

Sent via email - [planning.policy@dudley.gov.uk](mailto:planning.policy@dudley.gov.uk)

14<sup>th</sup> November 2024

Dear Sir/Madam

## **Representations to Dudley Local Plan Publication Plan consultation October 2024**

Thank you for the opportunity to make representations in response to the consultation on the Dudley Local Plan Publication version (the Plan).

These representations are made on behalf of Wood Abbey in relation to land interests at Pedmore Hall Farm, Pedmore Lane, Dudley. The site at Pedmore Hall Farm (the Site), shown by the red line boundary attached as Appendix 1, has been promoted for residential development through the Draft Black Country Plan 2039 (Regulation 18) Consultation October 2021, and at the Draft Plan (Regulation 18) of the Dudley Local Plan in December 2023.

The Site extends to 4.74 hectares and is capable of accommodating circa 75 homes with the potential for up to 1.5 hectares of the Site made available for publicly accessible open space. An indicative layout for the site is attached as Appendix 2.

In our previous representations on the Draft Black Country Plan and Dudley Draft Local Plan we have demonstrated how development of the Site would deliver much needed land for housing including affordable and family homes to meet the defined housing needs of the Borough, which are currently not met by the proposed strategy and policies of the emerging Dudley Local Plan.

We have positively engaged with Dudley Council throughout the Plan making process with the aim to support the delivery of the sustainable economic and housing growth of the area and contribute to meeting the needs of local communities.

We have demonstrated that there are exceptional circumstances to review the Green Belt and that amendment to the Green Belt boundary and allocation of the Site for residential development would not harm the purposes of the Green Belt.

We continue to support the principle of preparing a Local Plan for Dudley but we consider that **the Plan as presented is unsound**. We have set out the basis for this on pages 2 to 7, as follows.

## **Failure to meet area's objectively assessed needs**

The Plan fails to provide a sufficient amount and variety of land to meet the housing and employment needs of the Borough.

Dudley's local housing need for the plan period, 2024-2041, is 11,169 net homes. The current Plan has identified sites to deliver 10,470 new homes leaving a shortfall of 699 dwellings in the Borough.

Further to the shortfall in supply of land to meet housing needs the Plan does not identify sufficient land to meet employment requirements.

The Borough has an employment need for 72 hectares of land. As a result of the loss of employment land to alternative uses the overall employment land requirement increases from 72ha to 98ha (an increase of 26ha). The increased requirement for new employment land is as a result of the Plan's reliance on the redevelopment of employment land to provide a large proportion of the supply of land for the 10,470 homes.

The Plan has identified 22.62 hectares of land for employment uses resulting in a shortfall of at least 49.38 hectares. When taking into account the loss of employment land this shortfall increases to 75.38 hectares.

This shortfall is proposed to be addressed through the Duty to Cooperate with a number of local authorities contributing to the needs of the Borough. Dudley is not proposing to contribute to address the unmet needs of its neighbours including Birmingham, which has a significant shortfall of land to meet its housing need due to its constrained administrative boundaries.

The provision of housing to meet Dudley's shortfall is predicated on progress with the Local Plans of those identified neighbouring authorities under the Duty to Cooperate, see Dudley Local Plan Duty to Co-operate Statement October 2023. We consider that there is significant uncertainty with progress on those Local Plans and as such the housing contributions should not be relied upon to meet Dudley's needs.

The Inspector for the Shropshire Local Plan has recently, October 2024, written to Shropshire Council stating they have, "significant concerns about the soundness of the Plan in respect of a number of areas." We consider that the potential contribution from Shropshire cannot be relied upon and therefore the 431 homes should be removed from the potential supply.

Lichfield District Council withdrew their Plan in October 2023 and are commencing the preparation of a new Plan that has only reached issues and options stage. Owing to the changes in national policy, as discussed below, we consider that any contributions cannot be relied upon until the full implications of the national changes are assessed through Lichfield's Local Plan preparation. This would further reduce assumed supply by a further 68 homes.

South Staffordshire has reduced their contribution to the Greater Birmingham & Black Country HMA from 4,000 to 640 homes, as set out in the recently published Duty to Cooperate Topic

Paper (April 2024). This would significantly reduce any potential supply to Dudley further increasing the shortfall for the Borough.

