Comments form

Draft Dudley Local Plan

Draft Plan Regulation 18 Consultation

Friday 10 November to Friday 22 December 2023



We are inviting your views on the Draft Dudley Local Plan and this form should be used to make comments in response to this consultation.

The consultation period begins on Friday 10 November 2023 and ends at 5pm on Friday 22 December 2023.

Comments can be submitted:

Online: On our online portal available here www.dudley.gov.uk/localplan

By email: planning.policy@dudley.gov.uk

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

Additional copies of this response form can be downloaded at www.dudley.gov.uk/localplan and returned via email to planning.policy@dudley.gov.uk or a copy can be posted to you - to request a copy please call us on 01384 814136

To submit a response, you must complete sections A, B and C. If you wish to comment on more than one area of the plan you will need to complete additional section C forms (an additional three are provided at the end of this form, continue on a separate sheet if necessary.).

- Section A: Personal details (complete once only)
- Section B: A declaration which you will need to read and sign (complete once only)
- **Section C:** Your representation/comments on the Draft Plan, Sustainability Appraisal or supporting evidence (complete one of these on each separate area of the plan you wish to comment on). Please succinctly provide all evidence and supporting information necessary to support your response.

Please note:

- 1. Responses must include your name and address.
- Your comments cannot be treated as confidential. By completing this form, you agree to your details being shared and your name and comment (but not your address, contact or other personal details) being made available for public viewing.
- 3. It is recommended that groups that share a common view send a single response rather than multiple copies of the same response. Please attach a list of the contact details of each person who supports the comments, including their names and addresses.
- 4. Completed forms should be received by us no later than 5pm Friday 22 December 2023.
- 5. Paper copies can be found at your local library; Dudley Council House, 1 Priory Road, Dudley, DY1 1HF; or Dudley Council Plus, 259 Castle Street, Dudley, DY1 1LQ. Alternatively, you can request a copy by calling 01384 814136 or emailing **planning.policy@dudley.gov.uk**

Individual acknowledgement of receipt will not be possible.

Respondent No: Date received:

Part A - Personal details

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

Notes:

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

Please indicate which of these best describes you / your role in responding to this consultation	
Resident or Individual	\bigcirc
Planning Agent or Consultant	\bigcirc
Developer or Investor	\bigcirc
Landowner	\bigcirc
Land & Property Agent or Surveyor	\bigcirc
Local Authority	\bigcirc
Public service provider e.g. education establishment, health etc	\bigcirc
Public agency /organisation	\bigcirc
Community or other Organisation	\bigcirc
Charity	\bigcirc
Other (please specify in space <i>below</i>)	0
	0

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

Respondent No:	Representation No:	Date received:	
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Part B: Declaration

How we will use your personal information

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

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

Please sign and date this form.

Forms signed electronically will be accepted.

Declaration:

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

Signat		 	
Date: .		 	

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

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

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

A copy of our privacy notice is available at www.dudley.gov.uk/localplan

Thank you for taking the time to provide your response.

Respondent No: Date received:

Complete one section C per comment on the Local Plan.

Please ensure that you also complete:

section A and B (personal details and declaration) ONCE and submit alongside your section C form(s).

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Please complete Questions 1 and 2 if you know this information.

Question 1. To which document does this response relate? (Please tick one box)

Draft Dudley Local Plan, Regulation 18 Part One and Part Two

Sustainability Appraisal of the Regulation 18: Pre-Submission Draft of the Dudley Local Plan Volume 1 and Volume 2

Habitats Regulations Assessment of the Regulation 18: Pre-Submission Draft of the Dudley Local Plan

) Supporting evidence base document

Question 2. To which part of the document does this response relate??

Title of document	Draft Dudley Local Plan Part Two (October 2023)		
Paragraph/section	Pages 217-222 (Section 5)	Policy	Policy DLPKQH1 Priority Site
Site	Land at Ketley Quarry, Kingswinford	Policy Map	

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

Q3. What is the nature of your comment? (Please tick one box)

- General comment
- ✓ Support
 - Objection

Q4. Please use this space to make any comments on the paragraph, policy, site or policies map you have identified in Q2, or make a comment if you have been unable to answer questions 1 and 2:

We have made a brief Supporting Statement here and separate comments on information provided for the site.

