South Worcestershire Development Plan Examination

Representation Form
Consultation on Proposed Modifications to SWDP: 6 October – 14 November 2014

South Worcestershire Councils

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

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All comments must be received by 5.00pm on the November.
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REPRESENTATIONS MUST ONLY RELATE TO THE CURRENT PROPOSED MODIFICATIONS.

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c/o Wychavon District Council
Policy Plans Team
Civic Centre
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Pershore
Worcestershire
WR10 1PT

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(The following form can be edited electronically by clicking into the boxes and typing – boxes should automatically expand as needed. Cursor marks will not affect the text or readability of the document)
Before completing the response form we would be grateful if you could tell us more about yourself:

1. Personal Details
   - Title: Mr
   - First Name: Denis
   - Last Name: Barry
   - Job Title (if relevant): Planning Associate Director
   - Organisation (if relevant): Linden Homes (Western)

2. Agent Details (if applicable)
   - Organisation (if relevant): GL Hearn Limited

HOW WE WILL USE YOUR DETAILS

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

Signed: [Signature]  Date: 14/11/2014
Please use a separate Part A / B form for each modification you wish to respond to and attach to the one containing your contact details.

<table>
<thead>
<tr>
<th>3. Are you attaching any additional sheets that relate to this representation?</th>
<th>Yes</th>
<th>No</th>
<th>✓</th>
<th>Number of sheets</th>
</tr>
</thead>
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<tr>
<th>4. Which Proposed Modification does your representation relate to?</th>
<th>PM8</th>
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<tr>
<th>5. Do you consider the Proposed Modification to be legally compliant?</th>
<th>Yes</th>
<th>No</th>
<th>No Comment</th>
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<tr>
<th>6. If you consider the Proposed Modification to be unsound, please identify which test of soundness your comments relate to? (tick all that apply)</th>
<th>Positively prepared</th>
<th>Effective</th>
<th>Justified</th>
<th>Consistent with National Policy</th>
<th>✓</th>
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As also set out in the accompanying guidance note (paragraph C, page 2 of GUIDANCE NOTE – How to Respond to the Proposed Modifications), these are the tests of soundness to which your comment(s) should relate:

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

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

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

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The proposed modification confirms that housing provision will be made for ‘about 28,400 dwellings’.

It is agreed, as per the Inspector’s Further Interim Conclusions (31 March 2014), that the full, Objectively Assessed Housing Need (OAHN) over the Plan period is 28,370 dwellings in South Worcestershire; however, this should represent a minima target having regard to the NPPF’s requirement to ‘boost significantly the supply of housing’ and deliver ‘a wide choice of high quality homes’ (Paragraph 47, NPPF).

Currently the use of the word ‘about’ suggests a lower quantum of dwellings may be delivered than the OAHN, thereby conflicting with the NPPF which states that local planning authorities should ‘… ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area…’ (Paragraph 47, NPPF)

The housing target of 28,400 dwellings (or the OAHN figure of 28,370 dwellings) should be qualified by ‘at least’ to ensure the Plan is consistent with National Planning Policy.
Please use a separate Part A / B form for each modification you wish to respond to and attach to the one containing your contact details.

**Part B**
Please set out what change(s) you consider necessary to make the Proposed Modification legally compliant or sound, having regard to the test(s) you have identified above. You will need to say why this change will make the Proposed Modification legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

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| The housing target of 28,400 dwellings (or the OAHN figure of 28,370 dwellings) should be qualified by ‘at least’ rather than ‘about’ in order to ensure the Plan is consistent with National Planning Policy. |
7. If your representation is seeking a change to the Proposed Modification, are you content for it to be considered by written representations, or do you consider it necessary to participate in person at an examination hearing?

<table>
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<tr>
<th>Written representations</th>
<th>Participate at an examination hearing</th>
</tr>
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8a. If you wish to participate at an examination hearing, please outline why you consider this to be necessary:

Linden Homes is one of the UK’s leading housebuilding companies. It already has an interest in proposed Allocation Ref. SWDP59/8 at Kempsey and it now has an interest in adjoining land which constitutes an omission site. Linden Homes has raised significant soundness concerns relating to the proposed modifications and it is eager to participate in the examination hearings with a view to assisting the Inspector and the Councils in making the SWDP sound.

