

Date: 04 December 2024
Our ref: 491422
Your ref: Dudley Local Plan Reg.19



Dudley Metropolitan Borough Council
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BY EMAIL ONLY

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Dear Sir/Madam

**Dudley Local Plan Review
Regulation 19 Publication document**

Thank you for consulting with your Reg 19 Plan - which was received by Natural England on 01 October 2024.

Please note that our previous advice at Reg 18 (Reference 456385 - 22nd December 2023) made recommendations into how the Plan could be strengthened. These recommendations remain valid and so is not repeated here. Please note that Natural England has not provided advice on all aspects of the plan, instead focusing on aspects within Natural England's remit; the absence of comments on a policy should not be taken as Natural England giving support.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

You will find that our response format complies with Dudley Local Plan Representation Section C layout. Thereafter we have merely provided additional broader comment that would strengthen the plan. NE has adopted a robust precautionary approach within this plan response. In helping to make this plan sound Natural England would be very happy to discuss these further, with a view to agreeing modifications in advance of the Examination, if the council wishes.

Part C: Representation

Overview

We recognise that this consultation focuses itself upon a need to preliminarily test the potential for soundness. With this in mind, Natural England welcomes this positive, well prepared and justified plan for the future of Dudley that is **sound and legally compliant**. We particularly welcome the numerous references to the natural environment throughout the plan.

Q1: Policy DLP44 Air Quality:

Q2: Sound, legally compliant and complies with Duty to Cooperate.

Q3: Are judgement of soundness is based on Dudley's ongoing 'Duty to Cooperate' commitment in engaging Natural England and other local partners in developing an appropriate policy that will support Air Quality challenges upon the protected sites in the extra-local area as outlined in section 8 of the

Habitats Regulation Assessment (HRA).

We agree with the conclusion of your HRA, though the reasoning linked to Air Quality still requires attention and that this is being dealt with through a Statement of Common Ground between us both. We feel you have these Air Quality challenges in-hand and that they are thus resolvable as we continue ongoing advisory guidance with you and other local authority partners (via the Cannock Chase SAC Air Quality study) who are also in need of support on this. **As such, our ongoing advice and guidance during this interim period will help amend and agree the HRA and AA.**

We would be happy to comment further should the need arise but if in the meantime you have any queries please do not hesitate to contact us.

For any queries regarding this letter, for new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.

Yours faithfully

Mr Philip Burton
Senior Officer - West Midlands Area Team