

EXAMINATION OF THE WOLVERHAMPTON LOCAL PLAN

STAGE 2 MATTERS, ISSUES AND QUESTIONS

HOUSING AND EMPLOYMENT ALLOCATIONS, 5 YEAR HOUSING LAND SUPPLY, DEVELOPMENT MANAGEMENT POLICIES, WASTE AND MINERALS POLICIES AND PLAN MONITORING

Inspectors:

Louise Crosby MA MRTPI and Laura Bartle BA (Hons) MSc MRTPI

Programme Officer:

Ian Kemp

Tel: 07723 009 166

Email: ian@localplanservices.com

Examination website - Please click on this link:

[Wolverhampton Local Plan Examination](#)

Introduction from the Inspectors

These matters, issues and questions (MIQs) relate to the examination of the Wolverhampton Local Plan (the Plan). They follow on from the Stage 1 MIQs (ID 3).

Stage 2 hearings are scheduled to commence on **Tuesday 20 October 2026**. Full details about the examination, the conduct of the hearing sessions and the format of any written statements are provided in our separate Guidance Note (ID 2). Please refer to the Hearing Programme to find out which topics are being heard on which days.

All documents can be found on the examination webpage using the following link: [Wolverhampton Local Plan Examination](#) or please contact the Programme Officer if you have any difficulties in viewing them.

For clarity we confirm that the Plan is being examined under the December 2023 version of the National Planning Policy Framework (the NPPF) and the associated version of the National Planning Practice Guidance (PPG) and the December 2024 Planning policy for traveller sites. Any references to more recent guidance are expressly stated.

Matter 8 – Housing Allocations (Chapter 13 – Table 12)

Issue

Whether the Local Plan has been positively prepared and whether it is justified, effective and consistent with national planning policy in relation to the overall approach to the allocation of housing sites.

General questions relating to all residential site allocations

1. Overall, are the site allocations justified, effective and consistent with national policy?
2. Should the sites be set out as individual policies in the Plan rather than in a table? What is the Council's reason for the table approach? Are there any anticipated problems with such an approach?
3. The heading for the final column of Table 12 says 'Anticipated Delivery Timescale (by year for housing sites to be delivered by 2032)', however the Plan period is up to 2042 and some of the entries in this column extend beyond 2032. Does this need correcting to avoid confusion?
4. Was the detailed information and policy requirements set out in Table 12 of the Plan for each housing site allocation reviewed as part of this Plan making process to ensure they were relevant and up to date? If not, why not?
5. Is any further updating needing to remove sites that have been completed or are no longer considered deliverable or developable?
6. Historic England (HE) raised concerns about the lack of a detailed Heritage Impact Assessment to support many of the housing allocations. This was carried out by the Council and published in February 2025 (CD EN19). Was HE consulted on the document?
7. Are there any outstanding objections from HE in relation to the housing site allocations? If so, what are they?
8. Has the Heritage Impact Assessment led to the need to update any of the policy requirements in relation to any housing site allocations in the Plan? If so, can the Council please provide details of these.
9. Are there any outstanding objections from any statutory consultees to any of the housing site allocations? If so, what are they and what are the implications for the Plan and the delivery of allocated sites?
10. Should the housing site allocations where a demand for sporting provision is likely to arise include in the policy requirement section reference to the need to carry out an assessment in accordance with Policy ENV9?

11. Do the detailed information and policy requirements set out in Table 12 of the Plan provide a clear and effective framework for the implementation of Policy HOU1 and for decision-making?

Site specific questions

Site H1 Bluebird Industrial Estate and site to rear, Park Lane

12. Would housing on this site affect the ability of the neighbouring employment uses to operate effectively?
13. Would the site, adjacent to employment uses, provide acceptable living conditions for future occupiers of the proposed homes?
14. Is additional policy wording required to protect existing businesses and future residents?

Site H11 Delta Trading Estate, Bilston Road

15. Would housing on this site affect the ability of the neighbouring employment uses to operate effectively?
16. Would the site, adjacent to existing employment uses, provide acceptable living conditions for future occupiers of the proposed homes?
17. Is additional policy wording required to protect existing businesses and future residents?

