

Report to Cabinet

5 February 2025

Subject:	Sandwell Local Development Scheme 2025
Cabinet Member:	Cabinet Member for Regeneration and Infrastructure - Councillor Peter Hughes
Director:	Executive Director of Place Alan Lunt
Key Decision:	Yes Type (c) - an executive decision that is likely to be significant in terms of its effect on communities living or working in an area comprising two or more wards of the Borough
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1 Recommendations

For the reasons set out in the report, it is recommended that Cabinet:

- 1.1 approve the update of the Sandwell Local Development Scheme (LDS) 2025;
- 1.2 delegate authority to the Executive Director of Place to make minor changes to the Local Development Scheme that may be required prior to making it available to the Public, in consultation with the Cabinet Member for Regeneration and Growth.

2 Reasons for Recommendations

- 2.1 The purpose of this report is to seek approval for the updated Local Development Scheme for the period 2025 - 2028.
- 2.2 The LDS is the Council's three-year project plan that identifies which local plan documents will be produced by the Council, in what order and by when. Any new documents would be subject to Cabinet and Full Council approval at the relevant stages.
- 2.3 The Council needs to review its planning documents at regular intervals to assess whether some or all of them need updating. The LDS therefore also provides information on the timetabling of several existing approved planning documents that need to be reviewed.
- 2.4 As part of the recent changes to the National Planning Policy Framework (NPPF), the Deputy Prime Minister has asked that all local planning authorities produce an updated Local Development Scheme (LDS) within 12 weeks of the publication of the NPPF, i.e. by no later than 6 March 2025. The updated LDS should include clear, realistic, and specific dates for consultation and submission of the local plan. Once approved, the LDS should be made publicly available, and a copy sent to the Ministry of Housing, Communities and Local Government (MHCLG).
- 2.5 An Equalities Impact Assessment (EIA) has not been carried out. The LDS is a programme of the documents to be produced over the next three years and does not in itself create policy. Documents within the LDS would be subject to an EIA as part of their preparation.
- 2.6 For these reasons it is recommended that the updated Sandwell LDS be accepted.

3 How does this deliver objectives of the Council Plan?

Growing Up in Sandwell	The LDS helps to set up policies that will contribute to the delivery of facilities, services and opportunities for children and young people through the local plan process.
Living in Sandwell	The LDS will build in effective community involvement and will be important to local communities. The LDS will play an important part in delivering the spatial and land use aspects of the Council's vision 2030, particularly as it relates to housing, employment, transport, environment and education goals. Sustainability is a key theme addressed throughout the documents of the LDS. The LDS will help to deliver sustainable, prosperous communities, an integrated transport network and reduce the need to travel by car.
Thriving Economy in Sandwell	The Black County Plan (<i>until adoption of the SLP</i>) and Sandwell Local Plan will provide the regeneration framework for future investments and projects.
Healthy in Sandwell	Health and wellbeing is a key theme addressed throughout the documents of the LDS. It will promote healthy living and create opportunities for active lifestyles and healthy transport choices including walking, cycling and outdoor recreation.
One Council One Team	The documents set within the local development scheme provide the spatial and regeneration policies and proposals that will assist enable the Council to achieve its Vision for the future.

4 Context and Key Issues

- 4.1 The initial LDS was approved by the Cabinet Member for Environment and Transport on the 1st February 2005 and has subsequently been revised annually. The last LDS review was approved by Cabinet in 2023. The LDS sets out the documents that will be prepared by the Council as part of the Development Plan for the Borough.
- 4.2 Local Planning Authorities are required to prepare their LDS and make it available to the public by 6th March 2025. They are also required to send a copy to the Ministry of Housing, Communities and Local Government (MHCLG).

- 4.3 The LDS has been revised to reflect the various stages of the Local Plan process. Over the last year, the Sandwell Local Plan (SLP) has been published and subsequently submitted for Examination to the Secretary of State for Housing, Communities and Local Government via the Planning Inspectorate. It is anticipated that the SLP will be adopted by the end of 2025.
- 4.4 The recent changes to the National Planning Policy Framework (NPPF), published in December 2024, has implications for the SLP. Therefore, the LDS contains a provisional timetable for reviewing the SLP in line with the NPPF 2024. There are a number of Supplementary Planning Documents that will also need to be reviewed.
- 4.5 The LDS also contains a timetable for the production of a Design Code for the borough. Sandwell Council has a mandatory requirement, through the Levelling Up and Regeneration Act 2023, to produce a design code for the borough. The current Residential Design Guide SPD is outdated and this requirement brings an opportunity to provide a more robust policy document that is based on current national urban design guidance
- 4.6 The Design Guide is intended to be in two parts:
- Part 1 will establish general good urban design principles that would apply to development across the Borough, general area typology/types based around the areas typical urban/suburban context whilst also acknowledging the Sandwell Valley and green belt, considered more rural.

Part 2 will focus on the growth /regeneration areas as identified through the emerging Sandwell Local Plan:

- West Bromwich & Carters Green
- Dudley Port & Tipton
- Smethwick
- Wednesbury

The code will address the different characteristics that make up each regeneration area and will reflect the need for sustainable and innovative forms of development with appropriate forms of highway, amenity and environmental solutions.

5 Alternative Options

- 5.1 Preparation of an LDS is a requirement of the Planning and Compulsory Purchase Act 2004. As such there is no alternative to its preparation.

6 Implications

Resources:	The costs of preparing the Sandwell Local Plan, Supplementary Planning Documents and the Design Code will be met from existing budgets. The planning policy documents will be produced using existing staff resources within the Planning Policy and Transportation Team in the Spatial Planning and Growth Service Area. The Design Code will be produced by the Regeneration Team in conjunction with specialist consultants. Further work is needed to determine the cost of reviewing the SLP from 2026. Any additional costs that cannot be met within existing budgets will need to be understood and a funding solution identified.
Legal and Governance:	In accordance with section 15 of the Planning and Compulsory Purchase Act 2004, every local planning authority must prepare planning policy documents and maintain the LDS specifying the documents that will be local development documents, their subject matter and area, and the timetable for their preparation and revision
Risk:	The Council's corporate risk management strategy has been complied with, to identify and assess the risks associated with this decision / recommendation. This has identified that there are no significant risks that need to be reported.
Equality:	An EIA has not been carried out. The LDS is a programme of the documents to be produced over the next three years and does not in itself create policy
Health and Wellbeing:	Health and wellbeing is a key theme addressed throughout the documents of the LDS. It will promote healthy living and create opportunities for active lifestyles and healthy transport choices including walking, cycling and outdoor recreation

Social Value:	The Local Development Scheme will play an important part in delivering the spatial and land use aspects of the Council's vision 2030, particularly as it relates to housing, employment, transport, environment and education goals.
Climate Change:	The recommendations set out in this report support the Council's Net Zero ambitions. Delivery of an up-to-date local plan will contribute towards climate change mitigation and adaptation measures, and meeting net zero targets, through nature-based solutions
Corporate Parenting:	No implications for Corporate Parenting.

7. Appendices

Appendix 1 - LDS Report 2025

Appendix 2 - LDS Timetable 2025

8. Background Papers

None