

## **Cabinet – 7 July 2021**

### **Black Country Plan: Draft Plan for Consultation**

**Portfolio:** Councillor A Andrew – Deputy Leader and Regeneration Portfolio

**Related portfolios** n/a

**Service** Economy, Environment & Communities

**Wards:** All

**Key Decision:** Yes

**Forward Plan:** Yes

#### **1. Aim**

- 1.1 The Black Country Plan (BCP), which is currently in preparation, will form part of the development plan when adopted. The Council is required by law to determine planning applications in accordance with the development plan unless material considerations indicate otherwise. Development plans are therefore very important as the basis for economic development and regeneration, protecting land uses and supporting the physical enhancement of the Borough. They have to be carefully prepared, subjected to public scrutiny, and examined by independent Planning Inspectors, before they can be adopted.
- 1.2 The BCP will, once adopted, replace the existing Black Country Core Strategy (BCCS) and ‘carry forward’ most of the site allocations in the Walsall Site Allocation Document (SAD). The BCCS and SAD currently run to 2026. The BCP will aim to provide sufficient land for homes and jobs, as well as safeguarding and enhancing the natural and built historic environment, for the period to 2039.
- 1.3 The first stage of public consultation on the BCP was about the Issues and Options Report in 2017. The outcome of that consultation has informed the production of the Draft Plan. As well as providing more detail about the number of additional homes and amount of employment land that we are aiming to provide for, the Draft Plan identifies specific sites that are proposed to be allocated for development.
- 1.4 The BCP is being prepared jointly between the four Black Country authorities. Similar reports are therefore being taken to the respective cabinets of Dudley, Sandwell and City of Wolverhampton.

## **2. Summary**

- 2.1 This report seeks authorisation to consult on the Draft Plan version of the Black Country Plan. The Draft Plan is provided in full in Appendix A whilst a non-technical summary leaflet is provided as Appendix B. The report outlines the main methods to be used in the consultation.
- 2.2 Approximately 76,000 additional homes and around 565 hectares of additional employment land (for industry and warehousing) need to be provided to meet the needs of the Black Country over the period 2020-39. We also need to plan for:
- How we will address climate change
  - How we will create healthy and safe places
  - How we will protect and enhance the historic and natural environment
  - The design standards that new development should meet
  - How we will provide housing to meet the needs of different residents, including affordable housing
  - How we will maintain vibrant and attractive town centres
- 2.3 Much of the land for these homes and jobs already has planning permission and/or is allocated in our existing development plans. The BCP will continue to focus on bringing forward for development previously developed land in the urban area. Officers are also exploring the capacity of our urban areas to accommodate additional homes through, for example making use of land and buildings that are no longer required for other purposes such as retail and offices, and by increasing densities. We are also continuing discussions with neighbouring authorities outside the Black Country under the Duty to Cooperate to encourage them to allocate land in their local plans to meet some of the need arising from the Black Country and Birmingham.
- 2.4 However, all these sources together would not provide sufficient land to meet our requirements. The Draft Plan therefore proposes to remove land from the Green Belt to provide in total around 7,700 homes and 47 hectares of employment land to be delivered by 2039. 7,100 homes (5,400 of which would be built by 2039) and 47 hectares of employment land (11ha of which is previously developed land) are in Walsall. A total of approximately 320 hectares of land is involved in Walsall, which equates to approximately 8% of the current area of Green Belt in the Borough.

## **3. Recommendations**

- 3.1 That Cabinet approves the draft Black Country Plan as set out in Appendix A for consultation.

- 3.2 That Cabinet approves the approach to consultation as set out in Appendix D of this report.
- 3.3 That Cabinet delegates authority to the Director of Regeneration and Economy to make any necessary amendments to the Draft Plan and other consultation documents prior to the commencement of the consultation process.

#### **4. Report detail – know**

- 4.1 The BCP will form a key part of the statutory development plan once adopted. The development plan is a document, or collection of documents, that identifies future needs for homes, employment and other land use requirements, and contains policies to safeguard open space, areas of value for nature conservation or built heritage. It forms the basis in law of decisions on planning applications, and is used to guide decisions on investment and regeneration.
- 4.2 The development plan for Walsall currently comprises ‘saved’ policies of the Walsall Unitary Development Plan (UDP), the Black Country Core Strategy (BCCS), the Walsall Site Allocation Document (SAD) and Walsall Town Centre Area Action Plan (AAP). The BCCS, adopted in 2011, sets a strategy and targets for homes, employment land, retail and offices for the period to 2026. Specific sites to meet these targets are allocated in the SAD and AAP, which were adopted in 2019. Parts of the UDP, which was adopted in 2005, have been replaced by the BCCS, but many policies in the UDP, especially those that do not relate to specific sites, remain in place.
- 4.3 The BCP will set out land use requirements to roll forward to 2039. National planning policy states that development plans should identify requirements for 15 years from the date of adoption. It is intended that the BCP will be adopted in 2024. The BCP will replace the BCCS but, unlike the BCCS, the BCP will also allocate specific sites for different land uses. It will therefore ‘carry forward’ the allocations in the SAD but will also allocate additional sites to meet need over the longer time period.
- 4.4 Preparation of the BCP began in 2016 and consultation on the ‘Issues and Options’ to be considered in the plan took place in 2017. Since then, a great deal of work has taken place to examine potential sites to be allocated in the plan (over 200 of these have been examined in Walsall alone), as well as studies of housing need (both the overall number of homes required but also the breakdown between tenure and dwelling size that is likely to be required), the employment land need and supply (including the suitability of existing employment premises for long term retention), and studies of town centres, waste and minerals. These studies, and responses received to the issues and options consultation, have informed the draft plan.

