

Report title	South Staffordshire, Stafford and Birmingham Local Plan Consultation Responses	
Decision designation	AMBER	
Cabinet member with lead responsibility	Councillor Stephen Simkins Deputy Leader: Inclusive City Economy	
Key decision	Yes	
In forward plan	Yes	
Wards affected	All Wards	
Accountable Director	Richard Lawrence, Director of Regeneration	
Originating service	City Planning	
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Report to be considered by	Regeneration Leadership Team	21 November 2022
	Strategic Executive Board	22 November 2022

Recommendations for decision:

The Cabinet is recommended to:

1. Approve the principles set out in paragraph 3.24 of this report as the basis of the Council's response to the South Staffordshire Local Plan (SSLP) Regulation 19 consultation.
2. Approve the recommended issues set out in Appendix 1 as the basis of the text of Statements of Common Ground (SoCG) on the SSLP to be agreed with South Staffordshire District Council (SSDC) and other relevant parties, and delegate authority to approve and sign the SoCG to the Deputy Leader: Inclusive City Economy in consultation with the Director of Regeneration.
3. Approve the interim officer response set out in Appendix 2 as the Council's response to the Stafford Local Plan (SLP) Preferred Options consultation.
4. Approve the interim officer response set out in Appendix 3 as the Council's response to the Birmingham Local Plan (BLP) Issues and Options consultation.

Recommendation for noting:

The Cabinet is asked to note:

1. The Wolverhampton approach to the duty to cooperate following the cessation of work on the Black Country Plan as summarised in section 2.

1.0 Purpose

- 1.1 To summarise the contents of consultation on: the South Staffordshire Local Plan (SSLP) - Regulation 19; the Stafford Local Plan (SLP) - Preferred Options; and the Birmingham Local Plan (BLP) - Issues and Options. To seek approval of principles for a Council response to the SSLP and Statements of Common Ground (SoCG) on the SSLP, and of detailed responses to the SLP and BLP.

2.0 Background

- 2.1 In October 2022 the four Black Country authorities (BCA) agreed to cease working on the Black Country Plan (BCP) and to progress individual Local Plans. This decision was confirmed for City of Wolverhampton Council (CWC) through Cabinet approval on 26 October for a new Local Development Scheme setting out the programme for the preparation of a Wolverhampton Local Plan (WLP). This followed Dudley MBC's unilateral statement that it would withdraw following six years of work on the BCP on the basis of non-planning reasons. The end of work on the BCP has implications for the way in which the BCA undertake the duty to cooperate (DtC) – a legal requirement for Councils to engage with each other on cross-boundary issues to support the preparation of Local Plans.
- 2.2 To date, strategic DtC activity, including responses to Local Plan consultations for neighbouring authorities, has been led by the Association of Black Country Authorities (ABCA) on behalf of the BCA. The key objective of this engagement has been to ensure that neighbouring Local Plans respond positively to the housing and employment land shortfalls of some 27,000 homes and 210ha of employment land across the Black Country as a whole up to 2039, through the allocation of land in those Local Plans to meet Black Country needs. The ABCA responses have been supplemented by individual Council responses on specific issues.
- 2.3 Going forward, as the BCA prepare their own Local Plans, it is appropriate for DtC activity to be the responsibility of the individual BCAs, with ABCA having a role as a forum to discuss issues of strategic cross-boundary significance where appropriate. This means that CWC will now respond directly to all Local Plan consultations for relevant neighbouring authorities, following Cabinet approval. In some cases, responses will need to be prepared in the context of previous ABCA representations, but recognising the specific dynamics of housing and employment land need and supply for the emerging WLP and the functional relationship of the City to individual Local Plan areas.
- 2.4 The evidence prepared to support the BCP shows that housing and employment land shortfalls are not distributed evenly across the BCA. In the case of housing, the majority of the shortfall arises in Sandwell, but with a significant shortfall in Wolverhampton (7,900 homes). In the case of employment land, the approach is more complex, as Government guidance requires Councils to assess economic development needs across Functional Economic Areas (FEMAs). In the case of the Black Country, the evidence identifies the BCA as being a single FEMA but with strong economic ties to Staffordshire and

Birmingham. This means that individual Local Plans should seek to identify and address needs arising in both the Local Plan area itself, and across the FEMA as a whole. The published evidence identifies a Wolverhampton employment land shortfall of between 40ha and 80ha.

- 2.5 This report summarises the implications of three Local Plan consultations for Wolverhampton – South Staffordshire, Stafford and Birmingham.

