

Duty to Cooperate Topic Paper Addendum
December 2024

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Appendix 1 - Copy of October 2023 letter and responses

1. Introduction

- 1.1. The purpose of this Duty to Cooperate Topic Paper Addendum is to provide an update on Duty to Cooperate activities since the previous Duty to Cooperate Topic Paper dated April 2024 to demonstrate ongoing engagement between South Staffordshire Council and its Duty to Cooperate partners. This addendum should be read alongside the April 2024 Duty to Cooperate Topic Paper.
- 1.2. Section 2 of this addendum provides details of Statements of Common Ground which have been signed or are ongoing.
- 1.3. The Publication Plan 2024 consultation ran for 6 weeks from Thursday 18 April to Friday 31 May 2024. Section 3 of this addendum provides an overview of the responses from Duty to Cooperate partners to this consultation.
- 1.4. Section 4 of this addendum provides an update to Appendix A 'Duty to Co-operate Schedule' of the April 2024 Duty to Cooperate Topic Paper.
- 1.5. Section 5 of this addendum provides an update to Appendix E of the April 2024 Duty to Cooperate Topic Paper 'Summary of key Duty to Cooperate events relating to housing and employment with the Black Country authorities and Birmingham'.
- 1.6. Finally, this Duty to Cooperate Topic Paper Addendum also provides a copy of the letter which was sent to neighbouring authorities and authorities within the GBBCHMA in October 2023 setting out South Staffordshire latest position in relation to the emerging Local Plan. This letter and responses received were referenced in the April 2024 Duty to Cooperate Topic Paper but have now been included in this addendum for completeness as Appendix 1.

2. Statements of Common Ground Update

2.1. The following bilateral SoCGs have been signed with neighbouring authorities or authorities within the GBBCHMA:

[Birmingham City Council – position at July 2024](#)

[Cannock Chase District Council – position at September 2024](#)

[City of Wolverhampton Council – position at July 2024](#)

[Dudley Metropolitan Borough Council – position at September 2024](#)

[Lichfield District Council – position at July 2024](#)

[Sandwell Metropolitan Borough Council – position at 29th July 2024](#)

[Shropshire Council – position at November 2024](#)

[Solihull Metropolitan Borough Council – position at July 2024](#)

[Stafford Borough Council – position at August 2024](#)

[Stratford on Avon - final agreed draft subject to signing – position at December 2024](#)

[Tamworth Borough Council – position at July 2024](#)

[Telford and Wrekin Council – position at October 2024](#)

[Walsall Metropolitan Borough Council - position at September 2024](#)

[Wyre Forest District Council – position at 19th July 2024](#)

2.2. South Staffordshire District Council has been working proactively since April 2024 in attempting to secure SoCGs with the remaining authorities in the GBBCHMA. Despite repeated attempts, the Council have not yet been able to secure signed SoCG with Bromsgrove District Council, Redditch Borough Council and North Warwickshire Borough Council. The draft SoCG sent to these authorities can be found in the April 2024 Duty to Cooperate Topic Paper. It is anticipated that SoCG will be signed with these authorities in the coming months.

2.3. SSDC has agreed the below SoCG on Employment Land Requirement and Supply with the other authorities within the South Staffordshire Functional Employment Market Area (FEMA).

[South Staffordshire Employment Land Requirement and Supply SoCG – position at August 2024](#)

- 2.4. A Transport Statement of Common Ground (SoCG) has been agreed between South Staffordshire District Council, National Highways, Staffordshire County Council & City of Wolverhampton Council. The link below currently provides a copy of the final agreed draft subject to signing. This will be replaced by the fully signed copy in due course.

[Joint Authority and National Highways Transport SoCG 2024](#)

- 2.5. A Statement of Common Ground in relation to air quality has been agreed between Cannock Chase District Council, City of Wolverhampton Council, Dudley Metropolitan Borough Council, East Staffordshire Borough Council, Lichfield District Council, Sandwell Metropolitan Borough Council, Stafford Borough Council, South Staffordshire District Council, Walsall Council and Natural England. The link below currently provides a copy of the final agreed draft subject to signing. This will be replaced by the fully signed copy in due course.

[Air Quality Partner Authorities and Natural England SoCG 2024](#)

3. List Duty to Cooperate responses to the 2024 Publication Plan Consultation

3.1. The table below has been created to provide a brief; high level summary of representations received to the 2024 Publication Plan Consultation by Duty to Cooperate bodies. The full representations can be found via the links in the table. The responses to the 2022 Publication Plan consultation can also be found on the Council’s website.

Organisation	High Level Summary	Reference(s) / links
Local Authorities		
Birmingham City Council (late)	<p>The response by Birmingham City Council commented on areas of the Plan including: The Development Strategy, unmet housing needs from the wider housing market area and the spatial strategy for housing, Gypsies and Travellers, Employment land needs & longer term growth aspirations for South Staffs.</p> <p>In summary, Birmingham City Council welcomes and supports the contribution made by land allocations in South Staffs which contribute towards housing and employment land shortfalls being experienced in the West Midlands conurbation. However, they are disappointed that the levels of housing contributions have been significantly reduced from the 4,000 dwellings previously proposed. They are also disappointed that references to exploring the possibility of a new settlement have also been removed.</p> <p>Birmingham City Council will always continue to support collaborative working across the HMA and look forward to continued engagement with you through Duty to Cooperate arrangements as both South Staffs and Birmingham Local Plans progress towards submission and adoption.</p>	STA24-004-01 Birmingham City Council Rep LATE
Bromsgrove District Council	No response	
Cannock Chase District Council	Cannock Chase District Council consider the Local Plan to be sound and legally compliant, and consider it has been produced in compliance with the Duty to Cooperate however, the Council has some concerns with regard to the wording around the validity of the joint evidence base. The Council have produced detailed comments on the strategy and cross boundary issues.	STA24-010-01 Cannock Chase District Council Para 5.12

<p>City of Wolverhampton Council</p>	<p>The response by The City of Wolverhampton Council commented on areas of the Plan including: background and strategic issues, Strategic Housing issues, Strategic Employment issues, Cross-boundary infrastructure and site specific issues. In summary, CWC considers that the South Staffordshire Local Plan has been prepared in a manner which is on the whole legally compliant and meets the Duty to Cooperate. In relation to strategic housing issues, the City of Wolverhampton Council consider that the revised approach is in principle in accordance with the updated NPPF and therefore sound. In relation to infrastructure, they consider that 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. They are also disappointed that the Plan does not safeguard land for a rail-based park and ride north of the M54.</p>	<p>STA24-012-01 City of Wolverhampton Council Rep</p>
<p>Dudley Metropolitan Borough Council</p>	<p>The response by Dudley MBC commented on areas of the Plan including: Housing requirements and supply, Employment Land requirements and supply, Gypsy and Travellers Provision, the spatial strategy and economic development policies. In summary, Dudley MBC supports the level of housing provision within the policy and the overall approach taken in relation to addressing unmet housing needs. However, Dudley MBC consider that the identified 10% plan flexibility should also be contribution to the unmet needs of the Greater Birmingham and Black Country Housing Market Area (GBBCHMA). Dudley MBC supports the level of employment land provision within the policy and the approach taken to unmet employment land needs and welcome the contribution to the unmet employment land needs of the Black Country. Dudley MBC also support the spatial strategy (DS5), housing allocations policy (SA5) and Economic policies (EC1, EC2 and EC11).</p>	<p>STA24-015-Dudley MBC</p> <p>01 Policy DS4 Housing</p> <p>02 DS4 Employ G&T</p> <p>03 Policy DS5</p> <p>04 Policy SA5</p> <p>05 Policy EC1</p> <p>06 Policy EC2</p> <p>07 Policy EC11</p>

Lichfield District Council	<p>The response by Lichfield District Council (LDC) commented on areas of the Plan including: Housing and HMA shortfall, Green Belt, Employment, Gypsy & Traveller Provision and Natural Environment – Cannock Chase (SAC). In summary, Lichfield District Council is supportive of SSDC in meeting its own objectively assessed local housing need. LDC also welcomes the contribution of 640 dwellings towards unmet need within the wider HMA, however the reduced level of contribution will need to be robustly evidenced and justified in the context of the emerging unmet housing needs within the GBBCHMA. LDC supports the position in policy DS1 whereby SSDC is making releases from the Green Belt to meet its own and wider area housing need. However, the deletion of Green Belt site allocations and the resultant fall in HMA contribution will need to be fully and robustly justified in the context of the significant scale of the HMA housing shortfall. LDC supports the approach taken by SSDC in addressing local and wider need in the Black Country for employment land as expressed in policy DS4. LDC acknowledges the position that SSDC is having to take regarding gypsy and traveller provision and supports the proposals in policy DS4. LDC supports the approach taken by SSDC in policy NB3 to ensure the integrity of the Cannock C Note the SSLP housing target of local housing need plus 640 homes to address the Note the SSLP housing target of local housing need plus 640 homes to address the Cannock Chase SAC.</p>	<p>STA24-027-01 Lichfield District Council Rep</p>
North Warwickshire Borough Council	<p>In summary, North Warwickshire Borough Council consider that the Plan is not positively prepared, justified or effective especially in light of the previous Reg 19 Publication Plan (i) 2022, and the evidence for that Plan which still exists. It does not adequately address the unmet need in relation to the housing shortfall for the Greater Birmingham and Black Country housing market area. The resulting major reduction in the housing proposed to address that unmet need within the latest Reg 19 Publication Plan, will have an impact on the level of unmet need remaining overall, increasing pressure on other adjoining authorities.</p>	<p>STA24-035 North Warwickshire Borough Council</p> <p>01 Policy DS4</p> <p>02 Planning Board Minutes</p> <p>03 Member Report</p>
Redditch Borough Council	No response	

<p>Sandwell Metropolitan Borough Council (late)</p>	<p>In summary: Sandwell MBC note the SSLP housing target of local housing need plus 640 homes to address the GBBCHMA shortfall. They support for the reference in the SSLP to updating the 2018 Growth Study and considering its findings through future plan-making and the Duty to Cooperate. Sandwell MBC support for the SSLP contribution of 112.2ha employment land towards the Black Country Functional Economic Market Area employment land shortfall. Acknowledge the SSLP gypsy and traveller pitch shortfall and clarify that the Reg 18 SLP demonstrated that it had explored all available opportunities and due to the lack of any potential sites is not able to deliver additional gypsy and traveller pitch pitches in Sandwell. 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 SoCG are agreed with relevant parties</p>	<p>STA24-038-01 Sandwell MBC Rep (LATE)</p>
<p>Shropshire Council (late)</p>	<p>The response by Shropshire Council (SC) commented on areas of the Plan including: Local Housing Need, Unmet Housing Needs within the Greater Birmingham and Black Country Housing Market Area, Gypsy & Travellers, Local Employment Land Need, Unmet Employment Land Needs in Adjoining and Closely Related Local Planning Authorities and The M54/A5 Corridor. In summary, SC support South Staffordshire District Council meeting its own housing need. The principle of contributing to the unmet housing needs forecast to arise in the GBBCHMA is supported. SC note the actions that SSSDC have taken to meeting its Gypsy & Travellers however state it is unclear what consideration has been given to the potential for these sites to accommodate Gypsy and Traveller Pitches. SC support that the Publication Plan meets the entirety of the local employment land need identified. SC support the employment land contribution towards Cannock Chase District Council and the Black Country Authorities. SC also support the recognition of the strategic significance of the M54 / A5 to both Shropshire and South Staffordshire.</p>	<p>STA24-039-01 Shropshire Council Rep (LATE)</p>
<p>Solihull Metropolitan Borough Council</p>	<p>MBC notes that this iteration of the plan includes a significantly different housing requirement than that included in the R19 version of the plan published in November 2022. It recognises that, at least in part, this is driven by SSSDC seeking to use the greater flexibilities in the December 2023 NPPF in its approach to release of Green Belt land to accommodate needs.</p>	<p>STA24-041-01 Solihull MBC Policy DS4</p>

	SMBC is seeking to adopt a similar approach in its emerging local plan, which is currently at examination, and it believes there are parallels in the circumstances which justify such an approach, for both authorities.	
Stafford Borough Council	In summary, Stafford Borough Council (SBC) consider the approach of meeting the current local housing need of 4,726 new homes including a contribution towards the unmet needs of the GBBCHMA is the most appropriate strategy within the national policy framework at this time. Furthermore, it is considered that the Publication version of the Local Plan is appropriate in terms of addressing the employment land provision. SBC has significant concerns regarding site 'South of Stafford Site 036c land at Weeping Cross' (adjoining Stafford Borough) for 81 new houses and raises a number of issues. SBC confirmed it is not in a position to meet any of the shortfall arising from the Black Country at this stage and furthermore can not provide for any unmet gypsy, traveller & travelling show-people needs within Stafford Borough. SBC will continue to work alongside South Staffordshire District through the Cannock Chase SAC Partnership on suitable measures.	STA24-043-01 Stafford Borough Council Form
Stratford on Avon District Council	No response	
Tamworth Borough Council	No response. Although a SoCG has been agreed between the authorities.	
Telford and Wrekin Council	No response. Although a SoCG has been agreed between the authorities.	
Walsall Metropolitan Borough Council	In summary, Walsall MBC note the wording in paragraph 145 of the December 2023 NPPF. However, they contend that the framework should be viewed as a whole. They consider that the proposal in the plan to reduce the number of homes proposed to contribute to meeting the needs of neighbouring authorities from 4,000 to 640 does not align well with the test of soundness requiring plans to be positively prepared. They note that South Staffordshire have taken an active role in the preparation of this above evidence. In their view, the December 2023 NPPF revision does not alter this need or the supply shortfall. In Walsall MBC's view, the need for changes to Green Belt boundaries should be established by the evidence of housing need at the strategic level, and there has been no demonstrable change in the evidence to justify	STA24-049-01 Walsall Council Rep

	exceptional circumstances that might support detailed amendments to boundaries in relation to individual sites. Walsall MBC also provide specific comments on DS1, DS2, SA5 & HC3.	
Wyre Forest District Council	No response. Although a SoCG has been agreed between the authorities.	
Staffordshire County Council	<p>Staffordshire County Council (SCC) commented on policies in relation to health and well-being considerations including policies EC8, HC1 and HC4.</p> <p>SCC as the Lead Flood Risk Authority commented on a number of site allocations.</p> <p>SCC as the education authority provided information and comments in relation to education and school places. This included a breakdown by each settlement.</p> <p>SCC as the authority responsible for minerals and waste provided comments on site allocations.</p> <p>SCC also commented on several other policies including: EC3, SA2, HC15, DS4, NB8, EC12, DS5, SA3, NB7, NB4.</p> <p>SCC also provided comments in relation to their own land interests.</p>	<p>STA24-044-01 Staffordshire County Council Form</p> <p>Policy DS4</p> <p>Policy DS5 & SA3 Site 119a</p> <p>Policy DS5 & SA3 Site 523</p> <p>Policy SA2</p> <p>Policy SA5</p> <p>Policy HC1 & HC4</p> <p>Policy HC15</p> <p>Policy EC3</p> <p>Policy EC8</p> <p>Policy EC12</p>

		Chapter 13 Para 13.18 Policy NB4 Policy NB7 Policy NB8 Appendix A Education LLFA
Statutory bodies		
Natural England	Natural England raised concerns in relation to the Habitat Regulation Assessment has been unable to rule out impacts on Habitats Sites. Natural England also commented on policy Ec12 in relation to the impacts of air quality on internationally designated nature conservation sites. Natural England also stated that the Local Plan does comply with the Duty to Co-operate in relation to the Cannock Chase Special Area of Conservation and recreational impacts.	STA24-033-01 Natural England Rep
Environment Agency	The Environment Agency (EA) welcome the addition of a Level 2 SFRA. The Level 2 SFRA shows that the critical 1 in 100 year plus climate change flood extent encroaches (albeit largely into public open space) on sites 119a, 284, 139, Land North of Penkrigde, SA1 and SA4. The SFRA confirms that for the majority of these sites the encroachment is only minor. All these sites will therefore require a site specific FRA which shows development laid out as to avoid the floodplain and finished floor levels 600mm above the 1 in 100 plus climate change flood level. Although referenced within the Sustainability Appraisal it is unclear where the evidence sits to	STA24-019-01 Environment Agency Rep

	<p>clearly demonstrate how the proposed site allocations have had the Sequential Test applied as is required by Paragraphs 161 and 162 of the NPPF. State that Policy SA1 (Land east of Bilbrook) will need to consider the impact of Sun Valley Foods Billbrook. The strategic site Land north of Penkridge will also need to consider the impact of the Lower Drayton Farm Anaerobic Digestion facility. In addition, Site 016 – is proposed close to SB Waste Management (Huntington). The EA ask what discussions the Council has had with the water companies regarding timescales for development and how Severn Trent Water and South Staffs Water will meet the new demand arising from development in the South Staffs area? Comments are also provided on policy NB7.</p>	
National Highways	<p>National Highways (NH) comment that for developments which have an impact on neighbouring local authorities, we advise a joined-up approach in which National Highways, South Staffordshire Council and the other local authorities attend joint meetings with the future developer or applicants.</p> <p>NH comment on the Infrastructure Delivery Plan. They also provide comments on a number of individual sites allocations including the two strategic site allocations. NH also comment on other areas of the plan including West Midlands Interchange (WMI) and policies EC12, NB5, NB6A,B&C and NB7.</p>	<p>STA24-032-01 National Highways Rep</p>
Sport England	<p>Sport England (SE) provide comments on the Plan including on: the two strategic site allocations (SA1 and SA2), other site allocations and policies HC18 and EC9.</p>	<p>STA24-042 Sport England</p> <p>Policy SA1</p> <p>Policy SA2</p> <p>Policy SA3 Land between A449 Stafford Road</p> <p>Policy SA3 Pear Tree Farm</p>

		Policy HC18 Policy EC9
Historic England	Historic England (HE) have commented on a serval areas of the Plan including: individual site proformas (appendix C), individual site allocations (policy SA3 & SA5) and Policies MA1, HC10, EC4, NB4, NB6C & NB8.	STA24-023-01 Historic England Rep
Homes England	No response.	
Integrated Care Boards and NHS Commissioning Board	No response. However, a response was received by NHS Property Services (see below).	
The Civil Aviation Authority	No response.	
Office of the Rail Regulator	No response.	
Transport for West Midlands	No response.	
Infrastructure Providers		
Education	See Staffordshire County Council's representation above.	STA24-044-18 Staffordshire County Council Education

NHS Property Services	NHS Property Services provide comments on areas of the Plan including policies: HC3, HC10, HC14, EC9, NB6A and Appendix A.	STA24-034-01 NHS Property Services Rep
Staffordshire County Council Highways	No specific highway comments were received from SCC as part of consultation. However, South Staffordshire District Council have been actively engaging SCC Highways throughout the Plan making process and proposed site allocations. Further details can be found in the Council's Infrastructure Delivery Plan. A SoCG has also been agreed between South Staffordshire District Council, Staffordshire County Council Highways and National Highways.	
National Grid	National Grid provide comments on the Plan including on site allocation 459 - Land Off Pool House Lane, Wombourne – stating that the site will need to take into account voltage overhead lines across site. They also comment on Policy EC11 stating that they strongly recommend early engagement with National Grid.	STA24-031 National Grid Electricity Transmission (Avison Young) Representation Site 459 ROF Featherstone
National Gas	National Gas comment on Policy HC10 suggesting an amendment.	
National Grid Electricity Distribution (South West) Plc	Provide comments on the Plan including on site allocation 459 - Land Off Pool House Lane, Wombourne – stating that the site will need to take into account voltage overhead lines across site. They also comment on Policy HC10 suggesting an amendment.	STA24-030 National Grid Electricity Distribution (LW Planning) Representation

		Policy SA3
Severn Trent Water	No response. However, Severn Trent Water have been actively engaged in the Local Plan preparation and consulted on proposed site allocations (see the Infrastructure Delivery Plan for details).	

