

# **INDEPENDENT EXAMINATION OF THE HALLOW NEIGHBOURHOOD DEVELOPMENT PLAN**

**INDEPENDENT EXAMINER:  
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To Malvern Hills District Council and Hallow Parish Council

By email to David Clarke, Planning Officer, Malvern Hills District Council and Hazel Kemshall, Chair Hallow Parish Council and Chair NP Steering Group

Dated 17 March 2021

Dear Hazel and David

## **Hallow Neighbourhood Development Plan Independent Examination - Examiner Letter Seeking Clarification of Matters**

Further to my initial letter of 1 March 2021 I am writing to seek clarification of the following matters:

### **Policy HAL1**

1. Paragraph 6.13 of the Neighbourhood Plan refers to the site appraisal of potential sites undertaken by consultants AECOM, and by the District Council. I have taken the latter reference to refer to the site assessment undertaken as part of work to prepare the South Worcestershire Development Plan Review. Please confirm this understanding is correct.

### **Policy HAL3**

2. The term “other relevant studies e.g., those relating to landscape and heritage” is imprecise in that it does not adequately guide parties preparing development schemes and does not provide a basis for decision making. I invite comment on my intention to delete this term.

### **Policy HAL4**

3. The term “other relevant planning guidance” is imprecise in that it does not adequately guide parties preparing development schemes and does not provide a basis for decision making. I invite comment on my intention to delete his term.

## Policy HAL8

4. Regulation 16 representations have queried the inclusion of significant areas of intensively managed arable and livestock land within the identified Green Infrastructure network. I have noted the comment of the Parish Council on Regulation 16 representations states “*The NDP does not identify large areas of arable land as GI per se, such areas are identified as part of the GI network as they are within the key GI corridors of the River Severn and the land around and linking to Spindlewood.*” The Green Infrastructure network identified on the Policies Map and on Map 13 of the Neighbourhood Plan is presented with precise boundaries and those boundaries are used to define where Policy HAL8 is to apply. Please direct me to the evidence that supports the precise boundaries adopted in particular with respect to inclusion of significant areas of intensively managed arable and livestock land?

## Policy HAL13

5. The third paragraph of the policy which refers to “*the benefits of the proposal*” does not have sufficient regard for paragraph 197 of the Framework which requires a balanced judgement having regard to the scale of any harm or loss and the significance of the heritage asset. If the reference to “*the benefits of the proposal*” is deleted the remainder of the third paragraph duplicates national policy. Paragraph 16 of the Framework states “*Plans should serve a clear purpose, avoiding unnecessary duplication of policies that apply to a particular area (including policies in this Framework, where relevant).*” I invite comment on my intention to recommend the third paragraph of the policy is deleted on this basis.

## Policy HAL15

6. It is inappropriate to include the term “*to Worcester*” as the Neighbourhood Plan can only relate to land within the Neighbourhood Area. I intend to recommend a modification in this respect so that the policy has sufficient regard for national policy and “*is clearly written and unambiguous, so it is evident how a decision maker should react to development proposals*” as required by paragraph 16d) of the Framework. I invite comment on this proposed modification.

I request any response to these requests for clarification is agreed as a joint response of the Parish and District Councils wherever possible. This request for clarification and any response should be published on the District Council website.

In order to maintain the momentum of the Independent Examination I would be grateful if any reply could be sent to me by 12.00 Noon on Wednesday 24 March 2021.

As the Independent Examination progresses, I may seek clarification with respect to other matters. For the avoidance of doubt recommendations of modification of the Neighbourhood Plan that may be contained in my report of Independent Examination will not be limited to those matters in respect of which I have requested clarification.

I should be grateful if the District Council and the Parish Council could acknowledge receipt of this email.

Best regards

Chris Collison  
Independent Examiner  
Planning and Management Ltd  