- 4.5 Cabinet in October 2020 approved a revised timetable (the Local Development Scheme – LDS) for the future stages of the plan. These now comprise:

Cabinet consideration of Draft Plan	July 2021
Draft Plan Public Consultation	August-September 2021
Cabinet consideration of Publication version of BCP	July 2022
Publication Public Consultation	August-September 2022
Submission of Plan	March 2023
Examination	April 2023 - March 2024
Adoption	April 2024

- 4.6 The BCCS envisaged that development needs to 2026 could be met entirely within the existing urban area. This was based on the principle that there was a declining need for industrial land as work moved to offices, which has a higher employment density (the amount of floorspace per job). The redundant industrial land could then be redeveloped for housing.
- 4.7 However, industry has proven to be more resilient than expected, particularly in Dudley and Sandwell. There are a number of reasons for this. Firstly, much of the industry in the Black Country is specialist manufacturing, with a skilled and loyal workforce. Companies have been reluctant to relocate to newer and better quality premises both because of the cost but also because of concern that they will lose their workforce. They have chosen instead to invest in their existing premises. Second, many older industrial areas are in fragmented ownerships, often with absentee or unknown owners, and there is no practical means of consolidating land parcels to allow a comprehensive redevelopment.
- 4.8 Even prior to Covid-19, demand for offices in the Black Country was low. Growth in retail employment has also failed to occur. Warehouses and other premises to serve internet-based shopping tends to have a low employment density. However, the growing population of the area also means that the total number of jobs needs to increase in order to provide adequate economic activity. More land is therefore required for employment. The draft BCP estimates that around 520 hectares of additional employment land is required.
- 4.9 Housing need is now determined by the standard method set by the Government. This indicates that an additional 76,076 homes need to be provided across the Black Country over the period 2020-2039. This compares with the requirement of 63,000 net new homes which the BCCS requires for the period 2006-2026. Housing completions since 2006 have been largely in line with the trajectory set by the BCCS. As a result however, this means that we are effectively running out of land for housing.
- 4.10 The capacity of the urban area has been assessed as part of the preparation of the BCP. This shows that only 205 hectares of employment land and land for 39,255 homes is available in the area. There is therefore a

shortfall of over 300 hectares of employment land and land for 36,821 homes.

- 4.11 Work under the Duty to Cooperate is ongoing with neighbouring authorities in Staffordshire, Shropshire and Solihull to accommodate some of this shortfall in their areas. Discussions to date suggest around 150 hectares of employment land and 9,500 homes could be exported to them. The remainder however will need to be met in the Black Country, by developing land that is currently in the Green Belt.
- 4.12 In Walsall it is proposed that land for 5,418 homes and 47 hectares of employment land will be allocated for development by 2039 on areas that are currently in the Green Belt. This equates to approximately 8% of the current area of Green Belt. The larger sites include:

Home Farm, Sandhills	Aldridge North and Walsal Wood	800 homes
Yieldsfield Farm, Bloxwich	Bloxwich East	600 homes
Queslett Road East/ Aldridge Road	Streetly	960 homes
Sutton Road/ Longwood Lane	Pheasey Park Farm	202 homes
Yorks Bridge	Pelsall	580 homes
Coronation Road/ Mob Lane	Aldridge North and Walsall Wood	763 homes
Calderfields, Aldridge Road	St Matthews	442 homes
Bentley Lane (Beatwaste)	Short Heath	11ha employment
Johnsons Farm/ Meadow Farm, Watling Street	Brownhills	14ha employment

- 4.13 Most of these sites will include land to be used as open space and to enhance biodiversity.
- 4.14 As well as allocating sites, the BCP will also replace the existing policies in the BCCS and elsewhere that apply to various existing and proposed land uses. The BCP policies will take account of changes to legislation and national planning policies since the BCCS was adopted, requirements arising from the evidence prepared for the plan and new challenges such as the need to address climate change and enhance provision for nature conservation.
- 4.15 The Council is required to assess the environmental and sustainability effects of any development plans it produces. Preparation of the Draft Plan has been informed by Sustainability Appraisal (incorporating the requirements of Strategic Environmental Assessment). The Draft Sustainability Appraisal Report, including non-technical summary, is available to view at Appendix C. The sustainability appraisal considers the

anticipated sustainability effects of the Draft Plan, potential mitigation measures, and appraises the reasonable alternative options considered during the plan preparation process.

- 4.16 Public consultation on the Draft Plan is anticipated to take place between 9th August and 4th October. The arrangements have of necessity changed as a result of Covid-19 but are proposed to include methods as set out in Appendix D.

