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Date: 20th December 2023

Planning Policy Team
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Dear Sir / Madam

Dudley Local Plan Regulation 18 Consultation Response by Revelan Developments Ltd

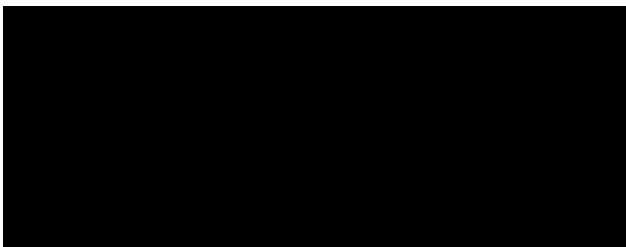
Harris Lamb Planning Consultancy (“**HLPC**”) are instructed by Revelan Developments Ltd (“**Revelan**”) to submit representations to the Draft Dudley Local Plan Regulation 18 consultation document. Revelan control land to the north of Stourport Town Centre that is currently the subject of a mixed planning application proposing new market and affordable housing and two office buildings. The application scheme provides the opportunity to regenerate three previously developed sites in a highly sustainable. It is our view that the scheme is development plan compliant.

Whilst we are largely supportive of the approach of the emerging Local Plan in respect of the application site there are a number areas where we have concern. Our comments on the draft plan are set out below. It our view that the identified changes are required in order to make the emerging Plan to be found sound.

The Vision for Dudley Borough by 2041

The Vision for Dudley sets out a series of aspirations that the Council wish to see achieved through the delivery of the Local Plan. These include making Dudley an attractive and desirable place to live, work and visit, having strong, inclusive, resilient and thriving communities which enhance health and social wellbeing and providing a wide range of housing that will meet people's needs through their various life stages and is affordable to live in. We are generally supportive of the Vision in that it is aspirational and seeks to deliver the development needs of its residents over the Plan period. We particularly welcome the intention to deliver a wide range of housing that will meet people's needs.

The development of my clients land interests to the north of Stourbridge town centre will directly contribute towards this objective. It will deliver high quality new homes and office space on redundant brownfield land.



Objectives and Strategic Priorities

Table 4.1 sets out the Council's Strategic Objectives and Priorities. Objective 1 is the conservation and enhancement of the natural and built environment including the strategic priority of addressing the climate and ecological emergency. We agree with this approach. This can best be achieved by directing development to brownfield sites in sustainable locations.

We also welcome Strategic Priority 6, creating thriving neighbourhoods by providing new and affordable homes in range of sizes, types and tenures to meet the Borough's housing needs. My client's proposal for the redevelopment of their land interests to the north of Stourbridge town centre will directly deliver this objective.

DLP 1 Development Strategy

Policy DLP 1 sets out the Council's targets for the delivery of new homes and employment land. In respect of new dwellings 10,876 new homes are proposed along with the development of at least 25 hectares of employment land. Revelan have some concerns with the proposed development strategy and specifically around how the Council intends to meet its housing needs over the Plan Period.

Policy DLP 1 advises that the Council will deliver at least 10,876 net new homes over the Plan Period. Paragraph 5.12 confirms that the local housing need for the Borough is 11,954 homes as calculated by the Standard Method. There is an identifies a shortfall of 1,078 homes due to a lack of suitable housing sites.

Having identified what the housing need is in the Borough, the Council undertook an assessment of different options for growth as described in Table 1 of the Dudley Local Plan Options to Preferred Strategy Paper (October 2023). The three options tested meeting the Borough's housing needs on previously developed land through urban uplift in regeneration corridors, on low quality open space and elsewhere through duty to cooperate.

Revelan support the approach of focusing development on previously developed land. However, the draft Plan suggests that there will be a housing shortfall with this approach. It is, therefore, essential that the Plan seeks to make the best use of previously developed sites supporting higher density development proposals in sustainable locations. Such schemes should not be over burdened with planning obligations to make sure they are deliverable. A flexible approach should be applied to spacing standards and the use of NDDS.

Policy DLP 2 Growth Network : Regeneration Corridors and Centres

We generally welcomed the strategic approach for the growth network including the focus on development within existing urban areas and Regeneration Corridors. Table 5.3 – Regeneration Corridors, advises that Regeneration Corridor RC2, will keep its employment focus with strategic employment areas connecting centres, particularly Brierley Hill and Dudley. High quality housing will be focused in centres alongside the corridor with access to enhancing green infrastructure. Opportunities for canal side living in the corridor to Stourbridge, as well as potential local employment areas, will be pursued.

Policy DLP 4 Achieving Well Designed Places

We generally support the objectives of the policy in terms of ensuring new development is of high quality and well designed, recognising that this would have a positive impact on a character of the Borough as well as future residents and occupiers of new development. We also recognise that design has a key role to play in achieving sustainable development by

responding to known constraints and delivering high density development that makes effective use of previously developed land. The role of design in new development is, therefore, key in delivering a wide range of policy objectives set out in the Plan. We support the reference to encouraging canal side living.

