

Representation form

Dudley Local Plan Publication Plan

Consultation October 2024



DUDLEY LOCAL PLAN

We are inviting your views on the publication version of the Dudley Local Plan. This form should be used to make comments (known as representations) in response to the consultation.

Guidance notes are available to help you complete this form and can be found online at www.dudley.gov.uk/localplan

The consultation period begins on Friday 18 October 2024, and closes at 5pm on Friday 29 November

Comments can be submitted:

Online: On our online portal available here www.dudley.gov.uk/localplan

By email: planning.policy@dudley.gov.uk

By post: Dudley Local Plan, Planning Policy, Planning & Regeneration, Council House, Priory Road, Dudley, DY1 1HF.

Additional copies of this response form can be downloaded at www.dudley.gov.uk/localplan or a copy can be posted to you - please call us on 01384814136.

This form has three sections:

Section A: Personal details

Section B: A declaration which you will need to read and sign

Section C: Your representation/comments on the Plan, Sustainability Appraisal or supporting evidence.

Please note:

- 1 You can use this form to comment on more than one site and/or policy. For each comment, please tell us the site/policy reference that your comment refers to. A separate form C should be completed for each comment.
2. Responses must include your name and address.
3. Your comments cannot be treated as confidential. By completing this form, you agree to your details being shared and your name and comment (but not your address or other personal details) being made available for public viewing.
4. It is recommended that groups that share a common view send a single response rather than multiple copies of the same response. Please attach a list of the contact details of each person who supports the comments, including their names and addresses.
5. **Completed forms should be received by us no later than 5pm 29 November 2024.**
6. Paper copies of this form and guidance notes can be found in selected libraries - visit www.dudley.gov.uk/localplan for the full list and at Dudley Council House, 1 Priory Road, Dudley, DY1 1HJ.

Individual acknowledgement of receipt will not be possible.



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Part A - Personal details

1. If you are responding as an individual (e.g. a resident) you do not need to fill in the job title and organisation boxes unless you are responding as a member of an organisation.
2. If you are an agent responding on behalf of an organisation please ensure that your details are in the Agent's details column and give the details of the client you are responding for in the Personal details column, only the title, name and organisation boxes are necessary.

Please indicate which of these best describes you / your role in responding to this consultation

Resident or Individual	
Planning Agent or Consultant	X
Developer or Investor	
Landowner	
Land & Property Agent or Surveyor	
Local Authority	
Public service provider e.g. education establishment, health etc	
Public agency /organisation	
Community or other Organisation	
Charity	
Other (please specify in space <i>below</i>)	

Please note that copies of all comments received, including the name(s) of the respondent(s) will be made available for the public to view. All other personal details will remain confidential. Dudley Council will process your personal data in accordance with the Data Protection Act 2018. Our Privacy Notice is at the end of this form.

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Part B: Declaration

How we will use your personal information

The personal information you provide on this form will be processed in accordance with the requirements of the Data Protection Act 2018. The information you provide will only be used for the purposes of the preparation of the Local Plan as required by the Planning and Compulsory Purchase Act 2004, and may be used by the council to contact you if necessary regarding your submission. Your name, organisation and comments will be made available for public inspection when displaying and reporting the outcome of the statutory consultation stage and cannot be treated as confidential. You will not be asked for any unnecessary information and in order to protect personal data, we will not publish signatures, telephone numbers, addresses or email addresses on the internet.


Your details will be kept until the Local Plan is adopted plus a further ten years to evidence that a fair and transparent process has been followed. Processing is kept to a minimum and data will only be processed in accordance with the law. When other agencies are involved in Local Plan preparation, we may need to share details about you to enable us to work together for your benefit. Information will only be shared with third parties if they have genuine and lawful need for it. Information shared on this basis will not be reused for any other purpose. We will take all reasonable precautions to protect your personal data from accidental or deliberate loss or unauthorised disclosure.

Please sign and date this form.

Forms signed electronically will be accepted.

Declaration:

By completing and signing this form, I agree to my name, organisation and representations being made available for public inspection on the internet.



I understand that in submitting my representations, that my details will be added to the Dudley Local Plan Consultation database and I may be contacted at future stages of the local plan process.

All personal data will be processed in accordance with the Data Protection Act 2018 and the General Data Protection Regulation ('GDPR'). If you do not wish to be contacted further, please advise us.

No, I do not wish to be contacted about the Local Plan

A copy of our privacy notice is available at <https://www.dudley.gov.uk/privacy-disclaimer-statement/regeneration-and-enterprise-dudley-local-plan-privacy-notice/>

Thank you for taking the time to provide your response.

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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	Publication Dudley Local Plan, Regulation 19: Part One		
Paragraph/section	Section 4	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 | X | Yes | No |
| 2. Sound | | Yes | X No |
| 3. Complies with the Duty to co-operate | | Yes | X 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.

Programme to Adoption

The Publication Local Plan (PLP) sets out the timetable for the production of the Local Plan, as approved in the Local Development Scheme in July 2023. This sets out the expectation that the submission of the Local Plan will be in spring/summer 2025 with examination then expected in mid/late 2025. It then expects the Local Plan to be adopted in early 2026. Firstly, the timescales set out are incredibly vague, but also ambitious with a short timeframe for submission, and examination. It is clear that DMBC are intending to rush ahead of that programme with an early submission of the Local Plan in an attempt to pre-empt transitional arrangements relating to national policy and legislation changes. This will undoubtedly lead to a sub-par and unsound Local Plan being submitted for examination. In July 2024 Matthew Pennycook MP wrote to Planning Inspectors stating that "an authority should not be submitting for examination a deficient plan believing the Inspector will use significant time and resource during the examination to 'fix' it".

