

### **Proposed Response to Sandwell Local Plan (Regulation 18)- 18<sup>th</sup> December 2023**

Thank you for the opportunity to comment on the draft Sandwell Local Plan (SLP). Our response is provided in plan order by individual SLP policies. Please note this represents an officer-level response at this stage, which will be subject to formal Cabinet approval in 2024.

Overall, we support continued joint working and engagement under the Duty to Cooperate as our respective Local Plans progress and welcome further discussions to address the issues identified in our response.

#### **Policy SDS1- Development Strategy**

The key elements of this policy are supported by Dudley MBC, including the principle of delivering as much new development as possible on previously developed land and sites within the urban area. Sandwell MBC should continue to keep its urban capacity under review to identify any further opportunities for new development that would contribute to the shortfalls in housing and employment land supply currently identified. Please note our response to Policy SHO1 in respect of the housing land supply position.

The SLP identifies that Sandwell's unmet housing and employment land needs will need to be provided for across the Housing Market Area (HMA), Functional Economic Market Area (FEMA) and other areas with which Sandwell has a physical or functional relationship. Reference is made to the latest position in respect of the Duty to Cooperate with further information contained in the supporting Draft Plan Statement of Consultation (Duty to Cooperate Statement, 2023).

This Statement (at paragraphs 31-34) identifies that there are a series of 'offers' from other local authorities outside of the Black Country towards the unmet housing needs of the area. Dudley MBC agrees that this largely reflects the latest position, but there are some updates to take account of. The Dudley MBC Duty to Cooperate Statement (2023) at paragraph 2.27 notes that Telford and Wrekin Council has since published its Regulation 18 Local Plan (October 2023) with a potential contribution of 1,600 homes towards the Black Country's unmet housing needs. The Lichfield Local Plan was withdrawn from Examination in October 2023. We would also note that Cannock Chase and South Staffordshire Councils' previously paused work on their local plans following the Government's proposed reforms to the national planning policy framework in December 2022. We are aware that work on both plans has recently recommenced.

The Sandwell MBC Duty to Cooperate Statement (at paragraph 34) states that discussions are ongoing in relation to how these contributions are disaggregated between the four Black Country authorities, which is also reflected within the Dudley MBC Duty to Cooperate Statement (paragraph 2.26). Dudley MBC has identified a housing supply shortfall, as detailed within our recent Regulation 18 Draft Local Plan, which it is similarly working to address via contributions from relevant local

authorities under the Duty to Cooperate. Dudley MBC will therefore continue to work jointly with Sandwell MBC under the Duty to Cooperate to progress this matter.

In respect of unmet employment land needs, the Sandwell MBC Duty to Cooperate Statement (paragraphs 36-41) sets out the 'offers' from other local authorities, which reflects the information contained within the Dudley MBC Duty to Cooperate Statement (2023). It is recognised that this reflects the position as was the case for the Black Country Local Plan draft plan consultation stage (as of 2021). The latest position, as contained within the up-to-date Black Country Economic Development Needs Assessment (EDNA, 2023) and Black Country Employment Land Supply Paper (2023) and resulting from any future updates to relevant local authority contributions, will need to be reflected at the next stage (Regulation 19) of our respective Local Plans. Dudley MBC has identified an employment land supply shortfall, as detailed within our recent Regulation 18 Draft Local Plan, which it is similarly working to address via contributions from relevant local authorities under the Duty to Cooperate. Dudley MBC supports the principle of addressing the employment land shortfalls via the Black Country FEMA and will continue to work jointly with Sandwell MBC under the Duty to Cooperate to progress this matter.

For clarity, Dudley MBC is unable to contribute towards the housing and employment land supply shortfalls of Sandwell MBC.

In respect of the other strategic matters set out within the Sandwell MBC Duty to Cooperate Statement e.g., transport, natural environment, whilst it is recognised that there will be the key prescribed bodies to engage on these matters, Dudley MBC would welcome any cross-boundary considerations related to such topics also being reflected within forthcoming Statements of Common Ground between our authorities, as necessary.

