**Sandwell Local Plan – Regulation Publication Consultation Form**

# Regulation 19 Publication Consultation

We are inviting your views on the Regulation 19 Sandwell Local Plan and this form should be used to make comments in response to this consultation.

The consultation period beings on **Monday 23rd September 2024** and ends at **5pm** on **Monday**

**11th November 2024**

Comments can also be submitted online using our website at [**https://sandwell.oc2.uk/.**](https://sandwell.oc2.uk/)We would encourage you to respond to our Sandwell Local Plan – Regulation 19 Publication consultation using our online form as it saves time and reduces cost.

However, if you prefer, you can use this version of the response form and email it to Sandwell\_LocalPlan@sandwell.gov.uk or post it to Sandwell Local Plan, Planning Policy, Sandwell Council House, Freeth Street, Oldbury, B69 3DE.

## PLEASE NOTE:

This form has two parts:

* Section 1: Personal details
* Section 2: Your representation/comments on the Draft Plan or Sustainability Appraisal
* Section 3: A declaration which you will need to read and sign
1. Please complete a separate response for each part of the Reg 19 Plan / Sustainability Appraisal that you wish to comment on. If you wish to make comments on more than two parts, please copy and paste the text in Section 2 or complete more than one paper form.
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. Further paper copies can be provided by emailing Sandwell\_LocalPlan@sandwell.gov.uk
6. Completed forms should be received by us no later than **5pm on 11 November 2024**

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| --- |
| **Section 1- Your Details** |
|  | **1.Personal details** | **2. Agent’s details (if applicable)** |
| **Title** | Mr | Mr |
| **First name** | Mukarram | Ifti |
| **Last Name** | Sattar | Maniar |
| **Job Title (where relevant)** |  | Planning Director |
| **Organisation (where relevant)** |  | WWA |
| **House No./Street** |  |  |
| **Town** |  |  |
| **Post Code** |  |  |
| **Telephone Number** |  |  |
| **Email address** |  |  |

Notes:

1. 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.
2. 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.

|  |
| --- |
| Please indicate which of this best describes you / your role in responding to this consultation |
| Resident or Individual |  |  | Local Authority |  |
| Planning Agent or Consultant | Y | Public service provider e.g. education establishment, health etc |  |
| Developer or Investor |  | Public agency /organisation |  |
| Landowner |  | Community or Organisation |  |
| Business |  | Charity |  |
| Land & Property Agent or Surveyor |  | Other (please specify in space below) |  |

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. Sandwell Council will process your personal data in accordance with the Data Protection Act 2018. Our Privacy Notice is at the end of this form.

**Section 2: Your Representation / Comments**

## Please complete a separate copy of this section for each part of the document(s) you wish to comment on (i.e. Local Plan or Sustainability Appraisal)

**Title of document you are commenting on**

**To which part of the document do your comments relate?** *Please state the policy number, Sandwell Local Plan reference number, paragraph number, page number or figure number*

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Paragraph** | Appendix B |  | **Policy** | Policy SH03 | **Policies****Map** Site Reference SH63 |
| **2. Do you consider the Local** | **Plan is:** |  |  |  |
| 2.1 Legally compliant | Yes | ✔ | No |  |
| 2.2 Sound2.3 Appear at the Examination | YesYes | ✔ | NoNo | ✔ |

## Please provide your comment below:

1. Please give details in the box below of why you consider the Regulation 19 Publication Sandwell Local Plan is not legally compliant or is unsound. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Regulation 19 Publication Sandwell Local Plan please set this out below.

Following the representations made in November 2023 in response to Regulation 18 Draft Local Plan, we are pleased to see the land subject of this representation has been considered suitable, available and appropriate for residential development. This representation relates to the land and buildings at 192-200 Dudley Road, Oldbury referred to as ‘The site, which is identified for development in Appendix B under Site reference SH63’. We fully support the draft allocation for the redevelopment of the land the subject of this representation for residential purposes, and our comments on the emerging policies are set out below.

In our view the proposed allocation of the site under Site Reference SH63 in Appendix B of the Local Plan meets the soundness tests in paragraph 35 of the National Planning Policy Framework (NPPF) as it is previously developed land and therefore accords with Government policy ‘to make as much use as possible of previously developed land,’ (paragraph 123) and therefore its allocation meets the ‘soundness tests’ of being consistent with national policy (NPPF para 35 d)) and also ‘justified’ (NPPF para 35 b)) as the allocation is ‘an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence.’ However, given the sites location in a highly sustainable location which meets the criteria for very high-density development of 100+ dwellings per hectare as set out in emerging Policy SH03, it is considered that the site should be allocated for high density development, instead of the medium density of 41 dph currently identified for site SH63. The current medium density allocation is not consistent with the advice in paragraph 129 of the NPPF that:

‘Where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site. In these circumstances:

* 1. plans should contain policies to optimise the use of land in their area and meet as much of the identified need for housing as possible. This will be tested robustly at examination, and should include the use of minimum density standards for city and town centres and other locations that are well served by public transport. These standards should seek a significant uplift in the average density of residential development within these areas, unless it can be shown that there are strong reasons why this would be inappropriate;
	2. the use of minimum density standards should also be considered for other parts of the plan area. It may be appropriate to set out a range of densities that reflect the accessibility and potential of different areas, rather than one broad density range; and
	3. local planning authorities should refuse applications which they consider fail to make efficient use of land, taking into account the policies in this Framework. In this context, when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards).’

The identified medium density in this highly sustainable location and given the constraints of identifying further land for housing in this constrained urban location means that the density component of Site Allocation SH63 is not consistent with the NPPF guidance in paragraph 129 above and is therefore not consistent with either national policy or justified and therefore fails the soundness tests in paragraph 35 of the NNPF. Further justification is set out in the attached cover letter, dated 5th November 2024.

**Section 4: 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 publishsignatures, telephone numbers, addresses or email addresses on the internet. To understand more about why we collect your information, what we do with your information, how you can access your information, your personal information rights, how and to whom to raise a complaint about your information, please visit our privacy notice page at** [**http://www.sandwell.gov.uk/privacynotices**](http://www.sandwell.gov.uk/privacynotices)

**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.

Digitally signed by Ifti Maniar

Ifti Maniar

**Signature:** D**…**at**…**e: **…**202**…**4.**…**11**…**.08**…**1**…**5:5**…**9:3**…**6 **…**Z

## Date: ………………………………………

08/11/2024

I understand that in submitting my representations, that my details will be added to the Sandwell 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

**Thank you for taking time to complete and return this response form.**