Site H13 Former Pipe Hall, The Orchard, Bilston Town Centre

18. The Plan anticipates delivery of this site in the early years of the Plan (2024-32). On this basis, is the site deliverable, particularly given the current owners position on developing the site?
19. Has the impact on heritage assets been assessed of developing the site for 38 homes? If so, what was the outcome and where is this information?

Matter 9 – Five year Housing Land Supply

Issue

Whether the Council will have a 5 year supply of deliverable housing land on adoption of the Plan.

NB whilst this Plan is being examined under the 2023 Framework, the December 2024 Framework will be used for decision making by the Council. Para 78 of the December 2024 Framework says:

“Local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years’ worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old.

The supply of specific deliverable sites should in addition include a buffer (moved forward from later in the plan period) of:

- a) 5% to ensure choice and competition in the market for land; or***
- b) 20% where there has been significant under delivery of housing over the previous three years, to improve the prospect of achieving the planned supply; or***
- c) From 1 July 2026, for the purposes of decision-making only, 20% where a local planning authority has a housing requirement adopted in the last five years examined against a previous version of this Framework, and whose annual average housing requirement is 80% or less of the most up to date local housing need figure calculated using the standard method set out in national planning practice guidance.”***

Questions

- 20. In terms of whether the Council will have a 5 year housing land supply (HLS) on adoption of the Plan, in our letter ID5 we requested that the Council completed the appended forms for every site that the Council intended to rely on to demonstrate their 5 year HLS. Is the submitted information complete and up to date?
- 21. Does the Council rely on sites for their 5 year HLS that are allocated in the adopted Wolverhampton City Centre AAP which is not before us at this examination? If so, are these sites included in the completed forms?
- 22. Based on the advice in the latest version of the NPPF what would the Council's 5 year HLS requirement be and what buffer would need to be applied?
- 23. On the basis of the answer to question 21, would the Plan realistically provide for a 5 year HLS on adoption? Will a 5 year HLS be maintained?

24. Is the 5 year HLS made up of deliverable sites (the definition of deliverable is set out in Annex 2: Glossary to the NPPF)?
25. What allowance has been made for windfall sites as part of the anticipated 5 year HLS?
26. Is there compelling evidence to suggest that windfall sites will come forward over the plan period, as required by paragraph 72 of the 2023 Framework?

Matter 10 – Employment Allocations (Chapter 13)

Issue

Whether the Local Plan has been positively prepared and whether it is justified, effective and consistent with national planning policy in relation to the overall approach to the allocation of employment sites.

Questions

27. Should the sites be set out as individual policies in the Plan rather than in a table? What is the Council's reason for the table approach? Are there any anticipated problems with such an approach?
28. Was the detailed information and policy requirements set out in Table 12 of the Plan for each employment site allocation reviewed as part of this Plan making process to ensure they were relevant and up to date? If not, why not?
29. Historic England (HE) has raised concerns about the lack of a detailed Heritage Impact Assessment to support many of the employment site allocations. This was carried out by the Council and published in February 2025 (CD EN19). Was HE consulted on the document?
30. Are there any outstanding objections from HE in relation to the employment site allocations? If so, what are they?
31. Has the Heritage Impact Assessment led to the need to update any of the policy requirements in relation to employment site allocations in the Plan? If so, can the Council please provide details of these.
32. Does the evidence demonstrate that the ecological impacts can be satisfactorily avoided, mitigated or compensated? Is there sufficient certainty that the measures required to address the likely impacts can be delivered?
33. Does the detailed information and policy requirements set out in Table 12 of the Plan provide a clear and effective framework for the implementation of Policy EMP1 and for decision-making?

Development Management Policies

Matter 11 – Health and Wellbeing (Chapter 5)

Policies HW1, HW2 and HW3

Issue

Whether the Local Plan has been positively prepared and whether it is justified, effective and consistent with national planning policy in relation to the policies supporting health and wellbeing.

Questions

General question

34. The Plan at para 5.14 sets out 11 health and wellbeing aims for new development to meet, through the policies listed. Why is it necessary to summarise other policies here when the Plan is to be read as a whole? Does this result in unnecessary duplication?

