
Black Country Core Strategy

Report on Urban Capacity and Green Belt Material (Published February 2020)

For WM CPRE

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1. Introduction

I was asked by West Midlands CPRE to review the updated evidence for the Black Country Plan Review, published by the Association of Black Country Authorities (ABCA)¹. In particular I was asked to consider the Urban Capacity Study and Green Belt Review. I have briefly considered the landscape and ecological reports but not examined them in any detail.

I understand that these will form the evidence for the plan published in the Autumn for consultation. However, further evidence will be published then, including an updated Economic Development Needs Analysis (EDNA). The published plan will also include a specific list of sites which ABCA are promoting.

I have also considered the updated Strategic Housing Land Availability Assessments for three of the four boroughs (dated December 2019) although I have not looked in detail at individual sites.

2. Background

The four Black Country Boroughs, Dudley, Sandwell, Walsall and Wolverhampton are reviewing their Joint Core Strategy under the auspices of the Association of Black Country Authorities (ABCA).

In 2017 they produced an Issues and Options Report which I considered in a report for West Midlands CPRE in August 2017 which formed part of CPRE's submission.

At the time the Black Country Authorities claimed they needed roughly 78,000 homes and had a shortfall of 22,000 to 2036. This pre-dated the Government's Standard Methodology for establishing housing need. As I pointed out at the time it was not a figure which matched the Economic analysis from Oxford Economics which assumed that the population would lose 6,000 households to job opportunities elsewhere.

There were elements of the supply side I found unsatisfactory. In particular, although there was an allowance for small windfalls, there was none for larger windfalls, even though changes in the economy and retail suggest these may well come forward in the plan period.

Moreover, while it was suggested the 22,000 short-fall could be reduced by the use of redundant employment land the figure of 10,400 homes which was given was not based on consistent data across the four boroughs.²

¹ <https://blackcountryplan.dudley.gov.uk/t2/p4/>

² Para 3.16 of the Issues and Options Report

The analysis of employment land needs came to the conclusion that 800 hectares of employment land was needed, although, as I said at the time, the justification was opaque and the particular need for high quality larger sites needed to be considered in the light of nearby schemes, such as the West Midlands Interchange Proposal at Four Ashes which is being considered by the National Infrastructure Commission.³ ABCA considered then there was a shortfall of 300 hectares of industrial land although the figure in the Economic Development Need Assessment was higher.⁴

Perhaps even more relevantly the industrial land shortfall was largely for larger sites but failed to fully include significant sites within the Black Country's surrounding area, notably Four Ashes which I refer to later.

Not only that but it was based on the West Midlands Council's 'SuperSEP'⁵ approach which represented a bullish approach to economic development opportunities.

3. Black Country Call for Sites and the Green Belt

A call for sites was then sent out in July 2017 and closed in June 2019.⁶ Details of the responses for sites within the Black Country Boundary were set out in a note from ABCA and an interactive map was produced which shows all the sites, including a significant number in South Staffordshire and Cannock Districts, some of which I understand are going through the relevant local plan process in those districts and some of which are not.

The on-line map does not include sites in other authorities, for example, those identified in the M54 in Shropshire such as the Bradford Estate site at Jn3 of the M54. That proposal includes 3,000 homes identified as being to meet needs in the Black Country and 50has of industrial land identified as meeting Shropshire's industrial land need.

To roughly gauge the extent of developer interest in the Green Belt I summed up the total area of sites based on the submitted data to the call for sites and got a figure of 2,399 hectares. A further 613 hectares is identified in South Staffs and Cannock. Leaving aside land identified for industrial use, the Black Country sites (or those crossing boundaries) added up to 45,364⁷ homes while the sites in Cannock and South Staffordshire were 10,881 homes. In total nearly 3,000 hectares of Green Belt is identified or 56,000 homes.

Even discounting a significant number of sites, it can be seen that the level of development interest far exceeds the needs of the Black Country on any count.

This is, of course, a purely arithmetical exercise. It can be assumed that significant amounts of these sites will, and should, be discounted. Controversial sites, such as Seven

³ <https://infrastructure.planninginspectorate.gov.uk/projects/west-midlands/west-midlands-interchange/>

⁴ Para 3.27 of the Issues and Options Report

⁵ <https://www.wmca.org.uk/what-we-do/strategy>

⁶ <https://blackcountryplan.dudley.gov.uk/t5/>

⁷ This is my calculation based on the housing numbers given for each site, and if not given, an assumption of 30 dwellings per hectare.

Cornfields (site 180), straddling the boundary of Wolverhampton and South Staffordshire, for example, face significant opposition and are considered ‘high risk’ in the LUCs Green Belt analysis, which I consider later.

There are also sites in the largest area of Green Belt (round Walsall) which have a long-standing planning history and have significant amenity and nature conservation value or would lead to settlements coalescing. Significant areas are also classified as ‘high risk’.

It would clearly be preferable to accommodate the Black Country’s growth within the conurbation itself rather than in the Green Belt at all. Work being currently undertaken by the West Midlands Combined Authority’s Housing Delivery Group supports that approach.