### **Policy SDS2- Regeneration in Sandwell**

Dudley MBC supports the SLP approach of focusing new development and regeneration within the identified Regeneration Areas and West Bromwich strategic centre.

The Regeneration Area of Dudley Port and Tipton relates to the draft Dudley Local Plan Regeneration Corridor 4 (the Regeneration Area of the Wednesbury to Tipton Metro Corridor is also of relevance). Dudley MBC supports references to the new public transport hub to be developed around the interchange of the Midland Metro Extension and Dudley Port railway station. Combined with the metro extension from Dudley town centre to Dudley Port, this will provide Dudley borough residents with enhanced access to the national railway network. Housing and employment development in this area is supported but should take account of any cross-boundary infrastructure requirements arising from specific proposals.

The justification to the policy references the opportunities to build upon the existing infrastructure, making the canals and greenspace a destination, linking to wider attractions such as the Dudley Canal Trust, Black Country Museum and Dudley Zoo. Recognition of these attractions and potential opportunities to enhance linkages to them is supported.

It is noted that £20million has been awarded from the Levelling Up Fund towards the regeneration of Tipton. Whilst the principle of the regeneration and redevelopment of such areas to deliver additional housing and employment growth is supported, specific proposals for the regeneration/redevelopment of the Owen Street District Centre (also known as Tipton Town Centre) should be of an appropriate scale to that centre so as not to detract from the functions of higher order centres within the vicinity, including Dudley Town Centre (identified as a Tier 2 centre within the draft Dudley Local Plan).

### **Policy SDS5 – Cultural Facilities and the Visitor Economy**

Dudley MBC supports references within the justification text to assets that are also within Dudley borough, including cross-boundary sites such as Bumble Hole and Warrens Park.

### **Policy SNE1- Nature Conservation**

Dudley MBC supports references to the protection of Fens Pool Special Area of Conservation. We would expect this to be addressed as part of the Habitats Regulation Assessment process for the SLP and individual development proposals, as necessary.

### **Policy SNE2- Protection and Enhancement of Wildlife Habitats**

The Biodiversity Net Gain site proposals include Warren Halls Park Strategic Open Space, which represents a cross boundary opportunity with Bumble Hole Nature Reserve within Dudley borough. Bumble Hole Local Nature Reserve is identified as a potential Biodiversity Net Gain Receptor Site within the draft Dudley Local Plan.

The draft Dudley Local Plan identifies the Saltwells Local Nature Reserve as a potential Biodiversity Net Gain Receptor Site, which borders onto Mousesweet Brook Local Nature Reserve/SINC within Sandwell borough. This site is not identified within the SLP as a Biodiversity Net Gain site. There may be an opportunity for cross boundary working in relation to this area if the site was identified within the SLP. Dudley MBC will continue to work jointly with Sandwell MBC to identify any such opportunities going forward.

Dudley MBC supports the use of the Black Country Local Nature Recovery Network Strategy to maximise cross boundary benefits.

Dudley MBC welcomes the opportunity to explore and share active travel link improvements along Mousesweet Brook, Mushroom Green and Black Brook leading to Cradley Heath transport interchange (rail/bus station).

### **Policy SNE4- Geodiversity and the Black Country UNESCO Global Geopark**

Dudley MBC supports this policy, which is consistent with draft Dudley Local Plan Policy DLP35 Geodiversity and the Black Country UNESCO Global Geopark.

### **Policy SHE2- Development in the Historic Environment**

The policy and the supporting justification text references the Black Country Historic Landscape Characterisation Study (2019) and the supporting justification text references that Areas of High Historic Landscape (AHHLV) and Areas of High Historic Townscape value (AHHTV) were identified as part of this study. However, these areas do not then appear to be reflected within the policy itself (in terms of specific reference to them) or identified on the SLP Policies Map. There is also no reference made to the other two Historic Environment Area Designations (HEADS) identified in the Black County HLC - Designed Landscapes of High Historic Value (DLHHV) or Archaeological Priority Areas (APAs). For consistency in the implementation of the shared Black Country evidence base, and in recognition of cross boundary considerations in relation to the historic environment, Dudley MBC would welcome further references to these designations within the policy and for them to be reflected on the Policies Map. This is particularly relevant for site allocations which border/are adjacent to the Dudley borough boundary.

