

**South Worcestershire Development Plan Examination**

**Advice Note – Proposed Modifications Public Consultation**

**South Worcestershire Councils**

**Context and guidance for interested parties on the current public consultation into Proposed Modifications to the South Worcestershire Development Plan following Stage 1 of the Examination, (October 2013 and March 2014)**

**SWCs: 30 September 2014**

## Introduction

- A. The purpose of this document is to set out Proposed Modifications to the South Worcestershire Development Plan (SWDP) that have arisen during the ongoing Examination process. Proposed Modifications are those identified changes to the Plan that are considered necessary to ensure it is sound. The Proposed Modifications are proposed by the Inspector, under section 7C of the Planning and Compulsory Purchase Act 2004:
- “(7C)If asked to do so by the local planning authority, the person appointed to carry out the examination must recommend modifications of the document that would make it one that: —*
- a. satisfies the requirements mentioned in subsection (5)(a), and*
- b. is sound.”*
- B. Comments on the way in which the Proposed Modifications have been prepared are likely to relate to “legal compliance”. If it is the actual content of the Proposed Modifications that is commented on, it is likely this will relate to the “soundness” of the document.
- C. The SWDP is being examined by an independent inspector (Mr Roger Clews) whose role is to assess whether the plan has been prepared in accordance with the Duty to Co-operate, legal and procedural requirements and whether it is sound.
- D. A local planning authority should submit a plan for examination which it considers is “sound” – namely that it is:
- Positively prepared – the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;
  - Justified – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;
  - Effective – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and
  - Consistent with national policy – the plan should enable the delivery of sustainable development in accordance with the policies in the National Planning Policy Framework.
- E. The Inspector is therefore seeking comments on the Proposed Modifications through the medium of a focussed consultation process, to run for six weeks from 6 October to 14 November 2014.
- F. **This consultation is not an opportunity to raise matters that either were, or could have been, part of the earlier representations or hearings on the submitted plan.** Comments should be confined to the Proposed Modifications and Sustainability Appraisal as published. Any comments that attempt to address previous issues will not be considered by the Inspector.
- G. Following the close of the consultation, representations received in response to the Proposed Modifications will be collated by the South Worcestershire Councils (SWC) and forwarded to the Inspector. The Inspector will consider all the valid responses made to this consultation, together with those made at the formal stage of consultation and present his recommendations in a report. He may also feel it necessary to hold a further examination hearing to discuss any points raised.
- H. The SWC will **not** comment on or respond to the representations received. Responses to the Proposed Modifications are for the **Inspector** to consider.
- I. If you wish to make a representation seeking a change to the Proposed Modifications, you should:
- i. Make clear in what way the published Proposed Modifications is not sound or not legally compliant, having regard to the tests set out above.
  - ii. Support your representation by evidence showing why the Proposed Modifications should be changed.
  - iii. Say precisely how you think the Proposed Modifications should be changed.

- J. All submission documents, including background papers and the Integrated Assessment appraisal, are available to view on the SWDP website at:

[www.swdevelopmentplan.org](http://www.swdevelopmentplan.org)

All Submission Documents will be available for inspection at the offices of Malvern Hills District, Worcester City and Wychavon District Councils.

- K. Please note the following:

Representations may be by post or email.

Representations should be made using the form provided (Appendix 1)

Representations may be accompanied by a request to be notified at a specified address of any of the following:

- that the SWDP has been submitted for independent examination;
- the publication of the recommendations of any person appointed to carry out an independent examination of the SWDP;
- the adoption of the SWDP.

- L. If you do require this notification, please remember to specify this on the standard response form and your contact address.