Two of their six priority corridors are inside the Black Country (Walsall-Wolverhampton and Sandwell to Dudley) and four of their five priority town centres (Bilston, Dudley, Walsall and West Bromwich).⁸

4. Housing Need

It is against that background that the Black Country Councils have reviewed their calculations in advance of publishing their plan. New data on housing supply and urban capacity⁹ was published in January 2020 from ABCA, along with some other material, notably a review of all Green Belt land within the subregion against the purposes of the Green Belt by LUCs which will provide evidence for the Preferred Option, which they aim to release in the Autumn of 2020.

As stated above the level of need for 2016-2036 at the Issue and Options stage was set at 78,105 homes, including 2,689 homes for previous under-delivery. The standard methodology calculation of housing need for 2019-2038 (based on the 2014 ONS household projections and 2018 market housing affordability ratio) would result in a need of 71,459 and this is included in the Urban Capacity Report.

However, if one uses the more up to date 2016 ONS household projections the need is 54,378 homes. The difference of 17,081 is highly significant and represents the differences in assumptions on things such as mortality and migration, but also significantly an assumption that household size will not decline as rapidly as previously expected.

Black Country Housing Need 2019-2038 (including affordability uplift) ¹⁰	Annual rate	Plan Period (19 Years)	Green Belt Requirement based on supply figure of 44,541 ¹¹ given in Urban Capacity Study.
SM ONS 2016	2862	54378	9837
SM ONS 2014	3761	71459	26918

⁸ For Committee Papers see <https://governance.wmca.org.uk/mgCommitteeDetails.aspx?ID=150>

⁹ <https://blackcountryplan.dudley.gov.uk/t2/p4/t2p4c/>

¹⁰ See Calculation Tables in Appendix A

¹¹ This is the supply figure given in the 2020 Urban Capacity Study but is not necessarily correct (see below).

This would also be less if the end of the plan period had been retained at 2036, which would have been in line with the NPPF requirement (Para 67) of a minimum time span of 15 years, and would have allowed Green Belt releases, if needed, to be delayed.

Black Country Housing Need 2019-2036 (including affordability uplift) ¹²	Annual rate	Plan Period (17 Years)	Green Belt Requirement based on supply figure of 44,541 ¹³ given in Urban Capacity Study
SM ONS 2016	2862	48654	4113
SM ONS 2014	3761	63937	19396

The most recent ONS population projections for the UK (2018) are that the population will reach 72.4 million by mid-2043. This is a slower growth rate than in the 2016-based projections, (on which the 2016 household projections are based) that is to say a reduction of 0.9 million in mid-2043.

It will be some time before these population projections translate into housing projections, but it may mean the 2016 projections are confirmed or even refined further downwards.¹⁴

Government has perversely required Local Authorities to continue to use the outdated 2014 assumptions in local plan preparation, not because of specific evidence to support that but to meet their national policy-driven housing targets.

This is partly on the assumption that post-recession, housing formation will increase simply based on new housing completions, but fiscal and economic changes suggest that may not be the case. And there is further uncertainty about housing need because migration levels may be influenced by Brexit.

All this has to be seen in the light of the Oxford Economic Analysis which supported lower housing need in the Black Country. In other words, the 2014 housing projections may artificially be increasing housing need and so lead to the unnecessary release of Green Belt, since most of the arithmetic shortfall disappears if the most recent projections are used.

Far from failing to meet genuine housing need, reducing the overall numbers could help ensure it was met where it occurred, i.e. within the Black Country and surrounding conurbation.

¹² See Calculation Tables in Appendix A

¹³ This is the supply figure given in the 2020 Urban Capacity Study but is not necessarily correct (see below).

¹⁴<https://www.ons.gov.uk/peoplepopulationandcommunity/populationandmigration/populationprojections/bulletins/nationalpopulationprojections/2018based>

5. Housing Supply

In terms of supply the Urban Capacity Study concludes there is an overall supply of 42,171 homes.

Industrial Land

However, in reaching this figure they significantly reduce the anticipated supply from industrial land from 12,350¹⁵ to 5,224 on the basis that they consider 7,126 homes to be undeliverable from this source and some of that land may be needed for industrial use.

This is based on work undertaken in the BEAR (Black Country Employment Area Review). This has not yet been published, so it will not be possible to fully assess its assumptions until it is published along with the Plan.

However, one noticeable omission is Walsall where no surplus employment land is considered available for housing. The Walsall SAD suggests 75 hectares could be '*considered for release*', some 2231 homes (at 35 dph and 85% use)¹⁶. The Walsall SHLAA gives a figure of 2,500 homes.¹⁷

It seems unlikely that no land in the borough will be released from employment usage over this time but clearly there is uncertainty. The alternative approach (to allow for larger windfalls) is not taken up.

Windfalls

The Urban Capacity calculations refer to 640 house per annum from windfalls from the 'mid 2020s'¹⁸, although this is only for small sites (under 0.25 hectares). This does not appear to tally with the SHLAAs where the annual rate given for all the authorities added together is 568.

