
Report to Malvern Hills District Council, Worcester City Council and Wychavon District Council

**by P Lewis BA (Hons) MA MRTPI and E Worthington BA (Hons) MTP MUED
MRTPI IHBC**

Inspectors appointed by the Secretary of State

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Planning and Compulsory Purchase Act 2004 (as amended)

Section 20

Report on the Examination of the South Worcestershire Development Plan Review.

The Plan was submitted for examination on 27 September 2023

The examination hearings were held between 4 March and 4 September 2025

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Abbreviations used in this report

AIRs	Areas of Informal Recreation
BNG	Biodiversity Net Gain
DPA	Dwellings per annum
EDNA	Economic Development Needs Assessment
FLL	Functionally Linked Land
GTAA	Gypsy and Traveller Accommodation Assessment
IDP	Infrastructure Delivery Plan
LVIA	Landscape and Visual Impact Assessment
LHN	Local Housing Need
MDS	Major Developed Sites
MM	Main Modification/s
NPPF	National Planning Policy Framework
OSA	Open Space Assessment
PPG	Planning Practice Guidance
PPTS	Planning Policy for Traveller Sites
SCI	Statement of Community Involvement
SFRA	Strategic Flood Risk Assessment
SHMA	Strategic Housing Market Assessment
SOCG	Statement of Common Ground
SPD	Supplementary Planning Document
SSSI	Site of Special Scientific Interest
SUDS	Sustainable Urban Drainage Systems
WNP	Welland Neighbourhood Plan
WRS	Worcestershire Regulatory Services

Non-Technical Summary

This report concludes that the South Worcestershire Development Plan Review (the Plan) provides an appropriate basis for the planning of the Malvern Hills District, Worcester City, and Wychavon District provided that a number of main modifications (MMs) are made to it. The Councils have specifically requested that we recommend any MMs necessary to enable the Plan to be adopted.

Following the hearings, the Councils prepared schedules of the proposed modifications and, where necessary, carried out sustainability appraisal and habitats regulations assessment of them. The MMs were subject to public consultation over a six-week period. In some cases we have amended their detailed wording where necessary. We have recommended their inclusion in the Plan after considering the sustainability appraisal and habitats regulations assessment and all the representations made in response to consultation on them.

The MMs include:

- Amend the rural hierarchy of settlements to reflect updated evidence;
- Insert a specific policy for Significant Gaps;
- Delete the proposed employment allocation at Blackpole Road, Worcester;
- Delete the proposed new settlement proposal at Throckmorton and replace it with an area of search;
- Alter the Plan's housing requirement to 1,178 dwellings per annum including accommodating unmet need from Tewkesbury Borough and with the housing requirement rebased to 2025;
- Various amendments to the strategic allocations so that they would be effective;
- Delete some proposed allocations at Malvern due to effects on the National Landscape and/or Site of Special Scientific Interest (SSSI);
- Amend a number of proposed allocations so that they are dealt with by self contained, site specific policies; and
- A number of other modifications to ensure that the Plan is positively prepared, justified, effective and consistent with national policy.

Introduction

1. This report contains our assessment of the South Worcestershire Development Plan Review in terms of Section 20(5) of the Planning and Compulsory Purchase Act 2004 (as amended). It considers first whether the Plan's preparation has complied with the duty to co-operate. It then considers whether the Plan is compliant with the legal requirements and whether it is sound. The National Planning Policy Framework September 2023 (NPPF) (paragraph 35) makes it clear that in order to be sound, a Local Plan should be positively prepared, justified, effective and consistent with national policy.
2. Revised versions of the NPPF were published during the examination, in December 2023, December 2024 and February 2025. The transitional arrangements set out in those documents mean that we have continued to examine the Plan in the context of the September 2023 version of the NPPF. Unless otherwise specified, all references to the NPPF in this report are to the September 2023 version. Similarly, references to the Planning Practice Guidance (PPG) refer to the version relevant to the September 2023 NPPF unless otherwise stated.
3. The starting point for the examination is the assumption that the local planning authorities have submitted what they consider to be a sound plan. The South Worcestershire Development Plan Review, submitted in September 2023 is the basis for our examination. It is the same document as was published for consultation in November 2022.
4. In the early stages of the examination, following our Initial Questions in November and December 2023 and the Councils' responses, in February 2024 we identified the need for further evidence, particularly in respect of some of the Plan's transport implications (EXAM 6). We agreed to pause the examination whilst transport and other important evidence base documents were prepared or updated. These took some time to prepare, and the final documents were published in January 2025. These circumstances led to a considerable delay in the examination process and meant that we were unable to commence hearing sessions until March 2025 (some 18 months after the Plan was submitted).

Main Modifications

5. In accordance with section 20(7C) of the 2004 Act the Councils requested that we should recommend any MMs necessary to rectify matters that make the Plan unsound and/or not legally compliant and thus incapable of being adopted. Our report explains why the recommended MMs are necessary. The MMs are referenced in bold in the report in the form **MM1**, **MM2** etc, and are set out in full in the Appendix.

6. Following the examination hearings, the Councils prepared a schedule of proposed MMs and, where necessary, carried out sustainability appraisal and habitats regulations assessment of them. The MM schedule was subject to public consultation for six weeks.
7. We have taken account of the consultation responses in coming to our conclusions in this report and in this light we have made some amendments to the detailed wording of the MMs¹. None of the amendments significantly alter the content of the modifications as published for consultation or undermine the participatory processes and sustainability appraisal/habitats regulations assessment that has been undertaken. We have highlighted these amendments in the report.
8. We have considered whether any additional steps should be taken as a result of the responses to the MMs consultation or changes we have made to the MMs (such as further hearings, sustainability appraisal or public consultation). However, since the representations relate to matters that have been considered through the examination, and none of the changes we have made significantly alter the modified policies in the Plan, we have decided that none were necessary in the interests of fairness avoiding prejudice to any party's interest.

Policies Map

9. The Councils must maintain an adopted policies map which illustrates geographically the application of the policies in the adopted development plan. When submitting a local plan for examination, Councils are required to provide a submission policies map showing the changes to the adopted policies map that would result from the proposals in the submitted local plan. In this case, the submission Policies Map comprises the set of plans identified as SWDPR Interactive Reg 19 Policies Map and SWDPR Interactive Policies Map Minor Modifications as set out in CD22 and CD23.
10. The policies map is not defined in statute as a development plan document and so we do not have the power to recommend MMs to it. However, a number of the published MMs to the Plan's policies require further corresponding changes to be made to the policies map. In addition, there are some instances where the geographic illustration of policies on the submission policies map is not justified and changes are needed to ensure that the relevant policies are effective.
11. These further changes to the policies map were published for consultation alongside the MMs in a Schedule of Policies Map Modifications. In this report

¹ MM7, MM8, MM12, MM13, MM14, MM23, MM32, MM33, MM34, MM39, MM48, MM59 and MM61.

we identify any amendments that are needed to those further changes in the light of the consultation responses.

12. When the Plan is adopted, in order to comply with the legislation and give effect to the Plan's policies, the Councils will need to update the adopted policies map to include all the changes proposed in the SWDPR Interactive Reg 19 Policies Map and the further changes published alongside the MMs incorporating any necessary amendments identified in this report.

Context of the Plan

13. The Plan is proposed to review and replace the South Worcestershire Development Plan which was adopted in February 2016. When adopted the Plan will become part of the development plan for the areas of Malvern Hills District Council, Worcester City Council and Wychavon District Council, along with the Worcestershire Minerals Local Plan and the Worcestershire Waste Core Strategy. It will set out how development will be planned and delivered across the three authorities to 2041, along with the 'made' neighbourhood plans (and any other neighbourhood plans subsequently made).
14. The plan area covers some 1,300 square kilometres within the southern extent of the West Midlands and has a population of around 310,000. The districts of Malvern Hills and Wychavon are largely rural and Worcester is the largest urban area. Beyond the city of Worcester are the three main towns of Droitwich Spa, Evesham and Malvern and the smaller towns of Pershore, Tenbury Wells and Upton upon Severn along with over 200 villages. The high quality landscape is a feature of the area and includes the upland areas of the Cotswolds (including Bredon Hill) and the Malvern Hills National Landscapes. South Worcestershire is easily accessible by rail and road from the West Midlands conurbation as well as from London, although there are issues with rural accessibility.

Public Sector Equality Duty

15. The Councils' Equalities Impact Assessment (CD11) finds that many of the policies in the Plan seek to deliver benefits for the whole of the community and not specifically those with protected characteristics. However, it recognises that some policies will have the potential for some direct or indirect impact on different groups. Each policy has been assessed for their potential positive, negative or neutral impact on potentially vulnerable equalities groups.
16. We have had due regard to the aims expressed in S149(1) of the Equality Act 2010. This has included our consideration of several matters during the examination including meeting the housing needs of gypsies and travellers and Travelling Showpeople, the elderly, and people with disabilities, along with the

provision of improved and more accessible facilities such as open space, recreation, education, health, leisure, community and employment.

Assessment of Duty to Co-operate

17. Section 20(5)(c) of the 2004 Act requires that we consider whether the Councils complied with any duty imposed on them by section 33A in respect of the Plan's preparation, including the Duty to Co-operate. Nevertheless, the government intends to bring forward legislation that will remove the DtC as a legislative requirement for plans prepared and examined in the existing system. This is confirmed in the 'Reforming plan-making' Written Ministerial Statement of 27 November 2025 and in a Ministerial Letter to the Planning Inspectorate of the same date (EXAM 124A and 124B). Whether effective cooperation is maintained will, however, continue to be a soundness consideration in terms of compliance with the NPPF's expectations on this matter. In these terms, the NPPF is clear that "Effective and on-going joint working between strategic policy-making authorities and relevant bodies is integral to the production of a positively prepared and justified strategy". Accordingly, our findings on this matter relate to both the legislative and soundness aspects of cooperation.
18. The Councils' Statement of Compliance with the Duty to Co-operate (CD19) provides evidence of the Councils cooperation on strategic issues with cross boundary impacts. It details how the Councils have worked collaboratively with other bodies, including neighbouring local authorities and key organisations to address strategic issues and priorities.
19. The Councils' Statement of Compliance with the Duty to Co-operate also identifies the strategic matters addressed during the preparation of the Plan as cross-boundary challenges and opportunities. These include: meeting unmet housing need from Tewkesbury Borough; accommodating gypsy and travellers and Travelling Showpeople; ensuring adequate capacity of the strategic highways network to accommodate future growth; providing supporting infrastructure including health and education provision; considering impacts on the Cotswolds and Malvern Hills National Landscapes; meeting the need for employment land; and delivering the objectives of the Worcestershire Local Transport Plan.
20. The Councils have engaged with neighbouring authorities and relevant prescribed bodies at both officer and elected member level, via a variety of means and in the form of both verbal and written dialogue. This has taken place throughout the various stages of the preparation of the Plan, the formal consultation process and beyond, including during the examination. The Councils Statement of Consultation (CD18) and various Statements of Common Ground (SOCGs) with both neighbouring authorities and prescribed bodies also detail the engagement that has taken place.

21. The mechanisms used have included routine meetings of established groups and other specific meetings to discuss particular issues including bespoke meetings with neighbouring authorities concerning the duty to co-operate, and a Sustainability Appraisal workshop including statutory bodies and infrastructure providers. Regular meetings have taken place with Worcestershire County Council including monthly officer liaison meetings (Officers' Steering Group) and elected member meetings via the Joint Advisory Panel. Meetings have taken place at sub-regional level concerning Transport issues.
22. The Councils have also worked to address issues with relevant bodies at each stage of the Plan's consultation and in considering proposed changes to the Plan. These have included technical advice, and resulted in additional evidence base documents being commissioned including a Level 2 Strategic Flood Risk Assessment for the strategic allocations on the advice of the Environment Agency. The Councils have also been working with National Highways to understand the cumulative transport implications of the proposed strategic sites, and with Worcestershire County Council on additional traffic modelling to inform the Plan. Regular meetings of the Worcestershire Parkway Project Board which include Homes England are another example of constructive engagement.
23. Additionally, the Councils have produced a joint planning statement and memorandum of understanding regarding the proposed allocation at Mitton, which will accommodate some unmet need from Tewkesbury Borough. The Councils have also agreed numerous statements of common ground with neighbouring authorities and relevant prescribed bodies on other matters.
24. Overall, the evidence indicates that the mechanisms employed were effective, and we are satisfied that there has been close cooperation over a prolonged period between the three Councils, their neighbouring authorities, Worcestershire County Council and other prescribed bodies on a number of strategic matters. Whilst it has been put to us that the Plan should be accommodating unmet housing need from the Greater Birmingham and the Black Country Housing Market Area, there is no convincing evidence in that regard, and we are satisfied that the Councils have met the duty in respect of strategic cross boundary housing matters.
25. Thus, whilst we will consider any soundness issues related to the strategic matters later in this report, we are satisfied that where necessary the Councils have engaged constructively, actively and on an on-going basis in the preparation of the Plan and that the duty to co-operate has therefore been met. The above considerations also lead us to the conclusion on this matter that the Council has maintained effective cooperation through on-going joint working in a way that accords with the expectations of the NPPF.

Assessment of Other Aspects of Legal Compliance

26. The Plan has been prepared in accordance with the Councils Local Development Schemes which have been updated during the examination (LDS).
27. Consultation on the Plan and the MMs was carried out in compliance with the Councils Statements of Community Involvement (SCI). Some representors have raised concerns about whether the Councils complied with their SCI in respect of SWDPR 57 Hanbury Road, Droitwich Spa. The Councils in their written statement explain that the site at Hanbury Road, Droitwich Spa was put forward by its promoter at the Regulation 18 consultation. The proposed allocation at Hanbury Road was included in the Plan at the Regulation 19 stage and was the subject of consultation. A number of representations were made in regard to that site at Regulation 19 and during the examination to which we have had regard. Representors had the opportunity to appear at the hearings, and we heard from participants concerning the proposed allocation.
28. It is clear that the Councils developed their position in respect of the land at Hanbury Road through the plan making process, and that the proposed allocation came forward relatively late in the plan making process. However, that is clearly in response to the Councils becoming aware that it was available and the need to meet the housing requirement. Whilst we appreciate that this may be frustrating to local residents, the Councils have followed their adopted SCI and consultation on the Plan, and the MMs was carried out in compliance with them, consistent with the 2012 Regulations. The matters raised by representors concerning the conduct of the Councils in regard to the site are matters of local government accountability and are not for us to determine through this examination.
29. The SWDPR Habitats Regulations Assessment Report (CD6 and CD7) set out that a full assessment has been undertaken and that the Plan may have some negative impact which requires mitigation. A number of recommended mitigations were set out, following adoption of which in the policies of the Plan it was concluded that the Plan would have no adverse impact on site integrity at any Habitats site, either alone or in-combination.
30. However, it subsequently became apparent that the proposed allocation at Mitton (SWDPR 54) could have impacts on Curlew due to disturbance and predation, a Priority Species under the Natural Environment and Rural Communities Act 2006 and a species of High Conservation Concern in the UK. Curlew is included within the bird assemblage for which the Severn Estuary Special Protection Area (SPA) is designated (Natural England Position Statement on SA54: Mitton EXAM 8). There is a Curlew population at the identified Functionally Linked Land (FLL) to the west of the Mitton site. A report was prepared of a Review of Curlew at Mitton (EXAM 16) for the Councils. A

statement of common ground was prepared between the Councils and Natural England (EXAM 81) which amongst other things set out the need for further bird surveys to be undertaken prior to the consideration of potential mitigation measures being explored.

31. A breeding Curlew survey was subsequently undertaken to gain a better understanding of how the strategic allocation is utilised by Curlews and whether the Site itself is functionally linked to the Severn Estuary Special Protection Area (EXAM 105). Whilst the Mitton site was found not to be FLL, there is nevertheless potential for the proposed allocation to give rise to disturbance to Curlew at the FLL to the west. That may occur for example from cat predation, or through increased noise or lighting. We are satisfied that this matter can be addressed by mitigation measures and site design determined through the development management process which is dealt with by **MM59** described in issue 7. The Habitats Regulations Assessment (December 2025) has been updated to this effect, and the Plan is legally compliant in this regard.
32. The Development Plan, taken as a whole, includes policies to address the strategic priorities for the development and use of land in the three local planning authority areas. It also includes policies designed to secure that the development and use of land contributes to the mitigation of, and adaptation to, climate change. These include SWDPR 01 Climate Change Mitigation and Adaptation, SWDPR 33 Renewable and Low Carbon Energy, SWDPR 34 Management of Flood Risk, SWDPR 35 Sustainable Drainage Systems and SWDPR 36 Water Resources, Efficiency and Wastewater Treatment.
33. As required by The Parks and Access to the Countryside Act 1949 as amended by Section 245 of the Levelling-up and Regeneration Act (2023) (LURA), in examining the Plan we have sought to further the purpose of conserving and enhancing the natural beauty of the Cotswolds and Malvern Hills National Landscapes. In so doing, we have taken account of the Cotswolds National Landscape Management Plan (ENV6) and the Malvern Hills AONB Management Plan (ENV5) and other relevant evidence. As a consequence, and to ensure consistency with national planning policy and relevant guidance, we recommend a number of MMs to the Plan. These are set out under the relevant main issues of this report.
34. The Plan complies with all other relevant legal requirements, including in the 2004 Act (as amended) and the 2012 Regulations.

Assessment of Soundness

Main Issues

35. Taking account of all the representations, the written evidence and the discussions that took place at the examination hearings, we have identified 13 main issues upon which the soundness of the Plan depends. This report deals with these main issues. It does not respond to every point or issue raised by representors. Nor does it refer to every policy, policy criterion or allocation in the Plan.
36. Due to the deletion of and insertion of new policies into the Plan, the soundness reasons for which are set out in the main issues below, it is necessary to re-number some of the policies, and for the annexes to be re-numbered. We however have referred to the policies of the Plan by the numbers given in the submitted Plan so that it is clear to readers as to which policies we are referring to. **MM83** re-numbers SWDPR 49 and 58 and Annex C of the submitted Plan (which are not subject to any other MM). This is a consequential modification to achieve clarity and effectiveness.

Issue 1: Whether the Spatial Development Strategy is positively prepared and justified?

37. Policy SWDPR 03 sets out the spatial strategy and settlement hierarchy. A number of changes are needed as set out in **MM4** for the reasons given below.
38. The Spatial Development Strategy is a rail-based strategy, where development is steered towards locations with existing or proposed railway stations. This is justified and consistent with national policy as set out in paragraph 105 of the NPPF in that significant development is focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. Whilst there may be other ways in which development can be directed towards different locations by the Plan, the Councils gave consideration to a number of options for the Spatial Development Strategy and the approach set out in the Plan is sound. SWDPR 03 is not clear about the rail based nature of the strategy and is thus ineffective. It should therefore be amended for effectiveness to make it clear that the Spatial Development Strategy is rail-based, with the reasoned justification amended accordingly.
39. Part A of the policy sets out the principles which the spatial strategy comprises. These criteria do not serve a clear purpose and unnecessarily duplicate other policies of the Plan, and they should be deleted because they are ineffective and inconsistent with paragraph 16 of the NPPF.

40. Part B of SWDPR 03 sets out the settlement hierarchy for South Worcestershire and states the quantum of housing development allocated for each category of settlement, along with the approach to assessing windfall residential development. The settlement hierarchy is based on the existing urban and rural distribution of development within South Worcestershire, with the addition of a number of strategic allocations. The Urban Area categories reflect the overall vision of the Plan to allocate most development in locations where there is good access to local services and where sustainable transport is maximised.
41. The settlement hierarchy for the rural area (Category 1 to 4 villages) has been informed by the 2019 Village Facilities and Rural Transport Study (ALL10) as updated by the 2019 Village Facilities and Rural Transport Study Update Topic Paper (2024) (EXAM 31). We acknowledge that there is more than one way to categorise villages and that provision of facilities and transport services change over time. We also appreciate the role of professional judgement in such work, but find that the approach taken by the Councils uses an appropriate methodology and is sound.
42. Table 2 which details the South Worcestershire Settlement Hierarchy sets out a range of information including details of housing provision and windfall development. This is not necessary and makes the policy ineffective. This information should be deleted so that the table sets out only the settlement hierarchy, with the reasoned justification being amended accordingly.
43. To be effective, the policy should be amended so that it is clear that development would be strictly controlled in the open countryside. Criterion d repeats other policy requirements of the Plan. This does not serve a clear purpose and unnecessarily duplicates other policies of the Plan, and should be deleted, along with references to other local plan policies and neighbourhood plans in criterion E. Criterion G should be amended so that the requirements for neighbourhood plans to be in general conformity with strategic policies are clear. Criterion H is concerned with the Councils giving full consideration to unmet needs of neighbouring areas. This however is a matter for future plan making and should be deleted as it would not be effective.
44. To ensure the policy can be effectively applied, an explanation of development boundaries and the approach to them (including with regard to allocations) is also necessary. Whilst we have considered the various representations relating to the definition of development boundaries in the Plan, we find that the approach taken to their definition is sound overall, and we indicate in this report where we consider changes should be made to the Policies Map in this regard.

