



Sandwell Local Plan 2024-2041 - Examination

Inspector

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Examination website

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MATTERS, ISSUES AND QUESTIONS – for Weeks 2 and 3

Important Notes

The plan being examined is the Sandwell Local Plan 2024-2041 (SUB 001).

References in brackets are the references for documents in the examination library. The library is available on the examination website.

Respondents should only answer questions that directly relate to their previously submitted written representations on the plan. Please clearly indicate in your statement(s) the question(s) you are answering.

Statements should be proportionate in length to the number of questions being answered and in total should not exceed 3000 words per Matter. This word limit does not apply to the Council as it is required to answer every question.

I am examining the plan as submitted by the Council. At this stage I will not be considering the merits of sites not included in the plan (sometimes called 'omission sites'). If I find there is a need for additional or different sites to be allocated, I will ask the Council to consider how it would like to proceed with the examination.

The MIQs concern soundness and legal compliance and are primarily focused on the plan's policies. Insofar as the questions relate to the soundness/legal compliance of other elements of the plan, including the explanatory text, they will usually be considered as part of the discussion about the relevant policies.

These MIQs should be read together with the Inspector's Examination Guidance Note and the latest draft of the Hearing Programme, which are available on the examination website. **These MIQs will be covered in the Week 2 and Week 3 hearing sessions.** Week 1 hearing sessions took place in July 2025.

National Planning Policy Framework (NPPF)

In accordance with the implementation arrangements set out in the NPPF published on 12 December 2024 (and revised 7 February 2025), this plan is being examined under the relevant previous version of the NPPF dated December 2023. References to the NPPF in these MIQs are to the December 2023 version and respondents should also refer to the December 2023 version in responding to the questions.

MATTER 4: Natural and Historic Environment (Policies SNE1-SNE6 and SHE1- SHE4)

Issue 4 – Whether the plan is positively prepared, justified, effective, and consistent with national policy in relation to its policies for the natural and historic environment (policies SNE1 – SNE6 and SHE1 – SHE4).

Q4.1 Are the requirements of policy SNE1 clear and consistent with national policy? Including:

- a) Would they be effective?
- b) Is criterion 1 necessary for soundness?
- c) For soundness, should criterion 5 include a more specific requirement for enhancements to wildlife corridors?
- d) Is criterion 7 sufficiently flexible to address changes over the plan period?

Q4.2 Is policy SNE2 clear and is it consistent with national policy and mandatory requirements in relation to biodiversity net gain? Including:

- a) How have the sites identified in SNE2(6) as suitable for the provision of 'biodiversity units' been selected and is this justified? Are they deliverable?
- b) For soundness, is it necessary for any additional or alternative 'biodiversity units' sites to be included?

Q4.3 Are the requirements of policy SNE3 clear and consistent with national policy? Including:

- a) Would they be effective, including sufficiently flexible?
- b) For soundness, should the policy be clearer on tree retention and replacement?
- c) Are the specified buffers justified?
- d) Does the policy appropriately address the protection of irreplaceable habitats including ancient and veteran trees in a manner consistent with national policy?

- Q4.4** Are the requirements of policies SNE4, SNE5 and SNE6 clear, justified, consistent with national policy, and will they be effective?
- Q4.5** Are the requirements of policies SHE1, SHE2, SHE3 and SHE4 clear and consistent with national policy, including in relation to the requirements for the assessment and understanding of significance? Including:
- a) For soundness, should criterion 4 of policy SHE1 refer to significance?
 - b) Do the policies set out effective requirements for the reuse of heritage assets?
 - c) Should policy SHE3 cover the full range of non-designated heritage assets?
- Q4.6** Are the plan's policies for the natural and historic environment compatible with each other and, taken together, is it sufficiently clear for plan users what is expected?
- Q4.7** In terms of this issue, are any main modifications necessary for soundness?

MATTER 5: Climate Change (Policies SCC1 – SCC6)
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Issue 5 – Whether the plan is positively prepared, justified, effective and consistent with national policy with regard to its policies on climate change.

- Q5.1** Will policy SCC1 provide a justified and effective framework for reducing operational carbon in new build residential development? Including:
- a) Are the policy's expectations for development clearly set out?
 - b) Should the requirements of criterion 3d) apply only to major developments?
 - c) Are the requirements justified and appropriately costed in relation to general development viability and any effect on housing supply and affordability?
 - d) Are the requirements flexible enough?
 - e) Are the requirements consistent with national policy towards achieving net zero and the expectations of the Government's Written Statement "Planning - Local Energy Efficiency Standards Update" made on 13 December 2023?

