

Cabinet – 14 December 2022

Responses to Birmingham City Council, Stafford Borough Council and South Staffordshire District Council Local Plan Consultations

Portfolio: Councillor Andrew, Deputy Leader and Regeneration

Related portfolios: Councillor Bird, Leader of the Council

Service: Planning and Building Control

Wards: None

Key decision: Yes

Forward plan: No

1. Aim

- 1.1 To agree the consultation responses to be submitted by Walsall Council to consultations on the local plans for Birmingham, Stafford and South Staffordshire.

2. Summary

- 2.1 Walsall Council have recently been consulted on three local plans which are at varying stages of their preparation. These are the local plans for Birmingham, Stafford, and South Staffordshire. In recent years, formal responses to neighbouring local authority local plans have been agreed jointly by the leaders of the four Black Country authorities meeting as the Association of Black Country Authorities (ABCA). Following the decision to end work on the joint Black Country Plan (BCP) it will now be for Walsall Council to make its own comments on other local plans individually. Under the Council's scheme of delegations, Planning Committee is authorised to consider development plans prepared by neighbouring authorities and to make appropriate recommendations thereon to Cabinet.
- 2.2 The attached report was considered, and the response agreed by Planning Committee on 1st December (Copy of the report attached at **Appendix 1**). Due to the deadlines for responding to the Birmingham and Stafford plans, it has been necessary for officers to send a response in advance of Cabinet, however this has been subject to endorsement by Cabinet.
- 2.3 The proposals in the Stafford and South Staffordshire local plans both propose housing and employment development beyond that required to meet local needs that will contribute to meeting the needs of the Black Country. The

Birmingham report identifies that the City has a shortfall of land that is in excess of the Black Country's.

3. Recommendations

- 3.1 Confirm approval of the consultation response to the Birmingham Local Plan Issues and Options consultation attached as **Appendix 2** and the response to Stafford Borough Local Plan Preferred Options consultation attached as **Appendix 3** of this report which have been submitted to the respective consultations as these closed prior to the date of this meeting of Cabinet.
- 3.2 Approve the proposed response to the South Staffordshire Local Plan Publication (Regulation 19) consultation attached as **Appendix 4** of this report for submission.
- 3.3 Note that future responses to consultations on neighbouring authorities' local plans on behalf of Walsall Council will be reported to Cabinet for approval.

4. Report detail – know

Context

- 4.1 National Planning Policy requires councils to work with one another on strategic planning matters which affect them through a legal requirement called the Duty to Cooperate. A key part of this cooperation is for councils to consult one another on each stage of their local plan as it progresses. This provides an opportunity for councils to make formal comments on those local plans as they emerge so that their views can be considered.
- 4.2 As a local plan progresses there are several formal consultation stages which provide an opportunity for stakeholders, including other councils, to provide comments on the plan which the consulting authority will then need to consider. The report considered by Planning Committee attached at **Appendix 1** includes a summary of the local plan process and consultation stages for context.
- 4.3 As members will be aware Walsall Council has a long history of working with neighbouring authorities on local plans and strategic planning matters. In recent years formal responses to such consultations have been agreed jointly by the leaders of the four Black Country authorities meeting as the Association of Black County Authorities (ABCA). Following the decision to end work on the joint Black Country Plan (BCP) it will now be for Walsall Council to make its own comments on other local plans individually.
- 4.4 Walsall Council has recently been consulted on three local plans by neighbouring authorities, each of which is at a different stage of preparation. These are the local plans for Birmingham, Stafford, and South Staffordshire.
- 4.5 A report was considered, and the response agreed by Planning Committee on 1 December which provided consideration of the three consultations, summarising the main issues and proposed responses to the consultations

(copy of the report attached at **Appendix 1**). Due to the deadlines for responding to the Birmingham and Stafford plans, it has been necessary for officers to send a response in advance of Cabinet, however this has been subject to endorsement by Cabinet.

- 4.4 This report provides the proposed consultation responses for each of the three local plan consultations on behalf of Walsall Council. The response to Birmingham's consultation is attached as **Appendix 2**, Stafford's is attached as **Appendix 3** and South Staffordshire's response is attached as **Appendix 4** of this report.

Council Plan priorities

- 4.5 The Council's Corporate Plan 2022-25 sets out the council's aim of reducing inequalities and maximising potential. The outcomes of the Plan include:
- Supporting a dynamic, resilient and diverse economy where businesses invest and everyone has the right jobs and the right housing in the right place.
 - People are supported to maintain or improve their health, wellbeing and quality of life.
 - Children and young people have access to high quality education and training.
 - The people of Walsall feel safe in a cleaner, greener Borough.

Given that there is insufficient land available within Walsall to meet our needs for jobs and housing, contributions towards these needs from neighbouring authorities will assist provided they are in locations that are accessible to residents from our communities.

Risk management

- 4.6 Failure to engage with neighbouring authorities could risk Walsall Council failing the Duty to Cooperate on its own local plan. National policy requires local plans to be positively prepared to meet local needs, including if necessary, through contributions made by neighbouring authorities in their plans. Such a failure of the duty at examination would mean that the local plan could not successfully progress through its examination to be adopted. This would leave the Council without an up-to-date local plan in place. Where a local plan not in place (or out of date) councils risk intervention from central government which may compromise our ability to make decisions locally. This applies both to progressing local plans and to the determination of planning applications.

Financial implications

- 4.7 None arising directly from this report.

Legal implications

- 4.8 Walsall Council is under a legal Duty to Cooperate with neighbouring planning authorities with regards to strategic cross boundary planning matters. The briefing of members in respect of neighbouring authorities' local plans will ensure members are aware of the ongoing dialogue and engagement between authorities on their respective local plans.

Procurement Implications/Social Value

- 4.9 None arising directly from this report for Walsall Council.

Property implications

- 4.10 None arising directly from this report for Walsall Council.

Health and wellbeing implications

- 4.11 None arising directly from this report for Walsall Council.

Reducing Inequalities

- 4.12 None arising directly from this report for Walsall Council.

Staffing implications

- 4.13 None arising directly from this report. The Planning Policy Team is responsible in the Economy, Environment & Communities Directorate are responsible for coordinating responses to neighbouring authorities' local plan consultations but may require support from other service areas such as Highways.

Climate Impact

- 4.14 None arising directly from this report for Walsall Council. Neighbouring authorities will include policies to address climate change and locating development sustainably in their respective local plans.

Consultation

- 4.15 The preparation of a local plan includes several statutory consultation periods. Walsall Council has been consulted at all appropriate stages on the production of the three local plans which are the subject of this report.
- 4.16 Planning Committee has been consulted on the proposed consultation responses noted in this report and has recommended these be approved by Cabinet.

5. Decide

- 5.1 Officers from the Planning Policy Team have reviewed the three local plan consultation documents and prepared a response on behalf of Walsall Council to inform the future stages of each local plan. It is recommended that the response to the South Staffordshire Local Plan consultation is submitted. For both Birmingham and Stafford where responses have already been submitted it is recommended that confirmation is if Cabinet has endorsed the comments.
- 5.2 The alternative option considered was not to provide comments to these consultations. However, this was disregarded as it is considered prudent and in accordance with the Duty to Cooperate for Walsall Council to set out its views at each stage of the Local Plan process on each plan.

