, questions where no response from Walsall is recommended.*

5) Questions – Resilient Landscapes

How should we ensure new development is able to withstand climate change and provide a comfortable living and working environment for people?

What should be our priorities when considering new design and landscaping to help us cope with climate change?

Apart from not building on or near them, how should we protect the open spaces, parks, countryside and ecology of Sandwell?

6) Questions – Sustainable Drainage

How should the Local Plan Review best manage flood risk whilst still achieving the growth that is needed to make Sandwell successful?

Do you think the SLP needs a policy to identify an acceptable rate of run-off for new developments, or is this covered in sufficient detail in the Black Country Local Standards for SuDS (BCP evidence base)?

Do you think the SLP: -

- **should include details of the type of SuDS that the Council would prefer to see delivered;**
- **should require SuDS schemes but leave details to developers to propose;**
- **should not require SuDS but allow for alternative drainage schemes to be implemented?**

8) Questions – Housing Windfall Sites

We think that a local windfall policy is needed to ensure that any proposals for residential development on sites that are not allocated are in the right place and do not have adverse impacts on current and neighbouring uses.

- **Do you agree?**
- **If so, what should it contain?**

Are there any specific local considerations that we should include when we are making decisions on windfall sites?

For example:

- **should housing development be allowed on current employment land?**

9) Questions – Sustainable Locations

Should most new development:

- **be concentrated in locations with the best levels of sustainable access to jobs, transport, services and facilities?**
- **be spread out between different towns and centres, to help support new growth and investment in those locations currently without a good supply of jobs, transport, services and facilities?**

Are there any locations in Sandwell you think we should look at in particular to find land for new development?
What else can the SLP do to support the sustainability of local communities?
How can the SLP help to increase the number of journeys made on foot, bicycle and public transport by people who want to access services and facilities?

10) Questions - Masterplanning

What sort of development do you think would benefit from having a masterplan? e.g.

- **housing developments over a certain number of dwellings;**
- **employment development over a certain area of floorspace / size of site;**
- **mixed use development (housing and other uses such as employment on the same site);**
- **regeneration schemes in centres?**

Please identify what sort of schemes you think would benefit or whether you think they should all have masterplans.

Should there be a type / size of proposal that would automatically require a masterplan to be produced?

- **If so, what would that be?**

11) Questions – Good Design

Do you think we should:

- **provide a local design policy / design guidance specifically for Sandwell; or**
- **use the national code and guidance instead?**

Instead of producing a new design code for Sandwell, should we review and update the existing guidance we already have instead?

We intend to reuse elements of the draft BCP design policies to support the local plan. Do you agree with this approach?

Do you agree with our intention to adopt the Nationally Described Space Standards for new houses?

- **If not, can you explain why?**

Do you think we should:

- **Incorporate current supplementary planning guidance into the draft Local Plan (with review and updates as necessary);**

- **Consider including some aspects of supplementary guidance in the SLP that can be used to shape policies and proposals;**

- **Retain supplementary planning guidance as separate documents under the SLP and undertake a programme of reviews and updates to them (accepting that this will also require separate examinations) at a later stage; or**

- **Use another approach?**

12) Question - Shopfront Design

Do you agree with this approach?

13) Questions – Self- and Custom-Build Housing

Do you think Sandwell's new local plan should include a policy on self- and custom-build?

If you do, how do you think the Council should deal with issues around self-build proposals on commercial housing sites?

- **A design policy requiring self-build homes to reflect the design elements of the site on which they are located (e.g. height, scale, mass, materials, type and design of features such as doors, windows, etc.?)**

- **Requiring developers to allocate sections of commercial housing sites where people undertaking self-build can have a freer hand in the design of their house?**

Do you think self-build should be supported in another way in Sandwell (e.g. not provided on commercial housing development sites; subject to a different policy approach)?

14) Questions – Specific Housing Requirements

Do you agree that the new SLP should contain a policy on housing suitable to meet the needs of people who have special needs or who require additional support?

What types of housing suitable to meet special needs do you think should be encouraged and delivered in Sandwell? E.g.

- **bungalows;**

- **houses capable of easy adaptation for users of assistive technology such as**

wheelchairs;

- **houses that can be easily altered as people age or their medical or physical condition changes;**

- **other types of dwellings.**

The Council intends to incorporate the national minimum space standards for new housing as set out in the optional Building Regulations Requirement M4(2): Accessible and Adaptable Dwellings[21].

- **Do you agree with this approach?**

17) Questions – Development for Health

What do you think are the key public health issues facing Sandwell?
How should we plan for our ageing population?
Do we need to include specific development allocations such as sites for retirement facilities or assisted living?
Where should such allocations be located?
What should the plan contain that would help you change your travel habits to more active modes of travel (such as cycling and walking)?

