

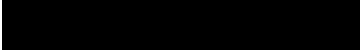
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Dear Sir/Madam,

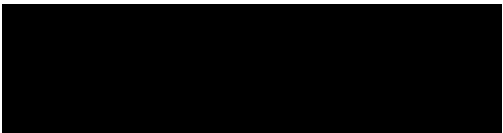
Please find attached my comments on the draft Dudley Local Plan.

Part C Section 4 of the form has a limited word count for responses, and I wish to make a full response on Policy DLPBH8. Also the form does not preserve formatting of the tables included in my response and turns them into gibberish.

I have therefore attached my comments on Policy DLPBH8 as a Word document with my other comments.

There seems also to be a problem with checking the boxes under Question 1 as the repeatedly uncheck themselves.

Best wishes,



Part C: Comments

Complete one section C per comment on the Local Plan.

Please ensure that you also complete:

section A and B (personal details and declaration) ONCE and submit alongside your section C form(s).

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

Please complete Questions 1 and 2 if you know this information.

Question 1. To which document does this response relate? *(Please tick one box)*

- Draft Dudley Local Plan, Regulation 18 Part One and Part Two
- Sustainability Appraisal of the Regulation 18: Pre-Submission Draft of the Dudley Local Plan Volume 1 and Volume 2
- Habitats Regulations Assessment of the Regulation 18: Pre-Submission Draft of the Dudley Local Plan
- Supporting evidence base document

Question 2. To which part of the document does this response relate??

Title of document			
Paragraph/section		Policy	
Site		Policy Map	

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:

For official use only

Respondent No:		Representation No:		Date received:	
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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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Comments from Clive Skidmore on draft Dudley Local Plan December 2023

Part One

Page 112

This table sets out densities of new housing. The percentages of flats allowed on sites in urban areas can be up to 100%.

I think this is far too open-ended, in theory that means that you could have a development of say 500 flats in one location and I do not think that appropriate anywhere in the Borough.

Some developments might be 100% flats but there should be a numerical ceiling on the number of flats that are permitted as part of a single development even in a town centre.

Pages 115 to 118

This section is about affordable housing.

The key issue here is that the document uses the expression “where financially viable” which basically gives developers the ability to wriggle out of their affordable housing requirements obligations by claiming that the scheme is not financially viable.

All private sector developers are adept at producing financial viability assessments which demonstrate that affordable housing is not financially viable.

On page 118 the document does talk about the necessity for developers to produce financial viability assessments and the possibility that this may be externally scrutinised but again this is identified as a possibility not a certainty.

My view would be that the council should either be stating that **any** site which falls within the threshold needs to provide affordable housing irrespective of financial viability, or the council should be stating that **all** schemes which claim that that it's not possible to provide affordable housing for financial viability reasons should be subject to independent scrutiny I) at the developer's expense.

Otherwise the council is just making a rod for its own back because it will be engaged in perpetual arguments between developers who are experts at manipulating financial viability whereas planning officers are not.

Pages 134 following, homes in multiple occupation.

Clause a) of policy DLP 17.

This does not seem logical, surely any conversion of family housing to a House of multiple occupation leads to a loss of family housing and surely there's a shortage of family housing across the borough so on this basis no conversions to HMOs should be permitted?

Clause d) on car parking, this is too vague in terms of the level of car parking required and I should be looking for a clear statement of the ratio of car parking spaces compared with the number of occupants in each property.

Paragraph 8.51 is confusing. On the one hand it says that planning permission is not normally required for an HMO but then it refers to the Article 4 direction, so which is it, is planning permission required or not?

Paragraph 8.56 again the implication of this paragraph is that conversion to HMO from a family home will never be permitted because clearly **any** such conversion reduces the number of family homes.

If the council is saying that it will not allow conversion of family homes to HMO's then it needs to make this a bit clearer but certainly this seems to be the implication in this section.

Comments on Part 2 of Dudley Local Plan

My comments relate to the Brierley Hill Strategic Centre as defined on plan 1.5 on page 72.

Page 9 point B

Night time economy is all very well, but the Plan needs to recognise the negative impact this can have on people who live adjacent to such uses given the growth of people living in flats above shops in our towns.

I do not feel that there is a need for more pubs in Brierley Hill, and some of the extended licencing hours for the existing pubs already cause issues for people who live in the High Street town centre.

Connectivity across the Strategic Centre

There is little in the plan about achieving connectivity across the strategic centre of Brierley Hill. In fact this is only referred to once.

“Delivering an integrated and accessible town centre” was a key objective of the Council’s 2011 Brierley Hill Area Action Plan – why is this not a key objective of the current draft Plan?