6. Respond

- 6.1 Subject to the decision of Cabinet the consultation responses will be submitted to the respective consultation or will be confirmed where they have already been submitted due to the closing date being prior to this meeting of Cabinet.

7. Review

- 7.1 Officers in the Planning Policy Team will continue to engage with neighbouring authorities in respect of their Local Plans. Any responses on behalf of Walsall Council to future stages of consultation on the three local plans which are the subject of this report will be presented to Cabinet at the appropriate time.

Appendices

1. [Report to Planning Committee \(including appendices\) – 1 December 2022.](#)
2. Letter and consultation response to Birmingham Local Plan Issues & Options consultation.
3. Letter and consultation response to Stafford Borough Local Plan Preferred Options consultation.
4. Letter and consultation response to South Staffordshire Publication (Regulation 19) Consultation.

Background papers

[Birmingham Local Plan Issues and Options consultation document](#)

[Stafford Borough Local Plan Preferred Options consultation document](#)

[South Staffordshire Local Plan Publication \(Regulation 19\) consultation document](#)

Author

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Signed:



Simon Neilson
Executive Director

5 December 2022



Councillor Andrew
Portfolio holder

5 December 2022

Appendix 1: Report to Planning Committee (including appendices) – 1 December 2022.



PLANNING COMMITTEE

1st December 2022

REPORT OF HEAD OF PLANNING & BUILDING CONTROL

Responses to Birmingham City Council, Stafford Borough Council and South Staffordshire District Council Local Plan Consultations

1. PURPOSE OF REPORT

To consider draft local plans from neighbouring authorities that the council is being consulted about, and to make appropriate recommendations to Cabinet:

- Birmingham City Council – Birmingham Local Plan – Issues and Options Consultation;
- Stafford Borough Council – Stafford Borough Local Plan – Preferred Options Consultation; and
- South Staffordshire District Council – Local Plan Review Publication Plan.

2. RECOMMENDATION

a) Agree the responses to the following consultations as set out in the appendices, and refer them to Cabinet for endorsement:

- Birmingham Local Plan – Issues and Options Consultation (**Appendix A**). Note the significant emerging unmet housing and employment land need identified within the plan. Given Walsall's own shortfall in land supply, confirm that Walsall is unable to contribute to meeting these needs. We will expect Birmingham to explore all options to meet their housing and employment needs and maximise opportunities to deliver housing within their administrative boundary;
- Stafford Borough Local Plan – Preferred Options Consultation (**Appendix B**). Support the offer to provide 2,000 homes and significant employment land to meet unmet need from other authorities. However, it is not clear within the plan as drafted how these offers will be apportioned between neighbouring authorities. Agreement on apportionment will assist the preparation of those authorities' local plans. It is noted that the identified housing land supply exceeds the amount of development proposed during the plan period by approximately 17%, so we would suggest that some of this buffer could be added to the offer to other authorities.
- South Staffordshire District Council – Local Plan Review Publication Consultation (**Appendix C**). Support the Local Plan's provision of 4,000

homes to meet the needs of GBBCHMA which is considered to be an appropriate contribution. In addition the provision of employment land to meet unmet needs is also supported. The apportionment of 103ha of employment land to serve the needs of the Black Country is welcome. However, it is not clear within the plan as drafted how the housing offer will be apportioned between neighbouring authorities. Agreement on apportionment will assist the preparation of those authorities' local plans.

b) Authorise the Head of Planning and Building Control to add additional comments to the responses 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

Cabinet on 2nd November 2022 agreed to cease work on the Black Country Plan (BCP) and begin preparation of a Walsall Local Plan (WLP). The WLP will aim to meet the needs of the borough for land for housing, employment and other uses. However, it is unlikely that there will be sufficient supply within our area, even with the use of land that is currently Green Belt. Engagement with neighbouring authorities will help to determine how much of Walsall's need can be met by them (exported), how much will still need to be addressed by our own emerging local plan, and what implications if any there might be for services in Walsall from development in neighbouring areas.

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 briefing of members in respect of neighbouring authorities' local plans will ensure members are aware of the ongoing dialogue and engagement between authorities on their respective local plans.

6. EQUAL OPPORTUNITY IMPLICATIONS

None arising from the report.

7. ENVIRONMENTAL IMPACT

Proposals within a Council's local plan are required to consider environmental issues and provide for mitigation where appropriate. Local plans are supported by sustainability appraisal and Habitat Regulations assessment which assess a local plan's environmental impacts.

8. WARD(S) AFFECTED

None.

9. CONSULTEES

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

10. CONTACT OFFICER

Patrick Jervis – Principal Planning Policy Officer

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11. BACKGROUND PAPERS

All published.

Patrick Jervis

Principal Planning Policy Officer

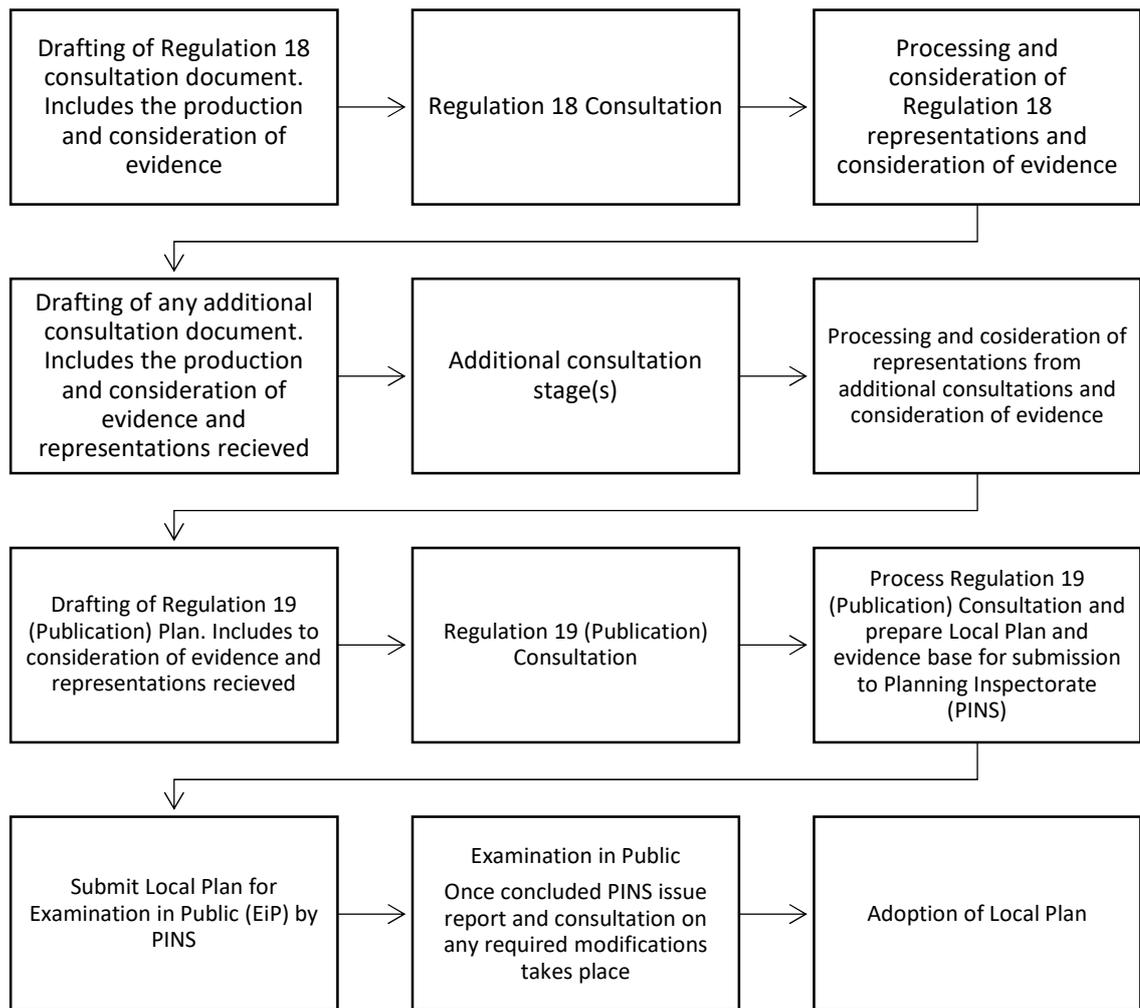
Local Plan Consultation Responses Report

