

21st December 2022

Local Plans Team
South Staffordshire Council
Community Hub
Wolverhampton Road
Codsall
South Staffordshire
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Dear Local Plans Team,

South Staffordshire Local Plan Review Publication Plan

Thank you for giving the opportunity for the City of Wolverhampton Council (CWC) to respond to the South Staffordshire Local Plan (SSLP) Regulation 19 consultation. CWC have engaged actively and positively with the various stages in the preparation of the Local Plan, and we welcome the cooperative engagement with South Staffordshire Council throughout. This letter provides our formal response to the consultation following approval by Cabinet on 14th December.

The Local Plan has very significant implications for Wolverhampton in terms of the overall Plan strategy, the implications of detailed site allocations and most importantly the scale of and location of development proposals close to the City boundary. Our response addresses the strategic implications of the Plan proposals, including how the Plan is addressing the Duty to Cooperate in terms of responding positively to unmet housing and employment land needs arising in the City. But the focus of our response highlights that it is essential that the phasing of site delivery and associated infrastructure (including the construction period) is managed in a coordinated manner, particularly given the clustering of proposed allocations and the potential cumulative impact of developments on infrastructure in Wolverhampton.

In summary, CWC considers that the SSLP has been prepared in a manner which is legally compliant and meets the Duty to Cooperate. However, we are strongly of the view that the SSLP and the supporting Infrastructure Delivery Plan, and Statements of Common Ground agreed with relevant parties, must mitigate the potential impact of the development on the City of Wolverhampton as detailed in this response and as set out in the attached decision of CWC's Cabinet on 14 December 2022. As this is a Regulation 19 consultation, any issues where we feel the Plan would benefit from modifications to address these issues must be expressed as objections under the tests of soundness.

Background and strategic issues

Previous engagement with the Local Plan has taken place on an individual basis, and through the Association of Black Country Authorities (ABCA), in the context of the Council's involvement in the Black Country Plan (BCP). As you may be aware, in October 2022 the Leader of Dudley Council announced that he wished to withdraw the

Council from involvement in the BCP. The four Black Country Councils subsequently agreed to prepare individual local plans and the associated Local Development Schemes (LDSs) are in the process of being brought into effect.

The Wolverhampton LDS was adopted by Cabinet on 26th October (<https://wolverhampton.moderngov.co.uk/documents/s223167/Appendix%201%20-%20Wolverhampton%20Local%20Development%20Scheme%20Oct%202022.pdf>), confirming the commitment of the Council to continue to prepare an up to date Local Plan in a robust and timely manner. There is an Issues and Preferred Options consultation on the Wolverhampton Local Plan programmed for early 2023, followed by a Regulation 19 consultation in summer 2023.

The Local Plan will build on the work progressed on the BCP and supporting evidence. Our current position on housing and employment land need and supply is as set out in the Draft BCP, published for consultation in 2021. In the case of housing, the Draft BCP identified a shortfall of some 28,000 homes to 2039 across the four Council areas. For Wolverhampton, the housing shortfall is substantial at some 7,900 homes.

Turning to employment land, the Planning Practice Guidance encourages strategic Plan-making authorities to identify needs on a Functional Economic Area (FEMA) basis. In the case of Wolverhampton, the City is located within the Black Country FEMA as identified in the Black Country Economic Development Needs Assessment (EDNA) published in 2017. Across the FEMA as a whole, the BCP identifies a shortfall of some 210ha of employment land to 2039, this being the sum of shortfalls across the four Council areas. The EDNA confirms that the Wolverhampton element of this shortfall is between 40ha to 80ha.

While the Council will be updating land supply as part of the preparation of the Local Plan, we do not anticipate that this work will reveal any significant sources of additional land to meet housing or employment needs. The Wolverhampton Local Plan will have a Plan period extending to 2040, adding a further one year of housing and employment land demand which may have the effect of increasing the shortfalls outlined above.