Telford & Wrekin Council have updated their position on their Local Plan in November 2024. They have recognised the implications arising from the Government's proposed changes to the National Planning Policy Framework (NPPF) including the transitional arrangements and that the Council will be aligning their Local Plan with this new framework. There is no confirmed timetable and no defined contribution toward Dudley's unmet need.

### **Implications of changes to National Planning Policy**

We are concerned that the Council has progressed their Plan without considering the implications of the recent changes to national policy and to the NPPF.

The Plan has been published following the recent consultation by the Ministry for Housing, Communities and Local Government on a revised version of the NPPF. The changes to the NPPF are part of delivering the Government's manifesto commitments to achieve economic growth and build 1.5 million new homes in this Parliament.

The proposed changes include a new standard method for calculating local housing needs and requiring local authorities to meet these needs including reviewing Green Belt boundaries. In order to achieve the national objective to address the UK's national housing crisis the changes to NPPF will result in a significant increase in the housing requirement for local authorities.

Under the proposed changes Dudley's housing requirement would substantially increase from the current annual figure of 657 dwellings per annum to 1,594 dwellings per annum. This currently represents a 143% increase in the number of homes that need to be delivered.

The timetable for the main stages of the Dudley Local Plan preparation indicate that submission of the Plan to the Secretary of State is scheduled for Spring/Summer 2025.

With the Government expected to publish the revised NPPF in early 2025 we consider that the revised Framework will apply to the preparation of the Dudley Local Plan. The increased housing requirement will need to be met in line with the national policies and the need to review Green Belt boundaries in order to meet housing and employment need should be undertaken.

We consider that in order for the Dudley Local Plan to be positively prepared and consistent with national policy it needs to respond to the Government's national prioritise for housing delivery, demonstrate how it is seeking to address the housing crisis and respond to changes to the NPPF.

The changes to national policy would also have significant implications for neighbouring authorities including those that Dudley are relying upon to contribute to their shortfall. All the authorities listed in the Duty to Co-operate Statement (October 2023) as potential contributors to Dudley's shortfall will see a significant increase in their own housing requirement; Shropshire 92% increase from 1070 to 2059 dwellings per annum; Lichfield 160% increase

from 289 to 753 dwellings per annum; South Staffordshire 204% increase from 223 to 676 dwellings per annum; Telford & Wrekin 106% increase from 463 to 953 dwellings per annum; and Cannock 124% increase from 248 to 555.

This challenge is further increased as a result of the recently published West Midlands Strategic Employment Sites Study 2023/24, which identifies that there is a significant undersupply of employment land to meet needs across the region. This would require up to 841 ha of additional land for road based employment and up to 135 ha for rail based employment. The study identifies the principal locations for these including South Staffordshire, Shropshire and Lichfield.

We therefore consider that the Dudley Local Plan cannot rely on neighbouring authorities to contribute to meeting its local needs when these authorities will need to significantly increase land supply to meet their own needs over and above what is already identified in their areas.

### **Undeliverable and unjustified strategy**

The current strategy of the Plan focuses on land within the urban area with 97% of development on brownfield land.

As set out above this strategy fails to provide sufficient land to meet current needs and would be wholly insufficient to meet the Government's national policy objectives to address the national housing crisis and the proposed significant increase in housing numbers for Dudley and neighbouring authorities.

There has been a consistent failure to deliver the homes that are required to meet the needs in the Borough. Over the past 5 years only 532 homes have been delivered per annum, which is significantly short of the completions required to meet current objectively assessed needs. Factoring in the forthcoming changes necessary to address the national housing crisis would see under-delivery of 1,062 per annum against current / historic performance.

This under-delivery coincides with a continued focus on developing the urban area and employment land.

In order to achieve the strategy and deliver sufficient previously developed land a target of redeveloping 12 hectares of employment land per annum (page 11 Dudley MBC AMR 2023/24) is required. Over the past 5 years the authority has seen an average of only 4.7 hectares per annum delivered. On the basis of a longer term historic trend of delivery, dating from 2012, the average falls to 3.8 hectares.

The strategy has an over reliance on redevelopment of complex employment sites and brownfield land where there has been a consistent failure to deliver.