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## **M. Proposed changes to strategic housing provision**

### **Context**

1. The South Worcestershire Councils (SWC) embarked on the drafting and production of a joint local plan in 2006.
2. The South Worcestershire Development Plan (SWDP) is the local plan for the future development of the three authority areas, drawn up by the SWC in consultation with local communities. It sets out strategic priorities for the area and determines the scale of growth required for South Worcestershire to meet social, economic and housing-related needs to 2030.
3. The SWDP sets out what the SWC consider to be the most appropriate and sustainable strategy for meeting those aims, in conjunction with delivering development that takes account of other significant issues such as:
  - the open countryside;
  - affordable housing;
  - good design;
  - flooding and water management;
  - the historic and natural environment;
  - areas of designated landscape value e.g. AONB
  - infrastructure.
4. Through SWDP site allocation policies, the plan identifies new housing allocations, including strategic urban extensions, intended to meet the full objectively assessed need for housing.
5. Early public engagement and visioning exercises, with reference to technical evidence, helped to define the key characteristics and challenges facing South Worcestershire. These were expanded on in the Issues and Options (2007) and Preferred Options (2008) reports and the accompanying Sustainability Appraisals and are summarised below:
  - Recognition of both the current and potential need for growth at Worcester through population projections / household projections, the adopted version (2004) of which identified Worcester as a Sub-Regional Focus. Worcester was subsequently identified regionally as a Settlement of Significant Development;
  - Roles and growth requirements of the towns of Droitwich Spa, Evesham, Malvern, Pershore, Tenbury Wells, and Upton-upon-Severn;
  - Sustainability of villages that provided local services, those villages within the hinterland of Worcester City and the towns in south Worcestershire;
  - Issues around the economic and social viability of the more remote rural areas within Malvern Hills and Wychavon.
  - Requirements for the delivery of infrastructure and services.

### **Background**

6. As part of his interim conclusions, published in October 2013, the SWDP Inspector had reservations about certain aspects of the Worcestershire Strategic Housing Market Assessment (2012) (SHMA), specifically various technical aspects and the age of the base data. He requested, in line with NPPF para 159, that the SWC undertake a revision of the Objectively Assessed Housing Need work to provide a reliable and up-to-date basis for the determination of the housing requirement for the SWDP area. In doing so the Inspector outlined certain guidelines relating to his technical expectations for this work and also stated that he anticipated that the final provision figure was likely to be “*significantly higher*” than the 23,200 figure originally proposed in the Submission SWDP.

7. In preparing the report and to support the soundness of its conclusions, the SWC considered that it was essential to derive an independently prepared, representative and realistic objective assessment of housing need. The SWC contracted with Amion (who are also leading the preparation of the Strategic Economic Plan for Worcestershire LEP) and Edge Analytics (a leading company in the field of socio-economic analysis) to lead the work. Further, in line with the Inspector's request to use more than one set of economic forecasts, they utilised three baseline sets:
- (a) Cambridge Econometrics – as used by Worcestershire LEP;
  - (b) Experian – as promoted by developers at the September hearing;
  - (c) Oxford Economics – commissioned by SWC.

#### **What did the new evidence say?**

8. The assessment used the latest official population estimates and three new employment forecasts. It comprised:
- The preparation of population forecasts for the period up to 2030.
  - Translation of these forecasts, taking account of headship rates, into forecasts of the numbers of households.
  - Interpretation of the household forecasts into projections for future dwelling requirements – taking into account vacancies, second homes and developments already undertaken during the forecasting period.
9. The outcome of the Amion / Edge assessment was submitted to the Examination by the SWC and formed the basis of its response to the Inspector's questions about the Strategic Housing Market Assessment. The assessment presented a range of scenarios with associated levels of housing growth, of which the one considered to be most appropriate and realistic was Scenario Three. This version used trend-based, migration-led scenarios and assumed a continuation of recent migration patterns to identify a range of between 26,700 and 27,300 new dwellings to meet housing need to 2030.
10. The reassessment was submitted to the Examination by the SWC alongside representations from other interested parties to the Inspector's questions and concerns on the housing land supply. Their suggestions for additional housing numbers to meet what they saw as the extant need ranged from 28,400 to c38,000.
11. The SWC were of the view that the range identified in the Amion / Edge reports was appropriate for consideration by the Inspector as a Proposed Modifications to the SWDP. The revised housing figure took account of: -
- realistic levels of economic growth and present / future employment growth
  - household formation rates
  - economic participation rates
  - in- and out-migration in the south Worcestershire area and the needs (if any) of adjacent or nearby authorities
  - affordable housing provision
  - meeting historic undersupply
  - justified levels of windfall development
12. More details of the report and supporting technical evidence can be found by looking at the Examination Website for the SWDP via this link - <http://www.swdevelopmentplan.org/wp-content/uploads/2013/02/Councils-Updated-Assessment-list-of-documents.pdf>

