

# 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](http://www.dudley.gov.uk/localplan)

**By email:** [planning.policy@dudley.gov.uk](mailto: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](http://www.dudley.gov.uk/localplan) and returned via email to [planning.policy@dudley.gov.uk](mailto: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](mailto: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.*

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## Declaration:

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

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.

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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](http://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](http://www.dudley.gov.uk/localplan), by emailing [planning.policy@dudley.gov.uk](mailto: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??**

<b>Title of document</b>			
<b>Paragraph/section</b>		<b>Policy</b>	
<b>Site</b>		<b>Policy Map</b>	

*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:**

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## **Draft Dudley Local Plan Regulation 18 Consultation**

### **Comments on Behalf of St Modwen Homes**

#### **Part C Continuation Sheets**

#### ***Comments on: Draft Dudley Local Plan Part One, Policy DLP1 – Development Strategy***

##### ***Nature of comment: Objection***

- 1.1 For reasons expressed in detail elsewhere in these representations (principally in relation to Policy DLP10) the delivery of the specified number of houses (10,876) will be insufficient, by some margin, to meet local needs. Again as expressed elsewhere, the approach in the Dudley Local Plan (DLP) to delivering even this insufficient number of dwellings is inadequate. It is considered that the approach in the DLP to meeting an insufficient housing requirement will fail and the practical outcome will be an even lower delivery of housing numbers. The fundamental purposes of a strategic policy of this nature include to ensure that development needs, for housing and other activities, are fully and properly identified and then addressed (NPPF paragraphs 15 and 20). Policy DLP1 does not do this. The Vision of the DLP refers to meeting the needs of communities and providing, “a wide range of housing that will meet people’s needs through their various life stages and is affordable to live in (all tenures).” The Objectives and associated Strategic Priorities refer to meeting identified development needs and meeting the borough’s housing needs. Policy DLP1 – and the wider provisions of the emerging DLP – are inconsistent with delivering this Vision, Objectives and Strategic Priorities.
- 1.2 This is important. It means that the housing needs of local people will not be met. It will have an adverse effect on the affordability of market housing. People who need affordable housing will not be able to find it in Dudley as an absence of housebuilding will mean that affordable homes will not be delivered either through on site provision or Section 106 contributions. Many of those disadvantaged in this way perform roles of particular importance socially and economically and make important contributions to the local area. A failure to provide sufficient housing has consequential negative effects accordingly.
- 1.3 These are straightforward points and matters that are well understood around the country. They underpin the case made throughout these representations that

Dudley should plan to meet its housing need (and with some additional flexibility built in), that it should do so through application of an approach likely to succeed, and that part of that approach needs to involve more allocations, including greenfield and Green Belt sites to ensure that Dudley can meet its housing requirements and experience the economic and social benefits of providing a range of housing within the boundaries of the administrative area. The draft DLP fails, emphatically, to do this.

- 1.4 There is a balance in this with environmental considerations which sometimes compete with delivering growth. It is considered that the DLP, as drafted, gets that balance wrong. If (and wrongly in our view) the strategy as currently set out is persisted with the DLP needs to be honest about the implications of this. It cannot say (part 1 of Policy DLP1) that the growth to be delivered is “based on the needs of local communities” or (part 1d of Policy DLP1) that it “is delivered to meet identified needs”; it is not. It cannot say (supporting text at paragraph 5.7) that it promotes the “right type and amount of development” because it does not. The strategy would not meet needs, there would be consequences to that (as discussed above, and more broadly), and that would have to be made clear in the Plan.
- 1.5 A strategy that focuses on development in the urban area and making use of brownfield sites is appropriate, but the extent to which this is relied upon in the draft DLP is fanciful and greater balance is required if development needs are to be met.
- 1.6 A different strategy to that advanced in recent years by the BCCS is required. The BCCS placed great emphasis on the re-use of brownfield, often previous employment, land to meet development needs, including for housing. However, the demand for such land for employment use has remained robust, and the market has consistently shown a requirement for choice and variety in sites for residential development.
- 1.7 The experience during the BCCS period has shown that whilst making best use of existing brownfield land within the urban area is important, a strategy that focuses too heavily on this, particularly in seeking to meet the need for residential development, will not succeed. Some brownfield sites take many years to deliver as they need remediation and often have complex requirements. Many are employment sites and there is already a shortage of these across the Black Country that will need to be replaced. There needs to be a balance between employment and housing to ensure the Borough does not stagnate economically and socially.

- 1.8 It is important that the DLP strategy recognises and responds to this, rather than simply seeking to continue a historic approach which has only been partly successful. This point is amplified in the context of the pandemic, which changed the ways in which communities live, work and travel, placing more emphasis than ever on the importance of the quality and character of the home environment. This in turn drives a requirement for a flexible approach to housing land provision and securing choice and variety in the supply. It invites a more balanced approach, rather than one that is excessively urban and brownfield focused. An emphasis on brownfield development should remain, but not to the exclusion of all else.
- 1.9 To meet development needs there is a requirement to consider more greenfield sites and assess and review the Green Belt to help identify potential areas of growth in the context of a deficit in the supply of brownfield land within the urban area. Greenfield and Green Belt sites should be allocated to help meet the need. Policy DLP1 should acknowledge and accommodate this, and consequential changes should be made throughout the DLP (e.g., to Table 5.1, Policy DLP2, Policy DLP10, and elsewhere) to reflect it and allow for a contribution to be made by such sites, rather than excluding them entirely.
- 1.10 The transition from the approach in the Black Country Plan to the one now proposed in the DLP suggests that a position whereby no Green Belt release is proposed has been arrived at for political rather than planning reasons. There is scant evidence that proper consideration has been given or judgement exercised from a planning perspective as to whether there might be opportunities within the Green Belt better to meet the Borough's needs. Evidence as to why the full need cannot be met is lacking. This shortcoming is amplified by a lack of any clear evidence at this stage as to the extent to which the Council have, or are likely to, engage with neighbours under the Duty to Cooperate, or how fruitful any such engagement might be.
- 1.11 The experience of Sevenoaks District Council might be noted in this regard. The High Court dismissed a challenge by Sevenoaks District Council of a Planning Inspector's decision that it had failed to comply with the duty to cooperate when preparing the Sevenoaks District Local Plan.
- 1.12 Sevenoaks District Council failed to meet their own housing needs whilst not properly evidencing why they could not and why they had not properly asked their neighbours to do so under the duty to cooperate. After the Regulation 18 stage it was apparent their case was that they could not meet their housing needs and there was no evidence the Council had actively asked their neighbours to make up the

shortfall at the Regulation 18 stage. This only happened well after the Regulation 19 stage. The Inspector simply had an assertion that the adjoining districts could not meet the unmet need but this was found to be too little too late as far as the examination Inspector was concerned. The Council's challenge failed – see *Sevenoaks DC v Secretary of State for Housing Communities and Local Government* [2020] EWHC 3054.

- 1.13 In other words, when Sevenoaks District Council embarked on a similar approach to Dudley in their Local Plan, it was found unsound because of their failure properly to grapple with meeting the need for housing and to demonstrate compliance with the Duty to Cooperate. Sevenoaks are now bringing forward a plan with Green Belt releases to meet their housing needs.



***Comments on: Draft Dudley Local Plan Part One, Policy DLP10 – Delivering Sustainable Housing Growth***

***Nature of comment: Objection***

- 1.14 Overarching concerns are expressed elsewhere in these representations with the way the spatial strategy of the Dudley Local Plan (DLP) is framed, the extent to which at the outset it properly acknowledges the scale and character of development need, the ways it suggests the need can be met, and the requirement to identify additional development land for housing including through Green Belt release.
- 1.15 In addition to these general strategic points there are also more detailed concerns with the specifics of the quantum of need identified, its distribution, and how it will be met. Those matters are discussed here, principally in relation to the housing requirement, but should be understood in the context of the strategic points made separately.
- 1.16 The concerns raised here in reference to Policy DLP10 are far reaching and point to a fundamental failing of the draft DLP to meet the tests of soundness set out in the Framework (paragraph 35).
- 1.17 They consider, first, the quantum and distribution of housing proposed in the draft DLP in principle and then the proposed components of the draft DLP's anticipated supply in more detail. Additional points of concern are raised about the draft DLP's anticipated provision of housing, before a summary is set out.

*Quantum and Distribution of Unmet Housing Need in Dudley over the emerging Local Plan period*

- 1.18 The Framework (paragraph 61) expects strategic policy making authorities to determine the minimum (our emphasis) number of homes needed in strategic policies by following the Standard Method set out in Planning Practice Guidance (PPG) for assessing Local Housing Need. It also states 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.
- 1.19 In this respect, Paragraph 61 points directly to the “positively prepared” test of soundness (in particular) as set out at Paragraph 35 of the Framework. Plans are “positively prepared” if they provide a strategy which “as a minimum (our emphasis),

seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development".

- 1.20 Policy DLP10 of the draft DLP sets out that sufficient land will be provided to deliver at least 10,876 net new homes over the period 2023 – 2041. In its justification to Policy DLP10, at paragraph 8.4, the draft DLP sets out that this will accommodate only 90.98% of current Local Housing Need up to 2041. In other words, the draft DLP acknowledges, at the outset, that it will fail to deliver almost 10% of the minimum number of homes needed in Dudley over the Plan period.
- 1.21 It should immediately be noted, first, that the consultation document contains no housing trajectory and second, that through this and subsequent consultation events it is inevitable that the suitability and deliverability of some or indeed many of the proposed allocations will be questioned. An already weak starting point that fails to account for almost 10% of the requirement is likely to be undermined even further through the consultation process.
- 1.22 Paragraph 8.4 of the DLP continues to say that 96.4% of the anticipated housing supply is on brownfield land with just 3.6% on greenfield land.
- 1.23 Policy DLP10 then says that the key sources of housing land supply are summarised in Table 8.1 with all housing allocations set out in DLP Part Two. It says the majority of the requirement is to be met through sites with existing planning permission and sites allocated for housing by the Plan. Additional housing supply will also be secured on windfall sites in the urban area in Dudley.
- 1.24 Notwithstanding its failure by some margin to meet its identified LHN, the draft DLP does not offer a solution as to how the sizeable shortfall (1,078 homes), or nearly 10% of the homes that are needed in Dudley, as a minimum, over the DLP period, will be made up. For example, the draft DLP makes no case in terms of how likely it is that neighbouring authorities will help meet its acknowledged unmet housing need under the "Duty to Cooperate" (DTC).
- 1.25 The draft DLP sets out, under Policy DLP18 'Economic Growth and Job Creation', that Dudley will deliver 47ha, or 65% of its identified 72ha requirement, of employment land through DTC. In other words, Dudley is asking its neighbouring authorities to deliver most of its employment land requirement. The draft DLP refers to 'ongoing work' to agree the level and location of its exported unmet employment

need, but identifies areas with strong or moderate economic transaction as the other (former) Black Country Authorities (Sandwell, Walsall and Wolverhampton), South Staffs, Birmingham, Wyre Forest, Bromsgrove, Solihull, Tamworth, Lichfield and Cannock Chase.

- 1.26 This raises two fundamental concerns with the draft DLP. One is how does Dudley plan to deliver its acknowledged unmet housing need (of 1,078 homes) over the draft DLP period, if it cannot demonstrate its neighbouring authorities will assist through DTC; and the second is that the draft DLP relies very heavily on brownfield sites, including currently occupied employment sites and sites previously used for employment purposes, to deliver its deficient housing requirement, which flies in the face of its identified (very) significant shortfall of employment land, which Dudley is looking at its neighbours to help deliver. As expressed elsewhere in these representations the delivery of brownfield sites is frequently a lengthy and difficult process, and there is a need to retain employment land sufficiently to ensure the balance between local jobs and housing is achieved. The emerging DLP fails in this regard.
- 1.27 In essence, then, the extent of the reliance placed by the draft DLP on using brownfield land to deliver housing has the effect of expanding a significant exported employment requirement which it is seeking to agree with its neighbours, whilst at the same time not grappling with the need to deal with exported (or imported) housing requirement and, again, in the context of failing by some margin to meet local housing needs. This is not an appropriate basis for the DLP, which needs to be based on evidence, and risks leading to a significant under delivery of housing (and employment) and stagnating communities.
- 1.28 Any attempt that might be made by Dudley to have some of its unmet housing need met by its neighbours through DTC needs to be put into context whereby the West Midlands has struggled unsuccessfully to meet the unmet needs of Birmingham for a number of years, following the adoption of the Birmingham Development Plan (BDP) 2011 to 2031, in January 2017. On adoption, the BDP stated Birmingham had a housing shortfall of circa 37,900 homes that it needed its neighbouring authorities (including Dudley) to deliver. Similarly, in the Black Country, Sandwell has recently published its Regulation 18 draft Local Plan for the period 2022 to 2041, following the collapse of the draft Black Country Plan. Sandwell has acknowledged that it has an identified housing shortfall of 18,606 homes, which it cannot deliver. Another example is Bromsgrove, which the draft DLP says has strong Functional

Economic Market Area (FEMA) links with Dudley, where the adopted Plan (2016) recognises that it has an unmet need of 2,300 homes. More broadly it is noted that Lichfield District Council recently (October 2023) withdrew the local plan that had been submitted for examination in June 2022, further exacerbating the difficulties in accommodating Birmingham's unmet need that the Black Country Authorities are currently failing to grapple with.

- 1.29 As such, many of Dudley's neighbouring authorities which it might need to rely on to deliver its acknowledged shortfall of housing say they are also unable to deliver their own requirement. This might explain why the draft DLP has not suggested it can demonstrate how DTC will deliver its acknowledged unmet housing needs – it is content simply to continue with the wider sub-regional buck passing and collective failure properly to plan for sufficient homes in this area. The reference made elsewhere in these representations to the difficulties experienced by Sevenoaks District Council are also relevant here. The draft DLP needs to identify some solution and cannot simply ignore the 1,078 homes it has not planned for.
- 1.30 Similarly, the draft DLP does not grapple with Dudley meeting any of its neighbouring authorities' unmet needs through DTC, which if required would increase the number of homes Dudley needs to plan for. The collective responsibility in this regard is simply abrogated. Dudley is planning for insufficient housing, other authorities are similarly deficient in this regard, and DTC simply becomes a smokescreen for failure.
- 1.31 To compound this issue, there is also likely to be a very considerable amount of additional unmet need from Birmingham and Wolverhampton because of these cities being subject to the 35% uplift in Local Housing Need that applies to each of the 20 largest urban areas (which include Birmingham, and also Wolverhampton) as now included as part of the Government's Standard Method.
- 1.32 As such, the draft DLP gives rise to some very serious concerns over its inability to meet its minimum identified housing needs over the Plan period, and by some considerable margin. It does not grapple with the scale of unmet housing need it has identified and cannot rely on neighbouring authorities to deliver it. The DLP also fails to consider whether Dudley needs to contribute towards its neighbours' unmet housing needs.
- 1.33 Ultimately, the draft DLP fails to address in any tangible way how the minimum number of homes needed in Dudley over the DLP period can ever be delivered. As

a result it fails to meet any of the tests of soundness set out at Paragraph 35 of the Framework. Unless remedied the emerging Plan risks being found unsound, and failing to be adopted.

- 1.34 By way of context, St Modwen Homes commissioned work to understand the nature and extent of housing needs across the Black Country, and the degree to which that is planned to be met. This is set out in the report included here at Appendix 1. It illustrates further a number of the points made here, including in relation to the widespread failure in the sub-region to plan sufficiently for housing, the extreme shortfall that exists, and the inappropriateness of asserting that requirements can be exported to neighbours without evidence that this would actually be possible.

*Distribution of the draft DLP's Anticipated Housing Supply*

- 1.35 Delving deeper into the draft DLP's key component sources of housing land supply, the very serious concerns raised above from the headline unmet need figure are exacerbated.
- 1.36 Draft Policy DLP10 refers to the key sources of housing land supply being summarised in its Table 8.1. The Policy goes on to say that the majority of the housing requirement, or the deficient 10,876 homes the draft DLP says it can deliver, will be delivered through sites with existing planning permission and sites it allocates for housing within the DLP. However, it also says that additional housing supply will be secured on windfall sites in the urban area of Dudley. It says that the estimated net effect of housing renewal up to 2041 will be reviewed annually and taken into account in the calculation of housing land supply.
- 1.37 Table 8.1 sets out that the draft DLP anticipates over its plan period it will deliver homes from sources including sites under construction, with permission, new allocations, windfalls, additional capacity at Brierley Hill Waterfront and in centres, with an allowance also made for demolitions. As noted above, Paragraph 8.4 of the draft DLP says that 96.4% of the anticipated housing supply is on brownfield land with just 3.6% on greenfield land, albeit noting that this accounts for all housing supply apart from windfall sites.
- 1.38 Detailed concerns highlighting shortcomings in the components of the draft DLP's anticipated supply as offered by DLP10 are set out as follows (numbered i – iv):

*i. Converting Employment Land to Residential Use*

- 1.39 As referred to above, the draft DLP sets out, under Policy DLP18 'Economic Growth and Job Creation', that Dudley will deliver 47ha, or 65% of its identified 72ha requirement, of employment land through the DTC. In other words, Dudley is asking its neighbouring authorities to work with them to help deliver its substantial employment land shortfall, notwithstanding the similar difficulties that apply elsewhere in the sub-region in terms of being able to meet the requirement for employment land.
- 1.40 Whilst the focus of these representations is on the housing land requirement, it is clear that the shortcomings of the draft DLP in meeting development needs are also significant in terms of employment land.
- 1.41 Despite this, the draft DLP sets out that 988 homes (9% of the total anticipated housing supply) are anticipated from occupied employment sites. One implication of this is that local businesses will be displaced and, given the unwillingness of the Council sufficiently to provide for new employment land within the Borough but rather seeking to export the requirement elsewhere, potentially driven out of Dudley. This is unbalanced and unsustainable, and harmful to local people and the local economy.
- 1.42 Added to this, of the remaining 4,312 allocated housing sites in the DLP, these comprise 'identified sites, vacant land and unoccupied employment sites'. This raises a question as to why occupied and unoccupied employment sites, and sites generally suitable for employment uses, are being identified for housing and are being lost for employment use, when Dudley has such a significant shortfall in employment land supply and cannot meet its identified employment needs to the tune of 47 ha of land or 65% of its identified 72 ha requirement.
- 1.43 Moreover, the draft DLP includes a 15% discount of housing supply from allocated sites on occupied employment land in recognition of the 'multiple delivery constraints' typically affecting such sites – raising questions as to whether these sites in the anticipated housing supply are truly viable, suitable or developable for residential use.

*ii. Deliverability of Longstanding Brownfield Sites*

- 1.44 Point i. above highlights the acknowledges constraints to delivery from brownfield sites, and of former and occupied employment sites in particular. The draft DLP's

reliance on delivery from brownfield sites (96.4% of housing sites) in comparison with greenfield sites (3.6% of housing sites) follows a long history of over-reliance on brownfield land in Dudley (and the former Black Country Authorities generally) which has ultimately failed to deliver the homes needed in Dudley, and the wider Black Country, and by some margin. It is right that emphasis is placed on making use of brownfield land, but the extent of the reliance on brownfield land within the draft DLP is not justified given the parallel failure to plan sufficiently for employment land locally and the inevitable challenges to the suitability, deliverability and viability of the sites for housing.

- 1.45 For example, the adopted BCCS sets Dudley a minimum target to deliver 16,127 homes between 2006 and 2026, which equates to 806 dwellings per annum (dpa). However, Table 7 of the adopted BCCS sets out indicative phased net targets of delivery in Dudley of 8,112 homes between 2006 and 2016 (or 811 dpa during this period), 2,670 homes between 2016 and 2021 (or 534 dpa during this period) and 5,345 homes between 2021 and 2026 (or 1,069 dpa during this period).
- 1.46 The Dudley SHLAA 2022/23 sets out that 9,832 homes have been completed in Dudley between 2006/07 and 2022/23 which equates to 615 dpa over the 16 years of the BCCS period to date. This represents a shortfall of 3,064 homes if measured against the annualised average minimum BCCS target of 806dpa, or a shortfall of 2,019 homes if measured against the indicative phased net minimum targets shown in Table 7 of the BCSS. By either measure, the failure to deliver the homes needed in Dudley over the BCCS period to date has been significant.
- 1.47 The Black Country Core Strategy (BCCS) placed great emphasis on the re-use of brownfield, often previous employment, land to meet development needs, including for housing. However, the demand for such land for employment use has remained robust, and the market has consistently shown a requirement for choice and variety in sites for residential development. The experience during the BCCS period has shown that whilst making best use of existing brownfield land within the urban area is important, a strategy that focuses too heavily on this, particularly in seeking to meet the need for residential development, will not succeed. This notwithstanding, it is just such a strategy that the draft DLP seeks to continue. Proper recognition is also not given to the fact that employment activity can also make best use of brownfield land – indeed, employment is often better suited to such sites. The current approach is one which includes proposed residential activity on land in or well suited to employment use, only to decant the employment requirement

elsewhere. That should not be acceptable – more land needs to be allocated within Dudley for residential and employment use.

