

## 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?

<b>Title of document</b>	Black Country Green Belt Study		
<b>Paragraph/section</b>	Stage 1 and Stage 2 Report	<b>Policy</b>	
<b>Site</b>	and Appendices	<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 Dudley Local Plan.

### Q2. Do you consider the Local Plan is:

- |   |                              |  |
|---|------------------------------|--|
| 1. Legally compliant                    | <input type="checkbox"/> Yes | <input checked="" 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 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.

Please refer to enclosed document.

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.**

Please refer to enclosed document.

*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:**

St Modwen Homes are keen to participate in the hearing sessions for the Local Plan examination to contribute positively to the area's growth and sustainability ambitions. St Modwen Homes contend that engaging in these sessions will provide benefits, namely to collaborate with other stakeholders to achieve a sound and justified Local Plan.

***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](mailto: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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## DUDLEY LOCAL PLAN EVIDENCE BASE - BLACK COUNTRY GREEN BELT STUDY

The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open (NPPF paragraph 137).

The Black Country Green Belt Study: Stage 1 and 2 Report (LUC, September 2019) has been prepared to inform the preparation the Dudley Local Plan, albeit the same report informed the preparation of the now withdrawn Black Country Plan.

### Stage 1 Contribution Assessment

Within the Stage 1 Contribution Assessment, the site forms part of Parcel Reference B71 (Uffmoor/Lapal) with a parcel size of 336.6ha, as illustrated below.

As can be seen, the parcel boundary incorporates a significantly large extent of the land south of Manor Way. Ultimately, it is considered that 336ha is too large of a geographic area such that meaningful conclusions can be drawn as to the Green Belt purposes of sub-parcels within the wider parcel. By way of comparison, a large proportion of other parcels within Dudley have been drawn significantly smaller at between 1-50ha. Para 6.2 of the Green Belt Study sets out that all land within the four Black Country districts is incorporated, to ensure that all promoted sites were included in the assessment. However, the assessment parcels should reflect those of the Call for Site promotions and use these boundaries are appropriate sub-parcels.