Responses to Birmingham City Council, Stafford Borough Council and South Staffordshire District Council Local Plan Consultations

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 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 Walsall has been consulted by three neighbouring local authorities about their plans. These plans are each at different stages. For information, details of the local plan preparation process is illustrated in figure 1 (below) and details of the key consultation stages are set out below. The appendices below provide a summary of key issues in each plan that are of relevance to Walsall, and an outline of the response that should be made to each.

Figure 1: Local Plan Process



1.7 The statutory process for preparing a Local Plan is set out in [the Town and Country Planning \(Local Planning\) \(England\) Regulations 2012](#). The process of preparing a local plan is ongoing (as illustrated above), however, legislation requires a local plan to be subject to two formal consultation stages, these are;

- Regulation 18 Consultation; and
- Regulation 19 Consultation (also known as the Publication Consultation).

1.8 **Regulation 18 Consultation:** This is the first stage of consultation on a local plan and will take place for a period of at least six weeks. At this stage the council are required to set out the scope of the proposed local plan and seek comments from residents, stakeholders, and organisations upon this. At this stage the Local Plan will usually identify the key issues which the plan will look to address and a range of options which could be used to achieve this. This stage is often called the ‘Issues & Options’ stage.

1.9 Once completed a council will consider all comments received during the consultation and, alongside evidence which it collects, this will inform the following the formulation of proposals and policies within the draft plan.

- 1.10 Following the initial Regulation 18 Consultation council's will often undertake additional rounds of consultation during the preparation of their local plans. Such consultations enable a greater level of engagement with stakeholders to further inform the local plan. Such consultations are in essence additional Regulation 18 consultations which assist in further refining the plan prior to its Publication (see below). For example, the current Stafford Borough Preferred Options consultation is an additional consultation being undertaken by the Council in order to provide a further opportunity for stakeholders to provide comment on the plan before its final stage.
- 1.11 Following the conclusion of any additional consultation stages the Council will begin preparing the draft Local Plan for the Regulation 19 Consultation.
- 1.12 Regulation 19 Consultation: The Regulation 19 consultation (also known as Publication Consultation) takes place on the final draft version of the plan which a Council intends to submit to the Planning Inspectorate for independent examination. Once a plan reaches this stage there is limited opportunity to make changes to the plan before it is submitted for examination. If the Council does seek to make changes it would be required to undertake a further Regulation 19 Consultation.
- 1.13 The Regulation 19 Consultation is a formal consultation where the Council are required to specifically invite comments on whether the draft plan meets the 'tests of soundness' which a Local Plan is examined against as set out within the NPPF¹ and whether the plan meets legal and procedural requirements.
- 1.14 The National Planning Policy Framework (NPPF) and the Localism Act 2011 place a legal Duty to Cooperate (DtC) on all local planning authorities to engage "constructively, actively and on an ongoing basis" with one another in relation to strategic cross boundary matters.
- 1.15 Whilst the DtC is an ongoing process, a key part of this is for authorities to consult and be consulted on each other's local plans as they emerge. This provides a formal opportunity for a Council to provide comments on a Local Plan which can then be considered by the authority progressing the plan. This provides a key opportunity for Walsall Council to identify areas of support and concern with another authorities emerging plan.

¹ The tests of soundness are whether a local plan is; **Positively prepared** - providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs²¹; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development; **Justified** – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence; **Effective** - deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and **Consistent with national policy** - enabling the delivery of sustainable development in accordance with the policies in this Framework and other statements of national planning policy, where relevant.

Appendix A

Birmingham Local Plan – Issues and Options Consultation

1. Birmingham City Council have begun the process of reviewing their existing Local Plan (The Birmingham Development Plan) which was adopted in 2017. The document currently being consulted on is the Birmingham Local Plan (BLP) Issues & Options document. This represents the first stage of consultation of being undertaken under regulation 18 (as described at paragraphs 1.8 and Table 1 above).
2. The consultation document summarises the key planning challenges and opportunities for the Local Plan to address and sets out a draft vision and series of objectives for the Local Plan to achieve. The document proposes policy options and approaches to meet these objectives and for the future development of Birmingham. The consultation invites views and comments from stakeholders to a series of 54 questions.
3. The proposed response to the consultation is set out below. Responses are provided to those consultation questions where it is considered appropriate for Walsall Council to make comment at this stage. It should be noted that not responding to a specific question in the consultation document does not preclude Walsall Council from making further comments in relation to such matters in the future.
4. The key issues to which the representations relate and outline of the proposed response are summarised as follows:

Housing Requirement and Supply

5. The Birmingham Issues and Options document identifies a housing need for the city of 149,286 dwelling between 2020 and 2042. Based upon a current assessment of available land within Birmingham a potential shortfall in housing supply of 78,415 dwellings for the city by 2042 is identified. This is clearly a significant shortfall and would be in addition to the shortfall identified previously in the BCP.
6. The BLP identifies a range of six options to be explored in order to deliver housing within the city, these are; increasing housing densities; active public sector land assembly; housing regeneration; utilisation of poor quality under-used open space; use of some employment land; release of Green Belt. The issues and options document makes clear that it is unlikely any single or combination of these options will be sufficient to deliver all of Birmingham's housing requirement.
7. The Issues and Options document does recognise that the ability of neighbouring authorities to assist in meeting the unmet need will be challenged by the need to deal with their own housing requirements. However, it is anticipated that given the significant extent of the unmet need identified that Birmingham City Council will seek assistance from neighbouring authorities. Members will be aware the evidence prepared as part of the BCP had demonstrated that Walsall Council would need to release land from the Green Belt to meet its own housing needs.
8. It is proposed that representations on this matter will make clear that Walsall Council will continue to engage with Birmingham City Council on the strategic

matter of unmet housing need through the Duty to Cooperate. It will be expected that Birmingham City Council explore all options to deliver housing within the city to ensure that all opportunities to maximise the level of growth Birmingham can accommodate are maximised.