- 1.48 For example, noting that 2,053 of the 10,876 (or 19%) of the homes identified in the draft DLP are anticipated to come from the Regeneration Corridors, it should be noted that the Regeneration Corridors are longstanding having been identified in the BCCS which was adopted in 2011. There are a number of sites in the Regeneration Corridors which have been expected to deliver homes in the BCCS period to date and are still expected to deliver homes in the DLP period going forward, but which have so far not delivered at the rate anticipated in the BCCS, or in previous SHLAAs, or oftentimes have not delivered any homes at all to date.
- 1.49 Similarly, there are sites in the Brierley Hill Strategic Centre and in Dudley, Stourbridge and Halesowen Town Centres where delivery of homes has been long anticipated, but which have so far not delivered at the rates expected or which have failed to deliver any homes at all. Even the “additional capacity” identified at Brierley Hill Waterfront and from the “Centres Uplift”, which whilst relatively limited in numbers (200 and 138 respectively in Table 8.1), is in addition to delivery of homes already anticipated from allocated sites within these areas – which has not come to bear.
- 1.50 The draft DLP recognises the challenges to delivery at brownfield sites, and occupied employment sites, and applies a 15% lapse rate to delivery from occupied employment sites in recognition of the ‘multiple delivery constraints’ that typically affect such sites, and a 10% lapse rate to delivery from other sites which have not yet started generally, reflective of Dudley’s recent lapse rates.
- 1.51 By contrast, the draft DLP recognises that greenfield sites will generally not be affected by such delivery constraints and are generally subject to less viability constraints, further calling into question the draft DLP’s significant over reliance on delivery from brownfield sites.
- 1.52 It is important that the DLP strategy recognises and responds to this history of challenging delivery, rather than (as it currently does) simply seeking to continue an approach which has been unsuccessful in delivering the homes needed in Dudley, and the wider Black Country, during the adopted BCCS plan period to date.
- 1.53 The DLP must identify more sites if it is going to deliver Dudley’s own identified housing needs, rather than continuing to rely heavily on constrained brownfield sites that have failed to deliver homes needed to date and rather than relying heavily on



neighbouring authorities. This will require more greenfield sites, and include some Green Belt locations.

*iii. Windfall*

- 1.54 The draft DLP's anticipated supply also includes a sizeable windfall allowance of 2,685 homes (or 25% of the total anticipated supply) from sites which are unknown and unplanned.
- 1.55 The supporting October 2023 Dudley Borough Urban Capacity Study justifies this level of windfall allowance on the basis that Dudley borough is a largely urban area and therefore a high proportion of housing development occurs on small infill sites below 0.25 ha. Its Table 2 indicates the number of dwellings built on sites under 0.25 ha per annum over the last 10 years amounts to 1,792, which equates to 179 per annum over the 10 year period, which is applied to the rest of the plan period to give an estimate of future windfall development in Dudley.
- 1.56 Paragraph 71 of the Framework says Local Planning Authorities may make an allowance for windfall sites in their 5 year supply, if they have compelling evidence that such sites will provide a reliable source of supply and any allowance should be realistic having regard to the strategic housing land availability assessment, historic windfall delivery rates and expected future trends.
- 1.57 The DLP's reliance on historic completion rates only suggests that its windfall allowance is not in fact supported by compelling evidence that such sites will continue to provide a reliable source of supply going forward, as required by the Framework (paragraph 71). For example, in the last monitoring year Table 2 shows that just 68 homes were delivered from windfall sites, which is significantly below the allowance assumed in the DLP.
- 1.58 Moreover, windfall sites are by their definition unknown and have not been identified yet. The draft DLP's heavy reliance on windfall sites, to the tune of 25% of its total anticipated supply, represents a significant over reliance on this volatile and unplanned source of housing supply particularly given the ineffectiveness of the BCCS' strategy to date to focus and support development within the Strategic Centres and Urban Areas more generally since its adoption in 2011.
- 1.59 The heavy reliance on windfall further calls into question the ability of the draft DLP to deliver the homes needed in Dudley during the Plan period.

*iv. Demolitions in Dudley Borough*

- 1.60 The total net housing supply identified in Table 8.1 (amounting to the 10,876 net new homes referenced in Policy DLP10) is derived from a gross figure of 11,236 homes and deducting 360 homes from “Estimated Housing Demolitions”.
- 1.61 The Dudley Urban Capacity Review (October 2023) sets out that Dudley’s 10 year housing asset management strategy (2019) identified around 2,500 homes (some 12% of the Council’s stock) that are considered not viable and are red flagged for review for strategic investment, de-investment or demolition. In doing so it acknowledges that this may result in an overall loss in housing capacity but is subject to detailed consultation. It goes on to say that future demolition programmes will be factored into the SHLAA as and when the information becomes available.
- 1.62 The above is reiterated in the 2022/23 SHLAA which also sets out that 323 demolitions were undertaken in the year to March 2022.
- 1.63 As such, the total 360 figure for demolitions anticipated across the entire LDP period is likely to be a very significant underestimate of the number of demolitions required in Dudley over the period 2023 to 2041. If the number of demolitions does increase or reflects more closely the 323 homes demolished per annum over the last year, this would further and perhaps substantially reduce the number of net new homes that could be delivered within Dudley during the LDP period – adding to Dudley’s already acknowledged unmet housing need.
- 1.64 Each of the points highlighted above indicates that those housing sites that are relied upon in Table 8.1 of the draft LDP are unlikely to deliver even the 10,876 net new homes that are anticipated in the draft Plan, such that the true extent of unmet need within Dudley is likely to be significantly greater than the already substantial 1,078 homes (or almost 10% of the homes needed) the Plan suggests. They also highlight that the DLP does not set out how Dudley expects to deliver the acknowledged unmet need, notwithstanding that it is likely to be higher still than the Council acknowledges, and that neighbouring authorities are unlikely to be in a position to help deliver Dudley’s unmet housing needs through DTC. Moreover, Dudley’s ability to contribute towards its neighbours’ own unmet needs through DTC is also not considered.
- 1.65 Each of these fundamental concerns indicates that the draft DLP needs to identify significantly more sites to deliver the homes needed in Dudley, and this will require

additional greenfield, and Green Belt release, sites if Dudley's identified housing needs are going to be met.

#### *Affordable Housing*

- 1.66 Added to the points made above around the inability of the draft DLP to deliver the homes generally needed in Dudley (as set out in draft Policy DLP10), draft Policy DLP12 highlights Dudley's worsening housing affordability. It refers to the need for affordable homes in Dudley, as identified in the BCP SHMA 2021, amounting to 32.7% of all homes needed in Dudley - but highlights DLP12's sliding scale of requiring between 10% and 30% affordable housing from qualifying sites. This suggests the 32.7% affordable homes needed in Dudley are not going to be delivered, and likely by some margin.
- 1.67 Moreover, whilst suggesting that Policy DLP12's sliding scale of affordable housing provision should reduce the need for viability appraisals to demonstrate why lower levels of affordable housing provision might need to be provided on specific sites, the draft Policy nonetheless recognises that there will be a need to assess viability on a site-by-site basis where required, and that a flexible approach is needed wherever possible, to allow for changing market conditions. In short, this provides another strong indication that Dudley's affordable housing need will not be met.
- 1.68 Dudley's worsening affordability, and inability to deliver the affordable homes needed, provides another indicator to justify increasing the draft DLP's planned housing supply further beyond the level it has identified through Policy DLP10 – in order to deliver the affordable homes that are needed in Dudley over the DLP period.

#### *Trajectory*

- 1.69 Added to the concerns around distribution, and deliverability, of the DLP's anticipated supply raised above, the Housing Trajectory set out in the 2022/23 SHLAA indicates that 10,876 homes will be delivered over the DLP period (2023/24 to 2040/41). In other words there is no contingency at all in the housing supply identified in the draft DLP – and this notwithstanding the DLP only identifies 10,876 homes which will result in an unmet need of 1,078 (or almost 10% of the homes that are needed in Dudley over the DLP period will not be delivered).
- 1.70 As referenced above, draft DLP paragraph 8.6 sets out that together, the 10% and 15% discounts applied to anticipated delivery from sites that have not started

(generally) and occupied employment sites respectively provide sufficient flexibility in the housing land supply to meet any unforeseen circumstances.

- 1.71 However, paragraph 8.6 sets out that the 15% discount applied to occupied employment sites has been used to take account of the multiple delivery constraints that typically affect such sites and that are likely to reduce delivery on a minority of sites. It goes on to say that delivery constraints include poor ground conditions and the need for large scale masterplanning, land assembly, business relocations and residential service access improvements. With the exception of business relocations, these constraints would apply to all employment sites and take a considerable period to resolve so affecting the timeliness of delivery, not just those that are occupied, and indeed to most brownfield sites – noting the DLP sites comprise 96.4% brownfield sites. In which case, a 15% discount should apply to all brownfield sources of the DLP's supply – which would further reduce the DLP's supply below the already deficient 10,876 homes it identifies.
- 1.72 In any event, paragraph 8.6 sets out that the supply from sites with planning permission but not yet under construction has been discounted by 10% in accordance with historic lapse rates. In other words, the 10% discount is applied on the basis of the rate of delivery that has actually happened in Dudley from these sites. It should be recognised that this rate reflects the number of planning permissions that have lapsed in Dudley. Applying a 10% lapse should therefore be considered the minimum necessary given the vast majority of sites to which this rate is applied do not yet have planning permission and whose constraints are not yet fully known.
- 1.73 Ultimately, whilst there is no 'rule' for how much flexibility, or contingency, should be built into a strategic development plan to ensure delivery of a housing requirement, many experts, including the HBF, often advocate a 20% buffer. The lack of any buffer at all in the DLP is considered particularly deficient given the reliance on sites that are unlikely to deliver the housing suggested in Table 8.1 and where Table 8.1 fails to identify enough sites to deliver Dudley's identified minimum housing need anyway. The lack of flexibility to deliver the 10,876 homes identified in Table 8.1 further necessitates additional housing sites being identified in Dudley through the DLP to provide sufficient flexibility to meet any unforeseen circumstances over the course of its Plan period. This should include greenfield sites and will necessitate some Green Belt release.

1.74 This is of course in the context that the DLP fails to plan for enough homes to deliver its Local Housing Need anyway, and by a significant margin, and where it continues to follow the same over-reliance on brownfield sites set out in the BCCS that has so far failed to deliver the homes needed in Dudley since 2006.

*Green Belt Release - Strategy*

1.75 Dudley is predominantly urban in character, but also contains extensive green space, with 18% of its land area belonging to Green Belt.

1.76 The draft DLP sets out at paragraph 13.3 that the “Plan is not proposing to review any of the borough's Green Belt boundaries or allocate any development sites or proposals within the Green Belt in accordance with the preferred spatial strategy.”

1.77 As highlighted elsewhere in these representations the sites in Table 8.1, which make up the draft DLP's identified housing sites, include just 3.6% greenfield sites and have an over reliance on brownfield sites.

1.78 The DLP must identify more greenfield sites if it is going to deliver Dudley's own identified housing needs, rather than continuing to rely heavily on constrained brownfield sites that have failed to deliver the homes needed to date and rather than relying heavily on neighbouring authorities to deliver its identified needs when they are similarly constrained – including by Green Belt release.

1.79 Given 18% of Dudley is Green Belt, this will necessitate some Green Belt release.

1.80 Dudley has acknowledged that its minimum identified housing needs cannot be met if it continues to rely almost entirely on brownfield land within the urban areas. The scale of this deficiency, either on face value in the draft DLP or properly taking into account the factors discussed here which serve to exacerbate it, contributes to the exceptional circumstances required to alter the Green Belt in accordance with Framework (Paragraph 140). Previously, as part of the now defunct Black Country Plan process the Black Country Authorities, including Dudley, acknowledged that Green Belt release would be essential in order to deliver housing growth in accordance with national planning policy. That remains the case, and must be recognised by the DLP.

1.81 Paragraph 140 of the Framework goes on to say that “Strategic policies should establish the need for any changes to Green Belt boundaries, having regard to their intended permanence in the long term, so they can endure beyond the plan period.” As discussed elsewhere in these representations, at this (Regulation 18) stage the

Council have failed to grapple with this and the exceptional circumstances that might exist to support a change, or to formulate a realistic alternative to meet development needs.

- 1.82 With this in mind, it is important to consider that a Green Belt Review is generally regarded as a “once in a generation” occurrence whereby Green Belt boundaries should endure well beyond the Plan period. Draft Policy DLP10 acknowledges that the DLP does not identify enough sites to meet its identified LHN and in doing so acknowledges that brownfield land is constrained, but nonetheless identifies just 3.6% of its anticipated supply from greenfield land.
- 1.83 In the context of the comments set out above highlighting the inability of the DLP to meet a significant proportion of its requirement within Dudley’s own area, and in terms of the extent to which it has been shown that even the current limited level of provision to be made within Dudley has been overstated, there is a clear justification for identifying sites in the Green Belt for release.
- 1.84 Similarly, the inability of Dudley’s neighbouring authorities to deliver the homes needed by them (and their neighbouring authorities), is compounded where those neighbouring authorities would have to release sites from their own Green Belts.
- 1.85 As discussed above, the inability of Dudley to meet its minimum housing needs is a recurrent strategic planning issue in the Borough and sub-regionally, which requires significant and bold intervention.
- 1.86 With brownfield opportunities becoming exhausted, and in any event failing to deliver, the DLP must identify greenfield and Green Belt release sites within Dudley to meet Dudley’s own housing needs during the DLP period, and beyond.

#### *Summary*

- 1.87 As drafted the DLP raises some very serious concerns over its inability to meet Dudley’s minimum housing needs over the Plan period, and by some considerable margin. It simply does not fully grapple with the scale of unmet need it has identified. In doing so it fails to address in any tangible way how the homes needed in Dudley during the DLP period can ever be delivered and fails to meet the tests of soundness set out in the Framework.
- 1.88 This fundamental concern is exacerbated where those sites that are relied upon in the draft DLP, as set out in its Table 8.1, are unlikely to deliver even the 10,876 net new homes it anticipates over the Plan period, such that the true extent of unmet

- need within Dudley is likely to be significantly greater than the already substantial 1,078 homes it acknowledges.
- 1.89 It is exacerbated further still where Dudley’s neighbouring authorities lack suitable growth locations to meet their own needs, or Dudley’s unmet needs, and are in any event constrained heavily by their own Green Belts, such that they would need to release sites within their own Green Belts to meet Dudley’s unmet needs.
- 1.90 There is also a distinct lack of flexibility to deliver the 10,876 homes identified in Table 8.1 of the draft DLP. This also necessitates identifying additional housing sites to provide flexibility in Dudley’s housing supply over the DLP period.
- 1.91 With this in mind, it is important to consider that a Green Belt review is a “once in a generation” occurrence and Green Belt boundaries should endure well beyond the Plan period. Despite this, and the inability of the heavily brownfield centric strategy to meet Dudley’s minimum housing needs being a recurrent strategic planning issue, which requires significant bold intervention, Green Belt release sites are not being considered at all through the draft DLP.
- 1.92 With brownfield opportunities becoming exhausted, and in any event failing to deliver, the DLP must identify Green Belt release sites to help meet its minimum housing (and employment) needs during its planned period, and beyond, and to avoid the need for another Green Belt review in the near future.
- 1.93 The concerns raised above in reference specifically to Policy DLP10 are far reaching and point to a fundamental failing of the draft Plan to meet the tests of soundness set out in the Framework.
- 1.94 In terms of a remedy for these shortcomings, at a basic level, Policy DLP10 requires amendment to identify significantly more deliverable and developable housing sites and to achieve that Green Belt release sites must be identified.
- 1.95 However, and crucially, the draft Plan fails to address in any tangible way how the minimum number of homes needed in Dudley during the DLP period can ever be delivered, and this exacerbates the very serious shortcomings within Dudley and the Black Country generally. This is a recurring strategic planning issue and requires significant bold intervention including a step-change in approach to avoid the new homes that are needed in Dudley being unprovided over the DLP period.
- 1.96 This is a fundamental point. The DLP must do everything possible to meet as much of its minimum requirement as possible within Dudley. It must also demonstrate

convincingly how it will ensure any remaining requirement will be taken up. As drafted, it fails resoundingly on both counts.



**Comments on: Draft Dudley Local Plan Part One, Policy DLP49 – Green Belt**

**Nature of comment: Objection**

- 1.97 Concerns are expressed elsewhere in these representations with the way the spatial strategy (Policy DLP1) of the Dudley Local Plan (DLP) is framed, the extent to which at the outset it properly acknowledges the scale and character of development need, the ways it suggests the need can be met, and the requirement to identify additional development land for housing including through Green Belt release. At this (Regulation 18) stage the Council have failed to grapple with this and the exceptional circumstances that might exist to support a change, or to formulate a realistic alternative to meet development needs. Those concerns are expanded in some detail in terms of policy around housing delivery (Policy DLP10), again making the point that additional development land is needed including through Green Belt release.
- 1.98 Those concerns have consequential effects throughout the DLP which should be accommodated. Those effects are notable in relation to Policy DLP49. The Green Belt should be assessed and reviewed such that the most suitable sites for development can be identified and allocated, and development needs can be met, in circumstances where the current excessive focus on urban cramming is inadequate and will not succeed. This should be reflected in an amended Policy DLP49 and supporting text.

**Comments on: Draft Dudley Local Plan Part One, Policy DLP32 – Nature Recovery Network and Biodiversity Net Gain**

**Nature of comment: Objection**

- 1.99 It is helpful that Policy DLP32 acknowledges (part 1a) that development is permissible in the Local Nature Recovery Network (LNRN) including in circumstances where it will deliver benefits appropriate to the zone in which it is located. However, the phrasing of the draft policy is somewhat confusing in circumstances where part 1 refers to all development, and part 1a refers to the location of the development within the LNRN, but not all development will be within the LNRN. This might be remedied by adding the words, “if located within the Local Nature Recovery Network” to the beginning of part 1a of the policy.
- 1.100 Part 5a of the policy should allow for BNG to be delivered through measures outside Dudley where this is most appropriate. This might include, for example, schemes at or close to the edge of the borough boundary where more important gains can be made through interventions in the neighbouring authority. Part 8 of the policy allows for the potential for measures to be local to the development site – there will be circumstances where this best and most appropriately means land in a neighbouring authority, and that should be supported by the policy.

## **APPENDIX 1**

# **Establishing the Housing Needs and Supply of the Black Country**

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St Modwen

21 December 2023

**LICHFIELDS**

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# Contents

<b>1.0</b>	<b>Introduction</b>	<b>1</b>
	Structure	1
<b>2.0</b>	<b>Planning Policy and Guidance</b>	<b>3</b>
	National Planning Policy Framework	3
	Planning Practice Guidance	4
<b>3.0</b>	<b>The Existing Evidence Base</b>	<b>6</b>
	Black Country Plan Review	6
	The Black Country Housing Market Assessment (March 2021)	7
	Black Country Economic Development Needs Assessment (EDNA) Update (August 2021)	9
<b>4.0</b>	<b>Lichfields' Assessment of the Black Country Authority's Housing Needs</b>	<b>10</b>
	The Black Country's Minimum Annual Housing Needs	11
	Summary	14
<b>5.0</b>	<b>Uplifts to the minimum Standard Method</b>	<b>16</b>
	1. Meeting Affordable Housing Needs	16
	2. Providing a sufficient workforce to support economic growth	30
	Summary	32
<b>6.0</b>	<b>The Black Country's Housing Land Supply and Need for Green Belt Release</b>	<b>34</b>
	The Previous Land Supply Position	36
	An up-to-date Land Supply Position	37
	The Need for Green Belt Release	40
<b>7.0</b>	<b>Conclusion</b>	<b>43</b>

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# Appendices

## Appendix 1 Housing Market Trends

## 1.0 Introduction

1.1 This Report has been prepared by Lichfields, on behalf of St Modwen Homes, in respect of their land interests within the Black Country area, and their ongoing promotion of two sites within Dudley and Walsall through the emerging individual Local Plan processes.

1.2 It is noted that the Black Country Authorities [BCAs]<sup>1</sup> were jointly preparing the Black Country Plan Review [BCPR], which proposed to cover the 2018 to 2039 period. Amongst other things, the draft BCPR set out how much new housing was needed in the Black Country and how much could be provided in sustainable locations, where will it go and what land was required to be released from the Green Belt. As a part of this work, the BCAs identified a housing need of 76,076 dwellings over the plan period. Despite the proposed release of land from the Green Belt alongside other land supply sources, the BCAs identified a housing shortfall in the order of 28,239 dwellings up to 2039 across the Black Country.

1.3 The last formal public consultation undertaken was on the draft BCPR (Regulation 18) between August to October 2021. However, in October 2022, following Dudley's withdrawal from the BCPR, each of the BCAs agreed to prepare individual Local Plans for the four BCAs. Consequently, both Dudley and Sandwell are now consulting on draft Local Plan Reviews until late-December 2023 and both Dudley and Wolverhampton have committed to promoting a brownfield-first approach to addressing their housing needs.