18) Question – Active Recreation

Should we require masterplans and new developments to refer to the Sport England Active Design Principles[28]?

How best can we support the protection and enhancement of current sporting provision?

19) Questions – Community Facilities and Services

Which community facilities and services do you think we need more of in Sandwell as a whole?

Setting aside health-related uses (surgeries, health centres, dentists etc.), schools and shops for a moment, are there any other public facilities and services you would like to see more of in Sandwell?

Is there a shortage of community facilities and services in your area?

- **Which ones are lacking, in your view?**

(If you can give us an idea of what part of Sandwell you are referring to, that would be helpful)

If you think your area needs more community facilities and services, how and where would you want to see these uses provided?

- **We would be especially interested in locations where services can be easily**

accessed without people having to use a car.

Where new community facilities are proposed, such as churches, mosques, community centres and other uses generating additional footfall / car journeys, should the SLP require those uses to be sited in town centres in most cases?

- **If you disagree with this, can you explain why?**

If so, do you have any suggestions how this might be done?

21) Questions – Open Space

How should new developments support the provision of high quality open space?

Do you think development proposals, especially big housing schemes, should always include dedicated open space for recreation and leisure on site?

- **If not, can you explain why?**

Do you think a combined approach (provision of open space on-site / new off-site provision / financial contributions for improvements to existing open space nearby) would be more appropriate?

- **Can you explain why?**

What scale of housing site do you think should be required to contribute towards providing open space? For example, should we be asking for new open space on

- **sites above ten houses in size**
- **sites above 20 houses in size**
- **sites above 40 houses in size?**

Would you rather:

- **see improvements to existing areas of open space in your area, or**
- **see new open spaces be created when development happens nearby?**

Can you explain a bit more about why you think this?

What amount of open space should be provided? For example, should new open space be provided covering: -

- **10%**
- **15%**
- **20%**

- **another percentage (please say how much)**

of the area of a housing site?

Should the amount of open space instead be calculated based on the number of bedrooms per property being provided?

- **For example, developments delivering larger accommodation (properties with three, four or more bedrooms) should provide more open space than those for one or two bedroomed properties.**

Should open space requirement be relaxed for types of housing that are less likely to generate high levels of active demand, such as accommodation for older people?

If large areas of open space are required, this might affect how many houses can be built on a site and / or the viability of development on the site – what is your view on that?

Should we: -

- **consider releasing existing open space sites for development that are demonstrated to be of poor quality and low value and that have no significant environmental benefits?**

- **consider releasing existing open space sites for development that are demonstrated to be of poor quality and low value and that have no significant environmental benefits but only where replacement open space of a higher quality / quantity can be provided nearby?**

- **protect all current open space notwithstanding its condition or accessibility (on the basis that it has value in its own right and could be improved in future)?**

What type of open space should be provided? For example, informal open space such as fields for walking, dog walking etc., playgrounds / play areas for children, formal parks, allotments etc.?

Would you like to see more allotments / opportunities for growing food in your community provided as part of housing developments or in the wider area?

22) Questions – Hot Food Takeaways and Gambling Establishments

Do you think the Council should look more closely at where businesses such as hot food takeaways and gambling establishments are located?

Do you have a view on where they should be allowed in relation to sensitive uses such as schools, etc.?

Do you think that the SLP should try to control / regulate hot food takeaways or not (bearing in mind that there is no legislation that allows councils to refuse planning

permission for these uses solely on the basis that people find them undesirable)?

This could be addressed by having a policy that looked at:

- **Clustering (only granting permission for a given number / percentage of similar uses within a certain radius, limiting the maximum number of consecutive takeaway food outlets, or capping the proportion of all retail space occupied by this use in an area)**

- **Location (refusing consent for new proposals within a given distance of a sensitive use e.g. schools, parks, leisure facilities including sport centres and youth clubs)**

- **The implementation of community infrastructure levies with funds allocated to obesity prevention initiatives;**

- **Mandatory sign-up to a healthy catering commitment scheme and requirements for submission of health impact assessments alongside planning applications.**

- **Impacts on the amenity of residential and other sensitive uses e.g. by creating excessive noise, litter, odours, traffic problems**

Do you think that the SLP should try to control / regulate betting shops, adult gaming centres, amusement arcades, pawnbrokers, pay day loan shops and shisha bars (bearing in mind that there is no legislation that allows councils to refuse planning permission for these uses solely on the basis that some people find them undesirable)?

