

Sandwell Local Plan

Regulation 19 Consultation Summary of Main Issues

November 2024

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1 Introduction

1.1 Sandwell Metropolitan Borough Council consulted on the published Regulation 19 Sandwell Local Plan (SLP) from 23rd September 2024 to 11th November 2024, receiving 45 responses containing 373 comments.

1.2 During the consultation, the Council consulted with a range of stakeholders, including both statutory and non-statutory bodies and local communities, to seek views on the soundness and legal compliance of the draft Vision, Objectives and Draft Policies within the Draft Local Plan 2024 - 2041. The consultation was conducted in accordance with Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

1.3 This report contains a summary of the consultation and is prepared in accordance with Regulation 19. It presents a summary of the main issues identified from the consultation responses received.

1.4 It should be noted that:

- All comments received have been read and relevant issues highlighted. Not all the individual points raised are addressed in the summary. Representations received expressing support for the Local Plan Review have not been included.
- The content of the comment is more valuable than its frequency of occurrence. As a result, this summary does not count the quantity of comments that raised specific points.
- The information is presented in the summaries as it was received. As part of the ongoing Local Plan process, the Council will evaluate and verify facts if a summary is deemed to be factually incorrect.
- The General Data Protection Regulation (GDPR) must be followed by the Council. As a result, the names of those who responded to the consultation are kept confidential.

2 Consultation Methods

2.1 The Council used a variety of consultation techniques to allow people to express their opinions in their preferred format. Consultation mechanisms included:

- online resources;
- direct e-mail correspondence; and
- social media

Online Resources

2.2 There is a dedicated webpage that provides updates on the development of the draft Local Plan and informs the public about the new Local Plan consultation. The website also includes the most recent Local Plan evidence-based document. Link to the webpage: <https://www.sandwell.gov.uk/localplan>

2.3 The webpage included a link to OpusConsult, an online public consultation platform managed by JDI Solutions. The platform is a trustworthy digital planning platform that streamlines consultation and planning policy management; the Council routinely uses it to organise public consultations. On the SLP webpage, the public could access the external consultation websites to view and provide structured feedback on the digital version of the Plan and the interactive Policies Map.

- Link to the online consultation platform for the SLP: <https://sandwell.oc2.uk/>
- Link to the online consultation platform for the interactive Policies Map: <https://sandwell.opus4.co.uk/planning/localplan/maps/sandwell-local-plan-policies-map>

Direct Email Correspondence

2.4 Emails were sent to all statutory and non-statutory consultees on the Council's planning policy database informing them of the consultation on the Regulation 19 Sandwell Local Plan.

Press and Social Media

2.5 Numerous techniques were employed to interact with the public including posts to the Council's social media platforms (Facebook, X formerly Twitter, Instagram & LinkedIn).

3 Overview of Consultation Responses

3.1 This section provides a brief overview of the consultation responses.

3.2 The Council received written representations from 45 individuals, organisations, and businesses. Among these, 17 were statutory consultees. These submissions resulted in 373 comments regarding the Local Plan.

3.3 Responses were received via email and the Council's consultation portal. These responses came from:

- Individuals;
- Statutory Bodies;
- Developers;
- Landowners;
- Organisations; and
- Businesses.

3.4 The vast majority of comments pertain to:

- Sandwell's Natural and Historic Environment: relating mostly to Policy SNE1 – Nature Conservation and Policy SNE2 – Protection and Enhancement of Wildlife Habitats.
- Spatial Strategy
- Framework Policies: mainly relating to Policy SDS3 – Regeneration in Sandwell, Policy SDS7 – Sandwell's Green Belt and Policy SDS8 – Green and Blue Infrastructure in Sandwell.
- Appendix B – Housing Allocations
- Sandwell's Housing: mainly relating to Policy SHO1 – Delivering Sustainable Housing Growth and Policy SHO4 - Affordable Housing
- Climate Change: mainly relating to Policy SCC1 – Energy Infrastructure

3.5 Out of the 373 representations, 103 expressed their support for the plan, 109 objections were received and the remaining 161 were general comments. Also, 32 representations did not find the plan legally compliant; 137 representations expressed the plan is unsound; and only 1 representation expressed the plan does not comply with Duty to Cooperate (DtC).

