

## **Examination of the Sandwell Local Plan 2024-2041**

### **Hearing Statement prepared on behalf of the Police and Crime Commissioner for the West Midlands (PCCWM)**

**(Respondent ID Ref: 1482 to 1509)**

#### **MATTER 7:**

#### **Housing**

#### **Introduction**

The Tyler Parkes Partnership Limited has previously made detailed representations at the Regulation 19 stage on behalf of the PCCWM (November 2024, Respondent ID Ref: 1482 to 1509). Those substantive representation are already before the Inspectors, available in full, online at the following url: [Sandwell Metropolitan Borough Council - Sandwell Local Plan - Reg 19 Publication](#)

#### **Nature and Extent of this Statement**

This Hearing Statement is submitted in direct response to the specific questions raised by the Inspectors under Matter 7: Housing (selected questions only).

It is not the intention to restate, verbatim, what has been submitted previously, however some repetition will occur as each question is addressed in turn, below.

## **Inspectors' Questions**

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

**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)?**

### **Response:**

Submissions made on behalf of the PCCWM during Week 1 of the Examination concerned the potential future use of 4 Police Station sites within Sandwell (Windmill House, Wednesbury Police Station, Smethwick Police Station and Oldbury Police Station.) that had been submitted through the Call for Sites and their status within the local plan.

The details were set out in the statements for Week 1 of the Examination and it is assumed there is no further need for these points to be submitted, or raised again as part of the discussion under Matter 7 (or under Matter 9), as the necessary clarifications had been provided.

**g) Should the policy include reference to required contributions for infrastructure to support development?**

### **Response:**

Policy SHO1, point 4 to the policy states that *'The development of sites for housing should demonstrate a comprehensive approach, making best use of available land and infrastructure and not prejudicing neighbouring uses'*; and at point 5 that *'Ancillary uses appropriate for residential areas, such as health facilities, community facilities and local shops, may be acceptable where there is a gap in service provision and where they can be integrated successfully into the residential environment. Other uses will not be acceptable on these sites.'*

These broad principles are supported. However, Policy SHO1 makes no reference of the requirement that in order to sustain the level of growth proposed in the Sandwell Local Plan that appropriate contributions might need to be sought from new development to ensure that essential supporting infrastructure that cannot be accommodated on or off-site is provided and that the quality of service provision to the existing population is not eroded.

In order to meet the national and local policy objectives relating to safety and security, contributions will be required through CIL/ S.106 agreements to help fund the provision and

maintenance of Police services to create environments where crime and disorder and the fear of crime do not undermine the quality of life or social cohesion.

Accordingly, the PCCWM has objected to Policy SHO1 as it should include reference to the need for contributions for all social, environmental and physical infrastructure to support sustainable housing growth in accordance with the aspirations of the policy and the plan. If new development cannot be supported by the necessary levels of essential infrastructure then it could be argued the development should not be allowed to proceed.

Therefore, new development, including all housing sites/ housing allocations, should be subject to CIL/ S.106 agreements as appropriate to help fund the provision and maintenance of policing service levels to both the new and existing population. The requirement for this infrastructure should be enshrined in the wording of Policy SHO1.

A suggested form of wording for the modification of Policy SHO1 would be as follows:

*"4. The development of sites for housing should demonstrate a comprehensive approach, making best use of available land and **existing** infrastructure **and service provision** and not prejudicing neighbouring uses. Incremental development of an allocated site will only be allowed where it would not prejudice the achievement of high-quality design across the wider site. Masterplans and other planning document will be produced, where appropriate, to provide detailed guidance on the development of allocations.*

*5. Ancillary uses appropriate for residential areas, such as health facilities, community facilities and local shops, may be acceptable where there is a gap in service provision and where they can be integrated successfully into the residential environment. Other uses will not be acceptable on these sites.*

**5a. Contributions will be sought to ensure the provision of essential on and off-site social (including blue light services), environmental and physical infrastructure to ensure sustainable growth."**

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

**e) Should the policy include reference to required contributions for infrastructure to support development?**

For the reasons identified above a similar approach towards the provision of essential infrastructure should apply to windfall developments, especially as the cumulative impact of such developments on infrastructure can be considerable.

Accordingly, it is suggested that a further point could be added to Policy SHO2 on the following lines:

**"3. Contributions will be sought to ensure the provision of essential on and off-site social (including blue light services), environmental and physical infrastructure to ensure sustainable growth."**

## **Q7.7 Are policies SH07 and SH08 justified, effective, and consistent with national policy?**

### **Response (Policy SH07 only):**

The PCCWM welcomes and supports the wording of the policy and justification to Policy SH07, which reflects the representations made to the Sandwell Issues and Options consultation and the Regulation 18 consultation.

Notwithstanding, it is noted that the Council acknowledge (para 7.57) that: *‘Whilst this type of accommodation [HMO] can address certain housing needs, HMOs tend to be grouped together in parts of the urban area, becoming the dominant type of housing, which can lead to social and environmental problems for local communities. Alongside this, an over-concentration of HMO properties can lead to a loss of family-sized units. This in turn can lead to a consequential increase in the overall number of units unsuited to family occupation. This can pose a serious issue for maintaining a mixed sustainable housing offer across the Black Country.’*

In light of these concerns, the PCCWM recommend to the Council that a Borough-wide Article 4 Direction should be introduced to seek to remove the permitted development right to convert a residential dwelling to a small HMO (providing living accommodation for 3 to 6 unrelated persons), such that planning permission would be required for any proposals, alongside the proposed policy against which all HMO applications, as well as planning applications for large HMO (for which there are no permitted development rights and thereby planning permission is required) will be assessed. This is an approach taken elsewhere, including in neighbouring Birmingham.

Subject to the Council’s comments and in order to address this point, the PCCWM suggests that reference to a District-wide Article 4 Direction regarding permitted development for HMOs could usefully be made in the supporting text to the Policy SH07 would manage the distribution and delivery of HMOs, to reduce the potential harm that arises from the over-concentration and poor quality of HMOs, and the consequential impact this has on crime and disorder and to community safety, and the increased pressure this places on Police resources.

This could be achieved through an addition to paragraph 7.57 on the following lines, **“A district-wide Article 4 Direction will be prepared to manage the distribution and delivery of HMOs and reduce the potential harms that that may arise from over-concentration of this form of development “**

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

PCCWM suggestions for main modifications have been identified above