

# Wolverhampton Local Plan

## Consultation Statement

### Publication Plan (Regulation 19)

Including a summary of the issues raised by the Wolverhampton Local Plan Issues and Preferred Options (Regulation 18) Consultation 2024 and how the main issues raised by the Regulation 18 representations have been addressed in the Wolverhampton Local Plan

November 2024



## 1. Introduction

- 1.1 All Local Planning Authorities (LPAs) have a plan which provides the framework for the future planning of the area and contains policies for the determination of planning applications. Wolverhampton has a Local Plan which is made up of a number of documents:
  - The Black Country Core Strategy (BCCS) (2011)
  - Bilston Corridor Area Action Plan (AAP) (2014)
  - Stafford Road Corridor AAP (2014) and
  - Wolverhampton City Centre AAP (2016)
  - Saved parts of the Wolverhampton Unitary Development Plan (2006)
- 1.2 These Plans together provided the framework to allocate development to meet Wolverhampton's needs up to 2026, with allocations being made through the AAPs
- 1.3 In addition to the Wolverhampton Local Plan, two Neighbourhood Plans were prepared by local community groups covering Tettenhall and Heathfield Park. These Neighbourhood Plans can only be updated by the local community and are not part of the Wolverhampton Local Plan work.
- 1.4 City of Wolverhampton Council (CWC), together with the other Black Country Local Authorities (BCLAs) (Dudley Metropolitan Borough Council, Sandwell Metropolitan Borough Council and Walsall Council), were involved in both the preparation of the Black Country Core Strategy (BCCS) (2011) and its replacement - the Black Country Plan (BCP), where the first stage of public consultation occurred in 2017 with an Issues & Options consultation, before progressing to Draft Plan (Regulation 18) consultation in Summer 2021. Work on the BCP officially ceased in October 2022.
- 1.5 The preparation of the Wolverhampton Local Plan (WLP) commenced in November 2022 and to progress the WLP as quickly as possible, it builds on the extensive work that took place to develop the BCP. This meant making use of existing evidence, draft policies and responses made to the Draft BCP consultation, where these are still relevant.
- 1.6 To facilitate this, the WLP has the same scope as the BCP – covering all strategic policies for Wolverhampton and all housing and employment allocations, with the exception of sites in Wolverhampton City Centre. This gap will be filled by a review of the Wolverhampton City Centre Area Action Plan, which will provide up-to-date site allocations for the City Centre area.
- 1.7 The Council has an adopted Statement of Community Involvement (SCI) <https://www.wolverhampton.gov.uk/planning/planning-policies/statement-community-involvement>, setting out how the Council will engage with local communities organisations, stakeholders and statutory bodies in its plan

preparation. The BCP and WLP consultations have been carried out in accordance with the SCI.

- 1.8 This Consultation Statement provides an overview of the consultation process carried out by CWC which has led to the preparation of the new WLP. The Statement includes an overview of engagement activities which took place during preparation of the Draft BCP, both individually and jointly with the other Black Country Authorities. A summary of the main issues raised by the Draft Black Country Plan (Regulation 18) Consultation (2021) is provided in the Appendix to the WLP Issues and Preferred Options (Regulation 18) Consultation Statement. This Statement details how individuals, groups and stakeholders have been invited to make representations to inform the Local Plan process, including the approach and methods of engagement for the Wolverhampton Local Plan Issues & Preferred Options (Regulation 18) Consultation and Publication (Regulation 19) Consultation. A summary of the main issues raised by the WLP Issues and Preferred Options (Regulation 18) Consultation (2024) and how the main issues raised by the Regulation 18 representations have been addressed in the Wolverhampton Local Plan is provided in the Appendix.
- 1.9 Consultation on the WLP has been carried out at each relevant stage of the plan making process as set out in the November 2024 Local Development Scheme (LDS) <https://www.wolverhampton.gov.uk/planning/planning-policies/local-development-scheme-lds> timetable below:

|   |                                   |
|---|-----------------------------------|
| Issues and Preferred Options Consultation (Regulation 18) | 26 February – 10 April 2024       |
| Publication Consultation (Regulation 19)                  | 25 November 2024 – 9 January 2025 |
| <i>Submission to Government</i>                           | <i>Early 2025</i>                 |
| <i>Independent Examination by Planning Inspector</i>      | <i>Spring 2025 – Spring 2026</i>  |
| <i>Adoption by City of Wolverhampton Council</i>          | <i>Mid 2026</i>                   |

## **2. Draft Black Country Plan (Regulation 18) Consultation**

2.1 The Draft Black Country Plan (Regulation 18) consultation took place for eight weeks between 16 August – 11 October 2021. CWC, alongside the other BCLAs, consulted widely. Notification emails and letters, providing information on the consultation and how to engage and respond, were circulated to everyone on the consultee database, comprising c. 2,300 people/ organisations, including statutory consultees, residents, organisations and agents.

### **Methods of Engagement (Black Country Wide & Wolverhampton Specific)**

2.2 CWC undertook Member briefings in the run-up to the Cabinet meeting which sought authority to undertake the Draft Plan Consultation. In addition, internal engagement across relevant departments within the Council were carried out and once the consultation commenced, emails and bulletins were used across the Council to raise awareness of the consultation.

2.3 External to CWC, a variety of methods were used to raise awareness of the consultation to the stakeholders in points A-E below:

#### **A. Communities**

- Press releases were issued via the BCLAs. These were placed on Council websites, social media channels and were reported in the local press.
- Paper copies of the consultation documents and response forms were made available in libraries and council buildings across the BCLAs and some libraries in neighbouring South Staffordshire libraries. For CWC the consultation documents and response forms were made available at CWC's Civic Centre and Wolverhampton Central, Bilston and Wednesfield libraries. Accessible formats for documents were made available during the consultation.
- CWC published information about the consultation in its news bulletins, through various partner networks, social media channels and awareness was raised by local councillors.

#### **B. Businesses**

- Received notification through press releases and articles
- Promotion through the Black Country Local Economic Partnership (LEP) and Chamber of Commerce channels
- Promotion through Councils' Economic Development contacts

#### **C. Landowners and agents**

- Promoters who had submitted sites through the Call for Sites process and agents/ consultants on the consultation database, including those who had submitted representations to the 2017 BCP Issues & Options consultation, received notification of the consultation

#### **D. Statutory Consultees /Partners**

- Statutory consultees, prescribed bodies and partners (such as the Black Country LEP and West Midlands Combined Authority (WMCA)) received notifications of the consultation.

## E. Duty to Co-operate

- Duty to Co-operate bodies were notified during the preparation of the BCP process and of the consultation through formal Duty to Co-operate correspondence and meetings.

## 2.4 A range of materials and approaches were used throughout the consultation process, including:

### A. A Statement of Representation Procedure Notice published in the Express & Star newspaper on 13 August 2021:

**Black Country Local Authorities**  
**Statement of Representations Procedure Notice**

*Making representations on the Draft Black Country Local Plan Documents Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012*

**Title of the Plan:**  
**Draft Black Country Plan**

**Subject Matter and area covered by the Plan:**  
 The four Black Country Local Authorities (Dudley Metropolitan Borough Council, Sandwell Metropolitan Borough Council, Walsall Metropolitan Borough Council and City of Wolverhampton Council) have published the Draft Black Country Plan that it intends to consult on for a period of eight weeks (16th August 2021 - 11th October 2021). The Draft Black Country Plan will cover the whole of the administrative areas of Dudley Metropolitan Borough Council, Sandwell Metropolitan Borough Council, Walsall Metropolitan Borough Council and City of Wolverhampton Council, and includes a wide range of planning policies. The Draft Black Country Plan sets out a vision, objectives and spatial strategy to 2039. The Draft Black Country Plan allocates sites that are needed to accommodate new development and areas to be protected and enhanced. The policies in the Plan will be used to make decisions on planning applications. The monitoring framework sets out how the Plan will be monitored.

**Period for making representations:**  
 Representations are invited on the Draft Plan for a period of eight weeks beginning on Monday 16th August 2021 and ending on Monday 11th October 2021 at 5.00pm. Representations received after this time will not be accepted.





**Where to inspect the documents:**  
 The Draft Black Country Plan and associated submission documents and representation forms are available to view from the Black Country Plan website <https://blackcountryplan.dudley.gov.uk/t2/p5/>. Copies will also be available in key Council buildings and main libraries. Further details can be obtained via the Black Country Plan website <https://blackcountryplan.dudley.gov.uk/t2/p5/> or by contacting the Black Country Plan Team on 01384 814136.

**How to make representations and address to which representations should be sent:**  
 The easiest way to comment on the draft plan is via our online portal at <https://blackcountry.oc2.uk/document/55>. Guidance notes on how to make a comment are provided on this webpage.  
 By e-mail: You can download a comments form from <https://blackcountryplan.dudley.gov.uk/t2/p5/> to complete and return by email to: [blackcountryplan@dudley.gov.uk](mailto:blackcountryplan@dudley.gov.uk)  
 If you are unable to access the online comments form you can make your comments by post: You can either download a copy of the comments form from <https://blackcountryplan.dudley.gov.uk/t2/p5/> or request a copy by calling 01384 814136.  
 Please return your comments form by post to: Black Country Plan, Planning & Regeneration  
 4 Ednam Road, Dudley, DY1 1HL or by email [blackcountryplan@dudley.gov.uk](mailto:blackcountryplan@dudley.gov.uk) or by leaving a copy at your local library.

At this stage, comments and representations are requested on the Draft Black Country Plan and the Sustainability Appraisal. Representations received cannot be treated as confidential and will be publicly available and published on the Black Country Plan website. Telephone numbers, addresses, signatures, and email details will not be published. Please see the full Privacy Notice at <https://blackcountryplan.dudley.gov.uk/uk-gdpr-privacy-notice>

**Request for notification of Local Plan progress:**  
 The hard copy and online representation forms contain an option to request further notifications in relation to the progress of the Local Plan, specifically relating to the following stages:

- Publication version of the Local Plan for consultation
- Submission of the Local Plan to the Secretary of State for independent examination under Section 20 of the Planning and Compulsory Purchase Act 2004
- Publication of the recommendations of the Planning Inspector appointed by the Secretary of State to carry out the independent examination
- Adoption of the Local Plan by the Council
- Future revisions to the Local Plan, new planning policies and guidance

### B. Press Releases - CWC published news releases in advance of, and throughout, the consultation covered in re: new electronic newsletter 12 August 2021

### C. Press Adverts - were placed in the Express & Star local newspaper to advertise the consultation

### D. Website - copies of the consultation documents were made available on a dedicated Black Country Plan website along with providing Frequently Asked Questions, summary documents, downloadable comments forms and ebulletins,

a consultation video, online consultation portal, evidence base documents and contact details. Over 43,000 hits were made to the website.

- E. On-line Consultation materials** – an online portal and interactive map was used for people to view the Draft BCP policies, maps and site allocations.
- F. Paper copies** of consultation documents/ comments forms were made available in libraries and council buildings across the BCLAs and some libraries in neighbouring South Staffordshire libraries. For CWC the consultation documents and response forms were made available at CWC's Civic Centre and Wolverhampton Central, Bilston and Wednesfield libraries. Accessible formats for documents were made available during the consultation.
- G. Radio Adverts** – promoting the BCP consultation were run throughout the consultation period on Free Radio Black Country & Shropshire and Free Radio Black Country with a potential reach of 188,560 listeners, and Black Country Radio with a potential reach of 310,000 listeners.
- H. Social Media** - posts were advertised through paid-for social media Facebook and Instagram. This generated approximately 12,300 clicks, 261,000 impressions and 201,000 video plays. The BCLAs used their own social media channels to publicise the consultation. CWC undertook 32 social media posts with 75,500 impressions and a total reach of 458,100.
- I. An Advertisement campaign** was displayed on 100 lower rear buses across the Black Country for the 8 weeks of the consultation, which had a reach to 669,530 adults.
- J. Online public events** - adapting to the implications of prevailing Covid-19 restrictions, two online Black Country consultation events were held via Microsoft Teams where stakeholders were invited to book a place to attend. The sessions provided a presentation on the Draft BCP and a Question-and-Answer session. The events were held on 7 September 5.30pm to 7.00pm and 8th September 1.00pm to 3.00pm 2021. The events were recorded and copies added to the BCP website.
- K. Consultation Flyers/ Posters** were distributed to all medical and leisure centres within CWC's administrative area.

### **Call for Sites**

- 2.5 It is expected that Local Planning Authorities (LPAs) conduct a 'call for sites' exercise when they are reviewing their Local Plans, particularly as the Government requires this exercise to be undertaken as a key component of Strategic Housing and Economic Land Availability Assessments. A call for sites exercise involves a public advert where landowners are invited to indicate with a plan and accompanying details if they have land available for potential redevelopment for housing, employment or other uses. The sites identified are then assessed in detail by LPAs, and if considered to be suitable, will be included in planning documents for public consultation as part of the plan making process.

The call for sites process has played a significant role in identifying deliverable site options across the CWC's administrative area.

2.6 As part of BCP preparation, a call for sites exercise has been conducted as follows:

- 2017-2019 – a BCP two-year call for sites exercise
- 2020 – a 6 week 'call for sites' exercise as a result of the Covid pandemic and delay to the BCP timetable

2.7 At each stage stakeholders (landowners/ developers/ agents) were invited to submit sites for consideration through the plan making process. A questionnaire was produced to facilitate the collection of information on sites and stakeholders were able to plot sites themselves via a consultation portal and online mapping process. Paper and email responses were also accepted. All the 'call for sites' identified from the above can be viewed on the BCP website.

2.8 The Wolverhampton call for sites exercise has been continually open, with a relaunch in 2023 following the commencement of the WLP preparation.

### **Consultation Responses**

2.9 The Black Country Plan consultation was far reaching and generated a significant response of approximately 19,500 respondents. There were numerous responses to the BCP's Wolverhampton-specific chapter, including a number of group responses relating to Wolverhampton sites, totalling over 1,000 respondents. Whilst work has ceased on the Black Country Plan the responses to the consultation have been used to inform the preparation of the Wolverhampton Local Plan. A summary of the main issues raised by the Draft Black Country Plan (Regulation 18) Consultation (2021) is set out in the Appendix to the WLP Issues and Preferred Options (Regulation 18) Consultation Statement.

### **3. Wolverhampton Local Plan Issues & Preferred Options (Regulation 18) Consultation**

- 3.1 The WLP Issues & Preferred Options (Regulation 18) consultation took place from Monday 26 February to Wednesday 10 April 2024, with the consultation length being extended beyond six calendar weeks to take account of Bank Holidays and the timing of the consultation close to enable representations to be submitted after the recommencement of the 'Summer' school term. Comments received as part of this consultation were considered and informed the preparation of the next stage of the WLP - the Publication Plan (Regulation 19).

#### **Methods of Engagement**

- 3.2 Engagement took place with a variety of stakeholders including Communities, Businesses, Landowners & Agents, Statutory Consultees/ Partners and Duty to Co-operate bodies, as set out below.
- 3.3 CWC emailed / mailed everyone on its Local Plan consultation database, and those who made comments to the Draft Black Country Plan (Regulation 18) 2021 consultation to inform them of the consultation, where they could view the consultation documents, attend drop-in sessions and how to respond to the consultation.
- 3.4 Internal engagement took place within CWC and member engagement via briefings took place in advance of the Cabinet meeting requesting approval to publish the WLP for Issues & Preferred Options (Regulation 18) consultation.
- 3.5 Meetings with stakeholders, such as Duty to Co-operate bodies, took place on an on-going basis, including during the consultation.
- 3.6 A range of materials and approaches were used throughout the consultation process, including:
- *Media Coverage* - CWC published media releases in advance of, and when the consultation was underway, such as:



<https://www.wolverhampton.gov.uk/news/wolverhampton-local-plan-consultation-announced> 14 February, 2024:

The screenshot shows the City of Wolverhampton Council website. The article, dated 14 February 2024, is titled 'Wolverhampton Local Plan consultation announced'. The text states that a consultation on a new Local Plan to guide future development in the city up to 2042 is set to start later this month (February). It explains that every local authority must prepare a local plan to cover regeneration, investment, and planning decisions for at least 15 years. The plan also identifies environmental areas to protect and enhance, sites to allocate for housing, development, and employment use, key transport schemes and policies to guide design and secure infrastructure. A consultation on the 'Issues and Preferred Options' for the plan will take place from Monday, 26 February to Wednesday 10 April, 2024. Full details on how people can have their say will be provided via the council website, at the Civic Centre and city libraries when the consultation goes live. Council Leader, Councillor Stephen Simkins, has reiterated the Local Plan will not include green belt sites, a stance that has been reinforced by the Government's recent change to the National Planning Policy Framework (NPPF), which removes the need to review green belt land for development. He said: 'It is critical to have a Local Plan in place to provide certainty for our communities and support regeneration and investment in our city. 'We have always promoted a brownfield first approach and never had any intention to include green belt land in our Local Plan, so we are pleased that the Government has confirmed in the revised NPPF that green belt land does not need to be considered for development in local plans. 'It means we can now progress with the next steps of the Wolverhampton Local Plan - subject to Cabinet approval - and we intend to bring forward a plan which contains no green belt sites at all. 'The Wolverhampton Local Plan will help facilitate a vibrant mixed use city centre and enable new housing and employment opportunities on brownfield sites across the city, supporting local centres and strengthening the local economy.' The Wolverhampton Local Plan will build on initial work related to the city that was undertaken during the Black Country Plan process before it was halted in autumn 2022. For more information, please visit [Wolverhampton Local Plan consultation](#). Released: Wednesday 14th February, 2024.

and advertised the consultation in the local press through publishing a Procedural Notice in the Express & Star on 23/02/24:

**46 classifieds**

**Cars Under £1500**

**HYUNDAI MATRIX**  
04 Reg. 5 - door, red, 70k miles, power, air, central lock, long service, MOT, PAK, ECV, good looking, minimal gear, tidy condition, in great, 07547 22252.

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**Public Notice**

**CITY OF WOLVERHAMPTON COUNCIL**

**STATEMENT OF REPRESENTATIONS PROCEDURE NOTICE**

Making representations on the Wolverhampton Local Plan (Issues & Preferred Options Stage) and associated Sustainability Appraisal, through Regulation 18 of the Town and Country Planning (England) Regulations 2012.

**Title of the Plan:**  
**WOLVERHAMPTON LOCAL PLAN (ISSUES & PREFERRED OPTIONS STAGE)**

Subject Matter and area covered by the Plan:  
City of Wolverhampton Council has published the Wolverhampton Local Plan (Issues & Preferred Options) (Regulation 16) and associated Sustainability Appraisal that it intends to consult on for a period of six weeks (26 February 2024 – 10 April 2024). The Wolverhampton Local Plan will cover the whole of the administrative area of City of Wolverhampton Council, will set out where new housing and employment development and infrastructure investment will take place up to 2042, areas of the City where development will be restricted, and areas of importance which will be priorities for conservation and enhancement. The Plan will also include a set of policies – the rules which are used to determine planning applications for a wide range of development proposals.

**Period for making representations:**  
Representations are invited on the Issues & Preferred Options Stage for a period of six weeks beginning on Monday 26 February 2024 and ending on Wednesday 10 April 2024 at 5.00pm. Representations received after this time will not be accepted.

**Where to inspect the documents:**  
The Wolverhampton Local Plan Issues & Preferred Options documents are available to view from 26 February on the Wolverhampton Local Plan webpage [www.wolverhampton.gov.uk/localplan](http://www.wolverhampton.gov.uk/localplan). A summary leaflet and survey response forms, and the main documents (for reference) will also be available to view at Wolverhampton Civic Centre and all Wolverhampton libraries: [www.wolverhampton.gov.uk/find-library](http://www.wolverhampton.gov.uk/find-library). If you need help understanding the documents, completing the survey response forms, or would like to discuss with Planning Officers, please contact the Wolverhampton Local Plan team at [localplan@wolverhampton.gov.uk](mailto:localplan@wolverhampton.gov.uk) or tel: 01902 251155.

**You can view the consultation documents and speak to Planning Officers at the following drop-in sessions:**

Wednesday 9 March, 9am - 5pm at Wolverhampton Civic Centre, St Peter's Square, Wolverhampton WV1 1SH  
Thursday 7 March, 3pm - 7pm and Saturday 9 March, 10am - 2pm at Wolverhampton Central Library, Snow Hill, Wolverhampton WV1 3SX  
Tuesday 12 March, 10am - 1pm at Wednesfield Library, 2 Well Lane, Wednesfield WV11 1TX  
Wednesday 13 March, 4pm - 7pm at Bilston Library, Mount Pleasant, Bilston WV14 2LU  
Thursday 14 March, 2pm - 5pm at Totterham Library, St Michael's Parish Centre, Upper Street, Totterham WV6 8QF

**How to make representations and address to which representations should be sent:**  
The easiest way to comment as part of the consultation is to complete the online survey response forms at [www.wolverhampton.gov.uk/localplan/represent](http://www.wolverhampton.gov.uk/localplan/represent). Please email electronic responses to [localplan@wolverhampton.gov.uk](mailto:localplan@wolverhampton.gov.uk). Please send paper responses to Wolverhampton Local Plan, City Planning, City of Wolverhampton Council, Civic Centre, St Peter's Square, Wolverhampton WV1 1TR, or hand them in at Wolverhampton Civic Centre. The name(s) of respondents and the content of representations received cannot be treated as confidential and will be made available for public viewing (signatures, postal addresses, telephone numbers, email addresses and any equality monitoring data will be published), please see the Privacy Notice at: [www.wolverhampton.gov.uk/localplan](http://www.wolverhampton.gov.uk/localplan).

**Request for notification of Local Plan progress:**  
The online and hard copies of the survey response forms contain an option for respondents to not receive future notifications in relation to the progress of the Wolverhampton Local Plan. Notification of Local Plan progress specifically relates to the following stages:  
• Publication (Regulation 19) version of the Wolverhampton Local Plan for consultation  
• Submission of the Wolverhampton Local Plan to the Secretary of State for independent examination under Section 20 of the Planning and Compulsory Purchase Act 2004  
• Publication of the recommendations of the Planning Inspector appointed by the Secretary of State to carry out independent examination  
• Adoption of the Wolverhampton Local Plan by the Council  
• Future revisions to the Local Plan, new planning policies and guidance

**Dated 23 February 2024**

Drew Hegden  
Chief Operating Officer and  
Clerk to the Council  
Civic Centre, St Peter's Square  
Wolverhampton WV1 1RQ

**LEGAL / PUBLIC NOTICES**

For convenience you may email any advertising requirements.  
**Please send email to publicnotices@mmmedia.co.uk or call Suzanne Cooper on 01902 319695**

Please include a name and contact number for confirmation of receipt.

There was press coverage of the WLP consultation in the Express & Star, February 19, 2024:

## Residents asked for help identifying brownfield sites as part of local plan

Residents are being asked to identify future brownfield housing and employment sites as part of a consultation for a city's local plan.

By James Vukmirovic | Published 9 hours ago



The former Telecom House building in Wolverhampton.

The consultation will call on the public to contribute to a new Wolverhampton Local Plan to guide future development in the city up to 2042, with the consultation, subject to Wolverhampton Council Cabinet approval, set to be launched at the end of February.

Every local authority must prepare a local plan to cover regeneration, investment and planning application decisions for at least 15 years.

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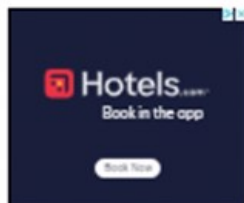


### Put the Mighty in Mighty Hikes

Member

#goUp

It also identifies environmental areas to protect and enhance, sites to allocate for housing development and employment use, key transport schemes and policies to guide design and secure infrastructure.



As part of the consultation, residents have been given details of the Wolverhampton Strategic Housing Land Availability Assessment (SHLAA), which is the main mechanism for identifying potential housing sites across the city, assesses the suitability of sites for housing and says how developable and deliverable they are for housing.

<https://www.expressandstar.com/news/local-hubs/wolverhampton/2024/02/19/residents-asked-for-help-identifying-brownfield-sites-as-part-of-local-plan/>

- *CWC communication channels*, including electronic stakeholder newsletters:
  - ‘Wolverhampton Weekender’ residents’ newsletter on 29 February, 28 March and 4 April 2024 (which has a coverage of c.20,000 subscribers):



Have your say on a new **Wolverhampton Local Plan** to guide future development in the city up to 2042.

Every local authority must prepare a local plan to cover regeneration, investment and planning application decisions for at least 15 years.


The consultation on the ‘**Issues and Preferred Options**’ for the plan will run until 5pm on Wednesday 10 April, 2024.

Full details on how you can have your say can be viewed at [Wolverhampton Local Plan](#).

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‘Relight’ business newsletter, March 22, 2024 (which has a coverage of c.5,000 subscribers):

### Have your say on Wolverhampton Local Plan



Consultation on a new Wolverhampton Local Plan to guide future development in the city up to 2042 is open.

Every local authority must prepare a local plan to cover regeneration, investment and planning application decisions for at least 15 years.

It also identifies environmental areas to protect and enhance, sites to allocate for housing development and employment use, key transport schemes and policies to guide design and secure infrastructure.

The consultation on the ‘Issues and Preferred Options’ for the plan will run until 5pm on Wednesday, April 10, 2024.

Full details on how people can have their say can be viewed [here](#) People are encouraged to complete the online survey [here](#). Paper copies of the main documents can be viewed at the Civic Centre and all city libraries, where a summary leaflet and response form will also be available.

're:new' regeneration newsletter, February 16, 2024:

## City's Local Plan will shape future development

Your voice matters and we want your input



The City of Wolverhampton is gearing up for a new Local Plan to shape our future development until 2042. This plan will identify areas for housing and employment, protect our environment and shape our city's future.

Consultation on the 'Issues and Preferred Options' is set to run from Monday 26th February to Wednesday 10th April 2024. Full information will be available on the council website, at the Civic Centre, and in city libraries. [Read more.](#)

and March 1 & 15, 2024 (which has a coverage of c.10,000 subscribers):

## Wolverhampton Local Plan consultation open

Have your say on plan to guide future development in the city up to 2042



Consultation on a new Wolverhampton Local Plan to guide future development in the city up to 2042 has this week been launched.

Every local authority must prepare a local plan to cover regeneration, investment and planning application decisions for at least 15 years.

It also identifies environmental areas to protect and enhance, sites to allocate for housing development and employment use, key transport schemes and policies to guide design and secure infrastructure.

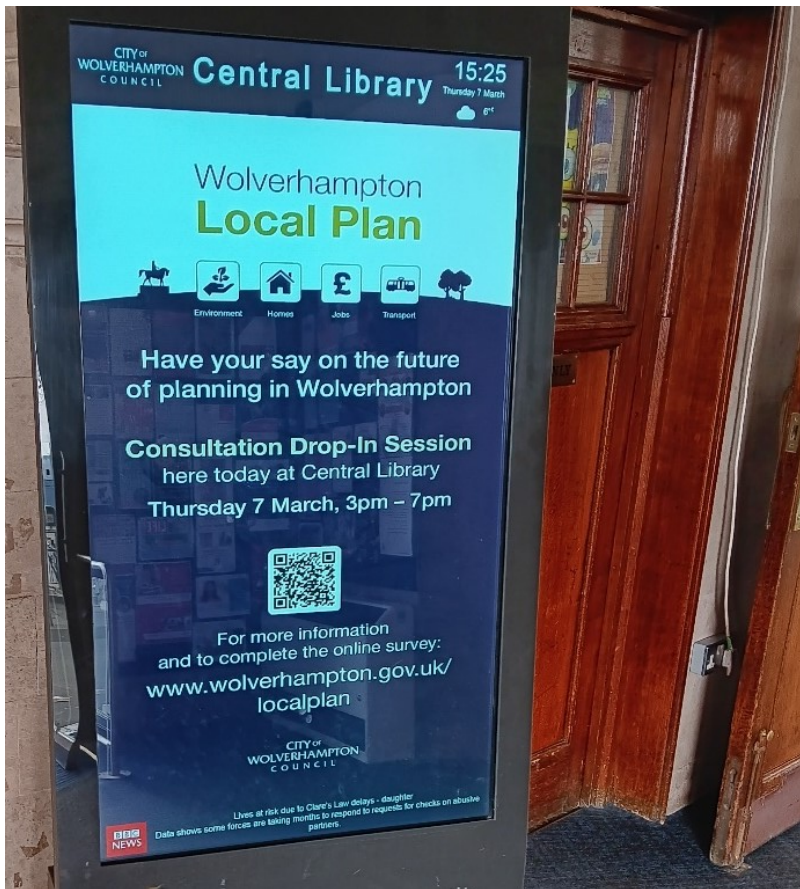
The consultation on the 'Issues and Preferred Options' for the plan will run until 5pm on Wednesday, April 10, 2024.

Full details on how people can have their say can be viewed at [www.wolverhampton.gov.uk/localplan](http://www.wolverhampton.gov.uk/localplan). People are encouraged to complete the online survey at [www.wolverhampton.gov.uk/localplan-respond](http://www.wolverhampton.gov.uk/localplan-respond). Paper copies of the main documents can be viewed at the Civic Centre and all city libraries, where a summary leaflet and response form will also be available.

[Read more...](#)



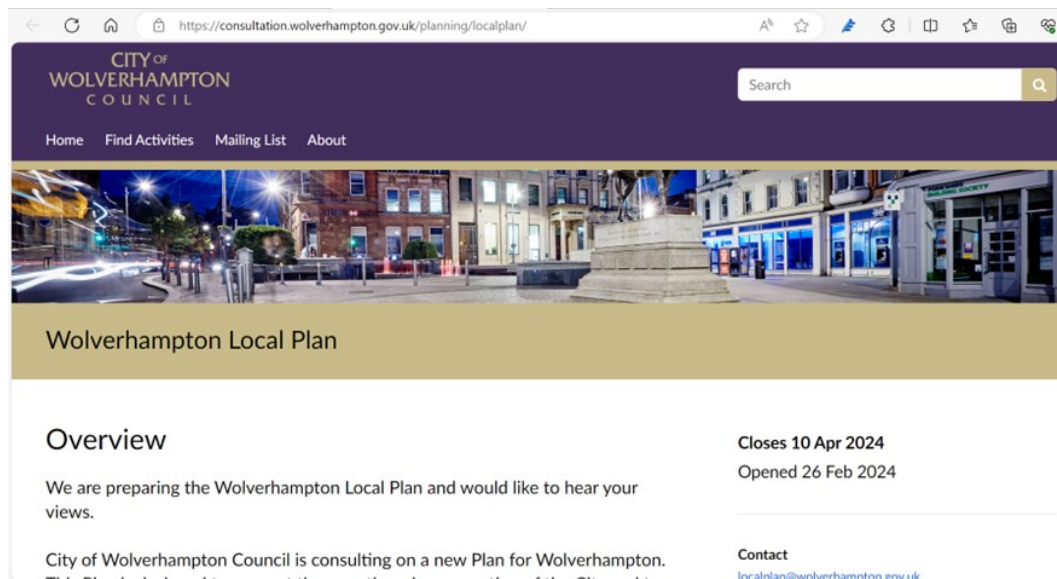
- *Digital advertising* – the consultation was advertised on digital display screens in CWC Civic Centre, CWC ‘WVActive’ Leisure Centres and Wolverhampton Central Library:



*Digital screen advertising a WLP consultation drop-in session at Central Library, 7 March 2024*

- *Social Media advertising* - CWC undertook social media posts with 71,400 impressions.
- *Website* – a WLP webpage contained key information, consultation documents and links to response forms, including an interactive map and the WLP evidence base. The consultation documents specific to the Issues & Preferred Options (Regulation 18) consultation are included in the ‘Wolverhampton Local Plan Preparation and Consultation Documents’ section of the WLP evidence page at: <https://www.wolverhampton.gov.uk/planning/planning-policies/wolverhampton-local-plan/evidence-plan-preparation-documents>

Online survey / response forms were available on CWC's consultation portal which enabled responses to be made to either the WLP summary leaflet or the main document:



- *Paper copies* of consultation documents and comments forms made up consultation packs for public viewing at CWC Civic Centre and were distributed to all Wolverhampton libraries, together with posters and flyers. Consultation Flyers were distributed to all medical and leisure centres within CWC's administrative area.



*Consultation materials on display, Wolverhampton Central Library*

- **Drop-In Sessions** – where members of the public could view the consultation documents and speak to Planning Officers took place during the consultation at CWC Civic Centre and Central, Bilston, Wednesfield and Tettenhall Libraries. The times of the drop-in sessions ensured members of the public were be given the opportunity to attend at least one drop-in session during the day, evening or weekend.



*Drop-In session, Wolverhampton Civic Centre, March 6, 2024*

### **Call for Sites**

- 3.7 It is expected that Local Planning Authorities (LPAs) conduct a ‘call for sites’ exercise when they are reviewing their Local Plans, particularly to inform Strategic Housing and Economic Land Availability Assessments which underpin the Plan. A call for sites exercise involves a public advert where landowners are invited to indicate with a plan and accompanying details if they have land available for potential redevelopment for housing, employment or other uses. The sites identified are then assessed in detail by LPAs, and if considered to be suitable, will be included in planning documents for public consultation as part of the plan-making process. The call for sites process has played a significant role in identifying deliverable site options across the CWC’s administrative area.
- 3.8 Beyond the multiple call for sites exercises carried out under the BCP (see 2.6 above), a Wolverhampton call for sites exercise has been continually open, with a relaunch in 2023 following the commencement of the WLP preparation.



3.9 During WLP preparation, a formal call for sites exercise for both housing and employment uses also took place as part of the Issues and Preferred Options consultation in Feb – March 2024. Stakeholders (landowners/ developers/ agents) were invited to submit sites for consideration both as part of the wider consultation and through the completion of a call for sites form. Paper and email responses were also accepted. Details of all the call for sites submitted for housing use through these exercises (excluding withdrawn sites) are provided in the Wolverhampton Strategic Housing Land Availability Assessment 2024, which is available here: [Housing Site Information | City Of Wolverhampton Council](#), and on the Black Country Plan “call for sites” map at: [Call for Sites | Black Country Plan](#). There were no call for sites submitted for employment uses.