4. Update to Appendix A ‘Duty to Co-operate Schedule’ of the April 2024 Topic Paper

4.1. This section provides an update to Appendix A ‘Duty to Co-operate Schedule’ of the April 2024 Topic Paper. An update on the sections is provided below on activities since April 2024. For full details please see the April 2024 Duty to Cooperate Topic Paper.

Unmet housing needs arising from Black Country and Birmingham

- South Staffordshire District Council have continued to participate in the GBBCHMA officer group, providing forum to discuss emerging Local Plan approaches to issue and monitor extent of the shortfall.
- Work to update the GBBCHMA Development Needs Group Draft Statement of Common Ground is underway which will include details of the apportionment of contributions towards unmet needs of individual authorities.
- Work is underway to commission an update to the 2018 Strategic Growth Study which will be used to inform future plan making across the HMA.
- Ongoing engagement with Local Authorities within the GBBCHMA including responses to the South Staffordshire 2024 Regulation 19 Plan (see section 3 above) and South Staffordshire responses to other authorities Local Plans (see section 5 below).

Cross-boundary unmet employment needs within the South Staffordshire FEMA and Black Country FEMA

- A SoCG has been agreed all authorities within the South Staffordshire FEMA (see paragraph 2.3 above).

Regional employment demand within the wider West Midlands region

- The 2024 update to the West Midlands Strategic Employment Sites Study (WMSESS) has been completed and published to inform future plan making across the region (link below).

[West Midlands Strategic Employment Sites Study 2024](#)

Unmet Gypsy and Traveller needs from South Staffordshire

- South Staffordshire have continued to request assistance in meeting its unmet needs through SoCG with neighbouring authorities and authorities within the GBBCHMA (see section 2 above) and through commenting on other authorities Local Plan consultations (see section 5 below).

Infrastructure provision (including cross boundary)

- The Council has continued to work with infrastructure providers as demonstrated through SoCG, the Infrastructure Delivery Plan and responses to the 2024 Regulation 19 Local Plan consultation (see section 3 above).

Natural Environment (including Cannock Chase SAC and other international protected sites)

- The Council and partner authorities have completed a joint transport and air quality evidence that has been informed by ongoing engagement with Natural England (link below).

[Air Quality Assessment Report](#)

- A SoCG has been agreed with Natural England and the partner authorities covering air quality (see paragraph 2.5 above). This confirms the ongoing cooperation on this issue and confirms we can now rule out adverse effects on site integrity of all relevant designated sites.
- Following the work undertaken above, an updated Habitats Regulation Assessment has been produced which rules out significant adverse effects on designated European sites.

Green Belt

- Local Authorities will continue to review each other's site selection process in consultation responses to emerging local plans and highlighted concerns/queries as required.

Flood Risk and Water Quality

- The Council has continued to engage with Staffordshire County Council as the Lead Flood Risk Authority (who provided comments on the 2024 Regulation 19 Plan – see section 3 above) and Severn Trent Water as a key infrastructure provider (see the Infrastructure Delivery Plan for details). The council have also produced a Strategic Flood Risk Assessment and Sequential Test Topic Paper setting out its approach.

Minerals and Waste

- Staffordshire County Council’s Minerals and Waste team provided comments on the 2024 Regulation 19 Plan (see section 3 for details).

5. Update to Appendix E - Summary of key Duty to Cooperate events relating to housing and employment with the Black Country authorities and Birmingham

5.1. The table below provides an update since the April 2024 Duty to Cooperate Topic Paper on key Duty to Co-operate events involving the matter of strategic housing and employment needs between the four Black Country authorities (Wolverhampton, Walsall, Dudley and Sandwell), Birmingham City Council and South Staffordshire District Council. Please see the April 2024 Duty to Cooperate Topic Paper for activities before April 2024.

Date	Event	Summary of key points relating to cross boundary housing and employment unmet needs
18/04/2024 – 31/05/2024	The Publication Plan 2024 consultation	- South Staffordshire Council consulted on a Regulation 19 Plan from Thursday 18 April to Friday 31 May 2024. Responses were received from all Black Country Authorities and Birmingham City Council (see section 3 above for details). -
24/06/2024	South Staffordshire Council and Dudley MBC Duty to Cooperate meeting	- Duty to cooperate meeting between South Staffordshire Council and Dudley MBC discussing issues including: Local Plan updates, SoCG and Strategic Growth Study update.
08/07/2024 – 27/08/2024	South Staffordshire Council response to the Birmingham Local Plan Preferred Options Document	- South Staffordshire Council responded to the Birmingham Local Plan Preferred Options Document on matters including: The Strategy, Housing Provision, Gypsies, Travellers and Travelling Showpeople, Employment Land Need, West Midlands Interchange & the draft proposed NPPF.
04/09/2024	South Staffordshire Council and Dudley MBC Duty to Cooperate meeting	- Duty to cooperate meeting between South Staffordshire Council and Dudley MBC discussing issues including: Local Plan updates, SoCG, Strategic Growth Study Update and the NPPF consultation.
23/09/2024 – 11/11/2024	Sandwell Local Plan Publication (Regulation 19)	- South Staffordshire Council responded to the Sandwell Local Plan Publication (Regulation 19) consultation on matters including: Housing – Policy SHO1, Gypsies, Travellers and Travelling Showpeople – Policy SH09, Employment – Policy SEC1 and Transitional Arrangements.
18/10/2024 – 29/11/2024	South Staffordshire Council response to Dudley Metropolitan Borough	- South Staffordshire Council responded to Dudley Metropolitan Borough Council Local Plan Regulation 19 consultation on matters including: Delivering Sustainable Housing Growth (Policy DLP10), Accommodation for Gypsies, Travellers and Travelling Showpeople (Policy

	Council Local Plan Regulation 19 consultation	DLP15), Economic Growth and Job Creation (Policy DLP18) & the Transitional Arrangements.
25/11/2024 – 09/01/2025	Wolverhampton Local Plan Publication (Regulation 19) Consultation	- It is South Staffordshire Council's intention to respond to this consultation.

Appendix 1 - Copy of October 2023 letter and responses

1. Example Letter sent from South Staffordshire District Council dated 24th October 2023
2. Birmingham City Council response
3. Bromsgrove and Redditch Councils response
4. Cannock Chase Council response
5. City of Wolverhampton Council response
6. Litchfield District Council response
7. Sandwell Metropolitan Borough Council response
8. Shropshire Council response
9. Stafford Borough Council response
10. Tamworth Borough Council response
11. Walsall Council response
12. Wyre Forest District Council response



Sent via email to:

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Email: e.fox@sstaffs.gov.uk

24th October 2023

South Staffordshire District Council – Duty to Cooperate update

Dear ,

As you will be aware, South Staffordshire District Council (SSDC) paused work on its local plan in January 2023, requesting clarity from government over its proposed reforms to national planning policy announced in December 2022. At the time these were understood to be implemented by 'Spring 2023', which unfortunately has not been the case, with our current understanding being that the revised National Planning Policy Framework will be published in Autumn 2023.

Despite these delays at the national level, we recognise the need to progress the plan to ensure that we can submit in line with the government's plan deadlines. Whilst no decisions have yet been made regarding the plan's strategy it is evident that the delay to the plan's preparation and potential changes to national planning policy will have effects on the plan's approach to accommodating development needs. Therefore, the Council announced in July 2023 that it would begin revisiting the evidence underpinning the local plan, with the intention of undertaking an additional public consultation on the plan in Spring 2024. Whilst the Council had hoped to wait for the changes to the NPPF to be finalised before progressing further work on the Local Plan it will be necessary to begin this process now, including further Duty to Cooperate engagement, if the government's June 2025 deadline is to be met. The Council's full statement on this can be found here: <https://www.sstaffs.gov.uk/news/2023/local-plan-statement>.

The likely Duty to Cooperate issues raised by this additional plan-preparation stage and changing national policy context for cross-boundary matters are summarised below, alongside matters where the Council would welcome your authority's views.

Housing

The Council's 2022 Publication Plan consultation proposed releasing significant Green Belt release to achieve its proposed housing target, which accommodated the Council's own housing needs and a 4,000 dwelling contribution to the unmet needs of the Greater Birmingham and Black Country Housing Market Area (GBBCHMA). The Council's evidence base indicated that, at a strategic level, the exceptional circumstances for releasing this level of Green Belt heavily relied upon the Council's housing need and the significant unmet housing needs arising from the wider housing market area¹, as there was no way to accommodate this contribution to unmet needs without Green Belt release.

¹ Green Belt Exceptional Circumstances Topic Paper November 2022



The Council's exceptional circumstances for altering Green Belt boundaries were also supported by a regional evidence base prepared by the GBBCHMA² in 2018, which indicated that strategic Green Belt release would likely be required to meet the unmet housing needs of the region. Following on from this regional evidence base, a Statement of Common Ground was drafted between the GBBCHMA authorities, reflecting the position on unmet housing needs, proposed updates to the regional evidence base and measures to implement a governance structure between the authorities, based on the positions of each authority as at August 2022. This is attached in Appendix 1 of this letter and was signed by nine (but not all) of the GBBCHMA local authorities and related authorities.

Given the evident role of unmet housing needs in driving Green Belt release in South Staffordshire, it is important to note that the 2022 [draft changes to the National Planning Policy Framework](#) (NPPF) proposes changes to how Green Belt boundary changes are considered in relation to housing needs. Specifically, paragraph 142 proposes that "*Green Belt boundaries are not required to be reviewed and altered if this would be the only means of meeting the objectively assessed need for housing over the plan period*". This policy, if enacted, will obviously have significant Duty to Cooperate implications for authorities with a relationship to the unmet needs of the GBBCHMA, particularly those which proposed altering Green Belt boundaries on the basis of meeting unmet housing needs within the region.

Given the above context, **we would appreciate an indication of what your position would be if SSDC were to revise its housing strategy to no longer review Green Belt boundaries to accommodate the housing needs of the District or GBBCHMA, if the proposed changes to paragraph 142 of the NPPF are enacted.** Understanding your stance on this will help us to progress any necessary changes to the plan at pace once the final changes to the NPPF are confirmed, ensuring that we can meet the June 2025 deadline set by government.

Employment

The 2022 Publication Plan proposed sufficient employment land supply would be released to deliver 99ha between 2020-2039. This provided for a potential contribution of 36.6ha towards the unmet needs of the Black Country authorities and a further additional minimum contribution of 67ha of land to the Black Country from the West Midlands Interchange development consent order, with the remainder of the surplus land supply from the site to be considered with related authorities through the Duty to Cooperate. Due to the delay in the plan's preparation, the Council will need to prepare an update of its Economic Development Needs Assessment (EDNA) to inform its Spring 2024 Regulation 19 consultation. This will update the Council's employment requirement across an updated plan period, reflecting delay to the plan's likely adoption date. We will be engaging with you on these matters at an appropriate point in time to inform the Regulation 19 consultation on SSDC's Local Plan in Spring 2024.

SSDC will also continue to work through the West Midlands Development Needs Group to assist in the preparation of the update to the West Midlands Strategic Employment Sites Study 2021 and will seek to address its findings through the update to its EDNA and employment land site assessment process.

² GBBCHMA Strategic Growth Study 2018



Gypsy and Travellers

SSDC has previously indicated a 121 pitch need for Gypsy and Traveller households, including 72 pitches within the 5 year period. SSDC has commissioned an update to the Gypsy and Traveller Accommodation Assessment which will identify our needs up until 2041. It is not expected that our needs will reduce through the updated assessment. As it stands, despite undertaking the following steps, SSDC can only deliver 37 pitches within the plan period on sites which would address unmet pitch needs;

- Intensifying supply on existing sites
- Expanding all suitable existing sites
- Exploring all public land options (SSDC or County Council owned) in the District for new public sites
- Approaching sites proposed for general housing allocation to identify if the landowner would be willing to set aside part of the site for pitch needs

Call for sites, public consultations with Gypsy and Traveller sites and pro-active conversations with public bodies were undertaken to fully establish the extent of land available to meet pitch needs. This involved full exploration of both Green Belt and non-Green Belt options, which, if suitable, are allocated for new pitch supply. Despite exploring all of these options, SSDC can only deliver 37 pitches which would address its unmet pitch needs, creating a strategic cross-boundary issue to be discussed with adjacent authorities and other authorities within the housing market area.

In response to this unmet need, Birmingham City Council (BCC) indicated that it was unlikely that additional pitches could be offered to SSDC due to BCC's own pitch needs. It confirmed it had not yet explored options for a new publicly owned site, nor had it engaged with site promoters of general housing allocations to identify opportunities for additional pitch supply. SSDC would welcome an update to the steps taken to examine all potential pitch supply options, as SSDC has sought to do through its plan preparation.

Other issues

The previous statement of common ground drafted between our councils also addressed the following matters:

- Transport
- Infrastructure
- Natural Environment

Once further details of any finalised spatial strategy are understood will be re-engaging with you on these matters.

Next steps

The Council is currently preparing a Regulation 19 consultation on SSDC's Local Plan in Spring 2024 and will engage with you once further information is available on matters affecting cross-boundary issues. This will allow us to update to the statement of common ground previously drafted to reflect each of our up-to-date positions. In the meantime we would welcome a response to the matters raised in the letter above, particularly those



relating to potential changes to national planning policy regarding housing needs and Green Belt. Please let us have your response no later than **24th November 2023**.

We would be happy to meet with you to discuss this further, please get in touch with myself or the team using the contact details above if it would assist.