#### **Policy SCC4- Flood Risk**

The supporting justification text references the primary sources of fluvial flood risk within Sandwell which need to be addressed and considered. This includes the River Stour which crosses into Dudley borough. Dudley MBC supports these references.

#### **Policy SHO1 – Delivering Sustainable Housing Growth**

It is noted that 11,167 net new homes will be delivered over the plan period (up to 2041) with 97% on brownfield land and 3% on greenfield land. The SLP prioritises the development of previously developed land. The Plan identifies that there is a resulting shortfall of 18,606 homes against a housing requirement of 29,773 homes. The draft SLP states that Sandwell MBC is in discussions with neighbouring authorities to seek their agreement to accommodate some of Sandwell's unmet needs (at paragraphs 3.12-3.19).

Dudley MBC is supportive of the Council's approach in terms of prioritising brownfield land development in the first instance and greenfield sites within the urban area. The approach to the review of urban capacity is generally supported, and the application of assumptions related to discounting of the housing land supply is largely consistent with that applied in Dudley borough. It is noted that the Council consider there are no exceptional circumstances for the release of Green Belt land to meet identified housing needs, including the housing supply shortfall.

Dudley MBC is supportive of Sandwell MBC maximising its urban area supply to meet its own housing needs as far as possible, particularly considering the scale of the current housing supply shortfall identified (representing around two thirds of the minimum housing requirement). Sandwell MBC should continue to keep its urban capacity under review to identify any further opportunities for new development that would contribute to the shortfalls in housing supply identified.

It is noted that the Council has explored opportunities for additional supply from its centres (West Bromwich, Town, District and Local Centres across the borough). This yields around 219 additional dwellings. Related Policy SHO3- Housing Density, Type and Accessibility states that the highest densities of 100+ dwellings per hectare

representing apartment schemes will only be acceptable where accessibility standards set out in Table 6 are met and the site is located within West Bromwich. We would welcome clarification on whether schemes located outside of West Bromwich namely at the other town centres within the borough (as identified in Table 10 of the SLP) could also achieve such higher densities given their accessible locations.

Achieving higher densities within such locations could potentially yield additional urban supply, albeit it is recognised this is unlikely to be significant in the context of the scale of the housing supply shortfall. This would however be consistent with the approach set out under the former draft Black Country Local Plan (2021) Policy HOU2 where such densities were identified as appropriate for strategic and town centres. The draft Dudley Local Plan Policy DLP11- Housing Density, Type and Accessibility identifies that the strategic centre of Brierley Hill and its other town centres at Dudley, Halesowen and Stourbridge are in principle suitable for such high-density developments (subject to local character considerations for individual schemes).

Please also see our response to Policy SDS1 – Development Strategy in respect of matters related to the housing supply shortfall.

It is noted there are several major housing allocations proposed along/nearby the boundary with Dudley borough including:

- SH25- Bradleys Lane/High Street, Tipton (189 dwellings)- no planning permission.
- SH1- Brown Lion Street (27 dwellings)- planning permission.
- SH7- The Boat Gauging House and adjacent land (50 dwellings)- subject of planning application.
- Several allocations around Cradley Heath including: SH16- Cradley Heath Factory Centre, Woods Lane (196 dwellings)- partly subject of planning application; SH4- Lower High Street – Station hotel and Dunns site (20 dwellings)- no planning permission; SH13- Silverthorne Lane/Forge Lane (81 dwellings)- no planning permission; SH15- McArthur Road Industrial Estate (13 dwellings)- no planning permission.
- SH34- Brandhall Golf Course (190 dwellings)- subject of planning application.
- Whilst located near to Rowley Regis, given the scale of the proposed allocation at SH37-Edwin Richards Quarry (526 dwellings within the plan period and 100 dwellings post plan period, partly subject of planning permission/application for 276 dwellings) we also note the relative proximity of this site to Dudley borough.

