



REPRESENTATION TO REG 19 DRAFT DUDLEY LOCAL PLAN

in respect of
Land north of Sandyfield Road, Sedgeley
on behalf of
Seven Capital

27 November 2024



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1. INTRODUCTION

- 1.1. This is a representation to the Regulation 19 Draft Dudley Local Plan which is subject to consultation until 29 November 2024. It is made on behalf of Seven Capital, who have an interest in Land north of Sandyfields Road, Sedgely (the promotion site). Only a small part of the site falls into Dudley Borough, with the majority lying in neighbouring South Staffordshire. The site is entirely within Green Belt.
- 1.2. Dudley Metropolitan Borough Council have progressed their local plan review to another Regulation 19 stage having reached the following previous stages:
 - Draft Plan (Reg 18) – completed Autumn 2023
 - Publication Plan (Reg 19)- Autumn 2024
 - Submission Plan- Spring/ Summer 2025
 - Examination- Mid/ late 2025
 - Adoption- Early 2026
- 1.3. The Planning Practice Guidance (PPG) and SEA Directive¹ requires a clear and transparent process of identifying, describing and evaluating reasonable alternatives in both policy and site allocation terms. There is often a direct conflict between the imperative to deliver new homes and enough jobs to support the local economy, whilst continuing to offer sufficient protection to the environment.
- 1.4. Given the stage the emerging plan has now reached, this representation focusses on addressing the tests set out in para 35 of the NPPF, as follows:
 - a) **Positively prepared** – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development.
 - b) **Justified** – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence.
 - c) **Effective** – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
 - d) **Consistent with national policy** – enabling the delivery of sustainable development in accordance with the policies in this Framework and other statements of national planning policy, where relevant.
- 1.5. A significant amount of evidence has been gathered by Seven Capital and this culminated in the submission of a Vision Document being produced for the site and submitted to consultations for both the emerging South Staffordshire Local Plan, the Reg 18 Dudley Local Plan as well as the (now abandoned) Black Country Local Plan. We are re-submitting the Vision Document as part of this representation in order that it can be included for future consideration in the event that the examining Inspector(s) wish to look at alternative (objection) sites to facilitate meeting the Council's housing need.

¹ <https://www.gov.uk/government/publications/strategic-environmental-assessment-directive-guidance>

- 1.6. The background work that has been undertaken to inform the Vision Document is set out in that document and we do not seek to repeat it here.
- 1.7. The landowners and developer continue to be committed to the delivery of a housing scheme on this site, which would form a sustainable extension to the existing urban edge of Sedgeley. We consider the site would go some way towards meeting some of the unmet need that the council have identified in the emerging plan, as well as the unmet need in the emerging South Staffordshire Local Plan.
- 1.8. We do not respond to all sections of the Publication Plan Consultation, only those which we currently consider relevant to our clients and/or the sites they are promoting and areas/villages/settlements within which those sites are located.
- 1.9. First and foremost, we comment on the Duty to Cooperate and whether the council has fulfilled this duty.
- 1.10. The following table also summarises the policies that we have commented on in this representation:

Table 1 – Part One Policies/Paragraphs subject to comment:

Policy/Para	Title	Page
DLP1	Development Strategy	69
DLP3	Areas outside the Growth Network	84
DLP10	Delivering Sustainable Housing Growth	125
DLP12	Delivering Affordable, Wheelchair Accessible and Self-Build / Custom-Build Housing	133
DLP31	Nature Conservation	212
DLP32	Nature Recovery Network and Biodiversity Net Gain	218
DLP33	Provision, retention and protection of trees, woodlands, Ancient Woodland, and Veteran trees	224
DLP49	Green Belt	299

Table 2 – Part Two Policies/Paragraphs subject to comment:

Policy/Para	Title	Page
Table 6.1	Dudley Borough Housing Site Allocations	208

- 1.11. Seven Capital reserve the right to make further representations as these opportunities arise. It should be noted that not commenting on an aspect of the emerging plan does not mean they agree with that content.
- 1.12. The remainder of this representation document is as follows:
- The Duty to Cooperate
 - Dudley to 2024: Spatial Vision, Objectives and Priorities
 - Part One: Spatial Strategy and Policies
 - Part Two: Centres and Site Allocations

- Conclusion

2. DUTY TO COOPERATE

- 2.1. We have focussed our initial comments on the Councils approach to the Duty to Cooperate where it relates to unmet housing need, as well as cross-boundary issues linked to that including Green Belt:

Cross Boundary Issues and Duty to Cooperate

- 2.2. At paragraph 3.30, the publication plan acknowledges the LPA's duty to cooperate with neighbouring authorities on strategic matters that cross administrative boundaries, for issues such as housing delivery and the Green Belt which crosses the administrative boundary of Dudley into both South Staffordshire and Bromsgrove. It is also acknowledged that other authorities such as Shropshire, Lichfield, Cannock Chase, etc also have a role to play.
- 2.3. The Council's Duty to Co-operate Statement (Oct 2024) sets out an explanation of how they feel they have met this duty.
- 2.4. The plan sets a housing target for the borough of at least 10,470 net new homes over the plan period of 2024-2041. The net local housing need however is for 11,169 homes as calculated by the Standard Method, creating a shortfall of 699 homes.
- 2.5. When compared to the Regulation 18 publication of the draft Local Plan, Dudley MBC were proposing to accommodate 10,876 dwellings. Whilst in the Black Country Plan, Dudley MBC were originally accommodating 13,235 dwellings up to 2039². As such, it is clear that Dudley Borough have substantially reduced their housing requirement and still cannot accommodate over 1,000 new homes within their authority boundary and have removed all proposed Green Belt allocations.
- 2.6. Originally (and when the Black Country Plan was being prepared) the following contributions were being offered by neighbouring authorities (as of October 2021):

Local Authority	Potential Contribution	Detail
Shropshire Council	1,500	Contribution to the Black Country Authorities.
Cannock Chase Council	500	Contribution to the GBBCHMA
Lichfield	2,000	2,000 to Black Country Authorities (Of total 2665)
South Staffordshire Council	4,000	Contribution to the GBBCHMA

- 2.7. The above sets out a potential 8,000 new homes contribution from these neighbouring authorities.
- 2.8. The following year (October 2022) Dudley MBC withdrew from the preparation of the BC Local Plan, citing local objection to the loss of Green Belt land which would be required to partially meet housing need³.

² <https://www.dudley.gov.uk/residents/planning/planning-policy/dudley-local-plan/draft-dudley-local-plan-consultation/>

³ <https://www.bbc.co.uk/news/uk-england-birmingham-63165436#:~:text=A%20council%20has%20pulled%20out,authorities%20in%20the%20West%20Midlands.>

- 2.9. As of August 2024, the following contributions have been offered towards the unmet housing land needs of the Black Country Authorities and Birmingham City Council.

Local Authority	Potential Contribution	Detail
Shropshire Council	1,500	Contribution to the Black Country LAs.
Cannock Chase Council	500	Contribution to the Birmingham/ Black Country HMA
South Staffordshire Council	640	Contribution to the Birmingham/Black Country HMA
Telford & Wrekin Council	1,650	Contribution to the Black Country LAs.

- 2.10. The neighbouring authority of South Staffordshire Council were originally proposing to take c.4,000 homes as 'unmet need' from the Greater Birmingham, Black Country Housing Market Area (GBBCHMA) or Functional Economic Market Area (FEMA), but this appears to have fallen away, despite there being deep concerns that the need has, if anything, worsened. Housing need has also been exacerbated by the delays associated with the abandonment of the Black Country Plan.
- 2.11. Furthermore, the neighbouring authority of Wolverhampton (who have recently begun a Regulation 19 consultation for their local plan) also removed their proposed Green Belt allocations resulting in an unmet need figure of 10,398 homes which would need to be accommodated in neighbouring authorities⁴.
- 2.12. Whereas Bromsgrove District Council have yet to release information on when we can expect a 'early' review of their Local Plan previously adopted in 2017. Therefore, we are unable to consider how Bromsgrove will comply with their part of the Duty to Cooperate. This also extends to Lichfield who have withdrawn their plan from examination (October 2023) and where the Shropshire Plan examinations (Stage 2) have been cancelled because of serious concerns the examining Inspectors have over the soundness of the plan (November 2024).
- 2.13. The up-to-date statements of common ground agreed with the relevant neighbouring authorities are missing from the consultation documentation associated with this Reg 19 consultation. We have serious concerns over this.
- 2.14. The PPG (para 029) states that *'The statement of common ground is the means by which strategic policy-making authorities can demonstrate that a plan is based on effective cooperation and that they have sought to produce a strategy based on agreements with other authorities.'*
- 2.15. According to para 27 of the NPPF, such statements should be updated regularly and made available for public viewing:
- '... strategic policymaking authorities should prepare and maintain one or more statements of common ground, documenting the cross-boundary matters being addressed and progress in cooperating to address these. These should be produced using the approach set out in national planning guidance and be made publicly available throughout the plan-making process to provide transparency.'*

⁴<https://www.wolverhampton.gov.uk/sites/default/files/2024-11/Main%20Document%20WLP%20Reg%2019.pdf>