See pages 8-11 of the AAP which set out this as the first challenge for the AAP.

AAP 2011 page 9-

“New connections need to be made between the High Street, Waterfront and Merry Hill, and their surrounding areas, and sustainable transport options need to be enhanced to improve access to everyone”.

Given that Brierley Hill is now the strategic centre of the borough, I would expect a lot more emphasis to be placed on the need to join up its separate elements.

This should once again be a core objective of the new Local Plan.

At the moment Brierley Hill High Street, Merry Hill and the Waterfront all have very different identities and are effectively separated from one another by topography and physical barriers.

If one of the intentions of the plan is to promote Brierley Hill as a strategic centre, a key objective of the plan should be to propose ways in which these three distinct areas can be more effectively integrated. This could include physical connections such as bridges across the canal, better connectivity between the Waterfront and Merry Hill across Level St.

The potential residential development of sites between Merry Hill and Brierley Hill clearly offers the opportunity to create linkages and join up these areas. It is really important that when these sites are developed the opportunity is taken in their design to achieve a relationship with both Brierley Hill and Merry Hill

Page 11 paragraph 1.9. Good to see the aspiration to link the Merry Hill centre in to the rest of the urban fabric

New Housing in Brierley Hill Strategic Centre pages 46 following Policy DLPBH8

I am pleased to see that the Council has revised downwards its housing target for Brierley Hill to a more realistic level.

However I do not consider that the high density of development proposed for most of these sites meet the housing need in the area nor is it deliverable in terms of market demand.

Housing Need

Disappointingly, the Council does not have information on housing need for the plan period for the Brierley Hill area.

The Council's Housing Strategy Team has produced a breakdown of the figures from the SHMA disaggregated into five sub-areas in the Borough as follows:

<i>Sub-area</i>	<i>Composite wards</i>
North Dudley	Sedgley, Gornal, Upper Gornal and Woodsetton, Coseley East
Central Dudley	Castle and Priory, St James's, St Thomas's, Netherton, Woodside and St Andrew's, Quarry Bank and Dudley Wood
Brierley Hill	Brierley Hill, Wordsley, Brockmoor and Pensnett, Kingswinford North and Wall Heath, Kingswinford South
Stourbridge	Amblecote, Wollaston and Stourbridge Town, Lye and Stourbridge North, Norton, Pedmore and Stourbridge East
Halesowen	Cradley and Wollescote, Hayley Green and Cradley South, Belle Vale, Halesowen North, Halesowen South

The housing need data collated by the Council at the Brierley Hill sub-area is as follows:

New housing required 2020 to 2039		<i>1 bed</i>	<i>2 bed</i>	<i>3 bed</i>	<i>4 bed</i>
Market housing*	830	235	206	195	194
First Homes**	190	43	61	67	18
Shared ownership (SO)	195	59	69	53	15
Affordable Rent (AR)/ Social Rent (SR)	269	64	41	48	116
Total	1,484	402	376	363	343

*Market housing includes both owner-occupied and private rented **First Homes figures represent potential demand rather than a requirement.

So if I convert the housing need figures above by size into percentages, I get the following figures for new housing required in Brierley Hill sub area -

1 bed - 27%
2 bed - 25%
3 bed - 24%
4 bed - 23%

Conclusion from this data – around 50% of new housing provision in Brierley Hill needs to be family housing.

Existing Housing mix

These percentages being based on the "sub-area" which includes places such as Wordsley, Kingswinford North, Wall Heath and Kingswinford South (which have far fewer flats than Brierley Hill does), mask the fact that in Brierley Hill ward there is **already** a disproportionate oversupply of 1 and 2 bedroom properties; meaning that if the need was assessed for the ward on its own, the percentages would lean even more heavily towards a need for more 3 and 4 bedroom properties.

The data below provided by the Council shows Brierley Hill properties by number of bedrooms compared with Boroughwide by number of bedrooms.

Brierley Hill Ward

1 bedroom - 17.6%
2 bedroom - 34.4%
3 bedroom - 42%
4 bedroom - 6%

Summary

1 and 2 bedroom - 52%
3 and 4 bedroom (family homes) - 48%

Dudley Borough

1 bedroom - 9.5%
2 bedroom - 24.3%
3 bedroom - 51.4%
4 bedroom - 14.8%

Summary

1 and 2 bedroom - 33.8%
3 and 4 bedroom (family homes) - 66.2%

Conclusion from this data - there is already a higher proportion of flats in the Brierley Hill Ward than the borough average, and a corresponding lower ratio of 3 and 4 bedroom houses.