These allocations should take account of cross-boundary infrastructure considerations given the potential for the cross-boundary use of and impacts upon highways, health, and education services. Matters related to impacts upon amenity and character of the local area should also be considered on a cross boundary basis. Dudley MBC would welcome the opportunity to be consulted on any future masterplans/other planning documents that may be produced for these sites going

forward (and any planning applications, as appropriate). We would also welcome the opportunity to be engaged on the Infrastructure Delivery Plan that will support the SLP as it progresses to the next Regulation 19 stage so that any cross-boundary issues can be identified and addressed.

In respect of education provision specifically, we would note that historically for cross-border flow of pupils the largest flow for Dudley MBC is with Sandwell MBC. As such Dudley MBCs education team would welcome ongoing discussions in relation to housing allocations nearby the boundary including updates on the proposed delivery timescales and Sandwell MBCs position on the education provision for such schemes. We particularly note that the SH25 allocation at Bradley's Lane and the various allocations around Cradley Heath are located closer to primary schools within Dudley borough than those in Sandwell.

In respect of transport matters specifically, all developments exceeding 150 dwellings (as compliant with Local Transport Note LTN 1/20) at or near the Dudley MBC boundary should be considered in terms of impact on the surrounding network and subject to traffic impact assessments. All new developments should be considered in terms of opportunities to deliver active travel, Community Infrastructure Levy funds, Section 106 contributions and access to bus rail and tram transport across local authority boundaries.

### **Policy SHO3- Housing Density, Type and Accessibility**

This policy is largely consistent with the draft Dudley Local Plan Policy DLP11- Housing Density, Type and Accessibility. This is supported as it provides a consistent approach to sites which are in proximity to the Dudley borough boundary.

As per our comments on Policy SHO1, we would welcome clarification as to whether town centre locations within Sandwell could accommodate higher density developments of 100+ dwellings.

### **Policy SHO10- Accommodation for Gypsies, Travellers and Travelling Showpeople**

Dudley MBC supports the proposed protection of existing authorised pitches (16 in total) and note that 10 new pitch allocations are proposed. The proposed allocation SG1 is nearby the Dudley borough boundary at Brierley Lane for 10 pitches, which would be an extension to an existing caravan site.

Dudley MBC would welcome clarification on the size of the existing site. As set out within the SLP supporting text (paragraph 7.71) there is generally a preference for family-sized sites of 10-15 pitches. As this allocation of 10 pitches represents an extension to an existing site, we would welcome clarification of the total eventual site size including existing and proposed pitches. We would be concerned with the delivery of a site whose scale is not well related to its surrounding area. Detailed proposals for this site should take account of any cross-boundary infrastructure issues arising and matters related to impacts upon amenity and character of the local area (including within Dudley borough).

The draft SLP policies are supported by the joint evidence base produced for the Black Country; the Black Country Gypsy and Traveller Accommodation Assessment (GTAA, 2022). We welcome the use of this jointly produced evidence base. The GTAA identified a need of eight pitches up to 2031 and an additional six pitches from 2031-2041 for Sandwell. The SLP will deliver ten pitches to meet the need up to 2031 plus a buffer of two pitches (20%) - providing a five-year deliverable supply of pitches from adoption of the SLP in 2025. The approach will provide 71% of the total need for 14 pitches over the Plan period (2023-41). The SLP states that it is not possible to identify and allocate further sites to meet the remaining need for four pitches up to 2041 as no deliverable site options were put forward through the Sandwell Local Plan preparation process. Therefore, this remaining need will be met within the borough through the planning application process. This is consistent with past trends, where small windfall sites have come forward within the urban area.