1.4 As such, the purpose of this Report is to define the scale of each of BCA's housing needs in isolation, and across the whole of the Black Country area, based on the National Planning Policy Frameworks (2023) [NPPF] Standard Method for calculating local housing needs [LHN]. It also considers whether the minimum LHN figures are sufficient to address the housing needs of each of the BCAs, or other uplifts to assist each BCA in addressing affordable housing needs or ensuring that there is a sufficient workforce to align with economic growth forecasts. Drawing on the latest land supply evidence, the Report also establishes how much of each of the BCA's needs can be accommodated within their own boundaries when having regard to the likely deliverability of land supply, and how much realistically needs to be delivered on Green Belt sites.

1.5 Importantly, this Report has been prepared in support of St Modwen's representations to Walsall and Dudley's respective Local Plan Review consultations.

## Structure

1.6 The structure of this Report is as follows:

- Section 2 sets out the relevant national planning policy and guidance;
- Section 3 sets out the existing housing needs evidence base prepared by the BCAs in support of the former BCPR, which is now being utilised to support each of the BCA's individual Local Plan Reviews;
- Section 4 assesses the housing need for the BCAs based on the 2014-based household projections and the Standard Method; and

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<sup>1</sup> Comprising Dudley, Sandwell, Walsall and Wolverhampton



- Section 5 considers whether each of the BCA's minimum LHN is appropriate, or whether it would be appropriate for a higher figure to be utilised for the purposes of plan-making on the basis of employment and/or affordable housing needs;
- Section 6 reviews the BCA's latest land supply evidence to determine whether the available land within each of the BCAs is sufficient to address their respective housing needs. It also reviews the implications of taking a brownfield first approach, such as the amount of unmet housing needs arising as a result, and how much Green Belt land would need to be released to sustainably address as much as housing needs as is possible; and
- Section 7 provides a summary and set of conclusions arising from this Report.

## 2.0 Planning Policy and Guidance

### National Planning Policy Framework

- 2.1 The revised NPPF was updated on 19 December 2023 and sets out the Government’s planning policies for England and how these are expected to be applied. This revised Framework replaces the previous National Planning Policy Framework published in March 2012, revised in July 2018 and updated in February 2019, July 2021, and September 2023.
- 2.2 The NPPF is clear that:
- “Strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas” (paragraph 11b) (Emphasis added)*
- 2.3 It goes on to state that:
- “The preparation and review of all policies should be underpinned by relevant and up-to-date evidence. This should be adequate and proportionate, focused tightly on supporting and justifying the policies concerned, and take into account relevant market signals.” (paragraph 31) (Emphasis added)*
- 2.4 It is also clear that Local Plans should provide:
- “a strategy which, as a minimum, seeks to meet the area’s objectively assessed needs21;” (paragraph 35a) (Emphasis added)*
- 2.5 In terms of housing needs, the NPPF is clear that the Government’s objective is to significantly boost the supply of homes (Para 60). It goes on to state that:
- “To support the Government’s objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay. The overall aim should be to meet as much of an area’s identified housing need as possible, including with an appropriate mix of housing types for the local community.” (Emphasis added)*
- 2.6 Paragraph 61 states that:
- “To determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance. The outcome of the standard method is an advisory starting-point for establishing a housing requirement for the area (see paragraph 67 below). There may be exceptional circumstances, including relating to the particular demographic characteristics of an area25 which justify an alternative approach to assessing housing need; in which case the alternative approach should also reflect current and future demographic trends and market signals. 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 for26.” (Emphasis added)*

Footnote 27 advises that:

*“In doing so, strategic policies should promote an effective use of land and optimise site densities in accordance with chapter 11. This is to ensure that homes are built in the right places, to prioritise brownfield and other under-utilised urban sites, to utilise existing infrastructure, and to allow people to live near the services they rely on, making travel patterns more sustainable.”*

2.7 Paragraph 67 also highlights 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, for example, it includes provision for neighbouring areas, or reflects growth ambitions linked to economic development or infrastructure investment.”*

## Planning Practice Guidance

2.8 The PPG provides further guidance on the Standard Method, which provides an annual number, based on a 10-year baseline, which can be applied to the whole plan period.<sup>2</sup> It states that it uses a formula to identify the minimum number of homes expected to be planned for, in a way which addresses projected household growth and historic under-supply.<sup>3</sup>

2.9 It goes on to provide guidance on how the minimum annual local housing need [LHN] figure is calculated using the Standard Method, which comprises the baseline 2014 household projections, the application of a median affordability-based adjustment, a cap to help ensure that the minimum LHN figure calculated using the standard method is deliverable, and a 35% urban centres uplift (where applicable).<sup>4</sup>

2.10 Importantly, the PPG is clear that for the purposes of calculating the LHN, the 2014-based household projections should be utilised as the baseline household projections, instead of more recent datasets *“to provide stability for planning authorities and communities, ensure that historic under-delivery and declining affordability are reflected, and to be consistent with the Government’s objective of significantly boosting the supply of homes.”*<sup>5</sup>

2.11 In respect of the affordability adjustment, the PPG states that this is applied to ensure that the standard method responds to price signals and that the minimum LHN figure starts to address the affordability of homes.<sup>6</sup> In terms of the cap, the PPG highlights that:

*“The cap reduces the minimum number generated by the standard method, but does not reduce housing need itself. Therefore strategic policies adopted with a cap applied may require an early review and updating to ensure that any housing need above the capped level is planned for as soon as is reasonably possible.*

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<sup>2</sup> PPG ID: 2a-012

<sup>3</sup> PPG ID: 2a-002

<sup>4</sup> PPG ID: 2a-004

<sup>5</sup> PPG ID: 2a-005

<sup>6</sup> PPG ID: 2a-006

*Where the minimum annual local housing need figure is subject to a cap, consideration can still be given to whether a higher level of need could realistically be delivered. This may help prevent authorities from having to undertake an early review of the relevant policies.”<sup>7</sup>*

2.12 Following the consultations received in relation to the Government’s proposed changes to the standard method, as a part of the ‘Changes to the current planning system’ consultation, in December 2020 the Government revised the standard method. The PPG<sup>8</sup> was revised to include a further stage within the standard method which applies a 35% uplift for those urban local authorities in the top 20 cities and urban centres list.

2.13 Crucially, the PPG is clear that the LHN figure generated by the standard method is a minimum starting point (i.e., actual housing needs may be higher than this figure).<sup>9</sup> Moreover, elsewhere in the guidance, the PPG differentiates between the minimum figure arrived at through the standard method and the ‘actual’ housing need which can be higher. The PPG goes on to state that it would be appropriate for a higher figure to be adopted on the basis of employment, infrastructure, affordable housing or unmet housing needs.<sup>10</sup>

2.14 However, the PPG is also clear that an alternative approach to the Standard Method can be taken in ‘exceptional circumstances’, stating that:

*“If it is felt that circumstances warrant an alternative approach... authorities can expect this to be scrutinised more closely at examination. There is an expectation that the standard method will be used and that any other method will be used only in exceptional circumstances.”<sup>11</sup> (Emphasis added)*

2.15 And goes on to state:

*“Where an alternative approach results in a lower housing need figure than that identified using the standard method, the strategic policy-making authority will need to demonstrate, using robust evidence, that the figure is based on realistic assumptions of demographic growth and that there are exceptional local circumstances that justify deviating from the standard method. This will be tested at examination.*

*Any method which relies on using household projections more recently published than the 2014-based household projections will not be considered to be following the standard method as set out in paragraph 60 of the National Planning Policy Framework. As explained above, it is not considered that these projections provide an appropriate basis for use in the standard method.”<sup>12</sup> (Emphasis added)*

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<sup>7</sup> PPG ID: 2a-007

<sup>8</sup> PPG ID: 2a-004

<sup>9</sup> PPG ID: 2a-002

<sup>10</sup> PPG ID: 2a-010

<sup>11</sup> PPG ID: 2a-003

<sup>12</sup> PPG ID: 2a-015

### 3.0 The Existing Evidence Base

3.1 The BCA’s draft BCPR was quite advanced prior to its cancellation. As a result of this, there was a suite of housing and employment needs and supply evidence prepared in support of the BCPR, which remains relevant when considering the future housing needs and supply of each of the BCAs.

#### Black Country Plan Review

3.2 Draft Policy CSP1 proposed a housing target for the Black Country of 47,837 new homes over the period 2020-39. The proposed supporting text noted that the proposed housing requirement, when compared to the local housing need figure [LHN] generated by the Standard Method of 76,076 homes – or 4,004 dwellings per annum [dpa] – for the whole Black Country area, resulted in a shortfall of 28,239 homes (Para 3.21) to be addressed by the Greater Birmingham and Black Country Housing Market Area [GBBCHMA] local planning authorities [LPAs]. This equated to only addressing 63% of the then LHN figure for the Black Country up to 2039.

3.3 The draft BCPR did not provide a sub-housing market area breakdown of the above-mentioned Black Country-wide LHN figure, nor indicate how this was calculated – indeed, it does not align with the LHN figures set out in the Black Country Housing Market Assessment [BC HMA] (i.e., 4,019 dpa). Nevertheless, on the basis that they were unable to meet their housing needs in full, Table 4 of the draft BCPR set out the policy-on housing requirements for each of the BCAs over the plan period, which is shown below in Table 3.1:

Table 3.1 Total and Annual Housing Requirements for the BCAs

Authority	Total Housing Req. (2020-2039)	Annual Housing Req.
Dudley	13,235	696
Sandwell	9,158	482
Walsall	13,344	702
Wolverhampton	12,100	637
<b>Black Country</b>	<b>47,837</b>	<b>2,517</b>

Source: Table 4 of the draft BCPR

3.4 However, draft Policy HOU1 (Delivering Sustainable Housing Growth) proposed a phased housing requirement, which comprised three phases, covering five years (2020-2029), ten years (2029-2034), and 15 years (2034-2039) from the year of adoption (i.e., 2024). This was to align the housing requirement with the housing trajectory set out in Appendix 17. As a result, the phased housing requirements were also set out in Table of the Draft BCR, which are shown below in Table 3.2:

Table 3.2 Total and Annual Housing Requirements for the BCAs

Authority	2020-2029	2029-2034	2034-2039
Dudley	6,264	3,480	3,480
Sandwell	4,338	2,410	2,410
Walsall	6,318	3,510	3,510
Wolverhampton	5,730	3,185	3,185
<b>Black Country</b>	<b>22,650</b>	<b>12,585</b>	<b>12,585</b>

Source: Table 4 of the draft BCPR

3.5 The draft BCPR also set out a spatial strategy for addressing their housing requirements, which included proposed site allocations and Green Belt release, with the housing land supply identifying the below components of housing land supply up to 2039 for each of the BCAs:

Table 3.3 draft BCPR housing land supply components

Supply		Dudley	Sandwell	Walsall	Wolverhampton	Total
Existing supply as of April 2020	A: Sites Under Construction	978	624	1,255	2,401	5,258
	B: Sites with Permission or Prior Approval	1,867	2,577	1,105	1,831	7,380
	C: Sites with Other Commitments (2020 SHLAAs)	833	102	2,691	176	3,802
	D: Existing Housing Allocations in Strategic Centres	2,506	201	18	2,248	4,973
New Supply	E: Employment Land Release	732	1,882	0	477	3,091
	F: Other Sources	2,739	2,013	1,402	767	6,921
	G: Windfalls	2,816	1,728	1,455	2,464	8,463
	H: Additional Sites in Strategic Centres	350	200	0	750	1,300
	I: Green Belt Release (BCP July 2021)	1,117	171	5,418	1,014	7,720
	J: Green Belt Release (BCP Walsall-Only Sep 2022)	0	0	820	0	820
Loss		-703	-340	0	-28	-1,071
<b>Total (w/ Green Belt Release)</b>		<b>13,235</b>	<b>9,158</b>	<b>14,164</b>	<b>12,100</b>	<b>48,657</b>

Source: Lichfields analysis based on Tables 3 and 4 of the draft BCPR

## The Black Country Housing Market Assessment (March 2021)

3.6 The BC HMA, prepared by HDH Planning & Development, was prepared on behalf of the BCAs to provide a robust and up-to-date evidence base that enables an understanding of

each of the housing market area’s current and future housing needs through to the end of the new Local Plan period (2039).

3.7 The BC HMA utilises the Standard Method to calculate each of the BCA’s LHN figures, and the Black Country as a whole. The BC HMA’s calculation utilises the 2014-based household projections, and the 2019 median affordability ratios, and applies the 35% Urban Centres uplift to Wolverhampton. The BC HMA concluded on the LHN figures for the BCAs set out below in Table 3.4.

Table 3.4 Black Country LHNs

Authority	LHN
Dudley	636
Sandwell	1,488
Walsall	882
Wolverhampton	1,013
<b>Black Country</b>	<b>4,019</b>

Source: BC HMA

3.8 The BC HMA also assessed the affordable housing needs of the BCAs. The methodology for this is set out in Appendix 5 of the BC HMA and draws on the 2018-based population projections, rather than the 2014-based utilised in the Standard Method. The BC HMA then adjusted the baseline projections to align with the LHN figures, based on:

- *The Standard Method makes it clear that the uplift in housing it is trying to achieve is partly to reverse the falling level of household formation that have been recorded amongst younger people. The first step is therefore to progressively increase the household formation for all age groups under 45 until it reaches the rate recorded in 2001.*
- *Once these household formation rates have increased to 2001 levels, any additional homes required by the local housing need will be filled by additional people moving into the area from the rest of the UK. These additional in-migrants will have the same age and gender profile as those that have moved into the area recently from the rest of the UK.*
- *The age and gender profile of this adjusted population (increased household formation and increased in-migrants) will be aged-on and have the same propensity to have children, move away from the area and die as other residents of each Borough of the same gender and age. In this way it will be possible to estimate how the additional population (above that suggested by the latest population projections) is likely to develop over time.*

3.9 Consequently, it concluded on the below affordable housing needs for each of the BCAs:

Table 3.5 Affordable Housing Needs as % of the overall minimum LHN figures

	Affordable Housing Need (BC SHMA)
Dudley	137
Sandwell	343
Walsall	154
Wolverhampton	234
<b>Black Country</b>	<b>868</b>

Source: Lichfields analysis based on Table 6.1 BC HMA

- 3.10 The BC HMA concluded that the total annual affordable housing need in the Black Country represents 21.6% (867 per year) of the annual dwelling growth required by the Standard Method for the Black Country as a whole (Para 8.7). It also noted that it *“would be reasonable to expect this proportion of new housing as affordable to be delivered on a large housing site in the Black Country, where a figure of 25% would be plausible (subject to viability). The Councils can therefore be confident that the affordable housing need identified in the model will be addressed by the dwelling growth identified by the Standard Method and no adjustment is required to this figure”* (Para 8.7). It did not consider whether the household growth arising from the LHN figures for the BCAs aligned with the forecast workforce arising from the projected employment growth.

## Black Country Economic Development Needs Assessment (EDNA) Update (August 2021)

- 3.1 The Black Country Economic Development Needs Assessment [EDNA] was published in 2017. An update to the EDNA was released in 2021 which establishes the employment land needs of the Black Country to 2039 taking account of changes in the use of employment space because of the Covid-19 pandemic.

- 3.2 The EDNA update explores future demand based on two scenarios, the first of which assumes the economy returns to pre-pandemic levels of growth and the second which assumes that following a decrease in GVA/employment in 2020/21 local economies move on an accelerated trajectory back to where they would have been by 2039. These are compared against past completions. Overall, the EDNA update finds that:

*“Taking all these issues into consideration, it would be both realistic and ambitious for the Black Country Plan to seek to provide for a land requirement based on a minimum of the high past trends’ scenario (502 ha) and up to the medium GVA-based scenario (522 Ha) over the period to 2039. This range would equate to 26.4-27.5 ha per annum. The high GVA-based scenario (806 ha) would equate to 42.4 ha per annum and this would be 160% above the highest past completion trends.”* [paragraph 2.21]



## 4.0 Lichfields' Assessment of the Black Country Authority's Housing Needs

- 4.1 The PPG is clear that an LPA's LHN figure should be kept under review and revised where appropriate,<sup>13</sup> and that a Standard Method calculation can be relied upon from 2 years of the time when a plan is submitted for examination.<sup>14</sup>
- 4.2 Whilst the BCA's existing evidence base sets out LHN figures for the BCAs and given that some of the BCAs have suggested that they will continue to use some of the work carried out previously, given the passage of time since the BC HMA and draft BCPR were published, there is a critical need to re-calculate each of the BCAs LHN figures. Indeed, Dudley's Draft Local Plan consultation document – although not explicitly stated – refers to a housing need of 11,790 dwellings over the 2023 to 2041 period, which reflects the latest LHN calculation for Dudley. However, the other BCAs are yet to reconsider their LHN figures.
- 4.3 As set out above in Section 2.0, the NPPF is clear that the Government's objective is to significantly boost the supply of homes (Para 60) and that LPAs should utilise the Standard Method to determine the minimum number of homes needed (Para 61), unless exceptional circumstances justify departing from it. When calculating an authority's LHN figure using the Standard Method, the PPG requires the use of the 2014-based household projections. However, the PPG states that the use of the Standard Method is not 'mandatory' and is clear that an 'alternative approach' based on 'realistic assumptions of demographic growth' can be used in 'exceptional circumstances'.<sup>15</sup> It, however, does not specify what would constitute an 'exceptional circumstance'.
- 4.4 Whilst the above is noted, it is considered that there are no demonstrable reasons that could, or should, constitute the exceptional circumstances necessary to defer away from the Standard Method for calculating the BCAs LHN figures. Indeed, the BCAs have previously taken this view through the preparation of the BCPR, which sought to utilise the Standard Method, and did not seek to justify 'exceptional circumstances', nor calculate a locally derived objectively assessed housing need [OAHN] figure.
- 4.5 In addition, to ensure a sound approach, which aligns with the guidance in the PPG, the individual LHN figures should be applied to the whole emerging plan period.<sup>16</sup> The PPG<sup>17</sup> is also clear that the current year should be taken as the start of the 10-year period upon which to calculate the standard method figure.
- 4.6 Therefore, it is considered that it would be entirely sensible and reasonable to continue to work within the framework of the Standard Method with a base date of 2023. On this basis, an up-to-date assessment of the LHN figures, based on the Standard Method, for the BCAs is set out below which can be applied to each of the BCA's emerging plan periods.

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<sup>13</sup> PPG ID: 2a-008

<sup>14</sup> PPG ID: 2a-008

<sup>15</sup> PPG ID: 2a-015

<sup>16</sup> PPG ID 2a-012

## The Black Country’s Minimum Annual Housing Needs

4.7 When using the Standard Method calculation as set out in the PPG, the four-step analysis below considers the level of annual LHN for each of the BCAs:

### Step One: Setting the Baseline

4.8 The PPG is clear that the Standard Method calculation should utilise the 2014-based household projections,<sup>17</sup> and does not allow for later population/household projections to be utilised – this is to ensure a notional need and demand of 300,000 homes is reflected as an output of the Standard Method across the Country. The PPG<sup>17</sup> is also clear that the current year should be taken as the start of the 10-year period upon which to calculate the baseline annual average household growth. As such, the 10-year household growth period should cover the 2023 to 2033 period.

4.9 Utilising the 2014-based household projections over the 2023-2033 ten-year period, the baseline household growth, and baseline annual average household projection, of each of the BCAs are shown below in Table 4.1. The table below indicates that Sandwell is expected to see the greatest level of baseline annual average household growth over the ten-year period, equating to 1,334 households per annum. Conversely, Dudley is expected to see the least annual average household growth over the same period when compared to the other BCAs (i.e., only 560 households per annum). Nevertheless, the baseline annual average household growth is 560 households per annum in Dudley, 1,334 in Sandwell, 791 in Walsall and 709 in Wolverhampton.

Table 4.1 2023-2033 Household Projections and Change

	2023	2033	10-Year Change	Average Annual Change
Dudley	135,840	141,444	5,604	560
Sandwell	136,759	150,097	13,338	1,334
Walsall	117,423	125,328	7,905	791
Wolverhampton	109,973	117,061	7,088	709
<b>Black Country</b>	<b>499,995</b>	<b>533,930</b>	<b>33,935</b>	<b>3,394</b>

Source: Lichfields analysis based on the 2014-based household projections

### Step Two: Affordability Adjustment

4.10 The affordability adjustment has regard to the most recent median workplace-based affordability ratios, published by the ONS, which provide a barometer for the area's market signals (i.e., relative affordability of housing in the area). As such, this adjustment increases the housing need where house prices are high relative to workplace incomes.

4.11 As required by the PPG, an adjustment to the baseline annual average household projection is only required where the ratio is higher than 4 and for each 1% the ratio is above 4 (with a ratio of 8 representing a 100% increase), the average household growth should be increased by a quarter of a percent.

<sup>17</sup> PPG ID: 2a-004

4.12 For BCAs, the latest 2022-based median house price to median earnings ratio, published in March 2023, is shown below in Table 4.2. In addition, the theoretical affordability uplifts are also shown in Table 4.2. Notably, across the Black Country, each of the BCA’s median affordability ratios is around six, which is markedly lower than the national average of 8.28. Nevertheless, the consequence of this is that each of the BCA’s baseline annual average household projections is uplifted by between 13% to 18%.

