

Report to Cabinet

7 December 2022

Subject:	Sandwell Local Plan – Approval to carry out consultation on Issues & Options and open a Call for Sites exercise
Cabinet Member:	Cabinet Member for Regeneration & Growth Councillor Peter Hughes
Director:	Director Regeneration & Growth Tony McGovern
Key Decision:	Yes
Contact Officer:	Andy Miller – Strategic Planning & Transportation Manager andy_miller@sandwell.gov.uk Sam Holder – Senior Planning Officer – Planning Policy Team samantha_holder@sandwell.gov.uk

1 Recommendations

- 1.1 That Cabinet approves the Sandwell Development Plan Issues & Options document for public consultation for six weeks commencing in February 2023.
- 1.2 That the Director - Regeneration & Growth, in consultation with the Cabinet Member for Regeneration & Growth, be authorised to make minor amendments, if required, to the Issues & Options document prior to the start of public consultation.
- 1.3 That Cabinet authorises the opening of a Call for Sites exercise for six weeks commencing in February 2023.



2 Reasons for Recommendations

- 2.1 It is a statutory requirement of every Local Planning Authority to have an up-to-date Local Plan. Government has previously expressed a desire to see full Local Plan coverage across England by December 2023, or as soon as is practical after that date.
- 2.2 At its meeting on 19th October 2022, the Association of Black Country Authorities formally decided to halt the preparation of the Black Country Plan (BCP); and for the four Black Country authorities to proceed with the preparation of individual Local Plans as soon as is practical.
- 2.3 As a result of this decision, on 16th November 2022 Cabinet gave approval for the preparation of a single-tier Local Plan covering the whole of Sandwell which, on adoption, will replace the following:
- Black Country Core Strategy (2011)
 - Sandwell Site Allocations & Delivery Development Plan Document (2012)
 - Smethwick Area Action Plan (2008)
 - Tipton Area Action Plan (2008)
 - West Bromwich Area Action Plan (2012)
- 2.4 One of the first stages in the preparation of this new Local Plan is to undertake a public consultation on an Issues & Options document; and also the opening of a Call for Sites Exercise. To meet the timetable published in Sandwell's Local Development Scheme (November 2022), these stages need to commence in early 2023.



3 How does this deliver objectives of the Corporate Plan?

	<p>Best start in life for children and young people – the Local Plan helps to develop policies that will contribute to the delivery of facilities, services and opportunities for children and young people through the local plan process.</p>
	<p>People live well and age well - Health and wellbeing is a key theme addressed throughout the documents of the Local Plan. It will promote healthy living and create opportunities for active lifestyles and healthy transport choices including walking, cycling and outdoor recreation.</p>
	<p>Strong resilient communities – The Local Plan will build in effective community involvement and will be important to local communities.</p>
	<p>Quality homes in thriving neighbourhoods – the Local Plan will play an important part in delivering the spatial and land use aspects of the Council’s vision 2030, particularly as it relates to housing, employment, transport, environment and education goals.</p>
	<p>A strong and inclusive economy - The Local Plan will provide the regeneration framework for future investments and projects.</p>
	<p>A connected and accessible Sandwell - Sustainability is a key theme addressed throughout the documents of the Local Plan. They will help to deliver sustainable, prosperous communities, an integrated transport network and reduce the need to travel by car.</p>



4 Context and Key Issues

4.1 In Sandwell the Local Plan consists of;

Tier 1 ***Black Country Core Strategy (BCCS)*** prepared jointly with Dudley, Walsall and Wolverhampton. It was adopted in 2011 and runs to 2026

Tier 2 ***Sandwell Site Allocations & Delivery Plan (the SAD)*** which was adopted in 2012 and ran till 2021

West Bromwich Area Action Plan (WBAAP) which was adopted in 2012 and runs to 2026

There are two earlier AAPs covering Smethwick and Tipton which, technically, are still relevant. These AAPs, however, were largely absorbed into the SAD on its adoption, and will be superseded fully by the new Sandwell Local Plan (as they would have been by the BCP).

