The Planning Inspectorate

Report to Solihull Metropolitan Borough Council

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an Inspector appointed by the Secretary of State for Communities and Local Government

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PLANNING AND COMPULSORY PURCHASE ACT 2004 (as amended)

SECTION 20

REPORT ON THE EXAMINATION INTO THE SOLIHULL LOCAL PLAN DEVELOPMENT PLAN DOCUMENT

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ABBREVIATIONS USED IN THIS REPORT

AAP	Area Action Plan
BBP	Birmingham Business Park
BCC	Birmingham City Council
BREEAM	BRE Environmental Assessment Method
BVBP	Blythe Valley Business Park
CC	City Council/County Council
CIL	Community Infrastructure Levy
DCLG	Department for Communities & Local Government
DfT	Department for Transport
DPD	Development Plan Document
DTC	Duty to Co-operate
ECS	Emerging Core Strategy
EIP	Examination in Public
ELR	Employment Land Review
EU	European Union
GBSLEP	Greater Birmingham & Solihull Local Economic Partnership
GTAA	Gypsy & Traveller Accommodation Assessment
ha	hectares
HCA	Homes & Communities Agency
HS2	High-Speed Two (rail link)
IDP	Infrastructure Delivery Plan
JLR	Jaguar Land Rover
LDS	Local Development Scheme
LEP	Local Enterprise Partnership
LP	Local Plan
LTP	Local Transport Plan
MM	Main Modification
MSA	Mineral Safeguarding Area
NEC	National Exhibition Centre
NPPF	National Planning Policy Framework
NSP	North Solihull Partnership
NSRA	North Solihull Regeneration Area
¶/para	paragraph
PPS	Planning Policy Statement
RIS	Regional Investment Site
SA	Sustainability Appraisal
SADPD	Site Allocations DPD
SCI	Statement of Community Involvement
SCS	Sustainable Community Strategy
SFRA	Strategic Flood Risk Assessment
SHMA	Strategic Housing Market Assessment
SHLAA	Strategic Housing Land Availability Assessment
SLP	Solihull Local Plan
SMBC	Solihull Metropolitan Borough Council
SPD	Supplementary Planning Document
sq m	square metres
SSCLG	Secretary of State for Communities & Local Government
SSSI	Site of Special Scientific Interest
SUDP	Solihull Unitary Development Plan
WMJC	West Midlands Joint Committee
WMRSS	West Midlands Regional Spatial Strategy

Non-Technical Summary

This report concludes that the Solihull Local Plan provides an appropriate basis for the planning of the District until 2028 providing a number of modifications are made to the plan. Solihull Metropolitan Borough Council has specifically requested me to recommend any modifications necessary to enable the plan to be adopted. All of the modifications to address this were proposed by the Council, and I have recommended their inclusion after considering the representations from other parties on these issues.

The Main Modifications can be summarised as follows:

- Including new text confirming how the Council has met the legal requirements of the Duty to Co-operate;
- Including the "model" policy confirming the presumption in favour of sustainable development;
- Clarifying the justification for removing land from the Green Belt to extend Birmingham Business Park, and amending the site area;
- Clarifying the "town centres first" policy and the approach to "footloose" retail floorspace, updating the retail capacity figures, and clarifying the suitable uses at Touchwood shopping centre;
- Confirming the basis of the overall housing provision figure and the adverse implications of higher housing provision figures;
- Introducing more flexibility in the phasing of housing sites to reflect national policy and clarifying the justification for the allowance for windfalls;
- Confirming that 5-year housing land supply will be maintained, including a 5% buffer added to the current housing land supply figures and updating the housing trajectory;
- Confirming that the plan will be reviewed if the emerging situation regarding Birmingham's future housing needs establishes that further housing provision needs to be made in Solihull, and confirming that the Solihull Strategic Housing Market Assessment will be reviewed after the GBSLEP Strategic Housing Needs Study is completed;
- Reducing the area of Site 1, introducing more flexibility regarding open space provision at Site 24, and amending and updating the phasing and capacity of other housing sites;
- Amending the policy for gypsies and travellers to reflect updated evidence, provide more clarity and certainty, and to reflect national policy;
- Amending the text to address the status of nature conservation sites and address sewerage and flood risk issues;
- Updating and clarifying the approach to managing waste, including the waste generation, capacity and management figures and the targets for minimising waste;
- Clarifying the approach to mineral extraction and its impact on SSSIs;
- Clarifying and updating the policy on housing standards;
- Introducing a new policy on development contributions and infrastructure provision, to accord with national policy;
- Amending and updating some delivery and monitoring targets.

Introduction

1. This report contains my assessment of the *Solihull Local Plan* (SLP) in terms of Section 20(5) of the Planning & Compulsory Purchase Act 2004 (as amended). It considers first whether the preparation of the plan has complied with the Duty to Co-operate, recognising that there is no scope to remedy any failure in this regard. It then considers whether the plan is sound and is compliant with the legal requirements. The National Planning Policy Framework (NPPF; ¶ 182) [OTH1] confirms that to be sound, a Local Plan should be positively prepared, justified, effective and consistent with national policy.

2. The starting point for the examination is the assumption that the local planning authority has submitted what it considers to be a sound plan. The basis for the examination is the submitted Solihull Local Plan (September 2012) [SLP001], together with the accompanying Schedule of Proposed Changes [PSC3]. However, these amendments to the published plan were made before it was submitted to the Secretary of State, without further public consultation, and included a new section on the Duty to Co-operate, a new policy on developer contributions, and amendments to other policies and site boundaries. Although these changes do not affect the underlying strategy and policies of the plan, some go beyond the scope of minor errors and clarification and introduce substantive changes to the published plan. Consequently, the Council included these substantive amendments in its published *Schedule of Main Modifications* [DFH15].

3. This report deals with the Main Modifications needed to make the SLP sound and legally compliant, as identified in bold in the report **[MM]**. In accordance with section 20(7C) of the 2004 Act, Solihull Metropolitan Borough Council (SMBC) has requested me to make any modifications needed to rectify matters that make the plan unsound or not legally compliant, and thus incapable of being adopted. These Main Modifications are set out in the accompanying Appendix.

4. The Main Modifications that go to soundness all relate to matters that were discussed at the Examination hearings. Following these discussions and the publication of my interim conclusions on the soundness of the SLP [DFH1], SMBC prepared a *Schedule of Main Modifications* [DFH15]. This was subject to a 6-week consultation period, and I have taken account of the responses and discussions at the resumed hearing session. SMBC also published a list of minor changes to the SLP *(Additional Modifications)* [DFH16], which are not subject to my recommendations since they do not directly affect the soundness of the plan.

5. My approach to the Examination has been to work with SMBC and other participants in a positive and pragmatic manner, with the aim of resolving any elements of unsoundness in the SLP. In so doing, I have considered all the points made in the representations, statements and discussions at the hearing sessions. However, the purpose of this report is to consider the soundness and legal compliance of the plan, giving reasons for the modifications, rather than responding to points made in the representations and discussions. References to documents are shown thus [ ], quoting the reference in the Examination Library.

Assessment of the Duty to Co-operate

6. Section 20(5)(c) of the 2004 Act requires me to consider whether the Council has complied with any duty imposed on them by s33A of the Act in relation to the Plan's preparation. This requires SMBC to co-operate in maximising the effectiveness of plan-making, and to engage constructively, actively and on an on-going basis with neighbouring planning authorities and prescribed bodies when preparing development plan documents with regard to a strategic matter. This is defined as sustainable development or use of land which has or would have a significant impact on at least two planning areas, including sustainable development or use of land for strategic infrastructure. This Duty (DTC) is closely related to the requirements in the NPPF (¶ 178-181), and the soundness tests which require plans to be positively prepared and effective (NPPF; ¶ 182).

7. SMBC has submitted extensive evidence outlining how it has engaged actively, constructively and on an ongoing basis with neighbouring local authorities and other prescribed bodies during the preparation of the plan [PSC4]. A new section in the SLP summarises how SMBC has met the DTC requirements, to ensure that the plan is legally compliant **[MM1]**. SMBC has an established record of commitment to joint working with neighbouring authorities and other key stakeholders. It has played a key role with its neighbours on cross-boundary issues, urban renaissance, housing, transport, Green Belt and the environment, both in the preparation and examination of the former West Midlands Regional Strategy (WMRSS) Phase 2 Revision and in its continued involvement in regional/ sub-regional bodies and working groups. It has identified the key strategic issues which need to be addressed, and is actively working with the Greater Birmingham & Solihull LEP (GBSLEP), and with neighbouring authorities and other bodies on cross-boundary housing, regeneration, economic, employment, transport, climate change, environment, minerals and waste issues. It has influenced the emerging non-statutory Strategic Policy Framework for the West Midlands Metropolitan Area [OTH8], and both officers and members are fully committed to continuing co-operation and engagement, including with the West Midlands Joint Committee (WMJC), GBSLEP, neighbouring authorities and other prescribed bodies.

8. In terms of the Duty to Co-operate, it is relevant to note that, currently, there are no specific or agreed requirements for Solihull to meet any of the housing or other needs of adjoining authorities, or for any neighbouring authorities to meet any of Solihull's housing or other needs. However, given that strategic matters of housing provision cut across several local authorities' boundaries, and other cross-boundary issues such as transport, heritage, nature conservation, minerals and waste are also relevant, there can be little doubt that the requirements of this Duty are engaged. Birmingham City Council (BCC) also recognises the legacy of close working and co-operation with SMBC and is content for the SLP to progress to adoption, provided that arrangements are put in place to enable the longer-term challenge of both the scale and distribution of growth to be addressed, if necessary through an early review of the SLP [DHC23]. Furthermore, there are no challenges to this Duty having been met from other local authorities or prescribed bodies, and consequently, in terms of the process of co-operating and effectively preparing the SLP, the Duty has been met.

9. However, there are some remaining uncertainties in terms of the outcome of this process, particularly in view of the apparent difficulties that BCC is having in fully meeting its objectively assessed housing needs within its own boundaries [DHC9] and other authorities in the sub-region in failing to meet their housing targets or requirements [DHC12]. However, these matters have not yet been resolved; work on the future needs of the wider housing market area has only just started, with no specific need or definite requirement for Solihull to meet and no assumption or decision as to whether Solihull will have to meet any of Birmingham's future housing needs. In such circumstances, it would be unreasonable to expect Solihull to delay or halt work on its local plan, particularly in view of the pressing need for a new plan to be adopted, given the current lack of a 5-year housing land supply, the disadvantages of ad-hoc planning decisions and appeals, and the responsibility of SMBC to ensure that the SLP is prepared expeditiously to make provision for the future needs of the area, in line with the plan-making objectives of the NPPF (¶ 150-157).

10. Some suggest that strategic housing requirements have not been considered properly as part of the DTC. However, many of these matters are closely related to the NPPF soundness tests of the plan being "effective" and "positively prepared". SMBC has adopted a consistent approach, basing the SLP on the most recent independent objective assessment of housing requirements undertaken for the WMRSS Phase 2 Revision, including policy elements relating to the urban renaissance strategy and its associated distribution of development; the level of housing provision proposed in the SLP fully accords with this assessment. SMBC has also considered the implications of more recent 2008 & 2011 household

projections and undertaken further work to ensure that the proposed housing provision figure remains sound and robust [PSC5; HSC5/19; DFH6/8/12]. There is insufficient evidence to demonstrate that Solihull does not intend to fully meet its objectively assessed housing requirements and has thus failed to meet the requirements of the Duty to Co-operate. Detailed concerns about the overall housing provision level, including the Strategic Housing Market Assessment (SHMA), are dealt with under the housing issues, later in this report.

11. Some refer to the lack of any consideration of wider housing needs, including those of Birmingham and Coventry. However, SMBC has worked closely with BCC in preparing the SLP, and work on establishing how Birmingham's longer-term housing needs will be met has only just begun. The proposed amendment to the submitted SLP **[MM20]** specifically acknowledges the situation, including the possible future need for Solihull to assist in meeting some of Birmingham's housing needs if this arises as a result of this further work. Coventry lies within a different housing market area, separated from the main conurbation by the strategically important Meriden Gap, and is more closely associated with Nuneaton & Bedworth, Warwick and Rugby; there are no current strategic or housing requirements relating to Coventry which Solihull is expected to meet.

12. Similarly, neither Coventry City Council nor the neighbouring authorities have made any objections to the SLP. The fact that the inspector examining the Coventry Core Strategy concluded that the Duty to Co-operate had not been fulfilled in that case does not directly reflect on Solihull's position. Moreover, the circumstances in Coventry are very different, since unlike Solihull, that plan proposed housing provision figures significantly below those recommended in the WMRSS Phase 2 Revision EIP Panel Report. The situation with regard to the North Warwickshire Core Strategy is also very different to Solihull, being within a separate housing market area.

13. Having considered all the evidence, statements and discussions at the hearing sessions, I conclude firstly, that the Duty to Co-operate is engaged, due to the need to consider identified cross-boundary strategic matters, including housing. Secondly, that the Council has met the requirements of that duty in terms of the process of co-operating and engaging with the relevant bodies, and maximising the effectiveness of the plan-making process. And thirdly, although the most recent outcome of that co-operation has some uncertainty, particularly in meeting the future housing needs of Birmingham, Solihull has identified and addressed all the strategic matters and requirements which it needs to meet at this current time. The legal requirements of the Duty to Co-operate have therefore been met.

Assessment of Soundness

Preamble

14. The Solihull Local Plan (SLP) establishes the strategic planning framework for Solihull for the period up to 2028, setting out a spatial portrait of the Borough, identifying its challenges, objectives and vision. It establishes a spatial strategy and a series of strategic policies to achieve sustainable economic growth, provide homes for all, improve accessibility and encourage sustainable travel, protect and enhance the environment, promote quality of place and support local communities. It not only provides the strategic planning context for the Borough, but also makes site-specific allocations, including housing and employment land. It is accompanied by an extensive evidence base, including Background Papers, technical reports and studies, strategies and sustainability appraisals [SLP001-090; ECN1-2; HOM1-14; TRAN1-3; ENV1-14; PLC1-10; COM1-2; DEL1-3; OTH1-17; PSC4-20].