As has been extensively raised in previous representations, there are significant, fundamental concerns with the approach the Council are taking to not only identifying but meeting its housing needs. It is a real prospect that the Inspectors will be unable to find the Plan sound without it being 'fixed' during examination. Given the complexities likely to need consideration such as the unmet need not only in DMBC but the wider West Midlands and Birmingham Housing Market Areas (HMA), review of Green Belt sites and potential impact of changes to the NPPF, the timetable will slip significantly, even if submission is made on time. This clearly would not comply with the acceptable approach to examination as set out by Matthew Pennycook MP:

"pragmatism should only be used where it is likely a plan is capable of being found sound with limited additional work to address soundness issued [...] pragmatism should not be used to address fundamental issues with the soundness of a plan, which would be likely to require pausing or delaying the examination process for more than six months overall."

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Plan Period

NPPF paragraph 22 requires local plans and their strategic policies to “look ahead over a minimum 15 year period from adoption, to anticipate and respond to long-term requirements and opportunities”.

The PLP continues to propose a plan period of between 2023 and 2041 despite the Regulation 18 consultation taking place later than expected, and this consultation also pushing the limits of what can be considered ‘autumn’. As set out above, DMBC have clearly rushed the consultation on the PLP to get ahead of national policy changes and in doing so have not appropriately addressed representations made to the Regulation 18 consultation, including those made on behalf of WDH.

The timetable now allows only just over a year to not only consider and action changes recommended in representations but also to submit and have a full examination of the Local Plan. These processes are complex and time consuming which the current timetable clearly does not take into account. Given the scale and complexity of the Local Plan, and the wider context it sits within, it is more likely that the Plan will be adopted in late 2027/ 2028. This being the case, there would be less than 15 years in the plan period once adopted which clearly does not comply with the requirements of the NPPF. The plan period should be extended to meet the requirements of NPPF paragraph 22, and the proposed strategic policies reviewed on this basis; which includes the housing requirements requiring the identification of additional development sites.

Vision and Strategic Objectives and Priorities

The majority of the proposed vision, strategic objectives and priorities are appropriate for the Local Plan. It is important that local plans support the delivery of a wide range of housing to meet people’s needs throughout their lives and that are affordable to live in. The objectives proposed broadly align with the NPPF (paragraph 8) in terms of the intention to relate to the three objectives for planning to achieve sustainable development (economic, social and environmental).

However, as will be further set out in representations to Sections 5 and 8 of the PLP, DMBC’s decisions on housing need, spatial growth options and to not assess suitable sites in the Green Belt (including William Davis Homes’ site ‘Land at Bromwich Lane’) will not only lead to the Plan being found unsound at examination but also could compromise the ability to meet the other priorities of the Plan and the vision for the Borough.

The PLP as it stands will limit growth, and by only allocating land in the urban area and brownfield sites for development, it will also limit the benefits from development that can be achieved; such as affordable housing and open space provision. Further, by only allocating sites within the urban area, predominately on brownfield land the Council will fail against its own vision to deliver “a wide range of housing that will meet people’s needs through their various life stages and is affordable to live in (all tenures)”. The high density nature of development required on the sites allocated, especially those in the low value areas where affordable housing is also reduced to 10%, will inevitably lead only to the provision of flats. Therefore, the provision of the types of homes needed, as set out in the evidence base, and include affordable family homes will not be delivered.

Further, there are significant risks to the delivery of the new homes by pursuing this strategy due to the additional complexities and viability of developing brownfield land and the overreliance on grant funding to deliver sites.

For these reasons, it is clear that the Plan will not deliver against its own vision, objectives and priorities by delivering sustainable development and the homes that are much needed in the area. The Plan has not been prepared positively; and it is not consistent with national policy.

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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 programme to adoption should be updated, alongside the plan period due to the significant concerns raised in representations to Sections 5, 8, 13 and the evidence base. The Plan should not be submitted until it can reasonably be found sound. Significant concerns regarding the housing requirement and spatial strategy have been raised which, together with expected delays to the programmes, will require the plan period to be extended to enable at least 15 years post adoption, as required by national policy.

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:

Yes – William Davis Homes have been promoting a site for allocation (Land at Bromwich Lane) which has not been duly considered. Further, significant concerns have been raised in relation to the Local Plan and its soundness.

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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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	Publication Dudley Local Plan, Regulation 19: Part One		
Paragraph/section	Section 5	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 | X | Yes | No |
| 2. Sound | | Yes | X No |
| 3. Complies with the Duty to co-operate | | Yes | X 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.

Housing need

The current housing crisis is recognised by all political parties, as is the importance of the housing industry to the nation's economy. Since their election earlier this year, the Government have consistently stated their intention to deliver more homes, setting a target of building 1.5 million homes over the next five years. The proposed changes to the NPPF, which are expected to be finalised and published by the end of 2024, introduce how this will be delivered. This includes changes to NPPF wording on the Green Belt and housing need, as well as proposing a new Standard Method which for areas such as Dudley Metropolitan Borough Council (DMBC) will see a significant increase in the number of homes required to be delivered.

The PPG currently states that *"the government is committed to ensuring that more homes are built and supports ambitious authorities who want to plan for growth. The standard method for assessing local housing need provides a minimum starting point in determining the number of homes needed in an area. [...] there will be circumstances where it is appropriate to consider whether actual housing need is higher than the standard method indicates"*.