- 2.16. We have already made representations to the South Staffordshire emerging plans and have criticised the perverse approach being taken where they are substantially reducing the unmet need they propose to take from the GBBCHMA. This leaves the question of where the unmet need will be located, if authorities are just passing the issue around, rather than working together to meet this need.
- 2.17. Given that there are no published, up to date statements of common ground in the consultation documentation, it is difficult to understand and assess what work has been done in the last 12 months to agree the revised contributions and subsequent distribution of housing need in the neighbouring areas.
- 2.18. Our question to Dudley MBC is what are their reasonings behind why they have reduced the number of new homes that are proposed to be accommodated in the Borough and whether they are actually complying with the Duty to Cooperate. We asked this question in our Reg 18 representation and did not receive a response. We do not consider this position has moved any further forward.
- 2.19. We note at Table 4.1 of the Duty to Cooperate Statement (October 2024) where the council states:
'As part of its work on the Dudley Local Plan, Dudley has evidenced a shortfall in its housing supply based on its up-to-date Urban Capacity Review (2024) and SHLAA work (2023-24). On this basis, Dudley will be writing to neighbouring local authorities under DtC to inform them of the most recent and up to date evidence and the continued housing shortfall. There have been a number of previous offers that were made to the Black Country Authorities and the GBBCHMA. Dudley Council has working with other LAs to clarify the status of these offers, via DtC meetings and work via the Birmingham & Black Country HMA Group as the Dudley Local Plan has progressed to the Publication stage in order to address its shortfall.'
- 2.20. The council stating that they 'will be writing to' neighbouring authorities is not good enough. Given the greater cooperation that had been taking place during the production of the BC plan, it is difficult to understand why critical further communication is still needed, given that the council have reached and published their Reg 19 plan for consultation. Reaching this advanced stage in the plan making process, the Council are clearly intending to obviate their statutory duty to deliver new housing to meet its needs. They have not provided clear evidence that they have an agreed approach to the strategic delivery of housing and Green Belt review and release (and spatial strategy linked to this).
- 2.21. As a result of the above, the approach is now likely to result in an under-delivery of potentially 000s of new homes. Indeed, a similar situation is arising in neighbouring Wolverhampton who have just begun consultation on their Reg 19 plan, where they have an even larger identified shortfall. Given South Staffordshire have expressed their intention to submit their plan for examination this year, it is clear⁵ no further changes are likely to be made to their plan.
- 2.22. It is potentially catastrophic that so much housing development will not be delivered in the area, especially since there is overwhelming evidence to support the need. As such, we consider there has been a failure (particularly) between the neighbouring Black Country Authorities and Dudley MBC, as well as South Staffordshire, Bromsgrove and Birmingham in the Duty to Cooperate (as required by para 24 of the NPPF). This is also in direct conflict with the Planning Practice Guidance⁶ which states the following:

⁵ <https://www.sstaffs.gov.uk/planning/planning-policy/local-plan-review>

⁶ Paragraph: 012 Reference ID: 9-012-20140306

“Local planning authorities should bear in mind that failure to demonstrate compliance with the duty at the Local Plan examination cannot be corrected after the Local Plan has been submitted for examination. The most likely outcome of a failure to demonstrate compliance will be that the local planning authority will withdraw the Local Plan.”

- 2.23. We do not consider the Council have met their obligations under the Duty to Cooperate. The very pressing issue of housing needs have not been properly explored by the Council and its neighbouring authorities to inform this plan and we are concerned that the Council are planning to fail to deliver even their under-cooked housing requirement on the grounds that they are constrained by Green Belt, where there is no political will to release such land for development.
- 2.24. On this basis, we do not see how the Council can possibly have met the tests set out at paragraph 35 of the Framework. To be ‘positively prepared’, the Plan needs to have, as a minimum, met the area’s housing requirements, to be informed by agreements with neighbouring local authorities. This is lacking at this stage.
- 2.25. Moreover, paragraph 35(c) (‘effective’) requires cross-boundary strategic issues to be dealt with rather than deferred, as evidenced through statements of common ground. As these remain outstanding, the issue has evidently been deferred, failing this test.

3. DUDLEY TO 2024: SPATIAL VISION, OBJECTIVES AND PRIORITIES

Vision and Strategic Priorities

Strategic Objective 1

- 3.1. Strategic Objective 1 has the aim to conserve and enhance the natural built and historic environment, to which we disagree with some of the Strategic Priorities.
- 3.2. We agree with Strategic Priority 1 in its aim to address the climate and ecological emergency by mitigating impacts of climate and ecological change, ensure new developments move towards net zero emissions, managing flood risk, incorporating renewable energy installations and promoting active travel.
- 3.3. We partially agree with Strategic Priority 2 in its aim to protect and enhance the natural and historic environment and support an increase in biodiversity and ecological networks by promoting the use of brownfield land and limiting the release of Green Belt land. The Priority states that biodiversity and ecological networks will be enhanced by *'increased tree cover and nature recovery networks, safeguarded and enhanced green wedges, green belt along with other greenspaces, canal and riverside environment'*. We question how this will be mandated and what level of viability testing has been undertaken to ensure that development is not stymied due to the requirement to make further contributions towards off-site improvements, beyond that of established and impending S106, CIL, Biodiversity Net Gain and Net Zero obligations. In accordance with paragraph 577 of the NPPF, which only requires s106 to be necessary to make development acceptable in planning terms, directly related to the development and fairly and reasonably related in scale and kind.
- 3.4. Furthermore, Strategic Priority 3 aims to ensure sustainable patterns of development and the protection of the Green Belt by focusing new development on previously developed land in the urban area. This Priority also focuses on *'safeguarding and enhancing the Green Belt as a community recreational resource'*. We wholly disagree with this strategic priority since if more Green Belt land was released for residential developments, then Dudley MBC would have the opportunity to contribute proactively towards their Duty to Cooperate on delivering housing. In light of the shortfall identified in the Plan, we do not consider that this alternative approach has been sufficiently justified, in accordance with paragraph 35(b).

Strategic Objective 2

- 3.5. We agree with Strategic Objective 2 and Strategic Priority 4 with regard to promoting sustainable economic prosperity through encouraging sustainable economic growth and inward investment, acknowledging the significant growth, employment and tax revenue associated within house building. As well as providing spatial framework which will contribute towards delivering a circular economy, low carbon technologies and a green economy.

Strategic Objective 3

- 3.6. We agree with Strategic Objective 3's aim to enhance places and communities. Strategic Priority 5 is supported with regard to developing a high-quality design and character.

- 3.7. Strategic Priority 6 is partially supported with regards to meeting housing needs of the district. However, we do believe that Dudley MBC should positively contribute towards the unmet needs of the Greater Birmingham Area. We fully agree that Dudley MBC should be contributing towards the unmet need of the district, but this number needs to be publicised and Cooperate with the unmet needs of the surrounding Black Country Authorities, rather than stating that they have Cooperated via the production of the local plan. We, therefore, believe that this Strategic Policy requires further consideration.
- 3.8. We agree with Strategic Priority 7 with regards to encouraging healthy communities through the provision of health, education, open space, sport and leisure infrastructure, acknowledging the positive contribution house building makes to these services via S106 agreements.
- 3.9. We agree with Strategic Priorities 8 and 9, which ensures new development is supported by sustainable infrastructure and transport networks. However, it is also here that meeting the Duty to Cooperate is essential in identifying and delivering cross-boundary infrastructure which would facilitate unmet housing need from neighbouring authorities.

4. PART ONE: SPATIAL STRATEGY AND POLICIES

Policy DLP 1 Development Strategy, and Policy DLP 10 Delivering Sustainable Housing Growth

- 4.1. For the reasons we have already given in our comments under the Duty to Cooperate, we consider that the above policies will not deliver the necessary housing to meet the need in the area. This is without even looking at the revised standard methodology in the emerging NPPF (which at the time of writing had not been published in its final form) where the required housing need for the Borough would increase substantially.
- 4.2. We remain fundamentally concerned that there will be a substantial amount of unmet need that will have to be accounted for by other surrounding authorities in the GBBCHMA/FEMA areas. This does not appear to comply with the tests of soundness, set out at paragraph 35 of the Framework.

Policy DLP 3 Areas Outside the Growth Network

- 4.3. We note that a supply of development opportunities is to be allocated outside the Regeneration Corridors and Centres, compared to the Regulation 18 plan which originally noted that these opportunities would be located on 'surplus land'.
- 4.4. The clarification that housing will be allocated on land outside of the Regeneration Corridors and Centres is reassuring. The amount of housing allocations in the Borough on brownfield land is proposed at 97%, which has increased when compared to the proposed Reg 18 allocations on brownfield land (96.4%). Whereas there has been a decrease in green field land released to provide residential allocations at 3%, compared to the allocation of 3.6% at the Reg 18 stage. It is unfortunate that the allocations are so reliant on redeveloping brownfield land.
- 4.5. . We remain concerned that viability is likely to be a challenge where such a considerable amount of brownfield land is to be allocated. It is our extensive experience of development in Dudley, together with knowledge of land values, build costs and sales values in the Borough that would lead us to conclude that many developments simply will not deliver the community benefits and affordable housing that are also required in order to be acceptable in planning terms and to mitigate impact.

Policy DLP12 Delivering Affordable, Wheelchair Accessible and Self-Build / Custom-Build Housing

- 4.6. It is our view that in order to deliver more affordable housing to meet the clearly burgeoning need in the Borough that more green field sites should be released for development.
- 4.7. Policy DLP12 clearly shows that providing more affordable housing to meet the need set out in the Black Country SHMA (2021) of 32.7% within the Borough is going to be virtually impossible.
- 4.8. The council have discussed that the Dudley HMA (2024) identifies the requirements for new homes to be made affordable or social rent, shared ownership and First Homes. To meet this level over the plan period, it is stated that 23.5% of new housing would have to be affordable. Whereas the Viability and Delivery Study demonstrates that viability varies greatly according to local housing values and the site's land use (greenfield or brownfield). As a result, the council have proposed a sliding scale of affordable housing requirements ranging between 10%-30% depending on the site's land use and density.

- 4.9. For example, requiring 20% affordable housing on brownfield sites in medium value zones is clearly going to work in only the minority of sites where, in our experience, such sites can rarely support affordable housing at all – let alone the impact of vacant building credit, which of course can (and often does) reduce the requirement to zero. Have the council truly assessed what is happening on the ground – how many of their brownfield sites deliver affordable housing (that is not grant funded and included in a s106 agreement)? That is the evidence base that needs to be referred to as the practical application of such policies should be considered alongside the assessment of plan viability more generally.
- 4.10. We have previously raised concerns in our Reg 18 representation over the evidence base which lacks fundamental data on right to buy losses and stock condition – all of which contribute to a realistic picture of affordable housing in the Borough. The council do not have an accurate picture of net affordable housing need, which means these parts of the plan are not properly justified.

