

CHAPTER 3: HOUSING

Introduction and general background to housing land supply and provision

- 3.1 One of the main objectives of the UDP Review (¶ 2.6) is to meet the housing requirement for the Borough set by Regional Planning Guidance, by providing a range of new housing appropriate to the needs of the Borough's population, including affordable housing. The Housing chapter is concerned with meeting the housing land provision target, whilst promoting sustainable patterns of development, protecting and enhancing the quality of the environment and retaining Green Belt boundaries. It also aims to contribute towards meeting the needs of those unable to compete on the open housing market.
- 3.2 National guidance on providing housing is set out in PPG3 (March 2000), supplemented by various associated documents and ministerial statements, *including recent amendments made in January 2005, after the close of the SUDPR inquiry*. At regional level, the latest regional strategy [RPG11; June 2004; CD51G] confirms that development plans should make provision for an average rate of 400 dwellings/year in Solihull up to 2011 (Policy CF3; Table 1), equating to a total of 4,000 dwellings over the 10-year period of the SUDPR. In the major urban areas (MUAs), this is a minimum figure, to be tested by housing capacity studies and subject to environmental safeguards. A demolition rate of 10 dwellings/year is assumed for Solihull (Table 2), and a target of 74% is set for housing development on previously developed land (Table 3).
- 3.3 RPG11 also contains some other important objectives and policies relevant to housing provision in Solihull. These include a fundamental change in direction to concentrate new development within the Major Urban Areas (which includes the main built-up area of Solihull within the West Midlands conurbation), resisting peripheral expansion, and securing urban renaissance and the regeneration of the MUAs. Housing land supply is to be maximised within the MUAs, with the aim of changing the present 1:2 balance of new housing between the MUAs and other areas to nearer 1:1 by 2007 in favour of the MUAs. Any provision in the MUAs above the specified annual average rate should be on previously developed land. MUAs should aim to be increasingly attractive places to live in, with no added pressures on urban open space, retaining urban boundaries and resisting urban extensions. The Green Belt is to be retained, with adjustments only where necessary to support urban regeneration (¶ 3.14(d)).
- 3.4 RPG11 Policy CF3(C) confirms that locations which extend the boundaries of the MUA are not acceptable, since they would run counter to the Spatial Strategy. In rural areas subject to strong influences from the MUAs (such as the more rural parts of Solihull), the rate of development is to be managed to that required to meet local needs and support local services (Policies CF2.D & RR1.C). Policy CF4 encourages the re-use of land and buildings for housing, Policy CF5 requires the provision of affordable housing and mixed communities, and Policy CF6 indicates that development plans should include policies to allow the managed release of housing land.
- 3.5 Also at regional level, the *West Midlands Regional Housing Strategy [CD58]* was published in July 2003. This identifies four key issues, including the need for the housing strategy to join with regional planning and economic policies; problems of affordability, being most severe in Solihull; the need for urban renaissance, including stemming out-migration from the older urban areas; and the importance of providing pathways of housing choice. At local level, SMBC's *Housing Strategy [CD107]* and *Community Strategy [CD106]* are also relevant.

- 3.6 The First Deposit draft sought to provide 6,000 new dwellings between 1998-2011, based on the housing requirement in the 1998 adopted RPG11 [CD52]. At that time, provision was to be made through commitments and sites proposed in the adopted UDP [CD111], along with new strategic and windfall sites. In addition, 62.2ha of land was identified to meet long-term post-2011 housing needs on land safeguarded for that purpose in the adopted UDP.
- 3.7 Policy H1 of the Revised Deposit SUDPR seeks to make provision for 4,000 new dwellings between 2001-2011, based on the emerging WMRPG housing requirement of 400 dwellings/year [CD51A; Policy CF3 & Table 1]. Housing supply is made up of completions on sites with planning permission or previously committed for housing, new strategic sites and future permissions on windfall sites. At that time, provision was expected to exceed requirements by 165 dwellings. In addition, 76.8ha of land was identified to meet long-term housing needs, including some sites previously proposed in the First Deposit draft for development within the current Plan period.
- 3.8 In March 2004, SMBC published a *Housing Background Paper* [CD139], which updated the situation. Using the same requirement and updated provision figures, including a range of provision on windfall sites, total housing provision was anticipated to exceed requirements by 668-764 dwellings. The position was further updated (to March 2004) at the Housing Strategy RTS, which showed that housing provision could exceed requirements by over 800 dwellings up to 2011, with further land identified to meet long-term needs. The situation is summarised in Table A below:

TABLE A – HOUSING LAND REQUIREMENT AND PROVISION				
	First Deposit Plan¹	Revised Deposit Plan²	Housing Topic Paper³	Housing RTS⁴
RPG requirement 2001-2011	10,100⁵	4,000	4,000	4,000
Houses built	4,100 ⁶	0	1,340 ⁷	1,543 ⁸
Houses u/c	311 ⁹	373 ¹⁰	395 ¹¹	464 ¹²
Houses with pp	436 ⁹	574 ¹⁰	2,126 ¹¹	2,135 ¹²
Houses yet to be built on existing UDP housing sites	2,153	948	75	0
Sub-Total	7,000	1,895	3,936	4,142
Houses on new strategic sites	} 3,100	770	140	140
Houses on windfall sites	}	1,500	592-688	427-534
Total supply	6,000	4,165	4668-4764	4709-4816
<i>Balance</i>	0	+165	+668-764	+709-816
Long term housing sites	62.2ha	76.8ha	76.8ha	76.8ha

¹CD114: Table 1; ²CD119: Table 1 (Rev 3/6); ³CD139: Table 1; ⁴UDP.104/A&4; ⁵RPG11(1998) requirement 1991-2011; ⁶1991-1998; ⁷04/01-09/03; ⁸04/01-03/04; ⁹@ 01/04/98; ¹⁰@ 01/04/01; ¹¹@ 01/10/03; ¹²@ 01/04/04

- 3.9 The latest figures [UDP.104/4] show that 1,543 dwellings had been completed by 31 March 2004, with a further 464 dwellings under construction; along with a further 1,437 dwellings with planning permission on sites where development has already commenced, existing provision amounts to 3,444 dwellings, leaving 556 dwellings remaining to be provided within the Plan period. Future provision is made up of sites with planning permission, but not yet commenced (698 dwellings), along with new strategic sites (140 dwellings), and potential supply on windfall sites (534 dwellings), amounting to 1,372 dwellings in total. This would result in a potential surplus of over 800 dwellings, compared with the overall requirement figure. SMBC also estimates that the land safeguarded for long-term housing needs could potentially provide at least 2,000 new dwellings in the longer term.