### **Consultation Responses**

3.10 The WLP Issues and Preferred Options (Regulation 18) consultation included a Main Document and Summary Leaflet, and response forms (provided in online, electronic and paper formats). These documents are available to view in the ‘Wolverhampton Local Plan Preparation and Consultation Documents’ section of the WLP evidence page at: <https://www.wolverhampton.gov.uk/planning/planning-policies/wolverhampton-local-plan/evidence-plan-preparation-documents>. To facilitate engagement with a variety of stakeholders a ‘Response Form’ enabled responses to be made to the eleven consultation questions contained in the Issues and Preferred Options Main Document, and a ‘Survey Form’ enabled responses to be made to the five questions contained in the Issues and Preferred Options Summary Leaflet. The Survey Form questions mirrored the equivalent questions in the Main Document. The final question in both the Survey and Response Forms asked the respondent for any other comments about the Wolverhampton Local Plan. In addition to enabling comments to be made, relevant questions included ‘yes/ no/ don’t know’ boxes. 98 respondents provided an answer to at least one of the ‘yes/no/don’t know’ questions. A results summary of those who answered ‘yes/no/don’t know’ to the following consultation questions is set out below:



| <b>Issues &amp; Preferred Options Consultation Questions: Results Summary</b>   |            |           |                   |
|---|------------|-----------|-------------------|
| <b>Questions in both the Summary Leaflet &amp; Main Document</b>  | <b>Yes</b> | <b>No</b> | <b>Don't Know</b> |
| Do you agree with the “big issues” identified for the WLP to address? (Summary Leaflet Question A & Main Document Question 2)   | 67.9%      | 23.8%     | 8.3%              |
| Do you agree with the Preferred Spatial Option for the WLP? (Summary Leaflet Question B & Main Document Question 8)   | 63.2%      | 21.8%     | 14.9%             |
| Do you agree with the proposed site allocations for the WLP? (Summary Leaflet Question C & Main Document Question 10)   | 53.2%      | 25.3%     | 21.5%             |
| Do you agree with the preferred approach to policies in the WLP? (Summary Leaflet Question D & Main Document Question 9)  | 61.6%      | 24.4%     | 14.0%             |
| <b>Additional Questions in the Main Document</b>  | <b>Yes</b> | <b>No</b> | <b>Don't Know</b> |
| Do you agree with the proposed scope of the WLP? (Main Document Question 1)   | 54.8%      | 38.1%     | 7.1%              |
| Do you agree that the evidence and background documents listed in Table 1 are sufficient to support the WLP? (Main Document Question 3)   | 32.6%      | 46.5%     | 20.9%             |
| Do you agree with the proposed approach to the Vision and Strategic Priorities for the WLP? (Main Document Question 4)  | 56.4%      | 30.8%     | 12.8%             |
| Do you agree with the Preferred Housing Growth Option (H3) for the WLP and the proposed apportionment approach to housing contributions from neighbouring authorities? (Main Document Question 5) | 35.6%      | 55.6%     | 8.9%              |
| Do you agree with the Preferred Gypsy and Traveller Pitch Option (G2) for the WLP? (Main Document Question 6)   | 27.3%      | 39.4%     | 33.3%             |
| Do you agree with the Preferred Employment Land Growth Option (E3) for the WLP? (Main Document Question 7)  | 47.1%      | 29.4%     | 23.5%             |

- 3.11 These answers and summary provide a general overview, particularly given that a number of respondents did not provide direct 'yes/no/don't know' answers to the specific questions, such as where letters rather than the survey/ response forms were used to provide consultation responses. However, these results did emphasise, for example, the role of the WLP in addressing important planning issues (such as relating to the housing growth and gypsy & traveller pitch options), and the importance of the evidence base. These results have informed, and been addressed in, the Publication WLP (Regulation 19), such as by updating the evidence base and ensuring that the WLP's consistency with national policy requirements is clearly set out.
- 3.12 The WLP Issues and Preferred Options consultation generated written responses from 119 respondents. These responses were primarily regarding policies, with a smaller number relating to specific sites. Some of the responses repeated those made to the 2021 Draft Black Country Plan (Regulation 18) consultation. A summary of the issues raised by the WLP Issues and Preferred Options (Regulation 18) Consultation (2024) and how the main issues have been addressed in the Publication Wolverhampton Local Plan (Regulation 19) is set out in the Appendix.

## 4. Wolverhampton Local Plan Publication (Regulation 19) Consultation

4.1 The WLP Publication (Regulation 19) consultation is taking place from Monday November 25, 2024 to Thursday January 9, 2025 with the consultation length being extended beyond six calendar weeks to take account of Bank Holidays and the timing of the consultation close to enable representations to be submitted after the recommencement of the 'Spring' school term. Representations received as part of this consultation will be considered and minor modifications may be recommended, as and where appropriate, for submission to the Secretary of State, alongside the WLP Publication (Regulation 19) Plan.

### Methods of Engagement

4.2 CWC will email / mail everyone on its updated Local Plan consultation database, including those who engaged with the Issues & Preferred Options (Regulation 18) consultation, to inform them of the Publication (Regulation 19) consultation, where they can view the consultation documents, attend drop-in sessions and how to respond to the consultation.

4.3 Internal engagement has taken place within CWC and member engagement via briefings has taken in place in advance of the Cabinet meeting requesting approval to publish the WLP Publication (Regulation 19) consultation.

4.4 Meetings with stakeholders, such as Duty to Co-operate bodies, have taken place on an on-going basis, and will take place during the consultation.

4.5 A range of materials and approaches will be used throughout the consultation process, including:

- *Media Releases* - CWC will publish media releases in advance of, and during, the consultation
- *Advertising the consultation in the local press* through publishing the Procedural Notice
- CWC communication channels, including stakeholder newsletters: 'Wolverhampton Weekender' residents' newsletter, 'Relight' business newsletter, and 're:new' regeneration newsletter.
- *Digital advertising* – the consultation will be advertised on digital display screens in CWC Civic Centre, CWC 'WVActive' Leisure Centres and Wolverhampton Central Library
- *Social Media* channels will be used by CWC to advertise the consultation
- *Website* – the WLP webpage will contain the information, consultation documents and representation form, including an interactive map and the evidence base relating to the WLP
- An *online representation form* will be available to complete on CWC's consultation portal

- *Paper copies* of consultation documents and representation forms will make up consultation packs for public viewing at CWC Civic Centre and be distributed together with posters to Wolverhampton Central, Bilston and Wednesfield Libraries.
- *Drop-In Sessions* – where members of the public can view the consultation documents and speak to Planning Officers will take place during the consultation at CWC Civic Centre and Wolverhampton Central Library. The times of the drop-in sessions will ensure members of the public have the opportunity to attend at least one drop-in session during the day, evening or weekend.

# Appendix

## Summary of the issues raised by representations to the Issues and Preferred Options (Regulation 18) Consultation (2024) and how the main issues raised by the Regulation 18 representations have been addressed in the Wolverhampton Local Plan

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| 1) Introduction                   |  |
|-----------------------------------|--|
| Subject or Policy (Reg 19) in WLP | Key Issues Raised by the Representations<br><i>(type of respondents which raised these issues highlighted in bold)</i>   |
| Scope of WLP                      | <p><b>Local Authorities</b></p> <ul style="list-style-type: none"> <li>• (Dudley, Sandwell, Walsall) Support the WLP scope and its alignment with the BCP work, particularly evidence base and policy development, and BCA Plan timetables.</li> <li>• (Dudley, Walsall) Given the scale of the WLP housing shortfall and the acknowledged significant housing capacity of Wolverhampton City Centre, site allocations in the City Centre should be brought forward in the WLP (supported by appropriate evidence) rather than through a future review of the City Centre AAP, as has been achieved for the Dudley and Sandwell Local Plans.</li> <li>• (Lichfield) WLP scope should be expanded to consider changes to the green belt to accommodate additional growth within Wolverhampton and therefore reduce the level of unmet need to be exported through DtC.</li> <li>• (TfWM / WMCA) Support</li> </ul> <p><b>West Midlands Housing Association Planning Consortium (WMHAPC)</b></p> <ul style="list-style-type: none"> <li>• Agree with the proposed scope of the emerging Local Plan. It is positive that there will still be continued joint working across the Black Country on a number of planning issues. Support Wolverhampton’s aim to progress the Wolverhampton Local Plan as quickly as reasonably possible and notes that the Council intends to build on the extensive work that took place in response to the BCP Review. However, it should be noted that the evidence base, including housing, should be updated where necessary.</li> </ul> <p><b>Developers</b></p> <ul style="list-style-type: none"> <li>• A review of the Green Belt should be included in the scope.</li> <li>• The WLP should not have the same scope as the BCP – the BCP was based on the continuation of a two tier Local Plan document structure across the Black Country and a partial review of the existing Core Strategy; the WLP is a Local Plan for an individual local authority with an entirely different approach to the distribution of housing growth and would rely on non-strategic policies which, in the case of the UDP, pre-date the publication of the first NPPF (and Planning Policy Statement 4). When the WLP is adopted (mid 2026) the UDP will be twenty</li> </ul> |

years old and the AAPs will be more than ten years old. This contravenes NPPF para 1 which states that preparing and maintaining up-to-date plans should be a priority. The proposed approach also demonstrates the authority's inability to meet the objective of providing for sufficient housing and other development in a sustainable manner. 44% of WLP housing supply would be located within Wolverhampton City Centre, however, housing sites in the city centre are proposed to be covered by a separate Supplementary Plan. There is a lack of evidence to justify this quantum of planned housing can be delivered within a reasonable timescale on what can often be complex city centre sites. Delivering significant new city centre living that meets the planned needs or aspirations for housing within the authority area alongside the necessary associated community facilities such as schools, needed to be clearly evidenced and not left to future currently unavailable detailed assessment. The scope makes no reference to the potential for neighbouring authorities e.g. Black Country authorities to apportion their housing need to Wolverhampton through joint working as per continued joint working across the Black Country on transport. The scope of the WLP should be expanded to cover strategic and non-strategic policies reflecting Wolverhampton's own housing need but also any housing need from neighbouring authorities apportioned to Wolverhampton, and also the allocation of city centre sites to ensure that the proposed distribution of new housing can be realised, having regard to the infrastructure required to support new housing in the city centre such as education facilities, public open space etc.

**Agent**

- Strongly object to proposals to include the city centre site allocations within a future separate Area Action Plan (AAP)/ City Centre Supplementary Plan at some time in the future - the city centre site allocations should instead be included in the WLP. This will cause significant gaps in planning policy coverage and will not deliver an effective Local Plan, therefore failing to respond effectively to NPPF paras 16 (indent b) and 35 (indent c) given its substantial failure to provide 'deliverable' planning policy solutions. The Council's plan-making approach lacks sufficient transparency and will substantially harm and damage the economic outlook and recovery of the city centre at a time when the city centre local economy is suffering during a severe UK wide economic recession, cost-of-living crisis, and during the post-COVID-19 very fragile economic recovery.
- Far too much emphasis and material planning policy weight is being placed on the now collapsed Black Country Plan Review, in direct conflict with guidance reinforced in NPPF paras 31, 35 (indent b) and 86 (indent d).



### **Tettenhall Community Forum**

- Request an extension of timescale for stage 2 consultation to equal 12 weeks.
- In addition to the “Big Issues”, the WLP must: Refer to and adopt the preferred policies from the Tettenhall District Preferred Options document; Develop policies in compliance with the future policy guidelines in the Tettenhall preferred options document, and the policies contained within Tettenhall Neighbourhood Plan 2014; State the substantial and comprehensive re-adoption of all TNP 2014 policies within the WLP; Provide guided evidence in the main document in stage 2 of the consultation where any changes or alterations are proposed which would not meet with the requirements in the Tettenhall District Preferred Options document.
- The TNP future preferred policies state, additional to the Local Plan issues, the following items, which are not covered: District Recognition (incl heritage), Children’s Community Facilities, Community Facilities & Infrastructure, Technology (incl disruptive nascent clusters), Road Safety.
- The TCF does accept the 7 WMCA conditions of: New powers over economic development, Transport investment, Housing and land investment, Pioneering new approaches to regeneration, Developing skills, Working with investors, Committing to net zero by 2041. However, it does NOT agree where new powers over economic development are suggested, which should remain with consultation between WCC Local Plan and Tettenhall Neighbourhood Plan (TNP), where developments concern the district covered by the TMP – Regis and Wightwick wards.
- The TCF does accept the 6 key priorities of: Strong families where children grow up well and achieve their full potential, Fulfilled lives for all with quality care for those that need it, Healthy, inclusive communities, Good homes in well-connected neighbourhoods.
- The WLP should provide a vision for multiple sector employment areas, and consider its competitive strategy to regenerate, build a new economy which does not rely solely on limited markets or the need to move all employment areas to the periphery due to the nature of transport issues related to the metals and materials industry. Facilities suitable for ST/MSE should be prioritised by considering relative attractiveness of near-by economic areas, their greater attractiveness to live/work and options which employers have in the marketplace for relocation, through a more detailed competitive analysis of the facts and evidence of where economic growth has moved to. re local people into good jobs and training, Thriving economy in all parts of the city.
- The WLP implies a density uplift in all planning areas. The TNP and Future Policy Guidelines require that all developments reflect the heritage and character of the area, views are protected, height of development is restricted to existing aspects, and that future developments do not increase density over the existing aspect in the relevant neighbourhoods for Tettenhall District. Outsource of housing growth to South Staffordshire should

|   |   |
|---|---|
|   | <p>not be allowed as this will join up distinct neighbourhoods, injurious to the heritage and character of Tetterhall District. Infrastructure contribution to resolve transport capacity problems (TNP12) should be included in the WLP.</p> <ul style="list-style-type: none"> <li>• Gypsy and traveller pitch need cannot be agreed to as the location must be specified.</li> </ul>   |
| <p><b>“Big Issues” for WLP to address</b></p> | <ul style="list-style-type: none"> <li>• (TfWM / WMCA) Support</li> </ul> <p><b>Natural England</b></p> <ul style="list-style-type: none"> <li>• Issue 1 – Climate Change: The WLP should consider climate change adaption and recognise the role of the natural environment to deliver measures to reduce the effects of climate change, for example tree planting to moderate heat island effects. In addition factors which may lead to exacerbate climate change (through more greenhouse gases) should be avoided (e.g. pollution, habitat fragmentation, loss of biodiversity) and the natural environment’s resilience to change should be protected. Green Infrastructure and resilient ecological networks play an important role in aiding climate change adaptation.</li> <li>• Issue 3 – Health and wellbeing: advise that the Plan should include policies to ensure protection and enhancement of public rights of way and National Trails, as outlined in paragraph 98 of the NPPF. Recognition should be given to the value of rights of way and access to the natural environment in relation to health and wellbeing and links to the wider green infrastructure network. The plan should seek to link existing rights of way where possible and provides for new access opportunities. The plan should avoid building on open space of public value as outlined in paragraph 97 of the NPPF. The plan should make provision for appropriate quantity and quality of green space to meet identified local needs as outlined in paragraph 96 of the NPPF. Natural England’s work on Accessible Natural Greenspace Standard (ANGSt) may be of use in assessing current level of accessible natural greenspace and planning improved provision.</li> <li>• Issue 6 – Transport and connectivity: welcome the priority for increasing sustainable and active modes such as public transport, walking and cycling. We would expect the plan to address the impacts of air quality on the natural environment. It should address the traffic impacts associated with new development, particularly where this impacts on European sites and SSSIs. The environmental assessment of the plan (SA and HRA) should also consider any detrimental impacts on the natural environment, and suggest appropriate avoidance or mitigation measures where applicable. Advise that one of the main issues which should be considered in the plan and the SA/HRA are proposals which are likely to generate additional nitrogen emissions as a result of increased traffic generation, which can be damaging to the natural environment. The effects on local roads in the vicinity of any proposed development on nearby designated nature conservation sites (including increased traffic, construction of new roads, and upgrading of existing roads), and the impacts on vulnerable sites from air quality effects on the</li> </ul> |

wider road network in the area (a greater distance away from the development) can be assessed using traffic projections and the 200m distance criterion followed by local Air Quality modelling where required. We consider that the designated sites at risk from local impacts are those within 200m of a road with increased traffic, which feature habitats that are vulnerable to nitrogen deposition/acidification. APIS provides a searchable database and information on pollutants and their impacts on habitats and species.

- Issue 7 - The natural and built environment: welcome the inclusion of environmental assets. However, greater emphasis should be made here on the importance of Green infrastructure. Green Infrastructure refers to the living network of green spaces, water and other environmental features in both urban and rural areas. It is often used in an urban context to provide multiple benefits including space for recreation, access to nature, flood storage and urban cooling to support climate change mitigation, food production, wildlife habitats and health & well-being improvements provided by trees, rights of way, parks, gardens, road verges, allotments, cemeteries, woodlands, rivers and wetlands. Green infrastructure is also relevant in a rural context, where it might additionally refer to the use of farmland, woodland, wetlands or other natural features to provide services such as flood protection, carbon storage or water purification. A strategic approach for green infrastructure is required to ensure its protection and enhancement, as outlined in para 171 of the NPPF. Green Infrastructure should be incorporated into the plan as a strategic policy area, supported by appropriate detailed policies and proposals to ensure effective provision and delivery. Evidence of a strategic approach can be underpinned by Green Infrastructure Strategy. We encourage the provision of green infrastructure to be included as a specific policy in the Local Plan or alternatively integrated into relevant other policies, for example biodiversity, green space, flood risk, climate change, reflecting the multifunctional benefits of green infrastructure.
- Natural England expects the Plan to consider the strategic impacts on water quality and resources as outlined in paragraph 170 of the NPPF. We would also expect the plan to address flood risk management in line with the paragraphs 155-165 of the NPPF. The Local Plan should be based on an up to date evidence base on the water environment and as such the relevant River Basin Management Plans should inform the development proposed in the Local Plan. These Plans (available here) implement the EU Water Framework Directive and outline the main issues for the water environment and the actions needed to tackle them. Local Planning Authorities must in exercising their functions, have regard to these plans. Greater emphasis should also be made on preserving the water quality within the canal network. The Local Plan should contain policies which protect habitats from water related impacts and where appropriate seek enhancement. Priority for enhancements should be focussed on European sites, SSSIs and local sites which contribute to a wider ecological network.

**Historic England**

- The historic environment should be a ‘big issue’ for the Council and would welcome a specific section detailing the local historic environment in the area and the opportunities it can bring for Wolverhampton. We are additionally seeking to understand how Wolverhampton is delivering a positive strategy for the historic environment including addressing heritage at risk and enhancement opportunities.

**Environment Agency**

- Water quality and environmental infrastructure should feature within Issue 7 and Issue 8 as important topics within these key issues.
- Issue 1 Climate change and zero carbon: It is positive that the Council has pledged to embed low carbon practices within planning policy, land allocation, development and regeneration and work with partners to make Wolverhampton net carbon zero by 2041. We are encouraging all Local Authorities to identify climate change as an overall Development Plan priority and to align policies with national net zero targets and mitigation policies. There is a statutory duty on LPAs to include policies in their Local Plans designed to tackle climate change and its impacts. Section 19 of the Planning and Compulsory Purchase Act 2004 states that ‘Local development plans must include policies designed to secure that the development of and use of land contribute to mitigation of and adaptation to climate change’. Revisions to the NPPF in 2021 include a requirement to promote a sustainable pattern of development, by mitigating climate change and adapting to its effects (para 11a). We support the references in section 3.10 on seeking to reduce the impact of flooding and enhancing Wolverhampton’s green and blue infrastructure. Achieving this will also rely on sustainable patterns of development informed by recommendations from your evidence base such as Strategic Flood Risk Assessment and Water Cycle Studies. It will also be achieved by ensuring your plan’s cumulative impacts are assessed and considered (a legal duty of The Environmental Assessment of Plans and Programmes Regulations 2004).
- Issue 7 – The natural and built environment: The canal network is referenced in 3.34, but Wolverhampton is also home to a variety of water bodies including main rivers and ordinary watercourses. Some of these are linked to the canals and hydraulically connected to underground aquifers. Rivers should be specifically referenced in addition to canals for the contribution to ecosystems, land drainage, recreation, water supply and flood protection. To assist we list these below: Main rivers: Smestow Brook; River Tame Tunnel (Wolverhampton Arm); Waddens and Bentley Flood Relief Culvert; Darlaston Brook; Warstones Brook; Ordinary watercourse: Graiseley Brook; Staffordshire and Worcestershire Canal; Waterhead Brook; Waddens Brook; River Penk; Wyrley and Essington Canal. ‘Water quality’ should also feature as part of Issue 7 based on the evidence as it relates to Wolverhampton and the opportunity to improve water quality that has cross-cutting benefits for some of the other

'big issues' issues that have been identified. We have recently made available the 2022 Water Framework Directive data for water bodies on our Catchment Data Explorer. WFD designated water bodies in Wolverhampton are classed as 'moderate' status. The reasons for not achieving good status (RNAGs) are identified for each water body. RNAGs include diffuse source pollution from urban areas, transport, or contaminated land, point source pollution (e.g. from sewage discharge (intermittent or continuous), physical modifications and flow affected by groundwater abstraction. For many waterbodies e.g. the Tame, Smestow Brook, the overall status of moderate is unchanged from 2019, or previous years. The Severn and Humber River Basin Management Plans set out the objectives and measures to enable water bodies to achieve 'good' status. Under the Water Environment Regulations 2017, public bodies must have regard to the relevant RBMP in exercising their functions which affect a river basin district. There is opportunity for the Wolverhampton Local Plan to help achieve the measures and objectives by protecting and enhancing water quality.

- Issue 8 Infrastructure: Environmental infrastructure should also be mentioned. Existing and future upgrades to flood risk assets, water supply and/or wastewater infrastructure may be required to support the growth over the Plan period. The outcomes of the Water Cycle Study and SFRA work will determine this for certain, but it would be good to reference this generally.

#### **Sport England**

- Support the inclusion of Issue 3 - Health and Well-being and is pleased to see the connection made in paragraph 3.18 between health and well-being and physical activity. Para 3.20 quite rightly references the role the WLP can play in addressing health and inequality issues. Sport England's Active Environments This is central to our approach to tackling inequalities around opportunities to be physically active - see our Strategy Uniting the Movement. Sport England's Active Design Guidance provides practical guidance in designing places and spaces that maximise opportunities for all to be physically active. We would advocate that the Council applies this guidance and embeds this approach throughout those relevant policies in the WLP.
- Support references in issue 7 - natural and built environment to the evidence contained in the Playing Pitch and Outdoor Sports Strategy (2022). The Council have recently also commissioned a new Built Indoor Sports Facilities Strategy which should also be referenced.

#### **Canal & River Trust**

- The canal network provides opportunities to address big issues, which should be recognised in the WLP through a policy framework that enables these to be delivered e.g. Tackling climate change (through active travel / low carbon transport; doorstep leisure / recreation; heating and cooling systems; reducing urban temperatures; water

transfers; flood mitigation; low carbon boating; preserving and increasing biodiversity); Health and wellbeing (making healthier choices; minimising pollution; active, low emission travel); Transport and connectivity (canal towpaths as multi use spaces); Natural and Built Environment (ecosystem services; Wyrley & Essington Canal LNR; environmental infrastructure network; protecting quality of built and historic environment); Infrastructure (opportunities to use canal towpaths for utilities apparatus and fibre)

**Wildlife Trust for Birmingham & The Black Country**

- Whilst we broadly agree with the key issues addressed in this section, we do feel that the Natural Environment does need to be separated from the Built. Heritage and Biodiversity are distinct subjects and can quite often be at odds with one another.

**Police & Crime Commissioner West Midlands (PCCWM)**

- Issue 3 – health and wellbeing: A safe secure and well-designed living environment, in its widest context, is as important as some of the other health and active lifestyle matters identified. These concerns could be usefully added and the title amended to ‘Health, safety, security and well-being’. The crime statistics would justify this.
- Issue 5 – centres: suggest strengthening the discussion by reference to maximising the extent, safety and security of the public realm and open space including integration of ‘Secured by Design’ and ‘Park Mark principles including ‘Liaison with West Midlands Police’s Design Out Crime Officers’.
- Issue 6 – Transport and connectivity: suggested that ‘Park Mark’ principles could be referenced as well as liaison with West Midlands Police's Design Out Crime Officers when car parking of all types is involved as part of new development.
- Issue 8 – Infrastructure: suggest this should be expanded to add clarity, including reference to the Emergency Services, including West Midlands Police. In turn, new development to facilitate growth should be contributing to the capital costs of improvements to the Police service.

**RSPB**

- Agree with inclusion of: 2.16 Nature Conservation - the Black Country and Birmingham have a common Local Sites system and the BCAs have developed a common tree evidence base and a Nature Recovery Network approach which reflects the cross-boundary nature of wildlife corridors across the sub-region and will help inform the statutory West Midlands Combined Authority Local Nature Recovery Strategy.” However, as well as emphasis on conservation areas, we would like to see biodiversity considered across all aspects of the Local Plan and not just in places designated for wildlife - a more holistic commitment to the general biodiversity duty

(Section 40 of the Natural Environment and Rural Communities Act 2006) which states: “Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity.”

**West Midlands Housing Association Planning Consortium (WMHAPC)**

- One of the main issues that the WLP should address is meeting Wolverhampton’s affordable housing needs in full. It is therefore disappointing that none of the ‘big issues’ identified specifically refer to the need to deliver affordable homes. Delivering a variety of housing to meet needs is only very briefly mentioned at paragraph 3.15 with no reference to affordable housing. We strongly recommend that affordable housing is recognised as a key issue in the WLP.

**CPRE**

- The WLP has a role in addressing these issues by: reducing the carbon emissions from new developments; reducing the need to travel and enabling a shift to more sustainable travel modes; maximising the use of low carbon energy solutions; seeking to reduce the impact of flooding; and enhancing Wolverhampton’s green and blue infrastructure, to protect the people, environment and economy of Wolverhampton. This requires development to be directed towards urban areas in Wolverhampton, or the wider conurbation, and not exported to surrounding areas. We also specifically support an expansion of solar panels on roofs to reduce carbon emissions. A balanced approach to transport investment is required that recognises the need to invest in all modes of transport but prioritises increasing the proportion of people using sustainable and active modes such as public transport, walking and cycling. We support the prioritisation of sustainable modes of transport and would urge the Council to seek to reduce car dependency, which includes the location of development. The WLP will need to create a strategy for the protection and enhancement of the natural environment and strengthen the environmental infrastructure network to support sustainable growth. It will also need to protect, sustain and enhance the quality of the built and historic environment whilst ensuring the delivery of distinctive and attractive places. We support the need to improve the environment, particularly within the designated Green Belt.

**Residents**

- City Centre is a dead loss as far as business is concerned – better to use for housing
- There needs to be an emphasis on importance of open space to mental health of urban residents, alongside need for housing and employment. Open spaces should not be restricted to green belt areas and are important to local communities.

- Agree with big issues, especially natural and built environment.
- More facilities for an ageing population need to be built, including more bungalows on new development to allow older people to downsize and release family homes.
- More schools and health centres need to be included

**BOC Ltd (local business)**

- Support need for Local Plan documents to account for health and wellbeing impacts of noise and require consideration of noise issues when determining applications. Recognise value of existing UDP Policies EP1 and EP5 in this regard, in line with NPPF para 180 and 191. Noise is an important issue which should be recognised and addressed in the WLP and a policy similar to EP1 should be included.

**Developers / Home Builders Federation**

- Housing need should be highlighted as an important issue – in the context of both local and regional shortfalls. It should be clearly articulated that Wolverhampton is incapable of meeting its own housing needs and has no current cross-boundary agreements in place to ensure delivery of unmet need across the wider housing market area.
- Rather than propose an ambitious Plan that meets the future development needs of Wolverhampton, the Council has acknowledged the importance of housing and then fails to use the policy and delivery mechanisms available to them to meet that need, including a green belt review and additional housing allocations.
- A failure to adequately plan for new housing will impact on the delivery of Issue 4- economic recovery and growth. This section should explicitly recognise the importance of new housing in helping to meet both open market and affordable housing needs in supporting economic growth and recovery. It is important for the Council to recognise the role that housebuilder plays in the local economy, both when the houses are under construction and when the houses are occupied as people's homes.

**Energy Company**

- As a community-led renewable energy company investing in widescale rollout of rooftop solar panels and energy storage, and working towards enabling sustainable lives, Tomato Energy strongly agrees with the identification of climate change as one of the "big issues" for the Wolverhampton Local Plan to address. We believe that addressing climate change through reducing carbon emissions and promoting renewable energy should be a top priority for the Local Plan.



Additionally, we support the inclusion of issues related to sustainable development, such as promoting sustainable transport options, protecting the natural environment, and ensuring the provision of high-quality green spaces. These issues are closely linked to our goal of empowering local communities to play a key role in the energy system and enabling sustainable lifestyles.

**Agent**

- Concerns about how the WLP can help tackle Wolverhampton’s worsening and out-of-control childhood and adult obesity crisis (protect health) (related to Strategic Priority 1), minimise air pollution and address Wolverhampton’s critical climate change emergency.

**Scope and “Big Issues”: How the main issues raised by the Regulation 18 representations have been addressed in the Wolverhampton Local Plan (Regulation 19)**

**Scope should be expanded to include City Centre site allocations – specifically for housing**

- The Black Country Core Strategy expired in 2021, therefore, following the end of work on the Black Country Plan and in order to progress the WLP as quickly as possible, it was important to build on the extensive work that had taken place recently to develop the BCP. This meant making use of existing evidence, draft policies and responses made to the Draft BCP consultation, where these were still relevant. To enable rapid preparation of the WLP and adopt up-to-date strategic policies for Wolverhampton in line with Government priorities, it was necessary that it have the same scope as the BCP – covering all strategic policies for Wolverhampton and all housing and employment allocations, with the exception of sites within Wolverhampton City Centre. The City Centre AAP was adopted in 2016 and many of the site allocations including housing are still developable and deliverable, as set out in the 2024 SHLAA, with many sites having planning permission or with planning applications submitted. The SHLAA provides an up-to-date position on housing sites in the City Centre. The WLP housing target for the City Centre is based on the detailed information set out in the SHLAA. Work will begin to prepare a City Centre Supplementary Plan under the new Local Plan system during 2025, with an appropriate scope subject to the details of this new system, to include a review and update of housing allocations for the City Centre. However, it is not anticipated that there will be significant changes to the housing element of site allocations.

**Scope should be expanded to include a green belt review**

- At the heart of the National Planning Policy Framework (NPPF) is a presumption in favour of sustainable development which is detailed in paragraph 11. For plan-making purposes, this means that: “strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas, unless: i the application of policies in this Framework that protect areas or assets of particular importance provides a strong

reason for restricting the overall scale, type or distribution of development in the plan area7.” Footnote 7 clarifies that the policies referred to include land designated as Green Belt.

- In December 2023 there was a key change to national planning policy as set out in paragraph 145 of the NPPF: “Once established, there is no requirement for Green Belt boundaries to be reviewed or changed when plans are being prepared or updated. Authorities may choose to review and alter Green Belt boundaries where exceptional circumstances are fully evidenced and justified, in which case proposals for changes should be made only through the plan-making process.”
- This change meant that local authorities preparing a Local Plan, which did not have enough suitable land to meet their housing or employment development needs, could now choose whether or not to review the green belt to release land for more housing or employment development.
- Wolverhampton is a densely developed and constrained urban area with a small amount of green belt land, forming only 11% of the total land area. Much of this green belt land provides important services for the urban area, such as public open space, education and sports facilities, or is of significant value for wildlife, historic character or landscape character. When the Black Country Plan was being prepared under the 2019 NPPF, the Wolverhampton green belt was found to have potential capacity for only 1,014 homes, with no areas suitable for employment development or gypsy and traveller pitches. Taking these factors into account, the City of Wolverhampton Council has chosen not to review the green belt to address the housing and employment development shortfalls arising from the WLP. This means that none of the spatial options which were consulted on involved release of green belt land for development, and no green belt sites have been considered for development or assessed as reasonable alternatives throughout the WLP preparation process.

#### **Various requests to amend the “Big Issues”**

- Where appropriate, the “Big Issues” have been reviewed and adjusted to respond to the views of consultees, where this is in accordance with available evidence.

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| <p><b>Evidence and Background Documents</b></p> | <p><b>Local Authorities</b></p> <ul style="list-style-type: none"> <li>• (Dudley) An up-to-date urban capacity study and site assessments for all new sites / sites with density increases should be provided to fully evidence that significant housing and employment shortfalls cannot be met.</li> <li>• (TfWM / WMCA) Should be more acknowledgement of combined impact of clusters of small developments on existing and proposed transport infrastructure and efforts to change travel behaviours. Transport masterplans should be used to understand issues and align land use planning and transport more effectively, as set out in Big Moves – Growth for Everyone.</li> <li>• (TfWM / WMCA) Transport evidence should be completed and made available to TfWM before Plan is developed, to allow technical support to be provided.</li> </ul> <p><b>Historic England</b></p> <ul style="list-style-type: none"> <li>• We would require a Heritage Impact Assessment to accompany any proposed site allocations which have the potential to harm the historic environment.</li> </ul> <p><b>Environment Agency</b></p> <ul style="list-style-type: none"> <li>• Recommend a Wolverhampton Water Cycle Study (Phase 2) is completed, as recommended by the Black Country WCS (Phase 1), to ensure growth can be accommodated by current and planned wastewater infrastructure, including consultation with Severn Trent Water.</li> <li>• Recommend a Wolverhampton SFRA Level 1 and Level 2, including the sequential test, is completed.</li> </ul> <p><b>Sport England</b></p> <ul style="list-style-type: none"> <li>• Note inclusion within Table 1 of the Wolverhampton Playing Pitch and Outdoor Sports Strategy Assessment and Action Plan (PPOSS), and the Black Country Playing Pitch and Outdoor Sport Overarching Strategic Framework. This is the appropriate evidence base in respect of outdoor sports facilities including playing pitches. Aware the Council have recently commissioned a new Built Indoor Facilities Strategy which would complement the PPOSS by considering the supply and demand for built indoor sports facilities, including swimming pools, sports halls, health and fitness suites etc. This should be added to the table identifying that this will be completed for publication.</li> </ul> |
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**Police & Crime Commissioner West Midlands (PCCWM)**

- Any work to update viability assessments and infrastructure funding, including the Infrastructure Delivery Plan should recognize the legitimacy for WMP to access infrastructure funding arising from new development through S106 and CIL, as necessary.