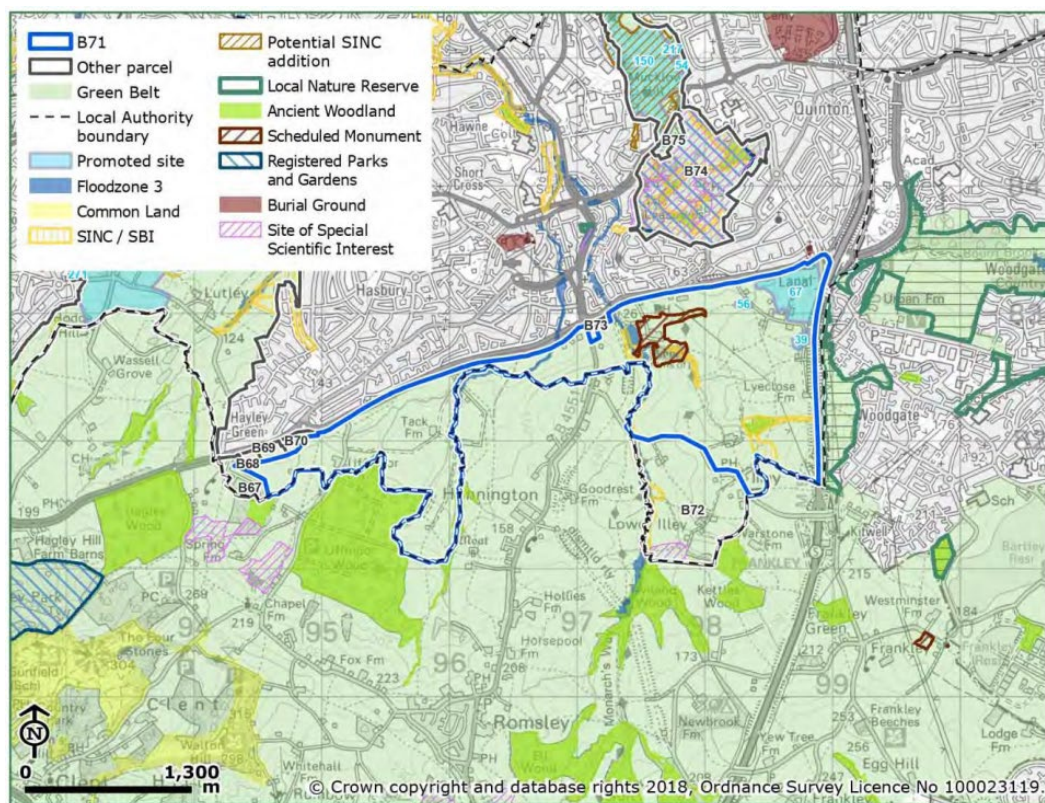


Figure 1 Parcel B71 at Stage 1 Contribution Assessment (Constraints Map). Source: Black Country Green Belt Study Appendix 2 - Stage 1 Contribution Assessments

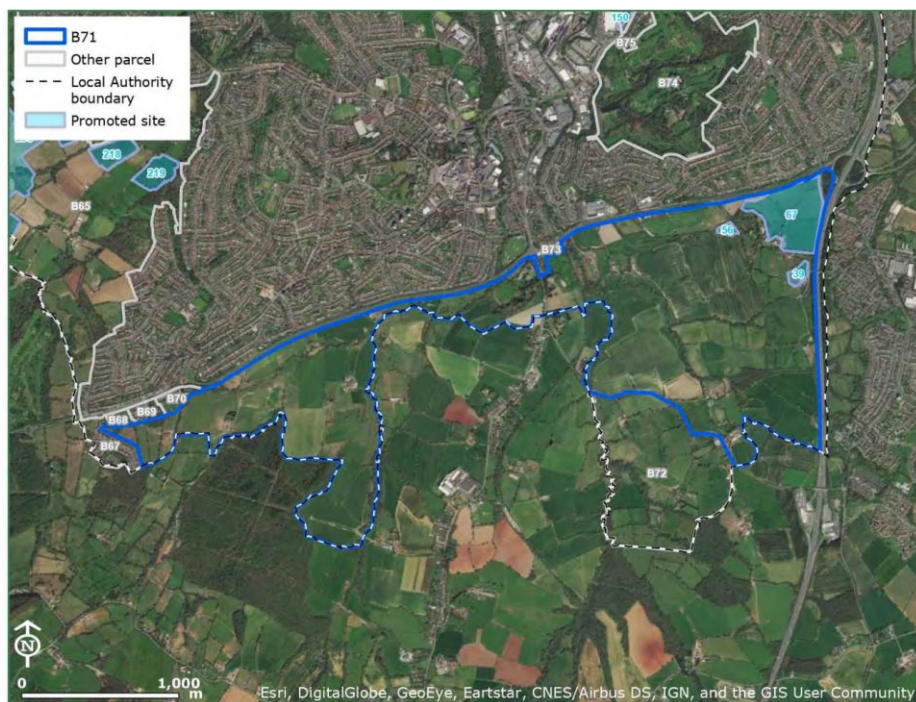
It would logically follow that the larger and wider a parcel is delineated, the stronger the parcel performs in terms of its Green Belt purposes as inherently, it encompasses a greater geographical scale. It is no surprise, there is a direct correlation between size of assessment parcel and the level of harm to the Green Belt.

This inconsistent approach has therefore unfairly resulted in parcel B71 being assessed as performing generally strong against the Green Belt purposes:

Parcel	Size	Purpose 1	Purpose 2	Purpose 3	Purpose 4	Purpose 5
B71	336.6Ha	Strong	Moderate	Strong	Weak / No Contribution	Strong

**Figure 2 Source: Black Country Green Belt Study Appendix 2 - Stage 1 Contribution Assessments**

This inaccurate scoring has consequently followed through into the Stage 2 Harm Assessment. Albeit the site is not shown as a promoted site on the aerial map below.