Policy DLP49 Green Belt

- 4.11. In section (1) of the policy it states that the Green Belt will be maintained and ‘... *provide easy access to the countryside where the landscape, visual amenity, nature conservation and outdoor sport and recreation value of the land will be protected and enhanced*’.
- 4.12. We do not agree with the wording of this policy entirely. The presence of Green Belt does **NOT** automatically afford people ‘access’ to the countryside, unless there are public rights of way running through it.
- 4.13. Green Belt land also does not provide open spaces for recreation without formal access.
- 4.14. The release of Green Belt for development can result in an increased level of public access through the provision of compensatory new open spaces and parks within a development, which does offset the loss of openness. Moreover, there would be benefits associated with biodiversity net gain.
- 4.15. Furthermore, we also agree with DLP49 that where Very Special Circumstances can be demonstrated with regards to inappropriateness, planning permission should be granted.
- 4.16. However, this is a very difficult argument to make and the most appropriate way to deliver large scale new housing is through a positively prepared, justified, sound and legal local plan.
- 4.17. As a result of the above, we consider that Policy DLP49 needs to be re-worded.

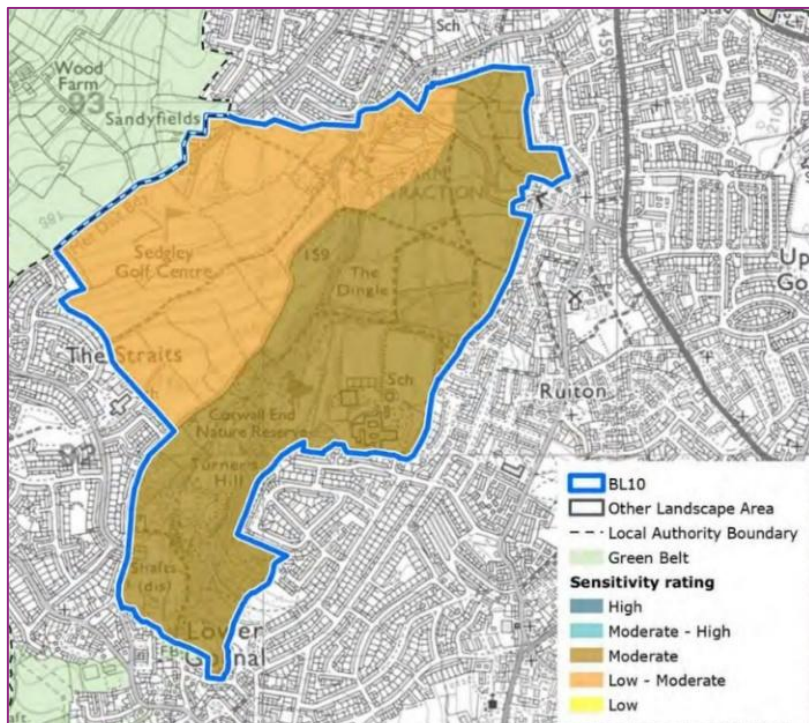
5. PART TWO: CENTRES AND SITE ALLOCATIONS

Table 6.1: Dudley Housing Site Allocations

- 5.1. The council continue to pursue growth Option 3, described as ‘Meeting all or the majority of our housing need through urban uplift in regeneration corridors and centres, some development proposed on smaller areas of low-quality open space, plus DtC contributions’.
- 5.2. As we have mentioned previously, the promotion site has still not been assessed in the 2023/24 SHLAA. However, the site forms part of a wider parcel (BL10) in the Black Country Green Belt review. This was raised in our Reg 18 representation. and nothing appears to have been done since then.
- 5.3. We remain of the view, for the reasons already given, that this policy does not demonstrate a strategy, which, ‘as a minimum, seeks to meet the area’s objectively assessed needs’ (para 35 of the NPPF). We therefore do not consider the plan to be positively prepared.

Evidence Base

- 5.4. It appears that despite changing the housing requirement, the Green Belt review has not been updated or revisited since its publication in 2019⁸. Despite this, 6 sites were proposed in the Green Belt on the edges of the Borough, but with little in the way of exceptional circumstances to justify them. The promotion site falls partly into site BL10 (low moderate landscape rating) and in site 567 (as per the South Staffordshire SHELAA 2023⁹):



⁸ <https://www.dudley.gov.uk/media/islb3dcr/black-country-green-belt-study-september-2019.pdf>

⁹ https://www.sstaffs.gov.uk/sites/default/files/2024-04/app_8_urban_extns_and_new_settlements_table_2023.pdf

- 5.5. The Black Country Plan Reg 18 (Oct 2021), focused on explaining how not all growth could be accommodated inside its boundaries. The draft plan stated that 'Black Country capacity is finite', but this statement applies to everywhere else, surely?
- 5.6. South Staffordshire have reduced the number of dwellings that they will accommodate within their emerging plan (which has recently undergone a Reg 19 consultation) and until it is clear what unmet need will be taken by neighbouring Bromsgrove DC, we cannot see that the plan as it is currently presented is remotely sound, since it has changed very little to the Reg 18 publication.
- 5.7. Ignoring the DtC is not going to make the challenge of delivering unmet need go away. Dudley (as the other Black Country Boroughs) have had plenty of time to agree a way forward with their neighbouring authorities, and yet this seems to be being treated as a new issue, which is extremely disappointing. Instead of working together the Black Country Boroughs are all passing the unmet need to one another, rather than coming up with a plan that everyone agrees with to address the issue.
- 5.8. Despite the fact that the site is included in the Black Country Green Belt Review (sites 567 – South Staffordshire and part of BL10), it does not seem that the promotion site has been considered in the SHLAA as shown in the SHLAA map extract below (2023/24)¹⁰ where the part of the site that falls into Dudley indicated shown in red overpage. We see this as an error and the site must be assessed. We would also welcome an assessment of sites that fall into both authority areas:



- 5.9. We also consider that the Sustainability Assessment as an assessment of reasonable alternatives should include the site. At present, it is missing.

¹⁰ https://www.dudley.gov.uk/media/qtzmtswr/shlaa_2023_24-map.pdf (SHLAA Map 2023/24)

Sustainability Appraisal

- 5.10. Moving onto the Sustainability Appraisal (SA), we note the Options appraisals which explore different ways of meeting housing growth. A table taken from this document has been included below explaining the differences between the methods.

Housing option	DMBC's description of housing spatial growth option
Option 1: Meeting the majority of our needs in the urban area alone and maintaining the existing 'brownfield first' strategy.	Under this option DMBC will be looking to accommodate Dudley's housing need within the urban area. This will be met by allocating predominantly brownfield sites but will have a shortfall in its housing supply.
Option 2: Meeting the majority of our housing need through urban uplift in regeneration corridors and centres plus some development proposed on smaller areas of low-quality open space.	This option will result in site allocations being designated within the urban area, which will include a predominate supply of brownfield sites and some low-quality open space sites with a focus on increased densities and maximising capacity and raising densities within centres and regeneration corridors, where appropriate. Where it can be demonstrated that accessibility standards are met, developments will be expected to meet 40dph except where this will prejudice historic character and local distinctiveness. Under this option DMBC will look to accommodate the majority of its housing need within the urban area but would have a potential shortfall in its housing supply.
Option 3: Meeting all or the majority of our housing need through urban uplift in regeneration corridors and centres, some development proposed on smaller areas of low-quality open space, plus DtC contributions. To be formulated for Reg 19 stage of the DLP.	This option will result in site allocations being designated within the urban area which will include a predominate supply of brownfield sites and some on low-quality open space sites with a focus on increased densities and maximising capacity and raising densities within centres and regeneration corridors, where appropriate. Where it can be demonstrated that accessibility standards are met, developments will be expected to meet 40dph except where this will prejudice historic character and local distinctiveness. Under this option DMBC will look to accommodate its housing need of new homes within the urban area but will require a contribution from DtC partners towards the potential shortfall to enable the total housing need for the borough to be met.

- 5.11. The council have pursued Option 3, described as *'Meeting all or the majority of our housing need through urban uplift in regeneration corridors and centres, some development proposed on smaller areas of low-quality open space, plus DtC contributions. To be formulated for Reg 19 stage of the DLP'*.
- 5.12. The SA sets out that Option 3 has been chosen because it would address housing need through a 'balanced spatial approach' and that the housing need would be 'met as far as possible'. We do not agree with this.
- 5.13. Firstly, housing need is not addressed, as the council would still have to accommodate a large number of dwellings. Moreover, the balance is simply not there since there is a particular focus on developing brownfield land. Brownfield land will not deliver the required affordable homes needed in the Borough, for reasons we have already given in this representation.
- 5.14. Para 8.4 in the reasoned justification for Policy DLP10 (Delivering Sustainable Growth) sets out that 94% of current local housing need up to 2041 (homes) with 97% of the supply on brownfield land and 3% of the supply on greenfield land. This cannot be considered to be balanced at all. How many of the brownfield sites that form part of the 97% supply have been previously allocated for housing and have existing planning permission which has lapsed or stalled? It appears that the council have objectively gone through all of these sites and removed those which do not have a realistic chance of delivery?

- 5.15. Throughout this representation, we have expressed concern over the strong reliance on brownfield land regeneration in the Borough given viability issues. This option still does not meet housing need for the Borough (which is a minimum figure).
- 5.16. Indeed, we note at para 5.3.10. that there is some doubt over the viability of Option 3, where it concludes: *'Overall, Option 3 was identified to be the most favourable housing spatial growth option as it ensures the housing need will be met, although there is also some uncertainty in the impacts of this option given the unknown location of the exported proportion of growth.'*
- 5.17. The previous approach to the Black Country Plan, where Green Belt was actively being released, we cannot understand how the council can legitimately pursue a growth option where they cannot accommodate all of their growth within their boundary and almost within the same breath just rely on the unknown of having that unmet need accommodated by neighbouring authorities (South Staffordshire and Bromsgrove). Politically, surely those authorities will want to see Dudley MBC releasing some of its own Green Belt first.
- 5.18. Finally, we note that the SA identifies that the true impacts of the unmet need, which is being exported, cannot be fully assessed. Access to employment opportunities, as well as environmental/social impacts cannot be assessed because it is not known where these homes will be located. The SA is clearly incomplete because the strategy is flawed.