8b. Where there are a large number of identical or very similar responses to a particular modification, it would assist the Inspector if individuals could work together on presenting a joint case at the hearing. If you are able to do this, please indicate below who will be representing you. Your individual comments will still be considered by the Inspector.

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<td>Title</td>
<td>Mr</td>
</tr>
<tr>
<td>First Name</td>
<td>Denis</td>
</tr>
<tr>
<td>Last Name</td>
<td>Barry</td>
</tr>
<tr>
<td>Job Title (if relevant)</td>
<td>Planning Associate Director</td>
</tr>
<tr>
<td>Organisation (if relevant).</td>
<td>Linden Homes (Western)</td>
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<tr>
<td>Address</td>
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Signed: [Signature]  Date: 14/11/2014
Please use a separate Part A / B form for each modification you wish to respond to and attach to the one containing your contact details.

3. Are you attaching any additional sheets that relate to this representation?

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<th>(Site Location Plan and SHLAA Extract)</th>
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<td>Number of sheets</td>
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4. Which Proposed Modification does your representation relate to?

<table>
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<tr>
<th>Modification Number</th>
<th>PM12</th>
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5. Do you consider the Proposed Modification to be legally compliant?

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<th>Yes</th>
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6. If you consider the Proposed Modification to be unsound, please identify which test of soundness your comments relate to? (tick all that apply)

| Positively prepared | ✓ | Effective |
| Justified           | ✓ | Consistent with National Policy | ✓ |

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Part A

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

Your representation should relate only to the current Proposed Modifications.

These comments should be read in conjunction with Linden Homes' comments on Proposed Modification Ref. PM21. The comments on this proposed modification focus on the following soundness concerns:

i) In the absence of a robust comparative assessment of all sites submitted for consideration as allocations under the proposed modifications, the amended SWDP is not justified.

ii) As part of the Councils' high level assessment of omission sites, the conclusions relating to land at Kempsey where Linden Homes has an interest are inaccurate and conflict with the Councils’ assessment of the land in the past. Despite the SWDP confirming there is ‘limited ability to accept new development’ in Malvern Hills and concluding that some of the District’s Objectively Assessed Housing Need (OAHN) must be re-allocated to the Wider Worcester Area and Wychavon District, the proposed modifications do not seek to allocate the Linden Homes land even though the District Council recently concluded that housing proposals immediately adjoining it are in a sustainable location and these are now subject of a resolution to grant outline planning permission. The most recent SWDP SHLAA (2012) also provided a favourable assessment of the aforesaid land. Accordingly, in their current form, the proposed modifications cannot be said to be positively prepared, justified or consistent with national planning policy.

i) In the absence of a robust comparative assessment of all sites considered for allocation as part of the proposed modifications, the amended SWDP is not justified.

Further to the receipt of confirmation of the OAHN figure of 28,370 dwellings from the Inspector in March 2014, the South Worcestershire Authorities undertook further work to identify additional housing allocations to meet the proposed uplift in the OAHN. This included a new ‘Call for Sites’ in March/April 2014 after which the Councils undertook an initial screening exercise to identify sites to be taken forward as potential allocations.

The principle of screening potential development sites is supported; however, Linden Homes is concerned that there is no detailed evidence demonstrating how each of the sites were sequentially assessed to ensure the sites carried forward as proposed allocations represent the most appropriate
sites (and strategy) when considered against reasonable alternatives. This lack of transparency and evidence demonstrating that the proposed additional allocations represent the most sustainable and appropriate development locations cross the Plan Area mean the proposed modifications are not justified.

While the proposed additional allocations have been subject of a more detailed assessment and sustainability appraisal, it is not clear how the omission sites performed against the proposed allocations.

This is particularly relevant in Malvern Hills District where the proposed modifications (Refs. PM21 and PM22) to Policy SWDP3 confirm the District has limited capacity to accommodate new development owing to natural and environmental constraints. The proposed modification subsequently concludes that the District does not have sufficient capacity to accommodate all of its OAHN.

ii) As part of the Councils’ high level assessment of omission sites, the conclusions relating to land at Kempsey where Linden Homes has an interest are inaccurate and conflict with the Councils’ assessment of the land in the past.