9. Given the extent of unmet need with the GBBCHMA, many authorities across the HMA, including Walsall, have already exhausted potential options to meet their own needs along with the needs of neighbours. As such it is considered highly likely that Birmingham City Council will need to consider further opportunities within the Green Belt to deliver its housing need. The City Council should be proactive over this and make clear from this early stage of plan-making that it will likely require changes to the Green Belt within Birmingham to deliver development needs.

Climate Change

10. The Issues and Options document identifies the climate emergency as a key issue which the BLP will seek to address. The City Council declared a climate emergency in June 2019 and is seeking to be net zero carbon by 2030. A range of potential options to help development achieve this target are provided within the document. Whilst it is considered a challenge to meet the target it is pleasing to see the City Council seeking to be proactive in this regard.
11. It is suggested that Walsall's response to the consultation is supportive of Birmingham's approaches to meeting the climate challenge.

Economy and Centres

12. The Issues and Options document identifies an employment land requirement of 295.6 hectares for the city between 2020 and 2042 against a supply of 221.98 hectares. As with housing land this means there is potentially a shortfall of 73.64 hectares of employment land to meet the city's needs.
13. As with housing growth it is suggested that representations make clear that the City Council will be expected to rigorously explore all options to meet need within their administrative boundaries before seeking assistance from neighbouring authorities. As members will be aware there are limited further options beyond those already identified to serve Walsall's own employment needs and as such there is limited scope to help in meeting unmet need.
14. It should be noted that the Issues & Options stage is the first in the review of the Birmingham Plan. As such issues including, but not limited to, those described above will continue to develop as the BLP progresses and officers will continue to engage on such matters in order to ensure that Walsall Councils views are considered.

Appendix B

Stafford Borough Local Plan – Preferred Options Consultation

1. Stafford Borough Council have been reviewing their local plan for a number of years and have now published a Preferred Options document for consultation. This is an additional stage of consultation as described at paragraph 1.10 (and illustrated in Figure 1) of this report.
2. The Preferred Options document provides an additional opportunity to provide comment upon Stafford's draft policies and proposed site allocations.
3. The proposed response to the Stafford Preferred Options consultation is set out below.
4. The key issues to which the representations relate are summarised as follows:

Housing

5. The Stafford Borough Preferred Options document sets out to deliver 10,700 (535 per year) new homes between 2020 and 2040. This consists of 435 dwellings each year to meet Stafford's housing need with 100 homes per year (2000 between 2020 and 2040) to meet unmet housing needs from other authorities.
6. Given the significant unmet need established through the BCP and the emerging Birmingham Local Plan (see above) the proposal to provide 2000 dwellings is supported. However, the Preferred Options document does not set out whose unmet housing need the contribution will provide for. Given the likely extent of unmet need arising from authorities within the GBBCHMA, it is suggested that it be made clear how the contribution is to be apportioned between authorities demonstrating unmet need. This is required to give clarity and certainty as to how unmet needs are being addressed.
7. A housing market area (HMA) comprises the area within which the majority of household moves take place. Stafford lies between the GBBCHMA and North Staffordshire, so potentially some of its housing supply would meet the needs of Stoke-on-Trent.
8. The document suggests that the actual supply is in fact 12,580 homes. This surplus is intended to provide a 'buffer' against the potential non-delivery of some of the sites identified in the plan. However, some of this surplus could be potentially be added to the offer made to other authorities.

Cannock Chase Special Area of Conservation (SAC)

9. The Preferred Options document includes policy in relation to strategic mitigation approaches for the Cannock Chase SAC. As members will be aware Walsall Council became a member of the Cannock Chase SAC Partnership following the decision of its Cabinet on 7th September 2022. The Council is supportive of proposed Policy 48: Cannock Chase Special Area of Conservation (SAC) which provides protection to the SAC through the requirements of any development within a 15km radius of the SAC providing appropriate avoidance and/or mitigation of any adverse effects.

10. This approach is consistent with other authorities within the SAC Partnership and with the latest technical evidence which has been prepared and published by the Partnership. Walsall Council is supportive of the policy approach proposed and will continue to work with Stafford Borough Council through the Cannock Chase SAC Partnership.

Appendix C

South Staffordshire District Local Plan – Publication Consultation

1. South Staffordshire District Council have now reached the Regulation 19 (Publication) stage of their Local Plan Review. As described at paragraphs 1.12 and 1.13 this is the final formal stage of consultation on the draft Local Plan ahead of its submission to PINS for examination.
2. The proposed response to the South Staffordshire Regulation 19 consultation is set out below. As noted at paragraph 1.13 the Regulation 19 consultation specifically relates to the tests of soundness, as such the consultation response (and form) are designed to address these matters.
3. The key issues to which the representations relate are summarised as follows:

Duty to Cooperate

4. It is considered that through ongoing cooperation South Staffordshire District Council and Walsall Council have engaged effective, cooperatively and on an ongoing basis. As such there are no concerns that South Staffordshire District Council have satisfied the legal Duty to Cooperate.

Housing

5. The South Staffordshire Local Plan (SSLP) proposes a housing requirement of 9,089 dwellings between 2018 and 2039 which includes 4,000 dwellings to meet unmet needs from the GBBCHMA. This contribution is consistent with that previously proposed in the South Staffordshire Preferred Options document, which was published in 2021 and to which Walsall, through a joint response from the Black Country authorities responded.
6. It is welcomed that the South Staffordshire Local Plan maintains the proposed contribution of 4,000 dwellings to meet unmet needs from the GBBCHMA. The Black Country authorities have previously made representations that given the close geographical, migration and commuting links between the Black Country authorities and South Staffordshire it should be made clear that the whole of the 4,000 contribution is specifically allocated to meet needs from within the Black Country. It is recommended that this need is apportioned between the four Black Country authorities and the Councils work together to agree that apportionment.

Employment

7. The SSLP notes that there is 103.6 hectares of employment land, including 67 hectares of the West Midlands Interchange, within South Staffordshire available for strategic cross boundary unmet need from the Black Country. The plan then notes that this will be subject to agreement through a Statement of Common Ground.
8. As members will be aware the BCP had previously identified significant unmet employment need within the Black Country Authorities and this issue had been raised in previous representations to the South Staffordshire Local Plan. As such it is pleasing to see that further evidence base work has indicated there is sufficient land to make a significant contribution to unmet employment needs

from the Black Country. However, it is recommended that through the Duty to Cooperate the authorities seek to agree the apportionment of the additional employment land so that this can be clearly set out within the SSLP.