6. CONCLUSION

- 6.1. This representation to the Dudley Local Plan Regulation 19 Consultation has been made on behalf of Seven Capital, who are promoting land north of Sandyfields Road, Sedgley.
- 6.2. We consider firstly that the Council have not discharged the Duty to Cooperate. They are not meeting their own unmet need (using their own figures) and do not have a clear agreement with the neighbouring authorities most closely linked (e.g. South Staffordshire and Bromsgrove) who may be in a position to do this. They take no account of the significant unmet need in Wolverhampton, which will also require considerable amounts of Green Belt land in (largely) South Staffordshire to be released. No evidence of up-to-date statements of common ground has been included within the Reg 19 local plan documents.
- 6.3. Given the joint work already done on the Black Country Plan, we are disappointed that there is little evidence of subsequent cross-boundary working with neighbouring authorities, including South Staffordshire, with whom we would have expected a Statement of Common Ground to have been drawn up by now.
- 6.4. South Staffordshire are about to submit their Reg 19 plan for examination. This is particularly concerning given the significant shortfall in housing that Dudley MBC have identified. There is great uncertainty regarding this, and the Council appear to be deferring meeting housing need, rather than dealing with it.
- 6.5. Seven Capital will continue to promote their site (now objection site) at Sandyfields Road, Sedgley. Seven have already invested significantly in understanding the constraints of the site (including landscape and visual impact, highways, drainage, ecology and trees). This evidence and the Vision document were submitted to Dudley MBC when they last ran a consultation on their emerging plan, and it is re-attached with this submission in order that the Examining Inspectors have it as part of the responses to the Reg 19 plan.
- 6.6. We have made further comments on more generic planning policies where they relate to the tests in para 35 of the NPPF.
- 6.7. We consider the Local Plan and general strategy to housing delivery is clearly politically motivated and will do very little for those in market or affordable housing need. Dudley MBC are not planning for enough housing which will have substantial implications for existing and future residents in affordable and market housing need.
- 6.8. The strategy to completely prioritise brownfield delivery will result in stalled delivery as a result of viability issues, as well as reduced affordable housing delivery, all in the name of protecting Green Belt land at any cost.
- 6.9. We therefore consider overall:
 - The Council have failed the Duty to Cooperate
 - The Council have not produced a plan which is positively prepared
 - The Council have not produced a plan which is effective
 - The Council have not produced a plan which is justified
- 6.10. Finally, we do not agree that the plan, as prepared should not be submitted for examination in its current form and we do not consider that anything other than substantial modifications (requiring further consultation) to the plan would adequately deal with the concerns we have set out.

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APPENDIX A: VISION DOCUMENT



LAND TO THE WEST OF SANDYFIELDS ROAD

DEVELOPMENT VISION DOCUMENT

JULY 2021



placemaking for life.

This document has been prepared by IDP Architects working in tandem with SevenHomes to design a residential development for the site - Land to the West of Sandyfields Road, Sedgley. The document intends to demonstrate that the site can be released from the Green Belt and contribute towards finding a solution to the current housing shortage.

The following consultant team support SevenHomes in the development of the proposals for the project:

Architecture & Urban
Design:

IDP

Planning Consultants:

**RCA Regeneration
Limited**

Landscape
Architecture:

IDP



Revision	-
Date	JULY 2021
Prepared by	SB
Checked by	BDF

Cover Photo: Site Location - IDP

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INTRODUCTION

“ *This Vision Document has been prepared on behalf of SevenHomes to set out the opportunities for potential development of the Land to the West of Sandyfields Road.* ”



INTRODUCTION

The Site

The proposed development site occupies land to the north-west of Sandyfields Road, in the town of Sedgley, which in turn forms a key town within the wider Dudley Metropolitan Borough.

The site is formed of ten pasture / paddock fields defined by hedgerow field boundaries and is loosely scattered with trees of varying size and maturity.

The site forms adjacency to an existing housing development along the full extent of the western edge, whilst also abutting Sandyfields Road in the south. To the west of the site further farm land occupies the adjacent valley. The site bridges a highpoint ridge in the existing terrain which progresses from north to south. To the west of the ridge the land falls away into the valley, whilst in the east, the paddocks fall less more modestly towards the existing settlement.



Regional Location Plan



Site Boundary

The Vision

To create a sustainable and high quality living environment that compliments and connects with the existing town, fostering a sense of well-being encouraged by the enhancement of existing landscape features.

The design will build upon the existing rural village character, reinforcing the established pattern of buildings and using locally inspired materials to form a development that enhances the town both visually and through community enrichment.

The sensitive design approach will incorporate modest density homes, ensuring the pattern of development fits in with the existing town form.

The proposals seek to form a landscaped 'green spine' corridor to the west of the site, embellished with opportunities to play and relax to the east.

This green space will form pedestrian and cycle only connection, separating existing residents to use a safe, attractive and health-promoting route to the town centre amenities.

The ethos of the design and development process will centre upon sustainable living principles, promoting healthy lifestyle choices and bringing people come together.



“To create a sensitively designed place that brings the village together through a rich and connected landscape for leisure and play”

SEVEN HOMES

WHAT WE DO

SevenHomes is part of SevenCapital, a diverse property company with a high quality team who boast expertise in the residential market, city conversions, hospitality and commercial real estate. Established in 2017, SevenHomes was created to focus on regional housebuilding creating high quality places to live for modern families and first time buyers.

WHY WE DO IT

At SevenHomes we believe in a happier, healthier society based on values of sustainability, diversity and social cohesion. Our mission is to build homes that contribute towards the brighter, greener and happier communities of tomorrow, by delivering exceptional homes for all of society's housing needs. With a Head Office in Birmingham, SevenHomes is a regional housebuilder focused on creating high-quality homes for families and first-time buyers.

We are proudly part of the SevenCapital Group, which has an unrivalled track record of delivering modern residential homes and mixed-use developments across the UK. As urban regeneration specialists, we are well known for taking complex sites and turning them into developments that breathe life back into the surrounding communities.

Creating diverse and attractive places for people to live, work, and importantly for communities to thrive, is the key driver behind all our homes. As a responsible developer, we are committed to engaging with residents and groups to ensure we give back to the local community, enabling us to understand their needs whilst also informing our planning and design process. Throughout the planning process, we always seek to consult key local stakeholders to ensure all possible avenues of sustainable design and development are explored.

As a Group, sustainability is the fundamental cornerstone of our development philosophy, which is why we are making considerable commitments to lowering energy and carbon consumption with efficient building design. We pledge to work with local authorities to implement eco-friendly initiatives whilst taking an active role to ensure resources and waste are managed efficiently.

Where viable, we also make sure that materials and labour are sourced locally throughout the construction period, and always maintain a high standard of building certification in accordance with Minimum Energy Efficiency Standards (MEES).

At SevenHomes, we understand that each site has its own unique set of characteristics and challenges. Our highly skilled in-house team assess each opportunity against the latest national and local development guidelines. This highly professional and efficient process has helped the Group deliver more than 6,750 homes over the past 10 years, as we continue to provide the utmost confidence in SevenHomes' ability to deliver.



Seven Homes | Mixed Development Homes



Seven Homes | St Georges Townhouses



“Passionate about design, sustainability and quality of construction, SevenHomes has the skills and experience to create the perfect forever home. By combining the latest interior design trends with practical modern day living, we can turn your house into your home.”



Above: Interiors of St Georges Townhouse Development, Below: Homes at Oaklands



APPRECIATING THE CONTEXT

“ ‘Places’ are dynamic, rich and full of life. We have sought to understand the town of Dudley through study of its physical characteristics, to ensure the new and the existing can work in harmony.

”



APPRECIATING THE CONTEXT

Introduction

The site crosses the administrative boundaries of two local authorities: South Staffordshire District Council (DC) and Dudley Metropolitan Borough Council (MBC). The access road and access junction fall within Dudley MBC and the remainder of the site falls within South Staffordshire DC.

We have considered the site-specific policy constraints which are limited, but include

- The presence of ecological constraints on the edge of the site and Baggeridge Country Park, which is a designated Local Nature Reserve to the west.
- Some locally listed buildings fronting Sandyfields Road, reflecting the sporadic development of modest workers cottages associated with the more industrial neighbouring Dudley Borough.
- Beyond this is Himley Hall, a Grade II Registered Park and Garden, is located approximately 400m to the south-west of the site. Himley Hall itself is a Grade II* Listed Building and is located approximately 1.5km to the south-west of the site.

The subject site falls entirely within the West Midlands Green Belt and would require removal through the development plan process.

To that end, we are aware of the stages that each authority has reached in the reviews of their development plans and have summarised below.

Planning Policy

Both the emerging South Staffordshire Local Plan and emerging Black Country Plan specifically deal with 'indigenous' housing growth needs as well as the housing growth that is set out in the Greater Birmingham Housing Market Area Strategic Growth Study (February 2018), of which Dudley Borough and South Staffordshire form part.

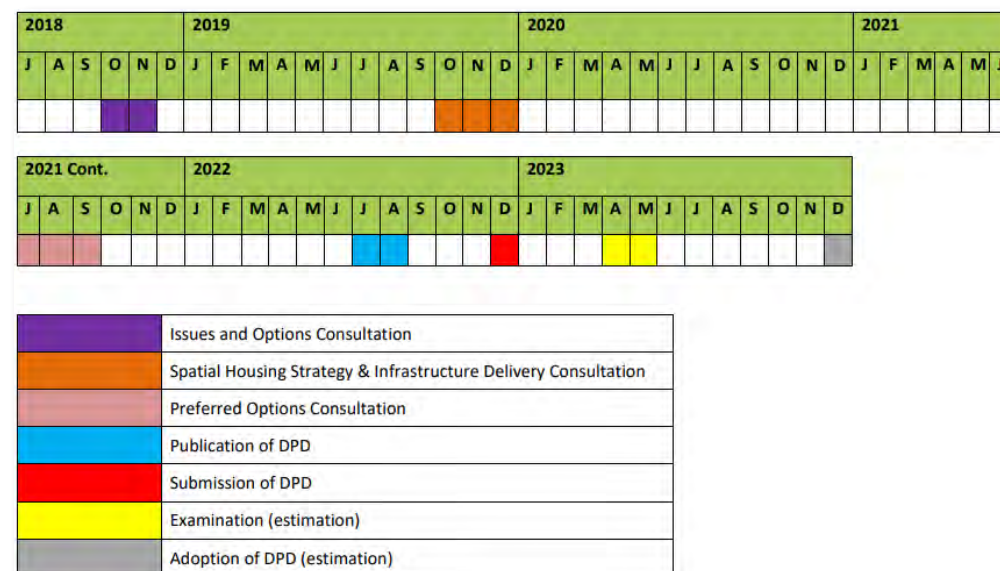
There remains significant further unmet need in the Black Country, as well as Birmingham.