4 Summaries of Main Issues Identified

4.1 A summary of the main issues raised in respect to the Sandwell Metropolitan Borough Council Local Plan (Regulation 19) Pre-submission Consultation are provided below.

Table 1 – Summary of main issues in document order.

Policy/Theme	Summary of Issue
Introduction/General	
Flood Risk Sequential Test	According to the EA, the Council's application of the flood risk Sequential Test, as outlined in the National Planning Policy Framework, is not confirmed. The evidence base, including the Sustainability Appraisal, does not show that sites with medium or high fluvial flood risk have passed the test. This lack of evidence makes the Local Plan unsound and casts doubt on its 'justified' strategy based on proportionate evidence, making it unconfornity with national policy.
Duty to Cooperate	The WMHAPC is concerned that the Council is advancing draft strategic housing policies without addressing the housing gap, highlighting the need for a Statement of Common Ground among all relevant parties. Further work between the Council and neighbouring authorities is needed to ensure the policies are sound' and meet the housing needs of both Sandwell and the wider region.
Challenges and Issues (Paragraph 89)	The PCCWM opposes bullet 89f) 'Providing infrastructure to support growth', arguing it should include emergency services, as Ambition 5 in the next chapter relates to community safety and crime prevention. Ambition 5 should be linked to a 'Challenge and Issue' as other 'Ambitions' are.
Proposed Site Allocations	Proposals for new sites to be considered for additional site allocations, including: <ul style="list-style-type: none"> • Part of Rowley Regis Golf Club (promoted by Barratt West Midlands) • Land north of Wilderness Lane • Smethwick Police Station and Oldbury Police Station
1. Sandwell 2041: Spatial Vision, Priorities and Objectives	
Community safety and crime prevention	It has been requested that the theme of community safety and crime prevention should be given greater prominence in this chapter.
Ambitions	Several suggested amendments to ambitions to ensure compliance with existing policies and improve soundness.

Policy/Theme	Summary of Issue
	<ul style="list-style-type: none"> • The SLP's Ambition 7 aims to create attractive neighbourhoods and deliver housing, but it lacks sufficient land allocation and agreement to address the housing shortfall in other local authority areas. • It has been suggested that Ambition 7 should include provisions for green infrastructure and should be explicit about the requirement to meet the development needs of the area. • Suggested revision to Ambition 6 to promote sustainable transport. • Suggested revision to Ambition 8 to include good quality and nature rich greenspaces.
Vision	<ul style="list-style-type: none"> • The Vision is deemed unsound due to its lengthy and imprecise nature. • Quality sites that function both as spaces for local leisure activities, but are also healthy, biodiverse, functional ecosystems needs to be a priority. It has been suggested that correct design and realistic delivery of these spaces should be a key part of the Vision.
Strategic Objectives	<ul style="list-style-type: none"> • It has been suggested that Objective 6 should be more explicit about the need to plan for both open market and affordable housing; and should include maximizing biodiversity gains in development designs, ensuring they connect to wider ecological networks and provide diverse, functional greenspace for residents' needs. • Suggested amendment to the wording in Objective 8 to reflect that considering the environment is imperative.
2. Spatial Strategy	
Housing and Employment Shortfalls	<ul style="list-style-type: none"> • Concerns have been raised over the Council's strategy to address the housing and employment shortfalls. • There are concerns regarding the appropriate locations for Sandwell's exported housing and employment needs, areas such as Bromsgrove district have been identified as an inappropriate destination.
3. Framework Policies	
Policy SDS1 – Spatial Strategy for Sandwell	<ul style="list-style-type: none"> • Policy SDS1 has been criticised for not being prepared, effective, and consistent with national policy as the plan will result in significant housing needs unmet, increased housing costs, overcrowding, and negative impact on service delivery. It has been suggested that the Council should establish a memorandum of understanding with other authorities to address unmet needs and ensure Sandwell's housing needs are met in full.