#### **Proposed Modifications – new strategic housing figure identified by Inspector**

13. Following the reconvened Examination hearings, the Inspector issued his recommended revised housing number to the SWC. He felt that:

... it would be reasonable to take the mid-point between the SENS2 and SENS3 jobs-led scenario “average” case forecasts as representing the full, objectively-assessed level of housing need over the Plan period.

This gives the following projected dwelling requirement figures for 2006-30:

Malvern Hills	8,590
Worcester City	9,830
Wychavon	<u>9,950</u>
South Worcestershire	28,370

(Paragraph 57, Inspector’s Further Interim Conclusions on the Outstanding Stage 1 Matters, 31<sup>st</sup> March 2014)

**... I therefore recommend that the Councils adopt the figures in paragraph 57 above as representing the full, objectively-assessed need for housing over the Plan period, and as the basis for making provision for housing in the Plan in accordance with national planning policy and guidance.**

(Paragraph 61, Inspector’s Further Interim Conclusions on the Outstanding Stage 1 Matters, 31<sup>st</sup> March 2014)

14. The Inspector has thus identified a figure to meet extant and future housing needs to 2030 of **28,370**.

## Increasing the SWDP housing allocations

### **Options for meeting additional housing requirements**

15. The strategy of the SWDP is to utilise a hierarchy of locations (Worcester, main towns, other settlements, villages) to accommodate identified housing need. This has meant the allocation of a portfolio of sites across the plan area, ranging from a number of sustainable urban extensions to relatively small sites in Category 3 rural settlements. Finding sites to meet the additional needs on top of those already identified is a sensitive task and care must be taken not to overlook the strategy in doing so.
16. With the objectively assessed need for housing rising to **28,370** to 2030, there will be a need to identify an increased supply, including new sites and extensions to / increased development density on submitted housing allocations. Doing so will enable the higher figure to be achieved with minimal impact on the shape and delivery of the wider strategy.
17. As part of their approach to meeting the higher number identified by the Inspector, the SWC undertook the following exercises: -

#### **Call for Sites**

- a. In March 2014, the SWC carried out a 'call for sites' for housing purposes. This was as a consequence of the ongoing examination, and was intended to assist progress in moving towards the Stage 2 hearings while addressing the identified uplift in the objectively assessed need for housing. The SWC used this information to update the South Worcestershire Strategic Housing Land Availability Assessment (SHLAA), which identifies a pool of potential housing sites. The work was in line with the National Planning Policy Framework (NPPF). It also enabled the SWC to take account of the new National Planning Practice Guidance published by the Department for Communities and Local Government in March 2014, which advocates such updating as good practice.
- b. The SWC stressed that they were looking only for new sites that had not been under consideration previously (e.g. those sites that have not been subject to an application for planning permission nor identified during a previous SHLAA exercise). An objective assessment of the new sites was carried out using the SHLAA 4<sup>th</sup> Edition (2012) methodology, including site survey work.
- c. As well as providing evidence to inform preparation of the SWDP the assessment may also be referred to by neighbourhood forums and parish / town councils as a starting point when identifying sites to allocate in a neighbourhood plan.

### **Re-examination of extant capacity on existing allocations**

The SWC revisited the identified capacities of the sites already allocated in the Submission SWDP and considered whether there was any scope for accommodating additional numbers of new dwellings on them. This would have the effect of reducing the number of new sites that would need to be allocated, although there would potentially be an increase in adverse impacts associated with increased development on such sites.