Supporting Statement

Ketley Quarry, Dudley Road, Kingswinford (site reference DLPKQH1) is one of five priority sites which have been identified for the delivery of new homes as part of the draft Dudley Local Plan 2041. The site constitutes brownfield land and is the key housing site in the Pensnett to Kingswinford Regeneration Corridor (RC1).

The site has previously been put forward as part of the call for sites exercise. Over a number of years, submitted sites have been assessed on a wide range of criteria including access to services, capacity of new homes, supporting infrastructure and the natural value of the site.

In November 2022 we submitted an outline planning application for up to 650 dwellings at the former Ketley Quarry (reference P22/1734) on behalf of our Client (Urban Remediation Ltd.). We have referred to this in our comments as part of the consultation process.

As the Dudley Local Plan 2041 is adopting an urban-led approach, the site offers an ideal opportunity to utilise previously developed land to regenerate the area and provide new homes for local people as well as new public green space, pedestrian and cycling links. The site is both well connected and well served by local amenities and represents sustainable development.

Comments on the information provided in the document is provided on the next sheet.

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Site	Land at Ketley Quarry, Kingswinford	Policy Map	

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

Q3. What is the nature of your comment? (Please tick one box)

- General comment
- ✓ Support
 - Objection

Q4. Please use this space to make any comments on the paragraph, policy, site or policies map you have identified in Q2, or make a comment if you have been unable to answer questions 1 and 2:

Comments on information.

Site Map. Please see our later comments regarding the Dudley Local Plan 2041 Policies Map.

Much of the text on pages 2018 to 222 is replicated from the draft Black Country Plan (2021) and we would request that this is revised to reflect the current site situation.

Point 8 Nature Conservation and Net Biodiversity Gain Requirements. (a) With respect to the SSSI and SLINC designations, please refer to our comments made regarding the Dudley Local Plan 2041 Policies Map. (c) The description refers to the need for bat and bird surveys etc. for the abandoned farmhouse and surrounding buildings. Permission to demolish the former Ketley Farm was approved in September 2018 (reference P18/1306/PN11B). This has been carried out to prepare the site for development. Relevant ecological surveys were submitted as part of the recent planning application (reference P22/1734).

Point 9 Historic Environment Requirements. We have made comments about the designations shown on the Site Map (see Dudley Local Plan 2041 Policies Map).

Point 10 Recreational Open Space Requirements. The phrasing suggests multiple sites and that the site is close to open countryside which is incorrect.

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) Supporting evidence base document

Question 2. To which part of the document does this response relate??

Title of document	Dudley Local Plan 2041 Policies Map		
Paragraph/section		Policy	
Site	Land at Ketley Quarry, Kingswinford	Policy Map	Yes

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

Q3. What is the nature of your comment? (Please tick one box)

General	comment
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- Support
 - Objection

Q4. Please use this space to make any comments on the paragraph, policy, site or policies map you have identified in Q2, or make a comment if you have been unable to answer questions 1 and 2:

The Policies Map is difficult to read given the different layers which apply to the site and the following comments are made following a review of the interactive mapping.

The Constraints layer identifies the Ketley Quarry Geosite/SSSI, SLINC and SINC.

The mapping for the Ketley Quarry Geosite/SSSI reflects the broader designation currently in place. In our recent planning application (reference P22/1734) we have provided further information. Site survey work was undertaken in 2020, whilst ongoing discussions have also taken place with Dudley MBC, the Black Country Global Geopark officer and Natural England. This has provided a valuable understanding of the remaining features that can be incorporated into the Black Country Global Geopark. Consequently, it has allowed a more specific boundary to define the SSSI rather than the broader designation which is currently in place and a parking area for visitors. See Figure P4 Parameter Plan in the Planning Statement (November 2022). The Design and Access Statement (November 2022) explains how site designations have been incorporated into the proposals.