- 3.10 Details of the background and current position on housing land are set out in the *Housing Background Paper* [CD139], supported by an *Urban Capacity Study* [CD99-101] and *Housing Needs Survey* [CD96-98], along with the *Housing Site Selection Compendium* [CD154]. Further information is given in SMBC's statements to the Round Table Sessions on Housing Strategy and Affordable Housing [CD165/167] and other statements made during the course of the inquiry [CD160/160A]. Further background at regional level is provided by RPG11 [CD51G; June 2004], RPG Monitoring Reports [CD56-57/79], *Plan, Monitor, Manage* [CD76] and *Sustainable Communities* [CD72-73].
- 3.11 Although the housing provision figures have been updated, SMBC confirms that the base date of the SUDPR should remain at 1 April 2001, for consistency and monitoring purposes. On the basis of SMBC's latest figures [UDP.104/4], the minimum housing requirements of the latest RPG11 can be easily met, with an expected surplus of over 800 dwellings. However, these figures are based on several assumptions, each of which need to be examined and tested. The key points raised by objectors include:
- *the annual housing requirement figure;*
 - *applying a non-implementation/lapse rate for sites with planning permission;*
 - *applying a discount rate to previously designated sites;*
 - *assumptions on windfall sites coming forward;*
 - *assumptions on demolition rates;*
 - *proportion of housing development on brownfield/previously developed land and greenfield sites, and site-selection procedure.*
- 3.12 The situation on longer term housing provision is also in dispute. The First Deposit version of the SUDPR identified some 62.2ha of land for long-term housing needs, all of which is previously identified in the adopted UDP [CD111] and already removed from the Green Belt to take account of longer-term housing needs. In the Revised Deposit draft, this figure was increased to 76.8ha, by transferring four sites previously proposed for housing within the current Plan period to the longer-term category, due to increased provision from existing sites and the reduced annual requirement figure in the latest RPG11. The key points raised by objectors include:
- *the adequacy of provision for long-term housing needs;*
 - *the need to make provision for long-term housing needs for at least 5-10 years from the date of the Plan's adoption, possibly until 2016 and beyond;*
 - *whether the release of these longer-term housing sites would conflict with the current RPG strategy;*
 - *whether additional long-term housing sites should be identified, either for release during the current Plan period or beyond, and the consequent implications for the Green Belt and sustainability;*
 - *the implications of the current Government review of housing policy, including the Barker report.*
- 3.13 This chapter of the SUDPR also deals with affordable housing. Policy H4 requires developers to make a contribution to affordable housing on residential sites of more than 0.5ha/15 dwellings, in the form of 40% affordable dwellings on the development site. Objectors challenge these thresholds and targets. Background to the provision of affordable housing in Solihull Borough, including the justification for these levels of provision and expected provision of affordable housing on outstanding designated and windfall sites, is provided in the *Housing Background Paper* [CD139], along with SMBC's statements to the Affordable Housing RTS [CD167; UDP.115/1-5]. National policy on some aspects of housing in PPG3 has also been amended since the SUDPR was prepared and considered at the inquiry, including the use of employment land for housing and the "rural exceptions" policy on affordable housing ("*Supporting the Delivery of New Housing*" & "*Planning for Sustainable Communities in Rural Areas*"; January 2005).

POLICY H1: PROVISION OF HOUSING LAND***Objections to First Deposit***

1001/900 – Tyler-Parkes Partnership; 1005/575 – Redrow Homes; 1039/380 – Persimmon Homes Ltd; 1057/954-956 – David Wilson Estates; 1069/1037 – GO-WM; 1101/712 – Balsall Parish Council; 1106/1079 – Solihull Residents Association; 1126/336 – Hampton-in-Arden Society; 1140/583-585 – William Davis Ltd; 1179/1157 – Diocese of Birmingham – Board of Social Responsibility; 1245/871 & 1427/824 – Wimpey Homes West Midlands Ltd; 1275/116 – CPRE; 1306/1150 – Dorridge & District Residents Association; 1355/528 – Azemco Ltd; 1356/919 – Baroda Consortium; 1359/716 – Taylor Woodrow Devts Ltd; 1361/1028 – Bulpitt Trust; 1362/747 – Cala Homes (Midlands) Ltd; 1364/543 – Catesby Property Group; 1365/842 – Chase Midland plc; 1369/1013 – David Wilson Estates & Taylor Woodrow Devts Ltd; 1373/1003 – Granby Farms Ltd; 1375/865 – Harper Estates; 1379/1026, 1033 – J J Gallagher Ltd; 1380/42 – House Builders Federation; 1386/808 – Marcity Devts; 1398/786 – Persimmon Homes (South Midlands) Ltd; 1405/1010 – Rosemount Fabrics; 1409/881 – Secretary of State for Health; 1424/600 – Westbury Homes Ltd; 1438/534 – Mr J Taylor; 1445/1116 – Mr P Barnard; 1452/527 – Mrs S Middleburgh; 1492/1115 – Countryside Planning Services Ltd; see also Hockley Heath Schedule (Annex D).

Objections to Revised Deposit

1057/207/R – David Wilson Estates; 1140/109/R-114/R – William Davis Ltd; 1112/65/R-69/R – Westbury Homes (Holdings) Ltd; 1338/330/R – Warwickshire County Council; 1359/248/R-253/R – Taylor Woodrow Devts Ltd; 1361/29/R-31/R – Bulpitt Trust; 1362/269/R-274/R – Cala Homes (Midlands) Ltd; 1364/91/R – Catesby Property Group; 1365/292/R-297/R – Chase Midland plc; 1373/213/R-217/R – Granby Farms Ltd; 1375/313/R-316/R, 325/R-326/R – Harper Estates; 1379/15/R-19/R, 24/R-26/R – J J Gallagher Ltd; 1380/ 180/R-182/R, 184/R-185/R – HBF; 1386/222/R-227/R – Marcity Devts; 1409/76/R – Secretary of State for Health; 1438/363/R, 381/R-387/R – Mr J Taylor; 1450/36/R-39/R – Mr R Clinton; 1455/362/R, 407/R-413/R – Mr & Mrs Letby; 1481/343/R – English Heritage; 1484/242/R – Legal & General; 1494/372/R-373/R – DSM; 1493/195/R-197/R, 366/R – David Wilson Estates/Taylor Woodrow Devts Ltd; 1500/354/R, 394/R-401/R – Azemco Ltd.

