

12 December 2023

Sent via email - [planning.policy@dudley.gov.uk](mailto:planning.policy@dudley.gov.uk)

Dear Sirs

**Draft Dudley Local Plan - Draft Plan Regulation 18 Consultation**

**Land at Pedmore Hall Farm, Stourbridge**

This letter has been prepared on behalf of Wood Abbey in respect of land at Pedmore Hall Farm (hereafter referred to as the Site), as shown by the red line boundary attached as Appendix 1.

The Site extends to 4.74 hectares and is capable of accommodating circa 75 homes with c.1.5 hectares of the Site turned to open space.

is the land promoter for the Site, working on behalf of the landowner. have appointed a technical team, led by NCL Development, to prepare representations including technical evidence to promote the Site for residential development through the Dudley Local Plan (hereafter referred to as the Plan).

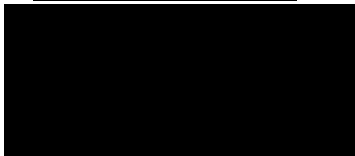
We welcome the publication of the Draft Dudley Local Plan and the progress that the Council is making in preparing a new Local Plan for their area.

We do however **object** to **Policy DLP1 Development Strategy** and **Policy DLP10 Delivering Sustainable Housing Growth** of the Draft Dudley Local Plan Part One Spatial Strategy and Policies Regulation 18 Consultation document and the **Regulation 18 Sustainability Assessment** of the Dudley Local Plan: Draft Plan.

We consider that the Plan is not consistent with national planning policy and fails to apply a presumption in favour of sustainable development. It fails to provide for objectively assessed needs for housing and other uses. It also fails to plan for any needs that cannot be met within neighbouring areas.

The Local Plan is unjustified in restricting the amendment to Green Belt land and therefore limiting the supply of land for homes. We consider that amendments to the Green Belt can be made and deliver sustainable patterns of development.

We consider that there are exceptional circumstances to justify the alteration of the Green Belt boundary to allocate land including our client's Site for residential development.



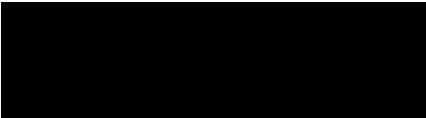
Appendix 2 to this letter sets out the planning case for the allocation of the Site for residential development including the exceptional circumstances justifying the review and amendment of the Green Belt boundary.

We also consider that the Sustainability Assessment fails to comply with national policy by not assessing reasonable alternatives in the form of amendments to the Green Belt boundary to accommodate residential development in sustainable locations.

An indicative layout has been prepared, attached as Appendix 3, demonstrating the capacity of the Site and the opportunity for improvements to open space and landscape.

Thank you for your consideration of our response to the Draft Local Plan Regulation 18 consultation. We would request that we are kept informed of progress on the Dudley Local Plan and we would welcome the opportunity for continued engagement with the Council in the production of the Local Plan.

Yours faithfully



**Attachments**

- Appendix 1 - Red line boundary
- Appendix 2 - Planning Case
- Appendix 3 - Site Feasibility Layout



**Appendix 1 - Site Location Plan**

See attachment.



## Appendix 2 - Planning Case

We consider that the allocation of the Site for a residential development of circa 75 homes would achieve a sustainable pattern of development that can positively contribute to meeting the vision, objectives and priorities for Dudley and the development needs of the area.

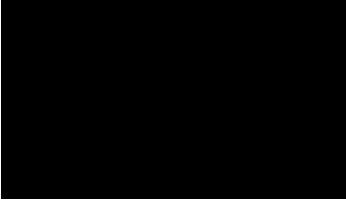
The development of the Site would specifically:

- Deliver much needed housing with circa 75 homes including affordable and family housing to meet the housing needs of the Borough which are currently not met through development within the urban area.
- Create c.1.5 hectares of open space with opportunities for increasing biodiversity and ecological networks and contribute to delivering ecological sub-area opportunities for the Pedmore, Wychbury & Lutley area.
- Deliver a sustainable pattern of development by extending the existing community of Pedmore with a new sustainable residential development that has access to services and facilities to meet the day to day needs of future residents along with public transport options to connect to health, education, jobs and leisure.
- Redevelop buildings and areas of hardstanding making more effective use of land and removal of visually detracting features from the landscape with the redevelopment of poor quality buildings.
- Provide for opportunities to improve the understanding and appreciation of the Wychbury Hill Fort through opening the existing frontage with public access and potential for wayfinding and interpretation boards.
- Improvements to the existing Public Right of Way, which is currently in poor condition.
- Define a defensible boundary to the open countryside and Green Belt using physical features that are readily recognisable and likely to be permanent.