The Dudley Local Plan proposals for housing within Brierley Hill Strategic Centre

The housing sites in Brierley Hill Strategic Centre are detailed below, The Local Plan Part 2, page 46, including the net site area and density proposed.

Site Name	Site Reference	Net Site Area	Capacity	Density
Level Street / Old Bush Street	DLP BH H004	1.06ha	95 dwellings	90DPH
Harts Hill	DLP BH H006	1.46ha	73 dwellings	50DPH
Harts Hill	DLP BH H007	4.73ha	237 dwellings	50DPH
Waterfront Way west	DLP BH H002	0.4ha	61 dwellings	150DPH
Canal Walk South / Mill Street	DLP BH H003	2.775ha	250 dwellings	90DPH
Land at Moor Street	DLP BH H001	1ha	60 dwellings	60DPH
Land at Bell Street and High Street	DLP BH H010	1.6ha	120 dwellings	75DPH
Oak Court Car Park	DLP BH H008	0.37ha	24 dwellings	64DPH
Old Carriage Works, Mill Street	DLP BH H009	0.28ha	28 dwellings	100DPH

If I look at the density of new homes proposed on the table of sites above per hectare, a number of them are 90-100 homes per hectare, that is the level of development you would expect in a 100% flat development.

See page 112 of part 1 of the revised Local Plan which quotes -

very high density - 100+ homes per hectare

high density - 45+

moderate - 40+

Interestingly the average housing density across the UK last year was 31 homes per hectare.

Looking at the table of sites above, the total number of homes expected across all of the sites adds up to 948.

However 4 of those sites are at/over/near the very high density level of 100+ homes per hectare, totalling **671 flats minimum** - 71% of all new homes in Brierley Hill.

All of the other sites fall in the high density category, meaning small numbers of houses, probably none at all on some of these sites.

Conclusion from this data - the draft Local Plan proposes that a minimum of 71% of new homes in the Strategic Centre will be high density, i.e., flats.

Overall Conclusion

The data above demonstrates that –

- The demand for family housing in Brierley Hill is greater than the demand for high density/flats;
- There is already a disproportionately high level of flats in Brierley Hill compared with the rest of the Borough;

- However the Local Plan proposes that a minimum of 71% of new homes in Brierley Hill will be flats/high density development.

It is very clear therefore that this part of the Plan is **unsound** as it proposes a mix of housing for Brierley Hill which **will not** meet the local housing need.

Instead of the houses that are needed, more flats will be built, despite the fact that there are already more flats in Brierley Hill than in any other part of the Borough.

The Plan should be revised to emphasise the need for more family housing and less flats.

Deliverability of High Density Development

Our view is that the proposal to build a large number of flats in Brierley Hill not be deliverable in market terms.

Some of the sites in Brierley Hill do lend themselves to flatted development, but this ignores the dynamics of the housing development market.

In theory building flats is good for the developer because it means they can get more properties on less land.

But this only works in areas where there is a strong demand for flats and where they will achieve good sales prices, like Birmingham City centre, not like Brierley Hill where the housing market is comparatively weak and house prices low compared with the borough average. The reality is that most people want to live in houses not in flats so flats tend to be slow sellers.

The other problem with building flats is that because of all the ancillary space associated with flats like corridors lifts service areas etc which the developer has to provide but which doesn't create any income, they are not much cheaper to build than houses.

But the real problem is cash flow.

A developer building out two and three bedroom houses builds those houses a few at a time and sells them as he works through the site, creating a constant cash flow which goes towards paying off his costs of labour, materials, borrowing etc.

The problem with building flats is that he has to build the whole block before he can either sell or let a single one, so in cash flow terms flatted schemes are really hard to make viable especially now that interest rates have gone up and look likely to stay where they are.

By proposing flats on those sites the Council are effectively making it less likely that anyone will build them out because the risks and costs associated with building flats are so much higher than building traditional housing.

So there are two problems with the Council's proposals to build high numbers of flats in Brierley Hill.

The first one is that flats are not what most people in the local area either want or need.

The second one is that development of large numbers of flats in this location will not be attractive to developers, and this undermines the deliverability of new homes in the area.

Housing at the Merry Hill Centre

I would like to see included as an aim in the plan the development of high quality housing within the Merry Hill shopping centre or car parks.

I believe that the centre will never achieve full occupancy again as a result of the changes to retail patterns and both part of the centre and the extensive car parks could be repurposed with a high quality residential offer.

I recognise that the current owners of the site are not considering this option, but longer term I think it is an appropriate aspiration.