**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 – Reg.19 version October 2024 | | |
| **Paragraph/section** | 12.50 and | **Policy** | DLP45 |
| **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 | YES | Yes  N |  | No |
| 2. | Sound | NO |  |  | No |
| 3 | Complies with the Duty to co-operate | Y | Yes |  | 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.**

DLP45.13 The word easement is being misused, so that the policy as currently drafted is meaningless. The word easement refers to a right of way, drainage, etc, not the land over which it passes (properly called the servient tenement). If the objective is for example to provide a means of access for clearing culverts, clear wording should be used to express that.

DLP45.15 The phrase “ground-truthing strategic datasets” is utter gobbledygook: does this refer to terriers kept by the Council, Environment Agency, and statutory undertakers? Plain English is needed.

12.50 The list appears to omit Withy Brook – or is that the same as Swan Brook? Similarly Black Brook (draining Saltwells Nature Reserve) appears to be omitted, being a tributary of Mouseweet Brook. Once again, the word easement is misused (see objection to DP45.13). This is not the right word for an undeveloped strip of land along the banks of a watercourse. The only easement involved is the right for the brook to continue flowing. It is not clear if the width required is 10m from the centres of the brook or a total of 10m. In any event, a 3m undeveloped strip of land on either side of small brooks should be quite sufficient. Only the river Stour needs more than that, possibly also its tributary Illey Brook.

*Continue on a separate sheet if necessary.*

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| Respondent No: |  | Representation No: |  | Date received: |  |

**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.**

* Amend text to remove the word “easement” and use a more appropriate term.
* Amend the phrase “ground-truthing strategic datasets” to something written in plain English.
* Ensure that all the Boroughs brooks are listed.
* Provide a map naming the river Stour and its tributary brooks. It seems that some brooks go by multiple names, perhaps used on different parts of their courses to make it clear what brooks are referred to.
* Limit the protective strip of land where development is prohibited to a more reasonable width. Where a brook winds, it may be appropriate to define that strip as one that contains the brook, so that a loop may come quite close to the edge of the strip.

*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)

Y**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:**

CPRE the Countryside Charity is a leading charity campaigning for good planning.

Its primary objective is the protection of rural England, but this includes campaigning for good urban

Planning to prevent towns sprawling into the countryside. We wish to be heard in order that the

Inspector hears views other than from developers, who are pushing the opportunity to develop

sites that they own.

***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**](mailto:planning.policy%40dudley.gov.uk?subject=)

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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