

# Representation form

## Dudley Local Plan

Publication Plan

Consultation October 2024



DUDLEY LOCAL PLAN

We are inviting your views on the publication version of the Dudley Local Plan. This form should be used to make comments (known as representations) in response to the consultation.

Guidance notes are available to help you complete this form and can be found online at [www.dudley.gov.uk/localplan](http://www.dudley.gov.uk/localplan)

**The consultation period begins on Friday 18 October 2024, and closes at 5pm on Friday 29 November**

Comments can be submitted:

**Online:** On our online portal available here [www.dudley.gov.uk/localplan](http://www.dudley.gov.uk/localplan)

**By email:** [planning.policy@dudley.gov.uk](mailto:planning.policy@dudley.gov.uk)

**By post:** Dudley Local Plan, Planning Policy, Planning & Regeneration, Council House, Priory Road, Dudley, DY1 1HF.

Additional copies of this response form can be downloaded at [www.dudley.gov.uk/localplan](http://www.dudley.gov.uk/localplan) or a copy can be posted to you - please call us on 01384814136.

This form has three sections:

**Section A:** Personal details

**Section B:** A declaration which you will need to read and sign

**Section C:** Your representation/comments on the Plan, Sustainability Appraisal or supporting evidence.

**Please note:**

- 1 You can use this form to comment on more than one site and/or policy. For each comment, please tell us the site/policy reference that your comment refers to. A separate form C should be completed for each comment.
2. Responses must include your name and address.
3. Your comments cannot be treated as confidential. By completing this form, you agree to your details being shared and your name and comment (but not your address or other personal details) being made available for public viewing.
4. It is recommended that groups that share a common view send a single response rather than multiple copies of the same response. Please attach a list of the contact details of each person who supports the comments, including their names and addresses.
5. **Completed forms should be received by us no later than 5pm 29 November 2024.**
6. Paper copies of this form and guidance notes can be found in selected libraries - visit [www.dudley.gov.uk/localplan](http://www.dudley.gov.uk/localplan) for the full list and at Dudley Council House, 1 Priory Road, Dudley, DY1 1HJ.

Individual acknowledgement of receipt will not be possible.



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## Part A - Personal details

	1. Personal details	2. Agent's details (if applicable)
Title		
First name		
Last Name		
Job Title (where relevant)		
Organisation (where relevant)		
House No./Street		
Town		
Post Code		
Telephone Number		
Email address (where relevant)		

### Notes:

1. If you are responding as an individual (e.g. a resident) you do not need to fill in the job title and organisation boxes unless you are responding as a member of an organisation.
2. If you are an agent responding on behalf of an organisation please ensure that your details are in the Agent's details column and give the details of the client you are responding for in the Personal details column, only the title, name and organisation boxes are necessary.

Please indicate which of these best describes you / your role in responding to this consultation	
Resident or Individual	
Planning Agent or Consultant	X
Developer or Investor	
Landowner	
Land & Property Agent or Surveyor	
Local Authority	
Public service provider e.g. education establishment, health etc	
Public agency /organisation	
Community or other Organisation	
Charity	
Other (please specify in space below)	

**Please note** that copies of all comments received, including the name(s) of the respondent(s) will be made available for the public to view. All other personal details will remain confidential. Dudley Council will process your personal data in accordance with the Data Protection Act 2018. Our Privacy Notice is at the end of this form.

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# Part B: Declaration

## How we will use your personal information

The personal information you provide on this form will be processed in accordance with the requirements of the Data Protection Act 2018. The information you provide will only be used for the purposes of the preparation of the Local Plan as required by the Planning and Compulsory Purchase Act 2004, and may be used by the council to contact you if necessary regarding your submission. Your name, organisation and comments will be made available for public inspection when displaying and reporting the outcome of the statutory consultation stage and cannot be treated as confidential. You will not be asked for any unnecessary information and in order to protect personal data, we will not publish signatures, telephone numbers, addresses or email addresses on the internet.

Your details will be kept until the Local Plan is adopted plus a further ten years to evidence that a fair and transparent process has been followed. Processing is kept to a minimum and data will only be processed in accordance with the law. When other agencies are involved in Local Plan preparation, we may need to share details about you to enable us to work together for your benefit. Information will only be shared with third parties if they have genuine and lawful need for it. Information shared on this basis will not be reused for any other purpose. We will take all reasonable precautions to protect your personal data from accidental or deliberate loss or unauthorised disclosure.