Kind regards

Kelly Harris

Lead Planning Manager
Planning
South Staffordshire Council



South Staffordshire Council

Appendix 1: GBBCHMA Development Needs Group - Draft Statement of Common Ground - August 2022



South Staffordshire Council

GBBCHMA Development Needs Group

Statement of Common Ground

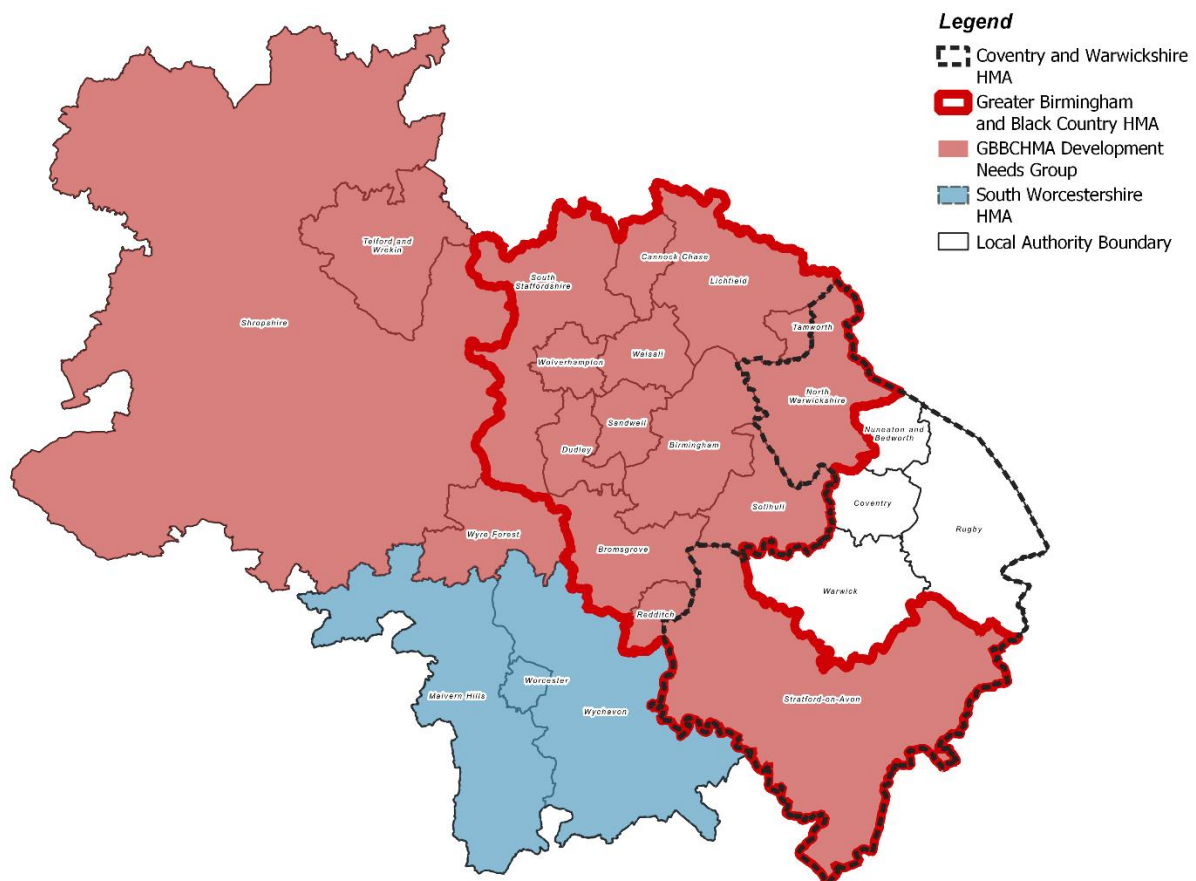
August 2022



1. Purpose and list of Parties involved in this Statement of Common Ground

1.1 This Statement of Common Ground (SoCG) has been prepared to facilitate and record cross-boundary engagement between local authorities in addressing existing and emerging housing shortfalls within the Greater Birmingham and Black Country Housing Market Area (GBBCHMA). It records cooperation and progress to date in addressing this strategic issue, demonstrating that the participating authorities have engaged constructively, actively and on an ongoing basis under the Duty to Cooperate.

1.2 The Greater Birmingham and Black Country Housing Market Area (GBBCHMA) Development Needs Group comprises the local planning authorities set out below. The Black Country consists of the Dudley, Sandwell, Walsall and Wolverhampton local planning authorities.



Local planning authorities within the GBBCHMA

- Birmingham City Council
- Bromsgrove District Council
- Cannock Chase District Council
- Dudley Metropolitan Borough Council



- Lichfield District Council
- North Warwickshire Borough Council
- Redditch Borough Council
- Sandwell Metropolitan Borough Council
- Solihull Metropolitan Borough Council
- South Staffordshire District Council
- Stratford-on-Avon District Council
- Tamworth Borough Council
- Walsall Metropolitan Borough Council
- City of Wolverhampton Council

Other related local planning authorities outside of the GBBCHMA

- Shropshire Council
- Telford and Wrekin Council
- Wyre Forest District Council

2. Signatories to this Statement of Common Ground:

- Birmingham City Council
- Bromsgrove District Council
- Cannock Chase District Council
- Dudley Metropolitan Borough Council
- Lichfield District Council
- North Warwickshire Borough Council
- Redditch Borough Council
- Sandwell Metropolitan Borough Council
- Solihull Metropolitan Borough Council
- South Staffordshire District Council
- Stratford-on-Avon District Council
- Tamworth Borough Council
- Walsall Metropolitan Borough Council
- City of Wolverhampton Council
- Shropshire Council
- Telford and Wrekin Council
- Wyre Forest District Council

3. Strategic Geography

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- 3.1 The Greater Birmingham and Black Country Housing Market Area (GBBCHMA) comprises 14 local authorities: Birmingham City Council, Bromsgrove District Council, Cannock Chase District Council, Dudley Metropolitan Borough Council, Lichfield District Council, North Warwickshire Borough Council, Redditch Borough Council, Sandwell Metropolitan Borough Council, Solihull Metropolitan Borough Council, South Staffordshire District Council, Stratford-on-Avon District Council, Tamworth Borough Council, Walsall Metropolitan Borough Council and City of Wolverhampton Council.
- 3.2 This geography was defined through two published studies commissioned from Peter Brett Associates (now Stantec) in accordance with guidance at the time based on analysis of migration flows and commuting patterns and was subsequently endorsed by all authorities.
- 3.3 As part of the review of the Birmingham Development Plan (BDP), the City Council has tested whether this geography is still valid. A draft Housing and Economic Development Needs Assessment (HEDNA) report, which has been subject to engagement with neighbouring authorities through the GBBCHMA group, confirms that this is still a reliable geography using more recent data where available. The draft HEDNA has yet to be tested through examination in public. It also confirms that other authorities beyond the GBBCHMA have close functional relationships with it, based on commuting and migration flows, as listed below:
- Shropshire
 - Telford & Wrekin
 - Wyre Forest
 - Worcester City
 - Coventry City
- 3.4 Based on the findings of this report, Shropshire Council, Telford & Wrekin and Wyre Forest were invited to be signatories to this Statement of Common Ground, recognising the close functional relationships these areas have with the GBBCHMA (or parts of it) and authorities generating shortfalls within it. Worcester City Council and Coventry City Council were not invited to be signatories, because these are constrained urban areas that have historically relied on other neighbouring authorities to meet their housing needs over separate functional geographies and are therefore unlikely to be able to contribute towards the housing needs of the GBBCHMA.
- 3.5 At this time, expansion of the GBBCHMA is not advocated but it is acknowledged that there are potentially cross boundary matters, particularly in relation to migration patterns, which need to be addressed in order to ensure compliance with the Duty to Cooperate.
- 3.6 The strategic geography and scope of this Statement of Common Ground reflects current emerging evidence regarding the functional relationships between the GBBCHMA and surrounding areas. This scope will be updated to reflect the finalised Birmingham HEDNA report



and any other evidence showing functional relationships beyond the GBBCHMA as and when such evidence becomes available.

3.7 It should be noted that both North Warwickshire and Stratford-on-Avon fall within the Coventry and Warwickshire HMA as well as the Greater Birmingham and Black Country HMA. In respect of Stratford-on-Avon District, the Fosse Way is an accepted boundary between the two HMAs reflecting the geographic proximity to the HMAs of this large rural district.

4. Strategic Matter - Meeting Housing Need

2011 – 2031 period

4.1 All post NPPF adopted development plans for the GBBCHMA authorities which cover the period 2011-2031 sought to meet their own Objectively Assessed Need (OAN). Those unable to meet their own needs are as follows:

Plan	Adopted	Details of shortfall
Birmingham Development Plan, 2011-2031	January 2017	The Birmingham Development Plan identified an Objectively Assessed Need of 89,000 homes with a shortfall of 37,900 homes which could not be met in the plan area. Policy TP48 of the adopted BDP sets out a mechanism for how this will be dealt with.
Cannock Chase Local Plan, 2012-2028	June 2014	The Cannock Chase Local Plan identified a shortfall of 500 homes, which was met in the Lichfield Local Plan (adopted 2015). The Cannock Chase Local Plan review identifies no shortfall over the period 2018-38 therefore this shortfall does not now need to be addressed.
Redditch Local Plan, 2011 – 2030	January 2017	The Redditch Plan identified a shortfall of 3,400 homes. The plan was prepared and examined in parallel with the Bromsgrove Local Plan (adopted 2017), which identified capacity to accommodate all of this shortfall.
Tamworth Local Plan, 2006 – 2031	February 2016	The Tamworth Plan identified a shortfall of 1,825 homes. The North Warwickshire Local Plan (adopted 2021) meets 913 homes of this shortfall. The Lichfield Local Plan (adopted 2015) meets 500 homes of this shortfall and a statement of common ground signed in 2018 agreed to increase this contribution to 912 homes. The Lichfield Local Plan review does not make a specific contribution to Tamworth.

Birmingham Policy context

4.2 Policy TP48 of the Birmingham Development Plan (BDP) states that:



“The Council will also play an active role in promoting, and monitor progress in, the provision and delivery of the 37,900 homes required elsewhere in the Greater Birmingham Housing Market Area to meet the shortfall in the city. This will focus on:

- *The progress of neighbouring Councils in undertaking Local Plan reviews to deliver housing growth to meet Birmingham’s needs.*
- *The progress of neighbouring Councils in delivering the housing targets set out in their plans.*
- *The extent to which a 5-year housing land supply is maintained in neighbouring areas.”*

4.3 Policy TP48 goes on to state that if other local authorities do not submit plans that provide an appropriate contribution to the shortfall, then the Council needs to consider the reasons for this and determine whether it is necessary to reassess Birmingham’s capacity by means of a full or partial BDP review after three years. In acknowledgement of the BDP shortfall, those authorities that preceded it included review mechanisms to address the shortfall. Commitments to review in adopted plans are set out in Appendix 1.

4.4 January 2020 signalled three years since adoption of the BDP. In December 2019 Birmingham City Council published an updated Local Development Scheme (LDS)³ which concluded that an early review was not required. This stated that:

“...the Local Planning Authority will start scoping out the work needed to undertake this in 2020 and set out a timetable for any BDP update, if necessary, in the next version of the LDS by January 2022’

4.5 The Birmingham LDS was updated in June 2021, providing a timetable for the BDP review. That review has now commenced, and technical work is being undertaken. An Issues and Options document is due to be published in Autumn 2022.

Joint studies commissioned to address strategic housing shortfalls

4.6 Work commissioned to date by the GBBCHMA to find solutions to address these strategic housing shortfalls consists of the following two studies:

- Peter Brett Associates - Strategic Housing Needs Study
- GL Hearn / Wood – Strategic Growth Study 2018 (SGS)

4.7 As well as updating the position regarding the shortfall both up to 2031 and 2036, the Strategic Growth Study identified potential broad areas which each authority could explore and test through their plan-making processes to potentially accommodate the shortfall. Three broad development typologies were identified:

³ <https://www.birmingham.gov.uk/lds>



New settlements – 10,000 – 15,000 dwellings
Employment led – 1,500 – 7,500 dwellings
Urban Extensions – 1,500 – 7,500 dwellings

- 4.8 Potential locations were placed in two categories, a short list warranting further consideration and a long list. A full schedule of locations by development typology and potential capacity is shown in Appendix 2.
- 4.9 These strategic options were accompanied by five smaller areas where potential for a proportionate distribution pattern of development (500 – 2,500 dwellings) should be examined further.

Monitoring the GBBCHMA Shortfall

- 4.10 A monitoring framework was established based on the Strategic Growth Study and progress towards meeting this shortfall has been reflected in a series of position statements for the period 2011 – 2031. The most recent of these position statements was published in 2021 with a base date of 1 April 2020. This suggests that the shortfall to 2031 is some 10,000 homes fewer than when the Strategic Growth Study was published. This is mainly as a result of the Birmingham Development Plan identifying additional capacity over that anticipated when the plan was examined.
- 4.11 The summary of GBBCHMA housing supply and need below in Table 1 includes capacity identified through the Solihull and North Warwickshire local plan reviews. In the case of Solihull, a contribution of 2,104 homes has been identified as coming forward before 2031 and in North Warwickshire a contribution of 3,790 by 2033. Further contributions may come forward pre 2031 as identified in Table 2, which may close the gap further.
- 4.12 As North Warwickshire and Stratford-on-Avon straddle the GBBCHMA and the Coventry and Warwickshire Housing Market Area, their contribution is shared and this is set out in an agreed Memorandum of Understanding⁴, consequently an adjustment is made in Tables 1 & 2.

Table 1: GBBCHMA Housing Supply and Need as at 2019/20

⁴ Available here:

<http://democracy.stratford.gov.uk/documents/s35727/Appendix%201%20MoU%20CW%20HMA.pdf&TxtOnly=1>



	SGS Baseline (2011 – 31)	2017 update published (2011 - 31)	2017 Update revised (2011 - 31)	2019 (2011 - 31)	2020 (2011 -31)
GBBCHMA Housing Need (Strategic Growth Study baseline)	205,099	205,099	205,099	205,099	205,099
Contribution to CWHMA	-2880	-2880	-2880	-2880	-2880
Minimum housing requirement	207,979	207,979	207,979	207,979	207,979
Supply baseline	191,654	197,283	199,238	205,382	201,677
Total shortfall	16,325	10,696	8,741	2,597	6,302

Source: GBBCHMA Position Statement update

- 4.13 The Position Statement and Table 1, however, do not include capacity coming forward in South Staffordshire, Lichfield, Shropshire and Cannock Chase through sources of supply not formally identified in April 2020, which have important implications for the overall position and may provide capacity pre-2031.
- 4.14 They also do not fully reflect the latest Black Country Plan position as set out in the Regulation 18 Plan, published for consultation in August 2021, which will further adjust supply based on more up to date urban capacity evidence, capacity from potential Green Belt releases and through seeking to address housing needs beyond the 2031 monitoring date. The implications of the total changes in supply arising are set out in Table 2.

Table 2: Local Plan Reviews – Shortfalls and Contributions

Local Plan	Status	Total contribution to GBBCHMA unmet needs (up to and beyond 2031)	Comments
South Staffordshire	Reg 18 October 2021	+4,000	2018-2038 plan period
Cannock	Reg 18 March 2021	+500	2018-2039 plan period
Shropshire	Examination July 2022	+1,500 Contribution specifically for Black Country unmet needs	2016 -2038 plan period
Black Country	Reg 18 Draft Plan August 2021	-28,000	2020 – 2039 plan period
Lichfield	Reg 19 July 2021	+2,655 2,000 contribution specifically for Black Country unmet needs	2018-2040 plan period Agreement in 2018 to contribute 912 towards the Tamworth shortfall.



Housing Need and capacity post-2031

- 4.15 The Black Country is the only plan area in the GBBCHMA that does not have a post NPPF local plan which has been adopted or reached examination. However, the Black Country Plan has reached Regulation 18 stage, and this is significant because it identifies a shortfall of 28,234 homes over the period 2020-39 (16,346 by 2031 and 11,888 over the period 2031-2039). These shortfall figures are based on up-to-date local housing need (including the 35% uplift for Wolverhampton). These figures, however, are subject to further consultation and examination. The Birmingham Development Plan review is at its formative stages and the extent of any post 2031 shortfall has yet to be established.
- 4.16 The 2018 Strategic Growth Study did consider unmet housing needs across the whole GBBCHMA up to 2036, concluding that there was an approximate 60,000 dwelling shortfall. In general, however, at the time of publication, plans looking beyond 2031 were not far enough advanced so capacity beyond this date would be limited by implication.

5. Timetable for review and ongoing cooperation

- 5.1 Table 3 sets out progress on local plan reviews across the Statement of Common Ground geography. Where plans have not yet reached Preferred Options Regulation 18 stage, the adopted plan is included. There is clear evidence to show that the shortfall has reduced significantly up to 2031. There is, however, evidence of an as yet untested gap emerging post 2031.

Table 3: Local plan review progress

Area	Plan Period	LHN as of 2022 (homes per annum)	Plan Requirement (homes per annum)	Shortfall / Surplus over Plan Period (total homes)	Plan Status
Birmingham	2011-2031	6,750	2,555	-37,900	Adopted (2017)
Black Country	2020 -2039	4004	2278	-28,239	Regulation 18 (2021)
Bromsgrove	2011-2030	383	368	+ 3,400 ⁵	Adopted (2017)
Cannock Chase	2018-2038	276	301	+ 500	Regulation 18 (2021)
Lichfield	2018 - 2040	303	422	+2655 ⁶	Examination (2022)
North Warwickshire	2014-2033	169	454	+ 3790 ⁷	Adopted (2021)

⁵ 3,400 contribution specifically towards the 2011-30 Redditch shortfall

⁶ 2,000 contribution specifically towards the 2020-38 Black Country shortfall

⁷ 913 contribution specifically towards the 2006-31 Tamworth shortfall

Redditch	2011-2030	165	337	-3,400 ⁸	Adopted (2017)
Solihull	2016-2036	807	939	+2,105	Examination (2022)
South Staffordshire	2018-2038	243	444	+4,000	Regulation 18 (2021)
Stratford-on-Avon	2011-2031	567	730		Adopted (2016)
Tamworth	2006-2031	145	177	-1825 ⁹	Adopted (2016)
Non-HMA					
Shropshire	2016-38	1,147	1,430	+1,500 ¹⁰	Examination (2022)
Telford and Wrekin	2011-31	491	864		Adopted (2018)
Wyre Forest	2016-36	276	276		Adopted (2022)

- 5.2 Whilst the full extent of the post 2031 shortfall is not yet established and not all plans within the GBBCHMA have agreed to make a contribution towards a GBBCHMA shortfall, there appears to be evidence that it will be difficult to meet the entire GBBCHMA shortfall within its collective boundaries. Shropshire has acknowledged this and proposed a contribution of 1,500 dwellings towards the Black Country shortfall accordingly.

Approach taken in local plans to date

- 5.3 The purpose of this section is to set out how local plan reviews intend addressing the GBBCHMA shortfall and how they have used the shared evidence base, namely the GL Hearn / Wood Strategic Growth Study 2018. The wording provided for each authority represents the views of the authority concerned.

Birmingham

- 5.4 Birmingham City Council has commenced an update of the Birmingham Development Plan. It is likely that there will be a shortfall arising from this Plan update, however this has not yet been quantified. The Issues and Options consultation programmed for Autumn 2022 will provide an initial indication of the scale of the shortfall, however the City's capacity will evolve as the Plan update progresses. Housing need has increased since last plan so it is likely that the shortfall will be at least as severe as last time round.