**Canal & River Trust**

- CRT owns Cannock Extension Canal and Fens Pool SACs and commented on the BCP HRA in this regard. The canal network links both sites to the WLP area, albeit over some distance and with changes in ground levels. There are numerous discharges into the Wyrley & Essington Canal which could potentially impact the water quality at the SAC, which should be acknowledged in the HRA.

**West Midlands Housing Association Planning Consortium (WMHAPC)**

- We note that a Wolverhampton Housing Market Assessment is intended to be produced however no date has been announced for its publication. This would be a welcomed addition to the evidence base. The 2021 HMA is already more than three years old and by adoption the housing figures will be over five years old.

**CPRE**

- Further work is needed on development land supply, including on larger windfalls.

**Developers / Home Builders Federation**

- A Green Belt review should be commissioned and a Discussion Paper to clarify the inability of the Green Belt to contribute in some way to meeting housing need should be completed, due to the high housing shortfall and request for neighbouring authorities to accept a significant part of this.
- The existing Black Country Viability Study should be updated in light of considerable changes and uncertainty in costs in recent years.
- Not aware of any significant changes to the 'constrained' nature of Wolverhampton's urban area or its Green Belt since the Draft BCP, therefore the evidence base used to inform the release of Green Belt sites remains relevant and up to date, and the evidence to support the WLP should include the BC Green Belt Review. The justification for not including the release of Green Belt land in the spatial options being consulted on is that: "Wolverhampton is a densely developed and constrained urban area with a small amount of green belt land, forming only 11% of the total land area.", however this situation is unchanged from the Draft BCP consultation in 2021 when the release of Green Belt land was proposed to adequately meet Wolverhampton's housing needs.

- The draft BCP Site Assessment report and the BC Green Belt Study and Landscape Sensitivity Assessment should be included in the list of evidence supporting the WLP as these are the Council's own evidence, independent and robust.
- The Housing Market Assessment (particularly regarding housing needs of older people) and the Viability Study need to be updated for Wolverhampton only – the latter to include testing the older persons housing typology for the evidence and the plan to be consistent with national policy.
- **Regarding the Sustainability Appraisal:** Housing options are not realistic options for assessment in the SA as they would fail to deliver between 11,993 and 11,413 within the authority area over the plan period, which is less than half the city's local needs and there are no firm offers through the DtC to deliver to the remainder in other authority areas. Further, paragraph 4.1.2 of the SA references NPPF Paragraph 11.b) which states that "any needs that cannot be met within neighbouring areas should also be taken into account in establishing the amount of housing to be planned for", however there is no evidence that the SA has accounted for any need from neighbouring areas. Section 4 of the SA looks at the 'impacts' associated with the housing growth options in terms of 14 SA objectives. The SA findings in respect of these options fail to reflect the adverse impacts in sustainability terms associated with the failure to deliver over half the authority's housing need in the Wolverhampton area. As Table 4.2 of the SA shows, the assessment identifies positive transport impacts for the authority in adopting Preferred Housing Growth Option H3 and very positive impacts associated with housing. The SA fails to consider the impacts on transport associated with more than half of its housing need being exported to other authorities, including ones which do not neighbour the Wolverhampton authority area, such as Shropshire. The transport impacts associated with car users commuting to Wolverhampton from outside the authority area versus those residents living adjacent to the Wolverhampton Urban Area with the benefit of established local public transport networks should be considered. Further, the SA identifies very positive impacts for housing despite meeting less than half the authority's housing need. The SA's assessment of the housing growth options against the 'Economy' objective do not reflect the significant loss of investment and consumer expenditure associated with more than half Wolverhampton's housing needs being met outside the authority area. Options to accommodate a greater, more realistic proportion of the authority's housing need within Wolverhampton through the release of Green Belt sites adjacent to the Wolverhampton Urban Area should be assessed in the SA. Whilst it is acknowledged that some negative environmental impacts would arise through this approach (as they do for all the options assessed in the SA for the WLP), the BCP identified suitable mitigation measures which accord with the requirements of NPPF Paragraph 32. For example, Policy CSA1 required accessibility, biodiversity and environmental quality improvements to Northcote Farm Country Park and the

Northcote Farm Country Park Extension Area, including opening up the area for public access and maintaining it in perpetuity.

**Nurton Developments Ltd (NDL)**

- Under the heading of Employment Land Growth, as the principal evidence in projecting a need for employment land and identifying a supply. NDL has made representations in respect of various iterations of the Black Country EDNA. The representations made in respect of the Dudley Draft Local Plan, submitted in December 2023, provide a critique of the latest version of the EDNA (i.e. the 2023 Update). This critique is still relevant. In summary, NDL's principal concern, at this initial stage of the Local Plan review process, is to ensure that the evidence base on the need and supply of employment land in the Black Country is accurate, realistic, and consistent. If it is, then it will provide a sound basis for the Black Country Local Planning Authorities, including Wolverhampton, for discussions with neighbouring and other planning authorities which have a functional link with the Black Country, under the Duty to Co-operate, on the quantity and quality of employment land that they will provide in order to help to meet the need of the Black Country which cannot be met itself in the Black Country.
- NDL's critique of both the 2022 and 2023 EDNA Updates concludes: the figures for employment land need have been under-estimated; the assessment of deliverable supply has been over-estimated; thus, the shortfall between need and supply has been significantly under-estimated; and there is a clear mismatch between the quality and type of site demanded by occupiers and developers and those being supplied through the development plan-making process.
- NDL's principal concerns about the assessment of need cover the following: Arbitrary deployment of method for each authority and lack of consistency; No allowance for suppressed demand; Under-estimation of replacement of future losses; No allowance for flexibility or market churn; Insufficient wider assessment of strategic employment land. For the above reasons, NDL considers that the need assessed by the EDNA 2023 remains a significant under-estimation. The base need should be increased to 623 ha. To this should be added a further minimum allowance of 49 ha, as a margin for flexibility. This would generate a minimum need of 672 ha for the Black Country for the plan period.
- NDL has three principal concerns about the assessment of supply. These are: The nature of the supply; The likely yield; The assumption that windfall sites should be counted. On this basis, NDL considers that the maximum supply of new employment land will be 302 ha.
- Table 4.1 of the EDNA 2023 identifies a shortfall of 153 ha for the Black Country. This is derived by deducting a supply of 380 ha from a need of 533 ha. For the reasons set above, NDL contends that there is a minimum need

of 672 ha and a maximum supply of 302 ha. This leaves a minimum shortfall of 370 ha. Overall, there is a much larger shortfall in quantitative terms, between need and supply, than the EDNA is articulating. In addition, there is a clear qualitative shortage of large strategic employment sites, which the EDNA pays no heed to. It makes no reference to the West Midlands Strategic Employment Sites Studies. The latest published iteration of this study, issued in May 2021, concludes that there is a shortage of large sites (i.e. over 25 ha) across the West Midlands, especially serving the Black Country and southern Staffordshire, and an 'urgent' need to bring forward a new portfolio of sites.

**Agent**

- Concerns that insufficiently robust green infrastructure evidence is being used to support local plan preparation.
- The WLP is not supported by an Infrastructure Delivery Plan to set out how and when future regeneration projects will come forward.
- Object to continued poor quality of evidence base used to support Local Plan preparation.

**Evidence and Background Documents: How the main issues raised by the Regulation 18 representations have been addressed in the Wolverhampton Local Plan (Regulation 19)**

**There are gaps in the evidence base supporting the WLP**

- An up-to-date Wolverhampton Housing Market Assessment has been produced which confirms the local housing need figure for the WLP Reg 19 and provide further detailed evidence to underpin the WLP housing policies.
- An up-to-date SHLAA 2024 has been prepared to support the WLP Reg 19, which includes all of the elements required to assess urban capacity for housing, including density assumptions, robust windfall assumptions and discounts to allow for non-implementation and provide sufficient flexibility in the housing land supply to meet any unforeseen circumstances.
- The Black Country EDNA has been updated from that used to inform the Regulation 18 Issues and Preferred Options Report. The updated EDNA has updated the method used to calculate the employment land demand for the City and Black Country FEMA having regard to the issues raised in the representations.
- The Black Country Employment Land Supply Technical Paper has also been updated to reflect the latest available data with a base date of April 2024. This update has had regard to the issues raised in representations on the deliverability of the employment land supply.
- The West Midlands Strategic Employment Sites Study has been completed and forms part of the evidence base supporting the Local Plan. It will also inform engagement with neighbouring local authorities through the preparation of Local Plans and planning decisions.

- A Level 1 and Level 2 Strategic Flood Risk Assessment have been completed and have informed the Site Assessment Report and the WLP Reg 19 policies, including site allocation policies.
- It has not been possible for the Council to commission a Phase 2 Water Cycle Study, however Severn Trent have provided a high level assessment of potential impacts of proposed developments on wastewater treatment works and Environment Agency have subsequently indicated that this level of information, supporting new water quality policy wording (including site allocation policies) in the WLP, is likely to be sufficient to address water quality issues in the WLP.
- The potential heritage impact of all housing and employment site allocations has been assessed, including consideration of all heritage assets within 500m of the site, as summarised in the WLP Site Assessment Report and WLP Table 12 of Section 13. Where potential negative heritage impacts have been identified, a Heritage Impact Statement (HIS) is required, as detailed in this table, and should be submitted with any planning application to enable full consideration of these impacts and any proposed measures to avoid or mitigate harm. It is considered that this approach is proportionate and that it is more appropriate to require a HIS at planning application stage, where the detailed design of the development will be known, rather than at allocation stage, where there are many design variables that could affect heritage impact.
- A Black Country Traffic Modelling update has been completed which reflects WLP Reg 19 site allocations and has informed the WLP policies and site allocation policies.
- The Black Country Waste and Minerals Studies have been updated for Wolverhampton and the findings incorporated into the WLP policies and site designations as appropriate.
- An up-to-date and robust Wolverhampton Viability Study has been produced to support the WLP Reg 19 policies and site allocations and SHLAA housing sites in Wolverhampton City Centre.
- An up-to-date Infrastructure Delivery Plan has been completed to support the WLP Reg 19, which demonstrates that there is sufficient existing and planned infrastructure, of a variety of types, to support proposed developments over the Plan period, subject to investment decisions by funding bodies and service providers.
- The Habitat Regulations Assessment of the WLP Reg 19 addresses the potential water quality impacts of development on relevant European sites, including Cannock Extension Canal and Fens Pool SACs.



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| <p><b>Duty to Cooperate (DtC)</b></p> | <p><b>Local Authorities – Housing and Employment</b></p> <ul style="list-style-type: none"> <li>• (Birmingham, Dudley, Sandwell) Acknowledge that the Council has worked closely with neighbouring authorities for many years on housing and employment DtC issues, including through the Birmingham and Black Country Housing Market Area (HMA) and the Black Country Functional Economic Market Area (BC FEMA).</li> <li>• (Birmingham, Sandwell) Acknowledge the limited amount of urban and brownfield land available for development and the steps Wolverhampton has taken to maximise urban and brownfield development potential, including density uplifts, sites in centres and protection of viable employment land.</li> <li>• (Dudley, Sandwell) Acknowledge that all Wolverhampton’s development needs cannot be met within it’s administrative boundaries.</li> <li>• (South Staffs, S Warks / Stratford) CWC should seek to maximise delivery within Wolverhampton before seeking to export unmet needs e.g. through design codes to encourage densification.</li> <li>• (Sandwell) Acknowledge that the NPPF (2023) para 145 allows Local Authorities to choose whether to review and alter Green Belt boundaries to release land for more housing or employment development.</li> <li>• (South Staffs) It is unreasonable to ask other green belt authorities to release green belt to meet Wolverhampton needs when CWC are not willing to consider releasing its own green belt in areas closest to where needs are generated.</li> <li>• (Lichfield) Given the scale of the housing shortfall across the HMA, it is important that HMA authorities (including Wolverhampton) proactively explore all options to meet need, including the consideration of green belt release, where appropriate and evidenced, to ensure growth is delivered closest to where the need arises, and that pressure is not placed on other HMA authorities to consider green belt release.</li> <li>• (S Warks/Stratford) CWC is encouraged to revisit its decision not to review the green belt as this could have unintended harmful effects on other HMA authorities through exports, via green belt release and increased densities / parking. A clear rationale for not exploring green belt release should be provided.</li> <li>• (Birmingham) The high levels of unmet housing and employment needs, both in Wolverhampton and across the conurbation as a whole, could be considered an exceptional circumstance to justify removing sites from the green belt to allocate for development, as has been done elsewhere in the region.</li> <li>• (Birmingham, Walsall) The consequence of not releasing Wolverhampton Green Belt land for development is that unmet development need will be exported elsewhere, further from where need arises, or not met at all.</li> </ul> |
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- (Birmingham, Walsall, Lichfield) Sites proposed for release from the Green Belt in the Draft BCP should be reintroduced into the WLP to ensure the WLP is sound in terms of positive preparation and DtC. Failing that, further work may be necessary to justify the proposed approach to Green Belt.
- (Dudley) Acknowledge that contributions towards housing and employment shortfalls arising in the Black Country have been made by other authorities and that an approach to apportioning these contributions has been agreed between the BCAs.
- (Walsall) No formal agreement to apportionment has been made between the BCAs
- (South Staffs, S Warks / Stratford) It is unclear how significant unmet housing need will be addressed through DtC.
- (S Warks / Stratford) Any exports will have infrastructure implications which should be addressed.
- (Birmingham, Dudley, Sandwell, Walsall, South Staffs) It is important that the HMA authorities, and other partners, continue to work together to identify housing and employment land shortfalls across the HMA area and to work to identify possible joint solutions, including through a joint Statement of Common Ground and a new Strategic Growth Study.
- (Dudley, Sandwell, Walsall) Support continued working with other BCAs to close the BC FEMA employment development land shortfall, with a focus on areas having a strong or moderate functional economic relationship with the BC, and other areas where there is evidence of a functional relationship.
- (Dudley, Walsall) Statements of common ground should be agreed with the other BCAs

**Local Authorities – Waste and Minerals**

- (Dudley) Support proposed approach to waste and minerals which aligns with the Dudley and Sandwell Local Plans, including a shared evidence base, which will help ensure cross boundary consistency in identifying appropriate locations for development to avoid prejudicing existing / new waste or minerals operations.
- (Dudley, Sandwell, WMRTAB) Support for continued partnership working via the West Midlands Resource Technical Advisory Board (WMRTAB) and West Midlands Aggregates Working Group.
- (Dudley, WMRTAB) Note that the Council have a surplus waste processing capacity that could contribute to meet the needs of other authorities in the BC Waste Processing Area, and welcome further DtC discussions.
- (Staffordshire) There should be a review of construction aggregate consumption based on an up-to-date WM Local Aggregate Assessment, taking into account 2023 survey data. Important infrastructure necessary to import primary aggregates into Wolverhampton should be identified and safeguarded.

- (Staffordshire) Existing sites that treat construction, demolition and excavation wastes, and land that might be required to expand these facilities, should be safeguarded. Policy should support the development of new or extended facilities in line with an updated waste capacity projection. An updated waste needs assessment should be carried out for Wolverhampton, including an assessment of dependence on facilities outside the Plan area. Waste capacity requirements should be assessed based on the projections shown on Table 9 of the Draft Black Country Plan. Based on this assessment, permitted sites should be safeguarded, particularly where sites are capable of expansion to meet increased capacity needs over the Plan period.
- (WMRTAB) Agree that waste should be planned for as a strategic matter and this is consistent with the position in the WMRTAB Statement of Common Ground (September 2022) (SCG) which sets out matters of agreement between the Waste Planning Authority members of WMRTAB in terms of how waste will be planned for in the West Midlands. Meaningful dialogue between Wolverhampton City Council (WCC) and other Waste Planning Authorities will likely to be important to ensure it meets its obligations under the Duty to Cooperate (DtC). As part of this dialogue it will be important that any potential capacity gaps are based on the most up to date evidence available – as it stands it is not clear how any capacity gaps have been identified and there is no specific mention of waste movements between Wolverhampton and other WPA areas. In particular WCC should consider the future need for landfill and ensure that non-hazardous landfill is planned for, taking account of capacity remaining at landfill sites within the plan area and beyond. The WMRTAB study on landfill may be of use in this regard. WMRTAB understand that WCC is preparing a separate standalone evidence base report on waste and that this will include more up-to-date data. WMRTAB would be happy to review a draft of this report in due course. WMRTAB note that WCC is still to resolve the question of the type and quantity of waste which it may rely on other areas for future management over the plan period. It is also noted that the Draft WLP Issues and Preferred Options states that as part of further plan making work, the ‘Duty to Cooperate Statement’ is ‘to be updated for publication and submission’. It is essential that WCC recognises the need for ongoing collaboration with any WPAs with sites in their areas which WCC may rely on for the future management of its waste over the plan period. The results of this work and subsequent dialogue should be reported in the update to the Duty to Cooperate Statement. WMRTAB recommend that the approaches set out in the ‘Duty to Cooperate on Waste –Practice Guide for Waste Planning Authorities in England’ (July 2021) be referred when embarking on this area of activity. In any event, WMRTAB is pleased to confirm that WCC is a signatory to the WMRTAB Statement of Common Ground as well as an active member of WMRTAB, with a WCC officer regularly attending the group’s meetings and contributing to its work. To an extent, WMRTAB has therefore helped facilitate discussion between WCC and other neighbouring WPAs to assist with meeting its DtC on the strategic matter of waste management.

**Local Authorities - Transport**

- (Worcestershire) Concern over the potential cumulative transport impact of development on the network in Worcestershire and unknown implications of DtC exports, particularly as WCC has not been involved in BC traffic modelling and the PRISM model does not extend to northern-most extents of Worcestershire's highway network. Request more information on / involvement in transport evidence and infrastructure strategy. Consideration should be given to planning adequate transport infrastructure, including any necessary capacity improvements in Worcestershire to provide for cross-boundary movements.
- (Staffordshire) Acknowledge continued engagement and cooperation with CWC on WLP, including through joint work on WMI and I54. SCC should be fully engaged and consulted on development proposals within Stafford Road RCA. The Stafford Road corridor, within both Wolverhampton and Staffordshire, should be made as accessible as possible by bus from new developments. Policies should ensure transport impacts on Staffordshire are understood and addressed and SCC is engaged at pre-app and application stages.

**Local Authorities – Education**

- (Dudley) Housing allocations located close to Dudley boundary should take account of any potential cross-boundary amenity and character impacts and infrastructure considerations, particularly regarding education provision in relation to delivery timescales.
- (Staffordshire) Welcome discussion with CWC education colleagues to understand any planned mitigation for impact of City Centre housing developments (and any export agreed to South Staffordshire) and to identify any cross border implications.

**Developers / Home Builders Federation**

- Disappointed that wider collaboration and cross-boundary planning on key strategic issues and plan-making has yet to be successful in the West Midlands area, despite this being greatly needed. The lack of joined up plan-making across the West Midlands regional poses additional challenges for Local Plans in seeking to ensure the housing needs of Wolverhampton are met in full.
- Expect the WLP to clearly set out an agreed approach to meeting its housing need within the context of the wider Region, or at the very least include a Statement of Common Ground setting out where agreement has been reached and where there remain disagreements and issues outstanding. Contributing to the unmet housing and employment needs of the GBBCHMA is one the issue amongst those currently troubling the Shropshire Local Plan Examination in Public. Telford and Wrekin's recent Local Plan consultation also acknowledged that they may have a role to play in meeting the wider housing needs. However, the Council

must do much more than stating it cannot meet its own housing need and assuming this unmet need can, and will be 'exported', and therefore their housing need will be addressed. Exporting local housing needs to neighbouring areas also means that the housing need are not being met where there occur, to the detriment of local economies and local communities. In other areas, such as Leicestershire, joint working on the issue of housing needs has resulted in a clearly agreed approaches.

- In the middle of a housing crisis and with high housing need in Wolverhampton, we are disappointed the Council has chosen not to review the green belt – such an approach fails to adequately plan for future development of Wolverhampton.
- The DtC statement identifies offers totalling 8,000 homes for the Black Country's needs, however South Staffordshire's contribution has since been reduced from 4,000 to 640 homes, the Lichfield Plan has been withdrawn, and contributions from other authorities cannot be relied upon at this stage. Therefore, the Council should explore all options to deliver housing within the city, including release of green belt, before expecting neighbours to assist (which may similarly need to consider green belt release), particularly given the scale of the shortfall and limited likelihood that full needs can be met elsewhere. The Council should also actively work with South Staffordshire (which is one of the most logical solutions towards accommodating a significant proportion of the city's housing needs in terms of proximity and ability) and other authorities in order to provide a sustainable development strategy that helps to meet needs near key services and make travel patterns more sustainable.
- There is no confirmed agreement with neighbouring authorities regarding the WLP housing shortfall – this is required in order for the WLP to be sound. The recent reduction of the South Staffordshire contribution from 4,000 to 640 homes, which is not reflected in the I&PO document, suggests a lack of dialogue between the LPAs on the WLP housing shortfall. NPPF para 62 puts the onus on cities and urban centres to accommodate their own uplift, except where there are voluntary cross boundary redistribution agreements. Therefore, the Council will need to work harder to review how and where the shortfall can sustainably be accommodated in order to achieve a sound Plan. Evidence suggests around half of the shortfall should be apportioned to South Staffordshire, given proximity, shared boundaries and strong transport and travel to work links, and this amount should be proactively requested by the Council.
- Statements of Common Ground should have been drafted and regularly updated as recommended by PPG para 020, and the Duty to Cooperate should be dealt with before submission in line with PPG para 031. The DtC Statement at Reg 19 stages should provide more details of DtC meetings and a clear indication of the level of engagement that has been taking place with HMA LPAs to satisfy DtC requirements.

- The contribution of the Green Belt to maximising and meeting housing needs of the Authority should be made transparent given the evident request for Neighbouring Authorities to take on some of the housing provision of the City of Wolverhampton. The housing needs of the Authority should be met as far as possible within its own administrative boundaries where the need for housing inherently lies. It makes good planning sense for Wolverhampton's housing need to be provided in a location that is accessible to where the highest demand for homes and jobs originates. It follows that any housing to be provided to meet Wolverhampton's needs, should be located as close to Wolverhampton's Boundary as possible. Providing Wolverhampton's Housing Needs beyond its boundaries should not be contemplated until options to provide it within its boundaries have been exhausted. This would include a wholesale review of the Green Belt Boundaries. It is on the edge of Wolverhampton that the most obvious potential for urban extensions and the greatest developer interest will be found. Edge-of-Wolverhampton SUEs would not be competing with other SUEs in surrounding Authorities, and therefore are likely to be delivered faster. This would all be to the benefit of the vitality and viability of Wolverhampton as a whole. This also represents the most sustainable pattern of development as it will reduce the need to travel from Wolverhampton to new housing allocations beyond the Green Belt.
- It has been well publicised that there is a housing shortage throughout the GBBCHMA, including through the Birmingham Plan and the draft Black Country Plan. Therefore it will be necessary for the WLP to include a green belt review to ensure the housing needs of Wolverhampton are met. Not all green belt parcels serve identified green belt purposes – some are sustainable and would be better placed in alternative use without harming the wider green belt.
- Redrow are promoting land at Castlecroft Farm, Radford Lane, Castlecroft as a residential led allocation providing approximately 600 dwellings and significant amounts of public open space. The site is located wholly in South Staffordshire Council adjoining the western edge of Wolverhampton. Seeking the allocation of the site within the South Staffordshire Local Plan although due to the physical and functional relationship that the site has to Wolverhampton is principally intended to meet the housing need arising within Wolverhampton. To secure this, agreement needs to be reached between South Staffordshire and Wolverhampton for them to meet part of Wolverhampton's housing need.
- Support the Preferred Option, as the Council should clearly be planning to meet its identified housing target. Failing to do so will have significant adverse effects, such as hindering households finding a home, increased affordability problems, reducing affordable housing delivery and harming the local economy by costing the City construction jobs. However, there is concern over how the unmet housing need is to be addressed. In principle there should be a mechanism by which this unmet need could be accommodated in neighbouring authorities in the HMA. However, the unmet need for Wolverhampton, needs to be seen in the context of that identified by

Dudley (1,085 homes), Sandwell (18,606 homes) and Birmingham (78,415 homes) - when added to the 12,000 homes for Wolverhampton the total is around 110,000 homes, presenting a significant challenge to the HMA. The WLP approach of seeking unmet need from other HMA authorities has also been proposed by Dudley and Sandwell Councils and likely will also be in Birmingham. Consequently, there will be at least four authorities looking to the remaining 10 HMA authorities to address their unmet housing needs. Of these 10: South Staffordshire had previously identified a contribution of 4,000 towards the conurbation and HMA; Lichfield had previously proposed a modest contribution of 2,000 (reduced from 4,000); Solihull have proposed a contribution of 2,000 to the HMA; and Shropshire have proposed a contribution of 1,500 (albeit they are not in the Birmingham and Black Country HMA). Lichfield have subsequently withdrawn their Local Plan and Solihull and Shropshire's Plans are currently still at examination where there remain concerns by the Inspectors as to the soundness of these plans and specifically the level of housing identified. North Warwickshire has previously proposed a contribution of 3,500 homes to meet need arising in the wider HMA. None of the other HMA authorities are currently proposing any contribution to meeting the shortfall. South Staffordshire Cabinet in April 2024 agreed to go out to consultation on a revised Reg 19 Plan with a revised strategy having regard to the NPPF changes that relate to the requirement (or not) to review the Green Belt in order to meet the housing need. As part of these changes it is no longer intending to make available land to meet 4,000 homes to meet the unmet needs arising in the HMA but instead will contribute just 685. The 4,000 contribution was relatively insignificant in relation to the unmet need of 110,000 homes - reducing this to just 685 dwellings will have limited, if any impact, on addressing unmet needs. This could have a significant adverse impact on Wolverhampton's ability to meet its own housing needs in light of the Preferred Option identified. In light of the physical and functional relationship that Wolverhampton has with South Staffordshire as its closest neighbour it is imperative that the Council reaches agreement with South Staffordshire for them to meet part of its needs. If necessary, the Council may need to object to their plan if there is a risk that it would undermine the delivery of Wolverhampton's housing needs and preferred strategy for achieving these.

- Otherwise, we consider that the Duty to Cooperate will not have been complied with. Failure to accommodate the identified housing needs of the City along with those of the other authorities in the HMA will have a number of significant adverse implications for both Wolverhampton as well as the wider conurbation. The risks include: Worsening of affordability of housing as demand for housing outstrips supply; Worsening of delivery and provision of affordable housing; Economic impacts on the working age population as adults who are able to work may not have suitable accommodation to live in thus resulting in increased commuting distances and the associated environmental and social issues that arise through increased congestion and air quality concerns; and Potential migration of economically active population away from the conurbation to areas where housing is

more affordable and available which could impact on the economic prospects and GDP of the conurbation as a whole. In light of the identified shortfall in housing within the City and the stance that South Staffordshire is now taking with its revised Local Plan Publication Draft, Redrow urge the Council to enter into constructive and productive discussions with South Staffordshire and the other HMA authorities to seek agreement on how and where the unmet housing need is going to be delivered. A joined up approach is required that crosses administrative boundaries in order to deliver housing that is needed for residents of Wolverhampton and the wider conurbation.

**Resident**

- Wolverhampton has a large housing shortfall and neighbouring Councils such as South Staffordshire, Lichfield and Shropshire are unlikely to help as they have their own problems to deal with and there is not enough room.
- South Staffordshire often builds close to Wolverhampton boundary which puts a strain on our services.

**Duty to Cooperate: How the main issues raised by the Regulation 18 representations have been addressed in the Wolverhampton Local Plan (Regulation 19)**

**Given the scale of the Wolverhampton and GBBCHMA housing shortfall, and the shortfall in employment development land, the WLP should include a green belt review**

- Please refer to response to main issues raised on the Scope of the WLP, above.

**The WLP, or Statements of Common Ground supporting the WLP, should set out the agreed approach for neighbouring authorities to address Wolverhampton's unmet housing needs**

- Considerable work has taken place over a number of years, beginning with preparation of the Black Country Plan in 2016, with other GBBCHMA authorities and beyond, to secure contributions towards likely unmet housing need in Wolverhampton. A GBBCHMA SoCG will shortly be available to support submission of the WLP and a new Housing Growth Study will soon be commissioned to look at the potential to accommodate wider housing shortfalls across the GBBCHMA and those areas which have a functional relationship to it. Further details are set out in the WLP Duty to Cooperate Statement.



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| <p><b>Preferred Housing Growth Option</b></p> | <p><b>Local Authorities</b></p> <ul style="list-style-type: none"> <li>• (Dudley) support / (Birmingham, Walsall, Lichfield) object / (Bromsgrove &amp; Redditch) note</li> <li>• (Walsall) Preferred option is not a reasonable alternative, as the Plan cannot deliver development in neighbouring areas, and there is insufficient evidence of where these areas might be</li> <li>• Further detail should be provided of brownfield / greenfield split and sites in Wolverhampton City Centre</li> <li>• (South Staffs) concerns that all reasonable options have not been explored to maximise housing e.g. opportunities to increase densities, use of PropTech software, housing renewal, release of city centre sites.</li> <li>• (S Warks/Stratford, Lichfield) It is not clear how many homes are a result of the 35% uplift, which NPPF requires should be accommodated within the local area.</li> </ul> <p><b>Hagley Parish Council (Dudley)</b></p> <ul style="list-style-type: none"> <li>• Welcome the decision not to review the boundaries of the Green Belt, but dismayed that nearly 10,500 homes need to be found beyond the city boundary</li> </ul> <p><b>Historic England</b></p> <ul style="list-style-type: none"> <li>• When considering growth options and deliverability we would ask that the Council considers the impact to the historic environment and to ensure that any option taken forward reduces the harm to the historic environment and seeks opportunities to enhance heritage assets and their setting.</li> </ul> <p><b>Environment Agency</b></p> <ul style="list-style-type: none"> <li>• The commentary provided within the Sustainability Appraisal for SA Objective 7 'Pollution' seems logical that development under option H3 could potentially result in largest impact on pollution due to the greater worsening of air, soil and water quality. Mitigation measures would need to be identified to help minimise/avoid these impacts should the council pursue this to publication, with support from the evidence base studies such as the Phase One and Phase Two Water Cycle Studies. The appraisal of the housing growth options against SA Objective 5 'Climate change adaptation has described where the fluvial Flood Zones are located within the district. However, it hasn't commented as to how the housing options perform against the flood risk sequential test (NPPF paragraphs 167-171). We understand that a proportion of housing growth would need to be exported under the Duty to Co-operate and therefore those spatial locations are unknown, however, the location of the sites that can be delivered within the Wolverhampton district are known (SHLAA, new site 61 dwellings and</li> </ul> |
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density uplift 524 dwellings). The SA should explain to what extent the aims of the Sequential Test have been addressed by the options and preferred option. This should describe the proportion of housing developments proposed in Flood Zone 1, Flood Zone 2 and Flood Zone 3. It should also provide the outcome of the Sequential Test (and any Exceptions Test associated with a Level 2 SFRA). We, the Planning Inspectorate and yourselves should be reassured that the option chosen passes the Sequential Test i.e. there are no other reasonably alternative sites at a lower risk of flooding that could have been selected. To a certain extent this commentary has been provided in relation to the two Gypsy and Traveller growth options and the employment growth options, so we are unsure why this is not within the housing growth commentary (given residential dwellings are classed as 'more vulnerable'). We have only identified 2 sites (a housing site (H19) and an employment site (E2) at partial risk of fluvial flooding, and thus this seems a positive outcome for the aims of the Sequential Test. However, the source of flood risk and level of risk should be verified through the Strategic Flood Risk Assessment and Council are reminded that all forms of flooding should be considered.

**West Midlands Housing Association Planning Consortium (WMHAPC)**

- We broadly support Option H3 as it is most like the option that will deliver the most affordable housing. This involves carrying forward existing housing allocations and making new allocations primarily within the urban areas, emphasising increased housing density in accessible locations and structural changes in the city centre. We welcome the provision of affordable housing in urban areas and highly accessible locations. Given the demographic of housing association customers, a significant proportion of residents lack private vehicle ownership, highlighting the necessity of locating housing developments in sustainable areas where they are supported by good transport infrastructure and are in close proximity to essential amenities.
- The main concern with Option H3 is that the Council will require 53% of its proposed housing requirement to be delivered through the Duty to Cooperate. This is a significant proportion; although we do recognise that the consultation material states that sufficient existing and potential offers from neighbouring authorities have been made to accommodate the 11,413 homes. This approach will require active communication, coordination, and co-operation among neighbouring authorities, including the production of Statements of common Ground where necessary. The WMHAPC endorses Preferred Housing Growth Option H3, contingent on the willingness of neighbouring authorities to engage in cooperative efforts to meet housing needs. In light of the information above, it is essential that the Council considers all potential sites available and provides appropriate evidence to explain why promoted sites are not suitable for residential development if they are not to be included as allocations.

**CPRE**

- WM CPRE evidence provides strong justification to adopt an alternative housing need calculation closer to the ONS2016 figures and supported by the 2021 Census. This would lead to a total need of 17,580 (including the 35% uplift). The WLP supply of 11,066 is justified and may turn out to be conservative given on-going structural change. This would lead to a housing shortfall of 6,514 (1,954 without the 35% uplift) and make it easier to ensure housing could be met on brownfield sites. Some of the remaining shortfall could be included in excess brownfield housing in Dudley, as per evidence commissioned on their housing numbers. Significant levels of double counting with Shropshire and Telford's housing numbers also suggests there is greater scope for designating housing in those areas for Black Country needs without increasing (and even reducing) their totals. It is important to protect Wolverhampton's Green Belt but would also clearly be absurd (and against Government Policy) to increase housing in Wolverhampton by 35% so as to encourage urban regeneration but actually build that excess (and arbitrary) capacity in the surrounding countryside in other local authorities and that should be clear in the Plan. This can be avoided by: 1. adopting figures similar on ONS2016, 2. maximising the supply side figures as suggested, 3. potentially allowing some export of housing within the Black Country from Wolverhampton 4. and allowing for the double counting with Shropshire and Telford. In effect this would lead to a Policy Option similar to H3 but with only a 2,000 - 6,500 shortfall which would be met within the Black Country and from existing over calculations/double counting of housing need elsewhere, notably Shropshire and Telford.

