

Gina Wynter

From: Gillian McDermott <gillian.mcdermott@malvern hills.gov.uk>
Sent: 27 September 2024 08:48
To: 'Legg, John'
Cc: 'Howard Leithead'; Gina Wynter; Michael Davies
Subject: Orchard Farm appeal 3347643

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Dear Mr Legg

This is just to advise you that I wish to correct an error in Refusal Reason 5 in the Council’s Statement of Case, where reference to education was omitted in respect of financial contributions. This was a genuine error on my part, for which I apologise. The incorrect paragraphs of the NPPF are also referred to. The refusal reason should have been as follows:

In the absence of a S106 legal agreement to secure financial contributions for public open space, education, mitigation package for the SSSI, formal sport and leisure, NHS CCG contributions, transport infrastructure, and affordable housing, the proposal would be contrary to Policies SWDP 7, SWDP 15 and Policy SWDP 39 of the South Worcestershire Development Plan and Paragraphs 66, 96, 97 and 114 of the NPPF.

I note that education contribution is included in the Planning Statement of Common Ground within the Draft S106 Heads of Terms and is referred to in Paragraph 1.1.8 of the appellant’s Education Statement of Case as being justified.

I have notified the appellant of this error on 25.09.24 and copied them into this email.

Regards

**Gillian McDermott BSc (Hons) MA MRTPI
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(usual working days – Tuesdays – Fridays)**

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Thank you.