This could be addressed by having a policy that looked at:

- **Clustering (as for hot food takeaways);**

- **Location relative to sensitive uses (as for hot food takeaways);**

- **Providing an active frontage creating a positive visual impact on the street scene;**

- **Impacts on local community and residential amenity.**

23) Questions – Retailing in Town Centres

What are the main issues you think our town centres and high streets are facing?
What can the SLP do to help them adapt to changing shopping trends – for example, by managing or promoting certain sorts of development within them?
Do you think more people should be encouraged to live in centres?
How can we identify sites in our town centres for future shopping, leisure and commercial / employment needs?

- **Do you know of any suitablesites or premises in your local area that you think could be developed to provide modern town centre uses?**

Should Sandwell maintain a policy for controlling the balance of retail and non-retail uses in main town centre core frontages?

24) Question – Gateway Sites

Do we need to retain a policy referring to gateway sites?

- **If so, do we need to revise or update it in accordance with other potential policy areas of the SLP, such as those dealing with climate change mitigation or opportunities for increasing biodiversity and ecological value?**

25) Questions – Town Centres

Looking at the town centre boundary plans (Appendix B to this document), especially for the centre(s) you know best, do you think their current boundary:

- **Is about right (all the main areas of the centre are included and there is no need to expand or reduce it)**

- **Is too big (i.e. the centre in reality is more tightly focussed around certain roads or areas and / or the current boundary covers places that aren't really in the town centre)**

- **Should be expanded (the town centre as you know and use it covers a wider area than shown and additional streets or locations could be included)?**

Are there any additional centres that you think should be "upgraded" to a similar status as the major centres identified above, because of their degree of activity or size?

- **If so, which ones and why?**

Thinking about the centre(s) you know best (maybe because you live in them or close by, or work in them), what do you think their good points are – for example, they have a safe and pleasant environment, a good range of shops and services, are attractive or contain historic buildings etc.?

- **Please indicate which centres you are referring to**

- **What aspects would you want to see kept and made even more of, if possible?**

Thinking about the centre(s) you know best (maybe because you live in them or close by, or work in them), what do you think their bad points are – for example, they have too many empty shops, they are poorly laid out, they are not easy to get to, there isn't suitable car parking etc?

- **Please indicate which centres you are referring to**

- **What would you like to see done to improve them?**

- **Do you think areas of denser residential development (e.g. flats above shops and office building conversions) in town centres should be located close to rail / metro links / public transport opportunities?Should the boundary of a town centre be altered to enable such changes to take place?**

26) Questions – West Bromwich

Thinking about West Bromwich Town Centre, do you think the issues listed above are the right ones for the Council to consider in the SLP?

- **Are there any additional issues in West Bromwich you think should be included for consideration?**

Of the issues for West Bromwich listed above, which ones do you think the SLP should deal with first or more urgently? Please identify a "top three" if you can.

- **Why do you think the issues you have identified are the most urgent ones?**

27) Questions – West Bromwich Future Uses

What would you like to see vacant shops used for in West Bromwich? Please let us know what your preferred uses are in order, if you can.

- **Retail (retain as shop units)**
- **Houses / residential accommodation**
- **Other employment uses e.g. offices, businesses, live / work units etc.**
- **Public facilities / services e.g. educational uses, healthcare facilities, community hubs / meeting places etc.**
- **Leisure uses e.g. gyms, fitness and wellbeing studios, amusement arcades etc.**
- **Cafes / restaurants / entertainment venues**
- **Other uses (please let us know what these uses are, in your view)**

What other sorts of development or activity do you think West Bromwich lacks? If you don't visit West Bromwich often, or as often as you might previously have done, what would encourage / attract you to start going there again?

28) Questions – Employment Land Need

How do you think the shortfall in the supply of employment land should be addressed?

29) Questions – Sandwell's Economy

Do you think that a local Economic Development Strategy policy is still required for Sandwell?

- **If you do, what do you think it should cover?**

Are there any sorts of new / emerging industries that we should be trying to attract

into Sandwell?

30) Question - Regeneration

Do you think that the SLP needs a specific policy in relation to the regeneration of parts of Sandwell?

- **If so, what should the policy contain?**
- **Do you know of any areas in particular that should be included?**

Thinking about areas that need to be improved, what do you think would make Sandwell a more attractive prospect for potential homeowners, inward investment and new business occupiers?