## Please sign and date this form.

*Forms signed electronically will be accepted.*

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## Declaration:

By completing and signing this form, I agree to my name, organisation and representations being made available for public inspection on the internet.

Signature



Date: 29<sup>th</sup> November 2024.....

I understand that in submitting my representations, that my details will be added to the Dudley Local Plan Consultation database and I may be contacted at future stages of the local plan process.

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All personal data will be processed in accordance with the Data Protection Act 2018 and the General Data Protection Regulation ("GDPR"). If you do not wish to be contacted further, please advise us.

**No, I do not wish to be contacted about the Local Plan**

A copy of our privacy notice is available at <https://www.dudley.gov.uk/privacy-disclaimer-statement/regeneration-and-enterprise-dudley-local-plan-privacy-notice/>

**Thank you for taking the time to provide your response.**

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# Part C: Representation

(Please fill a separate sheet for each representation you wish to make)

## Q1. To which part of the document does this response relate?

<b>Title of document</b>	Dudley Local Plan Pre-Submission Draft Plan (Reg 19 version)		
<b>Paragraph/section</b>		<b>Policy</b>	DLP1
<b>Site</b>		<b>Policy Map</b>	

Responses can address any of the Supporting Documents and Evidence by relating them to the resulting paragraph, policy or site in the Dudley Local Plan.

## Q2. Do you consider the Local Plan is:

- |   |                                     |     |                          |             |
|---|-------------------------------------|-----|--------------------------|-------------|
| 1. Legally compliant                    | <input checked="" type="checkbox"/> | Yes | <input type="checkbox"/> | No          |
| 2. Sound                                | <input type="checkbox"/>            | Yes | <input type="checkbox"/> | No <b>X</b> |
| 3. Complies with the Duty to co-operate |                                     | Yes | <input type="checkbox"/> | No <b>X</b> |

(Mark as appropriate)

Please refer to our guidance notes for help with the above definitions - 1 to 3.

## Q3. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

### DLP1 Development Strategy

Policy DLP1 sets out the Council's targets for the delivery of new homes and employment land. In respect of new dwellings 10,470 new homes are proposed along with the development of at least 22.6 hectares of employment land. WL have significant concerns about the proposed development strategy and specifically around how the Council intends to meet its housing needs over the Plan Period. We also have similar concerns in respect of how its employment land needs will be met and we set out our detailed comments on these points below.

In respect of the Borough's housing target the policy sets out that the Council will deliver at least 10,470 net new homes over the Plan Period. Paragraph 5.12 confirms that the local housing need for the Borough is in fact 11,169 homes as calculated by the Standard Method. Paragraph 61 of the Framework confirms that Councils should use the standard method as the starting point for establishing a housing requirement for the area. It goes on to state that there may be exceptional circumstances that justify an alternative approach to assessing housing need. The Council are not claiming that there are exceptional circumstances that warrant divergence away from the use of the standard method. As such, it must be concluded that the housing requirement is 11,470 dwellings. However, the Plan identifies a shortfall of 699 homes that are required but where sufficient capacity within the Borough to accommodate has not yet been identified.

If the 699 dwellings are to be accommodated in adjoining authorities, as the Council is proposing, this would likely result in those authorities immediately adjoining Dudley, which also have significant areas of Green Belt, having to release land from their Green Belt in order to meet Dudley's needs. If land has to be released from the Green Belt in order to meet the development needs it is WL's view that Dudley should be looking at opportunities within its own administrative area first, including land in its Green Belt, before looking to its adjoining neighbours. If adjoining authorities take the same viewpoint as Dudley and decide that they also do not need to release land from the Green Belt, housing needs arising from Dudley and across the HMA are not going to be met.

The Plan does not elaborate on the Council's decision not to release land from the Green Belt to meet its needs, particularly when it highlights that there is a shortfall of what is needed against what land is available to accommodate this need, instead stating in the supporting text at paragraph 5.11 that needs will be met via the Duty to Cooperate (please see our comments above this). WL consider this to be a short-sighted approach particularly when land is available albeit it is in the Green Belt, which could help meet the Council's housing needs over the Plan Period. This point is particularly pertinent when under the Black Country Plan Preferred Options version the Council had proposed to release land from the Green Belt to meet the Council's needs as well as the unmet needs arising in the wider Black Country authorities. Whilst the current Framework does not require Green Belt to be reviewed, it does state that it can still be reviewed in exceptional circumstances. WL contend that exceptional circumstances exist that warrant a review of the Green Belt. These include:

- Worsening affordability as demand outstrips supply,
- Worsening delivery and provision of affordable housing,
- Increased homelessness
- Worsening overcrowding and living conditions,
- Increased pressure on private rental sector with associated issues of unsecure tenancies and susceptibility to rent increases,
- Increasing ageing population with resultant increase in demand on social and health care services,
- Economic impacts on the working age population as those adults who are able to work may not have suitable accommodation to live in thus resulting in increased commuting distances, worsening impacts on congestion and air quality, and
- The inability to attract workers into the HMA could have significant repercussions for the wider economy if the right type of houses are not available for those wanting to live and work in the conurbation.