- Q5.2** Is policy SCC2 justified, effective and consistent with national policy in its approach to reducing operational carbon in new build non-residential development?
- Q5.3** Is policy SCC3 justified, effective and consistent with national policy in its approach to climate-adapted design and construction? Including:
- a) Is the approach to overheating assessment in 4a. and 4b. justified?
- Q5.4** Is policy SCC4 justified, effective and consistent with national policy in its approach to embodied carbon?
- Q5.5** Are the requirements of policy SCC5 justified and effective regarding meeting the challenge of flood risk? Including:
- a) Are the requirements consistent with national policy?
- b) Is the approach to flood risk assessment proportionate?
- Q5.6** Is policy SCC6 justified, effective and consistent with national policy in its approach to sustainable drainage? Is it sufficiently flexible?
- Q5.7** In terms of this issue, are any main modifications necessary for soundness?

MATTER 6: Health and Wellbeing (Policies SHW1 – SHW6)
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Issue 6 – Whether the plan is positively prepared, justified, effective and consistent with national policy with regard to its policies for health and wellbeing.

- Q6.1** Are the requirements of policy SHW1 justified and reasonably proportionate?
- Q6.2** Are the requirements of policy SHW2 justified and appropriately flexible?
Should police and emergency services infrastructure be added?
- Q6.3** Is policy SHW3 justified and consistent with national policy in its approach to air quality?
- Q6.4** Are the requirements of policy SHW4 justified, including in relation to development viability. Will the policy be effective?
- Q6.5** Are policies SHW5 and SHW6 justified and consistent with national policy?
Will they be effective?
- Q6.6** In terms of this issue, are any main modifications necessary for soundness?

MATTER 7: Housing (Policies SHO1 – SHO10)

Issue 7 – Whether the plan is positively prepared, justified, effective and consistent with national policy in its approach to delivering sustainable housing growth.

Note: The overall housing requirement number set out in policy SHO1 (which reflects the requirement set out in policy SDS1), and the housing trajectory and housing land supply, are dealt with under other Matters. The following questions relate to the other aspects of policy SHO1.

Q7.1 Is policy SHO1 justified, effective, positively prepared, and consistent with national policy? Including:

- a) In broad terms, will the policy and sources of supply set out in Table 7 be reasonably likely to deliver the plan's requirement for at least 10,434 net new homes over the plan period?
- b) Is it appropriate for site allocations, including for any identified strategic sites, to be set out in Appendix B? For soundness, would it be necessary for any of the site allocations be set out in site-specific policies instead? And, if so, for which allocation(s)?
- c) Are the date ranges in criterion 2 and Table 5 intended for phasing the delivery of planned housing growth, or another reason? What evidence justifies the approach?
- d) What evidence supports the 5%, 10%, and 15% discount rates for non-implementation applied in Table 5 and are those levels of discount appropriate and justified for the associated type of housing supply?
- e) Is the policy's approach to and degree of reliance upon additional housing supply from windfall sites justified and consistent with national policy? Will it be effective, including when considered together with policy SHO2?
- f) Is criterion 4 justified and will it be effective? How does it relate to other policies in the plan?
- g) Should the policy include reference to required contributions for infrastructure to support development?

Q7.2 Are the requirements of policy SHO2 justified, positively prepared and consistent with national policy? Including:

- a) Are the requirements clear? Are they too restrictive?
- b) Will they be effective, including when taken together with policy SHO1?
- c) For soundness, is it necessary for the policy to set out a more supportive and flexible approach to windfall housing development?



- d) Is it justified that criterion 2b relates to Council-owned land?
- e) Should the policy include reference to required contributions for infrastructure to support development?

Q7.3 Is policy SHO3 justified and consistent with national policy in its approach to housing density, type and accessibility? Including:

- a) Are the requirements generally achievable and broadly viable in the Sandwell context? Are they justified?
- b) For soundness, should the Table 6 requirements in SHO3 be expressed as indicative targets, rather than minimum requirements?

Q7.4 Are the requirements of Policy SHO4 justified and consistent with national policy? Including:

- a) Does the policy incorporate suitable flexibility for dealing with circumstances of unviable development?

Q7.5 Is policy SHO5 justified and consistent with national policy in its approach to national accessibility standards and custom and self build housing? Including:

- a) Are the requirements generally achievable and viable in the Sandwell context?
- b) Is the 5% requirement for self or custom build plots in criterion 2 appropriate?
- c) On what basis is the six months sales/marketing period set out in criterion 4 justified? Will it be effective?

Q7.6 Is policy SHO6 justified and consistent with national policy in its approach to protecting family housing?

Q7.7 Are policies SHO7 and SHO8 justified, effective, and consistent with national policy?