The GTAA identified a need for 32 Travelling Showpeople plots for Sandwell. The SLP states it is not possible to identify and allocate sites to meet this need as no deliverable site options have been put forward through the Sandwell Local Plan preparation process. Therefore, this need will also be met within the borough, through the planning application process (and is consistent with past trends for windfall sites).

Dudley MBC is supportive of Sandwell MBC seeking to meet its outstanding needs via the planning application process. For clarity, Dudley MBC is unable to contribute towards any unmet needs of Sandwell and has identified its own shortfall in Gypsy, Traveller and Travelling Showpeople provision within the draft Dudley Local Plan.

### **Policy SEC1- Providing for Economic Growth and Jobs**

SLP Policy SEC1- Providing for Economic Growth and Jobs, identifies that the borough will provide at least 1,206ha of employment land. This consists of 1,177ha of occupied employment which is allocated as strategic, local or other employment land and 29ha of land that is currently vacant.

The SLP notes that the latest Economic Development Needs Assessment (EDNA, produced jointly in 2023 between the Black Country local authorities) identifies an employment land requirement of 185ha for Sandwell (2020-2041). The SLP (at paragraph 2.14) states that completions for 2020-2022 and the supply of land available for employment use totals 42ha, including a vacant land supply of 29ha. There is a resulting shortfall of 143ha against Sandwell's employment land requirements. The SLP (at the supporting text to Policy SEC1) identifies that the shortfall will be addressed through the Black Country Functional Economic Market Area (FEMA) and that unmet needs should be exported, as far as possible, to authorities that have a strong existing or potential functional economic relationship with Sandwell. This work is ongoing under the Duty to Cooperate.

The general approach of the SLP towards employment land provision is supported by Dudley MBC, however we would note that the EDNA published as part of the SLP consultation is dated August 2023. The most up to date version of the EDNA is October 2023, which reflects the current employment land requirements and supply

position for all the four Black Country local authorities. This identifies an employment land requirement of 186ha for Sandwell, which increases to 212ha if the replacement of employment land losses is accounted for (for information, the draft Dudley Local Plan Policy DLP18- Economic growth and job creation identifies that the need for the replacement of employment land losses, equivalent to 26ha for Dudley borough, will be monitored over the plan period). We would welcome confirmation that the most current version of the EDNA (October 2023) will be used to inform the next stage of the SLP.

Dudley MBC recommends that the text at current paragraph 2.14 is replicated in the supporting justification text to Policy SEC1 to clarify that the employment land supply for Sandwell is 42ha (2020-2041). We note that EDNA and the Black Country Employment Land Supply Paper (2023) identifies an additional supply of circa 78ha arising from large and small windfall sites within the Black Country which would further reduce the employment land supply shortfall (it is noted that this figure is not disaggregated to the local authority level at this time). The borough specific contribution from the West Midlands Strategic Rail Freight Interchange (as detailed in the Stantec report of 2021)<sup>1</sup> can also be accounted for, as per the supporting text contained within the draft Dudley Local Plan in respect of this contribution from outside the Black Country. These additional sources of supply should be recognised within the SLP supporting justification text going forward.

The latest EDNA (October 2023) and Black Country Employment Land Supply Paper (October 2023) has informed the draft Dudley Local Plan. The evidence base has been produced jointly by the Black Country local authorities, reflecting the strong FEMA that exists. This evidence base identifies individual local authority employment land requirements as part of a wider Black Country requirement. It also applies this to the employment land supply. The Employment Land Supply Paper notes the contributions that have been secured to date from other local authorities towards the Black Country employment land supply shortfall, namely from Shropshire and South Staffordshire at this time. It is envisaged that these discussions will continue as the respective local plans progress and the latest position will need to be reflected in our respective Regulation 19 local plans.

We note that there is one employment site allocation nearby the Dudley borough boundary at Conegre Business Park for 7.22ha (reference SEC1-5). This is situated in proximity of the Strategic Employment Area (Ionic Business Park) within Dudley. The proposals for the site should take account of any cross-boundary infrastructure considerations, particularly impacts upon key infrastructure such as highways.