45. To be consistent with national policy the reasoned justification should be amended to refer to the economic and other benefits of the best and most versatile agricultural land being recognised in decision making. A number of changes are made to the reasoned justification as a consequence of the changes to the policy wording considered above and due to the deletion of SWDPR 52 Throckmorton.
46. The Rural hierarchy of Settlements set out in the Annex to the Plan is not justified and is amended by **MM76**. We consider that the move to category 1 for Crowle and Crowle Green is justified given the increase in key services scoring as set out in EXAM 31. Whilst we acknowledge that the range of bus services available to villagers may be narrow, that does not lead us to a different conclusion. Similarly, the designation of Littleworth as a Category 2 settlement (from Category 3) is also justified by increases in key services. Bransford should be identified as a Category 4 village, rather than Category 3 due to errors in the assessment of education facilities.
47. Due to the presence of a key service and public transport options, Sytchampton should be re-categorised as a Category 3 Village from open countryside. Castlemorton should be included in Category 4 rather than open countryside due to its key services. Brockamin, Cotheridge, Kinnersley, Monkwood, Netherton and Rye Street are re-categorised as Category 4 from open countryside due to their transport accessibility. Furthermore, the development boundary for Welland should be amended for effectiveness, so that it is consistent with that in the Welland Neighbourhood Plan. Appropriate changes should be made to the Policies Map with development boundaries being included for the settlements recategorized from open countryside or category 4 to category 3.
48. Abberley Village, Abberton, Alfrick Pound, Aldington, Broad Marston, Dunhampstead, Hanley Childe, Hindlip, Kerswell Green, Kinsham, Northampton, Pensax, Ryall and Holly Green, Stonehall and Upper Welland should be re-categorised as Category 4 villages owing to them having up to only three secondary services and no trip types. This would also bring about consistency in scoring between settlements. These changes are required to ensure the Plan is justified.

Significant Gaps

49. Part A of SWDPR 03 sets out the principles of the Spatial Development Strategy. Amongst other things these include criterion A iv 'Maintain the openness of the retained Green Belt and Significant Gaps'. Significant Gaps are defined in the Plan as follows: 'A local planning designation intended to protect the set-

ting and separate identities of settlements by helping to avoid coalescence; retaining the existing settlement pattern by maintaining openness; and securing quality of life benefits of having open land adjacent to where people live'.

50. Significant Gaps are therefore a spatial development tool which we are content is justified in principle by the evidence before us, including that in the Significant Gaps Appraisal (SP27). Significant Gaps however are not subject of a specific policy as for example the Green Belt is, and the reference to Significant Gaps in SWDPR 03 is not clearly written and is unambiguous, such that it is not evident how a decision maker should react to development proposals. Furthermore, the Plan does not state that the Significant Gaps are shown on the Policies Map and that is not effective. **MM9** sets out the wording of a new Significant Gaps policy and the reasoned justification. This lists the Significant Gaps and links them to the Policies Map and confirms that their purpose is to keep land open and essentially free of development, other than development which accords with other policies of the Plan, such as rural workers dwellings. The reasoned justification explains that they have not been defined to protect the countryside or landscape as that is the role of other Plan policies. As a consequential modification Annex F: Significant Gaps (Additions, Removals and Retained) should be deleted (**MM80**).
51. There was some discussion at the hearings about the boundaries of some Significant Gaps as defined on the Policies Map. In broad terms, we find that they have been selected through the use of an appropriate methodology. It has also become apparent through the MM consultation that circumstances have changed in respect of the planning status of some land within Significant Gaps. We also note that the proposed Travelling Showpersons site at Rushwick, and the employment land allocation at Open Barn Farm are also included within land identified as Significant Gaps. At this late point in the examination, we do not consider that the adoption of the Plan should be delayed in order to correct such anomalies. Instead, they can be addressed in the review of the Plan which has to occur under the revised plan-making system. In any event, the allocated sites are clearly proposed for development in the Plan. It has been put to us that enabling infrastructure should also be included as an example of possible exceptions to the Significant Gaps policy, but given that the examples of such exemptions as set out in paragraph 1.5 of the reasoned justification is not a closed list, that is unnecessary.

Conclusion

52. With the recommended MMs the Spatial Development Strategy is positively prepared and justified.

Issue 2: Whether the Plan is justified, effective and consistent with national policy in relation to its approach to the Green Belt?

Green Belt Boundary Alterations

53. The NPPF is clear that once established, Green Belt boundaries should only be altered where exceptional circumstances are fully evidenced or justified, through the preparation or updating of plans. Strategic policies should establish the need for any changes to Green Belt boundaries, having regard to their permanence in the long term, so they can endure beyond the plan period.
54. The South Worcestershire Green Belt Assessment Part 1 Strategic Assessment (SP5) was undertaken to assess the form and function of the Green Belt in respect of the fulfilment of the purposes set out in the NPPF. Part 2 of the study (SP1) considers the role of the Green Belt against site specific proposals. We are aware that the updated Planning Practice Guidance (PPG) (February 2025) identifies the key steps in a Green Belt assessment and requires authorities to (amongst other things) evaluate the contribution each assessment area makes to the Green Belt purposes (a) (check unrestricted sprawl of large built-up areas), (b) (prevent neighbouring towns merging) and (d) (preserve the setting and special character of historic towns) only. As such, there is no longer a need to consider (c) (assist in safeguarding the countryside from encroachment), or (e) (assist in urban regeneration).
55. However, we are content that the assessment is consistent with the PPG that was in place at the time the Plan was submitted and is robust. Thus, as set out in our Post Hearings Advice Letter (EXAM 99), we are broadly content that the assessment has been undertaken on the basis of a clear and coherent methodology that is consistent with the NPPF.
56. We have concluded elsewhere in our report that the Councils can demonstrate that they can meet their employment land requirement over the Plan period. Therefore, in employment terms the identified need for development within the area can be met without altering the Green Belt boundary. Having considered the evidence and what we heard at the hearings, as set out in our post hearings letter (EXAM 99), we therefore find that the arguments put forward are not sufficiently compelling to establish a need for changes to the Green Belt, and find that exceptional circumstances have not been fully evidenced or justified to remove the 8.12 hectares of land from the Green Belt at Blackpole Road.
57. Additionally, we agree with the findings of SP1 (Green Belt Part 2 South Worcestershire Site Assessments) which concludes that the land at Blackpole Road (Parcel S13) makes a contribution to the purposes of safeguarding the

countryside from encroachment. Overall, this means that the parcel continues to actively contribute to the purpose of the Green Belt. The proposed development would have a significant impact on the openness of the Green Belt through the development of the proposed employment uses and associated infrastructure. Despite the proposed new planting to the edges of the site, the proposal, by its nature would have a significant and unavoidable impact on openness and would result in a considerable encroachment into the Green Belt.

58. As a consequence, taking all the above into account, including our conclusion that exceptional circumstances required by paragraph 140 of the NPPF have not been evidenced for the Plan to be justified and consistent with national policy, **MM5** is required to remove reference to the Blackpole Road site being removed from the Green Belt in Policy SWDPR 04. Due to a mapping error, the site was not shown to be taken out of the Green Belt in the submission version of the Plan (which showed it's Green Belt status as being retained). As such, no change to the boundaries of the Green Belt as shown on the Policies Map is required in this regard.
59. A further change is required to delete the Blackpole Road employment allocation (Policy SWDPR 61) from the Plan as well as consequential changes which need to be made to the Policies Map. This is considered below in relation to allocations in the section of the report relating to Allocations in Worcester City under **MM70**.
60. Turning to other alterations to the Green Belt, the adopted South Worcestershire Development Plan identifies a number of Major Developed Sites (MDS) within the Green Belt that predominantly comprise previously developed land. These include Worcestershire Sixways (including the Worcester Warriors Rugby Club stadium) and the employment sites at Hartlebury Trading Estate and Site 7 Trading Estate. The Green Belt Study (SP5) recommends that these are removed from the Green Belt, with the subsequent Green Belt boundary to follow the clearly defined boundary of the built extent of the sites.
61. The Green Belt Study finds that Worcester Sixways makes only a limited contribution to Green Belt purposes. As a built up leisure/recreation/employment site it is largely developed and strongly bounded. Additional development there could help to reinvigorate the offer of the site and support the potential re-opening of the stadium.
62. Hartlebury Trading Estate is a former Ministry of Defence site with a substantial footprint and is an important employment site. The Green Belt Study finds that the site makes no contribution to any Green Belt purpose. The Plan also includes four allocations for employment sites within the Trading

Estate which would follow from its removal from the Green Belt (these are considered elsewhere in our report). Similarly, Site 7 Trading Estate is a former Ministry of Defence site which the Green Belt Study finds makes no contribution to Green Belt purposes.

63. The Green Belt study further recommends that two other employment areas at Oak Park Trading Estate and Ikon Trading Estate are removed from the Green Belt in the same way. Whilst these were not identified as MDS, both are built up former Ministry of Defence sites that the Green Belt Study finds make no contribution to Green Belt purposes.
64. The housing estate around Waresley House Mansions is in the Green Belt and comprises around 80 recently developed houses. The Green Belt Study finds that reflecting the relatively dense and largely self-contained physical character of the development, along with its proximity to the inset village of Waresley, the built extent of development does not contribute to the Green Belt. In removing the estate from the Green Belt the existing development boundary of Warseley would be extended across the A449 to include the built-up extent of the site south and east of Manor Lane. The parkland to the south of the built-up area would remain in the Green Belt.
65. Overall, these changes will result in the loss of only a small amount of Green Belt, some of which was previously included within the boundaries of the MDS where proposals for employment/leisure development were supported by the adopted Plan in order to help inform investment decisions. In all cases the changes would result in the creation of strong and defensible boundaries, and the proposed changes are fully evidenced and justified. The alterations would have minimal impact on the integrity of the Green Belt. For these reasons we are satisfied that exceptional circumstances exist to justify these changes to the Green Belt.
66. The submitted Policies Map omitted the removal of the land at Hartlebury Trading Estate (which are shown for allocation as four employment sites) from the Green Belt in error. Whilst the Policies Map is not defined in legislation as a development plan document and we have no power to recommend MMs directly to it, its role is to illustrate geographically the application of policies in the Plan and we are content that this change can be made to the submission Policies Map on adoption of the Plan.
67. The removal of further land from the Green Belt at Hartlebury Trading Estate would involve land outside the boundary of the previous MDS. As set out above, since the Councils are able to meet their employment requirement over the Plan period, we are not persuaded exceptional circumstances would exist to remove any further land from the Green Belt at the Hartlebury Trading Estate.

68. Additionally, we have considered the arguments put to us that further land should be removed from the Green Belt for housing development. The Sustainability Appraisal Issues and Options report concluded that directing housing to land in the Green Belt is not a reasonable option. We have found through our examination that the Councils can demonstrate that they can meet their housing requirement over the Plan period without altering the Green Belt boundaries. The Councils have found that the exceptional circumstances to justify alterations to Green Belt boundaries were not demonstrated in this regard. Based on the evidence, and the great importance attached to Green Belt boundaries in the NPPF, we find that this approach is justified.

SWDPR 04: Green Belt

69. SWDPR 04 sets out the approach to managing development in the Green Belt and seeks to restrict development there, but as submitted it is not consistent with national Green Belt policy and is not effective. Accordingly, **MM5** is required to refer to the geographic expression of the Green Belt being on the Policies Map, and to remove confusing wording in criteria B to E and replace it with simplified and clear wording that requires proposals in the Green Belt to be in accordance with the NPPF. Associated alterations to the reasoned justification are also required to reflect these changes including the deletion of the unnecessary description of the changes to the Green Belt included in paragraph 4.4 and the repetition of the approach to openness in paragraph 4.5. These changes are required so that SWDPR 04 is consistent with national policy and effective.
70. Criterion F considers the Regional Emergency Services and Civil Resilience Site at Hindlip Park which is in the Green Belt, but is not consistent with the NPPF as drafted. Amendments are needed to delete reference to very special circumstances, to clarify the approach to the core site boundary and to ensure that the approach to previously developed land, limited infilling and openness accords with the NPPF. Alterations to the associated reasoned justification in relation to Hindlip Park to reflect these changes and to avoid any unnecessary repetition with the policy text are also necessary. Additionally, there are changes to the Policies Map suggested by the Councils which indicate minor alterations to the core site boundary as set out in EXAM65.
71. **MM5** includes further amendments to the reasoned justification to accord with the changes to the policy, avoid unnecessary repetition of national policy and to delete reference to the Blackpole Road site being taken out of the Green Belt. These are also required for effectiveness and to ensure consistency with national policy. We have considered whether further changes to the policy raised via the MM consultation to refer to a subsequent review of the Green Belt are needed for soundness. However, since this is a matter for the Councils in future plan making and would be undertaken in the context of the

relevant national policy at that time, we do not regard such a change to be necessary to secure the soundness of this Plan.

Conclusion

72. Subject to the MMs set out above, the Plan's approach to Green Belt is justified, effective and consistent with national policy.

Issue 3: What is the minimum number of homes needed for the Plan area, and would a five-year supply of deliverable housing sites be demonstrated on adoption of the Plan?

Housing Need

73. The Councils undertook an assessment of local housing need (LHN) using the standard method as per the NPPF and the relevant version of the PPG. Policy SWDPR 02 includes that the output of the standard method (the LHN) applied to the plan period of 2021 – 2041 is 25,860 which equates to 1,293 dwellings per annum (dpa).
74. The PPG states that LHN calculated using the standard method may be relied upon for a period of 2 years from the time that a plan is submitted to the Planning Inspectorate for examination. Given that the examination of the Plan has extended beyond 2 years, we requested the Councils to recalculate LHN using the latest available inputs. The recalculated LHN figure to be applied to the period 2025 to 2041 is 18,352 (1,147 dpa). The LHN figure was recalculated in accordance with the standard method using appropriate up to date inputs.
75. The affordability adjustment is applied to take account of past under-delivery and so cannot be applied to the period before LHN is calculated. The Councils set out that 6,175 dwellings would have been delivered in the first 4 years of the plan period. Whilst this number is in excess of the identified annualised need as set out in the Plan, any such provision over the minimum requirement would not be taken into account in the period 2025 - 2041 due to the effect of the affordability ratio in the standard method.
76. The PPG² considers when it might be appropriate to plan for where increases in housing need are likely to exceed past trends and provides examples of such circumstances.
77. It has been argued by some representors that economic growth factors mean that there is a higher level of housing need than the standard method

² Housing and economic needs assessment Paragraph: 010 Reference ID: 2a-010-20201216

indicates. Firstly, we note that the employment land needs for the Plan have been calculated using a methodology based on employment land take up, rather than being jobs based. So the anticipated economic growth is not calculated upon changes in the labour market. In addition, there is no persuasive evidence, even with the economic forecasts undertaken in 2021 being more positive than those undertaken earlier in plan preparation in 2018, that the provision of housing and employment land by the Plan would be out of step. Consequently, economic growth factors do not indicate that there is a higher level of housing need than the standard method indicates.

78. The PPG is clear that in the standard method, the baseline should be set using national household growth projections (specifically the 2014 based household projections in England, table 406 unitary authorities and districts in England) for the area of the local authority. Whilst it has been put to us that later projections should be used as they identify greater housing need, that would not be what the Government intended through the PPG.
79. During the examination the Government published a revised standard method for the assessment of housing need. The calculation of LHN for South Worcestershire, using the revised standard method results in a significantly higher LHN than that for this Plan, which is being examined under the transitional arrangements set out in the current NPPF. The implications of the revised standard method are for the Councils in the preparation of their next local plan. Given the transitional arrangements, and the need to significantly boost the supply of homes, to delay the adoption of the Plan on account of the revised standard method would not be consistent with the national policy against which we are examining this Plan.

Unmet needs of neighbouring areas

80. The Plan includes the provision of 500 dwellings towards meeting the unmet housing need of Tewkesbury Borough Council. There is no convincing evidence that the Plan should be accommodating housing need that cannot be met within any other neighbouring area as established through SOCGs.

Housing requirement

81. The housing requirement for the period 2025 – 2041 should be the outcome of the standard method plus the 500 dwellings towards meeting the needs of Tewkesbury Borough, namely 18,852 dwellings (1,178 dpa). The housing requirement applies to the plan area as a whole, and not the individual Council areas, which we consider to be a sound approach in that it effectively deals with matters such as the expansion of Worcester City beyond the City Council boundary and unmet housing need within the plan area. With the dwellings already provided in the plan period to 2025, the total provision of housing in the

plan period 2021 – 2041 would be a minimum of 25,027. SWDPR 02 and the reasoned justification should be amended accordingly (**MM3**) so that the Plan is justified.

82. So that it is justified, the housing requirement in SWDPR 02 should be amended to reflect the updated housing requirement. To be effective, the title of the policy should also be amended to delete 'retail' as the Policy is not concerned with retail requirements (**MM3**).
83. SWDPR 02 should also be modified to include reference to the housing trajectory which will be included in the Plan as Annex H so as to be consistent with national policy (**MM75**). Inevitably, the trajectory is a snapshot in time, and its preparation has involved the exercise of professional judgement about matters such as delivery rates, based on evidence available at the time of the examination and tested through our examination. SWDPR 02 should also set out how housing delivery monitoring will be undertaken.
84. The reasoned justification should be amended so that it is clear that the Plan is providing housing towards the unmet needs of Tewkesbury Borough. The reasoned justification should also make clear that the Plan is not setting housing requirements for designated neighbourhood areas. These changes are necessary for effectiveness. The changes to Policy SWDPR 02 and the reasoned justification are set out in **MM3**.
85. Annex E of the Plan sets out in a table the housing requirement to 2041 by designated neighbourhood area. There is not the evidence to justify the individual housing requirements for neighbourhood areas set out in Annex E which is therefore deleted by **MM79** so that the Plan is justified.
86. We have also had regard to whether provision should be made for more homes to deliver additional affordable housing. Clearly there is considerable need for the provision of affordable housing (HOU2) in South Worcestershire. The evidence suggests that there would have to be a significant uplift in housing provision for the identified affordable housing need to be met in full. However, such an uplift would lead to provision in excess of the total identified housing need for the area, with unknown implications for neighbouring areas. The evidence does not persuade us that requiring the provision of more housing overall, would lead to a greater provision of affordable housing.
87. Some representors consider that the Plan should include a flexibility allowance as not all housing allocations may deliver as expected. Whilst the NPPF sets out that the standard method should be used to determine the minimum number of homes needed, there is no requirement as such for provision of an additional allowance or 'buffer' in national policy to provide such flexibility. Furthermore, the identified housing land supply for the plan period would

comfortably exceed the housing requirement, and the current NPPF is clear that the Councils should begin work on a new plan, under the revised plan-making system provided for under the LURA in any event. Consequently, the Plan is sound in this regard.

Housing Land Supply

Five-year housing land supply

88. The NPPF is clear that local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies.
89. The Councils requested that we confirm that the South Worcestershire Councils have a five-year housing land supply on adoption of the Plan as per NPPF (September 2023) paragraph 74. There is no such provision in the current national policy. Nevertheless, in applying the 10% buffer as required by the NPPF Sept 2023, we have undertaken a robust examination of the housing land supply. Based on our recommended MMs, the five-year requirement is 6,479 dwellings (1,178 x 5 years + 10% buffer).
90. The PPG sets out that strategic policies should identify a five-year housing land supply from the intended date of adoption of the plan. The latest LDS indicates that the Councils intend to adopt the Plan in March 2026. The most up to date housing land supply evidence relates to 2024, whereas we have to make judgements about what may realistically have happened between then and the point of adoption. There is of course a significant degree of uncertainty, meaning that a precautionary approach should be taken. Our assessment of housing land supply is based on the evidence before us. Any future assessment by the Councils will be a point in time assessment undertaken using relevant housing land supply data available at that time.
91. We have considered the Councils' identified housing land supply as set out in EXAM 30A. At the hearings we focused our attention on the specific sites which had been challenged by participants in their statements as set out in the Scott Schedule (EXAM 73), but we have given consideration to all aspects of the anticipated supply. The Councils identified a total supply of 7,989 dwellings for the five years from 2025/26 (EXAM 30A).

Lapse rates

92. The Councils have applied a 5% lapse rate to some elements of the housing land supply. There is no requirement to do so in either national policy or guidance, and the definition of deliverable in the NPPF includes the assessment of whether there is clear evidence that homes will be delivered within five years,

thereby effectively dealing with this. We therefore consider that there is no need for the Councils to apply a lapse rate in the assessment of a five-year housing land supply. This however makes a marginal difference to the five-year housing land supply.

Components of supply

93. Table 3 of EXAM 30A the Councils Five Year Housing Land Supply Topic Paper sets out the Councils table of commitments in the five-year housing land supply calculation. Following our assessment of the different components of supply as set out in this report, we consider that the overall supply picture is as below:

Sites which do not involve major development and have planning permission, and all sites with detailed planning permission

94. We consider that all identified sites which do not involve major development and have planning permission, and all sites with detailed planning permission, should be considered deliverable as there is no clear evidence that homes will not be delivered within five years.