South Staffordshire Local Plan

- 2.6 The South Staffordshire Site Allocations Document (2018) included a commitment to carry out an immediate review to address longer term development needs up to 2037, including those arising from the Greater Birmingham and Black Country Housing Market Area (HMA). In 2018, South Staffordshire District Council (SSDC) published a SSLP Issues and Options consultation with a preferred option to meet local housing needs and contribute 4,000 homes towards the HMA shortfall, based on the minimum capacity of the four areas of search identified for South Staffordshire in the HMA Strategic Growth Study (2018). The consultation set out six spatial options for delivery of the preferred housing option and potential employment land requirements. The CWC and ABCA responses to the consultation supported the preferred option and a mix of spatial options which would deliver a proportionate amount of housing on the edge of the Black Country in line with the HMA Strategic Growth Study areas of search, subject to a joint Green Belt Assessment and other evidence.
- 2.7 In October 2019, SSDC published a SSLP Spatial Housing Strategy and Infrastructure Delivery consultation, supported by a Green Belt Assessment. This set out a preferred spatial housing option G, which was “infrastructure-led”. The CWC and ABCA responses to the consultation supported and recognised the approach used to select the preferred housing option. CWC also requested that a range of potential infrastructure impacts of housing sites located close to the Wolverhampton border should be fully taken into account in consultation with CWC at the earliest opportunity.
- 2.8 In November 2021, SSDC published a SSLP Preferred Options consultation which set out preferred housing and employment site allocations and policy directions and was supported by an updated Infrastructure Delivery Plan. The allocations largely followed the preferred spatial housing option, but with significantly fewer homes proposed on the western edge of the Black Country. Significant extensions were proposed to the Wolverhampton urban area at Linthouse Lane, Langley Road and Cross Green/ROF Featherstone, with a commitment to work cross-boundary on infrastructure requirements. The CWC and ABCA consultation responses supported the preferred housing growth option of local housing need plus 4,000 homes to meet HMA need, whilst requesting that this should be allocated to the Black Country alone, and requested completion of South Staffordshire employment evidence as soon as possible to allow consideration of how far the SSLP could meet unmet Black Country employment land needs. The CWC response made a number of detailed requests relating to cross-boundary infrastructure impacts on

the three extension sites, covering transport, education, health, affordable housing and green infrastructure.

- 2.9 On 11 November 2022, SSDC published a SSLP - Regulation 19 for consultation which sets out detailed housing and employment site allocations and policies, with a response deadline of 23 December 2022. At Regulation 19 stage, responses must relate to two tests: (1) if the Plan has been prepared in a manner which is legally compliant and meets the DtC; and (2) if the Plan is “sound” i.e. positively prepared, justified, effective and consistent with national policy. Responses will be sent to the Secretary of State when the Regulation 19 Plan is submitted for examination in early 2023. SSDC has also requested that CWC complete a number of SoCG regarding the SSLP to demonstrate that the DtC has been met, which will require delegated approval.

Stafford Local Plan

- 2.10 In 2021, ABCA responded to the Stafford Local Plan (SLP) Issues and Options consultation. This response requested that the SLP should promote growth options in excess of local needs in order to provide housing and employment land which could meet needs arising in the Black Country. The representations specifically highlighted the role of a proposed new settlement at Meecebrook as being well-placed to meet housing needs, subject to significant infrastructure investment to increase accessibility. ABCA requested 1,500-2,000 homes and 35-40ha of employment land to meet Black Country needs.
- 2.11 The SLP Preferred Options has now been issued for consultation. The deadline for responses was 12 December 2022, therefore an interim officer response has been submitted, attached as Appendix 2, subject to Cabinet approval.

Birmingham Local Plan

- 2.12 Birmingham City Council (BCC) have started a review of the Birmingham Local Plan (BLP) with an Issues and Options consultation. The deadline for responses was 5 December 2022, therefore an interim officer response has been submitted subject to Cabinet approval, which is attached as Appendix 3. The key elements of the consultation relevant to Wolverhampton are the scale of housing and employment land needs, the supply of land to meet these needs and the associated shortfall.