Cannock Chase SAC

9. The SSLP includes proposed Policy NR3: Cannock Chase SAC which provides protection to the SAC through the requirements of any development within a 15km radius of the SAC providing appropriate avoidance and/or mitigation of any adverse effects.
10. This approach is consistent with other authorities within the SAC Partnership and with the latest technical evidence which has been prepared and published by the Partnership. Walsall Council is supportive of the policy approach proposed and will continue to work with South Staffordshire District Council through the Cannock Chase SAC Partnership

**Appendix 2: Letter and consultation response to
Birmingham Local Plan Issues & Options consultation.**



Walsall Council

Economy & Environment Directorate

Planning Policy Team
Planning and Development
Birmingham City Council
B1 1TU

Dear Sirs,

Birmingham Local Plan Issues and Options Consultation

Thank you for consulting us on this stage of the review of the Birmingham Local Plan.

Our representations are made in relation to the specific questions set out in your consultation document and are appended to this letter. These are provided by officers from Walsall Council acting under delegated authority. These representations are submitted by Officers but will be considered by Cabinet on 14th December 2022. Following that meeting, we will contact you to confirm the position on the part of the Council.

As you will be aware following the leader of Dudley Council advising that Dudley wished to withdraw from the Black Country Plan (BCP) the leaders of the four Black Country Councils have issued a statement that they will now transition to a process focussed on preparing individual local plans for their respective areas. It was determined at a meeting of Walsall Council's Cabinet on 2nd November 2022 to progress a local plan for Walsall (WLP) and an updated Local Development Scheme (LDS) setting out the anticipated timescale for the WLP was appended to the cabinet report. As such Walsall Council is now undertaking the preparatory work for the first stages of the WLP.

Whilst the Councils are no longer progressing the BCP, you will be aware that the Regulation 18 draft of the Black Country Plan identified a significant in the capacity for housing in the Black Country for the period to 2039 of approximately 28,000 homes. You will note that we have concerns over the significant level of unmet housing and employment need identified within the Issues and Options document. Given the existing significant pressures of unmet need within the Greater Birmingham and Black Country area it is of upmost importance that Birmingham City Council seek to explore and identify all possible options to maximise the level of need they can meet within their own administrative areas.

We look forward to continuing to work with you in relation to strategic planning matters as the Birmingham and Walsall local plans progress.

Yours faithfully,

Patrick Jervis

Patrick Jervis

Principal Planning Policy Officer

Appendix: Birmingham Local Plan Issues and Options consultation question responses

Question 1. Do you agree with the challenges and opportunities identified?

Walsall Council broadly agrees with the challenges and opportunities which have been identified. The Council is supportive of the identification of climate change as a key challenge which the Birmingham Local Plan (BLP) will seek to address.

It is also noted that the plan identifies a significant challenge that there is likely to be significant housing need which cannot be delivered within the administrative area of the Council. Walsall Council notes this would be in addition to the significant unmet need which was identified through the Black Country Plan (BCP). Whilst the Black Country authorities are no longer progressing the BCP together the evidence prepared to date demonstrates significant unmet need from the housing market area within which Birmingham is located.

Walsall Council would stress that in this context it is imperative that Birmingham City Council seek to identify and exhaust all options for growth within its administrative area prior to seeking neighbouring authorities to assist in meeting development needs.

Question 2. Are there any other challenges and opportunities which are important?

It is recommended that the BLP should acknowledge the established position that there is wider unmet housing need within the Greater Birmingham and Black Country Housing Market Area (GBBCHMA). As such the challenge of meeting development needs across the GBBCHMA is significant and will provide challenges for all authorities within the housing market area, particularly given the constraints which exist in many authorities.

Question 7. Are there any additional housing growth options that we should consider for housing growth?

Walsall Council is not aware of any additional options which should be considered. However, the Council would stress that given the potential scale of unmet need set out within the Issues and Options document that it is important all potential options are explored thoroughly and rigorously.

Question 8. What is your preferred option or combination of options?

Given the extent of the potential scale of unmet need identified within the BLP it is recommended that a combination of all the options identified is pursued to ensure that all opportunities to maximise the level of growth Birmingham can accommodate are maximised.

It is pleasing to note that an assessment of densities has been undertaken and higher densities will be assumed and sought on appropriate development opportunities moving forward. Walsall Council would strongly encourage the City Council to continue to encourage higher densities on all development opportunities where appropriate. This could include those sites already allocated which do not yet have the benefit of planning permission which at present are not having the increased densities applied.

Option 6 in respect of meeting housing need relates to the potential release of Green Belt land within Birmingham. It is noted that paragraph 4.34 of the Issues & Options document sets out the Council does not wish to see further release of Green Belt and that all 'reasonable alternatives' must be explored before alterations to the Green Belt are considered. However, given the extent of unmet need with the GBBCHMA, many authorities across the HMA, including Walsall, have already exhausted potential options to meet their own needs along with the needs of neighbours. As such it is considered highly likely that Birmingham City Council will need to consider further opportunities within the Green Belt to deliver its housing need.

Question 9. Do you think the proposed densities are appropriate? Should we build to even higher densities?

The proposed densities appear to be consistent with the evidence presented within the Housing and Economic Land Availability Assessment (HELAA) 2022 which is based on an assessment of densities achieved over a three-year period. It is recommended however that such densities should not be seen as an upper limit to the potential density of development. Where appropriate higher densities of development should be sought within the city, particularly in the city centre, as this will provide a valuable contribution to meeting housing need.

As noted in response to question 8 it is recommended that the increased densities could also be applied to existing allocations which do not benefit from extant planning permission and could also be applied in situations where a current planning permission lapses. This would assist in maximising the potential from increased densities.

Question 14: How do you think we can prevent the loss of family housing to other forms of housing?

It is noted that the Issues and Options document identifies the conversion of family homes into Houses in Multiple Occupation (HMO) as a frequently raised issue and that Birmingham have introduced a city-wide Article 4 Direction and policy in respect of HMO development. The document proposes an approach to include further policy to restrict HMO development and "help to retain economically active families in the city and ensure the housing needs of families can be met". This implies that residents of HMO's may be less economically active than families, the reverse may be true with most occupiers of HMO's being working people. Additionally, there is emerging evidence that the Article 4 Direction applied across the city has led to displaced HMO operators looking to expand their operations into neighbouring authorities, including Walsall. As such the impact of restrictions on the loss of family housing on the housing market across the wider area should be examined before any are introduced.

Question 15. Should we have a policy which requires a percentage of older persons housing on residential developments?

The HEDNA demonstrates that there is a significant need for accommodation to meet the growing population of older persons within Birmingham. As such it is recommended that the Council consider a policy which either requires or at the very least supports the delivery of specialist homes to meet the needs of older persons. This has the benefit of directly meeting need and assisting with movement in the housing market.

Question 16. Should we allocate sites specifically for older persons housing? Where should they be?

Should sites be allocated specifically for older persons housing it is suggested these should be sustainably located in proximity to a wider range of services and facilities.

Question 17. What should the policy be on purpose-built student accommodation?

