

**6 February 2024**

**Walsall Borough Local Plan**

**Ward(s): All**

**Portfolios: Councillor Andrew - Regeneration & Economy**

**1. Aim**

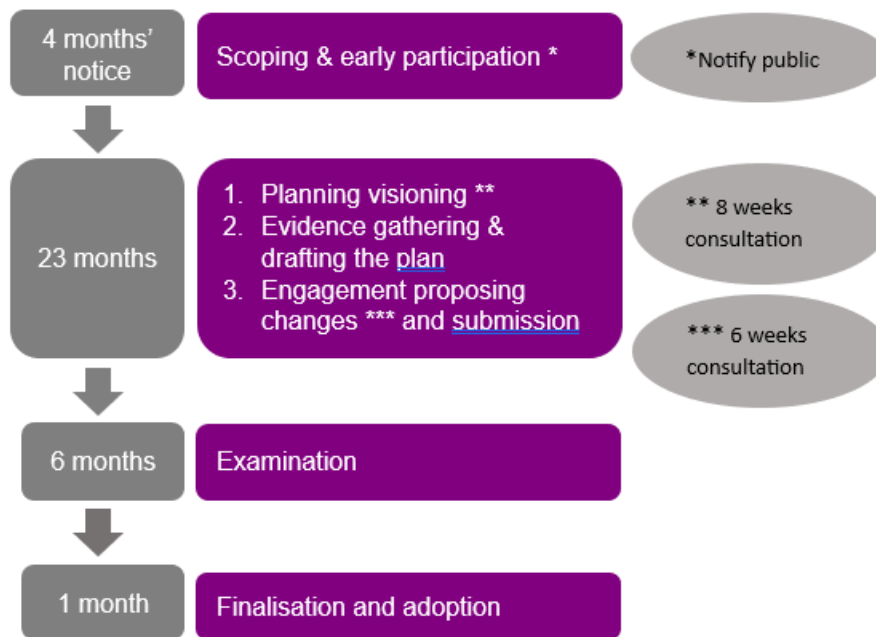
- 1.1 Walsall Borough Local Plan (WBLP) will be the development plan for Walsall and form the basis of decisions on planning applications and other matters relating to the use and development of land. It will set out the site allocations and strategic and local planning policies to ensure development is sustainable and locally distinctive and is in the right place and the right type, nature and design.
- 1.2 It provides a framework to guide investment and sustainable growth in the borough to align with Walsall's regeneration objectives, while also promoting and enhancing the health and wellbeing of communities, addressing the need to tackle climate change, and delivering a cleaner, greener borough. It will also provide certainty for future development sites and protection for sites and buildings that are of value for environmental, economic and social reasons.
- 1.3 The WBLP will replace the current development plan which comprises the Black Country Core Strategy (BCCS) (adopted in 2011), the Site Allocation Document (SAD) and Walsall Town Centre Area Action Plan (AAP) (adopted in 2019) and remaining 'saved' policies of the Walsall Unitary Development Plan (UDP) (adopted in 2005).

**2. Recommendations**

- 2.1 To note that longer timescales for the development of the Walsall Borough Local Plan are required, largely because of delays and uncertainties arising from changes to national planning legislation and guidance, particularly on reforms to the plan-making process through the Levelling Up and Regeneration Act.
- 2.2 To support the continued development of the Walsall Borough Local Plan, including progression of the compilation of evidence necessary to inform plan-making, including a call for sites exercise, and engaging with neighbouring authorities in the duty to co-operate process and on shared evidence gathering.
- 2.3 To support activity to raise the profile of the local plan and highlighting its importance in driving investment and growth in the borough and for providing homes, jobs and other infrastructure to cater for the needs of our future generations.