Linden Homes has an interest in approximately 5 hectares of land located immediately to the south of its existing site at Kempsey (Land to the south of The Lawns and Meadow Close) which benefits from a resolution to grant outline planning permission for up to 110 dwellings (Ref. 14/00021/OUT) and comprises part of proposed Allocation Ref. SWDP59/8.

The land (outlined in red on the enclosed Site Location Plan) is bounded by Old Road South to the west, Pixham Ferry Lane to the south and Bight Farm to the east where there is also a resolution to grant outline planning permission for up to 80 dwellings (Ref. 13/01130/OUT) and this also comprises part of Allocation Ref. SWDP59/8. Therefore the site is enclosed by allocated land to the north and east and highways to the west and south.

The landowner submitted details of the site to the Councils’ ‘Call for Sites’ earlier this year; however, the site has not been carried forward as an allocation based on the following high level assessment:

‘location/other sites with planning permission in village’

(SWDP Examination: Schedule of potential housing sites considered and rejected following the Objective Assessment of Housing Need, September 2014).

Although there are no new proposed allocations in Kempsey beyond sites where there is a resolution to grant planning permission, the Councils have not published a comprehensive sequential assessment confirming the proposed new allocations elsewhere in the District of Plan Area are more sustainable and appropriate than our client’s land.

While Kempsey has been allocated a substantial level of development via the emerging SWDP, the Council’s evidence base suggests the village can sustainably accommodate further development and

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1 The land outlined in blue on the Site Location Plan is also controlled by Linden Homes and benefits from a resolution to grant planning permission for up to 110 dwellings (Ref. 14/00021/OUT). The land outlined in green benefits from a resolution to grant planning permission for up to 80 dwellings (Ref. 13/01130/OUT). Linden Homes are also exploring the prospect of securing an interest in the land outlined in orange.
therefore accommodate some of the District’s displaced OAHN (3,000 dwellings as per Proposed Modification Refs. PM21 and PM22) which the SWDP states cannot be accommodated in Malvern Hills.

The following information has been extracted from the SWDP evidence base and it confirms that Kempsey is:

- Identified as a ‘Category 1 Village’ within the emerging SWDP; the most sustainable category of village.

- “… considered to have a high level of sustainability as it has high levels of services and facilities provision (at least 4 key services) and high levels of public transport provision (access to all journey types). It also has good access to the A38 and Worcester City. As a result it is expected that it can accommodate the large quantum of development proposed with the development having major positive cumulative effects against the SA Objective for housing, infrastructure and indirect health benefits. (Paragraphs 3.55 of the Sustainability Addendum Report, September 2014)

- Ranked the fourth most sustainable village in Wychavon and Malvern Hills in terms of access to services and public transport (Wychavon and Malvern Hills District Council ‘Village Facilities and Rural Transport Survey’, December 2012)

- The most sustainable village (alongside Wychbold) in terms of day and evening public transport accessibility across Wychavon and Malvern Hills. This was established in a survey of rural public transport to / from the ten highest scoring settlements in the aforementioned ‘Villages Facilities Survey’. (Appendix 15, Wychavon and Malvern Hills District Council ‘Village Facilities and Rural Transport Survey’, December 2012)

Notwithstanding the sustainability credentials of Kempsey and its ability to accommodate additional growth, our client’s land was already assessed by the South Worcestershire Authorities as part of the most recent Strategic Housing Land Availability Assessment (SHLAA) in 2012. The SHLAA concluded that the land (Ref. MHKY21 and known as Land west of the Lawns – extract of the SHLAA site assessment enclosed) was constrained by access but it could be developed as part of the adjoining land, thereby facilitating access.

At the time there was no developer promoting the site; however, Linden Homes is now promoting the site for development and controls the land immediately to the north which benefits from a resolution to grant outline planning permission for up to 110 dwellings while also delivering an access link that could be used to facilitate access to aforesaid land.

Accordingly the land can now be developed in a comprehensive manner alongside the allocated land to the north and east. The proposed development of our client’s land would also represent the logical conclusion of growth in this part of Kempsey; a location where Malvern District Council concluded:

“… on balance, it is considered that the proposed development (of land immediately north of the subject site), which is situated on the edge of the existing village and Category 1 settlement boundary, would be sited in a sustainable location in terms of its proximity to local services and public transport links.” (Paragraph 6.18, Committee Report relating to Outline Planning Application Ref. 14/00021/OUT)
Please use a separate Part A / B form for each modification you wish to respond to and attach to the one containing your contact details.

