

23/0106 The Allens Centre, Hilton Road, Willenhall

Planning Policy Comments

The adopted development plan (the SAD) and the policies map shows the site split in two. The site of the former building is allocated for housing as site reference HO124 under Site Allocation Document (SAD) policy HC1. The open space is shown as such on the policies map so is therefore subject to SAD policy OS1.

The draft Black Country Plan (BCP) proposed to allocate both areas for housing, with the open space listed as site reference WAH245 in table 31 under policy HOU1 and the building site listed as site reference WAH027 in table 32. The total indicative housing capacity of the two sites was 45 dwellings, based on a net density for the open space area of 45 dwellings per hectare and a net density for the building area of 35 dwellings per hectare. The latter figure was to be 'carried forward' from the SAD.

These density figures are based on the accessibility standards in table 5 of the draft BCP and table 8 of the BCCS.

The council resolved in November 2022 not to proceed with the BCP, however the BCP has been the subject of public consultation. No representations have been received about the proposed allocation of this site. The draft BCP allocation therefore has some weight.

SAD policy OS1 states that development proposals that would result in the loss of open space will be assessed in accordance with the relevant policies in the NPPF, BCCS and UDP. NPPF paragraph 99 states that existing open space and playing fields should not be built on unless an assessment has been undertaken which has clearly shown [amongst other factors] the open space to be surplus to requirements, or the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location.

The open space here was originally playing fields associated with the original use of the Allens Centre as a primary school. Whilst they continued in use after the school was converted to use by the NHS and social services, this use ceased once the building was vacated and subsequently demolished several years ago.

As such, residential development can therefore be supported on the whole of the site, with no need to provide a replacement for the open space elsewhere. A contribution to off-site open space would however to serve the need arising from the proposed development, in accordance with saved Unitary Development Plan policy LC1, Black Core Strategy (BCCS) policies ENV6 and DEL1, and the Open Space Supplementary Planning Document.

As well as provision for off-site open space improvement, affordable housing would also be required in accordance with BCCS policy HOU3, SAD policy HC3 and the Affordable Housing SPD

Under emerging national legislation, provision for biodiversity net gain would also be required, either on part of the site or elsewhere.

The site lies within the 15km zone of influence of Cannock Chase SAC, so a contribution to mitigate the impact of the development on the SAC will be required.

The planning statement submitted with the application provides more comprehensive details of relevant planning policies and is mainly accurate. Reference is made to the Willenhall

Framework Plan, however this document only relates to Willenhall District Centre and its immediate environs and is not part of the statutory development plan. As such it has no weight and has no relevance to the current proposal. The site is actually closer to Bloxwich District Centre and railway stations at Bloxwich and Bloxwich North than to Willenhall.

The latest available figures show that the Council does not currently have a 5 year housing land supply and, in addition, the Council failed the Housing Delivery Test published in January 2022 based on low levels of delivery over the last 3 years. This means that the presumption in favour of sustainable development as described in the NPPF paragraph 11d) is in effect.