

WOLVERHAMPTON LOCAL PLAN STAGE 1 EXAMINATION HEARINGS

AGENDA – DAY 1 (morning session)

Tuesday 22 September 2026 at 10am

Venue: Committee Room 3 at the Civic Centre, St Peter's Square,
Wolverhampton WV1 1SH

MATTER 1 – Legal Compliance/Procedural Requirements

Please note:

- All participants are encouraged to familiarise themselves with the hearing statements (and any additional evidence) produced by the Council and other parties in respect of the matters addressed at this session. These are available on the examination website.
- Most references to questions refer to those posed by the Inspectors in their Schedule of Matters, Issues and Questions (already circulated).
- This session will not consider detailed site-specific representations.
- The hearing will run until around 1pm, with a mid-morning break.

OPENING

1. Inspector's Opening, including legal and procedural questions
2. Questions/procedural or programming matters

Matter 1 – Legal/Procedural Requirements

Issue

Whether the Council has complied with the relevant procedural and legal requirements.

Discussion points

Sustainability appraisal (SA)

1. Is the SA methodology robust? Does it clearly identify the key sustainability issues, and does it explain how these were identified? Are these key issues suitably reflected in the SA objectives?
2. Have the likely effects of the Plan's policies and site allocations been adequately considered and does it identify any necessary measures where relevant?
3. Does the SA adequately consider the likely significant effects of reasonable alternatives where these exist, including whether it is clear why some alternatives were discounted or rejected?
4. Were all of the housing sites assessed on a like for like basis? If not, why not?
5. Were all of the employment sites assessed on a like for like basis? If not, why not?
6. How did the Council consider reasonable alternatives for different levels of housing and employment growth to be provided by the Plan through the SA process? Were the alternatives sufficiently distinct to enable comparisons to be made of their different sustainability implications, and were they realistic, deliverable and capable of achieving the plan's objectives? Bearing this in mind does the SA in this case sufficiently test the reasonable alternative growth options?
7. How did the Council consider reasonable alternatives for different spatial strategy options to be provided by the Plan through the SA process? Were the alternatives sufficiently distinct to enable comparisons to be made of their different sustainability implications, and were they realistic, deliverable and capable of achieving the plan's objectives. Bearing this in mind does the SA in this case sufficiently test the reasonable alternative spatial strategy options?
8. What, if any, role did the sustainability appraisal process play in the selection of sites to be allocated by the Plan? How were reasonable alternatives determined and assessed?
9. Overall, does the SA adequately assess the environmental, social and economic effects of the Plan in accordance with legal and national policy requirements?
10. Have any concerns been raised about the SA and if so, what is the Council's response to these?

Habitats Regulations Assessment (HRA)

11. Does the HRA adequately address whether the Plan would adversely affect the integrity of relevant European sites either alone or in combination with other plans or projects? Is the HRA conclusion robust?

12. Overall, does the HRA meet the legal requirements for Appropriate Assessment in accordance with the Conservation of Habitats and Species Regulations 2017 (as amended)?
13. Are there any outstanding objections from Natural England or the Environment Agency to the Plan proposals? If so, what are these and how is the Council working to overcome them?

Consultation

14. Has the Plan been prepared in accordance with the Council's Statement of Community Involvement and statutory consultation requirements? Has all relevant and available evidence been made available for consultation, at the various stages of Plan preparation?

Other regulatory and procedural requirements

15. Has the Plan been prepared in accordance with the Adopted Local Development Scheme (LDS)? Is the LDS up to date?
16. Is the plan period of 2024-2042 clearly set out in the Plan? Will the Plan cover a minimum 15-year period from the anticipated date of adoption?
17. Regulation 8(5) of the Town and Country Planning (Local Plan) (England) Regulations 2012 requires any new plan to list the policies in existing adopted plans which are to be superseded. The submitted Plan intends to replace the Black Country Core Strategy (2011) for the Wolverhampton area; parts of the Stafford Road Corridor and Bilston Corridor Area Action Plans (AAP) (2014); some parts of the Wolverhampton City Centre AAP (2016); and parts of the Wolverhampton Unitary Development Plan (2006). The Plan lists the policies and allocations that it is intended to replace in Appendix 1.
 - a. Is the Plan proposing to supersede all the policies in the existing Black Country Core Strategy (2011) in so far as they relate to Wolverhampton? If so, is this clearly set out within the Plan?
 - b. Whilst paragraph 1.5 of the Plan says that strategic policies in the Wolverhampton City Centre Area Action Plan (WCC) are not reviewed as part of this Plan and that a future review of that document will provide up to date allocations for Wolverhampton City Centre, Appendix 1 of the Plan appears to remove certain allocations from the WCC and replace 'designations' with strategic policies in this Plan (EMP1-EMP4). Can the Council clarify their position on this matter.
 - c. Is the Plan proposing to supersede any other adopted plans?
 - d. Is the list of policies and allocations that are proposed to be superseded (as set out in Appendix 1 of the Plan) complete?

18. Paragraphs 20-23 and 28-30 of the NPPF set out requirements for strategic policies and non-strategic policies respectively.

The Plan at paragraph 1.5 states that it 'sets out strategic policies for Wolverhampton...' and that it 'sits alongside non-strategic policies for Wolverhampton provided in the saved parts of the Wolverhampton Unitary Development Plan (2006) and Area Action Plans...'. Paragraph 1.17 identifies that the Plan includes all strategic policies for Wolverhampton and paragraph 1.116 states that Sections 3-12 of the Plan sets out the strategic policies. This means that all policies within the Plan are considered to be strategic.

- a. Is our understanding correct and if so does this approach accord with paragraphs 20-23 and 28-30 of the NPPF?
 - b. Site allocations are set out in Table 12 within Section 13 of the Plan. They are not set out in individual policies. Can the Council please explain the reasons for this? Is the approach justified, effective and consistent with national policy?
19. We note from the Council's summary of representations (CD8a) that some new Supplementary Planning Documents were proposed. As set out in our letter (ID 5), the final adoption date for new SPDs was 30 June 2026. It seems that the Council did not meet this deadline and therefore the SPDs cannot now be adopted. What implications does this have for the Plan and in particular the matters which the Council intended to cover with SPD?
20. In relation to the Public Sector Equality Duty, is it clear how the Plan seeks to ensure that due regard is had to the three aims expressed in s149 of the Equality Act 2010, in relation to those who have a relevant protected characteristic?
21. Does the Plan clearly include policies designed to ensure that the use of land and development in the Wolverhampton Plan area contributes to the mitigation of, and adaptation to climate change as required by section 19(1A) of the Planning and Compulsory Purchase Act 2004 and NPPF paragraphs 158 - 161?