Key issues

- *Should the housing provision level be based on the 1998 WMRPG or on the latest RPG11 (June 2004) approved regional guidance;*
- *Are the figures, allowances and assumptions for the various elements of housing land supply (including completions, commitments, planning permissions, previously designated and new strategic housing sites, windfalls, demolitions and replacement rates) appropriate, accurate, soundly based and up-to-date;*
- *Are the assumptions about density and phasing appropriate;*
- *Are the assumptions and approach to brownfield v greenfield sites and the overall site-selection process soundly based and in accordance with national and regional guidance;*
- *Should the SUDPR incorporate flexibility allowances;*
- *Does the SUDPR identify sufficient land to accommodate the first 5 years of housing development proposed in the Plan, and does it make adequate provision for a 5 and 10-year period from the anticipated date of adoption;*
- *Does the SUDPR take sufficient account of national policy in PPG3, Regional Housing Strategy, Urban Capacity Study, Housing Needs Survey, the local housing market, Council's Community Strategy and Housing Strategy, and the overall strategy of promoting sustainable development;*
- *Does the SUDPR take sufficient account of the implications of the Ministerial Statement of 17 July 2003 and the recent "Barker" report on housing;*
- *Should Policy H1 include the target for housing development on previously developed land;*

- Does clause (iii) of Policy H1 conflict with the aim of PPG3 to make more efficient use of land, and should clause (i) state that densities below 30dw/ha should be avoided;
- Should Policy H1 specify dwelling completions rather than housing requirements or provision;
- Would the housing identified by the Urban Capacity Study be reduced because of the need for development to enhance local distinctiveness;
- Does Policy H1 ensure that the impact on the character of the neighbourhood and the surrounding area is taken into account when considering windfalls, particularly in small inset villages in the Green Belt, and should the text indicate that intensification should not occur in Policy C3 settlements;
- Does Policy H1 allow large urban sites to come forward as windfalls;
- Should Policy H1 include criteria to allow the release of major developed sites in the Green Belt;
- Should Policy H1 specifically require development on brownfield land in sustainable locations accessible by public transport;
- Should new housing land be designated across the Borough, rather than being concentrated in Hockley Heath parish, in settlements such as Dickens Heath & Tidbury Green;
- Does the Plan ensure adequate protection of canal corridors affected by housing developments and provide for the retention of historical character;
- Should Policy H1 preclude the redevelopment of existing houses except in exceptional circumstances;
- Should Policy H1 specify that affordable housing will be provided on all windfall sites;
- Should the Plan include provision for accommodation for the over 60s;
- Rev 3/2 (¶ 3.0.4): Should the text refer to “focusing on towns and cities”;
- Rev 3/3: Should Policy H1 specifically indicate that due regard will be paid to making more efficient use of land by maximising the re-use of previously developed land within urban areas;
- Rev 3/3: Should the test in Policy H1(iii)(ii) require proposals not to materially harm the character and appearance of the locality rather than enhancing local distinctiveness, and does the inclusion of the term “pay due regard” weaken the criterion.

Inspector’s reasoning and conclusions

- 3.14 Policy H1 confirms that sufficient housing land is provided to meet the RPG target of 4,000 new homes between 2001-2011. It also sets out the elements of housing supply and the criteria for permitting unidentified windfall sites. SMBC already intends to make some corrections and changes to the figures and wording of Policy H1 and the introductory and supporting text [CD175]. These include correcting the figure of homes built in the last 50 years to 85,429 (¶ 3.0.2) and correcting the figures in Policy H1 for housing completions (1,895) and dwellings on new strategic sites (770). The supporting text (¶ 3.1.1-3.1.2) is also to be updated and clarified, in terms of environmental safeguards and testing the sites against RPG11 policies.
- 3.15 In order to avoid duplication and repetition, in this section I consider the general objections concerning the overall level of housing provision, including the regional requirement and actual level of provision and the time period over which such provision should be made. I also consider the compatibility of the level and nature of provision, including the site-selection procedure, with national and regional policy and other strategies/documents. In this section, I deal with the detailed figures, calculations and assumptions for housing land supply, including completions, commitments, windfall sites and proposed housing sites, and other general points about housing land provision. I also deal with the general points about housing land provision raised in the site-specific objections, leaving all site-specific matters to each particular housing site, either later in this chapter or in Chapter 3A.

- 3.16 Most of the objections to the housing strategy and strategic housing policies are from housebuilders, developers or landowners who seek to designate or safeguard particular sites for housing, including greenfield sites, some of which are currently either safeguarded sites or within the Green Belt. Along with HBF, they challenge SMBC's assumptions on the figures, arguing that the SUDPR makes inadequate provision for housing during the current Plan period and beyond. Some objectors consider the SUDPR should make housing provision for a 5 or 10-year period after the anticipated adoption date of the Plan, and most seek additional provision to meet longer-term housing needs. On the other hand, CPRE, HHPC, Hockley Heath residents and others are concerned about the overall level of housing provision, including in the longer-term, and its effect on the Green Belt, countryside and settlements.

Overall housing requirement

- 3.17 In the original objections to the First & Revised Deposit drafts, and at the Housing Strategy RTS, a few objectors argued that the housing requirement figures in the previous 1998 WMRPG should be used in the SUDPR. However, most agreed that, when the final RPG was approved, this should provide the basis for the overall housing requirement in Solihull. This figure was proposed by WMLGA, has remained constant during the evolution of the latest RPG11 and was endorsed by the EIP Panel [CD51D]. Regional monitoring work has not suggested the need for an early review of the targets up to 2011. The latest version of RPG11 [CD51G] was approved in June 2004, before the SUDPR inquiry closed, and all objectors were given the opportunity to comment on its implications. Since this is now the approved regional strategy, and forms part of the development plan for the area, there can be no dispute that its housing requirement figure should apply to the SUDPR.
- 3.18 RPG11 Policy CF3 & Table 1 sets an average rate of housing provision for Solihull of 400 dwellings/year in the period up to 2011, rising to 470 dw/yr between 2011-2021. SMBC confirms that the time periods in RPG11 equate to those in the SUDPR, and that the annual rate to the end of the SUDPR's plan period is 400 dwellings. Since the base date of the SUDPR is now 2001, this equates to a total provision of 4,000 dwellings between 2001-2011. Policy CF3 confirms that this is a minimum figure in the MUAs, and any additional provision within MUAs should be on previously developed land. SMBC has tested the requirement figure through the *Urban Capacity Study* [CD99-101], and the updated provision figures demonstrate that this figure can be met, without any undue reliance on windfalls. In fact, the latest figures show that the requirement figure can actually be met without needing to grant any further planning permissions on new sites. Although some adopted plans in the West Midlands use the 1998 RPG11 figures, I am satisfied that it is wholly appropriate and correct to use the latest (July 2004) housing requirement figures in the approved regional guidance in this UDP Review.

Elements of housing land provision

Dwellings built and under construction

- 3.19 There is no dispute about this element of provision, since the dwellings already exist, or will soon be completed. At April 2001, this element totalled 373 dwellings, but by April 2004, the figure had increased to 2,007 dwellings.