The policy approach which seeks to locate purpose-built student accommodation in and near the University Campus's should be maintained. This ensure such developments are well located in relation to the institutions which they serve.

Question 18. Where should new gypsy and traveller sites be located?

New gypsy and traveller sites should be sustainably located within the city with good access to a range of services and facilities. It is recommended that sites located near known traveller routes should also be prioritised.

Question 20. Do you feel we have missed any policy opportunities to help the City achieve net zero?

The proposed policy changes within the document appear to be comprehensive. Walsall Council is supportive of the City's aspirations to address the climate emergency.

Question 21. How should we encourage all developers to deliver net zero carbon development?

This can be achieved through policy requirements in the plan it will be possible to encourage developments to utilise zero carbon technologies in their construction. It will be important to ensure any policy requirements are taken account of through viability evidence to ensure that requirements are appropriate and do not make development within the city unviable.

Question 35. Do you agree with the proposed removal of the Regional Investment Sites designation?

Support the removal of the Regional Investment Sites designation which is based upon revoked regional planning guidance.

Question 36. Do you agree that the Core Employment Areas should be refocused on B2 and B8 uses only, including renaming them as Core Industrial Areas?

Agree. This will ensure that appropriate land uses are provided and uses which would be more appropriate for centres are focused to such locations.

Question 37. How do you think the shortfall in the supply of employment land should be addressed?

As with the housing shortfall identified within this Issues and Options document it will be important for the City Council to explore all options and opportunities to delivery land for employment development within the Council's administrative boundary. There are significant pressures across Functional Economic Market Area (FEMA) to provide employment land to meet unmet need. Many authorities within the area, including Walsall, are subject to constraints which will limit their ability to provide land

to meet needs. As such it is incumbent upon Birmingham City Council to explore all opportunities to meet need within their own administrative area.

It is noted that the Issues and Options document states that the City Council will continue to investigate and identify sources of additional supply to meet this need. Walsall Council is supportive of this approach and will continue to engage with the city Council over such matters.

Question 44. Do you think we should have a policy which seeks to protect public houses, theatres, live music venues and night clubs from change of use?

Public houses, theatres, music venues and night clubs are important community facilities which should be protected through planning policy. Paragraph 93 of the National Planning Policy Framework provides the basis for the protection of such community facilities with planning policies should guard against the unnecessary loss of such uses.

Question 52. Do you agree with the principle of allocating Opportunity Areas?

Support the principal of allocating opportunity areas to identify areas for regeneration.

Question 54. Have we identified the correct Opportunity Areas? Are there anything missing?

As noted earlier in these representations, given the potential scale of the unmet employment and housing need identified within the Issues and Options document Birmingham City Council should explore all opportunities to maximise the level of its own growth it can accommodate within its administrative boundaries. It should be made clear that the list of potential opportunity areas for growth is no exhaustive and every effort will be made to identify further options.

Appendix 3: Letter and consultation response to Stafford Borough Local Plan Preferred Options consultation.



Walsall Council

Economy & Environment Directorate

Planning Policy Team
Planning and Development
Birmingham City Council
B1 1TU

Dear Sirs,

Stafford Borough Local Plan 2020-2040 Preferred Options Consultation

Thank you for consulting us on this stage of the review of the Stafford Borough Local Plan.

Our representations are made in relation to several of the specific questions set out in your consultation document and are appended to this letter. These are provided by officers from Walsall Council acting under delegated authority. They are to be reported to Walsall's cabinet following agreement of Planning Committee on 1st December 2022. Following that meeting, we will contact you to confirm the position on behalf of the Council.

As you will be aware following the leader of Dudley Council advising that Dudley wished to withdraw from the Black Country Plan (BCP) the leaders of the four Black Country Councils have issued a statement that they will now transition to a process focussed on preparing individual local plans for their respective areas. It was determined at a meeting of Walsall Council's cabinet on 2nd November 2022 to progress a local plan for Walsall (WLP) and an updated Local Development Scheme (LDS) setting out the anticipated timescale for the WLP was appended to the cabinet report. As such Walsall Council is now undertaking the preparatory work for the first stages of the WLP.

Whilst the Councils are no longer progressing the BCP, you will be aware that the Regulation 18 draft of the Black Country Plan identified a significant in the capacity for housing in the Black Country for the period to 2039 of approximately 28,000 homes. As such it is pleasing to see that the Stafford Borough Local Plan Preferred Options proposes to provide 2000 homes to meet unmet needs identified by neighbouring authorities. However, as you will see from our representation, it is currently unclear as to authority's unmet need this provision is being made. Given the likely significant unmet need arising from within the wider housing market area it would be beneficial for clarity on this point.

We have no significant concerns about the remainder of the Plan, although we would reserve the right to make further comments on the plan at future consultation stages.

We look forward to continuing to work with you on strategic planning matters of concern to both authorities.

Yours faithfully,

Patrick Jervis

Patrick Jervis

Principal Planning Policy Officer

Appendix: Stafford Borough Local Plan Preferred Options Consultation question responses

Policy 1: Development Strategy

Do you agree with this Policy?

No

Comments:

Walsall Council are supportive of the development strategy for Stafford Borough articulated through Policy 1: Development Strategy within the Preferred Options document. This identifies a minimum housing requirement of 10,700 (535 per year) new homes for the Borough between 2020 and 2040. Paragraphs 1.2 and 1.3 of the supporting text to the policy indicate that this housing requirement is made up of two components. The first being 435 dwellings each year to meet Stafford's housing need which is a job-based annual requirement slightly more than the figure generated by the Governments standard method for calculating Local Housing Need (LHN). The National Planning Policy Framework (NPPF) makes clear that LHN should represent the starting point for authorities when calculating their housing requirement. The second component of the overall housing requirement for the Borough is 100 homes per year (2000 between 2020 and 2040) to meet unmet housing needs from other authorities.

The authorities within the Greater Birmingham Black Country Housing Market Area (GBBCHMA) have been working together over several years to address strategic planning matters including unmet need arising within the HMA. The latest GBBCHMA Position Statement (December 2021) indicated that although significant progress had been made in meeting the unmet need within the HMA to 2031 it recognised that there was a significant shortfall arising from the Black Country. Whilst the Black Country Authorities are no longer progressing the Black Country Plan (BCP) the Regulation 18 draft plan identified a significant unmet need of approximately 28,000 homes. More recently Birmingham City Council have published an Issues and Options document as the first stage in the review of the Birmingham Development Plan. This indicates a likely unmet housing need of 78,415 dwellings.

Given the significant unmet need established through the BCP and the emerging Birmingham Local Plan (see above) the proposal to provide 2,000 dwellings is supported. However, the Preferred Options document does not set out whose unmet housing need the contribution will provide for. Whilst Stafford Borough falls outside of the GBBCHMA it is considered appropriate that any unmet need delivered in the Borough go toward unmet needs arising from the HMA which is directly adjacent to the administrative area of Stafford. Given the likely extent of unmet need arising from authorities within the Greater Birmingham and Black Country Housing Market Area it is suggested that it be made clear how the contribution is to be apportioned between authorities demonstrating unmet need. This is required to give clarity and certainty as to how unmet needs are being addressed.

