



Planning Policy Section
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SENT BY E-MAIL AND POST

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Dear Sir / Madam

DUDLEY BOROUGH DEVELOPMENT STRATEGY PRE SUBMISSION CONSULTATION

Thank you for consulting with the Home Builders Federation (HBF) on the above mentioned consultation. The HBF is the principal representative body of the house-building industry in England and Wales. Our representations reflect the views of our membership, which includes multi-national PLC's, regional developers and small, local builders. In any one year, our members account for over 80% of all new "for sale" market housing built in England and Wales as well as a large proportion of newly built affordable housing. We would like to submit the following representations and appear at future Examination Hearing Sessions to discuss these matters in greater detail.

The Duty to Co-operate (S110 of the Localism Act 2011 which introduced S33A into the 2004 Act) requires the Council to co-operate with other prescribed bodies to maximise the effectiveness of plan making by constructive, active and on-going engagement. In satisfactorily discharging the Duty it is important to consider the outcomes arising from the process of co-operation and the influence of these outcomes on the Local Plan. One of the required outcomes is the delivery of full objectively assessed housing needs (OAHN) for market and affordable housing in a Housing Market Area (HMA) as set out in the National Planning policy Framework (NPPF) (para 47) including the unmet needs of neighbouring authorities where it is reasonable to do so and consistent with sustainable development (NPPF para 182).

The NPPF also requires that :-

- A Local Planning Authority (LPA) should prepare a Local Plan for their area (para 153). The Local Plan should be positively prepared (para 157) including policies to deliver the homes needed (para 156) ;

- A LPA should have a clear understanding of housing needs (para 159) based on up to date evidence (para 158) ;
- The Local Plan should preferably be drawn up over a 15 year time horizon to take account of longer term development requirements (para 157).

Furthermore the National Planning Practice Guidance (NPPG) sets out that :-

- The Government's preference is for a single Local Plan document. If a separate Site Allocations Document is prepared there should be a justification for doing so (ID 12-012020140306) ;
- The Local Plan should be informed by evidence which is kept up to date. If key studies on which the Plan is reliant are a few years old then evidence should be up dated using the latest information available. If necessary as a consequence of this evidence the Plan should be changed before submission for examination (ID 12-014-20140306) ;
- The Local Plan should be updated in whole or in part at least every five years because for example a revised Strategic Housing Market Area Assessment (SHMAA) affects all authorities in that Housing Market Area (HMA) irrespective of the status of an individual Local Plan (ID 12-008020140306).

The DCLG Technical Consultation on implementation of planning changes (Chapter 6 – Local Plans) published on 18 February 2016 confirms :-

- The primary function of Local Plans is to identify what and where development is needed in order to provide certainty ;
- Local Plans should be kept up to date to ensure policies remain relevant and effective with up-dating required at least every 5 years ;
- Local Plans play a key role in supporting housing delivery with post NPPF adopted Plans been more positive.

The Black Country Core Strategy was adopted in 2011 focussing on a strategy of urban regeneration. The Core Strategy was prepared and adopted pre-NPPF therefore it is not based on evidence which calculated OAHN instead housing figures were derived from the former Regional Spatial Strategy (RSS) which is now revoked. The Core Strategy sets out a housing provision of at least 63,000 new homes over the period 2006 – 2026 of which 16,127 new homes (806 dwellings per annum) are in Dudley.

The Dudley Borough Development Strategy sets out detailed land use allocations to meet the Borough's housing land requirements in accordance with the Core Strategy together with policies to effectively deliver this strategy.

Since the adoption of the Core Strategy Dudley has been identified as a constituent part of the Greater Birmingham & Black Country HMA. Therefore as set out in the Duty to Co-operate Statement the Council has a role to play in the resolution of at least 40,000 dwellings of unmet housing needs arising from Birmingham city over the period 2011 – 2031.

The latest and most up to date evidence on OAHN is set out in the “Greater Birmingham & Solihull Local Enterprise Partnership and Black Country Local Authorities Strategic Housing Needs Study Stage 3 Report” by Peter Brett Associates dated August 2015. However it must be noted that this is not an OAHN as the report only comprises demographic projections which the NPPG (ID 2a-015-20140306) defines as just the starting point for the calculation of OAHN. It is most likely that the finishing point for the calculation of OAHN will be a higher figure because upward adjustments to support economic growth, to counter-balance worsening trends in market signals and to assist meeting affordable housing needs (NPPG ID 2a-018-20140306 - 2a-020-20140306) should be factored in. Therefore the Council’s supporting evidence is misleading in portraying these figures as OAHN figures rather than demographic starting points for the calculation of OAHN.

