

13 December 2023  
Dudley Draft Plan Reg 18 Consultation Response\_SUBMITTED

Planning Policy Team,  
Dudley Council,  
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Dudley  
DY 11HF

The Savills logo consists of the word "savills" in a lowercase, sans-serif font, colored red, set against a solid yellow rectangular background.

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

Dear Sir / Madam

### **Dudley Draft Plan Regulation 18 Consultation Representations on behalf of CWC Group - Clowes Developments**

Savills (UK) Limited, on behalf of CWC Group - Clowes Developments sets out the below representations in respect of their land at Lawnswood Road, South Staffordshire. The site lies within close proximity to the boundary with Dudley as shown on the appended site location plan at appendix 1, and site plan at appendix 2.

Due to the site's location within South Staffordshire, our comments below focus on Dudley's Duty to Cooperate (DtC) with neighbouring authorities, including South Staffordshire regarding their unmet housing need.

#### **The Shortfall Position**

Draft policy DLP1: Development Strategy of the emerging Dudley Local Plan states that 1,078 dwellings are required to be exported through the Duty to Cooperate. Point 3 of the policy states that the development needs that cannot be accommodated within the Dudley administrative area will be exported to sustainable locations in neighbouring local authority areas.

There is however, no confirmed agreement with other LPAs regarding the provision of this shortfall being exported to other LPA areas.

From our review of the consultation documentation, other than 431 homes from Shropshire, it appears that there is no confirmation on the number of houses that neighbouring authorities are willing to accommodate to assist Dudley in meeting its unmet need. This level of detail is required to clearly understand the amount of housing that Dudley should be seeking from its neighbours to meet its unmet needs.

The current Sandwell Local Plan (Regulation 18) consultation states that they have a shortfall of 18,606 dwellings. Both Wolverhampton and Walsall are yet to publish individual Regulation 18 consultations, so their positions are unknown. However, having undertaken analysis of data available in relation to the most recent Black Country Plan consultation, we estimate that Walsall has a shortfall of 3,224 and Wolverhampton 7,546 dwellings.

Therefore, based on the best data currently available, the total housing shortfall across the Black Country is 29,485 dwellings. The Council's Duty to Cooperate statement states at paragraph 2.41 that contributions currently offered (at various stages of plan progression) are as follows:

- Shropshire: 1,500
- Lichfield: 2,000
- South Staffordshire: 4,000 (BCA & Greater Birmingham & Black Country HMA)
- Telford and Wrekin: 1,640
- Cannock DC: 500
- Total: 9,640 dwellings**

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Putting aside that a portion of South Staffordshire’s contribution is earmarked for the Greater Birmingham & Black Country HMA, the 9,640 figure accounts for only around a third of the Black Country authorities shortfall. Although Dudley has the lowest shortfall of the four authorities, it should be explored how Dudley will be able to secure a suitable level of contributions from these overall Black Country contributions.

Paragraph 2.44 of the Duty to Cooperate Statement makes reference to the Black Country Authorities (BCAs) seeking to come to an agreement via a statement of common ground on how to apportion contributions to BCAs as a whole from neighbouring LPAs. As the BCAs are no longer progressing a joint Local Plan, Dudley should be approaching each LPA who has offered a housing contribution for them to provide a number for Dudley only. It is not just for BCAs to decide how to apportion this, but it should also reflect the specifics of the functional and administrative relationships between LPAs.

In respect of Dudley and South Staffordshire there is a particularly strong administrative relationship, due to the fact that Dudley shares around a third of its administrative boundary with South Staffordshire, and of that the majority of the Dudley built up area is up to the boundary with South Staffordshire, as is shown in the below map:



Functionally, Dudley and South Staffordshire are connected by proximity and key connections such as the A449 and A458, and the Shrewsbury to Birmingham railway line (via Coseley railway station).

We also consider a functional relationships to exist in the form of the Dudley Travel to Work Area (TTWA). Clowes Development’s site at Lawnswood Road, South Staffordshire is located within the Dudley Travel to Work area, along with areas of Dudley including Stourbridge, Kingswinford and Brierley Hill. TTWAs have been developed by ONS to provide an approximate self-contained labour market areas. These are areas where most people both live and work. They are based on statistical analysis rather than administrative boundaries. We consider that such measures should be used when determining the weight given to functional relationships with other Local Authorities.

Paragraph 5.13 states that the Duty to Cooperate position will be elaborated on in more detail in a statement of Common Ground at the Publication stage. However, we question why these SoCGs are not being drafted and regularly updated now, as recommended by the PPG (PPG Paragraph: 020 Reference ID: 61-020-

20190315). Dudley should also be mindful of the requirement for the Duty to Cooperate to be dealt with before submission of a Local Plan (PPG Paragraph: 031 Reference ID: 61-031-20190315). This is therefore a matter that requires close consideration now, and should not be left to a future consultation stage. There is an emphasis on Dudley to come to seek agreements with its neighbours to ensure that the unmet need is met by its neighbours with functional and or administrative links.

### **Meetings with Neighbouring LPAs**

We note that another way Dudley intends to evidence constructive engagement is through the publication of evidence such as that seen at appendices one and two of the DtC Statement. A number of meetings are recorded as having taken place with Duty to Cooperate partners. This lists out a number of meetings with different partners. The minutes, actions and outcome of these actions should be made public (albeit redacted where necessary). This would then suitably evidence cooperation. Otherwise it is not clear whether meetings have been useful in ensuring effective cooperation.