The sites with outline planning permission

95. We are satisfied that all of the sites with outline planning permission should be considered as being deliverable on the basis set out in EXAM 30A, except 13/00656/OUT which forms a significant part of the allocation SWDPR 60 Worcester South.
96. There is no doubt that progress is being made towards the implementation of planning permission reference 13/00656/OUT, which provides for 2,204 dwellings at the Worcester South allocation. The Councils have confirmed that a reserved matters application has now been made and validated (M/25/01398/RM) for site infrastructure which would enable the first phases of development. As there remain a significant number of planning conditions to be discharged, that approval of reserved matters for the necessary infrastructure is needed, and that the submission of reserved matters applications for housing in the relevant sub phases has to be made, we do not agree with the Councils and site developer as to the amount of housing which would come forward in the five-year housing land supply. Instead, we consider that the permission would make a more modest contribution of around 200 dwellings in the last 2 years of the five-year period. This is some 400 dwellings fewer than was anticipated in EXAM 30A.
97. Since EXAM 30A was compiled, planning permission has been granted for 70 dwellings under application reference 21/01217/FUL within the Worcester South allocation, whilst planning application reference 22/00714/FUL should add a further 48 dwellings to the five-year housing land supply. We are satisfied that there is clear evidence for 118 dwellings coming forward from these

sites in the 5YHLS. This means that we include in the supply 318 dwellings in the five-year supply against the 600 set out in EXAM 30A.

Proposed Allocations

98. We have excluded a number of allocations from the five-year housing land supply as we do not consider that there is clear evidence that housing completions will begin on site within five years. This is because there is no extant planning permission for these sites, or demonstrable progress towards the submission of applications, evidence of site assessment work, or clear relevant information about matters such as viability, ownership constraints and infrastructure provision having been provided. However, on the evidence, we consider it likely that these sites will be delivered within the Plan period, and should be pushed back in the housing trajectory. The anticipated delivery from these sites in the five-year housing land supply is around 390 dwellings. These are:

MHPH01 Land South of Madresfield Road

MHPH06 Land west of Terrills Lane

MHPH07 Hope Meadow Drive / Hope Lane

MHPH13 Land to centre of Bayton

MHPH14 Land South of Old Malvern Road

MHPH16 Broomfields Farm Shop, School Plantation

WCHO02 Land to the rear of 14-20 Barbourne Road

WYHMA09 Land off Davies Road (former leisure centre)

WYHMA13 Laurels Avenue

WYHMA14 Station Road

WYPH08 Land North East of Main Street

WYPH11 Land at Middle Lane / Field Barn Lane

WYPH16 Land off Upton Road

WYPH18 Blacksmiths Lane

WYPH20 Long Hyde Road

WYPH24 Land at junction of Cleeve Road and School Lane

Windfall

99. The submitted plan in SWDPR 02 includes a windfall allowance for the Plan period of 2,460 dwellings. The Housing Topic Paper (HOU4) prepared for the Regulation 19 consultation states that 'to ensure double counting has not occurred, the windfall allowance is not included in years 1-3, with years 4-10 including the full windfall allowance of 180 dwellings per annum. For the remainder of the plan period (years 11-20, 2031/32 to 2040/41) the windfall allowance is reduced by one third to 120 dwellings per annum. This is due to the expectation that smaller infill sites occurring across the SWC will reduce over time, and that the three strategic sites would be under construction, also reducing the reliance on windfall completions'.
100. This is the approach taken in the Strategic Housing and Employment Availability Assessment (SHELAA) which includes a small sites windfall allowance of 180 dwellings per annum for years 4 to 10.
101. Post submission, the Councils consider that a small sites windfall allowance should be applied of 240 dwellings per annum. The average small site windfalls in the past 3 years for which there is evidence is appreciably below that figure, and there is no compelling evidence to justify a figure of 240 dwellings per annum for the plan period. This is especially so considering that changes proposed to development boundaries are modest, and the changes to the classification of some villages has meant removal of some development boundaries, in addition to the context of significant numbers of dwellings proposed to come forward on the strategic sites.
102. The updated evidence in respect of small windfall sites does not convince us that an allowance of 240 dwellings per annum should be included in the housing land supply. The small site windfall allowance should be that set out in the submitted Plan, and applied from year 4 in the five-year housing land supply to avoid any double counting with the commitments.

Large site windfalls

103. The submitted Plan takes what the SHELAA describes as a cautious approach in not including large site windfalls. In EXAM 23 the Councils evidence the contribution to housing land supply that large site windfalls have made in the past 10 years. This is an average of 249 dwellings per annum. This figure ex-

cludes sites allowed on appeal so that the effects of the application of paragraph 11 of the NPPF (the presumption in favour of sustainable development) are removed. Clearly, large site windfalls have made a significant contribution to housing land supply in recent years. The extent to which this is down to the application of NPPF paragraph 11 at times where the Councils could not demonstrate a five-year housing land supply is not known. However, despite past trends, there is no compelling evidence before us that large site windfalls would continue at the recent rates into the future and be a reliable source of supply for the rest of the plan period. There is little evidence as to the type of site which has been coming forward, or of the capacity for such sites to come forward in the future, especially given tight development boundaries. So, whilst we have some sympathy with the Councils concerning large site windfalls, we do not include an allowance for large site windfalls.

Windfall conclusions

104. It is clear that windfall completions have been a significant element of housing land supply in South Worcestershire. Whilst we appreciate that there may very well be a continuing contribution from large windfalls, we do not agree that account of it should be made in the way the Councils propose.
105. Nevertheless, we are satisfied that the evidence before us is such that the ongoing supply of small windfall sites is much more certain, and we conclude that an allowance of 180 dwellings per annum from windfall sites should be included from 2028/29 to 2030/31 with windfall being 120 dwellings per annum for the years 2031/32 to 2040/41, giving a supply from windfall sites of 1,740 for the remainder of the plan period, and 360 in the five-year housing land supply. This is some 1,086 fewer dwellings than that allowed for in the five-year housing land supply as set out in EXAM 30A.

Conclusions on the five-year housing land supply

106. We consider that 1,758 dwellings should be removed from the five-year housing land supply as stated in EXAM 30A (7,989). This means that the demonstrated five-year supply of housing is 6,231, against the five-year housing land supply requirement of 6,479. Consequently, it has not been demonstrated that there would be a five-year supply of deliverable sites on the adoption of the Plan as per NPPF paragraph 74b by applying the required 10% buffer to a housing requirement based on the updated LHN, which means that housing land supply cannot be confirmed through the Plan. That said, there would be a five-year housing land supply on adoption if a 5% buffer were applied instead.
107. The latest housing trajectory (EXAM 24A) shows that annual housing completions are likely to peak in the middle years of the plan period, before falling back. We broadly agree with this, though given our findings on the delivery of the allocations, housing land supply may be sustained at a higher level than

set out in the trajectory further towards the end of the plan period. Consequently, the adoption of the Plan should significantly boost deliverable housing land supply in the medium term. And whilst a five-year housing land supply hasn't been demonstrated as per the NPPF with a 10% buffer, the adoption of the Plan would improve supply in the immediate term considerably above current levels.

108. At the hearings it was discussed whether paragraph 78c of the then current NPPF (2024) would apply to South Worcestershire as from 1 July 2026 whereafter a 20% buffer may apply when calculating whether there would be a five-year housing land supply for the purposes of decision making only. Nevertheless, this examination is being conducted on the basis of the NPPF 2023. Even if we had found that there was a five-year housing land supply on adoption against NPPF 74 B in the September 2023 NPPF, provisions of the current NPPF would take effect in due course in any event.
109. Despite the Plan not demonstrating a five-year housing land supply on adoption with a 10% buffer applied, we consider it pragmatic that it proceeds to adoption on this basis, especially as there would be a five-year housing land supply with a 5% buffer. The Plan will boost significantly the supply of housing as a whole and will meet the identified need across the plan period. It will also deliver new housing, beyond the plan period in particular in respect of the proposed new settlement at Worcestershire Parkway. Moreover, it will provide a contribution to addressing the unmet housing need in Tewkesbury. Given these factors, we did not seek provision of further sites in an attempt to boost supply in the short term, which would in any event demand more housing than is needed for this Plan.
110. In reaching that view we are mindful that the seeking of further sites would have caused a considerable delay to the adoption of the Plan (which has already been delayed) and that housing land supply is likely to worsen further as the existing supply is taken up in the intervening time. Also, the Lichfield start to finish report which a number of representors have drawn to our attention through their submissions, gives us little comfort as to the value of providing more allocations to boost supply for the short term, given the reported lead in times until delivery.
111. Furthermore, given paragraph 234 of the current NPPF, the Councils will be expected to begin work on a new plan, under the revised plan-making system provided for under the LURA (as soon as the relevant provisions are brought into force), in order to address the anticipated shortfall in housing need against that to be established through the updated standard method.
112. SWDPR 02 is not clear as to the delivery of homes through the Plan period and does not refer to the Housing Trajectory. For effectiveness **MM3** sets out

that the five-year housing land supply will be recalculated annually and will include any past deficit or excess from the base date 1 April 2025, using an annual housing requirement of 1,178 dwellings. This is consistent with the PPG³ which sets out that where areas deliver more completions than required, the additional supply can be used to offset any shortfalls against requirements from previous years. Any such assessment will be undertaken in the context of the relevant national policy at that time.

Overall housing land supply

113. Our recommended MMs have implications for the supply of housing across the plan period as a whole, as the allocation of 2,000 dwellings needs to be removed from supply given our findings in respect of the proposed new settlement at Throckmorton, and in respect of windfall, compared to what was assumed in EXAM 30A. Despite this reduction, the overall identified housing land supply for 2025 – 2041 should comfortably meet the total minimum housing requirement for that period. Whilst we have not been persuaded by compelling evidence that a contribution from large windfalls has been demonstrated sufficiently to include it in the housing land supply, it may be that some comes forward which would provide some headroom. This gives further comfort that the overall requirement would be exceeded.
114. Table 1 of SWDPR 02 sets out the anticipated housing land supply for the plan period and includes components which will inevitably change over time. The housing land supply elements of Table 1 are now out of date and should be removed from the Policy. The updated housing land supply should be set out instead in the reasoned justification with it made clear that the housing land supply position is that which exists at the time of the examination. This is dealt with by **MM3** and is necessary for effectiveness and to ensure that the Plan is justified.

Conclusion

115. The minimum number of homes needed for the Plan area has been updated during the examination and will be applied from 2025 due to LHN being recalculated. Whilst a five-year supply of deliverable housing sites has not been demonstrated on adoption of the Plan with a 10% buffer, it is pragmatic that the Plan should proceed to adoption in order to significantly boost the supply of housing in South Worcestershire.

³ Paragraph: 023 Reference ID: 68-032-20190722

Issue 4 – Has the Plan been positively prepared and is it justified, effective and consistent with national policy in meeting housing needs of different groups in the community over the plan period?

SWDPR 16: Housing Mix and Standards

116. The NPPF requires planning policies to create places that amongst other things, are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users. It explains that policies should make use of the Government's optional technical standards for accessible and adaptable housing, where this would address an identified need for such properties. The PPG indicates that local planning authorities will need to gather evidence to determine whether there is a need for additional standards in their area, and justify setting appropriate policies in their local plans.
117. SWDPR 16 deals with housing mix as well as standards relating to the Nationally Described Space Standards, Accessible and Adaptable Dwellings and Wheelchair Adaptable Dwellings and Self or Custom Build Housing. However, as drafted it is not compliant with national policy or effective and a number of changes are required via **MM18**.
118. Criterion A seeks to ensure that the housing mix of developments are informed by the latest evidence of the needs of different groups and is amended for clarity to remove the unnecessary reference to housing for the needs of older people and to be clear that the mix will be informed by the Strategic Housing Market Assessment (SHMA).
119. Criterion B requires the Nationally Described Space Standards to be met by all new residential development. The PPG deals with internal space standards and finds that where a need for internal space standards is identified, local planning authorities should provide justification for requiring internal space standards and take account of amongst other things, need. Evidence should be provided on the size and type of dwellings currently being built in the area, to ensure the impacts of adopting space standards can be properly assessed, for example to consider any potential impact on meeting demand for starter homes. The impact of adopting the standard should also be considered as part of the Plan's viability assessment, and consider the impacts on affordability.
120. The Councils have provided evidence to demonstrate the need for the policy with reference to a number of permissions for major applications which found that 44.6% of the dwellings assessed fell short of the standards. The requirement has been factored into the Plan's viability assessment and we find that the policy is justified. However, to ensure it can be applied flexibly criterion B is amended to allow feasibility to be considered.

121. Criterion C relates to accessible and adaptable dwellings and requires all development to meet the requirements of the Building Regulations Part M4(2). The NPPF is clear that these must address an identified need which in this case has been evidenced in the SHMA and factored into the viability assessment of the Plan. As such this requirement is justified and in line with national policy. Criterion C is amended to clarify that the requirement is a minimum and to include exceptions previously set out in a footnote within the policy.
122. Criterion D relates to wheelchair user dwellings as set out in the Building Regulations Part M4(3). The NPPF says these must address an identified need and the SHMA recommends that 4.5% of new dwellings are built to wheelchair accessible standards. However, the policy as drafted requires 5% of dwellings on sites of 20 dwellings or more to meet the requirements of the Building Regulations Part M4(3)(2) 'a' and be wheelchair adaptable. As such, the policy as drafted is not justified or effective in this form.
123. Amendments are necessary to ensure criterion D refers to the Building Regulations Part 4(3) concerning Wheelchair User Dwellings in general terms (such that both wheelchair adaptable dwellings considered under Part 4(3)(2)a, and wheelchair accessible dwellings considered under Part 4(3)(2)b can be secured where appropriate). They are also needed to delete the requirement that the resultant dwellings are equally split between market and affordable where practicable, since the PPG is clear that policies for wheelchair accessible homes should be applied only to those dwellings where the local authority is responsible for allocating or nominating a person to live in that dwelling. **MM18** included requirements previously set out in footnote 38 of the Plan in error. We have amended **MM18** to delete these requirements, this is a minor change, and no prejudice should occur as a result. The addition of further requirements relating to need and viability suggested by representors to the MMs are not justified by evidence or required for soundness.
124. The viability assessment (EXAM41) considers category M4(3)a wheelchair adaptable dwellings in line with the policy as originally drafted and applies a baseline assumption price per unit (table 5.9). Whilst no specific consideration is given to wheelchair accessible dwellings, the provision of which are likely to be more expensive, we are generally content that the requirement for wheelchair accessible dwellings (where the local authority is responsible for allocating or nominating the person to live there) would not have any unreasonable impact on the overall viability of the Plan.
125. Criterion E deals with self/custom build and the NPPF requires the housing needs of different groups in the community to be assessed and reflected in housing policies, including for people wishing to commission or build their own homes. The PPG clarifies that in plan making the starting point for establishing overall demand for self-build and custom build housebuilding would be the

number of registrants on Part 1 and Part 2 of the register. The Councils have provided evidence of some 463 individuals on the register overall as of October 2024 and need of some 151 plots at that time. Subject to amendments to the policy brought about by **MM18** to include the exceptions previously set out in the footnotes, to introduce the parameters for when self-build plots can be released, and to set out the specific marketing requirements for the policy in the reasoned justification by reference to the relevant Annex, we are satisfied that this part of the policy is justified and effective.

126. Changes are also made by the modification to include text formerly in the footnotes within the policy and reasoned justification, and to update the reasoned justification to accord with the amendments made to the policy.

SWDPR: 17 Sub-division, Multiple Occupation and Changes of Use of Dwellings

127. Conversions to different forms of accommodation have an important role to play in housing land supply in South Worcestershire and contribute to the provision of affordable rented accommodation. SWDPR 17 recognises the ongoing need for a range of different forms of accommodation including those for students and other people with shorter-term housing needs. It sets out the circumstances under which the sub-division or multiple occupation of dwellings and changes of use to hostels and guest houses will be supported, but as drafted it is not effective.
128. **MM19** is required to explain when an existing over concentration of uses will be considered to have occurred (criterion i) and to clarify what is meant by the significant loss of large family housing (criterion iii). The tipping point at which there would be an over concentration of uses has been set at 10% of properties within a 100 metre radius, and the creation of more than two adjacent properties in Houses in Multiple Occupation use is prohibited. These requirements align with the standards already set out in the Worcester City Council's Houses in Multiple Occupation Supplementary Planning Document (2014) and are justified.
129. Changes to the policy are also required to remove the requirement in criterion iv that properties must be detached, and instead require adequate soundproofing in order to provide flexibility, and to include wording/definitions previously in the footnotes within the Policy and reasoned justification wording itself. These changes are also needed for effectiveness.

SWDPR 18: Affordable Housing

130. SWDPR 18 sets out a number of requirements for the provision of affordable homes for new residential development, including within designated rural areas, on greenfield sites and on brownfield sites. These would help to address

the identified shortfall of around 906 affordable dwellings each year across South Worcestershire as set out in the SHMA Update 2021 (HOU2). The viability assessment states that the Plan is deliverable with affordable housing at 40% on greenfield sites and 30% on brownfield sites and we consider that the Plan's percentage requirements for affordable housing are justified.

131. Overall, we are satisfied that the strategy for affordable housing is generally effective and justified, whilst being flexible enough so as not to prejudice the delivery of development, but a number of changes are needed to ensure it is consistent with national policy and effective. These are set out in **MM20**.
132. As drafted criterion E requires 25% of affordable housing to be First Homes (as set out in the Affordable Homes Update Written Ministerial Statement 24 May 2021) a requirement that no longer applies nationally. The Councils propose to refer instead to an affordable homes tenure split of 70% social rented and 30% affordable home ownership as set out in the SHMA and have provided evidence that in South Worcestershire the requirement of 25% of the affordable housing provision on market led sites to be in the form of First Homes limits the delivery of other affordable home ownership such as shared ownership as well as social rented dwellings. In the circumstances, and since it is justified by local evidence and would ensure that the tenure of housing for different groups in the community would be reflected, we are satisfied that the affordable homes tenure split of 70% social rented and 30% home ownership is justified and appropriate for inclusion in criterion E.
133. Changes are also required to refer appropriately to the National Landscapes in criterion F, to remove reference to 'exceptionally and usually on brownfield sites' in criterion G to provide the necessary level of flexibility in relation to viability, and to include a new criterion to support 100% affordable housing schemes. Changes are also included to incorporate text previously set out in footnotes within the Policy and to make consequential changes to the reasoned justification.

SWDPR 19: Rural Exception Sites

134. The NPPF requires local planning authorities to support opportunities to bring forward rural exception sites that will provide affordable housing to meet identified local needs. SWDPR 19 sets out the circumstances under which such development will be permitted, but as drafted is not clear or effective and there is some inconsistency with national policy.
135. **MM21** is required to clarify what is meant by 'reasonably adjacent to' development boundaries, and to include the approach to villages without development boundaries in criterion A. Amendments are also needed to amend the wording in criterion iv relating to how the appropriate size of Rural

Exceptions Sites will be judged such that it aligns with the NPPF, to explain the approach in villages within the National Landscapes in criterion vi using the correct terminology, and to delete the requirement for proposals to be consistent with other plans and guidance which are not part of the development plan (also in criterion vi). Additionally, it is necessary to clarify via new criterion B that all rural exception sites will be required to provide 100% affordable housing (not just those in the National Landscapes as currently drafted) and to set out the approach where affordable housing is not feasible or viable.

136. Finally, changes are needed to clarify that all the criteria listed in the policy apply, and to incorporate what were footnotes into the policy and reasoned justification, as well as to delete any repetition of the policy text from there. Subject to all these changes, we find that SWDPR 19 is consistent with national policy and will be effective in helping to meet the needs for affordable homes in rural areas.

SWDPR 19A: First Homes Exception Sites

137. First Homes are intended to provide affordable home ownership opportunities to first time buyers. SWDPR 19A aligns with the Government's aspirations to allow the provision of First Homes via exception sites (small sites brought forward outside of development plans in order to deliver affordable housing), and is permissive of First Homes on land adjacent to development boundaries on land not already allocated for housing.
138. As with Policy SWDPR 19 above the policy as presented is inconsistent with the NPPF and is ineffective. Accordingly, **MM22** is needed to ensure that the size limits in criterion A iii reflect those in the NPPF. In the interests of clarity and effectiveness, changes are also needed to refer to viability assessments being undertaken at the expense of the applicant (criterion B) and to indicate that all the criteria listed in the policy apply. Additionally, and for the same reasons, amendments to incorporate what were footnotes into the policy and reasoned justification, along with other consequential changes to the reasoned justification are necessary.

SWDPR 22: Dwellings for Rural Workers

139. Dwellings for rural workers are supported by SWDPR22 subject to a number of provisions and the tests set out in Annex D of the Plan, and it is generally consistent with national policy. However, it is not effective as drafted. **MM25** is necessary to alter the reference in criterion A iii from net usable floorspace to gross internal area and is required for clarity and effectiveness. Amendments to criterion C via new criterion iv are needed to ensure temporary accommodation provides adequate living conditions. Additionally, the policy is changed to

clarify that all the criteria apply. For the same reasons consequential changes are also needed to the reasoned justification and the Glossary including the deletion of a specific NPPF paragraph number.

SWDPR 23: Class C2 Housing for People with Special Housing Needs

140. SWDPR 23 supports housing for older people with special housing needs, however as drafted it lacks clarity and does not align with national policy and so would not be effective. **MM26** makes amendments to clarify that the policy relates to housing for older people as well as those with special housing needs to accord with the wording in the NPPF, and to update the reasoned justification to explain that use class C2 is not the only housing option available to the aging population with cross reference to use class C3 accommodation.

Conclusion

141. Subject to the MMs described, we find that the Plan has been positively prepared and is justified, effective and consistent with national policy in meeting housing needs of different groups in the community over the plan period.

Issue 5: Is the Plan positively prepared and would it be effective in addressing the likely accommodation needs of Travellers and Travelling Showpeople?

