

28th February 2024

Malvern Hills District Council
The Council House
Avenue Road
Malvern
WR14 3AF

Re: Examiner's Clarification Note Hallow Neighbourhood Plan Review

Dear Andrew Ashcroft,

Thank you for your note setting out your initial comments on the submitted Hallow Neighbourhood Plan Review. Please find below the composite response (from both the District Council and Parish Council) to provide further clarification, as requested.

The Local Development Scheme and Adoption Date

Malvern Hills District Council (along with Wychavon District and Worcester City Council) received a letter from the Inspectors stating that they believe certain aspects of the evidence base need to be either completed or updated before the examination hearing sessions can take place. This letter has now been published on the examination website ([here](#)).

The implications of this for the weight attributed to the SWDPR policies, in terms of your question, is that overall they still have minimal weight, particularly as the hearing sessions are to be held later than expected and there are a number of outstanding objections and issues that will need to be considered by the inspector. Therefore, the District Council's view is that the SWDPR policies should not be referred to in the Hallow Neighbourhood Plan at this time. Details of the timetable, examination hearings and eventual adoption will be in the public domain in due course.

Please find below the response from the Parish council addressing the remainder of the questions.

Hallow Parish Council Response

Dear Mr Ashcroft,

Hallow Neighbourhood Development Plan Review

The Qualifying Body (Hallow Parish Council) is pleased to be able to respond to your clarification note as follows.

The Review and its relationship to the South Worcestershire Development Plan Review (SWDPR)

The Neighbourhood Plan Review commenced in response to ongoing delays in the preparation of the SWDPR and a deteriorating housing land supply situation in Malvern Hills District. This led to concerns about the effectiveness of the first Neighbourhood Plan. In undertaking the review, the Parish Council sought to ensure that the Neighbourhood Plan Review was compatible with the emerging SWDPR.

There is no requirement to review or update a neighbourhood plan. However, policies in the Hallow Neighbourhood Development Plan Review may become out of date, for example if they conflict with policies in the SWDPR once it is adopted. In these circumstances, a further review of the Hallow Neighbourhood Development Plan may be required.

Policy HAL1

The Hallow Neighbourhood Development Plan Review housing requirement reflects the latest and most up-to-date evidence of housing need as set out in the SWDPR. However, the housing requirement could change as the SWDPR progresses towards adoption. This could give rise to a further review of the Hallow Neighbourhood Development Plan.

Policy HAL3 and the Development Boundary

The first Hallow Neighbourhood Development Plan relied on the Development Boundary defined by the adopted SWDP. However, that Development Boundary had become significantly out of date because of new development and the Neighbourhood Plan's proposed housing allocation HAL2/1. The Development Boundary was therefore updated.

In updating the Development Boundary, the Parish Council took account of the emerging SWDPR. The SWDPR Development Boundaries Review Assessment for Hallow can be found [here](#).

Hallow Parish Council was concerned about ongoing delays to the SWDPR and anomalies in the emerging SWDPR Development Boundaries which the Hallow Neighbourhood Development Plan Review resolves. For example:

- The Neighbourhood Plan's proposed housing allocation HAL2/1 was excluded from the emerging SWDPR Development Boundaries even though much of it has now been built;
- Much of Coppice Close is excluded from the emerging SWDPR Development Boundaries;
- The garden curtilages of existing dwellings are often excluded from the emerging SWDPR Development Boundaries, even if they are quite small. For example:

Briarwood, Moseley Road, WR2 6NH; the Park Acre/Park Farm area off Church Lane WR2 6PF. This is inconstant with the SWDPR Development Boundary methodology which can be found [here](#).

The inconsistencies between the Development Boundaries in the emerging Hallow Neighbourhood Development Plan Review and those in the SWDPR have been raised in objections by the Parish Council to the SWDPR. The Parish Council is of the view that while the SWDP Policy 2 is a strategic policy to which the Neighbourhood Plan must conform, the Hallow Development Boundary itself is not strategic and is purely local in nature.