The Dudley Housing Market Assessment Update, dated September 2024, sets out an assessment of the housing market resulting in a calculation of the housing need using the current standard method (657 dwellings per year). However, despite this being set out in National policy as an advisory starting-point (NPPF paragraph 61), the Council have made no effort to go beyond this and assess alternative housing need figures only stating that *"The report has not found any evidence to suggest the Standard Method should be deviated from in Dudley"*.

The HMA clearly sets out the significant issues in the Borough including need for affordable housing, unemployment levels and an aging population. It highlights the need for intermediate housing products such as First Homes to help people to buy their own homes. Paragraph 8.8 suggests that as past under-delivery of affordable housing is accounted for in the Standard Method calculation, a separate adjustment is not suitable.

However, at paragraph 8.9 the HMA acknowledges that *"the affordability ration in Dudley has risen over the past 5 years and that average property prices have risen in the Borough have grown at a faster rate than in the West Midlands and in England. This may imply an insufficient supply of housing affordable to local households. The Council could therefore be justified to pursue a higher target than the Standard Method figure to help deliver more affordable housing"*. The PLP and its evidence base fails to consider this as an option in determining the appropriate housing requirement for the area.

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The approach by the Council to identifying its housing requirement has failed to incorporate sufficiently the analysis of the housing needs of the area or take a proactive approach to the delivery of its own housing needs. It ignores the types of housing needed and the likely restrictions a high density, urban, brownfield focused approach will have in delivering much needed homes. There has been a fundamental failing in considering sufficient reasonable alternatives within the Sustainability Appraisal (SA) in relation to a range of housing need and growth options. Without revisiting the approach to determining the appropriate housing requirement, with a policy off approach, the Plan is unsound.

A new NPPF is expected to be adopted by the end of 2024. As above, this will significantly change the outcome of the Standard Method for DMBC. The consultation document included potential transitional arrangements. The gap between the current planned housing requirement (657 dwellings per year) and the new Standard Method figure for DMBC (1,594 dwelling per year) is over 200 dwellings per year. As such, the relevant test is whether the Plan will be submitted for examination within 1 month of the publication of the new NPPF. This is highly unlikely given this is anticipated to be January 2025 and the consultation on the Publication Local Plan (PLP) runs until the end of November 2024.

Were the Plan to be submitted for examination before that date it would be clear that responses to this consultation and the important issues of soundness raised will not have been given due consideration. The 'Procedure Guide for Local Plan Examinations' (updated August 2024) states that "Before submission, the LPA must do all it can to resolve any substantive concerns about the soundness or legal compliance of the plan" and requires that any amendments to the Regulation 19 Plan before submission should be contained within an addendum. The addendum (if proposing changes that are significant) should be published for consultation on the same basis as the Regulation 19 consultation. As set out in these representations, significant changes are required to make the Plan sound for submission. This would require consultation and without doing so, the Council would not be compliant with procedure.

As set out in these representations, DMBC should ensure appropriate time is taken to review the Green Belt and allocate additional sites, including William Davis Homes' site 'Land at Bromwich Lane', to meet its own needs as far as possible. It should ensure appropriate reasonable alternatives for growth and spatial options are tested. Following this work, amendments to the Regulation 19 Plan should be consulted on, given the significant changes required to make the Plan sound. Only after this, should the Plan be submitted for examination.

Spatial Strategy

The proposed development strategy is clearly not sound. Policy DLPD1 sets out the intention to deliver at least 10,470 new homes and also states that the full housing requirement will be met through identified sites as well as reliance on neighbouring and other local authorities via the Duty to Cooperate. The delivery of 699 new homes is proposed to be exported to other authorities.

Section 39 of the Planning and Compulsory Purchase Act 2004 requires that a plan must be prepared with the objective of contributing to the achievement of sustainable development. The SA is integral to this in identifying how sustainable development is being addressed.

The SA continues to apply a narrow-lensed approach to the growth options considered. As part of the SA it is required to assess reasonable alternatives for meeting housing needs. The approach taken in the SA is clearly predicated on the assumption that the Borough will be unable to meet its own needs and that an urban-focused strategy is the only potential option. However, to comply with PPG, the growth options should be sufficiently distinct to highlight the different sustainability implications so that meaningful comparisons can be made. It is essential that DMBC take an unbiased and policy-off approach to identifying growth options, which clearly is not how the SA has been approached to date.

The SA assessments of the current three options show that there is little distinction between the options due to the sole focus of delivering development only in the urban area. Importantly, only one option would 'meet' the identified housing requirement and that options success in the assessment process is contingent on the unmet need being met through the DtC, as noted in the Regulation 18 SA Report at paragraph 3.2.37.

The sole reasons given for rejecting options 1 and 2 are that they "would not sufficiently meet housing needs in the Borough" and Regulation 18 SA Report paragraph 3.3.5 states that "overall, option 3 appears to be the most favourable housing spatial option as it ensures the housing need will be met, although there is also some uncertainty in the impacts of this option given the unknown location of the exported proportion of growth". This is repeated at paragraph 5.1.10 of the Regulation 19 SA.

This raises the question on whether the options are 'reasonable' alternatives and further highlights the need to test other options where the full housing requirement could be met within the Borough providing more certainty on their impact.