3.0 South Staffordshire Local Plan – Regulation 19

Summary of the Consultation

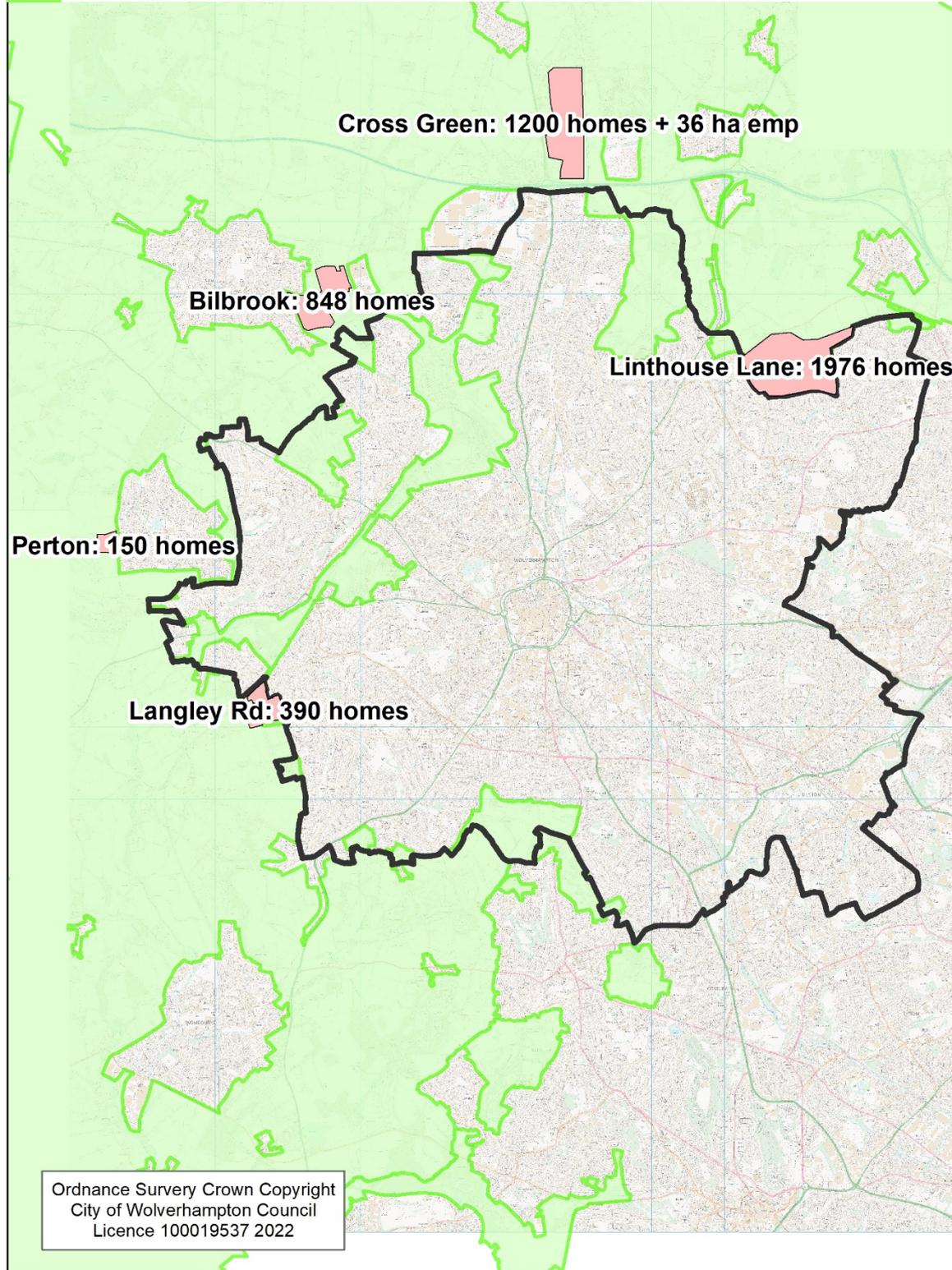
- 3.1 SSDC remain committed to contribute 4,000 homes towards the unmet needs of the HMA, on top of the 5,089 homes required to meet their local housing need up to 2039. However, this contribution is not apportioned between the HMA authorities. The consultation also sets out longer term aspirations for development of a new settlement along the A449 / West Coast Mainline corridor (around Penkridge) as part of the next Plan review. This location was identified in the HMA Strategic Growth Study and has the

potential to help meet longer term HMA shortfalls. Following completion of the South Staffordshire Housing and Employment Development Needs Assessment (HEDNA), the SSLP provides sufficient employment land to meet local need for 63.6ha, and also makes a contribution of 36.6ha of strategic employment land and 67ha of the West Midlands Interchange site specifically towards the unmet needs of the Black Country authorities - most recently estimated as 210ha. The SSLP identifies an unmet need for 35 gypsy and traveller pitches and states that SSDC will continue to work with neighbouring authorities through DtC to explore options to address this unmet need, in accordance with DtC letters sent by SSDC to ABCA in January and August 2022.

- 3.2 Most of the proposed new housing and employment development sites are located on the edge of existing South Staffordshire settlements, the majority on greenfield land which is currently green belt. These include extensions to Codsall/Bilbrook. There are also significant extensions proposed to the Wolverhampton urban area at Linthouse Lane (1,976 homes - 1,200 by 2039) and Langley Road (390 homes) and a significant mixed use allocation just north of Wolverhampton at Cross Green/ ROF Featherstone (1,200 homes and 36 ha employment land). Policy DS5 states that SSDC “will work cross-boundary with infrastructure bodies and statutory partners to ensure these sites are supported by any necessary infrastructure”. Plan 1 shows the location of significant allocations which could have cross-boundary implications for Wolverhampton.
- 3.3 The SSLP is supported by an updated Infrastructure Delivery Plan (IDP) addressing a range of infrastructure issues including transport, schools, health facilities, community services, open space and retail. This has been developed through consultation with infrastructure providers and neighbouring authorities, including CWC. Strategic infrastructure opportunities are identified, including a First School to serve Codsall / Bilbrook and A41 junction improvements at Perton to alleviate congestion.
- 3.4 The IDP states that urban extension sites will be expected to deliver much of their new infrastructure demand on site, creating communities with a high degree of self-containment in terms of local shops, community facilities and primary schools, whilst having good access to higher order facilities in the adjacent urban area. Smaller sites, such as Langley Road, which cannot sustain on site infrastructure are considered to be located within walking distance of a good range of services and facilities in the neighbouring urban area. However, the IDP explains how a health infrastructure policy requiring developer contributions has been introduced into the SSLP and acknowledges that health service needs for the Linthouse Lane site would be best met off-site. It states that discussions will continue with the Integrated Care Board (ICB) and NHS England in the Black Country on cross-boundary health provision.

Plan 1 South Staffordshire Local Plan Sites adjoining Wolverhampton

-  South Staffordshire Local Plan Proposed Sites
-  Green Belt



3.5 Policies SA2 and SA3 covering the Cross Green and Linthouse Lane sites require development to be in accordance with Strategic Master Plans, which are being prepared with the involvement of partners, including CWC. These Master Plans will address timely delivery of key infrastructure and design requirements. Indicative concept plans are provided in the SSLP to guide the Master Plan process, as set out below for Linthouse Lane. Strategic transport assessments have also been drafted for these two strategic sites, with the involvement of CWC, and will be updated throughout the Plan process. The work to date demonstrates that impacts are anticipated across the Wolverhampton network as a result of proposals, and that appropriate mitigation should be identified at the next stage of Transport Assessment when more is understood about the Strategic Master Plans and specific site arrangements, as detailed below.