Table 4.2 2023-2033 Household Projections and Change

	2022 Median Affordability Ratio	Uplift
Dudley	6.70	17%
Sandwell	6.80	18%
Walsall	6.36	15%
Wolverhampton	6.06	13%

Source: Lichfields analysis of median house price to median gross annual workplace-based earnings by local authority 2022

### Step 3: The Cap

4.13 As set out in the PPG, there are two scenarios in which the cap is applied; the first, is capping the need at 40% above the Local Plan housing requirement of a Local Plan adopted in the last five years, and the second is capping the need at 40% above the household projections in the absence of an up-to-date Local Plan. On the basis that the Black Country Core Strategy was adopted in 2011, the cap is applied to each of the BCA’s baseline annual average household projections – see Table 4.3.

Table 4.3 Standard Method Cap

	Plan adopted	Age as of 1st July 2023	Cap	Initial LHN Figure	LHN Capped?	
Dudley	03/02/2011	12.4	40% - Household Projections	1,128	655	No
Sandwell				1,867	1,567	
Walsall				1,107	907	
Wolverhampton				992	907	

Source: Lichfields analysis

4.14 As the baseline annual average household projections and affordability uplifts for each of the BCAs would not exceed the 40% cap above the baseline annual average household projections, each of the BCA's initial LHN figures would not be capped.

### Step Four: Urban Uplift

4.15 As noted above in Section 2.0, the PPG<sup>18</sup> was revised to include a further stage within the Standard Method which applies a 35% uplift for those urban local authorities in the top 20 cities and urban centres list – this was to ensure that the Government achieved its 300,000 dwellings per annum housing target. Fundamentally, the Government's rationale for the uplift was based on three factors: maximising existing infrastructure; responding to the availability of land arising from structural change in retail and commerce, thereby maximising brownfield rather than greenfield development, and responding to climate change by reducing high-carbon travel.

18 PPG ID: 2a-004

- 4.16 The revised NPPF also states that this “*uplift should be accommodated within those cities and urban centres themselves except where there are voluntary cross boundary redistribution agreements in place, or where it would conflict with the policies in this Framework27*” (Para 62). In essence, unless authorities within a housing market area volunteer to address an unmet housing need arising from one authority, it should principally be addressed at its origin.
- 4.17 Nevertheless, housing need is a concept that has long been untouched by policy factors that should promote or constrain the delivery of housing in different areas. Indeed, the Gallagher Estates Ltd v Solihull MBC judgment confirmed that OAHN is an objectively assessed need for housing in an area, leaving aside policy considerations, whereas a housing requirement is a figure which reflects, not only the assessed need for housing but also any policy considerations that might require that figure to be manipulated to determine the actual housing target for an area. In essence, local housing need is ‘policy off’ and a housing requirement is ‘policy on’.
- 4.18 However, the Standard Method now incorporates three spatial policy judgements into the assessment of need. As such, at its heart, the introduction of the 35% Urban Centres uplift is clearly a Government-led ‘policy-on’ approach to calculating housing needs. Therefore, the final step of the Standard Method calculation is the application of the Urban Centres 35% uplift, after the cap. As Wolverhampton is listed within the top 20 urban areas in the country it is therefore subject to this additional uplift.

Table 4.4 Urban Centres Uplift

	Top 20 urban areas in the country	Urban Centres Uplift	Initial LHN Figure (before urban uplift)	LHN Figure (35% urban uplift applied)
Dudley	No	0%	655	655
Sandwell			1,567	1,567
Walsall			907	907
Wolverhampton	Yes	35%	800	1,080

Source: Lichfields analysis

### Standard Method Calculation

- 4.19 A summary of the above Standard Method calculation for each of the BCAs and the Black Country as a whole is set out in Table 4.5 below. It shows that based on the Standard Method calculation, the Black Country’s minimum LHN figure would be 4,209 dpa. Notably, this 205 dpa higher than the LHN figure for the Black Country identified in the BC HMA in 2021; however, this is by virtue of BC HMA Standard Method calculation utilising the 2019-median affordability ratios, which were between 5% and 15% lower than they now are in 2022. Nevertheless, **the minimum annual LHN figures for each of the BCAs is 655 dpa in Dudley, 1,567 dpa in Sandwell, 907 dpa in Walsall and 1,080 dpa in Wolverhampton.** Despite the 35% urban centres uplift being applied only to Wolverhampton, the below demonstrates that the greatest level of housing need arises in Sandwell.

Table 4.5 BCA's Local Housing Need Figures

	Dudley	Sandwell	Walsall	Wolverhampton
Per annum household change (2023-2033)	560	1,334	791	709
Affordability ratio (2022)	6.7	6.8	6.4	6.1
Uplift to household growth	16.9%	17.5%	14.8%	12.9%
Initial Local Housing Need	655	1,567	907	800
Cap	No (40% - Household Projections)			
	1,128	1,867	1,107	992
Urban Uplift	No - 0%	No - 0%	No - 0%	Yes - 35%
<b>Total Local Housing Need (per annum)</b>	<b>655</b>	<b>1,567</b>	<b>907</b>	<b>1,080</b>
<b>Total Black Country LHN (per annum)</b>	<b>4,209</b>			

Source: Lichfields analysis

## Summary

- 4.20 In summary, the NPPF is clear that LHN figures should be calculated utilising the Standard Method, with the PPG requiring the use of the 2014-based household projections. However, it is clear that an *'alternative approach'* based on *'realistic assumptions of demographic growth'* can be used in *'exceptional circumstances'*. In this instance, it is considered that there are no exceptional circumstances to justify the BCAs deviating from the Standard Method – a position the BCAs have previously taken.
- 4.21 As such, on the basis of the Standard Method, **the minimum annual LHN figures for each of the BCAs is 655 dpa in Dudley, 1,567 dpa in Sandwell, 907 dpa in Walsall and 1,080 dpa in Wolverhampton. This is 190 dpa higher than LHN figure established in the BC HMA for the whole Black Country.** The now-cancelled draft BCPR set out a plan period between 2020 and 2039 (i.e., 19 years). However, it is noted that both Dudley and Sandwell have recently published Regulation 18 consultations in respect of their emerging individual Local Plan Reviews and each council has now set out differing plan periods; albeit, both extend up to 2041. Neither Walsall nor Wolverhampton has set out their proposed plan periods through a consultation, with both yet to even consult on their individual emerging Local Plan Reviews. As such, there is no consistent plan period against which to apply the minimum annual LHN figures. However, given that two of the BCAs have extended their plan periods up to 2041, it would be reasonable to assume that both Walsall nor Wolverhampton will align with this date as well. It would also be reasonable to assume that, as a minimum, these plans would also have a base date of 2023.
- 4.22 On the basis of these assumptions, when applying the minimum LHN figures identified above to the whole plan period for each of the BCAs, **there would be a combined need for 77,336 dwellings between 2022 and 2041 across the Black Country.**

Table 4.6 Possible minimum housing need for the emerging BCA plan periods

	Plan Period	Increase Compared with BC HMA	LHN (dpa)	Minimum LHN to be planned for
Dudley	2023-2041	19	655	11,789
Sandwell	2022-2041	79	1,567	29,777
Walsall	2023-2041*	25	907	16,328
Wolverhampton	2023-2041*	67	1,080	19,441
<b>Total minimum housing need for the Black Country</b>		<b>190</b>	<b>4,209</b>	<b>77,336</b>

Source: Lichfields analysis \*assumed a plan period aligning with the other BCAs in the absence of any position from the respective authorities.

## 5.0 Uplifts to the minimum Standard Method

- 5.1 Both the NPPF<sup>19</sup> and PPG<sup>20</sup> are clear that the LHN figure generated by the SM is a minimum starting point (i.e., actual housing needs may be higher than this figure). Indeed, the revised NPPF is clear that an LPA’s housing ‘requirement’, as opposed to ‘need’, “may be higher than the identified housing need if, for example, it includes provision for neighbouring areas, or reflects growth ambitions linked to economic development or infrastructure investment” (Para 67). Moreover, elsewhere in the guidance, the PPG differentiates between the minimum figure arrived at through the standard method and the ‘actual’ housing need which can be higher.
- 5.2 It is the ‘actual’ housing need that represents the objectively assessed need to which the tests in paragraph 11b of the NPPF apply, and there is also a requirement for the Council to test reasonable alternatives.<sup>21</sup> Therefore, an LPA should actively identify whether there are reasons for testing higher figures as estimates of housing needs.
- 5.3 Fundamentally, this is because the Standard Method does not attempt to predict the impact that future government policies, changing economic circumstances or other factors might have on demographic behaviour, nor considers local factors, policy and aspiration which might legitimately mean the Council should seek to plan for more homes than the minimum. It goes on to state that it would be appropriate for a higher figure to be adopted on the basis of employment, infrastructure, affordable housing or unmet housing needs.<sup>22</sup>
- 5.4 In this regard, it is entirely reasonable, and indeed, critical for the BCAs to consider whether uplifts to the minimum LHN figure are required. To this end, this report has reviewed the BCA’s existing evidence-base prepared in support of the BCPR in respect of affordable housing needs and the workforce associated with the projected employment forecasts – set out below.

### 1. Meeting Affordable Housing Needs

- 5.5 In the context of affordable housing, the PPG highlights that the needs of different groups when aggregated, may well exceed, or be proportionally high in relation to, the overall housing need figure calculated using the Standard Method (this is often the case with affordable housing, but can also be true for other groups). This is because the needs of particular groups will often be calculated having consideration to the whole population of an area as a baseline as opposed to the projected new households which form the baseline for the standard method. With regard to affordable housing the PPG explicitly states that:

*“...The total affordable housing need can then be considered in the context of its likely delivery as a proportion of mixed market and affordable housing developments, taking into account the probable percentage of affordable housing to be delivered by eligible market housing led developments. An increase in the total housing requirement included in the plan may need to be considered where it could help deliver the required number of affordable homes.” (PPG ID: 67-008) (Emphasis Added)*

<sup>19</sup> Paragraph 60

<sup>20</sup> PPG ID: 2a-002

<sup>21</sup> PPG ID: 11-017

<sup>22</sup> PPG ID: 2a-010

- 5.6 In this regard, the PPG<sup>23</sup> is clear that an increase in the total housing figures included in the plan may need to be considered where it could help deliver the required number of affordable homes.
- 5.7 Notably, the BCA's BC HMA sets out the overall net annual affordable housing need for the BCAs cumulatively between 2020 and 2039 in Section 6.0 – individual LPA needs are set out in Appendix 6. Table 6.1 of the BC HMA identifies a total need for affordable housing of 867 dpa in the Black Country; comprising a total need for affordable housing in each constituent authority as 137 dpa in Dudley, 343 dpa in Sandwell, 154 dpa in Walsall and 234 dpa in Wolverhampton. This was underpinned by an assumption based on a 30% affordability threshold (i.e., where rent payable constitutes no more than 30% of gross household income).
- 5.8 Consequently, the BC HMA concluded that the total annual affordable housing need in the Black Country represents 21.6% (867 per year) of the annual dwelling growth required by the Standard Method for the Black Country as a whole (Para 8.7). It also noted that it *“would be reasonable to expect this proportion of new housing as affordable to be delivered on a large housing site in the Black Country, where a figure of 25% would be plausible (subject to viability). The Councils can therefore be confident that the affordable housing need identified in the model will be addressed by the dwelling growth identified by the Standard Method and no adjustment is required to this figure”* (Para 8.7).
- 5.9 However, we have several concerns relating to the BC HMA being a point-in-time assessment that now needs updating and whether they would be met over the emerging plan-periods by the BCAs in practice (i.e., an uplift to the minimum LHN would be required to address these). These concerns comprise:

### **An up-to-date affordable housing need**

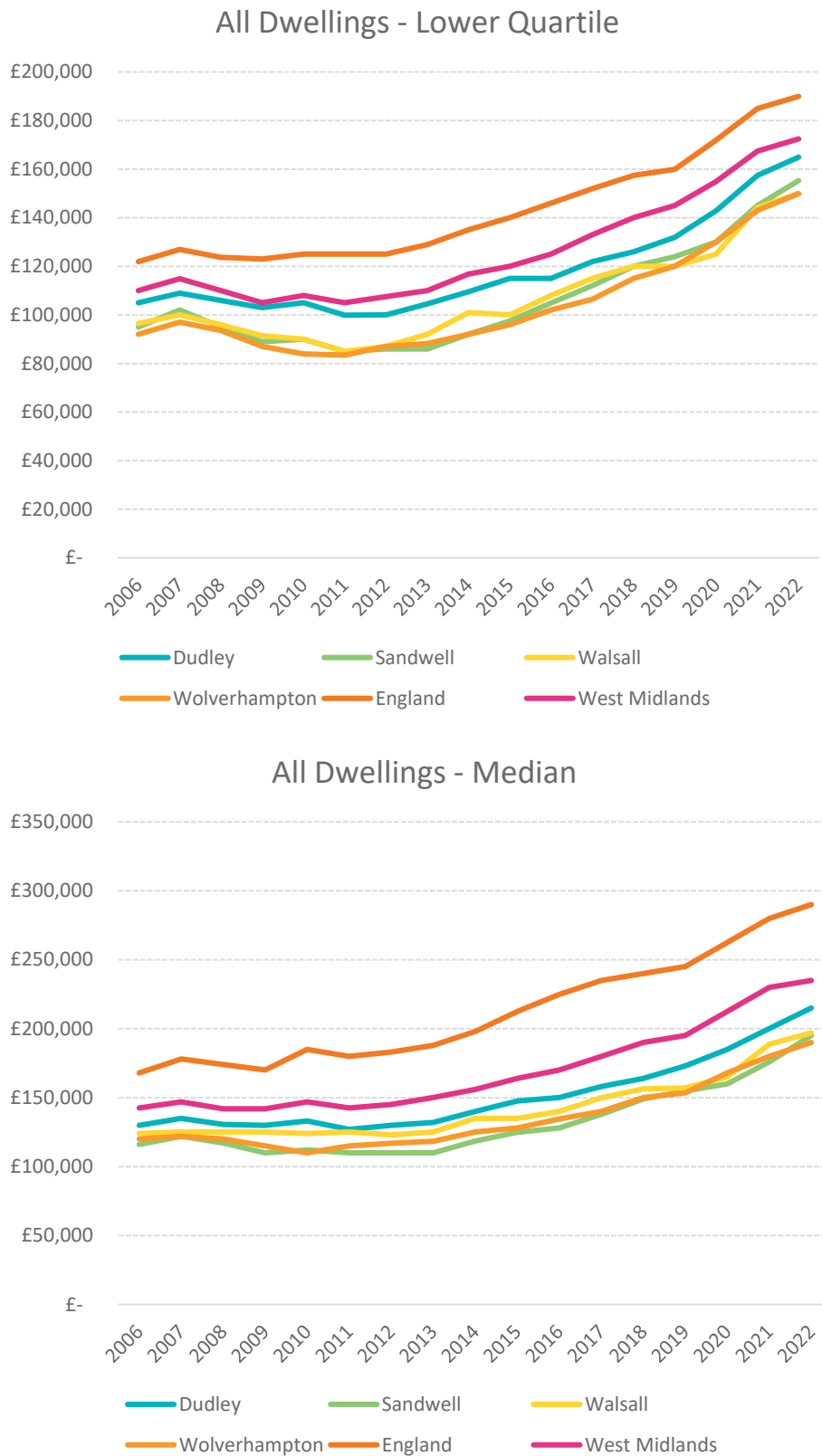
- 5.10 Although the BC HMA was published in 2021, it is self-evident that trends have changed significantly in the intervening 2-years. As such, it is likely that these changes will have implications for an assessment of the BCA's affordable housing needs, particularly as the cost of housing has worsened which is likely to push further households into needing affordable housing.
- 5.11 Indeed, although only published in 2021 the BC HMA had to rely on datasets that ended in some instances in 2019 or 2020. By way of example, house price data was only available up to March 2020, and rental data was only available up to July 2020. More notable is the recent publication of the 2021 Census or affordability ratios, which will include more up-to-date statistics on the profile and demands of households resident in the Black Country.
- 5.12 In this context, if we look at recent trends in median and lower quartile house prices across the Black Country and compare them with the wider West Midlands and England since 2006 and up to 2022, we can see that the median and lower quartile housing market in the Black Country has broadly mirrored the regional and national market fluctuations; however, has consistently remained significantly lower than both the regional and national averages.

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<sup>23</sup> PPG ID: 2a-024



Figure 5.1 Lower Quartile and Median House Prices between 2006 and 2022



Source: Lower Quartile House Price Paid Data (HPPSA 15) and Median House Price Paid Data (HPPSA 9)

- 5.13 However, whilst house prices remain below the regional and national level since the BC HMA was published, average house prices in the Black Country have risen at a faster rate than both – see Table 5.1. In particular, lower-quartile house prices in Sandwell and Walsall have risen at roughly double the regional and national average (i.e., 19-20% compared to 10% and 11% respectively). The same trend can be seen in median house prices, with both Walsall and Sandwell seeing the greatest increases in average house prices over the 2020-2022 period. As shown in Appendix 1, this is primarily due to greater increases in the average prices for semi-detached properties across the BCAs.

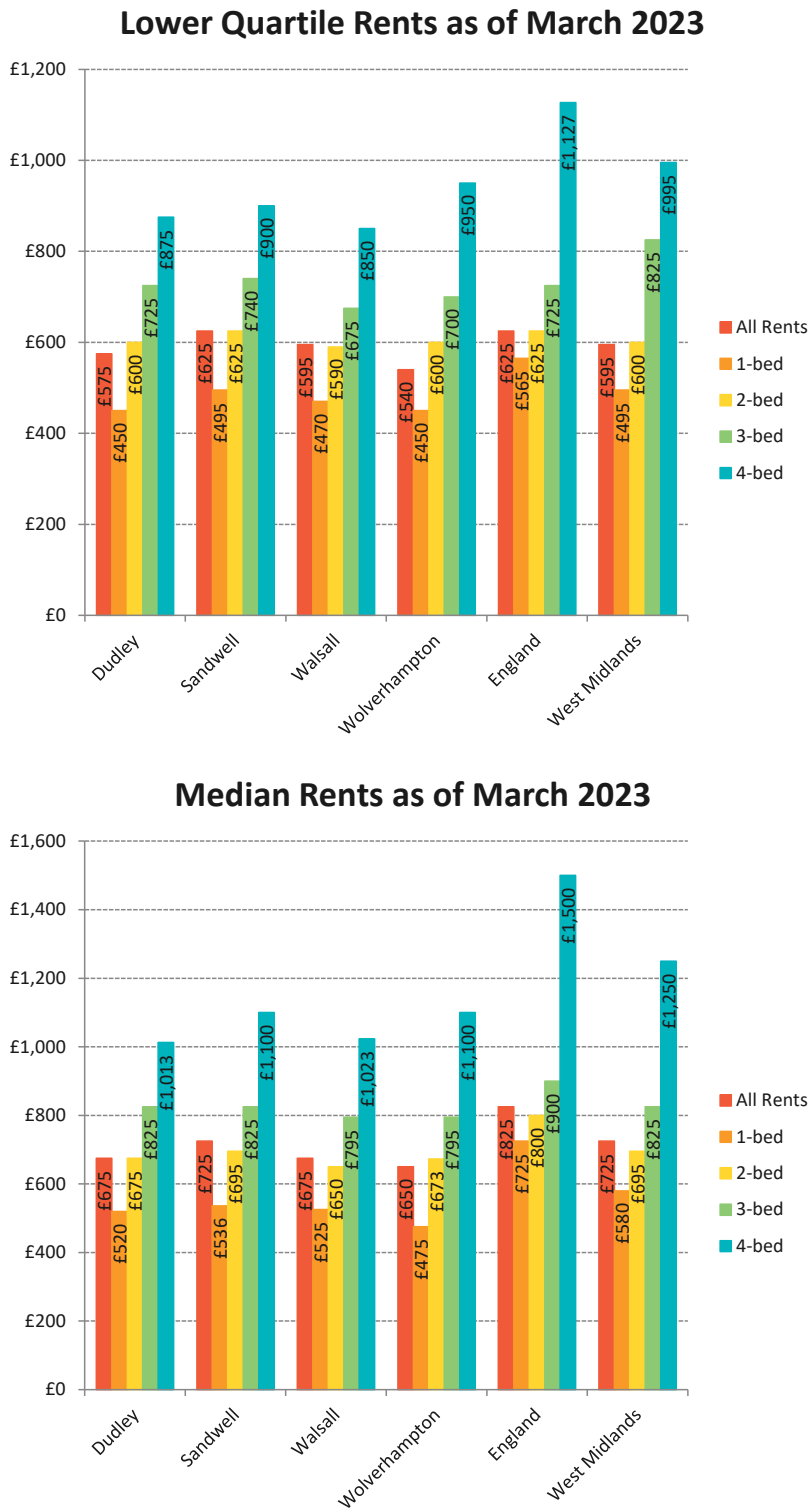
Table 5.1 Lower Quartile and Median House Prices Changes 2020-2022

		2020	2022	2020-2022 Abs. Change	2020-2022 % Change
All Dwellings - Lower Quartile House Price Paid Data	Dudley	£142,895	£165,000	£22,105	15%
	Sandwell	£130,000	£155,250	£25,250	19%
	Walsall	£125,000	£150,000	£25,000	20%
	Wolverhampton	£130,000	£149,950	£19,950	15%
	England	£172,000	£189,950	£17,950	10%
	West Midlands	£155,000	£172,500	£17,500	11%
All Dwellings - Median House Price Paid Data	Dudley	£173,000	£215,000	£30,000	16%
	Sandwell	£155,000	£195,000	£35,000	22%
	Walsall	£157,000	£197,000	£32,000	19%
	Wolverhampton	£153,500	£190,000	£22,000	13%
	England	£245,000	£290,000	£27,500	10%
	West Midlands	£195,000	£235,000	£22,500	11%

Source: Lower Quartile House Price Paid Data (HPPSA 15) and Median House Price Paid Data (HPPSA 9)

- 5.14 In terms of rent, the Valuation Office Agency publishes data on monthly rents for local authority areas by size of dwelling. As of Q1 of 2023, the average rents across the Black Country were generally below national and regional averages for all dwelling sizes, with the exception of the lower quartile rental costs in Sandwell being higher than the regional average and on par with the national average (i.e., £625 per month compared to £595 and £625 respectively).
- 5.15 Average lower quartile rents for all dwelling sizes range from between £540 per month in the Black Country to £625, with the highest rental prices being within Sandwell, and the lowest in Wolverhampton. Average median rents for all dwelling sizes range from between £650 per month in the Black Country to £725, with the highest rental prices being within Sandwell, and the lowest in Wolverhampton. The above highlights that there isn't a great margin of difference between lower quartile rents and median rents, suggesting that the cost of renting a property in the Black Country for those on lower incomes is not too dissimilar to median costs per month.

