

28th May 2024

Local Plans Team
South Staffordshire Council
Community Hub
Wolverhampton Road
Codsall
South Staffordshire
WV8 1PX

Dear Local Plans Team,

South Staffordshire Local Plan Review Publication Plan

Thank you for giving the opportunity for the City of Wolverhampton Council (CWC) to respond to the South Staffordshire Local Plan (SSLP) Regulation 19 consultation. CWC have engaged actively and positively with the various stages in the preparation of the Local Plan, and we welcome the cooperative engagement with South Staffordshire Council throughout. This letter provides our formal response to the consultation following approval by Cabinet on 22nd May.

In summary, CWC considers that the SSLP has been prepared in a manner which is **on the whole legally compliant and meets the Duty to Cooperate**. As this is a Regulation 19 consultation, any issues where we feel the Plan would benefit from modifications to address these issues must be expressed as objections under the tests of soundness.

Our detailed comments are set out below.

Background and strategic issues

Our engagement to date has focussed on the need for the South Staffordshire Local Plan to respond positively to the housing and employment land shortfalls arising in the Black Country, and the impact of the proposals to address this requirement on Wolverhampton infrastructure. The December 2023 National Planning Policy Framework (NPPF) confirms the need for Local Plans to consider how they can accommodate need from neighbouring areas where it is practical to do so whilst achieving sustainable development.

Our engagement with the Plan preparation process has taken place on an individual basis, and through the Association of Black Country Authorities (ABCA), in the context of the Council's involvement in the Black Country Plan (BCP). As you may be aware, in October 2022 the Leader of Dudley Council announced that he wished to withdraw the Council from involvement in the BCP. The four Black Country Councils subsequently agreed to prepare individual local plans and the associated Local Development Schemes (LDSs) were brought into effect.

The Wolverhampton LDS was brought into effect in February 2024

(<https://www.wolverhampton.gov.uk/sites/default/files/2024-02/Wolverhampton-Local->

[Development-Scheme-2024-27.pdf](#)), confirming the commitment of the Council to continue to prepare an up to date Local Plan in a robust and timely manner. The Issues and Preferred Options consultation (Regulation 18) on the Wolverhampton Local Plan (WLP) took place February to April 2024 with the Regulation 19 consultation programmed for late 2024.

The WLP Issues and Preferred Options Report confirms a significant Wolverhampton housing shortfall of 11,413 homes up to 2042, which forms part of a far larger shortfall across the Greater Birmingham and Black Country Housing Market Area (GBBCHMA).

Turning to employment land, the Planning Practice Guidance encourages strategic Plan-making authorities to identify needs on a Functional Economic Area (FEMA) basis. In the case of Wolverhampton, the City is located within the Black Country FEMA as identified in the Black Country Economic Development Needs Assessment (EDNA) published in 2017. Across the FEMA as a whole, the refreshed EDNA (2023) identifies a shortfall of some 152ha of employment land to 2041, this being the sum of shortfalls across the four Council areas. Taking all potential supply into account, the WLP Issues and Preferred Options Report confirms a Wolverhampton employment land shortfall of 53ha.

While the Council will continue to update land supply as part of the ongoing preparation of the Local Plan, we do not anticipate that this work will reveal any significant sources of additional land to meet housing or employment needs. The WLP will have a Plan period extending to 2042, adding a further one year employment land demand which may have the effect of increasing the employment land shortfall outlined above.

For these reasons, it remains the case that there is a significant level of unmet housing and employment land need arising in Wolverhampton which the South Staffordshire Local Plan should seek to respond to in a positive manner.

Strategic Housing issues

The SSLP proposes a housing requirement of 4,726 homes over the period 2023-2041, which includes a 640 homes contribution towards unmet needs of the GBBCHMA. This is significantly reduced from that set out in the previous Regulation 19 Plan which identified areas of green belt release to provide land for housing development on the edge of Wolverhampton as the primary source of this contribution. We note the inclusion of land north of Penkrige on non-green belt land as a housing allocation in this version of the Local Plan, this being consistent with the recommendations of the 2018 HMA Growth Study. This change in approach, moving away from a strategy based on significant green belt release to meet needs arising in neighbouring areas, is made in the context of the current NPPF which post-dates the publication of the previous Regulation 19 Plan. **We consider that the revised approach is in principle in accordance with the updated NPPF and therefore sound.**

Wolverhampton has a very strong functional relationship with South Staffordshire, expressed through migration patterns and travel to work data. As set out above, work on the WLP has confirmed that Wolverhampton has significant unmet housing need. Therefore, the SSLP contribution towards meeting wider unmet housing need continues to be welcomed in principle. However, in order to provide certainty for the progression of the WLP and to inform our ongoing Duty to Cooperate engagement with other neighbouring Local Plans, it is critical that a Wolverhampton element of the 640 homes contribution is

confirmed as soon as possible. We need to express this issue as a soundness matter at Regulation 19 stage, but are confident that it is capable of being rectified by the time of submission of the Plan, through appropriate text in the Plan itself and/or a Statement of Common Ground - ideally both.