15. Preparation of the SLP began in 2007, with consultation on Challenges and Choices, Issues and Options and the Emerging Core Strategy (ECS), leading to the publication of a Draft Local Plan in 2012. Extensive work and evidence gathering followed prior to submitting the SLP, during a period of extensive changes to the planning system, including the Localism Act and NPPF.

16. The SLP was prepared within the strategic context provided by the former West Midlands Regional Spatial Strategy (WMRSS), with which it needed to be in general conformity. At the time of preparation, the WMRSS was subject to a Phase 2 Revision, which was subject to examination and an EIP Panel Report. However, shortly after publishing the EIP Panel Report, further progress of the Phase 2 Revision was put on hold and was never formally approved by the Secretary of State. Following various Government announcements, the WMRSS was formally revoked on 20 May 2013. At this time, comments were invited from SMBC and other participants on the implications of revoking the WMRSS [DFH2-5], including the continued relevance of the urban renaissance strategy, which I have taken into account.

17. Although originally prepared in the context of the former WMRSS, the SLP is supported by its own evidence base, with a justified strategy which addresses local issues and ambitions, in full knowledge of the future revocation of the WMRSS. In line with guidance in the NPPF (¶ 218), it has been informed by evidence used to support the WMRSS, supplemented by more up-to-date local evidence. Key target-orientated policies of the former WMRSS have been addressed in evidence accompanying the SLP, including assessments of affordable housing, employment land, retail capacity, renewable energy, biodiversity, heritage, landscape and other environmental issues, ensuring that there are no strategic gaps in policy areas relating to Solihull.

18. Key elements of the former WMRSS have been carried forward into the non-statutory Strategic Policy Framework [OTH8], prepared by the West Midlands metropolitan authorities (WMJC), including Solihull and Birmingham. This aims to ensure a smooth transition between the abolition of the WMRSS and the establishment of new local plans and Duty to Co-operate mechanisms, to demonstrate the continuing commitment to the urban renaissance strategy, and as a material consideration in plan preparation, reflecting the NPPF (¶ 179). Put simply, the urban renaissance strategy aims to stem the trend of out-migration from the main metropolitan area, making the best use of urban capacity and ensuring that the metropolitan area can meet more of its own needs in sustainable brownfield locations through population growth and retention.

19. Housing issues, particularly the overall amount of new housing to be provided in Solihull, are central to considering the soundness of this plan. These issues are dealt with under the housing topic in this report. There have been representations on almost every policy in the SLP, many of which relate to the soundness of the plan, hence the need for a comprehensive examination of the plan. Since the SLP not only covers strategic issues, but also makes land allocations, this report covers both the proposed allocations and the other sites promoted by representors.

Main Issues

20. Taking account of all the representations, supporting evidence, written statements and the discussion at the examination hearings, there are nine main issues upon which the soundness of the plan depends.

CHALLENGES, OBJECTIVES AND VISION

Issue 1 – Are the Challenges, Objectives and Vision justified, effective, locally distinctive and appropriate for Solihull, reflecting the Sustainable Community Strategy, community views and issues raised during the preparation of the plan, and do they provide a sound basis for the overall spatial strategy and strategic policies in the Local Plan?

21. The SLP sets out 12 key challenges, with specific objectives indicating how each challenge will be addressed, arising from the preceding spatial portrait which identifies key social, economic and environmental issues that the plan needs to address, reflecting robust data and evidence of local issues. The challenges and objectives have been discussed with the community and other stakeholders

during the preparation of the plan and give sufficient emphasis to key economic, social and environmental assets, including strategic economic assets, town centres, accessibility issues and sustainable development. The objectives are specifically related to the challenges and policy themes of the plan and help to meet the priorities for development and improvement of communities. SMBC has made minor amendments to the detailed challenges and objectives in response to representations.

22. The Vision reflects the identified challenges and objectives, building on the Borough's strengths and opportunities. It clearly sets out the future strategy for Solihull and its settlements, recognising the key economic assets and inequalities across the borough, as well as the relationship with neighbouring areas, and is supported by an extensive range of evidence. Cross-boundary planning issues have been acknowledged and addressed under the Duty to Co-operate and in other detailed work, and concerns about elderly care, agriculture and food production are covered in other specific policies.

23. Consequently, the Challenges, Objectives and Vision of the plan are locally distinctive, appropriate for Solihull, reflect the Sustainable Community Strategy and provide a sound basis for the spatial strategy and strategic policies of the SLP. The Vision provides an effective and locally distinctive basis for the plan, reflecting the strengths and opportunities of the area, which are clarified in more detail for the various sub-areas.

SPATIAL STRATEGY

Issue 2 – Does the Spatial Strategy set out the strategic priorities for the Borough and is it soundly based, effective, appropriate for Solihull, supported by a robust and credible evidence base, and consistent with national policy?

24. The Spatial Strategy is based on two main elements: firstly, the former WMRSS Phase 2 Revision, which established the overall scale and pattern of development in the Borough; and secondly, the needs and opportunities identified in more recent studies through the process of preparing the SLP [HSC3/13]. The approach of focusing sustainable growth in the North Solihull Regeneration Area (NSRA) and within the town centres, mature suburbs and other accessible settlements was not only supported by the former WMRSS Revision EIP Panel, but is also consistent with the latest Strategic Policy Framework [OTH8] and the GBSLEP Strategic Spatial Framework Plan [DFH25]. The approach to housing growth is based on the identified needs of the Borough and is supported by considerable evidence. The approach to focusing economic growth in the M42 Gateway and town centres is also supported by extensive evidence.

25. The preferred strategy resulted after much consultation, including considering reasonable alternatives and specific options as part of the plan-making process, which are fully assessed in the sustainability appraisal evidence. It also reflects the important policy and physical constraints in the Borough, including Green Belt and environmental designations. The approach is consistent with the NPPF (¶ 14, 18-21 & 23), but SMBC proposes to include the "model" policy to confirm the presumption in favour of sustainable development **[MM2]** to ensure that the SLP effectively recognises this fundamental principle of the NPPF and is sound.

26. The Spatial Strategy seeks to meet the housing, economic, commercial and other development needs of the Borough, address inequalities, housing needs and climate change, and prioritise employment opportunities, including the need for regeneration in particular areas. It also recognises environmental and other constraints, including protecting and enhancing environmental assets and the Green Belt, particularly the strategically important "Meriden Gap" between Solihull and Coventry, and recognises the necessary infrastructure requirements [SLP077]. It addresses the key issues and challenges facing the Borough, as reflected in the vision and objectives of the SLP. It focuses on meeting housing needs, including increased housebuilding, maximising opportunities for affordable housing and meeting other housing needs. It balances housing and economic development

with environmental character and quality, including economic and social benefits and protecting the Green Belt. The distribution and location of development takes account of sustainability and accessibility, sustainable transport and the balance between greenfield and brownfield sites. It also supports a sub-regional approach to reducing and managing waste and extracting minerals to meet strategic and local needs. However, SMBC proposes to amend the strategy to manage waste **[MM3]**, in line with the latest background paper, to ensure it is effective.

27. Cross-boundary issues, including the relationship with Birmingham, Coventry, the West Midlands conurbation and adjoining districts, including the GBSLEP, have been addressed during the preparation of the plan, and the spatial strategy sets out appropriate strategic priorities, taking account of wider strategic needs. Continuing dialogue with neighbouring authorities under the Duty to Co-operate will ensure that future cross-boundary development needs will be addressed. Questions about the overall provision of housing, including emerging issues relating to Birmingham's longer term housing needs and the question of reviewing the Green Belt, are dealt with later in this report.

28. When read together with the other strategic policies in the SLP, along with the Policies Map and diagrams, there is sufficient guidance and spatial direction about the scale, location, timing and delivery of new development to guide subsequent development decisions and planning documents. The spatial strategy provides certainty to developers, stakeholders and the community, whilst including some flexibility to accommodate changes in circumstances, including phasing of development, a balanced portfolio of sites and the possible need to address some of Birmingham's longer term housing needs through a review and continuous monitoring of the plan. The detailed spatial strategy for five distinctive areas, including the NSRA, mature suburbs, Solihull town centre, M42 Economic Gateway and the rural area, helps to implement the key elements of the overall spatial strategy, reflecting the vision and objectives for the Borough in its significant local areas, which are carried forward into the plan's strategic policies.

29. Apart from the question of fully meeting the Borough's housing needs and the need to consider cross-boundary housing and development needs, including reviewing the Green Belt, there is considerable support for the overall spatial strategy set out in the SLP. Some are concerned that the underlying basis for the strategy, including the urban renaissance strategy of the former WMRSS, is unravelling, with the revocation of the WMRSS. However, the fundamental principles of the sub-regional strategy are carried forward into the latest non-statutory Strategic Policy Framework [OTH8] and the GBSLEP Strategic Spatial Framework Plan [DFH25], to which the metropolitan authorities remain committed.

30. Some are concerned about the emphasis on economic development within the M42 corridor, but this is a central element of the strategy and a flagship initiative of the GBSLEP. It is fully consistent with the long-standing strategy for the sub-region and reflects the latest announcements about "UK-Central", which rolls forward the M42 Gateway Study and proposals for Birmingham airport [DFH21-22]. It also reflects many of the spatial objectives and policies in the emerging GBSLEP new Spatial Plan, now under initial consultation [DFH35]. Others are concerned about the detailed distribution and location of new development, but these reflect the spatial strategy and policy constraints. Site-specific issues are addressed later in this report, and the accessibility of settlements has also been fully considered [SLP029]. Issues relating to HS2 and the associated interchange are not yet finalised, but the spatial strategy would not prejudice current proposals. The concept of managing growth and delivering new development through a balanced approach in the Local Plan, whilst making existing assets more sustainable and improving public transport links, are important elements of the SLP, making it effective and deliverable.

31. Consequently, as amended, the spatial strategy is soundly based, effective, deliverable, justified with extensive evidence, consistent with national policy and appropriate for Solihull.

ECONOMY

Issue 3 – Does the Local Plan set out a clear economic strategy which positively and proactively encourages sustainable economic growth, and are the policies for the economy and provision of employment land, town centres and retailing, soundly based, effective and appropriate for Solihull, supported by a robust, credible and up-to-date evidence base, and consistent with national policy?

32. Section 7 of the SLP sets out the strategy to achieve sustainable economic growth in the Borough, focusing on its key economic assets, including the National Exhibition Centre (NEC), Birmingham Airport, Birmingham and Blythe Valley Business Parks (BBP/BVBP), and Jaguar Land Rover (JLR). It also sets out policies to provide land for general business sites and premises, and to maintain strong, competitive town centres, focusing on Solihull town centre, along with Shirley and Chelmsley Wood town centres. There is considerable support for the economic strategy from businesses and developers, the most contentious aspect being the proposal to include housing development within the Blythe Valley Business Park (which is dealt with in the housing section of the report). There is also much support for the strategy for town centres and retailing, although there are some concerns about the retail capacity figures and details of the strategy for Solihull town centre. The economic strategy is supported by a wide range of evidence [PSC6/PSC11/HSC4/14].

Key economic assets

33. The strategy for supporting economic success (Policy P1) aims to promote sustainable economic development and job creation, particularly at the Borough's key economic assets, acknowledging Solihull's pivotal "gateway" role in the sub-region, reflecting work undertaken on the M42 Corridor [SLP011]. It also enables the delivery of SMBC's recently announced "UK-Central" initiative [DFH22], as supported by the GBSLEP. There is some concern about the implications of concentrating economic growth within the M42 corridor, particularly in traffic and environmental terms, but this has been fully addressed in the M42 Corridor/Economic Gateway Studies [SLP011/DFH22] and subsequent work. The Highway Authority/Agency is content with this strategy, and SMBC confirms that the M42 is a corridor for both growth and movement. Supporting evidence in the Employment Land Review (ELR) [SLP016] confirms the important role of BBP & BVBP in the sub-region's economy, whilst the SLP also provides the context for the future growth of Birmingham Airport, reflecting its Masterplan [SLP010].

34. The policy also reflects the need for the NEC to evolve to retain and enhance its competitive position as an exhibition and tourism asset, and for the business parks to widen their range of uses to increase their potential for job-creation. It also recognises that JLR needs to continue to re-structure and develop to compete in the global market, enabling reasonable expansion into the Green Belt, if necessary and justified. Overall, the strategy provides the context for the "transformational change" which the Borough's key economic assets have the potential to deliver within a sustainable economic framework, whilst protecting the environment, in line with national policy in the NPPF (¶ 17-22).

35. The strategy for the key economic assets is supported by the business sector and individual operators, including the NEC and Birmingham Airport. There is some concern that the range of appropriate uses at the NEC might compromise the vitality and viability of existing centres, but the policy does not support retail development here; it requires any supporting development to be justified in terms of scale and location, to prevent it from becoming a destination in its own right. The policy also enables Birmingham Airport to grow in line with its Masterplan [SLP010], including the new runway alignment. However, since the prospect of a second runway is unlikely to arise within the current plan period, it would be premature to rule out this longer-term possibility, as some suggest, at this time.

36. Both Birmingham and Blythe Valley Business Parks were originally designated as *"Regional Investment Sites"* (RIS) in the former WMRSS, restricted to Class B1 uses. With its revocation and changes in the economy and business demand, there is a need for this concept to evolve and for these business parks to be reinvigorated, without detracting from their regional economic significance. The ELR examined the changing role of these RISs [SLP016], and confirmed the need to broaden the range of uses at these key regional employment sites.