Figure 5.2 Lower Quartile and Median Rental Prices by Dwelling Size (March 2023)



Source: VOA Private Rental Market Statistics (March 2023)

5.16

Similarly to the increases in house prices, since the BC HMA both lower quartile and median rents have significantly increased across the Black Country at a faster rate than the

regional and national averages for all dwellings (i.e. all dwelling types and sizes). As shown in Table 5.2, again, lower quartile and median rents have risen the fastest in Sandwell and Walsall. In the median rental market, this is being driven primarily by significant increases in the cost of monthly rents for 3-bed and 4-bed dwellings (between 20-26%), whereas in the lower quartile rental market it is being driven by 2-bed and 4-bed dwellings (between 19-27%). The above suggests that there is acute pressure on families in the lower quartile and median rental markets, with rental costs increasing over the 2020 to 2023 period by up to 27% in some instances.

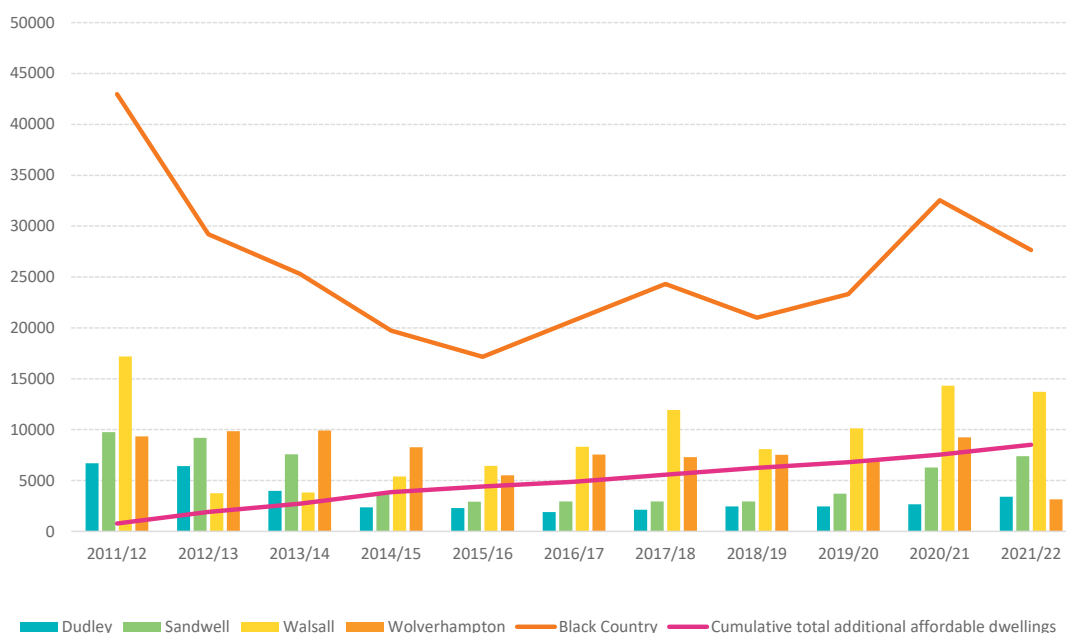
Table 5.2 Lower Quartile and Median Monthly Rental Costs Changes 2020-2023

		2020	2023	2020-2023 Abs. Change	2020-2023 % Change
All Rents – Lower Quartile	Dudley	£495	£575	£80	16.2%
	Sandwell	£525	£625	£100	19.0%
	Walsall	£495	£595	£100	20.2%
	Wolverhampton	£475	£540	£65	13.7%
	England	£550	£625	£75	13.6%
	West Midlands	£550	£595	£45	8.2%
All Rents – Median	Dudley	£575	£675	£100	17.4%
	Sandwell	£600	£725	£125	20.8%
	Walsall	£575	£675	£100	17.4%
	Wolverhampton	£565	£650	£85	15.0%
	England	£725	£825	£100	13.8%
	West Midlands	£650	£725	£75	11.5%

Source: VOA Private Rental Market Statistics (2020 and 2023)

- 5.17 In terms of the Housing Waiting List [HWL], despite an average delivery of 746 affordable homes per annum since 2011 across the Black Country, based on the latest Local Authority Housing Statistics returns, as of 2022 there were 27,664 on the HWLs across the Black Country. Of these, 3,619 were in a reasonable preference category. Although the HWL was higher in 2011 for most of the BCAs, the current number of households on the HWL in the Black Country is the highest its been since 2012/13.
- 5.18 It is difficult to establish any trends in relation to households on the HWL in a reasonable preference category as Wolverhampton's 2019/20 and 2021/22 returns appear to include an anonymous nil figure, which is at odds with its 2020/21 return which listed the HWL in a reasonable preference category as 6,545. Nevertheless, the trend for HWL in a reasonable preference category has naturally and broadly aligned with the overarching growth in the HWL. Indeed, as of 2021/22, there were 1,492 in a reasonable preference category in Dudley, 1,170 in Sandwell and 957 in Walsall. However, it should be noted that Walsall has seen a decline in the number of in a reasonable preference category since 2019/20, going from 1,611 to 957. Nevertheless, nearly half (44%) OF Dudley’s HWL is comprised of those in a reasonable preference category (i.e., those in the greatest need of affordable housing), which is markedly higher than Sandwell (16%) and Walsall (7%).

Figure 5.3 Total households on the housing waiting list at 1st April Each Year and Gross Affordable Housing Delivery (2011-2022)



Source: Lichfields analysis based on Local Authority Housing Statistics dataset, England: Section C - Allocations and DLUHC (November 2023): Affordable housing supply statistics (AHS) 1008C

5.19

In terms of trends since the 2021 BC HMA, and notwithstanding the ostensibly erroneous returns from Wolverhampton, the HWL has increased significantly in Dudley (27.4%), with the number of those on the HWL in a reasonable preference category also increasing by 25.8%). A similar, albeit not as acute trend is also present in Sandwell. However, in Walsall, the number on the HWL has marginally fallen, whilst the number on the HWL in a reasonable preference category has markedly reduced. As an outlier to the wider BCAs, Wolverhampton’s HWL has significantly reduced (i.e., by c.66%) in the 2-year period between 2020 and 2022. This could be attributed to higher peak affordable housing delivery rates (net) in 2020/21 and 2021/22, which at 352 dpa and 464 dpa, is markedly higher than the 169 dpa average recorded over the previous decade. Nevertheless, the above highlights that, at least up to 2022, there have been marked changes in the HWL for the BCAs, which should be reflected in an updated affordable housing needs assessment.

Table 5.3 HWL and Households in a Reasonable Preference Changes 2020-2022

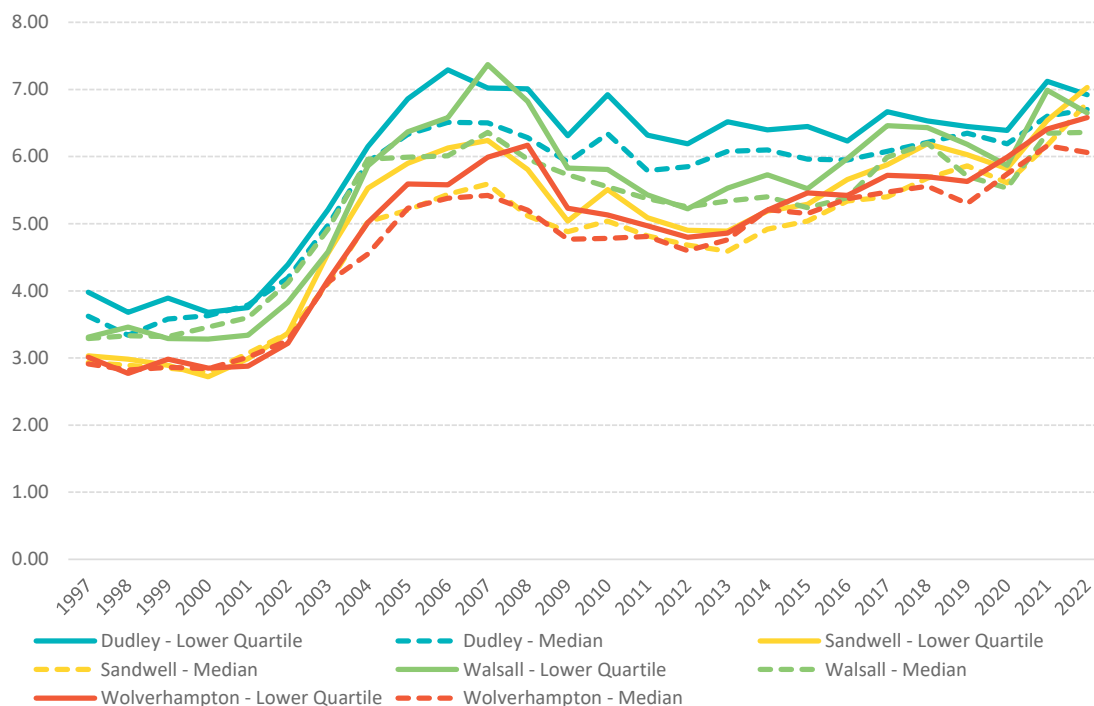
Year		Total households on the housing waiting list on 1st April Each Year	Total households on the housing waiting list in a reasonable preference category each year	Total households on the housing waiting list in a reasonable preference category each year as % of the total HWL
2020/21	Dudley	2,665	1,186	45%
	Sandwell	6,288	1,026	16%
	Walsall	14,327	1,593	11%
	Wolverhampton	9,256	6,545	71%
2021/22	Dudley	3,396	1,492	44%
	Sandwell	7,384	1,170	16%
	Walsall	13,728	957	7%
	Wolverhampton	3,156	-	0%
2020-2022 Change	Dudley	731	306	~
	Sandwell	1,096	144	~
	Walsall	-599	-636	~
	Wolverhampton	-6,100	-6,545	~
2020-2022 % Change	Dudley	27.4%	25.8%	~
	Sandwell	17.4%	14.0%	~
	Walsall	-4.2%	-39.9%	~
	Wolverhampton	-65.9%	-100.0%	~

Source: Local Authority Housing Statistics dataset, England: Section C - Allocations

5.20 All of the above trends are likely to have impacted the lower quartile and median house price-to-earnings ratios for the BCAs. If we look at the lower quartile and median house price-to-earnings ratios since 1997 we can see that they both rose steeply across the Black Country in 2002, before peaking during the 2007-2010 period, around the time of the financial crisis – see Figure 5.4 below. Consequently, the ratios have gradually increased to their current levels, which aren't far off the previous peaks but remain below the national lower quartile and median averages (7.37 and 8.28 respectively). We can also see that the lower quartile ratios in the Black Country have broadly mirrored the median market fluctuations.

5.21 This suggests that by comparison to the rest of the country, the Black Country remains a relatively affordable area, with lower quartile and median housing roughly costing around 6 times the lower quartile and median salaries. However, despite this, both ratios for the BCAs remain at some of the highest rates in the Black Country's history, and far above ratios recorded in 1997 to 2000 (i.e., between 3 and 4 times income).

Figure 5.4 Lower Quartile and Median house price to median earnings ratio (2011-2022)



Source: Lichfields analysis of lower quartile house price to lower quartile gross annual workplace-based earnings by local authority 2022 and median house price to median gross annual workplace-based earnings by local authority 2022

5.22 However, since the BC HMA, lower quartile ratios have increased between 8% in Dudley to 20% in Sandwell and 13% in Walsall. Similarly, median ratios have increased between 5% and 21%, with the worst increase in Sandwell.

Table 5.4 Lower Quartile and Median house price to median earnings ratio Changes 2020-2022

		2020 Affordability Ratio	2022 Affordability Ratio	Abs. Change	% Change
Lower Quartile	Dudley	6.39	6.92	0.53	8.3%
	Sandwell	5.82	7.03	1.21	20.8%
	Walsall	5.87	6.65	0.78	13.3%
	Wolverhampton	5.99	6.58	0.59	9.8%
Median	Dudley	6.19	6.70	0.51	8.2%
	Sandwell	5.61	6.80	1.19	21.2%
	Walsall	5.53	6.36	0.83	15.0%
	Wolverhampton	5.74	6.06	0.32	5.6%

Source: Lichfields analysis of lower quartile house price to lower quartile gross annual workplace-based earnings by local authority 2022 and median house price to median gross annual workplace-based earnings by local authority 2022

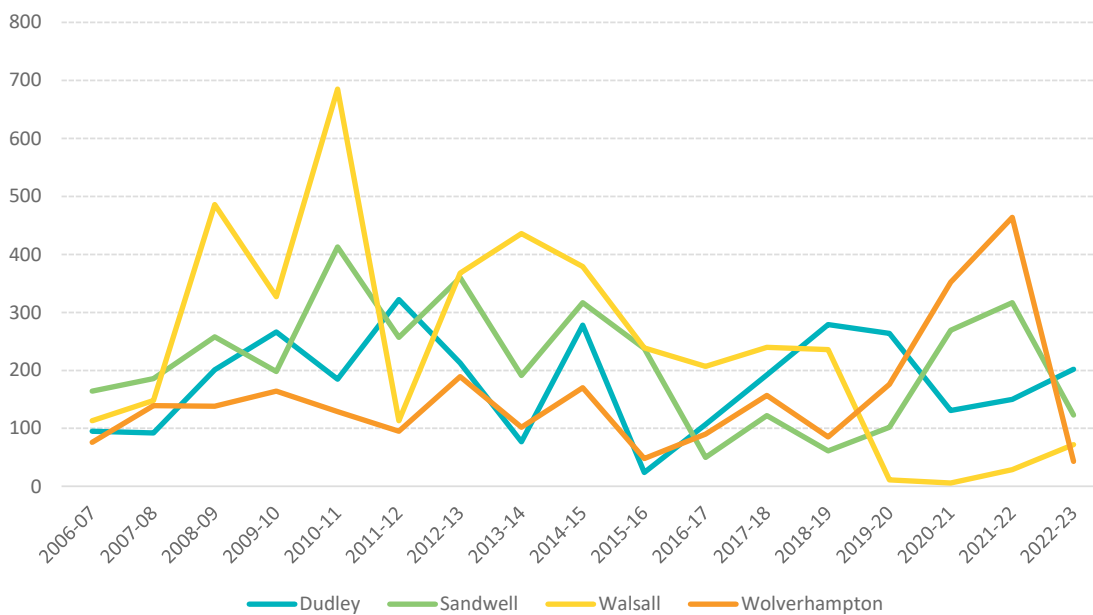
5.23 When taken together, it is clear that affordability in the Black Country has worsened to varying degrees across the intervening two to three years since the BC HMA was published, particularly in Sandwell and Walsall and to a lesser extent in Dudley and Wolverhampton. The lower quartile and median house prices and rents have risen faster in the Black Country than the regional and national averages, placing further pressure on lower-income households in the Black Country in respect of being able to afford market properties (i.e., potentially increasing the need for affordable housing).

### Under Delivery To-Date

5.24 Policy HOU3 of the Black Country Core Strategy [BCCS] set out that across the 2006 to 2026 plan period, the BCAs would provide a “*minimum 11,000 new affordable dwellings*”. This equates to an annual affordable housing need of 550 affordable dpa. Since the adoption of the Black Country Core Strategy in 2011, the BCAs collectively have delivered 13,416 affordable homes in total (gross) between 2006 and 2022 at an average of 789 dpa<sup>24</sup>. Consequently, against the Policy HOU3 affordable housing requirement of 550 affordable dpa, over the same period, the BCAs have over-delivered on their affordable housing requirement by 4,066 dwellings. When considering the overall provision of dwellings of all tenures across the same period, which equates to c.44,964 homes across the BCAs, the BCAs have delivered affordable housing at an average rate of 29.8% – which exceeds the 25% requirement set out in Policy HOU3 for the Black Country.

5.25 At the district level, we can see that affordable housing delivery within each of the BCAs has been inconsistent across the 2011 period to date, with rates fluctuating markedly on an annual basis – See Figure 5.5. However, in total, Dudley has delivered 3,078 affordable homes (181 dpa on average), Sandwell has delivered 3,626 affordable homes (213 dpa on average), Walsall has delivered 4,095 affordable homes (241 dpa on average) and Wolverhampton has delivered 2,617 affordable homes (154 dpa on average).

Figure 5.5 BCA Annual (Gross) Affordable Housing Delivery 2006-2022



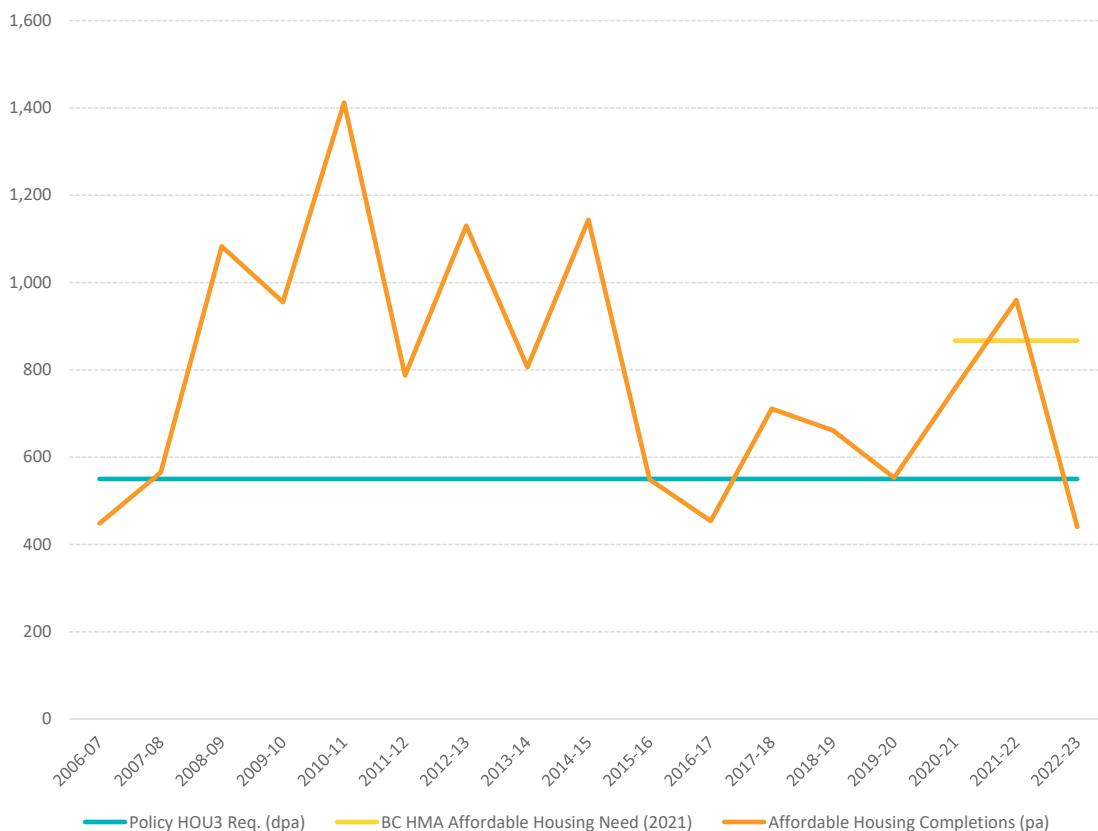
Source: DLUHC (November 2023): Affordable housing supply statistics (AHS) 1008C

5.26 On the face of it, the BCAs have over-delivered against the BCCS requirement, and there is, at least on paper, no under-delivery of affordable housing to-date that needs to be accounted for. However, this ignores several factors; such as revised and more up-to-date assessments of affordable housing needs, and the fact that these delivery rates are gross and take no account of losses to affordable housing provision through demolition or schemes such as Right to Buy [RtB] and Right to Acquire.