142. As a result of the transitional arrangements set out at paragraph 30 of the 2024 Planning Policy for Traveller Sites (PPTS), the Plan should be considered under the previous PPTS from 2023 and the definition of Gypsies, Travellers and Travelling Showpeople within it. Policy SWDPR 20 sets out the approach to meeting the needs of gypsies, travellers and Travelling Showpeople.
143. Rather than progressing the emerging South Worcestershire Travellers and Travelling Showpeople Policies and Site Allocations Development Plan Document, the Councils intend the Plan to identify a sufficient supply and mix of sites to meet the objectively assessed needs of travellers and Travelling Showpeople as set out in the updated Gypsy and Traveller Accommodation Assessment (GTAA) (EXAM 28). This establishes the need for 167 traveller pitches and 16 plots for Travelling Showpeople (as per the PPTS 2023 definition) over the plan period. These are set out in Tables 20a and 20b in SWDPR 20, however the figures in them are now out of date which means that the Plan is ineffective and inconsistent with national policy in this regard. Consequently, the tables are amended to reflect the updated GTAA by **MM23** in the interests of accuracy and effectiveness and in order to comply with national policy. The modification is also necessary to remove the reference in criterion A to the Development Plan Document, to reflect the updated GTAA in B, and to clarify what unrestricted means in criterion C.
144. Changes are needed to criterion D to clarify the approach to provision for Gypsy and Traveller and Travelling Showpeople at the strategic sites, and to

remove reference to the Throckmorton strategic site. Amendments are also required to criterion E to reflect the fact that at the urban extensions, delivery will be through on or off site provision. However, for effectiveness we have recommended an amendment to the wording of **MM23** as consulted upon. This modifies the reasoned justification to reflect the changes to criterion D in terms of referring to Rushwick generally rather than the strategic allocation there, and to accord with **MM57** and **MM58** in this regard. This change is made for consistency and should not prejudice the interests of any party.

145. The PPTS requires a supply of specific deliverable sites sufficient to provide 5 years' worth of sites against locally set targets, and a supply of specific, developable sites, or broad locations for growth, for years 6 to 10 and, where possible, for years 11-15 as required by the PPTS. In terms of supply, Table 2 of EXAM 28 sets out a number of additional sites that were not included in the submitted Plan, and we set out why these are not appropriate for inclusion in the Plan in our post hearings letter (EXAM 99). We have also set out our concerns as to the contribution that the urban extensions at Worcester South and Worcester West (10 pitches at each) would make to supply given that some financial contributions have already been secured. Additionally, the 10 pitches previously proposed at Throckmorton can no longer be included.
146. Even so, when pitches already granted consent and windfalls are taken into account, we are satisfied that the total supply of Gypsy and Traveller pitches over the plan period would exceed the total need.
147. EXAM28 indicates that 63 Gypsy and Traveller pitches and 12 plots for Travelling Showpeople are needed in the first 5 years of the Plan (from 2024). Whilst the Councils accept that they may not be able to demonstrate a five-year supply of Gypsy and Traveller pitches, they refer to the evidence provided in EXAM 22A. This follow up study involved liaison with households about their identified needs and how they can best be met. It identifies the potential for additional windfalls to come forward in the first 5 years via the regularisation of unauthorised sites (up to 25 pitches) and the expansion/intensification of existing sites (up to 30 pitches). We are also mindful that the shortfall will be made up in subsequent years of the Plan via the required provision on the strategic sites.
148. In terms of sites for Travelling Showpeople, there would be a shortfall of plots over the Plan period overall and in the first 5 years. Given the landownership issues and since a planning application has not yet been made, we are not convinced that the 10 plots intended at Rushwick will come forward in the early part of the Plan. The Councils accept that fewer sites for Travelling Showpeople have historically come forward as windfalls and none are included in Table 2 of EXAM 28. However, EXAM 22A refers to pending applications and the potential for new plots for Travelling Showpeople which would contribute further to supply. It also identifies 2 plots which have the potential to

arise from the expansion and intensification of existing sites. These would further contribute to supply such that the relatively modest shortfall of plots would be further decreased.

149. As such, taking a pragmatic approach given the importance of having a Plan in place and in the context of an early review, on balance we are satisfied that the matter of gypsies and travellers and Travelling Showpeople is dealt with effectively in the Plan via SWDPR 20 which includes a number of criteria that can be applied to any new sites which come forward. These are set out at criterion F but are not clear or effective as drafted and do not accord with national policy. Accordingly criterion F is amended to delete unnecessary and repetitive wording, and to remove the reference to a shop in criterion F(i)(1). Additionally, changes have been made to incorporate text previously within the footnotes into the policy and reasoned justification, to update the reasoned justification based on changes to the policy, to clarify the approach to the tenure of sites, and to refer accurately to national guidance. These changes are made via **MM23** and are necessary to ensure the policy is compliant with national policy and effective.

Conclusion

150. Subject to the MMs set out above, the Plan is positively prepared and effective in addressing the likely accommodation needs of Gypsies and Travellers and Travelling Showpeople.

Issue 6: Is the strategy and provision for employment development and town, district and local centres effective and justified and are the individual economic growth policies clear, justified and consistent with national policy, and will they be effective?

Employment Land Need and Requirement and strategic approach

151. SWDPR 02 sets out that the gross demand for employment land from 2021 to 2041 as identified in the 2022 Economic Development Needs Assessment (EDNA) was 350.5 ha. This has been updated by the EDNA Addendum 2024 (EXAM 25) and reduced to 257.4 hectares (based on cleansed data). Accordingly, the Councils now put forward a revised land requirement of 313.8 hectares (which includes a five-year buffer). The buffer equal to five years of take up in the employment land provision has been applied in order to allow a level of flexibility in the forecasts to account for unforeseen changes in demand and to provide a choice of sites, even towards the latter end of the forecasting period. This has been applied to forecasts for Wychavon and Malvern Hills only, given the already high forecasts in Worcester City.

152. Overall, we find this approach to be justified by the evidence provided and these changes are reflected in **MM3** which amends criterion C of SWDPR 02 in the interests of effectiveness and accuracy.

Employment Land Supply

153. The majority of the proposed employment allocations are within or adjacent to the main urban areas, including the urban extensions, or located at the new strategic allocations. A number of strategic employment sites are identified in SWDPR 11 and smaller allocations are identified in SWDPR 61, 62 and 63 which relate to allocations.
154. As a result of our findings in relation to some of the employment allocations set out elsewhere in this report and in light of the MMs to the Plan, the proposed employment allocations total some 239.16 hectares which (when 97.02 hectares of commitments are factored in) give a surplus of some 22.38 hectares of employment land across the plan area. These amendments are also set out in **MM3** in relation to criterion C of SWDPR 02.
155. As set out in our post hearings advice letter (EXAM 99) taking account of the updates in the EDNA Addendum, we are broadly content that the total employment land provision overall is sufficient to meet the employment requirement within the plan period and would provide an appropriate amount of land that would generate sufficient new jobs to support demand based on past take up rates. This conclusion takes into account the necessary MMs set out elsewhere in this report in relation to the proposed employment allocations, including at Blackpole Road and Throckmorton.

SWDPR 11: Providing the Right Land and Buildings for Jobs

156. This policy sets out the Councils' overarching approach to delivering continued economic prosperity and in criterion A refers to the employment allocations which are set out in SWDPR 51 to 63. These are considered elsewhere in our report. The other criteria at B to E deal with how development concerning the allocated employment sites will be considered. We find the overall approach to be justified, however the policy would not be effective and **MM13** is required to make a number of changes as set out below.
157. It is necessary for criterion A to refer to the allocated sites being shown on the Policies Map, and to update references to the most up to date needs assessment, as well as to include what were previously footnotes within the policy text itself. Criterion B is amended to ensure alternative town centre uses are also resisted on employment sites in addition to residential uses. Changes to criterion C are necessary to clarify that only ancillary town centre uses will be permitted, and amendments to criterion D to include the list of strategic

employment sites there and refer to their names accurately are also needed. Having been omitted from the submission version of the Policies Map in error these are now included on the Policies Map (as shown in the Mapping Changes document).

158. We are not persuaded that this list should include proposed strategic employment sites including that at Worcestershire Parkway as raised through the MM consultation. However, in the interests of accuracy and clarity, the MM as consulted upon to amend the name of the Tenbury Business Park to Upper and Lower Teme Business Parks has been removed.
159. Criterion E is amended so that it is clear it applies to strategic as well as non-strategic employment sites and that any marketing exercise is carried out in accordance with the requirements in Annex B. Consequential changes are also needed to the reasoned justification.

SWDPR 12: Promotion of Town, District and Local Centres

160. This policy details the Plan's approach to the promotion of town, district and local centres. It includes the identification of a hierarchy, with Worcester as the only city centre with primary shopping area, a number of town centres with primary shopping areas (Droitwich Spa, Evesham, Malvern, Pershore, Tenbury Wells and Upton upon Severn), several district centres, and a number of smaller centres designated as local centres. However as drafted it is not effective or consistent with national policy and some changes are required via **MM14**.
161. The boundaries of the Defined Centres, primary shopping areas and primary shopping frontages have been updated to accord with national policy and are shown on the submission Policies Map. Reference to all these notations being shown on the Policies Map is also needed for effectiveness and criterion A is amended accordingly. Having regard to the evidence we consider the hierarchy of centres to be justified. However, the approach to centres in the new strategic settlements needs to be clarified. Amendments are therefore also necessary to Table 4 to ensure that the approach to the centres in these allocations are justified, effective, and consistent with national policy.
162. In response to representations made to the MM consultation, we have amended the wording of MM14 from that consulted on to add the previously omitted local centres planned at Worcestershire Parkway to Table 4 and to refer to them in the reasoned justification in order to ensure consistency with MM55 relating to SWDPR 51. This change is made to ensure accuracy and should not prejudice the interests of any party. We have also considered the request to include indicative floorspace capacity for each centre in Table 4 but have no robust evidence to justify such a further change to the modification.

163. In terms of the sequential and impact policy tests criterion C is modified to clarify that it applies to all main town centre uses, and retail development outside the defined primary shopping areas (again with reference to the Policies Map). Criterion D is also amended to provide clarity on how the approach to Local Retail Impact Tests will be applied outside the Primary Shopping Area, and criterion E relating to change of use applications is modified to delete unnecessary cross reference to other policies in the Plan. Additionally, criterion J relating to farm shops, garden centres, and petrol filling stations is deleted since its requirements are covered elsewhere in the Policy, and criterion K is amended to provide additional clarification on the approach to farm shops.
164. MM14 also includes changes to the reasoned justification to delete repetition of national and local guidance, to explain the approach to the town centres in the strategic settlements and urban extensions, and to refer to the evidence in the updated Town Centres Study as well as to changes to the Use Classes Order.

SWDPR 13: Non allocated Employment Development

165. In order to provide a range of types and sizes of employment sites and premises, this policy seeks to protect employment land that is not allocated for employment purposes in the Plan. As drafted it is not clear, effective or in line with national policy. Amendments are necessary and are set out in **MM15**. These are needed to ensure that the text currently in the footnotes are incorporated within the policy itself, to amend the wording of criterion A and the sub criteria there to provide clarity and additional practical details as to the matters that need to be demonstrated. Also the policy should be amended to be clear in criterion B that permitted development rights will only be removed where there is a clear justification to do so as required by national policy. Consequential changes to the reasoned justification are needed for the same reasons and to ensure that the most up to date evidence base documents are referred to.

SWDPR 14: Employment in Rural Areas

166. This policy seeks to protect existing employment sites in rural areas and to support rural diversification, new rural business uses and live work accommodation where appropriate. It also aims to limit the loss of employment uses in rural areas to residential use.
167. Changes are needed to the policy as drafted to ensure that it is clear, consistent with national policy and so that it would be effective. **MM16** sets out these amendments which include the incorporation of text previously in the footnotes into the policy text, the deletion of superfluous wording, minor corrections to improve the clarity of the wording and to be clear that all the sub criteria apply, reference to the requirements at Annex B and Annex D of the

Plan, and in criterion D acknowledgment of the exceptions set out in the NPPF. The necessary changes also include the provision of clarification in the reasoned justification that, notwithstanding the provisions of criterion A of the policy, in line with the NPPF and in areas of high housing demand the use of employment land for homes would be supported.

Conclusion

168. Subject to the MMs described, the strategy and provision for employment development and town, district and local centres is effective and justified and the economic growth policies are clear, justified and consistent with national policy and effective.

Issue 7: Are the proposed allocations justified, effective and consistent with national policy?

169. Some representations made in respect of the Plan are concerned with what are known as "omission sites". These are sites which have not been allocated in the Plan for development. Whilst we have read all the representations, it is our role to examine the soundness of the submitted Plan. It is not part of our role to examine the soundness of sites that are not allocated in the Plan. Consequently, we did not hold a hearing session dealing specifically with sites that have not been allocated, nor did we discuss the merits of omission sites at other sessions in the interests of fairness. Given our findings on housing requirement and supply, we did not need to ask the Councils to consider ways in which further supply may be provided.

SWDPR 51: Worcestershire Parkway

170. SWDPR 51 is a strategic allocation of approximately 1,130 hectares of land for the delivery of a new settlement focused upon Worcestershire Parkway railway station. The site would provide for 5,000 dwellings to 2041, with a further 5,000 dwellings beyond, along with 50 hectares of employment land, a main town centre, Gypsy and Traveller sites, education provision and other infrastructure and community facilities.
171. The site for the new settlement, with Worcestershire Parkway railway station at its heart, has been selected following a robust site selection process, in accordance with the rail-based strategy set out in SWDPR 03. The development at Worcestershire Parkway would take advantage of the existing investment in rail infrastructure which has taken place there, consistent with paragraph 73 of the NPPF. Furthermore, the close proximity to junction 7 of the M5 would enable delivery of 50 hectares of employment land in an accessible location.

172. A number of changes are needed to SWDPR 51 and the reasoned justification to ensure soundness, particularly resulting from the additional work which has been undertaken in respect of the proposed allocation since the Plan was submitted for examination. This entails extensive changes to the policy and reasoned justification as outlined below. The various changes to SWDPR 51 are set out in **MM55** for the reasons that follow.
173. The policy contains some unnecessary duplication of the key principles and requirements, such as the number of dwellings to be provided, and should be amended so that the requirements are clear.
174. SWDPR 51 does not set out clear policy for the effective implementation of the new settlement. The policy sets out that the proposed new settlement will deliver a scheme in accordance with an agreed comprehensive masterplan, which must be compliant with the Concept Plan (Figure 2). The Concept Plan is not part of the Policies Map and does not set out a spatial distribution of land uses within the defined site and this element of the policy would not be effective. In addition, the reasoned justification paragraphs (1.15 to 1.17) set out that a Spatial Framework document will be prepared and adopted as a Supplementary Planning Document (SPD) to provide further detailed policy and guidance. This would not be effective as the requirement is not set out in the policy and in any event, whilst the SPD can add further details to development plan policies, policy for development of the allocation should be set out in the development plan. Consequently, the policy does not include a clear strategic vision for the allocation and is not clearly written and unambiguous, so it is evident how a decision maker should react to development proposals in this regard.
175. To ensure that the policy is effective, it and the reasoned justification should be modified so that the Plan sets out an effective policy framework for the implementation of the site, clarifies the status of the Concept Plan as being indicative, that is to say one way in which the new settlement might be developed, and the role and scope of the SPD. SWDPR 51 should also set out how proposals would be dealt with in advance of the adoption of any SPD, and that any such schemes must provide a robust phasing strategy to ensure delivery of key infrastructure, services and facilities in a timely manner if there is no SPD in place. In other words, an absence of SPD would not prevent the allocation coming forward. The Government has announced its intention that no further SPD may be adopted by local planning authorities after June 2026, and in light of this we will not be requiring that the SPD must be produced by a certain date. We are aware that consultation has commenced in respect of a draft SPD and consider it possible that the SPD could be adopted before the cutoff date. The policy should also be amended so that the overall strategic objectives for the site are clear. The Concept Plan should also be updated as a consequence of the various changes to the Policy.

176. Worcestershire Parkway is a large site, with wide ranging infrastructure requirements and has a number of landowners. Consequently, the policy needs to set an appropriate framework for the implementation of the site. However, the requirements of SWDPR 51 are not clear. So that it is effective, the policy and the reasoned justification should be amended so that the requirements for the preparation of a number of high level settlement wide strategies to be set out in the SPD are clear. These relate to Movement, Phasing and Infrastructure, Green and Blue Infrastructure, Design Principles, Drainage (including sewage) and Utilities Strategy, Stewardship and Management Strategy, Heritage and Archaeology and a Monitor and Manage Strategy for the identification of the necessary transportation infrastructure. The strategies should all apply to all development to be effective.
177. The policy and reasoned justification should also be amended to set out the requirements for the provision of necessary infrastructure, phasing of dwellings and the relationship with the Infrastructure Delivery Plan (IDP). It should also make clear the approach to ensure that contributions are secured on an equitable/pro rata basis to ensure the costs of the site wide infrastructure required to secure the comprehensive delivery of the new settlement are shared in a fair and reasonable manner.
178. SWDPR 51 sets out the requirements for educational provision. To be effective however the policy should be amended to set out that new educational facilities will be provided in line with a monitor and manage approach, and have regard to the IDP and the SPD.
179. The policy should also be amended for effectiveness to clarify the requirements for the provision for community infrastructure, medical and health facilities and waste/recycling facilities. It should also be made clear that the town can be appropriately serviced by the emergency services.

Transport

180. Since the Regulation 19 consultation, further work has been undertaken to refine the transport requirements for the site to ensure that it would be developed in a way which promotes sustainable development.
181. So that it would be effective, SWDPR 51 should be amended to set out that the community will be based on a comprehensive sustainable movement network that connects key locations including the town centre and railway station. It should also set out that a monitor and manage approach will be adopted for the assessment and determination of planning applications and infrastructure provision to ensure the right transport infrastructure, including public transport, is provided at the right time including appropriate mitigation in relation to the local and strategic road networks particularly in relation to M5 Junctions 6 & 7.

182. The policy should also be amended to state clearly the transport infrastructure necessary for the delivery of the development, particularly during the plan period. These are concerned with provision of cycling, walking and wheeling networks, provision of new access roads linking the B4084 and the railway station with the A44, and to Mucknell Abbey, the all modes bridge, and a new access road to link the main town centre and southern neighbourhoods with the B4084, (also referred to as the Stoulton Bypass). Also the policy should refer to an LTN1/20 compliant direct link between the southern neighbourhood and the town centre to ensure an active travel link to the communities which are located to the south of the B4084, a network of commercial and visitor mobility hubs, and the expansion of the existing Park and Rail interchange facility at Worcestershire Parkway railway station. Some flexibility has been sought by representors through changes to MM55 in regard to the requirements for the provision of dedicated bus lanes along the B4084 (known as Pershore Boulevard) and bus priority throughout Worcestershire Parkway. However, we consider that through the preparation of the SPD and the development management process, the detailed requirements will be determined within the tests for planning obligations.
183. In order to ensure the successful implementation of the site, we are satisfied that it is necessary to safeguard land for the provision of certain transport infrastructure and education provision. This includes land for the development of a road link from the B4084 to the A44 (as it may need to be delivered in phases), land to provide for the LTN1/20 link between the southern neighbourhoods and the town centre, a third railway crossing location between Abbotswood and Littleworth, and the land for the site for a further secondary school post 2041. Land should also be safeguarded to deliver an additional platform and dualling of the North Cotswold Line between Worcestershire Parkway and Worcester Shrub Hill Station. Due to the limited existing crossings of the railway lines, and to prevent severance occurring between different parts of the new settlement due to the railway lines, the provision of an all-modes bridge over the Birmingham and Gloucestershire railway line is justified.

Affordable housing and viability and other matters

184. It is proposed that the new settlement delivers 40% affordable housing. The viability evidence (including EXAM 41 and 41A) is that the site would be viable providing 40% affordable housing taking into account public sector grant funding, and 30-35% without grant funding. Homes England is a key landowner at the site and has confirmed that the Worcestershire Parkway New Settlement is identified as a key priority project within the Agency's rolling five year Business Plan. Worcestershire Parkway is also one of the government's identified New Homes Accelerator sites. In this context, we are satisfied that whilst it may be that different parts of the allocation give rise to a different housing mix, the overall target of 40% affordable housing is justified. Given

that the development plan should be read as a whole, the requirements of SWDPR 18 Meeting Affordable Housing Needs would also be relevant in development management. It is not therefore necessary to amend **MM55** in this regard as it would then unnecessarily duplicate policies that apply to the area which would be contrary to paragraph 16 of the NPPF.