37. BBP is a successful business park lying between the NEC and Chelmsley Wood, with about 13ha remaining to be developed, 10ha of which is committed to a particular business. BBP is to be extended by about 9ha in the south-western corner, and the range of appropriate uses is to be widened, including Class B2/B8 and ancillary uses (including healthcare/medical/hotel/leisure facilities), in order to modernise and reinvigorate this business park and make it more attractive and marketable to businesses. However, to widen the range of uses further to include "other employment generating uses", as some suggest, could encompass uses that could fall well outside the usual business-type uses at BBP and change its role and character. Any suggestion of future residential development at BBP related to HS2 is a longer-term possibility, beyond the timeframe of the SLP. The proposed extension of BBP into the Green Belt is justified on the basis of need for employment land in this location [PSC6/HOM14] and to make effective use of its potential, particularly in terms of its role in economic regeneration and urban renaissance related to North Solihull. An amendment **[MM4]** summarises the particular reasons justifying the release of this Green Belt land. The amendment increasing the size of the proposed extension (from 5-9ha of land) **[MM40]** is justified in terms of commercial viability, amenity and the provision of jobs related to the North Solihull Regeneration Area, and meets the NPPF (¶ 84-85) guidance on making amendments to Green Belt boundaries.

38. BVBP is another key regional economic asset on a self-contained site to the south of Solihull alongside the M42. The proposals to expand the range of appropriate uses to include business and other complementary uses are strongly supported by the developers, with specific evidence [PSC6/SLP016]. In recent years, there has been a slowing down of the rate of development here, with only 17/49ha of the site currently developed. It is necessary to widen the range of appropriate uses to include Class B2/B8 uses and other ancillary/complementary uses to broaden the business offer, help marketability and reinvigorate the site, without diminishing its important regional economic role. The traffic implications of the extended range of business and other uses have been fully assessed, including improved public transport links and the relationship with Cheswick Green, and will be considered further in a masterplan. Concerns about including residential development within the business park are dealt with under the housing section of this report, but if this took place, at least 20ha of land would remain to be developed for business purposes, providing a sustainable, multi-dimensional community. The recent insolvency of the current developers of this site does not weaken the need to widen the range of uses and reinvigorate this development.

39. The policy for JLR would enable this company to implement its business plan, reflecting the strategic importance of this key economic asset, balanced against environmental impact. The detailed justification of any future expansion into the surrounding Green Belt would be considered on its merits in the context of the policy, at the appropriate time.

40. Policy P1 also expects developments which generate significant numbers of jobs to demonstrate measures to improve access to employment from parts of the Borough where unemployment persists or where economic opportunity can be taken. This approach helps to support the employment strategy in the context of creating more sustainable communities. It helps to maximise the potential for recruiting locally, particularly from the more deprived parts of the Borough in North Solihull, and makes effective use of the economic potential of Solihull town centre.

General Employment Land

41. Policy P3 seeks to provide sufficient land to meet the general employment needs of Solihull, using a plan-monitor-manage approach, and is supported by the ELR [SLP016] and other evidence [SLP087/PSC6]. The ELR estimates a need for 30-40ha of employment land over the plan period (3-4ha per year); over 40ha of land is allocated, of which 27.5ha is readily available. The SLP allocates 6 sites for general employment/business use, most of which are carried forward from the SUDP, which have been assessed in terms of quality and availability in the ELR.

42. There are some concerns about the range of appropriate uses at specific sites, but the SLP aims to be flexible in enabling the broadest range of business uses to come forward. With the revocation of the WMRSS, there is less distinction between former RIS sites and other employment land. Certain sites (such as Sites 27 & 29) are restricted to Class B1 use to reflect their important role as "gateway" sites, which tends to militate against general industrial and warehousing uses. In response to requests to further widen the range of uses at the TRW & Fore sites (Sites 25 & 27), terms such as *"mixed-use sustainable economic development"* are vague and could encompass a wide range of non-B class uses, including retail and commercial leisure uses. In any event, the policy includes the full range of Class B1/B2/B8 uses and would allow some diversification with ancillary/complementary uses within the portfolio of general employment sites. Some additional/alternative sites for employment use have been suggested by others, but all lie in the Green Belt; they have been fully assessed [HOM14] and none are suitable or necessary to meet current employment land requirements.

43. The approach to safeguarding existing employment sites in Policy P3 is consistent with national policy (NPPF; ¶ 22) by seeking to secure sustainable economic growth with the flexibility to respond to changing circumstances. It seeks to retain business class land for this use, so that it can meet the employment needs identified in the ELR, but avoids the long-term protection of employment sites where there is no reasonable prospect of use for this purpose, with specific criteria for considering alternative uses. The policy also seeks to encourage small and medium-sized businesses in both urban and rural areas, in line with the NPPF (¶ 21/28). However, there is no need for a specific policy on hotels and tourism, as some suggest, since the policy framework in the NPPF & SLP (including Policy P1) would provide the context for such proposals, particularly at the NEC/Airport and in Solihull town centre, without precluding such uses elsewhere.

44. Consequently, as amended, the SLP sets out a clear economic strategy which positively and proactively encourages sustainable economic growth, and is effective, justified with evidence, appropriate for Solihull, consistent with national policy and soundly based.

Town Centres and Retailing

45. Policy P2 seeks to provide a positive approach to town centres and retailing which helps to promote and maintain strong, competitive town centres, locating town centre uses within the main town centres, strengthening their focus for local communities and providing sustainable access to goods, services and employment, in line with the NPPF (¶ 23-27). It aims to meet town centre and retail needs, as well as maintaining local distinctiveness, with a realistic approach to town centre capacity, and is supported by a range of relevant and up-to-date evidence [PSC7].

46. Solihull town centre is the main centre for the Borough, which the SLP seeks to develop as a place of quality and distinction, as the civic heart and main focus for commercial activity and public transport. The strategy for this town centre is supported with specific evidence, including retail and town centre studies [PSC7; SLP012-14], which justifies the approach, including the proposed amount of new retail floorspace. Policy P2 envisages an additional 34,000 sq m of comparison floorspace up to 2021, with a further 23,000 sq m from 2021-2026, reflecting

evidence in the retail study. However, the policy does not need to make specific provision for new convenience floorspace here, since there has been a steady increase in such floorspace in recent years, and the strategy would allow further provision in response to market demand or alongside new comparison floorspace or expansion of existing stores. The amount of new office floorspace (35,000 sq m) reflects the Retail, Leisure & Offices Study [SLP014], updating the WMRSS EIP Panel's recommendations. However, in view of the conclusions of the retail and town centre studies, there is no need to make specific provision for new leisure facilities in the town centre, although such uses would contribute to the evening economy and fall within the category of main town centre uses identified in the NPPF (¶ 23). Proposed amendments to the SLP confirm the "town centres first" policy, and clarify the amount of additional comparison and convenience retail floorspace and the approach to "footloose" retail floorspace **[MM5-9]**; these changes are needed to make the policy effective and deliverable.

47. Under Policy P2, the strategy for Solihull Town Centre identifies 3 "Development Opportunity" sites to enable the managed growth of Solihull town centre and accommodate the range and mix of town centre developments envisaged. These sites are central to the Solihull Town Centre Strategy, and are highlighted in the Town Centre Study [SLP012]. In response to concerns about the nature and mix of uses at some of these key sites, SMBC proposes amendments to clarify the approach to the expansion of the Touchwood shopping centre, including the range of appropriate uses and its future seamless extension into the primary shopping area **[MM10-11]**, to ensure the plan is effective. However, extending this site to the High Street, as suggested, might conflict with heritage and conservation interests. Apart from hotel/leisure uses, the mix and range of uses at Mell Square is similar to Touchwood, but such uses are not precluded by the policy framework. The policy does not indicate any priority for particular developments, but seeks to ensure that the phasing of development at these key sites maintains a balance of activity on both sides of the High Street, since it will largely be for the market and individual developers/landowners to determine when particular sites are developed; specific phasing might unnecessarily constrain sustainable economic growth, contrary to the objectives of the NPPF. Masterplans for the key sites would obviate the need for a Town Centre AAP.

48. Policy P2 also seeks to develop and sustain Shirley and Chelmsley Wood town centres as the focus of commercial activity and services for the local communities, to secure regeneration and economic success. Both centres are currently undergoing some development/redevelopment and environmental improvement, and the strategy enables this to be delivered effectively, with an appropriate range and mix of town centre uses. The policy also confirms that proposals for town centre uses in other locations, including out-of-centre retailing, will be considered against the policy and criteria in the NPPF, in line with the sequential approach. Smaller district centres, such as Knowle and Dorridge, are dealt with under Policy P19.

49. Consequently, as amended, the SLP provides a positive approach to town centres and retailing, promoting strong and competitive town centres, which is effective, justified with evidence, appropriate for Solihull, consistent with national policy and soundly based.

HOUSING

Issue 4 – Does the Local Plan make appropriate provision for the effective delivery of the overall amount of new housing required in Solihull, including the scale and distribution of new housing, proposed housing sites, affordable housing and provision for gypsies, travellers and those with other special needs, having regard to national policy, and is it soundly based, fully justified and supported by an up-to-date, credible and robust evidence base?

50. The most contentious issues relating to the soundness of the SLP concern housing, both in terms of overall requirements and how provision will be made. This encompasses the basis for the overall number of houses to be provided in terms of housing requirements and the key elements of housing supply, including sites in the North Solihull Regeneration Area and Solihull town centre, Local Plan allocated sites and omission sites, phasing and the allowance for windfalls.

Overall level of housing provision

51. Dealing firstly with the overall level of housing provision, the NPPF (¶ 14/47) indicates that local plans should meet the full, objectively assessed needs for market and affordable housing in the housing market area, unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF, including development constraint policies such as Green Belt. Although household projections are the starting point in assessing overall housing needs, they are only one element; they are a snapshot in time and, being based on demographic trends, do not model other aspects of housing need or the effective demand for homes. In establishing the appropriate level of housing provision for the area, the key drivers of housing need and demand related to demographic, economic and social factors have to be balanced alongside supply-side factors and wider national/local policy objectives and strategic priorities relating to sustainability, deliverability, infrastructure, viability, land availability and environmental capacity. Evidence should be relevant, robust, proportionate and up-to-date.

52. In this instance, the submitted SLP proposes 11,000 new dwellings (2006-2028), including allocating new sites for 3,960 dwellings, reflecting the requirement recommended in the former WMRSS Phase 2 Revision EIP Panel Report [OTH5]. However, this figure was never approved by the Secretary of State and the regional strategy has now been revoked. Nevertheless, for Solihull, the Panel's assessment represents the most recent independently examined assessment of housing requirements in the West Midlands, taking account of cross-boundary housing issues and market areas, environmental capacity and the strategic housing distribution policy elements related to the urban renaissance strategy. The NPPF (¶ 218) confirms that authorities may continue to draw on evidence that informed the preparation of regional strategies to support Local Plan policies, supplemented as needed by up-to-date, robust local evidence. This is exactly what SMBC has done. Reliance is not based solely on the former WMRSS evidence and figures, but considerable further work and evidence has been submitted [PSC5; HSC5; HSC19], including an updated SHMA for Solihull [SLP020], along with assessments of the implications of more recent population and household projections such as the recent 2008 & 2011-based household projections [DFH6; DFH8; DFH12-13]. This work confirms that the underlying housing requirement proposed in the SLP remains valid, robust and sound.

53. When the SLP was being prepared and published, the WMRSS Phase 2 Revision and EIP Panel report [OTH5] were relatively up-to-date. However, the base information in these documents is now becoming dated, since the Panel used 2006-based household projections, rather than the more recent 2008-based projections or the latest 2011-based interim household projections. The 2006-based projections indicated a growth of some 16,000 new households in Solihull (2006-2026), compared with the 2008-based projections of 14,000 new households (2006-2028). The latest 2011-based interim projections estimate a

growth of 6,000 new households (2011-2021) over the shorter timescale of these projections, equivalent to 533/yr (2006-2021) [DFH6/8/12-13]. Even though the former WMRSS EIP Panel report figure did not fully meet all the housing needs of Solihull at that time, more recent projections confirm that the number of new households anticipated in Solihull between 2006-2028 has significantly reduced since then, and that the annual need may only be slightly above that planned for in the submitted SLP.

54. Furthermore, the proposed housing provision level in the SLP exceeds that which would be needed by the Borough's own population and includes a significant element (60-65%) associated with in-migration, reflecting the urban renaissance strategy. With the successful continued implementation of the urban renaissance strategy, there may not actually be any shortfall in housing provision compared with the latest 2008 & 2011-based household projections. Moreover, it is important to note that Solihull has not requested any other local authority to meet any of its housing needs and no other local authority has specifically indicated that Solihull will be required to meet any of its housing needs; the emerging issue relating to the shortfall in Birmingham's future housing needs has yet to be addressed and resolved.

55. Some argue that the plan should make a minimum provision of 14,000 new dwellings (2006-2028), based on the 2008 household projections, but this is only one household projection and does not represent the objectively assessed need for housing in Solihull. Some point out that, even using the latest 2011-based projections, over 13,000 new dwellings would be needed up to 2028, but these alternative estimates use disputed assumptions and projections. The SLP plans to provide an additional 11,000 dwellings (2006-2028) at a rate of 500/yr, although taking account of past completions, the remaining provision is equivalent to over 540/yr, which is little different from the latest projections. It is also a target that can be exceeded, if necessary. At the resumed hearings, some referred to the recent *Hunston v SSCLG* High Court judgement [DFH31], but this case relates to the process of determining planning applications rather than plan-making.