Sites with planning permission

- 3.20 At April 2001, this category totalled 574 dwellings. By April 2004, this is effectively made up of two elements: dwellings on sites where development has already commenced (1,437 dwellings) and planning permissions on sites where development has not yet started (698 dwellings). Some objectors argue that this element should be discounted by 3-10% by applying a non-implementation allowance, slippage or lapse rate. SMBC accepts that not all

sites with planning permission are eventually developed and that some planning permissions expire without being renewed. However, since 1985, expiry rates have averaged barely 10 dwellings/year. Since 2001, there was a net loss of 64 dwellings, but this included one specific site with 40 dwellings, and any reductions caused by the expiry of planning permissions have largely been offset by revised applications which seek increased capacity. SMBC also confirms that there are no examples of any sites where development has already commenced having been abandoned.

- 3.21 Furthermore, the *Housing Background Paper* [CD139; Appx C] confirms that Solihull has a strong local housing market, with high delivery rates. There is little evidence which suggests that most planning permissions will not be translated into completions within the Plan period. At September 2003, of the total commitments at March 2001, some 463 dwellings had been completed. I also note that the original estimates of capacity for housing sites in the Revised Deposit draft have been significantly increased (in some cases, by almost 20%) when the sites have actually been developed.
- 3.22 I recognise that under the previous *predict and provide* approach to housing land supply, it was often practice to apply discounts to sites with planning permission or inflate the housing supply by around 10%, to take account of constraints and recognise that not all permissions were implemented. However, this approach seems to conflict with current advice contained in PPG3 (¶ 30), that LPAs *should seek only to identify sufficient land to meet the housing requirement set as a result of RPG and strategic planning processes*. With the *Plan-Monitor-Manage* approach advocated by PPG3, there is no need to build in any allowance for slippage, because it assumes that, through monitoring, measures will be taken to make up any shortfall that may have occurred during the previous monitoring period. Consequently, in the Solihull context, I consider it would be inappropriate to apply a specific allowance for delays or non-implementation of sites with planning permissions.
- 3.23 In the Revised Deposit draft, at April 2001, some 1,895 dwellings remained to be built on sites under construction, with planning permission or on existing UDP sites. However, on the basis of the latest figures at April 2004, there is every possibility that existing identified capacity of 4,142 dwellings, including dwellings completed, under construction and with planning permission, will be implemented during the current Plan period. This easily meets the current housing requirement figure set in the latest regional guidance up to 2011.

Previously designated strategic sites

- 3.24 Nine sites have been carried forward from the adopted UDP into the Revised Deposit draft (Table 2 – Sites 1, 3, 4, 6, 9B, 9D/E, 10A/B & 11). Four sites are now fully developed, leaving 5 sites to be completed, only one of which has not yet commenced. Of these, all have outline or detailed planning permission, and are already accounted for in the figures of commitments. I also note the significantly increased capacity at Dickens Heath compared with the original estimates. I understand that the original plans for some 600-850 dwellings will eventually result in over 1,500 dwellings being completed, mainly due to increased densities. From the evidence available, there is a high degree of certainty that the remaining sites will be completed within the Plan period, and I can see no reason to discount provision from this source.

New strategic sites

- 3.25 Five new sites have been identified in the Revised Deposit draft, all of which are on previously developed land within the urban area (Table 2 – Sites 5, 8, 13, 17 & 19). Sites 17 & 19 are within the Green Belt, but SMBC prefers to consider these sites under PPG2 (Annex C) rather than altering the Green Belt boundary. These are developed sites in the Green Belt, where redevelopment gives the opportunity for environmental improvements without adding to the

impact on the openness and purposes of the Green Belt. All sites were considered in the *Urban Capacity Study* [CD99-101], and have been assessed again more recently [CD139; Appx B].

- 3.26 All except two sites now have planning permission and are counted in the commitments figures (140 dwellings). Site 8 (*Moat Lane*) is dependent on relocating the Council depot, but subject to identifying an alternative site, there is a reasonable prospect of housing development on this site within the current Plan period. Site 19 (*Lowbrook Centre*) is still occupied as a day centre, but is now surplus to requirements. SMBC has confirmed its suitability for new housing and I consider there is a reasonable prospect of this site coming forward by the end of the current Plan period. I also note that the original estimates of housing capacity are likely to be significantly exceeded when sites in this category are eventually completed. I can therefore see no justification for discounting the provision from this source.

Windfall sites

- 3.27 PPG3 (¶ 35-36) advises that windfall allowances should be based on past trends of windfall sites coming forward on previously developed land, supported by the likely future potential assessed by the urban capacity study, excluding greenfield sites. In line with this guidance, the SUDPR defines windfalls as unidentified sites and assumes an average rate of housing supply from this source of 150 dw/yr, ie. 1,500 dwellings between 2001-2011. Over the past 10 years, windfall completions on previously developed land have averaged nearly 190 dw/yr, peaking at up to 250 dw/yr, above the estimate of 170-180 dw/yr in the *Urban Capacity Study*.
- 3.28 The figures are complicated by the fact that SMBC has suggested various estimates of housing provision from this source, but most are based on the original assumption of 1,500 dwellings over the Plan period. Using residual provision (ie. the remaining provision since April 2003 after deducting windfall sites already permitted), a figure of 427 dwellings is suggested over the remaining Plan period. This is only 87 more than the total number of dwellings on windfall sites granted permission in the last year alone, compared with permissions for 900+ dwellings on windfall sites granted since April 2001.
- 3.29 Some objectors argue that the expected provision from windfalls should be reduced, partly because the *Urban Capacity Study* included a thorough search of the urban area and resulted in the designation of housing sites that would otherwise have come forward as windfalls. However, only a few of the sites assessed by the UCS were actually brought forward as firm allocations in the SUDPR. Previously allocated housing sites below 0.4ha in size (Sites 7, 12, 14, 15, 18 & 20) have been deleted (Rev 3/11), and no designated housing sites are less than 0.4ha in size, to avoid any potential double counting. Windfall sites do not feature in the other categories of housing supply and SMBC confirms that there is no double counting between commitments and windfall sites. Windfall planning permissions are coming forward at a high rate, and there is no evidence of them drying up. Contrary to the views of some objectors, there is no over-reliance on provision from this source, and I can see no reason to reduce the expected contribution from windfall sites.
- 3.30 Although SMBC does not intend to amend the original estimate of 1,500 dwellings, in reality this figure is likely to be exceeded, particularly since windfall rates have increased recently. A more realistic figure over the remaining Plan period would be 534 dwellings, equating to 190 windfall completions/year. On the evidence before me, this seems to be a reasonably conservative figure, which is likely to be achieved during the remaining years of the SUDPR, especially given Solihull's strong housing market and the encouragement at both national and regional level to make the most effective use of urban land. I also note that the latest RPG11 seeks to maximise

housing provision on previously developed land within the MUAs, and SMBC has no intention of placing an embargo on new planning permissions for housing windfall sites within the MUA. Consequently, there is every prospect that the future contribution from unidentified windfall sites could increase, rather than decrease, over the remainder of the current Plan period.