Policy/Theme	Summary of Issue
	<ul style="list-style-type: none"> • It has been suggested that the policy is amended to state that the Council will adopt a positive approach to the determination of all residential planning applications to try and exceed 10,434 dwellings. • PCCWM has requested that the policy is amended by including police and emergency infrastructure in point 1c and by adding 'ensuring all new development maximises safety, reduces crime and the fear of crime' in point 2. • To align with Local Nature Recovery Strategy, it has been requested that protection and support of Nature Recovery is included in this policy.
Duty to Co-operate	It should be stated explicitly at the end of paragraphs 3.12 and 3.17 that the Council will keep under review its own land supply on a regular basis and continue exploring opportunities for increasing the supply wherever possible.
Smethwick	WMRTAB has requested for an amendment to paragraph 3.53 which suggest that 'negative environmental impacts' 'generally accompany' waste management operations as this may make it unduly challenging for proposals for waste management facilities to be granted planning permission in accordance with the policies
Policy SDS5 - Achieving Well-designed Places	Suggested changes to the policy to include an additional point on biodiversity net gain requirements and green infrastructure goals and protection of habitats and areas of ecological value as well as further Nature's Recovery.
Policy SDS7 – Sandwell's Green Belt	<ul style="list-style-type: none"> • Sport England's has requested an amendment to the wording of policy SDS7 to ensure compliance with paragraph 150 of the NPPF. This should include reference to material changes of use of land as the policy is silent on other forms of development which are also not considered to be inappropriate development. • It has been requested that point 2 of the policy is modified to clarify that Green Belt is a spatial designation and not a reflection of landscape and historic quality or value. • Suggested amendment to point 3 to recognise that opportunities to improve the value and recreational role of the Green Belt can be achieved through compensatory improvements, in accordance with the NPPF. • It has been strongly recommended that the Council takes a more level approach in meeting housing needs within Sandwell's Green Belt, including the allocation of additional housing sites to directly address the housing needs of local communities. • It should be clarified that inappropriate development within the greenbelt will not be permitted to be legally compliant with existing relevant policies.

Policy/Theme	Summary of Issue
Green and Blue Infrastructure	Reference to "the nature recovery strategy" in paragraph 3.104 is unclear and requires clarity as to which strategy is being referred to. Any reference to the Local Nature Recovery Strategy currently being produced by the West Midlands Combined Authority and due to be published in April 2025 must be written as "the Local Nature Recovery Strategy".
4. Sandwell's Natural and Historic Environment	
Policy SNE1 – Nature Conservation	<ul style="list-style-type: none"> • It has been suggested that for point 3 and 4 of the policy to be sound, it should be clarified that development will be refused if it negatively impacts protected species, habitats, or geological features; impacts must adhere to mitigation hierarchy principles; development affecting areas of principal biodiversity importance will be rejected; and relevant assessments must be conducted before land use change/land allocation decisions. • Suggested change to point 6 – Addition of "Proposals that affect designated site or important habitat will be rejected except under extraordinary circumstances." • Suggested amendment to point 2 of the policy to include that planning policy will keep up to date records of all designated sites nationally, regionally and within Sandwell. • Point 4 – Justification required on how and who decides on what is a strategic benefit and concern over lack of protection for species/habitat. • Suggested amendment to point 7 to ensure that no site already designated will be lost or deleted. • Reference to Black Country in paragraph 4.2 should be changed to Sandwell.
Policy SNE2 - Protection and Enhancement of Wildlife Habitats	<ul style="list-style-type: none"> • Request for the SLP to provide certainty for developers and a clear BNG policy with a fixed 10% figure, rather than the policy including the phrase "at least 10%." • Point 2a – Clarity needed regarding which 'sites' in the local area are being referred to. If the sites in the table are being referred to then this should be explicitly stated for clarity and soundness to be achieved. • Point 2c – To align with national policies, the Local Nature Recovery Strategy needs to be referred to. • Concerns over Council's ability to secure and monitor 10% BNG on proposals. • Sport England is concerned over 3 of the sites (Menzies open space, Tividale Park and Tibbington Open space) in point 6 proposed as recipient sites for BNG offsetting as they contain playing field land. This concern can be addressed by amending the maps to exclude the playing field land and adding some qualifying text.

