

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>

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Mr D Rudge

Interim Director

South Worcestershire Development Plan Review

Dear Mr Rudge

Examination of the South Worcestershire Development Plan Review

- 1) Thank you for the responses to our initial questions set out in our letters of 16 November 2023 (EXAM1), 7 December 2023 (EXAM2) and that of 20 December 2023 (EXAM3) concerning recent changes to the Government's national planning policy and guidance.
- 2) Since our appointment to examine the South Worcestershire Development Plan Review (the Plan) we have sought to 'front-load' the examination process. This is to try to ensure an efficient and effective examination. So, we have asked questions about the evidence base to identify any gaps or weaknesses in the justification for policies of the Plan and are seeking to rectify them. Although the further evidence which has been provided to date is of great help, there is still work for you to do, as you set out in your letters. Our understanding of the work you are undertaking and broad timings is set out in the table in Annex 1.
- 3) We wish to ensure that in so far as possible, the necessary evidence is available for discussion at hearing sessions rather than additional work being required from the Councils after them, as that would cause delay to the examination. In the interests of fairness and efficiency, all new or updated evidence documents should be available for representors when drafting statements. This means that it would be available when we publish our Matters, Issues and Questions (MIQs). We anticipate overall, by ensuring that we have the evidence we require prior to the hearings should save time and resources, and may remove the need for some discussion at the hearings.
- 4) Having considered your answers to our initial questions, along with the submitted evidence and representations, we consider that further evidence is needed in respect of some of the transport implications of the Plan.

- 5) The NPPF sets out that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. At this point we do not have a clear understanding of what, if any improvements would be required to the strategic route network, their likely cost, or implications for deliverability or viability. In this regard, please seek clarification from National Highways as to their requirements in respect of the M5 and A46 and update the Infrastructure Delivery Plan and viability assumptions (VIA1-3) accordingly.
- 6) The evidence base for the submitted Plan includes outputs from a number of transport models for different parts of the Plan area. This is of course yet to be tested. You have informed us that the Worcestershire Strategic Transport Model will be made available in Summer/late Summer 2024, with sensitivity testing using the base model taking place in early 2024. Whilst we appreciate that both the South Worcestershire Councils and Worcestershire County Council consider that the modelling undertaken to date to support the Plan is more than sufficient to demonstrate deliverability without the additional sensitivity testing, we are nevertheless concerned that output of the Worcestershire Strategic Transport Model could be sufficiently different from the evidence before us now. This could cause delay and uncertainty in the examination if we would need to consider the new evidence at a point where the examination was at an advanced stage. Consequently, we will review the published sensitivity analysis before deciding whether it is appropriate to progress to hearings.
- 7) You will be aware that paragraph 1.12. of the Procedure Guide for Local Plan Examinations includes 'Evidence base documents, especially those relating to development needs and land availability, that date from two or more years before the submission date may be at risk of having been overtaken by events, particularly as they may rely on data that is even older. As a minimum, any such documents should be updated as necessary to incorporate the most recent available information'.
- 8) A number of evidence base documents date from two or more years before the submission date and consequently are at risk of having been overtaken by events. The recently provided South Worcestershire Retail and Town Centres Study (EXAM 4, 4A, 4B, 4C) dates from July 2019, and predates Brexit, the Covid 19 Pandemic and the changes to the Use Classes Order. It would be helpful therefore if the Councils could review the evidence base and identify any parts which may have been overtaken by events, and provide us with a list, and an indication of when necessary updates can be made. Such evidence should then be updated as necessary and published.
- 9) Thank you for your explanation of the relationship between Policy SWDPR 20 of the Plan and the emerging South Worcestershire Traveller and Travelling Showpeople Site Allocations Development Plan Document (DPD). The Councils Local Development Scheme (LDS) explains that in terms of role and content

'The South Worcestershire Travellers and Travelling Showpeople Policies and Site Allocations DPD will set out the updated requirement for the number of sites and pitches to be provided to meet the needs of Travellers and Travelling Showpeople in the area over the coming years. It will then allocate sites or extensions to existing sites to meet this requirement. The DPD also includes a policy on the design and layout of sites and yards to assist in determining planning applications'.

- 10) The LDS also explains that in terms of role and content 'The plan (SWDPR) will update the existing SWDP, reviewing the development requirements, policies, site allocations and extending the Plan period to 2041'. The SWDP includes Policy 17 Travellers and Travelling Showpeople, which sets out the minimum requirements for pitches and plots for that plan period and the requirement for the DPD to be prepared. Clearly, there is some duplication in the roles of the SWDPR and DPD as set out in the LDS.
- 11) The Councils have suggested that Policy SWDPR20 could be modified so that both matters of need and the provision of sites is set out in the same document. It is also suggested that we would need to consider the 25 representations made in respect of the DPD at Regulation 19 stage.
- 12) The updated Gypsy and Traveller Accommodation Assessment should provide an updated picture of need and supply in South Worcestershire, which we would consider in our examination of Policy SWDPR20. Once we have reached a view on the soundness of Policy SWDPR20, we would set out the next steps required such as whether further provision needs to be made, and if so, how, with consideration of your suggestion set out above.

A way forward

- 13) Whilst we have made considerable progress in drafting our MIQs, the evidence base is not yet adequate for us to complete them and progress on to hearings. To do so at this stage would not be efficient and could give rise to delay later in the examination. Therefore, we will not publish our MIQs and progress to hearings until we are satisfied that it would be appropriate to do so. We appreciate that this may be disappointing, but hope that you can see that this approach is most likely to achieve a successful outcome in the examination and may prevent the examination becoming protracted.
- 14) Please provide us with a programme for the completion and submission of the outstanding evidence documents. That should include those already identified, along with the evidence regarding effects on the strategic road network, and any updates to evidence base documents which may be at risk of having been overtaken by events.
- 15) Following receipt of the programme, it may be helpful for us to hold an exploratory meeting with the Councils to discuss with you the way forward.

16) 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

Annex 1

Task	Expected
Statements of Common Ground - various	No date
SWDPR54 Mitton Sport England SOCG	No date
SWDPR54 Mitton Natural England Position Statement	End January 2024
SWDPR54 Mitton Review of GCC strategic transport model	Before WSTM (early-mid 2024?)
SWDPR54 Mitton Level 2 SFRA	End January 2024
Updated Gypsy and Traveller Accommodation Assessment	Late February 2024
Employment Land Monitoring Report	End February 2024
Worcestershire Strategic Transport Model (WSTM)	Base model sensitivity testing early 2024
Completed Transport Modelling work utilising the WSTM	Summer/late summer 2024
Schedule of Proposed Main Modifications	Pre-hearings
HRA evidence re nutrient neutrality	Pre-hearings if necessary
5 Year HLS Report Addendum	Pre-hearings
Analysis of Proposed Policies against December WMSs	Pre-hearings