- **Improved infrastructure (e.g. roads, drainage, accessibility to public transport)?**
- **Areas of mixed use (i.e. where housing and employment uses are situated next to or near each other, for example in town centres or industrial areas)?**
- **The inclusion of more open space and landscaping (e.g. pocket parks, tree planting, open space and informal sitting areas)?**
- **Anything else?**

31) Question – Demand for employment sites

Do you think we should focus on supporting the growth of existing smaller businesses and companies on sub-divided former industrial sites?
There is evidence of demand for large sites for new inward investment in Sandwell from big companies, but the sites available for new business tends to be smaller ones and very few large vacant sites are available.
Do you have any ideas or suggestions on how we might address this issue?
Options might include (but not be limited to): -

- **Concentrating on attracting smaller businesses into Sandwell until larger sites become available through natural churn (where businesses move into / out of an area as they grow or change);**
- **Identifying existing larger areas of current employment activity and explore opportunities for improving their attractiveness to the market (e.g. through renewing and improving infrastructure such as parking and access, supporting the improvement of existing buildings and premises, introducing new or additional landscaping);**
- **Identifying opportunities as a Council to actively create sites for large companies or industrial occupiers (e.g. through the council using compulsory purchase powers / buying sites on the open market, or using land they own), even if that means displacing / relocating smaller companies to do so;**
- **Any other suggestion?**

32) Questions – Non-conforming Employment Uses

Do you agree that these non-conforming employment uses should be addressed in the SLP?
If so, do you think the SLP should contain a policy addressing what ancillary uses might be appropriate and in what locations (e.g. where there are no suitable facilities within a short walk or where the ancillary use is not one that needs to be in a town centre)?

34) Question – Training and Recruitment

We intend to update the existing SAD policy on training and recruitment. Do you agree?

35) Questions – Industrial Legacy

Are you aware of any additional policy areas relating to Sandwell's industrial legacy that in your view should be addressed in a new land use policy?

If so, what are the main areas of concern for you, and if you can, how would you advise that the council should tackle them?

39) Question – Transport Infrastructure

Are you aware of any locations where you think new or improved transport infrastructure may be required?

- **This may include public transport, cycle facilities, pedestrian upgrades or highway alterations.**

40) Question – Greener Travel Networks

Given the constraints imposed by Sandwell's current highway network, how do you think we should address the need to reduce congestion and encourage a change in travel behaviour towards sustainable and active modes of travel by: -

- **prioritising public transport, ensuring sites have access to reliable public transport infrastructure which may require road space reallocation; or**
- **prioritising active travel (cycling and walking), ensuring sites have access to high quality and safe pedestrian and cycle links and infrastructure which may require road space reallocation; or**
- **a combination of the above; or**
- **investigating opportunities for reallocating road space for all forms of sustainable transport where reasonable on a location by location basis with minimum impact to the current operation of the highway?**

41) Question – safe access and addressing transport impacts

Do you think we should explore the concept of 15-minute neighbourhoods in the SLP?
Should new developments focus on new innovative infrastructure and emerging technologies such as electric vehicle charging infrastructure, use of low emission vehicle technology and provision for cycles, micro-mobility and motorcycles as part of smart mobility and mobility as a service solution (such as Mobility Hubs for example) in supporting modal choice?

42) Question – Communications and Digital Infrastructure

Do you agree with this approach?

43) Question – Telephone Kiosks

Do you agree with this approach?

44) Question - Broadband

Do you agree with this approach?

45) Question – Taxis and Private Hire Vehicles

Do you agree with this approach?

47) Question – Green spaces (a green space hierarchy is proposed)

Do you agree with this proposal?

48) Questions - The Rowley Hills

The Rowley Hills have been protected to date from development that might have affected its visual, historic and ecological amenity. They are subject to a variety of policies / allocations that have prevented most inappropriate development from taking place.

- **Do you think the current level of protection is sufficient to continue safeguarding the distinctive character, environment and visual amenity of the Hills?**
- **Do you think the level of protection needs to be increased?**
- **Do you think there is scope for any residential or economic development in the area, assuming it did not have an impact on the Hills' ecology, historic character, geological importance[42] or skyline?**
- **If so, what sort / level of development would be appropriate in your view and why?**

Do you think the Rowley Hills should be allocated as Local Green Space in the SLP?

- **Can you explain why you think it should be?**
- **If you disagree, can you explain why you think it doesn't need this designation?**

Do you think the Rowley Hills should be designated as green belt?

- **Can you explain why you think it should be?**
- **If you disagree, can you explain why you think it doesn't need this designation?**

51) Question - Archaeology

Do you agree with the proposal to update the existing SAD policy on archaeology?

52) Questions – Black Country Geopark

Do you agree with the proposal to include a policy on the Black Country Global Geopark?

Are you aware of any features of geological interest in your area that you want to bring to our attention?