Policy/Theme	Summary of Issue
	<ul style="list-style-type: none"> • Point 7 is not considered to be sound, in accordance with paragraph 35 of the NPPF, because its requirements are not justified by appropriate information or evidence setting out how it will effectively help to deliver development. • It has been suggested that 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 and not combined into a generic s106 cost item. • Suggested need for this policy and supporting text to say more about how BNG will be considered in relation to applications in advance of the Local Nature Recovery Strategies. • Suggested 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). • Language in point 12 should be stronger and contribution to nature's recovery should be included in this point. • It has been suggested that Biodiversity Net Gain maps should be compiled by applying the appropriate standard (e.g. through use of UKHab for Phase 1).
Climate change and biodiversity	Language in paragraph 4.60 need to be stronger in order to comply with the Environment Act 2021
Policy SNE3 - Provision, Retention and Protection of Trees, Woodlands and Hedgerows	<ul style="list-style-type: none"> • It has been suggested that the wording in policy should specifically confirm that poor quality trees would be discounted from canopy cover calculations to avoid ambiguity. Additionally, the case for replacement tree planting should be considered on a site-by-site basis and a standard requirement should not be applicable to every site. • Concerns that the three for one replacement policy could affect land uptake and density of development, potentially affecting their viability. Further flexibility required for the policy.
5. Climate Change	
Policy SCC1 - Energy Infrastructure	<ul style="list-style-type: none"> • Suggested change to 1a and 1b – Policy should be worded such that it only applies until the FHS (as expressed through amendments to Part L of the Building Regulations) is introduced. Thereafter, the FHS and Building Regulations should apply.

Policy/Theme	Summary of Issue
	<ul style="list-style-type: none"> • Suggested change to 1c – Policy should be expressed in terms of positive weight (for exemplar developments) rather than as a matter of minimum compliance, i.e. taking a similar approach to SCC(2)(a). • Suggested change to 3d – Policy should be worded to only to require major developments to consider the suitability, feasibility and viability of connection to a decentralised heat or energy network, taking into account the lifecycle carbon intensity of doing so, rather than having a default position of a general expectation to connect to such a network. • Clarity needed on whether 4(d) sits within the test of 4(c) - i.e. whether the "technical reasons" of 4(d) constitute factors meaning the 39% is not "feasible or viable" and therefore whether the fallback >35 kWh/m2 requirement of 4(d) is equally subject to the "to the greatest extent feasible and viable" provision of 4(c). • Concerns over the soundness of Policy 4(e) because it does not account for the difference in PV viability between low- and higher-rise building types in a development. • SCC1 point 5 – Concerns over whether microgeneration-scale costs are the correct benchmark for a centrally-administered energy offset scheme. It has been suggested that onshore wind may also be viable and have lower cost than microgeneration-scale solar PV. Also, whether consideration has been given to developing a Local Area Energy Plan (LAEP) nor to integrating in the future with a Regional Energy Strategic Plan (RESP) has been queried. • Concerns over whether Policy SCC1 has been tested appropriately within the Viability Report (2023). • It has been recommended an exemption is added into the wording of Policy SCC1 if it is the case that specialist accommodation for older persons, specifically sheltered housing/retirement living and extra care housing, is unable to meet the stringent requirements of emerging Policy SCC1. • Requirement for post-occupancy evaluation has been queried as this will require consent of future homeowners and willingness to share their data. • Request for wording in Policy SCC1 to be updated to require any overheating assessment to take account of Part L requirements for natural ventilation.
Policy SCC3 – Climate-adapted Design and Construction	<ul style="list-style-type: none"> • Policy SCC3(4) – Justification for CIBSE TM59 thermal modelling queried.

