

Dear Sirs,

Sandwell MBC response to Dudley Local Plan Consultation

The following is an informal officer response, it will be before Cabinet in January following which a formal response from Sandwell Council will be confirmed.

The Dudley local plan is a draft plan at Regulation 18 stage. The proposed plan is a 'hybrid local plan' which means that it is based on the proposals in the Black Country Plan (BCP) and the consultations carried out for that plan. As with the Sandwell Local Plan, it also contains draft policies from the BCP that have been adapted to be more specific to Dudley. The plan is intended to replace all previous development plan documents covering Dudley Borough including the Black Country Core Strategy and Areas Action Plans for Brierley Hill, Dudley, Halesowen and Stourbridge.

A significant difference compared with the draft BCP however is that a reduction in the supply of land for housing is proposed. This is as a result of the intention not to allocate land that is currently in Green Belt. The BCP proposals for Dudley included the provision of housing slightly in excess of local need to contribute towards the shortfalls in Sandwell, and to a lesser extent Wolverhampton. The draft Dudley local plan however proposes to supply less than enough to meet local needs, which means that this shortfall will need to be exported to neighbouring authorities.

As was the case with the BCP, the Dudley local plan also significantly under-provides sufficient employment land to meet the borough's needs, although the proposed supply is slightly higher than that in the BCP.

The Spatial Strategy at para 3.11 determines that exceptional circumstances to review the Green Belt boundary have not been triggered as Dudley's housing and employment shortfalls are not considered significant.

However, para 61 of the NPPF is clear that *“In addition to the local housing need figure, any needs that cannot be met within neighbouring areas should also be taken into account in establishing the amount of housing to be planned for.”*

Dudley should take account of the amount of housing to be planned for not just within its own borough, but also the Black Country and wider Greater Birmingham and Black Country Housing Market Area (GBBCHMA). This includes the housing shortfall of 18,606 arising in Sandwell until 2041, identified in the draft Sandwell Local Plan. Considered collectively the housing shortfalls in the GBBCHMA are significant and warrant a review of the Green Belt.

The BCP proposed that a total of 1,117 net additional homes would be provided in Dudley over the period 2020-39 in the Green Belt. The Dudley local plan proposes 10,876 homes over the period 2023-41. Need in Dudley over this period is 11,954 homes (664 homes per year). The plan states that this will result in a shortfall of 1,078 homes. If the Green Belt sites identified for housing in the BCP were brought forward, this would meet their shortfall and have a surplus of 39 homes. This would therefore negate the need to export the shortfall of 1,078 homes to other authorities who are themselves struggling to meet their own needs.

The Viability Appraisals for both authorities suggest that a significantly greater proportion of Dudley’s proposed housing allocations are viable or marginal on both brownfield and greenfield sites compared to Sandwell.

The Dudley Viability Appraisal recommends a tiered approach to affordable housing provision similar to Sandwell but with Dudley having higher percentage provision. This could mean that more affordable housing could be delivered for the HMA by releasing greenfield / Green Belt sites within Dudley as a greater percentage of affordable housing could be secured with sites remaining viable or marginal.

Sandwell Council recognises that local concerns have resulted in Dudley being unwilling to consider the use of Green Belt to help meet the need for housing. However, the resulting under-supply will place additional pressures on the housing supply in other authority areas and make it more difficult to demonstrate to authorities outside the Black Country that authorities within the Black Country have sought to maximise their supply before seeking to export some of it.

In December 2022, the Government consulted on changes to the National Planning Policy Framework (NPPF). The changes included an addition to para 142 which would affect Green Belt;

“Green Belt boundaries are not required to be reviewed and altered if this would be the only means of meeting the objectively assessed need for housing over the plan period.”

If this change was implemented, Dudley would not need to review its Green Belt. However, Dudley’s actions are premature as councils are still awaiting the outcome of this consultation. Therefore, until the outcome of the consultation is known we would urge Dudley to look to allocate those sites that were previously found suitable and available in the Green Belt to meet their housing need in full.

Furthermore, Para 25 still requires joint working between strategic policy-making authorities and relevant bodies and sets out that they should *“determine where additional infrastructure is necessary, and whether development needs that cannot be met wholly within a particular plan area could be met elsewhere”*.

Para 67 in the consultation paper also states that *“Strategic policy-making authorities should establish a housing requirement figure for their whole area, which shows the extent to which their identified housing need (and any needs that cannot be met within neighbouring areas) can be met over the plan period. The requirement may be higher than the identified housing need, if it includes provision for neighbouring areas, or reflects growth ambitions linked to economic development or infrastructure investment.”*

So even if the proposed changes to para 142 are implemented, there is still scope for neighbouring authorities to seek to help to contribute to neighbouring shortfalls.

The Dudley local plan proposes 25ha of additional employment land compared with the 22ha proposed in the BCP. Both these figures are well below the net need of 72ha. This means that 47ha of employment land to serve Dudley will need to be ‘exported’ to neighbouring authorities in the Black Country and to those adjacent authorities which have a strong economic relationship with the authority. The supply of suitable land for employment development in Dudley is physically constrained, so it is recommended that no concerns are raised on this topic.

The Dudley local plan contains a large number of policies about other topics. Most of these are site-specific or are about development management and are similar to those proposed in the BCP. As such, they raise no direct concerns for Sandwell.

There appears to be a mistake in paragraph 12.1 in which the text explains that the Council has pledged to achieve net zero carbon by 2050. The Council’s website suggests this should read 2030.