56. There is also some concern about the adequacy of the SHMA. However, a joint SHMA, covering Birmingham, Solihull, Lichfield & Tamworth was undertaken [PSC4], and was updated specifically for Solihull in 2009 [SLP020], using 2006-based projections, in line with the emerging former WMRSS Phase 2 Revision and national guidance at the time, which supports the proposed level of housing provision. It assessed the likely need for market and affordable housing over the plan period and, taken together with the more recent work on housing need produced for the examination of the SLP [PSC5; HSC5; HSC19; DFH6; DFH8; DFH12-13] and that of the former WMRSS Phase 2 Revision and EIP Panel, this meets the requirements of the NPPF (¶ 159; 178-181).

57. SMBC recognises that the existing SHMA [SLP020] will need to be reviewed and updated in 2014, to take account of more recent and forthcoming household projections and the needs of the wider housing market. This review will also need to update the original assessment of housing requirements undertaken for the former WMRSS Phase 2 Revision insofar as it relates to the relevant housing market area, and may necessitate a review of the SLP. The firm commitment to undertake this review is to be confirmed in the SLP **[MM20]**, to ensure that the plan remains up-to-date and soundly based, as required by the NPPF (¶ 158).

58. Some argue that, with the revocation of the WMRSS, the urban renaissance strategy is floundering, but this is an important element of the sub-regional strategy, established in 2004, and has been supported previously by inspectors examining plans and deciding appeals in the West Midlands [DHC1/DFH12]. It is a long-term approach, which is now beginning to take effect, as confirmed in the Strategic Policy Framework [OTH8]. The revocation of the WMRSS does not render the urban renaissance strategy defunct in terms of the strategic priorities for the sub-region, particularly given the commitment of the local authorities in the West Midlands conurbation and its inclusion in the latest non-statutory Strategic Policy

Framework. It continues to be relevant and significant in the planning of the sub-region, as shown in the adopted Black Country Core Strategy, which proposes to provide 63,000 new dwellings (2006-2026), compared with the 2006 & 2008-based household projections of 58,000 and 50,000 new households respectively. This represents a substantial increase over estimated housing needs [DHC12], fully reflecting the continuing urban renaissance strategy in the metropolitan area which includes both Solihull and Birmingham.

59. The issue about future housing provision for Birmingham City, including potential shortfalls in provision and the possible need to review the Green Belt, both in and around Birmingham, emerged with more clarity only after the SLP had been published and submitted. The latest information indicates that a Strategic Housing Needs Study will be undertaken on behalf of the GBSLEP early in 2014, identifying spatial options for accommodating any shortfall. SMBC proposes to include some additional text in the SLP, indicating the possible need to review the plan with regard to future housing provision and growth related to Birmingham City, including a possible review of Green Belt, as well as taking on board any changes in housing need established by SMBC's own SHMA review **[MM20]**.

60. Some suggest that this commitment should be in the form of a specific policy, and until this work has been completed, the proposed housing target in the SLP should only be an interim figure. However, since it has yet to be established what the level of the shortfall in housing land will be or whether any of this shortfall will have to be met in Solihull, it is sufficient to include the commitment to review the plan in the supporting text. Until this work is completed, the implications for Solihull and the overall level of housing provision are unknown, so the proposed level of provision should remain as proposed, until it is found necessary to amend it. Others suggest that the SLP should be suspended or withdrawn until this work has been completed, but this would leave Solihull without a local plan for some considerable time, resulting in uncertainty for both developers and the local community, as well as the lack of an identified 5-year supply of housing land.

61. Reference is also made to the situation at Coventry and North Warwickshire, where inspectors have questioned the overall housing figures, including reliance on the former WMRSS figures. However, circumstances in these districts are very different from Solihull, since Coventry proposed housing figures significantly below those recommended in the former WMRSS EIP Panel Report, whilst North Warwickshire is now reviewing its overall housing provision; both districts also lie in a different housing market area and have less interchange of migration with Solihull. Concerns that there may be a significant under-provision of housing in the SLP seem to be misplaced, since there is insufficient evidence to justify this conclusion and no local authority supports this view. I have dealt with other issues related to cross-boundary housing provision under the Duty to Co-operate.

62. SMBC maintains that the SLP is fully meeting the identified housing needs of the Borough, but has considered higher levels of housing at the options stage. In considering the possibility of higher housing figures, it is important to bear in mind the significant policy constraints in Solihull, particularly the Green Belt, including the strategically important Meriden Gap, and the implications of higher levels of development on the recognised environmental quality of the Borough. SMBC proposes to amend the SLP to explain the adverse implications of higher levels of housing provision on the quality of the environment and Green Belt, particularly in the Meriden Gap **[MM15-16]**. This is supported by evidence, including the SHLAA and site assessments [SLP021; HOM13; PSC5; HSC5; HSC19].

63. In terms of the overall housing requirement, SMBC has taken a consistent and pragmatic approach, having produced a positively prepared and effective plan, soundly based on, and consistent with, the most recent independent assessment of cross-boundary housing requirements undertaken for the former WMRSS Phase 2 Revision, and backed up with more up-to-date, robust and reliable evidence, projections and studies. The commitment to review the SLP if it becomes necessary to address the issue of Birmingham's shortfall in future housing

provision will ensure that cross-boundary housing issues are addressed when the results of these studies are finalised, reflecting the guidance in NPPF (¶ 179). The commitment to early review of the SHMA will ensure that Solihull's housing needs are kept up-to-date, including reviewing the SLP, if necessary.

64. Taking account of all the evidence and having examined all the elements that go into making an objective assessment of housing requirements, a total level of 11,000 dwellings or 500 dwellings/year represents an effective, justified and soundly based figure which would meet the current identified housing needs of the district over the plan period and, with the agreed amendments, is consistent with the overall requirements of national policy in the NPPF.

Housing supply

65. The SLP sets out six main elements of the proposed housing land supply, including housing completions since 2006 (2,340), sites with planning permission (1,155) or identified in the SHLAA [SLP021] (193), sites within the North Solihull Regeneration Area (970), Local Plan Proposed Allocations (3,960) and the contribution from windfall sites (2,400), totalling just over 11,000 new dwellings. There can be no dispute about housing completions, since these are closely monitored, taking account of new dwellings, conversions, changes of use and demolitions. The SHLAA lists all sites with planning permission for housing at April 2012, of which almost 50% of total capacity has already been implemented. All these sites have been assessed in terms of deliverability, in line with the NPPF (¶ 47), and there is no need to discount any of this element. The SHLAA also identifies 15 sites with a capacity of 193 dwellings, most of which are Solihull Community Housing sites, in line with the Housing Asset Management Strategy and Delivery Plan [HOM11-12], along with two small sites which are identified as suitable Rural Exception Sites.

North Solihull Regeneration Area

66. SMBC's priority for housing growth is in the North Solihull Regeneration Area (NSRA), being led by the North Solihull Partnership (NSP). This is a major redevelopment/regeneration project to deliver housing growth, improve housing mix and quality of life, and replace poor quality housing with new affordable housing, underpinned by the latest North Solihull Strategic Framework [SLP19/a]. NSP is on course to deliver over 2,000 net additional dwellings over the lifetime of the programme, reduced from over 4,000 net new dwellings following the Government's spending review. By April 2012, over 200 net new dwellings had been built out of a total of over 780 dwellings built. Over 60% of the remaining 970 net new dwellings are on unidentified sites within the NSRA area, including potential sites in village centres, redevelopment sites and surplus school sites, which are likely to come forward by rolling forward NSP's Business Plan [HOM10; DHC16].

67. The regeneration programme has consistently delivered new housing at times when the housing market has been both strong and weak, and the NSP supports the proposed scale and viability of housing development, including affordable housing. The unidentified portion of this element of housing supply is effectively a broad location for future housing in the mid-latter part of the plan period, without any double-counting of the specific site allocations. There is a firm commitment to the regeneration programme, with a realistic prospect that it will deliver the anticipated number of net new dwellings within the plan period.

Local Plan allocations

68. The proposed housing sites came forward after a comprehensive review of over 240 potential sites undertaken in the SHLAA. This covered a robust site-selection process, which considered a wide range of factors, including consistency with the spatial strategy, sustainability and accessibility to local facilities, implications for the Green Belt, site constraints, potential impacts, infrastructure requirements and housing deliverability. An objective assessment of accessibility [SLP029]

confirmed that the main urban area of the Borough (including the NSRA and mature suburbs), along with the settlements of Knowle/Dorridge/Bentley Heath, Balsall Common, Dickens Heath and Cheswick Green, met the minimum accessibility criteria and were selected as being suitable for strategic growth.

69. This first assessment influenced the sites put forward in the Emerging Core Strategy 2010 (ECS) [SLP006], whilst a later assessment (resulting from a need to find additional housing sites) first identified those settlements suitable for accommodating some strategic housing development to meet the needs of the rural area and then assessed a range of potential (mainly Green Belt) sites to meet these needs. These include some of the more controversial sites around Balsall Common, Hampton-in-Arden, Cheswick Green and Dickens Heath. Although the full reasoning at this second stage did not emerge until after the plan had been published and submitted, having regard to all the evidence, this process represented a comprehensive, consistent, transparent and robust site-selection process which clearly explains the reasons for selecting each site.

North Solihull Regeneration Area

70. Seven specific sites (665 dwellings), currently in the Green Belt, are proposed within the NSRA, mainly comprising strips of open land alongside roads and watercourses, redevelopment sites or surplus school land, which permeate the built-up area along the Cole Valley. They came forward as a result of a specific review of Green Belt sites in North Solihull to support regeneration [SLP069], as recommended in the WMRSS EIP Panel report. They are a key element in the regeneration proposals for this area, underpinned by the latest Strategic Framework [SLP19/a]. They are suitable and deliverable, included in the first phase of development, reflecting the priority towards regenerating this area; all but one are included in the latest NSP Business Plan [HOM10] for early development. Given the commitment to regenerating North Solihull and making the most efficient use of land, there is no inequity between proposed housing development in the north and south of the Borough in terms of density or overall amount.

71. Although the development of most of these sites would involve some loss of open space, the Strategic Framework confirms that there will be no net loss of recreational open space and proposals will enhance and improve the existing spaces; further work has been undertaken in the Green Space Review [SLP072]. Given the importance of regenerating North Solihull and the need to provide additional housing, including affordable housing, these represent the exceptional circumstances necessary to justify the development of these Green Belt sites, particularly given the limited impact on the integrity, function and purposes of these relatively small areas of Green Belt which penetrate the main urban area.

72. The most contentious site lies to the rear of houses in **Cooks Lane, Kingshurst** (Site 1). Local residents and wildlife groups are particularly concerned about the loss of part of a local wildlife site and the traffic implications of development. In response to these concerns, SMBC has reduced the overall size and capacity of this site from 4.37ha to 1.98ha (200-70 dwellings), retaining views of Babbs Mill Lake from Foxglove Crescent, and the remaining greenspace would be enhanced **[MM21/39]**. Although part of a larger swathe of Green Belt land, the release of this modest parcel of undeveloped land would not erode the overall integrity or purpose of the Green Belt. Similarly, the loss of less than 2ha of the 30+ha nature reserve would not seriously erode the nature conservation value of Babbs Mill Nature Reserve or the country park, particularly with the compensatory greenspace and biodiversity enhancements envisaged in the proposal. Following discussions, both Natural England [PSO5] and the Environment Agency are content with the allocation. The site is close to local facilities, with good public transport, and access is available from Cooks Lane. It is not subject to flood risk [SLP049], and more detailed aspects about the impact on the environment, wildlife, traffic and amenity could be considered in a development brief or planning application.

73. None of the other sites (Sites 2-7) would significantly erode the integrity or purpose of the Green Belt and would make effective use of underused or surplus open land. Site 4 emerged from a review of primary schools in North Solihull, Site 5 is currently being developed, and Site 6 would involve the redevelopment of existing bungalows and a public house, enabling better use of existing previously developed land. There may be some loss of open space, but this would be compensated by improvements to local greenspace elsewhere. Although some sites are close to watercourses, the Environment Agency is content that flooding will not be a serious issue. They are all soundly based and justified housing allocations.

Solihull Town Centre

74. Another priority of the spatial strategy is to focus development within the main urban areas, especially in Solihull and Shirley town centres. Housing at **Solihull Town Centre** (Site 8: 950 dwellings) is included in all phases of the plan to take advantage of its sustainable location and excellent access to a wide range of services and facilities, and to improve the diversity of uses, vitality and sense of place. Expectations of housing capacity have been scaled down from previous estimates used for the former WMRSS EIP and ECS, and are now more realistic. Potential sites were identified in the Town Centre Study [SLP012] and the SLP identifies 7 specific sites/areas, including Touchwood II, Mell Square East and Homer Road triangle, along with car parks and longer-term opportunity sites. Most of these sites will involve redevelopment of existing buildings, and the proposals are supported by developers and landowners. Housing development in the town centre is viable [SLP018], with active and potential demand for additional residential accommodation. Further work will be required, including studies and masterplans, along with some infrastructure improvements, but given the priority and support for these schemes, there is a realistic prospect of delivery.

Other sites within or adjoining the main urban area

75. Site 9 adjoins the main urban area at **Chelmsley Lane, Marston Green**, has good access to local services and is a priority location for development, having been designated as Safeguarded Land in the SUDP. Early development of this site will help to support the provision of local healthcare facilities, justifying its inclusion within Phase I of the plan. It is supported by the developers (HCA) who are now preparing a development brief for the site.

76. The **Powergen site** (Site 11) at Stratford Road, Shirley is a very accessible previously developed site within the main urban area, and a priority location for early development. This is a mixed-use proposal, and a significant amount of new housing is a key element in securing the re-use of this former office site. Work is well advanced, including a development brief, the landowner is committed to redevelopment, and a scheme is likely to come forward in the short-term. SMBC proposes a more effective housing capacity (130) for this site **[MM22]**.

