

Representation form

Dudley Local Plan Publication Plan

Consultation October 2024



DUDLEY LOCAL PLAN

We are inviting your views on the publication version of the Dudley Local Plan. This form should be used to make comments (known as representations) in response to the consultation.

Guidance notes are available to help you complete this form and can be found online at www.dudley.gov.uk/localplan

The consultation period begins on Friday 18 October 2024, and closes at 5pm on Friday 29 November

Comments can be submitted:

Online: On our online portal available here www.dudley.gov.uk/localplan

By email: planning.policy@dudley.gov.uk

By post: Dudley Local Plan, Planning Policy, Planning & Regeneration, Council House, Priory Road, Dudley, DY1 1HF.

Additional copies of this response form can be downloaded at www.dudley.gov.uk/localplan or a copy can be posted to you - please call us on 01384814136.

This form has three sections:

Section A: Personal details

Section B: A declaration which you will need to read and sign

Section C: Your representation/comments on the Plan, Sustainability Appraisal or supporting evidence.

Please note:

- 1 You can use this form to comment on more than one site and/or policy. For each comment, please tell us the site/policy reference that your comment refers to. A separate form C should be completed for each comment.
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. **Completed forms should be received by us no later than 5pm 29 November 2024.**
6. Paper copies of this form and guidance notes can be found in selected libraries - visit www.dudley.gov.uk/localplan for the full list and at Dudley Council House, 1 Priory Road, Dudley, DY1 1HJ.

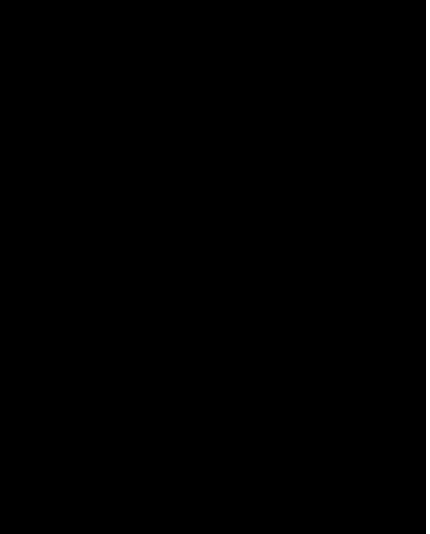


Individual acknowledgement of receipt will not be possible.



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Respondent No:		Representation No:		Date received:	
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Part A - Personal details

	1. Personal details	2. Agent's details (if applicable)
Title		
First name		
Last Name		
Job Title (where relevant)		
Organisation (where relevant)		
House No./Street		
Town		
Post Code		
Telephone Number		
Email address (where relevant)		

Notes:

1. 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.
2. 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.

Please indicate which of these best describes you / your role in responding to this consultation	
Resident or Individual	
Planning Agent or Consultant	✓
Developer or Investor	
Landowner	
Land & Property Agent or Surveyor	
Local Authority	
Public service provider e.g. education establishment, health etc	
Public agency /organisation	
Community or other Organisation	
Charity	
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. Dudley Council will process your personal data in accordance with the Data Protection Act 2018. Our Privacy Notice is at the end of this form.

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Part B: 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 publish signatures, telephone numbers, addresses or email addresses on the internet.

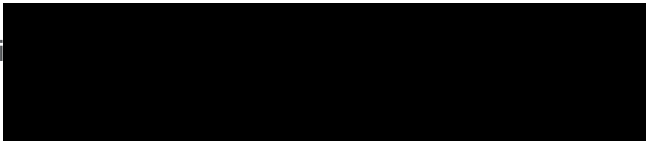
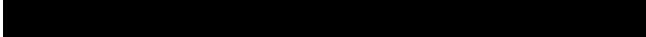
Your details will be kept until the Local Plan is adopted plus a further ten years to evidence that a fair and transparent process has been followed. Processing is kept to a minimum and data will only be processed in accordance with the law. When other agencies are involved in Local Plan preparation, we may need to share details about you to enable us to work together for your benefit. Information will only be shared with third parties if they have genuine and lawful need for it. Information shared on this basis will not be reused for any other purpose. We will take all reasonable precautions to protect your personal data from accidental or deliberate loss or unauthorised disclosure.

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.

Signature: 
Date: 

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

A copy of our privacy notice is available at <https://www.dudley.gov.uk/privacy-disclaimer-statement/regeneration-and-enterprise-dudley-local-plan-privacy-notice/>

Thank you for taking the time to provide your response.

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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 (Spatial Strategy and Policies) – Publication Version (Regulation 19)		
Paragraph/section		Policy	Policy DLP24 (Dudley Borough Centres)
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 checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| 2. Sound | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| 3. Complies with the Duty to co-operate | <input checked="" 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.

We continue to support the overarching provisions of Draft Policy DLP24 which make clear that the priority for Dudley's Centres (including Brierley Hill Strategic Centre) is to ensure that they remain focused on serving the needs of their communities while enabling centres to repurpose and diversify by providing a well-balanced mix of commercial, business and service functions. This includes both retail provision and a mix of leisure, office, residential and other appropriate, complementary town centre uses that are accessible by a variety of sustainable means of transport.

We also support the amendment to Policy DLP24 which responds to our comments on the Regulation 18 Consultation Version of the Local Plan (wording changed at Point 5 to reflect that Merry Hill is a managed shopping centre with both the ground and upper floors lending themselves well to the provision of a wider mix of uses (where such uses (including main town centre uses falling outside of Use E)).

For context, and in respect of the Regulation 18 Consultation Version of the Local Plan, we had expressed concern that Point 5 of the policy (which specifies the types of uses that can come forward at ground and upper floors in town centre locations) was somewhat ambiguous and could lead to misinterpretation in respect of Merry Hill. Indeed, the ground and upper floors of this part of the Brierley Hill Strategic Centre (a Tier 1 Centre) do not perform in the same way that a traditional town centre would. To control uses in this way at Merry Hill (i.e. Use Class E at the lower level and wider uses on the upper floor) has the potential impact on the ability of the owners of the Centre to adapt and respond to market demand in the interests of its valued customer base.

In reality, and whilst the primary focus of the Centre will be retail for many years to come, both the ground and upper floors lend themselves well to the provision of a wider mix of uses (where such uses (including main town centre uses falling outside of Use E) which enhance the viability of the wider Strategic Centre and Merry Hill complex. The fact that the Centre is in one single ownership also allows the mix of uses to be managed in such a way that promotes and enhances its vitality without leading to the types of impacts usually attributed to certain non-E Class town centre uses (e.g. anti-social behavior, littering, noise).

We therefore argued that the ground and upper floors of the Merry Hill Shopping Centre should both be allowed to diversify beyond that of an E Class use where demand is identified, and that such uses are appropriate to its designated town / strategic centre status. Such an approach would allow the Centre to adapt to the ever-evolving retail market as well as accommodate new and exciting town centre appropriate uses, that are not necessarily covered by Use Class E, but which drive footfall and enhance the vitality of the Centre in the same way that a traditional retail / Class E Use would.

It was also argued that the above approach would also align better with Bullet 3 of draft Policy DLPBH1 which noted that the diversification and re-purposing of Brierley Hill Strategic Centre will be supported by approving development which enhances the viability and vitality of the centre.

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.

N/A

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:

In order to ensure our client's interests are protected and to provide a response to opposing views on policies affecting the future vitality and viability of Merry Hill / Brierley Hill Strategic Centre (where necessary).

***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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