Black Country

- 5.5 The Strategic Growth Study made several recommendations of relevance to the Black Country, including examining potential additional urban supply, and identifying and allocating additional land elsewhere for developments of 1500+ homes. The Black Country Urban Capacity Review

⁸ 3,400 met by Bromsgrove Local Plan (2017)

⁹ 500 met by Lichfield Local Plan (adopted 2015) and 913 homes met by North Warwickshire Local Plan (adopted 2021)

¹⁰ Shropshire contribution towards Black Country shortfall specifically post 2031



Update 2021 examines the potential to increase densities in the urban area, and Policy HOU2 of the Draft Black Country Plan proposes increased housing densities compared with those required by current policy.

- 5.6 The Strategic Growth Study also identified areas of search for sites beyond and within the Green Belt. These included land for an urban extension North of Walsall around Brownhills (Walsall, Lichfield, Cannock) and South of Dudley (within Dudley). The Draft Black Country Plan proposes allocations in both of these locations, although the detailed assessment carried out for the Plan has shown that the total capacity of individual sites at each location is less than 1500 homes.

Bromsgrove

- 5.7 The Bromsgrove District Plan review is considering over 400 possible sites for inclusion in the plan. In some instances, these sites correspond with those areas suggested for consideration by the Strategic Growth Study. The assessment process the Council is undertaking is significantly more detailed than the Strategic Growth Study. Therefore, all realistic options including those in the Strategic Growth Study have been considered. A July 2022 Memorandum of Understanding between Redditch and Bromsgrove Councils confirms that the surplus of housing currently allocated for the needs for Redditch Borough (currently approximately 2241 dwellings) is handed back to BDC for BDC to consider in its plan making.

Cannock Chase

- 5.8 The Strategic Growth Study is being used to inform local plan review process. The Preferred Options report set out a strategy to meet own needs and provide a contribution to GBBCHMA shortfall of 500 dwellings, recognising the proportionate dispersal option in the Strategic Growth Study. This will require Green Belt release and there are infrastructure constraints. The Strategic Growth Study is the only independent document providing GBBCHMA shortfall evidence, so the local plan is seeking to test its recommendations. Cannock Chase is not aware of alternative evidence and is keen to make use of existing evidence and work with partners on that.

North Warwickshire

- 5.9 The Strategic Growth Study was used as a piece of evidence to inform recently adopted plan. CWHMA used commuting patterns as a consistent methodology for distributing needs and used a version of this as a basis for taking 10% of Birmingham's shortfalls. Tamworth and CWHMA unmet needs were also provided for. The Strategic Growth Study was relied upon for market capacity evidence to support the stance in local plan.

Lichfield

- 5.10 The Strategic Growth Study is used as a piece of evidence to inform the Local Plan review process. All potential options identified within Lichfield District within the Strategic Growth Study have been considered through the plan-making process. The Strategic Growth Study directly informed the identification of one of the key areas for growth within the draft Local



Plan. Other options identified within the SGS have been discounted through the plan-making process, having had consideration of wider evidence base. The draft Local Plan proposes to provide 2,000 homes to the Black Country and 665 homes to the wider GBBCHMA. The existing adopted Local Plan provides 500 towards the previous Cannock Chase Local Plan shortfall (which does not now exist) and 500 homes towards the Tamworth Local Plan shortfall. Lichfield District Council signed a Statement of Common Ground with Tamworth Borough Council in 2018 agreeing to meet 912 homes of the Tamworth Local Plan shortfall.

Redditch

- 5.11 Redditch Borough Council is at the start of the plan review process. The Strategic Growth Study will be one of many pieces of evidence that will be considered proportionately as plan making progresses. A July 2022 Memorandum of Understanding between Redditch and Bromsgrove Councils confirms that the surplus of housing currently allocated for the needs for Redditch Borough (currently approximately 2241 dwellings) is handed back to BDC for BDC to consider in its plan making

Solihull

- 5.12 The local plan was submitted for examination in May 2021. Hearings took place from September 2021 to February 2022. Solihull Metropolitan Borough Council's (SMBC) approach was to make a contribution to the GBBCHMA based on the shortfall created by the 2017 Birmingham Development Plan as this represented a tested and established position, which is not yet the position for the Black Country Plan. Other LPAs made the case that SMBC should be doing more now. The Inspector's [interim] report is not yet published, but they have confirmed their conclusion "*that the Council has complied with the duty to co-operate in the preparation of the Local Plan.*"
- 5.13 As a piece of evidence, the Strategic Growth Study options were considered during the preparation of the plan and helped inform further evidence (e.g. testing a new settlement proposal through the Sustainability Appraisal for the plan). Whilst the SA did not support a new settlement in the Balsall Common area, the Local Plan has been able to treat the settlement as an appropriate location for what is effectively an urban extension. The plan includes growth at other options identified in the Strategic Growth Study e.g. land south of the airport/NEC and land south of Birmingham around Hollywood, Whitlock's End and Cheswick Green. This represents a balanced approach and reflects the tensions in the Strategic Growth Study which identified the Green Belt in these locations as making a 'principal contribution'.

South Staffordshire

- 5.14 South Staffordshire first established its 4,000 dwelling contribution towards GBHMA unmet needs in its Local Plan Review 2018 Issues and Options consultation. This contribution was in

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addition to the district's own housing needs and represented the sum of the minimum indicative capacities of the following four strategic growth locations recommended in the GBHMA Strategic Growth Study 2018:

- Urban extension (1,500 dwellings minimum) north of Penkrige
- Employment-led strategic development (1,500 dwellings minimum) in vicinity of i54/J2 of M54
- Proportionate dispersal (500 dwellings minimum) north of Codsall/Bilbrook
- Proportionate dispersal (500 dwellings minimum) on the western edge of the conurbation

5.15 The Council's position was that if all authorities in the GBBCHMA delivered the locations proposed by the Strategic Growth Study, the shortfall (including up to 2036) would be met, in line with paragraph 1.102 of the Study.

5.16 There was also a need to consider other locations in the district alongside the locations listed above, due to the district's own increasing housing needs. The Council then proposed a Spatial Strategy in 2019 which delivered both the 4,000 dwelling contribution and growth in the broad locations identified in the Strategic Growth Study. These were then translated into proposed site allocations in the 2021 Local Plan Review Preferred Options consultation, whilst being refined to take account of local constraints.

5.17 South Staffordshire took this approach to ensure that its contribution towards the GBBCHMA's unmet housing needs was based upon the recommendations of the Strategic Growth Study, which it considers to be the only consistent assessment of Green Belt purposes, market capacity, deliverability and sustainability prepared by the GBBCHMA authorities to date. To date it has not received direct objections to the 4,000 dwelling contribution figure from GBBCHMA authorities, although some planning authorities have indicated they would not consider it appropriate to follow a similar methodology to determine their contribution to unmet needs.

Stratford-on-Avon

5.18 Stratford-on-Avon is continuing to progress its Site Allocations Plan which will identify reserve sites to contribute to the GBBCHMA shortfall to 2031. In addition, SDC is working with Warwick District on the South Warwickshire Local Plan (SWLP) running to 2050. The SWLP is being prepared with work on the strategic Part 1 already underway. Issues and Options consultation is due late summer 2022 with adoption of Part 1 expected by the end of 2025. The SWLP will have to address both Birmingham and Coventry City shortfalls. The Strategic Growth Study will form part of the evidence base to inform plan preparation, but no decisions have yet been made. Stratford-on-Avon are keen to agree a GBBCHMA-wide approach, such as commuting flows, to act as a benchmark for contributions.

Tamworth



5.19 The adopted Local Plan makes up 1,825 of GBBCHMA unmet need. 913 of this shortfall is met through the recently adopted North Warwickshire Local Plan. The adopted Lichfield Local Plan meets 500 of the shortfall and Lichfield District Council signed a Statement of Common Ground in 2018 agreeing to meet 912 homes of the shortfall. The Lichfield Local Plan review does not propose to make a specific contribution towards Tamworth. The Tamworth Local Plan review statement issued in 2020 stated that: *“given the existing development constraints within Tamworth’s border, it is unlikely that a significant contribution to the HMA shortfall could be made.”* The Tamworth Local Plan review is programmed to commence in 2022.

Shropshire

5.20 Shropshire submitted a local plan in September 2021 which makes a contribution of 1,500 homes towards meeting the needs specifically of the Black Country authorities as established through the Black Country Plan review. The examination is underway and questions have been asked regarding the rationale for Shropshire’s contribution to unmet needs. Shropshire’s approach is largely based on migratory trends. Shropshire is located outside the GBBCHMA and Shropshire is acknowledged as a separate housing market area. Shropshire has engaged with the Association of Black Country Authorities constructively and have agreed a separate Statement of Common Ground to support its approach towards unmet needs.

Telford & Wrekin

5.21 The Council has considered the representations made to the local plan received from local authorities. It is acknowledged by all parties that Telford & Wrekin functions as a separate housing market area, based on an analysis of the relevant indicators presented in supporting evidence to the Local Plan. This is consistent with the decision of the Greater Birmingham and Solihull Local Enterprise Partnership (GB&S LEP) to exclude Telford & Wrekin from their assessment of housing needs within the GB&S LEP area. Given this relationship, and based on current evidence available at this time, the potential contribution of in-migration arising from the Local Plan’s housing requirement towards meeting the needs of the GBBCHMA has not been quantified. The Council will continue to consider this matter in the light of emerging evidence. It does not at present rule out the potential apportionment of some of the Local Plan’s housing requirement towards meeting the needs of the GBBCHMA. Discussions will therefore continue to progress on this basis.

Wyre Forest

5.22 The Wyre Forest District Local Plan 2016-2036 was adopted in April 2022. Policy SP1 Spatial Development Strategy 2016-2036 clearly states that due consideration will be given, through a future early review of the Wyre Forest District Council Local Plan where necessary and in accordance with the NPPF, to the housing needs of neighbouring local authorities in circumstances when it has been clearly established through the local plan process that these needs must be met through provision in the Wyre Forest District area.



6. Summary of Current Position

Summary of key issues

- There remains a shortfall of 6,302 homes between 2011 and 2031 based on April 2020 information. Contributions towards addressing the shortfall have thus far been by local authorities within the GBBCHMA. The shortfall may reduce further as a result of plans progressing through the review process.
- There is evidence of a shortfall post-2031 based on published evidence, specifically the Black Country Regulation 18 Plan, although authorities have different positions on whether this currently warrants contributions from other authorities. The shortfall identified is also subject to further testing and consultation.
- This post-2031 shortfall is likely to increase in the future, principally from Birmingham in the light of progress with the Birmingham Plan.
- It is the role of emerging plans to seek to best meet any defined unmet needs in a sustainable manner.
- The Strategic Growth Study recommended testing several strategic opportunities through Local Plan reviews, which it indicated could meet the shortfall if delivered. Some of these opportunities have been reviewed through Local Plan work to date; but these opportunities, plus those which are yet to be tested are unlikely to be sufficient to address the post-2031 shortfall, although work to formally examine this in light of new housing needs has not been commenced.
- Duty to Cooperate engagement and evidence commissioned since the Strategic Growth Study has identified other closely related Local Planning Authorities, that can accommodate unmet need in a sustainable manner where a functional relationship between areas is defined and agreed through Duty to Cooperate engagement.
- Engagement to date has primarily taken place through direct Duty to Cooperate discussions between individual local authorities and the GBBCHMA officer group. Proposed governance arrangements are intended to supplement and support the Duty to Cooperate process across the GBBCHMA and beyond

Summary of key areas of agreement

- Cross boundary unmet housing needs are acknowledged as a strategic matter.
- The GBBCHMA geography is agreed as an appropriate geographical area within which to consider how to address housing needs.
- The proposed Officer Working Group and Member Board offers a complementary process to other Duty to Cooperate engagement and is agreed as the preferred means to



cooperating across the strategic geography as a whole in order to ensure housing delivery, and terms of reference will be established to support this.

- Joint working will be employed where circumstances warrant (e.g., BC LP etc).
- Agreement in principle to the plan making value of the existing evidence base, including the 2018 Strategic Growth Study, whilst acknowledging that this is not a policy document it is part of an evidence base to take matters forward through the local plan review process¹¹.
- Parties to this Statement of Common Ground will commission funding of shared evidence bases, where practicable to do so, to inform cooperation on housing delivery, including any necessary updates to the 2018 Strategic Growth Study.

Summary of key areas where agreement is still being sought

- There is, as yet, no agreed approach to accommodating the shortfall across the GBBCHMA or other closely related Local Planning Authorities with an agreed functional relationship, that can accommodate unmet need in a sustainable manner.
- Despite the findings of the Strategic Growth Study, there is no current agreed position on the scale of the shortfall to be planned for post-2031, with individual local authorities taking different positions on the Black Country's emerging post - 2031 housing shortfall for example.
- The relative weight given to the Strategic Growth Study varies, all local authorities utilising the Strategic Growth Study have tested and supplemented it with more local evidence, but the manner in which this has been done varies.

7. Future objectives and work streams to address key issues and areas where an agreement is still being sought

Objectives of the Development Needs Group

7.1 There is considerable variety in the progress and status of local plans across the GBBCHMA. Notwithstanding this complexity, the signatories to this statement will seek to deliver the following objectives:

- coordinate housing delivery to meet identified needs.
- maximise agreement on the approach towards strategic housing distribution.
- identify a transparent minimum level of housing need across the GBBCHMA that is consistent with national policy; and

¹¹ https://www.birmingham.gov.uk/downloads/file/9405/february_2018_glhwood_position_statement
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- develop shared evidence bases where feasible and proportionate to inform the approach to meeting housing needs.

Review the position to date and the deliverability of the 2018 Strategic Growth Study

7.2 The existing evidence base is in urgent need of review in light of the lack of a clear and up-to-date picture on unmet housing needs beyond 2031 and the differing positions of authorities on the recommendations made in the original 2018 Strategic Growth Study. Further work is required to develop and agree the scope and sequencing of this review, but key next steps should include:

- Confirming how current contributions to meet GBBCHMA wide needs will be apportioned between the current and emerging unmet needs of the Black Country and Birmingham. This work is essential in order to show how the anticipated, but not yet tested, Black Country housing shortfall in particular is being addressed to support the next stages of the Plan.
- To confirm the scale of the housing shortfall across the whole of the GBBCHMA over a period of at least 15 years, using the standard method as the starting point for addressing housing needs, to inform the approach taken by current emerging Local Plan reviews¹². This should attempt to take a consistent approach to identifying capacity within the study area, particularly in areas generating housing shortfalls.
- A review of whether the growth locations identified in the 2018 Strategic Growth Study remain appropriate and whether further work is needed to identify new growth areas for testing through Local Plan preparation.
- A market analysis which can advise at a strategic level on market absorption rates (including reference to previous build out rates), in particular for areas that may be identified as potential locations for strategic growth.
- Consider the extent to which the shortfall will be addressed within the GBBCHMA before seeking options beyond it.
- Consider the extent to which major job creating and infrastructure projects e.g. West Midland Interchange and UK Central / HS2 can be supported by labour supply from within the GBBCHMA
- A review of existing SHELAA evidence, including Green Belt assessments and viability/deliverability expectations across the GBBCHMA

7.3 This is not necessarily an exhaustive list and may need to be updated to consider findings from local plan examinations within and adjoining the GBBCHMA.

¹² Where plans have reached an advanced stage then this will be addressed via the review cycle.



Prepare an updated set of strategic growth recommendations to address any residual housing shortfalls

7.4 Subject to the outcome of the work set out above there may be a need for additional work to identify additional strategic growth locations to meet any residual unmet needs. The exact scope of this work will depend on the findings of the review and the extent of any remaining shortfall, but could examine matters including:

- Potential options for strategic growth locations beyond and within the Green Belt.
- The comparative suitability and deliverability of strategic growth locations using a consistent methodology.
- Opportunities to align future growth locations with existing planned and potential future transport infrastructure improvements.
- Clear conclusions on the level of strategic growth locations required to meet residual housing shortfalls, leading into a range of different growth distributions (e.g., combinations of different strategic growth locations) across the study area which could address these needs.
- Potential transport carbon emission implications and sustainability impacts of different growth distributions to meet the area's unmet needs.
- The degree to which different growth distributions align with functional relationships between shortfall authorities and the surrounding area.

7.5 The detailed scope of this work will be prepared by the GBBCHMA officer group. It is intended that this work, once completed, would provide a range of potential future growth distributions to be considered by the GBBCHMA and any other functionally linked authorities under the proposed governance structures set out in this Statement of Common Ground.

Delivering ongoing engagement going forward

7.6 The GBBCHMA authorities will establish an advisory Member Board of local elected members to address housing solutions across the GBBCHMA and beyond. The structure of the Board will be agreed through future iterations of this Statement of Common Ground.

7.7 Future Duty to Cooperate engagement through the Member Board on the scale and apportionment of housing shortfalls will be informed by the programme of work set out in 7.2-7.4 to review and (if necessary) update the Strategic Growth Study, although the final decision on how such matters will be addressed is a matter for individual local authorities' local plans. The principles which will inform the identification and distribution of housing shortfalls within the GBBCHMA will be further developed in future iterations of this Statement of Common Ground.



7.8 The final scope of the revised Strategic Growth Study work and future iterations of this Statement of Common Ground will be informed by best practice from similar statements of common ground covering other large housing market areas, whilst having regard to the differing political structures, combined authority roles and functional geographies across such areas.