77. Development of land at **Aqueduct Road, Solihull Lodge** (Site 15) is more controversial, particularly due to current flooding problems. This site, currently Safeguarded Land in the SUDP, within the main urban area and with good accessibility to local services in a priority location, has long been considered for development. The lower parts of the site are subject to flooding, but the Environment Agency is content that these matters can be addressed [DHO12]. Recent plans envisage much of this area as open space and water features, and a detailed flood risk assessment has been prepared; development could also ease current flooding by providing additional flood storage capacity. High Street is a busy link road, and a detailed traffic assessment has been undertaken; access is available from High Street and Aqueduct Road. Ecological studies reveal little wildlife importance on the site other than badgers, and biodiversity and wildlife issues would need further investigation. There seem to be no fundamental constraints that cannot be overcome or mitigated. Landowners are actively pursuing the development of this site and SMBC has resolved to grant planning permission for housing on the most of the site (subject to a S106 obligation).

There is some concern about the estimated capacity of this site (300 dwellings), since the latest scheme only proposes 200 dwellings, but other land remains to be developed and other future schemes could provide more houses. Consequently, this is a soundly based housing allocation, but environmental constraints, including flood risk, mean that this greenfield site is appropriately placed in Phase 2 of the plan period, subject to the flexibility provided in Policy P5.

Sites within the rural area

78. Several sites are allocated at those settlements beyond the main urban area which meet the minimum sustainability and accessibility criteria. Although these settlements have been found suitable for strategic housing sites, the scale of development is focused on meeting local housing needs. Some sites came forward early in the plan-making process, whilst others were identified in a second-stage assessment, when more housing land had to be found.

Knowle/Dorridge/Bentley Heath

79. Three housing sites are allocated around the built-up area of Knowle, Dorridge & Bentley Heath (Sites 12-14), all on Safeguarded Land designated in the SUDP. There is little objection to the principle of developing these sites, which are well located and close to existing facilities. The main concern relates to including all sites within Phase I of the plan, but this is justified because of the priority need to address secondary school capacity problems at Arden Academy, which development of these sites will help to finance. The indicative capacity on some sites may be on the high side, particularly given current proposals, but this may be balanced by higher capacities at other sites. All the landowners are actively pursuing the delivery of these sites, and planning permission has now been granted for new housing on Sites 12 & 13. These are soundly-based allocations, which will help to meet the local housing needs of these communities.

Dickens Heath and Cheswick Green

80. Three housing sites are allocated next to the new village of Dickens Heath (Sites 17-18 & 20). Dickens Heath meets the minimum accessibility criteria for strategic housing growth and is rapidly coming to completion. There is some concern about the ability of the village facilities to serve the expanded population from these new developments, including traffic, schools and other services, along with more detailed concerns about flooding, impact on wildlife and Green Belt, deliverability and phasing. However, health and education bodies raise no concerns about the capacity of local facilities to accommodate the new development, which would help to secure the viability of local shops and public transport. No highways or traffic concerns have been raised by the relevant authorities, and the detailed impact on traffic would be assessed at the planning application stage. None of the sites are designated for their wildlife value, other open space and wildlife areas would remain, and none are subject to flood risk.

81. Sites 17 & 18 are on Safeguarded Land identified in the SUDP, and have long been considered for housing development. Site 20 came forward at the second stage site assessment, and is close to the village centre, with firm defensible boundaries and having the least impact on the gap between Dickens Heath and Tidbury Green. The need to identify additional land to meet housing needs, including affordable housing, provides the exceptional circumstances to justify releasing this Green Belt site and allocating it for new housing. Site owners are actively progressing all these sites, with planning permission now granted on Site 18 and pre-application consultations on Sites 17 & 20. The sites are included within Phase 2/3, since they are not priority locations for development; this ensures a continuous supply of housing land is available to meet local needs throughout the plan period. All are soundly-based housing allocations.

82. Site 21 (**Mount Dairy Farm**) adjoins Cheswick Green, a modern settlement with its own local centre, school and other facilities, just south of the main urban area of Shirley/Monkspath, which meets the minimum accessibility criteria for strategic housing growth. This site is designated as Safeguarded Land and came forward

at the second stage site assessment due to the need to identify more housing land; it was selected due to its proximity to Cheswick Green and the main urban area, with the potential to improve accessibility in the context of proposed new housing at Blythe Valley Park. The main concern relates to flooding and the scale of development. The Environment Agency is examining flooding problems along the River Blythe and Mount Brook [PSC20], but has no objections to the development of this site. The developer has undertaken a detailed flood risk assessment, which envisages the eastern part of the site along the flood plain remaining undeveloped, and confirms that development would not make the existing situation any worse and could lead to improvements. These matters would be investigated further at the planning application/development brief stage in the context of Policy P11. Development of this site would represent a sizeable expansion of Cheswick Green, but would help to meet the local need for affordable housing, secure the viability of existing facilities and, with development at Blythe Valley Park, lead to improvements in local bus services. Even though pre-application consultations have started, since the site is not a priority for development, it is included within Phase 3, and is a soundly-based allocation.

83. Proposals to incorporate new housing (600 dwellings) within **Blythe Valley Business Park** (Site 10) are controversial, not only because of the implications for this former RIS in economic terms, but also because of its scale, impact and relationship with the surrounding area, including Cheswick Green. However, the proposal is justified due to the need to re-invigorate the development of the business park and to deliver economic objectives, and is strongly supported by the developers. It would also help to provide a more sustainable, multi-dimensional community on this rather detached development, with a sense of place, but without diluting its regional economic importance. The traffic impact on motorway junctions and road links has been investigated and there are no objections from the relevant highway authorities. Both SMBC and developers argue that it would be very difficult to deliver and complete this business park without a vital element of residential development.

84. Although the possibility of housing development was not favoured at the former WMRSS EIP, the SLP has to recognise changing circumstances; this type of development would help to complement and sustain the business park, as well as encouraging sustainable economic growth and promoting mixed-use development, in line with the NPPF (¶ 19-21). Other former RISs in the West Midlands include residential uses in their development (such as at i54 & Longbridge), and a site allocation of some 12ha would represent a modest reduction of the remaining 32ha of employment land without squandering the asset. The development would be separated from Cheswick Green, but there may be the possibility of improving transport and footpath links with this nearby settlement as part of the master-plan. SMBC proposes minor revisions to the phasing, area and capacity of this site **[MM23/24]**, to ensure that the plan is effective. The recent insolvency of the developers does not weaken or remove the need for this housing element [DFH36]. Consequently, the proposal is justified, effective and consistent with national policy, reflecting the evolving role of the business park and helping to ensure the delivery of economic objectives.

Balsall Common

85. Three housing sites are proposed around the built-up area of Balsall Common, a rural settlement that meets the minimum accessibility criteria to local facilities and services. Site 19 is the last remaining area of Green Belt on the western side of the link road at **Riddings Hill**, between existing housing and a new health centre. There is local concern about the loss of this undeveloped site, but there is no conclusive evidence against the principle of developing this site, which would effectively round-off the built-up area of the village on its north-eastern side. Detailed issues of impact on wildlife and local amenity, along with access and traffic considerations, can be addressed at the planning application stage. SMBC is committed to bringing the site forward for development, which is a soundly-based site allocation.

86. Sites 22 & 23 lie in the Green Belt, beyond the existing built-up area on the southern fringe of the village, largely comprising an open field and chicken sheds. They came forward in the second stage assessment after a consistent and rigorous assessment of potential sites, and meet the minimum sustainability criteria. Site 23 adjoins the existing built-up area of the village, but has a well-defined southern boundary. Site 22 could be seen as previously developed land, being occupied by chicken sheds and, although separated from Site 23 by a narrow strip of Green Belt, is visually and physically related to the village. The main concerns relate to the loss of, and impact on, the Green Belt, accessibility of the village and these sites to local facilities, highways and traffic implications, availability of other more suitable sites, and noise and visual amenity issues.

87. Balsall Common is clearly suitable for some strategic growth; it is an established settlement with good accessibility to facilities, schools and public transport, with regular bus/train services to Coventry and Solihull, and health and education bodies raise no concerns about the capacity of local facilities to accommodate these proposals. Kenilworth Road is a busy main road, especially at peak times, but there are no objections to the development of these sites from the relevant highway authorities. Highways and traffic matters would be examined in more detail as part of a planning application/development brief, along with noise and amenity considerations. Local residents argue that other existing sites in and around the village should be developed instead of the proposed sites, but these are generally too small to be considered as strategic allocations, or are remote from the village, and some are in the Green Belt; all have been assessed in the SHLAA and, if suitable, could come forward as "windfall" sites.

88. Given the need to identify additional housing land at settlements suitable for some limited strategic growth, these sites probably have the least impact on the functions and openness of the Green Belt around Balsall Common. Development of these sites is also supported by a housebuilder who is pursuing their development. Recognising that these Green Belt sites are not the top priority for development, it is appropriate to put them in Phase 3 of the plan period. Although there may be a case for linking Sites 22 & 23, they should remain separate in view of their differing characteristics and in order to minimise the loss of, and impact on, the Green Belt. The overall need for additional housing and local need for affordable housing provide the exceptional circumstances justifying the release and development of these Green Belt sites, particularly where they have the least impact on the village and the surrounding Green Belt.

Hampton-in-Arden

89. Hampton-in-Arden is not the first choice for strategic housing growth, since the village does not meet all the minimum accessibility criteria, but it is better than many other rural settlements and has the advantage of a main-line railway station. Land off **Meriden Road** (Site 24) came forward in the second stage assessment, when additional housing land needed to be found, and particularly since the Parish Council had identified a need for affordable housing and further open space in the village, and sought the renovation of the adjacent former ammunition depot. These represent the exceptional circumstances justifying the release and development of this Green Belt site. The site lies within the Meriden Gap, but is well contained by the adjoining depot site and would have the least impact on the character and function of the Green Belt. Landowners support the allocation, but there is some concern about the relationship with the former ammunition depot, which is in separate ownership and is largely used for storage. In response, SMBC proposes to amend the proposal, giving the flexibility to provide additional open space elsewhere if the former ammunition depot is not available **[MM25]**. Although this removes one of the reasons justifying the development of the site, it provides a more flexible and effective approach to a site which is not likely to be developed until the latter part of the plan period.

90. Comparisons are made with an "omission" site in Old Station Road (see later), but the proposed allocation is on a well-contained and well-defined site on the edge of the village, close to local shops and facilities, with less impact on the Green Belt. Given the need for additional housing land, particularly to provide affordable housing and open space in this village, this is a soundly-based proposal which, with the proposed amendment, ensures there is a reasonable prospect of development coming forward within the plan period.

Housing "omission" sites

91. Nearly all the suggested additional or alternative housing sites lie in the Green Belt. SMBC has assessed the suitability of all these sites in its SHLAA [SLP021] and other evidence [PSC5/HSC5/HSC19/HSC21] in a comprehensive and consistent manner, including the implications for the Green Belt, sustainability, accessibility factors, constraints, impact and housing potential. SMBC concludes that their release from the Green Belt and allocation for housing would not accord with the Local Plan strategy, since the sites continue to perform Green Belt functions which would be compromised and few lie in settlements that are suitable for strategic housing development to meet local needs. None of these sites is required to meet the housing requirements of the submitted plan. In general, I concur with these assessments and conclude that there are no exceptional circumstances that would justify releasing these sites for housing development. Furthermore, the release of any of these sites could not be justified on an ad-hoc basis, but would have to follow a comprehensive review of the Green Belt.

92. In particular, suggested greenfield sites on the eastern fringe of Solihull (such as off *Hampton Lane*) would breach long-established, well-defined Green Belt boundaries, extending the current built-up area and encroaching into the surrounding countryside, reducing the narrow gap and risking coalescence between Solihull and Catherine-de-Barnes in a sensitive part of the Meriden Gap, as well as setting a precedent for further development. Similar conclusions can be drawn about suggested sites around Hampton-in-Arden and Meriden. The suggested site at *Old Station Road*, Hampton-in-Arden would noticeably extend the settlement, has a relatively weak northern boundary and is very visible from the public footpath and other vantage points, particularly when compared with the selected site off Meriden Road, with its outer edge well defined by the former ammunition depot. Meriden has been ruled out as a location for strategic growth due to its poor accessibility to services and facilities. The suggested sites would extend the built-up area beyond its current confines into the surrounding countryside and erode the integrity of the Meriden Gap. In any event, two current planning permissions would help to meet local housing needs.

93. Suggested greenfield sites on the southern edge of Solihull/Shirley/Monkspath (including *Light Hall Farm*) would similarly breach the long-standing and well-defined Green Belt boundary along the A34 and the southern edge of Shirley, extending the built-up area into the surrounding countryside and reducing the narrow gap between the main built-up area and settlements to the south, including Cheswick Green, Dickens Heath, Tidbury Green, Majors Green and Grimes Hill. The specific proposals at *Shirley Golf Club* for enabling development to support golf facilities for the disabled could be considered under the very special circumstances needed to justify inappropriate development in the Green Belt if a planning application were to be made. Suggested sites around these settlements would risk coalescence between them and the main built-up area of Solihull/Shirley, and with other nearby settlements. Moreover, Tidbury Green has relatively poor sustainability credentials and has not been selected for strategic housing development, since it has a poor range of facilities, and residents would have to rely on facilities and services further away at Grimes Hill and Dickens Heath. In some cases, the scale and size of the suggested sites (such as *Lowbrook Farm* and *Tidbury Green Farm*) would dominate the existing settlements and would provide far more houses than could be justified to meet local needs. Issues relating to the status of these sites as Safeguarded Land are dealt with later, under the Green Belt issue.

