



Walsall Council

Economy & Environment Directorate

Planning Policy Team
Planning and Development
Birmingham City Council
B1 1TU

Your Ref: -
Our Ref: SStaffs Local Plan Reg19
Date: 23 December 2022
Ask for: Patrick Jervis
Direct Line: 01922 658020
Email: Patrick.jervis@walsall.gov.uk
planningpolicy@walsall.gov.uk

Dear Sirs,

South Staffordshire Local Plan 2018-2039 Publication Plan (Regulation 19) Consultation

Thank you for consulting us on this stage of the review of the South Staffordshire Local Plan. Walsall Council has previously made comment upon the South Staffordshire Local Plan through the Association of Black Country Authorities (ABCA), notably representations to the Preferred Options consultation which took place in late 2021.

These representations have been reported to Walsall's Cabinet on 14th December 2022 following agreement of Planning Committee on 1st December 2022.

As you will be aware following the leader of Dudley Council advising that Dudley wished to withdraw from the Black Country Plan (BCP) the leaders of the four Black Country Councils have issued a statement that they will now transition to a process focussed on preparing individual local plans for their respective areas. It was determined at a meeting of Walsall Council's cabinet on 2nd November 2022 to progress a local plan for Walsall (WLP) and an updated Local Development Scheme (LDS) setting out the anticipated timescale for the WLP was appended to the cabinet report. As such Walsall Council is now undertaking the preparatory work for the first stages of the WLP.

Whilst the Councils are no longer progressing the BCP, you will be aware that the Regulation 18 draft of the Black Country Plan identified a significant need in the capacity for housing in the Black Country for the period to 2039 of approximately 28,000 homes and 210 hectares of employment land.

The South Staffordshire Preferred Options document produced in 2021 identified a contribution of approximately 4,000 dwellings to meet unmet housing needs arising from the Greater Birmingham and Black Country Housing Market Area (GBBCHMA). It is welcomed that the South Staffordshire Local Plan maintains the proposed contribution, however, we have previously made representations that given the close geographical, migration and commuting links between the Black Country authorities and South Staffordshire it should be made clear that the whole of the 4,000 contribution is specifically allocated to meet needs from within the Black Country. It is recommended that this need is apportioned between the four Black Country authorities and the Councils work together to agree that apportionment.

In addition, in respect of employment needs it is noted that the Publication Plan notes there are 103.6 hectares of employment land, including 67 hectares of the West Midlands Interchange, within South Staffordshire available for strategic cross boundary unmet need from the Black Country and that this will be subject to agreement through a Statement of Common Ground. Walsall Council is supportive of this provision and willing to enter into such an agreement in relation to the apportionment of this land.

We have no significant concerns about the remainder of the plan, although we would reserve the right to make further comments on the plan at future consultation stages.

We look forward to continuing to work with you on strategic planning matters of concern to both authorities.


Yours faithfully,

Patrick Jervis

Patrick Jervis

Principal Planning Policy Officer

Appendix: Completed Consultation Representation Forms

	<p>Local Plan</p> <p>Publication Stage</p> <p>Representation Form</p>	<p>Ref:</p> <p>(For official use only)</p>
---	--	---

Name of the Local Plan to which this representation relates:

**South Staffordshire Council
Local Plan 2018 - 2039**

Please return to South Staffordshire Council BY 12 noon Friday 23 December 2022

This form has two parts –

Part A – Personal Details: need only be completed once.

Part B – Your representation(s). Please fill in a separate sheet for each representation you wish to make.

Part A

1. Personal Details*

2. Agent's Details (if applicable)

**If an agent is appointed, please complete only the Title, Name and Organisation (if applicable)*

boxes below but complete the full contact details of the agent in 2.