However, the background to this is not entirely consistent. Both Sandwell and Wolverhampton seem to use a figure of 9 homes or less, as opposed to 0.25 hectares in Dudley. Walsall uses either. The figures are all based on 5-year averages from 2014-2019. However, in Wolverhampton's case there has been a higher longer-term provision and Walsall achieved higher levels from 2006-2013.

¹⁵ This is higher than the figure in the Issues and Options of 10,400 but I assume it may include sites not in current use.

¹⁶ Urban Capacity Study Para 2.2.25

¹⁷ Walsall SHLAA, Page 20

¹⁸ Urban Capacity Study Para 2.1.22

When totaling up in the SHLAA Wolverhampton only includes 9 years of windfalls as opposed to 16 elsewhere, starting in 2023-24. In the case of Walsall only 2 years are included in the SHLAA, but the Black Country Urban Capacity Study totals seem to assume 16.

Small Windfalls (from SHLAAs)	Definition	5 Year Average	Longer Term Average (from 2006)	Number of years	Totals in 2019 SHLAAs	Suggested Totals (all for 16 years)
Dudley	<0.25 hectares	189		16	3024	3024
Sandwell	< 10 homes	136		16	2176	2176
Walsall	<0.25 hectares or < 10 homes	103		2	206	1648
Wolverhampton	< 10 homes	140	159	9	1260	2240
Total		568			6866	9088

The other problem remains the question of larger windfalls. I cannot find data on this in the recent SHLAAs. Given that ABCA are reducing the amount of land currently in industrial use they assume will be available for housing and given also their approach to centres (see below) it seems to me that an assumption that larger windfalls will come forwards in the next twenty years has a sound basis. This could be estimated based on historic larger windfall provision.

The Housing Supply Background Report for the Options Stage said that, based on the number of large windfall sites, not in industrial use, which came forwards in 2011-2016 a further 5089 homes could come from that source between 2026-2036 if the trend continued. However, they cautiously suggested half that rate and (after a small amount of other discounting), came up with a figure of 2,233¹⁹.

That source of supply appears to have been excluded in this latest evidence, but there is no justification given for why such an assumption has not been continued with. Even at the same cautious rate, the figure would amount to 3,572 homes if one took the same 16-year period as for small windfalls.

Added to the Wolverhampton discrepancy of 980 small windfalls, this would account for an additional supply of 4,552 homes from windfalls.

¹⁹ Paras 4.22-4.25

Demolitions

The position on demolitions is also inconsistent. Wolverhampton assumes no further loss of housing, Dudley including 140 in total but only up to 2026, while Sandwell assumes an on-going loss up to 2038 of 398. The Urban Capacity Report says the replacement rate for demolitions has exceeded what was anticipated (52%). However, the justification for assuming on-going housing loss is unclear. I can see no information in the Walsall SHLAA.²⁰

The Urban Capacity Report then considers further supply that might come forwards from policy initiatives in the urban area.

Discount Rates

The first is to reduce the discount rate (currently 10% with planning permission and 15% without) which would be in line with other work (for example, the Black Country HMA Strategic Growth Study (GL Hearn) suggested 5% for sites with Planning Permission).

Since they are, by their own admission, removing constrained sites, their level of discounting appears generous but they will only publish their Viability and Delivery Study in Autumn when the Plan is presented so again it is difficult to consider fully this issue in detail.

According to the Urban Capacity Study²¹ the current discount rates are based on the discounts accepted by the Inspector at the Inquiry into the current Black Country Plan. However, that report was in 2010 based on an Inquiry undertaken when market conditions were very different and may not reflect current attitudes of developers. An adjusted figure could have been included, even as a sensitivity test.²²

Density

The Urban Capacity Report then considers the possibility of increasing density. They assume an increase of minimum densities across the Black Country on sites without permissions from 35 to 40 dph for sites of 15+ homes (which is a fairly modest rise) and up to 30 dph for all sites currently under 30 dph.²³

This, leads the Urban Capacity Report to allocate a 'maximum' additional supply of 1,370 homes from density improvements. It does not include any uplift for Walsall. However according to their SHLAA:

'As part of the preparation of the Black Country Plan, an assessment is being made about the amount of additional housing that might be provided on known housing sites (that are not already committed with planning permission) if the density is increased to 100 dph in

²⁰ Urban Capacity Study Para 2.1.13-2.1.14

²¹ Urban Capacity Study Para 2.1.12

²² Inspector's Report by Nigel Payne, published in October 2010

²³ Urban Capacity Study Para 3.1.8-3-1.19

strategic centres, 50 dph in other accessible locations and 40 dph for other sites. These revised densities have therefore been applied to sites other than those in category (a).'²⁴

I cannot find any reference to these higher densities in the Urban Capacity Study assessment but they would exceed the calculations made in that Study for the other local authorities in both accessible locations and strategic centres and so could increase the amount of additional housing resulting from density improvements if applied elsewhere.