### **Outcome**

As a result of this site assessment process (sites were also the subject of rigorous technical testing by bodies such as the Worcestershire County Council Highways Department, Severn Trent and the SWC's sustainability appraisal consultants), a list of additional and amended sites was compiled. In the view of the SWC, this list represented the most appropriate and sustainable means of meeting the uplift in housing numbers while at the same time maintaining the SWDP's development strategy (SWDP 2).

## South Worcestershire Development Plan Examination

### Proposed Modifications to SWDP – Objective Assessment of Housing Need and associated uplift in housing numbers

#### South Worcestershire Councils

Representation form for responding to Proposed Modifications on the uplift in housing numbers following the first stage hearings into the SWDP (March 2014).

**Please use a separate sheet for each modification response** – there is an additional document available on the SWDP website that can be completed and appended to this form as many times as required. This will enable the Inspector to consider your comments on each modification as promptly as possible.

**SWC: October 2014**

Please use a separate Part A / B form for each modification you wish to respond to and attach to the one containing your contact details.

## South Worcestershire Development Plan Proposed Modifications: October - November 2014

The South Worcestershire Councils (SWC) are seeking representations on the Proposed Modifications to the SWDP, following stage 1 of the examination in public (March 2014). The changes are proposed by the SWC to address issues around the need for an uplift of housing numbers to meet the objectively assessed housing need for the area and we are only able to accept representations on these matters.

**REPRESENTATIONS MUST ONLY RELATE TO THE CURRENT PROPOSED MODIFICATIONS.**

**Further representations to the submitted SWDP will not be accepted. There is no need to repeat representations that you submitted at a previous stage.**

You can access the SWDP documents online and additional copies of this form from our website [http://www.swdevelopmentplan.org/?page\\_id=5393](http://www.swdevelopmentplan.org/?page_id=5393)

Completed forms should be returned either by

Email to:

Post to:

**ALL REPRESENTATIONS SHOULD BE SUBMITTED IN WRITING NO LATER THAN 5.00PM ON 14 NOVEMBER 2014.**

Please use a separate Part A / B form for each modification you wish to respond to and attach to the one containing your contact details.

Before completing the response form we would be grateful if you could tell us more about yourself:

	1. Personal Details	2. Agent Details (if applicable)
Title		
First Name		
Last Name		
Job Title (if relevant)		
Organisation (if relevant).		
Address		
Postcode		
Tel. No.		
Email		

### HOW WE WILL USE YOUR DETAILS

The personal information you provide on this form will be processed in accordance with the requirements of the Data Protection Act 1998. It will be used only for the preparation of local development documents or any subsequent statutory replacement. However, your name and representations will be made publicly available when displaying and reporting the outcome of the consultation stage, and cannot be treated as confidential. **OTHER DETAILS, INCLUDING YOUR ADDRESS AND SIGNATURE, WILL BE TREATED AS CONFIDENTIAL.**

In agreeing to the holding of your information you are giving permission for your details, held on the database, to be shared between the three local authorities. If you have any concerns or queries relating to this process, please contact 01905 722233.

I agree that contact details and any related responses can be held by the planning service departments of the three South Worcestershire local authorities. I understand that they will only be used in relation to the plan making process as required by the Planning and Compulsory Purchase Act 2004 and other planning-related legislation.

Signed:

Date:

Please use a separate Part A / B form for each modification you wish to respond to and attach to the one containing your contact details.

<b>3. Are you attaching any additional sheets that relate to this representation?</b>					
Yes		No		Number of sheets	
<b>4. Which Proposed Modification does your representation relate to?</b>					
Modification Number		<b>PM</b>			
<b>5. Do you consider the Proposed Modification to be legally compliant?</b>					
Yes		No		No Comment	
<b>6. If you consider the Proposed Modification to be unsound, please identify which test of soundness your comments relate to? (tick all that apply)</b>					
Positively prepared			Effective		
Justified			Consistent with National Policy		

- Positively prepared – the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;
- Justified – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;
- Effective – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and
- Consistent with national policy – the plan should enable the delivery of sustainable development in accordance with the policies in the National Planning Policy Framework

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Please use a separate Part A / B form for each modification you wish to respond to and attach to the one containing your contact details.