<sup>24</sup> Based on Table 1008c DLUHC (November 2023):



Figure 5.6 Comparison of Affordable Housing Needs/Requirements and Completions in the Black Country



Source: DLUHC (November 2023): Affordable housing supply statistics (AHS) 1008C

5.27 Indeed, and notwithstanding the fact that the BC HMA is now somewhat dated and that it is considered that the affordable housing needs assessment should be updated to reflect the most up-to-date datasets available, it nevertheless provides the latest assessment of affordable housing needs for the BCAs. As noted above, the BC HMA identifies a total need for affordable housing of 867 dpa in the Black Country; comprising a total need for affordable housing in each constituent authority as 137 dpa in Dudley, 343 dpa in Sandwell, 154 dpa in Walsall and 234 dpa in Wolverhampton. Since 2020 (i.e., the base date of the BC HMA), the BCAs delivered 2,158 affordable homes (gross), which compared with a need of 2,601 affordable homes, equates to a shortfall of 443 homes. Again, this shows that the BCAs, collectively, have more recently been unable to meet their identified affordable housing needs – delivering only 82% of their needs between 2020 and 2022.

5.28 At the district level, we can see that much of this shortfall arises from both Sandwell and Walsall, despite both of these LPAs having historically delivered the greatest level of affordable housing provision within the Black Country (i.e., 2006-2023). Conversely, Dudley and Wolverhampton have over-delivered, having seen recent spikes in affordable housing delivery since 2020.

Table 5.5 BCAs Need compared with Gross Affordable Housing Delivery 2020-2023

	Affordable Housing Need (PA)	Affordable Housing Need (2020-2023)	Affordable Housing Delivery (2020-2023)	Shortfall/Surplus
Dudley	137	411	483	72
Sandwell	343	1029	709	-320
Walsall	154	462	107	-355
Wolverhampton	234	702	859	157

Source: Lichfields analysis based on Table 6.1 BC HMA and DLUHC (November 2023): Affordable housing supply statistics (AHS) 1008C

5.29

Of course, the above affordable housing completion data is gross and does not account for losses to affordable housing stock. It is therefore necessary to consider how RtB has affected the actual affordable housing stock delivery in the Black Country. The data shows that stock losses just from RtB between 2011 to 2021/22<sup>25</sup>, let alone demolitions and other losses, have amounted to 6,620 dwellings across the Black Country – shown below in Figure 5.7. When taking account of this, despite delivering 8,513 affordable homes in total (gross) over the same period, the BCA’s collective net affordable housing provision is actually only 1,893 affordable homes – or 172 dpa on average. Based on this measure, affordable delivery has only been 6.4% of delivery across all tenures (29,633 dwellings) over the 2011-2022 period. When compared against the Policy HOU3 requirement (i.e., 550 dpa) for this 11-year period, collectively, the BCAs have underdelivered by 4,157 dwellings.

Figure 5.7 Affordable Housing Provision and Losses from Right to Buy



Source: Lichfields analysis based on Local Authority Housing Statistics dataset, England: Section B - Sales and Transfers and DLUHC (November 2023): Affordable housing supply statistics (AHS) 1008C

<sup>25</sup> Data on Right to Buy is on available up to 2021/22 as set out within the Local Authority Housing Statistics dataset, England 2021-22: Section B - Sales and Transfers

5.30 When considering the more recent BC HMA identified needs, and when taking account of RtB stock losses, the BCAs delivered only 177 affordable homes (net), which compared with a need of 1,736 affordable homes between 2020 and 2022, equates to a shortfall of 1,559 homes. Again, at the district-level majority of this shortfall arises from Sandwell, who has accumulated a shortfall of 779 affordable homes in just the first two years of 2020-2039 BC HMA need period alone when accounting for stock loss. In addition to this, both Dudley and Wolverhampton have under-delivered by 196 dwellings and 293 dwellings respectively. If current stock loss trends continue it is likely that none of the BCAs will come close to addressing their affordable housing, identified in the BC HMA, in full, despite the BC HMA's confident assertion that at c.22% of the overall need, the BCAs could meet their affordable housing needs without an uplift to their LHN figures.

Table 5.6 BCAs Need compared with Net Affordable Housing Delivery 2020-2022

2020-2022	Right to Buy No. of Dwellings Sold	Total additional affordable dwellings	Net Affordable Housing Provision	Affordable Housing Need (2020-2022)	Shortfall/Surplus
Dudley	317	395	78	274	-196
Sandwell	464	371	-93	686	-779
Walsall	0	17	17	308	-291
Wolverhampton	353	528	175	468	-293

Source: Lichfields analysis based on Table 6.1 BC HMA, Local Authority Housing Statistics dataset, England: Section B - Sales and Transfers and DLUHC (November 2023): Affordable housing supply statistics (AHS) 1008C

5.31 Ultimately the above demonstrates that the Council has consistently failed to come close to meeting these needs when accounting for stock loss. Whilst neither the NPPF nor PPG requires these identified needs to be met in full, as per the Kings Lynn Judgment,<sup>26</sup> against the BC HMA's need for 1,736 affordable homes between 2020 and 2022, the Council has only delivered 177 new affordable dwellings when accounting for RtB stock losses. As such, the Council has already grossly undelivered against these needs, which has likely compounded the need for affordable housing within the existing population and led to the marked increase in needs identified within the BC HMA. The consequence of this is that since 2020, the median and lower quartile workplace-based ratios in the Black Country have worsened by up to c.20%

### The realistic delivery of affordable housing

5.32 As noted above, the BC HMA concluded that the total annual affordable housing need in the Black Country represented c.22% of the annual dwelling growth required by the Standard Method (Para 8.7) and that it was reasonable to assume that this would be deliverable – subject to viability – with an affordable housing requirement of 25%, and therefore an uplift wasn't required. A breakdown of each of the BCA's affordable housing needs compared against their respective LHN figures is shown below in Table 5.7.

<sup>26</sup> Borough Council of Kings Lynn and West Norfolk v Secretary of State for Communities and Local Government, ELM Park Holdings Ltd ([2015] EWHC 2464)

Table 5.7 Affordable Housing Needs as % of the overall minimum LHN figures

	LHN	Affordable Housing Need (BC SHMA)	AH% of LHN
Dudley	655	137	21%
Sandwell	1,567	343	22%
Walsall	907	154	17%
Wolverhampton	1,080	234	22%
<b>Black Country</b>	<b>4,209</b>	<b>868</b>	<b>21%</b>

Source: Lichfields analysis based on Table 6.1 BC HMA

- 5.33 However, whilst it is considered that it is appropriate to seek to redevelop brownfield land first and optimise densities – a sequential strategy which aligns with the NPPF (i.e., Footnote 27 and paragraphs 123, 128 and 146) – there are also legitimate concerns regarding the actual deliverability of only brownfield land to address the BCA’s housing needs. Again, whilst supportive in principle, it is considered highly likely that a brownfield-first supply of housing is likely to result in the under-delivery of affordable housing in the future. This is because if a significant proportion of the BCA’s historic allocations, permitted supply and completions arising from sites on brownfield former employment sites, these sites tend to present significant viability constraints and often result in lower levels of affordable housing provision than required by policy.
- 5.34 Indeed, although not in the Black Country, Birmingham City Council has faced this pressure. In particular, Birmingham City Council’s housing delivery has predominantly flatted developments on brownfield land within the city. Whilst such an approach is entirely reasonable on paper and aligns with the NPPF, the consequence of this is that naturally, these schemes tend to be flats, rather than houses, which therefore generally reduces the amount of housing delivered for families, and faces viability issues – which would not align with the NPPF’s requirement to meet the needs of different groups, including (*inter alia*) families with children (Para 63). Indeed, their Authority Monitoring Report 2021-2022 [AMR] identified that 96% of housing completions since April 2011 have been on previously developed land (Para 5.170), with c.68% of these completions being Apartments. As a result, although not explicitly stated, Birmingham City Council has only delivered a total of 4,647 affordable dwellings (gross) between 2011/12 – 2021/22, which compared to their affordable housing needs, equates to an under-delivery of 5,043 dwellings (Para 5.177).
- 5.35 Indeed, in the Former North Worcestershire Golf Club appeal,<sup>27</sup> the Inspector noted that only 2,757 new affordable homes were provided in the City over the first 6 years of the Plan period. This represents less than half of the target provision and a net increase of only 151 affordable homes if RtB sales are taken into account (IR14.108). The Inspector went on to state that given the heavy reliance on the five-year housing land supply on City Centre apartment schemes, it is difficult to see how that trend can be reversed in the short to medium term (IR14.109).
- 5.36 A similar situation is also playing out in Coventry whereby they have consistently been unable to meet their affordable housing requirement, with their 2021 AMR stating that “*applicable sites provided a total of 15% Affordable Housing on site, substantially lower*

<sup>27</sup> Appeal Ref: 3192918

*than the policy requirement. This shortfall is due to the fact that viability arguments had been accepted for sites contributing 259 dwellings completions this year” (Para 3.17).*

- 5.37 Whilst it is noted that neither Birmingham nor Coventry are within the Black Country, the above serves to highlight the implications of a spatial strategy predicated on the delivery of, typically, flats and apartments on brownfield land. Ultimately, these two strands of a spatial strategy can, and in most instances, lead to an increased likelihood of viability issues, which will in turn lead to the underdelivery of affordable housing over the respective plan periods.
- 5.38 As noted above, the BCAs are already struggling to address their affordable housing needs identified within the BC HMA when accounting for stock loss resulting from RtB alone. If further growth is directed towards brownfield land where viability arguments can – and likely will – be made to reduce the provision of affordable housing delivered or given that a lot of the BCAs purported supply already benefits from planning permission potentially permitted with a lower level of affordable housing provision than needed, this would further worsen.
- 5.39 Furthermore, if the current approach of meeting even less of the BCA’s minimum LHN figures through the omission of releasing Green Belt land, this will further compound the inability of the BCAs to address their affordable housing needs, contrary to the BC HMA’s conclusion that at 22% of the overall needs, it could be delivered by the minimum LHN figures. As such, it may therefore be necessary to increase the respective LHN figures to improve affordability through the provision of a greater supply of market housing overall, and therefore, a higher overall rate of affordable housing provision even when accounting for viability concerns.

## **2. Providing a sufficient workforce to support economic growth**

- 5.40 The NPPF emphasises the importance of *“the need to support economic growth and productivity”* (Para 85) and is clear that planning policies should *“seek to address potential barriers to investment, such as inadequate infrastructure, services or housing, or a poor environment”* (Para 86c). In essence, the NPPF recognises the implicit link between economic growth and housing need, and that economic growth should not be decoupled from housing growth. Indeed, as noted above, paragraph 67 is clear that an LPA’s housing ‘requirement’ may be greater than the identified ‘need’ if it reflects *“growth ambitions linked to economic development”*.
- 5.41 The NPPF is also clear that the *“planning system should actively manage patterns of growth”* and significant development should be *“focused on locations which are or can be made sustainable, through limiting the need to travel”* (Para 105). It goes on to state that planning policies should *“support an appropriate mix of uses across an area, and within larger-scale sites, to minimise the number and length of journeys needed for employment (inter alia)”* (Para 106). There is, therefore, a clear emphasis within the NPPF to manage and mitigate unsuitable patterns of commuting through the Local Plan process.
- 5.42 Recent research prepared by Lichfields<sup>28</sup> found that 41% of emerging Local Plans that are exceeding the standard method are citing jobs/economic growth as at least one of the

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<sup>28</sup> Above Standard? Plans for housing under the new NPPF (Available at: <https://lichfields.uk/content/insights/above-standard-plans-for-housing-under-the-new-nppf>)

reasons for doing so. By way of example, Doncaster Council has proposed a 60% increase to its LHN to provide enough homes to support its ambitious job growth rate of 1% (compared to the projected 0.6%).

- 5.43 The above highlights the clear need to ensure sufficient homes are delivered within a District to align with the anticipated job growth associated with a District’s employment growth, as this could lead to migration out of the neighbouring authorities, as people move to seek a home closer to their place of work. In the absence of this, the Council could end up promoting unsustainable patterns of commuting.
- 5.44 It also highlights an inherent issue and conflict with a spatial strategy approach which seeks to utilise brownfield employment land – which is still in viable economic use – for the delivery of housing land. Historically, to meet the housing needs set out in the BCCS (i.e., Policy HOU1’s requirement of 63,000 net new homes over the period 2006 – 2026), Policy CSP1 (The Growth Network) of the BCCS set out a spatial strategy that focused growth on areas built on redundant employment land and other brownfield sites. A key aim of the spatial strategy was to achieve the right balance of jobs and housing, by ensuring the release of sufficient lower quality (unsuitable) employment land (Para 2.15), whilst ensuring the retention of sufficient local employment land to meet identified needs by 2026 (Para 2.20). Notably, many of these sites never delivered and remain in employment use today as the employment land market in the Black Country remains resilient, with floorspace in high demand.
- 5.45 This land use conflict remains perennial, with the BCAs again suggesting the release of brownfield employment land to meet housing needs as a part of their spatial strategies. However, more recently, the EDNA has identified a total employment land requirement of 565-585 ha against a supply of 353 ha, resulting in an undersupply of between 212 and 232 ha of employment land. Again, this highlights the critical need to ensure housing and employment growth strategies align. With an acute need for both housing and employment land, the supply of brownfield land for housing and employment across the Black Country is competing and, in this instance, is in clear conflict, which is likely to result in under-delivery for both land uses.
- 5.46 In any event, as previously identified, the PPG<sup>29</sup> states *“The standard method for assessing local housing need provides a minimum starting point in determining the number of homes needed in an area. It does not attempt to predict the impact that future government policies, changing economic circumstances or other factors might have on demographic behaviour.”*
- 5.47 It is therefore appropriate to consider whether the level of housing need put forward– in this case, the Standard Method minimum – would accommodate economic growth aspirations and align homes with jobs.
- 5.48 From reference to the most recent evidence base document on housing needs (i.e. the BC HMA), growth between 2020 and 2039 would create between 39,528 and 46,191 jobs. However, the BC HMA only incorporates this output of job growth from the adjusted Standard Method scenario they have considered. There is no consideration of job growth

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<sup>29</sup> PPG ID: ID2a:010

forecasts from any of the forecasting houses such as Oxford Economics, Cambridge Econometrics, or Experian.

- 5.49 It is recommended that the baseline economic growth forecasts from one or all of these forecasting houses be consulted. This will help to determine whether the job growth calculated in the BC HMA is a robust assumption.
- 5.50 Furthermore, it is recommended that demographic forecasting scenarios be undertaken using software such as PopGroup. This will enable the application of assumptions such as Economic Activity Rates [EARs]. The EARs are a key assumption when forecasting. This is because they make a forecast of the proportion of each age group that will be economically active over the Plan period. This can have a significant impact on the number of people, and therefore the number of homes, required to support economic growth.
- 5.51 It is also noted that the most recent evidence on employment land needs (i.e. the EDNA), similarly does not include an assessment of needs based on a range of economic forecasts, and was undertaken at a time when the long-term effects of the Covid-19 pandemic on the economy and working patterns were still in question. In addition, no assessment of the effects of the introduction of Use Class E on land needs is included. The EDNA even states that: *“How sustainable some of these trends will be and how changes will translate in practice will only become clear within the next 12-24 months.”*
- 5.52 It is recommended that ideally, and to ensure alignment between housing and employment land needs, both housing and employment evidence would assess needs on the basis of Standard Method population and job growth as well as a range of economic forecasts such as those previously mentioned. A re-assessment of needs would also incorporate more robust assumptions in terms of the long-term effects of the pandemic, as well as being able to take account of evidence from the 2021 Census with regards to housing market signals, migratory and commuting patterns etc. Bringing the evidence base up to date would therefore ensure that future housing and employment requirements are in alignment and a sufficient workforce is planned to support economic growth.

## Summary

- 1.1 It is recognised that the BC HMA’s identified affordable housing needs would be part of the overall housing need for the BCAs, and not in addition to the LHN figures. It is also understood that neither the NPPF nor PPG requires the Council to meet these needs in full. Indeed, the precise provision of affordable housing will need to be tested through a viability study to ensure that any proposed affordable housing contribution would not undermine the deliverability of the Local Plan – as required by Paragraph 34 of the NPPF.
- 1.2 However, it is clear from the above that trends pertinent to the need for affordable housing across the BCAs have significantly worsened in the intervening years since the BC HMA was published. To this end, it is likely that the affordable housing needs of the BCAs have worsened, and that any future assessment would likely result in increased needs for the BCAs, but particularly Sandwell and Walsall. Notwithstanding this, it is also clear that the BCAs are consistently unable to meet their affordable housing needs, despite a reasonable level of gross delivery, due to RtB stock losses, and have already accumulated a collective shortfall of 1,559 homes against the BC HMA needs over the 2020 to 2023 period. The

above is without factoring in the fact that a brownfield-first spatial strategy is likely to result in further under-delivery of affordable housing due to viability constraints.

5-53

As such, it is likely that there will be a substantial level of demand for affordable housing across the BCAs, and that an uplift to the minimum LHN figures to help deliver affordable housing needs would likely be justified, and crucially, necessary to addressing worsening affordability; albeit, this would likely be greater in Sandwell and Walsall, rather than Dudley and Wolverhampton. Importantly, if the minimum LHN figures of the BCAs were to be increased to assist in delivering affordable housing, it is reasonable and realistic to assume that a greater level of affordable housing would be delivered in practice. Indeed, although not necessarily conclusive, the data also suggests that since the last recession, where overall housing delivery has risen, so too has affordable housing completions and vice versa:

Figure 5.8: Affordable Housing Completions in the Black Country



Source: DLUHC (November 2023): Affordable housing supply statistics (AHS) 1008C / Table 122 Net additional dwellings1 by local authority district, England, 2001-02 to 2022-23

5-54

Finally, there may be a need to consider an uplift in the housing requirement more generally to ensure an adequate supply of new labour to underpin economic growth ambitions. Currently, there is no clear alignment between the Black Country’s housing and employment land evidence. A range of economic forecasts should be assessed incorporating both the latest evidence on the effects of the pandemic and from the 2021 Census to test the robustness of employment growth assumptions underpinning both the BC HMA and EDNA. This would ensure that the housing and employment requirements are in alignment and that economic growth is not decoupled from housing growth.



## 6.0 The Black Country's Housing Land Supply and Need for Green Belt Release

- 6.1 The NPPF is a critical part of delivering the Government's objective of "*significantly boosting the supply of homes*". Whilst the NPPF also now states that the "*overall aim should be to meet as much of an area's identified housing need as possible*", Paragraph 11 continues to set out the presumption in favour of sustainable development and refers to the expectation that plans should "*meet the development needs of their area*" and "*as a minimum provide for the objectively assessed needs for housing and other uses*". The retention of the presumption provides an important context to the new NPPF and any amendments (particularly in relation to paragraphs 60 and 61) should be viewed in the light of this. As such, it is still considered that the BCAs should seek to meet their needs in full where sustainable to do so.
- 6.2 To meet this objective, the NPPF still emphasises the importance of bringing forward a sufficient amount and variety of land where it is needed (Para 60). The NPPF also states that "*strategic policies should provide a clear strategy for bringing sufficient land forward, and at a sufficient rate, to address objectively assessed needs over the plan period, in line with the presumption in favour of sustainable development.*" It goes on to state that "*this should include planning for and allocating sufficient sites to deliver the strategic priorities of the area*" (Para 23).
- 6.3 The NPPF is also clear on the weight attached to Green Belt by the Government and that: "*Once established, there is no requirement for Green Belt boundaries to be reviewed or changed when plans are being prepared or updated. Authorities may choose to review and alter Green Belt boundaries where exceptional circumstances are fully evidenced and justified, in which case proposals for changes should be made only through the plan-making process.*" (Para 145)
- 6.4 It goes on to provide a set of criteria at paragraph 146 which should be satisfied prior to establishing exception circumstances, including (*inter alia*) the optimisation of brownfield land and densities, and discussions with neighbouring authorities (e.g., a sequential approach of sorts) – which aligns with wider requirements in the NPPF, such as Footnote 27 and paragraphs 123 and 128. Importantly, the NPPF does not preclude an LPA from undertaking a Green Belt Review, so long as an LPA has satisfied the sequential approach in utilising its supply of brownfield land, optimising densities and engaging with neighbouring authorities to assist in meeting needs.
- 6.5 In respect of the aforementioned sequential approach, the BCAs were formerly jointly preparing the BCPR, which set out a spatial strategy for addressing their housing requirements. Through the preparation of the BCPR, it has become clear that the BCAs cannot meet their housing needs through the optimisation of brownfield land and densities, or through discussions with neighbouring authorities. Even with the release of Green Belt land (as proposed within the BCPR) an unmet housing need of c.28,000 dwellings was identified within the Black Country up to 2039. In this context, it is considered that the criteria set out in paragraph 145 of the NPPF remain satisfied.

