

Comments form

Draft Dudley Local Plan Draft Plan Regulation 18 Consultation

Friday 10 November to Friday 22 December 2023



DUDLEY LOCAL PLAN

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:

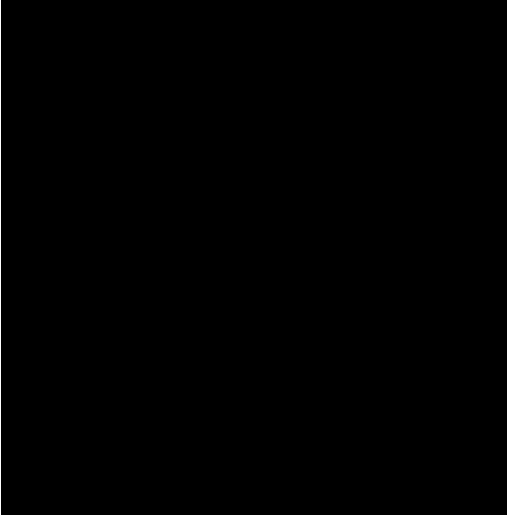
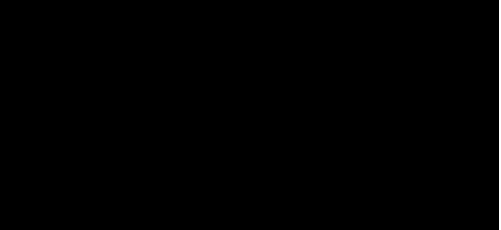
1. Responses must include your name and address.
2. Your comments cannot be treated as confidential. By completing this form, you agree to your details being shared and your name and comment (but not your address, contact or other personal details) being made available for public viewing.
3. It is recommended 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.

For official use only

Respondent No:		Representation No:		Date received:	
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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	
Planning Agent or Consultant	✓
Developer or Investor	
Landowner	
Land & Property Agent or Surveyor	
Local Authority	
Public service provider e.g. education establishment, health etc	
Public agency /organisation	
Community or other Organisation	
Charity	
Other (please specify in space below)	

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.

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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.

Signature:

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

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

Thank you for taking the time to provide your response.

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Part C: Comments

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).

Additional section C forms are available at www.dudley.gov.uk/localplan, by emailing planning.policy@dudley.gov.uk or by calling 01384 814136.

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	DUDLEY LOCAL PLAN C DRAFT PLAN CONSULTATION.		
Paragraph/section	TABLE 1.2.	Policy	Housing Allocation
Site	WATERFRONT WAY WEST.	Policy Map	DLP BH 002

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:

REFER TO ATTACHED OBJECTION DOCUMENT
DATED 05.12.23

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Q4 Comments Cont'd.

**Site allocation reference in Draft Dudley Local Plan: DLP BH 002
Waterfront Way West**

The Local Plan identifies the site as **WW1** and the land area is indicated in the Brierley Hill Action Plan as a **Development Opportunity Block**.

The draft Dudley Local Plan identifies the site as **DLP BH 002**, and the land area is indicated as **Housing Allocation**.

The landowner instructs us to advise of their objection to the change of allocation and for the present allocation as **a Development Opportunity Block** to be maintained in the new Local Plan.

The assessment by the DMBC for the proposed new allocation states "is allocated for residential use and is likely to provide high-density development and could provide student accommodation to cater for a potential demand arising from the recently opened Music Faculty (Resonance) at this location." The LA are aware our client in 2018 spent considerable time and effort in dialogue with Resonance and the DMBC regarding developing the site for student accommodation. This process achieved in October 2018 an outline planning consent for student accommodation ref: **P18/1520**.

Following this successful approval our client conducted negotiations with Resonance to provide the student accommodation development. It is believed the cost of the development led to the proposed development being abandoned by Resonance.

We understand Resonance now locates its students in a former Travel Lodge elsewhere and the Waterfront Way site will not be pursued by them for student accommodation. It is unlikely to attract this use from any other party.

The local authority defines the proposed allocation development as being of high density. This is a key recommendation in the allocation of the site.

In 2020 our client instructed a speculative planning application to be made to establish clarity and be able to demonstrate to the marketplace the residential opportunity. Following considerable discussion time and negotiation the planning department insisted on a maximum density of 61 units and granted outline planning approval ref: **P19/1625**.

The approved residential opportunity has been available for sale to the developer/affordable housing marketplace since the granting of planning permission. Despite the appreciable interest shown, a sale has failed to materialise. Consistently the scheme has been concluded to be financially non-viable which relates directly to density/development cost issues.

These issues could be resolved if the density were allowed to be increased similar to that achieved with the student accommodation approval. It is enigmatic that the building mass is acceptable to one form of development and not the other, when both uses are residential.

The success of a potential high density residential development is demonstrated by the adjacent Landmark House conversion project, as the scheme was oversubscribed.

It should be further noted that a new innovative design brief, based on purpose designed accommodation with a sensible density allowance can only increase the built environment quality and the locality.

Notwithstanding this approach to resolving the suitability for residential development the landowner reports from time to time they receive interest in the site purchase with proposals that range across opportunity for Use Class Orders B, C, E and F.

The landowner contends the proposed designation of **housing allocation** is too narrow to achieve success in ensuring the site development. As described above the DMBC assumptions on residential development are inaccurate and the residential permission granted, now expired, has been evaluated in the marketplace and found unachievable.

The DMBC explanatory documentation for the Local Plan identifies the input should be a collaborative effort which includes local businesses and developers. The landowner is well known to the DMBC and has contributed significantly over many years to the local development and success and therefore speaks with substantial experience in development.

The landowner respectfully requests the LA maintain the present land allocation definition of **Development Opportunity Block** in order maximum flexibility can be maintained in assisting the potential of the site development.



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.



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