It is likely that South Staffordshire will accommodate around 4,000 dwellings, counted as unmet need from outside of its administrative area, coupled with (as yet unknown) additional housing growth emanating from the revisions to the Planning White Paper (and standard methodology) which is likely to be more focussed on urban areas.

Additionally, according to the Black Country and South Staffordshire Strategic Housing Market Assessment (SHMA), in order to meet the Black Country Authorities' housing needs, approximately 3,824 new dwellings will need to be constructed per annum (taking account of SNHS adjustment) in order to meet local housing needs.

Both the Black Country Authorities and South Staffordshire have, over time, aligned their plan preparation timetables. South Staffordshire's Local Plan programme anticipates the preferred options consultation to take place

between July and September 2021, with the publication version available for consultation in July and August 2022 with submission to the Secretary of State in December 2022. A copy of the consultation timetable is set out below:



APPRECIATING THE CONTEXT

In terms of the Black Country Plan's revised timetable, they currently anticipate consultation on the Draft Plan (Regulation 18 consultation) in August and September 2021 with consultation on the pre-submission draft plan in August and September 2022 with submission to the Secretary of State in March 2023.

A copy of the timetable is set out in the table below.

We have taken into account a number of evidence base documents in the preparation of this Vision Document. These include the Strategic Flood Risk Assessment, Green Belt Assessment and Landscape Sensitivity Assessment, Site Assessment Methodology Summary, Utilities Capacity Study, Ecological Study and the Black Country Urban Capacity Study Update. Below details how these assessments reinforce the potential for this site to be released from the Green Belt, having regard to its overall sustainability.

Strategic Flood Risk Assessment

It can be clearly seen from the Dudley Flood Map, as part of the Black Country Strategic Flood Risk Assessment (SFRA), which has been carried out in accordance with the PPS 25 'Development and Flood Risk' guidance, that the subject site does not form part of a 'low', medium' or 'high' flood risk zone. Therefore, there are no flood-related reasons why the site should not be released from the Green Belt.

Landscape Sensitivity Assessment

In the Black Country Landscape Sensitivity Assessment, which is a strategic-level study that considers the landscape and visual sensitivity of specific areas around Dudley and the Black Country, figure 3.3 highlights the subject site in the landscape area SL16. It outlines the site as currently part of the Greenbelt but not as a 'potential SINC addition' (Site of Importance for Nature Conservation)

or as an 'Absolute Constraint'. From this, there appears no landscape reason why the site should remain in the Green Belt.

Utilities Capacity Study

The Utilities Infrastructure Capacity Study prepared by Peter Brett outlines the Black Country Authorities' capacity of existing electricity, gas and telecommunications infrastructure to support future housing and employment grown within the new plan period. With the move away from gas and an increase in electricity requirements for both heating and powering cars, it concludes that, overall, the Black Country electricity network has spare capacity and that, both Western Power Distribution (WPD) and Cadent, the electricity and gas providers (respectively) within the region, would deliver the required infrastructure to support growth as part of their future asset plants. There is therefore utilities capacity and additional capacity could be delivered to support large scale growth.

Black Country Urban Capacity Study Update

The Black Country Urban Capacity Review Update (May 2021) has found that the gap between supply and need over the new Black Country Plan period up to 2039 has growth to 36,819 homes, an increase of around 10,000 homes since 2019. The release of the site from the Greenbelt would, in light

of other supporting evidence, assist the council in meeting this growing delivery requirement for homes.

It is acknowledged that in order to realise the planned growth strategy of the Black Country authorities and South Staffordshire that land will be required to be released from the Green Belt.

Green Belt Assessment

Two Green Belt Reviews have been published for the Black Country and South Staffordshire, both undertaken by LUC and undertaken in parallel to the same methodology.

The South Staffordshire Green Belt Study (SSGBS) was published as a two-stage review in July 2019 to inform the Spatial Housing Strategy and Infrastructure Delivery Consultation - which represented the second stage of the Local Plan Review. For the Black Country, the Green Belt Study (BCGBS) (also a two-stage review) was published in September 2019, a little after the South Staffs report. It provides a detailed picture of individual areas of Green Belt as part of the evidence needed to support the emerging Black Country Plan.

Planned Stage	Date
Consultation on Draft Plan (Reg. 18)	August - September 2021
Consultation on the Draft Pre-submission Plan (Reg. 19)	August - September 2022
Submission of Plan to Secretary of State for Examination	March 2023
Examination in Public	April 2023 - March 2024
Adoption	April 2024

The timetable for the Black Country Plan (formerly the Black Country Core Strategy) was revised in July 2020.

APPRECIATING THE CONTEXT

In both cases, the studies provide the following evidence:

- It rates areas within the Green Belt as to how they contribute to the five nationally defined purposes of Green Belt.
- It excludes areas of Green Belt which have significant planning constraints on them from further assessment (i.e. land at a high risk of flooding or Sites of Importance for Nature Conservation).
- It rates the remaining areas of Green Belt against the harm which would be caused by their removal from the Green Belt to the integrity of the remaining Green Belt.
- It assesses how far the landscape character of each of those Green Belt areas (e.g. their landform, historic value and use for recreation) would be sensitive to development.

Both studies do not seek to recommend which areas of land should be removed from the Green Belt; amend the Green Belt boundary; state which part of the Green Belt should be developed; or allocate land for new development.

The Green Belt review concludes that the subject site forms part of Greenbelt area S71 and outlines its impact on the four key purposes of the Greenbelt:

- **Purpose 1** - Checking Unrestricted Sprawl: Strong Impact
- **Purpose 2** - Preventing Merging Towns: Weak/ No Contribution
- **Purpose 3** - Safeguarding Countryside from Encroachment: Strong
- **Purpose 4** - Preserving setting and special character of historic towns: Weak/ No Contribution

The two studies conclude on the subject site as follows:

South Staffordshire Green Belt Study (SSGBS)

Here, the subject site forms part of Area S71. We note this is an enormous land parcel running from Gospel End to Wall Heath - clearly there are differences in the performance of smaller elements of this parcel. However, despite its size this parcel is considered as a whole in stage 1 of the SSGBS, and this would include the subject site.

Here, the Green Belt is noted to have a strong impact on the checking of unrestricted urban sprawl (Purpose 1 on

the Greenbelt); however the site directly abuts the settlement boundary to the east and forms a natural extension on the settlement westwards, whilst respecting the surrounding sites landscape features such as the Cotwall End Local Nature Reserve. This applies to the land parcels running along the entire boundary with Dudley Borough - every single land parcel sharing a boundary with the Borough performs in the same way.

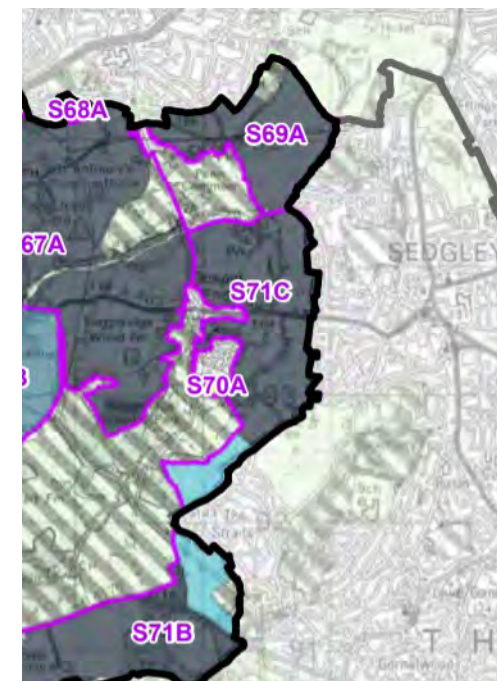
S71 is noted as having weak impact and provides no contribution to the preventing of settlements merging. The site would not result in settlement coalescence. However, this is not the case for all land parcels on the boundary of the Black Country authorities.

The review notes S71 as having a strong impact on safeguarding countryside and encroachment. It is true that S71 forms a direct buffer between Dudley and somewhat open countryside, however the subject site itself forms a minor part of S71 and is the part that is of most logical extension from the existing settlement. Development of this site would be adjacent to existing residential development and have established access from Gospel End Road to the North and Sandyfields Road to South.

S71's impact on purpose 4 of the Green Belt, the preservation of the special character of historic towns, is noted at

weak/ no contribution in the review. The site itself is of no specific historic or landscape interest and the benefits of its release from the Green Belt would significantly outweigh its current use.

The study, at stage 2 subdivides the larger parcel into a smaller sub-set and the subject site falls into S71C (page 85 of the SSGBS). The overall harm rating for S71C (like most parcels abutting the boundary of Dudley Borough) are considered to be 'Very High':



Overall, the SSGBS concludes that S71C makes a Moderate-High or very High contribution to the purposes of Green Belt and this is shown on the extract below:

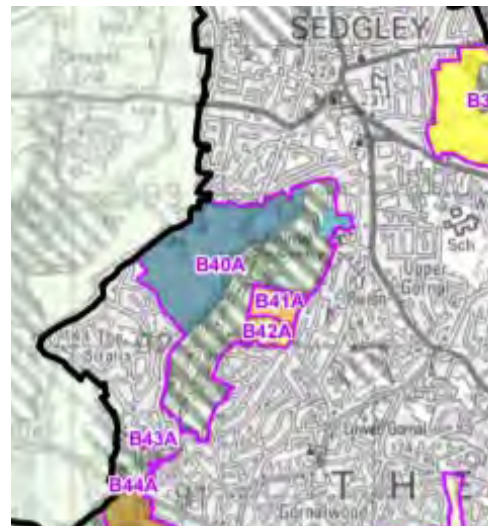
S71As1	112.6	Very High
S71As2	37.2	High
S71Bs1	109.6	Very High
S71Bs2	27.7	Moderate - High
S71Cs1	125.4	Very High
S71Cs2	16.4	Moderate - High

Black Country Green Belt Study (BCGBS)

The BCGBS does not directly assess the subject site as a whole as it falls predominantly into South Staffordshire. The very small area that falls into Dudley Borough is included as land parcel B40 (which largely contains the land to the South of Sandyfields Road).