Policy/Theme	Summary of Issue
Policy SCC4 - Embodied carbon and waste	<ul style="list-style-type: none"> • Suggested wording change to Policy SCC4(1) to allow for a two-stage approach between outline planning and reserved matters (with level of detail appropriate to each) or require the WLC assessment only for full planning / reserved matters applications. • Requested wording change to Policy SCC4(4) requiring consideration to be given to materials re-use in such cases, without a full audit. • Concerns over whether SCC4 is justified as there is no reference to 'embodied carbon' in the NPPF.
Policy SCC5 – Flood Risk	<ul style="list-style-type: none"> • EA has raised concerns over the soundness of SCC5 stating that sections of the policy originally in Reg 18 plan have been removed and recommends these sections are re-added. • Suggested change to SCC5 - "A site-specific flood risk assessment must be undertaken where a development proposal is in Flood Zone 2 or 3 or is in Flood Zone 1 and one is triggered for reasons set out in national policy and guidance. The Flood Risk Assessment should address the below as applicable".
Policy SCC6 - Sustainable drainage	<ul style="list-style-type: none"> • SCC6 – Request for flexibility for developers to provide evidence of what can be achieved on a particular site having regard to the drainage hierarchy, and where drainage solutions other than SuDS would be more practicable.
6. Health and Wellbeing in Sandwell	
Policy SHW2 - Healthcare Infrastructure	<ul style="list-style-type: none"> • PCCWM has objected to the omission for a similar policy requirement for developer contributions to police and emergency infrastructure which is acknowledged in the draft SLP has additional demands placed upon it from residential and other development. • The expansion of the policy to include the need for other social infrastructure has been requested – “Healthcare, wellbeing and safety infrastructure.” • Request for proposals for major residential developments of ten units or more to be also assessed against other services that contribute to community wellbeing and safety such as police and emergency services infrastructure in point 3. • Request for last sentence in point 5 to be amended to include community wellbeing and safety
Policy SHW3 - Air Quality	It has been deemed excessive for the policy to require an air quality assessment for minor development proposals and sites outside of AQMAs.
Policy SHW4 - Open Space and Recreation	<ul style="list-style-type: none"> • It has been requested that the policy is amended to acknowledge that viability assessment and other issues will be considered.

Policy/Theme	Summary of Issue
	<ul style="list-style-type: none"> • Severn Trent Water has raised concerns over the allocation of reservoir site at Harborne Road as an open space as there are plans to invest in this site to ensure provision of water for customers. Policy should not apply to this site. • National Grid has requested the removal of Portway Road Substation and Oldbury Substation sites to not be classified as open space and should be safeguarded for NGET's operational use. Additionally, land immediately adjacent to operational substations should be safeguarded to allow for any potential development in the future. • Request for the requirement for a financial contribution towards off-site site provision to be subjected to a viability test. • Request for a scope for flexibility to ensure that residential schemes can come forward with a flexible approach to open space provision when required.
Policy SHW5 - Playing Fields and Sports Facilities	Sports England has expressed the Lion Farm allocation is unsound and requested that the allocation and the associated text in paragraphs 6.67- 6.68 to be removed from the SLP.
7. Sandwell's Housing	
Policy SHO1 - Delivering Sustainable Housing Growth	<ul style="list-style-type: none"> • It has been suggested that the developable area for SH55 (Cape Arm / Cranford Street) should not be same 2.13 ha as the total site area of 2.13 ha to ensure compliance with other draft policies. Also, a more realistic, and deliverable, development density and capacity for the allocation has been requested to avoid delivery of the site from being stifled. • PCCWM has raised objections to Policy SHO1 stating it should include reference for the need for contributions for all social, environmental, and physical infrastructure to support sustainable housing growth. • Concerns have been raised that Policy SHO1 fails to meet the tests of soundness because SLP only provides for around 40% of its housing requirement. • Point 3 indicates that regular monitoring will be undertaken annually of housing delivery, but this does not tally with the Monitoring Framework at the end of the Plan. • For the plan to be effective and justified, a clear explanation of the approach set out in Point 2 and the reasoning behind it is needed. • Request for 10% small sites allowance delivered through allocations.
Policy SHO2 - Windfall developments	<ul style="list-style-type: none"> • It has been deemed inappropriate for the Council to differentiate the approach to supporting windfall planning applications based purely upon land ownership, particularly given that the preferred landowner is the Council.