Nevertheless the most up to date starting point is between 63,344 dwellings (ONS/PBA 2012 model) and 66,524 dwellings (CLG 2012 model) for the Black Country sub market comprising of Dudley, Sandwell, Walsall and Wolverhampton for the period 2011 – 2031. So the figures of 3,167 – 3,326 dwellings per annum are greater than the 3,150 dwellings per annum set out in the pre-NPPF adopted Core Strategy.

For Dudley the demographic projections identify a starting point for the calculation of OAHN between 12,686 dwellings (ONS/PBA 2012 model) and 12,501 dwellings (CLG 2012 model). Whilst these starting point figures are lower than the figure in the Development Strategy it is likely that the final OAHN figure is higher. Moreover meeting OAHN in full has to be considered in the context of the Black Country sub HMA as a whole together with meeting unmet housing needs from Birmingham.

At this time neither the adopted Core Strategy nor the pre submission Dudley Borough Development Strategy are meeting OAHN which is inconsistent with national policy.

The Council’s Local Development Scheme dated February 2016 sets out that evidence gathering for the Core Strategy review will commence in 2016 and adoption of the reviewed Plan is not anticipated until mid-2019 so the Core Strategy will not be reviewed on a timetable of at least every five years envisaged by Government. Moreover if the Council’s Development Strategy is adopted by the end of 2016 only 10 years will remain before the end of the plan period rather than the 15 year time horizon specified in the NPPF.

If the Council is to plan for new housing development and its longer term housing needs there should be a review of the adopted Core Strategy sooner rather than later. The Council should also give consideration to the

amalgamation of the reviewed Core Strategy and Development Strategy into one document as preferred by Government.

Part 2 of the Development Strategy sets out the **Regeneration Corridors** and **Site Allocations**. In total 90 sites are allocated 6,022 dwellings (5,305 dwellings in Regeneration Corridors and 717 dwellings outside Regeneration Corridors) comprising :-

- Regeneration Corridor (10) Pensnett – 398 dwellings allocated on 5 sites ;
- Regeneration Corridor (11a) Dudley town centre to Brierley Hill – 851 dwellings allocated on 13 sites ;
- Regeneration Corridor (11b) Brierley Hill to Stourbridge town centre – 1,059 dwellings allocated on 18 sites ;
- Regeneration Corridor (13) Stourbridge Junction to Rowley Regis – 1,597 dwellings allocated on 26 sites ;
- Regeneration Corridor (14) Coombeswood to Halesowen – 210 dwellings allocated on 3 sites ;
- Regeneration Corridor (16) Dudley town centre to Coseley – 1,190 dwellings allocated on 7 sites ;
- Outside the Regeneration Corridors – 717 dwellings allocated on 18 sites.

However these site allocations are based on an out of date constrained Core Strategy housing provision figure rather than OAHN to meet the longer term housing needs of the HMA. If it determined that the Council should be allocating more housing sites the Council should be mindful that to maximize housing supply the widest possible range of sites, by size and market location are required so that house builders of all types and sizes have access to suitable land in order to offer the widest possible range of products. The key to increased housing supply is the number of sales outlets.

The Council's latest 5 YHLS calculation is set out in the Housing Land Supply paper. Since 2006 the Council has under-performed against the adopted Core Strategy housing targets it is agreed that a 20% buffer is appropriate which should be applied to the annualised housing requirement and shortfall together with a Sedgfield approach to recouping shortfalls as soon as possible. Although the HBF would not wish to comment on the merits or otherwise of individual sites contained within the Council's housing trajectory it is critical that the Council's assumptions on lapse rates / non implementation allowance, lead in times, delivery rates and windfall site numbers contained within its calculations are correct and realistic to provide sufficient flexibility.

With regard to individual development management policies it is suggested that :-

under **Policy L1** development should be permitted in all sustainable locations therefore the wording "environmental" and "close to public transport facilities and links" should be deleted ;

Policy L4 definitions of affordable housing may change because of the Housing & Planning Bill 2015 so the Policy should be flexible.

In conclusion for the Dudley Borough Development Strategy to be found sound under the four tests of soundness as defined by paragraph 182 of the NPPF, the Plan should be positively prepared, justified, effective and compliant with national policy. The Council should re-consider its position in order to avoid preparing a Plan which is unsound by its inconsistency with national policy, not positively prepared, unjustified and so ultimately ineffective. The pre submission Development Strategy is unsound because :-

- The Core Strategy is not up to date so the Development Strategy is not providing for OAHN so it will not deliver the homes needed ;
- There are no conclusive outcomes from the process of co-operation with Birmingham city and meeting unmet housing needs ;
- The plan period is too short to plan for long term development needs and create certainty ;
- No justification for not producing a single document

It is hoped that these representations are of assistance to the Council in preparing the next stages of the Dudley Borough Development Strategy. In the meantime if any further information or assistance is required please contact the undersigned.

Yours faithfully
for and on behalf of **HBF**



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