Linthouse Lane Indicative Concept Plan



3.6 Policy SA3 includes the following requirements for the Linthouse Lane site:

- A range of house types including 30% affordable housing and 80 specialist homes for the elderly, with higher densities closer to the urban edge;
- a Community Hub including central green space, new two form entry primary school, local shops and commercial floorspace and “flexible community space”;
- a green and blue infrastructure network, including sustainable drainage systems, wildlife areas, full-size sports pitches, a Community Park (potentially including changing facilities, toilets, café, etc.) and potential canal crossing;
- a transport strategy covering: main accesses from Linthouse Lane and Blackhalve Lane which are designed to consider impact on the existing road network; public

transport to support sustainable travel (including at least one main route through the development, new bus stops on Blackhalve lane and Kitchen Lane and extra or relocated bus stops on Linthouse Lane); and high quality active travel links through and beyond the site which integrate existing public rights of way and provide links to Ashmore Park and facilities west of the site;

- historic environment mitigation, including protection of the former Prestwood;
- financial contributions for off site infrastructure: highways and active travel (in Wolverhampton and South Staffordshire); secondary school places (in South Staffordshire); leisure; and health provision (at nearby existing centres).

- 3.7 The Cross Green site will be supported by similar levels of infrastructure, including a new primary school and sports pitches, and off site contributions towards secondary school place (in South Staffordshire) and health provision. The site will also include safeguarded land for a potential rail-based parkway and will be accessed by a link road from the A449, which will also provide access to the ROF Featherstone strategic employment site.
- 3.8 The Langley Road site is required to provide vehicular and pedestrian access via Langley Road and high quality walking and cycling access along Langley Road to the Merry Hill Centre, with potential for pedestrian links north to Castlecroft Road and onto the adjacent railway walk. The Second World War gun battery site is protected and may be suitable as public open space, and tree and hedgerow boundaries around the site will be retained. There will be 30% affordable housing and open space on site, and off site education and health requirements.

Implications for Wolverhampton

Strategic

- 3.9 Wolverhampton has a very strong functional relationship with South Staffordshire in terms of migration patterns and travel to work data. Work on the BCP, which will be taken forward through the emerging WLP, has confirmed that Wolverhampton has significant unmet housing need, taking into account capacity in the urban area and limited green belt release. Therefore, the SSLP 4,000 home contribution towards meeting wider HMA needs is welcome. Securing a significant proportion of this contribution for Wolverhampton, together with contributions from other neighbouring authorities, could make significant headway into addressing the WLP housing shortfall and increase the likelihood that the WLP will be found sound. It is also welcome that there are longer term proposals to develop a new settlement which would have the potential to help meet future WLP housing shortfalls.
- 3.10 Migration patterns are a robust source of evidence which can be used to apportion the 4,000 homes in an appropriate and reasonable manner between those neighbouring authorities which can demonstrate unmet housing need. These authorities include Birmingham, where there is evidence of a housing shortfall of over 78,000 homes (see

below). Analysis of migration patterns over the period 2002-2019 between South Staffordshire and the Black Country / Birmingham shows that Wolverhampton accounts for 37% of net inflows, Walsall 25%, Birmingham 3%, Sandwell 11% and Dudley 24%. However, whereas Wolverhampton and Sandwell have housing need figures which far outstrip the housing capacity identified in the Draft BCP, it is not currently clear if either the Dudley Local Plan or the Walsall Local Plan will generate a residual housing shortfall. The Draft BCP evidence shows that there is sufficient urban land in Dudley to meet Dudley local housing needs. This means that there is currently no evidenced shortfall in Dudley, and also that green belt sites, such as those consulted on in the Draft BCP, could provide additional housing to meet the needs of other authorities with a clear shortfall, such as Wolverhampton. The Walsall Local Plan preparation process is not due to commence until later in 2023 and any future shortfall has the potential to be met through contributions from the Shropshire and Lichfield Local Plans, which are at an advanced stage and have agreed contributions towards the Black Country as a whole. On this basis, it would be appropriate for the 4,000 homes to be divided between Wolverhampton, Sandwell and Birmingham in proportion to their share of historic net migration inflows, with Wolverhampton allocated some 72.5%, or 2,900 homes. This figure is further justified by the proximity to Wolverhampton of allocations delivering 3,566 homes in total, as set out in para 3.12 below. CWC accepts that the contribution of 4,000 homes by the SSLP to the HMA is a reasonable one and should not be increased.