The development of the Site for new homes would support the delivery of the vision for Dudley and contribute to creating an attractive and desirable place to live, providing housing that will meet people's needs and promoting more active forms of travel.

Future development of the Site will contribute to meeting the strategic objectives and priorities for the Borough including:

- Addressing the climate and ecological emergency (strategic priority 1) by being located in a sustainable location with easy access to existing local facilities and services ensuring sustainable travel options are available; through directing development to land in flood zone 1; and actively designing to mitigate and minimise impacts of climate and ecological change.
- Protecting and enhancing the natural and historic environment and supporting an increase in biodiversity and ecological networks (strategic priority 2) by incorporating landscape led approach to design and layout with the creation of c.1.5 hectares of open space with opportunities for expanding areas of value for ecology and biodiversity, and creating opportunities for improving the understanding and appreciation of the Wychbury Hill Fort.

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- Ensuring sustainable patterns of development (strategic priority 3) through the Site being located close to local facilities and transport networks. The development of the Site would also support the overall aim in relation to the Green Belt as development would not harm the purposes of the Green Belt, as demonstrated by the assessment below. There are also exceptional circumstances for amending the Green Belt, as demonstrated below.
  - Creating well designed and beautiful places, promoting the health and social wellbeing of communities (strategic priority 5) through a positive approach to design that can incorporate c.1.5 hectares of open space and deliver homes that meet the highest standards of design.
  - Create thriving neighbourhoods (strategic priority 6) by providing circa 75 new homes including affordable homes in a range of sizes, types and tenures as part of a sustainable development that has good access via public transport, walking and cycling routes to services and facilities.
  - Delivering the resources, infrastructure and services to support growth (strategic priority 7) by making a positive contribution to placemaking and environmental improvement through layout and design; maximising the efficient use of existing infrastructure capacities due its proximity to existing services and facilities; and taking opportunities to improve an existing public right of way.
  - Promoting Smart, active travel and sustainable transport (strategic priority 8) through its location close to existing facilities and services and public transport networks; and through design that incorporates new technology such as EV charging and cycle parking.
  - Support the network of centres as they adapt to changing demands and trends (strategic priority 9) by delivering new homes in close proximity to existing services and facilities increasing demand and use of these by a local community.

We consider that Policy DLP1 should be amended to allow for alterations to the Green Belt boundary allocating land for residential development. We consider that this ensures the delivery of sustainable housing growth meeting the needs of the local communities. We also consider that amendments to the Green Belt boundary would not conflict with the overall aim to deliver sustainable patterns of development or the purposes of the Green Belt, as set out below.

### **Exceptional circumstances**

We consider that there are exceptional circumstances to justify the alteration of Green Belt boundaries in line with National Planning Policy Framework and as established in recent case law including *Calverton Parish Council v Nottingham City Council* [2015]; and *Compton PC, Ockham PC & Cranwell v Guildford BC, SSHCLG & Ors* [2019].

Paragraph 140 of the NPPF identifies that Green Belt boundaries should only be altered where exceptional circumstances are fully evidenced and justified through the preparation or updating of plans.



Before concluding that exceptional circumstances exist to justify changes to the Green Belt boundaries it is acknowledged that the strategic policy-making authority should be able to demonstrate that it has examined fully all other reasonable options for meeting its identified need for development.

The Draft Local Plan states at Paragraph 5.12 that the housing target for the Borough is set at 10,876 new homes over the period 2023-41. This compares to a local housing need for 11,954 homes as calculated by the Standard Method. As a result there is a shortfall of 1,078 homes.