4.2 It is a statutory requirement of every Local Planning Authority to have an up-to-date Local Plan; and to review these plans periodically to keep them up-to-date. The Black Country Core Strategy (BCCS) was adopted in 2011 and forms the upper tier of the Local Plan in Sandwell. Once adopted, the BCP was intended to replace the BCCS, along with parts of the Sandwell Site Allocations & Delivery Plan (the SAD). The remainder of the SAD and the AAPs would have been replaced by a further Tier 2 document, which would have been known as the Sandwell Development Plan.

4.3 The decision to halt the BCP, together with the age and status of Sandwell's Tier 2 Plans (and associated documents), means that Sandwell needs to commence a full review of its Local Plan as a matter of urgency. This was approved by Cabinet on 16th November.

4.4 On 16th November the Cabinet was advised of the process for preparing a Local Plan and the proposed timetable for the preparation of the new Local Plan, to be called the Sandwell Development Plan (or SDP for short). The proposed timetable is also set out in the published Local Development Scheme (LDS), which was also approved at that meeting.



4.5 The process consists of the following stages;

- *Evidence gathering* – underway and ongoing through to Submission stage.
- *Issues & Options Stage* – public consultation planned for February/March 2023.
- *Call for Sites* – planned for February/March 2023.
- *Draft Plan* – public consultation September/October 2023.
- *Submission Plan* – public consultation September/October 2024.
- *Examination In Public (EIP)* – Sometime between December 2024 and Summer 2025 dependant on Planning Inspectorate availability.
- *Adoption* – Late 2025/Early 2026 depending on when the EIP is held.

4.6 This report covers the Issues & Options consultation and Call for Sites exercise intended to take place during February and March 2023.

Issues & Options

4.7 Effectively the first stage of the Local Plan process, the Issues & Options consultation is a scoping exercise that seeks to involve local people, businesses and other stakeholders in identifying what the new plan should address. It provides an initial opportunity for interested parties, the public and stakeholders to engage in the process, and to help inform the next stage of the plan.

4.8 The Issues & Options document sets out the context in which the plan is being prepared, and outlines the amounts of new development, such as housing and employment land, that is needed. It also seeks the views of the communities and stakeholders of Sandwell on what they think the key land use issues are for the borough.

4.9 It asks a series of questions about key topic areas and seeks feedback on how the following should be addressed;

- Links to wider Council objectives



- Tackling climate change
- Housing need
- Creating healthy communities
- Thriving towns
- Supporting the economy
- Employment needs
- Infrastructure needs
- Protecting and enhancing the environment

4.10 However, it does not detail proposed policies, nor does it seek to allocate development sites. This would be done at the next stage of the plan preparation, following consideration of the responses to the Issues & Options consultation.

4.11 The consultation responses will be reviewed in detail and used to inform the next stage of the plan, particularly in helping to draft policies to address issues and topics identified by local people in relation to future land use and development.

4.12 Preparation of the Local Plan includes the carrying out of an integrated Sustainability Appraisal at each formal stage, and at later stages, an Equality Impact Assessment and Health Impact Assessment. The Local Plan will seek to ensure that sufficient homes, shops, employment land, along with social and recreational facilities, are planned and provided for to meet the needs of Sandwell during the period that the Plan covers (i.e. up to 2040). This will include meeting the needs of children and young people by seeking to provide sufficient facilities for them, as well as having a positive impact on future generations.

4.13 A consultation and engagement programme (attached at Appendix B) has been prepared for this stage of the plan's preparation. It will continue to be developed for later stages of the plan. A consultation database is being established which will enable easier follow-up consultation to take place with all interested parties.



4.14 The key elements of this Issues and Options consultation (which will run for 6 weeks during February and March 2023) include:

- A Press release announcing the start of the consultation period - to raise awareness.
- Promotion through local media.
- Leaflet summarising key information - available at events and on line.
- Use of social media and a branded web page - to help engagement.
- Drop in events across all 6 towns.
- Use of 'pop up' boards at structured events – also available for use at reception in Council Buildings and at stakeholder events when not in use at formal consultation events.

This variety of approaches will help to broaden the consultation catchment to help encourage more responses to the consultation.

4.15 At each event, Officers will be available to answer questions and receive comments. In addition, the consultation material will be displayed in the reception area at the Council House in Oldbury for the full six weeks of the consultation period. Information, leaflets etc. will also be available in libraries and other Council offices, that are open to the public.