8. Future governance arrangements for the GBBCHMA Development Needs Group

8.1 At present cross boundary matters are dealt with through an officer group, the details and Terms of Reference are set out below:

GBBCHMA Development Needs Group – Officer Working Group

Terms of Reference

8.2 The GBBCHMA Development Needs Group provides a framework for coordination between local authorities to ensure that unmet needs within the GBBCHMA can be satisfactorily addressed (where possible). These Terms of Reference set out how the Development Needs Group - Officer Working Group will work together and report to the Member Board of the GBBCHMA.

8.3 The objective of the GBBCHMA Development Needs Group – Officer Working Group (OWG) is to prepare evidence and monitoring information to inform recommendations made by the GBBCHMA Development Needs Group – Member Board.

Status

8.4 Each local planning authority is individually responsible for meeting its legal duties under the Duty to Cooperate, working together constructively, actively and on an ongoing basis to address strategic matters, such as cross-boundary housing shortfalls and strategic employment sites. Given the existing and emerging housing pressures facing the GBBCHMA, the local planning authorities listed in this Statement of Common Ground have formed an advisory partnership, overseen by the Member Board with the OWG co-ordinating evidence preparation to support this role. The Member Board and OWG have no additional powers but serve to provide a mechanism for all local authorities involved in the GBBCHMA Development Needs Group, to work constructively together in a co-ordinated manner to address housing shortfalls and strategic employment sites, resolving (as far as possible) differences in position on this matter and make advisory recommendations.

Composition

8.5 The membership of the OWG will comprise representatives of all the local planning authorities involved in the GBBCHMA Development Needs Group, as defined through signatories to this statement of common ground (set out in Section 2 of this document).



- The OWG will comprise suitable officers of the GBBCHMA Development Needs Group local authorities.
- Officers or technical / professional representatives of stakeholder organisations, by invitation.

Structure and Procedures

8.6 The following structures and procedures will be observed:

- The OWG will meet, as a minimum, on a quarterly basis.
- Meetings of the OWG will be chaired by each member local authority in turn.
- Officer support and secretariat services will be provided by a nominated participant in the OWG.
- Agendas, reports, and minutes of meetings will be circulated to relevant facilitators in advance of any meetings.
- Officer support will be provided for each local authority as necessary.
- With the agreement of members of the OWG members, advisory members (such as the West Midlands Combined Authority or relevant County Councils) may be co-opted to represent a specific area of interest or issue of consideration, especially where this will assist with the delivery of sites and support the group in evidence gathering to address housing shortfalls.

Remit

8.7 The OWG will be responsible, with external support, where agreed with the Member Board, for undertaking the following:

- Advise the Member Board as necessary on issues relating to unmet housing needs and strategic employment sites from the GBBCHMA.
- Provide technical support to the Member Board, prepare reports for the Member Board's consideration, and carry out such actions as may be instructed by the Member Board.
- Co-ordinate quarterly updates on local plan progress and evidence base gathering relevant to the GBBCHMA housing shortfall and strategic employment sites for the Member Board.
- The OWG may agree to establish small project or working groups, resourced as necessary, to progress specific work areas where appropriate.

GBBCHMA Development Needs Group - Member Board

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8.8 To steer and respond to the activities of the Development Needs Group (DNG) an appropriate Member Board is required. A suitable structure will be drawn up based on the following principles:

- The Member Board will be supported by the OWG and convene at regular intervals to consider relevant matters.
- The chair of the group will rotate annually with support and secretarial services provided from within the OWG.
- All local authorities that are signatories to the Statement of Common Ground will be represented.
- The Member Board will be advisory in nature and will not override local authority decision making or local plan preparation.

8.9 In terms of its remit the Member Board will:

- Work positively and constructively to address cross boundary strategic matters especially those relating to housing and employment to meet the legal Duty to Cooperate and National Planning Policy Framework requirements.
- Will oversee the development, implementation, and monitoring of joint work to quantify and address existing and emerging housing shortfalls arising from the GBBCHMA.
- Oversee and steer the commission of key studies to inform the evidence base for policy development.
- Will advise/steer the DNG on changing priorities based on changes to the legal and policy framework and commit to new actions where required.
- Will rely on input from the OWG to help inform their advisory decisions and will direct the DNG where additional/different actions are required.
- Receive and review quarterly reports from the OWG, summarising evidence base gathering and local plan progress relevant to the GBBCHMA housing shortfalls and strategic employment sites.
- Receive and consider regular reports from the DNG including the Statement of Common Ground and its regular updates.



Appendix 1: Local Plan Commitments to review

This appendix sets out commitments in post NPPF local plans (or Site Allocations Documents) to review policies to consider the wider HMA shortfalls.

Bromsgrove Local Plan 2011 – 2030, Adopted January 2017

Policy BDP4: Green Belt

BDP4.1 The Green Belt as indicated on the Policies Map will only be maintained as per BDP 4.2.

BDP4.2 A Local Plan Review including a full Review of the Green Belt will be undertaken in accordance with BDP 3 in advance of 2023 to identify:

- a) Sufficient land in sustainable locations to deliver approximately 2,300 homes in the period up to 2030 to deliver the objectively assessed housing requirement for Bromsgrove District.
- b) Safeguarded land for the period 2030-40 to meet the development needs of Bromsgrove District and adjacent authorities based on the latest evidence; and
- c) Land to help deliver the objectively assessed housing requirements of the West Midlands conurbation within the current plan period i.e. up to 2030.

The timing of the Green Belt Review will be determined by updated evidence such as the GBSLEP Strategic Housing Needs Study and the monitoring of housing delivery against the Council's projected housing trajectory. The outcomes of the Green Belt Review will then be incorporated into the Local Plan Review. BDP4.3 The Green Belt boundary review will follow sustainable development principles and take into account up to date evidence and any proposals in Neighbourhood Plans. Where appropriate, settlement boundaries and village envelopes on the Policies Map will be revised to accommodate development

Lichfield Local Plan Strategy 2008 - 29, Adopted February 2015 and Local Plan Allocations 2008-2029, Adopted July 2019

Local Plan Strategy

4.6 Following discussions falling under the Duty to Cooperate Lichfield District Council recognises that evidence is emerging to indicate that Birmingham will not be able to accommodate the whole of its new housing requirements for 2011-31 within its administrative boundary and that some provision will need to be made in adjoining areas to help meet Birmingham's needs. A similar situation applies, albeit on a lesser scale, in relation to Tamworth. Lichfield District Council will work collaboratively with Birmingham, Tamworth and other authorities and with the GBSLEP to establish, objectively, the level of long term growth through a joint commissioning of a further housing assessment and work to establish the scale and distribution of any emerging housing shortfall. In the event that the work identifies that further provision is needed in Lichfield District, an early review or partial review of the Lichfield District Local Plan will be brought forward to address this matter. Should the matter result in



a small scale and more localised issue directly in relation to Tamworth then this will be dealt with through the Local Plan Allocations document.

Local Plan Allocations

2.1 The Council is aware and is committed to reviewing its Plan in full to assist in addressing strategic issues which cross local authority boundaries. The Council continues to work proactively with partners to identify the appropriate amount of growth to be accommodated within the boundaries of Lichfield District. In addition, as part of this review the Council will continue work with other Neighbouring Authorities through the Duty to Cooperate (DTC), as well as undertaking a comprehensive review of its evidence base.

2.2 The Local Plan Review has already commenced with the publication of and consultation on a Scope, Issues and Options document in April 2018. Through a Local Plan Review, changes to the spatial strategy, policies and proposals within the current local plan may be required in response to emerging evidence or to reflect strategic issues being dealt with through the DTC. It is through this review process that consideration of such strategic matters, including the spatial strategy, are most appropriately considered.

2.3 Policy LPR Local Plan Review sets a review mechanism for the Lichfield District Local Plan.

Policy LPR: Local Plan Review

Lichfield District Council shall carry out an early review of the Local Plan for Lichfield that will be submitted to the Secretary of State for Examination in accordance with the latest Local Development Scheme or no later than the end of December 2021. This review shall replace the adopted Local Plan Strategy (LPS) 2008-2029 in all aspects and therefore be a comprehensive review. This Plan will extend the existing plan period to at least 5 years beyond the end of the current LPS and it shall review as a minimum the following matters:

- The housing requirement for Lichfield and the potential for housing land supply to meet this need.
- Any unmet housing need arising from the Greater Birmingham and Black Country Housing Market Area (GBBCHMA), inclusive of any unmet housing need arising from Tamworth Borough and the appropriate level of contribution within the District of Lichfield in line with ongoing technical work and the requirements of policy TP48 of the adopted Birmingham Development Plan (BDP).
- Employment land requirements for Lichfield as identified through a comprehensive evidence basis.
- Lichfield's potential role in meeting any wider unmet employment needs through the Duty to Co-operate (DtC).



- The appropriateness of the existing settlement hierarchy and the strategic distribution of growth in light of new housing, employment and other service/infrastructure needs.
- Gypsy, Traveller and Travelling Showpeople (GTTS) provision.
- A comprehensive Green Belt Review either in partnership with relevant neighbouring authorities or in close consultation with these authorities through the DtC, to inform any further Green Belt release to accommodate new development within the District.
- An evidence-based assessment of highways infrastructure needs, in partnership with the highways authorities.

Explanation

2.4 The Local Plan Strategy identified that following on from discussions falling under the DTC it had been identified through evidence emerging at that time that indicated Birmingham would not be able to accommodate its housing requirement within its administrative boundary and that a similar situation applied to Tamworth, although on a much reduced scale. The Local Plan Strategy recognised that, in the event of further housing provision would be needed within Lichfield District, such issues could be addressed through a review of the Lichfield District Local Plan.

2.5 It has been established through the examination and adoption of the Birmingham Development Plan that there is a significant unmet housing need arising from Birmingham and the wider Housing Market Area (HMA) within which it sits. Policy PG1 of the Birmingham Development Plan identifies an unmet need of approximately 37,900 dwellings in the period to 2021. It should be noted that further consideration of this need has been undertaken and it is considered to be a lower need than established within the Birmingham Development Plan. Lichfield District is part of the Greater Birmingham and Black Country HMA along with Birmingham, the Black Country authorities, South Staffordshire, Cannock Chase, Tamworth, North Warwickshire, Stratford-upon-Avon, Solihull, Bromsgrove and Redditch.

2.6 Additionally, Tamworth Borough Council's adopted Local Plan notes that it cannot meet its housing requirement within its own administrative area and requires a further 1,825 dwellings to be accommodated outside of the Borough. Tamworth is located within the Greater Birmingham and Black Country HMA and this additional shortfall of 1,825 dwellings is part of the overall shortfall within the HMA. It is considered most appropriate to consider how to address such shortfall as part of the wider HMA shortfall through the review of the Local Plan. Furthermore, since the above shortfall was identified, the early stages of the review of the Black Country Core Strategy indicate a further shortfall of approximately 22,000 dwellings.

2.7 To assist with discussion between the authorities within the HMA a significant evidence base has been produced by the authorities. This includes the Strategic Housing Needs Study (stage 2 and stage 3) and the Strategic Growth Study (2018). These studies provide a number of strategic recommendations and examine a number of strategic locations for housing growth which could assist in meeting unmet needs. Ultimately the study sets out a range of options which it concludes could be considered through the review of authorities' respective local plans. At this time no decisions upon



the apportionment of such unmet need have been made. A recommendation of the Strategic Housing Needs Studies was that there needed to be a consistent evidence base across the HMA authorities in relation to the Green Belt. The Strategic Growth Study includes a high level strategic green belt review all of which assists in providing a consistent evidence base for the authorities to consider and upon which future memorandums of understanding (MOU) and/or statements of common ground (SCG) apportioning unmet growth can be based.

2.8 Alongside the strategic Green Belt Review within the Strategic Growth Study, Lichfield District will prepare a comprehensive Green Belt Review to assess, in further detail, the capacity of the Green Belt across the authority as part of the evidence base supporting the review of the Local Plan.

2.9 Although unmet housing need remains the largest cross-boundary issue, there are other associated issues which may need consideration, including provision for Gypsy and Travellers and employment land provision.

2.10 The Council will continue work with other Neighbouring Authorities through the DTC, as well as undertaking a comprehensive review of its evidence base. The District Council is committed to working positively with its partners to address these strategic issues and where appropriate prepare MOU or SCG with respect of the issues above.

Redditch Local Plan, 2011 – 30, Adopted January 2017

1.11 In addition, Redditch has worked with other Local Authorities, which although are not directly adjacent to Redditch may have strategic matters that have implications for the preparation of BORLP4. In particular, Redditch Borough Council and Birmingham City Council have jointly acknowledged there is a strategic planning matter with regard to Birmingham being unable to accommodate all of its own housing needs. As required by the Duty to Cooperate, due consideration will be given, including through a review of the BORLP4, to the housing needs of another local planning authority in circumstances when it has been clearly established through collaborative working that those needs must be met through provision in Redditch. With regard to Birmingham City Council, the mechanism for resolving this potential strategic matter of Birmingham's unmet housing needs will be through the Greater Birmingham and Solihull Local Enterprise Partnership (LEP) and Redditch's subsequent review of the BORLP4.

Tamworth Local Plan 2006 -31, adopted February 2016

Agreements have been reached with Lichfield and North Warwickshire for the delivery of housing. In addition to this Tamworth Borough Council is actively involved with the Greater Birmingham and Solihull Local Economic Partnership. The GBSLEP Spatial Framework looks to present options for delivering strategic planning across the LEP, one of which is the delivery of housing. Tamworth recognises that there is a current under provision of housing to meet objectively assessed needs across the LEP and that part of this arises from within Tamworth, but to a much greater extent from Birmingham. It has been established that Tamworth cannot fully meet its own housing or employment needs, any future development which goes beyond the levels of development set out in this Local Plan



will be to meet needs arising from Tamworth. Through the preparation of Birmingham City Council's Local Plan and Tamworth's it has been agreed between the two authorities that Tamworth is unable to assist in meeting Birmingham's unmet needs.

South Staffordshire Site Allocations Document, adopted September 2018

Local Plan Review

6.7 The Localism Act 2011, and specifically Section 110, introduced a legal requirement known as Duty to Co-operate (DtC). The DtC is important when issues arise that cross the boundaries of local authority areas. Dialogue between neighbouring local authorities should be constructive, active and on-going to ensure that it can be demonstrated that plans have been positively prepared, having regard to cross boundary issues of strategic importance. Further information on the Duty to Cooperate can be found in paragraphs 4.4-4.8.

6.8 Through a Local Plan review, changes to the spatial strategy in the adopted Core Strategy may be necessary in response to emerging evidence, or to reflect cross boundary issues of strategic importance under the DtC. Whilst the SAD is not considered to be the appropriate place at which to revise the strategic approach established in the adopted Core Strategy, it is considered necessary now, to provide a narrative on significant cross boundary issues that have arisen since the Core Strategy was adopted in December 2012. Greater Birmingham Housing Market Area (GBHMA).

6.9 There is a primary Housing Market Area (HMA) comprising Birmingham, the Black Country and nine neighbouring local authorities defined in a Strategic Housing Needs Study (SHNS); commissioned by the Greater Birmingham and Solihull Local Enterprise Partnership (GBSLEP) and the Black Country Authorities. South Staffordshire is one of the nine local authorities within the HMA, together with Cannock Chase, Lichfield, Tamworth, North Warwickshire, Stratford--on-Avon, Solihull, Bromsgrove and Redditch.

6.10 The adopted Birmingham Development Plan (Policy PG1) identifies an unmet housing need of 37,900 dwellings up to 2031, for which provision is to be made elsewhere within the GBHMA. Furthermore, since this shortfall was identified, a further additional 22,000 dwelling unmet need has been identified through early stages of the review of the Black Country Core Strategy. For this reason, the distribution of the unmet housing need across the HMA is yet to be agreed. South Staffordshire Council is working positively towards a Memorandum of Understanding (MoU) or Statement of Common Ground (SoCG) with all local planning authorities within the GBHMA.

6.11 To assist discussions between the HMA authorities with regard to the apportionment of housing needs, a Strategic Growth Study is being prepared across all fourteen GBHMA authorities. This examines strategic locations for housing growth which could assist in meeting the identified HMA unmet needs across the GBHMA, having regard to high-level Green Belt Review, assessment of infrastructure capacity, sustainability criteria and deliverability assessments. The study re-examines the potential urban capacity of GBHMA authorities and options for strategic development past the Green Belt, and ultimately sets out options for strategic growth locations to be tested through the



Local Plan Review. This provides a Site Allocations Document (SAD) September 2018 20 consistent evidence base upon which a future MoU/SoCG apportioning housing growth can be based.

6.12 In addition to this, South Staffordshire Council and the Black Country authorities have agreed to prepare a joint Green Belt Review to assess, in further detail, the capacity of the Green Belt across the five authorities. This may provide a basis for identifying future housing and employment sites, where exceptional circumstances demonstrate these are required. Given the changing nature of cross-boundary housing growth pressures, additional evidence may be required to review the District's housing capacity. For example, an update of the evidence base in respect of the Cannock Chase Special Area of Conservation (SAC), including mitigation measures and assessment of existing rural settlements' infrastructure capacity, and services and facilities. This evidence will inform the framework for a new spatial strategy which seeks to meet the District's own objectively assessed housing needs and, subject to discussion with other local authorities, could potentially meet a proportionate contribution towards unmet housing needs from the wider housing market area.

