

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	Dudley Local Plan - Part One		
Paragraph/section	Page 3	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 | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 2. Sound | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 3. Complies with the Duty to co-operate | <input type="checkbox"/> Yes | <input type="checkbox"/> 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.

Please refer to separate sheet (enclosed).

Continue on a separate sheet if necessary.

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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.

See enclosed.

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:

To raise concerns with regards to the fact the DLP needs to identify significantly more sites to deliver the homes needed in Dudley, and this will require additional greenfield, and Green Belt release sites if Dudley's identified housing needs are going to be met.

***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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DUDLEY LOCAL PLAN REGULATION 22 PROCEDURE

St Modwen Homes notes page 3 of the Part One Local Plan document sets out next steps for the draft Local Plan. It states "the Publication Plan will be the final draft Plan that [the Local Planning Authority] consult on before submitting the Plan for independent examination. Following the close of the consultation, all responses received will be sent to an independent Planning Inspector who will be appointed by the Secretary of State to conduct a formal Examination in Public into the Plan. The Inspector will consider any representations received on the final draft and hold public hearing sessions where the main matters and issues raised in the representations can be discussed in person which will include public hearing sessions".

RPS question the Council's ability to consider the representations received on the final draft Plan. The consultation of the Publication Plan (Regulation 19) is ongoing until the 29th November 2024. Despite this, a Full Council meeting (2nd December 2024) is seeking Member approval to submit the Regulation 19 Plan and its supporting documentation to the Secretary of State for Examination in Public. On the assumption this is approved, this allows the Council and Officers 1 working day to reflect on and have regard to all of the consultation responses submitted. No matter how fast the Council wish to press ahead with Submission of the Plan, the revised NPPF and the transitional arrangements within are clear and cannot be avoided.

The Town and Country Planning (Local Plan) (England) Regulations 2012 set out the framework for producing local development documents including Local Plans. The Regulations stipulate the minimum plan making stages which precede independent examination. Regulation 22 within Part 5 (Local Plans) sets out the documents and information that must be submitted to the Secretary of State as part of the Examination process as follows:

The regulation requires plan making authorities to demonstrate transparently that:

- necessary and legally compliant consultation has been undertaken during the course of plan preparation (in accordance with the published Statement of Community Involvement); and
- the consultation responses have been noted, understood and, where applicable, taken into account in formulating the content of the plan under preparation;
- the main issues raised by pre-submission consultation have been summarised adequately.

A well-presented Regulation 22 Statement can be invaluable to all those involved in the Plan making process in explaining how consultation has been undertaken, how consultation has shaped the plan under production and, crucially, in informing and facilitating an expeditious Examination.

RPS contend that the speed at which the Council is being progressed will not allow time for responses to be taken into account to formulate the content of the Plan that is being prepared, and for these reasons the Plan fails to meet the requirements of the Regulations under 22(1) and the Planning Inspectorate's Procedure Guide for Local Plan Examinations (5th Edition).