The overall stage 2 harm rating for parcel B40 is shown on the map extract to the right (page 100 of the BCGBS).

This is assessed overall as follows in the table below:



B40As1	Dudley	50.2	High
B40As2	Dudley	2.5	Moderate - High

The findings overall appear to be somewhat myopic, insofar as the assessment does not realistically appear to have been undertaken against a backdrop of the burgeoning housing growth requirements of the Black Country, and the associated need for South Staffordshire to accommodate some of this requirement.

Neither review is therefore 'calibrated' as such, as much of the edge of the urban area is considered to perform well in relation to preventing settlement coalescence. Development to meet the growth needs of the Black Country has to go somewhere: in light of South Staffordshire having its own growth needs to accommodate, this surely points to a release of sustainable sites on the edge of the Black Country Boroughs from the Green Belt.

We note that some land parcels further away from the urban edge perform less well in Green Belt terms but they are clearly far less sustainable and would result in isolated pockets of development in open countryside that would be harmful in landscape and overall sustainability terms - notwithstanding any site-specific

constraints they may have.

It is noted that at para 7.10 of the BCGBS, LUC state that:

'...it may be that the most sustainable locations for development will result in very high harm to the Green Belt.'

We would therefore urge a more comprehensive overview of all constraints (and not just Green Belt) to be considered holistically, as we strongly believe that this site represents a good opportunity to release a modest area of Green Belt land in a highly sustainable and unconstrained location - where the benefits would clearly and substantially outweigh any harm.

This Vision Document seeks to provide multiple 'overlays' of the site constraints and opportunities, to demonstrate how it would positively contribute to the growth needs of Dudley, whilst maintaining a clearly defined, robust, permanent and enduring edge to the build form.

APPRECIATING THE CONTEXT

Character Appraisal

The following pages illustrate key urban approaches and architectural features within the town, with examples of established architecture, alongside modern interpretations of traditional styles.

The google aerial view of the development sitting adjacent to the site is an example of mid 20th century development which is very orthogonal in its approach. The building lines are often very regulated and complimented by the use of on plot parking and frontage parking, used to create a 'less' car-dominated streetscene.



The development below displays a fairly conventional high-density settlement pattern akin to Victorian housing, with architectural forms consisting of uniform building lines with on street parking. Later additions of housing punctuate the streetscene with differing line setbacks to accommodate on plot parking.



The below development illustrates a late 20th century urban approach where all residential roads are served off a central spine road into the development. All tributary roads are cul-de-sacs terminated by a turning head or parking area. The development consists of a varied range of housing typologies (terraced, semi-detached units) which utilise varied parking arrangements.



Facing Materials

Natural stone
Reconstituted stone
White / Cream render
Weatherboarding
Tile-hanging



Roofscape

Hipped roof
Gable frontage
Chimneys
Dormers



Openings

Protruded entrance
Contemporary window openings
Bay windows
Dormers
Sash windows



Boundary Treatments

Natural stone wall
Vegetation
Low brick walls
Closeboard fencing with posts



GREENBELT ASSESSMENT REVIEW

Within the NPPF the purpose of Greenbelt land is defined by five principles. These are as follows:

1. To check against unrestricted sprawl of large built-up areas;
2. To prevent neighbouring towns merging into one another;
3. To assist in safeguarding the countryside from encroachment;
4. To preserve the setting and special character of historic towns; and
5. To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

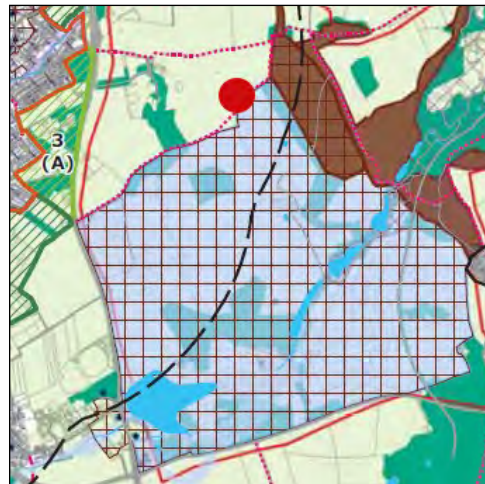
The Site falls within two administrative areas that have both independently carried out their own Greenbelt Assessment. The Black Country Green Belt Assessment, 2019 places the Site directly adjacent to Parcel no. B40 currently in recreational use as the Mark Butler Gold Academy. Furthermore, The Black Country report finds that the release of Parcel B40 would result in at worst a 'High' harm rating on the basis that "Where land makes a strong contribution to one of the Green Belt purposes, and where it's release would partially weaken adjacent Green Belt (for example by increasing its containment by urban areas), harm is likely to be high". Although the Site is part of Greenbelt land under the stewardship of South Staffordshire Council, no reference is made to it within the latest, all be it 'partial' review completed in 2014. The closest area of Greenbelt covered by the

2014 Staffordshire review is Wombourne, to the immediate west of the Site, beyond the Himley Estate.

NPPF Paragraph 89 states that in combination with other measures, but where necessary to release Greenbelt the following compensatory improvements should be included in any development:

- new or enhanced green infrastructure;
- woodland planting;
- landscape and visual enhancements (beyond those needed to mitigate the immediate impacts of the proposal);

Extract from Wombourne Greenbelt Review below. Red dot is the approximate Site location.



- improvements to biodiversity, habitat connectivity and natural capital;
- new or enhanced walking and cycle routes; and
- improved access to new, enhanced or existing recreational and playing field provision.

The proposed Sandyfields Road Site landscape design will consider all of the above.



LANDSCAPE & VISUAL CONTEXT

The Site is located approximately 1.5km south west of the village centre of Sedgley which is a suburb 4.8km due south of the larger conurbation of Wolverhampton in the West Midlands.

The Site is formed of an amalgamation of ten small and medium sized, steeply sloping, open and planned, rectilinear, semi-improved grassed fields bounded by fragmented, mature trees and native hedgerows subdivided by agricultural fencing and gates.

The Sites south eastern boundary is clearly defined by Sandyfields Road upon which there are several gated and walled, locally listed residential properties, along with Greenhill Farm and the Shakespeare 4x4 service/sales centre. These buildings share the boundary with a mature and continuous native hedgerow that effectively screens the Site from view along this elevation.

The Site spans the southern side of a narrow and steeply sided valley, the highest point of which is 195m AOD and the lowest 175m AOD. The Sites topography falls quickly from the top of the valley, some 20m south east to north west, over an approximate distance of 330m. The Sites topography is made up by several small to medium scale, semi-improved grassed fields bounded by quite typical and regular but fragmented native, mature hedgerows punctuated by mature broadleaved trees.

There are currently no dwellings within the boundary and no visible infrastructure or structures to speak of other than the presence of disused livestock shelters, water troughs and agricultural fencing. Current access is private for pedestrians only and via fieldgate from the rear of no. 190 Sandyfield's Road, Greenfield Farm/Shakespeare 4x4 forecourt.

Key Sensitivities:

- A number of tall, mature broadleaved trees established as sentinels or within the hedged field boundaries are visually prominent locally and of ecological value and therefore sensitive. These should be retained, protected and incorporated as natural assets to the scheme.
- Field boundaries within and on the perimeter of the Site are made up of mature, all be it sometimes fragmented native hedgerows. These are also visually prominent locally and of high ecological value and therefore sensitive. These should also be retained, protected enhanced and incorporated as natural assets to the scheme. The hedgerow along Sandyfields Road is of particular important as it effectively screens the Site from adjacent housing, pedestrians and drivers between the junction of Ruskin Road and Dingle View. Removal to enable

access should be kept to a minimum.

- Views exist from surrounding PRoW Wombourne 16, Wombourne 8 and Himley Se5 although the first two are from some distance. There are no PRoW on or immediately adjacent to the Site. Although sensitive, the distance, intervening landform and features such as mature blocks of plantation woodland reduce this sensitivity. The Sites design should however, be aware of and take account of any visual impact on pedestrians traversing these routes.
- Existing residents living on the western edge of Sedgley, including the locally listed dwellings 108-120 Sandyfields Road, Greenhill Farm and Shakespeare 4x4 as well Wood Hall Farm Barns, Riding School and Kennels and the relatively new housing development and nursing home across the valley to the north east of Baggeridge Country Park accessed from Birkin Kiln Way will have sight of the development. This

should be mitigated where possible.

- The Black Country Landscape Sensitivity Assessment, 2019 summarises Dudley's landscape sensitivity within proximity of the Site as "Pockets of open land that remain outside Greenbelt (and therefore not covered by the same statutory designation) are considered to have moderate-high or moderate sensitivity and derive their sensitivity from their importance as public open space or their strong contribution as a green setting to the surrounding settlements. Areas of lower sensitivity within Dudley include areas on the northern settlement edge which provide little contribution as a backdrop to the surrounding settlement and are visually enclosed with few naturalistic qualities".

View looking north west from within the



LANDSCAPE & VISUAL CONTEXT

The character of the landscape in which the Site is part of is recorded at both a national and local level.

At a national level the Site is classified as and part of Natural England's National Character Area profile (NCA) 67 'Cannock Chase and Cank Wood' covering 72,790ha. NCA 67's landscape character is summarised as follows:

- Cannock Chase and Cank Wood National Character Area (NCA) extends north of Birmingham and the Black Country conurbation. It is situated on higher land consisting of sandstone and the South Staffordshire Coalfield. The NCA principally coincides with the historical hunting forest of Cannock Chase, with major remnants surviving within the Cannock Chase Area of Outstanding Natural Beauty (AONB).
- Canals are a significant feature.
- The NCA has some outstanding geodiversity interest, extensive industrial archaeology and a good number of historic parks.
- In addition to food and timber production, the NCA houses an extensive rights of way network and areas of open access land.
- Change as a result of development has been significant. This has provided opportunities for enhancing both the landscape quality, biodiversity value and through green infrastructure initiatives.