Policy DLP 6 Infrastructure Provision

We support the intention that all new development should be supported by the necessary on and off site infrastructure to serve the needs of those occupying new development. However, any infrastructure requests must ensure that the scheme remains viable and that the development can support the requirements being requested.

Policy DLP 11 Housing Density, Type and Accessibility

Policy DLP 11 specifies the density and type of new housing that should be provided, the type, levels of accessibility and the need to achieve high quality design. The policy requires developments of 10 or more homes to provide a range of house types and sizes and achieve the density target set out within the policy. These range from 100 dwellings per hectare on sites that are within strategic centres or town centres, to 45 dwellings per hectare where a site is accessible and 40 dwellings per hectare for a moderate density housing development. In seeking to achieve the density targets set out above we note the evidence contained in the Black Country Housing Market Assessment (March 2021). This sets out the size of housing required within each tenure within Dudley for owner-occupied, rented, shared ownership or social rented / affordable rented properties.

Whilst we support maximising densities in general terms the approach to dwellings mix should not be applied in all instances. For example, Revelan have submitted a planning application proposing the development of 94 dwellings on land to the north of Stourbridge town centre. 48 of these dwellings will be affordable. The mix and size of the properties has been established though working with an affordable housing provider. The scheme is tailored to meet an identified need for affordable housing. Scheme specific circumstances such as this should be taken into account in the application of the policy.

Policy DLP 12 Delivering Affordable, Wheelchair Accessible and Self Build / Custom Build Housing

All flatted/apartment schemes should be exempt from self-build and custom build housing requirements. It is not possible to have a self-build flat/apartment.

Policy DLP 16 Education Facilities

We have no objection to the Council seeking contributions towards education facilities from new development if there is a need, any education contributions sought must also be tested in the context of the other policy requirements that the Plan to ensure schemes remain viable. Also, it is our view that affordable housing should not attract an education contribution. To qualify for an affordable property an individual/family will be registered with the Council and therefore local to the area. They will not create a demand for additional educational facilities as the residents would have to have a connection to the local to the area and already have school place provision.

Policy DLP 32 Nature of Recovery Network and Biodiversity Net Gain

Following the enactment of the Environment Act there is soon to be a statutory requirement to achieve 10% biodiversity net gain through new developments. As this is soon to be a statutory requirement there is no need to a policy in the Local Plan.

Policy DLP36 Canals

We support the recognition that Dudley's canals are an important resource and provide an opportunity to deliver high quality development taking advantage of their setting. However, the criterion in policy DLP36 are designed to restrict and control development, rather than actively encourage it. Whilst we have no particular concerns with any of the criteria within the policy it is our view that it should be amended to advise that the Council will actively encourage new development that makes best use of the canal network. A balance will be struck between the need to regenerate poor quality sites next to the canal network and the plan's density, housing mix and planning obligation requirements.

Policy DLP 39 Design Quality

We have a number of concerns with the policy, particularly where there is dual regulatory control such as Part 1D, which refers to Secured by Design, which is now covered by Part Q of the Building Regulations. As both are covered in other legislation we query why it is necessary to include it within a policy in the Plan.

Part 4 of the policy states that all new residential development will be required to meet the Nationally Described Space Standards ("**NDSS**"). The Framework and PPG are quite clear that Councils need to gather evidence to determine whether there is a need for additional standards in their area and justify including such policies in their Local Plan. There is no reference to what evidence has been gathered to demonstrate that all new properties are required to meet NDSS in the draft Plan.

Notwithstanding whether there is evidence to require the provision of all new dwellings to accord with NDSS if the requirement were to be applied this would have a number of significant implications for the Council. Firstly, NDSS means larger houses have to be built in order to comply with the standards. This would mean the density of development would decrease and the number of houses that can be delivered on land identified on housing will decrease. The decrease will result in fewer homes being delivered within the Borough and thereby decreasing the supply of housing and potentially resulting in housing need going unmet.

Delivering NDSS could also potentially have implications on scheme viability particularly when this is taken into account along with remediation costs, design quality, provision of open space, achieving biodiversity net gain and achieving energy efficiency targets. In seeking to achieve all of these policy objectives there could be an adverse impact on scheme viability that would restrict the delivery of new homes in the Borough.

Policy DLP 42 Energy Infrastructure

Revelan object to the requirement that residential development of 10 or more homes must include opportunities for decentralised energy provision. This is a significant development cost that could make schemes unviable.