Policy HW1 – Health and Wellbeing

35. Criterion 1 of the policy reads like a statement rather than a policy requirement. How does the Council envisage all developments contributing to reducing health inequalities and protecting and improving health and wellbeing? Is the requirement to contribute to all three aspects of reduce, protect and improve, justified for all development?
36. Is criterion 2 justified and effective. Does it accord with the advice in the Framework and PPG in relation to the use of conditions to restrict the future use of permitted development rights or changes of use?
37. As regards criterion 6, how will the LPA determine what measures are required to mitigate any negative effects. How will the LPA ensure consistency?
38. Is the policy/supporting text clear as to when criterion 7 would apply to development proposals?
39. Are the remaining criteria justified, effective and consistent with national policy? Is it clear to a decision-maker when the policy would apply to development?

Policy HW2 – Health Impact Assessments (HIAs)

40. Does the policy provide clarity on when a HIA would be required? The policy states this will be “where required by the LPA...”. It also states that “measures will be required, where considered necessary by the LPA,...”. Can the Council

please clarify exactly what this means and how the need for a HIA will be assessed? Is this effectively set out within the Plan?

- 41. Are the development thresholds for HIA provision justified?
- 42. It has been suggested that older persons housing should not be required to submit HIAs due to the significant health and wellbeing benefits. Is the approach set out in the policy justified and consistent with national policy in this regard?

Policy HW3 – Healthcare Facilities

- 43. Are some of the requirements set out in the policy unnecessarily duplicating those set out in other policies? Is it clear to a decision-maker as to what is required from development and when it would apply?
- 44. Criterion 3 states that further details of costs and methodology in calculating contributions to healthcare facilities will be set out in Local Development Documents. Were these adopted by 30 June 2026? If not, how will the policy be effective?
- 45. Overall, has the policy been positively prepared and is it effective, justified and consistent with national policy?

Matter 12 – Housing (Chapter 6)

HOU1, HOU2, HOU3, HOU4, HOU6 and HOU7

(HOU5 is dealt with in stage 1, Matter 5)

Issue

Whether the Local Plan has been positively prepared and whether it is justified, effective and consistent with national planning policy in relation to housing policies.

Questions

Policy HOU1 – Delivering Sustainable Housing Growth

- 46. Are any modifications to the Policy or its supporting text required for soundness?
- 47. Does Table 4 need updating?

Policy HOU2 – Housing Density, Type and Accessibility

- 48. Overall, is the policy justified, effective and consistent with national planning policy?
- 49. Does the policy provide a clear and effective framework for securing an appropriate mix of housing types and sizes? Is it clear what is meant by 'the most recently available information' at criterion 2 and how this should be applied in decision-making?
- 50. How do the indicative amounts of flats and family housing set out in Table 5 relate to the figures presented at paragraph 6.22? Is it sufficiently clear what is meant by "low", "medium" and "high" amounts, and how these terms should be interpreted by decision-makers?
- 51. Are the density expectations justified by the evidence, realistic, viable and sufficiently flexible to respond to site-specific circumstances?
- 52. Criterion 3 a) refers to Wolverhampton City Centre. Is this the area excluded from this Plan? If so, is the reference here justified? Is this minimum density figure consistent with the advice in the Wolverhampton City Centre AAP?
- 53. How should a decision-maker assess compliance with the accessibility standards referred to in Table 5 when applying the density expectations in part 3 of the policy? For effectiveness, should Table 5 form part of Policy HOU2?
- 54. What evidence supports the requirement for residential development to comply with the Nationally Described Space Standards, and does that evidence demonstrate that the requirement is justified, deliverable and consistent with national policy?

Policy HOU3 – Delivering Affordable, Accessible and Self Build/Custom Build Housing

- 55. Overall, is the policy justified, effective and consistent with national planning policy?
- 56. Are the affordable housing thresholds and tenure requirements set out in part 1 of the policy justified by robust and up-to-date evidence, and would they be effective in meeting identified affordable housing needs?
- 57. Do the affordable housing requirements apply to all self-contained residential development regardless of use class? If so, is this approach justified by robust and up-to-date evidence, including viability evidence?
- 58. What evidence supports the requirements relating to accessible and adaptable housing in parts 3 and 4 of the policy, and are those requirements justified and deliverable?
- 59. What evidence supports the self-build and custom-build requirements, and is there sufficient evidence that the approach would be effective in meeting identified needs?
- 60. Are criteria 8 and 9 sufficiently clear and unambiguous to enable consistent decision-making where development proposals do not accord with the policy's expectations relating to affordable housing, accessible housing and self-build/custom-build housing?