Stratford-on-Avon Core Strategy, adopted July 2016

Explanation

Policy CS.17 Accommodating Housing Need Arising from outside Stratford-on-Avon District The existence of unmet housing need arising outside Stratford-on-Avon District will not render this Plan out of date. However, the Plan will be reviewed if evidence demonstrates that significant housing needs arising outside the District should be met within the District and cannot be adequately addressed without a review. To establish this, the Council will work with other local authorities in the Coventry and Warwickshire Housing Market Area to:

1. prepare and maintain a joint evidence base including housing need and housing land availability;
2. take part in a process to agree the strategic approach to address any shortfall of land availability to deliver in full the Housing Market Area's Objectively Assessed Housing Need or other evidenced housing need arising outside the District; and
3. where the evidence and the duty to co-operate process clearly indicates that there is a housing need that cannot be met within the administrative boundaries of the authority in which the need arises and part or all of the need could most appropriately be met within Stratford-on-Avon District, the Council will seek to identify the most appropriate sites to meet this need and will review the Local Plan to do this, should it be required.

Explanation

5.3.1 The six local planning authorities within the Coventry and Warwickshire Housing Market Area (HMA) have agreed to cooperate together to ensure the HMA's housing need of at least 4,277 dwellings per annum is met in full. It is recognised that this is important in supporting the growth ambitions of Coventry and Warwickshire as well as ensuring local plans and core strategies within the sub-region comply with national policy and guidance.



5.3.2 However, it is recognised that there may be physical or policy constraints which make it difficult for one or more of the local planning authorities within the sub-region to meet their local objectively assessed housing need in full. In these circumstances it will be necessary for the six authorities to work closely together to address this potential shortfall and to ensure the HMA's overall housing need is met in full.

5.3.3 The process for doing this has been set out and agreed by the Coventry and Warwickshire Shadow Joint Committee. The starting point of this process is a shared evidence base relating to strategic issues. It is recognised that the following assessments/ studies are likely to be the key elements of this shared evidence base:

- a Joint Strategic Housing Market Assessment: it is important to ensure that the objectively assessed housing need of the HMA and each of the Councils within the HMA is understood and that the evidence to support this is kept up to date.
- a Joint Approach to Strategic Housing Land Availability Assessments: it is important that housing land availability is assessed consistently across the HMA so that the overall and local supply of potential housing sites is understood. Stratford-on-Avon District Council - July 2016 100 Stratford-on-Avon Core Strategy 2011-31 Section 5 Development Strategy – 5.3 Accommodating Housing Need from outside the District
- Joint Employment Land Assessment: it is important to ensure that employment land requirements and supply are understood, and planned for, alongside housing. A shared evidence base will help to understand the sub-regional and local employment land requirements as well as the availability of sub-regional and local sites to meet these requirements.
- a Green Belt Study: the West Midlands Green Belt covers significant parts of the Coventry and Warwickshire HMA. The Green Belt study needs to be up to date to inform a sub-regional approach.

5.3.4 In the event that there is a shortfall arising from one or more District within the HMA, and in the context of a shared evidence base, the six local planning authorities have agreed to work together to develop and maintain a strategy to meet the HMA's housing requirement. This process will seek to identify the most suitable available sites to meet any shortfall. Stratford-on-Avon District Council will participate actively in the process on an on-going basis.

5.3.5 Should this strategy identify that sites within Stratford-on-Avon District are required to meet some or all of a housing need arising from outside the District, the Council will undertake work to establish the most appropriate sites to do this and if this indicates that significant modifications are required to the Local Plan, the Council is committed to undertaking an early review of the Plan to address this.

5.3.6 A further issue that may need to be addressed through this process is the potential for a shortfall in housing land arising from outside the Coventry and Warwickshire HMA, in particular from the Greater Birmingham area. In the event that such a shortfall may need to be partially addressed within the Coventry and Warwickshire HMA, the six local planning authorities have agreed to work together using the process described above.



North Warwickshire Reviewed Plan 2011 -33, adopted September 2021 (rolled forward from 2029)

The Localism Act 2011 introduced a requirement for the Borough Council to co-operate with other local authorities as well as organisations and agencies to ensure the effective discussion of issues of common concern to develop sound plans. This Duty is an ongoing process and does not stop with the production of a plan. The Borough Council has a proven track record in cooperating with neighbouring authorities in strategic planning matters and has been working with neighbouring authorities to consider their future development needs and if they can accommodate them. The Borough Council has reached an agreement on the amount of development that can be accommodated can be delivered with local authorities from the Coventry and Warwickshire area as well as the Greater Birmingham and Black Country area (including Tamworth). It is considered there is sufficient information to progress this Plan taking into account these needs and providing for them where possible within this Plan. In addition, the Borough Council continues to commit to working collaboratively with relevant authorities and bodies to refine the scale and distribution of housing and employment needs within the housing market areas and functional economic market areas in which the Borough falls, the levels that it is appropriate for the Borough to seek to accommodate, and to working collaboratively with infrastructure providers to ensure that any impacts of growth are suitably mitigated. In the event that evidence, monitoring indicators (set out below) or events identify that a significant change in provision is needed compared to that set out in the Local Plan (or the evidence upon which it is based) an early partial/ full review, depending on the issue, will be brought forward to address this. In any event the Council is required by statute to complete a review of the plan every five years, starting from the date of adoption

Solihull Local Plan – Adopted December 2013

8.4.5 Following discussions falling under the Duty to Cooperate Solihull Council recognise that evidence is emerging to indicate that Birmingham will not be able to accommodate the whole of its new housing requirement for 2011-31 within its administrative boundary and that some provision will need to be made in adjoining areas to help meet Birmingham's needs. Solihull Council will work collaboratively with Birmingham and other relevant neighbouring local authorities and with the GBS LEP to establish objectively the level of long term growth through jointly commissioning a Strategic Housing Needs Study and work to establish the scale and distribution of any emerging housing shortfall. This may require a review of the Green Belt in relevant locations.

8.4.6 It is anticipated that a Strategic Housing Needs Study will be commissioned and prepared during 2013 as evidence to inform the development of a GBS LEP strategy (Strategic Spatial Framework). This would provide a high-level context for reviewing the Solihull Strategic Housing Market Assessment (SHMA) during 2014. In the event that the work identifies that further provision is needed in Solihull, a review of the Solihull Local Plan will be brought forward to address this.



Telford and Wrekin Local Plan, adopted January 2018

1.3.2.2 Telford & Wrekin Council has arrived at this version of the Local Plan following extensive discussion on cross-boundary planning issues including with other councils across the West Midlands. A full account of the Council's approach to the Duty to Co-operate is set out in a 'Duty to Co-operate' Statement. Matters were raised at Regulation 18 stage by a number of local authorities in an adjacent, but separate, housing market area (Greater Birmingham and the Black Country authorities, and South Staffordshire). This specifically relates to issues of housing delivery within the West Midlands conurbation, as well as matters relating to waste management.

1.3.2.3 The Council has considered the representations made to the local plan received from these local authorities. It is acknowledged by all parties that Telford & Wrekin functions as a separate housing market area, based on an analysis of the relevant indicators presented in supporting evidence to the Local Plan. This is consistent with the decision of the Greater Birmingham and Solihull Local Enterprise Partnership (GB&S LEP) to exclude Telford & Wrekin from their assessment of housing needs within the GB&S LEP area. Given this relationship, and based on current evidence available at this time, the potential contribution of in-migration arising from the Local Plan's housing requirement towards meeting the needs of the Greater Birmingham and Black Country Housing Market Area (GBBC HMA) has not been quantified. The Council will continue to consider this matter in the light of emerging evidence. It does not at present rule out the potential apportionment of some of the Local Plan's housing requirement towards meeting the needs of the GBBC HMA. Discussions will therefore continue to progress on this basis.

Appendix 2: Strategic Growth Study 2018 Areas of Search

Recommended strategic development areas

Development type / General Location /	Local Authority	Potential capacity
New Settlements		
South of Birmingham	Stratford-on-Avon	10,000 – 15,000
between Birmingham and Bromsgrove / Redditch	Bromsgrove	10,000 – 15,000
Around Shenstone	Lichfield	10,000 – 15,000
Around Balsall Common	Solihull	10,000 – 15,000
Urban Extensions		
South of Dudley	Dudley	1,500 – 7,500
North of Tamworth	Lichfield	1,500 – 7,500
East of Lichfield	Lichfield	1,500 – 7,500
North of Penkridge	South Staffordshire	1,500 – 7,500
Employment Led		
North of Wolverhampton (I54)	South Staffordshire	1,500 – 7,500
East of Birmingham	North Warwickshire	1,500 – 7,500
South of Birmingham Airport/ NEC	Solihull	1,500 – 7,500

Long list of alternative strategic development areas

Development type / General Location /	Local Authority	Potential capacity
New Settlements		
Between Wolverhampton and Penkridge	South Staffordshire	10,000 – 15,000
Around Dunston	South Staffordshire	10,000 – 15,000
Around New Arley	North Warwickshire	10,000 – 15,000
Around Fradley and Alrewas	Lichfield	10,000 – 15,000
South West of Stratford-on-Avon District	Stratford-on-Avon	10,000 – 15,000
Around Wellsbourne	Stratford-on-Avon	10,000 – 15,000
Urban Extensions		
South of Penkridge	South Staffordshire	1,500 – 7,500
North west of Tamworth	Lichfield	1,500 – 7,500
East of Polesworth	North Warwickshire	1,500 – 7,500
South of Stratford-on-Avon town	Stratford-on-Avon	1,500 – 7,500
South East of Redditch	Stratford-on-Avon	1,500 – 7,500
North of Walsall around Brownhills	Walsall, Lichfield, Cannock	1,500 – 7,500

Recommended areas of proportionate dispersal

Proportionate Distribution area	Local Authority	Potential capacity
Western edge of the conurbation between Stourbridge and Wolverhampton	Dudley/ South Staffordshire / Wolverhampton	500 – 2,500
To the north of Codsall/Bilbrook	South Staffordshire	500 – 2,500
The vicinity of Cannock, Great Wyrley, Burntwood, Brownhills and Aldridge	Walsall / Cannock / South Staffordshire	500 – 2,500



To the west / southwest of Tamworth	Lichfield/Tamworth	500 – 2,500
To the south of Birmingham around Hollywood, Whitlock's End and Cheswick Green	Solihull / Bromsgrove	500 – 2,500
To the south and southeast of Redditch	Redditch?	500 – 2,500



Signatories (Senior Officer and Councillor)

Birmingham City Council

Name: Ian Macleod

Position: Director of Planning, Transport and Sustainability

Name: Ian Ward

Position: Leader of Birmingham City Council

Bromsgrove District Council

Name:

Position:

Name:

Position:

Cannock Chase District Council

Name: Dean Piper

Position: Head of Economic Prosperity

Name: Cllr Mike Sutherland

Position: District and High Street Development Portfolio Leader

Dudley Metropolitan Borough Council

Name:

Position:

Name:



Position:

Lichfield District Council

Name:

Position:

Name:

Position:

North Warwickshire Borough Council

Name:

Position:

Name:

Position:

Redditch Borough Council

Name:

Position:

Name:

Position:

Sandwell Metropolitan Borough Council

Name: Tony McGovern

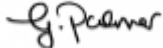
Position: Director of Regeneration & Growth

Name:



Position:

Solihull Metropolitan Borough Council

Name: Gary Palmer 

Position: Group Manager Policy & Engagement

Name:

Position:

South Staffordshire District Council

Name: Councillor Terry Mason 

Position: Cabinet Member for Planning and Business Enterprise

Name: Kelly Harris 

Position: Lead Planning Manager

Stratford-on-Avon District Council

Name: Tony Jefferson 

Position: Leader of Stratford-on-Avon District Council

Name:

Position:

Tamworth Borough Council

Name: Stephen Doyle 

Position: Portfolio Holder for Skills, Planning, Economy & Waste



South Staffordshire Council

Name: Anna Miller

Position: Assistant Director – Growth and Regeneration

Walsall Metropolitan Borough Council

Name:

Position:

Name:

Position:

City of Wolverhampton Council

Name: Councillor Stephen Simkins

Position: Deputy Leader: Inclusive City Economy

Signature:

Date: 8th March 2023

Shropshire Council

Name:

Position:

Name:

Position:



Telford and Wrekin Council

Name:

Position:

Name:

Position:

Wyre Forest District Council

Name:

H.E. Dyke

Position: Leader

Name:

N. Bailey

Position: Head of Strategic Growth

30th November 2023

Sent via email: e.fox@sstaffs.gov.uk

Dear Ed,

South Staffordshire District Council – Duty to Cooperate Update

Thank-you for your recent letter relating to Duty to Cooperate. We welcome the update on the South Staffordshire District Local Plan and the progress being made to work towards adoption.

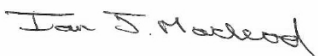
With regard to housing, Birmingham City Council has a significant housing shortfall in its emerging Birmingham Local Plan. Whilst this figure is subject to refinement as the Plan progresses, the estimate at the Issues and Options stage was a shortfall of 78,500 dwellings to 2042. The shortfall is exacerbated by the challenges in the Black Country and anticipated shortfalls across the Black Country area. Birmingham City Council welcomes the ongoing work to address this challenge and agrees that further work needs to be undertaken at the Housing Market Area level, and possibly beyond to identify options for addressing the shortfall.

Whilst Birmingham City Council see neighbouring authorities, including South Staffordshire, as being fundamental in helping to address the shortfall, we acknowledge that should the NPPF be published as per the consultation draft, then it is less likely that Green Belt allocations will provide the solution to meeting the housing shortfall. Birmingham City Council would not object to a Plan purely because it did not include Green Belt allocations, should it be consulted on in the context of the NPPF, if drafted as per the recent consultation.

With regard to Gypsy and Traveller sites, Birmingham City Council are continuing to explore all options to provide sites to meet the need arising within the Council's own area. Work is on-going to update the Gypsy and Traveller Needs Assessment, and this will provide the latest need figures to inform the Preferred Options.

We welcome the on-going dialogue as both plans progress, and the opportunity to update the Statement of Common Ground. Should you wish to discuss the matters raised in more detail, we are happy to meet with you to do so.

Yours sincerely



Ian MacLeod
Director of Planning, Transport & Sustainability

Place, Prosperity & Sustainability Directorate
Birmingham City Council
Council House
Victoria Square
Birmingham
B1 1BB

Alex Evans

From: Michael Dunphy - Strategic Planning and Conservation Manager
<m.dunphy@bromsgroveandredditch.gov.uk>
Sent: 21 November 2023 17:10
To: Alex Evans
Cc: Edward Fox; Kelly Harris; Patrick Walker
Subject: RE: South Staffordshire - Duty to Cooperate Update Letter

You don't often get email from m.dunphy@bromsgroveandredditch.gov.uk. [Learn why this is important](#)

CAUTION-THIS EMAIL WAS SENT FROM OUTSIDE THE COUNCIL. DONT OPEN LINKS OR ATTACHMENTS UNLESS YOU'RE SURE YOU CAN TRUST THIS SENDER!

Alex

Thank you for your letters to Bromsgrove District Council and Redditch Borough Council, we note the contents. In response to the substantive issue you raise about the proposed changes to Para 142 of the NPPF, and the approach South Staffordshire DC may take in relation to the changes. I can confirm that BDC and RBC will respond fully on this issue in due course once they have had chance to review the NPPF changes and consider the implications for plan making. We expect this to form part of any response we submit at regulation 19 stage.

From a Bromsgrove perspective only, you have request an update on the steps being taken to examine all potential gypsy and traveller pitch options. I can confirm BDC continues to assess all sites submitted through the Call for Sites process and from other sources to determine their suitability for meeting the development needs of the District, including those of the traveller and travelling showperson communities.

Please be aware that at this stage this is only an officer response and doesn't represent the formal view of either Bromsgrove District Council or Redditch Borough Council

Thanks
Mike

Mike Dunphy
Strategic Planning and Conservation Manager
Bromsgrove District and Redditch Borough Councils
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www.bromsgrove.gov.uk

www.redditchbc.gov.uk

Date: 24th November 2023
Ref: DtC resp SS 23
Contact officer: Sushil Birdi



Cannock Chase District Council

RE: Duty to Cooperate Update Letter from South Staffordshire Council

Dear Kelly Harris,

Thank you for providing an update on the preparation of the South Staffordshire Local Plan. As a direct neighbour to Cannock Chase District, and also as part of the collective Greater Birmingham and Black Country Housing Market Area (GBBCHMA), we welcome continued engagement on cross boundary issues.

Cannock Chase is at an advanced stage of plan preparation of the Cannock Chase Local Plan. The Reg. 19 Pre-Submission document is scheduled to be considered at a meeting of Cabinet on 14th December, with a recommendation to consult on the plan in January-February 2024.

The Local Development Scheme has been revised and will also be considered at the meeting of 14th December. The revised timetable anticipates submission of the Local Plan next summer with Examination in Autumn/Winter 2024 with a view to adopt the new plan in 2025. We will soon be engaging with you separately to this response in relation to the consultation on the Cannock Chase Local Plan.

Cannock Chase Council has been preparing its own Local Plan since 2018 and in that time there has been significant shifts in plan progression of our neighbouring authorities, most notably the recent withdrawal of Lichfield's Local Plan from Examination and the departure from the joint Black Country Local Plan by the four authorities involved.

We have also experienced a delay in relation to consulting on the Reg 19. version of the Local Plan which was anticipated to take place in late 2022, following approval at Cabinet in August 2022. This is explained in the 14th December Cabinet report and is related to evidence delays beyond the Council's control.

We recognise the difficulties we all face in progressing Local Plans to adoption, particularly in the context of proposed amendments to the national plan making system and NPPF. However, as an authority we have sought to progress the Local Plan under the existing, established legal planning framework as it has been informed by the evidence we have developed, both jointly and individually and because it is important that we have an up to date plan in place as soon as possible. It is in this context that we raise some concerns over the potential change in position

Date: 24th November 2023
Ref: DtC resp SS 23
Contact officer: Sushil Birdi



of South Staffordshire District Council in relation to helping to accommodate your own housing needs and the unmet need of Greater Birmingham and the Black Country.