The Strategic Growth Study for the Birmingham Housing Market Area by GL Hearn suggested 4,000 extra homes from increased densities in the Black Country.²⁵ While that was not as fine grained, if the Urban Capacity Report included the uplifts Walsall refer to the difference between them would be less.

The Urban Capacity Study's approach also begs the question as to whether there is scope (or justification) for increasing the volume of flats compared to houses in the calculation. As it explains, the distribution of flats to houses changed during the recession in favour of houses and it is acknowledged that this has begun to rebalance in 2015/2016. An increase in the number of flats delivered might also benefit the delivery of affordable units.²⁶

And it is important to note that the individual SHLAAs appear to use different density assumptions, with Sandwell's SHLAA relying on 35 dph across the board, while and Wolverhampton applies varied densities but there are different to the gradations of density in Dudley. For example, Wolverhampton assumes 60 dph in high density locations as opposed to 50 dph in Dudley. None seem to adopt Walsall's approach.

Centres

Lastly the report considers the four strategic centres and reviews those of allocations. Again, there is relevant evidence still to come and the Centres Study is anticipated to be released with the Published Plan.

They conclude that a further 500-1,000 houses might come from this source, mainly in West Bromwich. This seems to me particularly conservative. The level of provision in centres varies hugely between 4,556 in Wolverhampton and only 643 in West Bromwich. While some of this discrepancy may be due to large sites in the pipe-line, the uncertainty around these centres and the shrinkage in the High Street suggests to me that future windfall provision in and around urban centres is likely.²⁷

The approach to town centres may need to be considered further when the Centres Study comes out but the comments, for example, on Walsall about giving '*priority to main town centre uses*' and '*not allocating specific sites for housing*' may not tally with the commer-

²⁴ Walsall SHLAA Page 15. Category (a) have planning permission.

²⁵ https://www.birmingham.gov.uk/downloads/file/9407/greater_birmingham_hma_strategic_growth_study

²⁶ Urban Capacity Study Para 3.1.13

²⁷ Urban Capacity Study Para 3.1.22-3.1.31

cial reality of these centres. Mixed use developments may be appropriate on existing retail sites which includes housing specifically support the viability of these centres.

The report also suggests there may be some further land releases from urban open space but this is likely to be limited.²⁸

Total Supply

Taking all this into account the Urban Capacity Report suggests a capacity of 44,541 homes and conclude there is a shortfall of 26,918 homes (See Table Below).

Table 7 Black Country Potential Housing Shortfall 2019-2038

(no. homes)	Existing housing supply 2019-38 (as of 2019)	Maximum potential supply from density uplift / strategic centres	Existing housing supply (2019) plus maximum potential supply	Local Housing Need 2019-38	Potential shortfall 2019- 2038
Dudley	13,550	587	14,137	11,913	- 2,224
Sandwell	10,412	1,676	12,088	28,044	15,956
Walsall	7,759	0	7,759	17,214	9,455
Wolverhampton	10,450	107	10,557	14,288	3,731
Black Country	42,171	2,370	44,541	71,459	26,918

From Urban Capacity Study (page 31)

However, it seems to me that there is reason to believe the actual urban supply will be higher, and most particularly from small windfalls and from larger windfalls.

There is also, in my view, more potential for additional housing to be promoted in urban centres as redevelopment comes forwards, (although this may partly coincide with larger windfalls.)

In terms of densities, as well as increasing density to 35 dph an increase in densities at sustainable locations and for the highest density housing, including flats, could help to increase housing supply and meet specific affordable housing needs, in line with the approach taken by Walsall

The level of discounting could also be reduced on sites with planning permission, perhaps to 5% in line with other study work.

A very conservative estimate would be that supply could be increased by 4,552 (as set out above) based on an allowance for both small and large windfalls, but a further allowance for housing on the identified potential industrial sites in Walsall may not be included in this areas of supply, albeit these may partly coincide with the larger windfall allowance.

²⁸ Urban Capacity Study Para 3.1.32

On this basis, it seems to me that there is reason to increase the urban supply assumptions and to include policy goals, such as higher density targets, to achieve this.

It would take more detailed work to put figures on the overall additional supply but it does not seem unreasonable at this stage to consider the shortfall to be closer to 20,000 homes, if one relies on the 2014 ONS household need figures, and perhaps only 3,000 if one relies on the 2016 figures.

As well as reducing pressure on the Green Belt (and the countryside more widely,) a more realistic supply figure would encourage housing to be in sustainable locations and help reduce the need to travel.

6. Industrial Land Supply

The Urban Capacity Report also briefly refers to a shortfall of Industrial Land, which it now puts at 563 hectares, although the evidence to justify this increase raises some questions in my mind (especially given the reduction in industrial land they now earmark for housing, which does not on the face of it appear to have been factored in).²⁹

An updated Economic Development Needs Assessment is due to be published in the Autumn when the Plan is put out to consultation, but at present there is no more detail to go on.

I assume this is still based on the 'SuperSEP' approach and is, therefore, relying on optimistic economic development assumptions for the sub-region.