Policy/Theme	Summary of Issue
	<ul style="list-style-type: none"> Request for the policy to include reference to the need for contributions for social, environmental and physical infrastructure to support windfall development.
Policy SHO3 - Housing Density, Type and Accessibility	<ul style="list-style-type: none"> It has been requested that planning applications based upon environmental consultancies reports should not be allowed as they have no proof of genuineness in their claims. Amendment required to policy to ensure that the densities required are indicative (only) and apply to the net land areas. Requested update to policy to ensure that there is flexibility, and the required densities should be expressed as 'targets' rather than 'minimum' requirements. Part 2 of the policy should acknowledge that site specific circumstances, housing mix and design approach (including in relation to public realm and car parking), will inform the appropriate density for a site.
Policy SHO4 - Affordable Housing	<ul style="list-style-type: none"> Recommendation for 10% affordable housing on brownfield sites in higher value areas considering the need to redevelop brownfield sites and the expected higher development costs. Request for a blanket affordable housing requirement of 25% on sites across the Borough. Concerns that the Viability Assessment as it has not considered a number of key costs and requirements in relation to this policy.
Policy SHO5 - Delivering Accessible and Self / Custom Build Housing	<ul style="list-style-type: none"> It has been raised that the self / custom build requirement for 5% of dwellings within a 100+ dwelling development could be prejudicial to effective delivery of development on a site. It has been requested that the policy should consider site specific factors such as vulnerability to flooding, site topography, and other circumstances which may make a specific site less suitable for M4(2) and M4(3) compliant dwellings, particularly where step free access cannot be achieved or is not viable.
Financial Viability Assessments for Housing	<ul style="list-style-type: none"> Concerns over the removal of the policy relating to "Financial Viability Assessments for Housing" in Reg 18 plan as the policy offered flexibility to ensure delivery
8. Sandwell's Economy	
Policy SEC3 – Local Employment Areas	Request for the removal the site which forms part of the Foundry Lane (south) as an SEC3 Local Employment Area Allocation as the site requires a flexible and adaptive allocation to support the most appropriate regeneration approach to the heritage assets.

Policy/Theme	Summary of Issue
Policy SEC4 - Other Employment Sites	It has been raised that stringent conditions controlling housing or other developments in Part 1b will prevent desirable redevelopment in many cases
9. Sandwell's Centres	
N/A	No issues
10. West Bromwich	
Lyng estate	Concerns over the SLP failing to mention any development, regeneration proposals to make the local area (Lyng estate, West Bromwich) not only safe and secure but to address local issues.
11. Transport	
Transport	<ul style="list-style-type: none"> • Concerns over whether minimum parking standards are appropriate for determining whether growth is sustainable in terms of transportation. • There is a request for stronger emphasis on encouraging shared mobility.
Priorities for the Development of the Transport Network	Request for the addition of cross-city route from Smethwick (near Rolfe Street Railway Station), through Cape Hill, towards Birmingham (serving buses 54, 82 and 87) and the removal of route along the A457 Tollhouse Way/Soho Way and then along the B4135 Cranford Street/Heath Street. Also, the route along Hamstead Road should continue up to the A4041 Newton Road
Transport modelling report	National Highways has requested for: <ul style="list-style-type: none"> • Clarification on how the impacts of Covid-19 on forecasts have been accounted for. • Clarification on when NTEM is referred to, which specific version and scenario is being used. • Clarification on the forecasting approach and what was the decision process for not exploring uncertainty. • Information on the derivation of any new parameters developed. • Information that provides understanding the stability of model outputs, how these change by area
12. Infrastructure and Delivery	
Police and emergency services provision	PCCWM objects to this chapter on the basis that it failed to include police and emergency services provision as infrastructure required to support development.
13. Waste and Minerals	
Policy SWA2 – Waste Sites	It has been raised that The Soho Foundry site neighbours an established recycling facility, allocated under Policy SWA2, known as Simm's Metals. The allocation of this waste facility and