Your letter refers to the context for consideration of Green Belt release through the Local Plan; the jointly prepared Strategic Growth Study and the Statement of Common Ground. The evidence and joint working between authorities has informed development of the Cannock Chase Local Plan, leading to the planned contribution of 500 homes towards the unmet need of the GBBCHMA. This was a recommended minimum contribution in the Strategic Growth Study, but alternatives were subject to consultation as options and tested in the Sustainability Appraisal.

Cannock Chase is highly constrained in terms of land for development, with a significant proportion of land designated as part of the Cannock Chase AONB and/or Green Belt. Aside from the permitted mixed-use development on the former Power Station site at Rugeley, there is very limited land available in urban areas and outside the Green Belt. The housing need of Cannock Chase cannot be met fully on land outside the Green Belt. Therefore, the contribution of 500 homes towards unmet need of the GBBCHMA will directly result in further release of Green Belt land through the Local Plan. Cannock Chase District Council has not changed its stance on contributing towards wider unmet needs.

In your letter dated 24th October 2023, you have asked the question:

“we would appreciate an indication of what your position would be if SSDC were to revise its housing strategy to no longer review Green Belt boundaries to accommodate the housing needs of the District or GBBCHMA, if the proposed changes to paragraph 142 of the NPPF are enacted.”

Cannock Chase have responded to the government’s consultation on proposed changes to the NPPF. The Council have significant concerns that the government have not outlined how unmet need will be addressed if authorities no longer review their Green Belt boundaries through Local Plans, particularly in authorities which are predominantly Green Belt. Ultimately, if needs cannot be met on land outside the Green Belt this is likely to constrain supply, worsen affordability and will continue to exacerbate the existing housing crisis; pricing out people from where they want to live.

With regard to addressing the unmet needs of the GBBCHMA, there continues to be a significant housing shortfall identified in the emerging Birmingham Local Plan. It is unclear how the government’s proposals in the NPPF consultation fit with the legal obligations under the Duty to Cooperate which will remain until the new plan-making system is introduced.



Whilst the level of contribution is a matter for the individual authority to determine, it is considered a collective responsibility to address. We would therefore like to understand if there is any new evidence or whether any new SoCG's have been formed to support the option for South Staffordshire not to contribute towards the wider unmet needs of the GBBCHMA, and to collectively discuss what the implications of this decision are, and whether there are any alternate solutions.

With regard to addressing your own housing needs, it would be helpful to understand what level of your own need cannot be met. If your authority cannot meet a substantial level of your own Districts housing need without Green Belt release, this is likely to have significant cross boundary implications. In this instance, the District Council would seek a meeting to raise our concerns regarding the potential implications of constrained supply in South Staffordshire. This could potentially increase the demand for housing in Cannock Chase District and may have ramifications for the new Local Plan at Examination. Therefore, we would want to discuss this matter urgently.

Employment

Thank you for making us aware of your intention to update your Economic Development Needs Assessment (EDNA). Cannock Chase District Council are similarly overseeing a focused update to the EDNA and Housing Need Assessment (HNA) to reflect the increase to the plan period and to ensure the evidence is robust in light of any changes since it was first produced. This evidence will be published alongside the Reg 19. Consultation.

We are also engaging with the West Midlands Development Needs Group to assist in the preparation of the update to the West Midlands Strategic Employment Sites Study 2021. To date no potential strategic scale employment sites (under the definition in the study) have been identified in the District.

The Council would like to continue to engage with South Staffordshire on contributions to neighbouring need arising from the West Midlands Interchange development. The Reg 19. Cannock Chase Local Plan has recognised a contribution of 10ha towards Cannock's employment needs on the basis of evidence produced by Stantec on behalf of the Black Country Authorities. We would like to formalise this through a Statement of Common Ground and will be engaging on this matter in due course.

Gypsy and Travellers

We have provided a separate response to the consultants producing the update to the South Staffordshire GTAA which outlines our position in detail. I have appended the response to the email accompanying this letter.

Date: 24th November 2023
Ref: DtC resp SS 23
Contact officer: Sushil Birdi



Once again, we thank you for providing the opportunity for us to engage on these matters and would appreciate confirmation of receipt of this letter.

We will shortly be engaging with you regarding the Reg. 19 Local Plan and are open to meeting to discuss any issues raised in this letter or with regard to the Cannock Chase Local Plan.

Yours Sincerely,

Sushil Birdi

Planning Services Manager

Appended response:

At present we do not have any identified needs outside the district. Paragraph 7.23 of the GTANA states that:

“ORS have found no evidence from other local studies that have been completed recently of any households wishing to move to Cannock Chase or of any residents on existing sites stating that they were planning the move away from the area. Therefore, net migration to the sum of zero has been assumed for the GTAA – which means that net pitch requirements are driven by locally identifiable need rather than speculative modelling assumptions. Should any households from outside of Cannock Chase wish to develop a new site the proposal will need to be considered by a criteria-based Local Plan Policy”.

There has been no identified need to and from the South Staffordshire District, or any other neighbouring authority in Cannock Chase. The GTAA has also a high response rate, with 80% of respondents responding to the survey. The figure rises to 96% when taking into consideration those respondents at Stokes Lane, who have since obtained planning permission to meet their needs. We therefore consider that the Cannock Chase GTAA has provided an accurate picture of the current needs in the district.

It is recognised that there is a need for a partial update to the GTAA before the submission of the Local Plan (to 2040) from the current period to 2038. However, discussions with ORS have confirmed that there is likely only going to be the need for one additional pitch based on household formation rates.

We note in the recent duty-to-cooperate letter (Dated 24th October 2023) that in regards to Gypsy and Traveller provision, that the SSDC has an identified need of 121 pitches and that only 37 pitches can be delivered and creating an unmet need issue which needs to be discussed with adjacent authorities.

The Duty-to-cooperate letter also sets out the history of discussions between Cannock Council, which the Council considers to be reflective of the previous duty-to-co-operate discussions.

We would note that in the duty-to-cooperate letter, it states that:

“SSDC would welcome an update to the steps taken to examine all potential pitch supply options, as SSDC has sought to do through its plan preparation”.

A Gypsy, Traveller and Travelling Showpeople Topic Paper is currently being prepared which will set out how the Council has explored all potential sites which could provide pitches. This will be published alongside the Reg. 19 consultation in early 2024. The work to date has not been able to sites to accommodate the full need for pitches in Cannock Chase over the plan period and this continues to be the

Date: 24th November 2023
Ref: DtC resp SS 23
Contact officer: Sushil Birdi



case, despite more intensive work to identify sites. The Topic Paper will demonstrate that the Council are unable to meet any needs outside of the needs identified in the Cannock Chase GTAA, given the tightly constrained nature of the district.

We would welcome continued dialogue with South Staffordshire Council as part of our wider duty-to-cooperate obligations.”

Sent via email to:
e.fox@sstaffs.gov.uk

Planning Policy Team
South Staffordshire District Council

23 January 2024

Dear Planning Policy Team,

South Staffordshire District Council – Duty to Cooperate Update

This letter contains the response of the City of Wolverhampton Council to the Duty to Cooperate Update letter sent on 24 October 2023. This response was approved by Wolverhampton Council Cabinet on 17 January 2024.

Thank-you for your letter of 24 October 2023, which seeks to understand the position of neighbouring authorities should the South Staffordshire Local Plan (SSLP) no longer review green belt boundaries to accommodate the needs of both South Staffordshire or the wider Greater Birmingham and Black Country Housing Market Area (GBBCHMA), including Wolverhampton. We understand that you are also undertaking an update to the South Staffordshire gypsy and traveller accommodation evidence and are requesting neighbouring authorities to indicate their position on cross-boundary issues relating to gypsy and traveller pitch need and supply.

Regarding the question on the City Council's likely views on the status of the proposed green belt allocations, it is considered premature to comment at this stage. The Council's position would need to be informed by the progress of the Wolverhampton Local Plan (WLP) which is programmed for consultation in early 2024. It is also premature to provide a City Council position on cross-boundary issues relating to gypsy and traveller pitch need and supply, as this would need to be informed by progress on the WLP which will consider gypsy and traveller pitch need and supply in Wolverhampton.

For your information, the current Wolverhampton position on housing and employment land need and supply is set out in the Wolverhampton Strategic Housing Land Availability Assessment (SHLAA) 2022, the Black Country Economic Development Needs Assessment (BC EDNA) 2023 and the Draft BCP (2021).

On the basis of the December 2022 consultation version of the National Planning Policy Framework (NPPF), the Leader of the Council committed to excluding any green belt land from development allocations in the emerging Wolverhampton Local Plan (WLP). Taking into account potential capacity on non-green belt land in the Draft BCP, and an extended Plan period to 2042, the WLP is likely to generate a shortfall of around 11,500 homes and 50 ha of employment development land.

In terms of employment development land, the BC EDNA concludes that the BC FEMA as a whole has a shortfall of 152ha, however contributions secured through current Statements of Common Ground between the BC FEMA authorities and Shropshire and South Staffordshire Councils have potential to provide 133.6 ha towards BC FEMA needs, which would reduce that shortfall to 18.4 ha.

I hope that this information is useful.

Yours sincerely,

Michele Ross

Planning Policy Manager

Tel: 01902 554038

Email: michele.ross@wolverhampton.gov.uk

Your ref -
Our ref SSDC-111223
Ask for Patrick Jervis
Email Patrick.jervis@lichfielddc.gov.uk



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South Staffordshire
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Direct Line 01543 308132
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11 December 2023

Dear Ed,

RE: South Staffordshire District Council – Duty to Cooperate update October 2023

Thank you for your letter dated 24 October 2023 regarding the Duty to Cooperate and providing an update in respect of South Staffordshire District Council's (SSDC) emerging local plan. As you reference within your letter a key matter for all planning authorities is the long-awaited publication of the revised National Planning Policy Framework (NPPF) and Lichfield District Council were seeking to respond to your letter once the NPPF had been published. However, as you will be aware the revised NPPF has yet to be published.

As you will be aware Lichfield District Council (LDC) withdrew its emerging Local Plan 2040 from examination in October 2023 following the decision of its Full Council. The decision to do so was taken, having regard to a wide range of matters including the ongoing uncertainty around the plan-making system in England. I note that the Council's agreed a Statement of Common Ground (SoCG) specifically in relation to the now withdrawn local plan 2040. LDC will continue to work with SSDC through the duty to cooperate and update/renew the SoCG when appropriate. LDC is undertaking the preparatory work in relation to progressing a new Local Plan and will continue to work with all partners as this plan progresses.

The District Council welcomes this opportunity to engage with yourselves in respect of your local plan prior to further formal consultation. With regards to your letter dated 24 October 2023 and the specific matters it raises these are as follows:

Housing

As the revised NPPF has not yet been published it is difficult to comment as to the approach to consideration of Green Belt boundaries. However, it is noted that the proposed wording states that "*Green Belt boundaries are not **required** to be reviewed and altered if this would be the only means of meeting the objectively assessed need for housing over the plan period*" [our emphasis]. As such the District Council's view is it should not be automatically the case that SSDC determine to no longer consider the Green Belt boundaries, particularly given the significant



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scale of the unmet needs within the Greater Birmingham and Black Country Housing Market Area (GBBCHMA). There are limited areas beyond the Green Belt within the GBBCHMA and should all authorities determine not to consider their Green Belt boundaries this will significantly limit the ability of the authorities to address the shortfall.

Employment

It is noted that the previous draft of the SSDC Local Plan was proposing to contribute towards unmet employment needs arising from the Black County, a position which LDC supports. As set out within the SoCG which was agreed in relation to the Local Plan 2040, LDC was not proposing to provide employment land to meet wider unmet needs due to a lack of supply within the district. Whilst this plan has been withdrawn, at present evidence demonstrates that the potential supply of future employment sites within the district is limited. The ability for LDC to assist with unmet need will be considered through a new local plan.

Gypsies and Travellers

As your letter notes both LDC and SSDC have previously indicated that they are unable to identify sufficient sites to meet their Gypsy and Traveller accommodation needs with both authorities seeking assistance from their neighbours. LDC will through the preparation of new local plan refresh its evidence in respect of the accommodation needs of Gypsies and Travellers and undertake work to establish whether sufficient sites to meet its own needs are available. However, at present it must be made clear that LDC is not able to identify sufficient sites to meet its own need.

Next steps

As previously noted, LDC is beginning work on a new local plan for its district and will continue to engage with you as this work progresses. LDC will continue to work proactively with SSDC on both council's plan-making activities and prepare new/updated SoCGs when appropriate.

I trust that this letter has addressed those matters to which SSDC requested response. We would be happy to meet and discuss these matters further should you require.

Yours faithfully

Patrick Jervis
Principal Policy Place Officer
Core Services



Sent via email to:
e.fox@sstaff.gov.uk

Please ask for: Patricia McCullagh

Telephone No: 0121 569 4229

Email:

patricia_mccullagh@sandwell.gov.uk

Date: 23/11/2023

Dear Ed,

Response to South Staffordshire District Council – Duty to Cooperate update

Thank you for your letter received 24th October 2023, which provides an update on your local plan preparation and seeks the views of Sandwell MBC on certain aspects. It sets out that a Statement of Common Ground (SoCG) was signed with the Greater Birmingham and Black Country Housing Market Area (GBBCHMA) and also with the individual Black Country Authorities which support the exceptional circumstances for Green Belt release to help meet the needs of the GBBCHMA.

As you will be aware, Sandwell MBC commenced consultation on its Reg 18 Draft Plan on 6th November and it will run until 18th December 2023. The Draft Sandwell Local Plan demonstrates the following:

Housing

- a need for 29,773 homes by 2041
- a supply of 11,167 homes and
- a shortfall of 18,606 homes

Employment

- a demand for 185ha of employment land by 2041
- a supply of land available and suitable for employment use is **42ha** (after completions between 2020 – 2022 are considered). This includes windfall supply, generated through intensification / recycling and includes a vacant land supply of **29ha**.
- a shortfall of 143ha of employment land

Gypsies and Travellers

- a need for 8 pitches by 2031 and 6 pitches by 2041 – total pitches required 14 pitches
- a supply of 10 pitches

Regeneration and Growth

- a shortfall of 4 pitches

Therefore, as the shortfall is significant and the only way forward for us is to look outside the borough into neighbouring authorities we would look to South Staffordshire District Council (SSDC) to honour its original offer to the GBBCHMA.

We understand that following the pause of work on the South Staffordshire Plan, work resumed in January 2023 with an additional public consultation intended for Spring 2024 and evidence will also need to be revisited.

Housing

Your letter states that no decisions have been made on the Plan's strategy and we understand that the Council also intends to undertake a second Regulation 19 consultation in April 2024. It is hard for Sandwell to comment on whether this is the right approach without knowing how and by how much the strategy will change. If there are significant changes we would advise caution in proceeding to a second Regulation 19 consultation and would advise that it would be better and in line with the NPPF to go back to Regulation 18 consultation stage.

Your letter also seeks Sandwell Council's position if SSDC were to revise its housing strategy to no longer review Green Belt boundaries to accommodate the housing needs of the District or GBBCHMA. Sandwell Council considers it is premature to respond to this question as we are still awaiting the publication of the revised NPPF. Once this has been published and proposed amendments understood, we would then be happy to comment.

Employment

We note that you will be updating your Economic Development Needs Assessment (ENDA) and will engage with Sandwell Council at an appropriate time to inform the Regulation 19 consultation. We also note and support the fact that SSDC will continue to work through the West Midlands Developments Needs Group to assist in the preparation of the update to the West Midlands Strategic Employment Sites Study 2021.

Gypsy and Travellers

In preparation of the Sandwell Local Plan, the Council undertook a Call for Sites exercise alongside the Sandwell Issues and Options consultation in February 2023. This sought submissions for any land use including for Gypsy and Travellers and also asked whether promoters were willing to make part of their site available for use by Gypsy and Travellers. We received 18 Call for Sites submissions, none of which proposed a use for Gypsy and Travellers.

Regeneration and Growth

The Council also undertook a site assessment of all eligible sites, details and results can be found here: <https://www.sandwell.gov.uk/downloads/download/496/draft-sandwell-local-plan-reg18-plan-preparation-documents> in the Site Assessment report.

Other issues

We note that you will be re-engaging with Sandwell Council on the following matters:

- Transport
- Infrastructure
- Natural Environment

We look forward to continued discussions regarding cross boundary issues.

Yours faithfully,

Patricia McCullagh
Team Leader Planning Policy

South Staffordshire District Council
Council Offices
Codsall
South Staffordshire
WV8 1PX

Shropshire Council
Shirehall
Abbey Foregate
Shrewsbury
Shropshire SY2 6ND

Date: 14th November 2023

Dear Kelly,

South Staffordshire District Council - Duty to Cooperate update

1. Introduction

- 1.1. Thank you for your correspondence dated the 24th October 2023, within which you provide a very helpful update on plan making in South Staffordshire District Council (SSDC).
- 1.2. It is noted that within this correspondence you have also requested Shropshire Council's initial position on a scenario posed – specifically if SSDC were to pursue a new approach to the housing requirement within its ongoing Local Plan Review.
- 1.3. As this scenario is currently hypothetical, Shropshire Council cannot provide a formal response. However, in the spirit of the Duty to Cooperate (D2C), officers have given it and the other issues raised preliminary consideration - as summarised within this correspondence. As such, this correspondence represents initial officer views only.