The table within Policy 1: Development Strategy which details the distribution of housing identifies that there is a supply of 12,580 homes. Paragraph 1.7 confirms that this supply is intended to provide a greater than 10% 'buffer' above the minimum housing requirement to ensure flexibility against the non-delivery of sites identified in the plan. Whilst the inclusion of a 'buffer' is good practice this currently represents a 17.6% 'buffer' in excess of the minimum requirement. It is therefore considered that some of this 'buffer' could be potentially added to the offer made to meet other authorities unmet need.

It is also noted that paragraph 1.4 states that any unmet need delivered will be delivered at Meecebrook Garden Community which is being proposed for allocation through the emerging local plan. The plan suggests Meecebrook Garden Community is likely to deliver approximately 3,000 dwellings within the plan period. The plan states that should evidence indicate that 3,000 dwellings will not be delivered within the plan period then the contribution to unmet needs will need to be reassessed. Given the scale of unmet need it should be made clear that should evidence suggest the garden village will not deliver the 3,000 dwellings within the plan period then sites will be found to ensure the commitment to deliver at least 2,000 homes to meet unmet need is maintained.

Policy 48: Cannock Chase Special Area of Conservation (SAC):

Do you agree with this Policy?

Yes

Comments:

As you will be aware Walsall Council became a member of the Cannock Chase SAC Partnership following the decision of its Cabinet on 7th September 2022. The Council is supportive of proposed Policy 48: Cannock Chase Special Area of Conservation (SAC) which provides protection to the SAC through the requirements of any development within a 15km radius of the SAC providing appropriate avoidance and/or mitigation of any adverse effects.

This approach is consistent with other authorities within the SAC Partnership and with the latest technical evidence which has been prepared and published by the Partnership. Walsall Council will continue to work with South Staffordshire District Council and other authorities within the SAC Partnership, through the Duty to Co-operate in respect of matters relating to Cannock Chase SAC.

Appendix 4: Letter and consultation response to South Staffordshire Publication (Regulation 19) Consultation.



Walsall Council

Economy & Environment Directorate

Planning Policy Team
Planning and Development
Birmingham City Council
B1 1TU

Dear Sirs,

South Staffordshire Local Plan 2018-2039 Publication Plan (Regulation 19) Consultation

Thank you for consulting us on this stage of the review of the South Staffordshire Local Plan. Walsall Council has previously made comment upon the South Staffordshire Local Plan through the Association of Black Country Authorities (ABCA), notably representations to the Preferred Options consultation which took place in late 2021.

These representations have been reported to Walsall's Cabinet on 14th December 2022 following agreement of Planning Committee on 1st December 2022.

As you will be aware following the leader of Dudley Council advising that Dudley wished to withdraw from the Black Country Plan (BCP) the leaders of the four Black Country Councils have issued a statement that they will now transition to a process focussed on preparing individual local plans for their respective areas. It was determined at a meeting of Walsall Council's cabinet on 2nd November 2022 to progress a local plan for Walsall (WLP) and an updated Local Development Scheme (LDS) setting out the anticipated timescale for the WLP was appended to the cabinet report. As such Walsall Council is now undertaking the preparatory work for the first stages of the WLP.

Whilst the Councils are no longer progressing the BCP, you will be aware that the Regulation 18 draft of the Black Country Plan identified a significant increase in the capacity for housing in the Black Country for the period to 2039 of approximately 28,000 homes and 210 hectares of employment land.

The South Staffordshire Preferred Options document produced in 2021 identified a contribution of approximately 4,000 dwellings to meet unmet housing needs arising from the Greater Birmingham and Black Country Housing Market Area (GBBCHMA). It is welcomed that the South Staffordshire Local Plan maintains the proposed contribution, however, we have previously made representations that given the close geographical, migration and commuting links between the Black Country authorities and South Staffordshire it should be made clear that the whole of the 4,000 contribution is specifically allocated to meet needs from within the Black Country. It is

recommended that this need is apportioned between the four Black Country authorities and the Councils work together to agree that apportionment.

In addition, in respect of employment needs it is noted that the Publication Plan notes there are 103.6 hectares of employment land, including 67 hectares of the West Midlands Interchange, within South Staffordshire available for strategic cross boundary unmet need from the Black Country and that this will be subject to agreement through a Statement of Common Ground. Walsall Council is supportive of this provision and willing to enter into such an agreement in relation to the apportionment of this land.

We have no significant concerns about the remainder of the plan, although we would reserve the right to make further comments on the plan at future consultation stages.

We look forward to continuing to work with you on strategic planning matters of concern to both authorities.

Yours faithfully,

Patrick Jervis

Patrick Jervis

Principal Planning Policy Officer



Local Plan
Publication Stage
Representation Form

Ref:

(For
official
use only)

**Name of the Local Plan to which this
representation relates:**

**South Staffordshire Council
Local Plan 2018 - 2039**

Please return to South Staffordshire Council BY 12 noon Friday 23 December 2022

This form has two parts –

Part A – Personal Details: need only be completed once.

Part B – Your representation(s). Please fill in a separate sheet for each representation you wish to make.

Part A

1. Personal Details*

**If an agent is appointed, please complete only the Title, Name and Organisation (if applicable) boxes below but complete the full contact details of the agent in 2.*

2. Agent's Details (if applicable)

Title	<input type="text" value="Mr"/>	<input type="text"/>
First Name	<input type="text" value="Patrick"/>	<input type="text"/>
Last Name	<input type="text" value="Jervis"/>	<input type="text"/>
Job Title (where relevant)	<input type="text" value="Principal Planning Policy Officer"/>	<input type="text"/>
Organisation (where relevant)	<input type="text" value="Walsall Council"/>	<input type="text"/>
Address Line 1	<input type="text" value="Civic Centre"/>	<input type="text"/>
Line 2	<input type="text" value="Darwall Street"/>	<input type="text"/>
Line 3	<input type="text" value="Walsall"/>	<input type="text"/>
Line 4	<input type="text"/>	<input type="text"/>
Post Code	<input type="text" value="WS1 1TP"/>	<input type="text"/>
Telephone Number	<input type="text" value="01922 650000"/>	<input type="text"/>
E-mail Address (where relevant)	<input type="text" value="planningpolicy@walsall.gov.uk;
Patrick.jervis@walsall.gov.uk"/>	<input type="text"/>

Part B – Please use a separate sheet for each representation

Name or Organisation:

3. To which part of the Local Plan does this representation relate?

Paragraph	Duty to Co-operate & Legal Compliance	Policy	DS4, DS5, NR3	Policies Map	N/A
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4. Do you consider the Local Plan is :

(1) Legally compliant	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
(2) Sound	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
(3) Complies with the Duty to co-operate	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>

Please tick as appropriate

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

Legal Compliance

Walsall Council has no concerns in respect of whether the South Staffordshire Local Plan (SSLP) is legally compliant.

