

Part C: Representation

(Please fill a separate sheet for each representation you wish to make)

Q1. To which part of the document does this response relate?

Title of document	Dudley Local Plan Part One		
Paragraph/section	Context to the Local Plan	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 Dudley Local Plan.

Q2. Do you consider the Local Plan is:

- | | | | | |
|---|--------------------------|-----|-------------------------------------|----|
| 1. Legally compliant | <input type="checkbox"/> | Yes | <input type="checkbox"/> | No |
| 2. Sound | <input type="checkbox"/> | Yes | <input checked="" type="checkbox"/> | No |
| 3. Complies with the Duty to co-operate | <input type="checkbox"/> | Yes | <input checked="" type="checkbox"/> | No |

(Mark as appropriate)

Please refer to our guidance notes for help with the above definitions - 1 to 3.

Q3. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

Objection.

Previous versions of the Dudley Local Plan (DLP) were prepared at a time of some uncertainty in national planning. 2024 has seen a new Government with planning at the forefront of their agenda for reform. An early Written Ministerial Statement (WMS) was issued in July 2024, self-evident from the WMS is the reaffirmation of "...the most acute housing crisis in living memory. Home ownership is out of reach for too many; the shortage of houses drives high rents; and too many are left without access to a safe and secure home."

Fundamental however to the new Government's housing strategy is the link between planning and economic growth where the WMS highlights that "sustained economic growth is the only route to improving the prosperity of our country and the living standards of working people. Our approach to delivering this growth will focus on three pillars; stability, investment and reform. But this growth must also be generated for everyone, everywhere across the country – and so nowhere is decisive reform needed more urgently than in housing."

These statements speak directly to the need for new housing, including affordable homes, and the economic benefits to the economy which new housing brings. The message that this Country needs more homes, with everyone, everywhere across the Country to play its part in order to bring about economic growth, could rarely have been more strongly put. It is disappointing that the Vision for the Local Plan does not even mention the national housing crisis, or the national drive for economic growth in setting out the context and vision for the new Plan.

Important to the emerging Dudley Local Plan, the WMS sets out some key changes to planning policy including changes to the approach to Green Belt policy, opening up delivery in such locations where Local Planning Authorities are under performing in the supply of housing.

It also mandates a new standard method for calculating housing need, noting the current standard method which is used in the emerging Dudley Local Plan, is not fit for purpose. This new standard method which will raise the overall level of the national target for housing from circa 300,000 to 370,000 new dwellings per annum, seeks to provide a stable and balanced approach to new housing growth.

For Dudley, this will mean a significant increase in the calculation of local housing need (LHN) where under the current standard method (described as not fit for purpose), local housing need amounts to 657 dwelling per annum and the new local housing need calculation would see a 143% increase to 1594 dwellings per annum. The introduction of the new standard method is undoubtedly a clear intention of the WMS.

For Dudley it also means that it will need to find many more suitable sites for housing, including in the short term to boost supply to meet the minimum housing supply, but also longer term to meet the housing needs through full Development Plan period to 2041.

The Housing Market Assessment (HMA) Update recognises this expected significant increase, noting and accepting in the HMA Update that it was being produced at a time of uncertainty. To future proof the housing market assessment, the results are presented based on the extant (as at August 2024) guidance, but additional analysis has been added to set out the outputs within the proposed revised Standard Method and highlights that the housing requirement for Dudley under the new Standard Method is substantially higher.

Directly linked to the WMS is the draft NPPF which was subject to consultation until late September 2024. The Government has indicated its intention to consider representations on the changes and publish the new NPPF as soon as possible, likely before the end of 2024. The timing of the Dudley Local Plan is unfortunate in this context. Whilst Development Plan making should not stop in anticipation of emerging changes to national policy, in the circumstances here where the changes are so imminent and have the potential to have such a profound material increase to the housing requirement for Dudley, to progress with the draft Plan in its current format is imprudent and irrational, suggesting more of an effort to circumvent the fully expected new increased housing requirement, rather than ensuring Dudley plays its full part in contributing to the national agenda and need for more homes and the efforts to stimulate economic growth.

This is in circumstances where in the new NPPF, the requirement is now to meet all of an areas' identified housing need, not merely "as much as possible" (para 61). The minimum number of homes is LHN (para 62) (noting the new LHN mentioned in WMS). Whilst transitional arrangements apply to Plans which have reached Regulation 19 stage which mean for Dudley (where its requirement is over 200 dpa below the new LHN), they can proceed to Examination within 18 months but need to address the shortfall in provision to the LHN at the earliest opportunity (para 227). Where the shortfall to the new LHN in Dudley is 937 dwellings more than the current LHN or some 143% greater, the increase is so significant as it is a complete waste of resource and efforts to progress a plan in these circumstances. Addressing the shortfall to the new LHN (937 dpa) amounts to an annual requirement more than the current housing requirement itself (657 dpa) and will mean housing needs and the economic benefits of the full housing need will be significantly delayed. The implications here go cross boundary where Dudley is part of a wider housing

market area and a number of those plans will be progressing under the new calculation of LHN and wider unmet needs are fully expected to be a factor in accommodating growth.

The Regulation 19 plan makes no mention of this, although the HMA clearly does and recognises the significant implications of the change to the calculation of LHN. Progressing the Local Plan in the current circumstances is not appropriate, will result in a plan that even if found sound would not address even half of the housing needs, will fail to contribute fully to economic growth and will result in the immediate need for plan review and delay the delivery of much needed housing for Dudley. Whilst it may be politically expedient to rush a plan through to Regulation 19 in advance of the fully expected changes to national policy, such an approach merely suppresses the full housing need in the short term and fails to tackle the full housing needs which are clearly going to be required in Dudley.

The NPPF and WMS are material considerations, of some significant weight where they don't require changes in legislation and are an expression of Government's planning policy. The WMS is strongly framed with clear intention to change the approach to address the national housing crisis and Dudley's efforts to subvert such efforts in their own narrow interests does nothing to assist in with the much-needed housing in Dudley, the national housing crisis or national efforts to stimulate economic growth.

Continue on a separate sheet if necessary.

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Q4. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Q3. above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The changes to the NPPF and calculation of LHN are so imminent that it is folly in the council pursuing a new Local Plan to Regulation 19 and beyond to Examination. This noting that the expected increase in LHN is also significant. Time and resource would be better spent in pursuing a new Local Plan in line with the new calculation of LHN in order to avoid the need for an immediate review of the plan to address a significant shortfall in need, and to deliver on housing needs and economic growth sooner. The draft Plan should be reviewed again, with a further Regulation 19 stage consultation to address the expected imminent increase in LHN for the Borough.

Continue on a separate sheet if necessary.

Please note: *In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.*

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

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Q5. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in hearing session(s)

Yes, I wish to participate in hearing session(s)

Please note, that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.

Q6. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

The issues raised and nature of objections means that the examining Inspectors would benefit from further oral submissions being made to fully explore the topic.

Please note, the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

Representations cannot be kept confidential and will be available for public scrutiny, including your name and/or organisation (if applicable). However, your contact details will not be published.

Completed representations forms can be submitted by emailing: planning.policy@dudley.gov.uk

Please enter **Dudley Local Plan Representation** in the subject field of the email.

Alternatively, completed consultation forms can also be submitted by post to: **Planning Policy, Planning Services, Dudley Council, Council House, Priory Road, Dudley DY1 1HF by 5pm 29 November 2024.**

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