Title	Mr	
First Name	Patrick	
Last Name	Jervis	
Job Title (where relevant)	Principal Planning Policy Officer	
Organisation	Walsall Council	



(where relevant)

Address Line 1 Civic Centre

Line 2 Darwall Street

Line 3 Walsall

Line 4

Post Code WS1 1TP

Telephone Number 01922 650000

E-mail Address planningpolicy@walsall.gov.uk; Patrick.jervis@walsall.gov.uk

(where relevant)

Part B – Please use a separate sheet for each representation

Name or Organisation:

3. To which part of the Local Plan does this representation relate?

Paragraph	Duty to Co-operate & Legal Compliance	Policy	DS4, DS5, NR3	Policies Map	N/A
-----------	---------------------------------------	--------	---------------	--------------	-----

4. Do you consider the Local Plan is :

(1) Legally compliant	Yes	Yes	No
	Yes		No



(2) Sound

 No

(3) Complies with the

Duty to co-operate

Yes

 Yes

No

Please tick as appropriate

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

Legal Compliance

Walsall Council has no concerns in respect of whether the South Staffordshire Local Plan (SSLP) is legally compliant.

Duty to Co-operate

Walsall Council and South Staffordshire District Council have been working together effectively, constructively and on an ongoing basis on strategic planning issues of mutual interest to the authorities. Such collaborative work is expected to continue as the authorities progress their respective local plans.

Previously Walsall Council has engaged with South Staffordshire District Council in partnership with the Black Country Authorities (Dudley Metropolitan Borough Council, City of Wolverhampton Council, and Sandwell Metropolitan Borough Council) particularly in relation to the Black Country Plan (BCP). As you will be aware, following announcements made by the leader of Dudley Council, the authorities are no longer working together on a BCP and will now be progressing individual local plans to cover their respective administrative areas. At a meeting of Walsall Council’s cabinet on 2nd November 2022 it was determined to progress a local plan for Walsall (WLP) and an updated Local Development Scheme (LDS) setting out the anticipated timescale for the WLP was appended to the cabinet report.

It is noted that previously representations to the South Staffordshire Local Plan Review had been made by the Association of Black Country Authorities (ABCA) on behalf of the four authorities. Following the decision to progress individual local plans representations on other plans will now be made on an individual basis. However, it is recommended that these representations be read in conjunction with those made previously by ABCA which will provide context.

it is noted that South Staffordshire District Council have sought to agree Statement(s) of Common ground (SoCG’s) with neighbouring authorities and had been in discussions to agree such an SoCG with the Black Country Authorities. It has not yet been possible to agree an individual SoCG between Walsall Council and South Staffordshire District Council, following the recent ending of the joint work on the BCP. Walsall Council would



confirm they are open to continuing discussions to agree an SoCG between the parties as soon as is practically possible.

It is the view of Walsall Council that South Staffordshire District Council have satisfied the legal Duty to Co-operate.

Policy DS4: Development Needs & DS5: The Spatial Strategy to 2039

Housing Need:

Policy DS4: Development Needs and DS4: The Spatial Strategy to 2039 of the South Staffordshire Local Plan (SSLP) identifies a housing requirement of 9,089 dwellings across the plan period (between 2018 and 2039). This requirement consists of two parts, the first being South Staffordshire's Local Housing Need (LHN) as calculated using the Government's standard method and the second being a contribution of 4,000 homes to meet unmet housing needs arising from within the Greater Birmingham and Black Country Housing Market Area (GBBCHMA).

The authorities within the Greater Birmingham Black Country Housing Market Area (GBBCHMA) have been working together to address strategic planning matters including unmet need arising within the HMA. The latest GBBCHMA Position Statement (December 2021) indicated that although significant progress had been made in meeting the unmet need within the HMA to 2031 it recognised that there was a significant shortfall arising from the Black Country. Whilst the Black Country Authorities are no longer progressing the Black Country Plan (BCP) the Regulation 18 draft plan identified a significant unmet need of approximately 28,000 homes. More recently Birmingham City Council have published an Issues and Options document as the first stage in the review of the Birmingham Development Plan. This indicates a likely unmet housing need of 78,415 dwellings.

Given the significant established and emerging unmet need from within the GBBCHMA it is welcomed that the SSLP maintains the proposed contribution of 4,000 dwellings to meet unmet needs as was initially set out in the SSLP Preferred Options document in 2021.