Regarding allocated site HAL2/1, an extract of the Development Boundary in the emerging Hallow Neighbourhood Development Plan Review for that area is attached which shows the relationship between the newly built properties and the Development Boundary. The Examiner is invited to note that as a consequence of the Development Boundary revision, the amenity area east of 11 Banks Close is now included. The amenity area is to be surrounded by development, so its exclusion from the Development Boundary is not logical. The Parish Council would support the identification of this area as a Local Green Space in accordance with Policy HAL8 if the Examiner was minded to recommend that modification.

Policy HAL4

Neighbourhood plans are now expected to take account of the Government's new First Homes requirements. Further detail on First Homes and their implementation can be found [here](#).

The guidance makes it clear that neighbourhood planning groups have the discretion to set lower price caps if they can demonstrate a need for this (Paragraph: 005 Reference ID: 70-005-20210524). The basis for the price cap set out in Policy HAL4 is explained at paragraph 6.32 and footnote 4.

The average cost to build a house (per sq.m) is currently £1,400 to £3,000. So, a 3-bed (90 sq.m) at the lower end of that scale would cost about £126,000. A 2-bed house would be less than £125,000.

The price cap set in Policy HAL4 is linked to the minimum pay for Classroom Teachers which from [1 September 2023 is £30,000](#). Using the same calculation as footnote 4, the price cap in Policy HAL4 is currently £135,000 (4*£30,000 plus 50% of annual salary as a deposit).

The link to teachers' pay was selected because Hallow C of E Primary School had identified problems in classroom staff being able to afford to live locally. The First Homes scheme is designed to help local first-time buyers and key workers, like teachers, onto the property ladder.

Representations

The above observations address most of the representations submitted by Malvern Hills District Council.

With regard to the Stage II Limited representation (prepared by RCA Regeneration), the Parish Council offers the following observations:

- The Hallow Neighbourhood Development Plan Review housing requirement reflects the latest and most up-to-date evidence of housing need as set out in the SWDPR. If the

housing requirement changes as the SWDPR progresses, a further review of the Hallow Neighbourhood Development Plan may be required;

- Provision for housing and the current housing supply difficulties are the responsibility of the relevant local planning authorities. Hallow is making its contribution to significantly boosting the supply of housing locally through its Neighbourhood Plan and the provision of affordable housing at Oakleigh Heath (see below);
- Policy HAL3 sets out the circumstances where housing outside the Development Boundaries may be supported. The Parish Council accepts that this could include the subdivision of an existing residential building in accordance with NPPF paragraph 84. The latest version of the NPPF no longer refers to entry-level exception sites;
- The development of 55 dwellings on the allocated HAL1/1 site in the Hallow Neighbourhood Plan will provide 22 (40%) affordable homes of which 16 will be for social rent and 6 to be shared ownership. The Oakleigh Heath site will provide 40 affordable dwellings (see below).

Oakleigh Heath

On 9 November 2023, an appeal was allowed and full planning permission granted for the construction of 40 affordable dwellings off Oakleigh Heath, Hallow ([APP/J1860/W/23/3323076](#)). The Inspector concluded that ‘...the proposed 40 dwellings would address a demonstrable local affordable housing need within Hallow and surrounding parishes, which would be secured through the submitted Section 106 agreement. The site would also be accessible to local services and overall, the proposal would accord with Policy SWDP 16 Part A and in turn with the overall settlement strategy of Policy SWDP 2’.

Although permission has been granted, the Parish Council would not wish for the Development Boundary to be amended. This is in accordance with the SWDPR Development Boundary methodology concerning exception sites.

Other

If the Examiner requests further details in connection with these comments or requests clarification on other matters, Hallow Parish Council would be welcome the opportunity to respond.

Yours

Lynne Ambury

Clerk to the Hallow Parish Council

hallowparishcouncil@gmail.com

Hallow Neighbourhood Development Plan Review		Hallow
Development Boundary Extract		Author: Date: 20/02/2024