We note that the SINC geological designation in the central northern part of the site previously shown on the Borough Development Strategy Policies Map (Adopted 2017) has now correctly been removed from the new mapping for the draft Local Plan 2041. However, we have noted elsewhere in our comments where this is still being referenced as in situ (e.g. evidence base).

The new mapping for the draft Local Plan 2041 shows the SLINC designation as per the Borough Development Strategy Policies Map (Adopted 2017). We would request that the mapping should be reviewed for the SLINC. With regard to the SINC and SLINC designations, we completed a Birmingham & Black Country Local Sites Assessment Report for Ketley Quarry (reference DO026 and DY026G) in June 2023.

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) Supporting evidence base document

Question 2. To which part of the document does this response relate??

Title of document	Sustainability Assessment of the Dudley Local Plan Volume 2 (October 2023)		
Paragraph/section	Paragraphs provided in Q4 Policy		
Site	Land at Ketley Quarry, Kingswinford	Policy Map	

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

Q3. What is the nature of your comment? (Please tick one box)

General	comment
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Z Support

Objection

Q4. Please use this space to make any comments on the paragraph, policy, site or policies map you have identified in Q2, or make a comment if you have been unable to answer questions 1 and 2:

We have made comments below on the information provided in the report relating to Land at Ketley Quarry, Kingswinford. We have provided the relevant page number/paragraph.

Appendix C

SA Objective 3: Biodiversity, Flora, Fauna and Geodiversity

Page C25 (paragraph C.4.2.1) Sites of Special Scientific Interest states Site DLPKQH1 coincides with 'Ketley Claypit' SSSI with approximately 1.40ha of land in the north almost wholly coinciding with the SSSI. Please refer to our comments made for the Dudley Local Plan 2041 Policies Map.

Page C27 (paragraph C.4.6.1) Sites of Importance for Nature Conservation refers to five proposed sites (DLPH022, DLPKQH1, DLPGT002, DLPGT007 and DLPGT021) which coincide wholly or partially with the following SINCs, respectively: 'Ketley Quarry', 'Freehold Farm, Stour Valley', 'Oak Farm' and 'Buckpool and The Leys'. The proposed development at these five sites could potentially have direct major negative impacts on these SINCs. Please refer to our comments regarding SINCs/SLINCs made for the Dudley Local Plan 2041 Policies Map.

Page C27 (paragraph C.4.8.1) Geological Sites refers to site DLPKQH1 and the relevant geosite. Please refer to our comments made for the Dudley Local Plan 2041 Policies Map.

Appendix E E.6 Housing Allocations

Pages E104 to E108 assess Policy DLPKQH1 – Land at Ketley Quarry, Kingswinford. Points 1 to 13 are replicated in the Draft Dudley Local Plan Part Two. Please see our previous comments.

Matters raised under paragraphs E.6.1.1 to E.6.1.11 have been considered as part of submitted planning application (reference P22/1734). During its preparation, Dudley MBC and other Black Country Local Authorities were preparing the Black Country Plan 2039 which was halted early October 2022. Lepus Consulting prepared the Sustainability Appraisal of the Black Country Plan (Volume 2 of 2: Appendices, July 2021) for which draft Policy DSA3 – Land at Ketley Quarry, Kingswinford applied.

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Habitats Regulations Assessment of the Regulation 18: Pre-Submission Draft of the Dudley Local Plan

Supporting evidence base document

Question 2. To which part of the document does this response relate??

Title of document	Strategic Housing Land Availability Assessment 2022-2023 Update		
Paragraph/section	Appendix D: Site Scoring Policy		
Site	Ketley Quarry, Kingswinford	Policy Map	

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

Q3. What is the nature of your comment? (Please tick one box)

- General comment
- ✓ Support
 - Objection

Q4. Please use this space to make any comments on the paragraph, policy, site or policies map you have identified in Q2, or make a comment if you have been unable to answer questions 1 and 2:

Our comments refer to the site scoring for the entry - Ketley Quarry, Kingswinford (SHLAA Ref.206 and DLP Ref.KQH1) as identified within Regeneration Corridor RC1. This is provided on page 60 in Appendix D.

