
Meeting of the Cabinet – 25th October, 2023

Report of the Director of Regeneration and Enterprise

Dudley Local Plan

Purpose of report

1. To obtain Cabinet approval for the consultation of the Draft Dudley Local Plan (Regulation 18), to summarise the implications of the Plan for Dudley and outline the consultation process and next steps for the Plan preparation.

Recommendations

2. It is recommended that Cabinet:
 - Approve the Draft Dudley Local Plan (Appendix 1a and 1b), Draft Dudley Plan Policies Map (Appendix 2), Sustainability Appraisal Reports (Appendix 3) and Habitats Regulation Assessment (HRA) (Appendix 4) for consultation during November/December 2023.
 - Delegate authority to the Director of Regeneration & Enterprise in consultation with the Portfolio Member for Policy and Communities and Economic Delivery, to make any non-substantive changes considered necessary to the Draft Dudley Local Plan, Dudley Plan Policies map, Sustainability Assessment and HRA prior to commencement of the consultation process.
 - Delegate authority to the Director of Regeneration & Enterprise in consultation with the Portfolio Member for Policy and Communities and Economic Delivery, to agree the arrangements for a six-week consultation period.
 - Request a further report summarising key issues raised during the consultation, to inform preparation of the next stage of the Plan – Regulation 19 Publication Plan.

Background

3. The Local Plan (otherwise known as the Development Plan) forms the basis of decisions on planning applications and other matters relating to land use and development of land. It provides certainty for developers and protection for sites and buildings that are of value for environmental, economic and social reasons.
4. The development plan for Dudley currently comprises of the Black Country Core Strategy (BCCS) adopted in 2011, the Dudley Borough Development Strategy (2017) and the Brierley Hill, Dudley, Halesowen and Stourbridge Area Action Plans (AAPs).
5. Amongst other matters, the local plan identifies the number of additional homes and land for employment uses that should be provided over the plan period to meet identified needs. The current BCCS sets out the number and amount of land required up to 2026, whilst the Dudley Borough Development Strategy and the AAPs allocate sites to help achieve this number.
6. Local Plans are required to seek to provide a land supply for up to 15 years from the date of adoption. The BCCS, Dudley Borough Development Strategy and AAPs sought to meet needs up to 2026. The limited time remaining to 2026 means that the supply for homes and employment land is now running out.
7. The review of the BCCS commenced in 2016, followed by the publication of the Issues and Options consultation in 2017. This marked the first stage of the process and set out the scope of the local plan review and presented its key issues along with several options. A report setting out the Issues and Options consultation responses was considered by Cabinet at its meeting on 27th June 2018. A further consultation on the Draft BCP (Regulation 18) was carried out in Summer 2021, following approval by all four Black Country cabinets in July 2021.
8. Work had been progressing on the preparation of the next stage of the Black Country Plan (Regulation 19). However, a decision was subsequently made by each of the four Councils to withdraw from the Black Country Plan and progress with their own individual Plans.
9. At its meeting on 14th November 2022, Cabinet resolved to withdraw from the Black Country Plan and proceed with the preparation of the Dudley Local Plan.

10. At a subsequent meeting on 26th January 2023, Cabinet approved the revised Local Development Scheme 2023 to provide formal confirmation to commence work on the Dudley Local Plan.

Draft Dudley Local Plan (Regulation 18)

11. Following the decision to cease the preparation of the Black Country Plan (BCP), the Council has progressed with its own local plan – Dudley Local Plan (DLP). In preparing a borough wide DLP, it has provided the opportunity to review and update the remaining policies in the Dudley Borough Development Strategy, as well as bringing the Area Actions Plans (AAPs) for Dudley, Stourbridge, Halesowen and Brierley Hill into a single document making one complete plan for Dudley Borough. This will make the document easier to use for all stakeholders as well as reducing overall costs and impact upon staff resources.
12. A large amount of work had already been undertaken and resources expended to progress the Black Country Plan to an advanced stage. Much of this work have been taken forward into the DLP, including evidence base work and the previous consultation responses made on the BCP (a summary of the main Dudley related responses is attached in Appendix 7). In addition, the Council undertook an Issues and Options consultation on the Brierley Hill Plan in early 2022 and the outcomes from this work have been used to inform the DLP.
13. The Draft DLP (attached as Appendix 1(a) and 1(b)) has been written as a complete Plan with a full set of policies and proposals. Part one of the Draft Plan contains the vision, spatial strategy, strategic policies and new/updated local planning policies. Part two of the Plan contains details of existing site allocations for housing, employment and Gypsy and Traveller sites as well as some new site allocations. The document also contains chapters for Brierley Hill Strategic Centre and the three remaining town centres of Dudley, Halesowen and Stourbridge which will supersede the existing AAPs once the DLP is adopted. References to how the sites and consultation responses have been addressed are provided in Appendix 7.
14. There have been several changes in national policy guidance since the adoption of the development plan documents which are reflected in the Draft DLP. There are new policies on climate change, sustainable construction, trees, biodiversity net gain and mitigation. In addition, space standards, water efficiency and accessibility standards for new housing have been set to improve build quality. Contributions will also be sought for the provision of education and health services where this is viable. A summary of the main content of the Draft DLP and issues is set out below.