Expand box / use additional page as necessary
Part B
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In order to allow stakeholders and the Inspector to conclude that the additional allocations informing the housing figures in Proposed Modification Ref. PM12 are justified having regard to all reasonable alternatives, a more detailed comparative assessment of all sites considered as part of the allocation process needs to be published.

Having regard to the Councils’ evidence base, it is submitted that Linden Homes’ land (SHLAA Ref. MHKY21 and known as Land west of the Lawns) should form part of the wider allocation established under Proposed Modification Ref. PM199. The proposed development of the land was considered appropriate within the most recent SHLAA (2012) subject to the delivery of an access link – this link is proposed via the respective planning applications relating to land immediately to the north and east of the site. Furthermore the proposed development of the land represents the logical conclusion of development in this part of Kempsey given that it is already bounded by allocated land to the north and east while it is enclosed by highways to the south and west.
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7. If your representation is seeking a change to the Proposed Modification, are you content for it to be considered by written representations, or do you consider it necessary to participate in person at an examination hearing?

| Written representations | Participate at an examination hearing | ✓ |

8a. If you wish to participate at an examination hearing, please outline why you consider this to be necessary:

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<td>Denis</td>
</tr>
<tr>
<td>Last Name</td>
<td>Barry</td>
</tr>
<tr>
<td>Job Title (if relevant)</td>
<td>Planning Associate Director</td>
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<tr>
<td>Organisation (if relevant)</td>
<td>Linden Homes (Western)</td>
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<tr>
<td>GL Hearn Limited</td>
<td></td>
</tr>
<tr>
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5. Do you consider the Proposed Modification to be legally compliant?

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<th>Positively prepared</th>
<th>Effective</th>
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<tr>
<th>Justified</th>
<th>Consistent with National Policy</th>
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As also set out in the accompanying guidance note (paragraph C, page 2 of GUIDANCE NOTE – How to Respond to the Proposed Modifications), these are the tests of soundness to which your comment(s) should relate:

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

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

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

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

Your representation should relate only to the current Proposed Modifications.

The proposed modifications are predicated on the requirement to cater for the additional 6,370 dwellings needed within the Plan Area further to the Inspector’s Interim Conclusions and Further Interim Conclusions. This figure relates to the proposed uplift of 5,170 dwellings as part of the Objectively Assessed Housing Need (OAHN) and the housing supply shortfall of 1,200 against the housing target established in the Submission Plan.

Linden Homes is concerned that proposals for meeting this additional housing requirement are informed by inconsistent evidence and insufficient evidence and therefore the revised Plan is currently unsound. Its comments primarily relate to the conclusions on, and proposals for, housing delivery in Malvern Hills.

Proposed Modification Ref. PM21 seeks to address the proposed distribution of growth across the Plan Area. Linden Homes accepts that Worcester City’s constrained administrative boundary restricts future housing delivery in the City and there is a need to re-allocate some of the City’s OAHN to the Wider Worcester Area (WWA). However, the proposed modification also states that Malvern Hills District has limited ability to accept new development owing to environmental and natural constraints. It confirms that forecast housing supply in the District will only provide 5,600 homes against an OAHN of 8,590 homes (a figure previously agreed by the Inspector in his ‘Further Interim Conclusions’ (31 March 2014)). This leaves a shortfall of 3,000 homes that must be re-allocated to the WWA and to Wychavon District as set out in Paragraph 8.9 of the SWDP Housing Background Paper Addendum (HBPA), October 2014.

There does not appear to be any robust, published evidence which confirms the displaced 3,000 homes cannot be accommodated within Malvern Hills, where the housing need originates. The SWDP must seek to ensure that all reasonable opportunities to deliver the housing needs of Mavern Hills within the District are explored in the first instance with a view to providing people with a choice of homes in a location where they wish to live.