Key characteristics of the NCA are:

- A varied landscape ranging from the open heathlands and plantations through towns, reclaimed mining sites and new developments, to dense urban areas.
- Away from the unenclosed landscape of

Cannock Chase, fields generally have a regular pattern and are frequently enclosed by mature hedgerows with some hedgerow trees. Here farming is generally mixed with arable cultivation in large fields.

- Heathland and associated acid grassland were once much more extensive, although significant tracts still remain. Post-industrial sites and remnant countryside within the urban areas provide a mosaic of additional valuable habitats.
- Streams and small rivers such as the Sow, Penk, Stour and Tame drain radially from the higher ground.
- Post industrial archaeology is a characteristic feature.
- The predominant building material of the 19th- and early 20th-century buildings is red brick, with more modern structures within the urban areas.
- The settlement pattern is complex and contrasting, with some areas densely populated and others relatively sparse. The conurbation includes a mosaic of urban areas, former industrial land and patches of farmland, with an extensive urban fringe.
- Major roads include the M6, the M6 Toll and the A5.
- 940ha of ancient woodland and extensive coniferous plantations interspersed with pockets of sessile oak and birch, with alder on the damper soils and beech along the edges of roads and forestry compartments. Historic parks such as Shugborough and Himley contain significant areas of woodland and veteran trees. Urban areas are characterised by many small woodlands.
- Internationally important heathland habitats are found on Cannock Chase, at Chasewater and Sutton Park. The remaining

areas of heathland and acid grassland are floristically distinct from the heathlands of southern England. The complex range of habitats supports a wide range of species which include nationally rare hybrid bilberry and nationally rare birds such as nightjar and woodlark and a rich and important invertebrate community. Remnants of ancient habitats persist, such as species-rich marshy grassland, ancient woodland and heathland.

At a more local level the Site is classified and

Himley Hall and Gardens west of the Site



part of the large (Approximately 40 km² Black Country Character Area (BCA) DY05 : Dudley North.

Key characteristics of BCA DY05 are defined as:

- The eastern part of the Metropolitan Borough of Dudley is situated on a high ridge approximately 175m OD. The landscape slopes steeply down from the ridge east to Coseley and west to the Pensnett Plateau. The plateau subsequently descends to the

LANDSCAPE & VISUAL CONTEXT

low-lying sandstone geology in the west and also to the Stour Valley itself, which is situated largely below 125m OD (DMBC 2016).

- BCA DY05 has a bedrock geology of Mudstone, Siltstone and Sandstone. This is mixed with Brick Clay and Deep Coal seams 50-200m below ground.
- Opposite the Site Cotwall End Area of High Historic Landscape Value (AHHLV 37) and Greenbelt and south west of AHHLV 21 Former Sedgley Park. These are shown in Figure 79 and 106 Historic Environment Area Designations overleaf.
- Within the locality but not directly impacted there are SSSI at Turners Hill, Gospel End Road and Wrens Nest. Ancient and Semi-Natural Woodlands at Park Coppice, Ashers Coppice, Alder Coppice, Ladywell Wood, Baggeridge Woods (part of Baggeridge Country Park), Turners Hill Wood, The Dingle and Sedgley Coppice. Ancient Replanted Woodland exist within Himley Hall Parks and Garden.
- Scheduled Ancient Monuments (SAM) such as St Bartholomew's Churchyard Cross, Lady Godiva's Churchyard Cross in St Bartholomew's Churchyard, Lime Working remains in Dudley and Medieval settlement at Cooper's Bank Farm.
- Traditional Orchards east of Penn Road in Gospel End.
- Lowland Meadow east of High Arcal Cottage.
- Lowland Heathland in Baggeridge Country Park.
- Listed buildings of note close to the Site are Cottages No. 108-120 and 147 on Sandyfields Road. The Grade 11* listed Church of All Saints, Wodehouse and Coach

house and stable block, Wodehouse Farm and Mill, Lloyd House, Penn Hall, Holbeache House and Himley Hall its Ice House, Bridge, Lodge, Gates and Walls.

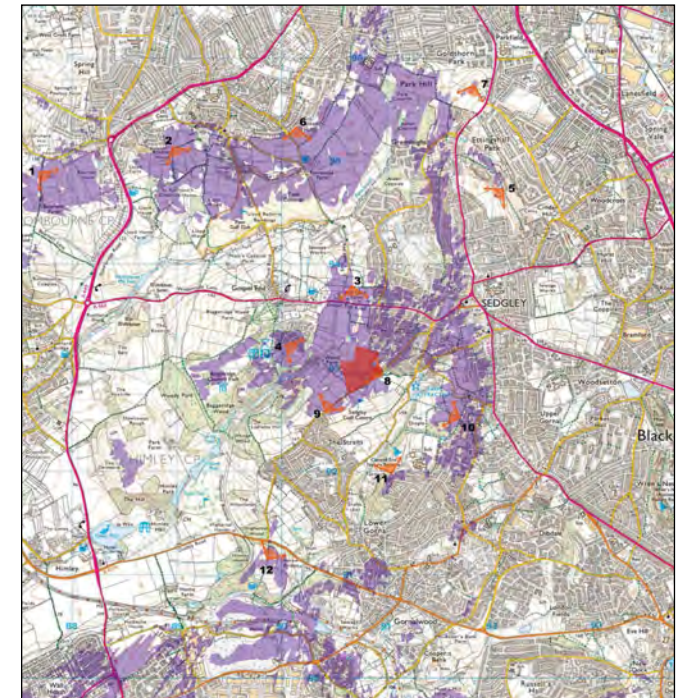
In order to appraise the schemes visual context a Landscape and Visual Appraisal (LVA) was undertaken in early 2021. Of the 15 number representative viewpoints identified using a combination of desk based assessment and a Zone of Theoretical Visibility (ZTV), only 4 had notable views of the land parcel.

Key views are as follows:

- **Viewpoint 1** looking south east towards the Site from PRoW Wombourne 16 where Sedgley's high ground and the Sites open field structure bounded by hedgerows can be seen beyond arable fields in the foreground and the edge of the leafy Wolverhampton suburb of Penn.
- **Viewpoint 2** taken from the much elevated Vicarage Road PRoW Wombourne 8 just south of the Penn village where once again Sedgley's high ridge and the Sites open field structure bounded by linear hedgerows on the horizon can be seen beyond pasture land in the foreground and the top of Baggeridge Country Park in the valley below.
- **Viewpoint 3** much closer to the Site is taken from just north of Gospel End Road along Himley Se5, PRoW as it leaves Red Lane. Here intermittent views of the Site on the horizon are present between breaks in vegetation while walking east until eventually the edge of Sedgley's conurbation block them completely.
- **Viewpoint 4** shows that the Site is just

perceptible from the Chalmers Road housing development sited across the narrow valley. Even though quite elevated, immature screening planted does a good job to block the view in the fore and middle ground with only the top of the adjacent ridge visible on the horizon. As vegetation matures this screening effect is likely to extend to taller buildings such as the nursing home and upper floor windows.

LVA Viewpoint Location Plan



LANDSCAPE & VISUAL CONTEXT



Viewpoint 1 - PRoW off Bearnett Lane FP Wombourne 16. View looking South East towards the Site.



Viewpoint 2 - PRoW off Vicarage Road. FP Wombourne 8. View looking South East towards the Site.

LANDSCAPE & VISUAL CONTEXT



Viewpoint 3 - PRoW off Red Lane. FP Himley Se.5. View looking South towards the Site.



Viewpoint 4 - Chalmers Road. View looking East towards the Site.

LANDSCAPE & VISUAL CONTEXT



Viewpoint 13 - Within the Site. View looking West towards Baggeridge Country Park.



Viewpoint 14 - within the Site. View looking North towards Gospel End Road with Sedgley to the right.

APPRECIATING THE CONTEXT

Local Amenities

The proposed site sits in close proximity to a wide range of public services and facilities. Cotwall End Primary school and St Chads Catholic primary school are within 1km walking distance. The town centre of Sedgley is approximately 1.5km to the north-east of the site and hosts a wide range of amenities including: public houses; restaurants, supermarkets and retail stores.

KEY

— Site Boundary

Education:

- 1 Cotwall End Primary School (1 min drive/ 13 min walk)
- 2 St Chad's Catholic Primary School (3 min drive/ 20 min walk)
- 3 Ellowes Hall Sports College (7 min drive/ 40 min walk)
- 4 Queen Victoria Primary School
- 5 The Dormston School

Healthcare:

- 1 The Ridgeway Doctors Surgery (5 min drive/20 min walk)
- 2 Woodsetton Medical Centre (7 min drive/40 min walk)
- 3 Northway Medical Centre (5 min drive/25 min walk)
- 4 Bath Street Medical Centre (6 min drive/ 30 min walk)
- 5 Highview Dental Practice (5 min drive/22 min walk)

Parks/ Public Open Space

- 1 Cotwall End Local Nature Reserve
- 2 Baggeridge Country Park
- 3 Butlers Bench Park
- 4 Woody Park
- 5 Sedgley Hall Farm Park
- 6 Alder Coppice Woods
- 7 Himley Hall (Grade II Listed) & Park (off map)

Public Services/ Recreation/ Other:

- 1 Sedgley Library
- 2 The Mark Butler Golf Academy



- 3 Brockwood Animal Sanctuary
 - 4 Wood Farm Kennels
 - 5 Wood Farm Riding School
- Bus Services:
- 27A Wolverhampton - Dudley (via Sedgley)
 - 1 Tettenhall Wood - Dudley (via Wolverhampton)
 - Approx 10 minute walk radius
 - Approx 20 minutes walk radius

Access & Transportation

The site benefits from close proximity to frequent bus services (27 and 27A) which cover routes from Wolverhampton to Dudley via Sedgley, enabling sustainable travel choices throughout the wider Dudley borough and beyond.

Primary vehicular access is proposed to be formed directly from Sandyfields Road towards the SW corner of the site. This location benefits from a position on the outside of the gentle bend in the existing highway, enabling clear vision splays to be formed in both directions. The visibility splays would be for the speed of the road. A speed survey has been carried out and thus the visibility splays have been set out accordingly.

Further (as shown on the constraints plan overleaf), the site benefits from a further access point to the eastern extent of the site. This narrower route enables pedestrian /cycle /emergency links to be formed, providing a direct route into the existing settlement fabric.