Vision and Spatial Strategy

15. The Vision for the Dudley Local Plan is:

By 2041 Dudley Borough, the historic capital of the Black Country, will be a place which has the benefit of:

- being an attractive, and desirable place to live, work and visit.
- being a destination of choice and for doing business.
- having strong, inclusive, resilient, and thriving communities with enhanced health and social wellbeing.
- sustainable urban growth having been delivered, meeting the needs of its communities and businesses.
- a network of vibrant centres, which maintain a retail focus, but embrace the area's diversity, culture and heritage and benefit from additional local community and leisure orientated facilities, as well as increased resident populations.
- being a place of excellence in enterprise, education, and training, having thriving employment areas, providing more jobs in new and future technologies, and with better links to further education establishments, which are more accessible to all residents.
- having a network of high-quality parks, green spaces, waterways, and nature reserves.
- a high quality and beautiful built and natural environment that respects and enhances local character, including valued historic buildings and areas, and continues to be regarded as a tourist destination and UNESCO Global Geopark with enhanced tourism facilities.
- being much more accessible, especially by public transport and a network of footpaths and cycleways providing connections to the rest of the West Midlands and the countryside around the borough.

16. The Vision will be delivered through three strategic objectives which have several strategic priorities underpinning these objectives. The three strategic objectives are as follows:

- **Enhancing our Natural and Built Environment** (inc addressing the climate change and ecological emergency, protecting and enhancing our natural and historic environment, biodiversity and ecological networks and ensuring sustainable patterns of development and protecting the Green Belt)
- **Enabling Economic Prosperity** (inc fostering economic growth and investment)

- **Enhancing Places and Communities** (inc creating well designed places, promoting health & wellbeing of communities, creating thriving neighbourhoods and delivering the resources, services, and infrastructure to support growth. Promoting Smart and sustainable transport.

17. Following consideration of options (as set out on the Sustainability Appraisal attached to Appendix 3), the growth strategy for the DLP will remain within the existing urban area. The plan does not propose to amend the Green Belt boundaries. Urban capacity evidence indicates that Dudley can meet the majority of its housing need within the urban area and therefore it is considered that exceptional circumstances are not triggered to justify Green Belt release for new housing development. Employment need evidence is indicating there is a shortfall in terms of meeting employment need in the borough. The employment land shortfall across the four local authorities will be dealt with at the Black Country Functional Economic Market Area (FEMA) level. Any employment land contributions made from other authorities towards the Black Country's shortfall will be dealt with and apportioned across the whole of Black Country FEMA.
18. The spatial strategy is an urban led strategy with the majority of land allocated on brownfield sites. The spatial strategy will be similar to the Black Country Core Strategy and will retain a Growth Network consisting of Brierley Hill Strategic Centre, Dudley, Stourbridge and Halesowen Town Centres and the Regeneration Corridors, as the primary focus for new development, cultural, educational, entertainment related uses, as well as a focus for regeneration, and infrastructure investment to support the delivery of housing and employment growth. In addition, a strategic housing site has been allocated at the former Ketley Quarry (subject to a live planning application) and further sites allocated to Lye and some of the borough's district centres.
19. There will be several priority housing sites allocated as follows:

Priority Site	Potential housing capacity
Brierley Hill SC – Daniels Land/Embankment	300
Brierley Hill SC– Land at Waterfront Way/Level Street	600
Dudley TC – King Street/Flood Street	120
Dudley TC -Trindle Road/Hall Street (Portersfield)	280
Ketley Quarry (outside of a centre)	650
Total	1,950

20. It is proposed to allocate Corbett Meadow as Local Greenspace designation. Members should note that a further site, Clockfields in Brierley Hill, was submitted for consideration. Following an assessment of the site, we were unable to allocate it as a Local Greenspace designation as it does not meet the criteria as set out in national planning guidance.
21. In addition, several Council owned sites which have potential to be allocated for Bio-diversity Net Gain (BNG) off-set sites, have been identified. These sites are subject to ongoing survey work/review. Members should note that no privately owned sites were submitted as part of the call for sites process.