Demolitions

- 3.31 The latest regional guidance assumes a demolition rate of 10 dwellings/year for Solihull in the period up to 2021 [CD51G; Table 2]. The SUDPR does not include a specific assumption for demolitions, since until recently, very few dwellings were demolished. However, between 2001-2003, some 38 dwellings were demolished, but redevelopment at higher densities more than offset any losses. The current replacement rate is 1:3.6 [CD139; Appx D]. Some objectors argue that the recent increase in demolitions could increase the overall housing requirement figure by up to 300 dwellings. SMBC accepts that demolitions are likely to increase in the future, particularly as the redevelopment of larger residential plots in the urban area takes place. However, this is unlikely to have a negative effect on overall housing land supply, since redevelopment at higher densities would more than compensate for any losses. SMBC also confirms that the number of dwellings demolished and their replacements are included in the updated housing supply figures.
- 3.32 Although there might be a case for reviewing and including assumptions on demolition rates in the housing provision figures, there is certainly no justification for allocating additional new housing sites to compensate for any increase in demolitions over the current Plan period. Any losses would probably be compensated for by increased densities on the redeveloped sites, or by additional provision on allocated and/or windfall sites. In any event, the effects of increased demolition rates will be closely monitored, at both regional and district level, with any necessary adjustments made through the *Plan-Monitor-Manage* process advocated in PPG3. However, for clarification and completeness, it would be helpful if some reference to the implications of increased demolition rates is made in the text accompanying Policy H1.

Density and phasing

- 3.33 All new strategic housing sites emerged from the *Urban Capacity Study* which included an assessment of potential site capacity. Now that almost all the strategic sites have planning permission, the eventual capacity is known, and is often significantly higher than that originally anticipated. There are four remaining sites where capacity has not been finalised (Table 2 – Sites 6, 8, 13 & 19), but SMBC has made cautious assumptions about capacity, generally above the minimum 30 dw/ha density specified in PPG3 (¶ 58). As with other strategic sites, the final capacity may be significantly higher. There is certainly no case for increasing capacities of the designated housing sites by 20%, as suggested by HIAS. Most objectors are satisfied with this aspect of housing provision, and it seems to me that the density assumptions in the SUDPR are cautious and appropriate in the Solihull context, and within the range specified in PPG3.
- 3.34 A phasing policy was included in the First Deposit draft (Policy H7), but this was deleted at Revised Deposit stage, since no new greenfield sites are now proposed. I deal with the deletion of this Policy later in this chapter. None of the strategic housing sites are subject to a phasing policy. Site 6 (*Maxstoke Lane*) is the only greenfield site which has not been implemented, but SMBC points to particular reasons why this site should be developed at an early stage, since it will soon be marketed and is related to the provision of replacement playing fields. I deal with the site-specific considerations of this site later in this chapter of my report. Of the other strategic sites, only Site 5 (*Wharf Lane*) is likely to be developed in phases, partly due to its size.

However, development of the first two phases has commenced and the developers expect all dwellings to be completed within four years.

- 3.35 Consequently, there seems to be no need or justification for a phasing policy, particularly given the limited amount of new housing required to meet the current RPG requirement figure and the brownfield status and state-of-play of most of the sites remaining to be developed. However, if the time period of the Plan were to be extended, the need for a phasing policy may be more apparent. I return to this issue later in this section of my report.

Brownfield v greenfield sites and the site-selection process

- 3.36 The Revised Deposit draft (¶ 3.1.2) confirms that, in carrying out the exercise of identifying housing sites, SMBC has followed the guidance in PPG3 (¶ 30-31), giving first priority to sites on previously developed land. This is demonstrated in the *Housing Site Selection Compendium [CD154; Appx E]*, which assesses all allocated sites, along with objectors' suggested sites and other sites considered, against the criteria in PPG3. It also reassesses previously allocated sites against the latest criteria in national and regional policy. The *Urban Capacity Study* assessed the opportunities for housing on brownfield land, including some employment sites, within the urban area. Furthermore, new greenfield sites previously allocated at First Deposit stage have been deleted, and by focusing development opportunities on brownfield land, there is no requirement to allocate further housing development on greenfield sites.
- 3.37 Several objectors argue that additional land will be needed on greenfield sites, particularly in the longer term. However, based on the latest housing supply figures, this is not necessary during the current Plan period up to 2011. Moreover, the allocation of greenfield sites beyond the MUA could conflict with RPG11 Policy CF3. It might also make it more difficult to achieve the 74% target for *previously developed land* set in Table 3/Policy CF4, particularly in view of the existing greenfield sites already committed (such as at Dickens Heath), which were advanced at a time of a previous national and regional planning policy regime. Overall, I consider there is a balanced spread of housing development on brownfield and greenfield sites, and I cannot see that SMBC has over-estimated provision from brownfield sites. On the basis of current national, regional and local planning policy, and in the light of the latest housing provision figures, there is simply no need to consider allocating any further greenfield sites to meet current regional housing requirements.
- 3.38 Turning to the site-selection process, it is relevant to note SMBC's views on the application of the latest regional guidance to the selection of housing sites [CD160/160A]. As the EIP Panel Report confirms [CD51D; ¶ 2.1.31], the PPG3 search sequence is essentially modified by RPG11, through Policies CF2 & CF3. These outline a search sequence that commences with previously developed land within the MUAs (with no peripheral urban extensions); followed by larger settlements and market towns (but not including any settlements in Solihull and not intended to accommodate migration from MUAs); sub-regional foci, including peripheral expansion (but not including any settlements in Solihull); and rural area provision, restricted to meeting local needs and supporting local services on previously developed land within the villages.
- 3.39 This suggests firstly, that most, if not all new housing in Solihull should take place within the MUA, with no peripheral expansion or urban extensions. Outside the MUA, housing provision is effectively limited to that necessary to meet local needs. RPG11's Spatial Strategy Diagram defines the MUA as only that part of Solihull within the West Midlands conurbation to the north-west of the M42. In terms of regional guidance and reality, there is little to support one objector's view that up to 25% of housing provision should be located outside the MUA on the grounds of local need. The latest figures clearly demonstrate that the current regional housing requirement can be met from

existing commitments and proposed sites, along with previously developed sites within the MUA, without needing to consider urban expansion sites or land beyond the MUA within or adjoining Solihull's rural settlements.