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The SA does not assess the impact of exporting housing need to other authority areas either on the Dudley area, or elsewhere. Nor does the assessment cover the impact of option 3 failing to export the remainder of the housing need elsewhere. On this basis, it is clear that the SA currently fails to identify how sustainable development it being addressed in the Plan. This is a significant area of uncertainty upon which a Plan cannot reasonably be found sound.

Further, the spatial strategy leads to an inability to meet the Council's own vision, priorities and objectives. Particularly, the vision that *"a wide range of housing that will meet people's needs through their various life stages and is affordable to live in (all tenures)"*. In order to deliver brownfield sites in low value areas, the Plan proposes very high density with only 10% affordable housing provision. Even in medium to higher value areas there is an impact on housing mix and tenure due to the densities required to deliver the housing proposed in the Plan. This will inevitably be through the delivery of solely or predominately flats which does not deliver a wide range of housing and is unlikely to meet people's needs.

As such, the Plan has clearly not been positively prepared, is inconsistent with NPPF and clearly will not deliver sustainable development.

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The Sustainability Appraisal should be updated to include an appropriate variation of housing requirement and spatial options for growth.

The Green Belt must be reviewed to demonstrate that the Plan has been prepared positively and it is justified that the unmet needs are exported.

The Duty to Cooperate and accompanying Statement of Common Ground must be agreed and clearly demonstrate that any unmet need can be accommodated in a sustainable manner.

The spatial strategy must be reviewed otherwise the Plan will fail to deliver against the Council's own vision and objectives.

Continue on a separate sheet if necessary.

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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	Publication Dudley Local Plan, Regulation 19: Part One		
Paragraph/section	Section 8	Policy	
Site		Policy Map	

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Q2. Do you consider the Local Plan is:

- | | | | |
|---|---|-----|------|
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The following comments should be read in conjunction with William Davis Homes (WDH)'s comments made on Section 5 of the Publication Local Plan (PLP). These raised significant concerns on the soundness of DMBC's approach to identifying an appropriate housing requirement and spatial strategy. There is clear evidence that a housing requirement exceeding the Standard Method should be tested, alongside options to deliver the homes needed within the DMBC area. These options should include a review of the Green Belt and consideration of suitable sites such as WDH's site ' Land at Bromwich Lane' for allocation.

Housing Allocations and Supply

Policy DLP10 states that sufficient land will be provided to deliver at least 10,470 new homes over the plan period, with all housing allocations set out in the Part Two PLP. Supporting paragraph 8.4 notes 97% of the supply will be on brownfield land and 3% on greenfield land. The Local Plan Viability Report Addendum (September 2024) clearly states that the "urban-led approach, coupled with the significant expenses associated with remediation, is anticipated to negatively influence financial viability outcomes". Under the worst case scenario, only greenfield sites in the higher value area were viable, with an affordable housing provision. Other sites, including the greenfield sites in medium or low value areas were found to be unviable or marginal. The 'pragmatic' approach is more positive although key assumptions such as build costs and profit margins have been reduced which could reduce developer interest in delivering sites and result in lower quality homes due to having to cost cut in an effort to make schemes viable. This demonstrates the fundamental flaw in DMBC's approach to not only spatial strategy but also site selection which has an overreliance on brownfield sites which may not be viable or deliverable. Clearly, the PLP fails to comply with NPPF paragraph 69 which states that "planning policies should identify a sufficient supply and mix of sites, taking into account their availability, suitability and likely economic viability".

WDH recognise the benefits of re-developing brownfield sites, and the support this is given often locally and nationally. However, they are sites which are particularly difficult to develop and therefore often take longer to deliver, if they ever are. This is a particular concern with the sites selected for allocation as many are severely constrained. Looking towards the published site assessments, many of the sites have very few positive effects in the SA and have significant constraints including those fundamental to developing the site such as achieving a suitable access, reliance on funding and contaminated land.

It is clear within the evidence work and the PLP that significant compromises are already being made on developer contributions including affordable housing and, on the quality, and design of developments to bring forward brownfield sites to the detriment of providing good quality homes that meet the needs of the area.

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DMBC must allocate further greenfield sites to ensure a sufficient supply and mix of sites and make the Plan sound. Due to the tightly bound nature of the Borough, this will inevitably require a review of the Green Belt.

DMBC's Housing and Delivery Position Statement (HDPS) sets out the purported supply of homes at 3,966 homes which when using the current housing need figure of 657 homes per year gives a purported 6.04 year housing land supply. The HDPS notes that a total of 11,169 new homes would be required to meet the local housing need across 2024 – 2041. Land for only 10,470 new homes has been "identified" leaving a shortfall of 699 homes. Table 3 of the HDPS sets out the supply which includes a 10% discount for sites not yet started; and identified sites/vacant land/unoccupied employment sites and a 15% discount for occupied employment sites.

PLP Table 8.1 suggests that current supply and housing allocations provide around 71% of the gross new homes proposed in the PLP. The remaining 29% would be expected to be provided through windfall development (not including the 699 homes proposed to be exported to other authorities). This is based on an annual windfall rate of 184 homes a year in addition to 564 new homes expected from other sources. Whilst it is acknowledged that windfall rates generally are based on previous delivery, it is anticipated that this would drop significantly under the PLP due to the allocation of significant brownfield sites being allocated for development already. It is expected that DMBC will have made best effort to identify all the available brownfield development sites available before choosing to export its unmet need. Therefore, as WDH's previous representations highlighted, it is difficult to see how there would be additional capacity at this scale when the supply of available brownfield sites it likely to have been significantly depleted within the PLP and the extant plans.