The supply of land for housing includes 988 homes on land that are currently occupied employment sites, as set out in the Strategic Housing Land Availability Assessment (SHLAA) 2022-23 Update. The Borough already has an undersupply of employment land and the Draft Local Plan has an anticipated supply of 25 ha, representing a shortfall of 47 ha, which rises to 73 ha when including for replacement employment land losses.

After considering all reasonable options the Borough still has a significant shortfall of land to meet its objectively assessed need for both housing and employment land.

We consider that there are therefore exceptional circumstances for changes to Green Belt boundaries.

Paragraph 142 of the NPPF states that when drawing up or reviewing Green Belt boundaries the need to promote sustainable patterns of development should be taken into account. This includes giving first consideration to land which is well served by public transport.

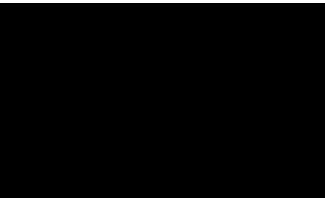
We consider that land in the Borough, including the Site, currently in the Green Belt represents a sustainable location for development. This is further detailed below in the consideration of the SA Framework of the Local Plan.

The Site forms an extension to the established residential area of Pedmore. The Site sits between existing residential development.

The Site is well located in proximity to local services and infrastructure; and there is direct access to public transport with a bus route opposite the Site.

The Site would also deliver social and environmental benefits contributing to achieving sustainable development and forming part of a case for exceptional circumstances. These benefits include:

- Creation of c.1.5 hectares of open space transforming low value grazing land with opportunities for increasing biodiversity and ecological networks and contributing to delivering ecological sub-area opportunities for the Pedmore, Wychbury & Lutley area.



- Redevelop buildings and areas of hardstanding removing visually detracting features from the landscape and redeveloping poor quality buildings.
- Provide opportunities to improve the understanding and appreciation of the Wychbury Hill Fort through opening the existing frontage with public access and providing opportunities for wayfinding and interpretation boards.
- Improvements to the existing Public Right of Way, which is currently in poor condition.

**Purposes of the Green Belt**

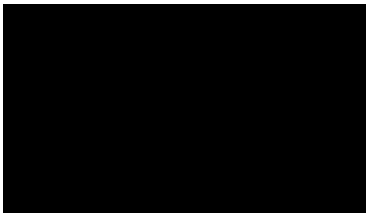
We consider that the amendment to the Green Belt boundary and allocation of the Site for residential development would not harm the purposes of the Green Belt. The rationale for this is set out in the table below.

Purpose of the Green Belt	Commentary
To check the unrestricted sprawl of large built-up areas	<p>The Site is located on Pedmore Lane with the established residential area of Pedmore directly to the north. Immediately to the west and northeast of the Site are residential dwellings fronting onto Pedmore Lane and to the south is Pedmore Hall, a large residential property.</p> <p>Residential development would be focused toward the central area of the Site and toward Pedmore Lane. This part of the Site is influenced by the residential context of Pedmore Lane and the redevelopment of the area of the Site that is currently occupied by large buildings used for stabling and storage.</p> <p>The southern and eastern area of the Site would be exempt from built development and turned to open space as shown by the site feasibility layout attached as Appendix 3.</p> <p>The large buildings already contribute to a sense of enclosure and built form on the Site and are a detracting feature.</p> <p>The surrounding topography contributes to the containment of the Site and is a key constraint on wider development. The existing hedgerows and mature trees would also contribute to defining the edges of the development.</p> <p>It is therefore considered that potential development on the Site would not contribute to the unrestricted sprawl of large built-up areas.</p>