Q7.8 Is policy SHO9 clear, justified and positively prepared? Will it be effective in delivering the accommodation needed for Gypsies, Travellers and Travelling Showpeople over the plan period? Including:

- a) For soundness, should the policy set out the identified needs for additional pitches and/or plots over the plan period (the level of needs was considered under an earlier Matter)?
- b) Are all the policy's criteria justified with regard to the Public Sector Equality Duty? Are any of them adequately covered by other policies in the plan?



Q7.9 Is policy SH10 justified and consistent with national policy in its approach to housing for people with specific needs? Including:

- a) Should the policy expressly include housing for older people?
- b) Does the policy provide appropriate support for proposals for housing for people with specific needs?

Q7.10 In terms of this issue, are any main modifications necessary for soundness?

MATTER 8: Economy and Centres (Policies SEC1 – SEC6, SCE1 – SCE6, and SWB1 - SWB2)

Issue 8a – Whether the plan is positively prepared, justified, effective and consistent with national policy in respect of its policies for the local economy.

Q8.1 Are the requirements of policy SEC1 justified, effective, and consistent with national policy? Including:

- a. Should the policy be more flexible in relation to potential changes of use of employment sites to residential uses, either in general or in any particular circumstances?
- b. Is it justified that criterion 3 safeguards a portfolio of sites for industrial employment uses only? Should any other employment uses be included?

Q8.2 Are the range of safeguarded uses and ancillary employment-generating uses set out in policy SEC3 justified including in relation to viability and supporting regeneration? For soundness, is it necessary for any other uses to be included and/or for greater flexibility in the policy's requirements?

Q8.3 Are the requirements of policy SEC4 justified, consistent with national policy, and will they be effective in supporting the plan's strategic objectives 2 and 8? Is the policy appropriately flexible?

Q8.4 Overall, are policies SEC2, SEC5, and SEC6 positively prepared, justified, effective and consistent with national policy?

Q8.5 For soundness, should the plan's policies on Sandwell's Economy, Sandwell's Centres, and West Bromwich specifically reference the historic environment and/or any economic and regeneration benefits associated with the presence of heritage assets?

Q8.6 In terms of this issue, are any main modifications necessary for soundness?

Issue 8b – Whether the plan is positively prepared, justified, effective and consistent with national policy in respect of its policies for Sandwell’s centres including its specific policies for West Bromwich.

- Q8.7** What evidence justifies the three tiers comprising strategic centres, town centres, and district and local centres in the hierarchy of centres set out in policy SCE1 and Table 10?
- Q8.8** Are the plan’s policies for the centres clear, justified and effective in relation to managing generally declining levels of in-person retail?
- Q8.9** Are the plan’s policies for the centres clear, justified and effective in relation to circumstances where new residential uses above or among existing centre uses would be supported?
- Q8.10** Overall, does the plan set out a positively prepared, justified and effective strategy for Sandwell’s centres that is consistent with national policy?
- Q8.11** In terms of this issue, are any main modifications necessary for soundness?

MATTER 9: Site Allocations (set out in various Appendices to the Plan)

Issue 9 – Whether the plan’s site allocations are justified, effective, positively prepared and consistent with national policies.

Note: The following question applies to each of the plan’s site allocation policies in Appendix B (housing sites, mixed use sites, and Gypsy and Traveller sites), Appendix C (employment sites), Appendix E (strategic waste sites), and Appendix F (minerals infrastructure sites). In responding, please be clear about the specific site(s) you are referring to by referencing the site name as given in the plan and the relevant site reference. Respondents, other than the Council, should **only** respond to those questions and site allocation that are directly relevant to the representations they made at the Regulation 19 consultation stages. Appendix A habitat bank sites are not included in Matter 9 and instead those will be considered with Policy SNE2 under Matter 4.

Following submission of the plan for examination, the Council has proposed an **additional housing site allocation** which it considers should be added to Appendix B and has carried out an additional Regulation 19 consultation. The additional site reference is SH67 (Part of Rowley Regis Golf Course) and is set out as a Potential Main Modification (MM1) in document SA/ED50. The responses to the additional Regulation 19 consultation are available on the examination website.

Q9.1 Are the site allocations soundly based? In particular:

- a) Is the site allocation consistent with the plan's overarching strategy for the location of development? Is it of strategic importance to the delivery of the plan's overarching strategy?
- b) What is the likely effect of the allocation in relation to the following factors, where relevant:
 - i. The highway network and other infrastructure, such as health and education facilities, the national grid electricity transmission network, and open space.
 - ii. Flood risk.
 - iii. Air quality.
 - iv. Land contamination and stability, minerals and waste, and noise.
 - v. Heritage assets and their significance.
 - vi. Local environment and character.
- c) Is the amount of development proposed for the allocation justified, including having regard to any constraints and the provision of necessary infrastructure and other policy requirements?
- d) Is there evidence that the proposed development of the site allocation is likely to be viable and deliverable in the Anticipated Delivery Timescale indicated, where relevant?
- e) Has any planning permission been granted and, if so, what are the details?
- f) Are any site-specific policies or policy requirements necessary for the soundness of the site allocation?