Policy HOU4 – Housing for People with Specific Needs

- 61. Overall, is the policy justified, effective and consistent with national planning policy?

Policy HOU6 – Education Facilities

- 62. Overall, is the policy justified, effective and consistent with national planning policy?
- 63. Paragraph 6.57 refers to the findings of the Viability Study. Are any modifications to Policy HOU6 necessary to ensure that those findings are appropriately reflected in the policy and its implementation?

Policy HOU7 – Houses in Multiple Occupation

- 64. Is it sufficiently clear how a decision-maker should identify 'family-sized homes' and determine whether there is 'proven demand' for such accommodation?

Matter 13 - Economy and Centres (Chapters 7 & 8)

EMP1, EMP2, EMP3, EMP4, EMP5, EMP6, CEN1, CEN2, CEN3 and CEN4

Issue

Whether the Local Plan has been positively prepared and whether it is justified, effective and consistent with national planning policy in relation to the policies supporting economic development, including for centres and centre uses.

Questions

Policy EMP1 – Providing for Economic Growth and Jobs

- 65. Criterion 3 refers to key clusters of sites shown on the Employment Land Key Diagram. What is the justification for this and is it clear which sites form key clusters?
- 66. Does criterion 4 unnecessarily duplicate requirements set out in these or other Plan policies? Does it serve a clear purpose for a decision-maker?
- 67. Does the policy make it clear that the geographic application of the various allocations and designations is illustrated on the Policies Map?

Policies EMP2 and EMP3 – Strategic and Local Employment Areas

- 68. Are the Strategic and Local Employment Areas designations justified by robust evidence and are the policy requirements effective?

Policy EMP4 – Other Employment Sites

- 69. It has been suggested that the wording of criterion 2 c) of the policy requires modifying to require: ‘...mitigation of the impact of noise and other potential nuisances from surrounding employment uses must be implemented so that residential or any other use will not be adversely affected by the continuing operation of employment uses in the remainder of the area’. Is this necessary for effectiveness or is this clearly set out in Policy DEL2?
- 70. Does the policy unduly restrict the employment generating uses that would be acceptable for unallocated employment sites? Should viability be added as a factor within the policy as a way to determine whether a site is able to deliver uses under Class Eg(ii), Eg(iii) and Class B2 and B8? Or is this effectively set out elsewhere within the Plan?

Policy EMP5 – Improving Access to the Labour Market

- 71. Overall, is the policy justified, effective and consistent with national planning policy?

Policy EMP6 – Cultural Facilities and the Visitor Economy

- 72. Is the Plan clear on what is meant by cultural, tourist and leisure facilities?
- 73. Para 7.50 provides a list of some cultural and tourist assets within Wolverhampton. Is the list necessary given it is a closed list? If so, should they be set out in Policy EMP6 and allocated on the Policies Map to ensure they are protected from development?
- 74. Has the Council been consistent in designating sporting and recreational sites on the Policies Map?
- 75. Is the Council's approach to different forms of cultural, tourist and recreational assets consistent and is it justified?
- 76. Overall, is the approach of the policy justified and are the policy requirements effective?

Policy CEN1 – Centres and Centre Uses

- 77. Some of the criteria within the policy, such as 1 and 4, read as statements rather than development requirement. Does the policy have a clear purpose and how would a decision-maker use it when determining any relevant development proposals?
- 78. The centres hierarchy is set out in Table 7 and referenced in criterion 2 of the policy. Is the purpose of this hierarchy clear? On what basis has the hierarchy been determined and are the types of centres based on clear evidence? Should the hierarchy be set out in the policy?
- 79. Does Policy CEN1 make it clear that the geographic application of the various centres is illustrated on the Policies Map?
- 80. Table 7 also identifies in-centre, edge-of-centre and out-of-centre test requirements and thresholds. Are these based on robust evidence and are they justified?
- 81. There is a lot of repetition within Table 7 (such as the definitions) and reference to other policies (either within this Plan or other plans/documents) which negatively impacts on the clarity of the wording. There is also reference to other policies within Policy CEN1. As the Plan is to be read as a whole why is it necessary to repeat and duplicate these elements? What is the reason for this approach and is it effective?
- 82. Why is it necessary to specify the use of planning conditions in criterion 5 and signpost para 8.12 in the supporting text? What types of proposed development does this relate to and is it clear what conditions would be imposed? Does this approach accord with the Framework and PPG in relation to the use of planning conditions?