94. Suggested greenfield sites around Knowle/Dorridge/Bentley Heath (such as off *Norton Green Lane*, *Earlswood Road*, *Dorridge Road* and *Golden End*) would breach long-established and well-defined Green Belt boundaries, extending the built-up area, encroaching into the surrounding countryside, and reducing the relatively narrow gap between these settlements and with Solihull on the one side and the rural settlements to the south-west, eroding the integrity of the Meriden Gap to the north and east. The suggested site at *Yew Tree Farm* would represent a large-scale extension of Bentley Heath, which cannot be justified at this time; proposals for extra-care accommodation for the elderly do not justify the release of such a large site from the Green Belt. Although land at *The Ards* was once occupied by a detached house, this was demolished many years ago; the site now has a closer relationship with the surrounding countryside than with the main built-up area, so there is no anomaly in its Green Belt designation. The possible development of nearby *Elm Farm* would further similarly extend the built-up area into the open countryside and risk coalescence with Norton Green.

95. Suggested sites around Hockley Heath would breach long-established and well-defined Green Belt boundaries, extending the built-up area and encroaching into the surrounding countryside. Moreover, this settlement does not have a good range of facilities and is not selected as being suitable for strategic housing development to meet local needs. Greenfield sites on the northern side lie beyond the existing built-up area and have poorly defined outer boundaries. Having seen the enlarged version of the SUDP Proposals Map, there is no anomaly in the Green Belt boundary along the southern edge of the settlement; and the suggested site off *Stratford Road* is already identified as being suitable for a Rural Exception Site. Chadwick End is a rural settlement on the southern fringe of the district with even fewer facilities and services, which would not justify the release of the suggested site off *Wheelers Lane* from the Green Belt.

96. Even though Balsall Common is considered suitable for some strategic housing development to meet local needs, most of the suggested sites would breach existing well-defined Green Belt boundaries and extend the built-up area into the surrounding countryside, prejudicing the function and purpose of the Green Belt. Sites on the eastern side would begin to compromise the integrity of the Meriden Gap and reduce the gap between the settlement and Berkswell, Carol Green and the edge of Coventry, and could set a precedent for further development. The larger sites (such as *Barretts Lane Farm*) would provide far more houses than are needed to meet local needs, whilst the suggested smaller sites are not large enough to consider as strategic housing allocations; if considered suitable they could come forward as windfall sites, but would not fully meet identified local housing needs. Other sites (such as *Duggins Lane*, *Station Road*, *Blooms Garden Centre* and *Berkswell Service Station*) lie in the Green Belt and are some distance from, or poorly related to, the main facilities in Balsall Common.

97. Some suggested sites lie within ribbons of existing development which are washed over by the Green Belt (such as *Widney Manor Road*). In these cases, the current Green Belt boundary is firm and defensible, and the original intention of including such areas in the Green Belt was to prevent further intensification of development and safeguard the character of these areas. Releasing such sites or larger areas from the Green Belt would weaken the integrity of the Green Belt and significantly alter the character of the approaches to the main built-up areas. Other suggested non-Green Belt sites (such as *Olton Wharf*) are within the existing built-up area, but are too small to feature as strategic housing allocations. Although of some employment value, if they were considered suitable for housing development, they could come forward as windfall sites.

98. Consequently, there are no compelling reasons to allocate any of the additional or alternative sites suggested for housing development and no exceptional circumstances to justify releasing any of the Green Belt sites at this time in advance of a comprehensive review of the Green Belt.

Windfalls

99. The SLP includes a significant allowance (150 dwellings/year) for windfall sites throughout the plan period. In Solihull, there is clear evidence that windfall sites have consistently come forward in the past 20 years at an average of 187/year, a rate which has actually been exceeded since policies resisting development in residential gardens came into force and the demand for apartments has declined [PSC5/DHC17]. Although the SHLAA has thoroughly investigated sites both within and outside the main urban areas, there is no double counting of sites, and the SLP only allocates *strategic* housing sites, which are generally larger than 1ha in size. Local Plan Policy P5 supports new housing on unidentified sites in accessible locations which help to meet housing needs, and regular monitoring of housing land supply will take place, so such sites are likely to continue to come forward in the future. SMBC proposes to clarify the position about windfall sites, in order for the plan to be effective, justified and soundly based **[MM17]**. Consequently, with this clarification, the allowance for windfalls seems reasonable, realistic and deliverable, without being unduly over-optimistic.

Phasing and capacity

100. There are some concerns about the proposed phasing, density and capacity of some of the proposed housing sites. However, the NPPF (¶ 47) confirms the need to identify a supply of housing sites within specific 5-year periods of the plan and provide a continuous supply of land for new market and affordable housing. The proposed phasing is front-loaded, with much more housing being delivered in the early years of the plan period. Some argue that the phasing of housing sites would not help to significantly boost housing supply, as required in the NPPF (¶ 47), or enable the required amount of housing to be delivered. However, the latest housing trajectory **[MM18]** shows that housing provision in the next 5 years of the plan period would be substantially increased to over 750 dwellings/ year, significantly above the annual target (500 dwellings) and recent provision (150-270 dwellings/year), with a variety of sites available to ensure proposed housing targets are met. This proposed modification to include the latest housing trajectory would make the plan up-to-date and effective.

101. In an area of relatively high demand like Solihull, it is important to ensure that housing sites are not all developed within the early years of the plan period, otherwise there may be pressures on existing facilities and infrastructure and little land would remain for development in the later years. Without phasing, it could also lead to increased migration from outside Solihull and begin to undermine the urban renaissance strategy. Phasing also enables the priorities of the spatial strategy to be reflected, in this instance, the focus on the main urban and regeneration areas. SMBC proposes an amendment to Policy P5 **[MM14]** which gives more flexibility to enable sites to come forward sooner or later than anticipated, and ensures that the SLP is effective.

102. Some are concerned that the indicative capacity and density of some sites may have been over-estimated, particularly when seen in the light of recent planning permissions and applications. However, the plan encourages housing density to be maximised, particularly in accessible locations, so as to ensure the efficient use of scarce land and maximise the provision of new housing. Moreover, the situation will be closely monitored and any shortfalls may be balanced by other sites or other schemes delivering more houses in the future, particularly given the evidence about permitted and allocated site capacities [DHC20].

Five-year housing land supply and the NPPF "buffer"

103. Currently, SMBC is unable to demonstrate a 5-year supply of housing land, but when the SLP is adopted, this situation will be rectified, with the proposed site allocations and provision in NSRA and Solihull town centre. SMBC confirms that an extra 5% of provision will be added to the 5-year supply, to reflect the NPPF (¶ 47) buffer, which will help to boost housing supply early the plan period. A proposed amendment confirms the current 5-year housing land requirement

and deliverable land supply (including the 5% buffer), and updates the housing trajectory **[MM18-19]**, ensuring that the SLP is accurate and effective. Reference to the possibility of a 20% buffer is unnecessary, since evidence confirms that Solihull does not have a persistent record of under-delivery of housing compared with the relevant targets [PSC5], although the high level of demolitions in recent years has depressed the net increase in new dwellings.

104. Consequently, I conclude that the housing strategy of the SLP is soundly based, effective, deliverable, justified and appropriate for Solihull in terms of the overall housing provision and the supply of housing land, including the site allocations, 5-year supply, allowance for windfalls, and phasing and capacity of housing sites.

Affordable housing

105. Policy P4 sets out the approach to providing affordable housing, requiring developers of allocated and unidentified sites to contribute to affordable housing on sites of 0.2ha/3 dwellings or more at a rate of 40% of affordable dwelling units. It aims to maximise the provision of affordable housing of various sizes, types and tenure, and outlines the factors which will be taken into account. These include site size, accessibility to local services and facilities, economics and viability, realisation of other planning objectives, and the need to achieve socially balanced and mixed communities; the type, mix and tenure of affordable housing will also be identified, with further details set out in the emerging Affordable Housing SPD [PSC12]. This approach is supported by the SHMA [SLP020], which identified a need for 1,183 affordable homes/year (now increased to 1,652 units/year) to reduce the current backlog and help to meet future needs for affordable housing. The targets and thresholds for provision were reviewed in the Affordable Housing Viability Study [SLP018], which supports the Borough-wide target of 40% and the site threshold; further evidence is also provided [PSC5]. However, SMBC proposes to remove the reference to the target of *at least* 40% in the accompanying text, in order to reflect the viability evidence and ensure that the approach is sound and fully justified **[MM12]**.

106. The target of affordable housing provision continues the approach in the SUDP, which has been met in many cases since its introduction in 2006, but reduces the site size threshold to ensure that smaller sites are not exempt from provision and increase the number of affordable units. SMBC confirms that affordable housing will not only be provided by a proportion of market housing, but also by other initiatives and funding streams, such as developer contributions, New Homes Bonus, improvement and reducing under-occupancy of existing housing stock, land receipts, use of garage courts, financial borrowing and housing revenue account, work with registered providers and the private rental sector to deliver specific social/affordable housing schemes. Past provision of affordable housing has ranged from 16-183 units/year, averaging at 92/year.

107. The main concern is about the viability of the proposed target and threshold, particularly within the NSRA, given the other requirements expected in other policies. However, the submitted evidence not only justifies the overall target and site threshold, but the policy specifically indicates that the economics and viability of providing affordable housing is one of the key factors which will be considered; so this matter can be dealt with through negotiation with prospective developers without the requirement being unduly onerous or making development uneconomic, using evidence in the SHMA as the starting point. The viability study takes into account the cumulative impact of all policy requirements, in line with national guidance, and the evidence both influenced and supports the target and threshold. NSRA is a specific area, with particular delivery issues, but the NSP confirms that the provision of affordable housing will be a key objective, with schemes currently delivering the required amount of affordable housing. Suggestions that affordable housing contributions should be retained and used within particular local areas, like Knowle, would be difficult to implement and SMBC prefers to use such funds to provide affordable housing across the Borough.

108. There is also concern that the full need for affordable housing is unlikely to be met during the plan period. The overall figure of 1,183-1,652 units/year deals with all the affordable housing backlog over the first 5 years of the plan; spreading this provision over the entire plan period would reduce the annual need to about half this amount. Although this is more than the total annual housing provision level, SMBC will work with developers to aim to maximise the provision of affordable housing by means other than just a proportion of market housing. To require market housing schemes to deliver the full need for affordable housing would result in total levels of housing far in excess of what the district could accommodate, in view of the environmental and other constraints. The Affordable Housing SPD [PSC12] will also help to ensure that the maximum number of affordable houses is provided, subject to viability and other considerations, and SMBC has confirmed the range of other initiatives that it intends to adopt to further this objective [PSC5].

109. There is clearly an exceptionally high level of affordable housing need in Solihull and significant Borough-wide shortages of affordable housing. Policy P4 will provide the strategic framework to maximise the provision of affordable housing, subject to viability, other planning objectives and site-specific considerations, supplemented by a range of other initiatives to ensure that the pressing need for additional affordable housing is addressed and met as far as it can be within the context of a realistic and deliverable housing strategy. When seen along with all the evidence and initiatives available to deliver affordable housing, Policy P4 (with the amended supporting text) provides a soundly based, effective and justified approach, appropriate for Solihull and consistent with national policy.

Rural Exception Sites

110. Policy P4 also sets out the circumstances when the provision of affordable housing on Green Belt land to meet local needs in the rural area will be supported, as "rural exceptions", including evidence of local need and support from the relevant Parish Council or Neighbourhood Group. Two specific sites suitable for this form of housing have been identified in the SHLAA, but this does not rule out other suitable sites coming forward in the future, providing they meet the specific criteria set out in the policy. This approach is supported by evidence in the SHMA and Rural Housing Needs Survey [SLP022], and is consistent with national guidance in the NPPF. Detailed implementation of this element of the policy will be addressed in the Affordable Housing SPD [PSC12]. This is a soundly based, effective and justified approach, which is appropriate for Solihull.

Housing mix, including market housing and special needs housing

111. Policy P4 sets out the factors that will be considered when assessing the housing mix at allocated and unidentified sites, including the existing mix of housing and local demand in the area, accessibility to local services, economics, viability and the need to achieve socially balanced and mixed communities. This reflects local demand and need for particular forms of housing to meet current and future demographic and market trends, in line with the NPPF (¶ 50). This approach is justified with evidence from the SHMA, supported by Census and Council tax figures, which highlight the high level of need for affordable housing, the increased need for smaller market homes and for homes for older people and those with disabilities. It is not prescriptive, but is a flexible approach, to be implemented through development briefs and negotiation with developers and housing providers, using information in the SHMA as a starting point and taking account of viability and local market need and demand. SMBC also confirms that the need to provide accommodation for the elderly and over-55s will be considered when assessing the mix of housing on specific sites, including affordable housing, both under Policy P4 & Policy P18 (vii). Overall, this element of the policy is soundly based, justified, effective and appropriate for Solihull.

Gypsies and travellers

112. Since the SLP was originally published, Policy P6 has been revised to reflect updated evidence and provide more certainty and clarity to the provision for gypsies and travellers, following the latest national Planning Policy for Traveller Sites [HOM2], and was subject to further consultation as a Main Modification **[MM26]**. The previous policy was based on evidence in the 2008 GTAA, undertaken jointly with Birmingham CC and Coventry CC, but the revised policy uses more recent, robust evidence from its own 2012 GTAA [SLP025], which has been prepared in line with the latest national guidance.

113. The amended policy sets a requirement for 38 permanent residential pitches up to 2027, fully meeting identified needs in the latest GTAA. The supporting text indicates required provision within 5-year periods of the plan, recognising that much of the need is immediate. SMBC confirms that overcrowding of existing sites was considered, but the GTAA revealed no strong evidence on this issue. Migration patterns have also been considered, but there is a lack of information on movement of gypsies and travellers; household formation rates are based on local evidence. Detailed provision, including specific deliverable sites, will be made in the Gypsy & Traveller SADPD, which has now been submitted to the Secretary of State and is subject to examination. This plan will also address the provision of transit pitches, even though the GTAAs concluded that the scale of encampment in Solihull is too small to merit specific provision. The latest GTAA also confirms that there are no travelling showpeople residing in Solihull and identifies no plot requirement for this element of provision, although further work may be needed covering the wider area on a cross-boundary basis. Gypsy and traveller provision also formed part of the discussions between adjoining authorities as part of the Duty to Co-operate process.