Despite receiving details of 550 potential housing sites as part of the SWDP ‘Call for Sites’ earlier this year, the Councils have only published detailed criteria-based assessments of the sites being carried forward as proposed allocations. This is despite the majority of the aforementioned 550 sites being located in Wychavon District and Malvern Hills District (Paragraph 7.16, HBPA) where the Councils suggest there is limited potential to accommodate additional growth; one would expect a more
Please use a separate Part A / B form for each modification you wish to respond to and attach to the one containing your contact details.

thorough assessment of the omission sites located in Malvern Hills owing to the difficulties the Councils have faced in identifying sufficient housing land in the area. Indeed the Councils are relying on these sites and sites identified via the SHLAA process to provide sufficient capacity to deliver sufficient homes without having to review the Green Belt (Paragraph 5.7, HBPA).

In reviewing the sites submitted further to the ‘Call for Sites’ and sites identified via the SHLAA process, the HBPA (Paragraph 5.9) confirms the Councils applied ‘sieves and tests relating to strategy and policy’ to these additional sites. Paragraph 7.18 of the HBPA later states that the screening process included criteria associated with compatibility with the SWDP strategy and significant site or locational constraints. A comprehensive list of the criteria against which the sites were initially screened or the detailed findings of the screening process do not appear to have been published alongside the proposed modifications and it is not possible to determine if the proposed new allocations are justified when considered against reasonable alternatives (Paragraph 182, NPPF).

Only high level, brief comments are provided\(^1\) in respect of the omission sites explaining why these were not considered in more detail as part of the site selection process. It is argued that the omission sites in Malvern Hills should have been assessed in greater detail owing to the Councils’ assertion that capacity constraints in the district prevent it from accommodating its OAHN rather than discounting sites owing to incompatibility with the SWDP Strategy; the apparent lack of suitable sites in Malvern Hills to accommodate its full OAHN means a less sustainable strategy of accommodating some of the District’s housing needs elsewhere must be pursued.

In addition, Paragraph 7.22 of the HBPA suggests a qualitative rather than a more thorough quantitative (sustainability) appraisal of omission sites took place and there is a suggestion that more of the omission sites in Malvern Hills could have been ‘drawn upon’:

> “Whilst there was a strong response to the call for sites, for Wychavon and Malvern Hills the impact of sites consented since the plan was submitted means that it has not been necessary for the SWC to draw heavily upon those potential sources.”

Therefore, it is possible the Councils could identify further proposed allocations in Malvern Hills that would reduce the quantum of displaced housing that must be accommodated in the WWA and in Wychavon District as per the proposed modifications. Paragraph 47 of the NPPF emphasises the importance of providing a choice of homes while sustainable development also means making people’s lives better. Therefore, the South Worcestershire Authorities must seek to use all reasonable endeavours to deliver housing in the location where that need arises, otherwise the SWDP will limit choice.

Our client’s land at Kempsey (Malvern Hills District) is one such site that should be afforded more consideration as a proposed allocation or as part of proposed Allocation Ref. SWDP59/8. The land extends to approximately 5 hectares and it is outlined in red on the enclosed Site Location Plan\(^2\). The

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1. Published in the ‘SWDP Examination: Schedule of potential housing sites considered and rejected following the Objective Assessment of Housing Need, September 2014’.

2. The land outlined in blue on the Site Location Plan is also controlled by Linden Homes and benefits from a resolution to grant planning permission for up to 110 dwellings (Ref. 14/00021/OUT). The land outlined in green benefits from a resolution to grant planning permission for up to 80 dwellings (Ref. 13/01130/OUT). Linden Homes are also exploring the prospect of securing an interest in the land outlined in orange.
site is bounded by Allocation Ref. SWDP59/8 to the north and east where there are also resolutions to grant outline planning consent for 190 dwellings (Planning Application Refs. 14/00021/OUT and 13/01130/OUT. Linden Homes also controls the land to the north which is subject to Planning Application Ref. 14/00021/OUT. This application also provides for an access road to serve the entire allocation.

The land is not affected by any landscape or environmental designations/constraints as accepted in the Councils’ most recent SHLAA in 2012 – Site Ref. MHKY21, Land west of the Lawns (extract enclosed). The SHLAA considered the site to be suitable for development subject to the delivery of an access road which is now proposed as part of the planning applications to the north and east. The site is enclosed by allocated land to the north and east and highways to the west and south. It would therefore present the logical conclusion of development in this part of the settlement while making the most efficient use of infrastructure proposed as part of the surrounding allocation.