<p>To prevent neighbouring towns merging into one another</p>	<p>The Site is located immediately adjacent to the established residential area of Pedmore. The next nearest built-up area is Hagley, which is located circa 820m to the south of the Site. At its nearest point, Halesowen is located circa 2.65km to the east of the Site.</p> <p>Potential development would occupy a small area of contained land adjacent to the existing established residential area of Pedmore. Due to the distance of the Site between the two nearest settlement areas and the small area of land that the potential development would occupy, it is considered that potential development on the Site would not result in two neighbouring towns merging into one another.</p> <p>The existing topography would also restrict further expansion.</p>
<p>To assist in safeguarding the countryside from encroachment</p>	<p>Although the Site is located within the countryside i.e. it is located outside of the settlement boundary, the residential area of Pedmore influences the character and aesthetics of the Site. The Site is bounded by residential dwellings along Pedmore Lane and the large Pedmore Hall is to the south. The Site covers a small and contained area that is partially occupied by large buildings.</p> <p>A landscape led approach to the potential development on the Site would retain trees and vegetation, where possible, within the Site and the mature boundary planting retained and/or enhanced.</p> <p>Some areas of the Site would also be excluded from any potential residential development to retain the landscape character and visual relationship with Wychbury Hill and its lower slopes.</p>
<p>To preserve the setting and special character of historic towns</p>	<p>The Site is not located in, or within the setting of a historic town and therefore does not contribute to this purpose of the Green Belt, which was also concluded in the Black Country Green Belt Study. Potential residential development within the Site would therefore have no effect on this Green Belt purpose.</p>
<p>To assist in urban regeneration, by encouraging the recycling of derelict and other urban land</p>	<p>The removal of this Site from the Green Belt would not affect urban regeneration through the recycling of derelict and other land. Given the growth needs for the area and wider region and the acknowledgement of the unmet</p>





	<p>need for housing, it is clear that greenfield and Green Belt land must be released to meet housing numbers if sustainable patterns of development are to be achieved and housing and employment needs met.</p> <p>Part of the Site is occupied by large buildings used for storage and stabling and associated concrete access road and hardstanding. Development proposals on the Site would include the demolition of the existing buildings on the Site to accommodate potential new residential development. There would also be opportunities to upgrade the existing concrete access route on Site to provide residential access and introduce more planting to an area that is predominately pasture and grass.</p> <p>The potential residential development proposals are considered to make a contribution to this Green Belt purpose as part of the Site would be re-developed, demolishing large buildings used for stabling and storage associated with equestrian activity.</p>
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Overall the amendment to the Green Belt would allow for a sustainable pattern of development to be achieved and would not undermine the purposes of the Green Belt designation across the wider area.

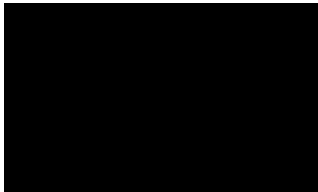
We consider that in amending the Green Belt boundary to allocate the Site for residential development the authority can comply with the requirements at Paragraph 143 in particular that it can define boundaries clearly, using physical features that are readily recognisable and likely to be permanent including established landscape features.

**Delivering a sufficient supply of homes**

We consider that the Site would contribute to meeting the government’s objective of significantly boosting the supply of homes. The Site would contribute to supporting the authority identifying a sufficient supply and mix of sites for residential development. The Site is suitable, available and achievable for development meeting the tests in NPPF. We also consider that it would contribute to the five year housing supply as a deliverable site.

We have applied the SHLAA methodology to the Site, with the assessment detailed below:

<b>Criteria</b>	<b>Assessment</b>	<b>Commentary</b>
<b>suitability</b>		
Impact on Green Belt	0	The site is within the Green



		Belt, however, as demonstrated in the above assessment residential development would not harm the purposes of the Green Belt.
Loss of agricultural land	3	The West Midlands Region 1:250 000 Series Agricultural Land Classification map identifies the site as Grade 3 and part urban use.
Access infrastructure constraints	3	There is an existing road access onto the Pedmore Lane, this would require upgrading.
Drainage Infrastructure constraints	3	The site is adjacent to the existing urban area and would require new drainage infrastructure.
Ground condition constraints	5	Treatment is not expected to be required due to the existing and known historic uses.
Impact on Flood Risk Areas	5	The site is in Flood Zone 1.
Impact on Biodiversity	5	Not within or adjacent to a defined key nature/wildlife conservation area.
'Bad Neighbour' constraints	5	There are no hazard / nuisance uses neighbouring the site.
<b>Overall Score</b>	<b>2</b>	<b>The site scores 29 indicating that the site is potentially suitable but faces some constraints</b>
<b>Availability</b>		
Availability	5	The site is held by a willing owner who has actively promoted the land for development through the



		Black Country Plan and now the Dudley Local Plan
<b>Overall Score</b>	<b>3</b>	<b>The site scores 5 indicating it is available</b>
<b>Achievability</b>		
Deliverability of the site	3	The site faces few achievability constraints and has good marketability and/or viability
<b>Overall Score</b>	<b>3</b>	<b>See above</b>

The overall score of 2 for suitability criteria, 3 availability criteria and 3 achievability criteria indicates that the Site is Category 2 within the site categorisation methodology and is categorised as a developable site.

