

Examination of the South Worcestershire Development Plan Review

Inspectors: P Lewis BA(Hons) MA MRTPI, S Dean MA MRTPI

Programme Officer: Ian Kemp, PO Box 241, Droitwich, Worcestershire WR9 1DW

Email: ian@localplanservices.co.uk Telephone: 07723009166

Examination web pages: <https://www.localplanservices.co.uk/swdpreview>

12 September 2024

Mr D Rudge

Interim Director

South Worcestershire Development Plan Review

Dear Mr Rudge

Examination of the South Worcestershire Development Plan Review

- 1) We are writing to you regarding our examination of the South Worcestershire Development Plan Review (SWDPR), and in particular, the necessary updates to the evidence base, your timescales for which you set out in your most recent progress update (received 12 September 2024) and the transport modelling update (Exam 15) received on 3 September 2024. Thank you for these updates.
- 2) Recent letters from the Government to Local Authority Leaders, and to the Chief Executive of the Planning Inspectorate (Exam 12), both dated 30 July 2024 have made clear the Government's objective 'to drive all plans to adoption as fast as possible, with the goal of achieving universal plan coverage in this Parliament, while making sure that these plans are sufficiently ambitious'. The content of those letters now also finds clear expression in the Procedure Guide for Local Plan Examinations.
- 3) The examination of the SWDPR is ongoing, and the Government has confirmed that such examinations will be allowed to continue. The Government however has been clear to the Planning Inspectorate that pragmatism in local plan examinations should be used (by Planning Inspectors) only where it is likely a plan is capable of being found sound with limited additional work to address soundness issues.
- 4) We have previously agreed a pause to the examination with the Councils to address issues we have identified with the evidence base. The plan was submitted for examination on 27 September 2023, on the basis that the Councils considered it ready for independent examination. We then wrote to you in November (Exam 1) and December 2023 (Exam 2) with initial questions. Following responses by the Councils, we again wrote to you in February 2024 (Exam 6) regarding evidential requirements and requested a programme for the completion and submission of the outstanding evidence documents so that the

examination of the plan may progress. The examination has now been paused for 6 months, the usual time span the Government considers necessary to undertake such additional work. The timescale for the transport modelling and other work would extend the pause to December 2024.

- 5) In March and April 2024 (Exam 6A and 6B), the Councils set out to us dates for submission of the required updated evidence documents ranging from the end of June through to the end of October this year. In July 2024 (Exam 9) you sent an update on progress, then at the end of July 2024 (Exam 9A), you sent a further update which referred to several delays but reiterating your commitment to submitting much of the evidence by the end of August 2024, with the Infrastructure Delivery Plan and Viability Assessment to be updated by October. We note that now the updated evidence won't be complete until the end of December.
- 6) Regrettably, the Councils have not met your self-suggested targets such as expressed in Exam 9A for the delivery of the updated evidence documents, and had not explained why until the most recent correspondence.
- 7) The Government has set out that Inspectors are to focus their time and resources on plans that are capable of being found sound and can be adopted quickly to provide certainty to local communities. As things stand, in the absence of an up to date and complete evidence base, our examination cannot continue to a positive outcome, and we do not know whether the plan is capable of being found sound and adopted quickly.
- 8) The examination is still at a relatively early stage and given the issues with the evidence base, we cannot yet determine if the plan would be capable of being found sound without further work to address any identified soundness issues. We can only do so when we receive the updated evidence. Our consideration of the complete and updated evidence base could lead to one of several possible outcomes:
 - We are able to complete our Matters, Issues and Questions (MIQs) for the hearings. Formal notification of hearings can be made and our MIQs, guidance note and draft hearing programme would be published: or
 - The updated evidence indicates that significant soundness issues need to be addressed, and that the plan would not be capable of being found sound without further additional work to address identified soundness issues. We would then have to recommend withdrawal of the Plan.
- 9) Mindful of both the letter from the Government to the Chief Executive of the Planning Inspectorate (EXAM 12), and that the Councils are working to provide the updated evidence base, we shall use our discretion to allow the pause in the examination to continue until 31 December 2024, by when you should have

provided the updated transport modelling evidence, Infrastructure Delivery Plan, viability evidence and signed statements of common ground in relation to transport matters, in particular with Worcestershire County Council and National Highways. All other updated evidence shall have been provided by 31 October 2024. To provide us with comfort that the outstanding work is progressing as per the work programme you shall provide us with fortnightly updates as to whether the work is on track and if not, what is being done to address any slippage.

- 10) If these deadlines are not met, we will write to you setting out our intention to bring the examination of the plan to a close. Similarly, we shall assume that if through the hearings it becomes apparent that additional work would be necessary to make the plan sound, we would also recommend that the plan is withdrawn. It is unlikely that we would find a further pause acceptable.
- 11) For our part, if we are satisfied that it is appropriate to progress to hearings, we would publish our MIQs, guidance note and draft programme in early January 2025. Hearings would then commence in March 2025. It would be necessary to deal with the arrangements for the hearings, the venue etc, prior to the notification of the hearings, and this work should be progressed to avoid risk of further delay.
- 12) Alternatively, another option is for the Councils to withdraw the Plan. This would give the Councils the opportunity to review the plan and its evidence base, and to resubmit it for examination at such time as it is ready for examination. This approach would also allow the Councils to avoid incurring the ongoing costs associated with a paused examination, and then progressing a plan to hearings, for us to find that it would be incapable of being found sound, without a further pause. We would remind the Councils of the commitment of the Planning Inspectorate to continue to undertake Advisory Visits, particularly in situations such as this.
- 13) We appreciate that this letter may be disappointing to the Councils. However, we should not allow the examination to become further protracted without apparent prospect of progress, as that would only serve to perpetuate uncertainty for local communities and those involved in the plan process, and would not meet the aims of the Government in regard to plan making. Consequently, we set out what we consider to be a reasonable way forward.
- 14) Please publish this letter on the Examination website. We are not seeking the views of any other party at this stage.

Yours sincerely

P Lewis and S Dean

INSPECTORS