#### ***Council Corporate Plan priorities***

- 4.17 The Council's Corporate Plan 2021-2022 sets out the Council's purpose along with the priorities, with the aim of reducing inequalities and maximise potential. Having a plan that looks to deliver development in the borough in the right locations directly links to the Council's priority of "economic growth for all people, communities and businesses". It also links to the Council priority of ensuring "communities are prospering and resilient with all housing needs met in safe and healthy places that build a strong sense of belonging and cohesion" by ensuring we have a programme of plans that continue to identify land to meet our housing needs. Having a plan also supports the Council priority of ensuring our residents have "increased independence, improved health and can positively contribute to their communities". Planning documents provide the mechanism for ensuring communities have access to opportunities, services and facilities which can support healthy living and independence. The consultation process behind plan making also provides real opportunities for communities to engage in the future of the borough.

#### ***Risk management***

- 4.18 Failure to have a development plan that is based on sound evidence could result in the borough having insufficient land to meet the need for housing, employment and other land uses that are necessary to support the economic and environmental well-being of the area. It could also result in development being placed in the wrong locations, leading to an inefficient use of resources, traffic congestion and other harm. Having a development plan in place is also essential in order to defend the Council's position in planning appeals. Without an up to date development plan, the Council and other Black Country Authorities risk intervention from central government and may compromise our ability to make decisions locally.

#### ***Financial information***

- 4.19 The work to prepare the BCP is being financed and funded jointly by the Black Country Local Authorities and through an external grant from MHCLG (previously DCLG) of £560,000. The Council's contribution to the work on the BCP is being met through existing mainstream revenue budgets which provides the staffing and strategic resource towards the plans preparation and a one- off revenue reserve of £250,000 which is provided for the preparation of the evidence base through external experts and each stage of the plans preparation including stages of consultation and the Examination in Public.

### ***Legal Implications***

- 4.20 The process for the preparation of development plans is set out in the Planning and Compulsory Purchase Act 2004 (as amended) and the Town and Country Planning (Local Planning) (England) Regulations 2012

### ***Procurement Implications/ Social Value***

- 4.21 None arising directly from this report. Preparation of the BCP has involved the commissioning by the Black Country authorities of a number of pieces of evidence from external consultations. Procurement is carried out by Sandwell Council on behalf of the four Black Country authorities

### ***Health and wellbeing implications***

- 4.22 Preparation of the BCP includes the carrying out of an integrated Sustainability Appraisal, Equality Impact Assessment and Health Impact Assessment. One of the objectives of plan making is to ensure that the siting of new developments contributes to the health and well-being of residents of the borough, for example by being located where they can be accessed by walking and cycling.

### ***Staffing implications***

- 4.23 None arising directly from this report. Work on the BCP is carried out by the Planning Policy Team in the Economy, Environment & Communities Directorate with officers from the other authorities.

### ***Reducing Inequalities***

- 4.24 Preparation of the BCP includes the carrying out of an integrated Sustainability Appraisal, Equality Impact Assessment (EqIA) and Health Impact Assessment. One of the objectives of the BCP will be to ensure that jobs, homes and services are provided for all residents of the borough including children and young people, and groups such as gypsies and travellers. All Local Plans need to be produced in accordance with the Statement of Community Involvement (SCI) which sets out the Councils commitment to engagement with all communities, including minority ethnic communities, faith based communities, disabled groups and individuals, young people, people on low incomes and the business community. This approach is designed to ensure that those communities that traditionally have not had their say on planning decisions are able to influence the planning process.

## **5. Decide**

- 5.1 Consultation about the Draft Plan will allow the public and other stakeholders to influence the final version of the document. This will inform future decisions by Cabinet about the version to be submitted for examination by the Secretary of State and ultimately adopted by the Council.

## **6. Respond**

Should Cabinet resolve to approve the Draft Plan, it will be finalised with supporting documents to be used in the public consultation.

## 7. Review

The outcome of the public consultation will provide the opportunity to review the content of the next version of the plan, the Publication Plan, which is intended to be prepared in 2022 for approval by Cabinet and public consultation before being submitted for examination.

## Background papers

The BCP is supported by a range of evidence documents that are published on the BCP web site at [Black Country Plan \(dudley.gov.uk\)](http://BlackCountryPlan(dudley.gov.uk))

## Authors

Neville Ball  
Principal Planning Policy Officer

✉ [neville.ball@walsall.gov.uk](mailto:neville.ball@walsall.gov.uk)

Alison Ives  
Head of Planning & Building Control  
07385 348298

✉ [alison.ives@walsall.gov.uk](mailto:alison.ives@walsall.gov.uk)



Simon Neilson  
Executive Director

Date 25/6/2021



Councillor Andrew  
Portfolio Holder

Date

APPENDIX A1 Draft Black Country Plan Written Statement

APPENDIX A2 Draft Black Country Plan Policies Map

APPENDIX B Non Technical Summary for Walsall

APPENDIX C Draft Plan Sustainability Appraisal Report

APPENDIX D Public Consultation Engagement Techniques