**Developers / Home Builders Federation**

- While H3 is the most appropriate of the three options provided, the Council have not fully explored all options for growth with the city before seeking to export a significant proportion of the housing requirement to neighbouring authorities. The substantial housing need and significant shortfall represent cogent exceptional circumstances for green belt boundary amendments. The Council is relying on the Dec 2023 NPPF changes regarding green belt review to justify not reviewing the green belt, however in the previous NPPF there was also no requirement to alter green belt boundaries. The Council has conflated "review" in green belt terms as simply meaning "to consider", whereas when reading the NPPF green belt chapter as a whole, "review" means to amend boundaries through a Local Plan. Not reviewing the green belt is at odds with the presumption in favour of sustainable development (para 62 of the NPPF) and assessment of alternatives through sustainability appraisal. The Council should also evidence that most of the green belt is valuable. Some of the functions and services quoted are rightly valued, but do not necessarily meet any of the five green belt purposes or its essential characteristics – 9 of 33 Wolverhampton parcels assessed in the Black Country Green Belt Study (LUC, 2019) had a weak or no contributions to any of the purposes. The example of Coventry, with similar potential overspill issues, should be

followed - which amended the green belt through its 2017 Local Plan. The Green Belt Study should be updated, using a similar methodology to neighbouring areas e.g. South Staffs, using a “policy off” approach to SHLAA sites within the green belt. As the BC Green Belt Study states: “Whilst the ideal would be to minimise harm to the green belt, it may be that the most sustainable locations for development will result in very high harm to the green belt.”

- The Council should prepare up-to-date evidence (a local housing needs assessment) which reviews current and future demographic trends to ensure a sufficient number of new homes is planned for in the WLP.
- The Council’s housing supply position is optimistic – it is imperative that all assumed supply is evidenced to meet the NPPF definition of deliverable or developable. H1 Bluebird Industrial Estate (130 homes) was not in the Draft BCP due to delivery concerns – the deliverability of this site should be evidenced, particularly given it is an existing employment site with a number of current occupiers and will require significant remediation. Similar concerns for H5 West of Colliery Road, H9 Delta Trading Estate and H13 Greenway Road. H6 Dobbs St is part occupied employment site and very high density, considered unlikely to be achievable.
- The Council should review its approach to windfall housing assumptions. There appears to be potential for double counting in the approach to windfall housing within the city centre, with separate categories e.g. structural change, surplus floorspace and potential new allocations, without clear reasoning. It is assumed that existing rates of windfalls will be sustained throughout the Plan period, whereas NPPF (para 72) requires a windfall allowance to only be included where there is compelling evidence of a reliable source of supply.
- Rolling forward existing allocations from previous Development Plans should not be relied upon as a reliable source of housing supply. Some of the proposed housing allocations were identified in various Development Plans such as the Wolverhampton UDP (2006) and Bilston AAP (2014). These sites evidently have not come forward for development in the intervening time period so it is questionable whether they are deliverable and can be relied upon to come forward in the emerging plan period. For Local Plans to be effective NPPF para 35c requires that the Plan should be deliverable. Therefore, proposed housing allocations should be identified with certainty that they are deliverable. The emerging Housing Growth Strategy relies on a mixture of large and small urban brownfield sites to deliver a substantial amount of the housing requirement, each of which have inherent constraints to delivering dwellings quickly. Large sites take time to deliver housing due to the need to provide infrastructure and whilst the development of brownfield land in preference to greenfield sites accords with the National Planning Policy Framework, there is a concern as to the deliverability of brownfield sites. Many of the proposed housing sites are in some form of lawful use. There is therefore a risk that these sites will not come forward, or continue to not come forward, in a timely manner given that any housing development on the site would have to prove to be more viable than the existing lawful use. Given the need to provide for affordable

housing and contribute to other infrastructure through CIL and S106, together with BNG, it becomes less viable to redevelop a brownfield site for housing. The WLP should therefore reconsider the potential contribution of Green Belt land and allocate small to medium-sized greenfield sites that can deliver homes quickly in the plan period to counter the over reliance of brownfield allocations. The WLP should, in the first instance, investigate all possibilities to meet its housing need within its own administrative boundaries. This requires a proper and thorough Green Belt Review and potentially the identification and allocation of Green Belt land for housing. The Local Plan should not seek to export its outstanding housing requirement to neighbouring authorities and potentially expect its neighbours to release Green Belt to satisfy the City of Wolverhampton's needs in the absence of such an appraisal.

- Support Preferred Option H3 to focus on existing housing supply in the urban area and explore the structural changes to the use of Wolverhampton City Centre to significantly increase the amount of housing. Focusing housing development on urban brownfield land with good public transport connections is consistent with the NPPF. The City Centre West development has the chance to capitalise upon the inherent potential of the City, as well as the opportunities that are opening up as a result of recent investment, and in turn, catalyse further growth and vitality in the city. The site promoters (ECF) are confident that at least 313 homes can be delivered in the first five years of the plan (2024-29), in line with the 2024 SHLAA, and will work further with the Council on the WLP and City Centre Supplementary Plan to demonstrate the deliverability of the City Centre West site. Similarly, Placefirst who control land at Union Mills and Horseley Fields in the city centre which forms part of the Canalside South redevelopment area – a key regeneration scheme. The site has planning permission for 366 homes and Placefirst is confident that at least 340 homes can be delivered in the first 5 years of the WLP (2024-29), in line with the 2024 SHLAA, and will work further with the Council on the WLP and City Centre Supplementary Plan to demonstrate the deliverability of this site.
- In order to be effective and justified the Plan's policies and evidence base should set out how the plan will deliver 10% of homes on sites of less than one hectare, as required by the NPPF. Indeed, HBF would advocate that a higher percentage of small sites are allocated if possible. Such sites are important for encouraging the growth in SME housebuilders who will tend to develop these sites but rarely see the benefits that arise from the allocation of sites in a local plan.
- HBF are concerned that the Council should in fact be planning for a higher housing requirement in order to support economic growth, provide a range and type of sites and to support small and medium house builders, as NPPF requires use of the Standard Method only as a starting point. There is also a need to provide a range and choice of sites, a need for flexibility and viability considerations to be taken into account and a need for the Council to consider whether higher levels of open-market housing are required in order to secure the delivery of

affordable housing and/or support economic growth. NPPF para 60 still requires that in order “to support the government’s objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay”.

- HBF recommends that the plan allocates more sites than required to meet the housing requirement as a buffer. Any buffer should be sufficient to deal with any under-delivery which is likely to occur from some sites and to provide flexibility and choice within the market. Such an approach is consistent with the NPPF requirements for the plan to be positively prepared and flexible. HBF is therefore supportive of the housing allocations ensuring there is a housing supply buffer but would question if the buffer needs to be bigger, especially as HBF are of the view that the housing requirement itself should to be increased.
- The deliverability of high and super high density residential development will be dependent upon the viability of brownfield sites and the demand for high density city centre living post Covid-19. It is important that delivery of the housing requirement in Wolverhampton does not rely overly ambitious and un-realistic intensification of dwellings within the City, that results in any under-provision and/or under delivery of housing numbers.
- The housing requirements for Wolverhampton should be established before any consideration is given to any constraints that may affect the housing land supply.
- The WLP cannot be found sound as it does not contribute to the achievement of sustainable development and has not been positive prepared in accordance with NPPF Para 35. The principal reason is the authority’s decision not to allocate sites for housing sustainably located adjacent to the Urban Area, which would result in less than half (45%) of the authority’s housing need over the plan period 2022-2024 being met in the local authority area. Of the Housing Growth ‘Options’ (H1, H2 and H3), H1 and H2 are not realistic options for consultees to comment on as they would fail to deliver 11,993 and 11,413 dwellings respectively over the plan period. Option H3 relies on ‘exporting’ 11,413 dwellings to neighbouring authorities through the Duty to Cooperate (DtC). The overview of DtC is opaque where it concerns authority’s actions to date on this matter. The WLP refers to DtC in relation to the BCAs as a group but fails to identify any firm ‘offers’ from neighbouring authorities to meet Wolverhampton’s housing need. Para 5.20 states that the four Black Country authorities have agreed an apportionment of the housing contribution from the Shropshire Local Plan which would result in some 593 homes being attributed to meeting needs arising in Wolverhampton, however this is disputed by Walsall Council. Notwithstanding, 593 homes accounts for just 5% of Wolverhampton’s exported need and when combined with the housing to be provided within the authority area, this amounts to less than half (49%) of the city’s housing need. Further, as highlighted above, the figure of 11,413 dwellings does not take into account any housing need exported from neighbouring authorities to Wolverhampton. If the plan fails to provide for the city’s needs, this will have

significant adverse implications for neighbouring authorities in meeting their needs. There is therefore a risk of the plan leading to a worsening of overcrowding, homelessness, housing affordability and unemployment both within the city and within neighbouring authorities' areas. Growth Option H3 would also encourage commuting over long distances, increasing the likelihood of such journeys being undertaken by car, particularly having regard to the main population centres of the rural neighbouring authorities where most housing is anticipated to be delivered. NPPF Para 35 states that plans should be positively prepared, justified ; effective; and consistent with national policy.

- The WLP relies on the revision to NPPF para 145 removing the requirement for Green Belt boundaries to be reviewed or changed when plans are being prepared or updated. However, the key tests in Para 35 for preparing plans still apply. The WLP - in particular Housing Growth Option H3 - does not meet these 'tests'. H3 does not seek to meet the area's objectively assessed needs; it is not informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so; and is consistent with achieving sustainable development. The authority has not provided any evidence to justify the decision not to review its Green Belt boundaries, which is a clear, reasonable alternative to H3. There are significant doubts about the deliverability of a Local Plan that relies on exporting over half its housing need to neighbouring authorities, particularly in the absence of an advanced DtC and whether city centre sites can deliver high density, family housing in a reasonable timeframe. This supports the logical conclusion that it is necessary for Wolverhampton to release land from the Green Belt to accommodate housing requirements within the Plan period.
- In terms of the choices made in the BCP in relation to Green Belt release and proposed housing sites, the release of Green Belt on the eastern side of the city represents the best option to provide housing land in accordance with the NPPF advice relating to how to review Green Belt boundaries in the Local Plan process. In this regard, the contents of NPPF Paras 145 to 148 have been complied with to support the release of the land at Bushbury for housing purposes. Specifically re: NPPF para 146, the review of Green Belt boundaries on the eastern side of Wolverhampton is consistent with the Development Plan strategy for meeting identified housing needs – with Wolverhampton being a strategic centre in which to locate a proportion of the housing needs (covering criteria (a) of paragraph 146). As far as criteria (b), (c) and (d) are concerned, it is not necessary to identify in this case safeguarded land between the urban area and the Green Belt because the proposed allocation immediately abuts the urban area and is mainly between the existing urban area of Wolverhampton; the tree belts in the Northcote Country Park and road infrastructure. As far as criteria (e) is concerned (and also related to criteria (f), the boundaries of the Green Belt shown on the masterplan are in themselves permanent and defensible in the long term. They comprise potentially an estate road and tree belt on the northern edge of

allocation WOH259; established tree belts to the east of WOH258 and WOH257 (with dedicated land extending the Country Park) and then Bushbury Lane defining the Green Belt boundary to the east of WOH260. Therefore, these criteria of paragraph 146 are complied with. In addition, the allocation of the Bushbury area would allow the tree belt to continue to perform the purposes of the Green Belt in paragraph 143 of the NPPF. Whilst there is inevitably 'encroachment' into what is currently countryside, this encroachment is limited and is defined by existing and proposed significant boundaries such as tree belts, roads and other features. The other purposes of the Green Belt are not significantly offended by the extension of the settlement to the east – to a great extent the eastern boundary of the allocation is the woodland within Northycote Country Park. However, development on the Bushbury site represents a contained and managed extension of the settlement framework. In this way the combination of the appropriate provision of objectively assessed housing need and the redefining of Green Belt boundaries in accordance with NPPF policy results in the proposed Bushbury allocation being considered 'sound' for the purposes of NPPF para 35.

- The DtC undertaken to date leads to the conclusion that Housing Growth Option H3 is not a realistic option. The housing needs identified in the WLP justifies the need for the review of the boundaries of the Green Belt around Wolverhampton. Local residents and stakeholders should be given the opportunity to comment on alternative, realistic housing growth options, such as the allocation of sustainably located housing sites adjoining the Wolverhampton Urban Area, with the 'Assessment of Option' having regard to impacts associated with loss of Green Belt. The release of land on the eastern side of the city for the Bushbury area represents the best of the options that have been identified through the BCP.
- Support effective use of land through achieving greater densities as well as the delivery of accessible and high quality house types that meet local needs plus the ambition to deliver 10% - 30% affordable housing on-site, as well as 15% of homes being adaptable to wheelchairs, and 5% self-build (on sites above 100 units) as well as a criteria for HMOs to support student accommodation in particular. However, there is a direct contradiction within the policy approach to housing, in that the targeted 10% to 30% affordable housing delivery will be completely unachievable on brownfield sites with high abnormal costs and without the requisite high property values within Wolverhampton to support these costs. This will undoubtedly lead to an under delivery of much needed affordable housing, on top of already low delivery of housing generally against the identified need. The policy approach to housing would further exacerbate the unmet need within Wolverhampton.
- It is unclear why the approach to housing refers to 'greenfield' sites, as this conflicts with the brownfield first approach and preferred option 'H3' advocating 9,722 homes within 'urban areas', being predominantly brownfield. Such over reliance on brownfield land would directly conflict with the ambition for new education facilities (primary and secondary) to be funded by housing development, as the viability status of such



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|  | <p>development would unlikely allow for any excess of funds for these contributions. Such an approach would potentially result in an additional 9,722 new households (4,861 children based on 0.5 per household) for the city, but no new educational facilities. It is apparent that there is a strong lack of commercial realism underpinning the overall option being pursued and little justification for it other than political motivation.</p> <ul style="list-style-type: none"> <li>• There are numerous brownfield sites across Wolverhampton (including Bluebird Industrial Estate – see representation under Section 13) that have been allocated for housing since 2016 and have neither been built nor had any applications to indicate they will be delivered within the plan period. It is estimated that 1000s of residential units in allocations within the city are on brownfield sites, with little hope of delivery within the plan period. This places serious questions over the ability to deliver even the c9,000 new homes. It is clear that these sites cannot be relied upon to deliver the 21,720 homes within the plan period, and further concerns exist regarding their ability to deliver any affordable housing or contributions towards local facilities such as education or public transport.</li> </ul> |
| <p><b>Preferred Gypsy and Traveller Pitch Option</b></p> | <p><b>Local Authorities</b></p> <ul style="list-style-type: none"> <li>• (Dudley) Some allowance should be made for windfall sites as per the Dudley and Sandwell Local Plans</li> <li>• (Dudley) Exporting pitches through DtC could raise issues, particularly given other nearby authorities also have shortfalls, which could create a significant shortfall across the region.</li> <li>• (Walsall) There is no evidence of agreements with neighbouring authorities to contribute towards the shortfall</li> <li>• (South Staffs) WLP should evidence other options have been explored: intensifying or expanding existing sites; public land for new sites; approaching owners of housing sites.</li> </ul> <p><b>Historic England</b></p> <ul style="list-style-type: none"> <li>• Any housing options for Gypsy and Traveller, Travelling Showpeople will need to consider the impact on the historic environment and be accompanied by an appropriate evidence base.</li> </ul>  |
| <p><b>Preferred Employment Growth Option</b></p>         | <p><b>Local Authorities</b></p> <ul style="list-style-type: none"> <li>• (Dudley, Sandwell, Walsall) Support / (Lichfield) object</li> <li>• (Dudley) Acknowledge that additional sites may arise through the West Midland Strategic Employment Sites Study</li> <li>• (Dudley) Request clarity on employment sites and list of authorities with potential to contribute towards shortfall.</li> <li>• (South Staffs) on latest evidence, South Staffs can provide 45.2 ha towards BC FEMA unmet employment land needs plus 67 ha from West Midlands Interchange – of which 16ha could be for Wolverhampton.</li> <li>• (Lichfield) Support meeting CWC need within Wolverhampton and DtC with wider BC FEMA.</li> </ul>   |

**Historic England**

- When considering growth options and deliverability we would ask that the Council considers the impact to the historic environment and to ensure that any option taken forward reduces the harm to the historic environment and seeks opportunities to enhance heritage assets and their setting.

**CPRE**

- According to the Plan there is a shortfall of 68.8 hectares, or 53.3 hectares with some new allocations. This includes 15.5 hectares of new allocations (although the site assessment summary (Table 1) only includes 13.8 hectares. It would be useful if all the new sites were listed in any update of that document.) The resulting figure is only marginally different to the 52 hectares in the EDNA but this should be read in the light of the broader Black Country employment land supply, especially as the I&O Plan relies on evidence for the whole Black Country. However, we do not believe there is any need for additional land from beyond the Black Country to meet Wolverhampton's need (resulting from Duty to Cooperate) and that should be reflected in the Employment Land Policy. This is because of: a. the lower overall BC shortfall of 33.6 hectares as set out above (even with the removal of two Walsall sites which WM CPRE objected to in the now abandoned Black Country Plan) and b. criticisms in our commissioned report of the under-counting of supply elsewhere which would serve the Black Country (notably WMRFI and the M54 allocations in Shropshire), and Wolverhampton's need in particular. This would lead to the adoption of text similar to Option E3. However, the shortfall would be met within the Black Country and from existing allocations in other authorities which already meet Black Country need, including at the WMRFI which will provide very significant additional logistics capacity to serve Wolverhampton.

**Home Builders Federation**

- The Council should consider whether the implications of its plan for economic growth generate the need for an additional housing requirement for Wolverhampton, and if so, how this can be delivered. Suggest both unmet housing and employment needs can justify the need for Green Belt release, and at the very least justify the need for a full Green Belt review.

**Nurton Developments Ltd (NDL)**

- NDL agree with the principle of the preferred option. Because of the lack of land capacity within Wolverhampton, especially obvious development options for larger strategic employment sites, there is a clear imperative to work with neighbouring authorities to export any shortfall of land through the Duty to Co-operate. However, NDL considers that the identified shortfall of 53.3 ha for Wolverhampton is a significant under-estimation quantitatively.

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|  | <p>This is for reasons set out in NDL’s response to Question 3, with specific reference to the latest update of the EDNA. In addition, there is an acknowledged identified qualitative need for large strategic employment sites in excess of 25 ha. The prospect of meeting this shortfall in neighbouring Black Country authorities is remote. Dudley, Sandwell and Walsall are constrained for the same reasons as Wolverhampton. However, opportunities do exist in South Staffordshire, which forms part of the same FEMA (along with Cannock). This is particularly so north of Wolverhampton due to the routing of the M6 and M54 and the location of nodal points at the junctions of the two motorways with the strategic road network.</p> <ul style="list-style-type: none"> <li>• A particular opportunity exists outside the City’s boundaries at Junction 11 of the M6 motorway. This junction is due to be upgraded as part of the proposed M6 M54 Link Road. Construction of this important piece of infrastructure for the sub-region is due to start this year. NDL is promoting a large site at this junction, with capacity for 175,000 sqm (1.87 million sq ft) on a site of 43 ha (developable). This site is well placed to meet any shortfall of need from Wolverhampton, and the wider Black Country, as well as meeting a sub-regional need for strategic sites.</li> </ul>  |
| <p><b>Preferred Spatial Option</b></p> | <p><b>Local Authorities</b></p> <ul style="list-style-type: none"> <li>• (Dudley, Sandwell, Worcestershire) support / (Birmingham, Walsall, Lichfield) object / (Bromsgrove &amp; Redditch) note</li> <li>• (Worcestershire) welcome urban-led approach which focuses growth close to public transport corridors, services and employment opportunities.</li> </ul> <p><b>Historic England</b></p> <ul style="list-style-type: none"> <li>• It is difficult to comment on which scenario is the most suitable to take forward without having the evidence to support the various scenarios. When considering which spatial option to pursue we would require the Council to consider the impacts for the historic environment and ensure the requirements of Section 16 in the National Planning Policy Framework are adhered to.</li> </ul> <p><b>Environment Agency</b></p> <ul style="list-style-type: none"> <li>• We understand the logic behind the choice of the preferred spatial option G. However, the option the Council takes forward should be informed by the outcomes and recommendations of further evidence base work it has committed to undertake. This should include the SFRA Level 2 where sites are allocated in areas at risk of flooding and the Sequential Test. The BC Phase One Water Cycle Study (2020) and further studies i.e. Phase Two WCS should inform the spatial choices, ensuring there is no WFD deterioration of water bodies, that</li> </ul> |

infrastructure capacity is available and whether any mitigation measures are required such as phasing to avoid the risk of deterioration.

**Canal & River Trust**

- The Key Spatial Diagram would be improved by showing the canal network

**Wildlife Trust for Birmingham and the Black Country**

- It is encouraging to hear that there are no current plans to bring green belt land forward for development and also that several named, non-green belt greenspaces of biodiversity value are specifically not being brought forward in this plan. Although brownfield land is not entirely without ecological value, we do acknowledge that there is clearly a need for additional housing/ employment land in the city.

**West Midlands Housing Association Planning Consortium (WMHAPC)**

- We consider it essential to align new development with existing facilities and jobs and in locations that are or will be well connected and accessible. We support the option that will sustainably provide the highest levels of affordable housing across the authority area. We encourage the Council to allocate and identify sites for up to 100% affordable housing to maximise affordable housing delivery. While acknowledging the importance of promoting sustainable development as per NPPF para 11, we ask the Council to be wary of the ways in which such policies could impact development viability which may restrict the provision of affordable housing in Wolverhampton.

**Residents**

- Support protection of green belt and changes made since the draft Black Country Plan to remove green belt site allocations
- Lack of information on how to encourage city centre living
- Building at 55 homes per ha could reduce garden sizes
- New homes should be of a good design - recent are not e.g. Lakefield Road, Wednesfield
- There should be no overdevelopment of existing housing areas e.g. in gardens

**National Trust**

- We do not object to Option G for balanced and sustainable growth. However, Option E better aligns with the National Trust strategy which has 'climate action' at its heart. We question whether Option G would encourage development on land which is not sustainably located and would therefore not meet other climate change

objectives outlined in Big Issue 1. Further consideration of the Preferred Spatial Option should be undertaken in the preparation of the Local Plan to ensure that it accords with other Big Issues.

**CPRE**

- Support the aspirations to provide balanced and sustainable growth, as well as increased densities (in line with note 27 of the NPPF) and more development in Wolverhampton City Centre, but we have not done sufficient detailed analysis to consider if Option G needs any further refinement. The preferred option should include reference to protecting the Green Belt as the omission of that in Option G (when that term is in Option A and B) could be misunderstood. As set out in response to Question 5 (above) we consider conservative supply of 11,066 should be included in Table 3. Our additional supply side calculations are summarised as follows:

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

**Developers / Home Builders Federation**

- The WLP needs to a lot more to try and met its own housing needs including through green belt release for housing as the current housing crisis and scale of housing need create the ‘very special circumstances’ to justify such releases. Both unmet housing and employment needs can justify the need for Green Belt release, and at the very least justify the need for a full Green Belt review. None of the spatial options considered involve release of green belt to meet the city’s development needs or even assessment as reasonable alternatives.
- Housing need should be met, or maximised, where it is required. Exporting a substantial part of Wolverhampton’s housing growth to other Authorities is not sustainable, and is at odds with the Authority’s proposed Option G of Balanced and “Sustainable” Growth. The housing requirement for Wolverhampton should be met, as much as possible, within its administrative boundaries close to the urban area where Wolverhampton’s residents live and work. It makes good planning sense for Wolverhampton’s housing need to be provided in a location that is accessible to where the highest demand for homes and jobs originates. It follows that any housing to be provided to meet Wolverhampton’s needs, should be located as close to Wolverhampton’s Boundary as possible.

Providing Wolverhampton's Housing Needs beyond its boundaries should not be contemplated until options to provide it within its boundaries have been exhausted. This would include a wholesale review of the Green Belt Boundaries. It is on the edge of Wolverhampton that the most obvious potential for urban extensions and the greatest developer interest will be found. Edge-of-Wolverhampton SUEs would not be competing with other SUEs in surrounding Authorities, and therefore are likely to be delivered faster. This would all be to the benefit of the vitality and viability of Wolverhampton as a whole. This also represents the most sustainable pattern of development as it will reduce the need to travel from Wolverhampton to new housing allocations beyond the Green Belt Boundary.

- Development sites should be considered in a variety of locations including the west of the city. There are a number of sites in the western part of the city which would serve as excellent sustainable residential sites in the emerging local plan.
- Land off Vicarage Road, Wolverhampton (site ID 41 in the Black Country Call for sites) has the ability to accommodate a housing development in a sustainable location within close proximity to a range of services and facilities. The site is currently located in the Green Belt, however, we do not consider the site meets the criteria in the NPPF of the purpose of Green Belt land and would be more appropriately considered for residential development. Other considerations of the site previously mentioned were in connection to Ecology, however we consider those matters can be mitigated for and significantly improved as a result of changes to policy concerning biodiversity net gain. We also note there are other sites that are proposed allocations which appear to ecological considerations as stated in the new proposed policy approach in h. Environment and Climate Change which state, "16.Require ecological information provided to support proposals to include a data search from the Local Records Centre, and a Local Sites Assessment where development affects a SINC or SLINC Set out special justification for and level of mitigation necessary for the limited number of proposed WLP developments which will result in loss of part of a SLINC;" Thus indicating all sites with ecological considerations have not been excluded from consideration in the Local Plan Review and therefore the same should apply to Land off Vicarage Road.
- None of the Spatial Options would provide sufficient housing to meet the city's objectively assessed needs and therefore meet the tests of soundness. Preferred Spatial Option G proposes to deliver 44% of the housing need retained in the authority area on city centre sites. The reliance on often complex, constrained and high density city centre sites risks failing to deliver new housing at the rates required and of the type residents are seeking e.g. family housing. Table 5.10d of the BC HMA identifies 37% of new homes required in Wolverhampton over the period 2020 to 2039 will comprise 4 or more bedrooms, and 58% 3 or more bedrooms. The emphasis within the WLP to deliver high density development on city centre sites is at odds with the evidence which shows the majority of housing required over the plan period will be for homes of three or more bedrooms. This type of

housing is not typically provided for within city centre developments such as high-rise apartment blocks. Further, Spatial Option G relies on building housing at a higher density in accessible locations (55 homes per ha compared to 40 homes per ha on a normal housing estate). The ability to achieve these higher densities is limited by the need for a significant proportion to be three or more bedrooms and the recently introduced Biodiversity Net Gain requirements which encourage onsite provision. Therefore, the WLP should identify land adjacent to the Wolverhampton urban area to provide more housing in the early stages of the plan period. This could be via a targeted review of certain Green Belt boundaries on condition that any safeguarded land identified would not be released for development unless a need for more housing can be demonstrated e.g. due to delays or problems arising with the delivery of housing allocations.

- It is not a sustainable model for growth to limit housing development to only brownfield sites. An over-reliance on brownfield land will not deliver the level of housing need over the plan period and therefore requires neighbouring authorities to take on such need. The approach takes no account of viability issues, which are common in the city (most commonly linked to site remediation, demolition and poor values), nor does it account for reduced planning obligations required to offset the impact of development on community infrastructure such as schools and public transport, as well as affordable housing delivery. In any case, it is clear that there is not enough 'ready and available' brownfield land to deliver even half of the unmet need within the plan period. The solution to the delivery of the balance is therefore through Green Belt release. The approach does not appear to be grounded in any kind of sensible and reasonable planning realism: rather it appears to be motivated by the common political aim to protect Green Belt land at all costs. This leaves the Council in the untenable position of having to rely on a neighbouring authority to deliver housing by releasing Green Belt land there instead and it is difficult to see why South Staffordshire would be happy to 'cooperate' in such circumstances. Otherwise agree with the proposed policy approach to deliver sustainable development that minimises effects on climate change and supports cultural facilities and visitor economy, although shifting so much housing delivery to another authority may not have the same positive economic viability impacts on the city centre or its facilities where new residents could end up spending and recreating elsewhere.
- The preferred spatial strategy does not provide the capability to meet issue 2 (a growing and changing population) and the provision of housing to meet all needs, including the city's chronic shortfall in both affordable and market housing, which is a fundamental part of the proposed vision for Wolverhampton. Although not acknowledged in the plan, Wolverhampton has only delivered 1,971 affordable homes between 2011 and 2023 (Live tables on affordable housing – table 1008c, gov.uk), this represents 23% of the city's total delivery. This delivery is however completely offset by the city's 2,362 Right-to-Buy sales across the same period (Live tables

on social housing sales – table 691, gov.uk), resulting in a net loss in affordable housing delivery of 391 homes during 2011-23.

- There is no evidence that the 9,722 homes identified in the SHLAA are deliverable or consideration of the impact of biodiversity net gain which will impact viability – as such the supply is a best case scenario and allows no flexibility.

#### **Tettenhall Community Forum**

- The Preferred Option stated in the Summary Document is ambiguous. Further explicit information is required. The example policies mentioned which will be strengthened are agreed in isolation as acceptable, however the response to Main Document Question 9 states concise consultation response per item, including changes to BCP policies and Evidence & Background Documents. Links should be provided for all documentation, where these are missing there is insufficient proof available for the consultee to determine a response.
- The summary document includes a description of the preferred option as “Urban and Brownfield First”, however there is no information enclosed concerning the other options.
- The WLP, whilst including a map of spatial options does not specify the definition of transport corridors, this should be explicitly stated as to what constitutes a transport corridor, with explicit description of the routes concerned, and whether “local arterial routes” are included in this definition or not.
- Whilst the preferred spatial option sites are explicitly listed, the summary document does not also state the explicit list of spatial options for development restriction, and the priorities for conservation and enhancement. Nor does it refer to guidelines for policies which will determine planning application. These should be explicitly stated and confirmation obtained that if there is a difference to Tettenhall Neighbourhood Plan planning guidelines that the TNP policies (and future policy guidelines stated in this document) will be substantially and comprehensively adhered to.
- Whilst the new Neighbourhood Plans must be updated by the neighbourhood planning body concerned, it is essential that the scope of the Local Plan, its policies and principles ARE part of the Local Plan such that all existing planning policies are substantially and comprehensively adopted. This includes relevant infrastructure and area planning for employment and housing where contributions to and solutions for infrastructure problems within the Neighbourhood Plan area (ie Rock Junction) are considered from the local plan, planning policies, traffic surveys and infrastructure contribution to sustain and improve infrastructure and traffic solutions with the TNP area. Reduction of requirements for Civil Infrastructure Levies stated in proposed changes to Policy EMP5 are injurious to the needs to maintain effective local infrastructure.



- The proposed preferred option cannot be thoroughly assessed without considering what sub options there are for higher density in city centre urban areas, and how development shortfall will be met characteristically. Joining up villages in South Staffordshire to make their borders contiguous with that of suburban and semi-rural North and West Wolverhampton is not an acceptable approach as this would be injurious to the character and heritage of this area, specifically the character and heritage of Tettenhall District as defined in the TNP.
- It is agreed that green belt should be protected and NOT reviewed. References to release of green belt for housing should be removed in Policies CSP1-3.