**Part A**

**Please use a separate sheet for each modification response – there is an additional document available on the SWDP website that can be completed and appended to this form as many times as required. This will enable the Inspector to consider your comments on each modification as promptly as possible.**

Please give details of why you consider the Proposed Modification is not legally compliant or is unsound. Please be as precise as possible. If you wish to support the Proposed Modification please also use the box below to set out your comments.

Please note - your representation should provide evidence and information to support / justify your representation and any suggested change.

Your representation should relate only to the current Proposed Modifications.

**Expand box / use additional page as necessary**

Please use a separate Part A / B form for each modification you wish to respond to and attach to the one containing your contact details.

**Part B**

Please set out what change(s) you consider necessary to make the Proposed Modification legally compliant or sound, having regard to the test(s) you have identified above. You will need to say why this change will make the Proposed Modification 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.

Your representation should relate only to the current Proposed Modifications.

**Please use a separate Part A / B form for each modification you wish to respond to and attach to the one containing your contact details.**

Please use a separate Part A / B form for each modification you wish to respond to and attach to the one containing your contact details.

<b>7. If your representation is seeking a change to the Proposed Modification, are you content for it to be considered by written representations, or do you consider it necessary to participate in person at an examination hearing?</b>			
Written representations		Participate at an examination hearing	
<b>8a. If you wish to participate at an examination hearing, please outline why you consider this to be necessary:</b>			
<b>8b. Where there are a large number of identical or very similar responses to a particular modification, it would assist the inspector if individuals could work together on presenting a joint case at the hearing. If you are able to do this, please indicate below who will be representing you. Your individual comments will still be considered by the Inspector.</b>			

Thank you for taking the time to complete this representation.

## **South Worcestershire Development Plan Examination**

### **Proposed Modifications to SWDP – Objective Assessment of Housing Need and associated uplift in housing numbers**

#### **South Worcestershire Councils**

**Additional sheet(s) for responses to individual modifications – to be  
appended to main form as required**

**Please use a separate sheet for each modification response to enable the Inspector  
to consider your comments on each modification as promptly as possible.**

**SWCs: October 2014**

## South Worcestershire Development Plan Proposed Modifications – October - November 2014

**Please use a separate sheet for each modification number.**

<b>Your Name / Organisation Name (if relevant)</b>
(for tracking purposes only)

<b>4. Which Proposed Modification does your representation relate to?</b>					
Modification No.	<b>PM</b>				
<b>5. Do you consider the Proposed Modification to be legally compliant?</b>					
Yes		No		No Comment	
<b>6. If you consider the Proposed Modification to be unsound, please identify which test of soundness your comments relate to? (tick all that apply)</b>					
Positively prepared		Effective			
Justified		Consistent with National Policy			

- Positively prepared – the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;
- Justified – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;
- Effective – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and
- Consistent with national policy – the plan should enable the delivery of sustainable development in accordance with the policies in the National Planning Policy Framework.