One concern in terms of Industrial land is that while they say land in South Staffordshire could contribute to need in the Black Country, they only consider 30-35% of the proposed Distribution Site at Four Ashes (80-100 hectares) to be relevant. This would seem conservative, but it also raises the question whose need Four Ashes does serve, since it is not required for South Staffordshire's own need according to their latest 2018 Economic Development Needs Assessment³⁰. Moreover, Shropshire in their M54 Study do not seem to identify it as meeting their need.³¹

Another assumption is in relation to the 90 hectares of additional land in South Staffordshire's own plan. The Urban Capacity Study suggests only 20 hectares of this could be considered as meeting need in the Black Country based on the 2018 South Staffordshire EDNA.

However, the shortfall of 67 hectares in South Staffordshire is based on past completions of employment land, which would also include any employment land meeting Black Country

²⁹ Urban Capacity Study Para 3.2.1

³⁰ <https://www.sstaffs.gov.uk/doc/179880/name/South%20Staffs%20EDNA%20Final%20Report%2007%2009.pdf/>

³¹ <https://shropshire.gov.uk/media/12921/m54-strategic-options-study.pdf>

need (by definition). Given the very close links between South Staffordshire and Wolverhampton, with considerable cross-boundary commuting flows, the separation of the two in this way seems problematic. Indeed, of the four key sites identified in the South Staffordshire Site Allocation Document (SAD)³², three are on the boundary of Wolverhampton.

Moreover, other sites that are being promoted in other neighbouring authorities would appear to be meeting Black Country need. As said above the M54 Jn3 site, which includes 50 hectares of industrial land is specifically being identified by its promoters as meeting Black Country housing need but Shropshire's employment need.³³

A further 123 hectares is identified on other sites in that corridor, not including the Cosford airfield site which covers 250 hectares in total and, whose future is currently uncertain (due to future aviation and RAF operational needs). The M54 Study suggests an approach to its future is likely to be developed during the plan process. Notably, the approach of Shropshire Council is also based on an optimistic economic need assessment and they claim requires population growth above their demographic need.³⁴

I have not considered in detail other local authorities but it seems clear that, while the updated EDNA may assist, there seem to be a number of adjoining local authorities all promoting employment land which in the end meets the same need and that the success of one or the other is likely to come at the cost of the other. Without a more joined up approach to economic need assessment, I am dubious about the robustness of these figures.

The other issue in relation to industrial land supply is how much is needed for larger sites, either for logistics or manufacturing. In some ways this is a discrete element of industrial land supply which is most poorly considered at a sub-regional level.

I would suggest further consideration is given to the overall issue of employment land need in the Black Country when the updated EDNA is published.

However, my initial reading of the Urban Capacity report, as discussed above, leads me to have some concerns about the robustness of the analysis of employment land. Some of this may become clearer once the Plan is produced, but at this stage the figure of 563 hectares should, in my view, be subject to some scepticism.

7. Black Country Green Belt

The position that ABCA is taking on specific Green Belt releases will not be clear until their Plan is Published. In ABCA's response to the Shropshire Strategic Sites Consultation which preceded the release of the Urban Capacity Study, they set out a significant amount of

³² <https://www.sstaffs.gov.uk/planning/site-allocations.cfm>

³³ See the Representation by Bradford Rural Estates to the Consultation by Shropshire Council on Strategic Sites, Housing and Employment Need promoting land at Jn3 of the M54.

³⁴ Urban Capacity Study Para 3.2.1

their current thinking.³⁵ They referred to the level of outstanding need as now being 26,000 homes and 380 hectares of employment land up to 2038, the latter lower than in the Urban Capacity Report.

They also claimed to have fulfilled the NPPF requirements³⁶ and:

- a) made as much use as possible of suitable brownfield sites and underutilized land;*
- b) optimized the density of development;*
- c) engaged with neighbouring authorities about whether they could accommodate some of this identified need, as demonstrated through the statement of common ground.*

They went on to suggest that the two largest areas of Green Belt within the Black Country boundary, Walsall and Dudley, could provide 5,000 homes each based on Market Conditions although this conclusion did not seem to take account of the constraints that may exist in those areas.

More recently, at a meeting of WM CPRE with Dudley Council³⁷, it was confirmed that officers are currently reviewing the Green Belt sites put forwards in the Call-for-Sites consultation which are within the Black Country boundary, as well as other sites they themselves might have identified.

The sites they finally propose (not necessarily in the indicative proportions in the Shropshire letter), will be published when the Plan is put out for consultation in the Autumn.