2. Housing

- 2.1. Within your correspondence you have posed the scenario of revisiting the housing strategy within the emerging Local Plan, to no longer review Green Belt boundaries to accommodate the housing needs of SSDC or your wider Housing Market Area (HMA), this being the Greater Birmingham and Black Country Housing Market Area (GBBCHMA).
- 2.2. Ultimately, the decision on the suitability of this scenario is a matter for SSDC, informed by consideration of its implications both for the ability to meet SSDC need and the ability to contribute to unmet needs forecast to arise within the GBBCHMA.



- 2.3. However, it is considered sensible that this decision is informed by proactive D2C discussions, particularly with other Local Planning Authorities within the GBBCHMA (including those where unmet housing needs are forecast to arise). We would note that Shropshire Council is of course not a part of the GBBCHMA, as it represents its own self-contained HMA.
- 2.4. The most sustainable solution for households whose needs are not able to be met within one Local Planning Authority within a HMA, is within the wider HMA. This is because these areas are likely to already form part of the 'area of search' for these households. In the context of unmet housing need within the GBBCHMA, such areas would of course include SSDC. As such, we would suggest that any decision regarding the suitability of the aforementioned scenario is informed by consideration of the implications for achieving sustainable patterns of development.
- 2.5. We would also note that whilst the proposed changes to paragraph 142 of the NPPF mean that Green Belt boundaries are not required to be reviewed and altered if this is the only means of meeting local housing need, this process can still be undertaken, if it is considered an appropriate mechanism for meeting housing need and achieving sustainable development by the relevant Local Planning Authority.
- 2.6. Through the D2C process, Shropshire Council is proposing a 1,500 dwelling contribution towards the unmet housing needs forecast to arise within the Black Country Authorities (located within the GBBCHMA), as they indicated that even with the 4,000 dwelling contribution proposed by SSDC, their HMA is unlikely to be able to accommodate all their unmet housing needs.

3. Employment

- 3.1. We note SSDC's position with regard to employment land. Shropshire Council would of course welcome further D2C discussions on this matter at the appropriate time.

4. Gypsy & Travellers

- 4.1. We note SSDC's position with regard to gypsy and travellers. It is considered that the summary of Shropshire Council's position provided within your correspondence accurately reflect the agreed position on this matter, as established within the SoCG between the two Local Planning Authorities and subsequent correspondence.



5. Other Matters

- 5.1. We note SSDC's intention to re-engage with Shropshire Council on the matters of transport, infrastructure, and the natural environment, in due course. Shropshire Council of course welcome further D2C discussions on these matters at the appropriate time.

6. Next Steps

- 6.1. We note SSDC's intention to undertake a Regulation 19 consultation on the SSDC Local Plan in spring 2024.
- 6.2. Shropshire Council would of course welcome further D2C discussion with SSDC, either in advance or during any future consultation on the SSDC Local Plan.

Kind Regards

Edward West

Planning Policy and Strategy Manager

Shropshire Council



Mrs K Harris
South Staffordshire Council
Council Offices
CODSALL
South Staffordshire
WV8 1PX

CONTACT	Alex Yendole
DIRECT DIAL	07800 619530
EMAIL	ayendole@staffordbc.gov.uk
OUR REF	
YOUR REF	
DATE	22 November 2023

Dear Kelly

RE: South Staffordshire District Council - Duty to Cooperate update

Thank you for the opportunity to respond to the letter received on 24 October 2023 concerning South Staffordshire District Council - Duty to Cooperate update.

As Stafford Borough is a neighbouring authority to South Staffordshire District a number of the strategic key issues and the plan's strategy could have development and infrastructure implications for the Borough, although it is worth noting that Stafford Borough is not within the Greater Birmingham and Black Country Housing Market Area (GBBCHMA) so not party to the Draft Statement of Common Ground of August 2022.

It is important to ensure that a balanced approach takes place between the development requirements of neighbouring areas and the focus for new infrastructure, housing and employment growth in the South Staffordshire District area, within the context of any revised / new National Planning Policy Framework.

On this basis, Stafford Borough understands the updated position in terms of housing, Green Belt release and proposed employment provision in the new Plan period to 2041. Nevertheless there is a concern that should South Staffordshire not meet its own local housing needs through Green Belt release this will lead to pressure for additional provision in other areas, in particular the GBBCHMA. Therefore further evidence based work would be required to demonstrate this need can be delivered elsewhere, not least on brownfield land, whilst minimizing infrastructure implications for neighbouring areas.

With regards to future provision outside of South Staffordshire District, the Borough Council can confirm it is not in a position to meet any shortfall at this stage. Any new sites provided through the on-going Call for Sites process will be considered in the context of the new Local Plan, although at this stage Stafford Borough can not provide for any unmet needs for the gypsy, traveller and travelling show-people community.

The Borough Council also notes the area of search along the A449 corridor for a new settlement beyond the plan period, after 2039, in Policy DS6 of the South Staffordshire Local Plan Publication 2022. The Strategic Growth Study identified north of Penkridge as a recommended area of search for a strategic urban extension. In our view this warrants further investigation, as an alternative to new homes south of Stafford. We would therefore be grateful if you could ensure that we are kept updated on this matter to comment further and consider infrastructure implications.

The adopted Plan for Stafford Borough (June 2014) focuses the majority of new housing and employment provision at Stafford Town, without releasing Green Belt areas, and a number of significant development sites are now being delivered. As you may be aware the Borough Council concluded its consultation on the Local Plan 2020-2040 Preferred Option in December 2022 setting out the future development strategy beyond the adopted Plan period of 2031. The latest position in terms of the Local Plan timetable can be viewed via the link below:

[Local Development Scheme | Stafford Borough Council \(staffordbc.gov.uk\)](https://staffordbc.gov.uk)

The Habitat Regulations Assessment of future housing growth in South Staffordshire District will need to be addressed in order to provide mitigation measures for the Cannock Chase Special Area of Conservation (SAC) together with other relevant SACs / Ramsar sites in the locality. The Borough Council will continue to work alongside South Staffordshire District through the Cannock Chase SAC Partnership on suitable measures.

The Borough Council would welcome an acknowledgement of this response and notes the latest information provided by South Staffordshire District Council at this stage of the plan-making process to support delivery of housing and employment requirements in the context of the wider area.

I look forward to hearing from you in due course concerning engagement on further information about matters affecting cross-boundary issues, updates to the evidence base, and the Regulation 19 consultation scheduled for Spring 2024.

Kind regards



Alex Yendole
Strategic Planning & Placemaking Manager
Stafford Borough Council

Anna Miller

Assistant Director – Growth & Regeneration



Please ask for: Richard Powell
Telephone: 07583 060 738
E-mail: developmentplan@tamworth.gov.uk

Kelly Harris
C/O Edward Fox
Strategic Planning Team Manager
Strategic Planning
South Staffordshire Council
By email only

23 November 2023

Dear Kelly,

RE: South Staffordshire District Council – Duty to Cooperate update

Thank you for your letter dated 24 October 2023 concerning the above. I have provided responses to the specific issues below.

Housing and the Green Belt

We have no specific comments to make to your proposal not to review Green Belt boundaries to accommodate the housing needs of the District or GBBCHMA, if the proposed changes to paragraph 142 of the NPPF are enacted.

As you will be aware, Tamworth's adopted local plan includes an unmet need of 1,825 dwellings which have, at various points, been considered as part of the overall unmet need within the wider HMA. The council has a memorandum of understanding and a statement of common ground in place with Lichfield District Council and North Warwickshire Borough Council for the delivery of that unmet need.

As a result of our adopted plan now being more than five years old, the need figure for the council's latest published 5-year supply position was calculated using the standard method as set out by Government. Using this approach resulted in a need figure that was substantially lower than that set out in the plan. This suggests that it is unlikely at this time that our unmet need will increase significantly to the point that we may require further assistance.

Employment

Your comments on employment need are noted.

Gypsy and Travellers

As you have noted in your letter, in our previous correspondence we stated that our 2019 GTAA concluded that there was no identified need for pitches within Tamworth

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Borough. As a result of this, we had not currently identified any potential sites within the Borough that would be suitable for accommodating pitches. The 2019 assessment remains the most up to date evidence we have available at this point, and no additional work has been carried out in relation to identifying potential sites. We are unfortunately therefore still not in a position to be able to help you with your unmet need.

Other issues

Your comments on the other issues listed are noted. We will be happy to engage with you on these issues at an appropriate time.

Yours sincerely,

A handwritten signature in black ink that reads "R Powell". The signature is written in a cursive style with a large initial 'R'.

Richard Powell
Planning Policy & Delivery Team Leader



Walsall Council

Economy, Environment & Communities

Ms Kelly Harris
Lead Planning Manager
South Staffordshire Council
Council Offices
Codsall
South Staffordshire WV8 1PX

Date: 22 January 2024
Our Ref: DB/DM/EE&C
Telephone: 01922 654618
Email: eandemgmtsuppt@walsall.gov.uk

Via e-mail: e.fox@sstaffs.gov.uk

Dear Kelly

South Staffordshire District Council – duty to co-operate update

Thank you for your letter dated 24 October 2023, in which you set out the current position with regard to your local plan: that it had been paused in January 2023 subject to the outcome of the current national planning policy reforms, to be published imminently in a revised National Planning Policy Framework (NPPF). The revised NPPF has now been published in December 2023. While the content of the NPPF is largely as proposed in the December 2022 consultation draft, there are some significant differences between the two versions.

However, you state that you are still looking to progress your local plan under the existing plan-making regime, and in order to do this, will be likely to be required to meet a deadline for submission of your local plan by June 2025.

You state that the current position on housing need, which you are considering moving away from, is based on the regional evidence base prepared by the Greater Birmingham and Black Country Housing Market Area (GBBCHMA), and as set out within your regulation 18 plan, with your contribution to the GBBCHMA stated as being around 4,000 dwellings. However, you cite that pending the outcome of the planning reforms, there is a current expectancy that under a revised NPPF, green belt will not be required to be reviewed and altered should this be the only means of meeting objectively assessed need for housing over the plan period.

You are consequently requesting an indication of our position in the event that you were to revise your housing strategy to no longer review green belt boundaries to accommodate the housing needs of both the district and GBBCHMA, if the proposed changes to planning came through: “we would appreciate an indication of what your position would be if SSSDC were to revise its housing strategy to no longer review green belt boundaries to accommodate the housing needs of the District or GBBCHMA, if the proposed changes to paragraph 142 of the NPPF are enacted.”

Walsall Metropolitan Borough Council, Civic Centre, Darwall Street, Walsall, WS1 1TP
Tel: 01922 650000
Web: www.walsall.gov.uk

PROUD OF OUR PAST OUR PRESENT AND FOR OUR FUTURE



Walsall Council

There are other planning matters which you set out in your letter, specifically on employment land and gypsy and travelling show persons' accommodation, in which you are seeking an updated Walsall Council position on under duty to cooperate.

In your covering message, you have set a deadline of 24 November 2023 for us to respond to your request. We previously responded to you on 22 November 2023 to meet that deadline; we sent a holding response as it was considered that you were seeking this authority's views regarding the ramifications for neighbouring authorities on a potential change in planning strategy for your local plan, which was interpreted as a formal approach under duty to co-operate. This meant that to respond formally under Walsall's scheme of delegations we needed to obtain authority from our planning committee. What follows is our response based on the approach to wording which was agreed at our planning committee meeting on 15 January 2024.

Housing

The NPPF, published in December 2023, confirms that there is no requirement for green belt boundaries to be reviewed or changed when plans are being prepared or updated, but planning authorities may choose to review green belt boundaries where exceptional circumstances are fully evidenced and justified, through the plan making process (para 145).

However, the duty to co-operate remains at least until secondary legislation and/or revised national policy requirements come into effect with regard to the Levelling Up and Regeneration Act 2023: paragraph 25 of the NPPF states that planning authorities are under a duty to cooperate with each other on strategic matters that cross administrative boundaries; effective and on-going joint working between strategic policy-making authorities is integral to the production of a positively prepared and justified strategy, including whether development needs that cannot be met wholly within a particular plan area could be met elsewhere (para 26); in order to demonstrate effective and on-going joint working, strategic policy-making authorities should prepare and maintain one or more statements of common ground (para 27).

In addition, the test of soundness requiring plans to be positively prepared and that unmet demand from neighbouring authorities is accommodated where it is practical to do so, also stands paragraph 35a.

Our position is, therefore, that in order to meet continued duty to co-operate requirements and ensure that you are able to demonstrate that the South Staffordshire local plan review is positively prepared, SSSDC continue to engage with neighbouring authorities under duty to cooperate and seek to contribute to meeting the unmet housing needs in particular of these authorities, including Walsall, where this is justified through the evidence base.

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With regard to the evidence, the GBBCHMA Strategic Growth Study (GL Hearn) arose out of the Birmingham Development Plan examination and sought to address the housing needs identified in that plan to 2031. It pre-dates the introduction of the standard method for calculating housing need. The introduction of the standard method and the rolling forward of housing requirements mean that housing need in the region is now much greater than set out in the study.

Furthermore, paragraph 230 of the NPPF (December 2023) states that the policies in this framework will apply for the purpose of examining plans where those plans reach regulation 19 stage after 19 March 2024. Plans that reach pre-submission consultation on or before this date will be examined under the relevant previous version of the framework in accordance with the above arrangements.

Given that your local plan review has completed its regulation 19 consultation, it would appear that, even if you sought to consult again on a revised regulation 19 plan in Spring 2024, the requirement for plans to be positively prepared would remain, and indeed the revised position on the potential release of green belt land to meet housing needs would not appear to apply.

Even without this text, a change to the strategy of the plan of this significance is likely to require a new regulation 18 consultation, including a revised sustainability appraisal to assess the environmental outcomes of this change in strategy. This would mean that in our view it would be unlikely that, in allowing for any new regulation 18 consultation as may be necessary, with such a change the plan would be able to be submitted under the existing plan-making regime.

Employment

Acknowledging that South Staffordshire has a strong functional economic relationship with the Black Country Functional Economic Market Area (FEMA), and that Walsall is within the evidenced South Staffordshire FEMA, we note and welcome your intention to work with us on updating the Economic Development Needs Assessment (EDNA). Similar work is underway on the employment evidence for the Black Country, including work to support the Dudley and Sandwell draft local plans that have recently been consulted upon.

Gypsies and Travellers

We can confirm that the situation in Walsall remains as set out in your letter, and in response to the email dated 31 October 2023 from Opinion Research Surveys, we can confirm that there is no Gypsy, Traveller and/or travelling show persons related planning issues that cross our administrative boundaries. We are aware that there are several long-established traveller sites (mainly single-family sites) in South Staffordshire close to the boundary, but these are not considered to be part of the

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supply for Walsall or the wider Black Country. Walsall has a significant shortfall in the supply of land for all housing as well as specifically for traveller sites, so we are likely to be unable to offer any provision that might contribute to meeting needs arising from South Staffordshire.

Other Issues

We agree that transport, infrastructure (in particular, any additional infrastructure that may be required to serve proposed development sites in South Staffordshire close to our border) and natural environment remain strategic issues between us.

We look forward to further engagement with your council, especially under duty to cooperate/alignment test protocols as we progress our respective plans.

I trust that this information is helpful.

Yours sincerely

DAVE BROWN
Executive Director

Alex Evans

From: External Email for Local Plans
Sent: 21 November 2023 08:24
To: Alex Evans
Subject: FW: South Staffs Duty to Cooperate letter

Follow Up Flag: Follow up
Flag Status: Flagged

FYI

From: Heather Stone <Heather.Stone@wyreforestdc.gov.uk>
Sent: Friday, November 17, 2023 2:47 PM
To: External Email for Local Plans <localplans@sstaffs.gov.uk>
Subject: South Staffs Duty to Cooperate letter

CAUTION-THIS EMAIL WAS SENT FROM OUTSIDE THE COUNCIL. DONT OPEN LINKS OR ATTACHMENTS UNLESS YOU'RE SURE YOU CAN TRUST THIS SENDER!

Thank you for consulting Wyre Forest District Council about the latest position regarding the production of the South Staffordshire Local Plan.

As you will be aware, in order to meet its own housing requirement, Wyre Forest District Council released some land from the Green Belt through the Local Plan (2016-36) which was adopted in April 2022. This resulted in a small reduction of the size of the Green Belt from 11,210 Ha to 10,980 Ha – around 2%.

If South Staffordshire District Council were to revise its development strategy in the light of expected Government changes and decide to no longer remove sites from the Green Belt in order to be able to accommodate either its own housing requirement or that of the wider Housing Market Area, then that would have much wider repercussions than in just South Staffordshire. If you decide to follow this strategy, will you be increasing the density on those sites which are outside of the Green Belt or potentially looking to allocate new sites? With neighbouring authorities which were also previously looking to allocate sites in the Green Belt, now also not proposing to take land out of the Green Belt, where will the housing requirement be met? This will inevitably put more pressure on neighbouring authorities which are not constrained by Green Belt. As a neighbouring authority, albeit outside of the Housing Market Area, which is also heavily constrained by Green Belt which covers the eastern part of our District nearest to the conurbation, we would not be in a position to offer up any land to help meet any housing shortfall from neighbouring authorities.

In terms of Gypsy and Traveller requirements, WFDC undertook a Call for Sites and Gypsy and Traveller Assessment in 2020. I can confirm that no other public land was put forward other than the site which was allocated through the Local Plan to meet our own pitch needs. Therefore, we will not be undertaking any further work on this or preparing to meet any of the need for pitches from neighbouring authorities.

Kind regards Heather

Heather Stone MSc MRTPI
Principal Planning Policy Officer
Wyre Forest District Council
01562 732520
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