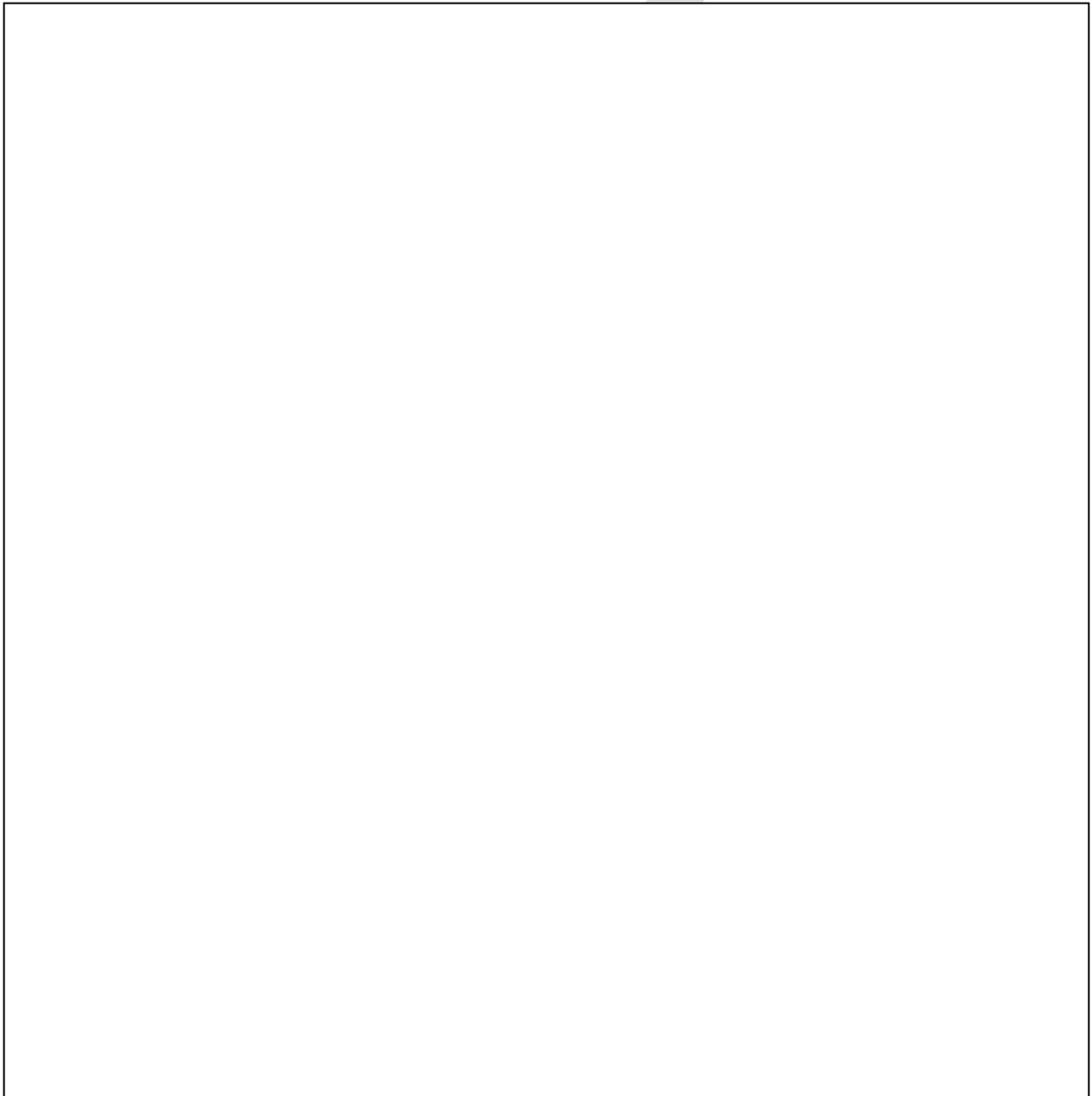
**Part A**

**Please use a separate sheet for each reference number.**

Please give details of why you consider the Proposed Modification is not legally compliant or is unsound. Please be as precise as possible. If you wish to support the Proposed Modification please also use the box below to set out your comments.

Please note - your representation should provide evidence and information to support / justify your representation and any suggested change.

Your representation should relate only to the current Proposed Modifications.

A large, empty rectangular box with a thin black border, intended for the user to provide detailed comments or evidence regarding the proposed modifications. The box is currently blank.

**Part B**

Please set out what change(s) you consider necessary to make the Proposed Modification legally compliant or sound, having regard to the test(s) you have identified above. You will need to say why this change will make the Proposed Modification 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.

Your representation should relate only to the current Proposed Modifications.