185. **MM55** indicates broad locations for Gypsy and Traveller sites in proximity to the M5 and A44. We consider this broad location of the sites to be consistent with the PPTS. The actual location of these sites will be determined through the SPD and development management processes.
186. SWDPR 51 includes that an Energy and Carbon Strategy should be prepared. However, to be effective, the policy should be amended so that proposals demonstrate how best practice in energy conservation and generation will be achieved at both the micro-and macro-level in homes and commercial buildings.
187. The policy should also be amended so that it would be effective in ensuring development would not be permitted in areas at high risk of flooding. Given that the development plan should be read as a whole, the requirements of SWDPR 34 Management of Flood Risk would also be relevant in development management. It is not necessary therefore to amend **MM55** to incorporate elements of SWDPR 34 in this regard as it would then duplicate policies that apply to the area. The policy should also set out that opportunities should be identified and implemented for additional flood storage through the provision of green and blue infrastructure and for flood alleviation plans to provide flood risk betterment.
188. Amendments are necessary to the policy for effectiveness so that requirements for green and blue infrastructure are clear, and that the development should not have an adverse effect on the integrity of internationally designated sites consistent with the NPPF.
189. Whilst much of the Worcestershire Parkway allocation is a green field site, there are a number of existing properties and land uses within the site, including Mucknell Abbey, businesses and residential properties. For effectiveness, SWDPR 51 should be amended so that it includes a criterion setting out that the new settlement will integrate effectively with existing land uses so as to ensure that there are no significant adverse effects on such uses. This is a matter that could be addressed in detail in the SPD.
190. Cooksholme Meadow SSSI is situated within the proposed allocation, located within a triangle of active railway lines. The policy should be amended to ensure that the site is protected in accordance with national policy, and to be effective, to identify that biodiversity net gain should be used to enhance

habitat connectivity of the site. A requirement for a buffer is also added to the SSSI to help ensure its integrity.

SWDPR 52: Land at Throckmorton New Settlement

191. SWDPR 52 identifies land at Throckmorton as a new settlement of around 5,000 dwellings and 60 hectares of employment land. The first phase (2030 – 2041) would deliver approximately 2,000 dwellings and 20 hectares of employment land. Phase 2 would take place beyond the plan period.
192. The site was submitted via a call for sites exercise through a variety of land parcels. It emerged as a sustainable option due to it being a partly brownfield site and because of its proximity to Pershore railway station. As such it supports the Councils' rail-based strategy for directing growth aspirations.
193. The NPPF in paragraph 69 states that planning policies should identify a supply of: (b) specific, developable sites or broad locations for growth, for years 6-10 and, where possible years 11-15 of the plan. The Glossary of the NPPF sets out that to be considered developable, sites should be in a suitable location for housing development with a reasonable prospect that they will be available and could be viably developed at the point envisaged.
194. The Strategic Sites Viability Assessment and Financial Viability Assessment Report (EXAM 41) identifies 10 separate land parcels/landowners. The owners of the airfield site (Pinnacle) express their full support and commitment to the proposal as do Worcestershire County Council which owns part of Home Farm, Pinvin and has worked together with the Councils since 2019 participating in workshops and regular landowner meetings. The Evesham Vale Growers control some 256 hectares of land and are also supportive. There is a SOCG (EXAM 79) between them, Marshall's Transport Ltd, EC Drummond, Mrs Mary Rimell of Throckmorton Court and the Councils. Together this grouping owns much of the land at the north of the proposed settlement.
195. That said, whilst there have been some initial discussions with other landowners and leaseholders, as things stand there is no working group or consortium that brings the landowners together. We are also aware of some landowner resistance to the scheme. As such, there is no evidence of any overall agreement between the landowners or of meaningful collaborative working. The SOCG (EXAM 79) outlines a number of important areas for further discussion. These include the timing and sequencing of all land assembly, the phasing of the development and infrastructure, the definition of the precise future land uses, and the equalisation mechanism to be used to ensure that all landowners make a fair and equitable contribution to the necessary infrastructure.

196. As well as the considerable number of landowners and variation across the site between greenfield and brownfield parcels of land, there are also ongoing business and other operations, the cessation and/or relocation of which will need to be considered.
197. In terms of contamination, the site is centred on the former airfield, and the IDP recognises a number of other former uses across the wider site which will need to be addressed. There is an existing landfill operation adjacent to Pershore Hill, another part of the site was used for the burial of animal carcasses during the 2001 outbreak of foot and mouth, and illegal waste tipping has taken place at land at Ridgeway Park Farm. Whilst allowances are made for these in the IDP, how long remediation will take and how it will be phased has not been established.
198. Considerable up-front infrastructure is required. SWDPR 52 states that Phase 1 of the development will not commence until approximately 2030 when the critical movement and educational infrastructure will have been provided. The Policy requires a new link road and primary active travel route linking Pershore railway station to the centre of the new settlement to be delivered before the first occupation of the development (Part Di). EXAM 40 and 41A set out the multimodal transport infrastructure required and potential phasing. These include the south access road (with bridge over the Piddle Brook flood zone), on site internal spine roads, bus service and connectivity improvements as well as active travel routes through the site.
199. These are significant works which will be costly. The delivery dates for the required infrastructure are indicative only and the costings have been undertaken without the benefit of any master planning or the drawing up of detailed schemes. Whilst the Councils indicate that the early key infrastructure will be in the control of the developers and funded by them, it has not been established who would finance the critical up-front works to allow the development as a whole to proceed.
200. For a period, it is proposed that both Worcestershire Parkway and Throckmorton will deliver houses at the same time. Even taking into account the different models and offers that could be provided by the two sites, we have concerns that the simultaneous delivery of housing from both sites in such close proximity to each other would affect the overall number of completions and reduce delivery rates.
201. Bringing matters together, we find that the Councils' approach to identifying new settlements accords with the NPPF. The location of these is a planning judgement that the Councils have made, and the constraints to development at Throckmorton have been recognised. Whilst these would not necessarily preclude new development, for the reasons given, and as previously set out in

our post hearings advice letter (EXAM 99), they are likely to restrict the number of dwellings and the amount of employment land that can be provided, and in particular affect the timing of their delivery.

202. On balance, we cannot be content that there is a reasonable prospect that the land at Throckmorton would be available and could be viably developed at the point envisaged. There is insufficient evidence at this stage for the Plan to effectively allocate the area, or specific pieces of land within it. Therefore, we are not persuaded that a new settlement at Throckmorton could make a contribution towards the delivery of homes or employment land by the end of the plan period.
203. However, subject to more work being undertaken on developability, we acknowledge that the site could help to fulfil longer term growth aspirations for a new settlement. As such, rather than being allocated for development at this time, we find that the site should be included in the Plan as a future area of search where development will only be permitted beyond the plan period and following the adoption and review of the Plan, or a new Plan. Accordingly, **MM56** is needed to modify the policy and the Key Diagram.

SWDPR 53: Rushwick Expanded Settlement

204. SWDPR 53 makes the strategic allocation of land at Rushwick for approximately 1,000 dwellings, 5 hectares of employment land, a new railway station, a new primary school, retail and supporting services and community facilities. Land is also allocated for the development of 10 Travelling Showpeople plots within or on the edge of the expanded settlement.
205. The site has been selected following a robust site selection process, and the site allocation is consistent with SWDPR 03 in that it is intended that a new railway station would be provided at Rushwick, as part of the rail-based strategy. Whilst the site for the delivery of the new station is technically feasible from an engineering perspective, its delivery is dependent upon the Worcester area re-signalling works. SWDPR 53 therefore includes provision to secure land for the railway station. The provision of a railway station would form part of a transport hub, bringing together public transport, pedestrian and cycle links, and a car park for up to 500 vehicles. So that the Policy would be justified and effective, **MM57** clarifies that the transport hub would be provided ahead of the railway station to provide access to more sustainable modes of travel from the outset of the development. Land for the railway station should be protected, as it is critical in developing infrastructure to widen transport choice.
206. We heard and read the concerns of local people around the transport implications of the proposed allocation, including possible effects on

pedestrians and congestion. We are satisfied that the Policy as amended, through the movement strategy, provision of the transport hub, provision of an active travel bridge over the railway and junction improvements, can be delivered through the development management process, where the full transport assessment should be undertaken consistent with SWDPR 06.

207. A Concept Plan is included in the Plan which shows how the site could be developed having regard to a number of identified constraints. To be effective, SWDPR 53 should be amended to clarify that the Concept Plan is indicative, as it shows one way in which the site may come forward. The Concept Plan should also be updated as a consequence of the various changes to the Policy. SWDPR 53 should also be amended so that a masterplan is required for the site to be approved by the local planning authority to ensure its effective delivery. The masterplan should include a Movement Strategy for the site, a comprehensive site wide Drainage Strategy, a Green and Blue Infrastructure Strategy, a Biodiversity Net Gain Strategy, a site wide Design Principles strategy and details of the long-term management of green and blue infrastructure, the public realm and facilities. The reasoned justification should be amended to include references to the Design Code and other relevant SPDs.
208. The policy includes provision for a centrally located 2 form entry primary school including nursery provision. The evidence is not clear as to the exact requirements for education provision which would need to be determined through the development management process. To be effective and for the policy to be justified, **MM57** deletes the requirement for a 2 form entry school and instead sets out that land should be safeguarded to accommodate a centrally located primary school with nursery provision which allows for further expansion by a whole form of entry, and clarifies what financial contribution may be sought.
209. SWDPR 53 includes a requirement for an overall site wide average net density of 35 dwellings per hectare. To be effective and consistent with national policy for making effective use of land as set out in the NPPF, the density requirements should be expressed as a minimum. To be effective, the green infrastructure, biodiversity net gain and community infrastructure requirements should also be clarified along with a requirement for a community green and a park and the retention of key views to the Malvern Hills. So as to reflect the conclusions of the HRA, the reasoned justification should be amended to include reference to potential effects on functionally linked water. The requirements in respect of minerals resource assessments should also be clarified. These changes are all set out in **MM57**.
210. The provision of the 10 Travelling Showpeople plots would take place on land to the north of Rushwick. We heard that the land is subject of an agreement between the landowner and a house builder and that it is not available for the

proposed use. The provision of the plots would help to meet the need identified as set out in SWDPR 20. The Councils confirmed however that they could use their statutory powers to ensure that the plots are delivered, and EXAM 84 sets out that funds are available for the purchase of the site. Furthermore, we heard in the MM consultation that a planning application has been made for 7 Travelling Showpeople plots at the site in conjunction with a residential scheme. In that context we consider that the inclusion of the Travelling Showpeople plots in the Plan is justified. However, to be effective, the allocation of the land for Travelling Showpeople should be dealt with in a separate and new Policy SWDPR 56A. **MM57** and **MM58** amends SWDPR 53 and the reasoned justification to set out that the requirement for the Travelling Showpeople plots is a standalone requirement.

SWDPR 54: Mitton

211. SWDPR 54 is a strategic allocation of land at Mitton, adjoining Tewkesbury, for 1,000 dwellings, and associated development. It would form a sustainable urban extension to Tewkesbury. The Inspector examining the Cheltenham, Gloucester and Tewkesbury Joint Core Strategy recommended that land at Mitton (in Wychavon District) would be a suitable location for the delivery of 500 dwellings to meet the needs of Tewkesbury Borough Council. Since that time, Wychavon District Council and Tewkesbury Borough Council entered into a Memorandum of Understanding (EXAM 1B) on how to bring land forward and attribute 500 dwellings to the housing supply for Tewkesbury, and the Councils have entered into a SOCG (SOCG1).
212. To be effective, SWDPR 54 and the reasoned justification should be amended so that it is clear that 500 of the dwellings allocated are to meet the housing needs of Tewkesbury Borough Council (**MM59**).
213. The site has been selected following a robust site selection process, and the allocation of land to provide for 500 houses to meet the needs of Tewkesbury, and 500 houses to meet the needs of South Worcestershire is consistent with the spatial strategy as set out in SWDPR 03.
214. Planning applications were made previously for 500 dwellings to meet the needs of Tewkesbury and for a primary school at the site. These were refused and subsequently considered at appeal (APP/H1840/W/22/3301732 and APP/H1840/W/22/3301742). Whilst our colleague concluded that the appeal sites are a suitable location for the proposed development in principle and could be supported, having regard to the development plan taken as a whole and other material considerations, the appeals were dismissed. This is because he was not satisfied that the submitted transport assessment had been undertaken using a sufficiently robust approach so that they can be confident that the developments would not result in a severe residual

cumulative impact on the road network, or that the tranquillity of the Cotswolds National Landscape would not be unacceptably harmed.

Transport

215. The proposed allocation has been the subject of several stages of transport modelling. At a strategic level, it was modelled through the Worcestershire Strategic Transport Model. In recognition of the strategic nature of that model, and the location of the site at the Worcestershire / Gloucestershire boundary, further detailed modelling was commissioned to identify the effects of the proposed allocation on the Strategic Road Network (especially M5 Junction 9) and the local highway network in Gloucestershire. Further refinement of the transport modelling took place to better align with Gloucestershire County Council's model.
216. Whilst it was put to us that the modelling undertaken is not reliable, we find that the transport evidence for the Mitton allocation, including the modelling undertaken, is relevant, up to date, and is adequate and proportionate, focused tightly on supporting and justifying SWDPR 54 as per paragraph 31 of the NPPF. In this regard we note that the relevant transport authorities, both Worcestershire and Gloucestershire County Councils and National Highways do not consider that the modelling work is inadequate.
217. There was some discussion at the hearing concerning the adequacy or otherwise of the transport evidence, and no alternative transport modelling is before us. Amongst other things, we heard that any effect of unreleased trips would not be significant and there is no convincing evidence to the contrary. A representor had made a number of requests of the Councils for additional information and clarifications. Whilst they set out that a number of their requests were not met (EXAM 116A) we remain satisfied that the evidence base in this regard is adequate and proportionate for plan making, and for our purposes in this examination.

Junction 9 of the M5 Motorway

218. There are existing concerns about the potential for traffic queues to extend back onto the M5 Motorway main carriageway from the Northbound Off-Slip approach to the M5 Junction 9. National Highways commissioned a forecasting assessment for the validated M5 J9 Paramics model to identify congestion hot spots as part of the traffic evidence base for the Plan. This was followed by assessments of the impacts of the committed developments in the wider area on the M5 Junction 9 and surrounding road network (EXAM 101) and proposed mitigation measures were also modelled.

219. The modelling identifies that the potential for traffic queues to extend back onto the M5 main carriageway from the Northbound Off-Slip is appreciably less with the Mitton scheme and slip road mitigation, than without the Mitton scheme. Whilst the potential for traffic queues extending back onto the M5 main carriageway remain, the Mitton scheme would provide a betterment. The reduction in risk of queuing on to the main carriageway is supported by National Highways and the South Worcestershire Councils. In this context the Mitton allocation should not be prevented on these grounds as there would not be an unacceptable impact on highway safety, and residual cumulative impacts on junction 9 of the M5 would not be severe consistent with paragraph 111 of the NPPF.
220. There was some discussion at the hearings about the drawing for possible M5 Junction 9 extended flare for the slip road which led to a revised drawing being provided (EXAM 116). We gave participants the opportunity to comment on the revised drawing prior to issuing our second post hearings letter (EXAM 118). The revised drawing for the possible slip road works does not change our view on the effectiveness of the proposed mitigation or the adequacy of the modelling work.

The highway network in and around Tewkesbury

221. The transport modelling indicates that the Mitton allocation would result in additional trips routing through Tewkesbury using the A438 and A46. Additional queuing was identified in the modelling on the A438, Shannon Way, Hardwick Bank Road and the A46. Also, the queue length on the A46 from Teddington Hands roundabout to Northway Lane westwards increases within both the AM and PM peaks. As a result, a number of potential mitigation measures have been identified.
222. We are satisfied that the mitigation measures are sufficient to indicate that any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree. The estimated costs of these works have been considered in the updated Infrastructure Delivery Plan (EXAM 120) and updated Viability Appraisal (EXAM 121). Whilst further work may be necessary for the development management process, the costing information and viability assessment is adequate and proportionate for our purposes in examining this Plan.
223. So that SWDPR 54 would be effective in addressing the transport effects of the proposed allocation it should be amended to require the preparation of a movement strategy which prioritises active travel and access to public transport, a transport mitigation strategy and travel plan requirements. To be effective and justified, the Policy should also be amended to set out the

transport infrastructure requirements, including Junction 9 of the M5 and within Tewkesbury. The final details of such measures will be determined through the development management process.

224. In addition, the Policy should set out the requirements for the provision of key walking and cycling links, including from the site across the Carrant Brook, provision of a mobility hub, and necessary contributions to public transport. The Policy should also be amended to confirm that the exact requirements and trigger points for transport infrastructure will be determined through the assessment of planning applications. Consequently, a number of the detailed policy requirements, although identified in the IDP, are indicated as being 'as necessary'. These changes are set out in **MM59**. As a change to the MM following the consultation, we have moved the text relating to the requirements for a Flood Risk Activity Permit from the Policy to the reasoned justification as it is not necessary to repeat the requirements of other legislation in the Policy. This is a minor change which should not give rise to any prejudice.

Potential effects on the tranquillity of the Cotswolds National Landscape

225. Through our examination we have sought to further the purpose of conserving and enhancing the natural beauty of the Cotswolds National Landscape. This includes our consideration of the effects on the tranquillity of the area by an increase of traffic on roads in the National Landscape as a consequence of the Mitton allocation.
226. We have had regard to the Cotswolds National Landscape Management Plan (ENV6) Policy CE4 of which is concerned with tranquillity, which is one of the special qualities of the area. The National Landscape Management Board has stated that a 10% threshold should apply in relation to increases in traffic movements on roads through and/or along the boundary of the National Landscape, and that exceeding this 10% threshold is likely to have a significant adverse effect on the tranquillity of the National Landscape. The Institute of Environmental Management and Assessment (IEMA) guidelines for Environmental Assessment of Traffic and Movement also sets out a 10% threshold.
227. EXAM 100 was prepared using the Worcestershire Strategic Transport Model to assess whether the 10% threshold would be exceeded due to the proposed allocation. It concludes that this would not be the case. Further evidence provided in EXAM 104 sets out the results of further modelling of the potential traffic effects on the National Landscape of the proposed Mitton allocation. We consider that the work in each assessment undertaken is robust and the results are adequate and proportionate for our purposes. Both studies conclude that the proposed Mitton development would have a negligible impact

with regards to traffic within the Cotswolds National Landscape, as the 10% threshold would not be exceeded.

228. It is common ground between the Cotswolds National Landscape Board and the Councils that in principle the traffic impacts from the Mitton development on the National Landscape are capable of being mitigated and that appropriate modifications to SWDPR 54 should be made (EXAM 122). We take the same view.
229. So as to be effective, the Policy and reasoned justification should be amended to include that a transport mitigation strategy is provided to ensure that there would not be an unacceptable impact on the tranquillity of the Cotswolds National Landscape (**MM59**).

Ecology

230. The Severn Estuary Special Protection Area is located approximately 30km from the proposed Mitton allocation and three areas of FLL that are ecologically important for Curlew are located within close proximity to the allocation. Whilst the validity of the breeding Curlew survey (EXAM 105) has been questioned due to the weather experienced last summer (2025), we are satisfied that the survey, along with the other sources of data used, provide adequate evidence for us to conclude that the allocation site does not constitute FLL. This is also the position of Natural England who confirmed at the hearing that they consider that the allocation site does not constitute FLL. It is also claimed that the extent of FLL is larger than has been identified. We are not convinced that this is the case, and in any event, it is not the role of this examination to map the extent of the FLL.
231. There is potential for the proposed allocation to give rise to disturbance to Curlew at the FLL. That may occur for example from cat predation, or through increased noise or lighting. We are satisfied that this matter can be addressed by mitigation measures and site design, including the preparation of a master plan, determined through the development management process. The MM is clear that a mitigation scheme is to be prepared in consultation with Natural England, RSPB and the Wildfowl and Wetlands Trust and will be monitored and managed as the proposals are delivered. For the Policy to be consistent with national policy and effective, and to ensure that the Habitats Regulations have been complied with in this regard, a criterion should be added so that proposals will be required to ensure no adverse impact upon the site integrity of any Internationally designated site or associated FLL or watercourses and requiring a scheme of mitigation, with the reasoned justification being similarly clarified. In this examination, we have considered the proposed allocation, where the location of different land uses has not been determined. That is for the development management process where the Competent Authority must

consult Natural England for the purposes of the habitats regulations assessment and must have regard to any representations that Natural England may wish to make.

232. Given that the Concept Plan shows one way of developing the site and that Curlew mitigation measures should be determined through the development management process, the Policy should be amended so that it is clear that the Concept Plan is not an illustration of the distribution of land uses and infrastructure so as to not to predetermine the outcome of site design work and Curlew mitigation. The Concept Plan should also be updated as a consequence of the various changes to the Policy. The amendments are set out in **MM59**.

Other matters

233. We consider that the site in principle is developable and is viable with the proposed infrastructure and policy requirements. Our view is reinforced by the planning applications which have been submitted for its development.
234. At the MM stage, our attention was drawn to a possible requirement for contributions to secondary education being required. We have no robust evidence on this matter which can be dealt with through the development management process and via the application of SWDPR 09 Infrastructure.
235. So that the Policy is effective, it should be amended so that the development comes forward with regard to a masterplan approved by the Local Planning Authority. It should also set out the requirements for a Green and Blue Infrastructure Strategy, a comprehensive site wide drainage strategy, biodiversity requirements, requirements for design principles/design codes, and requirements to safeguard views from Bredon Hill. SWDPR 54 should also be amended for effectiveness so that the affordable housing, education and other infrastructure requirements are clear. The reasoned justification should be amended to explain the requirements for community use for new playing pitches. These changes are set out in **MM59**.

SWDPR 55: Cales Farm, Malvern

236. Land at Cales Farm, Malvern is allocated to deliver 200 dwellings and green infrastructure. Outline planning permission for the development of the site was granted in March 2025. The Councils state that the allocation site is about 290 metres from the Malvern Hills National Landscape. Whilst the development of the site has the potential to have adverse effects on views from the National Landscape and to generate a visitor impact which could affect the Malvern Hills SSSI, planning permission has nevertheless been granted for its development. We are satisfied that the development management criteria in

SWDPR 55 along with other relevant policies of the Plan provide an adequate policy framework for the consideration of any future applications, including potential effects on the National Landscape and SSSI.