The land at Worcester Lane was identified as a draft allocation in the Black Country Plan Preferred Options as a housing site capable of accommodating 115 dwellings. Clearly in preparing this plan, which the Council were a key party to, it was considered that the Site was suitable to accommodate residential development sufficient for it to be identified as a draft allocation. The Site was considered suitable and deliverable and WL remain of the view that it should be included as a draft allocation in the Plan. In allocating the land at Worcester Lane, it could potentially reduce the shortfall in housing that is required but unable to be currently accommodated in the Borough whilst also freeing up capacity in adjoining authorities for them to meet other unmet needs arising in the HMA. We set out above why we consider that the Site is suitable for development and why it should be allocated as a site for housing in the Borough Plan.

The issue of unmet housing need arising across the HMA and how this will be addressed is a key issue that the Plan will need to address and one that other authorities in the HMA will also need to deal with. Whilst the Dudley Local Plan identifies a relatively modest shortfall in housing land there are wider issues specifically arising in the HMA that may compound the issue of where and how housing need is met. Sandwell Council has recently concluded consultation on its Regulation 19 Plan which identifies a shortfall of 15,916 dwellings that the Council need but which are unable to accommodate within its own administrative area. The Council is also proposing that this shortfall will be met by its adjoining neighbours, of which Dudley is one. Furthermore, Birmingham City recently concluded consultation on its Regulation 18 plan in August which identified a shortfall of 46,153 homes and Wolverhampton have also recently taken a report to its Cabinet seeking approval to go to consultation on its Regulation 19 plan. The Council has a shortfall of 10,398 dwellings. Both Councils have stated that they will be looking to its adjoining neighbours.

Taking into account the shortfalls in Dudley, Birmingham, Sandwell and Wolverhampton these total 73,166 dwellings which are needed but which are not currently accounted for in the emerging plans of these authorities. Neither is any agreement reached on how these needs are to be met elsewhere in the HMA. WL consider that Policy DLP1 is unsound on the basis that it is not positively prepared, not effective and not consistent with national policy. As drafted, the strategy will result in housing need going unmet meaning those looking for a house in the Borough will be faced with reduced choice, increased affordability issues and a poorer standard of living by having to live in cramped and overcrowded living conditions. The failure to plan accordingly across boundaries and reach meaningful agreement with the other HMA authorities is contrary to the guidance in the Framework that seeks to address cross boundary matters.

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**Q4. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Q3. above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.**

In order to address WL's concerns the Council should look again at all sources of land that are available within the Borough, including land in the Green Belt, in order to identify sufficient land so that it can meet all of its housing needs within its own administrative area. In doing so, it will reduce pressure on other HMA authorities to make land available meet unmet need arising in the conurbation. In reviewing the Green Belt, the land at Worcester Lane, Pedmore should be removed from the Green Belt and allocated for housing development.

*Continue on a separate sheet if necessary.*

**Please note:** *In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.*

*After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.*

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**Q5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?**

**No**, I do not wish to participate in hearing session(s)

**Yes**, I wish to participate in hearing session(s)

*Please note, that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.*

**Q6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:**

As a promotor with a site in the Borough that has been previously been considered by the Council suitable for allocation for development, and which would help address the Council's housing shortfall, we would welcome the opportunity to present our case in person to the Inspector.

*Please note, the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.*

**Representations cannot be kept confidential and will be available for public scrutiny, including your name and/or organisation (if applicable). However, your contact details will not be published.**

Completed representations forms can be submitted by emailing: [planning.policy@dudley.gov.uk](mailto:planning.policy@dudley.gov.uk)

Please enter **Dudley Local Plan Representation** in the subject field of the email.

Alternatively, completed consultation forms can also be submitted by post to: **Planning Policy, Planning Services, Dudley Council, Council House, Priory Road, Dudley DY1 1HF by 5pm 29 November 2024.**

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