114. Policy P6 also sets out specific criteria for making site allocations and determining planning applications which contribute to meeting identified unmet needs, helping to effectively deliver the required provision in a sustainable, economically, socially and environmentally acceptable manner. The criteria also seek to address some of the wider problems facing the gypsy and traveller community, including health, education, quality of life and social exclusion. Detailed evidence explains how the policy meets the specific elements of national policy [HSC5; para 5.3.8; DFH26], whilst the approach to gypsy and traveller provision in the Green Belt reflects the recent ministerial statement [DCLG; 1 July 2013]. Ideally, site specific provision for gypsies and travellers should be addressed in the SLP, but since the Gypsy & Traveller SADPD has now been prepared and subject to examination, this is an appropriate way forward in the circumstances of Solihull. The amended policy would enable the identified needs of gypsies and travellers to be met, providing the strategic context for site-specific provision in the Gypsy & Traveller SADPD, consistent with the latest national policy and ministerial statements, and is soundly based, effective, justified and appropriate for Solihull.

ACCESSIBILITY AND SUSTAINABLE TRAVEL

Issue 5 – Does the Local Plan set out a clear strategy to improve accessibility, promote sustainable travel and manage the demand for travel, which is justified, effective, soundly based, appropriate for Solihull and consistent with national policy, including the effective delivery of the transport infrastructure needed to provide the proposed development?

115. Section 9 of the SLP sets out policies which aim to improve accessibility and encourage sustainable travel, as well as managing the demand for travel and reducing congestion. These policies reflect key challenges relating to local transport issues and recognise the particular problems of Solihull's local and strategic roads, including congestion during peak periods [SLP036; HSC6/15]. They also seek to ensure that the transport network enables economic growth, reduces greenhouse gas emissions, connects communities, centres and employment, encourages ease of access and movement, and makes the best use of existing

transport assets and networks. The SLP clearly sets out the relationship of the policies to national and local transport objectives [SLP001; Fig 17], with details of transport infrastructure set out in the IDP [SLP077]. The policies are supported by Highways Agency and transport providers, who have been fully involved in the plan-making process, including undertaking detailed work on the implications of the strategy on the motorway network and junctions. The transport strategy is also supported by evidence, including studies addressing the strategic implications of development proposals and options [SLP026-039].

116. Policy P7 sets out accessibility criteria for new developments, including minimum distances from a range of facilities, key locational criteria for various land uses, and accessibility to road, public transport, walking and cycling networks. The accessibility distances reflect evidence used in national and local studies [PLC3-5; SLP029]. The wording of the policy provides an appropriate balance between giving clarity to developers and providing enough flexibility to take account of the local circumstances and context of the site, consistent with the NPPF (¶ 29-38). Concerns about the retail hierarchy are covered under Policy P2, and the viability of improved public transport as a result of new housing developments would be considered through detailed Transport Assessments.

117. Policy P8 focuses on managing travel demand and reducing congestion, setting out criteria for development in terms of addressing transport efficiency and highway safety, and encouraging sustainable modes of transport. This is closely related to the objectives of the Local Transport Plan (LTP) [SLP033-034/a-c] and is consistent with the NPPF (¶ 29-41). Further guidance on managing the demand for travel will be set out in a forthcoming SPD. The main concern relates to the need for a motorway service area along the M42 in Solihull, but the SLP (¶ 9.3.24) specifically acknowledges that both the Highways Agency and the Secretary of State recognise the need for such a facility. However, since previous proposals have been ruled out by the Secretary of State on environmental/Green Belt grounds, it would not be appropriate to include a specific proposal in the SLP. It would be for the promoter of a specific proposal to put forward an appropriate site in a planning application, in the context of national and local planning policies. The Highways Agency is content with this approach, and the latest national policy for the Strategic Road Network (DfT Circular 02/2013) does not significantly alter the general approach to the provision of such facilities.

118. As for other concerns, there is no specific requirement in Solihull to identify sites for freight management [HSC6], and any future proposals would be considered against local plan and national planning policies. On-site parking provision and specific modes of transport will be subject to further guidance in a forthcoming SPD, whilst other policies give guidance on parking provision in specific areas such as the town centre. The current by-pass improvement lines for Hockley Heath, Balsall Common and Knowle have been reviewed, and given likely future traffic flows, the location of strategic development and the priorities for transport investment, they can no longer be justified. The M42 Gateway Study is currently investigating potential future growth scenarios along the M42 corridor, including the potential impact of the proposed HS2 rail line and interchange station, but it would be premature to consider any specific proposals at this time. Similarly, Centro's ideas for rapid transit routes are at an early stage, with no specific alignment or land requirement. However, the proposed amendment to Policy P8 would more appropriately refer to the range of relevant strategic public transport schemes and make the policy more effective **[MM27]**.

119. Consequently, as amended, the plan sets out clear policies to improve accessibility, promote sustainable travel and manage the demand for travel, which are justified, effective, soundly based, appropriate for Solihull and consistent with national policy (NPPF; ¶ 29-41).

ENVIRONMENT

Issue 6 – Does the Local Plan provide an appropriate, effective and soundly based framework for conserving and enhancing Solihull's environment, including mitigating and adapting to climate change, protecting and making efficient use of water resources and drainage, managing resources, including reducing the production of waste and making efficient use of mineral resources, and protecting amenity, which is fully justified and consistent with national policy?

120. Section 10 of the SLP sets out policies for protecting and enhancing the environment, including mitigating and adapting to climate change; protecting and making efficient use of water resources and drainage; managing resources, including reducing waste and making efficient use of mineral resources; and protecting amenity. The policies are supported by a range of evidence [HSC7/16].

121. Policy P9 addresses climate change, including national and local targets for reducing greenhouse gas emissions and increasing the generation of energy from renewable and low-carbon sources. The approach to climate change is based on sub-regional evidence on renewable energy capacity [SLP040-041], recognising the limited potential for development to support decentralised renewable or low-carbon energy/heating schemes and the need for on-site micro-generation. The main issue is whether the policy requirements, including the sequential approach to carbon reduction and the need to comply with the Code for Sustainable Homes/BREEAM standards and meet carbon reduction targets, are unduly onerous and inflexible for developers.

122. This is an ambitious, aspirational policy which seeks to reduce greenhouse gas emissions by setting out a sequential approach for developers to follow, from decentralised energy and heating networks to on-site energy efficiency and renewable energy generation to meet a carbon reduction equivalent to at least 20% of predicted energy requirements, as recommended in the CAMCO report [SLP040]. Feasibility and viability are central to this approach, which includes "allowable solutions" where on-site provision is not possible. The need to reduce carbon emissions is particularly important in Solihull, where current emissions exceed national/regional averages. The approach was refined after discussions with consultants and interested parties, and is similar to other development plans, including some in the Greater Manchester area. The evidence takes account of viability, including for affordable housing [SLP018/PSC16-19].

123. SMBC accepts that some of the viability work was undertaken after the SLP was published, but the policy details had to be finalised before detailed viability work could be undertaken, following earlier background work. Contrary to some views, the policy does not require specific codes or standards to be achieved, but encourages higher level standards where viable; the standards for on-site renewable/low-carbon energy generation are not contradictory or unduly onerous, as the sequential approach demonstrates. The approach is realistic and flexible, without being unduly prescriptive or mandatory, and sets clear and achievable targets whilst allowing for future circumstances. The policy helps to deliver national targets for carbon reduction, meets the objectives and guidance in the NPPF (¶ 94-97/173), is supported by the Environment Agency, and is effective, justified with specific evidence and soundly based.

124. Policy P10 deals with the natural environment, including landscape, biodiversity and geodiversity. The approach is based on local evidence on biodiversity resources [SLP046-047], and takes account of national policies and targets. It seeks to ensure that the value of the natural environment, including conservation and enhancement of biodiversity, is taken into account when development is necessary to meet regeneration priorities and economic and housing needs. SMBC has worked jointly with other bodies in establishing a Local Nature Partnership, preparing a Green Infrastructure Framework and in specific nature conservation and country park projects. An amendment to the accompanying

text confirms that local wildlife sites will be regularly updated **[MM28]**, ensuring that the policy is comprehensive and effective. In seeking to protect, enhance and restore Arden landscape features, biodiversity and geodiversity, recognising the distinction between the hierarchy of sites and aiming to minimise and mitigate adverse impacts, the policy is consistent with national guidance in the NPPF (¶ 109-110; 113-118), and is effective and soundly based.

125. Policy P11 addresses water management, including water efficiency, drainage systems and flood risk. It is based on specific local evidence in the Water Cycle Study, SFRA and Flood Risk Sequential Test [SLP048-050], along with River Basin and River Catchment/Flood Management Plans [ENV10-13], including relevant cross-boundary issues. More detailed evidence is available for specific sites [ENV13-14], where further flood risk work has been necessary, in full co-operation with the Environment Agency, both for sites in the NSRA and around the villages in the south, such as at Cheswick Green; specific water/drainage/sewerage infrastructure requirements are included in the IDP [SLP077]. The policy also seeks the highest standards of water efficiency, welcomed by the Environment Agency, and recognises the potential for water recycling and the need for sustainable drainage systems. However, it does not specify the standards or techniques that developers might use, providing flexibility. Proposed amendments to the policy and accompanying text **[MM29-30]** recognise the need to address sewerage infrastructure and have regard to the Local Flood Risk Strategy, following earlier amendments to the policy requested by the Environment Agency, ensuring that it is effective. Another minor change, deleting specific run-off rates, gives flexibility and avoids excessive requirements and costs. As amended, the approach is consistent with national guidance in the NPPF (¶ 99-104) and with Environment Agency guidance, and is effective, justified and soundly based.

126. Policy P12 aims to prevent or reduce the production of waste and deal with waste management within Solihull. However, the submitted policy is not effective or deliverable, since it gives no indication of the scale and nature of waste likely to be generated over the plan period, or the capacity of existing waste management facilities, the scale and nature of any additional waste management capacity needed during the plan period, and the targets for waste minimisation, recycling, recovery and disposal. SMBC has reconsidered these points and puts forward additional text to summarise the position and provide figures of waste generation and waste management capacity requirements, based on existing evidence [PSC9/SLP052-056] **[MM31]**. A further minor change removes the reference to sub-regional self-sufficiency [PSC9].

127. The policy is supported by technical evidence prepared for the former WMRSS Phase 2 Revision, with updated technical information. Its approach firstly aims to minimise the production of waste, and manage waste produced on-site and as high up in the waste hierarchy as possible, along with providing waste management facilities at strategic waste management sites in industrial areas or within a defined area of search. Cross-boundary issues, including Packington landfill site and the Coventry waste incinerator, have also been taken into account. By seeking to provide for equivalent net self-sufficiency in waste management and driving waste management up the waste hierarchy, the approach is consistent with national guidance in the NPPF and in PPS10, and meets the requirements of the EU Waste Management Directive (2008/98/EC). As amended, the policy is effective, supported by up-to-date evidence, and provides sufficient strategic guidance and spatial direction for making decisions on waste management proposals, and is soundly based.

128. Policy P13 aims to ensure the efficient use of minerals, including designating Mineral Safeguarding Areas (MSAs) and making provision for alternative materials, sand and gravel extraction and mitigation, restoration, after-care and after-use. It recognises the existence of underground coal and surface sand and gravel in the Borough, promotes the use of alternative materials and makes sufficient provision to meet the needs of the minerals industry by establishing a

total requirement of 7.5mt of sand and gravel (0.5mt/yr) over the plan period, in line with regional/sub-regional guidelines. It also identifies 3 Preferred Areas for mineral extraction and 2 Areas of Search for sand and gravel, along with MSAs for both coal and sand and gravel, based on local evidence [ENV9/SLP058] and assessments of potential mineral sites from the minerals industry [HOM14]. The policy is based on robust and up-to-date evidence [PSC10], and takes account of ecological issues, flood risk and the implications of HS2, as well as addressing the potential impact of mineral working on the environment in the criteria-based elements of the policy. The approach is also consistent with that of adjoining mineral planning authorities, including Warwickshire CC, and accords with national guidance in the NPPF (¶ 142-149). With the proposed amendments, recognising the need to take account of the impact of mineral extraction on an adjacent SSSI and the contribution of biodiversity in restoration **[MM32-34]**, the policy is effective and soundly based.

129. Policy P14 aims to protect and enhance the amenity of existing and future residents, businesses and other uses, carrying forward a similar approach from the SUDP and addressing relevant local issues. It reflects the NPPF's (¶ 17) core planning principle of seeking a good standard of amenity, along with supporting the development of telecommunications, complying with air quality objectives, and protecting amenity (¶ 43/120/124). The policy also seeks to minimise significant adverse effects of noise when locating new developments, and to protect tranquil areas, as well as avoiding pollution, in line with NPPF (¶ 120/ 123). As such, it is a comprehensive, effective and soundly based policy.

130. Consequently, as amended, the plan sets out an appropriate, effective and soundly based framework for conserving and enhancing Solihull's environment, including mitigating and adapting to climate change, protecting and making efficient use of water resources and drainage, managing resources, including reducing waste and making efficient use of mineral resources, and protecting amenity, which is justified, consistent with national policy and soundly based.

QUALITY OF PLACE

Issue 7 – Does the Local Plan provide an appropriate, effective and soundly based framework for promoting the quality of places, including securing high quality design, conserving heritage assets and local distinctiveness, and safeguarding the countryside and Green Belt, which is fully justified, supported by evidence and consistent with national policy?