This site is close to the A4123/borough boundary and depending on the nature of the development, increased traffic may impact on this key route which is currently being improved to facilitate both active travel and bus route enhancements. It remains a cross boundary joint improvement initiative including input from both local authorities, Black Country Transport and Transport for the West Midlands. Continued joint

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<sup>1</sup> West Midlands Strategic Rail Freight Interchange, Employment Issues Response Paper - Whose need will the SFRI serve? (Stantec; prepared on behalf of the Black Country Local Planning Authorities, February 2021)



working in respect of any cross-boundary implications would be welcomed, including consultations on any planning applications, as appropriate.

### **Policy SEC2- Strategic Employment Areas, Policy SEC3- Local Employment Areas and Policy SEC4- Other Employment Areas**

Dudley MBC supports the SLP approach to Strategic Employment Areas (Policy SEC2), Local Employment Areas (Policy SEC3) and Other Employment Sites (Policy SEC4). The policy approach is broadly consistent with that set out in the draft Dudley Local Plan.

We note that the followings areas are identified as Local Employment Areas (LEA), and we support these designations as they are consistent with cross boundary/adjacent sites to the boundary of Dudley borough:

- Brymill Industrial Estate (adjacent to Budden Road, Coseley LEA in Dudley)
- The Angle Ring Company Ltd (adjacent to Budden Road, Coseley LEA in Dudley)
- Bloomfield Park (adjacent to Budden Road, Coseley and Birmingham New Road LEAs in Dudley)
- Providence Street, Cradley Heath (adjacent to Westminster Industrial Estate LEA in Dudley)
- Cakemore Industrial Estate (adjacent to Cakemore Road LEA in Dudley)
- Station Road Industrial Estate (adjacent to Nimmings Road LEA in Dudley)

It is noted that the Coneygre Industrial Estate is identified as a Local Employment Area. This lies adjacent to Ionic Business Park within Dudley borough which is identified as a Strategic Employment Area. It is noted that this reflects the findings of the Black Country Employment Area Review (BEAR, 2021).

### **Policy SCE1- Sandwell's Centres, Policy SCE6- Edge of Centre and Out of Centre Development, and Town Centre Profiles**

Dudley MBC supports the use of the jointly produced Black Country Centre Study update (2021) evidence base for the SLP. The draft Dudley Local Plan also utilises this evidence base.

Dudley MBC is supportive of the general approach to Centres. We are supportive of the impact test threshold of 280sqm for edge or out of centre proposals, which is consistent with draft Dudley Local Plan Policy DLP27 Edge of Centre and Out of Centre Development (we note that the contents of Table 10 of the SLP would appear to require updating to clarify this is the approach i.e., that proposals of more than 280sqm require impact tests). The implementation of the SLP policies should ensure that the scale of proposals for growth within the centres is commensurate to their scale, role, function and order in the hierarchy, taking account of nearby centres outside Sandwell borough including those in Dudley.

In relation to this, we note that for the Tier Two town centre of Blackheath there appear to be no significant proposals for growth identified. Some redevelopment site

opportunities are identified, but these are not significant in scale and are for mainly residential use. For the Tier Two town centre of Cradley Heath, similarly there are no significant proposals for growth identified, with mostly residential redevelopment site opportunities identified.

As outlined in our response to Policy SDS2, the principle of the regeneration and redevelopment of Owen Street District Centre (also known as Tipton Town Centre) is supported however any specific proposals should be at a scale appropriate to the District Centre so as not to detract from the function of higher order centres within the vicinity, including Dudley Town Centre (identified as a Tier 2 centre within the draft Dudley Local Plan).

### **Policy STR1- Priorities for the Development of the Transport Network**

Dudley MBC supports this policy and there are several cross-boundary projects referenced, consistent with draft Dudley Local Plan Policy DLP67 The Transport Network. We are supportive of the reference to the Dudley Port Integrated Transport Hub, which will link into the Metro extension for Brierley Hill-Wednesbury and provide access to the national railway network for Dudley borough residents. The Council would welcome continued joint working on the relevant evidence base for transport matters, including transport modelling to address cross boundary matters consistently.