237. SWDPR 55 should be amended to remove the requirements for green buffers to the Malvern Hills National Landscape, Mills Coppice Special Wildlife Site and Whippets Brook Special Wildlife Site as those relate to a larger site area under consideration earlier in the preparation of the Plan and would not be effective, and are not justified. The requirements for public transport and decentralised heat networks should be deleted as they are not justified. The repetition of text concerning cycling and footpaths is unnecessary, is not effective and should be deleted. The various changes are set out in **MM60**.

SWDPR 56: North East Malvern (Newland)

238. The site at North East Malvern is allocated for 800 dwellings, employment uses, community infrastructure and green infrastructure including open space. Whilst outline planning permission has been granted for the development of the site, the policy is needed to guide any future applications. To be effective, the policy should be amended to clarify the specific community facility and green infrastructure requirements, with the reasoned justification amended to address the issue of ball strike in relation to the existing cricket pitch. The requirement for neighbourhood shopping facilities set out in criterion B iv is not justified and should be deleted. The various changes are set out in **MM61**. We have amended MM61 from that consulted upon so that the reasoned justification in paragraph 6.6 reflects the policy requirement in criterion b ii in respect of the retention of the existing cricket pitch. This change is made for consistency and would not prejudice the interests of any party.

SWDPR 57: Land at Hanbury Road, Droitwich Spa

239. The Plan allocates land at Hanbury Road for a residential urban extension, including approximately 300 new homes, green infrastructure and open space. Whilst the site came forward during the plan making process, we are satisfied that it was selected on a robust basis, in the context where the Councils are seeking to meet the objectively assessed needs for housing as per national policy.
240. The site is situated to the east of Droitwich Spa, across the M5 motorway. Whilst the M5 separates the site from Droitwich Spa, the policy includes provision for enhanced public transport, and cycle and pedestrian connections to the town centre which would help to minimise effects of severance.
241. Representors have drawn our attention to the previous planning history of the Hadzor Hall development, but we are considering the soundness and legal

compliance of the Plan in the contemporary planning context. Concern has also been expressed about further development beyond the proposed allocation on the eastern side of the M5, but that is a matter for the Councils in future development plans or in dealing with speculative applications.

242. We have had regard to the designated heritage assets in the area of the site. Criterion vii should be amended to be consistent with national policy and to ensure that it would be effective in conserving or enhancing the significance of heritage assets. There was some discussion at the hearing around the provision for education at the site. To be effective, a new criterion should be added to the policy to set out the requirements for land to be safeguarded for a 2 form entry primary school, or suitable alternative provision made. The reasoned justification should be amended to set out how formal play and sports provision should be provided so as to be effective. All these changes are set out in **MM65**.

SWDPR 58: Three Counties Showground

243. SWDPR 58 safeguards land at the Three Counties Showground for agriculture, horticulture, equestrianism, other countryside uses, and show events. The Policy requires that a masterplan is prepared with particular regard to the Malvern Hills National Landscape. **MM83** re-numbers SWDPR 58 to SWDPR 66 for effectiveness.

SWDPR 60: Directions for Growth Outside the City Administrative Boundary: Existing Urban Extensions to be Reallocated

244. SWDPR 60 reallocates three urban extensions which are allocated in the South Worcestershire Development Plan. The three urban extension sites help address strategic cross boundary matters for South Worcestershire, particularly in terms of Worcester City's capacity for delivery within its own administrative boundary. Their reallocation is consistent with the spatial strategy and settlement hierarchy, providing land for housing and employment development in areas that have, or can deliver, more sustainable travel connections and being located in close proximity to essential services and facilities. Whilst progress is being made with the implementation of the sites, the policy is necessary for any future planning applications which may arise.
245. SWDPR 60 and the reasoned justification should be amended so that the status of the concept plans for the sites is clear.
246. In respect of SWDPR 60A: Broomhall (Worcester South Urban Extension) the policy and reasoned justification should be amended so to make clear that the existing playing fields should be protected and to set out that proposals should be clear about the delivery and operation of the required new sports facilities. It

should also be revised to clarify that provision for travellers would be made on site, or off site via developer contributions. These changes and other wording alterations to remove reference to other development plan policy and other minor changes are made for effectiveness (**MM69**).

247. In regard to SWDPR 60B: Temple Laugherne (Worcester West Urban Extension), the policy should be amended to confirm that the site is for around 2,500 dwellings, it should also be modified to clarify that provision for travellers would be made on site, or off site via developer contributions. The reasoned justification should be amended to explain the expectations in respect of foul drainage. These changes and other wording alterations to remove reference to other development plan policy and other minor changes are made for effectiveness (**MM69**).
248. SWDPR 60C: Worcester Six Business Park (South Phase) should be amended so that it refers to the provision of a business park with a net site area of 16 ha. These changes and other wording alterations to remove reference to other development plan policy and other minor changes are made for effectiveness (**MM69**).

SWDPR 61, 62 and 63 – overall approach to allocations

249. SWDPR 61, 62 and 63 set out the housing, mixed use and employment allocations for the three Council areas and are each considered individually below. As drafted, they include tables of 'reallocated' and 'deallocated' sites. This approach is not effective. Whilst a number of sites in the adopted 2016 Plan are to be reallocated, it is unnecessary to identify them as such since they have the same status as the new allocations and so can be presented together in the tables arranged by settlement/settlement type as set out in **MM70, MM71 and MM72**. The sites which would be 'deallocated' would in effect be superseded on adoption of the Plan and so can be deleted from these policies. Accordingly, Tables 12, 16 and 17 in SWDPR 61, Tables 23, 24, 25, 27 and 28 in SWDPR 62, and Tables 35, 37 and 38 in SWDPR 63 are deleted by these modifications.
250. MM70 – MM72 also delete superfluous columns in the allocations tables which have outdated references, and add an additional column to the new allocations tables. These columns set out any specific policy requirements for the sites, some of which were formerly in footnotes, others that were discussed at the hearings, as well as those required as a result of updated flood risk mapping. Furthermore, they clarify that the allocations are shown on the Policies Map, and include any other text previously in footnotes in the policies or their reasoned justification. Additionally, the reasoned justification for all three policies has been amended to remove repetition of the policy wording and duplication of SWDPR 02, as well as to reflect the changes to the policy

wording and to signpost new site specific policies. All these changes are required for effectiveness.

251. We have considered whether further changes to these MMs are required to indicate that the capacities of the housing allocations are regarded as fixed maximums. However, we are satisfied that such an inflexible approach would not be effective and are content that the inclusion of the indicative anticipated number of dwellings is justified. Nor are further amendments to these MMs to update the capacities of the allocations appropriate at this stage of the examination without causing significant delay to the Plan.
252. Sites from the adopted 2016 Plan which are to be 'deallocated' would more correctly be superseded when the Plan is adopted. Accordingly, these tables are deleted from the policies by **MM70, MM71 and MM72** and reinstated in a new Annex to the Plan concerning superseded policies by **MM82** and are all necessary for effectiveness and to secure compliance with Regulation 8 of the 2012 Regulations.

SWDPR 61: Worcester City Allocations

253. SWDPR 61 sets out the housing, mixed use and employment allocations in Worcester City. Some of the housing sites previously set out in Tables 11 and 12 in the submitted plan are not deliverable or have been built out and so have been deleted by **MM70** for effectiveness. These include: WCHO07 Woodside Point, Williamson Road Worcester; WCREAL01 Ribble Close and Gas Holder Site; WCREAL03 Old Brewery Service Station; WCREAL04 Malvern Gate, Bromwich Road; WCREAL06 Laugherne Garage; WCREAL07 Land at Earls Court Farm; WCREAL08 Land adjacent to the Masonic Hall; and WCREAL11 Land formerly associated with Tolladine Golf Course.
254. With regard to the mixed use allocations, WCMU07 Blockhouse Carden Street Opportunity Zone is to be deleted as it is not deliverable. At WCMU03 Trinity House Cornmarket Lowesmoor the housing element of the site is no longer deliverable and its contribution in this regard is removed. The site specific requirements at WCMU02 Lowesmoor Wharf had been amended to refer to the need for a concept plan/development brief and to include reference to the agent of change principle in line with the NPPF given the site includes a working boatyard. The boundary of WCMU05 Chequers Lane/Henwick Road as shown on the Policies Map should be altered to reflect the expansion of the University on adoption of the Plan. There is no justification to introduce policy requirements for the mixed use allocation at WCMU04 via further changes to MM70 as suggested by representations to the MM consultation, since the evidence for any such requirements has not been considered through the examination.

255. The boundary of WCMU06 Shrub Hill Opportunity Zone has been enlarged to include WCH05 Shrub Hill Retail Park within it. The site specific requirements have been amended to ensure they require regard to be had to the SPD, and criterion B has been amended for clarity and to ensure alignment with the NPPF in relation to heritage assets. Changes to the reasoned justification to make it clear that the new canal basin is an aspiration only are also necessary.
256. In terms of employment sites, WCEM01 at Blackpole Road has been deleted for the reasons set out in Issue 2 relating to the Green Belt. The site specific requirements for WCEMREAL01 Worcester Woods have been amended to ensure flexibility for the development of the site for employment purposes should the permitted secondary school not come forward. Having regard to representations received through the MM consultation, we are not persuaded that further amendments to the MM to remove the proposed employment allocation at WCEM02 are justified.
257. All these changes are made via **MM70** so that the site requirements are clear and the policy would be effective.

SWDPR 8Xiii: Land at Navigation Road, Diglis, Worcester

258. SWDPR 61 Table 13 allocates around 14 hectares of land at Navigation Road for a mixed use development. To be effective, a site specific policy along with reasoned justification should be included in the Plan to set out what should be delivered on the site in terms of land uses and the requirements that these must meet (including in relation to the Riverside Conservation Area and the Registered Battlefield). In particular, the policy sets out the requirement for proposals to have regard to the indicative Concept Plan and be subject to a comprehensive Heritage and Green Infrastructure led Development Brief. The new policy is set out at **MM67** and Table 13 is deleted from SWDPR 61 by **MM70**.

SWDPR 62: Malvern Hills Allocations

259. SWDPR 62 is concerned with housing, mixed use and employment allocations in Malvern Hills District. Some of the housing sites previously set out in Tables 18 - 23 in the submitted plan are not deliverable and are deleted by **MM71** in the interests of effectiveness. These include: MHHA01 Former Railway Sidings, Peachfield Road; MHHA02 Victoria Road Car Park; and MHHA10 Strand Cottages, Peachley Lane. Additionally, MHHA03 Barracks Store, Court Road; MHHA05 Land at Mistletoe Row; and MHHA14 land off Pearl Lane are housing allocations in the submitted plan that have been deleted because they have been built out.

260. A number of proposed allocations of employment land are included in the Plan. The proposed allocation NEW 105 Park Farm, Blackmore Park Road is located adjacent to the National Landscape, in an area identified in the Councils Malvern Hills AONB Environs Final Report (ENV1) as having no capacity for commercial use due to its sensitivity. We agree that the effects of landscape change which would occur are likely to be significant, and the use of the site for commercial use would likely harm the tranquillity of the National Landscape through further activity and traffic growth.
261. In response to the Mm consultation, we received further evidence, including a landscape and visual assessment and background information. That however does not lead us to a different conclusion. Although the site would provide employment land to meet local needs, where vacancy rates are low, and taking into account further information received about demand for employment land in the area, we are not convinced that this outweighs the harm which would arise to the protected landscape. Furthermore, the potential effects of the site upon the Malvern Common SSSI have not been assessed effectively. The proposed allocation should be deleted.
262. The site known as Land Adjoining Blackmore Park (CSS0141b) should also be deleted. Whilst this is situated adjacent to a modern employment development, we are not convinced that the cumulative effect on the Malvern Hills National Landscape would be acceptable given the landscape capacity identified in ENV1.
263. The proposed allocation SWDP NEW 107 Malvern (Hanley Swan) is in a location that ENV1 states has some limited capacity due to its visual sensitivity for a design which is sensitive to views from the National Landscape and well mitigated. We agree and subject to a MM which sets out the need for mitigation, the proposed allocation would be sound. Several of the other allocated sites are of such a scale, and have a number of site specific requirements that to be effective they should be considered by separate site specific policies. We consider the MMs in respect of those sites elsewhere in this report.
264. SWDPR 62 sets down site specific requirements for several policies. The wording of these for the following should be amended so that the requirements are clear and would be effective: MHPH11 Lawn Farm (Phase 3) Drake Street Welland, MHPH15 Land at Milestone, and MHPH15, Land at Milestone, MHPH17 Leigh Sinton, land off A4103, and MHHA07 Holly Green, land off A4104 north east of Upton Marina.
265. The various MMs to SWDPR 62 are set out in **MM71**. During the MM consultation, we received representations to the effect that MHPE09 and MHPE10 were not sound referring to recent planning application activity.

There is however no persuasive evidence that this is the case. We have also been told that planning permission has been granted for a number of the allocations since the hearings. This reinforces the delivery of the sites. We do not however make any changes to MM71 to amend indicative site capacities at this late stage in the examination as that may delay the adoption of the Plan.

266. The Welland Neighbourhood Plan (WNP) has been made since the Plan has been submitted for examination (EXAM 95). Welland is a category 1 village in the Plan, and the WNP makes sufficient provision to meet the Housing Requirement to 2041 for Designated Neighbourhood Areas in Annex E of the Plan. With an indicative capacity of 17 dwellings, the proposed allocation at SWDP NEW 99 Lawn Farm (Phase 3) would mean that the requirement in Annex E is exceeded. We have however recommended that the housing requirements in Annex E are deleted (MM79) as they are not justified. In any event however, the NPPF is clear that housing requirements are minimum figures.
267. We note the views of some that the WNP makes allocations for housing and that the Plan therefore should not, but there is nothing in legislation to prevent this. Indeed, the Plan is specifically tasked with ensuring that sufficient land for the housing needed across its geographical area is provided for. We appreciate that the proposed allocation falls within the setting of the Malvern Hills National Landscape, but consider that the site can be developed without harming the special qualities, and key characteristics of the National Landscape. We have been made aware that the proposed allocation would involve land for habitat creation, restoration and enhancement in relation to earlier development at Lawn Farm, but that is a matter for the Councils to resolve through development management, and applying relevant development plan policies. **MM71** includes that proposals must ensure that there are no adverse impacts on Mutlow's Orchard Site SSSI consistent with national policy.
268. For effectiveness, **MM71** also sets out site specific requirements for MHPH15, Land at Tunnel Hill, to safeguard the integrity of Internationally designated sites, for the provision of a community sports facility at MHPH17 at Leigh Sinton, and for a project level HRA in respect of MHHA07 Holly Green.

Land South of Madresfield Road, Malvern

269. SWDPR 62 includes the allocation of 9.95 hectares of land south of Madresfield Road, Malvern for 180 dwellings. To be effective, a site specific policy along with reasoned justification should be set out in the Plan to provide the requirements for a heritage and archaeology strategy given the proximity of the site with designated heritage assets, including the scheduled moated site at Sherrard's Green, and the requirements for mitigation in respect of the

effects of the development on the Malvern Hills National Landscape, particularly in terms of building heights and retention of long distance views. The Policy should also set out the requirement for affordable housing and green infrastructure, and a requirement for a site specific flood risk assessment. The new policy and reasoned justification are set out in **MM62**.

Land on the South Side of Guarlford Road, Malvern

270. SWDPR 62 includes the allocation of 9.84 hectares of land south of Guarlford Road, Malvern for 180 dwellings. To be effective, a site specific policy along with reasoned justification should be set out to provide the policy requirements for affordable housing, green infrastructure, necessary sewage infrastructure, and the management of surface water flooding through a sustainable urban drainage system. The Policy should also set out the design expectations, including those relating to heritage, wildlife and biodiversity, and taking into account the Malvern Hills National Landscape. These changes are set out in **MM63**. Whilst we acknowledge that the site is situated on one of the key routes into the town, we consider that the allocation is appropriately sited and is of an appropriate scale.

Land at Mayfield Road, Malvern

271. SWDPR 62 also includes the employment allocation for 9.71 hectares on the edge of Malvern. The site is in part previously developed land, with the majority consisting of agricultural land. ENV1 states that there is no capacity for commercial development due to its sensitivity. Whilst when viewed from the Malvern Hills the site falls within the setting of the National Landscape and although it would be seen in the context of the wider town, we agree that its development could give rise to some harm to the special qualities, and key characteristics of the protected landscape, especially given the openness of the site and wider area beyond the town. The proposed site on the edge of the town would be well situated however in terms of local accessibility. We also have regard to the need for employment development at Malvern to meet needs of the locality. Overall, we consider that the proposed allocation is justified provided that development at the site is designed so as to avoid or minimise adverse impacts on the National Landscape, and is provided with strong boundaries to the open countryside beyond.
272. A site specific policy should be included in the Plan along with reasoned justification. The policy should set out the mix of uses proposed, the requirements for a landscape and visual assessment, particularly in regard to the Malvern Hills National Landscape, as well as the design, access and transport requirements for the site. The new policy is necessary so that the Plan would be effective and the changes are set out in **MM64**.

SWDPR 63: Wychavon Allocations

273. SWDPR 63 sets out the housing, mixed use and employment allocations in Wychavon. Some of the housing sites previously set out in Tables 29 - 34 in the Plan are not deliverable and so have been deleted. These include: WYPHM03 land at Mayflower Road; WYPH09 land at Common Road, Evesham; WYPHM13 land at Cheltenham Road, Evesham; WYHMA01 Garage, High Street; WYHMA02 Garage Court, Abbots Road; WYHMA04 Boxing Club, Kidderminster Road; WYHMA05 Oakham Place, WYHMA06 Acre Lane; and WYHMA07 Willow Court, Westwood Road.
274. The housing allocation at NEW 31 Land of Inn Lane Roselands is also to be deleted since it cannot be satisfactorily accessed. Additionally, a number of housing sites identified in the submitted plan are to be deleted because they have been completed. These are as follows: WYHMA10 land east of Offenham Road; WYHMA15 land off Roman Meadow, Pershore Road; WYHMA17 Garage site off A422 and land to the rear; WYPHM10 Land south of Pershore Road, Hampton, Evesham; and WYPHM27 land north of Woodhall Lane, Ombersley.
275. WYPH03, 04 and 05 (NEW 22, 23, 24) South of Holloway, Pershore is allocated for 112 homes and based on the evidence provided we are satisfied that any significant impacts from the proposed development on the transport network (in terms of capacity and congestion) or on highway safety can be cost effectively mitigated. The text previously included in a footnote has been amended to include a new site specific requirement for a mitigation scheme to minimise any impact on Tiddesley Wood. On this basis we are also content that the SSSI would be protected and enhanced in line with the requirements of the NPPF.
276. In the interests of effectiveness, site specific requirements have been provided for the housing allocations at WYHMA03 land to the north of Pershore to ensure a green buffer on the north/north west part of the site; at WYPHM14 combination of land at rear of 34 Bretforton Road and Land at Brewers Lane, Badsey to provide a green buffer to the adjoining development; and at WYPHM20 land off Southall Drive, Hartlebury to provide a ball strike assessment. In terms of WYHMA03 we are content that the specific policy requirements for the proposed allocation as drafted in the MM would not preclude the site coming forward in two parts.
277. At WYPHM16 Station Road, Broadway, the boundary of the housing allocation has been altered to remove the now built out GP surgery. Provision is made in site specific requirements for text previously in a footnote that has been amended for clarity and includes the provision that proposals must include community facilities, car and coach parking, and replacement sports pitches

and facilities, and have regard to the adjacent nature reserve in terms of the use of SUDS and boundary treatments.

278. We have considered whether the housing allocation WPH06 Land north of New Street, Bretforton which is allocated for 18 dwellings should be increased in size as sought by representors. However, based on the evidence provided this is not justified and accordingly no MM is proposed in this regard.
279. On the basis of the evidence before us, we are content that the allocation for 26 houses at WYPH21 (NEW57) Speed the Plough, Plough Road, Tibberton effectively addresses the issue of the single track bridge at Tibberton and would be effective in this regard. This is also the case for the employment allocation WYPE15 (NEW85) at Easton Farm, Church Lane, Tibberton.
280. In terms of other employment allocations, WYPE01 Former Pipes Support site Salwarpe Road is deleted since it has been built out, and WYEA01 Stonebridge Cross Business Park now includes the site specific requirement for a green buffer adjacent to the nearby heritage assets.
281. The various changes to the policy and reasoned justification are set out in **MM72** and are all required for effectiveness.

Union Lane Droitwich Spa

282. Table 29 allocates 2.74 hectares of brownfield land for housing at Union Lane Droitwich Spa. To be effective, a site specific policy along with reasoned justification should be provided in the Plan to set out the requirements for the site. Amongst other things these include the land uses and mix of housing and the number of units expected which has been revised from 400 homes in the submitted plan to 200 homes in light of heritage considerations. The new policy also sets out the need for an Archaeology and Heritage Strategy and the preparation of a comprehensive development brief having regard to the existing Concept Plan for the site. The new policy is set out at **MM66**.

Conclusion

283. Subject to the proposed MMs, including the deletion of some sites, the proposed allocations would be justified, effective and consistent with national policy.