- 3.40 Furthermore, the latest regional guidance represents a fundamental change in previous planning policies, where the development of substantial settlements outside Solihull's main urban area, such as Knowle/Dorridge, no longer accords with regional policy. New RPG11 does not endorse the previous policy and principles in the adopted UDP of providing a geographical spread of development through a 4-stage process [CD111; ¶ 1.12-1.23]. It also seems to rule out any extensions to Solihull's MUA and preclude any substantial new housing within or around the smaller settlements, such as Meriden, Hockley Heath, Hampton-in-Arden and Dickens Heath new village, or in the Green Belt. Under Policies RR1 & CF2(D), development in these settlements seems to be limited to meeting local needs and supporting local services. With the new regional strategy focusing new housing development within the MUAs, it seems that if further housing is needed, either now or in the future, which cannot be accommodated within the MUAs, the "sub-regional foci" are to act as a "safety valve", rather than the rural areas. Moreover, development in the Green Belt is only allowed where it is necessary to support urban regeneration.
- 3.41 This new strategy will have major implications for the future, particularly in the longer-term when additional housing allocations will undoubtedly have to be made. It may also change the role of some of these peripheral settlements, now that the main focus of development is on the MUAs. However, these are issues for the future, rather than for this UDP Review, since I am satisfied that the nature, selection and location of new housing provision in the SUDPR fully reflects the latest regional strategy, with its focus on development and regeneration of the MUAs.

Flexibility allowances

- 3.42 Some objectors argue that the SUDPR should include flexibility allowances of 10-20%, making further allocations to ensure that the necessary level of dwelling completions are actually delivered within the Plan period, particularly since RPG11 places no upper limit on housing completions within the MUA. However, flexibility allowances are not specifically mentioned in PPG3 or RPG11. Moreover, this approach would be contrary to guidance in PPG3 (¶ 30), which advises LPAs to only identify sufficient land to meet the housing requirement set as a result of RPG and strategic planning processes.
- 3.43 Although, in the past, such allowances may have been made in other development plans, with the *Plan-Monitor-Manage* approach there is no need to build in any allowance for slippage or non-implementation, since measures could be taken to make up any shortfall that may have occurred through the monitoring process. Furthermore, the current expected surplus in provision, compared with regional requirements (over 800 dwellings), effectively provides a cushion of at least 20% of provision, obviating the need for any further flexibility allowances. In the Solihull context, the evidence shows that a high rate of delivery of dwelling completions is being achieved, with little delayed or non-implementation. In these circumstances, I consider it would be inappropriate and unnecessary to apply a specific flexibility allowance in the housing provision figures. Consequently, there is no compelling need to consider allocating any further greenfield sites for the purposes of meeting the current RPG11 housing requirement. I deal with the site-specific aspects of additional sites suggested by objectors in Chapter 3A of my report.
- 3.44 Before leaving the assumptions and figures of housing provision, in the interests of clarity and completeness, it would be helpful if the supporting text covering the various elements of housing supply is updated to reflect the latest position, using information in the *Housing Background Paper* [CD139] and

statements to the Housing RTS, as appropriate, with references to current progress in housing provision, including demolitions, density, brownfield/greenfield split, and the site-selection process.

Time period for housing provision

- 3.45 National guidance in PPG12 (¶ 6.8) seeks a plan period of 10 years from the forecast adoption date, with Part 1 of UDPs providing a strategic framework for 15 years. PPG3 (¶ 34) confirms that plans should identify sufficient housing sites on the Proposals Map to accommodate the first five years of housing development. Further guidance was given in a ministerial statement on 17 July 2003 which confirms that the duration of the Plan should be for ten years from the forecast adoption date; plans should make provision for at least ten years potential housing supply from the forecast adoption date; and the requirement to identify the first five years supply is to guard against unrealistic windfall allowances.
- 3.46 In terms of housing provision, the SUDPR time period is 2001-2011, to which GO-WM has no objections. This reflects the first time period in the latest RPG11 and is consistent with several other plans in the West Midlands region. Furthermore, there seems to be some uncertainty about the regional housing requirement figures for 2011-2021, which for Solihull, specify an average of 470 dwellings/year. SMBC considers this figure is not finalised, supported by references in the earlier SoSRPG [CD51A] and EIP Panel Report [CD51D]. The final version of RPG11 [CD51G] makes no reference to the indicative status of these later requirement figures, but it does confirm that the levels of housing provision are to be tested by detailed capacity studies (Policy CF3(B)(i)). Further work is also needed on the role of sub-regional foci (Policy CF2(B)), and housing land is to be managed under Policy CF6. I also understand that post-2011 regional housing figures are soon to be reviewed and note that SMBC's *Urban Capacity Study* only covers the period up to 2011. In these circumstances, it is reasonable to regard the regional housing requirement figures for 2011-2021 with some caution.
- 3.47 However, this does not absolve the SUDPR from making sufficient housing provision for the longer term and more specifically for 10 years from the expected date of adoption. At the Housing Strategy RTS, all participants agreed that, based on the updated figures, the SUDPR provides for a 5-year housing land supply from its base date of 2001, with sufficient sites already committed or shown on the Proposals Map. Recent figures range from at least 6.6 years supply from 2001 [UDP-104/A; ¶ 1.8] to almost 8 years supply from the expected date of adoption [UDP104/2]. From my assessment of the latest housing provision figures, taking full account of commitments and without undue reliance on windfalls, it is clear that the SUDPR makes sufficient housing provision for a 5-year period from the expected date of adoption and, indeed, to the end of the current Plan period, fully meeting PPG3 (¶ 34). Contrary to some objectors' views, the SUDPR does not make insufficient housing provision to meet the residual housing requirement to 2011.
- 3.48 Some objectors argue that housing land supply will effectively dry up towards the end of the current Plan period and there is a need for "reserve" sites to be identified. I deal with some of these matters under Policy H2. However, for the period beyond 2011, there is not only the expected surplus in housing provision (at least 800 dwellings) from identified sites and windfalls, but also potential windfalls beyond the current Plan period (at a rate of 150-190/year). In addition, land has been already been safeguarded and removed from the Green Belt in the existing UDP which could accommodate at least 2,000 additional dwellings. I realise that these safeguarded sites would have to be tested against the new regional strategy, particularly in terms of Policies CF1-CF3. This could be challenging, since most lie outside the MUA and all are

greenfield sites. However, they can be assumed to represent a *potential* source of supply, which is all that the ministerial statement requires. On this basis, SMBC confirms that at April 2004 there is at least 13.7 years supply of potential housing land, which would easily meet the requirement for at least 10 years potential supply from the expected date of adoption [UDP-104/A; ¶ 1.7].