### **Policy STR2- Safeguarding the Development of the Key Route Network (KRN)**

Dudley MBC supports this policy which is broadly consistent with the draft Dudley Local Plan Policy DLP68 The Key Route Network. This ensures a consistent approach to cross boundary matters related to the KRN.

### **Policy STR4- The Efficient Movement of Freight and Logistics**

Dudley MBC supports this policy which is broadly consistent with the draft Dudley Local Plan Policy DLP70 The Movement of Freight. This ensures a consistent approach to cross boundary projects related to this topic, including the reopening of the Stourbridge-Walsall-Lichfield railway line (as referenced at paragraph 11.38 of the SLP). The draft Dudley Local Plan also references this project (at paragraph 16.32).

### **Policy STR5- Creating Coherent Networks for Cycling and Walking**

The approach is broadly consistent with the draft Dudley Local Plan Policy DLP71 Active Travel. Dudley MBC supports the principle of this policy and welcomes the opportunity to continue joint working on the delivery of relevant cross boundary projects, including:

- Birmingham New Road (A4123)/Burnt Tree (A461).
- Tipton Road (A4037)/Birmingham New Road (A4123).
- Birmingham New Road (A4123)/Sedgley Road (A457).

Management of major works at the following locations will be key to sustainable travel and minimising disruption across the network:

- Birchley Island (A4123)/Churchbridge (A4034) (in close proximity to Dudley borough).
- Wolverhampton Road (A4123)/Hagley Road West (A456) (in close proximity to Dudley borough)

Additionally, joint working to improve active travel access across borough boundaries to rail stations such as Dudley Port station (i.e., A4123/A461 scheme), Tipton rail station, Old Hill station & Coseley station will be very helpful to both Sandwell and Dudley borough residents.

Please also see our response to Policy SNE2- Protection and Enhancement of Wildlife Habitats in respect of opportunities for active travel links.

### **Policy STR8- Parking Management**

Dudley MBC supports this policy which is consistent with draft Dudley Local Plan Policy DLP73 Parking Management. It helps to ensure a cross boundary consistent approach to this matter, which is of relevance in relation to strategic centre and town centre parking provision. We support the use of a shared Black Country evidence base to inform this policy. The most up to date Car Parking Study has been finalised and this, or any further updates, should inform the next stage of the SLP.

### **Policy SWA1- Waste Infrastructure Future Requirements**

This policy is broadly consistent with draft Dudley Local Plan Policy DLP75 Waste Infrastructure- Future Requirements and is therefore supported in terms of consistency in addressing cross boundary matters.

It is noted that the updated supporting evidence base for Sandwell and SLP Policy SWA1 sets out the waste infrastructure capacity gaps for the plan period. The draft Dudley Local Plan and its supporting evidence base has also identified waste infrastructure capacity gaps, particularly for those facilities which the borough is unlikely to be able to accommodate due to its urban nature e.g., landfill, anaerobic digestion and composting facilities. Dudley MBC would welcome further discussions under the Duty to Cooperate in relation to cross boundary waste matters, particularly given the existing waste movements between our local authorities. Dudley MBC will continue to work with Sandwell MBC on cross boundary strategic waste matters, including via the West Midlands Resource Technical Advisory Body (WMRTAB).

### **Policy SWA2- Waste Sites**

Dudley MBC supports the principle of this policy, which is broadly consistent with draft Dudley Local Plan Policy DLP76 Waste Sites. Dudley MBC supports the identification of strategic waste sites, applying a consistent approach in terms of how these are defined, and the use of the shared evidence base for the Black Country (Waste Study, 2020). The policy approach also helps to ensure cross boundary consistency in identifying appropriate locations for non-waste developments which do not prejudice existing waste-related operations.