### **3. Report detail – know**

- 3.1 At their meeting on 2 November 2022, cabinet agreed to begin work on a new WBLP with progression of this local plan replacing the work undertaken on the draft Black Country Plan (BCP). The BCP was being progressed jointly by Black Country authorities until 19 October 2022 when a formal statement was issued to confirm work had ceased on that plan.
- 3.2 A timetable for the progression of WBLP was also agreed at the cabinet meeting. This timetable is the local development scheme (LDS) with delegated authority granted to the Executive Director for Economy, Environment & Communities to make factual changes to the LDS. The report to cabinet is attached at **Appendix 1**.
- 3.3 The LDS stated that the council would be progressing the WBLP within the existing plan-making framework, with a programmed consultation on an issues and options report in September – October 2023 and with the plan submitted for examination in March 2026. The timetable set out in the LDS has been delayed due to planning reforms, particularly those affecting plan-making, and due to staff resources which are being addressed.
- 3.4 Government consultations on planning reforms affecting plan making first began in December 2022. The council submitted responses to these consultations but there was uncertainty over how the reforms would affect the progression of WBLP. The Levelling Up and Regeneration Act (LURA) received royal assent on 26 October 2023, and a revised National Planning Policy Framework (NPPF) was published on 19 December 2023. The LURA legislates for a new framework for the plan-making process. The NPPF makes some significant policy changes in respect of the possible need to release green belt land. Both of these are crucial to the progression of the WBLP. However relevant parts of the act are not yet in force, as it is subject to commencement and transitional arrangements.
- 3.5 As the reforms were being progressed, particularly on the plan-making process, it became clear that the programmed submission date for WBLP (March 2026) would be later than the submission date set out in the reforms (June 2025) by which a local plan could have proceeded under the existing planning regime.
- 3.6 The WBLP will therefore need to proceed under the new planning regime. Within this new regime, the earliest date by which work on a new local plan can formally commence is autumn 2024 when all regulations, policy and guidance for the new plan-making system are expected to be in place. An autumn 2024 start date would also be dependent on Walsall being selected as one of just 10 frontrunner authorities, which the council will seek to pursue. The likely process is set out below:



- 3.7 A key theme of the WBLP will be providing land to meet our needs for homes and employment over the plan period. Plans are expected to provide for land use requirements for 15 years from the date of adoption. Under the proposed new system, the earliest the WBLP could be adopted would be in 2027, 30 months from a starting date of autumn 2024. It is expected therefore that WBLP will now be extended to cover our needs up until 2042. This compares with an end date of 2039 which was proposed for the BCP. The longer time frame means that the total need is likely to be greater.
- 3.8 The existing Black Country Core Strategy (BCCS) was based on redeveloping surplus former employment land for housing. This land had become available as a result of the decline of traditional manufacturing from the 1980's onwards. It was anticipated that the decline would continue, and replacement jobs would be provided in offices and other sectors that had a lower land use requirement. The SAD and AAP have successfully identified sufficient land for housing and employment to meet our needs to 2026.
- 3.9 Some brownfield land remains available and there is scope to increase the density of new housing development, for example through re-purposing former shops and surplus office accommodation in centres. However, the remaining industry is resilient and indeed many manufacturers have invested to upgrade their premises. There is high demand for new premises for industry and warehousing.
- 3.10 The supply of brownfield land for housing and new industry is therefore running out and is unlikely to be sufficient to meet our needs over the WBLP period. Walsall is already struggling to deliver a sufficient number of new homes. It has failed the housing delivery test which means that there is a presumption in favour of sustainable development. The call for sites exercise will seek to identify all possible sites to accommodate Walsall's needs.