Housing Provision

22. The overall housing requirement for the draft Local Plan to 2041 is 11,954 (2023 – 2041). This requirement is based upon Dudley's local need using the standard method.
23. The focus of housing will be in the urban area. Of the land to be allocated in the Plan, 95.62% will be on brownfield land and 4.38% on greenfield land. In preparing the DLP a review of all existing housing allocations has been undertaken, along with an identification of new sites, and an assessment of capacity in the strategic centre, town centres and district centres and the call for sites that have been submitted.
24. The housing supply to be allocated in the Plan will provide for 10,876 homes over the Plan period to 2041. This will leave a shortfall of 1,078 homes over the Plan period to 2041. The Government requires neighbouring local authorities to work together under Duty to Co-operate to meet housing and employment land needs when producing Local Plans. Dudley, along with other Black Country Authorities, had previously been working with neighbouring authorities to provide additional housing and employment land to assist in meeting the unmet needs. These discussions have been on-going as part of the DLP preparation.
25. The housing requirement will be delivered through a combination of existing committed developments and allocations from current local plans alongside new proposed sites which are detailed in the draft Plan.
26. The DLP includes a number of policies relating to the design and types of homes to be delivered within the borough, including the level of affordable housing that will be required from residential development. There is also a policy on Gypsy and Traveller and Travelling Showpeople Accommodation. Following completion of the Gypsy & Traveller Needs

Assessment in 2022 and a subsequent update of need figures for the extended Plan period to 2041, there will be a shortfall in Gypsy & Traveller Pitches. The Council will look to address the shortfall through the better utilization of existing site provision, windfall development and will seek potential additional provision through Duty to Co-operate.

27. A Viability and Delivery Study has been completed to test the likely impact of the draft DLP policies on the financial viability of different types of sites across the borough. For the purposes of housing, the study divided the borough into low, medium and high value areas. Taking into account the new policy requirements, the Study has concluded that a maximum of 10% affordable housing will be viable in the low value areas and on brownfield sites in medium value areas, 20% in medium value areas on greenfield sites and 30% on all sites in high value areas. Officers have undertaken a comparison of the proposed new affordable housing policy against the existing policy for planning applications approved over a 5-year period. This demonstrated that under the proposed new policy approximately 100 more affordable homes would have been provided compared to the existing policy.

Employment Land Provision

28. The Plan makes provision for approximately 25 ha of employment land. The recent evidence base (Economic Development Needs Assessment 4) suggest Dudley has a need of 72ha of employment land to 2041. This figure increases to 98ha when taking into account the need for the replacement of land which is to be developed for other uses, such as housing. This is split between 23ha for (B2) manufacturing use and 49ha for sites for (B8) logistics/storage use. There is a shortfall in Dudley's employment land provision by approximately 47ha. This figure is 73ha overall when taking into account replacement of land which has previously been developed.
29. Dudley forms part of the Black Country FEMA and has a functional economic relationship with a number of neighbouring local authorities including: South Staffs, Birmingham, and Wyre Forest, Bromsgrove, Solihull, Tamworth, Lichfield and Cannock Chase. As with housing provision, the Government requires neighbouring local authorities to work together under Duty to Co-operate to help meet the employment needs. Currently, there have been offers of employment land from neighbouring local authorities including Shropshire, South Staffordshire (including the West Midlands Interchange) to be tested through their local plan reviews. Of these contributions, 14ha can be directly attributed to Dudley Borough at this stage (from the West Midlands Interchange) leaving Dudley with a shortfall of approx. 33ha (or 59ha including replacement of employment

land losses). Contributions from other sources are currently apportioned to the FEMA overall and are the subject of ongoing discussions in terms of how they are apportioned to the individual Black Country authorities. The intention is for the overall shortfall for the FEMA to be addressed collectively by the Black Country authorities. Dudley will continue to hold Duty to Co-operate discussions with neighbouring authorities as the DLP progresses.