- 3.49 It therefore seems to me that the SUDPR not only meets the requirement in PPG3 (¶ 34) to identify housing sites for the first 5 years of the Plan period, but also identifies sufficient land for the 5-year period from the expected date of adoption, and at least 10 years potential supply from the same date. To avoid any uncertainty and to meet current national policy, this should be confirmed in the supporting text. Although the Plan period formally extends only to 2011, housing provision can be made for a much longer period, either on specific sites or taking account of potential provision on land already safeguarded to meet longer-term housing needs. Contrary to many objectors' views, there is no compelling or urgent need to identify further or additional housing land in order to meet current or longer-term housing requirements.
- 3.50 In reaching this conclusion, it seems likely that under the new development plan regime, this UDP Review will probably have a "shelf life" of no more than 3 years from its date of adoption. Indeed, at the inquiry, SMBC confirmed this position and explained that work would commence immediately on reviewing the SUDPR in preparation for the new LDF system. I am also mindful of SMBC's view, expressed at the Housing Strategy RTS, that to extend the Plan period of the SUDPR to 2016 or beyond "*would mean going back to the drawing board*". Bearing in mind the general sufficiency of housing land provision in the SUDPR, both in the short and longer term, I am satisfied that it is appropriate to adopt this plan, even though its formal time period may be relatively short in terms of the guidance in PPG12 & PPG3. I return to the issue of long-term housing provision under Policy H2 and deal with site-specific merits of particular sites put forward by objectors for future housing development either later in this chapter or in Chapter 3A of my report.

Relationship with other documents

- 3.51 At the Housing Strategy RTS, I asked whether the SUDPR was consistent with several national, regional and local strategies and documents. Apart from reservations about the overall level and period of housing provision, most objectors agreed that the SUDPR takes sufficient account of national policy in PPG3 & PPG12, the *Regional Housing Strategy*, *Urban Capacity Study*, *Housing Needs Survey*, local housing market, SMBC's *Community Strategy* and *Housing Strategy*, and the general strategy of promoting sustainable development. I have already dealt with the issues relating to PPG3 & PPG12 and the consistency of the SUDPR with the latest regional guidance and with the 2003 ministerial statement.
- 3.52 SMBC confirms that the Revised Deposit draft and the *Regional Housing Strategy* were prepared in line with the latest regional guidance and that the *Regional Housing Strategy* shares common objectives with RPG11. The *Urban Capacity Study* was a central feature in identifying new strategic housing sites and assessing the potential capacity of the urban areas through windfall sites, and is publicly available. The *Urban Capacity Study* also took full account of the local housing market, both existing and in the future, which was updated in 2004 [CD139; Appx C].
- 3.53 The strategy of maximising housing provision in the MUA, in line with RPG11 Policy CF3, and the provisions of SUDPR Policy H4, also helps to maximise the provision of affordable housing. This reflects the high level of housing need identified in the *Housing Needs Survey* and the main elements of SMBC's *Housing Strategy*, which I address further under Policy H4. This approach also accords with the main aims of SMBC's *Community Strategy*, by improving the

quality and range of housing, providing more affordable housing, preserving the Green Belt, maintaining the balance between open space and urban land, and conserving and enhancing biodiversity. It is an approach that is consistent with SMBC's overall strategy of sustainable development, ensuring housing provision is maximised, whilst balancing social aspirations and enhancing quality of life.

- 3.54 Several objectors refer to the March 2004 *Barker Report* on housing [CD44]. This report may well have implications for housing provision in the future, but it is unlikely that the Government will finalise national policy until the end of 2005. It is a report to the Treasury, and the Chancellor's Budget Speech of 2004 confirmed that, although the Government welcomes the report, it does not intend to implement its recommendations immediately. Stakeholders have to be consulted to consider how its recommendations could be incorporated into new organisational/financial arrangements and planning policies. Any proposals would have to be measured against a set of requirements, including the operation of the planning system, the capabilities of the house-building industry, and issues of planning reform and planning gain. The results of consultation and review of these objectives is not expected until the end of 2005 and, as SMBC says, it is *work in progress*, with much to be done before a programme of change can be identified and introduced. Issues of market affordability and regional targets are not yet established, and there are important matters to be reviewed at national and regional level, before they can be incorporated into the local level of plans.
- 3.55 The *Barker Report* is also mainly concerned with areas with an *implementation gap* between the identification of housing land and its eventual development, with a consequent failure to meet housing targets. This is not the situation in Solihull, since the latest monitoring information shows an efficient take-up of allocations, a high delivery of planning permissions and a buoyant local housing market. Affordability is a major issue, but there is little in the report that suggests that Green Belt land should be released or that unconstrained housing development should be allowed in popular housing areas such as Solihull. The *Barker Report* does not conflict with the latest regional strategy of resisting peripheral expansion of the urban area and maintaining the Green Belt, along with the need to balance environmental and social issues against the need to stabilise the housing market and provide long-term affordability.
- 3.56 It therefore seems to me that, although the issues raised in the *Barker Report* may be relevant to future housing provision, this UDP Review will probably be adopted before national policy has been established and the consequent regional work has been completed. It would therefore be premature for the SUDPR to take into account the recommendations of this report at this time.

Other issues

- 3.57 Some objectors suggest that the target for housing development on *previously developed land* should be stated in Policy H1. The regional target for Solihull has increased from 59% in the SoSRPG [CD51A] to 74% in the latest RPG11 [CD51G; Table 3]. On current figures, SMBC calculates that between about 63-68% of all new housing will be on previously developed land, and so the latest target will be more challenging than the previous figure. Bearing in mind the importance of this figure, at both national and regional level, it would be helpful if the target and expected proportions of housing development on previously developed land are included in the text accompanying Policy H1.
- 3.58 GO-WM argues that Policy H1(iii) could conflict with the PPG3's objective to make more efficient use of urban land and should state that densities below 30 dw/ha should be avoided, with cross-references to Policy H5. Rev 3/3 deletes the reference to density and makes specific reference to Policy H5, fully addressing this objection.