- 3.11 The draft BCP expected that some need would be exported to neighbouring authorities through the duty to co-operate. Several authorities have made offers to the Black Country through their local plans, although Shropshire have signed a formal agreement. The LURA proposes to abolish the duty to co-operate however, and the revised NPPF states that green belt boundaries do not need to be reviewed unless there are exceptional circumstances. This applies both to the exporting authorities, such as Walsall, as well as to recipient authorities. Some of the neighbouring planning authorities are now proposing to revise their plans to remove green belt allocations which could increase the shortfall.
- 3.12 The revised NPPF still retains an expectation that local plans when they are examined by the planning inspectorate should be positively prepared in providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs.
- 3.13 Staff resources in the team were depleted during 2023 due to leavers in the team and delayed recruitment to posts. All posts have now been filled and the team fully resourced to enable effective plan-making to progress.
- 3.14 The team has been progressing various areas of work in preparation for formal commencement of the plan-making process for WBLP. This began with advice provided by the Planning Advisory Service (PAS) on how to proceed with, resource and project manage the plan-making process.
- 3.15 The Local Plan Advisory Board (LPAB), comprising officers and elected members, has also met on several occasions to give advice and steer the development of the plan. The LPAB supported pausing progression of WBLP until the planning reforms were confirmed but agreed that preparatory work should be undertaken, including a new call for sites exercise and continuing to engage with neighbouring planning authorities in the duty to co-operate process.
- 3.16 A report to cabinet on 13 December 2023 requested authority to commence a call for sites exercise in January 2024 and this was agreed. The report is attached at **Appendix 2**. This enables early engagement with landowners, developers and local communities and helps influence and inform our plan preparation. Rather than just focussing on potential sites for housing and employment uses, the call for sites will have a community focus. It also enables relatively small pieces of vacant land to be identified, including as potential land for local greenspaces and other community uses, as well as for nature conservation enhancement. This approach is important to support meaningful public engagement and participation in plan-making. It also raises the profile of WBLP and its alignment with the corporate strategy and We Are Walsall 2040.
- 3.17 Officers meet regularly with other planning authorities to discuss progress on shared evidence base documents, meeting regional housing and employment land needs and other cross-boundary issues such as transportation and infrastructure, minerals and waste and nature recovery.
- 3.18 Under the council's scheme of delegation, reports have been submitted to planning committee seeking delegated authority for the Executive Director to submit agreed responses to consultations on neighbouring local plans, particularly on the

potential of those plans to contribute towards meeting Walsall's housing needs. This has so far included Sandwell, Telford, Dudley and South Staffordshire.

- 3.19 The team are working to raise the profile of WBLP and the opportunities for wider communities to engage in the process. Presentations to senior managers group and MPs has been undertaken and future presentation to the Children and Young People Strategic Alliance is planned as well as other engagement and communication being planned as part of the call for sites exercise.

#### **4. Financial information**

- 4.1 There will be an ongoing financial commitment from existing budgets to support delivery of the programme of work to develop the plan, including that for gathering evidence and for consultation and publicity on the plan. The delivery of sites for new development through the plan will attract future business rates and council tax.

#### **5. Reducing Inequalities**

- 5.1 Preparation of WBLP includes carrying out a Sustainability Appraisal, Equality Impact Assessment (EqIA) and Health Impact Assessment. One of the objectives of WBLP will be to ensure that jobs, homes and services are provided for all communities. All Local Plans need to be produced in accordance with the Statement of Community Involvement (SCI) which sets out the council's 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.

#### **6. Decide**

- 6.1 The development of WBLP will allow the public and other stakeholders to influence the final version of the plan. This will inform future decisions, to be agreed by cabinet, about the version of the WBLP submitted for examination by the Secretary of State and ultimately adopted by the council.

#### **7. Respond**

- 7.1 The future stages of the emerging WBLP will be reported to cabinet for approval. Responses to the call for sites exercise will inform the site allocations in the draft versions of the plan.

#### **8. Review**

- 8.1 Further updates on progress of the WBLP are anticipated following the next key stages in preparation of the plan, to include feedback on call for sites and subsequent early-stage engagements with stakeholders. This will offer the opportunity for committee to review progress and input into the preparation of the plan.

## **Background papers**

**Appendix 1** - [Cabinet report: 2 November 2022 - Walsall Borough Local Plan](#)

**Appendix 2** – [Cabinet report: 13 December 2023 - Call for Sites](#)

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