Strategic Housing issues

The SSLP proposes a housing requirement of 9,089 dwellings between 2018 and 2039, which includes 4,000 dwellings to meet unmet needs from the Greater Birmingham and Black Country Housing Market Area (GBBCHMA). This contribution is consistent with that previously proposed in the South Staffordshire Local Plan Preferred Options consultation (2021), and which CWC supported through both an individual response and a joint response from the Black Country Authorities.

Wolverhampton has a very strong functional relationship with South Staffordshire, expressed through migration patterns and travel to work data. As set out above, work on the Black Country Plan, which will be taken forward through the emerging WLP, has confirmed that Wolverhampton has significant unmet housing need, taking into account capacity in the urban area and limited, sustainable green belt release.

Therefore, the SSLP 4,000 home contribution towards meeting wider unmet housing needs continues to be welcomed. Securing a significant proportion of this contribution for Wolverhampton, together with contributions from other neighbouring authorities, will make significant headway into addressing the WLP housing shortfall. It is also welcome that

there are longer term proposals to develop a new settlement which would have the potential to help meet future WLP housing shortfalls. However, in order to provide certainty for the progression of the WLP and to inform our ongoing Duty to Cooperate engagement with other neighbouring Local Plans, it is critical that a Wolverhampton element of the 4,000 homes contribution is confirmed as soon as possible. As set out above, we need to express this issue as a soundness matter at Regulation 19 stage, but are confident that it is capable of being rectified by the time of submission of the Plan, through appropriate text in the Plan itself, and/or through a Statement of Common Ground - ideally both.

In terms of the approach to calculate this apportionment, we recommend that migration patterns between South Staffordshire and those neighbouring authorities which can demonstrate unmet housing need would provide a reasonable and robust evidential basis. Outside the Black Country, these 'qualifying' authorities include Birmingham, where there is evidence of a housing shortfall of over 78,000 homes. Analysis of migration patterns over the period 2002-2019 between South Staffordshire and the Black Country / Birmingham shows that Wolverhampton accounts for 37% of net inflows, Walsall 25%, Birmingham 3%, Sandwell 11% and Dudley 24%.

However, whereas Wolverhampton and Sandwell have housing need figures which far outstrip the housing capacity identified in the Draft BCP, it is not currently clear if either the Dudley Local Plan or the Walsall Local Plan will generate a residual housing shortfall. The Draft BCP evidence shows that there is sufficient urban land in Dudley to meet Dudley local housing needs. This means that there is currently no evidenced shortfall in Dudley, and also that green belt sites, such as those consulted on in the Draft BCP, could provide additional housing to meet the needs of other authorities with a clear shortfall, such as Wolverhampton. The Walsall Local Plan preparation process is not due to commence until later in 2023 and any future shortfall has the potential to be met through contributions from the Shropshire and Lichfield Local Plans, which are at an advanced stage and have agreed contributions towards the Black Country as a whole.

On this basis, it would be appropriate for the 4,000 homes to be divided between Wolverhampton, Sandwell and Birmingham in proportion to their share of historic net migration inflows, with Wolverhampton allocated some 72.5%, or 2,900 homes. This figure is further justified by the proximity to Wolverhampton of allocations delivering 3,566 homes in total. CWC accepts that the contribution of 4,000 homes by the SSLP to the HMA is a reasonable one and should not be increased.

Given the proximity of the Linthouse Lane, Cross Green and Langley Road sites to the City boundary, it is likely that in practical terms these are the sites which will be most effective in meeting needs arising in Wolverhampton. On this basis, we request that affordable housing provided on these sites should be available to City residents, specifically that 50% of the affordable rent housing secured on the sites is allocated (both at first let and subsequent re-lets) through nomination rights for Wolverhampton residents. This should be secured through a Statement of Common Ground and through legal agreements on subsequent planning applications.