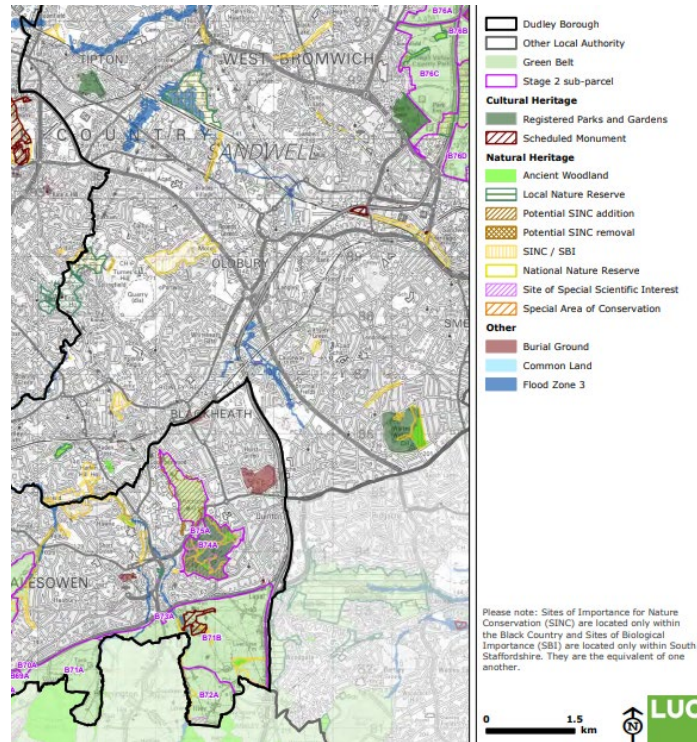


**Figure 3 Parcel B71 at Stage 1 Contribution Assessment (Aerial Map). Source: Black Country Green Belt Study Appendix 2 - Stage 1 Contribution Assessment**

## Stage 2 Harm Assessment

Within the Stage 2 Harm Assessment, the site forms part of Sub-Parcel reference B71A (Uffmoor) with a parcel size of 91.3Ha, as illustrated below.

Whilst the Stage 2 Harm Assessment has considered the sub-parcel at a smaller scale, which is more broadly aligned to the promoted site ID 379, the assessment of harm of 'Very High' has effectively been derived from an average of the scorings identified at Stage 1, therefore ultimately being skewed by the Stage 1 findings.



**Figure 4 Parcel B71A at Stage 2 Harm Assessment (Constraints Map). Source: Black Country Green Belt Study Appendix 3 - Stage 2 Harm Assessments**

This is a fundamental flaw in the methodology of the Green Belt Study which results in a failure to account for a more localised assessment of how sub-parcels and promoted sites perform against the Green Belt purposes. As a result of this shortcoming, the land of Uffmoor which abuts a clear edge of woodland forming a strong defensible boundary, would have otherwise been selected for Green Belt removal, has artificially been omitted.

Further issue is held with the lack of an update to the Green Belt Study as a whole. Indeed, due to Green Belt study being out of date it fails to reflect upon newly consented development within the Green Belt south of Manor Way. Two applications to note particularly include two battery energy storage system developments (Ref. P23/0940 and 3341383), which fundamentally change the characteristics of the Green Belt in these locations and the surrounding area. Furthermore it was found that very special circumstances exist which justify development in the Green Belt. In the appeal case, the Inspector assessed the site's contribution to checking urban sprawl. Repeating the same exercise for Uffmoor, it is clear that the effect is also limited, as the conurbation of Birmingham on the east of the M5 is not immediately apparent from the site, or indeed from other viewpoints to Halesowen given the trees along Manor Way. Similarly due to its distance from Halesowen and lack of adjacency to Birmingham, Uffmoor makes little contribution to preventing the merging of that town with any other town.

The Green Belt Study methodology should be reviewed and amended to address these issues, and the land at Uffmoor should be proposed for removal from the Green Belt and allocated for housing accordingly.