Policy DLP 47 Renewable and Low Carbon Energy and BREEAM Standards

Part 3 of the policy requires developments of 10 or more homes to incorporate measures for the generation of energy from renewable or low carbon sources sufficient to off set at least

10% of the estimated residual energy demand of the development on completion. It is not clear on what basis the requirement for a 20% energy reduction has been based on, it would appear to be an arbitrary figure without any justification.

Whilst we are supportive in principle of new development achieving energy reductions the building regulations are the most appropriate way of securing energy reduction targets. Building regulations are constantly updated and will ensure that new development is able to achieve the requisite energy reduction standards in place at the time of construction. Building regulations are, therefore, more responsive to changes in Government and national policy whereas the Local Plan policy would be static until the Local Plan was reviewed. The policy is a duplication of control with other legislation and as such it is considered unnecessary.

Policy DLP54 River Stour and its Tributaries

Policy DLP54 puts in place a series of criteria that the local authority expect applicants to comply with an preparing proposals for development within the vicinity of the River Stour. These relate to ecological matters, green infrastructure provision and general riverside improvements. These works all have the potential for significant development costs. In such circumstances a balance will need to be struck between the provision of these infrastructure requirements and more general infrastructure requirements to ensure schemes remain viable. This should be recognised in the policy.

Part C of the policy makes reference to the need to provide a green infrastructure corridor of at least 10 metres in width from each riverbank top, unless it can be satisfactorily demonstrated to be unfeasible or unviable or in conflict with the Local Plan policies. Whilst there is some flexibility with this standard it is not clear where the 10 metre stand off distance is derived from. The plan making process should be evidence base driven. We are not aware of any evidence to support a 10 metre stand off.

Part D of the policy makes reference to development proposals contributing towards making existing river bridges structurally sound and potentially the delivery of new river bridges. We have a number of concerns with this proposal. Firstly, not all river bridges are in the ownership of the Council or an applicant. Where bridges are owned by a third party it is in their gift whether they will allow for them to be repaired, upgraded or public access secured. This should be acknowledged in the policy.

In addition, in terms of the provision of new river crossings this has the potential to be extremely expensive. It will also be necessary for land to be controlled on either side of the river to create such a crossing, and for appropriate onward connections from the crossing points. We are concerned that this is not realistic, achievable and will make developments unviable.

Paragraph 3.12 – Bridge provision

Paragraph 3.12 makes reference developments within areas such as Bradley Road East and Bradley Road West incorporate the development of new bridges to provide access to the surrounding areas and to provide connections to residents on both sides of the canal. We fundamentally disagree with this suggestion. Firstly, it has not been viability tested and significant infrastructure requirements such as the provision of new bridges cannot be included in the plan unless it is demonstrated that they are financially viable.

Secondly, bridge connections may not be deliverable. In order for a bridge connection to be provided land either side of the river or canal must be in either the control of the applicant or the developer and agreement is needed to cross the watercourse itself. There are no evidence

based documents accompanying the Plan to demonstrate that this is a deliverable policy aspiration.

Thirdly, we are not aware of any evidence base documents that demonstrate that there is a need for such additional bridge crossings to deliver sustainable modes of transport.

These provisions are entirely unfounded and without evidence.

Policy DLPS8 – Pedestrian Access and Cycling in Stourport

Part 2a of the policy makes reference to proposed new bridges over the canal and River Stour connecting new housing sites in this location.

As referred to in our response to paragraph 3.12 above, there is no justification for the provision of bridge crossings of this nature.

Paragraph 3.36 – Bridge Crossings

Again, paragraph 3.36 makes reference to it being important that developments such as Bradley Road East and West incorporate the development of new bridges to provide access to the surrounding areas. As referred to above, there is no policy justification to this approach.

Bradley Road East (DLPSH2) and Bradley Road West (DLPSH3)

As a general connect we support the identification of Bradley Road East and Bradley Road West as residential development allocations. Between them the two sites are identified as being capable of delivering 70 dwellings. We are, however, of the view that the draft plan should be amended to make reference to supporting planned uses taking place within these allocations.

Land at Bradley Road East and Brandley Road Rest is the subject of an undetermined planning application submitted by Revelan proposing the redevelopment of the site for a mixed use development providing 94 dwellings and 2 office buildings. It will make the best and most efficient use of the site delivering much needed market and affordable housing alongside new office floorspace supporting the local economy. The scheme actively facilitates the aspirations of this area of delivering comprehensive canal and riverside regeneration.

The ultimate objective for the Stourbridge Wharf area should be to introduced high quality new development to support the comprehensive redevelopment of the area. This should include residential uses and supporting uses such as offices. This should be clear in the Plan.

We trust you will take our comments into consideration and we welcome the opportunity to participate further at the pre-submission draft consultation stage and look forward to being notified of this in due course. Should you have any questions about the above or wish to discuss please do not hesitate to me.

Yours faithfully