In terms of unmet need for gypsy and traveller pitches, CWC acknowledges the scale of unmet need for gypsy and traveller pitches arising in South Staffordshire, as set out in para 6.39 of the Plan. Through the Duty to Cooperate, CWC commit to explore the

potential for sites in Wolverhampton to help address that unmet need through the WLP process.

Strategic Employment issues

The Council supports the SSLP contribution of 100.2ha towards unmet Black Country employment land needs. This contribution will make significant headway towards addressing the unmet employment land needs of the Black Country Functional Economic Market Area of some 210ha, of which Wolverhampton is a part.

Cross-boundary infrastructure and site specific issues

The proposed allocations adjoining Wolverhampton raise important cross-boundary infrastructure issues which have potential to impact on local infrastructure. The successful mitigation of these potential impacts is of critical importance to CWC.

The SSLP spatial strategy is stated as being “infrastructure-led”, having specific regard to infrastructure opportunities such as school place expansions. It is particularly of note that the Linthouse Lane (site 486c) and Cross Green (site 646) urban extensions are expected to deliver infrastructure on site, creating communities with a high degree of self-containment in terms of local shops, community facilities and primary schools, which could minimise impacts on existing local communities, if delivered in a timely manner. The IDP sets out how various infrastructure needs are in the process of being assessed and how these may be addressed.

If infrastructure impacts are not fully assessed and mitigated through the contributions of developers and infrastructure providers these developments could have negative impacts on Wolverhampton infrastructure, including transport, public open space, education and health services. The developments could also have negative impacts on the environmental quality and amenity of immediately adjoining residential areas if not properly planned. Therefore, each development, including Langley Road (site 582), needs to be carefully master planned, based on sufficient detailed evidence, and it is vital that close joint working between SSDC and CWC continues on all relevant issues throughout the SSLP preparation, Master Plan preparation and planning application processes.

At this stage, there are a number of areas where the nature of these impacts, and the proposed mitigation measures to accommodate them, have not been adequately addressed in the Local Plan. These issues are all, we believe, capable of being addressed for the submission of the Local Plan but need to be expressed as formal objections due to the requirements of Regulation 19. Our concerns are focussed on transport, education, health and green space and are set out below.

In terms of **transport infrastructure**, close engagement will need to continue with both South Staffordshire Council and Staffordshire County Council. As a gateway to the West Midlands, it is critical that the impact on the transport network of trip generation is assessed not just in the immediate vicinity of development but also in the corridors giving access into the urban area. Developments should minimise trip generation, through local provision of services, high quality, multi-modal connectivity and maximising opportunities arising from future transport developments e.g. growth in electric vehicle usage. Good access to the rail network and provision of supporting infrastructure such as sufficient park and ride capacity are essential. On this particular issue, CWC welcome the continued promotion of the existing Brinsford Strategic Park and Ride site allocation and other

supporting infrastructure which increases access to the rail network. Any impact of the implementation of HS2 should also be taken into account and high quality pedestrian and cycling infrastructure should be incorporated for local journeys and first / last mile links. Development should link effectively to the strategic transport network, in particular high-capacity corridors such as the A449 and the proposed M6 link road, avoiding excessive pressure on sensitive transport links such as the A454, the urban A460 and non-strategic routes. Where transport link improvements are required to mitigate trip generation impacts, appropriate funding mechanisms should be secured. Co-ordinated transport modelling exercises are currently underway for the SSLP and the Black Country authorities. Initial indications are that potential impacts on the Wolverhampton highways network can be mitigated through a viable and deliverable package of developer funded improvements. This work must be completed to support the Submission Plan in order to provide assurance to CWC that the impacts are fully understood, and where necessary appropriate mitigation measures are set out, phased and delivery mechanisms agreed.

Moving forward, it is essential that the Plan and / or Statement of Common Ground provides assurance that CWC will be consulted on any transport assessments / planning applications associated with development sites near the Wolverhampton boundary, including land adjoining Perton and land adjoining Codsall / Bilbrook.