Issue 8: Are the proposed renewable and low carbon energy allocations justified, effective and consistent with national policy?

284. SWDPR 59 Renewable and Low Carbon Energy Site Allocations proposes a number of allocations for large scale ground mounted solar photovoltaic farms, and sets out development management criteria for the assessment of proposals.
285. We are satisfied that the site allocations were selected on a robust basis and that the Councils had regard to the potential effects on National Landscapes in the site selection process. Whilst the sites at Whiting Ash Farm, near Berrow, and at the Land at Pendock are relatively close to the Malvern Hills National Landscape, the development management criteria should be effective in conserving and enhancing the natural beauty of the National Landscape, with any proposals also being considered against other development management policies, including SWDPR 28, which is specifically concerned with development proposals within and affecting National Landscapes.
286. In accordance with the duty to seek to further the purposes of National Landscapes and to be effective, the reasoned justification should be altered to refer to the need for regard to be had to National Landscape management plans, landscape character assessments and position statements. The HRA considered the potential implications of the proposed site at Queenhill, Longdon on the Severn Estuary SPA and to be effective the reasoned justification should be amended to reflect the conclusions of the HRA. The final sentence of paragraph 9.40 of the reasoned justification which is concerned with community benefits of solar farm proposals is not consistent with national policy and should be deleted. The various changes are set out in **MM68**.

Issue 9: Is the Plan's approach to the natural, built environment and open space justified and consistent with national policy?

SWDPR 07: Green Infrastructure

287. SWDPR 07 sets out the approach to Green Infrastructure and considers Areas of Informal Recreation (AIRs) at criterion H. AIRs would be provided to expand the opportunities for informal recreation across the area, and to address recreational pressures on the Malvern Hills SSSI. To ensure the approach to these is effective and to meet the requirements of national policy **MM8** and **MM33** are needed to remove the requirements for AIRs from SWDPR 07 and introduce a new policy relating to AIRs.
288. **MM8** is required to cross reference to Biodiversity Net Gain (BNG) in A and B, so as to provide clarity that green infrastructure contributions can include

provision arising from mandatory BNG requirements which have been introduced since this policy was drafted, as well as to reflect the specific requirements set out in the new BNG policy introduced by MM31. It is also needed to clarify in B what is expected of employment and retail proposals in terms of green infrastructure, delete C iii relating to concept plans and statements which is not justified, refer to legal agreements as well as conditions in D, clarify in D that the requirement for Green Infrastructure to be protected as open space is only where appropriate, refer in E to the Environmental Character Areas being shown on the Policies Map, delete G which is not justified and delete H relating to AIRs which are now dealt with via a new policy introduced by **MM33**.

289. **MM8** is also needed for effectiveness, to introduce new criterion G relating to the Malvern Hills SSSI Mitigation Strategy with the requirement for developer contributions to address recreational pressures for all residential development of five or more dwellings within the 25km zone of influence towards the delivery of the mitigation strategy for the Malvern Hills SSSI. This buffer zone has been added to the Policies Map, but as currently shown includes land outside of the Plan area and in other neighbouring Council areas. On adoption of the Plan the Councils should either delete that part of the notation outside of its borders from the Policies Map, or explain in the reasoned justification that the policy cannot be applied beyond the Plan area.
290. Clarification as to how the respective contributions would be calculated and spent is provided in the reasoned justification. This overall approach has been viability tested and is justified with reference to national policy. However, the policy and reasoned justification set out in **MM8** has been further amended following consultation on it, to refer to the potential for on site mitigation. This change is made to address an omission in the MM as drafted in the interests of effectiveness and should not be prejudicial to interested parties. We have considered representations to the MM consultation seeking to lower the threshold to require contributions from all residential development (rather than 5 dwellings or more), but do not find this to be justified by the evidence before us. We are also satisfied that the text at paragraph 7.13 of the reasoned justification introduced by **MM8** (regarding the approach to the mitigation strategy through any future local plan review) does not provide guidance as to how a decision maker should react to development proposals and would not be justified for inclusion within the policy itself.
291. Additionally, the modification amends the policy to include text previously in footnotes into the policy and reasoned justification, and updates the reasoned justification to remove repetition and duplication of other policies, for effectiveness to ensure it explains the policy as amended.
292. The new AIRs policy introduced by **MM33** incorporates the requirements previously set out in SWDPR 07 but has been amended in the interests of

effectiveness. The Policy allocates an AIR at Honeybourne and sets out the parameters for the development of this and any other AIRs that may come forward. The two other AIRs previously proposed in the submission version of the Plan in Table 3 of SWDPR 07 criterion H, are deleted and removed from the Policies Map as the landowners confirmed they are no longer available. The policy also requires major residential development to provide a contribution towards the cost of delivering AIRs and explains how these would be determined and spent in the reasoned justification. This approach is justified by the evidence and has been viability tested.

293. Further changes following consultation on the MMs are required to amend the reasoned justification to remove reference to AIRs being located near to the Malvern Hills, or within the zone of influence and to clarify how major development in criterion F is to be determined. These changes are needed for clarity and should not prejudice any interested parties. However, additional adjustments to **MM33** sought by representations are not justified. In the event that the policy fails to bring forward AIRs this would be a matter for a review of the Plan. The addition of further detailed wording relating to community parks is not required for soundness.
294. We have considered the evidence put to us from representors seeking the allocation of land at Fish Meadows as an AIR to provide a national water sports centre of excellence. However we are not persuaded that such a sports and leisure facility would necessarily provide recreational green space that would relieve pressure on existing areas of green infrastructure or meet the criterion for allocation as an AIR. We are also mindful that such a facility is supported by other policies in the Plan, and are satisfied that any such development should be considered through the development management process. Since SWDPR 47 concerns existing waterfronts, changes to this policy to allow consideration of a proposed water sports centre are not justified. Accordingly, as the Plan, subject to the MMs we recommend would be soundly based in these regards, no additional changes are proposed in respect of this matter.

SWDPR 08: The Historic Environment

295. SWDPR 08 sets out the Councils' strategic approach to the historic environment and is to be applied alongside SWDPR 29 which deals with the management of the historic environment and is considered elsewhere in our report.
296. The NPPF is clear that Plans should (amongst other things) serve a clear purpose avoiding unnecessary duplication of policies that apply to a particular area (including the policies in this NPPF, where relevant). Accordingly, **MM10** is necessary to avoid such duplication and to minimise repetition between this policy and SWDPR 29. It is needed to accurately refer to the correct heritage

test in criterion B, to delete criterion C and to make changes to the reasoned justification to incorporate text previously in the footnotes. These changes are required for consistency and effectiveness and to ensure the policy aligns with the NPPF. Having considered the representations to the MM consultation, we are content that heritage assets at risk are adequately considered in SWDPR 29.

SWDPR 27: Biodiversity and Geodiversity

297. Mandatory BNG for both large and small sites has been introduced since this policy was drafted. In order to reflect the new legislation and national policy and guidance **MM30 and MM31** are needed for effectiveness to ensure that SWDPR 27 relates only to the general matters of biodiversity and geodiversity and sets out the well-established mitigation hierarchy approach to biodiversity (harm avoidance/mitigation/compensation). They are also necessary to ensure that the specific requirements of mandatory BNG delivery (and its associated hierarchy) are dealt with via a separate (new) policy.
298. Aswell as the deletion of criterion A in SWDPR 27 which relates to BNG, **MM30** is needed to amend criterion D to clarify the approach to nationally important sites, alter criterion E to refer to irreplaceable habitats, amend criterion G to clarify the approach to Urban Biodiversity Corridors which have now been mapped separately, and to delete existing criteria J, K and L which are not justified. Further amendments to the MM to delete reference to unmapped measures are not justified by evidence. It is also required to introduce a new criterion relating to nutrient neutrality and to indicate where Nutrient Neutrality considerations apply on the Policies Map. Furthermore, the MM introduces cross references to the new BNG Policy throughout, incorporates text from the footnotes, and updates the reasoned justification to appropriately explain the revised policy. Additionally, the boundaries of two SSSIs previously omitted from the submission version in error should be added to the Policies Map on adoption of the Plan.
299. **MM31** introduces a new policy to deal with the specific requirements of mandatory BNG. To avoid repeating national guidance and in order to allow a responsive approach this is limited to signposting national policy and guidance. It refers specifically to the mandatory requirements relating to BNG as set out in the Environment Act 2021, the 10% requirement, and the mechanisms by which it is calculated (including the use of the Statutory Biodiversity Metric and the Small Sites Metric). This change is needed to ensure that the Plan accords with national guidance and is justified and flexibly worded to ensure it can be effectively applied.

SWDPR 28: The Cotswolds National Landscape (NL) and Malvern Hills Area of Outstanding Natural Beauty (AONB)

300. SWDPR 28 needs to be modified to ensure that it is consistent with national policy relating to development in the setting of a National Landscape. This is achieved by **MM32** via changes to criteria A and D. It clarifies in criterion C that proposals should have regard to the good practice guidance (rather than be consistent with it) and to make correct reference to the titles of the relevant Plans, Boards and Partnerships. Criterion D is amended to delete repetition with criterion C and to refer to the approach to residual effects in terms of avoid, mitigate, compensate. Additionally, changes are made to include text formerly in footnotes being inserted into the policy and reasoned justification, to use correct terminology, and to explain the updated duty on local planning authorities in the reasoned justification.
301. We have made additional changes to the MM following consultation, to clarify the approach to major development in the context of footnote 60 of the NPPF which are required to ensure the policy is in line with national guidance. This change is made for accuracy and should not prejudice the interests of any party. Further changes to **MM32** in relation to the reasoned justification at paragraph 3.4 to refer to windfall development for settlements within or partly within the National Landscapes is not justified. We are content that the wording is effective as drafted in referring to windfall development within the National Landscapes (irrespective of the location of the settlement in this regard).
302. Subject to this modification the policy is sound. SWDPR 28 would also be consistent with the requirement for local plans to seek to further the purpose of conserving and enhancing the natural beauty of National Landscapes taking account of the relevant management plan.

SWDPR 29: Management of the Historic Environment

303. As set out above, along with SWDPR 08 this policy sets out the Councils' approach to the historic environment. **MM34** is necessary to avoid the duplication of the policies in the NPPF and minimise repetition between the historic environment policies of the Plan. In particular it is needed to refer to 'harm' and to clarify that the policy applies to both designated and non-designated heritage assets in criterion B, to provide consistent wording in criterion D, and to delete criterion E which refers incorrectly to the tests to be applied to the setting of conservation areas. These changes are required for internal consistency and thus effectiveness and to ensure consistency with national policy. Following consultation, we have made further minor changes to the MM to provide clear and accurate wording in criterion B. These are made in the interests of effectiveness and would not prejudice the interests of any party.

SWDPR 30: Landscape Character

304. SWDPR 30 seeks to safeguard the distinctive landscape of South Worcestershire and sets out the requirements for development proposals. However, as drafted it is not clear or effective. **MM35** is needed to ensure that Landscape and Visual Impact Assessments (LVIA) are required when proposals have potential for significant landscape or visual effects and not for all major development as drafted. It is also required to differentiate between when a Landscape and Visual Impact Assessment and when a Landscape and Visual Appraisal are required and to clarify in criterion C what should be included in any required assessment. Additionally the MM is necessary to incorporate text currently in the footnotes into the policy itself, and to make consequential changes to the reasoned justification, including to explain the role of Landscape Character Areas and define what a Land Cover Parcel is.

SWDPR 44: Green Space

305. SWDPR 44 sets out the approach to open space, an important part of the green infrastructure network, and sets out how proposals for development on open space will be considered. However, as drafted the policy is not effective or in line with national policy. In order to align with the terminology in the NPPF, and to provide clarity, **MM49** changes the policy title of SWDPR 44 to Open Space and is required in the interests of effectiveness.
306. In terms of how SWDPR 44 is applied, the different typologies of spaces included in the Open Space Assessment (OSA) should be mapped and shown separately as different layers on the interactive map in order for the policy to be effective. Additionally, the Urban Biodiversity Corridors should be separated out from the green/open space and provided with their own mapped designation to be considered under SWDPR 27 (Biodiversity and Geodiversity) in the interests of effectiveness.
307. Through the discussion regarding site specific issues at the hearings, the inclusion of buildings within the green space designation was raised. This does not accord with the advice in the PPG regarding open space. It appears to arise particularly on some sites included within the education typology set out in the OSA. As set out in our post hearings advice letter (EXAM 99), we do not consider the education typology to be justified or effective. It was not surveyed as part of the OSA and in some instances includes wide areas of land associated with education uses including buildings. It should therefore be excluded from the open space designation, and the Policies Map should be amended accordingly on adoption of the Plan.
308. It has come to light via the MM consultation that additional areas of open space have been added to the Policies Map. These sites were not part of the submission material and have not been subject to scrutiny or representations

in the examination. They include, but may not be limited to, the addition of areas of 'amenity green space'. Any such areas (and any other changes in relation to green/open space that have been made beyond those requested relating to the education typology) are not justified for inclusion on the Policies Map and they should not be taken forward when the Plan is adopted.

309. In terms of the drafting of the policy, changes to ensure criterion B refers correctly to the tests set out at paragraph 99 of the NPPF rather than repeating them with alternative wording is necessary to ensure the policy accords with national guidance. The requirement in criterion C for land that comes forward through planning permission to be designated as green space is not justified as drafted and needs to be altered to ensure it is effective and to ensure the policy does not seek to designate land outside of the Local Plan review process. Additionally, the modification is necessary to include text formerly in footnotes within the policy and to make consequential changes to the reasoned justification arising from the amendments to the policy.
310. Since it is unnecessary for open space to be in general public use, further amendments to the MM in relation to the 'outdoor sport – private' typology are not necessary. Whilst representations to the MMs refer to inconsistency in the application of the 'outdoor sport – private' designation to particular sites, we have seen no evidence to demonstrate that this typology was not considered appropriately in the OSA. Moreover, we are content that we have undertaken a proportionate assessment of this non-strategic policy in line with paragraph 36 of the NPPF. Accordingly, further changes to individual open space boundaries via the MMs are not justified.

SWDPR 45: Provision of Green Space and Outdoor Community Uses in New Development

311. The requirement for development to provide open space and outdoor community uses is set out in criterion A of SWDPR 45 with reference to the standards in the OSA which are set out in Table 9, and which have been taken into account in the viability assessment. However, as drafted the policy is not effective and does not directly reflect Natural England's Accessible Greenspace Standards.
312. Therefore, in the interests of effectiveness, **MM50** is necessary to ensure that the requirements in criterion A apply to both residential and mixed use development, to be clear in the reasoned justification that the standards in Table 9 are intended to be a minimum, and to explain the approach to creating larger areas of open space in order to better align the typologies in Table 9 to Natural England's Accessible Greenspace Standards via new text in the reasoned justification. It is also needed to incorporate text currently within the footnotes into the policy itself, and to make consequential changes arising from changes to other associated policies.

SWDPR 46: Playing Fields

313. Criterion A of SWDPR 46 requires proposals to contribute towards playing pitches and is informed by the Playing Pitch and Outdoor Sports Facilities Strategy, and criterion B deals with the loss of playing pitches. However, as drafted the policy is not consistent with national policy, clear or effective.
314. **MM51** is needed to refer to successor strategies in criterion A, in order to ensure flexibility, and to delete the existing text in criterion B and instead refer directly to the tests in the NPPF in relation to the loss of playing pitches. Amendments are also necessary to include text from the footnotes within the policy and to refer in the reasoned justification to Sport England's Playing Pitch Calculator tool. These changes will ensure the policy is consistent with national policy and can be effectively applied.

Conclusion

315. Subject to the MMs described, the Plan's approach to the natural and built environment and open space is justified and consistent with national policy.

Issue 10: Is the Plan's approach to Climate Change justified and consistent with national policy?

SWDPR 01: Climate change and adaptation

316. In line with the NPPF which states that the planning system should support the transition to a low carbon future in a changing climate, this overarching strategic policy aims to ensure that all development minimises its environmental impact and is resilient to the consequences of climate change and seeks to set out the Councils' key ambitions and priorities in this regard. SWDPR 01 as drafted refers to the provisions of the spatial strategy and other policies in the Plan which require that development contributes to the mitigation of and adaption to climate change (including such things as requirements to minimise travel, provide and protect green infrastructure, achieve biodiversity net gain, insist on renewable energy requirements, and to ensure high quality design and sustainable construction methods).
317. However, as drafted there is some repetition within the policy as well as duplication of the requirements of both the Building Regulations and other policies including SWDPR 03 which deals with the spatial strategy, and SWDPR 05 concerning design and sustainable construction. Accordingly, **MM2** is necessary to remove repetition and unnecessary duplication and to ensure consistency with the wording of other policies in the Plan in the interests of effectiveness. It is also needed to amend criterion C to explain the approach to net gains in biodiversity and to ensure criterion vii relating to

renewable or low carbon energy measures can be applied flexibly, to clarify in criterion D how the achievement of the objectives is to be assessed by the Councils in practice via Design and Access Statements, and to recognise the need for flexibility in light of equivalent assessments and feasibility and viability considerations. Corresponding changes to the reasoned justification are also necessary for reasons of effectiveness.

318. Subject to these changes, SWDPR 01 is effective and together with other policies in the Plan, sets out the Plan's approach to contribution to mitigating and adapting to climate change in accordance with s.19(1A) of the Planning and Compulsory Purchase Act 2004.

SWDPR 05: Design and Sustainable Construction

319. The NPPF seeks to achieve well designed places, and indicates that local planning authorities should ensure that they have access to, and make use of, tools and processes for assessing and improving the design of development. It is also clear that any requirements for the sustainability of buildings should reflect the Government's policy for national technical standards. SWDPR 05 seeks to ensure the delivery of high quality design and minimise the impact of climate change, and in doing so sets out various requirements for the development proposals to meet a number of technical standards. However, the policy is not consistent with national guidance or technical standards.
320. **MM6** is therefore necessary for a number of reasons. It is required to clarify how account should be taken of other guidance by the Councils with reference to Design and Access Statements and to confirm that proposals should conform with neighbourhood plans. It is also needed to introduce a cross reference to the nationally described space standard and other policies in the plan in criterion A v in order to ensure effectiveness. Furthermore, it is necessary to remove the requirements in criterion B ii relating to embodied carbon emissions targets for major development, and those in criterion B iv relating to calculating whole lifecycle carbon emissions for major development as these are not justified, and in order to ensure compliance with the 2023 Written Ministerial Statement 'Planning – Local Energy Efficiency Standards.
321. Finally, a modification is required to clarify in criterion B ix relating to Home Quality Mark assessments, and in criterion B x in relation to BREEAM⁴, that an equivalent assessment could also be acceptable, and that both requirements are necessary only where they are feasible and viable. These changes are necessary to ensure flexibility in line with national guidance and technical standards, and in the interests of the effectiveness of the policy.

⁴ Building Research Establishment Environmental Assessment Method

SWDPR 33: Renewable and Low Carbon Energy

322. This policy deals with the incorporation of renewable and low carbon energy into new developments via a number of requirements. It also deals with proposals for stand alone renewable and low carbon energy schemes. It aligns with the NPPF which states that plans should help to increase the use and supply of renewable energy and low carbon energy and heat, by providing a positive strategy for energy from these sources, and consider identifying suitable areas for renewable and low carbon energy sources.
323. The policy increases the requirement that developments over 100 sqm or one or more dwellings should incorporate a proportion of their energy requirement generated from renewable or low carbon sources from 10% (as in the existing Plan adopted in 2016), to 20%. This has been viability tested and we find that this overall approach is justified and consistent with national guidance. However, as drafted the policy lacks flexibility. **MM38** is needed to criterion A to ensure the policy requirements can be applied having regard to feasibility and viability considerations. The thresholds at which the policy will apply also need to be set out in the policy itself (criterion B) rather than in a footnote. These amendments are required to ensure the policy is effective.
324. Changes are also needed to the reasoned justification, to reduce instances where the policy text is repeated, to avoid duplicating national guidance, to refer to viability testing that has been undertaken, and to explain the circumstances under which exceptions to the policy could apply (**MM38**). These are also needed in the interests of the effectiveness of the policy.

SWDPR 34: Flood Risk

325. The NPPF requires that all plans should apply a sequential, risk based approach to the location of development. The PPG sets out a tiered approach to flood risk assessment.
326. The Councils have prepared a Level 1 Strategic Flood Risk Assessment August 2019 (SFRA) (CCRM9) that identifies which locations are most and least vulnerable to flooding from all relevant sources. Since the Councils were unable to place all proposed development outside of Flood Zones 2 and 3, a Level 2 Strategic Flood Risk Assessment January 2021 (CCRM15) was undertaken. This assesses 29 of the higher risk new proposed development sites included in the Plan.
327. Site summary tables are set out in Appendix A (CCRM15A) and provide a detailed summary of the flood risk for sites requiring a more detailed assessment. The Assessment also provides general recommendations for developers for lower risk sites. Paragraph 7.1 of the Assessment indicates that for allocated sites, the Councils have already applied the Sequential and

Exception Tests. The Environment Agency confirms that the flood risk evidence base used for the Plan appears robust and suitable to demonstrate that flood risk has been fully considered for the proposed sites.