30. The DLP provides support for the Borough's visitor economy.

Centres

31. The DLP continues to identify a hierarchy of centres; these being the Strategic Centre at Brierley Hill, the three Town Centres of Dudley, Halesowen and Stourbridge. Alongside this there are three District Centres at Kingswinford, Lye and Sedgley and fifteen Local Centres.
32. Dudley's centres play an important role in meeting the needs of residents. Our centres are evolving in different ways, including a shift in focus between retail, leisure, commercial and residential. The proposed centres' policies aim to maintain their continued viability and vitality by enabling a flexible approach to centres through the reuse and repurposing of floorspace for a range of complementary uses.
33. There has been an increased move towards centre living, meaning that there is potential for new residential developments in centre locations. Additional capacity via the identification of new sites, vacant floor space or residential capacity uplift potential has been identified additional capacity of 314 homes.

Brierley Hill

34. Brierley Hill is the borough's Strategic Centre. This chapter replaces the existing Brierley Hill AAP and builds up on the work that was undertaken for the Brierley Hill Plan Issues and Options. The issues and options were consulted on in January – February 2022 and the policies and proposals within the new DLP chapter reflect the responses that were received to this consultation.
35. Within Brierley Hill there are a number of sites proposed to be allocated for housing. This includes two Priority Sites, Land at Waterfront way and Level Street and The Embankment/Daniels Land. These two sites will provide a large proportion of the residential growth proposed within the Strategic Centre.

Other opportunity sites identified for housing are:

- Level Street/Old Bush Street (95 dwellings)
- Harts Hill, east of Dudley Road (310 dwellings)
- Waterfront Way West (61 homes dwellings)
- Canal Walk South, Mill Street (250 dwellings)
- Moor Street and Bell Street (174 dwellings)
- Oak Court Car Park, Dudley Road (24 dwellings)
- Old Carriage Works, Mill Street (28 dwellings)

36. The chapter also includes allocations for office and employment uses and a number of leisure and community zones, that promote uses such as entertainment and leisure. These zones will help to provide a mix of uses within the Strategic Centre, ensuring that a sustainable and vibrant centre is created, which will attract people to visit and live within the area.

Dudley

37. The Draft DLP chapter for Dudley Town Centre includes the two Priority Sites of Flood Street/King Street (identified for mixed use, focused on retail and leisure with minimum of 120 dwellings, including the Metro route/stop and associated active travel and public realm improvements) and Portersfield (identified for residential-led redevelopment of a minimum of 280 dwellings with some retail/leisure use, including the new Interchange, Metro route/stop and associated active travel and public realm improvements). It includes a further 4 Opportunity Sites of:

- Tower Street/Castle Street (identified for mixed use, primarily education with potential retail/leisure/food & drink uses)
- Trident Centre/High Street (identified for retail/leisure/food & drink mixed use, circa 60 dwellings)
- Upper High Street/King Street (identified for small scale retail/leisure/food & drink/other town centre uses, circa 40 dwellings)
- Abberley Street/King Street (identified for small scale retail/leisure/other town centre uses, circa 50 dwellings).

38. Several housing allocations are also identified within the inset plan boundary on brownfield sites (representing centre uplift sites). This includes several sites focused along the Wolverhampton Street area, which is identified as a potential 'corridor' of regeneration based on residential redevelopment.

39. The draft Priority Site policies set out the site context, preferred uses, site capacities, indicative delivery timescales and detailed site considerations related to infrastructure and site opportunities/constraints e.g., environmental and heritage designations. Key considerations for the

Dudley Priority Sites relate to the unique concentration of heritage assets in the town centre and to the forthcoming transport schemes, namely the Metro and associated active travel and public realm improvements.