Turning to **Education**, SSDC currently operate a developer contribution system for school places needs arising from development. The SSLP and IDP set out the expectation that there will not be a reliance on Wolverhampton schools to accommodate South Staffordshire pupils arising from new development.

For the Cross Green and Linthouse Lane sites, the provision of new primary schools as an integral element of the proposals is essential to addressing this objective. However the early phasing of on-site primary school provision at the Linthouse Lane and Cross Green sites should be confirmed in the Plan and IDP. Otherwise, residents of these sites are likely to seek to utilise schools in north-east Wolverhampton which are unable to accommodate significant additional demand.

Although sites are proposed for new primary schools at Linthouse Lane and Cross Green, there are no specific proposals to address secondary school place needs arising from these developments. The IDP states that developments of 5,000 homes may generate the need for a new secondary school. However, the current Staffordshire Education Authority view is that new middle/high schools will not be required to serve the level of growth proposed in the Plan.

To address this issue, further details are required on how the secondary school places arising from Linthouse Lane and Cross Green would be accommodated by expanding capacity at existing middle and high schools in South Staffordshire. These details should be set out in the IDP and established, as far as possible, in the SoCG.

Therefore, CWC request development of a SoCG which establishes the principle of self-containment regarding primary and secondary school places for the SSLP, is more specific about the location and deliverability of secondary school places, and ensures any required primary and secondary school places are delivered early in the development process to minimise impacts on Wolverhampton schools.

The SSLP states that ensuring sufficient access to **GP / health** centres to accommodate residents from new developments will be a key challenge. The IDP states that access to GP provision has been identified as a local infrastructure concern. It is welcome that the SSLP now includes a policy requiring developer contributions towards health infrastructure such as GP / health centres.

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

To address this issue, for each of the Linthouse Lane, Cross Green and Langley Road developments, if it is not feasible to increase GP service capacity to absorb additional demand within the Staffordshire and Stoke-on-Trent Integrated Care Board (ICB) in locations which would clearly serve site residents and at an early stage of development to avoid negative impacts on the Wolverhampton GP service network, then off-site health service contributions will be secured for improvements to the Wolverhampton GP service network which would increase the capacity of the network to absorb additional demand, in accordance with Black Country ICB requirements. This principle must be set out in the IDP and updated text in the Plan which details the development requirements for these sites.

It is important that any green infrastructure proposals for developments located on the edge of Wolverhampton are fully integrated with existing and potential **green infrastructure** networks in Wolverhampton. The indicative concept plan for the Linthouse Lane site locates a large area of green space, including the Community Park, to the north of the site. By comparison, relatively little green space is provided on the southern boundary of the site adjacent to the densely populated and heavily urbanised Ashmore Park area of Wolverhampton. This is a significant weakness in the masterplan. A greater quantity of green space and associated facilities should be provided in the southern part of the site to make it more accessible to Wolverhampton residents and soften the visual impact of the new development from locations within Wolverhampton.

Summary

In summary, CWC welcome the opportunity to comment on the Plan and confirm our active and positive engagement in the various stages of preparation of the Local Plan. We also welcome the cooperative engagement with South Staffordshire Council throughout.

The strategic approach set out in the Plan towards meeting unmet housing and employment land needs arising in Wolverhampton is supported, and we consider that the Duty to Cooperate has been met.

There are, however, a number of issues which must and can be resolved. Some of these issues will require additional evidence, and changes to the relevant documents including the Local Plan. We are confident that these issues are capable of being addressed and

suggest that a meeting is convened as soon as possible to scope out this work by contacting Michele Ross (Lead Planning Manager) or Ian Culley (Lead Planning Manager, Regional Strategy) at the City of Wolverhampton Council.
(ian.culley@wolverhampton.gov.uk).

Yours sincerely,

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