In doing so they will need to take account of the Green Belt Review published by LUCs³⁸, who have also done similar reviews elsewhere, including for Shropshire. These reviews seek to assess parcels of land within the Green Belt against the five tests set out in Paragraph 134 of the NPPF:

- 1. to check the unrestricted sprawl of large built-up areas;*
- 2. to prevent neighbouring towns merging into one another;*
- 3. to assist in safeguarding the countryside from encroachment;*
- 4. to preserve the setting and special character of historic towns; and*
- 5. to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.*

LUCs then consider the level of harm in removing them from the Green Belt. This, of course, is not by itself an assessment of whether the ‘exceptional circumstances’³⁹ required

³⁵ See <https://shropshire.gov.uk/planning-policy/local-planning/local-plan-partial-review-2016-2036/evidence-base/>

³⁶ NPPF Para 137

³⁷ Attended by WM CPRE and Local Residents, 13 January 2020

³⁸ <https://blackcountryplan.dudley.gov.uk/t2/p4/t2p4i/>

³⁹ NPPF Paras 136-137

in a plan for Green Belt release exists, but sets out the relative merits of releasing parcels of land.

There may also be other considerations in regards to a specific parcel of land being released, for example ecological, landscape, sustainability or transport considerations, but those are dealt with separately.

It should, however, be noted that this approach to Green Belt Assessment, while it may be necessary, has limitations which are hard to overcome. Firstly, the parcels do not necessarily coincide with a specific development proposal, secondly the impact of proposals may be cumulative, thirdly the various tests do not necessarily marry up, so where parcels safeguards countryside parcels they are less likely to prevent neighbouring towns merging and vice versa. Lastly, the fifth test is hard to assess in this way as it may depend as much on what is proposed as opposed to its exact location.

Another important thing to stress in this case the assessment is only for Black Country sites, so it does not compare alternative sites in other plans, such as the M54 Jn3 Proposal, even though this is subject to a similar process as part of Shropshire’s Green Belt assessment.

And, lastly, it is important to stress that the Green Belt within the Black Country boundary is not evenly spread. Walsall has by far the largest amount, with significant Green Belt in Dudley but much less in Sandwell and Wolverhampton.

Table 2.1: Green Belt land within each of the Black Country Local Authorities¹⁷

Local Authority	Green Belt Land within each authority	Percentage of land covered by Green Belt within each authority	Percentage of Green Belt Land in England within each Authority ¹⁸
City of Wolverhampton	800ha	11.5%	0.05%
Dudley	1,770ha	18.1%	0.11%
Sandwell	820ha	9.6%	0.05%
Walsall	3,940ha	37.9%	0.24%

From LUCs Report (page 17)

In terms of approach to the first two tests, the LUCs report defines the West Midlands Major Urban Area beyond most of the Green Belt to include towns such as Brownhills, but when it considers the merging of towns it excludes some significant settlements, for example, Pelsall, Boxwich and Codsall. While these are smaller settlements development their position means that development which doesn’t directly link larger settlements can in combination have a similar effect.⁴⁰

⁴⁰ See Maps on Pages 27 and 29 of LUCs Report
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In terms of the third test, the report acknowledges that there are degrees of countryside beyond simply the relation to the urban influence but suggests dealing with this would stray into landscape assessment.⁴¹

In terms of the fourth test, the report suggests little connection to historic towns, with only a weak relationship to Lichfield from the Walsall Green Belt. However, this does mean that weight needs to be given to heritage assessments which may form part of decisions on whether individual sites with equal status in Green Belt terms are release.⁴²

And, lastly, in terms of the fifth test, it is concluded that the relative merit of sites cannot be established, although it includes a table of land currently on the Local Authorities' Brown Field Registers and acknowledge the impact Green Belt releases will have on Brown field regeneration.⁴³

Table 3.2: Brownfield Land Register for each Local Authority

Local Authority:	City of Wolverhampton Council ⁴⁸	Walsall Borough Council ⁴⁹	Dudley Borough Council ⁵⁰	Sandwell Borough Council ⁵¹
Total area (ha) in Brownfield Registers	311.27	62.42	57.69	454.84

From LUCs Report, Page 34

Their assessment results in a number of maps setting out the results for each NPPF test, and finally, an overall rating of harm to the green belt of each parcel. This overall rating is represented in colour-coded maps.⁴⁴ Noticeably much of the land at the edge of Dudley is categorized as 'high' impact, as is much of the land between Walsall and its various satellite towns.

Land in green wedges is, in some case, given a low rating, even while it may act as part of an important green link, for example, between the Sandwell Valley and the outer edge of the conurbation.

The result of excluding small settlements can be seen, for example, in the higher harm given to parcels between Walsall and Aldridge as compared to the relatively narrow parcels between both Aldridge and Walsall with Pelsall which has been excluded.

Lastly, a number of mitigations to Green Belt loss and suggestions for enhancing Green Belt are suggested.⁴⁵

⁴¹ Para 3.30, LUCs Report.

⁴² Para 3.31-3.39, LUCs Report

⁴³ Para 3.47, LUCs Report

⁴⁴ See Maps on Page 95-103 of LUCs Report

⁴⁵ See LUCs Report, Section 8

There is an Ecological Study published for the Black Country which maps the most sensitive sites⁴⁶. Not surprisingly there appear to be some discrepancies with Green Belt harm, including higher ecological value in some green wedges.