40. The draft Opportunity Site policies set out the site context and preferred uses, and identifying key site-specific opportunities e.g., connectivity and public realm improvements. Draft policies also cover matters of specific relevance to the town. These are related to urban design, acceptable uses within the town core area and town centre boundary, heritage and conservation, public realm, and sustainable transport.
41. Many of the draft policies have been taken forward from the adopted AAP, particularly those related to design and the historic environment. Policies which have not been taken forward from the AAP are considered to either be adequately addressed via other draft DLP policies or are no longer required e.g., some of the AAP design policies are now covered by overarching draft DLP design policies. A key change is the increased focus on the two Priority Sites and the anticipated uses of these, as well as the uses of the Opportunity Sites within the town. There is a shift from an emphasis on retail-led provision and one towards provision of more diverse uses, including residential development, which reflects national trends (and national policy/legislative changes) for town centres. An amended Town Centre Core Area (formerly referred to as the Primary Shopping Area where there is a concentration of retail provision) is included within the draft DLP which relates to this shift in emphasis e.g., parts of the Priority Sites are now outside this core area to allow for non-retail development to come forward.

Stourbridge

42. The DLP Stourbridge chapter replaces the existing Stourbridge AAP (adopted in 2013) and will set out policies to cover matters specific to Stourbridge, including town centre uses, public realm, urban design and conservation, transport and site-specific policies.
43. Many of the draft policies have been taken forward from the adopted AAP. Policies which have not been taken forward from the AAP have been either adequately addressed via other draft DLP policies or are no longer required.
44. The Opportunity sites set out in the adopted AAP have been reassessed and the draft DLP Stourbridge Chapter has identified 3 Opportunity Sites as follows:

- North of Birmingham Street (identified for mixed use including commercial, Business and service uses (Class E) (excluding E(g)(ii) and (iii)) and residential (circa 70 dwellings))
- Mill Race Lane (identified for mixed use development including Employment uses (B2 and B8) and leisure uses (Class E and Sui Generis))
- Rye Market (identified for Class E (excluding E(g)(ii) and (iii)) at ground floor and residential (circa 50 dwellings) and car parking above.

Each opportunity site has an attached policy which sets out the site context and preferred uses for the site.

45 Seven housing allocations are also identified within the inset plan boundary on brownfield sites (representing centre uplift sites). These are the:

- Enville Street (circa 23 dwellings)
- Bradley Road (East) (circa 46 dwellings)
- Bradley Road (West) (circa 24 dwellings)
- 64-67 High Street (circa 40 dwellings)
- Peugeot Garage, Hagley Road (circa 35 dwellings)
- Titan Works, Old Wharf Road (circa 26 dwellings)
- 36-42 Market Street (circa 10 dwellings)

Halesowen

46. Many of the draft policies have been taken forward from the adopted AAP, particularly those related to design and the historic environment. Policies which have not been taken forward from the AAP are considered to either be adequately addressed via other draft DLP policies or are no longer required e.g., some of the AAP design policies are now covered by overarching draft DLP design policies.
47. A key change is the increased focus on the uses of the Opportunity Sites within the town. There is a shift from an emphasis on retail-led provision and towards provision of more diverse uses, including residential development, which reflects national trends (and national policy/legislative changes) for town centres. An amended Town Centre Core Area (formerly referred to as the Primary Shopping Area where there is a concentration of retail provision) is included within the draft DLP which relates to this shift in emphasis.
48. The draft DLP chapter for Halesowen has identified five Opportunity Sites, these are as follows;

- Trinity Point and High St Car Park (identified for mixed use, primarily Commercial, Business and Service uses, residential (circa 87 dwellings) and local community and learning uses).
- Link House and Pioneer House (identified for mixed use, primarily commercial, Business and Service uses, residential (circa 20 dwellings) and local community and learning uses).
- Little Cornbow (identified for mixed use, primarily commercial, business and service uses, residential (circa 43 dwellings) and local community and learning uses).
- Fountain House (identified for mixed use, primarily commercial, business and service uses, residential (circa 60 dwellings) and local community and learning uses).
- Pool Road Car Park (identified for mixed use, primarily commercial, business and service uses, residential (circa 30 dwellings) and local community and learning uses).

49. Two housing allocations are also identified within the inset plan boundary on brownfield sites (representing centre uplift sites). These are the Halesowen Police Station (circa 30 dwellings) and Will Thorne House (circa 20 dwellings).
50. The draft Opportunity Site policies set out the site context and preferred uses, and identifying key site-specific opportunities e.g., connectivity and public realm improvements.
51. Draft policies cover matters of specific relevance to the town. These are related to urban design, acceptable uses within the town core area and town centre boundary, heritage and conservation, public realm and sustainable transport.