- 6.6 With regard to exceptional circumstances, it remains relevant to refer to the Calverton Parish Council v Nottingham City Council High Court Judgment.<sup>30</sup> Paragraph 51 of the Judgment, in seeking to establish exceptional circumstances, sets out the following 5 issues that should be grappled with:
- 1 *“the acuteness/intensity of the objectively assessed need (matters of degree may be important);*
  - 2 *the inherent constraints on supply/availability of land prima facie suitable for sustainable development;*
  - 3 *(on the facts of this case) the consequent difficulties in achieving sustainable development without impinging on the Green Belt;*
  - 4 *the nature and extent of the harm to this Green Belt (or those parts of it which would be lost if the boundaries were reviewed); and*
  - 5 *the extent to which the consequent impacts on the purposes of the Green Belt may be ameliorated or reduced to the lowest reasonably practicable extent.”*
- 6.7 The judgement makes clear that the acuteness of an LPA’s unmet housing need can constitute exceptional circumstances. In the context of the Calverton Judgement and considering the previously established quantum of unmet housing needs (i.e., c.28,000 dwellings) arising from the Black Country up to 2039, it is clear that exceptional circumstances exist for the release of Green Belt land within the Black Country.
- 6.8 Notwithstanding the above, there has been a marked change in direction for plan-making within the Black Country. The BCA authorities are no longer pursuing a joint Local Plan and there is now a lack of political appetite to release Green Belt land to meet housing needs. In this context, there is a critical need to establish the extent of non-Green Belt land available within the Black Country to meet BCA’s housing needs.
- 6.9 Each individual BCA is now undertaking a Local Plan Review. However, as a part of these individual Local Plan Reviews, each of the BCAs is at differing stages of the plan-making process, with varying clarity on housing allocations and degrees of evidence supporting each of the plans. Indeed, the table below sets out the plan-making timetables for each of the BCAs as set out in their respective Local Development Schemes [LDS].

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<sup>30</sup> Calverton Parish Council v Greater Nottingham Councils [2015] EWHC 10784

Table 6.1 BCAs Local Plan Review Timetables

	Dudley	Sandwell	Walsall	Wolverhampton
Issues & Options	Current consultation until 22/12/23	February - March 2023 (complete)	September – October 2023	No information provided
Preferred Options	Autumn 2023	November to December 2023	September – October 2024	July – September 2023
Publication Plan	Autumn 2024	Summer 2024	February 2025 – August 2025	February - April 2024
Submission	Spring/Summer 2025	November 2024	September - October 2025	Mid-2024
Examination	Mid-Late 2025	Late 2024 - early 2025	March 2026	Mid-2024 – Mid-2025
Adoption	Spring 2026	Late 2025 - early 2026	Information not provided	Late 2025

Source: Lichfields analysis

- 6.10 On the basis of the above, it is difficult to establish a comprehensive picture of the BCA’s housing land supply across the whole of the Black Country. For example, up-to-date evidence on housing land supply is not available for Walsall, who have not publicly advanced their Local Plan Review or evidence base beyond the BCPR as they are awaiting the outcomes of the revised NPPF.
- 6.11 To this end, this report has reviewed the BCA’s latest evidence on housing land supply set out within the emerging Local Plans Reviews (i.e., Dudley and Sandwell), other supporting SHLAAs, and any further updated SHLAAs (Wolverhampton), to establish the housing land supply available within each of the BCAs. This review also attempts to break down the purported supply into component parts (e.g., brownfield, Green Belt etc), to establish how much of the BCA’s supply is reliant on brownfield land, and conclude on the available supply within each of the BCAs and how much Green Belt land – in theory – would be required to be released to meet their housing needs; albeit, reflecting the fact that their housing needs are so acute that it is unlikely that the BCAs will be able to meet their needs in full.
- 6.12 This review of the BCA’s supply, however, does not review whether all of the sites listed within the components of supply are ‘suitable, available, and achievable’, which is the subject of a further, more detailed, interrogation at a later stage. It has also not critiqued whether the permitted supply is actually ‘deliverable’ – as per the definitions set out in Annex 2 or will deliver at the rates anticipated.

## The Previous Land Supply Position

- 6.13 As noted above, the BCAs were formerly jointly preparing the BCPR. As a part of the plan-making process, the BCAs consulted on the draft BCPR between August and October 2021. As a part of the draft BCPR, the BCAs set out a spatial strategy for addressing their housing requirements, which included proposed site allocations and Green Belt release, underpinned by individual BCA Strategic Housing Land Availability Assessments [SHLAAs] from 2020. In this regard, the draft BCPR identified the below components of housing land supply up to 2039 for each of the BCAs:

Table 6.2 draft BCPR housing land supply components

Supply		Dudley	Sandwell	Walsall	Wolverhampton	Total
Existing supply as of April 2020	A: Sites Under Construction	978	624	1,255	2,401	5,258
	B: Sites with Permission or Prior Approval	1,867	2,577	1,105	1,831	7,380
	C: Sites with Other Commitments (2020 SHLAAs)	833	102	2,691	176	3,802
	D: Existing Housing Allocations in Strategic Centres	2,506	201	18	2,248	4,973
New Supply	E: Employment Land Release	732	1,882	0	477	3,091
	F: Other Sources	2,739	2,013	1,402	767	6,921
	G: Windfalls	2,816	1,728	1,455	2,464	8,463
	H: Additional Sites in Strategic Centres	350	200	0	750	1,300
	I: Green Belt Release (BCP July 2021)	1,117	171	5,418	1,014	7,720
	J: Green Belt Release (BCP Walsall-Only Sep 2022)	0	0	820	0	820
Loss		-703	-340	0	-28	-1,071
Total	<b>Total net supply (with Green Belt Release)</b>	<b>13,235</b>	<b>9,158</b>	<b>14,164</b>	<b>12,100</b>	<b>48,657</b>
	<b>Total net supply (without Green Belt Release)</b>	<b>12,118</b>	<b>8,987</b>	<b>7,926</b>	<b>11,086</b>	<b>40,117</b>

Source: Lichfields analysis based on Tables 3 and 4 of the draft BCPR

- 6.14 However, following Dudley’s withdrawal from the BCPR, and each of the BCAs now undertaking individual Local Plan Reviews, both Dudley and Wolverhampton have politically committed to promoting a brownfield first/only approach to addressing their housing needs and land formerly identified for allocation and removal from the Green Belt has been omitted from the Dudley Local Plan Review consultation.

## An up-to-date Land Supply Position

- 6.15 Table 6.3 sets out an updated land supply position for the BCAs. This has been based upon a review of the BCA’s latest evidence on housing land supply set out within the emerging Local Plans Reviews, other supporting SHLAAs, and any further updated SHLAAs, to establish the housing land supply available within each of the BCAs.

Table 6.3 Updated Housing Land Supply Components for the BCAs

Supply		Dudley	Sandwell	Walsall	Wolverhampton	Total
Existing Supply	A: Sites under Construction	948	1,060	1,255	1,242	4,505
	B: Sites with Permission or Prior Approval	1,965	998	1,105	2,902	6,970

Supply		Dudley	Sandwell	Walsall	Wolverhampton	Total
	C: Sites with other commitments	0	61	2,691	0	2,752
	D: Local Plan Allocation – Occupied employment land (Wolverhampton only)	0	0	0	484	484
	E: Local Plan Allocation other (Wolverhampton only)	0	0	0	1,646	1,646
	F: Existing Housing Allocations in Strategic Centres (Walsall only)	0	0	18	0	18
New Supply	G: Public Sector Disposal Sites (Wolverhampton only)	0	0	0	211	211
	H: Other potential housing sites (Wolverhampton only)	0	0	0	463	463
	I: Strategic Centre sites (Dudley only)	1,177	0	0	0	1,177
	J: Strategic Centre Occupied Employment Land Sites (Dudley only)	459	0	0	0	459
	K: Town Centre Sites (Dudley only)	1,234	0	0	0	1,234
	L: Regeneration corridor (Dudley only)	2,053	0	0	0	2,053
	M: Other sites outside of centres and regeneration corridors (Dudley only)	377	0	0	0	377
	N: Occupied Employment Land (Sandwell only)	0	2,234	0	0	2,234
	O: Sites with planning permission (Sandwell only)	0	1,545	0	0	1,545
	P: Sites under construction (Sandwell only)	0	78	0	0	78
	Q: Other sources	200	3,094	1,402	0	4,696
	R: Windfalls	2,685	1,868	1,455	1,652	7,660
	S: Additional Floorspace in centres (Sandwell only)	0	219	0	0	219
	T: Density Uplift	138	0	0	84	222
	U: Potential new housing allocations in Wolverhampton Centre (Wolverhampton only)	0	0	0	440	440
	V: Broad locations – Wolverhampton City Centre and Town and District Centres (Wolverhampton only)	0	0	0	976	976
	W: Green Belt Release (BCP July 2021 and BCP Walsall – only Sep 2022)	0	0	6,238	0	6,238
Loss	-360	0	0	-55	-415	
<b>Total</b>	<b>10,876</b>	<b>11,157</b>	<b>14,164</b>	<b>10,045</b>	<b>46,242</b>	
<b>Total (excluding Green Belt release)</b>	<b>10,876</b>	<b>11,157</b>	<b>7,926</b>	<b>10,045</b>	<b>40,004</b>	

Source: Source: Lichfields analysis based upon Draft Dudley Local Plan Part One, Draft Regulation 18 Sandwell Local Plan, Wolverhampton SHLAA (September 2023) and Walsall SHLAA (2020).

6.16 In total, the BCAs have collectively made provision for 46,242 dwellings. Wolverhampton, Dudley and Sandwell have taken predominantly brownfield approaches to housing supply. It should be noted that, unlike the other BCAs, the land supply position for Walsall has not been updated from the position set out within the BCPR. If Walsall were to also take a brownfield-first approach, excluding the supply previously identified within the Green Belt, this could result in a reduced supply of 40,004 dwellings for the Black Country. A summary of the individual positions of each BCA is set out below:

### 1. Dudley

6.17 As stated, Dudley has committed to promoting a brownfield first/only approach to addressing their housing needs. In this regard, land formerly identified for allocation and removal from the Green Belt (1,117 dwellings) has been omitted from the Dudley Local Plan Review consultation.

6.18 The DLP identifies land to provide 10,876 homes within the plan period (2023-2041). This is in comparison to the supply of 13,235 dwellings identified within the draft BCPR. Paragraph 8.4 of the DLP states that the identified supply accommodates c. 91% of Dudley's LHN, with the remaining unmet need of 1,078 dwellings is to be exported through the Duty to Co-operate (Table 5.1 of the DLP).

6.19 The DLP goes on to state that 96.4% of the identified supply (excluding windfall sites) is brownfield land, with only 3.6% of the supply being greenfield land (Paragraph 8.4).

### 2. Sandwell

6.20 The Draft Regulation 18 Sandwell Local Plan ("SLP") sets out that the Council will make provision for the delivery of 11,167 homes within the plan period (2022-2041).<sup>31</sup> This compares to the previous supply of 9,158 dwellings within the BCPR.

6.21 As with Dudley, Sandwell has taken a predominantly brownfield approach. Paragraph 7.4 of SLP states that 97% of the supply is brownfield land, with only 3% of the supply being made up of greenfield land. It should be noted that Sandwell has limited capacity for Green Belt release, and within the BCPR only 171 dwellings of Sandwell's supply came from Green Belt sites.

### 3. Walsall

6.22 A Walsall Council Cabinet report (The Walsall Borough Local Plan- Call for Sites, 13<sup>th</sup> December 2023) sets out that the 'Walsall Borough Local Plan' will deliver strategic site allocations and local planning policies. The report suggests that a Call for Sites will commence in early 2024, and an Issues and Options consultation will take place no earlier than Autumn 2024. However, as of now, insufficient evidence has been published to progress the analysis of Walsall's land supply from the position set out in Table 6.2.

6.23 Table 6.2 sets out that Walsall had made provision for 14,164 dwellings within the BCPR. This included 6,238 dwellings to be built upon land released from the Green Belt.

<sup>31</sup> Table 6.3 excludes 10 Gypsy and Traveller Pitches and therefore totals 11,157

6.24 As stated, the other BCAs are pursuing a predominantly brownfield approach to housing land supply. If Walsall were to also pursue this approach, and exclude sites located within the Green Belt, Walsall’s supply reduces to 7,926 dwellings.

#### 4. Wolverhampton

6.25 Wolverhampton was due to consult upon a Preferred Options plan in July-September 2023, however, this has not taken place and the Wolverhampton Local Plan seems to be delayed.

6.26 Whilst the plan is delayed, the Wolverhampton Strategic Housing Land Availability Assessment (September 2023) provides an updated land supply position for the Council. The Assessment sets out that the Council have a land supply position of 10,045 dwellings, which compares to the draft BCPR position of 12,100 dwellings.

6.27 As with Dudley, Wolverhampton has politically committed to promoting a brownfield first/only approach to addressing their housing needs. This contrasts with the previous approach within the BCPR, which set out that 1,014 dwellings were to come from sites located within the Green Belt.

#### The Need for Green Belt Release

6.28 Notwithstanding the NPPF’s clear requirements to efficiently utilise brownfield land and optimise densities – which are supported in principle – a reliance upon the delivery of brownfield land to meet needs raises wider spatial planning issues, particularly due to the deliverability of brownfield land for housing development. By way of example, the NPPF is clear that “*the needs of groups with specific housing requirements are addressed*” (Para 60) and affordable housing needs should be met on-site (Para 64).

6.29 As noted above, the delivery of urban brownfield land tends to lend itself to the delivery of high-density flatted developments. Such sites are also often constrained by contamination, which requires costly remediation, adding significant monetary and time costs to the overall development. Moreover, securing financing for brownfield redevelopment can be challenging due to the perceived risks associated with contamination cleanup and uncertainties about the final development costs.

6.30 When taken together, as a consequence, often, brownfield schemes tend to deliver high-density flatted schemes, with limited or nil affordable housing provision, to ensure a viable scheme. In principle, such an approach aligns with the NPPF. However, this approach in isolation does not tend to deliver family housing or affordable housing at policy-compliant levels – as per the examples in Birmingham and Coventry. Indeed, Dudley recognises this in their Draft Local Plan, stating that “*poor ground conditions that are a legacy of the Dudley’s mining and industrial past are a significant constraint, in both physical and financial terms*” that “*affect much of the development land supply in the urban area*” (Para 6.6). The corollary of this is that greenfield and Green Belt land is typically less constrained by such financial constraints and site size and can deliver policy-compliant levels of affordable housing, at densities that facilitate the provision of family housing – an approach which also aligns with the NPPF (Paras 60 and 63). In essence, no one spatial strategy approach should be taken in isolation, and it is likely that a mix of brownfield and greenfield/Green Belt land is necessary to meet an LPAs housing needs and make provision of a mix of types and tenures of dwellings to meet specific needs.

- 6.31 Notwithstanding this, drawing upon the minimum LHN figures (as set out in section 4) when compared to the updated available land supply it is clear that the BCAs do not have sufficient non-Green Belt land within their areas to address their indigenous housing needs (Table 6.4).
- 6.32 In total, the BCAs have a collective LHN of 77,336 dwellings and an identified housing supply of 46,242, which results in a shortfall of 31,094 dwellings. If Walsall’s Green Belt supply is excluded, this shortfall increases to 37,332 dwellings. This is a substantial increase from the shortfall which was identified during the preparation of the BCPR.
- 6.33 The BCPR had previously identified a land supply which made provision for 48,657 dwellings and resulted in a shortfall of c.28,000 dwellings. The BCA authorities are no longer pursuing a joint plan and there has been a fundamental shift in the spatial strategy approached being proposed by the BCAs to address their housing needs.

Table 6.4 BCAs Minimum Local Housing Need compared to available land supply

	Dudley (Plan period 2023-2041)	Sandwell (Plan Period 2022-2041)	Walsall (Plan Period 2023-2041)	Wolverhampton (Plan Period 2023-2041)	BCA Total
<b>Total Net Supply</b>	10,876	11,157	14,164	10,045	46,242
<b>Total Net Supply (excluding Greenbelt)</b>	10,876	11,157	7,926	10,045	40,004
<b>Local Housing Need (Plan Period)</b>	11,789	29,777	16,328	19,441	77,336
<b>Shortfall (LHN-Total Net Supply)</b>	<b>-913</b>	<b>-18,620</b>	<b>-2,164</b>	<b>-9,396</b>	<b>-31,094</b>
<b>Shortfall when excluding Green Belt (LHN-Total net supply excluding Green Belt)</b>	<b>-913</b>	<b>-18,620</b>	<b>-8,402</b>	<b>-9,396</b>	<b>-37,332</b>

Source: Lichfield Analysis

- 6.34 This land supply ‘gap’ will only worsen when the BCAs have proper regard to the need for uplifts to their minimum LHN figures in light of addressing affordable housing needs and the provision of sufficient housing to enable the workforce to grow in alignment with economic growth forecasts and local ambitions.
- 6.35 It is accepted that the scale of housing needs in the Black Country is such that even if land were to be released from the Green Belt, it is highly unlikely – and indeed, unsustainable – to meet their housing needs in full within the Black Country. However, as shown above in Table 6.2, when the BCPR did propose a Green Belt release, the Black Country was unable to fully address their needs with a shortfall of c.28,000 dwellings up to 2039. On the basis of the current land supply data, it is likely that the level of unmet housing needs arising from the BCAs would increase, as a minimum, to 31,094 dwellings. If Walsall’s Green Belt supply is excluded, the level of unmet housing needs rises to 37,332 dwellings.



- 6.36 This serves to highlight that it is critical that the BCAs seek to address as much housing needs as sustainably possible. At a minimum, they should be seeking to reduce the shortfall back to the c.28,000 dwellings identified within the BCPR. To achieve this, it will be necessary to release Green Belt land for residential development.
- 6.37 In the absence of this, the unmet housing needs arising from the Black Country are likely to markedly increase, which puts additional pressure on the GBBCHMA LPAs to meet their needs outside of the Black Country – a process which is already challenging when based around the previously established 28,000 dwelling shortfall.

## 7.0 Conclusion

7.1 This Report has been prepared by Lichfields, on behalf of St Modwen Homes. The purpose of this Report is to define the scale of each of BCA’s housing needs in isolation, and across the whole of the Black Country area, based on the NPPF and PPG’s Standard Method for calculating LHN.

7.2 It also considers whether the minimum LHN figures are sufficient to address the housing needs of each of the BCAs, or other uplifts to assist each BCA in addressing affordable housing needs or ensuring that there is a sufficient workforce to align with economic growth forecasts.

7.3 Drawing on the latest land supply evidence, the Report also establishes how much of each of the BCA's needs can be accommodated within their own boundaries when having regard to the likely deliverability of land supply, and how much realistically needs to be delivered on Green Belt sites.

7.4 The BCPR is no longer being prepared, and each of the BCAs is preparing their own individual plans. Whilst there is an existing evidence base (i.e. the BC HMA) and the BCPR set out an LHN-based Black Country-wide LHN figure, the NPPF is clear that LPAs should utilise the Standard Method to determine the LHN (Para 61), based on the 2014-based household projections, and that this figure should be kept under review and revised where appropriate,<sup>32</sup> and that a Standard Method calculation can be relied upon from 2 years of the time when a plan is submitted for examination.<sup>33</sup>

7.5 On this basis, this Report has re-calculated each of the BCA’s LHN figures based on the Standard Method, as it is considered that, in this instance, there are no exceptional circumstances to justify the BCAs deviating from the Standard Method.

7.6 On the basis of the Standard Method, this report has identified the below minimum annual LHN figures for each of the BCAs, which is c.200 dpa higher than the LHN figures identified in the BCPR and BC HMA, by virtue of changes in the affordability ratio.