Drainage & Flooding






The site falls outside any defined flood zones as defined by the Environment Agency.

The management of storm water on site will be informed primarily by the sloping topography. Site terrain forms a ridge through the centre of the site, and as such a SuDs system will take advantage of this to provide on site balancing measures such as basins and swales to provide appropriate storage.

The strategy would incorporate the use of a riser main within the primary street route, to enable both storm and foul drainage to be pumped to an outfall of existing sewers within Sandyfields Road.

Alternatively, a further connection may be used via the eastern pedestrian cycle access point, again to outfall both foul and storm water into the existing sewer network.

KEY

-  Riser Main
-  Potential Secondary Drainage Main
-  Ridge
-  Balancing Basins
-  Direction of Topographical Fall



Opportunities & Constraints Plan

The site offers exciting opportunities to deliver a sensitive extension to the existing settlement, providing both much-needed housing whilst creating opportunities for attractive landscaped with ecological enhancements and play. The site is afforded excellent options, with accurately designed ar arrangements possible within the SW of the site, whilst a further secondary point to the east of the site creates ial for pedestrian, cycle and emergency directly into the existing settlement. The ontains numerous trees and hedgerows re well-placed to be retained to form an ive back-drop to liveable streets and . Whilst there are constraints imposed by as main and on site ecology, these are eable and do not compromise the ability site to deliver a strong urban design gy.



- Site Boundary
- Main Access Route
- Secondary Routes
- Proposed Landscape Screening/ Buffer Areas
- Existing Gas Main (3m+3m easement)
- Views to Cleve Hill and Penn across Valley
- Outward Facing Development
- Rear Garden Response
- Ecology Constraint/ Feature
- Illustrative Location for Storm Water Balancing
- Developable Area Boundary (Approx 3.5ha)
- Topographical Direction of Fall
- Primary Vehicular Access Location
- Potential Pedestrian/ Cycle Access
- Pedestrian/ Cycle Route
- Public Transport Links | Bus Stops
- Locally Listed Buildings



VISIONING PRINCIPLES

“ *Our Vision:
To create a sustainable
and sensitively designed
place, that fosters a sense
of well-being, promotes
healthy life-styles and
helps reinforce the strong
existing community spirit.* ”

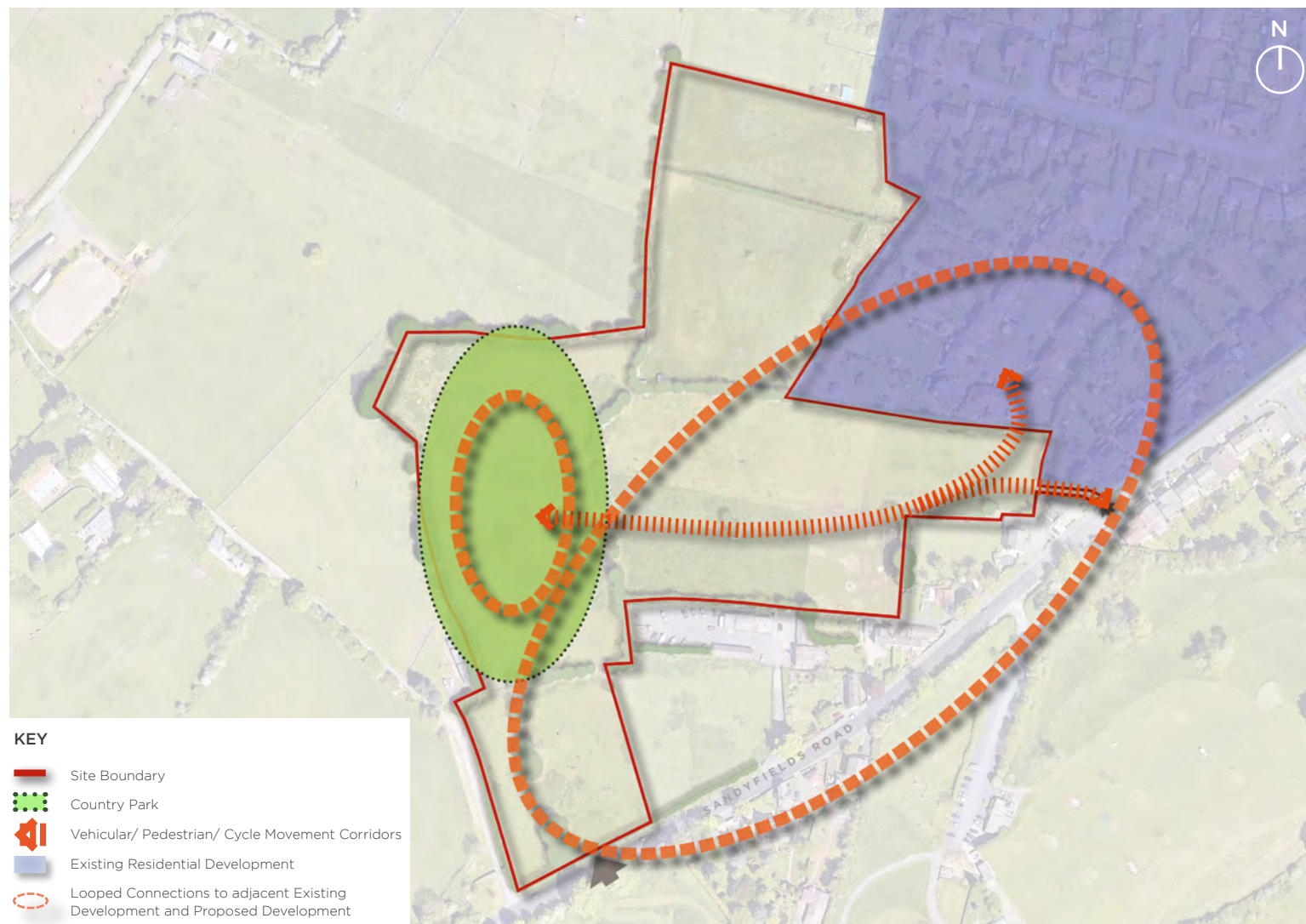


VISIONING PRINCIPLES

The Vision: A Connected Place

It is of vital importance that connectivity is at the forefront of this development. It's unique setting creates an opportunity for giving access and views over the valley landscape to the new and existing community. By nestling the development up to the settlement edge, the fringes can form an exciting, attractive and natural country park environment that will benefit the entire community. The site features a strong and attractive green infrastructure of existing trees and hedgerows that are well-placed to be retained to form an attractive back-drop to liveable streets and spaces. These will assist in managing the masterplan and help deliver an informal character that is focussed on the creation of the strong pedestrian routes from the existing settlement into a new country park landscape incorporating natural play and enhanced ecological habitats.

Whilst there are constraints imposed by the gas main and the sensitivity of on-site ecology, these do not compromise the quality and deliverability of a strong urban design strategy and development due to their locations. The site is afforded with excellent access options, which allow the gas main and on site ecology to be advantageous to the masterplan by forcing the development to be set further back from Sandyfields Road and screened by existing green infrastructure.



Masterplan

The underpinning of this masterplan lies in the existing green infrastructure and its enhancement, and incorporation with a blue infrastructure network.

The masterplan focuses development to the south of the central ridge, hugging the existing settlement, whilst leaving extensive space in the northern areas of the site to act as a landscape country park environment. A new network of SuDs will knit with the green infrastructure to form a characterful landscape of green and blue elements. This is organised to create a walkable public realm network that provides and promotes pedestrian cycle movement to and from the existing settlement to the north-west.

A density of 30dph, with a development of approximately 95-105 homes, is likely to reflect a development of this size with its urban 'edge' location.



LANDSCAPE VISIONING

Landscape Strategy

Sandyfields Road landscape strategy centres around the principles of 'landscape and ecological conservation, enhancement and green and blue networking'. This is evidenced by the retention and protection of all viable, existing trees, hedgerows and vegetation as well as the ecologically sensitive approach to design taken to create a new 'Country Park' in the western part of the Site. This green space will build upon the existing landscape by protecting and enhancing views across to Penn whilst also significantly improving existing habitats for bats, hedgehogs, brown hare, birds and invertebrates in particular. This would all be achieved in conjunction with creating a beautiful and functional space for the existing community and new residents. Landscape interventions within the green space will include creating mown paths into existing and overseeded wildflower meadow, light touch hoggin paths for pedestrian connections, native broadleaved tree, scrub and shrub planting from certified UK provenance and bio-secure plant stock; creating wetland habitats around the new balancing basins and vegetative screening along the more sensitive southern and eastern boundaries where the Site will abut established residential areas.

The enhanced landscape would also be designed with permaculture in mind. This will be achieved by planting fruit trees as well as ornamentals (Apple and Pear) cropping hedgerows (Blackberry, Red and Black Currant) with edible species planted, adaptable and climate resilient and make the very best of existing resources and the local economy such as FSC certified timber street furniture, LED lighting to Bat Conservation Trust guidelines, low water demand and drought tolerant planting throughout, permeable surfacing where possible and low carbon goods as well as wholesale reduction of the use of plastics.



VISIONING PRINCIPLES

Sketch Perspective 1

This artist's impression of the central 'green spine' gives an indication of how this space could feel with its informal character.

Pedestrians and cyclists are separated from cars and given an attractively soft landscaped green space to move towards and from the village centre.

Home frontages ensure that the open space is overlooked, surveilled and feels safe.



Sketch Perspective 2

This artist's impression indicates how a traditional street within the development could feel.

Soft landscaping to home frontages and street trees help to initiate an informal yet cohesive street character, whilst creating a humanistic feel to the street which, is fronted with modest and characterful homes.



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SUMMARY

“ The development vision set out within this document has the potential to deliver a series of benefits as follows, alongside engagement with Dudley Metropolitan Borough Council and South Staffordshire Local Planning Authority:

- The opportunity to integrate into the existing high quality and distinctive character of Dudley in the way that respects the town setting.
- Provide an inclusive mix of upto 105 new homes based on 30dph.
- To create an enhanced landscape framework that increases biodiversity.
- To create a connected place that supports walking and cycling within the settlement through the provision of convenient, high-quality routes.
- A sustainable design approach that responds to the sites constraints and opportunities.

”



View towards Sedgley Police Station



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