Environment

52. The Draft DLP sets out the Council's approach to the Environment, through a series of Strategic Policies and non-strategic policies. Policies include the protection for nature conservation, trees, playing fields and open spaces. For the first time a policy has been included on Nature Recovery Networks and Biodiversity Net Gain (BNG), following on from the Environment Act 2021, which introduced these areas through legislation.
53. Policies have been updated and built upon from the existing Black Country Core Strategy where they are still relevant to Dudley. Environmental considerations do not recognise borough boundaries therefore it is important to have a series of robust policies that help to protect the

environment within Dudley, whilst ensuring that neighbouring areas are not adversely impacted upon as a result of any development.

Climate Change

54. This chapter of the Draft DLP covers policies to help respond to the climate emergency and make developments more sustainable. Policies included in this chapter cover areas such as Air Quality, Flood Risk, Energy Infrastructure, and renewable and low carbon energy. Some of these policies cover all developments, in some cases thresholds such as the size and scale of development will mean that certain policies will be applicable.
55. A series of strong policies to help tackle climate change and its impact is key to ensuring that developments can help achieve targets set out in relation to net zero during the plan period and beyond. These policies have been tested to ensure that they do not impact up on the viability of developments, therefore ensuring that that are achievable.

Transport

56. The Draft DLP sets out the Council's strategic approach to sustainable transport and active travel and includes detailed policy requirements for individual development proposals to consider in respect of transport matters.
57. The Draft DLP includes reference to priority transport projects for the borough, including the Wednesbury-Brierley Hill Metro Extension, the Walsall-Stourbridge tram/train extensions and road upgrades (to facilitate improved sustainable and active travel access). Reference is also made to wider regional transport projects in the context of the Council working as part of Transport for West Midlands (TfWM) and with relevant connections to the borough.
58. Policy provisions are set out in relation to the effective management of the Key Route Network, recognising the role of joint working as part of TfWM with other relevant local authorities. The Key Route Network caters for the main strategic demand flows of people and freight across the metropolitan area whilst providing connections to the national Strategic Road Network.
59. A draft policy covers matters in relation to the movement of freight. This includes the encouraging of using sustainable modes of transport such as rail and water. Protection is given to existing and disused railway lines eg Stourbridge-Walsall-Lichfield, which has been identified in the Regional

Freight Strategy as being an important link for freight moving between the southwest and northeast regions.

60. There is a focus on 'Active Travel' with a specific policy setting out priority projects within the borough for enhanced and expanded walking and cycling connections. There are requirements for new developments to link into existing and improved active travel networks and include cycle parking provision.
61. The Draft DLP policies largely reflect the main thrust of the existing adopted planning policies in terms of identifying strategic transport priorities and ensuring the impacts of new development in transport terms are considered effectively. The Draft DLP policies do though reflect the shift towards more emphasis upon active travel options and developing low emission vehicle technologies in recent years. They also reflect the use of new technologies for the effective management of traffic and travel options.

Minerals and Waste

62. The Draft DLP sets out policies for strategic waste management capacity requirements and strategic minerals provision. This includes the protection of existing waste and minerals infrastructure (existing operational sites) from alternative uses to ensure the current capacity of the borough can be maintained (unless the loss can be justified, as per the draft policy provisions).
63. The Draft DLP identifies a waste management capacity gap which will need to be addressed via additional waste facilities/operational capacity within the borough and in conjunction with other Waste Authorities (taking account of cross-boundary movements of waste and the use of facilities outside of the borough). A preferred broad location for new waste facilities is identified within the borough at the Local Employment Area of Bloomfield Road/Budden Road, Coseley. Other Local Employment Areas within the Borough are also considered broadly appropriate for such facilities (subject to site specific matters).
64. The draft DLP reflects the fact that there are no remaining active quarries within the borough and only one remaining brickworks. The focus of the minerals policies is on the production of secondary and recycled aggregates within the borough and joint working with the West Midlands Aggregate Working Group to address cross boundary matters on primary and secondary aggregates supply.

65. The draft policies set out a series of requirements for new waste and mineral development proposals to consider (e.g., impacts upon neighbouring amenity). The draft policies also set out requirements for all new developments to minimize waste and maximise recycling in construction and ensure the design of new developments with resource and waste management in mind.

Infrastructure Provision

66. Evidence so far is indicating that there are no major infrastructure constraints which would prevent proposed sites from coming forward. We have engaged with colleagues in Education, Utilities, Healthcare and Transport. Site specific infrastructure provision for affordable housing, open space, schools, and health facilities are referenced in policies and would be delivered through planning obligations. Strategic Infrastructure can be funded through the Community Infrastructure Levy (CIL). It is important to note that future planning reforms may impact the way infrastructure is delivered.

