



The Planning  
Inspectorate

**Solihull Metropolitan Borough Council  
Gypsy and Traveller Site Allocations  
Development Plan Document  
Examination**

Matters & Issues for Examination

The following Matters, Issues and questions will provide the focus for the hearings due to commence on Tuesday 17 December 2013.

All further statements should address the Matters and Issues for Examination and should be received by the Programme Officer no later than **noon on Friday 29 November**.

The Programme Officer can be contacted by email on [info@owen-roberts.co.uk](mailto:info@owen-roberts.co.uk), by telephone on 07526 303542 or by writing to Burley Cottage, Lower Street, Buckland Dinham, Somerset BA11 2QN. Full contact details are available on the examination webpage at [www.solihull.gov.uk/ldf/gypsyandtraveller.htm](http://www.solihull.gov.uk/ldf/gypsyandtraveller.htm)

The Council is invited to respond on all matters, issues and questions listed, referring to information in the Submission Documents & Supporting Evidence (limited to 3000 words per Matter). Other participants should only respond on topics/issues relevant to points made in their original representation(s), without raising new issues, in statements of no more than 3000 words. Participants may refer to information in earlier representations, but the Inspector only has copies of the representations made on the Pre-Submission version of the Local Plan. Further statements are not needed unless they relate to the legal requirements or soundness of the plan, as set out in the Schedule of Matters & Issues, and are essential to understand the original representation(s). Participants can rely on their original representation, but should not extend the scope of the original points made.

Detailed agendas for the hearing sessions will be issued shortly before they commence, based on the Matters & Issues for Examination and the responses received. However, it is unlikely that the Inspector will introduce new issues or questions that do not arise from the Matters and Issues identified. Participants should let the Programme Officer know as soon as possible whether they wish to attend a particular hearing session. Although anyone can attend the public hearings, only those listed on the programme can participate in the relevant hearing session. **Normally, only those who seek some change to the plan are entitled to participate in the hearing sessions.**

The Examination will focus on the requirements of soundness set out in the National Planning Policy Framework (2012). The starting point is the assumption that the Council has submitted what it considers is a sound plan. **Participants are expected to explain which aspect of the plan is unsound, why it is unsound and specify how it should be altered, with detailed wording and clear evidence to support any changes.**

As well as complying with the legal requirements, the plan has to be positively prepared, justified, effective and consistent with national policy.

## Matter 1 –Legal requirements and Procedural Matters

Q1. Has the Site Allocation Plan been prepared in accordance with the current Local Development Scheme (LDS), including its timetable, content and timescale?

Q2. Has the Site Allocation Plan been prepared to comply with the adopted Statement of Community Involvement, allowing for adequate and effective consultation and engagement of the community and all interested parties and meeting the minimum consultation requirements set out in the Regulations?

Q3. Has the Site Allocation Plan been subject to Sustainability Appraisal, including a final report on the published plan; and is it clear how the Sustainability Appraisal influenced the final plan and dealt with mitigation measures? Has Appropriate Assessment under the Habitats Directive/Regulations been carried out to the satisfaction of Natural England?

Q4. Does the Site Allocation Plan have regard to national planning policy, including consistency with the National Planning Policy Framework (NPPF) and the Planning Policy for traveller sites (PPTS)? Is there sufficient local justification for any policies that are not consistent with national planning policy? Does the submitted plan properly reflect the presumption in favour of sustainable development in the NPPF?

Q5. Does the Local Plan have regard to the Sustainable Community Strategy, and aligned its key spatial planning objectives with the priorities identified in this strategy?

Q6. Does the Site Allocation Plan comply with the Local Development Regulations, including preparation, content and publishing and making available the prescribed documents?

Q7. Has the Site Allocation Plan been prepared in accordance with the Duty to Co-operate and does it fully meet this legal requirement?

Q8. A number of recommended changes are put forward by the Council post Submission Draft Publication as set out in DPD 008 'Council's Response to Representations and Recommendations for the Gypsy and Traveller Site Allocations Development Plan Document' (June 2013). These have been incorporated in the Submission Document (July 2013). What is the position on these changes including any further arrangements for any further public consultation and / or sustainability appraisal considered necessary?

## Matter 2 - The Council's strategy for meeting the needs of the gypsy and travelling community in Solihull.

Policy P6 of the Solihull Local Plan Development Plan Document sets out the number of pitches required to meet the accommodation needs of gypsies, travellers and travelling showpeople.

Q1. Have any modifications been suggested to Policy P6 or other policies, as part of the Examination of the Development Plan Document that may be relevant to the examination of the Site Allocation Plan?

### *Sites in the Green Belt*

All of the proposed allocated sites are situated in the Green Belt where there is a presumption against inappropriate development. The Government's aims in respect of traveler sites are set out at paragraph 4 of the PPTS and state 'that plan-making and decision-taking should protect Green Belt from inappropriate development'. On 1 July 2013 a Written Ministerial Statement to Parliament was issued, primarily relating to traveller sites in the Green Belt.

Q2. Is the identification of sites in the Green Belt the most appropriate strategy, when considered against all reasonable alternatives?

Q3. What other alternatives have been considered?

Q4. Is this approach justified and supported by robust evidence?

### *Scale of sites*

Q5. Does the size of the proposed (resultant) sites, in terms of the resultant number of pitches, reasonably and effectively reflect the accommodation needs identified in the GTAA?

### *Community safety*

Q6. Should Policy GTS1 require the design of sites to promote community safety and social cohesion through measures such as natural surveillance?<sup>1</sup>

### Matter 3 – specific allocations

Q1. Can the proposed allocated sites each deliver and reasonably accommodate the number of pitches proposed given the constraints that exist on these sites and the various policy requirements that need to be satisfied including impact on local wildlife sites, flooding matters, tree preservation orders etc?

Q2. Is the Site Allocation Plan consistent with National Policy? In particular, Policy B of the PPTS requires that local planning authorities should ensure that traveler sites are sustainable economically, socially and environmentally. Local planning authorities should, therefore, ensure that their policies, amongst other criteria, provide for proper consideration of the effect of local environmental quality (such as noise and air quality) on the health and well being of any travelers that may locate there or on others as a result of new development. Old Damson Lane and The Haven are in close proximity to Birmingham Airport.

- (a) Will these sites provide a reasonable standard of living conditions for future occupiers?
- (b) Is the allocation of these sites the most appropriate strategy when considered against the reasonable alternatives?

Q3. Is the Site Allocation Plan sufficiently flexible to address the accommodation needs of gypsies and travellers, ensure delivery and monitoring?<sup>2</sup>

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<sup>1</sup> An amendment is incorporated in the Submission document in light of responses to the Submission draft Publication (See Matter 1 - Q8)

<sup>2</sup> An amendment is incorporated in the Submission document to replace text in paragraph 9.1.2 of the Submission Draft (See Matter 1 – Q8)

*Policy GTS6 - Detailed Planning Considerations and Safeguarding*

Q4. Should the policy refer to the need to promote community safety and social cohesion through measures such as natural surveillance?<sup>3</sup>

Matter 4 – Temporary Stopping Places

Q1. Will the suggested policy for temporary stopping places be effective in delivering sites?

Matter 5 – Travelling showpeople

Q1. Has sufficient regard been made to the accommodation needs of travelling showpeople and how these are to be monitored and addressed in the wider area?

Claire Sherratt  
Planning Inspector  
15/10/13

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<sup>3</sup> An amendment incorporated in the Submission document in light of responses to the Submission draft Publication (See Matter 1 - Q8)