

WOLVERHAMPTON LOCAL PLAN EXAMINATION

Inspectors:

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Please direct all communications to:

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To: The Lead Planning Manager (City Planning)

Sent via e-mail

Date: 20 June 2025

Dear Ms Michele Ross,

Inspectors' initial questions to the Council

Introduction

1. We write regarding the submission of the City of Wolverhampton Council's Local Plan on 7 March 2025. As you are aware, we are the Inspectors appointed to conduct the independent examination. The purpose of this note is to seek clarification from the Council on several points which will assist us in formulating our Matters, Issues and Questions (MIQs) for the examination hearing sessions. Our questions have arisen from our initial reading of the Wolverhampton Local Plan (the Plan), the summary of representations on the Submission Draft of the Plan, and some of the other key documents.
2. In responding to our questions, the Council should be as concise as possible and clearly direct us to the relevant documents in the evidence base, identifying specific chapters, pages and paragraphs where appropriate.
3. **Evidence Base**

4. The Plan as submitted will not meet the area's identified housing or employment land needs. In fact, proposed provision is significantly lower. There will also be a shortfall in meeting gypsy and traveller accommodation needs.
5. In order to ensure that we fully understand the Council's position on these matters we would like to request that the Council produce separate topic papers on housing and employment land provision. These should succinctly summarise the Council's current position, provide justification for the chosen requirement figures and relevant policies, confirm whether any impacts arising from not meeting the area's full identified needs have been appropriately assessed, and direct us to the relevant evidence. Clarification on how any shortfalls will be addressed should also be provided. A similar topic paper on meeting the accommodation needs of gypsies and travellers should be prepared.
6. The housing paper should also summarise the Council's approach to meeting the area's affordable housing needs, including the impact of viability on delivery.
7. A further succinct topic paper demonstrating how the chosen spatial strategy of balanced and sustainable growth evolved and was decided upon should also be produced. This should include clarification and justification for the approaches taken to Green Belt and the city centre area within the submitted Plan.
8. In addition, an explanation of how any transport (particularly highways) and air quality related impacts, resulting from the proposed spatial strategy and the location of the site allocations, have been assessed, including in relation to neighbouring authorities, would assist us at this stage. Please summarise this within the topic papers.

Legal compliance -duty to cooperate

9. The duty to cooperate as set out in section 33A of the Planning and Compulsory Purchase Act 2004, places a legal duty on the Council to engage constructively, actively and on an ongoing basis to maximise the effectiveness of local plan preparation in the context of strategic cross boundary matters.
10. Paragraphs 24-27 of the December 2023 version of the National Planning Policy Framework (the Framework) identifies the requirements for maintaining effective cooperation. Paragraph 27 specifically requires effective and on-going joint working to be

demonstrated through the preparation and maintenance of one or more statements of common ground (SoCG) to be produced throughout the plan making process. The national Planning Practice Guidance clearly sets out the scope of statements of common ground and identifies when they should be produced and what they should document.

11. The Council's duty to cooperate statement (CD15 and its appendices) helpfully includes a number of SoCG, but not all of these appear to have been signed. Our queries are as follows:
- Can the Council confirm what the status of unsigned SoCG are and is there an intention to sign them? For instance, CD15b states it is an officer agreed SoCG on housing shortfall within the Greater Birmingham Black Country Housing Market Area (HMA) as of November 2024, but there are no signatures. Clarity on whether the unsigned SoCG are formally agreed positions would be most helpful.
 - Can the Council confirm where the minutes and/or notes of the duty to cooperate meetings, referenced within the tables in CD15, are located within the evidence base?
 - We recognise that there is an evolving situation regarding neighbouring authorities' Plans and the status of any offers to meet any of Wolverhampton's unmet needs (in relation to housing, employment and gypsy and traveller accommodation). In relation to our consideration as to whether the legal duty to cooperate has been met we are interested in the evidenced position up to the point of submission. Nevertheless, we would welcome clarification from the Council on any neighbouring authorities' updated or changed positions regarding unmet needs since submission of the Plan. A succinct note setting this out will assist us when considering the issue of unmet needs as part of the soundness of the Plan.
 - Paragraph 6.2 of CD15 states that the document provides the position on all duty to cooperate matters as of end of February 2025. We note that most of the SoCG set out in the appendices to CD15 (both within the document itself and submitted as separate appendices CD15a-CD15e) have 2024 dates. Can the Council please clarify whether any of these SoCG are proposed to be updated to take account of any additional cooperation made up to the point of the Plan's submission in March 2025?

- In declaring unmet needs, we note that neighbouring authorities have been formally approached by the Council to ask if they are able to assist. Can the Council please explain their approach in identifying which Councils were asked and confirm the responses they have received. For instance, were only Councils in the HMA approached?

Next steps

12. We recognise that most of the above questions will involve some additional work, and the Council will need time to produce the relevant topic papers. We therefore propose to give the Council a period of 4 weeks to respond, with a deadline of noon on Friday 18 July 2025. Once we have received and considered the Council's response on our initial questions, we anticipate producing our MIQs and establishing dates for the hearing sessions.
13. Please note that we are not inviting comments from other parties at this stage and will not be accepting any other submissions. Any such correspondence will be returned to the sender by the Programme Officer. Should we have further questions during the preparation period, we will forward these as soon as possible.
14. If the Council requires any clarification on the above or have concerns about the ability to meet the deadline please let us know via the Programme Officer.

Yours sincerely,

Yvonne Wright and Victoria Lucas

PLANNING INSPECTORS

20 June 2025