Call for Sites

67. Members should note that a Call for Sites was requested in February – March 2023 for site to be submitted for consideration in the Dudley Local Plan. A total of 25 sites were submitted for a range of potential uses including housing, employment, commercial and leisure uses. No sites were submitted for potential use as either Gypsy or Traveller sites. Of the sites submitted 6 were assessed as being suitable for housing (approx. 201 homes), 1 was considered appropriate for Local Greenspace Allocation and none were considered suitable for employment development.
68. In addition, sites were submitted within Dudley as part of two Call for Sites processes during the preparation of the Black Country Plan. These sites have been re-assessed as part of the Dudley Local Plan process.

Draft Plan Consultation

69. It is proposed to undertake a public consultation on the Draft DLP for a six-week period, which is anticipated to commence in November 2023 and run into December 2023.
70. The consultation will be carried out in accordance with the Council's adopted Statement of Community Involvement (SCI) and will include:
- Six-week consultation
 - Consultation summary document to be made available
 - Publication of documents on the Council's website

- Hard copies of the consultation documents to be made available in key Council buildings and libraries (including copies of FAQs, summary document and response forms)
- Several drop-in events will be arranged across the borough during the consultation for stakeholders to view the documents and speak to planning officers.
- Letters/emails will be sent out to everyone on the DLP consultation database to inform them of the consultation (approx 15,000 people are currently listed)
- Press, radio and social media campaign to raise awareness of the plan (multi-channel approach).
- Member briefings and drop in events will be available.
- Alternative formats will be available and alternative languages to be made available upon request.

A summary of the consultation plan is available in Appendix 6.

71. Following the consultation, responses will be analyzed and used to inform the review to the draft Plan. Any new evidence and changes to national guidance will also feed into the production of the Publication Plan (Regulation 19) which is programmed for consultation in Autumn 2024.

Duty to Co-operate

72. Dudley, along with the three other Black Country Authorities, were in discussions with several local authorities (Shropshire, South Staffordshire, Lichfield, Telford & Wrekin, Cannock Chase) to determine what scope there was from each authority to contribute to the Black Country's housing and employment land shortfall. A number of these authorities made some contributions towards meeting the Black Country's unmet needs which resulted in Statements of Common Ground previously being agreed with Shropshire, Lichfield, and South Staffordshire.
73. Discussions with these authorities and other stakeholders will continue for all cross boundary matters as the Dudley Local Plan progresses.

Evidence Base

74. The preparation of the Dudley Local Plan has been informed by the evidence base which was largely produced to inform the Black Country Plan. Most of this evidence base has been previously published. In addition, an updated EDNA, Waste Study and Minerals Study have been undertaken along with a Delivery and Viability Study of the proposed allocations. Copies of the most recent evidence base will be published alongside the Draft Plan and Sustainability Appraisal.

75. As the Dudley Plan progresses to Regulation 19 Stage, further evidence will be updated, including the Strategic Housing Market Assessment (SHMA), Gypsy and Traveller Assessment (GTAA), Centres Study, Open Space Audit, Strategic Flood Risk Assessment (SFRA), Water Cycle Study.

Sustainability Appraisal

76. The Council is required to assess the environmental impact of any plan which it produces. Accordingly, a Sustainability Appraisal Scoping report was produced for the emerging Dudley Plan. The Draft Plan, which is the subject of this Cabinet report, has been accompanied by a Sustainability Appraisal (SA) and a Habitat Regulations Assessment (HRA). These documents form an important part of the supporting evidence to the local plan review and help the Council to assess the possible impacts of the plan and its policies and therefore how impacts can be addressed or mitigated against. A copy of the latest SA is included in (Appendix 3) and a copy of the HRA is attached to Appendix 4).
77. The SA and HRA assessments will continue to be produced as the Plan progresses through its further stages.

Timetable

78. The timetable for the Dudley Local Plan was reflected in the updated Local Development Scheme (LDS) approved by Cabinet in January 2023. The Plan timetable was subsequently amended in summer 2023 and the LDS was updated (via delegated authority) to reflect the amended timetable.

