

From: Philippa Smith

Email: [sandwell\\_localplan@sandwell.gov.uk](mailto:sandwell_localplan@sandwell.gov.uk)

Date: 6<sup>th</sup> February 2025

The Planning Inspectorate  
Room 3J, Kite Wing  
Temple Quay House  
2 The Square  
Bristol  
BS1 6PN

(FAO Inspector C Jack BSc (Hons) MA MA(TP) MRTPI)

Dear Mrs Jack,

### **Sandwell Local Plan – Council’s Response to IN1: Inspector’s Initial Queries for the Council**

The following is the Council’s response to IN1: Inspector’s Initial Queries for the Council, dated 27<sup>th</sup> January 2025.

Firstly, thank you for confirming that the Sandwell Local Plan will be examined under the provisions of the NPPF dated December 2023.

#### **Duty to Cooperate**

##### **1. What is the timetable for completing the Statements of Common Ground (SOCGs)**

The Council is currently working with neighbouring local authorities across the Greater Birmingham and Black Country Housing Market Area (GBBCHMA) and the Black Country Functional Economic Market Area (BCFEMA) to sign a number of SOCGs relating to housing and employment contributions. We hope to have these signed in the next few weeks. In the meantime, the latest position statement is attached to this letter, along with the signed SOCGs with Dudley Council and Natural England (on air quality).

##### **2. Does the Council intend to submit any further SOCGs with other prescribed bodies or organisations? If so, please advise which and the likely timetable**

The Council is currently in discussions with the Environment Agency (EA) and National Highways (NH) regarding the representations submitted by them at Regulation 19. It is hoped that SOCGs with these organisations will be signed in the next few weeks. The latest information is also contained within the attached SOCG position statement.

#### **The Housing and Employment Strategy and Housing Land Supply**

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**3. Would the Council please prepare a detailed topic paper setting out an overview of the plan's strategy for housing including the justification for the plan's housing requirement figure, and a similar topic paper for employment**

The Council is currently preparing a detailed topic paper that sets out the Local Plan's strategy for housing. The topic paper will include a justification for the plan's housing requirement figure. The topic paper will also contain links to other topic papers as follows:

- Affordable Housing
- Gypsy and Travellers
- Density and Design
- Environment

The Council has also prepared a topic paper for Employment as requested. The Density and Design and Environment Topic Papers have been sent to you with this letter. It is anticipated that the remaining Topic Papers will be available by 21<sup>st</sup> March 2025.

**4. With reference to the NPPF requirements, can the plan demonstrate a five-year supply of specific, deliverable housing sites and, if so, is there a reasonable prospect of this being maintained through the plan period?**

The council's most recently published calculation of Sandwell's 5 year housing land supply is set out in the 2024 SHLAA (examination document HOU 003). This calculates a 1.86 year housing land supply against objectively assessed needs using the government's previous standard method with a 20% buffer.

We are currently reviewing the deliverability of identified sites and will provide an up-to-date calculation of the borough's 5 year housing land supply against the proposed housing requirement set out in the submission SLP with a 20% buffer by 21<sup>st</sup> March 2025.

**5. To evidence this, the Housing Topic Paper should also include, or be accompanied by, the plan's "as anticipated at the point of adoption", five-year supply calculation and any additional, updated (in addition to appendix B of the Plan) housing trajectory evidence necessary to demonstrate it. Annex 1 to this letter provides an example format for collating the appropriate site by site information.**

Noted, the information will be available by 21<sup>st</sup> March 2025.

#### **Flood Risk**

**6. Has the Council appropriately undertaken a full sequential test of the submitted plan and if necessary, applied the Exception Test in accordance with NPPF167?**

The Council has undertaken a Sequential Test of the submitted plan and applied the Exception Test where it was found to be necessary.

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**7. Has a Level 2 SFRA now been carried out for each of the sites highlighted in the EA representation?**

With regard to the Level 2 SFRA, all of the proposed housing, employment and gypsy and traveller allocations have been screened. Of the housing allocations screened, only two sites were identified as having multiple sources of flooding and therefore would require a Level 2 site assessment. One site already has planning permission and so was ruled out. A Flood Risk Assessment was assessed as part of the planning application. A Level 2 assessment has been carried out on the second site.

In addition, ten proposed housing allocations were identified as being at significant risk of surface water flooding. The consultants commissioned by the Council to undertake the SFRA were of the view that while surface water flood risk needs to be considered for these sites at Level 2, on review, the hazard levels were found to be relatively low. The consultants took a proportionate approach and addressed surface water flood risk for these sites in a dedicated section looking at more vulnerable developments within the Level 2 SFRA report, rather than producing ten additional level 2 site tables.

With regard to the proposed employment allocations, only two sites were identified as requiring a Level 2 assessment; these assessments have been undertaken for these sites.

**8. Has there been further engagement with the EA on this additional evidence and if so, what is the current position?**

The Council has entered into an agreement with the EA for them to review the Council's responses to their representations at Reg19. This includes the Sequential and Exception Tests and also an additional potential housing allocation the Council intend to submit as a main modification to the Plan.

**9. Is there a SOCG between the Council and the EA?**

The Council hopes to sign a SOCG with the EA on completion of their review of the additional work.

**10. Was the SLP Reg19 Site Assessment Report Appendix E: Flood Risk Sequential Test (SAA 004 dated 2024) available during the pre-submission consultation? While SAA 004 indicates it is an addendum to the SFRA, it does not appear to be included as part of the submitted SFRA documents. Clarification on this will be helpful.**

The SLP Reg19 Site Assessment Report Appendix E: Flood Risk Sequential Test (SAA 004 dated 2024) is an appendix to the Site Assessments Report (SAA 001) and not the SFRA. The Site Assessment Report sets out the methodology and process for assessing sites as potential allocations in the Plan, along with a detailed site assessment proforma for each site assessed. Appendix E was not available during the pre-submission consultation.

**Transport Modelling – outstanding requirements and clarifications in relation to transport modelling, including the revised Black Country Transport Modelling Report (TRAN 001)**

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**11. What is the latest position ?**

**12. Is there a SOCG between the Council and NH?**

The Council, along with the other Black Country Authorities are in discussions with NH concerning the BC Modelling Report and the Councils' responses to their representations to the Dudley, Sandwell and Wolverhampton Local Plans and will be looking to sign a SOCG in the next few weeks.

I trust this answers the questions raised. We will send the remainder of the information through by 21<sup>st</sup> March 2025.

Yours sincerely,



Philippa Smith

Project Manager – Sandwell Local Plan