**Preferred Options: How the main issues raised by the Regulation 18 representations have been addressed in the Wolverhampton Local Plan (Regulation 19)**

**Preferred Housing and Employment Growth Option**

- Regarding the need for a green belt review, please refer to response to main issues raised on the Scope of the WLP, above.
- Housing Growth Options are clear how the 35% cities and urban centres uplift will be met within Wolverhampton, as required by NPPF and PPG.
- The WLP Reg 19 preferred housing growth option / spatial strategy / housing supply position strikes the right balance between seeking to maximise housing delivery on suitable and developable sites, including through allocation of poor quality employment land and high densities assumptions (particularly in the City Centre), and taking a cautious approach which takes account of ground condition issues and other viability constraints affecting some brownfield sites. Likewise, robust windfall assumptions and discount rates based largely on historic rates are balanced with reasonable assumptions regarding likely structural change, particularly in centres, over the Plan period, based on a robust analysis of more recent, strong national trends. It is typical for major housing development in Wolverhampton to take a number of years, and sometimes decades, to come forward for development. However, the majority of site allocations are ultimately developed, therefore it is reasonable to carry forward WLP housing allocations from previous Development Plan Documents. The Council is working proactively with partners to bring forward these sites, and has an excellent track record of delivery, including through direct ownership and securing external funding.
- The WLP sets out the options that have been explored to provide more gypsy and traveller permanent pitches within Wolverhampton, including intensifying or expanding existing sites and public land for new sites. It is unrealistic to expect owners of housing site allocations to support the inclusion of gypsy and traveller pitch provision, particularly given tight viability margins on many sites.
- The evidence base related to employment has been subject to a comprehensive review and update reflecting the issues raised in the Issues and Preferred Options consultation. This includes an updated approach to the calculation of employment land

need recognising the need for this to be based on the most up to date data. Employment land supply has also been tested and updated and the West Midlands Strategic Employment Sites Study completed. The latter identifies the need to bring forward additional strategic employment sites including in locations well-located to meet needs arising in the Black Country FEMA and so capable of addressing the evidenced shortfall in employment land. The Council will work with neighbouring areas to ensure that this evidence is reflected in Plan preparation and planning decisions.

| <b>2) Vision and Strategic Priorities</b> |  |
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| <b>Subject or Policy in WLP (Reg 19)</b>  | <b>Key Issues Raised by the Representations</b><br><i>(type of respondents which raised these issues highlighted in bold)</i>  |
| Vision and Strategic Priorities           | <p><b>Local Authorities</b></p> <ul style="list-style-type: none"> <li>• (Dudley) It is appropriate for the Council to identify a locally specific vision and priorities in line with NPPF para 15.</li> <li>• (Dudley) Should recognise importance of connections to neighbouring areas, particularly transport and wildlife.</li> </ul> <p><b>Natural England</b></p> <ul style="list-style-type: none"> <li>• The Plan should include the natural environment in its long-term vision and objectives for the plan area. These should be based on local characteristics and circumstances and include locally specific goals for nature recovery and enhancement, supported by policies and proposals in the plan. (NPPF paragraphs 80(c), 20(d), 119, 175).</li> </ul> <p><b>Environment Agency</b></p> <ul style="list-style-type: none"> <li>• The detailed strategic priority wording should be more ambitious for the natural environment e.g. Strategic Priority 4 'to protect and enhance the natural environment' could be stepped up to 'protect, enhance and achieve measurable net gains for the natural environment, biodiversity....' Strategic Priority 8 currently reads 'seeking to reduce the impact of flooding' which could be strengthened to read 'actively reduce flood risk.'</li> </ul> <p><b>Sport England</b></p> <ul style="list-style-type: none"> <li>• Pleased to see the positioning of Healthy inclusive communities and strategic priorities 1 and 2 at the forefront of the Council's approach within WLP. We are keen to see the Council embed our approach and guidance to Active Environments/Active Design throughout the relevant plan policies. Our Active Design Guidance is also relevant to strategic priorities 3, 4, 7 etc.</li> </ul> <p><b>West Midlands Housing Association Planning Consortium (WMHAPC)</b></p> |

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|  | <ul style="list-style-type: none"> <li>• Welcome Strategic Priorities 5 and 6 “To improve and diversify the Wolverhampton housing offer”. However none specifically refer to the delivery of or the need for affordable housing provision. Urge the Council to incorporate the delivery of affordable housing as a fundamental element of meeting housing needs. WLP policies should seek to maximise the provision of affordable housing for new developments in Wolverhampton. The WMHAPC would welcome a policy position that allows for a reasonable level of flexibility within the tenure of affordable housing sought, in turn this would facilitate development viability and affordability of products available.</li> </ul> <p><b>CPRE</b></p> <ul style="list-style-type: none"> <li>• Should specifically include protecting and enhancing the countryside quality of the protected green belt.</li> </ul> <p><b>Developers</b></p> <ul style="list-style-type: none"> <li>• Vision and Strategic Priorities should be expanded to meet Wolverhampton’s housing needs within the city, enabling people to live close to where their work and socialise whilst also improving the city’s economy in the process. The Vision and Strategic Priorities emphasise the importance of the city’s economy. The apportionment of over half the city’s housing need to neighbouring authorities and associated expenditure likely to be lost from the city as a result of this is likely to undermine the ability to grow the city’s economy. Further, we would question the ability to “provide a range and choice of accommodation, house types and tenures to meet the needs of current and future residents” given the reliance on city centre sites to meet the city’s housing need.</li> <li>• The Vision and Strategic priorities need to specifically address the specialist housing needs of older people.</li> </ul> |
| SP1: Built and natural environment - healthier choices | <p><b>Police &amp; Crime Commissioner West Midlands (PCCWM)</b></p> <ul style="list-style-type: none"> <li>• Should amend to include references to safe, secure and inclusive communities, and the public realm.</li> </ul>   |
| SP5: Housing types and tenures to meet needs           | <p><b>Developer</b></p> <ul style="list-style-type: none"> <li>• There should be a greater emphasis on meeting housing need, including an appropriate mix of housing types, sizes and tenures to meet the needs of all residents in Wolverhampton.</li> </ul>   |
|  | <p><b>Local Authority</b></p> <ul style="list-style-type: none"> <li>• (Dudley) Expand to emphasise making most effective use of land and that housing needs of the City will be met within own boundaries as far as possible</li> <li>• (Walsall) Should make reference to providing an adequate amount of housing.</li> </ul>   |

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|  | <p><b>Police &amp; Crime Commissioner West Midlands (PCCWM)</b></p> <ul style="list-style-type: none"> <li>• Should amend to include references to safe, secure and inclusive communities, and the public realm.</li> </ul>   |
| SP7: Sustainable and active travel                       | <p><b>Local Authority</b><br/>(Worcestershire) Support, however a specific priority relating to the safe operation and efficient performance of the transport network would also be appropriate.</p>  |
| SP11: Balanced portfolio of employment sites and areas   | <p><b>Local Authority</b></p> <ul style="list-style-type: none"> <li>• (Dudley) Expand to emphasise making most effective use of land and that employment needs of the City will be met within own boundaries as far as possible</li> </ul>   |
| SP12: Vital, diverse, safe, secure centres               | <p><b>Police &amp; Crime Commissioner West Midlands (PCCWM)</b></p> <ul style="list-style-type: none"> <li>• Should amend to include references to safe, secure and inclusive communities, and the public realm.</li> </ul>   |
| SP13: Protect and enhance built and historic environment | <p><b>Historic England</b></p> <ul style="list-style-type: none"> <li>• We would welcome an amendment to this priority so that it sets out the Council's priorities for the historic environment and what the Plan aims to achieve over the next Plan period.</li> </ul> <p><b>National Trust</b></p> <ul style="list-style-type: none"> <li>• The priorities are broad and reflective of wider aims for the City of Wolverhampton. However, heritage falls under Strategic Priority 13, a part of 'thriving economy in all parts of the city'. Whilst a rich cultural heritage can certainly help achieve a thriving economy, the benefits of this stretch much further into people's wellbeing. Historic England's Heritage and Social Prescribing evidence report highlighted how engaging with heritage has many benefits for wellbeing (2022). As owner of Wightwick Manor, we are committed to its preservation for the benefit of the nation. We believe it would be worth recognising the benefits that heritage can provide under 'healthy, inclusive communities' in addition to its current position.</li> </ul> |
| SP14: Infrastructure to support growth and prosperity    | <p><b>Local Authority</b><br/>(Worcestershire) Support.</p>   |

**Vision and Strategic Priorities: How the main issues raised by the Regulation 18 representations have been addressed in the Wolverhampton Local Plan (Regulation 19)**

**Various requests to amend the Vision and Strategic Priorities**

- The WLP Vision is taken from Our City: Our Plan, and therefore cannot be amended. Where appropriate, the Strategic Priorities have been reviewed and adjusted to respond to the views of consultees, where this is in accordance with the Vision and preferred growth and spatial options.

| <b>3) Spatial Strategy</b>   |  |
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| <b>Subject or Policy in WLP (Reg 19)</b>   | <b>Key Issues Raised by the Representations</b><br><i>(type of respondents which raised these issues highlighted in bold)</i>  |
| Spatial Strategy /<br><br>Policy CSP1 – Spatial Strategy /<br><br>Policy CSP2 – Placemaking – Achieving Well Designed Places | <p><b>Police &amp; Crime Commissioner West Midlands (PCCWM)</b></p> <ul style="list-style-type: none"> <li>Welcome introduction of the following point. "8. Introduce requirement for large leisure / evening economy developments to address potential security, crime and anti-social behaviour issues", but consider that reference should also be made to the importance of good quality design more generally, and to safety and security to ensure that 'Secured by Design' and 'Park Mark' principles are integral to new development and investment. To this end WMP employs dedicated Design Out Crime Officers whose job is to provide such advice to emerging developments on an ongoing basis. This could be achieved through an amendment to point 6: "Delivering high quality design on all developments including their safety and security to ensure that 'Secured by Design' and 'Park Mark' principles are integral to new development and investment."</li> </ul> <p><b>Local Authority</b></p> <ul style="list-style-type: none"> <li>(Worcestershire) Concern over the potential cumulative transport impact of development on the network in Worcestershire and request more information on transport evidence and infrastructure strategy.</li> </ul> <p><b>Sport England</b></p> <ul style="list-style-type: none"> <li>We objected to GB1 of the draft BCP as this was not consistent with the NPPF in respect of uses for sport within the Green Belt. There is no reference to addressing this point within the proposed amendment.</li> </ul> <p><b>West Midlands Housing Association Planning Consortium (WMHAPC)</b></p> <ul style="list-style-type: none"> <li>With regards to BCP policies: Policy CSP1, Policy CSP2 and Policy CSP3, there is a proposed intention to amend the text to remove all references to Neighbourhood Growth Areas, release of land from the Green Belt for housing, and compensatory improvements for loss of Green Belt. The WMHAPC opposes this alteration as there appears to be a priority and reliance on delivering housing on brownfield land. This is particularly problematic as it is widely acknowledged that brownfield developments are less viable which will undoubtedly contribute towards their limited delivery of affordable homes. Brownfield sites often require extensive remediation and infrastructure upgrades, leading to large cost implications, significantly increasing development costs and render developments to be financially unviable, thus reducing the provision of</li> </ul> |

affordable housing. Paragraph 69 of the NPPF (2023) is clear that: “Strategic policy-making authorities should have a clear understanding of the land available in their area through the preparation of a strategic housing land availability assessment. From this, planning policies should identify a sufficient supply and mix of sites, taking into account their availability, suitability and likely economic viability.”

**CPRE**

- Welcome inclusion of Green Belt protection and Climate Change. It is important that the Climate Change policy not only addresses design issues but the approach to the location of development within the strategy i.e. seeking to minimise the impact on climate emissions.

**Developers**

- In order to meet the tests of soundness, policies relating to the distribution of objectively assessed housing need in Wolverhampton in the Plan period should be revisited to reduce the unrealistic proportion of housing exported to neighbouring authorities. The approach to policies in the WLP should repeat those in the BCP allocating sites adjacent to the Wolverhampton Urban Area for housing – specifically CSA1 relating to Bushbury.

**Agent**

- The urban cramming of 10,300 new homes (by the year 2042) solely into the inner urban area will result in the loss of extensive areas of sensitive urban green space areas which provide a critically important outdoor recreational resource, serving heavily populated residential areas. Based on 3 cars per household, this will generate an additional 30,900 thousand additional cars on the city’s main urban road networks which are already heavily constrained and heavily congested. Local residents have a fundamental, clear and basic Legal Right “to be able to breathe clean and healthy air”, supported under Article 2 of the European Convention on Human Rights (The Human Rights Act) Legislation, which the spatial strategy is likely to breach. There is already very poor urban air quality within the city and previous Local Plans have failed to tackle severe traffic congestion.
- Given rising knife crime in green spaces in the local area, Local Plan reviews coming forward across the Black Country should now consider pro-active ways to help improve public safety and tackle knife crime, working alongside key partners such as West Midlands Police. Guidance in paragraph 96 (indent b) of the Revised NPPF (December 2023) expects LPA’s to take on board community safety and crime concerns when preparing Local Plans.



**Spatial Strategy: How the main issues raised by the Regulation 18 representations have been addressed in the Wolverhampton Local Plan (Regulation 19)**

**The Spatial Strategy relies too much on delivering housing at high densities on brownfield land, which will be unviable and put pressure on urban greenspace – green belt should be reviewed and released for housing**

- Please refer to response to main issues raised on the Scope of the WLP, and the Preferred Housing Growth Options, above.

**Crime and community safety issues**

- Various amendments have been made to relevant policies throughout the WLP as appropriate.

| <b>4) Infrastructure and Delivery</b>                                      |  |
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| <b>Subject or Policy in WLP (Reg 19)</b>                                   | <b>Key Issues Raised by the Representations<br/>(type of respondents which raised these issues highlighted in bold)</b>  |
| Infrastructure and Delivery Introduction / DEL1 - Infrastructure Provision | <p><b>Environment Agency</b></p> <ul style="list-style-type: none"> <li>This policy should be updated to include reference to Environment Agency Flood Risk Management schemes in the area. These are schemes which are likely to benefit local development and contributions should be sought from developers to facilitate the delivery of these schemes to ensure that the development is sustainable and contributes to the wider area.</li> </ul> <p><b>Sport England</b></p> <ul style="list-style-type: none"> <li>We made a specific point on DEL1 of the draft BCP in respect of viability testing, though this does not seem to be referenced as a proposed amendment. Sport England would object to the loss any existing sports facilities, including loss of playing field that has not been appropriately mitigated in line with para 103 of the NPPF, Sport England's Planning for Sport Guidance, and Playing Fields Policy and Guidance on grounds that it would be unviable to do so. This would not be consistent with national policy since there is no viability criteria to para 103 of the NPPF. This could be addressed by ensuring that the wording of the policy is amended to make clarify that this does not relate to mitigating the impacts of the development, and that viability testing relates solely to required infrastructure to meet the needs of the proposed development.</li> </ul> <p><b>NHS Property Services</b></p> <ul style="list-style-type: none"> <li>Given health infrastructure's strategic importance to supporting housing growth and sustainable development, it should be considered at the forefront of priorities for infrastructure delivery. This is also important to maximising the role of the WLP in supporting and facilitating investment in health infrastructure as highlighted in Issue 3 of the Spatial Portrait. The provision of healthcare services to meet the needs of new residents is essential infrastructure and should be given a significant amount of weight in decision-making. To ensure that healthcare mitigation is appropriately weighted in situations when a viability assessment demonstrates that</li> </ul> |

- development proposals are unable to fund the full range of infrastructure requirements, healthcare facilities should be identified as a key priority in the supporting text and any associated planning documents/planning guidance prepared to provide further detail on the strategic policy.

**Canal & Rivers Trust**

- CRT look forward to working with the Council to ensure the potential of waterways to support sustainable development is unlocked, including through towpath upgrades, access improvements and wayfinding, Suggest that the Black Country Canals Strategy may identify priority areas for investment, which could be fed into infrastructure delivery plans or other relevant documents.
- Where a list of the types of infrastructure that may need to be funded to support development is provided, suggest that 'sustainable travel' and 'green and blue infrastructure' are added.

**Police and Crime Commissioner West Midlands (PCCWM)**

- The plan needs to be clear that social infrastructure includes Police and other emergency services. This could be achieved by way of reference in the policy, a footnote or inclusion in a glossary. The current reference is open-ended.
- The proposals for the provision of at least 9,722 new dwellings (constrained by supply) and consequential increase in population build on an unfortunate increase in crime levels in recent years (91% in Wolverhampton 2016 to 2022). It therefore follows that: The demands placed on the police service are likely to rise as the local population increases; The demands on the police are exacerbated by the major changes in the nature of crime and methods needed to deal with it, particularly regarding cyber-related crime and terrorism; Significant additional resources will be required to meet the Policing requirements from the rising population. This is likely to include not only additional staff, but also supporting equipment and infrastructure; As Wolverhampton’s population increases, there is an urgent need to ensure that new development and growth is supported by adequate policing infrastructure, in the interest of creating sustainable communities.
- WMP has recently updated its Estates Strategy (October 2023) and, in summary, the following is proposed for its sites in Wolverhampton: Pennwood Court - serve notice and vacate at lease expiry, winter 2023; Wednesfield – relocate locally and then dispose, winter 2024 (submitted into call for sites).
- There is some concern that the absence of CIL in Wolverhampton could lead to opportunities to secure financing in support of infrastructure services provided by WMP being missed. Accordingly, the PCCWM would request that a review of the appropriateness of CIL as an implementation mechanism in Wolverhampton be usefully explored as part of the review process.

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|  | <ul style="list-style-type: none"> <li>• To achieve sustainable development, as required by the NPPF and PPG, the necessary support infrastructure must be identified through proactive engagement between the Councils and the infrastructure providers, including the Police. Infrastructure needs and costs arising as a result of the proposed growth in the Plan should be included in the Infrastructure Delivery Plan (IDP) and Viability and Delivery Study and specific requirements should be clearly set out in the individual site allocation policies and/or accompanying masterplan, Development Plan, Area Action Plans (AAPs) or Supplementary Planning Documents (SPDs), to ensure that developers are aware of their obligations at the outset.</li> <li>• The PCCWM was grateful for the inclusion in the BC Viability and Delivery Study of an indicative contribution of £43 per dwelling towards the funding gap in Police infrastructure from the need for additional services arising directly from the proposed scale of growth, as per our preliminary infrastructure shortfall evidence letter dated, 9th July 2020. However, he objected to the failure of the Councils to carry this need for financial contributions in the form of CIL/S106 forward into the policy or justification text. Harm will result if West Midlands Police do not have the necessary funding to maintain an appropriate level of service for existing and for future residents, work and visitors within the four local authority areas. The PCCWM therefore formally requests that Wolverhampton Council engage with his office to ensure that the plan addresses the need for sustainable safe developments supported by essential infrastructure.</li> <li>• Whilst Justification paragraph 4.24 states that, ‘...There will also be locally specified requirements, such as crime prevention measures...’, this does not make clear that West Midlands Police function on a centralised shared resource basis, meaning that it is most appropriate to seek developer contributions from each dwelling within the medium to higher value zones where development has been assessed as viable. Funds will then be pooled to ensure the level of service can be maintained allowing the CCWMP to provide the same quality of Police service to residents in new developments. The PCCWM therefore recommended the justification text be modified as follows: ‘4.24 ...There will also be locally specified requirements, such as crime prevention measures and, where viable in the medium to higher value zones, a requirement for financial contributions (an amount per dwelling) towards Police infrastructure.’ In respect of Wolverhampton, where the CIL is not currently operational, these provisions will need to be dealt with by way of S106 contributions negotiated on a site by site basis.</li> </ul> |
| DEL2 –<br>Balance<br>Between<br>Employment | <p><b>BOC Limited</b></p> <p>The BOC Gas &amp; Gear site, Lower Walsall Street is a noise-emitting operation and the WLP should incorporate measures to protect its activities, as a long-standing existing business employment 250 staff and providing strategic storage and cycling filling, against the imposition of unreasonable restrictions should new development take place</p>   |

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| Land and Housing   | nearby. WLP should ensure new development (especially residential) is carefully designed to mitigate against any adverse noise impacts on the amenity of new residents.     |
| DEL3 – Fibre to the Premises & 5G  | <p><b>Canal &amp; River Trust</b></p> <ul style="list-style-type: none"> <li>• Suggest Policy should recognise opportunities for canals to route infrastructure.</li> </ul> |
| <p><b>Infrastructure and Delivery: How the main issues raised by the Regulation 18 representations have been addressed in the Wolverhampton Local Plan (Regulation 19)</b></p> <p><b>Health infrastructure should be given sufficient weight in the WLP policies</b></p> <ul style="list-style-type: none"> <li>• The Council has been working closely with the NHS Black Country ICB to ensure that there is sufficient primary care provision to meet demand generated by new housing proposed in the WLP over the Plan period, including requiring developer contributions for appropriate sites where viability allows. See Infrastructure Delivery Plan for further details.</li> </ul> <p><b>The introduction of CIL in Wolverhampton should be considered, to provide opportunities to secure funding of West Midlands Police infrastructure services</b></p> <ul style="list-style-type: none"> <li>• The Council has previously considered the likely costs and benefits of introducing CIL in Wolverhampton and concluded that a combination of the patterns of development and viability issues would mean that insufficient revenue would be generated and CIL could place limits on regeneration in the city. Although new homes may place pressure on police services, any extra costs should be funded by increased Council Tax revenues or other Government funding, rather than developer contributions.</li> </ul> <p><b>The WLP should incorporate measures to protect the activities of the BOC Ltd site on Lower Walsall Street</b></p> <ul style="list-style-type: none"> <li>• The WLP does not propose any housing allocations near to this site, and windfall housing development would be precluded by the Health and Safety Executive buffer zone which restricts such development, therefore such specific measures are not required.</li> </ul> |   |

| <b>5) Health and Wellbeing</b>           |  |
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| <b>Subject or Policy in WLP (Reg 19)</b> | <b>Key Issues Raised by the Representations</b><br><i>(type of respondents which raised these issues highlighted in bold)</i>  |
| Health and Wellbeing – General           | <p><b>NHS Black Country ICB</b></p> <ul style="list-style-type: none"> <li>Supportive of WLP including proposed health related policies. This will include the basis for a Health Care Infrastructure SPD, which has been drafted in consultation with the Council. The Black Country ICB, NHS Primary Care Network and ICB Estates Strategies have now been completed to include the measures anticipated in the WLP.</li> </ul> <p><b>Police and Crime Commissioner West Midlands (PCCWM)</b></p> <ul style="list-style-type: none"> <li>Policies could be retitled to cover Health, safety, security and well-being and the policy references strengthened to ensure ‘Secured by Design’ and ‘Park Mark’ principles are integral to new development and investment.</li> </ul>  |
| HW1 – Health and Wellbeing               | <p><b>Local Authority</b></p> <ul style="list-style-type: none"> <li>Support control of hot food takeaways, betting shops and shisha bars</li> </ul> <p><b>Sport England</b></p> <ul style="list-style-type: none"> <li>The proposed amendment refers to replacing the proposed criteria with a requirement to demonstrate a positive effect on health and well-being in line with other policies in the plan. Sport England supported the draft BCP policy, as this aligned well with our Active Environments Big issue and Active Design Guidance. We await to see the proposed wording change before commenting in detail but would wish to re-affirm our view that the policy, and its associated justification should make appropriate reference to Sport England's Active Design Guidance and Active Environments principles to encourage and enable active and healthy lifestyles through sport and physical activity.</li> </ul> <p><b>NHS Property Services</b></p> |

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|  | <ul style="list-style-type: none"> <li>• Support the proposed approach to amending Policy HW1 of the Draft BCP that would allow applicants to demonstrate the proposals have a positive effect on health and wellbeing with reference to other policies in the plan, so long as it is explicit what policies are relevant. We also support the integration of the requirement for a Health Impact Assessment into this policy, and the thresholds proposed for a screening/rapid HIA and a full HIA.</li> </ul>  |
| <p>HW3 –<br/>Healthcare<br/>Facilities</p> | <p><b>NHS Property Services</b></p> <ul style="list-style-type: none"> <li>• The delivery of new and improved healthcare infrastructure is significantly resource intensive. The NHS as a whole is facing significant constraints in terms of the funding needed to deliver healthcare services, and population growth from new housing development adds further pressure to the system. New development should make a proportionate contribution to funding the healthcare needs arising from new development. Health provision is an integral component of sustainable development – access to essential healthcare services promotes good health outcomes and supports the overall social and economic wellbeing of an area. Residential developments often have very significant impacts in terms of the need for additional primary healthcare provision for future residents. National policy and guidance set an expectation for development proposals that impact on local infrastructure to mitigate their impact to be considered sustainable. Given health infrastructure’s strategic importance to supporting housing growth and sustainable development, it should be considered at the forefront of priorities for infrastructure delivery.</li> <li>• The consultation does not propose any specific amendments to Policy HW2 – Healthcare Infrastructure of the Draft BCP. We are supportive of a standalone policy on health care infrastructure and we support Part (1.) of the policy in relation to the requirements for new healthcare facilities. We are also generally supportive of Part (2.) of the policy relating to existing healthcare infrastructure and services, as this acknowledges that the NHS is required to ensure land and property is used efficiently. The NHS requires flexibility with regards to the use of its estate to deliver its core objective of enabling excellent patient care and support key healthcare strategies such as the NHS Long Term Plan. In particular, the disposal of redundant or no longer healthcare suitable sites and properties for best value (open market value) is a critical component in helping to fund new or improved services within a local area.</li> <li>• All NHS land disposals must follow a rigorous process to ensure that levels of healthcare service provision in the locality of disposals are maintained or enhanced, and proceeds from land sales are re-invested in the provision of healthcare services locally and nationally. The decision about whether a property is surplus to NHS requirements is made by local health commissioners and NHS England. Sites can only be disposed of once the operational health requirement has ceased. This doesn’t mean that the healthcare services are no</li> </ul> |

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|  | <p>longer needed in the area, rather it means that there are alternative provisions that are being invested in to modernise services.</p> <ul style="list-style-type: none"> <li>• Where it can be demonstrated that health facilities are surplus to requirements or will be changed as part of wider NHS estate reorganisation and service transformation programmes, it should be accepted that a facility is neither needed nor viable for its current use, and policies within the Local Plan should support the principle of alternative uses for NHS sites. We therefore recommend that the wording of Part (2.) be refined to provide additional clarification about how the policy will be interpreted: “Where healthcare facilities are declared surplus or identified as part of an estates strategy or service transformation plan where investment is needed towards modern, fit for purpose infrastructure and facilities, there will be no requirement to retain any part of the site in a healthcare use.”</li> <li>• We support Part (3.) of the policy that requires major residential development to assess the capacity of existing healthcare facilities/services and required developers to contribute to the provision of improvement of services when the demand generated by the residents of the new developer would have unacceptable impacts on the capacity of these facilities. We note that the supporting text of the Draft BCP refers to an established method adopted by the ICB and would recommend that the Council add further detail to the approach regarding primary healthcare provision within the supporting text to ensure that the assessment of existing healthcare infrastructure is robust, and the mitigation options secured align with NHS requirements.</li> <li>• Part (5.) of the policy prioritises identified infrastructure contributions on site in the site’s immediate vicinity. To align with the NHS Long Term Plan, healthcare providers should have flexibility in determining the most appropriate means of meeting the relevant healthcare needs arising from a new development. Where new developments create a demand for health services that cannot be supported by incremental extension or internal modification of existing facilities, this means the provision of new purpose-built healthcare infrastructure will be required to provide sustainable health services. Options should enable financial contributions, new-on-site healthcare infrastructure, free land/ infrastructure /property, or a combination of these. It should be clarified that the NHS and its partners will need to work with the council in the formulation of appropriate mitigation measures.</li> <li>• In relation to Part (6.) of the policy, please refer to our comments above on (b. Infrastructure and Delivery) in relation to the need to ensure that healthcare is appropriately prioritised when viability is an issue. When undertaking the Viability Assessment to inform the publication version of the Plan, relevant healthcare costs should be factored into the appraisals for the relevant typologies. We recommend this approach because it means that developers are adequately informed in advance that they may be required to make contributions towards healthcare infrastructure. A separate cost input for health infrastructure in the plan viability</li> </ul> |
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|  | assessment should ensure that healthcare mitigation is appropriately weighted when evaluating the potential planning obligation necessary to mitigate the full impact of a development.  |
| HW2 – Health Impact Assessments  | <p><b>Local Authority</b></p> <ul style="list-style-type: none"> <li>• Support inclusion of non-residential development for rapid HIA</li> </ul>   |
|  | <p><b>Canal &amp; River Trust</b></p> <ul style="list-style-type: none"> <li>• Welcome the policy aspiration for regeneration to support an environment that protects and improves the physical, social and mental health and wellbeing of residents, employees and visitors and reduces health inequalities, including by protecting, enhancing and providing new green and blue infrastructure. The canal network has a significant role to play in this regard, whether it be through offering a place for recreation, a route for sustainable travel or a focal point for community engagement, skills development or volunteering. Research by Simetrica carried out for the Trust has demonstrated the wellbeing benefits of spending time by our waterways. Through protecting and enhancing the quality and accessibility of the canal network, we believe that it can deliver more wellbeing benefits for residents.</li> <li>• Green and blue infrastructure should be considered in Health Impact Assessments required under Policy HW2.</li> </ul> |
|  | <p><b>Developer</b></p> <ul style="list-style-type: none"> <li>• Paragraph 5.40 c 5 introduces a requirement for a rapid Health Impact Assessment to be provided on developments of 20 to 100 homes and a full HIA on sites for over 100 homes. There is a common misconception that older person’s housing places an additional burden on healthcare infrastructure. Therefore, rather than requiring applicants of older person’s schemes to show that there is capacity in healthcare systems and to show that the scheme will not have a health impact, the policy should instead recognise the health benefits that delivering older people’s housing can bring to individuals. For any plan to be in line with national policy and effective the plan should recognise the health benefits of older persons housing and not require such schemes to also deliver a health impact assessment.</li> </ul>  |
| <p><b>Health and Wellbeing: How the main issues raised by the Regulation 18 representations have been addressed in the Wolverhampton Local Plan (Regulation 19)</b></p> <ul style="list-style-type: none"> <li>• The Council has been working closely with the NHS Black Country ICB to ensure that there is sufficient primary care provision to meet demand generated by new housing proposed in the WLP over the Plan period, including requiring developer contributions for appropriate sites where viability allows. See Infrastructure Delivery Plan for further details.</li> <li>• The Council has provided clarity on its requirements for Health Impact Assessments and reviewed the criteria against which they will be required.</li> </ul> |  |

| <b>6) Housing</b>   |   |
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| <b>Subject or Policy in WLP (Reg 19)</b>  | <b>Key Issues Raised by the Representations<br/>(Type of respondents which raised these issues highlighted in bold)</b>   |
| <p>HOU2 – Housing Density, Type and Accessibility</p>   | <p><b>NHS Property Services</b></p> <ul style="list-style-type: none"> <li>We note that Part (4.) of Policy HOU2 sets out minimum net densities that should be achieved based on the accessibility standards in the subsequent table, including access to primary care, and the supporting text seeks investment to improve identified gaps in service provision against the standards in the table. As per our comments on Policy HW2 Part (5.), healthcare providers should have flexibility in determining the most appropriate means of meeting the relevant healthcare needs arising from a new development. We recommend the Council liaise with the ICB and other appropriate stakeholders to ensure that the implementation of Policy HOU2 aligns with ICB requirements in the Wolverhampton locality.</li> </ul>   |
| <p>HOU3 – Delivering Affordable, Accessible and Self Build/ Custom Build Housing</p> <p>HOU4 – Housing for People with Specific Needs</p> | <p><b>NHS Property Services</b></p> <ul style="list-style-type: none"> <li>In considering housing needs for Wolverhampton, we suggest the Council consider the need for affordable housing for NHS staff and those employed by other health and care providers in the local authority area. The sustainability of the NHS is largely dependent on the recruitment and retention of its workforce. Most NHS staff need to be anchored at a specific workplace or within a specific geography to carry out their role. When staff cannot afford to rent or purchase suitable accommodation within reasonable proximity to their workplace, this has an impact on the ability of the NHS to recruit and retain staff. Housing affordability and availability can play a significant role in determining people’s choices about where they work, and even the career paths they choose to follow. As the population grows in areas of new housing development, additional health services are required, meaning the NHS must grow its workforce to adequately serve population growth. Ensuring that NHS staff have access to suitable housing at an affordable price within reasonable commuting distance of the communities they serve is an important factor in supporting the delivery of high-quality local healthcare services. We recommend that the Council: Engage with local NHS partners such as the local Integrated Care Board (ICB), NHS Trusts and other relevant Integrated Care System (ICS) partners; Ensure that the local need for affordable housing for NHS staff is factored into housing needs assessments, and any other relevant evidence base studies that inform the local plan (for example employment or other</li> </ul> |

economic policies); Consider site selection and site allocation policies in relation to any identified need for affordable housing for NHS staff, particularly where sites are near large healthcare employers.

**West Midlands Housing Association Planning Consortium (WMHAPC)**

- When formulating policies for the types and sizes of new homes required, the WMHAPC recommends a full review of the affordable housing needs evidence is undertaken ahead of the Local Plan adoption to ensure full accuracy and understanding of current and projected needs.
- It would be positive if the Local Plan acknowledged the role of Housing Associations in providing affordable housing in Wolverhampton and encouraged developers to have early active engagement with Housing Associations in the preparation of planning proposals - this enables Housing Associations to have an active role in the planning and design of developments to ensure that the development addresses local housing needs and meets the management requirements of WMHAPC members.
- In terms of BCP Policy HOU3 'Delivering Affordable Housing', the WMHAPC welcomes the removal of policy wording: "10. Requirement for 20% of housing on brownfield major developments to be accessible and adaptable for wheelchair use" as this requirement may impede affordable housing delivery. Without the appropriate evidence, a blanket application of accessibility targets might undermine the viability of development schemes and through viability testing of application proposals, would result in fewer affordable homes being delivered across Wolverhampton.
- The Council will need to update BCP Policy HOU3 so that it aligns with national policy, particularly with reference to the national requirement 10 dwelling threshold for affordable housing provision.

**Agent**

- The LPA is taking forward a seemingly inflexible, heavily out-of-date, unsound and highly onerous affordable housing and planning obligations policy regime into the emerging Local Plan. These policies are fixed and based on planning policy assumptions made a number of years ago now as part of the evidence base work previously undertaken for the now collapsed Black Country Plan (BCP) Review. This BCP Review evidence is based on insufficiently robust and heavily out-of-date pre-COVID-19 economic data which is no longer defensible or fit-for-purpose.

**Developers**

- The WLP should meet the requirements of NPPF para 62 and PPG para 001 regarding the need to provide housing for older people, as part of the significant boost to supply of housing required by NPPF para 60. This should be based on evidence, including a Viability Study which takes into account the more finely

balanced viability of specialist older persons housing compared to general needs. It is clear there will be a significant increase in older people over the Plan period so this should be a priority for the WLP and be the subject of a standalone policy. Older peoples housing produces a large number of significant benefits which can help reduce demands on health and social services and other care facilities and make more efficient and effective use of public resources, plus economic, social and environmental benefits. It also helps release under-occupied family housing and play an important role in recycling of housing stock in general.

- The need to provide for older persons housing has been strengthened since the publication of the Draft BCP in 2021 and needs to be considered separately within the plan. NPPF aims to boost significantly the supply of housing and deliver a sufficient supply of homes, and para 63 requires the size, type and tenure of housing needed for different groups in the community, including older people, to be assessed and reflected in planning policies. PPG Housing for Older and Disabled People recognises the need to provide housing for older people. The WLP should recognise that housing for older people has its own requirements and cannot be successfully considered against criteria for adaptable and accessible general family housing.
- It is well documented that the UK has an ageing population and that there is a need to deliver more retirement and extra care homes to keep pace with demand. ONS figures show there were 43,446 persons aged 65 and over in 2018, accounting for 16.6% of the total population of the Council area. This age range is projected to increase by 16,258 individuals, or 37.4%, to 59,704 between 2018 and 2043. The population aged 65 and over is expected to increase to account for 20.2% of the total population of Wolverhampton by 2043. In 2018 there were 12,686 persons aged 80 and over, individuals who are more likely to be frail and in need of long-term assistance. The number of people in this age range is forecasted to increase by 6,323 individuals, or 49%, to 19,191 between 2018 and 2043. The population aged 80 and over is anticipated to represent a higher proportion of Wolverhampton's residents, accounting for 4.9 % of the total population in 2018 and increasing to 6.5% by 2043. It is therefore clear there will be a significant increase in older people and the provision of suitable housing and care to meet the needs of this demographic rather than purely just adaptable homes should be a priority of the emerging Local Plan given the population increase and new requirements of national policy.
- Older Persons' Housing produces a large number of significant benefits which can help to reduce the demands exerted on Health and Social Services and other care facilities – not only in terms of the fact that many of the residents remain in better health, both physically and mentally, but also doctors, physiotherapists, community nurses, hairdressers and other essential practitioners can all attend to visit several occupiers at once. This leads to a far more efficient and effective use of public resources.