83. Criterion 6 seeks flexibility, but it is not clear as to what 'appropriate flexibility' means and why it is necessary to specify compliance with other policies, if these other policies form part of the development plan. Furthermore, it is unclear how a potential developer or decision-maker would use this criterion as the three sub-criteria read predominantly as Council statements. Could the Council please give reasons for the approach they have taken? Is this approach justified and effective?

Policy CEN2 – Wolverhampton's Centres

84. Para 8.18 states that current evidence shows a lack of capacity to support any additional retail, leisure and office floorspace. Therefore, no floorspace requirements or site allocations are set out in policy. Is this justified by robust evidence?
85. Criterion 1 reads primarily as a statement. What is the 'distinctive offer, unique character and special role played by individual centres' and how should a decision-maker give these factors 'due weight in the determination of planning proposals'? Does the criterion have a clear purpose and how would a decision-maker use it when determining any relevant development proposals?
86. The rest of the policy sets out priorities for each tier of the hierarchy for centres. Is this justified and effective?

Policy CEN3 – Provision of Local Facilities

87. Criterion 1 of this policy permits small-scale local facilities in edge-of-centre and out-of-centre locations subject to meeting all of the listed criteria. Is this approach justified?
88. Criteria 2-5 reference other policies within the Plan and other plans/documents and the need for compliance with these. As the development plan is to be read as a whole why is this necessary and is it justified?
89. Why is it necessary to specify the use of planning conditions/planning obligations in criterion 4? What types of proposed development does this relate to and is it clear what conditions would be imposed?
90. Overall is the policy too prescriptive?

Policy CEN4 – Edge-of-Centre and Out-of-Centre Development

91. Are the sequential and impact tests set out within this policy justified and effective?
92. Is criterion 8 necessary?
93. Does the policy make undue reference to other policies in the Plan?

Matter 14 Transport (Chapter 9)

TRAN1, TRAN2, TRAN3, TRAN4, TRAN5, TRAN6, TRAN7 and TRAN8.

Issue

Whether the Plan sets out a positively prepared strategy for transport matters that is justified, effective and consistent with national policy

Questions

General Questions

94. Is the transport strategy of the Plan underpinned by relevant and up-to-date evidence, which is adequate and proportionate, focused tightly on supporting and justifying the policies?
95. Would the Plan give rise to any significant impacts from development on the transport network, including the Strategic Route Network (in terms of capacity and congestion), or on highway safety, and if so, can any such impacts be cost effectively mitigated to an acceptable degree?

Policy TRAN1 – Priorities for the Development of the Transport Network

96. Overall, is the policy justified, effective and in accordance with national planning policy?
97. Is the safeguarding provision at criterion 1 supported by robust evidence in accordance with NPPF paragraph 110?
98. Are the land requirements for priority transport projects known and for the policy to be effective do they need to be illustrated on the Policies Map?
99. Criterion 2 requires ‘all new developments must provide adequate access for all modes of travel, including walking, cycling and public transport’. Is this justified?
100. Does criterion 3 serve a clear purpose?

Policy TRAN2 – Safeguarding the Development of the Key Route Network (KRN)

101. Overall, is the policy justified, effective and in accordance with national planning policy?
102. What is the purpose of criterion 1 and will it be effective?
103. Is the safeguarding provision at criterion 2 supported by robust evidence in accordance with NPPF paragraph 110?

- 104. Are the land requirements for KRN improvements known and are these illustrated on the Policies Map?
- 105. Does the policy make it clear that the geographic application of the KRN is illustrated on the Policies Map?
- 106. Is criterion 3 necessary given the focus of Policy TRAN3?

Policy TRAN3 – Managing Transport Impacts of New Development

- 107. Overall is the policy positively prepared, effective and in accordance with national policy?