- 3.11 It is also welcome that the SSLP is making a significant contribution towards the unmet employment land needs of the Black Country Functional Economic Market Area, of which Wolverhampton is a part. In terms of unmet need for gypsy and traveller pitches, the need to consider gypsy and traveller pitch need and supply for Wolverhampton alone through the WLP process provides an opportunity to revisit the potential for sites in Wolverhampton to contribute towards SSLP unmet need.
- 3.12 The SSLP proposes significant allocations on or near the edge of Wolverhampton, totalling 2,790 homes up to 2039 and 776 homes beyond 2039. Policy DS5 states that these are located adjacent to the Black Country “to facilitate sustainable growth of their towns and cities” and to assist in meeting wider unmet need from the HMA – strengthening the case that these homes will meet Wolverhampton needs. There is also a strong case for Wolverhampton residents to secure nomination rights for a reasonable proportion of the 30% affordable housing which is proposed on these sites.
- 3.13 The Cross Green mixed use development will help meet the employment land needs of the Black Country in a location close to significant employment opportunities at the i54 and ROF Featherstone strategic employment sites. The development will help deliver the ROF Featherstone strategic employment site and Brinsford Strategic Park and Ride site which will increase access to the rail network, and also addresses the HMA Strategic Growth Study recommendation for a strategic housing site in this locality.

Impacts on Wolverhampton Infrastructure

- 3.14 The proposed allocations adjoining Wolverhampton raise cross-boundary infrastructure issues which could impact on local infrastructure. The SSLP spatial strategy is stated as being “infrastructure-led”, having specific regard to infrastructure opportunities such as school place expansions. It is particularly of note that the Linthouse Lane and Cross Green urban extensions are expected to deliver infrastructure on site, creating communities with a high degree of self-containment in terms of local shops, community facilities and primary schools, which could minimise impacts on existing local communities, if delivered in a timely manner. The IDP sets out how various infrastructure needs are in the process of being assessed and how these may be addressed.
- 3.15 If infrastructure impacts are not fully assessed and mitigated through the contributions of developers and infrastructure providers these developments could have negative impacts on Wolverhampton infrastructure, including transport, public open space, education and health services. The developments could also have negative impacts on the environmental quality and amenity of immediately adjoining residential areas if not properly planned. Therefore, each development, including Langley Road, needs to be carefully master planned, based on sufficient detailed evidence, and it is vital that close joint working between SSDC and CWC continues on all relevant issues throughout the SSLP preparation, Master Plan preparation and planning application processes.
- 3.16 The likely cross-boundary impacts on key infrastructure issues (transport, education, health and green space) are considered below.

Transport

- 3.17 In terms of transport infrastructure implications, close engagement will need to continue with Staffordshire County Council. As a gateway to the West Midlands, it is critical that the impact on the transport network of trip generation is assessed not just in the immediate vicinity of development but also in the corridors giving access into the urban area. Developments should minimise trip generation, through local provision of services, high-quality multi-modal connectivity and maximising opportunities arising from future transport developments e.g. growth in electric vehicle usage. Good access to the rail network and provision of supporting infrastructure such as sufficient park and ride capacity are essential. Any impact of the implementation of HS2 should be taken into account and high quality pedestrian and cycling infrastructure should be incorporated for local journeys and first / last mile links.
- 3.18 Development should link effectively to the strategic transport network, in particular high-capacity corridors such as the A449 and the proposed M6 link road, avoiding excessive pressure on sensitive transport links such as the A454, the urban A460 and non-strategic routes. Where transport link improvements are required to mitigate trip generation impacts, appropriate funding mechanisms should be secured. Co-ordinated transport modelling exercises are currently underway for the SSLP and the Black Country authorities. Initial indications are that potential impacts on the Wolverhampton highways

network can be mitigated through a viable and deliverable package of developer funded improvements.

Education

- 3.19 SSDC currently operate a developer contribution system for school places needs arising from development. The SSLP and IDP set out the expectation that there will not be a reliance on Wolverhampton schools to accommodate South Staffordshire pupils arising from new development, and vice versa, and that this will be set out in a Statement of Common Ground. Although sites are proposed for new primary schools at Linthouse Lane and Cross Green, there are no specific proposals to address secondary school place needs arising from these developments. The IDP states that developments of 5000 homes may generate the need for a new secondary school. However, the current Staffordshire Education Authority view is that new middle/high schools will not be required to serve the level of growth proposed in the Plan.
- 3.20 Bhylls Acre Primary is located in Wolverhampton, adjoining the Langley Road site. Although the school is under the jurisdiction of SSDC most pupils are Wolverhampton residents. Langley Road would also be in the catchment area for South Staffordshire secondary schools. The Langley Road development would impact on the South Staffordshire area initially due to pupil demographics and South Staffordshire operating catchment areas. If the Published Admission Number at Bhylls Acre remained at 30 per year group, the delivery and phasing of the development would likely mean that new SSDC resident pupils could displace Wolverhampton resident pupils over time. However, the Wolverhampton Wards that are closest to the border show that cohorts entering reception up to academic year 2026-27 are anticipated to decrease based on birth rates. Therefore, any push back over time from the Langley Road development, for both primary and secondary phases, is expected to be capable of being catered for in existing provision within Wolverhampton, without the need for new schools or school extensions.
- 3.21 In conclusion, although it is welcome that SSDC are committed to meeting primary and secondary school place needs arising from Preferred Options development within South Staffordshire, and to establishing agreement on this with CWC through a SoCG, further details are required on how the secondary school places arising from Linthouse Lane and Cross Green would be accommodated by expanding capacity at existing middle and high schools in South Staffordshire. These details should be set out in the IDP and established, as far as possible, in the SoCG.