131. Section 11 of the SLP sets out policies seeking to promote the quality of place, including securing design quality, conserving heritage assets and protecting the countryside and Green Belt, all supported by evidence [HSC8/17].

132. Policy P15 sets out key design principles which all new development is expected to meet. SMBC attaches importance to the design of the built environment, which these key principles help to achieve, and the policy is supported by urban and landscape characterisation studies [SLP060-063]. The most contentious aspect relates to the requirement for all residential proposals to meet the Building for Life/Lifetimes Homes standards, but these are encouraged in national policy, endorsed by the Government and often seen as the industry standard by housebuilders. A proposed amendment updates the policy to reflect the new *Building for Life* scheme **[MM35]**, making it effective. The implications of these requirements on the viability and deliverability of housing schemes have been fully assessed [SLP018; PSC19], and the policy provides flexibility to ensure that they are not unduly onerous for developers.

133. The requirement for development at key economic assets within the M42 Economic Gateway to be of the highest quality addresses key challenges and objectives in the plan, whilst reflecting their strategic importance and sustaining the attractiveness of the area in securing sustainable economic growth [SLP011;017]. The amended policy is consistent with the NPPF (¶ 56-68), and

provides a sound framework to ensure high quality design in Solihull's new developments. However, the approach may have to be reviewed when the outcome of the Government's recent consultation on Housing Standards Review are known [DCLG; August 2103].

134. Policy P16 sets out the main characteristics which contribute to the local character and distinctiveness of Solihull, as well as the requirements of new developments. It is supported by detailed studies [SLP060-067; PLC10], and sets out a positive and effective strategy for the conservation and enjoyment of the historic environment, in line with national policy (NPPF; ¶ 126).

135. Policy P17 seeks to protect the best agricultural land in Solihull's countryside, as well as enabling farm diversification, consistent with the NPPF (¶ 28; 112), and is supported by local evidence [SLP068]. It also sets out the policy for the Green Belt, including limited infilling within settlements and the replacement, alteration and extension of existing buildings, which is generally in line with national policy (NPPF; ¶ 89), with justification to reflect local pressures and circumstances. There is some concern about those settlements where infilling is permitted and not allowed, but this approach reflects the size, location, quality of facilities and conservation status, continuing the approach in the SUDP. **MM41**, included in the original list of Main Modifications, does not need to be subject to any formal recommendation, since it merely corrects an error on the Policies Map.

136. The most contentious aspect is the failure to undertake a full review of the Green Belt as part of preparing the SLP. Although a review of the Green Belt in North Solihull [SLP069] was undertaken to justify further development to ensure the successful regeneration of this area (as envisaged in the WMRSS Phase 2 Revision), I share SMBC's view that there was no need to undertake a full review of the rest of the Green Belt, in view of its importance to the character and environmental qualities of Solihull (particularly the Meriden Gap) and the lack of need to identify major areas of growth in the rural areas of the borough. Work on the SHLAA [HOM13; PSC5; HSC5] confirms the exceptional circumstances to justify small-scale releases of Green Belt land based on the need to identify more limited areas of housing land to meet the overall housing target and meet local needs.

137. There is also serious concern about the proposed return to the Green Belt of some Safeguarded Land previously identified in the SUDP. However, when the SUDP was examined, it was made clear that the status of this land should be reviewed in the context of the approved and emerging WMRSS strategy of urban renaissance [OTH11]. SMBC undertook this review, and rejected the future development of sites at Tidbury Green because this settlement lacks the range of facilities necessary for further strategic housing growth; the scale of development envisaged would also be far too large to meet local housing needs and would threaten the coalescence with other settlements, including Grimes Hill. National policy enables reviews of the Green Belt to be undertaken (NPPF; ¶ 84), including considering the need to promote sustainable patterns of development, and it is clear from SMBC's evidence that these sites would not meet this objective. These factors constitute legitimate reasons and represent the exceptional circumstances necessary to justify returning these sites to the Green Belt.

138. There are strong challenges to this conclusion, and the prospective developers of *Lowbrook Farm* have submitted a planning application for housing development on this site, which is currently at appeal. However, in the context of the SLP, I am satisfied that, for the reasons given above, there are sound and exceptional reasons to return both this site and the land at *Tidbury Green Farm* to the Green Belt. Should the current appeal be successful, the Policies Map may have to be amended to reflect the latest status of the *Lowbrook Farm* site.

139. Consequently, these policies will provide an appropriate, effective and soundly based framework for promoting the quality of places, including securing high quality design, conserving heritage assets and local distinctiveness, and safeguarding the countryside and Green Belt.

SUPPORTING LOCAL COMMUNITIES

Issue 8 – Does the Local Plan provide an appropriate, effective and soundly based framework for supporting strong, vibrant and healthy local communities, and providing a range and quality of local services, open spaces, children's play, sport, recreation and leisure facilities, which is fully justified and consistent with national policy?

140. Section 12 of the SLP sets out policies which aim to support local communities, including health and well-being, the range and quality of local services, and the provision of open space, children's play, sport, recreation and leisure, all supported by various studies and other evidence [HSC9/18].

141. Policy P18 sets out criteria for supporting new development so as to achieve positive outcomes in terms of health and well-being. This policy helps to address the main health and well-being issues of Solihull's population, which is one of the key priorities of the SCS, in line with the NPPF (¶ 69-70). The main concern is the requirement for new residential development to meet the Lifetime Homes standard, but this is related to the ageing population and the need for people to stay longer living independently in their homes; this standard is now incorporated into the Code for Sustainable Homes. The implications of these requirements on the viability of development has been assessed [SLP018; PSC19], is dealt with in more detail in Policy P15, and is an acknowledged requirement for new housing under the Building Regulations and other standards. Consequently, the policy is not unduly onerous for developers and should not adversely affect the viability or deliverability of new housing.

142. Policy P19 seeks to promote the vitality and viability of local shopping centres through a variety of facilities and uses, including shops and community facilities, in line with the NPPF (¶ 23/70). The policy helps to enable an appropriate range and scale of facilities to be provided, serving local needs and reflecting local character. Larger local centres, like Knowle, are covered by the retail evidence [PSC7;SLP014], whilst a permitted foodstore at Dorridge is considered to be the key to the future success of this local centre. There is some concern about this latter scheme, and the possibility of new foodstores in other local centres, but the policy provides sufficient flexibility to ensure that sustainable economic growth is directed to the most appropriate centres, without unnecessarily restricting or preventing new retail development of suitable size and scale that is consistent with the role and function of the centre. A more restrictive policy would not accord with the NPPF.

143. Policy P20 seeks to protect existing open space, sports and recreation facilities and sets out the requirements for additional provision in new developments, including compensatory provision where facilities are lost. The policy recognises the multi-functional benefits of such provision and the need to maximise their use, as well as the additional demand for such facilities as a result of new housing and other development. It is supported by assessments and other evidence [SLP071-073b; SLP045], and is consistent with the NPPF (¶ 73-74) and the SCS.

144. Consequently, these policies provide an effective and soundly-based framework for supporting strong, vibrant and healthy local communities and providing a range and quality of local facilities, in line with national policy.

DELIVERY AND MONITORING

Issue 9 –Does the Local Plan provide an appropriate, positive, effective and soundly based framework for delivering and monitoring the strategy, including developer contributions and infrastructure provision, which is fully justified and consistent with national policy?

145. Delivery and monitoring is at the heart of a sound, effective and deliverable local plan, and is an important aspect of soundness (NPPF; ¶ 182). Section 13 of the SLP summarises various ways in which the plan will be effectively delivered, including a developer contributions policy, an Infrastructure Delivery Plan, partnership working, planning process and funding sources [HSC10/20].

146. Policy P21 was introduced to provide more clarity to developers about the infrastructure and other measures that would be required as a result of new development, and has now been consulted upon as one of the main changes to the plan **[MM36]**. It is an accepted principle of planning, both in Section 106 obligations and the Community Infrastructure Levy (CIL), that developers have a role to play in helping to fund and provide infrastructure resulting from and required by new development. The detailed terms of the policy reflect national guidance in the NPPF (¶ 173; 203-206), and SMBC confirms that it will be applied in line with the relevant current legislation, with infrastructure contributions directly, fairly and reasonably related to the scale and kind of development. The implications of this policy on the viability and deliverability of development have been assessed, along with the requirements of other policies [SLP018; PSC19]. SMBC is currently consulting on its draft charging schedule for the CIL. Some argue that Section 106 contributions should be pooled for use in a specific area, but such contributions are usually site-specific; a proportion of CIL funds will, however, go back to the relevant community.

147. The Infrastructure Delivery Plan (IDP) [SLP077; PSC8] is a key element of evidence underpinning the implementation of the plan, which will be regularly reviewed and updated, and has been drawn up after full consultation with infrastructure providers and delivery bodies. The SLP summarises the key principles of this document, and provides a sound and effective framework for providing the necessary infrastructure required as a result of new development, which is reasonable, realistic and not unduly onerous for developers. It is founded on soundly based evidence, after assessing the quality and capacity of existing infrastructure, in line with national policy (NPPF; ¶ 162; 173-177). The provision of infrastructure will also be assisted through partnership working, involving a wide range of stakeholders, as part of the planning/development management processes. Supplementary Planning Documents and development briefs (undertaken in consultation with developers) will provide further guidance for development proposals.

148. The Delivery & Monitoring Framework sets out a range of indicators for each policy, which are relevant, effective, comprehensive, proportionate and based on evidence. Assessment of the implementation of the SLP through these indicators will be undertaken through the Annual Monitoring Report, and other indicators could be introduced in the future, if found necessary. Details of the delivery mechanisms, phasing and timescales for implementation are set out in the IDP, which also sets out further technical work, including transport infrastructure (particularly related to the M42 and its junctions), following discussions with the Highways Agency & Centro. The SLP also includes elements of flexibility not only in its criteria-based policies, but also in the wording of key delivery policies, such as Policies P4, P5, P7 & P9. The plan will be regularly monitored and reviewed, to maintain a continuous 5-year supply of housing land and update the *Building for Life/Lifetime Home* standards, as the proposed changes **[MM37-38]** confirm.

149. Consequently, the arrangements for monitoring, implementation and review of the SLP are responsive, proportionate, relevant and effective, and provide a sound framework for monitoring the implementation of the SLP and its policies.

Other matters

150. Other matters were raised in the representations and at the hearing sessions which do not go to the heart of the soundness of the SLP or relate to more detailed matters concerning specific proposals or planning applications. In many cases, "improvements" to the plan are suggested, particularly in terms of the clarity and coherence of the strategy and policies. In response, SMBC proposes several minor changes to the text of the policies and accompanying text, but these do not directly affect the overall soundness of the plan. Having considered all the other points made in the representations and at the hearing sessions, there are no further changes needed to ensure that the SLP is sound in the terms of the NPPF and associated guidance.

Assessment of Legal Compliance

151. SMBC has carried out a Self-Assessment of legal compliance [OTH17]. My assessment of the compliance of the SLP with the legal requirements, set out below, confirms that it meets all the relevant legal requirements.

LEGAL REQUIREMENTS	
Local Development Scheme (LDS)	The timescale and content of the SLP is identified within the approved LDS (Sept 2012) [SLP086]. The submitted SLP accords with the role and content outlined in the LDS and was submitted to the Secretary of State within the timescale envisaged. Adoption of the plan will be slightly delayed due to the need to publish and consult on *Main Modifications*.
Statement of Community Involvement (SCI) and relevant regulations	The SCI was adopted in February 2007 [SLP085]. There were some concerns about the level and effectiveness of consultation undertaken towards the end of the plan-making process, when some additional housing sites were proposed. However, many representations were made on these sites, raising a wide range of issues, which were discussed at the hearing sessions. The consultation process met the minimum requirements of the Local Development Regulations and the Council's adopted SCI, including consultation on *Main Modification*s.
Sustainability Appraisal (SA)	Adequate SA has been carried out at all stages during the preparation of the SLP [SLP002/004/005; SLP007-009]. This included considering reasonable alternative options, including a range of housing provision in terms of overall scale (from 7600-14000 dwellings) and location (including consolidation, corridors and clusters). Higher housing figures were considered at an early stage, with reasons for rejection based on evidence, and the SA work provides a full and reasoned assessment of alternative and preferred options, meeting the legal requirements. The implications of the Main Modifications were also covered in an addendum to the original SA work [DFH17].
Habitat Regulations Assessment (HRA)	Habitats Directive/Regulations Assessment has been undertaken [SLP043-044] to the satisfaction of Natural England [PSE3a].
National Policy	The SLP is consistent with national policy, except where indicated and modifications are recommended.
Sustainable Community Strategy (SCS)	Satisfactory regard has been paid to the Solihull SCS [OTH12], and the SLP has aligned its key spatial planning objectives, vision and objectives with those of the SCS.

2004 Act (as amended) and 2012 Regulations	The SLP complies with the Act and the Regulations, including the arrangements for publication and consultation [SLP080-084; 088-089; OTH17]. The SLP (¶ 1.1.5) confirms that it will supersede all "saved" policies in the Solihull UDP (2006).

Overall Conclusion and Recommendation

152. The submitted Plan has a number of deficiencies in relation to soundness and legal compliance for the reasons set out above, which mean that I recommend non-adoption of it as submitted, in accordance with Section 20(7A) of the Act. These deficiencies have been explored in the main issues set out above.

153. The Council has requested me to recommend Main Modifications to make the Plan sound and legally compliant and capable of adoption. I conclude that with the recommended Main Modifications set out in the Appendix, the Solihull Local Plan satisfies the requirements of Section 20(5) of the 2004 Act and meets the criteria for soundness in the National Planning Policy Framework.

Stephen J Pratt

Inspector

Appendix: Main Modifications required to make the plan sound and capable of adoption