

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	Page 299	Policy	DLP49 Green Belt
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 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.

Draft Policy DLP49 is unsound as it does not seek to identify, allocate and release a sufficient supply of land within the Green Belt for housing.

As set out in previous responses to the Regulation 18 Plan, RPS on behalf of St Modwen Homes objects to the DLP on the basis that it seeks to provide only 10,470 in the plan period, leaving a shortfall of 899 dwellings, but also a potential shortfall of c.13,000-20,000 under the draft NPPF. The DLP therefore fails to provide sufficient land to meet the minimum housing needs, as per NPPF paragraph 11(b), and will need to ensure that additional housing land is provided through further Green Belt release.

The present version of the DLP Regulation 19 local plan is unsound because:

1. It makes no attempt to provide for sufficient housing (paragraph 1) or meet its housing needs (paragraph 15), contrary to the NPPF;
2. It makes no attempt to meet as much of its housing needs as possible (paragraph 60);
3. The Council has been unable to offload any of its unmet need to its neighbours;
4. The plan is therefore contrary to the NPPF (paragraph 35(d));
5. Self evidently it is not an effective strategy (paragraph 35(c));
6. The strategy is no justified (paragraph 35(b));
7. The District very plainly can physically meet all its needs and leave nearly all of the Green Belt untouched, meaning it has not taken account of or to reasonable alternatives;
8. One key alternative is a version of the Plan which looks to meet its housing needs as set out under the transitional arrangements of the draft NPPF 2024.

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.

As mentioned, the present version of the Regulation 19 plan will not be effective in meeting the housing needs of the area, where it has the physical space to accommodate the need and has neighbours which have unconfirmed quantum apportioned to meet its need. The plan will undoubtedly therefore be found unsound. Consequently, the Plan should pursue the key alternative version in which it meets its housing needs in full or through the 'protections' of the transitional arrangements set out in the draft NPPF 2024. Some LPAs have sought to review their Green Belt and release land from the Green Belt despite being able to meet their housing needs on non-Green Belt land. Barking and Dagenham council recently sought to release two sites in the Green Belt despite being able to meet its housing need without releasing land from the Green Belt. The local plan inspectors found that the sites were unnecessary, given needs could already be met within the existing urban areas. But that is not an option for Dudley. To meet its 'needs', it needs to release land in the Green Belt and had accepted the same position, through the previous iteration of the Black Country Plan before individual Black Country Authorities decided to pursue individual local plans.

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**

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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