The focus on largescale regeneration areas to deliver housing needs has also failed to achieve a consistent supply of land. One of the largest single contributors to supply is the Brierley Hill Strategic Centre, accounting for 1546 new homes over the Plan period. This accounts for 14.7% of the total housing supply in the current Plan. In the period from adoption of the AAP

(2011) for the area, up to the latest monitoring return 2023/24, there has been a cumulative total of 507 new residential units delivered within the Centre (page 49 Dudley MBC AMR 2023/24). This equates to 39 new homes per year in the period.

There is no evidence to suggest that a step change in the rate of delivery can be achieved in Brierley Hill. Projecting this modest delivery rate over the new Plan period (2024/25 - 2040/41) would equate to only 663 homes delivered, less than half the supply required in the Local Plan.

The Metro extension to Brierley Hill is referenced as an important catalyst, however this project was shelved in Summer 2024 due to cost. It is recognised that funding has been allocated in the Autumn Budget 2024 for the Metro project but there is no certainty over a timetable for the project and how continued cost increases and delivery challenges are addressed.

We consider that the reliance on brownfield land including redeveloping existing employment sites will not deliver the number of homes to meet current needs.

### **Failure to consider reasonable alternatives**

There is currently 1,770 ha of land that has not been assessed in preparing the Plan and the contribution that it can make to meeting the Borough's objectively assessed needs.

In preparing the Plan the Council has failed to assess the contribution that sustainable sites in the Green Belt can make.

We consider that there are exceptional circumstances, this being the housing and economic development needs of the Borough and the national housing crisis, to justify the review of the Green Belt and alteration of boundaries to accommodate sustainable patterns of development.

Land in the Green Belt, which is well related to the urban area including the site at Pedmore Hall Farm, would positively contribute to the overall vision and strategy to deliver sustainable patterns of development and support sustainable economic and housing growth meeting the needs of local communities and businesses.

We consider that the Green Belt boundary can be amended and sites, including land at Pedmore Hall Farm, allocated for development without undermining the purposes of the Green Belt across the area of the Plan as a whole.

We also consider that where such negative impacts arise the development can mitigate these impacts including defining boundaries clearly, using physical features that are readily recognisable and likely to be permanent including established landscape features.

The benefits of such development would also outweigh any harms that could be considered to arise. This includes the significant need for new homes including affordable housing.

The Site extends to 4.74 hectares and is capable of accommodating circa 75 homes with the potential for up to 1.5 hectares of the Site made available for publicly accessible open space. An indicative layout for the site is attached as Appendix 2.

The Site would deliver a sustainable pattern of development by extending the existing community of Pedmore with a new sustainable residential development. The Site is well located to provide access to services and facilities to meet the day to day needs of future residents and enable travel by sustainable transport options to connect to health, education, jobs and leisure.

The allocation of the Site for residential development would also result in the redevelopment of existing buildings and areas of hardstanding making more effective use of land and removal of visually detracting features from the landscape.

There would also be opportunities to create new open space increasing biodiversity and ecological networks that positively contribute to delivering ecological opportunities for the Pedmore, Wychbury & Lutley area and improvements to the quality of remaining Green Belt. The Site's location would also allow for improvements to the understanding and appreciation of the Wychbury Hill Fort.

The Site is demonstrated to be suitable, available and achievable for development and could contribute to the five year housing supply as a deliverable site.

The Site represents a suitable location for residential development due to its location and proximity to services and facilities.

The Site is considered available for development demonstrated by the evidence submitted to date and response to the Call for Sites. The Site is in single ownership, and the landowner has expressed intention to sell, with a land promoter appointed demonstrating that it is available for development now.

Residential development on the Site is achievable as there are no known impediments to development and no foreseen extraordinary development costs or constraints that would impact on the economic viability of the Site.

The Site is also considered to be deliverable, as it is available now, offers a suitable location for development now, and there is a realistic prospect that housing will be delivered on the site within five years.