We ask the BCAs to publish detailed minutes, lists of attendees etc. for the meetings referenced in appendix one and two, and furthermore provide a clear indication of the level of engagement that has been taking place with HMA LPAs previous to February 2019 in order to satisfy the requirement for ongoing and meaningful engagement.

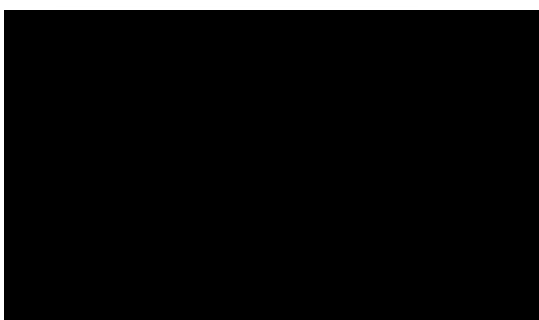
### **Summary and Key Points for Dudley to Consider**

Having reviewed and considered the evidence base made available in relation to the Duty to Cooperate, we assert that the following key points should be taken forward for Dudley to consider:

- Aside from Shropshire, there are no confirmed contributions from neighbouring authorities. This should be reviewed, and specific contributions towards Dudley's unmet need confirmed in statements of common ground.
- Specific engagement should be made with South Staffordshire, due to its strong administrative and functional relationship with Dudley.
- SoCGs should be drafted and regularly updated now, as recommended by the PPG.

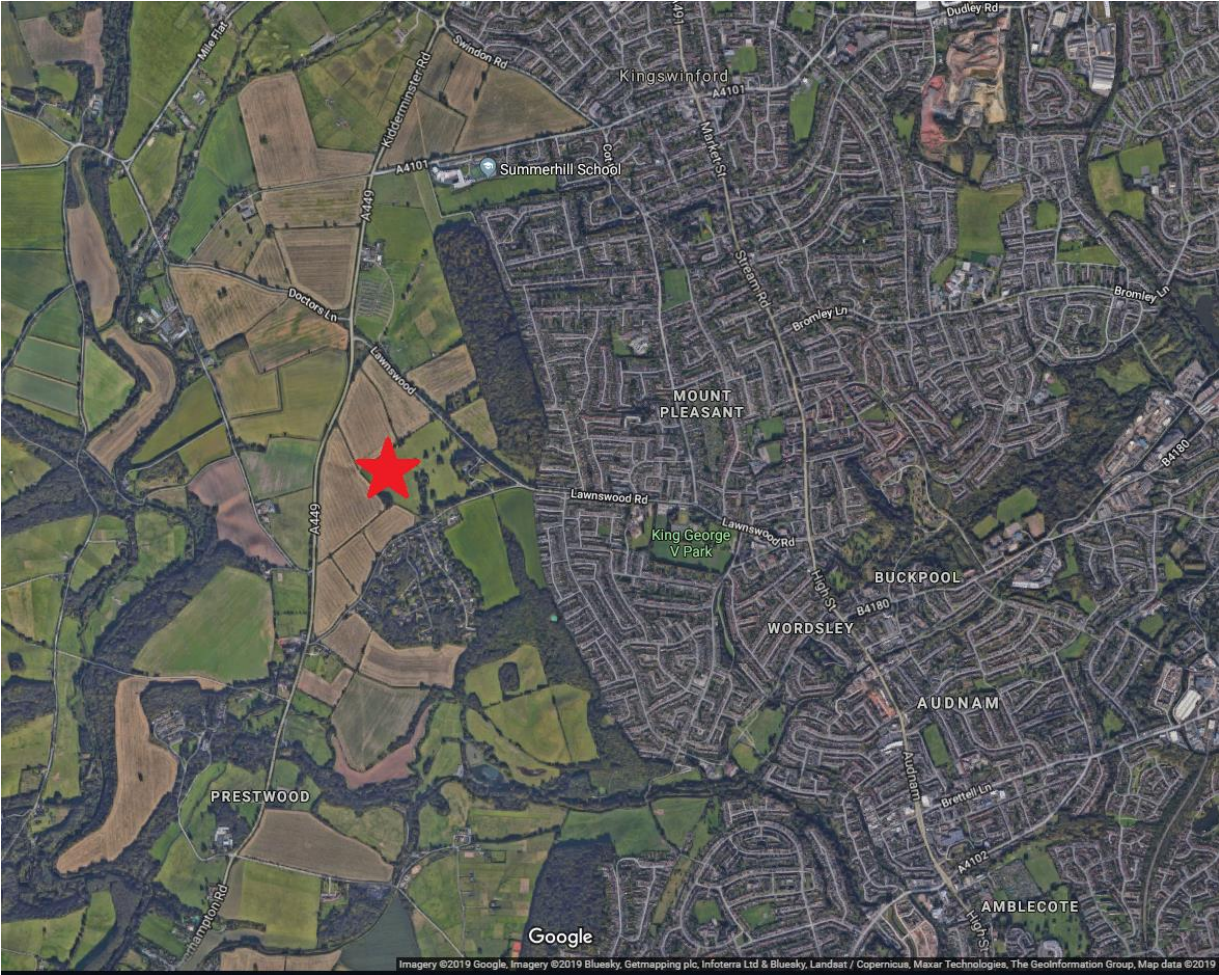
I trust that you find the representations set out in this letter in order. Please do not hesitate to contact me should you have any questions regarding these representations.

Yours faithfully





Appendix 1: Site Location Plan



Appendix 2: Site Plan



**LEGEND**  
Site boundary  
(0.02ha)