Prior to Linden Homes acquiring an interest in the land, the landowner submitted details of the site to the Councils’ ‘Call for Sites’; however, the site was not carried forward as an allocation or for more detailed assessment. The following high level conclusion was reached instead:

‘location/other sites with planning permission in village’

(SWDP Examination: Schedule of potential housing sites considered and rejected following the Objective Assessment of Housing Need, September 2014).

More details of our client’s land are set out in our comments relating to Proposed Modification Refs. PM12 and PM199.

Having regard to the above comments on the overall approach and lack of robust evidence supporting the approach outlined in the proposed modification, it is considered the proposals are not justified, positively prepared or consistent with national planning policy. Our client’s land is one example of a site where development could be sustainably accommodated without impacting on the overall strategy yet it was dismissed despite the Councils confirming there are insufficient sustainable sites in Malvern Hills to accommodate the District’s OAHN.
Please use a separate Part A / B form for each modification you wish to respond to and attach to the one containing your contact details.
Part B
Please set out what change(s) you consider necessary to make the Proposed Modification legally compliant or sound, having regard to the test(s) you have identified above. You will need to say why this change will make the Proposed Modification legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Your representation should relate only to the current Proposed Modifications.

The Councils need to undertake a more thorough assessment of all potential development opportunities within Malvern Hills before the SWDP can conclude that Malvern Hill’s OAHN cannot be met within the District. Our client’s land at Kempsey (outlined in red on the enclosed Site Location Plan) is just one example of an omission site that was not afforded sufficient consideration despite the constraints associated with identifying sufficient land in Malvern Hills District to meet its OAHN.

The proposed re-distribution of 3,000 homes from Malvern Hills, where the need originates, to the WWA is currently unsound.
Please use a separate Part A / B form for each modification you wish to respond to and attach to the one containing your contact details.

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<tr>
<td>Linden Homes is one of the UK’s leading housebuilding companies. It already has an interest in proposed Allocation Ref. SWDP59/8 at Kempsey and it now has an interest in adjoining land which constitutes an omission site. Linden Homes has raised significant soundness concerns relating to the proposed modifications and it is eager to participate in the examination hearings with a view to assisting the Inspector and the Councils in making the SWDP sound.</td>
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Thank you for taking the time to complete this representation.
Please use a separate sheet for each modification response
There is an extension form available on the SWDP website that can be downloaded / completed and appended to this form as many times as required. This will enable the Inspector to consider your comments on each modification as promptly as possible.

Consultation runs from Monday October to Friday November 2014.
All comments must be received by 5.00pm on the November.
South Worcestershire Development Plan
Proposed Modifications: 6 October – 14 November 2014

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

REPRESENTATIONS MUST ONLY RELATE TO THE CURRENT PROPOSED MODIFICATIONS.

Further representations to the submitted SWDP will not be accepted. There is no need to repeat representations that you submitted at the Pre-Submission consultation stage (January/ February 2013).

You can access the SWDP documents online and obtain additional copies of this form from the SWDP website: //www.swdevelopmentplan.org/?page_id=5393

Completed forms should be returned either by

Email to:
@swdevelopmentplan.

Post to:
Paul Bayliss, SWDP Project Manager
c/o Wychavon District Council
Policy Plans Team
Civic Centre
Queen Elizabeth Drive
Pershore
Worcestershire
WR10 1PT

Please note: Unfortunately we are now unable to receive responses sent to the Freepost address previously used. Please ensure that only the address given in this current guidance and associated response forms are used.

ALL REPRESENTATIONS MUST BE RECEIVED IN WRITING NO LATER THAN 5.00PM ON NOVEMBER 2014.

(The following form can be edited electronically by clicking into the boxes and typing – boxes should automatically expand as needed. Cursor marks will not affect the text or readability of the document)
Please use a separate Part A / B form for each modification you wish to respond to and attach to the one containing your contact details.