Call for Sites

4.16 A key part of this stage of the plan's preparation is the 'Call for Sites'. This is an opportunity for anybody, including land owners and potential developers, to suggest sites to the Council that could either be developed, or used for specific purposes, such as the provision of Biodiversity Net Gain. The Council and other public bodies will also be expected to review their land assets to see if they can make a contribution towards meeting the development need, through the release of sites/assets.

4.17 A previous 'Call for Sites' took place between July and September 2017, and again in August 2020, as part of the BCP preparation. Whilst it is likely that many sites will have been identified previously through that process,



it is appropriate and prudent to provide a further opportunity to ensure that no potential sites are missed.

4.18 The 'Call for Sites' exercise will run concurrently with the 'Issues & Options' consultation. Any sites put forward will be assessed and considered for inclusion in the Draft Plan.

5 Alternative Options

5.1 The preparation of a Local Plan is a statutory requirement under planning legislation. The process for preparing a Local Plan is set out in legislation and guidance. As a result, there are no alternative solutions to the preparation of a new local plan for Sandwell, which is a matter of increasing urgency. Options relating to the form and content of the Local Plan were set out in the report to Cabinet on 16th November 2022.

6 Implications

Resources:	The resource implications of preparing the Sandwell Local plan were outlined in the cabinet report on 16 th November. This included the costs of preparing and consulting on the Issues & Options document and the Call for Sites. There are no additional resource implications arising from the course of action recommended in this report.
Legal and Governance:	The process for the preparation of development plans is set out in the Planning and Compulsory Purchase Act 2004 (as amended) and the Town and Country Planning (Local Planning) (England) Regulations 2012. In accordance with section 15 of the Planning and Compulsory Purchase Act 2004, every local planning authority must prepare planning policy documents and maintain the Local Development Scheme, specifying the documents that will be local development documents; their subject matter and area; and the timetable for their preparation and revision.



	<p>There are three consultation periods that are statutory requirements of The Town and Country Planning (Local Planning) (England) Regulations 2012; Issues and Options consultation (Regulation 18); Preferred Options/Draft Plan consultation (Regulation 18) and Publication/Pre-submission consultation (Regulation 19).</p>
<p>Risk:</p>	<p>The Council's corporate risk management strategy has been complied with, to identify and assess the risks associated with this decision/recommendation. The following should be noted;</p> <p>Failure to have a Local Plan that is based on sound evidence could result in the borough having insufficient land to meet the need for housing, employment and other land uses that are necessary to support the economic and environmental well-being of the area. It could also result in development taking place in inappropriate or harmful locations, leading to an inefficient use of resources, traffic congestion and other harm.</p> <p>Having an up-to-date Local Plan in place is also essential to defend the Council's position at planning appeals. In the event of the Council not having, or working towards, an up-to-date Local Plan, there is a risk of intervention from Central Government which may compromise the ability to take decisions locally.</p>
<p>Equality:</p>	<p>An Equalities Impact Assessment has been carried out for the Issues and Options document and further iterations will be completed at later stages of the plan's production. This ensures that any impacts likely to affect local communities / groups / individuals can be taken into account when decisions are made on the content and direction of the Local Plan.</p>



Health and Wellbeing:	<p>Health and wellbeing is a key theme which will be addressed throughout the Local Plan. It will promote healthy living and create opportunities for active lifestyles and healthy transport choices including walking, cycling and outdoor recreation.</p> <p>Later stages of the plan will be accompanied by a Health Impact Assessment.</p>
Social Value	<p>The Local Plan will play an important part in delivering the spatial and land use aspects of the Council’s vision 2030, particularly as it relates to housing, employment, transport, environment and education goals.</p>

7. Appendices

- Appendix A - Draft Sandwell Development Plan Issues & Options Document.
- Appendix B - Draft Consultation & Stakeholder Engagement Plan.

8. Background Papers

- The Planning and Compulsory Purchase Act 2004
- The Localism Act 2011
- The National Planning Policy Framework (July 2021)
- Report to Cabinet – 16:11:22
- Sandwell Local Development Scheme (November 2022)