### **Demonstrating sustainable pattern of development**

We consider that the Site's development would promote a sustainable pattern of development and perform positively when considered against the SA objectives of the Sustainability Framework. This is before the impacts of any mitigation including detailed design are applied.

#### **SA Objective 1 - Cultural Heritage**

The Site is in proximity to one scheduled monument (Wychbury Ring Hillfort) and one Grade II listed building (Parish Church of St Peter), both lying within 500m of the Site.

The intervening topography prevents any degree of intervisibility or co-visibility from the Grade I Hagley Hall Registered Park & Garden, and as such it is not considered that the Site would form part of its setting.

The Site is separated from nearby Conservation Areas by existing built form and as such, negligible impacts are identified. The Site is not located in close proximity to APAs, and therefore, would be expected to have a negligible impact on the setting of APAs.

In consideration of the Church of St Peter, there is already some existing development between this and the Site, negating the potential for the development of the Site to have any significant impact upon its setting, or on its significance. The Grade II\* Obelisk is located to the south of Wychbury Ring hillfort and is not visible from the Site and as such it is not considered that the Site would form part of its setting or impact on its significance.



In regard to the Scheduled Monument, whilst its setting remains partially rural in general character, this is limited to the north and west in particular, where the southern edges of Stourbridge have been developed, and where existing buildings form already-developed land, whilst that to the south, albeit partially encompassed by a designed landscape in the form of Hagley Hall, remains largely open. Views from the Scheduled Monument are limited if not completely negated, by virtue of the extent and nature of tree planting across its boundary, limiting the degree to which the promontory can be experienced and understood as a hill-fort. Views to the hill-fort from all directions are similarly harmed by this planting, and in particular, views from Pedmore Lane are already encumbered by existing buildings at Pedmore Hall Farm, both by their appearance as well as their scale and massing, and the trees and other landscape elements.

In addition, due to the existing character and appearance of the Scheduled Monument, in particular the extensive tree cover, there may be opportunity to improve the general understanding of the asset through improved publicly access and interpretation linked to redevelopment of the Site.

The Site is within the Pedmore and Foxcote Area of High Historic Landscape Value. The Site is contained close to existing urban development and there is existing screening effect of the Site with the topography and the existing trees and vegetation.

Development of the Site, as proposed in the feasibility layout, is not considered to impact on local receptors. This relationship has been considered by RP Heritage in their assessment of heritage assets for the Site promoter.

#### SA Objective 2 – Landscape

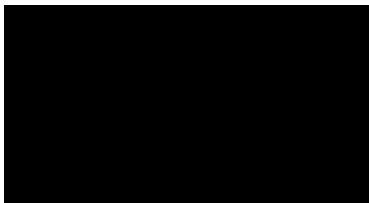
The Site is within the Black Country Green Belt. The development of the Site is not considered to harm the purposes of the Green Belt, see section on Purposes of Green Belt in this Appendix above.

#### SA Objective 3 - Biodiversity, flora, fauna and geodiversity

The Site is not located in proximity to designations, with the exception of a SLINC, and as such would be likely to have either no impacts or any impacts are anticipated to be negligible. The SLINC runs along the north-eastern boundary of the Site in the form of a hedgerow. There are opportunities for improvement and future management resulting from development including landscape enhancements and therefore contribution to the achievement of this objective.

#### SA Objective 4 - Climate Change mitigation

The Site has the potential to accommodate circa 75 homes. The Site is located in proximity to public transport and local services contributing to reducing reliance on private car use and



encouraging active travel and use of public transport. It is considered that the proposed development would make a contribution to the achievement of this objective.

