**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** |  | **Policy** | DLP63 |
| **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.**

DLP63 is welcome but does not go far enough. The default position should be that the open space provided is available to the public generally and maintained at public expense. In recent years, the practice has arisen of developers retaining open space and charging residents a service charge for maintaining it. Since the Council will be collecting Council Tax from the residents, having a service charge as well constitutes a form of double taxation. There may need to be some exceptions to this, such as for blocks of sheltered housing (as provided by McCarthy & Stone and others) where it may be appropriate to have a homogenous enclosed community. If a service charge is imposed, it should be in favour of a company owned by the property owners, not by the developers, at least once the development is completed. This also applies to DLP64.

*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.**

* See Q.3

*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**

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