Through ABCA the Black Country Authorities have previously made representations that given the close geographical, migration and commuting links between the Black Country authorities and South Staffordshire it should be made clear that the whole of the 4,000 contribution is specifically allocated to meet needs from within the Black Country in much the same way as the Policy makes clear unmet employment needs are being provided for the Black Country (see below). Such a commitment is not made within the SSLP Publication Plan. Whilst the BCP is no longer being progressed evidence clearly demonstrates the significant shortfall arising across the four authorities and as such it is suggested that the GBBCHMA contribution should also be apportioned between the four Black Country authorities and the Councils work together to agree that apportionment.

As such it is considered that the SSLP is not effective in this regard as it fails to specifically identify to which authorities unmet housing need the contribution of 4,000 homes is being made. The apportionment of this unmet need should be specified in order to clearly demonstrate how unmet need is being addressed across the GBBCHMA.

Employment Need:

Policy DS4: Development Needs also identifies that approximately 99 hectares of employment land is identified to meet a need of 63.6 hectares within South Staffordshire between 2020 and 2039. The Policy then notes that there is a potential contribution



toward unmet employment needs of 36.6 hectares and an additional 67 hectares of the West Midlands Interchange, within South Staffordshire available for strategic cross boundary unmet need from the Black Country. The plan then notes that this will be subject to agreement through a Statement of Common Ground.

It is noted that the updated Economic Development Needs Assessment (EDNA) 2022 confirms that the Functional Economic Market Area (FEMA) comprises of the administrative areas of South Staffordshire, Dudley, Stafford, Walsall and Wolverhampton Councils. The SSLP notes that there is no such unmet need from Cannock and Stafford Councils and as such confirms the contribution will be toward unmet needs from the Black Country authorities. As you will be aware the BCP had previously identified significant unmet employment need within the Black Country Authorities and this issue had been raised in previous representations to the SSLP. The provision of employment land to meet the needs of authorities within the FEMA is therefore supported.

As the BCP is no longer progressing it is recommended that through the Duty to Cooperate the authorities seek to agree the apportionment of the additional employment land to the individual Black Country Authorities so that this can be clearly set out within the SSLP.

Policy NR3: Cannock Chase Special Area of Conservation (SAC)

As you will be aware Walsall Council became a member of the Cannock Chase SAC Partnership following the decision of its Cabinet on 7th September 2022. Walsall Council is supportive of the inclusion of Policy NR3: Cannock Chase SAC which provides protection to the SAC through the requirements of any development within a 15km radius of the SAC providing appropriate avoidance and/or mitigation of any adverse effects arising from development.

This approach is consistent with that taken by authorities within the SAC Partnership and is supported by the latest technical evidence prepared and published by the partnership.

Walsall Council will continue to work with South Staffordshire District Council and other authorities within the SAC Partnership, through the Duty to Co-operate in respect of matters relating to Cannock Chase SAC.



(Continue on a separate sheet /expand box if necessary)

6. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 5 above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

See main body of representations above.

(Continue on a separate sheet /expand box if necessary)



Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

7. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in hearing session(s)

Yes

Yes, I wish to participate in hearing session(s)

Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.

8. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

We would be willing if requested by the inspector to participate in hearing sessions to explain the content of our representations.

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in

hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

Representations cannot be kept confidential and will be available for public scrutiny, including your name and/or organisation (if applicable). However, your contact details will not be published.

Data Protection

Your details will be added to our Local Plans Consultation database so that we can contact you as the review progresses. South Staffordshire Council will process your personal data in accordance with the Data Protection Act 2018 and the General Data Protection Regulations (GDPR). Our Privacy Notice can be viewed at <https://www.sstaffs.gov.uk/planning/strategic-planning--data-protection.cfm>

Please return the form via email to localplans@sstaffs.gov.uk or by post to South Staffordshire Council, Community Hub, Wolverhampton Road, Codsall, South Staffordshire WV8 1PX