NPPF paragraph 72 states that "Where an allowance is to be made for windfall sites as part of anticipated supply there should be compelling evidence that they will provide a reliable source of supply." The evidence base and PLP fails against paragraph 72. It does not sufficiently demonstrate that the windfall figure, or the specific sites for windfall development are a reliable source of supply. Until evidence of this is available, a significant reduction of 50% should be applied to the windfall allowance.

Housing Delivery

NPPF paragraph 75 requires strategic policies to include a trajectory illustrating the expected rate of housing delivery over the plan period. Local Plan Part One sets out a broad housing trajectory at Appendix 4. This shows a significant dip in the delivery of housing between 2029/30 to 2038/39 with the figures suggesting that not even the current housing need figure would be met. The trajectory contained within the Strategic Housing Land Availability Assessment 2023/24 provides some additional detail however clearly shows that a significant proportion of the identified sites will not deliver until later in the plan period, if at all. It also lacks justification for several sites to demonstrate they can be delivered in the timescales provided, if at all. This approach inflates the numbers but in reality, will result in housing needs not being met, when and where they arise.

WDH's representations on the complexities of delivering brownfield sites should be considered further on housing delivery. As set out in the representations, brownfield sites not only can take a lot longer to deliver (if they come forward at all) but also often come forward with reduced public benefit such as affordable housing provision.

A significant issue with the PLP is the reliance on other authorities to deliver at least 699 homes to meet DMBC's needs. DMBC have published a Duty to Cooperate Statement dated October 2024 which sets out that the Black Country Authorities have agreed a methodology for apportioning any agreed contributions from neighbouring authorities (October 2023) and a draft Statement of Common Ground is being progressed for agreement with the Greater Birmingham and Black Country Housing Market Area (GBBCHMA) authorities on the contributions and apportionment of contributions to the HMA shortfall. It does not state that agreement for the 699 homes needed has been reached only that DMBC are working with other LA's to clarify the status of offers towards unmet needs.

Table 4.2 sets out the potential (unconfirmed) contributions to the HMA and Black Country Authorities. These Authorities are discussed in turn below.

Table 4.2 notes a potential apportionment from Shropshire Council of 431 homes (around half the sum of the potential contributions listed for Dudley). However, in October 2024 a hold to hearings was called by the Inspectors stating significant concerns about the soundness of the plan.

South Staffordshire consulted on an updated Regulation 19 Plan in April/May 2024 which removed proposed Green Belt allocations. As a result, the contribution offered towards the GBBCHMA unmet needs decreased from 4,000 dwellings to only 640 dwellings in the recent consultation document. There are no details of where this need will be apportioned to and the plan is yet to go through examination.

Telford & Wrekin have not yet reached Regulation 19 stage and a recent update suggest the plan is to be aligned with the revised NPPF when it is published. Therefore, there is significant uncertainty whether they will contribute to unmet needs.

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Cannock Chase has recently had approval to submit the Plan for examination which includes a contribution of 500 dwellings to the Greater Birmingham and Black Country Housing Market Area. However, this has not yet been apportioned and is not at a stage where the soundness has been assessed either. Potential changes to the NPPF could also impact the content and timescales for these Plans, alongside for DMBC.

As such, there is no evidence that unmet need can be exported to other authorities and exceptional circumstances exist whereby DMBC should undertake a review of Green Belt sites to allocate sufficient quantity and mix of sites within the area to meet the housing need.

Green Belt Release

WDH's representations have clearly demonstrated the significant failings with the PLP including, but not exclusively, full consideration of housing need and suitable spatial strategies to deliver the homes needed within the DMBC area. Without reviewing Green Belt sites and allocating additional sites for development the Plan will undoubtedly be found unsound. NPPF paragraph 145 states that "Authorities may choose to review and alter Green Belt boundaries where exceptional circumstances are fully evidenced and justified".

DMBC have reviewed the potential for delivering the needed housing within the urban area and have been unable to identify sufficient sites to meet the need. Whilst DtC discussions are ongoing, there is no indication that the unmet need can be exported to other authorities, nor has the impact of this being assessed, this is responded to in further detail above. In fact, neighbouring authorities are subject to the same constraints to development and themselves are likely to identify a substantial unmet need. Therefore, it is clear that a review of the Green Belt would be justified in this case.

These representations have raised concerns that the SA has not tested any scenario where Green Belt land is released for development. None of the Green Belt sites promoted for development have been assessed in the site selection paper or the SHLAA. An urgent review of these sites should be undertaken before the Plan is submitted for examination. This should be a 'policy off' audit of the suitability of sites and include consideration of WDH's site 'Land at Bromwich Lane'. DMBC should also take account of the proposed NPPF changes in this process. If the Plan is submitted without this being undertaken, it is expected to be found unsound as it is inconsistent with national policy, has not positively prepared, and is not justified or effective.

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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.

In addition to the modifications referenced in representation to Section 4 and 5, assessment of potential development sites in the Green Belt should be undertaken, including updates to the Sustainability Appraisal.

The windfall allowance should be reviewed, if not then evidence supporting the high windfall allowance in the context of the proposed development strategy and its impact on available land must be produced.

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:

Yes – William Davis Homes have been promoting a site for allocation (Land at Bromwich Lane) which has not been duly considered. Further, significant concerns have been raised in relation to the Local Plan and its soundness.

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.

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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	Publication Dudley Local Plan, Regulation 19: Part One		
Paragraph/section	Section 13	Policy	Policy DLP49
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 | X | Yes | No |
| 2. Sound | | Yes | X No |
| 3. Complies with the Duty to co-operate | | Yes | X 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.