## **Conclusion**

In summary, we consider that the Plan will not meet the tests of soundness as set out in Paragraph 35 (NPPF December 2023), for the following reasons:

**We do not consider that the Plan has been positively prepared.** The Plan and specifically Policy DLP1 does not provide a strategy which, as a minimum, seeks to meet the area's objectively assessed needs. The Plan fails to identify sufficient land to meet its housing needs and there is no realistic strategy to address this. It is unable to rely on neighbouring authorities to accommodate the needs that cannot be met.

**We do not consider that the Plan is justified.** The Plan and associated sustainability appraisal has not taken into account reasonable alternatives as it has failed to assess the contribution that Green Belt land can make to meeting the needs in the Borough. There are exceptional circumstances including local housing needs and the national housing crisis. Land in the Green Belt, such as the Site at Pedmore Hall Farm, would constitute a sustainable pattern of development and its allocation and removal from the Green Belt would not undermine the primary purpose of the Green Belt.

**We do not consider that the Plan is effective.** The Plan and specifically Policy DLP1 and Policy DLP10 is not deliverable over the plan period as it relies on development of brownfield land including existing employment areas where there has been a consistent failure to deliver housing at the numbers required over the past 15 years. There is no evidence to demonstrate that this trend can be improved.

**We do not consider that the Plan is consistent with national policy.** The Plan and specifically Policy DLP1 and Policy DLP10 fail to enable the delivery of sustainable development. It does not identify a sufficient amount and variety of land where it is needed to meet local needs. It fails to respond to the national housing crisis and Government's stated changes to national planning policy, which will include a significant increase in the housing requirement for local authorities including Dudley. Under the transitional arrangements the Plan will need to be considered against the new NPPF.

We hope these representations are of assistance in taking the Plan forward.

I would like to express my interest in attending any relevant hearing sessions at the Examination in Public.

Should you require any further clarification on this representation please contact me.

Yours faithfully

Richard Cowell  
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NCL Development

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SCHEDULE OF ACCOMMODATION		
Area	No.	Total Area (sq. ft.)
Private (Type A) - 2 Storey	200	19,300
Private (Type B) - 2 Storey	150	14,700
Private (Type C) - 2 Storey	150	14,700
Private (Type D) - 2 Storey	150	14,700
Private (Type E) - 2 Storey	150	14,700
Private (Type F) - 2 Storey	150	14,700
Private (Type G) - 2 Storey	150	14,700
Private (Type H) - 2 Storey	150	14,700
Private (Type I) - 2 Storey	150	14,700
Private (Type J) - 2 Storey	150	14,700
Private (Type K) - 2 Storey	150	14,700
Private (Type L) - 2 Storey	150	14,700
Private (Type M) - 2 Storey	150	14,700
Private (Type N) - 2 Storey	150	14,700
Private (Type O) - 2 Storey	150	14,700
Private (Type P) - 2 Storey	150	14,700
Private (Type Q) - 2 Storey	150	14,700
Private (Type R) - 2 Storey	150	14,700
Private (Type S) - 2 Storey	150	14,700
Private (Type T) - 2 Storey	150	14,700
Private (Type U) - 2 Storey	150	14,700
Private (Type V) - 2 Storey	150	14,700
Private (Type W) - 2 Storey	150	14,700
Private (Type X) - 2 Storey	150	14,700
Private (Type Y) - 2 Storey	150	14,700
Private (Type Z) - 2 Storey	150	14,700
<b>GRAND TOTAL</b>	<b>75</b>	<b>735,000</b>

Site Areas		
Area	Area (sq. ft.)	Area (sq. m)
Site Area (Total)	1,171,000	108,100
Site Area (Buildings)	471,000	43,700
Site Area (Open Space)	700,000	64,400
Site Area (Public Space)	24,000	2,200
Site Area (Roads)	133,000	12,300
Site Area (Other)	52,000	4,800

- Site boundary
- Landscaping boundary indicates areas of public open space and green site enhancement to the east of the site
- Proposed tree line planting
- Existing planting
- Open water
- Existing planting to be removed



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Project: **HALL FARM STOURBRIDGE**  
 Drawing Title: **FEASIBILITY LAYOUT**  
 Drawing Status: **PRELIMINARY**

Client: **SP**  
 Scale: **1:1,500**  
 Date: **Feb 2022**

# Appendix 2

**Scale**  
 0 5.0 10.0 15.0 20.0 25.0 30.0m

**North**

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