Policy TRAN4 – The Efficient Movement of Freight

- 108. Overall, is the policy justified, effective and in accordance with national planning policy?
- 109. Are the safeguarding provisions geographically expressed on the Policies Map?

Policy TRAN5 Creating Coherent Networks for Cycling and for Walking

- 110. Overall, is the policy justified, effective and in accordance with national planning policy?
- 111. What is the purpose of criterion 1 and will it be effective?
- 112. Is criterion 7 sufficiently clear and unambiguous? If not, what are the consequences?
- 113. Has the supplementary planning document referred to in criterion 6 been adopted by the Council? If not, how will provision of cycle parking requirements be assessed and managed?

Policy TRAN6 – Influencing the Demand for Travel and Travel Choices

- 114. Overall, is the policy justified, effective and in accordance with national planning policy?
- 115. By referring to specific legislation is there a risk that the policy will become out of date if the legislation changes? Is the reference necessary?

Policy TRAN7 Parking Management

- 116. Overall, is the policy justified, effective and in accordance with national planning policy? In particular:
- 117. Is the policy sufficiently clear and unambiguous so it is evident how a decision maker should react to development proposals?

118. Is it necessary for soundness to include reference to Park Mark principles?

Policy TRAN8 – Planning for Low Emission Vehicles

119. Does the policy serve a clear purpose given the requirements of the Building Regulations?

Matter 15 Environment and Climate Change (Chapter 10)

ENV1, ENV2, ENV3, ENV4, ENV5, ENV6, ENV7, ENV8, ENV9, ENV10, ENV11, ENV12, ENV13 and ENV14

Issue

Whether the Plan sets out a positively prepared strategy for the environment and climate change that is justified, effective and consistent with national policy

Questions

Policy ENV1 – Nature Conservation

- 120. Overall, is the policy justified, effective and in accordance with national planning policy?
- 121. Is it necessary to repeat protection already afforded by the Wildlife and Countryside Act 1981?
- 122. Should the policy provide minimum thresholds for mitigation and compensation?
- 123. Is it necessary to expand the policy justification to cite examples of circumstances where strategic benefits of a proposal could outweigh nature conservation protection, such as in relation to railway improvements?

Policy ENV2 – Development Affecting Cannock Chase Special Area of Conservation

- 124. Overall, is the policy justified, effective and in accordance with national planning policy?
- 125. Is Figure 10 sufficiently clear? If not, what are the consequences?
- 126. How will contributions to Cannock Chase SAC Partnership be secured? Is it clear to developers what contributions will be required? If so, where is this set out?

Policy ENV3 – Nature Recovery and Biodiversity Net Gain

- 127. Overall, is the policy justified, effective and in accordance with national planning policy?

Policy ENV4 – Trees and Hedgerows

- 128. Overall, is the policy justified, effective and in accordance with national planning policy?
- 129. Criteria1 & 2 of the policy read more like statements. Should they be moved to the explanatory text?

- 130. Is criterion 8 too prescriptive?
- 131. Is it necessary to amend the policy to refer to operational and rail safety considerations?
- 132. Is it necessary to amend the policy or supporting text to refer to the heritage and green infrastructure value of hedgerows?
- 133. Is the policy sufficiently clear at criterion 10 how the requirement for new tree planting interacts with mandatory BNG?

Policy ENV5 – Historic Character and Local Distinctiveness

- 134. Overall, is the policy justified, effective and in accordance with national planning policy?
- 135. Is the policy overly detailed? Is there a risk that this could reduce its effectiveness?

Policy ENV6 – Geodiversity and the Black Country UNESCO Global Geopark

- 136. Overall, is the policy justified, effective and in accordance with national planning policy?

Policy ENV7 – Canal Network

- 137. Overall, is the policy justified, effective and in accordance with national planning policy?
- 138. Criterion 1 of the policy reads more like a statement. Should it be moved to the explanatory text?
- 139. Is it necessary for the policy to consider crime and anti-social behaviour when planning for the canal network?

Policy ENV8 – Open Space and Recreation

- 140. Overall, is the policy justified, effective and in accordance with national planning policy?

Policy ENV9 – Playing Fields and Sports Facilities

- 141. Overall, is the policy justified, effective and in accordance with national planning policy?

Policy ENV10 – High Quality Design

- 142. Overall, is the policy justified, effective and in accordance with national planning policy?

