

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		Policy	Policy DLP6 – Infrastructure Provision
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.

It is recognised in this policy that the scale of growth proposed within the plan will have impacts on the local environment and the capacity of a range of infrastructure and facilities.

The policy seeks to ensure that these infrastructure requirements and the detailed development policy requirements which are set out within various sections of the local plan, are delivered - otherwise there is a risk that development coming forward will not have the accompanying infrastructure it requires to support it.

The plan however fully acknowledges that financial viability has always impacted on the extent of planning obligations that can be secured in Dudley particularly in areas suffering from poor ground conditions. The viability of development going forward is likely to be more challenging within this new local plan as it will be introducing requirements for sustainable design and stringent requirements to adapt to and mitigate against climate change. Whilst the plan is suggested to be informed by a Viability and Delivery Study, it is clearly the fact that viability impacts will vary significantly between sites and their location – infrastructure requirements normally required to allow development to proceed are unlikely to be viable in many locations. It is not evident from the plan or the evidence base that a full understanding of the viability implications of the development strategy for the plan has been fully considered. It is inevitably the case that where the plan focuses on urban regeneration in locations which are significantly more challenging from a viability perspective (and where there is a track record of development having failed to come forward in the past due in part to such considerations), that development delivery is at risk.

Major reliance is placed upon significant development in a number of focused locations and no detailed viability appraisals have been undertaken of such developments. As the plan is so heavily reliant upon such sites it is essential that viability appraisals accompany such proposals at this Plan making stage. Moreover, the Plan should fully understand the implications which may arise from the inability of such sites to meet the full infrastructure requirements as set out in this policy. Development which does not deliver the required infrastructure to support it (even due to viability reasons), should not be considered to be sustainable.

The viability evidence supporting the Plan is not sound. The plan viability methodology uses typologies, meaning a number of individual sites may not viable because their site specific issues are outside the parameters used of a typology that was tested. Typologies are not an effective mechanism to understand the complex viability of urban area sites within Dudley which are variable and challenging to deliver.

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 expected infrastructure requirements are significant. Development must mitigate its potential harms and impacts on infrastructure. However it is readily acknowledged that development viability is challenging in Dudley. The allocated sites should be fully evaluated to ensure they have the ability to meet infrastructure requirements of policy. The plan and Sustainability Appraisal should consider the likelihood of significant development progressing which does not, viably, have the ability to provide for necessary infrastructure to mitigate its harm or provide for levels of affordable housing to meet the Borough's need.

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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