- A report “‘Healthier and Happier’ An analysis of the fiscal and wellbeing benefits of building more homes for later living” by WPI Strategy for Homes for Later Living explored the significant savings that Government and individuals could expect to make if more older people in the UK could access this type of housing. The analysis showed that: ‘Each person living in a home for later living enjoys a reduced risk of health challenges, contributing to fiscal savings to the NHS and social care services of approximately £3,500 per year; Building 30,000 more retirement housing dwellings every year for the next 10 years would generate fiscal savings across the NHS and social services of £2.1bn per year; On a selection of national well-being criteria such as happiness and life satisfaction, an average person aged 80 feels as good as someone 10 years younger after moving from mainstream housing to housing specially designed for later living.’
- A further report entitled Silver Saviours for the High Street: How new retirement properties create more local economic value and more local jobs than any other type of residential housing (February 2021) found that retirement properties create more local economic value and more local jobs than any other type of residential development. For an average 45 unit retirement scheme, the residents generate £550,000 of spending a year, £347,000 of which is spent on the high street, directly contributing to keeping local shops open.
- As recognised by the PPG, Retirement housing releases under-occupied family housing and plays a very important role in recycling of housing stock in general. There is a ‘knock-on’ effect in terms of the whole housing chain enabling more effective use of existing housing. In the absence of choice, older people will stay put in properties that are often unsuitable for them until such a time as they need expensive residential care. A further Report “Chain Reaction” The positive impact of specialist retirement housing on the generational divide and first-time buyers (Aug 2020)” reveals that about two in every three retirement properties built, releases a home suitable for a first-time buyer. A typical Homes for Later Living development which consists of 40 apartments therefore results in at least 27 first time buyer properties being released onto the market.
- Social Retirement housing gives rise to many social benefits: Specifically designed housing for older people offers significant opportunities to enable residents to be as independent as possible in a safe and warm environment. Older homes are typically in a poorer state of repair, are often colder, damper, have more risk of fire and fall hazards. They lack in adaptations such as handrails, wider internal doors, stair lifts and walk in showers. Without these simple features everyday tasks can become harder and harder; Retirement housing helps to reduce anxieties and worries experienced by many older people living in housing which does not best suit their needs by providing safety, security and reducing management and maintenance concerns.

- The Housing for Later Living Report (2019) shows that on a selection of wellbeing criteria such as happiness and life satisfaction, an average person aged 80 feels as good as someone 10 years younger after moving from mainstream housing into housing specifically designed for later living.
- Older persons housing provides a number of key environmental benefits by: Making more efficient use of land thereby reducing the need to use limited land resources for housing; Providing housing in close proximity to services and shops which can be easily accessed on foot thereby reducing the need for travel by means which consume energy and create emissions; Providing shared facilities for a large number of residents in a single building which makes more efficient use of material and energy resources.
- ONS 2018 population projections show a large increase in the population over the age of 65. For this reason and the requirements of the PPG, the Council should ensure specialist housing to meet the needs of older people, including sheltered housing (retirement living), extra care housing and care homes are addressed as its own typology within the Local Plan and that older person's housing is not confused with wheelchair accessible housing, Lifetime Homes or other specialised housing.
- Ensuring that residents have the ability to stay in their homes for longer is not, in itself, an appropriate manner of meeting the substantial housing needs of older people. Adaptable houses do not provide the on-site support, care and companionship of specialist older persons' housing developments nor do they provide the wider community benefits such as releasing under occupied family housing as well as savings to the public purse by reducing the stress of health and social care budgets. Housing particularly built to M4(3) standard may serve to institutionalise an older persons' housing scheme reducing independence contrary to the ethos of older persons. Older people's housing and particularly extra care housing should be incorporated into the emerging Local Plan separately to wheelchair accessible housing as a priority.
- The best approach towards meeting the diverse housing needs of older people is for the plan to: Update the Strategic Housing Market Assessment to evidence older persons housing need on a Wolverhampton basis; Identify the older person's housing need for Wolverhampton within the plan; Allocate specific sites to meet the needs of older people that are in the most sustainable locations close to key services; Include a standalone policy actively supporting the delivery of specialist older people's housing with good access to services and facilities for older people.
- Developers of older person's housing schemes should not be required to demonstrate need given the significant need identified and the many benefits that such developments bring and if a quantum is specified this should be regarded as a target and not a ceiling. Given also that such developments "help reduce costs to the social care and health systems" (PPG refers), requirements to assess impact on healthcare services and/or make contributions should be avoided.

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|  | <ul style="list-style-type: none"> <li>• Suggested policy: “The Council will encourage the provision of specialist housing for older people across all tenures in sustainable locations. The Council aims to ensure that older people are able to secure and sustain independence in a home appropriate to their circumstances by providing appropriate housing choice, particularly retirement housing and Extra Care Housing/Housing with Care. The Council will, through the identification of sites, allowing for windfall developments, and / or granting of planning consents in sustainable locations, provide for the development of retirement accommodation, residential care homes, close care, Extra Care and assisted care housing and Continuing Care Retirement Communities.”</li> <li>• We would also remind the Council of the increased emphasis on Local Plan viability testing in Paragraph 58 of the NPPF and that the PPG states that “The role for viability assessment is primarily at the plan making stage. Viability assessment should not compromise sustainable development but should be used to ensure that policies are realistic, and that the total cumulative cost of all relevant policies will not undermine deliverability of the plan” (Paragraph: 002 Reference ID: 10-002-20190509). The viability evidence underpinning the Council’s planning obligations and building requirements should therefore be robust.</li> <li>• The viability of specialist housing for older people is more finely balanced than ‘general needs’ housing and we are strongly of the view that these housing typologies should be robustly assessed in the forthcoming Local Plan Viability Assessment update. This would accord with the typology approach detailed in Paragraph: 004 (Reference ID: 10-004-20190509) of the PPG which states that. A typology approach is a process plan makers can follow to ensure that they are creating realistic, deliverable policies based on the type of sites that are likely to come forward for development over the plan period. If this is not done, the delivery of much needed specialised housing for older people may be significantly delayed with protracted discussion about other policy areas such as affordable housing policy requirements which are wholly inappropriate when considering such housing need. If older person’s housing is found to be not viable an exemption must be provided within the plan in order to prevent protracted conversations at the application stage over affordable housing provision and delaying the provision of much needed older persons housing.</li> </ul> |
| <p>HOU5 –<br/>Accommodation<br/>for Gypsies and<br/>Travellers and<br/>Travelling<br/>Showpeople</p> | <p><b>Police &amp; Crime Commissioner West Midlands</b></p> <ul style="list-style-type: none"> <li>• The Policy should require consultation with WM Police and consideration of security, community safety and social inclusion in line with Secured by Design principles.</li> </ul> <p><b>Environment Agency</b></p> <ul style="list-style-type: none"> <li>• Request addition to require sites to be located within flood zones 1 and 2 as gypsy and traveller sites are classified as “highly vulnerable” in accordance with PPG: Flood Risk and Coastal Change. Highly vulnerable development is only appropriate in Flood Zone 2 following the exception test.</li> </ul>   |

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| <p>HOU7 – Houses in Multiple Occupation</p>   | <p><b>Police &amp; Crime Commissioner West Midlands (PCCWM)</b></p> <ul style="list-style-type: none"> <li>• Design and layout matters are crucial to producing high quality housing including ‘Secured by Design’ and ‘Park Mark’ principles. Houses in Multiple Occupation (HMO) present specific safety and security challenges that must be comprehensively addressed.</li> <li>• Recommends introduce a new policy paragraph after bullet point b. as follows: ‘c. would not give rise to unacceptable adverse cumulative impacts on security, crime, anti-social behaviour and the fear of crime.’</li> <li>• Suggest inclusion of a further bullet point to the Policy: ‘i. All proposals will be expected to demonstrate how the relevant ‘Secured by Design’ principles have been met including the outcome of consultation with Design Out Crime Officers (DOCO) at the pre-application stage and preparation of a management plan to demonstrate how the crime prevention measures will be maintained.’</li> </ul> <p><b>Environment Agency</b></p> <ul style="list-style-type: none"> <li>• Policy should only allow conversion to Houses in Multiple Occupation in areas at risk of a 1 in 100 year plus climate change flood event where finished ground floor levels are at least 60cm above the 1 in 100 year plus climate change flood level, to ensure the safety of any future occupants.</li> </ul> |
| <p><b>Housing: How the main issues raised by the Regulation 18 representations have been addressed in the Wolverhampton Local Plan (Regulation 19)</b></p> <p><b>Local housing needs evidence should inform affordable housing requirements and the provision of specialist housing for older people in particular</b></p> <ul style="list-style-type: none"> <li>• An up-to-date Housing Market Assessment (2024) has been produced which has informed the detail of WLP housing policies, including affordable housing requirements (in line with Viability Study findings), M4 accessible and adaptable home requirements (Policy HOU3) and a new Policy HOU4 – Housing for People with Specific Needs. Although Wolverhampton has an ageing population, this is not above the national average, therefore these policies are of sufficient detail to meet NPPF and NPPG requirements regarding this issue.</li> </ul> |   |



| <b>7) Economy</b>                        |   |
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| <b>Subject or Policy in WLP (Reg 19)</b> | <b>Key Issues Raised by the Representations</b><br><i>(type of respondents which raised these issues highlighted in bold)</i>   |
| Economy – General                        | <p><b>Agent</b></p> <ul style="list-style-type: none"> <li>• The Council should focus on protecting existing employment land sites (including lower quality employment land sites which are currently struggling during the severe economic recession), in order to ensure that there is a sufficient ready supply of employment land available to meet local community needs.</li> <li>• Existing office floor-space provision (much of which is currently vacant during the economic recession and a shift in more home working patterns) within Wolverhampton City Centre needs to be urgently protected within Wolverhampton City Centre from changes of use to residential development, in order to help support job creation opportunities for local residents.</li> </ul> <p><b>Tettenhall Community Forum</b></p> <ul style="list-style-type: none"> <li>• Specific options should be stated considering where economic clusters are proposed in order to inform this policy. Employment strategy should not ‘industrialise’ the suburbs and surrounding villages and neighbourhoods of South Staffordshire.</li> <li>• The spatial option should concentrate on existing employment areas in the central and east urban areas, removing north Wolverhampton to prevent the industrialisation of residential suburbs and the history and character of the area. The growth vision only assumes a bi-sector focus on metal/materials and service industry and should consider a more competitive strategy considering employment for multiple industries and market sectors outside of existing cluster characteristics. Southern employment areas of Wolverhampton and those areas with good infrastructure transport links (such as M6 and Black Country Highway) should be prioritised, along with further infrastructure and transport links investment for commercial and commuting purposes, to establish a competitive advantage for Wolverhampton in comparison to other Backcountry areas where better infrastructure exists. Specifically, recent development on the Black Country Highway, and proximity to main transport links around M6, M5 and railways has provided a competitive advantage to other Black Country areas, which has reduced the appeal of Wolverhampton over time.</li> <li>• Objection to Policy EMP5. Change to part 3 of Policy to refer to planning obligations being negotiated with applicants rather than required. It is entirely appropriate that WCC should require contribution, secured</li> </ul> |

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|   | <p>through planning obligation or the CIL Charging Schedule, and reduction of power to remove a mandatory requirement will reduce the quality of infrastructure in the Local Plan area.</p> <ul style="list-style-type: none"> <li>• Section e. Employment specifies an approach to facilitate the growth and diversification of the economy, and provide a balanced portfolio of sites to meet a variety of business needs, including high technology manufacturing and logistics sectors. This approach is an improvement on the constraints of the growth plan defining only a bi-sector planning approach. Vision and strategy elsewhere in the document should reflect this diversified approach. However, this approach is still limited to a few industries and employment sectors and should incorporate a more comprehensive vision which should include an even greater diversification.</li> </ul>   |
| <p>EMP6 – Cultural Facilities and the Visitor Economy</p> | <p><b>Theatres Trust</b></p> <ul style="list-style-type: none"> <li>• We welcome the proposed policy approach (a.7) of protecting and supporting cultural facilities. These are vital for the social and cultural well-being of local people, as well as being important anchor uses within town centres which increase vibrancy and generate additional visitors and footfall. Alongside other community facilities there should be strong policy criteria to avoid unnecessary loss, in line with paragraph 97 of the NPPF (2023).</li> </ul> <p><b>Wolverhampton Speedway</b></p> <ul style="list-style-type: none"> <li>• The Issues and Preferred Options consultation has failed to address the recent eviction of Wolverhampton Speedway from Monmore Green Stadium. The WLP should acknowledge the significance of Monmore Green Stadium as the home of Wolverhampton Speedway and its significance as a sports venue and visitor attraction, and provide permanent protection for the Monmore Green Stadium as a venue for motorsports / for Wolverhampton Speedway unless and until an alternative site of at least as good quality where Wolverhampton Speedway can take place and is identified and allocated in the WLP.</li> <li>• The evidence base fails to take account of the importance and continuing need for a speedway venue in Wolverhampton. The vision and strategic priorities do not embrace the importance of Wolverhampton Speedway and its contribution to the overall quality of life.</li> <li>• The proposed policy approach does not effectively cover provision, improvement or protection of sports stadia in out of centre locations which appears to be a significant omission. The Policies Map provides protection to a very extensive open space network in the city, yet leaves Monmore Green Stadium (and other sports venues) as unallocated land. The Molineux football pitch is identified as a sports pitch, yet the speedway track at Monmore Green is not similarly identified. It is not appropriate that the Policies Map should show the stadium site as unallocated for any purpose while, at the same time, other leisure and open spaces are offered protection through zoning. This is a serious omission, undervaluing the importance of these assets to the city.</li> </ul> |

- Concern that the significant shortfall in capacity for housing in Wolverhampton may add pressure to redevelop a site such as Monmore Green Stadium. It is noted that the Call for Sites is for housing and employment sites only - this places undue pressure on facilities such as Monmore Green Stadium and does not enable alternative sites to accommodate Wolverhampton Speedway to be encouraged through the plan preparation process.
- Policy reference to Monmore Green Stadium might usefully draw attention to the noisy nature of the activities that take place, and how any nearby future developments (especially new housing) need to take full account of this.

**Employment: How the main issues raised by the Regulation 18 representations have been addressed in the Wolverhampton Local Plan (Regulation 19)**

**Need for Up-To-Date Employment Evidence**

- The employment evidence base supporting the WLP has been subject to comprehensive review and updating during 2024 – in particular the Black Country EDNA, Black Country Employment Land Supply Paper and the completion of the West Midlands Strategic Employment Sites Study.

**Monmore Green Speedway**

- As part of the evidence base, Monmore Green is identified in, and has protection under, CWC’s new Open Space Strategy and Action Plan (2024) as an outdoor sports facility and part of the open space network of environmental infrastructure.
- Monmore Green is protected by current policies (that include robust criteria relating to the proposed loss of such facilities) in Wolverhampton’s existing Development Plan that the Wolverhampton Local Plan is not proposing to replace, meaning these policies would continue to apply. Monmore Green is identified in the Bilston Corridor Area Action Plan (BCAAP) as a private sports ground and is protected by Policy BC8: ‘Delivering Environmental Infrastructure at the Local Level’ as part of the open space network of environmental infrastructure. Policies relevant to Monmore Green contained in the Unitary Development Plan (UDP) include: Policy R3 ‘Protection of Open Space, Sport and Recreation Facilities’ and Policy C3 ‘Community Meeting Places’. These policies include the requirement for proposals involving the loss of facilities to explore alternative/ replacement provision and undertake a needs assessment.
- The protection given to stadia, such as Monmore Green, in the current Black Country Core Strategy (BCCS) - part (B) of Policy EMP6 ‘Cultural Facilities and the Visitor Economy’ is augmented in the replacement WLP Policy EMP6: Part (6) cites robust criteria, including UDP Policy C3, relating to proposals involving the loss of such facilities, which include exploring alternative/ replacement provision; Part (14) specifically cites ‘motorsports’ as part of important attractions and events to promote and protect; Para 7.50 g) specifically cites ‘Monmore Green Stadium’ as part of the range and diversity of cultural and tourist assets

in Wolverhampton; Para 7.51 emphasises relevant uses where the robust criteria of UDP Policy C3 Community Meeting Places would apply, including proposals involving the loss of sui generis facilities

- WLP Policies CEN1 'Centres and Centre Uses' Part 6 a) and para 8.13 b), and CEN3 'Provision of Local Facilities' part 2 and para 8.33, emphasise that proposals involving the loss of Community Facilities should comply with Wolverhampton UDP Policy C3, and proposals involving the loss of uses related to cultural facilities and the visitor economy should also comply with Policy EMP6 (6). The importance of leisure uses is emphasised in Policy CEN1 Parts 1. & 2., and the importance of the leisure, evening and visitor economy to the Strategic Centre and Town Centres is emphasised in Policy CEN2 'Wolverhampton's Centres' parts A.iii.c and B.iv respectively, and paras 8.22 and 8.24. Whilst the Centres evidence base has focussed on commercial leisure capacity, the importance of motorsports (including Speedway) and Monmore Green stadium is recognised and subject to policy protection in the WLP (such as policies EMP6 and ENV8, and other Development Plan policies such as BCAAP policy BC8 and UDP policies R3 and C3) which include the requirement for proposals involving the loss of facilities to explore alternative/ replacement provision and undertake a needs assessment.
- The protection given to stadia, such as Monmore Green, in the current BCCS - part (B) Policy ENV6 'Open Space, Sport and Recreation' will also be provided in the replacement WLP Policy ENV8 'Open Space and Recreation', particularly part 3 and paras 10.85 and 10.90. These policies provide sufficient protection for recreational facilities such as Monmore Green, taking into account housing pressures.
- Monmore Green Stadium is not identified as Employment Land, nor is it allocated for Housing or Employment in the WLP. It is not within the WLP scope to identify or allocate a new Speedway site (including a site in the green belt) – as the WLP scope is to provide housing and employment allocations and is not required to include a green belt review. Notwithstanding that currently Monmore Green stadium is unavailable for Speedway to use, British Speedway Promoters Ltd (BSPL) consider it still remains a suitable location for motorsports provision and this is supported in the policy approach set out above.
- Monmore Green is owned by Entain – a private company who terminated Wolverhampton Speedway's lease in October 2023 and stated they planned to focus on greyhound racing at the venue. The Council have urged Entain to reconsider this decision while working with the owner and promoter of Wolverhampton Speedway to try and find alternative accommodation. The Council will continue to work with Wolverhampton Speedway and partners to either restore speedway at Monmore Green Stadium or find an alternative site, subject to planning considerations.
- Monmore Green Stadium is located in a protected employment area and there are no proposed housing sites nearby. The WLP and other retained Development Plan policies deal sufficiently with noise impacts relating to planning applications and the protection of employment uses (e.g. Policy DEL2 – Balance Between Employment Land and Housing). Therefore, such specific wording is not required.

| 8) Centres                                   |   |
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| Subject or Proposal in WLP (Reg 19)          | Key Issues Raised by the Representations<br><i>(type of respondents which raised these issues highlighted in bold)</i>  |
| <b>Centres - General</b>                     | <p><b>Local Authority (Dudley MBC)</b></p> <ul style="list-style-type: none"> <li>The Wednesbury to Brierley Hill Metro Extension route linking to the existing Wolverhampton to Birmingham route at Wednesbury Interchange will improve sustainable access and afford greater opportunities along the travel corridor for leisure and shopping.</li> </ul> <p><b>Residents</b><br/>Highlighted issues, challenges and elements of importance, including:</p> <ul style="list-style-type: none"> <li>Businesses closing (vacancy levels)</li> <li>The number of charity shops</li> <li>Poor quality environment (such as dereliction, graffiti and rubbish) does not make the city a place where people would want to live</li> <li>Crime is a cause for concern and the importance of youth services</li> <li>We need a plan to make our city a clean and a desirable place to live</li> </ul> |
| <b>Policy CEN1 - Centres and Centre Uses</b> | <p><b>Historic England</b></p> <ul style="list-style-type: none"> <li>A reference to the role and contribution that can be made by supporting heritage tourism would be beneficial</li> </ul> <p><b>Wolverhampton Speedway</b></p>  |

- No assessment of the need for a Speedway in the city has been carried out and the overall WLP Policy approach does not effectively cover provision, improvement or protection of sports stadia in out of centre locations.

**Police and Crime Commissioner West Midlands (PCCWM)**

- Strongly welcome the commitment to include proposed wording reflecting the requirement to consider the threat of terrorism and measures to minimise crime and anti-social behaviours which can be associated with large gatherings reflecting the guidance in both PPG and the NPPF
- The Plan does not discuss safety and security matters - suggest strengthening the discussion by reference to maximising the extent, safety and security of the public realm and open space including integration of 'Secured by Design' and 'Park Mark principles including 'Liaison with West Midlands Police's Design Out Crime Officers'.
- Problems of the evening economy can include an increase in crime or the fear of crime, with people not feeling safe, and reduction in the use, and therefore a spiral of closure of entertainment/ night-time facilities. Whilst suggested wording to the Draft Black Country Plan has been taken on-board it is not clear that the addition to the text of the policy is proposed for inclusion so, that request is repeated.

**Theatres Trust**

- Welcome the proposed policy approach of protecting and supporting cultural facilities which are vital for the social and cultural well-being of local people, as well as being important anchor uses within town centres - increase vibrancy and generate additional visitors and footfall. Alongside other community facilities there should be strong policy criteria to avoid unnecessary loss of such facilities

**Residents**

- Welcomed that no development allocations are proposed for the green belt and emphasised that ensuring development (particularly housing) is focussed on brownfield sites (including the city centre) will help support local shops and businesses, prevent urban sprawl and prevent the city from looking so abandoned
- Welcomed that the WLP recognises revitalising town centres as a priority
- To encourage growth and improve the skills base etc the city has got to become more appealing.
- Emphasised the importance of the visitor economy to Wolverhampton, particularly its perception by residents and visitors, and the importance of creating a distinctive destination and having a joined up

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|   | <p>aligned approach to improve the visitor economy experience, including: ensuring listed buildings are protected and made more visible, and ensuring our high streets are vibrant, clean, attractive and safe for visitors and workers, particularly at night-time</p> <ul style="list-style-type: none"> <li>• The Plan mentions canals but has no section on tourism despite its assets (such as theatre, West Park, racecourse and art gallery)</li> </ul>   |
| <p><b>Policy CEN2 - Wolverhampton's Centres</b></p> | <p><b>Transport for West Midlands</b></p> <ul style="list-style-type: none"> <li>• positive that the role is recognised for public transport interchanges in Wolverhampton city centre and Bilston town centre</li> <li>• More mixed use and higher density developments along key public transport corridors and transport hubs reduces travel (along with its impacts) and delivers on more sustainable travel behaviours. This could be achieved in the city centre - if more housing was delivered in such locations, this would help invigorate the centre.</li> </ul> <p><b>Canal &amp; Rivers Trust</b></p> <ul style="list-style-type: none"> <li>• Welcome the Plan's intention to emphasise the value of natural and cultural aspects of the city centre for the visitor economy and that the city centre should be accessible by a variety of means of transport, particularly walking, cycling and public transport</li> <li>• The Plan should acknowledge that the canal network offers sustainable transport links to the city centre</li> </ul> <p><b>Residents / Agent</b></p> <ul style="list-style-type: none"> <li>• Highlighted multiple issues with the city centre such as offices, safety and crime, and the implications of the national economy</li> <li>• The city council is out of touch with what is required for the city - better investment and a revived city centre is needed.</li> <li>• The city centre should be used for housing, particularly as there has been a reduction and change in retail activity</li> <li>• The city centre could be improved by regeneration, particularly via section 106 contributions.</li> <li>• Lack of information about the city centre, including how to encourage city centre living</li> <li>• The town centre is a big concern and development in the Bilston area is at expense of rest of the town.</li> </ul> |

## **Centres: How the main issues raised by the Regulation 18 representations have been addressed in the Wolverhampton Local Plan (Regulation 19)**

The main issues raised by the 2021 Regulation 18 Draft Black Country Plan consultation informed the Centres sections in the WLP Issues & Preferred Options Main Document (February 2024), particularly 'Issue 5: Centres' (paras 3.27-3.29), 'Proposed Policy Approach: Centres f. 1-16' (para 5.40) and Appendix 2: Specific amendments to Draft Black Country Plan policies (Centres pp.70-72), and relevant elements have informed the approach to centres and centre-uses in the WLP Publication (Regulation 19) Main Document.

The main issues raised by the February 2024 Regulation 18 WLP Issues & Preferred Options consultation representations have informed the approach to centres and centre-uses in the WLP Publication (Regulation 19) Main Document, particularly:

- Challenges facing centres are acknowledged in, for example, 'Issue 5 – Centres' paras 1.76 – 1.78 and Policy CEN1 para 8.6, and Policy CEN2 para 8.20. [Residents]
- The importance of the visitor economy to centres is emphasised in Policy CEN1(6)(a) and para 8.13(b); Policy CEN2(A)(iii)(c) and paras 8.22 and 8.24; and Policy CEN3(2) and para 8.33; together with other policies particularly Policy EMP6. The importance of tourism is specifically referenced in Policy CEN1 para 8.13(c) (including natural and cultural heritage), and addressed in Policy EMP6. These include criteria (and referencing other relevant Development Plan policies) to help protect against the loss of such facilities. [Residents, Historic England & Theatres Trust]
- The importance of safety in centres is emphasised in Strategic Priority 9 (Table 2); paras 8.1 & 8.2; Policy CEN1(6)(c) & para 8.13(c); and the importance of safety in the provision of local facilities not in centres is emphasised in Policy CEN3(1)(e) & (2) and para 8.37. Maximising the extent, safety and security of the public realm and open space including integration of e.g. 'Park Mark' principles is made by Policy CEN1(6)(c) directing to the relevant primary policy (ENV10), and part (1)(e) specifically in para 8.13(c). The requirement to consider the threat of terrorism and measures to minimise crime and anti-social behaviours which can be associated with large gatherings is contained in Policy EMP6(5). As the respondent's suggested wording for CEN1 directly replicated the EMP6(5) wording, Policy CEN1(6)(c) makes it explicit that relevant proposals are subject to complying with the requirements of the primary policy (EMP6(5)); together with referencing Policies CSP2 and ENV10. In addition, as large gatherings are particularly associated with leisure and the evening economy and are therefore especially relevant to Wolverhampton City Centre, Policy CEN2 (A)(iii)(c) specifically directs to Policy CEN1(6)(c) and EMP6. [PCCWM]
- Information about the city centre, particularly encouraging and maximising city centre living, is set out as part of the WLP's spatial strategy, including Policy CSP1(5)(c) and paras 3.16, 3.19b and 3.23; and Policy HOU1. The crucial role played by



residential uses in regenerating centres (such as the use of upper floors), particularly the city centre, is included in Policy CEN1(6)(b) and para 8.13b; and Policy CEN2(A)(ii) and paras 8.19, 8.23 and 8.27 [Residents, TfWM and Agent]

- The sustainable transport links to the city centre offered by the canal network, is reflected in Policy CEN2 para 8.22; Policy TRAN5(3) and para 9.35; and Policy ENV7(1), and paras 10.78 and 10.79. [Canal & Rivers Trust]

| <b>9) Transport</b>   |  |
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| <b>Subject or Policy in WLP (Reg 19)</b>                        | <b>Key Issues Raised by the Representations</b><br><i>(type of respondents which raised these issues highlighted in bold)</i>  |
| Transport – General   | <p><b>Police &amp; Crime Commissioner West Midlands</b></p> <ul style="list-style-type: none"> <li>• Suggest that that the references to parking under point 11 should also refer to 'Park Mark' principles being incorporated.</li> </ul> <p><b>Tettenhall Community Forum</b></p> <ul style="list-style-type: none"> <li>• Objection to Policy TRAN1. Add reference, in introductory text and justification, to production of a transport evidence base for the land use allocations. TRAN1 and this policy, or a derived WLP Policy should state that land use allocations should be considered against Neighbourhood Plan policies, where they exist, and evidence of amenity use, or loss thereof, in addition to [just] transport evidence.</li> </ul> <p><b>Local Authority</b></p> <ul style="list-style-type: none"> <li>• The Council should feed any transport demand growth assumptions into transport considerations for the A4123 corridor transport interventions being developed jointly by Dudley, Sandwell and Wolverhampton.</li> <li>• The Council should continue to work with Dudley Council and Black Country Travel regarding upgrading of Sustrans NCN 54/81, particularly areas around Coseley and Bilston.</li> <li>• The WLP should take account of the planned future delivery of the Wednesbury to Brierley Hill Metro Extension route, which will improve sustainable access and provide greater opportunities along the travel corridor for employment, and within Wolverhampton for housing, leisure and shopping.</li> </ul> |
| TRAN1 – Priorities for the Development of the Transport Network | <p><b>Sport England</b></p> <ul style="list-style-type: none"> <li>• Sport England made specific points in respect of the draft BCP policies TRAN1 and TRAN5 relating to promotion of Active Travel priorities and developer contributions towards Active Travel provision which do not seem to have been addressed in the proposed amendments, as set out below:</li> <li>• Supports part 2) of the policy that refers to all new developments must provide adequate access to all modes of travel including walking and cycling and the need to meet accessibility standards. However, the policy stops short of requiring developments to contribute to a modal shift to active travel which seems a missed opportunity, since a strong case can be made for requiring developers to do their part to reduce reliance on private cars. Can the policy be strengthened to address this point. Sport England supports part 3) of the</li> </ul>   |

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|  | <p>policy that includes reference to prioritising key transport corridors for active travel, though the key transport corridors listed in part 4) of the policy do not specifically include any priorities relating to walking and cycling, referring only to priorities for motorways, rail, rapid transit, key road corridors, and interchanges. The associated justification also doesn't make any reference to active travel priorities. This then suggests that the priorities are not active travel related. Can this be addressed by strengthening the policy to provide reference to key corridors for walking and cycling, potentially linked to the national cycle network, existing infrastructure such as canal towpaths, etc.</p> |
| <p>TRAN5 –<br/>Creating<br/>Coherent<br/>networks for<br/>Cycling and for<br/>Walking</p>  | <p><b>Canal &amp; River Trust</b></p> <ul style="list-style-type: none"> <li>• We support the requirement, where possible, for existing links such as the canal network to be enhanced, consistent with Policy ENV7 and suggested amendments to Policy DEL1.</li> <li>• Suggest Policy TRAN5 supporting text promotes improving canal network links to / from neighbouring areas, as part of sustainable travel.</li> </ul>  |
| <p><b>Transport: How the main issues raised by the Regulation 18 representations have been addressed in the Wolverhampton Local Plan (Regulation 19)</b></p> <p><b>The WLP should take account of up-to-date sub-regional traffic modelling and reflect the current position on transport schemes across the wider region.</b></p> <ul style="list-style-type: none"> <li>• The WLP transport policies, proposals and designations take into account the results of detailed Black Country traffic modelling and the most recent information on transport schemes in the region.</li> </ul> <p><b>See also response to Duty to Cooperate main issues, above.</b></p> |  |

| <b>10) Environment and Climate Change</b>      |   |
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| <b>Subject or Policy in WLP (Reg 19)</b>       | <b>Key Issues Raised by the Representations</b><br><i>(type of respondents which raised these issues highlighted in bold)</i>   |
| ENV1 Nature Conservation                       | <p><b>Canal &amp; River Trust</b></p> <ul style="list-style-type: none"> <li>Any text to set out the special justification and level of mitigation necessary for the limited number of developments proposed in the WLP which will result in loss of part of a SLINC should be carefully worded to be compliant with NPPF and PPG.</li> </ul>   |
| ENV2 Cannock Chase SAC                         | <p><b>Local Authority</b></p> <ul style="list-style-type: none"> <li>(South Staffs) Support inclusion of Cannock Chase SAC 15km zone of influence.</li> <li>(South Staffs) Support ongoing regional work to determine likely impact of growth and air quality on European sites, including in-combination effects.</li> </ul> <p><b>Canal &amp; River Trust</b></p> <ul style="list-style-type: none"> <li>Welcome intention to carry out monitoring and air quality modelling to estimate the impact of traffic arising from WLP developments on Fens Pool and Cannock Extension Canal SAC – which are owned by CRT. Any text should acknowledge liaison with CRT as well as Natural England and relevant local authorities.</li> </ul>  |
| ENV3 Nature Recovery and Biodiversity Net Gain | <p><b>Environment Agency</b></p> <ul style="list-style-type: none"> <li>Welcome the amendments proposed to Policy ENV3 which will capture requirements for biodiversity gain plans, monitoring arrangements and management for 30 years. We would like to see the policy (or supporting text) provide explicit reference to the aquatic environment in Wolverhampton (freshwater, wetlands, rivers and canals) and the role BNG can play in improving water quality, water resources, flood protection and other benefits by management of rivers and wetlands, including restoring natural processes. Government guidance makes it clear that a developer can count River Basin Management Plan mitigation towards the total BNG for a development.</li> </ul> <p><b>Canal &amp; River Trust</b></p> <ul style="list-style-type: none"> <li>The canal network is likely to have an important role to play as part of nature recovery strategies and biodiversity net gain.</li> </ul> <p><b>Woodland Trust</b></p> |

- The WLP should go beyond minimum requirements for BNG and be an example of best practice, requiring development projects to deliver 20 per cent BNG. Consideration should be given to the quantum of other investment sources (public and private) which will be needed in order to meet these targets. The WLP should require BNG units to be maintained for a minimum of 50 years, not just the 30 set out in the Environment Act - this is particularly important for woodland creation, as it takes many decades for new woods to reach maturity and their full ecological potential. BNG should deliver a rich mix of habitats including native woodland, informed by LNRSs. Habitat creation funded through other mechanisms (such as public funds) should also be maintained in the long term.
- The WLP should give strong weight to LNRSs for development site allocation at a local level. This will be essential to embed avoidance of impacts to existing sensitive natural assets, by providing a 'spatial' element to site allocation decisions. It is vital that development is allocated in a way which protects important sites for nature, maintains ecological integrity and maximises potential enhancements from land in recovery. Once a site has been allocated in a local plan, it is more likely to receive planning permission, so it is essential to embed ecologically coherent criteria for spatial prioritisation at the framework level. LNRSs should also be used to inform priority locations for the provision of green infrastructure, and habitat creation and enhancement through BNG.