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

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<tr>
<th>1. Personal Details</th>
<th>2. Agent Details (if applicable)</th>
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<tr>
<td>Title</td>
<td>Mr</td>
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<tr>
<td>First Name</td>
<td>Denis</td>
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<tr>
<td>Last Name</td>
<td>Barry</td>
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<tr>
<td>Job Title (if relevant)</td>
<td>Planning Associate Director</td>
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<tr>
<td>Organisation (if relevant)</td>
<td>Linden Homes (Western)</td>
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<td>GL Hearn Limited</td>
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**HOW WE WILL USE YOUR DETAILS**

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

**OTHER DETAILS, INCLUDING YOUR ADDRESS AND SIGNATURE, WILL BE TREATED AS CONFIDENTIAL.**

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

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

Signed: [Signature]

Date: 14/11/2014
3. Are you attaching any additional sheets that relate to this representation?

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<th>(Site Location Plan)</th>
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4. Which Proposed Modification does your representation relate to?

<table>
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<tr>
<th>Modification Number</th>
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<td>PM199</td>
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5. Do you consider the Proposed Modification to be legally compliant?

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<th>Yes</th>
<th>No</th>
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6. If you consider the Proposed Modification to be unsound, please identify which test of soundness your comments relate to? (tick all that apply)

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Part A

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

Your representation should relate only to the current Proposed Modifications.

These representations should be read in conjunction with Linden Homes’ submissions on Proposed Modification Refs. PM12 and PM21 which raise soundness concerns relating to the site selection process used by the South Worcestershire Authorities to identify additional allocations to address the uplift in the Plan’s Objectively Assessed Housing Need (OAHN) and the housing supply shortfall against the housing target in the Submission iteration of the SWDP.

The general content of the proposed modification is supported as there are resolutions to grant outline planning permission for up to 190 dwellings on the allocated land. However, the allocation should be expanded to include our client’s land (outlined in red on the enclosed Site Location Plan) which lies immediately to the west and south of the allocated site. Despite the landowner previously submitting details of the land to the Councils’ ‘Call for Sites’ earlier this year, the site does not comprise part of the aforementioned allocation.

Within the most recent South Worcestershire SHLAA (2012), the Councils considered the land suitable for development subject to the delivery of a link road which is now committed as part of the aforementioned outline planning applications. The site is not subject of any environmental or landscape constraints/designations. The SHLAA Site Reference is MHKY21 and the relevant extract from the SHLAA is enclosed with Linden Homes’ representations on Proposed Modification Ref. PM21.

The NPPF (Paragraph 17) lists 12 core planning principles that should underpin plan-making. Amongst other things, the principles state that plans should ‘set out a clear strategy for allocating sufficient land which is suitable for development’ and ‘allocations of land for development should prefer land of lesser environmental value’. Both of these principles apply to our client’s land at Kempsey as its allocation for development as part of Proposed Modification Ref. PM199 would represent the logical conclusion of development in this part of the Kempsey and would make the most efficient use of infrastructure being delivered as part of the wider allocation. The agricultural use of the land will be impacted upon by the proposed residential developments to the north and east while it is constrained by highways to the west and south.
Please use a separate Part A / B form for each modification you wish to respond to and attach to the one containing your contact details.

Expand box / use additional page as necessary
Part B
Please set out what change(s) you consider necessary to make the Proposed Modification legally compliant or sound, having regard to the test(s) you have identified above. You will need to say why this change will make the Proposed Modification legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Your representation should relate only to the current Proposed Modifications.

Having regard to the Councils’ evidence base, it is submitted that Linden Homes’ land (SHLAA Ref. MHKY21 and known as Land west of the Lawns) should form part of the wider allocation identified under Proposed Modification Ref. PM199.

The proposed development of the land represents the logical conclusion of development in this part of the settlement given that it is already bounded by allocated land to the north and east and enclosed by highways to the south and west.
Please use a separate Part A / B form for each modification you wish to respond to and attach to the one containing your contact details.

7. If your representation is seeking a change to the Proposed Modification, are you content for it to be considered by written representations, or do you consider it necessary to participate in person at an examination hearing?

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8a. If you wish to participate at an examination hearing, please outline why you consider this to be necessary:

Linden Homes is one of the UK’s leading housebuilding companies. It already has an interest in proposed Allocation Ref. SWDP59/8 at Kempsey and it now has an interest in adjoining land which constitutes an omission site. Linden Homes has raised significant soundness concerns relating to the proposed modifications and it is eager to participate in the examination hearings with a view to assisting the Inspector and the Councils in making the SWDP sound.

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Thank you for taking the time to complete this representation.