Health

- 3.22 The SSLP states that ensuring sufficient access to GP / health centres to accommodate residents from new developments will be a key challenge. The IDP states that access to GP provision has been identified as a local infrastructure concern. The SSLP includes a policy requiring developer contributions towards health infrastructure such as GP / health centres. The Linthouse Lane, Cross Green and Langley Road developments would generate a large number of additional patients and it is understood that there is currently

no potential to extend or provide new local surgeries in South Staffordshire to accommodate this increase. The part of South Staffordshire adjoining Wolverhampton is served by the Staffordshire and Stoke-on-Trent ICB and Wolverhampton is served by the Black Country (BC) ICB. Therefore, any cross-boundary solutions would require coordination of service improvements between adjoining ICBs. The BC ICB have advised CWC and SSDC that there is potential to improve GP provision within Wolverhampton to meet the needs of these three sites.

Green Space

- 3.23 It is important that any green infrastructure proposals for developments located on the edge of Wolverhampton are fully integrated with existing and potential green infrastructure networks in Wolverhampton. The indicative concept plan for the Linthouse Lane site locates a large area of green space, including the Community Park, to the north of the site. If more green space and associated facilities were located along the CWC boundary this would make it more accessible to Wolverhampton residents and would soften the visual impact of the new development from locations within Wolverhampton.

Proposed Principles for a Wolverhampton Response

- 3.24 Therefore, it is proposed that the principles for a CWC consultation response are developed based on:

Legal Compliance, Duty to Cooperate and Soundness

- a) Acknowledge that CWC and SSDC have been working together constructively on planning issues of mutual interest and that this is expected to continue. It is essential that the phasing of site delivery and associated infrastructure (including the construction period) is managed in a coordinated manner given the clustering of proposed allocations and the cumulative impact of development.
- b) Support the completion of Statements of Common Ground (SoCG) to support the Submission SSLP, in line with the principles set out in Appendix 1, subject to delegated approval.
- c) Expectation that, during 2023, as the WLP moves towards Issues and Preferred Options consultation and the SSLP moves towards Submission, CWC and SSDC will aim to reach agreement on all relevant cross-boundary issues and reflect this agreement in complementary Statements of Common Ground to support each Plan;
- d) Support for the SSLP housing target of local housing need plus 4,000 homes to meet Greater Birmingham and Black Country Housing Market Area need up to 2039;
- e) Given detailed evidence provided by the Draft BCP that Wolverhampton has a very significant housing shortfall up to 2039, and the close geographical, migration and commuting links between Wolverhampton and South Staffordshire, 72.5% (2,900) of the 4,000 homes should be specifically allocated to meet Wolverhampton

housing needs, in line with a net migration apportionment approach which includes all authorities with an evidenced shortfall;

- f) Support for longer term aspirations for a new settlement with strong sustainable transport links to Wolverhampton, which could help meet longer term Wolverhampton housing shortfalls;
- g) Support for the SSLP contribution of 100.2ha towards unmet Black Country employment land needs;
- h) Acknowledge the SSLP unmet need for gypsy and traveller pitches and commit to explore the potential for sites in Wolverhampton to help meet that need through the WLP process.
- i) Consider that the SSLP has been prepared in a manner which is legally compliant and meets the Duty to Cooperate. However, the SSLP will not be considered sound (in terms of being positively prepared and effective) unless and until appropriate changes are made to the SSLP and supporting IDP, and SoCG are agreed with relevant parties, in line with the issues raised in the CWC response.

Site allocations and cross-boundary infrastructure

- j) Noting the scale and location of the proposed extensions to the Wolverhampton urban area, seek further work on infrastructure requirements associated with the type, scale, location and phasing of development and assurances that close joint working on all relevant planning issues will continue throughout the Plan preparation process, Strategic Master Plan preparation, pre-application and planning application processes;
- k) Request that a Master Plan is also prepared for the Langley Road site, providing details of proposed access arrangements;
- l) Request development of a SoCG which agrees that 50% of the affordable rent housing secured on the Linthouse Lane, Cross Green and Langley Road sites is allocated (both at first let and subsequent re-lets) through nomination rights for Wolverhampton residents;
- m) Request that the combined impact of SSLP and potential WLP developments on the wider transport network is assessed, that development links effectively to the strategic transport network and avoids excessive pressure on sensitive transport links, that effective sustainable transport solutions are provided to connect essential trips to the local network, and that developments seek to minimise trip generation through all available mechanisms;
- n) Require assurance that CWC will be consulted on any transport assessments / planning applications associated with development sites near the Wolverhampton boundary, including land adjoining Perton and land adjoining Codsall / Bilbrook.

- o) Support the continued promotion of the existing Brinsford Strategic Park and Ride site allocation and other supporting infrastructure which increases access to the rail network;
- p) Request development of a SoCG which establishes the principle of self-containment regarding primary and secondary school places for the SSLP, is more specific about the location and deliverability of secondary school places, and ensures any required primary and secondary school places are delivered early in the development process to minimise impacts on Wolverhampton schools;
- q) Support for new health infrastructure policy and request development of a SoCG which ensures that, for each of the Linthouse Lane, Cross Green and Langley Road developments, if it is not feasible to increase GP service capacity to absorb additional demand within the Staffordshire and Stoke-on-Trent Integrated Care Board (ICB) in locations which would clearly serve site residents and at an early stage of development to avoid negative impacts on the Wolverhampton GP service network, then off-site health service contributions will be secured for improvements to the Wolverhampton GP service network which would increase the capacity of the network to absorb additional demand, in accordance with Black Country ICB requirements.
- r) Request that green infrastructure proposals for developments on the edge of Wolverhampton are integrated with existing and potential networks in Wolverhampton.
- s) Request the relocation of areas of green space shown on the Linthouse Lane indicative concept plan to areas along the CWC boundary, to allow Wolverhampton residents better access to this green space and facilities within it and to soften the visual impact of the new development from locations within Wolverhampton.