#### **RSPB**

- Urge the Council to make provision of universal nest bricks for birds explicit through a development condition within WLP policy and suggest a Supplementary Planning Document is produced to complement this Policy, which will provide detailed guidance on how to incorporate nesting opportunities for Swifts and other Red-Listed bird species including House Martins, House Sparrows and Starlings within development proposals. Sandwell and Dudley Councils are already working with RSPB on this theme and collaboration would result in a consistent approach with potential to make a big difference to birds of conservation concern in the West Midlands. We would also be happy to support the Council to put in place specific policies for species of conservation concern, especially for red-listed birds including Swifts, House Martins, House Sparrows and Starlings.

#### **Swift Groups**

- There is little about urban wildlife, in particular species that need our buildings. Many bird species that need buildings are now red listed. A few generations ago the sight of swifts and starlings in towns was common but they have now been lost due to the building methods used in new developments and renovations of older property. Swift bricks are a universal nest brick for several species of small bird and should be included in all new developments, including extensions, according to best practice guidance - see BS42021. Swift groups across

the country are working to ensure a future for swifts, house martins, sparrows and starlings in our urban environment - these birds have often been forgotten in current legislation and blue/green enhancements to our towns. Swifts are important for connecting people to nature where they live - without the need to travel to a special place to see wildlife.

#### **Developers / Home Builders Federation**

- Significantly more information, assessments and analysis around BNG, and Viability (for BNG and viability more generally) is needed to support the WLP. The Council should not deviate from the Government's requirement for 10% biodiversity net gain as set out in the Environment Act. The Plan should provide certainty for developers and a clear BNG policy with a fixed 10% figure, rather than the policy including the phrase "at least 10%" would help to provide this. There are significant additional costs associated with biodiversity gain, which will need to be fully accounted for in the Council's viability assessment. It is important that BNG does not prevent, delay or reduce housing delivery. Although the national policies requiring 10% BNG cannot be subject to site specific viability discussions, any policy requirements over 10% can be. Any policy seeking more than 10% BNG needs to reflect this position.
- It is also important to note that for large and complex sites where the development is phased, the guidance is clear that the 10% must be delivered at the end of the development, and this may not result in 10% BNG on each phase. Additional advice on phased development has been provided in the new BNG PPG. The costs of BNG must also be considered as part of the whole plan viability assessment and should be specified as a single specific item, not combined into a generic s106 costs item. There are significant additional costs associated with biodiversity net gain, which should be fully accounted for in the Council's viability assessment, some of which are unknown at this time. It is important that BNG does not prevent, delay or reduce housing delivery. The costs relate both the financial costs and also land take- which will impact on densities achievable if BNG is provided on site.
- As this is still a new policy area and the market for off-site provision, and statutory credits are not yet known, any figure used for BNG costs will need to be kept under review as BNG implementation progresses and a greater understanding of actual costs become available. The Whole Plan Viability Assessment should clearly set out how it considered the implications of mandatory BNG and how it was arrived at using the most up to date BNG costs information available.
- Suggest there is a need for this policy and supporting text to say more about Local Nature Recovery Strategies. As the LNRS emerges it will be important for this Local Plan to be kept under review and further public

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|                          | <p>consultation on the interaction between the two documents and/or changes to Local Plan policy to reflect the LNRS may be needed.</p> <ul style="list-style-type: none"> <li>• Encourage the Council to ensure the Local Plan fully considers the new BNG requirements in relation to site allocations. This is likely to require undertaking an assessment of the baseline to support the allocation to enable an understanding the BNG requirements for a site to be allocated and the impact this may have on viability and other policy requirements and considerations. It will be important to understand the BNG costs of mandatory BNG as this is non-negotiable and as such may impact on the viability of the site and its ability to deliver against other policy requirements such as affordable housing or other s106 asks.</li> <li>• There seems to be significant potential for confusion around environmental hierarchy, and suggest particular care is needed to avoid any confusion between the well-established mitigation hierarchy and the new BNG hierarchy. There is need for the policy wording and/or supporting text to be clearer about the differentiation between the mitigation hierarchy (which seeks to avoid harm in the first place, then mitigate and only then compensate it in relation to protected habitats) and the BNG delivery hierarchy (which prioritises on-site BNG delivery, then off-site units and finally allows for statutory credits). There seems to be significant potential for confusion between the two difference hierarchies. Therefore suggest the Council should take particular care to explain how the requirements of the two-part BNG hierarchy work in different ways and that they seek to achieve different aims.</li> <li>• Reference could also usefully be made within the Plan to the small sites metric. This is intended to be a less complex statutory metric that can be used to set out how 10% BNG will be secured on small sites. It can only be used for on-site BNG delivery. The national mandatory 10% BNG policy will apply to small sites from April 2024.</li> <li>• The new DEFRA and DHLUC guidance is clear that going beyond the mandatory 10% requires evidence and there is a need to show that this will not impact viability. No such evidence exists to support a higher figure in Wolverhampton. However, the introduction of mandatory BNG is significant new requirement and it will be important for the viability implications of this new policy is considered in the whole plan viability assessment on the WLP. It will be important to understand if this non-negotiable national policy requirement has any knock-on implications for other policy areas ‘asks’, notably the amount of affordable housing that can be delivered. BNG will also impacts on the density of hosing schemes that can be provided, as land used for on-site BNG is not be available for housing.</li> </ul> |
| ENV4 Trees and Hedgerows | <p><b>Wildlife Trust for Birmingham and the Black Country</b></p> <ul style="list-style-type: none"> <li>• There should be less specific focus on the protection of provision of new trees through development and a broader consideration of the provision and protection of valuable natural and semi-natural habitats instead. Whilst we do not disagree that trees are an important resource in urban to suburban environments (not only for biodiversity, but also aesthetically, for mental well-being and as carbon-sinks), they cannot be considered</li> </ul>  |

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|   | <p>the 'be-all and end-all' of biodiversity provision. Trees may not always be appropriate for a development, and not all trees are of high value for biodiversity.</p> <p><b>Woodland Trust</b></p> <ul style="list-style-type: none"> <li>• The Council's tree canopy cover is just 13.8 per cent, which contrasts to an average of 38 per cent across the EU. Therefore, we believe that woodland creation and conservation should be a major priority for the WLP.</li> <li>• Protection of valued habitats must be at the heart of the WLP. In particular, irreplaceable habitats, including ancient and veteran trees, must be protected from loss and damage. To achieve this, the WLP should: give weight to the relevant LNRS which should identify ancient woodland sites, to ensure that development is not allocated in close proximity to ancient woodland; encourage recording of veteran trees on the Ancient Tree Inventory and consider locations where it might be suitable to place a Tree Preservation Order on any ancient, veteran or notable trees recorded; and encourage a buffer zone to exceed the minimum distances stipulated in planning advice.</li> <li>• For non-ancient and veteran trees, the WLP should adopt the Bristol Tree Replacement Standard with respect to felling and specify replacement trees be planted no more than 12 times the distance of the original tree's trunk diameter, to correspond with root extent area.</li> <li>• The WLP should set standards for high quality green infrastructure for development. Everyone should be able to see three trees from their home and no one should be more than 300 metres from the nearest natural green space, with safe and accessible routes. Consideration should also be given to the Woodland Trust's Access to Woodland Standard which aspires that everyone should have a small wood of at least two hectares in size within 500 metres of their home, and a larger wood of at least 20 hectares in size within four kilometres of where they live.</li> <li>• A strong tree retention standard for responsible development must also be embraced, ensuring the preservation of trees and their ecological benefits. This standard will require a thorough tree survey during initial site investigations, categorising trees by their health and quality (A, B, C or U), and submitting a clear Tree Retention Plan. Additionally, it will mandate the creation of a Tree Protection Plan, safeguarding tree root systems and establishing construction exclusion zones (CEZs).</li> </ul> |
| ENV5 Historic Character and Local Distinctiveness | <p><b>Historic England</b></p> <ul style="list-style-type: none"> <li>• The policy should be clear to set out the need to protect and conserve the significance of heritage assets and their setting. Including recognition that heritage assets are 'irreplaceable resources' and harm should be 'wholly/exceptional' (NPPF paragraph 195/206).</li> </ul>   |



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| <p>ENV7 Canal Network</p> | <p><b>Canal &amp; River Trust</b></p> <ul style="list-style-type: none"> <li>Given the change to a Local Plan dealing solely with land within the Wolverhampton boundary there is an opportunity to make this policy more relevant to the local context.</li> <li>The policy addresses the use of the canal network for sustainable travel. Towpaths within the city are also used by residents in neighbouring areas to access facilities and opportunities the city offers. There are developments proposed within these areas that are likely to increase such usage. Much of the towpath network within the city has been upgraded, except for parts of the Wyrley and Essington Canal north of Wednesfield, where funding is needed to upgrade the towpath. Together with the provision of wayfinding, the use of the towpath for active travel and recreation should be enhanced by improving or introducing access points. It is noted that Part 2(g) of Policy ENV7 does refer to providing links to transport hubs, centres, and opportunities for employment. Of note, in the Wolverhampton context, access from the Old Mainline Canal to Wolverhampton Railway Station should be improved providing a more direct link via a new access point. Enhanced canal frontage at the new railway station was noted previously in the Wolverhampton City Centre Area Action Plan 2015 – 2026. Improving towpath connectivity to the station will become more important as brownfield sites come forward for development close to the city centre, providing better sustainable transport links to the station for onward travel. If this connection is likely to be delivered after the adoption of the WLP then it should be identified in the WLP to ensure it is delivered. Therefore, we suggest additional amendments to the policy and/or justification text is as follows: Amend ‘reinstate and/or upgrade towpaths,’ within sub-heading 2(g) to ‘reinstate, introduce and/or upgrade towpaths and access points’ for the reasons discussed below; and Clarify that towpath and access improvements may need to be delivered through planning obligations, planning conditions or other relevant means or mechanisms consistent with Policy DEL1.</li> </ul> <p><b>Police &amp; Crime Commissioner West Midlands (PCCWM)</b></p> <ul style="list-style-type: none"> <li>Objection to the omission of reference to the need to consider crime, anti-social behaviour, and the fear of crime when planning for the canal network to provide a ‘focus for future development’. The policy objectives of delivering ‘...a high-quality environment and enhanced accessibility for pedestrians, cyclists, and other non-car-based modes of transport...’ will, we contend, be dependent upon people being and feeling safe. Propose the following wording is added to the policy: ‘3) Where opportunities exist, all development proposals within the canal network must:... d. positively relate to the opportunity presented by the waterway by promoting high quality design, incorporating crime prevention measures by reference to Secured by Design principles to reduce crime, the fear of crime and anti-social behaviour including providing active frontages onto the canal and by improving the public realm; e. include a management plan where appropriate to, for</li> </ul> |
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|  | <p>example, ensure any planting does not provide concealment or facilitate illegal access to property or premises.</p>   |
| <p>ENV8 Open Space and Recreation</p> <p>ENV9 Playing Fields and Sports Facilities</p> | <p><b>Sport England</b></p> <ul style="list-style-type: none"> <li>• We raised various detailed points objecting to the draft BCP policy (provided below) on the basis that the wording of the policy did not accord with Sport England's Playing Fields Policy and Guidance, and the guidance in para 99 of the NPPF (now para 103). We note that the intention is to address this by separating the playing field and built sports facility elements of ENV8 and justification into a new strengthened policy which reflects national guidance and Sport England best practice. We are generally supportive of the proposed amendments to ENV8 subject to the following points : We would strongly recommend that open space policy and its associated justification is also amended to make it expressly clear that the open space policy does not apply to playing fields and built sports facilities, and that the relevant policy for such provision is the new policy. This is to ensure that there is no inconsistency or potential conflict between the two respective policies.</li> <li>• Support the references to provision of new built sports facilities to meet identified needs that are well-designed and in accessible locations and to securing developer contributions to address the needs of new housing developments, through proportionate planning obligations or CIL. We would advocate that the following be added to the policy: "The wider community use of school playing fields, other school facilities, such as sports halls, and private facilities will be encouraged, especially in areas where public provision is deficient and would encourage such use to be secured via a suitably worded community use agreement"</li> <li>• Sport England would wish to see appropriate reference in the reasoned justification to using Sport England's calculator tools as a basis for determining appropriate level of contributions since this draws from data collected for the PPOSS.</li> <li>• There is a lack of detail to identify the scale of development for which such developer contributions would be sought and so the Council may wish to address this in the policy and reasoned justification.</li> </ul> <p><b>Response to Draft BCP carried forward:</b></p> <ul style="list-style-type: none"> <li>• Support recognition of the opportunities that major developments provide in contributing to the greening of the Black Country, and the specific references in points 5a, 5b and 5c to green infrastructure opportunities. These opportunities can be realised in most developments at any scale - request that this should not apply only to major developments.</li> <li>• New development that is not appropriately located and/or well-designed can adversely impact nearby areas of public realm, green and blue infrastructure and open space in many of these ways. Suggest that either a point 8 should be added to policy to address adverse impacts on such areas or point 7 should be amended to indicate</li> </ul> |

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|                           | <p>that development will need to avoid adversely impacting areas of public realm, green &amp; blue infrastructure or open space in these ways (where appropriate).</p> <ul style="list-style-type: none"> <li>• The policy is a missed opportunity to reference Active Design and Active Environments Principles which would sit well with the other principles of good design that are referenced in this policy and would then cross relate to the reference in policy ENV8, and to the other parts of the plan that relate to Health and Well-Being. For instance, could the wording of this policy be strengthened to require major developments to demonstrate they have addressed Active Design issues by providing an Active Design Checklist? (see appendix A of the attached guidance) <a href="https://www.sportengland.org/how-we-can-help/facilities-and-planning/design-and-cost-guidance/active-design">https://www.sportengland.org/how-we-can-help/facilities-and-planning/design-and-cost-guidance/active-design</a></li> <li>• We are supportive of this policy and have a few queries. What is meant by clause 1a? Are there views linked with clause 1b and how have these been defined? We suggest that a link to Policy ENV5 is also necessary in clause 1e. We support clause 4.</li> </ul>  |
| ENV10 High Quality Design | <p><b>Sport England</b></p> <ul style="list-style-type: none"> <li>• We made a specific point in response to draft BCP Policy ENV9 about adding suitable reference to the draft BCP policy regarding Active Design and Active Environments principles, cross relating to other policies in the plan, including for instance those relating to health and well-being. The proposed amendment does not address this point.</li> </ul> <p><b>Police &amp; Crime Commissioner West Midlands (PCCWM)</b></p> <ul style="list-style-type: none"> <li>• Any high quality design policy should include reference to safety and security of new development and more generally within the public realm; and also include consideration of crime prevention measures, Secured by Design, Park Mark principles, and the need for a maintenance plan to reduce crime, the fear of crime and anti-social behaviour.</li> <li>• Welcome the proposed policy requirement that Design and Access Statements should demonstrate that a number of aspects of design have been addressed, including, ‘...d) consideration of crime prevention measures and Secured by Design principles, in addition to the requirements of Part Q of the Building Regulations 2010 or any successor legislation;...’ This does not go far enough as it does not have a requirement for Park Mark principles to be incorporated into development proposals. The policy wording should be amended as follows: ‘2) Development will be designed to the highest possible standards, creating a strong sense of place. Development proposals must address as appropriate:... f) the need to ensure crime prevention measures and ‘Secured by Design’ and ‘Park Mark’ principles are incorporated to reduce crime, the fear of crime and anti-social behaviour.’</li> </ul> |

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|                                    | <ul style="list-style-type: none"> <li>• Welcome the inclusion in paragraph 7 of the policy requirement that development must not cause a detrimental impact on the living environment of occupiers of existing residential properties, or unacceptable living conditions for future occupiers of new residential properties, including in terms of 'h) crime and safety'.</li> <li>• Welcome the wording of justification paragraph 10.134 - request the sentiments of that reference is retained but applied specifically to Wolverhampton. Reiterate the need for developers, as well as the local authorities, to engage with the West Midlands Police Design Out Crime Officers (DOCO) at the pre-application as well as the planning application stage.</li> <li>• Welcome proposed inclusion of a clause that states that suicide prevention should be considered in the design of all new public buildings, multi-storey car parks, bridges and other infrastructure projects.</li> </ul> <p><b>Canal &amp; River Trust</b></p> <ul style="list-style-type: none"> <li>• Guidance should be included in the WLP to provide “a proactive approach to mitigating and adapting to climate change, taking into account the long term implications for” .....” the risk of overheating from rising temperatures” consistent with para 158 of the NPPF. The University of Manchester has undertaken research into the effect of urban cooling from the Rochdale Canal on Manchester City Centre and concluded that there is a notable cooling effect from the canal. Supporting text should recognise the cooling benefits of the waterway network.</li> </ul>   |
| ENV12 Flood Risk and Water Quality | <p><b>Environment Agency</b></p> <ul style="list-style-type: none"> <li>• Policy CC5 Flood Risk is good and is directly informed by the recommendations of the Black Country Strategic Flood Risk Assessment (2019). The specific amendment highlighted Appendix 2 (page 76) is ‘include a new policy on water quality’ and it was not clear whether this meant CC5 would be replaced by this, or the new water quality policy would be additional. Policy CC5 should be retained given the SFRA evidence and importance of reducing flood risk for the city. The potential cumulative impact of development on flood risk is set out in section 7.3 of the SFRA and highlights ‘high risk’ areas to the north and west of Wolverhampton. The conclusions from this are that this supports the need for incremental action and betterment in flood risk terms. Policy CC5 part 17 is strong in requiring all developments seek ‘wider betterment’ and contribute to ‘a reduction in overall flood risk downstream.’ Additional flood storage, green and blue infrastructure and partnership funding contributions towards wider community schemes are mechanisms mentioned to achieve this. Financial contributions should also extend toward the running of flood warning and flood alert services within the area when a proposed development would benefit directly / indirectly from their provision.</li> <li>• Welcome proposed new policy on water quality to address current River Basin Management Plan and Water Framework Directive priorities relevant to the Wolverhampton area, supported by updated water cycle study evidence as required. We would like to see a draft of this policy before the next stage of consultation.</li> </ul> |

- Rivers such as the Smestow Brook, Darlaston Brook, Warstones Brook and River Tame Tunnel are identified as WFD water bodies and contribute to Wolverhampton's natural environment. Evidence from the Severn and Humber River Basin Managements Plans 2022 and local catchment plans and partnerships such as Love Your River Stour and Tame, Anker and Mease Catchment Action Management Plan 2017 can support this approach. Until the adoption of the WMCA Local Nature Recovery Strategy, the RBMPs and catchment plans can supplement the priorities for nature recovery and offer opportunities for on and off-site BNG. We support therefore the WLP requiring residential developments including conversions and houses in multiple occupation to achieve 110 litres per head per day in line with Part G2 of Building Regulations 2010. We think given the change of water stress classification and pressures of climate change there is a need to go further and consider other types of development. We recommend that for non-residential development over 1000sqm, BREEAM 'excellent' standards for water consumption should be met when water resources are under pressure. We encourage you to also include policy requirements for grey water recycling and rainwater harvesting for new developments (designed at an appropriate scale). This would help create places resilient to climate change, contribute toward achieving net zero emissions and reduce the demand for water.

***Responses made to the Draft BCP – requested to be carried forward***

- It may be necessary for development to incorporate mitigation and resilience measures designed to reduce the risk of flooding from other sources. Suggest amending point (f) to refer to any potential source of flooding would be consistent with the NPPF and NPPG.
- Water scarcity and energy use embedded in water purification, delivery and subsequent treatment of wastewater. Policy body only mentions water efficiency in relation to conversions (g), and greywater and rainwater collection as a means of reducing run-off (e).
- Recommend CC1 include reference to the need to ensure both water resources and quality are considered in this policy to ensure water efficiency and protection and enhancement of the water environment is a priority.
- The outcomes of WCS Phase 2 on water quality and reduction in river flow should feed into this policy.
- Recommend the policy is reworded as follows: 1 (i) *new developments should reduce their water usage as far as possible through sustainable water demand management (in line with the requirements of ENV9).*
- It may be necessary for development to incorporate mitigation and resilience measures designed to reduce the risk of flooding from other sources. Suggest amending point (f) to refer to any potential source of flooding would be consistent with the NPPF and NPPG.
- Water scarcity and energy use embedded in water purification, delivery and subsequent treatment of wastewater. Policy body only mentions water efficiency in relation to conversions (g), and greywater and rainwater collection as a means of reducing run-off (e).

- Recommend CC1 include reference to the need to ensure both water resources and quality are considered in this policy to ensure water efficiency and protection and enhancement of the water environment is a priority. The outcomes of WCS Phase 2 on water quality and reduction in river flow should feed into this policy. Recommend the policy is reworded as follows: 1(i) new developments should reduce their water usage as far as possible through sustainable water demand management (in line with the requirements of ENV9)
- Point 11 - Flood Risk Groundwater Source Protection Zones: Although we welcome the inclusion of this point, this should not sit within flood risk policy CC5 as it is not do with flood risk. In light of our comments in relation to the water cycle study, foul drainage and river basin management planning we recommend an additional policy is added which addresses the protection of water quality and the wider water environment, sitting aside from flood risk, climate change and biodiversity-specific issues. This policy requirement would sit better within such a policy body.
- Our groundwater protection guidance documents state that in SPZ1 and SPZ2, the Environment Agency will only agree to proposals for infrastructure developments of non-national significance where they do not have the potential to cause pollution or harmful disturbance to groundwater flow or where these risks can be reduced to an acceptable level via Environmental Permitting Regulations if applicable. Where a new infrastructure development presents a significant risk to groundwater, the Environment Agency may require a programme of groundwater monitoring to be designed, agreed, installed and undertaken to give early warning of any developing groundwater pollution and/or interference to groundwater flow. This programme may include off-site locations if necessary to identify pollution and to allow monitoring in the event that the site becomes inaccessible. Where appropriate, the Environment Agency will use its powers to require this at existing sites.
- Point 12 - This section should highlight the relevant River Basin Management Plans which provide additional detail on the de-culverting and the creation of naturalised watercourses.
- Point 14 - This should be expanded to read to link into the requirements under point 15 'Development should not take place over culverted watercourses and a suitable easement should be provided from the outside edge of the culvert'.
- Point 15 - We welcome this policy as it goes beyond the Environment Agency's statutory remit in permitting development along watercourses which only requires an 8m easement along Main Rivers for flood risk maintenance and access purposes.
- Supporting text should include reference to the Main Rivers to support the general statement of 10m easement from main rivers.
- Point 17 - We strongly recommend the addition of the following element to this point to which supports sustainable development.

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|                                  | <ul style="list-style-type: none"> <li>• ‘Land that is required for current and future flood management will be safeguarded from development. Where development lies adjacent to or benefits from an existing or future flood defence scheme the developer will be expected to contribute towards the cost of delivery and/or maintenance of that scheme’.</li> <li>• We strongly support this part of the policy and welcome the provision of safeguarding land for flood risk management. This approach is in line with planning policy guidance which states, ‘If an area is intended to flood, e.g., an upstream flood storage area designed to protect communities further downstream, then this should be safeguarded from development and identified as functional floodplain, even though it might not flood very often’.</li> <li>• Point 9c) States that an FRA will be required for minerals or waste development. As this is not a requirement of the NPPF we query the reason for including this, and the evidence base to support its inclusion. The Environment Agency would not look to review such information under our role as a statutory consultee and as such would likely fall to the LLFA to undertake such review. Such sites would be regulated under the Environmental Permitting Regulations with a mind to preventing pollution. Surface drainage is addressed within these permits. Any such FRA would need to take this into account and ensure any consideration of drainage issues are complementary and no duplication of the planning and permitting regime occurs.</li> <li>• This policy should take into account the latest climate change allowances are available on the following website: <a href="https://www.gov.uk/guidance/flood-risk-assessments-climate-change-allowances">https:// www.gov.uk/guidance/flood-risk-assessments-climate- change-allowances</a>. Please note the guidance has recently been updated to give more local climate change figures.</li> <li>• This policy should reference the latest Strategic Flood Risk Assessment to take account updates to this assessment to ensure that developments are using the latest assessments of flood risk in the area.</li> </ul> |
| ENV13<br>Sustainable<br>Drainage | <p><b>Canal &amp; River Trust</b></p> <ul style="list-style-type: none"> <li>• It is important to ensure that the WLP is effective in minimising the probability and consequences of flooding from all sources, in accordance with the NPPF.</li> <li>• New water quality policy should not conflict with Policy ENV7 – Canal Network, given there are links between the wider canal network and river system in terms of water supply feeders and canal overflow weirs that discharge into river systems.</li> <li>• Developers need to be aware that sluices and weirs that CRT use to remove excess water from canal infrastructure may run in culvert under their site - even some distance from the canal. The same applies for feeders. Feeder abstraction points will soon be under licence conditions so any development near a point on a watercourse where the Trust abstracts must not alter the current set up.</li> </ul> <p><b>Canal &amp; River Trust</b></p> <ul style="list-style-type: none"> <li>• Subject to CRT agreement to technical and commercial details, surface water can be sustainably discharged to the canal network. Water levels in the canal network are managed by the Trust using control structures</li> </ul>  |

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| Systems and Surface Water Management | <p>such as weirs and sluices to maintain a suitable depth for navigation by boats, but also to try to avoid water levels becoming too high in periods of heavy rainfall where runoff from hard surfaces can lead to excess water passing into the canals. Given this, surface water discharge to canals can be a highly effective way of managing local surface water flood risk and may allow development of sites that would otherwise not be viable due to concerns with alternative site drainage options.</p> <ul style="list-style-type: none"> <li>• SUDs adjacent to or connecting to canals will need to be maintained to ensure they function as they were designed to and do not cause pollution or excess flows. In the interests of local flood risk management and the protection of water quality, where a site proposes SUDs, this system should be designed in a way that if it were to fail the canal would not be inundated with water.</li> </ul>   |
| ENV14 Energy and Sustainable Design  | <p><b>Local Authority</b></p> <ul style="list-style-type: none"> <li>• (Dudley, Walsall) Request clarity on deletion of some parts of Draft BCP climate change policies.</li> </ul> <p><b>Environment Agency</b></p> <ul style="list-style-type: none"> <li>• When considering your climate change policy, it will be useful to consider the historic environment within this context; both in terms of how the historic environment can contribute to the agenda including through appropriate reuse of buildings and sensitive renewable energy generation opportunities, as well as when climate change mitigation/renewable energy generation are unsuitable within the context of heritage assets.</li> <li>• Ground Source Heat Pump (GSHP) systems can be used for heating or cooling and are, in principle, energy and CO2 efficient. However, unless they are managed carefully there is the potential that the ground and groundwater can eventually warm or cool to a point where the system cannot continue to operate efficiently, or at all. Adjacent systems may also interfere with each other. The system operator should also consider potential for loss or damage to third parties. The following key issues should be taken into consideration: <ul style="list-style-type: none"> <li>• Risk of the pipes or borehole(s) creating undesirable connections between rock or soil layers. This may cause pollution and/or changes in groundwater flow and/or quality; Undesirable/unsustainable temperature changes in the aquifer or dependent surface waters; Pollution of water from leaks of polluting chemicals contained in closed loop systems; Pollution of water from heat pump discharge from an open loop system that contains additive chemicals; Impacts of re-injection of water from an open loop system into the same aquifer, both hydraulic and thermal, as well as any water quality changes induced; The potential impact of groundwater abstraction for ground source heat systems on other users of groundwater or surface water. We expect developers to undertake appropriate prior investigations for these systems. This should include environmental risk assessment and method statements for the construction and operation of the systems. These may be provided as part of the planning process.</li> </ul> </li> </ul> |



- Any proposals for renewable and low carbon energy generation may be subject to the requirement of the Environmental Permitting Regulations and therefore require an environmental permit under the Environmental Permitting (England & Wales) Regulations 2016, from the Environment Agency, unless an exemption applies. For such proposals we recommend that the Environment Agency is contacted for further advice and to discuss the issues likely to be raised. Surface water heat pumps may also require permits from the Environment Agency.

**Canal & River Trust**

- We welcome the expectation in Draft BCP Policy CC2 that heat sources for a communal heating system should be chosen to minimise likely emissions. The use of fossil fuels and all forms of energy generation that rely upon the combustion of carbonaceous feedstocks will need to be phased out and replaced by zero carbon, non-polluting and energy-efficient sources. Sustainably maximising the use of heat extraction from the canal network should have a valuable role to play in this.
- The expectation that heat sources for a communal heating system should be chosen to minimise likely emissions could be strengthened by setting out a hierarchy against which developers and decision makers will be expected to assess proposals. Such an approach is set out in policy SI 3 (D) of the recently adopted London Plan. It gives preference to zero-emission and local secondary heat sources over lower emission solutions like combined heat and power. The definition of secondary heat within the plan includes heat that exists naturally within the environment (air, ground and water)

**West Midlands Housing Association Planning Consortium (WMHAPC)**

- With regards to Policy CC7 Renewable and Low Carbon Energy and BREEAM Standards / paragraphs 10.208- 10.211, the WMHAPC welcomes the intention to remove the requirement for all major developments to deliver a 19% carbon reduction improvement above Part L of Building Regulations. This comes as planning policies should not aim to replicate building regulations.

**CPRE**

- The WLP should promote the use of rooftop solar energy generation e.g. on roofs of factories, warehouses, and other buildings; and by providing a roof over car parks. This constitutes a corollary to so-called solar farms, which are taking productive agricultural land out of use for the foreseeable future. There is so little agricultural land in Wolverhampton, that a specific policy to discourage its use for solar electricity generation

seems pointless, but a policy is desirable to encourage the use of brownfield land for this, where this can be done without disturbing existing beneficial uses.

**Developer**

- The NPPF makes no reference to BREEAM standards. BREEAM is a building regulations standard and sits outside the remit of planning policy legislation. Therefore the requirement to meet BREEAM standards does not align with national planning policy and should therefore be omitted from the WLP.

**Agent**

- Concerns that highly onerous Climate Change Net Zero policies are being taken forward in the WLP which will place a financially damaging burden on new housing development proposals coming forward at a time when the house building construction industry is operating within a severe 300-year-economic recession-event climate, the construction industry is being adversely affected by prolonged high interest rates, high inflation, high energy costs and a huge spike in the financial costs of both building materials and significant increases in skilled construction labour costs. This will all affect the financial viability of new housing development schemes coming forward across Wolverhampton and the wider Black Country.

**Environment and Climate Change: How the main issues raised by the Regulation 18 representations have been addressed in the Wolverhampton Local Plan (Regulation 19)**

**Need to address potential harm to European sites from WLP proposed developments, particularly that arising from air quality impacts from increased traffic movements**

- This issue has been addressed through partnership working with neighbouring authorities and Natural England (see WLP Duty to Cooperate Statement for further information) and is addressed in the WLP Habitats Regulations Assessment (HRA) of the WLP Reg 19. Subject to the views of Natural England on the HRA, the Council hopes to be able to conclude that the WLP Reg 19 has met the integrity test.

**Requests to increase biodiversity net gain requirements (above national requirements) and require bird boxes and bricks.**

- Given the marginal viability of some site allocations, high development pressures and the high housing density assumptions set out in the WLP, it is not practical, viable or justifiable to require biodiversity net gain beyond the strong national requirements. WLP is a strategic plan, and therefore it is not appropriate to introduce detailed development control requirements such as for bird boxes.

**Request a strong tree policy, including an increase in tree canopy cover, strong protection of existing trees and a high tree replacement standard**

- These issues have been addressed in Policy ENV4, which is a robust and comprehensive tree policy, reflecting the Council's Tree and Woodland Strategy, recent Wolverhampton Tree Planting Strategy (2023) and tree-planting initiatives over past decades.

**Various changes to Policies ENV8 and ENV9 requested by Sport England to strengthen policy approach**

- Majority of issues raised are addressed in the WLP Reg 19

**Environment Agency support for Draft BCP Policy CC5, subject to various suggested changes and updated SFRA evidence, and the introduction of a new water quality policy, to be supported by Water Cycle Study Phase 2 evidence**

- A Level 1 and Level 2 SFRA has been completed to support the WLP Reg 19, which has fed into development of Draft BCP Policy CC5 to become a Wolverhampton specific flood risk and water quality policy in the WLP Reg 19. It has not been possible to commission a Water Cycle Study Phase 2, however subsequent work by Severn Trent and discussions with Environment Agency regarding this work and the water quality policy have adequately addressed the issues raised by the Black Country Phase 1 Scoping Water Cycle Study and the Environment Agency WLP Reg 18 response.

**Rooftop solar energy generation should be promoted in the WLP**

- This issue is fully addressed in Policy ENV14, which replaces the existing BCCS 10% renewable energy policy (which is not now appropriate in the context of changes to building regulations) with a strong requirement for all relevant developments to maximise solar power generation on roofs.