Policy DLP49 sets out the presumption against inappropriate development in the Green Belt, which is consistent with NPPF Policy; it also seeks to support a strong Green Belt to "promote redevelopment and regeneration within the urban area and provide easy access to the countryside". DMBC has not reviewed its Green Belt other than in the process of producing the Black Country Plan. No Green Belt land is proposed to be released, despite sites such as William Davis Homes (WDH) 'Land at Bromwich' clearly being appropriate and sustainable development sites. This will limit investment and growth in the area, due to the difficulty often associated with delivering brownfield sites.

It is overwhelmingly apparent, DMBC cannot feasibly or legally meet the emerging NPPF and its transitional arrangements. It is therefore inevitable that a Green Belt review is required for this Local Plan. DMBC must allocate a number of sites in the Green Belt to help balance the site allocations, allowing some sites which could be delivered earlier in the Plan period and likely with more significant benefits such as affordable housing and open space in comparison to brownfield sites. This would be a more sustainable method of delivering the homes that are needed. Further, the development of some Green Belt sites, such as the site being promoted by WDH would have little impact on access to the countryside as the site is currently not publicly accessible and has no public rights of way through it. In fact, development sites such as that promoted could help improve access to the countryside by facilitating connections into the wider Green Belt for its enjoyment by residents.

These representations have demonstrated that it is essential that DMBC review the Green Belt and identify additional development sites within the Green Belt for development. The PPG states that "Where it is demonstrated that it is necessary to release Green Belt land for development, strategic policy-making authorities should set out policies for compensatory improvements to the environmental quality and accessibility of the remaining Green Belt land". It then goes on to list examples such as new or enhanced green infrastructure; improvements to biodiversity; and new or enhanced walking and cycling routes. These are all elements that WDH could achieve through the development of land at Bromwich Lane, providing public benefit that is unlikely to be achieved on many of the allocated brownfield sites.

As it stands, Policy DLP49 is not justified by appropriate evidence nor has it been positively prepared.

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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.

A Green Belt Review is expected to be required and therefore Policy DLP49 should be updated to reflect the upcoming change in national policy expected before the end of 2024.

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:

Yes – William Davis Homes have been promoting a site for allocation (Land at Bromwich Lane) which has not been duly considered. Further, significant concerns have been raised in relation to the Local Plan and its soundness.

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.

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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	Publication Dudley Local Plan, Regulation 19: Part One		
Paragraph/section	Section 13	Policy	Policies DLP55 and DLP60
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 | X | Yes | No |
| 2. Sound | Yes | X | No |
| 3. Complies with the Duty to co-operate | Yes | X | 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.

Policies DLP55 and DLP60 are supported by the Borough-wide Historic Landscape Characterisation Study (HLCS) 2016 and the Black Country Historic Landscape Characterisation Study (BCHLCS) 2019. In the BCLCS, William Davis Homes' (WDH) land interest at Bromwich Lane is located in parcel AHHLV 29 Buckbury. The parcel is expansive and covers land between Hagley Road, around the southwest of Pedmore, up to Racecourse Lane and therefore covers a significant area outside the site and of an entirely different context and character. The site does not include any historic assets nor does it contain any designated areas of archaeological interest. Any application could be supported by an archaeological and heritage assessment to ensure any assets of value, if found on site, are appropriately considered and impacts mitigated. Further, the site is fairly enclosed due to built development on all but one side of the site, and the site being bound by existing hedgerow and trees which also limits views into the wider area.

Where opportunities for valuable viewpoints are identified, these could be accommodated within a well-designed layout of the promoted site. Given the nature of this designation, washing over large areas rather than site specific, the policy should be more flexible where it is demonstrated that the development would not cause significant harm to the designation and appropriate mitigation is proposed. This would allow opportunities for well-designed, sustainable development to come forward subject to other policy restrictions.

As it stands, Policies DLP55 and DLP60 are not justified or positively prepared.

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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.

This policy is supported by evidence which is not site specific and relates to a designation that washes over large areas of land. The policy should be amended to incorporate some flexibility for appropriate development.

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.*

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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.

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Yes – William Davis Homes have been promoting a site for allocation (Land at Bromwich Lane) which has not been duly considered. Further, significant concerns have been raised in relation to the Local Plan and its soundness.

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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	Publication Dudley Local Plan, Regulation 19: Part One		
Paragraph/section	Section 3 – evidence	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 | X | Yes | No |
| 2. Sound | | Yes | X No |
| 3. Complies with the Duty to co-operate | | Yes | X 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.

Green Belt Assessment

William Davis Homes (WDH) has consistently raised concerns with regard to DMBC's approach to Green Belt, including reliance on the 2019 Black Country Green Belt Study (BCGBS) which is fundamentally flawed as highlighted in representations made to consultations since 2020. Taking WDH's site at Bromwich Lane as an example, the following briefly sets out why the report and methodology are flawed and should not be relied upon. On this basis, the Green Belt should be reviewed and suitable sites such as 'Land at Bromwich Lane' should be allocated.

The site is assessed as part of parcel B60, a large parcel covering 181.3 hectares of which the site is only 4.2ha. The parcel covers an area with significant variations both in terms of its character and contribution to the purposes of the Green Belt. Within the parcel are sites such as WDH's at Bromwich Lane, which are urban fringe locations and highly influenced by the urban environment, then there are significant areas of rural land with an open character and very clearly form part of the prevailing countryside. As such, this is plainly an inappropriate scale from which to assess the site and its contribution to the purposes of the Green Belt.