Duty to Co-operate

Walsall Council and South Staffordshire District Council have been working together effectively, constructively and on an ongoing basis on strategic planning issues of mutual interest to the authorities. Such collaborative work is expected to continue as the authorities progress their respective local plans.

Previously Walsall Council has engaged with South Staffordshire District Council in partnership with the Black Country Authorities (Dudley Metropolitan Borough Council, City of Wolverhampton Council, and Sandwell Metropolitan Borough Council) particularly in relation to the Black Country Plan (BCP). As you will be aware, following announcements made by the leader of Dudley Council, the authorities are no longer working together on a BCP and will now be progressing individual local plans to cover their respective administrative areas. At a meeting of Walsall Council's cabinet on 2nd November 2022 it was determined to progress a local plan for Walsall (WLP) and an updated Local Development Scheme (LDS)

setting out the anticipated timescale for the WLP was appended to the cabinet report.

It is noted that previously representations to the South Staffordshire Local Plan Review had been made by the Association of Black Country Authorities (ABCA) on behalf of the four authorities. Following the decision to progress individual local plans representations on other plans will now be made on an individual basis. However, it is recommended that these representations be read in conjunction with those made previously by ABCA which will provide context.

It is noted that South Staffordshire District Council have sought to agree Statement(s) of Common ground (SoCG's) with neighbouring authorities and had been in discussions to agree such an SoCG with the Black Country Authorities. It has not yet been possible to agree an individual SoCG between Walsall Council and South Staffordshire District Council, following the recent ending of the joint work on the BCP. Walsall Council would confirm they are open to continuing discussions to agree an SoCG between the parties as soon as is practically possible.

It is the view of Walsall Council that South Staffordshire District Council have satisfied the legal Duty to Co-operate.

Policy DS4: Development Needs & DS5: The Spatial Strategy to 2039

Housing Need:

Policy DS4: Development Needs and DS4: The Spatial Strategy to 2039 of the South Staffordshire Local Plan (SSLP) identifies a housing requirement of 9,089 dwellings across the plan period (between 2018 and 2039). This requirement consists of two parts, the first being South Staffordshire's Local Housing Need (LHN) as calculated using the Government's standard method and the second being a contribution of 4,000 homes to meet unmet housing needs arising from within the Greater Birmingham and Black Country Housing Market Area (GBBCHMA).

The authorities within the Greater Birmingham Black Country Housing Market Area (GBBCHMA) have been working together to address strategic planning matters including unmet need arising within the HMA. The latest GBBCHMA Position Statement (December 2021) indicated that although significant progress had been made in meeting the unmet need within the HMA to 2031 it recognised that there was a significant shortfall arising from the Black Country. Whilst the Black Country Authorities are no longer progressing the Black Country Plan (BCP) the Regulation 18 draft plan identified a significant unmet need of approximately 28,000 homes. More recently Birmingham City Council have published an Issues and Options document as the first stage in the review of the Birmingham Development Plan. This indicates a likely unmet housing need of 78,415 dwellings.

Given the significant established and emerging unmet need from within the GBBCHMA it is welcomed that the SSLP maintains the proposed contribution of 4,000 dwellings to meet unmet needs as was initially set out in the SSLP Preferred Options document in 2021.

Through ABCA the Black Country Authorities have previously made representations that given the close geographical, migration and commuting links

between the Black Country authorities and South Staffordshire it should be made clear that the whole of the 4,000 contribution is specifically allocated to meet needs from within the Black Country in much the same way as the Policy makes clear unmet employment needs are being provided for the Black Country (see below). Such a commitment is not made within the SSLP Publication Plan. Whilst the BCP is no longer being progressed evidence clearly demonstrates the significant shortfall arising across the four authorities and as such it is suggested that the GBBCHMA contribution should also be apportioned between the four Black Country authorities and the Councils work together to agree that apportionment.

As such it is considered that the SSLP is not effective in this regard as it fails to specifically identify to which authorities unmet housing need the contribution of 4,000 homes is being made. The apportionment of this unmet need should be specified in order to clearly demonstrate how unmet need is being addressed across the GBBCHMA.

Employment Need:

Policy DS4: Development Needs also identifies that approximately 99 hectares of employment land is identified to meet a need of 63.6 hectares within South Staffordshire between 2020 and 2039. The Policy then notes that there is a potential contribution toward unmet employment needs of 36.6 hectares and an additional 67 hectares of the West Midlands Interchange, within South Staffordshire available for strategic cross boundary unmet need from the Black Country. The plan then notes that this will be subject to agreement through a Statement of Common Ground.

It is noted that the updated Economic Development Needs Assessment (EDNA) 2022 confirms that the Functional Economic Market Area (FEMA) comprises of the administrative areas of South Staffordshire, Dudley, Stafford, Walsall and Wolverhampton Councils. The SSLP notes that there is no such unmet need from Cannock and Stafford Councils and as such confirms the contribution will be toward unmet needs from the Black Country authorities. As you will be aware the BCP had previously identified significant unmet employment need within the Black Country Authorities and this issue had been raised in previous representations to the SSLP. The provision of employment land to meet the needs of authorities within the FEMA is therefore supported.

As the BCP is no longer progressing it is recommended that through the Duty to Cooperate the authorities seek to agree the apportionment of the additional employment land to the individual Black Country Authorities so that this can be clearly set out within the SSLP.

Policy NR3: Cannock Chase Special Area of Conservation (SAC)

As you will be aware Walsall Council became a member of the Cannock Chase SAC Partnership following the decision of its Cabinet on 7th September 2022. Walsall Council is supportive of the inclusion of Policy NR3: Cannock Chase SAC which provides protection to the SAC through the requirements of any development within a 15km radius of the SAC providing appropriate avoidance and/or mitigation of any adverse effects arising from development.

This approach is consistent with that taken by authorities within the SAC Partnership and is supported by the latest technical evidence prepared and published by the partnership.

Walsall Council will continue to work with South Staffordshire District Council and other authorities within the SAC Partnership, through the Duty to Co-operate in respect of matters relating to Cannock Chase SAC.

(Continue on a separate sheet /expand box if necessary)

6. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 5 above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

See main body of representations above.

(Continue on a separate sheet /expand box if necessary)

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

7. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in hearing session(s)

Yes

Yes, I wish to participate in hearing session(s)

Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.

8. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

We would be willing if requested by the inspector to participate in hearing sessions to explain the content of our representations.

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

Representations cannot be kept confidential and will be available for public scrutiny, including your name and/or organisation (if applicable). However, your contact details will not be published.

Data Protection

Your details will be added to our Local Plans Consultation database so that we can contact you as the review progresses. South Staffordshire Council will process your personal data in accordance with the Data Protection Act 2018 and the General Data Protection Regulations (GDPR). Our Privacy Notice can be viewed at

<https://www.sstaffs.gov.uk/planning/strategic-planning--data-protection.cfm>

Please return the form via email to localplans@sstaffs.gov.uk or by post to South Staffordshire Council, Community Hub, Wolverhampton Road, Codsall, South Staffordshire WV8 1PX