There is also a Historic Landscape Study which includes a large number of detailed diagrams but I could not find an overall map which related easily to the Green belt report.⁴⁷

I have not assessed these reports in any detail but they will be important when examining the merits of specific sites which come forwards in the plan and the assessments which support their allocation.

8. Neighbouring Authorities

If the Black Country considered it still had a shortfall of housing or employment land after utilizing its own Green Belt it would need to seek contributions from other neighbouring authorities, although at present it is uncertain how they will respond.

In responding to overtures made in a letter from ABCA in Sept 2018 most adjoining local authorities were cautious about accepting their overspill until the position was clarified.⁴⁸ For example, Lichfield's letter said:

'The recent letter we received set out that the Black Country authorities are focusing on continuing a brownfield first approach. Therefore, we would like to reiterate that we consider that all options for growth including green belt release need to be fully explored, and this is in advance of seeking assistance from other authorities to accommodate housing and employment needs arising from the Black Country.'

Telford were also cautious:

'In reference to your request that the Council consider its position regarding meeting some of the Black Country's unmet housing need, in order to consider this we'd need more specific proposals and evidence regarding the quantum and type of development you are seeking Telford & Wrekin to accommodate as well as your strategy for meeting unmet need.'

In addition to this we would need a clear indication as to how the necessary supporting infrastructure to facilitate ourselves accommodating unmet need, were this to be agreed, would be enabled and resourced.'

⁴⁶ At <https://blackcountryplan.dudley.gov.uk/t2/p4/t2p4h/> See Map on Page 28

⁴⁷ At <https://blackcountryplan.dudley.gov.uk/t2/p4/t2p4h/>

⁴⁸ See letters at <https://blackcountryplan.dudley.gov.uk/t3/>

Shropshire's response was the most positive. Clive Wright, the Chief Executive said:

'We would welcome further discussions in relation to this potential as our work progresses, particularly in relation to the M54 corridor.'

While he also acknowledged that sites in the corridor which are in the Green Belt might need to pass the 'exceptional circumstances' test (in fact all of them), he does not refer to the same concerns raised by other neighbouring councils.

Shropshire's response also referred to the further information on the housing supply side figures, particularly on urban capacity, as well as the Green Belt Review now published.

Subsequent to that letter from Shropshire, ABCA's response to the Shropshire Strategic Sites Consultation specific referred to contributions from other local authorities saying:

The South Staffordshire Local Plan Issues and Options Report (2018) includes a preferred housing target which is based on a 4,000 home contribution towards the HMA, the Lichfield Local Preferred Options Consultation (2019) includes a proposal to test between 3-4,500 homes to meet the needs of the HMA, and the approved Cannock Chase Local Plan Issues and Options consultation (2019) proposes that the Plan will test accommodating between 500 and 2,500 homes of unmet need from the HMA. In total, these proposals could deliver up to 11,000 homes over and above locally generated needs towards the unmet needs of the HMA. However, this contribution would not necessarily be exclusive to the Black Country and would need to have regard to any shortfalls across the HMA as a whole, including needs arising in Birmingham, where appropriate. This 'discounting' would reduce the contribution towards the Black Country, and a significant shortfall would remain.

So, in mathematical terms, if the Black Country provided 10,000 homes in the Green Belt, as per the letter, along with these contributions the total provided to meet the Black Country deficit would amount to 21,000 homes.

ABCA also conclude their letter to Shropshire by specifically referring to the proposed site at Junction 3 of the M54 as having: *'the potential to deliver a strategically significant 'game changing' housing and economic development opportunity to the mutual benefit of Shropshire and the Black Country.'*

It is important to note, however, that this was at a time when there was a proposal for some 10,000 homes on that site as opposed to the 3,000 currently proposed.

And it is also important to stress that the need for such a 'game changing' opportunity in the Green Belt would depend on the need and supply figures in the Black Country.

There were public statements in the Shropshire Star early in January 2020 from both the West Midlands Mayor, Andy Street and the Leader of the Council, Peter Nutting, which suggest that proposal may not be supported by Shropshire Council.⁴⁹

On the other hand, as long as the current Black Country figures for housing need and supply are assumed, the progress of other plans such as South Staffordshire's, where a 4,000 contribution to Black Country Need is being assumed, will continue and sites may be allocated on that basis.

In their 'Local Plan Review - Spatial Housing Strategy & Infrastructure Delivery October 2019'⁵⁰ document which they consulted on in December 2019, which follows on from their own Issues and Options Consultation, South Staffordshire say:

A number of points were raised by local residents, developers and statutory bodies to the options for both the amount and location of housing growth in the district. Having considered all of these responses, the Council remains of the view that planning for its own housing needs, plus a contribution of up to 4,000 dwellings towards unmet needs in the wider housing market area is the most appropriate housing target for the Local Plan review at this point in time. This is a proactive approach taken by the Council to address the unmet needs of the housing market area in a timely manner. However, if there is evidence that the extent of the housing shortfall across the housing market area has significantly reduced prior to the Local Plan review's submission, the Council will reduce its contribution to the unmet needs of other authorities proportionately.