Q9.2 In terms of this issue, are any main modifications necessary for soundness?

MATTER 10: Transport, Infrastructure, and Viability (Policies STR1–STR10 and SID1–SID4)

Issue 10 – Whether the plan is positively prepared, justified, effective and consistent with national policy in respect of its policies for transport, infrastructure and delivery.

Q10.1 Are the requirements of policies STR1 and STR2 justified, and will they be effective? Including:

- a. Are the key transport priorities identified in policy STR1 justified and appropriate? For soundness, is it necessary to include any other key transport priorities in the policy?

- b. For soundness, should consideration of the historic environment be specified in policy STR1 and/or STR2 in relation to safeguarding land for future transport development?

Q10.2 Should policy STR3 explicitly encourage housing development in proximity to railway stations and metro stops?

Q10.3 Overall, are policies STR4 to STR10 positively prepared, justified, effective and consistent with national policy?

Q10.4 Does the Infrastructure Delivery Plan (DEL 001 and DEL 002) contain the full range of infrastructure necessary to support the development proposed in the plan, and how will the Infrastructure Delivery Plan respond to changes in circumstances?

Q10.5 Are the requirements policy SID1 and its approach to infrastructure provision and viability assessments justified and consistent with national policy, and will they be effective?

Q10.6 Are the requirements of policies SID2, SID3, and SID4 positively prepared, justified, effective and consistent with national policy?

Q10.7 In terms of this issue, are any main modifications necessary for soundness?

MATTER 11: Waste and Minerals, Constraints, and Industrial Legacy (Policies SWA1–SWA5, SMI1-SMI2, and SCO1-SCO3)

Issue 11 – Whether the plan is positively prepared, justified, effective and consistent with national policy in respect of its policies for waste and minerals, development constraints and industrial legacy.

Q11.1 Overall, are policies SWA1 to SWA5 positively prepared, justified, effective and consistent with national policy? Including:

- a) Is criterion 1 of policy SWA2 clear and effective? For soundness, should it seek to maintain the maximum throughput of existing facilities?
- b) Has the historic environment been adequately considered and addressed in policies SWA1 to SWA5 and their requirements?

Q11.2 Overall, are policies SMI1 and SMI2 positively prepared, justified, effective and consistent with national policy?

Q11.3 Overall, are policies SCO1, SCO2 and SCO3 positively prepared, justified, effective and consistent with national policy?

Q11.4 In terms of this issue, are any main modifications necessary for soundness?

MATTER 12: Development Management (Policies SDM1–SDM10)
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Issue 12 – Whether the plan is positively prepared, justified, effective and consistent with national policy in respect of its development management policies.

Q12.1 Is policy SDM1 justified and consistent with national policy? Including:

- a) Are the requirements clear, justified and will they be effective in ensuring high quality design?
- b) Is the policy appropriately flexible, including is criterion 3 justified in requiring major development proposals to contribute to the greening of Sandwell?

Q12.2 Is policy SDM2 justified and consistent with national policy in its approach to development and design standards? Including:

- a) What evidence justifies the requirement in criterion 1 for new homes in Sandwell to meet the Nationally Described Space Standards?
- b) Is criterion 3 justified and appropriately flexible in setting a specific water efficiency standard of 110 litres per person per day?

Q12.3 Are policies SDM3, SDM4, and SDM5 justified and consistent with national policy regarding consideration of the historic environment?

Q12.4 Is it clear how policies SDM6 and SDM7 relate to each other and how they will be applied in practice? For soundness, should these two policies be amalgamated?

Q12.5 Overall, are policies SDM8, SDM9, and SDM10 positively prepared, justified, effective and consistent with national policy?

Q12.6 In terms of this issue, are any main modifications necessary for soundness?

MATTER 13: Plan Delivery and Housing Land Supply

Issue 13 – Whether the plan will provide for a sufficient housing land supply to deliver the planned scale of housing growth over the plan period and whether a deliverable five-year supply of housing will be available on adoption.

Q13.1 Is there convincing evidence to demonstrate that:

- a) The plan's housing requirement to 2041 will be met;
- b) There will be a five-year supply of deliverable land for housing following adoption of the plan with appropriate buffer applied; and
- c) There is a reasonable prospect of a five-year supply of deliverable land for housing being maintained throughout the plan period.

Q13.2 Is the plan's allowance for small windfall sites justified and supported by compelling evidence?

Q13.3 Overall, does the plan include appropriate arrangements for implementation, monitoring, and review?

Q13.4 In terms of this issue, are any main modifications necessary for soundness?