- 143. Is a reference needed for soundness to Sport England's Active Design checklist?
- 144. Should section 2 e of the policy refer to 'heritage assets' rather than 'historic assets'?

Policy ENV11 – Air Quality

- 145. Overall, is the policy justified, effective and in accordance with national planning policy?
- 146. Criterion 1 of the policy reads more like a statement. Should it be moved to the explanatory text?

Policy ENV12 – Flood Risk and Water Quality

- 147. Overall, is the policy justified, effective and in accordance with national planning policy?
- 148. Is it necessary to repeat so much of national policy? If so, should there also be a reference to the Planning practice guidance in relation to flood risk?

Policy ENV13 – Sustainable Drainage Systems and Surface Water Management

- 149. Overall, is the policy justified, effective and in accordance with national planning policy?

Policy ENV14 – Energy and Sustainable Design

- 150. Overall, is the policy justified, effective and in accordance with national planning policy?
- 151. Are the Policy references to other legislation up to date? If not, what changes are required?
- 152. Do any Policy requirements in relation to energy efficiency standards go beyond current or planned building regulations?
- 153. Are the Policy requirements justified by evidence, where necessary?

Matter 16 – Waste and Minerals (Chapters 11 & 12)

W1, W2, W3, W4, W5, MIN1, MIN2 and MIN3

Issue

Whether the Plan sets out an appropriate strategy for waste and minerals that has been positively prepared and is it effective, justified and consistent with national policy?

Questions

Policy W1 Waste Infrastructure – Future Requirements

154. Is the purpose of this policy clear and is it consistent with national policy? What waste infrastructure requirements are needed during the Plan period? Should these be clearly set out within the policy?
155. Cross reference is made in Policy W4 at clause 3b to Policy W1 as setting out 'strategic objectives'. Is this the case and, if so, should such objectives be included in a policy?
156. Part 1 of the policy states that "proposals shall consider how...". Is this terminology clear and effective or should this part of the policy directly state that "...proposals will minimise waste production...."?
157. Part 3 of the policy lists seven principles. Do proposals for waste management facilities have to meet all the principles or just one? How would a decision maker use the principles to determine a development proposal? Are the principles policy requirements or statements of intent? Are they justified and effective?
158. How does Policy W1 relate to Policy W4 and is there any unnecessary duplication?
159. Clause 3f of Policy W1 seeks to "avoid unacceptable adverse impacts..." and 1b of Policy W4 seeks to "avoid potential adverse impacts...". Is there a reason for the use of different terminology and is it effective and justified?

Policy W2 – Safeguarding Waste Sites

160. Is the safeguarding of waste sites justified? Are the exceptions justified?
161. Does the policy make it clear that the geographic application of the safeguarded sites is illustrated on the Policies Map?
162. The supporting text at para 11.2 states that the policy seeks to safeguard existing waste facilities, but the policy at part 1 also includes all new facilities

that are developed within the Plan period. Is there a reason for the difference in wording?

163. Is it clear what the term 'inappropriate development' means in this context? How would a decision maker know what is meant by 'inappropriate', and how would they determine that 'compensatory provision' was appropriate as set out in 1b?
164. Part 2 of the policy is titled 'Sensitive Development Near a Waste Site'. It does not permit sensitive land uses adjacent or near to a waste management site where there could be conflict unless one of three criteria are met. How would a decision maker determine what is meant by 'adjacent' or 'near'?
165. On the same basis, can the Council clarify what is meant by 'within a short distance' in para 11.30 of the Plan, when referring to distance from waste sites? How would an applicant and decision maker determine this?
166. Part 2b identifies when redevelopment or loss of waste sites may be acceptable. Is this part of the policy justified and is it clear why it is included under a section on sensitive development near a waste site?
167. Does the Plan clearly define what is meant by 'legacy' issues?
168. Para 11.31 of the Plan states that Policy W2 'requires applications for non-waste development to be supported by a Waste Site Impact Assessment...'. However, the policy does not specifically state this. Should the policy include this as a requirement and if so, is it justified?
169. Overall, is there consistency between the policy wording and the supporting text and is the policy justified, effective and consistent with national policy?