During the preparation of the recent planning application (reference P22/1734), the SHLAA (2019-20 Update) represented the most recent source publicly available. This is referenced in the Planning Statement (November 2022) and we drew attention to anomalies for the site scoring for Ketley Quarry (see paragraphs 3.2.3 and 3.2.4).

The overall category is given as 1 and 2 which indicates both deliverable and developable. However, the site scoring in the 2022-2023 Update has not been revised to reflect recent changes and the following comments still apply.

• The evaluation was undertaken when the site was still exhibiting a process of poorly managed infilling and quarry management. As such, although the location and final remediation offered housing potential, the viability and marketability was then unsure. Thus, neither the achievability nor viability scores reflect the current site situation.

• With regards to the score for flood risk, no date is provided in the SHLAA (2022-2023 Update) of the Strategic Flood Risk Assessment (SFRA). According to data from the Environment Agency, the site is located wholly within Flood Zone 1 (low probability of flooding) which would indicate a higher score than is allocated. The Flood Risk Assessment and Drainage Strategy (October 2022) which has been undertaken as part of the planning application concluded that flood risk considerations do not constitute a barrier to planning consent.

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Supporting evidence base document

Question 2. To which part of the document does this response relate??

Title of document	Dudley Local Plan Viability Assessment (November 2023)		
Paragraph/section	Section 9 Priority Sites Policy		
Site	Ketley Quarry, Kingswinford	Policy Map	

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

Q3. What is the nature of your comment? (Please tick one box)

- General comment
- 🖌 Support
 - Objection
- Q4. Please use this space to make any comments on the paragraph, policy, site or policies map you have identified in Q2, or make a comment if you have been unable to answer questions 1 and 2:

Our comments refer to the the description of the weaknesses/constraints for the Ketley Quarry priority housing site.

Bullet 1 'Expected large infrastructure and site remediation costs in unlocking the site, given the sites existing use as a quarry'. This statement does not reflect the current state of the site. As a former minerals site it has undergone significant engineering and remediation works in recent years. A stable development platform has been created and the site is now ready for new development (i.e. housing). Further information is provided in the planning application (reference P22/1734) including the technical reports prepared by Georisk. The site is categorised as brownfield land by Dudley MBC (Reference DEVOPP0088 Ketley Quarry).

Bullet 2 'There is a statutory designation for features of geological significance (SSSI) at the north of the site and one non-statutory geological designation (SINC) within the site'. The SINC geological designation in the central northern part of the site relates to an area which was removed during the authorised restoration of the site. In places on the site periphery are woodland and trees classified as a SINC and SLINC. Further information is provided in the aforementioned planning application and in the Birmingham & Black Country Local Sites Assessment Report for Ketley Quarry (reference DO026 and DY026G) completed in June 2023. We have also made comments regarding the mapping provided by the Dudley Local Plan 2041 Policies Map in this consultation process.

Respondent No: Representation No	Date received:	
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Question 2. To which part of the document does this response relate??

Title of document	Dudley Local Plan Site Assessment Report - Appendices 1-4 (October 2023)			
Paragraph/section	Appendix 2a Detailed Site Proformas Policy			
Site	Ketley Quarry, Kingswinford	Policy Map		

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

Q3. What is the nature of your comment? (Please tick one box)

- General comment
- 🖌 Support
 - Objection

Q4. Please use this space to make any comments on the paragraph, policy, site or policies map you have identified in Q2, or make a comment if you have been unable to answer questions 1 and 2:

We have made comments on the Kingwinsford South Ward Site Assessment Form for Ketley Quarry (pages 107-110 of Appendix 2a Detailed Site Proformas).

Gateway Constraints

Gateway Constraints (where affecting part of submitted site) states Ketley Quarry SINC and Ketley Claypit SSSI (3.77Ha) and Geosite (Global Geopark) Ketley Quarry SSSI (1.57Ha).