**BREEAM standards relate to building regulations and are outside the remit of planning policy legislation**

- BREEAM standards are well established and certify quality and sustainability in the built environment, including running costs, health and wellbeing and environmental impact. Minimum standards are first applied and then developers are able to choose from a menu of other measures to reach the total credits necessary to achieve certification to the required level. BREEAM is in accordance with national planning policy, and is a requirement in existing adopted BCCS policy and other Development Plans across the country. It is not directly related to building regulations.

| <b>11) Waste</b>                         |  |
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| <b>Subject or Policy in WLP (Reg 19)</b> | <b>Key Issues Raised by the Representations<br/>(type of respondents which raised these issues highlighted in bold)</b>  |
| Waste - General                          | <p><b>West Midlands Resource Technical Advisory Body (WMRTAB)</b></p> <ul style="list-style-type: none"> <li>• WMRTAB was formed in 2011 and its overarching aim is to support co-operation between Waste Planning Authorities (WPAs) and others in the West Midlands, by providing objective and authoritative technical advice concerning the sustainable management of material resources and strategic waste management data, issues, and development policies and proposals. In particular, WMRTAB helps WPAs meet their obligations under the Duty to Cooperate for plan making. Wolverhampton City Council is a member of WMRTAB and their SCG.</li> <li>• It is noted that The Black Country Waste Study was updated in September 20223 and although some information on arisings and management in Wolverhampton is provided it does not provide information on any specific future capacity requirements within Wolverhampton. We note that this will be addressed as part of the work to develop the waste management strategy and associated policies.</li> <li>• Paragraph 5.46 of the Draft WLP Issues and Preferred Options outlines that ‘It is proposed to carry forward the waste and mineral allocations set out in Tables 46, 47 and 48 of Chapter 13-Wolverhampton of the Draft Black Country Plan (2021) into the WLP unchanged’. However, it appears that, at this stage, comments are not invited on these allocations and nor on how they will address any waste management strategy which it appears has yet to be determined. In preparing policies on waste management, WMRTAB notes that it is important that these are prepared to be consistent with other policy and guidance on waste management including: National Planning Policy for Waste and associated PPG; NPPF; Waste Management Plan for England 2021; Resources and Waste Strategy 2018; Environment Act 2021; The local municipal waste management strategy.</li> <li>• Key matters to consider will include principles such as ‘sustainable’ waste management; the waste hierarchy; reducing the amount of residual waste sent to landfill; proximity principle; protection of the environment and human health and maintenance of net self-sufficiency; climate change mitigation and adaptation. Policies within the Plan should also consider the need for all new developments (including mixed use, residential and non- residential) to address waste management, including minimising waste, incorporating waste management into the design and layout of new schemes, production and management of construction, demolition and excavation wastes. Again, WCC’s attention is drawn to the WMRTAB SCG.</li> </ul> |

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| <p>W1 - Waste Infrastructure – Future Requirements</p>  | <p><b>Environment Agency</b></p> <ul style="list-style-type: none"> <li>We support the amendment to Policy W1 Waste Infrastructure Future Requirements to update the waste figures to reflect the most recent Black Country Waste Study update (2022). We generally support the principles set out in the policy such as support for the waste hierarchy. We support part (b) of the policy in promoting opportunities for the co-location of waste developments that can use each other’s waste materials. This supports a circular economy. A circular economy involves potentially expanding and rebranding Household Waste and Recycling Centres, into local Reuse, Recycling, Donation and Rental Centres. These centres ensure useful items can retain their value under a new owner and complements initiatives such as Freecycle and other social media platforms where items can be exchanged or sold on. It’s worth noting a circular economy will probably require more infrastructure capacity and land take as processing waste needs space for bulking and storage of both inward and outward materials and accommodating multiple handling stages. Parts (c) and (d) of the policy will help in securing sufficient capacity and access for these activities. We support part (f) of the policy. Traditional waste management facilities can come with some inevitable amenity impacts. Controlling the size of operations (such as through limited hours of operation and vehicle movements) helps address impacts on range of sensitive receptors. However, these impacts cannot always be eliminated. Suitably sized buffer zones can still be required to mitigate issues such as noise, odour, and dust.</li> </ul> <p><b>Historic England</b></p> <ul style="list-style-type: none"> <li>Any waste policy will need to have a criteria-based approach for considering new waste facilities which clearly sets out the implications for the historic environment. If any new waste facilities are being proposed for allocation through the WLP, then they would require Heritage Impact Assessment, if there are any impacts for the historic environment.</li> </ul> |
| <p>W4 – Key Considerations for Waste Developments</p>   | <p><b>Canal &amp; River Trust</b></p> <ul style="list-style-type: none"> <li>Local Employment Areas are identified as the preferred locations for waste management facilities. Many of these are located along the canal network and, as such, the development of new facilities has the potential to have a significant impact on the local natural and built environments of the canals.</li> </ul>  |
| <p><b>Waste: How the main issues raised by the Regulation 18 representations have been addressed in the Wolverhampton Local Plan (Regulation 19)</b></p> <p><b>WMRTAB requests to update the waste evidence base and incorporate the findings into WLP waste policies</b></p> |  |

| <ul style="list-style-type: none"> <li>The Black Country Waste Study has been updated for Wolverhampton and the findings incorporated into the WLP waste policies.</li> </ul>   |  |
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| <b>12) Minerals</b>   |  |
| <b>Subject or Policy in WLP (Reg 19)</b>  | <b>Key Issues Raised by the Representations</b><br><i>(type of respondents which raised these issues highlighted in bold)</i>  |
| Minerals -<br>General   | <p><b>Historic England</b></p> <ul style="list-style-type: none"> <li>Any minerals policy will need to have a criteria-based approach for considering new minerals sites which clearly sets out the implications for the historic environment. The policy will also need to consider appropriate restoration principles for when the minerals development ceases to operate. If any new mineral sites are being proposed for allocation through this Local Plan, then they would require Heritage Impact Assessment, if there are any impacts for the historic environment.</li> </ul> |
| <p><b>Minerals: How the main issues raised by the Regulation 18 representations have been addressed in the Wolverhampton Local Plan (Regulation 19)</b></p> <p><b>Need for minerals developments to consider impacts on the historic environment</b></p> <ul style="list-style-type: none"> <li>WLP Policy MIN3 setting out criteria for mineral developments includes consideration of the effects on the historic environment in order to avoid potential adverse environmental impacts.</li> </ul> |  |

| <b>13) Site Allocations</b>                       |   |
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| <b>WLP Reg 18 / Reg 19 Site Reference</b>         | <b>Key Issues Raised by the Representations<br/>(Residents and Stakeholders)</b>  |
| <b>Stakeholders – General &amp; Site Specific</b> | <p><b>Natural England</b></p> <ul style="list-style-type: none"> <li>• In accordance with NPPF para171, the plan should allocate land with the least environmental or amenity value. Expect sufficient evidence to be provided, through the SA and HRA, to justify the site selection process and to ensure sites of least environmental value are selected, e.g. land allocations should avoid designated sites and landscapes and significant areas of best and most versatile agricultural land and should consider the direct and indirect effects of development, including on land outside designated boundaries and within the setting of protected landscapes. It should be recognised that some previously developed land is important for biodiversity as it can contain the open mosaic habitats (dataset), a priority habitat. Site selection must also be informed by the SA and HRA.</li> <li>• Sustainability Appraisal incorporating Strategic Environmental Assessment: it should be clear how this has informed and provided justification for the sites selected for allocation assessed against reasonable alternatives. Recommendations and findings from the assessments should also be used to inform mitigation measures and design principles for the allocated sites.</li> <li>• Habitats Regulations Assessment: mitigation and avoidance measures identified through the HRA should be secured through policies in the Plan. Where mitigation or avoidance is not possible the site should not be allocated. Natural England broadly agrees with the conclusions drawn within the SEA and HRA scoping; that it is unlikely that any of the proposed site allocations will have a significant impact on any designated sites (SSSI, SAC, SPA or RAMSAR) alone. Welcome the production of a draft HRA, which should be used to inform the further development of the Wolverhampton Local Plan. Ideally the plan will be written to avoid impacts on Habitats Sites.</li> <li>• Due to potential pathways for impacts through a combination of air quality, water quality, water quantity, recreation and disturbance, the following habitats sites have been scoped in for further assessment in the HRA process: Air pollution - Fens Pool SAC and Cannock Extension Canal SAC; Water quality and quantity changes - Severn Estuary SAC / SPA / Ramsar, Humber Estuary SAC / SPA / Ramsar Cannock</li> </ul> |

Chase SAC, Cannock Extension Canal SAC, Motte Meadows SAC, Pasturefields SAC, River Mease SAC, West Midland Mosses SAC, Ensor's Pool SAC, Midland Meres and Mosses Phase 1 Ramsar, Midland Meres and Mosses Phase 2 Ramsar; Recreational impacts - Cannock Chase SAC

- Natural England broadly agrees with the scope of the HRA, however regarding air quality, we note that the HRA states that local plans do not cause air-quality impacts beyond 10km. Natural England does not agree with this application of a distance threshold. Particularly in regard to Cannock Chase SAC which has been scoped out for further assessment due to the distance from the plan area. However, due to the proximity of strategic road links and the possible increase in visitor numbers to the SAC from the plan area we would advise the site is scoped in for further assessment. The 10km distance threshold can be a useful guide to identify the broad areas that may be impacted by air quality. However, we do advise that it is used with a degree of caution, especially if a large increase in residential or commercial development is included in a local plan. For example, it is feasible that a particularly large development may create sufficient traffic to affect a road that is more than 10km away from the development itself.
- Natural England would also welcome a re-consideration of 3.5.23 which states: "Cannock Extension Canal SAC has been noted to be sensitive to hydrological impact. Cannock Extension Canal SAC and Plan area are both located within the Trent Valley Staffordshire surface water management catchment. The WLP area feeds into River Tame which joins the River Trent downstream of the SAC, and therefore there are no hydrological links to the Plan area and water quality effects are considered to be unlikely". We would advise further consideration of any likely significant effect the development plan may have on the water quality within the canal network, and subsequently, the Cannock Extension Canal SAC.
- Welcome removal of residential site SA-00540-WOL, as development on this site would have a significant impact on the Monmore Green Disused Railway SINC.
- Employment site E17 is highlighted as having a potential significant impact on Birmingham Canal, Wolverhampton Level SINC. If these impacts are unavoidable, it is suggested that it is removed from allocation, and a more suitable site found for Employment development.
- Sites H2, H3, H4, H5, H9, H13, E2, E7, E8, E15 and E18 are also flagged as having a minor negative impact on the SINC, due to an increased risk of development related threats and pressures. If suitable mitigation measures cannot be secured for any of these sites, alternative sites should be sought. The same consideration should be given for the sites which may have negative impact on SLINCs (E7, E12, E20, E21, E25 and H12).



### **Historic England**

- We note that many of the proposed site allocations are stated as ‘existing allocations’ from other Development Plan Documents (DPDs). As these allocations have been assessed through other DPDs and followed the appropriate processes we are not commenting on any existing allocations from previous Plans. We would request, however, that if any heritage assessments highlighted avoidance/ mitigation/ enhancement strategies in order for the allocations to be sound, then these should be carried forward into site specific policies to ensure that the appropriate measures are taken during the development management stage. At this stage we are unclear on the assessment methodology for the proposed site allocations in respect of the historic environment. The proforma states whether there are any ‘heritage assets on site or significantly affecting boundaries’, however it should consider if there are any heritage assets at a further distance such as 500m or 1km where effects may still occur. The Sustainability Appraisal process highlights harm for a significant number of the proposed allocations. In a number of cases the proforma has set out that there could be harm to heritage assets and we would require additional detail in this case to fully understand what that harm may be and whether the principle of development is acceptable and if harm can be avoided/ mitigated or whether there are any enhancement opportunities that could be sought. Historic Environment Advice Note 3 sets out additional detail on how to consider the historic environment within site allocations.
- Site E4 – we note that the site has outline planning permission. Are there any heritage considerations with this site? If so, what heritage assessment has been undertaken and how can this inform the Plan and future reserved matters application.
- Site E9 - we note that the site has planning permission. Are there any heritage considerations with this site? If so, what heritage assessment has been undertaken and how can this inform the Plan in case the current application is not delivered.
- E10 - we note that the site has planning permission. Are there any heritage considerations with this site? If so, what heritage assessment has been undertaken and how can this inform the Plan in case the current application is not delivered.
- E11 – proforma states there are no known heritage issues on the site/ significant boundary issues. What methodology has been considered? Has the Council considered the impacts for heritage assets over a larger distance such as 500m/1km?
- H11 – no site assessment available for this site. The Plan sets out that there is a listed building on site. Can we have sight of the heritage impact assessment for this site to ascertain the level of harm and how

the proposal will affect the heritage asset. At this stage we require additional information to be able to offer informed advice but we are concerned about the potential harm to this heritage asset.

- H12 – the site assessment for this site sets out that there are heritage assets which could be affected through this development, notably a locally listed building and the Bilston Canal Conservation Area. We would require a heritage impact assessment to understand what the harm to the significance of these heritage assets is and whether there are appropriate avoidance/ mitigation measures to overcome any harm.
- E17 – the site assessment states that there could be an impact on the Birmingham Canal Conservation Area. We would require a heritage impact assessment to understand if there is any harm to the significance of this asset and if the harm can be avoided/ mitigated.
- E18 - proforma states there are no known heritage issues on the site/ significant boundary issues. What methodology has been considered? Has the Council considered the impacts for heritage assets over a larger distance such as 500m/1km?
- H16 – no site assessment for this site. Did the planning application raise any issues for heritage that should be carried forward into the Plan in case this development is not delivered?
- H17 - no site assessment available for this site. The Plan sets out that there is a listed building on site. Can we have sight of the heritage impact assessment for this site to ascertain the level of harm and how the proposal will affect the heritage asset. At this stage we require additional information to be able to offer informed advice but we are concerned about the potential harm to this heritage asset.
- H18 / H19 / H20 / H21 – no site assessment available for this site. If there are any heritage assets that could be affected, we would require site of a heritage impact assessment.

#### **Sport England**

- We made representations regarding proposed housing allocations in the draft BCP [none of these sites are allocated in the Reg 19 WLP]. We reserve the right to comment on/object to the proposed allocations in the WLP if any new allocations are included that would result in the loss of playing field, or would prejudice the use of playing field, or result in the loss of other sports facilities, contrary to draft WLP policy ENV8, Sport England's Playing Fields Policy and Guidance and the guidance in the NPPF.

#### **Wildlife Trust for Birmingham and the Black Country**

- We would object to the bringing forward of the Land South of Citadel Junction site (E25 in Reg 19 WLP), as this has been designated as a SLINC.

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|   | <ul style="list-style-type: none"> <li>• We would object to the bringing forward of the Land at Neachells Lane site (E12 in Reg 19 WLP), as this has been designated as a SLINC.</li> <li>• We would object to the bringing forward of Stratosphere Site, Wolverhampton Science Park (E7 in Reg 19 WLP) as it is partially a SLINC.</li> </ul> <p><b>Canal &amp; River Trust</b></p> <ul style="list-style-type: none"> <li>• Given the extensive canal network within Wolverhampton several allocations are within the Trust’s consultation buffer areas where consultations on planning applications would be triggered. The WLP should be clear that impacts on canals need to be considered and assessed against Policy ENV7.</li> </ul>  |
| H1 Bluebird Industrial Estate and site to rear, Park Lane | <p><b>Developer</b></p> <ul style="list-style-type: none"> <li>• Site was allocated in the Stafford Road Corridor Area Action Plan in 2014 and has not been pursued, no application has been submitted and there is no sign of delivery within the plan period. The site plus adjoining, previously allocated land, comprises a mix of active and vacant commercial premises and are heavily constrained by financial viability. Moreover, the values in these areas are unlikely to be able to outstrip the existing use value (EUV) for continued commercial use – largely as a result of the size and the undersupply of such sites within the wider area. There are also a number of property titles over these allocations, requiring land assembly which would add further constraint to the delivery of these allocations within the plan period. The sites are deemed undeliverable for residential development and unlikely to be able to support a policy compliant level of affordable housing or any s106 contributions.</li> </ul> |
| H2 Former G & P Batteries                                 | <p><b>Environment Agency</b></p> <ul style="list-style-type: none"> <li>• The site, proposed for 56 homes, is approximately 100 metres west of Bowman’s Harbour which is an authorised landfill site. Although this site is no longer an active landfill receiving waste, we continue to regulate the site which has two environmental permits. The site is currently monitoring via a series of boreholes for landfill gas, methane and carbon dioxide. Although no major issues are anticipated given there is a buffer zone of 100 metres, NPPF para 193 makes it clear that any new residential developments are now the “Agent of Change” and the developer is responsible for assessing the impacts of the existing operations and proposing suitable mitigation measures to protect occupiers from amenity impacts (dust, odour, litter, flies, noise and vibration).</li> </ul>   |
| H5 West of Colliery Road                                  | <p><b>BOC Ltd</b></p> <ul style="list-style-type: none"> <li>• Object to housing allocation unless wording reflects proximity of the BOC site and requires recognition of the site’s existing noise context at an early stage, completion of a noise survey, and incorporation of sufficient noise mitigation measures (e.g. sound insulation, acoustic fend, green buffer) to protect new</li> </ul>   |

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|  | <p>residents from adverse noise impacts from existing nearby operations. This is in accordance with the “agent of change” principle set out in para 193 of NPPF and PPG para 009, and the need for an early approach is supported by the Professional Practice Guidance on Planning and Noise (2017).</p>   |
| E17 Former MEB Site, Major Street / Dixon Street       | <p><b>Developer</b></p> <ul style="list-style-type: none"> <li>The Former MEB site, Major Street / Dixon Street should be allocated for housing rather than for employment use (call for site submitted).</li> </ul>  |
| Non-allocation of Land at Grassy Lane (green belt)     | <p><b>Developer</b></p> <ul style="list-style-type: none"> <li>Wain Estates is promoting land south of Grassy Lane/Cannock Road for circa 80 homes. As previously assessed by the Council (in the draft BCP), there are no constraints to development and the site is in a highly accessible location.</li> <li>Object to the plan for the following critical reasons: The proposed supply leaves a substantial shortfall against the city’s total housing needs of 11,413 homes (634 homes pa), circa 52% of the city’s total housing needs; supply relies heavily on existing commitments and allocations and no evidence has been provided to demonstrate the deliverability of these sites, some of which have been allocated since 2014 and ten years later still have no planning permission. A more realistic assessment of the Council’s supply is 8,176 homes, leaving an even more substantial shortfall of 13,544 homes (i.e. circa 62% of the city’s total housing needs); The city intends to rely on contributions from neighbouring authorities to make up its shortfall and there is no evidence that sufficient contributions will be made by emerging local plans. The scale of unmet need across the wider GBBCHMA is substantial and Wolverhampton should not be seeking to exacerbate this.</li> <li>At a time when the city has a net loss of affordable housing, a matter it considers is a key issue, it should be exploring all potential options to meet its housing need, including reviewing its Green Belt boundaries, an approach the Council previously advocated in preparing the BCP. This includes proposing the allocation of land south of Grassy Lane/Cannock Road, a site previously proposed for allocation in the draft BCP as part of the wider Fallings Park strategic allocation (Policy CSA2).</li> <li>Object to deletion of Policy CSA2 Fallings Park Strategic allocation as Green Belt release should continue to be supported within the WLP. There is potential for Grassy Lane site to come forward in isolation or as part of the wider former Fallings Park allocation.</li> </ul> |
| Non-allocation of Land at Blackhalve Lane (green belt) | <p><b>Developer</b></p> <ul style="list-style-type: none"> <li>We are disappointed that the site controlled by St Philips: Land at Blackhalve Lane has not been included as an allocation within the main consultation document. The site should be included in the WLP as it would make a valuable contribution towards meeting the district housing target of 21,720 homes</li> </ul>   |

and the unmet need of 11,998 over the period 2022-42. We do not agree with this approach, especially when work has already been done to identify sustainable locations for growth, including the subject site (which would form part of an allocation with land already owned by the Council).

- The site has already been subject to previous representations to the BCP and emerging South Staffordshire local plan, as it straddles both authorities. The site had been partly proposed for housing as an allocation in the draft BCP, whilst the part of the site in South Staffordshire had been omitted from the South Staffordshire Plan (reference 520). The development of redundant local authority land is a priority for the government in the delivery of housing, so it is not clear why the council have taken the approach they have. As a council facing a £16million shortfall the release of land for development to address clear unmet housing need would make financial sense as well.
- The western part of the site / eastern part of the previous allocation, was 'positively' reviewed within the BCP (ref: SA-0030-WOL) before its abandonment in October 2022. The entire site was deemed: "...suitable for development for 40 homes at a low density of a design reflecting local character, subject to providing a defensible green belt boundary in the form of a strengthened tree line/landscaped buffer, and securing investment for off-site highways works, to increase school place capacity and to carry out accessibility, biodiversity and environmental quality improvements to Open Space at Grassy Lane and recreational open space at nearby Bushbury Hill green belt area to address green belt mitigation, net biodiversity gain and open space requirements (see Policy CSA2 for further detail)."
- Similarly, the South Staffordshire SHELAA similarly remarks the site as potentially suitable for development, subject to meeting a number of policy requirements; "Potentially suitable but subject to policy constraints - Green Belt & Core Policy 1". The site was considered potentially suitable for 73 residential dwellings, for the entirety of the site, spanning across both South Staffordshire and Wolverhampton.
- Nothing has changed in policy terms at a national level to indicate that the previous approaches were incorrect, and that the previous draft allocation should be removed. We therefore urge you to reinstate the draft allocation present within the BCP, within the emerging WLP. The site was previously allocated within the now abandoned draft Black Country Plan and shows how 24 units could be delivered, either alone or as part of a wider allocation within WCC. To the east of the site, a parcel that is within the same ownership could well be delivered as part of a more comprehensive scheme and would ensure an holistic approach is taken to creating a robust, enduring and permanent Green Belt boundary. This eastern parcel falls into South Staffordshire, and although is not allocated, has been reviewed as potentially suitable. The site is also close to the previous South Staffordshire draft allocation to the south

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|   | <p>'Land north of Linthouse Lane (site reference: 486c Policy SA2) and allocation of our site, Land at Blackhalve Lane, would link the two sites well.</p> <ul style="list-style-type: none"> <li>• The site offers a number of community benefits, including but not limited to: 100 new homes (approximately 70 market and 30 affordable homes of mixed tenures); Maintained and enhanced biodiversity net gain (of minimum 10% on-site); Considerable green infrastructure and strategic public open space, previously not available to local people, offsetting loss of Green Belt.</li> <li>• The Vision Document, already submitted at Issues and Options stage to the South Staffordshire local plan, sets out the constraints of the site, together with an indicative landscape-led masterplan for consideration. The document shows the two parts of the site (in Wolverhampton and South Staffordshire) could be delivered in conjunction.</li> <li>• The site currently presents as a 'blank canvas' with very few constraints, bar the hedgerow and trees dotted within the site, which would need to be retained. The hedgerow and trees offer some habitat for birds and insects and would be largely retained within any new scheme, together with the creation of new biodiversity network within and through the site. The site is entirely within Flood Zone 1, with no significant surface water drainage constraints. Attenuation measures such as basins to be included within the site.</li> <li>• Other than the Green Belt designation, the site is unaffected by any Footnote 7 designations included within the Framework. For these reasons, we urge that the council gives further consideration to the site at Blackhalve Lane, and it should be included as a housing allocation within the Publication Plan.</li> </ul> |
| <p>Non-allocation of Land at Bushbury (green belt)</p>      | <p><b>Developer</b></p> <ul style="list-style-type: none"> <li>• Peveril Homes control land to the east of Northycote Lane, Bushbury – forming part of a Green Belt site previously proposed for release and allocation within the Draft Back Country Plan 2039 (Regulation 18) consultation (Policy CSA1 – Bushbury Strategic Allocation) to deliver 532 homes, together with space to provide a two-form entry primary school. A plan showing the extent of the Bushbury site is enclosed with these representations. There is an obvious opportunity offered by the Bushbury site to deliver a strategic scale of development in a highly sustainable location, supported by a draft Illustrative Masterplan. The plan in its current form is unsound and to be made sound it would be necessary to revert to the previous (sound and evidentially justified) spatial strategy comprising the previous draft allocations for Wolverhampton in the Draft BCP, including the Bushbury site.</li> </ul>   |
| <p>Non-allocation of North of Moseley Road (green belt)</p> | <p><b>National Trust</b></p> <ul style="list-style-type: none"> <li>• Note the removal of site WOH259, north of Moseley Road from the BCP. We previously expressed concern regarding this site and its potential to cause harm to the setting of Moseley Old Hall. However,</li> </ul>  |

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|  | <p>we cannot see that this site is addressed in this consultation. We would therefore like further clarity on if this site is being included as a part of the WLP.</p>  |
| <p>Non-allocation of Land at Pennwood Farm (green belt)</p>        | <p><b>Developer</b></p> <ul style="list-style-type: none"> <li>• Land at Pennwood Farm represents a unique opportunity for new market and affordable homes on the edge of Wolverhampton, in a sustainable and accessible location.</li> <li>• Gladman is promoting the site on behalf of Barratt Homes and David Wilson Homes (BDW). BDW have aspirations to meet the local communities’ ambitions at Pennwood and to deliver landscape led proposals comprising modern, high quality homes where people will want to live, and significant open space, including a new woodland park, which will protect and enhance the environment, biodiversity and pedestrian accessibility.</li> <li>• It is uniquely positioned on the edge of Wolverhampton and benefits from good pedestrian connections to local services and facilities. There is the opportunity to create significant open space with new landscaping and sustainable drainage features which can provide a new community space with recreation facilities as well as providing ecological enhancement to the local environment. This will include maximising and enhancing existing important landscape features, such as Park Coppice, Penn Wood, Penn Brook, Ashen Coppice and Park Hill Black Country Landscape Beacon.</li> <li>• Pennwood can play a critical role in meeting these needs. It will provide a critical mass which can sustain new services and facilities on site, and will deliver environmental benefits, contributing to the health and wellbeing of existing and future residents.</li> <li>• Overall, the proposals comprise a minimal amount of land being released from the Green Belt for new homes, with the wider site remaining in the Green Belt and made accessible for use by the public.</li> <li>• The site has been submitted through the ‘Call for Sites’ process and has been previously assessed by the Council.</li> </ul> |
| <p>Non-allocation of Land off Vicarage Lane, Penn (green belt)</p> | <p><b>Developer</b></p> <ul style="list-style-type: none"> <li>• Land off Vicarage Road, Wolverhampton (site ID 41 in the Black Country Call for sites) should be further considered as a potential housing allocation. All of the housing allocations in the emerging Local Plan are on very similar sites in very similar locations. There are no sites in the Penn/ south-western part of the city and therefore show very little diversity in the types and locations of new housing sites to cater for the needs and wants of the diverse population of Wolverhampton. The site has the ability to accommodate approx. 24 homes in a sustainable location, within the built up area of Wolverhampton. This would provide an additional sustainable site that would provide an attractive residential site in keeping with its surroundings.</li> </ul>   |

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|   | <ul style="list-style-type: none"> <li>The site has the following benefits: Site is approximately 5.56 acres ( 2.25 hectares); A significant amount of technical reports have been prepared including topographical site survey, access design/transport statement, phase 1 desktop site investigation, landscape and visual impact assessment, flood risk assessment, tree condition report and preliminary bat roost assessment. All documents provide an in depth examination of the site and conclude that the site is deliverable and developable with any mitigation measures recommended in the conclusions; The site layout previously submitted shows approximately 25 dwellings with significant areas of open space and landscaping, however, the site could accommodate approximately 80 dwellings at a density of 35 dwellings per hectare - this would make a contribution to the housing needs of the City; a Green Belt review was carried out as part of our representations submitted to the Draft BCP 2021 which provided a detailed assessment of the site against the Green Belt criteria set out in the NPPF and also considers the proposed SLINC/SINC designation on the site; Representation submitted to the Draft Conservation Area Appraisal and Management Plan discussing the site and how the development of the site would not result in a detrimental impact on the Conservation area or nearby built development and the Conservation area should not result in the site being deemed unsuitable for residential development.</li> </ul>  |
| <p>Non-allocation of Land South of Vicarage Lane, Penn (green belt)</p> | <p><b>Developer</b></p> <ul style="list-style-type: none"> <li>Objection is made to the non-inclusion of Land South of Vicarage Lane, Penn as a housing allocation. This 1.1 ha site is located in the Green Belt. To the north west, the site abuts Penn Cemetery and to the east lie residential properties fronting Vicarage Road. To the north, opposite the site, are the buildings and extensive grounds of Penn Hall School. To the south west is agricultural land beyond which is residential development off Buttons Farm Road and Hartill Road. The site comprises part vacant agricultural land and part paddock land and can be accessed from Vicarage Road. The southern boundary of the site is contiguous with the administrative boundary for South Staffordshire Council. A further 3.88 hectares are available for development within South Staffordshire District. The site immediately adjoins the defined urban area for Wolverhampton. The boundary could readily be extended in this location to include the site; it would represent a logical extension to the urban area. The site could be deleted from the Green Belt without undermining the function of the Green Belt in this location. Development of this site for housing would not materially reduce the gap between Wolverhampton and Wombourne. The site could accommodate some 38 dwellings at a density of 35 dwellings per hectare. The site is of a sufficient size to deliver a policy compliant scheme in terms of housing types, size and tenure including self-build and custom house building. A residential scheme could be brought forward which would respect the adjacent cemetery. The development could deliver additional landscaping,</li> </ul> |



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|  | <p>community open space and biodiversity net gain on site. The site is located in a highly sustainable location. The site is some 500m from Spring Hill Local Centre on A449 Penn Lane where everyday requirements can be easily accessed. The nearest bus stop is some 200m from the site entrance close to the junction with Penn Road where regular bus services provide access to higher order services and facilities in Wolverhampton City Centre and Stourbridge. Development of Land South of Vicarage Road for residential could provide for a balanced and sustainable extension to the urban area. The site is well located and well related in terms of size and scale and could deliver the types of housing required by Wolverhampton Council alongside open space with biodiversity enhancements. Land South of Vicarage Road comprises a medium sized site that could be brought forward quickly and deliver new homes early within the plan period.</p> |
| <p>Non-allocation of Former St Luke's Junior School, Goldthorn Hill for housing</p>  | <p><b>Resident</b></p> <ul style="list-style-type: none"> <li>• Missed opportunity to build at places like Former St Luke's Junior School on Goldthorn Road, which are not green belt.</li> </ul>  |
| <p>Lane Street / Highfields Road, Bradley<br/>Greenway Road, Bradley<br/>Fmr Loxdale Primary School, Chapel Street, Bradley<br/>Fmr Rookery Lodge, Woodcross Lane<br/>Bilston Urban Village, Bath Street</p> | <p><b>Local Authority</b></p> <ul style="list-style-type: none"> <li>• These sites are located in proximity to Dudley boundary, therefore allocations should take account of any potential cross-boundary amenity and character impacts and infrastructure considerations, particularly regarding education provision in relation to delivery timescales.</li> </ul>   |
| <p><b>Site Allocations: How the main issues raised by the Regulation 18 representations have been addressed in the Wolverhampton Local Plan (Regulation 19)</b></p>  |  |

**The WLP Site Assessment and site allocation selection process should take full account of the evidence base, including ecological information, nature conservation designations and Sustainability Appraisal and Habitat Regulations Assessment findings. Sites with negative impacts on SINC or SLINC should not be allocated unless suitable mitigation measures can be secured.**

- The WLP Site Assessment methodology and individual site assessment reports provide a balance consideration of the evidence base for each site, including ecological information, nature conservation designations and the WLP Reg 19 Sustainability Appraisal (SA) and HRA findings. The SA concludes that, for those sites with potential impacts on SINC and SLINC, mitigation measures set out in WLP site policies (Table 12 of Section 13) will significantly reduce impacts on nature conservation / biodiversity. The WLP Reg 19 has achieved a balance between addressing high development pressures and the need to maximise efficient use of land in the urban area, and the need to protect areas of biodiversity value, promote nature recovery and meet national biodiversity net gain requirements.

**Historic England requirement for provision of further information on the historic environment context and potential heritage impacts of development for WLP site allocations**

- The potential heritage impact of all housing and employment site allocations has been assessed, including consideration of all heritage assets within 500m of the site, as summarised in the WLP Site Assessment Report and WLP Table 12 of Section 13. Where potential negative heritage impacts have been identified, a Heritage Impact Statement (HIS) is required, as detailed in this table, and should be submitted with any planning application to enable full consideration of these impacts and any proposed measures to avoid or mitigate harm. It is considered that this approach is proportionate and that it is more appropriate to require a HIS at planning application stage, where the detailed design of the development will be known, rather than at allocation stage, where there are many design variables that could affect heritage impact.

**Concerns over deliverability of housing at H1 Bluebird Industrial Estate and site to rear, Park Lane**

- This is an existing Stafford Road Corridor Area Action Plan allocation and has been subject to recent interest in housing development. It is important for the WLP to identify limited amounts of surplus employment land which is suitable for housing and has a realistic prospect of delivery over the 15 year Plan period. Much of the housing supply on large sites which has come forward in the Black Country authorities in past decades has been on surplus employment land.

**Site policy for H5 West of Colliery Road should reflect proximity of the BOC site and noise context**

- Site H5 is over 300m from the BOC site and separated from it by an active railway line, a disused railway corridor and the A454, which produces significant noise. WLP and other retained Development Plan policies deal sufficiently with noise impacts

relating to planning applications and the protection of employment uses (e.g. Policy DEL2 – Balance Between Employment Land and Housing). Therefore, such specific wording is not required in the site policy.

**E17 Former MEB Site, Major Street / Dixon Street**

- The Council remains of the view that this site is suitable for employment uses particularly given the findings of the BC EDNA (2024) and the widening gap between employment land need and supply in Wolverhampton and the wider Black Country. The challenges in delivering the site are recognised, however the WLP is a long-term plan and future grant funding programmes may provide opportunities to address the viability gap. The Wolverhampton SHLAA (2024) concludes that the site is not suitable for housing due to the proximity of operational heavy industry which would significantly constrain capacity, combined with prohibitive remediation costs.

**Various green belt sites should be removed from the green belt and allocated for housing development**

- Please refer to response to main issues raised on the Scope of the WLP, above.

**Former St Luke’s School site should be allocated for housing**

- During 2022/23, the existing Wolverhampton City Centre Area Action Plan housing allocation at this site became unsuitable for housing because of highways access constraints and the need to retain the site for education use – further details are provided in the 2024 SHLAA.

**Site allocations located in proximity to Dudley should take account of potential cross-boundary issues, particularly education provision.**

- The Council has engaged closely with Dudley MBC throughout the WLP preparation process, and there is close, on-going co-operation between the two local education authorities regarding school place provision. No cross-boundary issues have been highlighted regarding these sites, in terms of character impacts or infrastructure provision. Please see WLP Infrastructure Delivery Plan and Duty to Cooperate Statement for further details.



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City of Wolverhampton Council, Civic Centre, St. Peter's Square, Wolverhampton WV1 1SH