Policy W3 – Locational Requirements for New Waste Management Facilities

170. Is the approach to identify preferred areas for new waste management facilities justified and effective? How will the Council ensure that development comes forward to provide the additional waste capacity needed during the Plan period?
171. In determining the preferred areas has the historic environment been appropriately considered?
172. The policy also refers to such facilities being located within a Local Employment Area (Policy EMP3) if they cannot be located within a preferred area. The supporting text at para 11.35 and 11.36 refers to limited waste development within Strategic Employment Areas (Policy EMP2) and Other Employment Sites (Policy EMP4). Is the approach set out in Policy W3 justified? Should reference be made in Policy W3 to these other employment areas for effectiveness?

Policy W4 – Key Considerations for Waste Developments

173. The policy clearly states that waste development proposals will be required to meet the four listed criteria, so are these 'Key Requirements for Waste Developments' rather than 'Key Considerations'?
174. Clause 1b seeks to protect the environment (natural and historic). Historic England have requested an additional reference to protect the significance of heritage assets and their settings. Is this necessary for effectiveness?
175. Part 3 of the policy lists the supporting information to be submitted with waste development proposals. Section 3b requests a supporting statement that explains the need for the development and how it contributes to the strategic objectives of Policy W1. Can the Council please clarify the purpose of only requiring "consideration of the contribution the development would make...." to the factors listed? Is this approach clear and is it effective?

Policy W5 – Resource Management and New Development

176. The supporting text at para 11.44 of the Plan states that "Policy W5 sets out general principles on waste management and resource efficiency to be addressed by new developments...". Is the inclusion of general principles in policy justified and effective? Is there any unnecessary duplication or inconsistent wording with other policies in the Plan?

Policy MIN1 – Mineral Production

177. Part 1a of Policy MIN1 sets out a Council aim to maintain (as a minimum) the annual level of mineral production for secondary and recycled aggregates throughout the Plan period (as estimated in the Wolverhampton Minerals Study). Is the inclusion of a Council aim in a policy justified and effective? How does the Council propose to achieve this aim?
178. Is it necessary to cross-reference Policy MIN2, within Policy MIN1, in reference to safeguarding mineral sites?
179. Part 1b of the policy seeks the efficient use of mineral resources in development. Is the inclusion of this requirement within a mineral production policy effective? Is there any duplication with any other policies such as on design?
180. Does the policy, as a whole, align with the vision and strategic priorities of the Plan, specifically Strategic Priority 13? Are any modifications required to the wording of the policy to ensure alignment?

Policy MIN2 – Safeguarding Minerals

181. Para 12.5 of the Plan confirms that all of Wolverhampton's mineral resources are now either exhausted or sterilised by other development. The Plan therefore does not identify any Mineral Safeguarding Areas. It does however seek to prevent unnecessary sterilisation of mineral resources more widely. On this basis, can the Council please explain what this means and why it is necessary to safeguard minerals through part 1 of Policy MIN2?
182. Part 2 of the policy identifies all permitted mineral infrastructure sites (listed in Table 11 and shown on the policies map) and sets a 150m buffer zone whereby any non-mineral related development within this zone must demonstrate there will be no unacceptable impacts that could prevent continued operation. Para 12.9 of the Plan states that a 250m buffer zone was considered to be unrealistic. Is the 150m buffer zone around these sites justified and effective?

Policy MIN3 – Key Considerations for Mineral Developments

183. The policy clearly states that proposals for mineral working etc must accord with planning policies and avoid potential adverse environmental impacts, so are these 'Key Requirements' rather than 'Key Considerations'? Is it clear what 'potential adverse environmental impacts' means?
184. Is the inclusion of Historic England's suggested additional wording in para 12.11 of the Plan (as set out below) necessary for soundness to ensure alignment with Strategic Priority 13?

"... In Wolverhampton, mineral working proposals are only likely to include any prior extraction in advance of a large-scale development scheme. The use of Wolverhampton's mineral resources must not compromise environmental quality."

Matter 17 – Monitoring (Chapter 14)

Issue

Whether the Plan has clear and effective mechanisms for delivery and monitoring.

Questions

185. Do the monitoring indicators in the Plan contain relevant and measurable indicators and will they be effective?
186. How will they monitor delivery of housing and employment exported to neighbouring authorities?

END OF QUESTIONS