Table 7.1 Overall minimum LHN figures

	LHN
Dudley	655
Sandwell	1,567
Walsall	907
Wolverhampton	1,080
<b>Black Country</b>	<b>4,209</b>

Source: Lichfields analysis

7.7 When factoring in the emerging plan periods from the BCA's respective Local Plan Reviews and applying the minimum LHN figures identified above to the whole plan period for each of the BCAs, **there would be a combined need for 77,336 dwellings between 2022 and 2041 across the Black Country.**

<sup>32</sup> PPG ID: 2a-008

<sup>33</sup> PPG ID: 2a-008

- 7.8 However, both the NPPF<sup>34</sup> and PPG<sup>35</sup> are clear that the LHN figure generated by the SM is a minimum starting point (i.e., may need to be uplifted on the basis of employment, infrastructure, affordable housing or unmet housing needs<sup>36</sup>). In this regard, the BC HMA is now somewhat dated, and recent trends between 2020 and 2023 indicate that affordability pressures in the Black Country have worsened. Notwithstanding this, it is also clear that the BCAs are consistently unable to meet their affordable housing needs, despite a reasonable level of gross delivery, due to RtB stock losses, and have already accumulated a collective shortfall of 1,559 homes against the BC HMA needs over the 2020 to 2023 period. The above is without factoring in the fact that a brownfield-first spatial strategy is likely to result in further under-delivery of affordable housing due to viability constraints.
- 7.9 It is recognised that the BCAs identified affordable housing needs would be part of the overall housing need, and not in addition to the LHN figures. It is also understood that neither the NPPF nor PPG requires the Council to meet these needs in full. However, it is considered that an uplift to the minimum LHN figures to help deliver affordable housing needs would likely be justified, and crucially, necessary to addressing worsening affordability; albeit, this would likely be focussed in Sandwell and Walsall, rather than Dudley and Wolverhampton.
- 7.10 It is also possible that an uplift is required in order to ensure that housing requirements will support enough new labour supply to underpin the economic ambitions of the BCAs. However, there is currently no alignment between the housing and employment land evidence base. It is therefore recommended that both pieces of evidence are updated and have regard to comparable scenarios which incorporate the latest available employment forecasts. This may result in a need to uplift their minimum LHN figures to help deliver the required number of affordable homes and ensure that the economic growth ambitions of the BCAs are not decoupled from housing growth.
- 7.11 In terms of land supply, whilst the BCPR identified housing allocations, given the marked change in direction for plan-making within the Black Country, the BCA authorities are no longer pursuing the BCPR approach. As a result, the BCAs have generally set out a brownfield-first approach to meeting housing needs. Whilst such an approach is entirely consistent with the objectives of the NPPF – and in principle supported – there are some legitimate questions regarding whether such an approach would fully address the BCAs housing needs given the scale of needs, provide a mix of homes to meet the needs of different groups (i.e., family homes), and whether some this brownfield land is actually deliverable. There is therefore a critical need to establish the extent of non-Green Belt land available within the Black Country to meet BCA’s housing needs.
- 7.12 To this end, this report has reviewed the BCA’s latest evidence on housing land supply set out within the emerging Local Plans Reviews (i.e., Dudley and Sandwell), other supporting SHLAAs, and any further updated SHLAAs (Wolverhampton), to establish the housing land supply available within each of the BCAs and whether they would be able to meet their housing needs as a minimum (i.e., the minimum LHN figures).

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<sup>34</sup> Paragraphs 60 and 67

<sup>35</sup> PPG ID: 2a-002

<sup>36</sup> PPG ID: 2a-010

7.13 In total, the BCAs have collectively made provision for 46,242 dwellings. If Walsall were to also take a brownfield-first approach, excluding the supply previously identified within the Green Belt, this could result in a reduced supply of 40,004 dwellings for the Black Country.

7.14 When comparing the above-mentioned minimum LHN figures for the plan periods with the available land supply it is clear that the BCAs do not have sufficient brownfield land within their areas to address their indigenous housing needs, resulting in a shortfall of 31,094 dwellings (or 37,33s dwellings when Walsall’s Green Belt supply is excluded).

Table 7.2 BCAs Minimum Local Housing need compared to available land supply

	Dudley (Plan period 2023-2041)	Sandwell (Plan Period 2022-2041)	Walsall (Plan Period 2023-2041)	Wolverhampton (Plan Period 2023-2041)	BCA Total
<b>Total Net Supply</b>	10,876	11,157	14,164	10,045	46,242
<b>Total Net Supply (excluding Greenbelt)</b>	10,876	11,157	7,926	10,045	40,004
<b>Local Housing Need (Plan Period)</b>	11,789	29,777	16,328	19,441	77,336
<b>Shortfall (LHN-Total Net Supply)</b>	<b>-913</b>	<b>-18,620</b>	<b>-2,164</b>	<b>-9,396</b>	<b>-31,094</b>
<b>Shortfall when excluding Green Belt (LHN-Total net supply excluding Green Belt)</b>	<b>-913</b>	<b>-18,620</b>	<b>-8,402</b>	<b>-9,396</b>	<b>-37,332</b>

Source: Lichfield Analysis

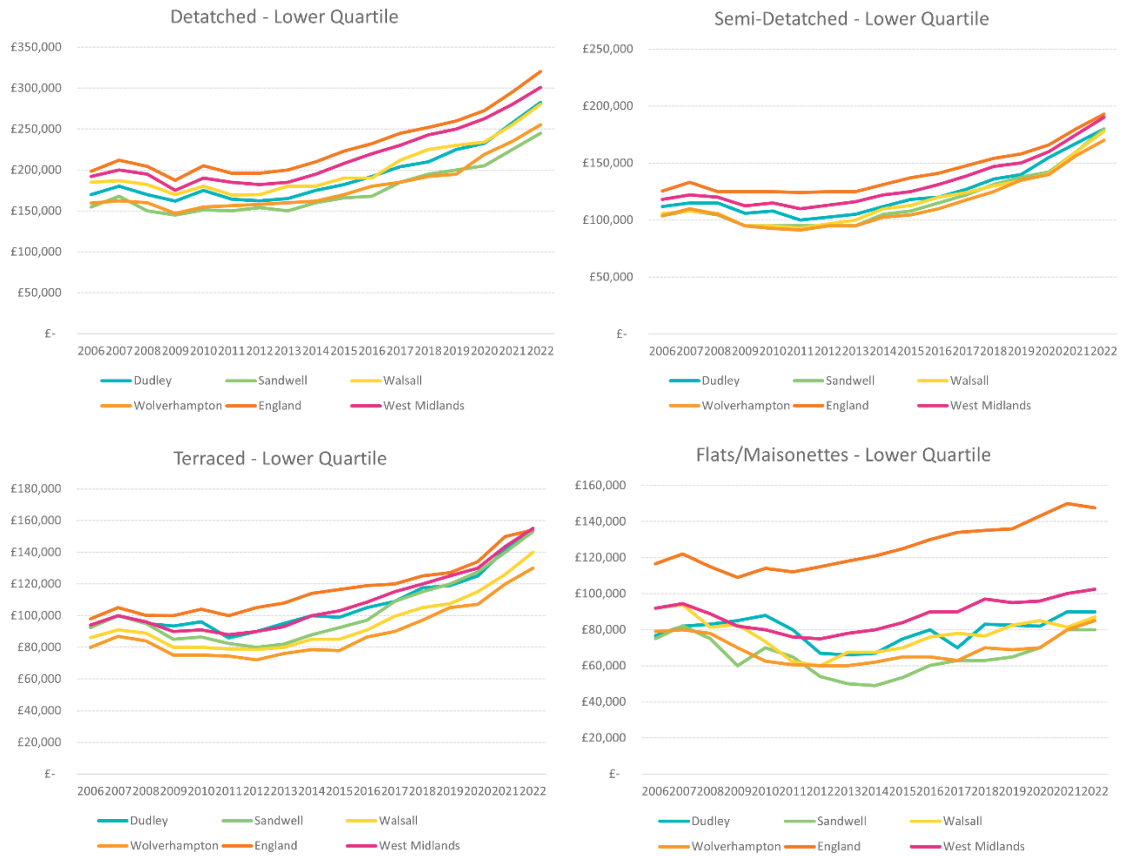
7.15 This is a substantial increase from the shortfall which was identified during the preparation of the BCPR (i.e., c.28,000). Fundamentally, the consequence of the collapse of the BCPR and the change to a brownfield-first spatial strategy approach in each of the BCA's respective Local Plan Reviews is that the unmet housing needs of the Black Country collectively have significantly increased. This land supply ‘gap’ will only worsen when the BCAs have proper regard to the need for uplifts to their minimum LHN figures in light of addressing affordable housing needs and the provision of sufficient housing to enable the workforce to grow in alignment with economic growth forecasts and local ambitions. It is therefore considered that a reasonable and sustainable way of addressing these unmet housing needs is through the release of Green Belt land – as it is clear that ‘exceptional circumstances’ exist.

7.16 Whilst it is accepted that the scale of housing needs in the Black Country is such that even if land were to be released from the Green Belt, the above highlights that it is critical that the BCAs seek to address as much housing needs as sustainably possible. At a minimum, they should be seeking to reduce the shortfall back to the c.28,000 dwellings identified within the BCPR. To achieve this, it will be necessary to release Green Belt land for residential development.

# Appendix 1 Housing Market Trends

## Lower Quartile and Median House Prices

Figure 1 Lower Quartile House Prices by Dwelling Type 2006-2022



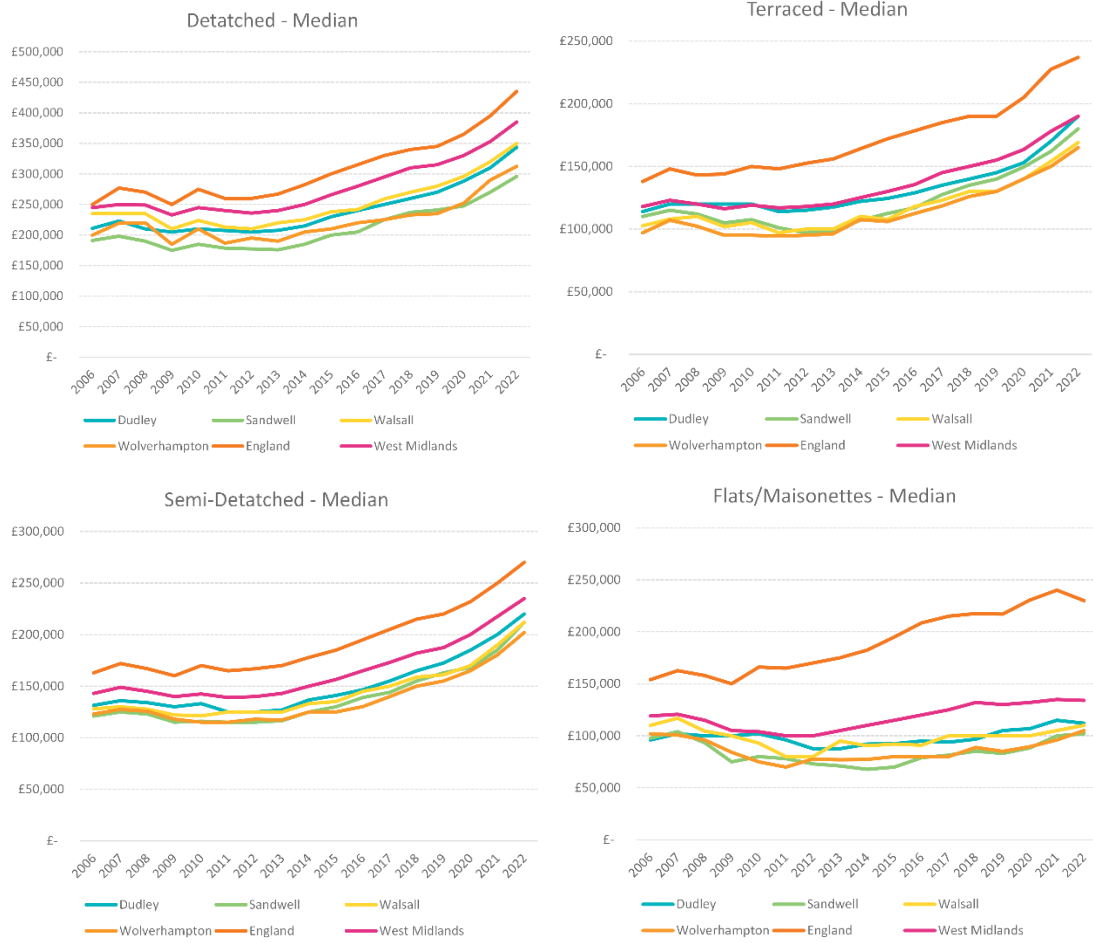
Source: Lower Quartile House Price Paid Data (HPPSA 15)

Table 2 Lower Quartile House Prices by Dwelling Type 2020-2022

Lower Quartile		2020	2022	2020-2022 Abs. Change	2020-2022 % Change
All Dwellings	Dudley	£142,895	£165,000	£22,105	15%
	Sandwell	£130,000	£155,250	£25,250	19%
	Walsall	£125,000	£150,000	£25,000	20%
	Wolverhampton	£130,000	£149,950	£19,950	15%
	England	£172,000	£189,950	£17,950	10%
	West Midlands	£155,000	£172,500	£17,500	11%
Detached	Dudley	£232,500	£282,500	£50,000	22%
	Sandwell	£205,000	£245,000	£40,000	20%
	Walsall	£233,955	£280,000	£46,045	20%
	Wolverhampton	£218,950	£255,000	£36,050	16%
	England	£272,500	£320,000	£47,500	17%
	West Midlands	£262,500	£300,835	£38,335	15%
Semi-Detached	Dudley	£154,900	£180,000	£25,100	16%
	Sandwell	£142,250	£180,000	£37,750	27%
	Walsall	£140,750	£178,000	£37,250	26%
	Wolverhampton	£140,000	£170,000	£30,000	21%
	England	£166,000	£193,000	£27,000	16%
	West Midlands	£160,000	£190,000	£30,000	19%
Terraced	Dudley	£125,000	£155,000	£30,000	24%
	Sandwell	£127,500	£153,000	£25,500	20%
	Walsall	£115,000	£140,000	£25,000	22%
	Wolverhampton	£107,000	£130,000	£23,000	21%
	England	£134,000	£154,000	£20,000	15%
	West Midlands	£130,000	£155,000	£25,000	19%
Flats/Maisonettes	Dudley	£82,000	£90,000	£8,000	10%
	Sandwell	£70,000	£80,000	£10,000	14%
	Walsall	£85,000	£87,000	£2,000	2%
	Wolverhampton	£70,000	£85,000	£15,000	21%
	England	£143,000	£147,500	£4,500	3%
	West Midlands	£96,000	£102,500	£6,500	7%

Source: Lower Quartile House Price Paid Data (HPPSA 15)

Figure 2 Median House Prices by Dwelling Type 2006-2022



Source: Median House Price Paid Data (HPPSA 9)

Table 3 Median House Prices by Dwelling Type 2020-2022

Median		2020	2022	2020-2022 Abs. Change	2020-2022 % Change
All Dwellings	Dudley	£173,000	£215,000	£30,000	16%
	Sandwell	£155,000	£195,000	£35,000	22%
	Walsall	£157,000	£197,000	£32,000	19%
	Wolverhampton	£153,500	£190,000	£22,000	13%
	England	£245,000	£290,000	£27,500	10%
	West Midlands	£195,000	£235,000	£22,500	11%
Detached	Dudley	£270,000	£343,750	£55,751	19%
	Sandwell	£241,000	£296,000	£48,500	20%
	Walsall	£280,000	£350,000	£54,005	18%
	Wolverhampton	£235,000	£312,500	£60,500	24%
	England	£345,000	£435,000	£70,000	19%
	West Midlands	£315,000	£385,000	£55,005	17%
Semi-Detached	Dudley	£172,500	£220,000	£35,000	19%
	Sandwell	£162,995	£212,000	£43,750	26%
	Walsall	£161,000	£212,000	£42,000	25%
	Wolverhampton	£155,000	£202,000	£37,000	22%
	England	£219,950	£270,000	£38,000	16%
	West Midlands	£187,500	£235,000	£35,000	18%
Terraced	Dudley	£145,000	£189,975	£36,975	24%
	Sandwell	£139,950	£180,000	£30,500	20%
	Walsall	£130,000	£169,000	£29,025	21%
	Wolverhampton	£129,995	£165,000	£25,000	18%
	England	£190,000	£236,995	£31,995	16%
	West Midlands	£155,000	£190,000	£26,500	16%
Flats/Maisonettes	Dudley	£105,000	£112,000	£5,250	5%
	Sandwell	£83,000	£102,000	£13,750	16%
	Walsall	£99,995	£110,000	£10,005	10%
	Wolverhampton	£85,000	£104,995	£15,495	17%
	England	£217,000	£230,000	£(470)	0%
	West Midlands	£130,000	£134,000	£2,000	2%

Source: Lower Quartile House Price Paid Data (HPPSA 9)



## Lower Quartile and Median Rents

Table 3 Lower Quartile Rents by Dwelling Size 2020-2023

Lower Quartile		2020	2023	2020-2023 Abs. Change	2020-2023 % Change
All Rents	Dudley	£495	£575	£80	16.2%
	Sandwell	£525	£625	£100	19.0%
	Walsall	£495	£595	£100	20.2%
	Wolverhampton	£475	£540	£65	13.7%
	England	£550	£625	£75	13.6%
	West Midlands	£550	£595	£45	8.2%
1-bed	Dudley	£400	£450	£50	12.5%
	Sandwell	£410	£495	£85	20.7%
	Walsall	£400	£470	£70	17.5%
	Wolverhampton	£400	£450	£50	12.5%
	England	£495	£565	£70	14.1%
	West Midlands	£450	£495	£45	10.0%
2-bed	Dudley	£525	£600	£75	14.3%
	Sandwell	£550	£625	£75	13.6%
	Walsall	£495	£590	£95	19.2%
	Wolverhampton	£503	£600	£97	19.3%
	England	£550	£625	£75	13.6%
	West Midlands	£550	£600	£50	9.1%
3-bed	Dudley	£625	£725	£100	16.0%
	Sandwell	£625	£740	£115	18.4%
	Walsall	£575	£675	£100	17.4%
	Wolverhampton	£595	£700	£105	17.6%
	England	£650	£725	£75	11.5%
	West Midlands	£725	£825	£100	13.8%
4-bed	Dudley	£740	£875	£135	18.2%
	Sandwell	£745	£900	£155	20.8%
	Walsall	£740	£850	£110	14.9%
	Wolverhampton	£745	£950	£205	27.5%
	England	£950	£1,127	£177	18.6%
	West Midlands	£850	£995	£145	17.1%

Source: VOA Private Rental Market Statistics

Table 4 Median Rents by Dwelling Size 2020-2023

Median		2020	2023	2020-2023 Abs. Change	2020-2023 % Change
All Rents	Dudley	£575	£675	£100	17.4%
	Sandwell	£600	£725	£125	20.8%
	Walsall	£575	£675	£100	17.4%
	Wolverhampton	£565	£650	£85	15.0%
	England	£725	£825	£100	13.8%
	West Midlands	£650	£725	£75	11.5%
1-bed	Dudley	£430	£520	£90	20.9%
	Sandwell	£458	£536	£78	17.0%
	Walsall	£435	£525	£90	20.7%
	Wolverhampton	£425	£475	£50	11.8%
	England	£625	£725	£100	16.0%
	West Midlands	£525	£580	£55	10.5%
2-bed	Dudley	£575	£675	£100	17.4%
	Sandwell	£595	£695	£100	16.8%
	Walsall	£550	£650	£100	18.2%
	Wolverhampton	£550	£673	£123	22.4%
	England	£695	£800	£105	15.1%
	West Midlands	£625	£695	£70	11.2%
3-bed	Dudley	£693	£825	£132	19.0%
	Sandwell	£675	£825	£150	22.2%
	Walsall	£650	£795	£145	22.3%
	Wolverhampton	£650	£795	£145	22.3%
	England	£795	£900	£105	13.2%
	West Midlands	£725	£825	£100	13.8%
4-bed	Dudley	£850	£1,013	£163	19.2%
	Sandwell	£875	£1,100	£225	25.7%
	Walsall	£850	£1,023	£173	20.4%
	Wolverhampton	£875	£1,100	£225	25.7%
	England	£1,300	£1,500	£200	15.4%
	West Midlands	£1,050	£1,250	£200	19.0%

Source: VOA Private Rental Market Statistics



the 1990s, the number of people in the world who are illiterate has increased from 400 million to 600 million.

There are many reasons for this. One is that the population of the world is growing so fast that the number of children who are illiterate is increasing. Another reason is that the number of people who are illiterate is increasing in many countries, especially in the developing world. This is because many of these countries do not have enough schools or teachers to teach all the children who are of school age.

There are also many people who are illiterate because they do not have enough money to go to school. In many countries, the cost of education is very high, and many families cannot afford to send their children to school. This is especially true in the developing world, where the cost of education is often a significant part of a family's income.

There are also many people who are illiterate because they do not have enough time to go to school. In many countries, the school year is very short, and many children have to work to help support their families. This is especially true in the developing world, where many children are needed to help with the household or to work on the family farm.

There are also many people who are illiterate because they do not have enough interest in learning. In many countries, the education system is not very good, and many children do not like to go to school. This is especially true in the developing world, where the education system is often outdated and does not provide a good quality of education.

There are also many people who are illiterate because they do not have enough access to education. In many countries, there are not enough schools, and many children have to travel a long distance to get to school. This is especially true in the developing world, where the infrastructure is often poor and there are not enough roads or bridges to connect the schools to the villages.

There are also many people who are illiterate because they do not have enough resources to learn. In many countries, there are not enough books or other learning materials, and many children do not have access to the internet or other modern learning tools.

There are also many people who are illiterate because they do not have enough motivation to learn. In many countries, the education system is not very good, and many children do not see the value of learning.

There are also many people who are illiterate because they do not have enough support from their families. In many countries, the families do not value education, and many children are not encouraged to go to school. This is especially true in the developing world, where many families are poor and do not have the resources to support their children's education.

There are also many people who are illiterate because they do not have enough access to information. In many countries, there are not enough libraries or other sources of information, and many children do not have access to the internet or other modern information sources.

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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.**



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