3.25 In accordance with the consultation response principles above, the recommended issues for inclusion in SoCG between CWC and other parties on the SSLP for Submission stage are set out in Appendix 1.

4.0 Stafford Local Plan – Preferred Options

4.1 The SLP Preferred Options consultation document has responded positively to the ABCA Issues and Options representation by proposing 2,000 homes over and above Stafford housing need, “as a contribution to meeting unmet need of other authorities in the region.” This figure is based on developing 3,000 homes at the Meecebrook Garden Community by 2040. The ‘other authorities’ are not defined, but Wolverhampton has a functional relationship with Stafford in terms of migration patterns. Work on the BCP, which will be taken forward through the emerging WLP, has confirmed that Wolverhampton has significant unmet housing need, taking into account capacity in the urban area and limited green belt release. The principle of the 2,000 contribution towards meeting wider needs should therefore be welcomed. Securing a proportion of

this contribution for the WLP, together with contributions from other neighbouring authorities, could make significant headway into addressing the WLP housing shortfall and increase the likelihood that the WLP will be found sound. However, the SLP allocates land for 12,580 homes, compared with a local housing need (incorporating an economic uplift above Government housing need figures) of 8,700 homes plus the 2,000 home contribution. The SLP therefore assumes a non-implementation rate of 15% (1,880 homes), for which there appears to be no published evidence. This is a very high rate to assume, considering that the majority of housing supply is greenfield and that some brownfield sites have been excluded from supply given delivery concerns. The rate is three times the c. 5% discount applied in the Draft BCP, which in contrast had a majority brownfield supply, including a high proportion of constrained brownfield sites.

- 4.2 In accordance with the approach set out for the SSLP in para 3.10 above, migration patterns are a robust source of evidence which can be used to apportion the 2,000 homes in an appropriate and reasonable manner between those neighbouring authorities which can demonstrate unmet housing need. These authorities include Birmingham, where there is evidence of a housing shortfall of over 78,000 homes (see below). Analysis of migration patterns over the period 2002-2019 between Stafford and the Black Country / Birmingham shows that Wolverhampton accounts for 27% of net inflows, Walsall 33%, Birmingham 18%, Sandwell 12% and Dudley 1%. However, whereas Wolverhampton and Sandwell have housing need figures which far outstrip the housing capacity identified in the Draft BCP, it is not currently clear if either the Dudley Local Plan or the Walsall Local Plan will generate a residual housing shortfall. The Draft BCP evidence shows that there is sufficient urban land in Dudley to meet Dudley local housing needs. This means that there is currently no evidenced shortfall in Dudley, and also that green belt sites, such as those consulted on in the Draft BCP, could provide additional housing to meet the needs of other authorities with a clear shortfall, such as Wolverhampton. The Walsall Local Plan preparation process is not due to commence until later in 2023 and any future shortfall has the potential to be met through contributions from the Shropshire and Lichfield Local Plans, which are at an advanced stage and have agreed contributions towards the Black Country as a whole. On this basis, it would be appropriate for the 2,000 homes to be divided between Wolverhampton, Sandwell and Birmingham in proportion to their share of net migration inflows, with Wolverhampton allocated at least 47%, or 940 homes.
- 4.3 The 2,000 contribution is specifically based on the delivery of 3,000 homes at the Meecebrook site as part of a 30 year programme which will extend beyond the current Plan period. Therefore, if actual development exceeds this figure, then the 2,000 offer and the Wolverhampton share of it could be increased.
- 4.4 The interim officer response set out in Appendix 2 therefore supports the SLP housing target, the Meecebrook allocation and para 1.3 which references the contribution to meeting wider needs. The response also sees this as a minimum contribution, and requests that the non-implementation rate is reviewed in light of evidence. A lower non-

implementation rate (c. 5%) would provide additional capacity so that the contribution towards unmet need could be increased (by c.1250 homes), and the Wolverhampton share increased accordingly. In addition, the Plan should have regard to the total potential for at least 6,000 homes at Meecebrook, subject to higher delivery rates.

- 4.5 Turning to employment land, the SLP provides significant 'headroom' of employment land supply (150ha) against a target of 80ha. This supply includes 15ha at the Meecebrook site, which is of a scale designed to address the employment needs of new residents and secure a degree of self-containment. Given that Meecebrook is identified as meeting housing needs arising in neighbouring areas, then it would be appropriate for the employment land element of the development to be considered capable of meeting needs arising in Wolverhampton and the Black Country, given the functional relationship outlined above.
- 4.6 The interim officer response set out in Appendix 2 therefore notes the employment land target of 80ha and the supply of 150ha, requesting that a significant element of this headroom is considered to be suitable to meet needs arising in Wolverhampton and the Black Country. The response also specifically recognises the 15ha of employment land at the Meecebrook site as being directly suitable to meet Wolverhampton and Black Country needs.