The overspill of industrial land need from the Black Country to other Council Area is also open to question given that, even if the assumptions in the Urban Capacity Study were correct, a large part would be accommodated by the West Midlands Interchange proposal at Four Ashes (some 300 hectares).

There is, of course, the specific risk that given the potential for overprovision of industrial land, and given the optimistic economic development strategies of competing local authorities, the industrial element of sites such as the Bradford Estate site do not materialize, leaving them as unsustainable dormitory settlements for the conurbation (as well as other urban centres such as Telford).

⁴⁹ <https://www.planningresource.co.uk/article/1670153/midlands-mayor-dismisses-black-country-planners-call-green-belt-review>

<https://www.shropshirestar.com/news/property/2020/01/09/plans-for-thousands-of-homes-in-garden-village-near-tong-will-be-shelved-says-shropshire-council-leader/>

⁵⁰ <https://www.sstaffs.gov.uk/doc/181104/name/LPR%20SHSID%20Final%20October%202019.pdf/>

9. Conclusions

While substantial new material has been published by ABCA, there is still significant areas where up to date assessments are not available, specifically:

- Updated Economic Needs Assessments (EDNA)
- The Black Country Economic Area Report (BEAR)
- Updated Centres Analysis

It is also likely that specific Green Belt sites will be identified when the Plan is produced.

In my view, there are serious questions which will need to be addressed. Most notably:

- The adoption of a later end date for the plan.
- The overestimation of need due to the use of the 2014 ONS housing figures.
- The underestimation of the urban supply of housing and future housing opportunities.
- The double counting of industrial land across authorities.
- The impact of Green Belt allocations on urban regeneration, climate change targets, transport, environment, biodiversity and landscape.

My report suggests that at least 5,000 more homes could conservatively be added to the supply and this is consistent with a shortfall closer to 20,000 (using the 2014 ONS household projections) or 3,000 (using the 2016 ONS projections). These would be reduced further if the plan period remained at 2036.

The figure of 563 hectares of employment land is also in my view potentially too high. A further review of employment land is needed which properly considers cross-boundary supply which is already meeting Black Country need.

Given these issues, I am also concerned about whether 'exceptional circumstances' for release of Green Belt can be said to have been demonstrated.

Appendix A: Standard Methodology Calculations for Housing Need in the Black Country

	A	B	C	D	E	F	G	H	I	J	K	L
1	2016 Housing Projections	2019	2029	2039	19-29	19-39	Affordability Ratio	Adjustment		19-29 Adj		19-39 Adj
2	Dudley	133,741	138,236	143,304	4,495	9,563	6.22	0.13875	5118.681	5119	10889.87	10890
3	Sandwell	127,265	136,640	147,188	9,375	19,923	5.68	0.105	10359.38	10359	22014.92	22015
4	Walsall	112,505	119,042	126,731	6,537	14,226	6.17	0.135625	7423.581	7424	16155.4	16155
5	Wolverhampton	105,871	111,100	117,383	5,229	11,512	5.5	0.09375	5719.219	5719	12591.25	12591
6	Black Country	479,382	505,018	534,606	25,636	55,224			10yr	28,621		61,651
7									dpa	2862		3299
8								2019-2038	19yr	54,378		62,681
9												
10	2014 Housing Projections	2019	2029	2039	19-29	19-39	Affordability Ratio	Adjustment		19-29 Adj		19-39adj
11	Dudley	133,733	139,239	144,715	5,506	10,982	6.22	0.13875	6269.958	6270	12505.75	12506
12	Sandwell	131,440	144,797	158,135	13,357	26,695	5.68	0.105	14759.49	14759	29497.98	29498
13	Walsall	114,214	122,191	130,186	7,977	15,972	6.17	0.135625	9058.881	9059	18138.2	18138
14	Wolverhampton	107,351	114,228	121,347	6,877	13,996	5.5	0.09375	7521.719	7522	15308.13	15308
15	Black Country	486,738	520,455	554,383	33,717	67,645			10yr	37,610		75,450
16									dpa	3761		3772
17								2019-2038	19yr	71,459		71,668
18												
19	<p>Note: The Standard Methodology requires net housing need for ten years to be identified (Column E) and for this to be adjusted by the Affordability Rate (Column G). The exact adjustment level is given in Column H. Column J is the total requirement. The dpa is the dwellings per annum and the 19 year total what would be required under the 19 Year Plan. The tables also include a 20 year base line for comparison although this is not the standard methodology approach.</p>											
20	<p>The 2014 Housing Projections create a 'need' of 71,459 homes and the 2016 figures 54,378 homes, a difference of 17,081. However. Even without any additional brownfield or windfall supply this would reduce the Black Country Shortfall to 9.837 homes based on an existing supply of 44,541 as claimed by ABCA.</p>											
21	<p>It should further be noted that some of the homes in the 2014 figures are not for genuine demographic need but an adjustment for affordability.</p>											
22	<p>The 2018 Population projections further reduce national population forecasts, which suggests even these figures may prove to be exaggerated when the next household projections are produced.</p>											
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