The site area of the Ketley Quarry SSSI (Reference 1002337) reflects the broader designation currently in place. The submitted planning application (reference P22/1734) provides further information. This includes recent site survey work in 2020, whilst ongoing discussions have taken place with Dudley MBC, the Black Country Global Geopark officer and Natural England. This has provided a valuable understanding of the remaining features that can be incorporated into the Black Country Global Geopark. Consequently, it has allowed a more specific boundary to define the SSSI rather than the broader designation which is currently in place and a parking area for visitors. See Figure P4 Parameter Plan in the Planning Statement (November 2022). With regard to the Ketley Quarry SINC and SLINC, we completed a Birmingham & Black Country Local Sites Assessment Report for Ketley Quarry (reference D0026 and DY026G) in June 2023.

Please see next sheet for our comments on the detailed assessment against environmental, economic and social criteria.

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Paragraph/section	Appendix 2a Detailed Site Proformas Policy			
Site	Ketley Quarry, Kingswinford	Policy Map		

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

Q3. What is the nature of your comment? (Please tick one box)

Z Suppor	t
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Objection

Q4. Please use this space to make any comments on the paragraph, policy, site or policies map you have identified in Q2, or make a comment if you have been unable to answer questions 1 and 2:

We have made comments on the Kingswinford South Ward Site Assessment Form for Ketley Quarry (pages 107-110 of Appendix 2a Detailed Site Proformas).

Detailed assessment against environmental, economic and social criteria.

Topography

As a former minerals site, the site has undergone significant engineering and remediation works in recent years. A stable development platform has been created and the site is now ready for new development (i.e. housing). Further information is provided in the planning application (reference P22/1734) including the technical reports prepared by Georisk. The same reports also address Ground Contamination and Ground Stability. Findings have been incorporated into the layout of the Parameter Plan (Figure P4) which is included with the Planning Statement (November 2022). It takes into account such matters such as the recommendations in the Coal Mining Risk Assessment (April 2022) regarding stand-off zones including the former excavation area (high wall).

Tree Preservation Orders/Mature Trees of Value on site or significantly affecting boundaries Further information on the current condition of trees and woodland on site (including those protected by a TPO) is included in the Planning Statement (November 2022) and the Tree Survey (Treetec, August 2022) submitted as part of the planning application (reference P22/1734).

Biodiversity or Geodiversity on site or significantly affecting boundaries

The Kettey Quarry SSSI (Reference 1002337) reflects the broader designation currently in place. In the submitted planning application (reference P22/1734) we provided further information on recent site survey work carried out by consultants in 2020. Whilst ongoing discussions have taken place with Dudley MBC, the Black Country Global Geopark officer and Natural England. This has provided a valuable understanding of the remaining features that can be incorporated into the Black Country Global Geopark. Consequently, it has allowed a more specific boundary to define the SSSI rather than the broader designation which is currently in place and a parking area for visitors. See Figure P4 Parameter Plan in the Planning Statement (November 2022).

The SINC geological designation in the central northern part of the site relates to an area which was removed during the authorised restoration of the site. In places on the site periphery are woodland and trees classified as a SINC and SLINC. Further information is provided in the aforementioned planning application. With regard to the SINC and SLINC designations, we completed a Birmingham & Black Country Local Sites Assessment Report for Ketley Quarry (reference DO026 and DY026G) in June 2023.

Heritage Assets on site or significantly affecting boundaries

Local heritage assets have been considered as part of the remediation of the site. Local heritage assets were identified at an early stage in the design process and a Historic Environment Desk-based Assessment was submitted as part of a planning application regarding the demolition of farmhouse and outbuildings at Ketley Farm (reference P18/1306/PN11B, approved September 2018).

Mineral Infrastructure and Brickworks

There is no site infrastructure relating to the former quarry (e.g. previously used for processing).

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Completed consultation forms (along with the section A and B form) can be submitted by emailing: **planning.policy@dudley.gov.uk**

Please enter your last name or organisation in the subject field of the email.

Alternatively, completed consultation forms can also be submitted by post to: Dudley Local Plan, Planning Policy, Regeneration & Enterprise, Planning Services, Dudley Metropolitan Borough Council, Council House, Priory Road, Dudley DY1 1HF by 5pm Friday 22 December.