328. SWDPR 34 seeks to minimise fluvial and surface water flood risk through various measures, including the requirement for site specific SFRA's and Surface Water Management Plans. In particular, criterion B i indicates that sites not allocated in the Plan, or allocated sites that have not undergone the Level 2 SFRA, must demonstrate that the Sequential Test and the Exception Test has been applied.
329. As currently drafted, SWDPR 34 is not consistent with national policy and guidance, which have been updated in relation to flood risk since the Plan's submission. **MM39** is therefore needed to ensure the policy reflects the relevant version of the PPG relating to flood risk and coastal change, so that it is therefore consistent with national policy. For the same reason the modification is also required to clarify the approach to caravans and mobile homes in Flood Zone 3 (criterion M) and to incorporate text previously in footnotes within the policy. Other changes are included which are necessary to ensure the policy is effective and consistent with other policies in the Plan including the approach to flood alleviation schemes on open space and reference to guidance from the Environment Agency. Corresponding changes are also required to the reasoned justification.
330. Additionally, EXAM 114 provides an addendum to the Level 2 SFRA that considers the updated national flood mapping for England produced by the Environment Agency in 2025 and includes a summary of the risk shown at the sites assessed in the Level 2 SFRA with the new mapping. A number of sites have seen changes in fluvial risk and in surface water risk. As a result, these MMs are proposed to individual sites to ensure that appropriate mitigation is required. These are considered elsewhere in this report.
331. Following the MM consultation, we have amended **MM39** so that it is clear as to what the requirements are for the application of the sequential and exception tests are in respect of allocated and non-allocated sites arising from the updated national flood mapping data. These changes are consistent with national policy and reflect what should occur in the development management process, and do not give rise to prejudice to interested parties.

SWDPR 35: Sustainable Drainage Systems

332. SWDPR 35 sets out the approach to Sustainable Urban Drainage Systems (SUDS) and the requirement for proposals to include them. **MM40** is necessary to delete superfluous criteria which repeat other parts of the policy wording and other policies in the Plan, and to ensure all major developments

include SUDS for the management of surface water run-off. Changes to ensure the policy requires development to have regard to other guidance (rather than accord with it as it is not part of the development plan), to explain the evidence that will be required by Severn Trent Water in relation to a surface water strategy and to incorporate text from the footnotes are also required. Together these changes are needed to set the approach out in a way consistent with the NPPF and ensures that the policy can be effectively applied.

SWDPR 36: Water Resources, Efficiency and Wastewater Treatment

333. SWDPR 36 sets out the approach to water resources, efficiency and wastewater treatment in line with the NPPF which is clear that Plans should take a proactive approach to mitigating and adapting to climate change, taking account of water supply (amongst other things). **MM41** is needed to refer to the relevant water company in criterion A, to ensure that the hierarchy of drainage options is set out in criterion B, to amend the text in criterion C to clarify what is expected from development in terms of water efficiency, to add a further criterion relating to the impact of development on water quality or quantity or on wastewater infrastructure, and to make corresponding amendments to the reasoned justification to reflect these changes to the policy. These modifications will ensure that the policy is consistent with national policy and can be effectively applied.

SWDPR 37: Air Quality

334. As drafted the policy sets out the various thresholds when Air Quality Assessments will be required (including in or adjacent to Air Quality Management Areas). These are informed by technical guidance produced by Worcestershire Regulatory Services (WRS) and are guided by the advice in the EPUK and IAQM (2017) Land-Use Planning and Development Control: Planning for Air Quality.
335. The requirement for Air Quality Assessments is justified given the particular characteristics of the area. However, a number of changes are required to this policy to reflect technical work undertaken by WRS since the submission of the Plan, along with local government air quality responsibilities which now apply. These are set out in **MM42**. New criterion A has been introduced to set out the approach to proposals likely to have a significant adverse effect on air quality including measures to minimise impacts. The thresholds for when Air Quality Assessments will be required for various types of development in criteria B and C have been amended to reflect the most up to date WRS guidance. Changes to the reasoned justification are also needed to reflect and refer to the updated technical guidance and to explain the various terms and abbreviations that are used. All these changes are necessary to ensure the policy aligns with national guidance, provides clarity and can be applied effectively.

Conclusion

336. Subject to the proposed MMs, the Plan's approach to Climate Change is justified and consistent with national policy.

Issue 11: Are the other strategic and development management policies in the Plan justified, consistent with national policy and effective?

337. This issue considers the soundness of the Plan's other policies which are not covered above.

SWDPR 06 Transport

338. SWDPR 06 sets out the strategic approach to transport in terms of managing travel demand, reducing the impact of travel, delivering transport infrastructure, as well as the approach to transport assessments, parking and implementation. Overall, we are satisfied that the policy would help to ensure that any significant impacts from the development proposed on the transport network or on highway safety can be cost effectively mitigated to an acceptable degree. However, as drafted it is not effective or in line with national policy.
339. **MM7** is needed to ensure the requirements of criterion A reflect the NPPF (which resists development where there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe), to amend criterion A to ensure that regard is had to the Local Transport Plan (rather than requiring consistency with it as it is not part of the development plan), to ensure criterion B requires travel plans for development that will generate significant amounts of movement as set out in the NPPF (and not for all major development as drafted) and to amend the wording of criterion C to clarify that proposals should have regard to the principles set out in other documents and to refer correctly to the National Landscapes. The modification is also required to correct the policy number cross reference in criterion D, to remove criterion E relating to electric vehicle charging infrastructure which duplicates Part S of the Building Regulations, and to delete criterion H which duplicates other policies in the Plan.
340. **MM7** is also required to add additional sub criterion vii to ensure that enhancements to Pershore railway station are also safeguarded in light of the planned dualling of the Cotswold Line which aims to improve regional connectivity, and to correct the names of the policies/sites in criterion viii.
341. Furthermore the modification is necessary for effectiveness to amend criterion L to require proposals to have regard to standards set out elsewhere (rather than to meet them), to include a reference to Section 278 of the Highways Act

in criterion M and to make corresponding changes to the reasoned justification to reflect the amendments to the policy, to incorporate the footnotes and finally to refer to the role of Active Travel England.

342. Following the MM consultation, we have amended MM7 to include a reference to the Gloucestershire Local Transport Plan in the reasoned justification for SWDPR 06 as given the location of the Mitton allocation on the edge of Tewkesbury and the predicted transport effects to the road network in Gloucestershire it would be a relevant consideration in the assessment of cross boundary effects. This is a minor change and its addition should not prejudice the interests of interested parties.

SWDPR 10 Health and Wellbeing

343. SWDPR 10 sets out the requirement for proposals to consider their impact on health and wellbeing, and includes the requirement for major development to provide Health Impact Assessments. We are content that this general approach is justified and aligns with the aspirations of national policy, however as drafted the policy is not effective. Because there is some duplication of other policies in the Plan in criterion B, **MM12** is necessary to ensure the various sub-criteria are more clearly related to issues of health and wellbeing.
344. It is also needed to avoid repetition in criterion B with the text in criterion A, to provide clear and unambiguous wording in criterion C in relation to Health Impact Assessments, to incorporate text previously in the footnotes within the policy and reasoned justification, to delete repetition of the NPPF in the reasoned justification, and to introduce reference in the reasoned justification to refer to secondary healthcare infrastructure. Clarification of the circumstances under which new infrastructure will be required is provided in the reasoned justification as a result of representations received through the MM consultation. These changes are made to ensure conformity with national guidance and should not prejudice interested parties.

SWDPR 15: Effective Use of Land

345. SWDPR 15 seeks to set out the principles for achieving sustainable development focussing on housing density, previously developed land and ensuring the effective use of agricultural land. However as drafted it does not accord with national policy and is not effective. **MM17** is therefore needed to be clear that the net density requirements in criterion E are minimums, to make sub-criteria iv and v stand alone as new criteria (new F and G) as they do not flow from criterion E, and to include flexibility to the approach to densities at the new settlements and urban extensions in light of feasibility and site constraint considerations in new criterion F. The modification is also required to explain more clearly the approach to previously developed land in criterion

G such that it serves a clear purpose (via the introduction of new criterion) and to introduce requirements relating to soil management to accord with national guidance.

SWDPR 21: Replacement Dwellings in the Open Countryside Dwellings in the countryside and rural buildings

346. SWDPR 21 sets out the circumstances under which replacement dwellings in the open countryside will be permitted and replicates an equivalent policy in the adopted Plan (SWDP18 that it would supersede) which has been successful in controlling such development in the countryside. **MM24** is needed to ensure that important text, including that regarding the approach to determining what will be considered to be 'disproportionally larger' currently in the footnotes, is included in the policy, and to indicate that all the criteria apply, in order to ensure that it can be effectively applied.

SWDPR 24: Reuse of Rural Buildings

347. The reuse of rural buildings is supported by this policy but as drafted it is not effective or in line with the NPPF. In the interests of clarity and effectiveness **MM27** is required to be explicit that the policy applies to traditional rural buildings (rather than modern ones) and to delete unclear and subjective wording in criterion A i, as well as to indicate that all the criteria apply. It is also needed to ensure that the approach to the removal of permitted development rights in criterion C accords with national policy. Finally, for effectiveness it is necessary to include some of the relevant wording currently included in footnotes within the reasoned justification including making consequential changes there.

SWDPR 25: Extensions to Residential Curtilage Beyond a Defined Settlement Boundary

348. SWDPR 25 seeks to control extensions to residential curtilages, but as drafted it is not effective or in line with national policy. **MM28** amends the policy to remove 'beyond a defined development boundary' from the title such that it can also be applied in urban areas. It is also required to amend the wording in criterion A to be clear what is expected of proposals, to refer correctly in criterion B to the National Landscapes, and to amend criterion E regarding the removal of permitted development rights to accord with national policy. Modifications are also needed for effectiveness to the reasoned justification to explain the approach outside of defined development boundaries, to include text in the footnote, to refer to the Landscape Character Assessment and to explain the approach to the removal of permitted development rights.

SWDPR 26: Design, Effective use of land and residential curtilages

349. SWDPR 26 recognises the importance and impact of good design and sets out what is expected of development proposals. Amendments to the policy are needed to ensure it accords with national policy and can be effectively applied. These are set out in **MM29** which amends criterion B to refer to other equivalent assessments, requires proposals to have regard to other guidelines (rather than be consistent with them as they are not part of the development plan) in criterion B, and clarifies the approach to gulls in criterion B xii having regard to the provisions of the Wildlife and Countryside Act and relevant legislation. For the same reasons, changes are also required to the reasoned justification to refer to the role of design codes, remove repetition with the NPPF, and update references to the National Landscapes.

SWDPR 31: Amenity

350. As drafted SWDPR 31 is not consistent with national policy with regard to the protection of amenity and could not be effectively applied. Amendments are necessary to criterion A to refer to the creation of a high standard of amenity for existing and future occupiers as set out in the NPPF, to introduce a new criterion at B to explain how the policy will ensure that new development can be integrated effectively with existing business and community uses in line with the 'agent of change' principle set out in the NPPF, to refer throughout to future occupiers rather than proposed end users, and to amend the reasoned justification such that it requires regard to be had to other guidance (rather than requiring proposals to be in accordance with it). These are set out in **MM36** and are needed to ensure compliance with national policy and effectiveness.

SWDPR 32: Telecommunications and Broadband

351. SWDPR 32 recognises the importance of communication infrastructure as set out in the NPPF, however as drafted its specific requirements duplicate those in Part R of the Building Regulations concerning infrastructure for electronic communications and so do not serve a clear purpose. Accordingly, to ensure effectiveness, **MM37** deletes criteria A and B and amends the reasoned justification to reflect this. The modification is also needed to remove unnecessary repetition of the NPPF, to refer to updated documents and to incorporate wording from the footnotes.

SWDPR 38: Contaminated Land

352. SWDPR 38 deals with development concerning contaminated and unstable land and sets out what is required from development proposals. However, for reasons of clarity and effectiveness **MM43** is needed in order to make changes

to the reasoned justification to include text currently in the footnotes, and to remove unnecessary repetition of the NPPF.

SWDPR 39: Minerals and Waste Safeguarding

353. SWDPR 39 is concerned with the safeguarding of minerals and waste management facilities to prevent mineral resources being sterilised consistent with the policies of the Worcestershire Minerals Local Plan, and to safeguard waste management facilities consistent with the Waste Core Strategy. **MM44** is needed for effectiveness to ensure the policy and reasoned justification applies to both specific minerals sites and preferred areas, and to delete repetition of text from the NPPF. **MM81** amends and updates the table of site allocations which will be required to address mineral, and waste management facility safeguarding so that the Plan is effective in this regard.

SWDPR 40: Tourist Development

354. SWDPR 40 is supportive of tourist development subject to proposals meeting a number of criteria, but as drafted is not consistent with national policy or effective. **MM45** is needed to remove criterion A iv which is at odds with the NPPF in its approach to making effective use of land, to be clear that all the criteria apply, to amend unclear wording in the reasoned justification, and to also explain the benefits of tourism to the economy in South Worcestershire.

SWDPR 41: Visitor Accommodation

355. Visitor accommodation is supported by SWDPR 41 provided that a number of criteria are met. However, the existing wording is not clear or effective. **MM46** is needed to set out that the policy also applies to changes of use and extensions as previously required by the footnotes, and to be clear that criterion A relates to development within development boundaries, whilst criterion B concerns development outside development boundaries. It is also required to provide clear wording in criterion A ii in relation to any impacts on amenity and in the reasoned justification where superfluous text is deleted.

SWDPR 42: Static and Touring Caravans, Chalets and Campsites

356. SWDPR 42 is permissive of static and touring caravans, chalets and campsites in certain circumstances but as drafted is not effective or consistent with national policy. The removal of criteria A i, iii and v all of which duplicate the requirements of other policies in the Plan is necessary via **MM47**. The MM also includes amendments to criterion A to define what will be considered as small sites, and to criterion B to determine what will constitute small in scale in terms of extensions. Furthermore, changes to criterion A iii to refer to recycling facilities, and to A iv and the reasoned justification to reflect the NPPF's

position that opportunities to maximise sustainable transport solutions will vary between urban and rural areas, are necessary. We have considered whether any further amendments are required to **MM46** and **MM47** but are satisfied that the different approaches of the two policies are justified and effective as modified.

SWDPR 43: Built Community Facilities

357. As drafted SWDPR 43 concerns the provision of new community facilities, the approach to the loss of community facilities, and the requirement for financial contributions for the off site provision or enhancement of community facilities. The provision requirements set out are informed by the South Worcestershire Community Buildings and Halls Report (TLC8) and the associated costs are taken into account in the IDP. Overall, we find this general approach to be justified.
358. However, a number of changes are required to ensure the policy is effective. Since criterion A duplicates other policies in the Plan including those in neighbourhood plans it does not serve a clear purpose and **MM48** deletes it. A further amendment to the MM following consultation on it, is needed to reflect the deletion of criterion A from the policy in paragraph 4.7 of the reasoned justification. This minor change is made for accuracy and should not prejudice interested parties. The MM introduces a change to criterion B which is necessary to ensure that any partial loss of a site or building is also resisted, and to add a final row to Table 8 to set out the provision requirements in other areas outside of the urban areas previously included in a footnote. Amendments via the MM are also needed to include reference in the reasoned justification to situations where healthcare facilities are declared surplus to operational requirements, and to refer to successor strategies to allow flexibility. These are all necessary to ensure the policy is effective.

SWDPR 47: Waterfronts

359. SWDPR 47 seeks to protect and enhance important waterfront locations. However as drafted it is not effective and **MM52** is needed to amend the wording, to clarify that all the sub-criteria in A apply, and to refer in the reasoned justification to impact on the natural environment and water quality.

SWDPR 48: Marinas and Moorings

360. Marinas and Moorings are permitted by SWDPR 48 in a number of circumstances, but as submitted the policy lacks effectiveness. **MM53** is necessary to differentiate between recreational leisure boats and permanent residential moorings which are likely to require planning permission and are dealt with under SWDPR 49 in the reasoned justification.

SWDPR 50: Equestrian Development

361. Proposals for equestrian development in rural areas are supported by SWDPR 50 in certain circumstances, but as drafted it is not effective. **MM54** is needed to remove text at criterion A iii which repeats the requirements of other policies in the Plan, and to clarify the wording in criterion A iv such that regard is to be had to published guidance, as well as to explain the documents that this might include in practice in the reasoned justification. It is also required to delete criterion B in its entirety since it requires compliance with Equine Safety Welfare Guidelines which do not form part of the Plan. However, a reference to these guidelines is retained in the reasoned justification. Finally, the necessary amendments include the incorporation of text currently in the footnotes within the policy itself.

Conclusion

362. Subject to the MMs set out, the other strategic and development management policies in the Plan are justified, consistent with national policy and effective.

Issue 12: Is the Plan's approach to and strategy for infrastructure provision, implementation and monitoring justified, effective and consistent with national policy?

SWDPR 09: Infrastructure

363. SWDPR 09 is a strategic policy which sets out the Councils approach to infrastructure. However as drafted it is not consistent with national policy or effective. **MM11** is necessary to clarify in criterion C that planning obligations will only be sought where they are necessary to make development acceptable in planning terms, and to amend the types of infrastructure in criterion D (to remove affordable housing and to include flood defence and emergency services infrastructure). It is also required to amend the reasoned justification to remove duplication of the policy text and national policy as well as to explain the approach to affordable housing.

Implementation and Monitoring

364. SWDPR 64 sets out the implementation and monitoring arrangements for the Plan. Regulation 34 of the Town and Country Planning (Local Planning) (England) Regulations 2012 expects local planning authorities to produce an Annual Monitoring Report. This sets out progress with the preparation and implementation of Local Plans and should indicate where a policy is not being implemented and identify why and what steps are to be taken to secure its implementation. The approach to monitoring is set out in criterion C of Policy SWDPR 64 and indicates that progress will be monitored annually. This would be undertaken against the indicators and targets in the Annual Monitoring

Report to assess the extent to which policies are proving effective and whether targets are being met and is a logical approach.

365. As drafted SWDPR 64 is not effective. **MM73** is required to delete the final sentence of criterion A which repeats criterion B relating to the Community Infrastructure Levy, to add a new criterion relating to the Councils' use of compulsory purchase powers to deliver the strategic sites in particular, and to amend criterion C relating to monitoring to accord with national policy. Corresponding changes are also required to the reasoned justification.

366. It has been put to us that the Plan should contain a policy requiring an immediate review. Whilst we are not convinced that such a policy would be effective, the transitional arrangements in the NPPF mean that the Councils are expected to begin work on a new plan, under the revised plan-making system provided for under the LURA (as soon as the relevant provisions are brought into force), in any event, so such a policy would also be unnecessary.

Conclusion

367. Subject to the MMs set out above, the Plans approach to and strategy for infrastructure provision, implementation and monitoring is justified, effective and consistent with national policy.

Issue 13 – Are any main modifications required to make the Plan sound that have not been considered under main issues 1 to 12?

368. The Plan will replace the adopted South Worcestershire Development Plan in its entirety. To meet the legal requirement of Regulation 8(5) the Plan should be altered to make clear the South Worcestershire Development Plan policies which are to be superseded and listed as Annex G (**MM1** and **MM82**). **MM1** is also needed for effectiveness to delete references to the Councils relevant strategies, and to the Local Enterprise Partnership. The Plan should also be amended to explain that Areas of Outstanding Natural Beauty have been renamed as National Landscapes.

369. As a consequence of a number of MMs and changes in national policy since the Plan was submitted **MM74** updates the Glossary for effectiveness. Changes are also necessary to the Key Diagram via **MM1**. These include the deletion of Honeybourne Airfield Industrial Estate which was included on the submitted diagram as a Strategic Employment Site in error, and the replacement of the Throckmorton Strategic Housing Allocation with a symbol to identify it instead as a Future Area of Search as per our findings on that site. These consequential changes are needed in the interests of accuracy, consistency and effectiveness.

370. Annex B of the Plan sets out the Marketing Requirements which are referred to in a number of the policies in the Plan. The Annex is amended in the interests of effectiveness by **MM77** to be clear as to which policies the requirements apply, to clarify the extent of the requirements, and to specify the relevant time periods to be applied to custom and self-build housing. **MM77** as consulted upon referred to policy SWDPR 27. This is incorrect and we have amended it to state SWDPR 47 as set out in the title of the Annex. This is a minor change and should not give rise to prejudice to any interested party. Annex D of the Plan sets out the additional information needed to justify rural workers dwellings and live work units (dealt with in policies SWDPR 22 and SWDPR 14 respectively) but as drafted it is not effective. **MM78** is needed to clarify to which development the requirements apply, to provide guidance on the functional need for a dwelling, and to refer to the use of a condition rather than a legal agreement in criterion C.

Conclusion

371. For these reasons, we conclude on this issue that the MMs mentioned above, that have not been otherwise referenced in respect of Issues 1 to 12, would be required to make the Plan sound.

Overall Conclusion and Recommendation

372. The Plan has a number of deficiencies in respect of soundness and legal compliance for the reasons set out above, which mean that we recommend non-adoption of it as submitted, in accordance with Section 20(7A) of the 2004 Act. These deficiencies have been explained in the main issues set out above.

373. The Councils have requested that we recommend MMs to make the Plan sound and/or legally compliant and capable of adoption. We conclude that the duty to co-operate has been met and that with the recommended main modifications set out in the Appendix to our report, the South Worcestershire Development Plan Review satisfies the requirements referred to in Section 20(5)(a) of the 2004 Act and is sound.

P Lewis and E Worthington

Inspectors

This report is accompanied by an Appendix containing the Main Modifications.