We note that the Edwin Richards Landfill identified as a Strategic Waste Disposal Installation is also a proposed major housing allocation (allocation reference SH37) in the plan period. As this site is currently a recipient of relatively significant levels of waste from Dudley borough, we would welcome further information on the proposed timescales for its closure as part of our Duty to Cooperate discussions in respect strategic waste matters.

### **Policy SWA3- Preferred Areas for New Waste Facilities**

Dudley MBC supports the principle of this policy, which is consistent with draft Dudley Local Plan Policy DLP77 Preferred Areas for New Waste Facilities and is based upon a consistent evidence base for the Black Country (Waste Study, 2020). We note that the Sandwell Local Plan Policies Map identifies a 'Preferred Area of Search' for new waste facilities, which is a cross boundary area with Dudley borough at Bloomfield Road/Budden Road, Coseley. Whilst it is identified on the Policies Map, it is not listed in Table 13 of the supporting justification text to Policy SWA3 nor in Appendix E (where these sites are listed again). We would welcome clarification that the site is allocated and recommend it is included in the site-specific list of allocations within the SLP. Dudley MBC supports the principle of this allocation as it aligns with the draft Dudley Local Plan allocation detailed in Policy DLP77 and identified on the Policies Map. We would expect any site-specific proposals to take account of cross boundary considerations e.g., highway impacts, as part of the detailed planning application process.

We note that there are several housing allocations proposed within proximity of this preferred area (Bradleys Lane/High Street, Brown Lion Street, and The Boat Gauging House). We would expect these sites to have been assessed in terms of their potential to prejudice any existing and proposed waste operations at this location, taking account of cross boundary allocations and safeguarded sites within Dudley borough.

### **Policy SMI1- Minerals Safeguarding**

Dudley MBC supports the principle of this policy, which is broadly consistent with draft Dudley Local Plan Policy DLP80 Mineral Requirements and Policy DLP81 Mineral Safeguarding. The policy approach also helps to ensure cross boundary consistency in identifying appropriate locations for non-minerals developments which do not prejudice existing minerals-related operations. Dudley MBC will continue to work with Sandwell MBC on cross boundary strategic minerals matters, including via the West Midlands Aggregates Working Group and as part of the production of Local Aggregates Assessments for the West Midlands Metropolitan Area.

### **Appendix B- Sandwell Site Allocations (Mixed Use Allocation SM2 Lion Farm, Oldbury)**

Dudley MBC would welcome further clarification in relation to Mixed Use Allocation SM2 Lion Farm, Oldbury.

This represents a major allocation which is in proximity of Dudley borough and has potential cross boundary implications given its scale and current/proposed uses.

The site currently provides for 6 sports pitches which have the potential for provide for cross boundary sports provision. The SLP states that appropriate uses are the retention of 6 sport pitches. The 'Further Information' text states that a net loss of the pitches could be avoided which is strongly caveated by the ability to relocate 6 pitches to the southern part of the borough. We would welcome clarification on whether the existing pitches are to be retained on site or relocated and if this would have any implications for cross boundary provision given the need to protect and enhance pitches across the Black Country. One of the Black Country Overarching Strategic Framework recommendations states the following for Football: Protect existing quantity of pitches, including lapsed and disused provision, until all demand is being met (unless replacement provision meets Sport England requirements and is agreed upon and provided).

The SLP states that the site will provide for 200 homes and 2.3ha of employment land. In respect of the employment land provision, we would welcome clarification if this site is proposed for B class employment use in accordance with SLP Policy SEC1. The site does not appear to be included within the B class employment land totals which are set out at Appendix C to the SLP (and already total the 29ha of vacant land referenced in SLP Policy SEC1). Dudley MBC would have concerns if this site was to be utilised for any large-scale retail development and the potential impact upon our own Tier One and Tier Two centres, plus additional impacts on highways. Any cross-boundary implications in respect of highways impacts should be fully considered. We would welcome confirmation on the specific proposals for the site.

Dudley MBC also notes the proximity of this site to the Edwin Richards Quarry site allocation (SH37). The cumulative impacts of these two allocations in terms of cross boundary infrastructure provision should be considered.