



The
countryside
charity

West Midlands

From the vice-chairman

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Sandwell Plan Examination – Matter 2

1.1 This is written after reading the Statement of Common Ground documents SA_ED36, SA_ED37 and SA_ED47.

1.2 These set out the latest formal positions of the various councils on Duty to Cooperate issues.

1.3. It should be noted that however that Examinations are now in progress for South Staffordshire and Dudley.

Issue 2b Housing land

1.4 These do not, however, include an up to date position in regards to a housing deficit across the Black Country and Birmingham.

1.5 This is particularly because Walsall Council has yet to issue an Option and Issues consultation so that the position is taken from the now defunct Black Country Plan and because the Birmingham Local Plan is based on the Regulation 18 Birmingham Plan.

1.6 Since then the position has been significantly changed by the introduction of the December 2024 National Planning Policy Framework (NPPF) and the replacement of the Old Standard Methodology (OSM) with a New Standard Methodology (NSM).

1.7 We have significant concerns about the NSM, which is not a measure of housing need and relies heavily on the variabilities of house prices. Importantly this examination is based on the OSM, but future examinations, notably Birmingham's will be under the NSM.

1.8 The NSM would increase the requirement across the Black Country from 4,209 dwellings per annum (dpa) to 5,042dpa (SM/NSM, 2023 affordability base) but, at the same time, drastically cuts the requirement in Birmingham, partly because of the removal of the 35% urban uplift. The Birmingham and Black Country figure together reduces from 11,383dpa to 9,491dpa. See attached table on NSM.

1.9 This needs to be set against supply, but unfortunately an up to date figure for the whole conurbation is not available.

1.10 In terms of the Black Country Walsall has yet to publish any form of consultation plan since the collapse of the Black Country Plan.

1.11 There are shortfalls in all the submitted Wolverhampton and Sandwell plans, although WM CPRE has previously challenged their supply side evidence, particularly the windfall provision. In terms of Wolverhampton the report we commissioned at the Regulation 18 stage suggested at least an additional 1,344 additional unaccounted for dwellings and in the case of Sandwell in 2023 we suggested at least 1,120 dwellings. We considered both conservative estimates.

CPRE Revised Identified Supply Side Uplift for Wolverhampton (2024)

Current Supply (Table 13)	9722
Density Uplift	84
Future City Centre Allocations	440
New Allocation	61
Small Windfall Recalculation	396
Large Windfall Estimate	318
Tier 2 Anomaly	45
Total	11,066

1.12 We note that the official supply for Wolverhampton (at Regulation 19) has also risen to 10,398, suggesting there may be some additional supply as well as that identified by us at Regulation 18 stage.

1.13 We have not tested our own figures against the current Wolverhampton and Dudley shortfalls, but because the NSM reduces the need in Sandwell by 204 dpa and 10 dpa in Wolverhampton, one might suggest there will be less need in those authorities going forwards.

1.14 More significantly Birmingham may well now have a surplus.

1.15 Its shortfall was identified as 46,153 at the time of its Preferred Option consultation in August 2024.

1.16 Since then the NSM has reduced Birmingham's need from 7,174 to 4,448 dpa, drastically reducing the need over a 20 year plan period by some 54,520 dwellings.

1.17 At the same time, Birmingham's supply has steadily improved since the authority began its plan making process. In the eighteen months between Issues and Options and Preferred Option stage it reduced its deficit massively from 78,415 to 46,153 (their figures) a drop of 32,262 or 41%.

1.18 Indeed, one important contributing factor was the large amount of under-accounted-for windfalls since the existing plan was adopted.

1.19 As we predicted when that plan was formulated many more windfalls have come forward in the city than allowed for and this still appears to be the case.

1.20 At the preferred Options stage WM CPRE commissioned a report which suggested, (based on the old SM), that the shortfall should actually be 33,193, largely because the windfall assumptions were far lower than any evidence supported.

1.21 If Birmingham's supply remained unchanged from 2024 this would lead to a current surplus of 8,567 dwellings (or 21,327 on our assumptions).

1.22 Of course, both the Sandwell Plan and the other Black Country Plans will be tested under the existing methodology and reviewed in due course.

1.23 However, Birmingham's Plan will certainly be tested under the New Methodology.

1.24 Given this dramatic change in Birmingham's position, and some additional capacity elsewhere in the Black Country, it would seem premature to assume Dudley or Sandwell should accept any additional housing under Duty to Cooperate to meet need in other Black Country authorities.

1.25 In terms of neighbouring LPAs, the Shropshire Plan has currently been withdrawn pending reconsideration and, given its NSM figures, it is unclear how much additional housing it will be able to use to meet other area's needs.

1.26 However, Telford and Wrekin Council now have a Regulation 19 Plan which proposes 153 houses per year (3,060 in total) specifically identified to meet Black Country need. This is over and above their NSM need of 857dpa.

1.27 A report recently commissioned by Shropshire CPRE, however, again suggests supply is being under-estimated and there is actually a surplus of 3,922, based both on windfall evidence and the capacity of Telford and Wrekin's Strategic Sites, something which will be tested at Examination.

1.28 Lastly, Bromsgrove adopted a Plan in 2016, which provided for an early review to meet an anticipated housing land supply deficit. However, the same plan provided a quantity of housing land for Redditch's needs. When the OSM was introduced, it appeared that Redditch's needs had been severely overestimated.

1.29 Worcestershire CPRE has, therefore, argued that the land allocated for Redditch needs should be restored to Bromsgrove. This might approximately meet the deficit of the 2016 Plan.

1.30 The NSM increases the target from 386 to 713. It will only be possible to meet this by releasing a significant amount of Green Belt land. Accordingly, Dudley cannot expect any needs to be met in Bromsgrove.

1.31 Putting all this evidence together there is strong reason to believe that much of the shortfall in housing across the Black Country can be met both in Birmingham, (the most sustainable alternative location) and by existing over-supply in Telford.

1.32 At this stage we see no reason for Sandwell to accept any additional housing to meet Duty to Cooperate. At a future review, when the position elsewhere should be clearer the matter can be revisited.

1.33 If the Inspector is minded to find the plan unsound in respect of its housing targets, she should encourage the council to make a Major Modification requiring an early review. This is the approach approved in *Grand Union Investments Ltd v Dacorum Borough Council* [2014] EWHC 1894 (admin). This approach was also taken for the Bromsgrove District Plan (adopted in 2016), where the requirement for a review was part of the Plan as submitted for examination.

Issue 2c Gypsy and Traveller provision

2.1 The position of CPRE WM is that it is a human right for every person (including Travellers of all kinds) to have a secure home, but that their rights should not be greater (or less) than that of the settled community. Accordingly, long-term Travellers' sites should only be allowed in places where members of the settled community would be allowed to build a house. That generally excludes the Green Belt, sports grounds, public parks and the like.

2.2 CPRE WM makes no comment on the scale or location of such provision in Sandwell.

Issue 2d Employment land

3.11 CPRE WM is not submitting a case on employment land issues, but what is said in paragraph 1.34 applies equally to employment land issues.

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Vice-chairman, West Midlands Regional Group

Campaign to Protect Rural England

Appendix

(submitted as separate attachment)

Computation of NSM housing targets