The current timetable is as follows:

Consultation on Draft Plan (Regulation 18)	November – December 2023
Consultation of Publication Plan (Regulation 19)	Autumn 2024
Submission of the Plan to the Secretary of State for Examination	Spring/Summer 2025
Examination in Public	Mid/Late 2025
Adoption	Spring 2026 (depending on timescales for EiP)

This timetable has been reviewed by the Planning Advisory Service (PAS) who are supporting the Council in the preparation of its Plan review.

Finance

79. It is estimated that the additional cost of producing the Dudley Local Plan will be approximately £500,000 over the three financial years 2023/24 – 2025/26. This additional cost was included in the Council's Medium Term Financial Strategy, as presented to the Cabinet meeting of 14th December 2022.

Law

80. It is necessary to ensure that the Borough-wide local plan review is undertaken in accordance with various legal provisions as set out in the Planning and Compulsory Purchase Act 2004 (as amended) and the Town and Country Planning (Local Planning) (England) Regulations 2012.

Risk Management

81. Failure to have a development plan that is based on sound evidence could result in the borough having insufficient land to meet the need for housing, employment and other land uses that are necessary to support the economic and environmental well-being of the area. It could also result in development being placed in inappropriate locations, leading to an inefficient use of resources, traffic congestion and other harm. Having a development plan in place is also essential to defend the Council's position in planning appeals. Without an up-to-date development plan, the Council risks intervention from central government and may compromise our ability to make decisions locally.

Equality Impact

82. An overarching Equality Impact Assessment has been carried out for the current stage of the Draft Plan and will be a continuous process at each stage of the Plan preparation. A copy of the Equality Impact Assessment for the Draft Plan is attached to Appendix 5.

Human Resources/Organisational Development

83. It is considered that there are no additional human resources or organisational development implications resulting from this report.

Work on the DLP will be carried out by the Planning Policy Team in the Regeneration & Enterprise Directorate with assistance from officers in other Service Areas/Departments where necessary.

Commercial/Procurement

84. Preparation of the Borough local plan will involve the commissioning of evidence-based work from external consultants. All procurement will be carried in accordance with Dudley MBC's procurement procedures.

Environment/Climate Change

85. Climate change, environmental and sustainability matters form a core element of any development plan. The Council is required to assess the environmental impacts of any Plan which it produces. Accordingly, each stage of the Plan review process will be accompanied by a Sustainability Appraisal and a Habitats Regulation Assessment. By establishing a borough-wide Local Plan, the policies within the Plan will work towards addressing Climate Change and net zero carbon emissions by 2041.

Council Priorities and Projects

86. It is envisaged that the Dudley Local Plan will:
- Support the priority to '*Support stronger and safe communities*' through Local Plan preparation which will make provision for growth in housing and other land uses informed by public consultation so that communities can live in healthy places that build a strong sense of belonging and cohesion.
 - Support the priority to '*Create a cleaner and greener place*' through the Local Plan preparation which will make provision of a comprehensive network of green infrastructure and an integrated and well-connected multifunctional open space network delivering opportunities for sport and recreation whilst establishing and supporting a strong natural environment.
 - Support the priority of '*Grow the economy and create jobs*' through the Local Plan preparation which makes provision for land use allocations including employment and residential use, thereby encouraging economic growth, enhancing the borough and providing certainty for investment.
 - Support provision for future housing need by allocating land for new housing and policies for different tenures and affordable housing provision.
 - Make provision for land use allocations and policies ensuring growth is done in a sustainably manner and with the balanced infrastructure provision.

A Privacy Impact Assessment in line with GDPR requirements will be undertaken at all stages of the Local Plan Review process.



Helen Martin
Director of Regeneration & Enterprise

Report Author: Vicki Popplewell
Planning Policy Manager
Telephone: 01384 814136
Email: vicki.popplewell@dudley.gov.uk

Appendices

- Appendix 1a & 1b: Draft Dudley Local Plan Regulation 18 consultation document
- Appendix 2: Draft Dudley Local Plan Regulation 18 proposals map
- Appendix 3: Sustainability Appraisal (SA) – Draft Dudley Local Plan
- Appendix 4: Habitats Regulation Appraisal (HRA) - Draft Dudley Local Plan
- Appendix 5: Equalities Impact Assessment
- Appendix 6: Consultation Plan
- Appendix 7: Summary consultation responses

All appendices are available on the [Committee Management Information System \(CMIS\)](#)