Inspectors found in an appeal in St Albans District (Appeal Ref. 3265926) that as a result of the inclusion of a more discrete Green Belt site within a much larger Green Belt assessment parcel that included more significant Green Belt parcels, that the characteristics of the wider assessment parcels "bear little or no relationship to the appeal site." The Inspector therefore concluded that there was "only very limited correlation between the conclusions drawn here in relation to the function of the land or assessment of its function relative to the purposes of the Green belt when compared to the appeal site" in allowing the release of that Green Belt site.

This flawed methodology has led to the site being assessed as making a strong contribution towards purposes 1, 2, 3 and 5. That does not reflect the reality of the site. The site is bordered on all but one side by existing development and its development would consolidate existing built form rather than create urban sprawl. The development would sit in front of and below the existing settlement and therefore would not impact on the perception of the separate identity of Pedmore and Hagley. It would also result in limited countryside encroachment which would be further mitigated by the site's strong landscape structure.

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A Green Belt analysis for the site, undertaken by Define, has previously been provided to DMBC alongside a Vision Document for the site. The analysis concludes that the site should be assessed as having a contribution at the lower end of moderate to purposes 1, 2 and 3. Further, in considering the release of sites, the Stage 2 assessment considered the release of B60As1 as having 'very high' harm. However, the analysis undertaken by Define found that when taking into account the site's context and characteristics, an accurate assessment would have found low-moderate harm associated with the release of the site.

Further, the NPPF consultation proposed amendments in relation to Green Belt release and the inclusion that exceptional circumstances may include *"instances where an authority cannot meet its identified need for housing [...] through other means"* clearly demonstrating that the Government expects LPAs to proactively meet housing needs including exploring Green Belt release where otherwise the need would be unmet.

It is crucial that DMBC undertake its own Green Belt Review as well as assessing Green Belt sites for allocation to ensure a sound Plan is produced. Without doing so the Plan fails to be positively prepared to meet the area's needs nor justified.

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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.

An up to date Green Belt Review should be undertaken for the Dudley area and sites in the Green Belt should be assessed for potential allocation.

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.*

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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:

Yes – William Davis Homes have been promoting a site for allocation (Land at Bromwich Lane) which has not been duly considered. Further, significant concerns have been raised in relation to the Local Plan and its soundness.

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.

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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	Publication Dudley Local Plan, Regulation 19: Part One		
Paragraph/section	Section 5	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 | X | Yes | No |
| 2. Sound | Yes | X | No |
| 3. Complies with the Duty to co-operate | Yes | X | 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.

Site Suitability Assessments

Previous representations on behalf of William Davis Homes (WDH) have emphasised the importance of assessing sites in the Green Belt, rather than taking a blanket approach and refusing to assess any sites located within the Green Belt. This remains the case, and could be even more important with the proposed changes to the NPPF expected to be published by the end of 2024. The following sets out a brief assessment of the suitability of the site, as provided in previous site promotion documents and representations.

A Vision Document for the site at Bromwich Lane has been submitted in support of the site, alongside a Flood Risk Assessment and Summary Letter and an Access Strategy Note. These highlight that:

- The site is located at the south of Pedmore, a residential suburb of Stourbridge. The services and facilities located in Pedmore are accessible within a 10 minute walk to the north and the services available in Hagley to the south are accessible within a 15 minute walk. The existing right of way and pedestrian footpath links in the surrounding area provide direct routes in that regard;
- The site also benefits from good accessibility to higher order settlements, with bus stops located near to the site on Hagley Road that provide services to Stourbridge and Bromsgrove. In addition, Stourbridge Junction and Hagley Train Stations (which are both accessible via sustainable modes of transport) provide direct routes to Birmingham, Kidderminster and Worcester, and therefore offer the opportunity for multi-modal forms of travel;
- The site is wholly located in Flood Zone 1 and the vast majority of the site is at very low risk of surface water flooding, aside from a very small linear area of low surface water flood risk at the site's boundary with Bromwich Lane. Consideration has been given to the drainage strategy, as set out in the Flood Risk Assessment that finds that the site is not at significant flood risk subject to the mitigation strategies that are embedded in the Masterplan. That includes the provision of a green corridor at the western boundary;
- There are no built heritage assets or designations within or in close proximity to the site, and the site shares no visual connection with any assets that are further afield. Therefore, there are no constraints to development in heritage terms;
- Given the lack of intervisibility of the site with Wychbury Hill and Hagley Park and Garden, the site does not contribute to the higher value of the land to the south and east in historic landscape terms;
- The site is not subject to any nature conservation designations. The current habitats within the site are generally of low ecological value, with the majority of the site comprising poor semi-improved grassland. Whilst the hedgerows within the site are of ecological value at the local level and provide potential to support bat activity, the only loss to hedgerows will be the small area of removal required to facilitate access, and green corridors will be provided at the site's western and southern margins alongside those hedgerows; and

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- An arboricultural assessment has confirmed that the majority of trees along the site boundary will not be impacted upon by the proposals, and that generous landscape buffers will be provided around them. The only tree removal would be a small section to facilitate access and, whilst it is recognised that the group is subject to a Tree Protection Order, the assessment confirms that the loss of the small section of the group will not diminish its overall amenity value. Moreover, the loss of this small section will be more than offset by the significant tree planting that is proposed within the proposed open space area, including substantial tree planting to reinforce the southern boundary of the site.