In terms of the approach to calculate this apportionment, we recommend that migration patterns between South Staffordshire and those neighbouring authorities which can demonstrate unmet housing need would provide the starting point, with further refinement based on the scale and location of development proposed in the Plan and the proximity of these sites to Wolverhampton. The WLP Issues and Preferred Options Duty to Cooperate Statement recommends that some 37% of any contribution to meeting wider needs set out in the South Staffordshire Local Plan should be allocated to meeting needs arising in Wolverhampton. This figure is based on migration trends only. Taking into account the location of the growth opportunities set out in the Regulation 19 Plan and their proximity to the City, a higher contribution may be appropriate in the order of 70% or 464 homes.

Clearly, given the scale of the housing shortfall arising in Wolverhampton and the wider West Midlands, and the contributions proposed to date to address it, further collaborative work to identify additional sources of land across the whole of the HMA, and almost certainly beyond it, is required. We note the reference in the Local Plan to the existing (2018) Growth Study being out of date, and welcome the commitment to updating this evidence and considering the implications of any update through future plan-making. The City Council is also committed to progressing this work.

In terms of unmet need for gypsy and traveller pitches, CWC acknowledges the scale of unmet need for gypsy and traveller pitches arising in South Staffordshire, as set out in para 6.39 of the Plan. Work on the Wolverhampton Local Plan confirms that there are no opportunities within the City to deliver additional pitches to respond to this need.

Strategic Employment issues

The Council **supports the SSLP contribution of 112.2ha towards unmet Black Country employment land needs**. This contribution will make significant headway towards addressing the unmet employment land needs of the Black Country Functional Economic Market Area of 152ha, of which Wolverhampton is a part. As with the housing contribution summarised above, this will need to be confirmed in an updated Statement of Common Ground.

Cross-boundary infrastructure and site specific issues

In terms of cross-boundary infrastructure, the deletion of the development sites currently located within the green belt on the edge of Wolverhampton has removed the majority of the infrastructure concerns identified in our response to the previous Regulation 19 consultation. The remaining allocations which are close enough to potentially impact on Wolverhampton infrastructure are:

- 150 homes west of Perton
- 848 homes east of Bilbrook – supported by: a community hub, local shops and new First School; high quality active travel and public transport links; new green and blue infrastructure; sustainable drainage
- 36 ha employment land at ROF Featherstone

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 the City Council. Strategic infrastructure opportunities are identified, including a First School to serve Codsall / Bilbrook and A41 junction improvements at Perton to alleviate congestion. If these opportunities are delivered as planned, and the City Council is appropriately involved in all cross-boundary transport planning, **it is considered that the three allocations listed above are themselves unlikely to have a negative impact on Wolverhampton infrastructure.**

However, we are concerned that in terms of transportation infrastructure specifically, further work is required to understand the combined impact of the South SSLP development proposals and potential WLP developments (as set out in the Issues and Preferred Options consultation document) on the wider transport network. We would be happy to discuss the scope of this work with you including the relationship with transportation assessments being undertaken in support of the Wolverhampton Local Plan.

It is essential 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.

It is disappointing that the SSLP does not safeguard land for a rail-based park and ride north of the M54, which would have contributed towards the delivery of sustainable transport in Wolverhampton, although it is appreciated that it will be challenging to bring this project forward during the Plan period without cross-subsidy from housing development. We request that the benefits of this proposal are recognised and that the Local Plan continues to promote a rail based park and ride north of M54 and other supporting infrastructure which increases access to the rail network.

Summary

In summary, CWC welcome the opportunity to comment on the Plan and confirm our active and positive engagement in the various stages of preparation of the Local Plan. We also welcome the cooperative engagement with South Staffordshire Council throughout. The strategic approach set out in the Plan towards meeting unmet housing and employment land needs arising in Wolverhampton is supported, and we consider that the Duty to Cooperate has been met.

There are, however, a number of issues which must and can be resolved. Some of these issues will require additional evidence, and changes to the relevant documents including the Local Plan. We are confident that these issues are capable of being addressed and suggest that a meeting is convened as soon as possible to scope out this work by contacting Michele Ross (Lead Planning Manager) or Ian Culley (Lead Planning Manager, Regional Strategy) at the City of Wolverhampton Council. (ian.culley@wolverhampton.gov.uk).

Yours sincerely,

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