#### SA Objective 5 - Climate Change Adaptation

The Site is located in Flood Zone 1 and has the potential to make a contribution to the achievement of this objective directing development away from flood zones and enabling development to be adapted to climate change. The Site is considered to be located in an area not determined to be at risk of surface water flooding.

#### SA Objective 6 - Natural Resources

The Site is predominantly grazing pasture for horses and there is a large existing building on the Site with hardstanding that is used for stabling and storing machinery. The Site would lead to development of buildings and hardstanding. The Site is Grade 3 with some areas identified as urban as shown on The West Midlands Region 1:250 000 Series Agricultural Land Classification map.

#### SA Objective 7 – Pollution

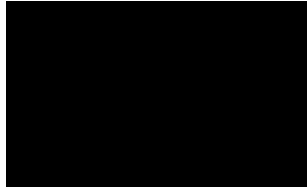
It is acknowledged that all development proposals in Dudley are located within an AQMA and development will result in minor negative impact. The Site is however located over 200m from a main road. The area for residential development is located over 10m from a watercourse. The Site is in SPZ 3. The Site has the potential to accommodate circa 75 homes.

#### SA Objective 8 - Waste

The Site has the potential to accommodate circa 75 homes and as such development would be expected to result in a negligible increase in household waste generation.

#### SA Objective 9 - Transport and accessibility

As a result of the location of the Site it is considered that development would contribute to the achievement of this objective and deliver positive outcomes for accessibility and sustainability. Bus stops are within 400m of the Site including route 318 on Hagley Road and route 7 on Pedmore Lane. Stourbridge Junction is within 2km of the Site. There are pedestrian paths on either side of Pedmore Lane providing continuous walking route to local services. The Site is adjacent to the existing road, Pedmore Lane, which connects to the main highway network. Local convenience retail and services are located at the Queensway within 15 minute walk and within 10 minute public transport journey time.



#### SA Objective 10 - Housing

The Site has a capacity for circa 75 homes and would make a positive contribution to housing supply including for affordable and family homes in the borough.

#### SA Objective 11 - Equality

The Site is within the 10% least deprived wards. The Site has a capacity for 75 homes including affordable homes. The development of the Site would contribute to the achievement of this objective.

#### SA Objective 12 - Health

The development of the Site is considered, in overall terms, to contribute to the achievement of this objective due to its location in proximity to services and facilities. It is acknowledged that the NHS Hospital - Russells Hall Hospital - is the only NHS Hospital with an Accident & Emergency department in the Borough but is over 5km from the Site. Wychbury Medical Centre is an 18 minute walk from the Site but within a 10 minute journey time by public transport with the no 7 bus from Pedmore Lane opposite the Site. The Site is located within 600m of greenspace. There are also opportunities as part of future development of the Site to create new open space accessible to the public. The Site is located within 600m from a PRow and/or cycle route and there are opportunities to make improvements to the existing PRow through future development.

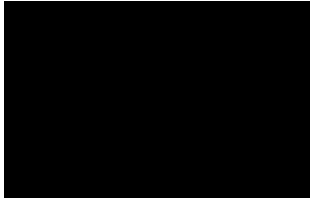
#### SA Objective 13 – Economy

Due to the Site's location it is considered that proposed development would contribute to the achievement of the objective. The Site is considered to be located over a 20-minute walk but within a 30-minute walk to a key employment location. It is also located within a 20-minute travel time via public transport to a key employment location due to the presence of bus routes running past the Site and in close proximity. The development of the Site would not impact employment floorspace.

#### SA Objective 14 – Education, skills and training

Due to the Site's location it is considered that proposed development would contribute to the achievement of the objective. Pedmore Church of England Primary School is 6 minutes from the Site. Pedmore High School is 24 minutes from the Site by foot and is within 10 minute travel time by public transport, with bus stops located on Pedmore Lane and Hagley Road in close proximity.

We consider that in overall terms the allocation of the Site for residential development would make a positive contribution to the achievement of the SA Framework. Where any negative impact arises due to existing receptors the design and layout of the development can



mitigate the impacts and with the potential to delivery improvements outweighing any harm. This includes the retention of c.1.5 hectares, over a quarter of the Site, and transforming pasture used by horses into open space and areas for habitat creation.



**Appendix 3 - Site Feasibility layout**

See attachment.