Land at Bromwich Lane, Pedmore

These representations clearly set out justification for Land at Bromwich Lane to be considered for allocation in the DMBC Local Plan. DMBC are urged to review the Green Belt and assess sites submitted for development in the Green Belt to ensure a sufficient supply and mix of housing is proposed to meet the housing needs of the area. This will avoid an overreliance on brownfield sites which have extensive constraints to delivery and will offer limited public benefit in comparisons to sites such as that promoted here by WDH. Without undertaking this work before submission, it is expected that the Plan will be found unsuitable for examination, due to the significant work required. If it does proceed to examination, the Plan will be found to be unsound.

The emerging Masterplan for the site as set out in the Vision Document provides for the delivery of c. 85 – 100 dwellings. In doing so, it demonstrates how a well-designed scheme that integrates entirely with the existing built form will be delivered, to provide much-needed housing in a sustainable location, with residents having direct access to, and providing support for, the range of local facilities within the settlement.

As set out above, access to the site will be provided via a new junction off Bromwich Lane. The submitted Access Strategy note demonstrates that an access can be achieved of 7.3m in width, with 2.4m x 43m visibility splays achieved. The proposed access would widen Bromwich Lane where feasible along the site frontage to 6m in width to accommodate the additional traffic generated. That would include removing the west priority-controlled section of road to achieve unrestricted two-way vehicular movements.

The proposed residential aspect of the scheme responds sensitively to surrounding uses, integrating well with the existing built form. In responding to the existing pattern of development to the west of Bromwich Lane, the existing western hedgerow and tree corridor adjacent to the site's access will be retained and enhanced to reinforce the 'leafy' settlement character and filter views of the housing. Meanwhile, to respond positively to the dwellings along Hagley Road, dwellings that back onto the site's eastern boundary incorporate generous rear gardens with enhanced buffer planting to prevent overlooking into the existing properties.

The site's residential aspect will be designed in a perimeter block layout in order to promote activity and provide natural surveillance over streets and public spaces whilst also securing private boundaries (including the current existing exposed boundaries to the east). That built form will be served by a clear hierarchy of streets that establishes good legibility and also incorporates informal open spaces. That layout also includes a small residential square at the centre of the site, creating a focal / meeting space within the development.

To ensure that the site is well integrated into the wider landscape and reflect the nature of surrounding residential areas, the residential aspect of the site will incorporate street trees and significant planting within gardens and open spaces to provide a green canopy effect to the development, within which residential properties will nestle. That planting will particularly increase at the site's higher slopes (such as the eastern boundary) to limit any views of the development and soften the appearance of the settlement edge as it is viewed from the wider landscape.

The treatment of the site's southern boundary also contributes to the development's sensitive approach to landscape character. The site's southern boundary will be reinforced through significant native tree and hedgerow planting that will offer further screening of the site from the surrounding landscape and create a clear and robust Green Belt boundary whilst rounding-off the built form. Beyond that southern boundary, the site's south-western corner will be free of residential development to allow for the provision of attenuation features, whilst the built aspect along the southern boundary to the east will also be offset from the site's boundary to accommodate an open space corridor. That open space corridor will also incorporate significant tree planting to provide an attractive setting for the open space, and border the proposed pedestrian link through the open space corridor that in turn links to the play space that is proposed near to the site's southern boundary.

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A further open space corridor will be provided at the site's north-west, providing opportunities for habitat mitigation, informal recreation and also helping to assimilate the site with its surrounds. That open space area and the residential aspect adjacent to it will be well connected to the aforementioned more significant open space area to the site's south via a footpath link that will travel along the site's western boundary before heading towards its southern boundary. The footpath will then exit the site at its southwestern corner, providing access to Bromwich Lane and Redlake Drive. That will provide a key pedestrian link towards the services and facilities available within Pedmore to the north.

It is critical that DMBC identifies additional development sites to fully meet its own housing needs, and proactively work towards meeting the proposed new standard method figure which would be a significant increase. The identification of additional sites is especially important as the sites chosen to date are unlikely to deliver the quantum of development suggested, given their nature as predominately brownfield sites. Therefore, it is strongly recommended that to ensure the Plan is found sound at examination, sites in the Green Belt are fully assessed and further reasonable alternatives are assessed, to include release of Green Belt sites.

WDH's site at Bromwich Lane is a suitable site, in a sustainable location for growth, without unsurmountable constraints to development. The site is fairly contained, and therefore any harm associated with release of the site from the Green Belt and in landscape terms is limited. As such, the site should be allocated for development to make a positive contribution towards the housing needs of the area.

The above representations have been supported by the submission of a Vision Document; A Pedestrian Access Technical Note (ref. BLSB-BWB-ZZ-XX-RP-TR-0001-TN3); A Transport Technical Note on Access Strategy (ref. PLB-BWB-GEN-XX-RP-TR-0001-Access Strategy-S3-PO2); A Flood Risk Assessment (ref. PBL-BWB-ZZ-XX-RP-YE-0001_FRA); and A Flood Risk Assessment Summary (ref. PBL-BWB-ZZ-XX-RP-YE-0002_FRA Summary Letter_S2-P1). All submitted by email to the Council on 29th November 2024.

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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 spatial strategy must be updated alongside site assessments of suitable, available and deliverable sites such as 'Land at Bromwich Lane'.

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:

Yes – William Davis Homes have been promoting a site for allocation (Land at Bromwich Lane) which has not been duly considered. Further, significant concerns have been raised in relation to the Local Plan and its soundness.

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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