5.0 Birmingham Local Plan – Issues and Options

- 5.1 The BLP Issues and Options consultation identifies a housing need of 149,286 homes up to 2042 and an estimated total capacity of 70,871 homes, resulting in a shortfall of 78,415 homes. A number of options are identified to address this shortfall, including raising densities, developing areas of employment land and opportunities within the green belt. However, given the scale of the shortfall, it is likely that all of these options will need to form part of the preferred approach, and that a significant shortfall will still remain to require assistance from neighbouring authorities.
- 5.2 This is important for Wolverhampton, because the emerging BLP shortfall will add to the housing shortfall identified through work on the BCP (some 27,000 homes), producing a total shortfall across the West Midlands conurbation of over 100,000 homes. This is likely to place additional demand on the existing housing stock and on new housing coming forward across the wider housing market area, driving up prices, with resultant impacts on affordability for local people. It also means that neighbouring authorities are being faced with an additional request to bring forward land in their Local Plans to meet Birmingham needs, in addition to requests from Wolverhampton and the other Black Country authorities.
- 5.3 Turning to employment land, the consultation document identifies a need for 296ha of land, with supply limited to 222ha, resulting in a shortfall of 74ha. The consultation identifies potential for additional land to be brought forward within Birmingham to address this shortfall, and for a proportion (53ha) of the consented land at West Midlands Interchange (WMI) in South Staffordshire to contribute towards Birmingham needs. The

WMI apportionment is consistent with work commissioned by the Black Country authorities in 2021 and will not involve any double counting of land being attributed towards meeting Wolverhampton and Black Country needs.

- 5.4 Alongside the consultation, Birmingham City Council (BCC) have written to all neighbouring authorities to ask if they are able to make a contribution to addressing the shortfalls arising through the BLP, and that they are committed to ongoing discussions.
- 5.5 The interim officer response set out in Appendix 3 therefore notes the scale of housing and employment land need being identified through the BLP and encourages comprehensive testing of all options to help to meet these needs. The response also supports the suggestion that a proportion of land at WMI could be reasonably attributed towards meeting Birmingham needs, consistent with the approach set out in the BCP evidence. In terms of the specific questions asked by Birmingham, the response confirms that the WLP is unable to make a contribution towards the BLP housing and employment land shortfalls given that Wolverhampton cannot meet its own needs. The response also supports the need for local authorities to continue to work together to establish a regional approach to addressing the BLP housing shortfall.

6.0 Evaluation of alternative options

- 6.1 The alternative option is for the Council not to respond to the consultations. This option is not viable, given the implications of the SSLP, SLP and BLP for Wolverhampton could be significant.

7.0 Reasons for decisions

- 7.1 The SSLP, SLP and BLP could have significant implications for Wolverhampton therefore it is important that the Council submits a response to each stage of consultation.

8.0 Financial implications

- 8.1 There are no immediate financial implications arising directly from this report. Any staffing costs associated with responding to the consultation will be met from the approved Planning budget 2022-23. At future stages in the SSLP process implications may arise for infrastructure provision in Wolverhampton, which will be addressed in future reports.
[AI/18112022/I]

9.0 Legal implications

- 9.1 As a neighbouring authority, SSDC, SBC and BCC are required to work with the Council on the preparation of their Local Plan documents. Pursuant to Section 110 of the Localism Act 2011 the Council's planning authority has a legal "duty to cooperate" This requires the Council to engage constructively, actively and on an ongoing basis to maximise the effectiveness of Local Plan preparation in the context of strategic cross boundary matters.

9.2 The duty to cooperate is not a duty to agree, but local planning authorities should make every effort to secure the necessary cooperation on strategic cross boundary matters before they submit their Local Plans for examination. Local planning authorities must demonstrate how they have complied with the duty otherwise they will not be able to proceed further in examination. As part of its consideration, local planning authorities will need to bear in mind that the cooperation should produce effective and deliverable policies on strategic cross boundary matters as set out in the body of this report.
[TC/24112022]

10.0 Equalities implications

10.1 A screening has been carried out for equalities implications and this concluded that a full Equality Analysis was not required for the recommendations of this report, as they do not involve a change to Council services, functions, policies or procedures.

11.0 All other implications

11.1 There are no other implications of this report.

12.0 Schedule of background papers

12.1 South Staffordshire Local Plan Regulation 19 Consultation, November 2022

12.2 South Staffordshire Local Plan Infrastructure Delivery Plan, November 2022

12.3 Report to 26 October 2022 Cabinet: [Wolverhampton Local Development Scheme](#)

12.4 Report to 8 December 2021 Cabinet: [South Staffordshire Local Plan Preferred Options Consultation](#)

12.5 Report to 22 January 2020 Cabinet: [South Staffordshire Local Plan Spatial Housing Strategy and Infrastructure Delivery Consultation](#)

12.6 Report to 12 December 2018 Cabinet: [Wolverhampton Response to South Staffordshire Local Plan Issues and Options Consultation](#)

12.7 Report to 2 October 2018 Cabinet (Resources) Panel: [Black Country and South Staffordshire Plan Reviews – Call for Sites Submissions](#)

13.0 Appendices

13.1 Appendix 1 - Principles for Draft Statements of Common Ground between City of Wolverhampton Council and other parties on the South Staffordshire Local Plan.

13.2 Appendix 2 - Interim Officer Response to Stafford Local Plan Preferred Options Consultation.

13.3 Appendix 3 - Interim Officer Response to Birmingham Local Plan Issues and Options Consultation.