Policy/Theme	Summary of Issue
	the surrounding employment land, for waste and continued employment uses represents a significant missed opportunity to redevelop all the land bound by Foundry Lane, the B4136 and the canal as a wider heritage-led regeneration scheme. It is recommended that the Council considers options for the wider regeneration of this area.
14. Development Constraints and Industrial Legacy	
N/A	No issues
15. Development Management	
Policy SDM1 - Design Quality	<ul style="list-style-type: none"> • Request has been made for Part 3 of the policy to be amended to provide sufficient flexibility to ensure that development is viable. It should reflect Parts 1 and 2. • Request for the 'Building for a Healthy Life' as best practice guidance in Part 2c but to remain voluntary rather than becoming a mandatory policy requirement.
Hot Food Takeaways	PCCWM has objected on the basis that Policies SDM6 and SDM7 should be amalgamated since it is considered that the criteria in Policy SDM7 to be equally important in the consideration of a planning application for a hot food takeaway, particularly as hot food takeaways are often a flashpoint for violence after pubs and clubs close.
Policy SDM2 - Development and Design Standards	It is considered that a flexible approach to the application of NDSS should be included in policy, to ensure that high quality homes of various sizes and costs can be brought forward across Sandwell and that best use is made of land available
16. Delivery, Monitoring, and Implementation	
N/A	No issues

Table 2 – Summary of main issues raised on appendices.

Policy/Theme	Summary of Issue
APPENDIX B - Sandwell Site Allocations	
SH35 Rattlechain site - land to north of Temple Way, Tividale	A number of concerns including disturbance of a hazardous landfill, clearing of wildlife habitat, increased air pollution and noise, long-term work, and higher costs than anticipated due to long-term projects have been raised in relation to the anticipated residential development at Rattlechain.
SH36 Land between Addington Way and River Tame, Temple Way (Rattlechain)	It has been requested that the site is removed as constraints such as Rattlechain lagoon being a permitted hazardous waste site containing tens of tonnes of highly toxic white phosphorus are too great for sustainable development.
Lion Farm	<ul style="list-style-type: none"> • NGET has objected to the proposed site allocations requesting for appropriate acknowledgement and protection of the NGET assets present within these sites in line with NGET Design Guide and Principles • Sports England has expressed strong objection to the allocation Lion Farm on the basis the Council has been unable to identify suitable mitigation sites for replacement playing field that would meet the relevant policy test. • Requested requirement that any replacement playing pitches will take account of potential cross-boundary usage.
Level 2 SFRA	<p>EA has identified that the SA excludes the fact that the allocated sites below listed in appendix B are in areas of Flood Zone 2, Flood Zone 3 and Flood Zone 3b and will require Level 2 SFRA</p> <ul style="list-style-type: none"> • SH59 Beaver Road • SH5 Mill Street, Great Bridge • SH36 Land between Addington Way and River Tame • SH35 Rattlechain Site Land to the North of Temple Way • SM2 Lion Farm, Oldbury • SH16 Cradley Heath Factory Centre, Woods Lane, Cradley • SH2 Land adjacent to Asda, Wolverhampton <p>The inclusion of other strategically important sites such as SH18 Friar Park, Wednesbury which are close to or on the edge of the floodplain has been recommended</p>

Policy/Theme	Summary of Issue
Sites that have local site designations	<p>Objections have been raised on any housing allocation on a site that has a current local site designation by the Wildlife Trust.</p> <ul style="list-style-type: none"> • SH18 - Friar Park, Wednesbury. The site is a Site of Local Importance for Nature Conservation (SLINC) and part of the core nature recovery network/LNRS areas of principal biodiversity importance. We therefore object to it being allocated for housing/development. • SH19 - Land at Horseley Heath, Tipton. Due to its adjacency, we have concerns about the impact of this allocation on Dixons Branch Canal SH21 - Dudley Road East. As above, but for Gower Branch Canal • SH30 - Land to East of Black Lane, West Bromwich. As above, but for Ridgeacre Branch Canal <p>The areas below could be potential sites of importance so evidence should be reviewed, and a local sites assessment could be necessary.</p> <ul style="list-style-type: none"> • SH35 - Rattlechain site - land to north of Temple Way, Tividale. • SH36 - Land between Addington Way and River Tame, Temple Way. Adjacent to Brades Hall SLINC.
SH43 (SA166) Land off Tanhouse Avenue, Great Barr	Sports England disputes the Council's view that the proposed allocation does not constitute disused playing field land and requests the site is withdrawn.
SH18 (SA55) Friar Park (STW/SMBC land), Wednesbury -	Sports England considers policy allocation unsound. It has been recommended that the reference to viability testing is removed.
SH34 (SA79) Brandhall Golf Course	Sport England remains of the view that the allocation should make reference to mitigating the loss of the golf course.