- 3.59 Some objectors argue that the Plan should specify *completions* rather than housing requirements or provision. The housing requirement figure in the latest RPG11 establishes an *annual average rate of housing provision* and requires plans to *make provision for additional dwellings to be built* at those rates. It does not require this number of dwellings to be *completed* within those periods, since this is largely outside SMBC's control. I recognise that there is often a time lag between the grant of planning permission and the completion of dwellings, but given the relatively high delivery rates and buoyant housing market in Solihull, this is not a serious problem, particularly given the overall sufficiency in housing provision. Annual monitoring shows that Solihull is meeting the annual housing target in terms of completions, and future monitoring will highlight any problems if they occur, enabling any necessary measures to remedy the situation to be put in place.
- 3.60 HBF argues that the yield from urban areas assessed by the UCS could be much less if the need to *enhance local distinctiveness* is taken into account. However, the number of new sites coming forward from the UCS is relatively small, and the assumptions about the level of windfall sites are backed-up by current rates. The UCS has taken account of the need to safeguard existing employment and recreation sites, reflecting Policies E9 & R2-R3. Issues about the effect of new housing development, including windfalls, on the character and distinctiveness of existing areas could be considered at the detailed stage.
- 3.61 In response to Hockley Heath residents, Policy C3 would ensure that potential windfall developments in small settlements in the Green Belt have regard to the character of the surrounding area, including the adjoining Green Belt and open countryside. National guidance requires a sequential approach to be followed when considering sites, wherever they are. Para 3.1.2 does not necessarily imply that unsuitable sites have been chosen, since physical and environmental constraints are amongst the criteria for consideration. I recognise that not all windfall sites, especially in the curtilages of existing properties, may be suitable for further development, but any potential sites would have to meet the criteria in PPG3 (¶ 31, 55 & 69-71), as well as the SUDPR's policies. The impact of potential sites on the intensification of Green Belt settlements would form part of this consideration, and Policy H5 confirms that the requirements of SPG [CD105] would also have to be met. To rule out any possibilities for further development would not accord with national policy.
- 3.62 Some objectors argue that existing houses should not be redeveloped, since family houses would be lost. However, this approach would not reflect national policy in PPG3, which encourages more efficient and effective use of previously developed land in urban areas, and domestic gardens often fall within the category of *previously developed land*. The suitability of such sites for redevelopment would be considered against the criteria in PPG3, Policy H5 and SPG [CD105]. The need to protect the environment of canal corridors and retain the historic character of areas would be dealt with elsewhere, by other SUDPR policies (eg.ENV3/ENV11), or in development briefs for particular sites.
- 3.63 SMBC confirms that the suitability of windfall sites for an element of affordable housing would be assessed under Policy H4. With changes in the structure and size of households, provision of accommodation for the over 60s may have to be made, as Granby Farms suggests. Policy H3 requires a range of sizes and types of dwellings to be provided, whilst Policy H4 addresses the provision of affordable housing, including those with special needs (¶ 3.4.5). If further work is undertaken on the need for retirement and nursing homes, this can inform a future Review of the UDP. Similarly, the fact that the price of houses in Solihull may be 25% above the regional average may have implications for the affordability of housing in the locality, but this has been addressed in the *Housing Needs Survey* [CD96-98].

- 3.64 Policy H1 does not prevent large urban windfall sites from coming forward. Indeed, the latest regional strategy would support such provision, particularly since there is no ceiling on housing provision on previously developed land within the MUA. SMBC has already confirmed that there is no embargo on this type of site coming forward, and so I cannot see that Policy H1 would prevent such sites coming forward. Similarly, there is no need to specify the criteria against which *Major Developed Sites in the Green Belt* would be considered, since this is provided by national guidance in PPG2 (Annex C).
- 3.65 Support for the development of brownfield land in sustainable and accessible locations is given in both national and regional policy, and is reflected in the site-selection procedure in the SUDPR. The distribution and location of housing development is largely the result of previous commitments and planning permissions. Contrary to some objectors' view, sites are spread across all parts of the Borough, not just in the rural settlements, especially when existing commitments and sites with planning permission are taken into account. As for the comments made on specific sites, I deal with these under each site, later in this section of my report and in Chapter 3A.
- 3.66 In Rev 3/2 (¶ 3.0.4), the inclusion of the words *focusing on towns and cities* is an accurate summary of national policy in PPG3, whilst the need to adopt a sequential approach to site-selection is covered in the text accompanying Policy H1, suitably clarified by my earlier recommendation.
- 3.67 In Rev 3/3, the need to make efficient and maximum use of previously developed land in urban areas, without compromising environmental quality, is central to national policy in PPG3 and is referred to in Policy H1 and the text accompanying Proposal H1/1. The need to consider local distinctiveness in clause (iii)(ii) is fully addressed in the Environment chapter (see Policy ENV2). Policies H1(iii), H4 & H5, backed up by SPG *New Housing in Context [CD105]*, would ensure that the character of existing neighbourhoods is taken into account when considering windfall sites. The inclusion of the term *pay due regard* does not in any way weaken the criteria, particularly since questions of design and quality would be fully considered under Policy H5.

Overall conclusions and recommendations

- 3.68 I therefore conclude that the overall housing strategy, the housing requirement figure and the elements that make up housing provision are soundly based and point to a clear sufficiency, if not some surplus, in housing provision in the period up to 2011 compared with the regional housing requirement. My main conclusions, which set the context for the considering allocated housing sites, objectors' alternative/additional sites, and long-term housing provision, can be summarised as follows:
- *the overall housing requirement of 4,000 dwellings between 2001-2011 established in the latest RPG11 is wholly appropriate and should be used as the basis for housing provision in the UDP Review;*
 - *the assumptions used in the figures of housing land supply, including dwellings built and under construction, with planning permission, previously designated housing sites, new strategic sites, windfalls and demolitions, are appropriate and soundly based, and no allowances should be made for non-implementation or flexibility;*
 - *the assumptions on housing capacity and density are in line with national policy in PPG3, and there is currently no need for a phasing policy;*
 - *on the basis of the latest April 2004 figures, there is every possibility that over 4,800 dwellings will be built in Solihull in the period up to 2011, resulting in a surplus of over 800 dwellings (+20%) compared with the latest regional housing requirement set in RPG11;*
 - *the focus of the housing strategy on brownfield land, rather than greenfield sites, and the overall and detailed site-selection procedure for*

housing sites reflects national policy in PPG3 and the latest regional spatial strategy;

- *the UDP Review makes sufficient housing provision for a 5-year period from its base date, from the expected date of adoption and for the current Plan period up to 2011, and existing supply would provide almost 8 years housing land supply from the expected date of adoption;*
- *the UDP Review could also make sufficient provision of potential housing land for at least 10 years from the expected date of adoption;*
- *consequently, there is no pressing or compelling need to allocate further additional land for housing within the current Plan period, particularly on greenfield sites or sites currently in the Green Belt;*
- *the latest regional guidance focuses new housing development within the Major Urban Areas, allowing further housing on previously developed land within such areas, resisting urban extensions, and allowing housing in locations beyond the Major Urban Areas only to meet local housing needs and/or to support local services, and allowing alterations to the Green Belt boundary only when needed to support urban regeneration;*
- *in its housing strategy and provision of housing land, the UDP Review takes sufficient account of national guidance in PPG3 & PPG12, latest regional guidance in RPG11, Regional Housing Strategy, Urban Capacity Study, Housing Needs Survey, local housing market, SMBC's Community Strategy & Housing Strategy, and the overall strategy of sustainable development;*
- *issues raised by later documents, such as the Barker Report, are unlikely to feed through to revised national and regional policy until after this UDP Review is adopted, and do not need to be specifically taken into account by this Plan.*

3.69 In addition to the minor amendments already proposed by SMBC, it would be helpful if the text covering the various elements of housing supply is updated to reflect the latest position, using information in the *Housing Background Paper [CD139]* and Housing RTS statements, as appropriate, with references to current progress in housing provision, including demolitions, density, brownfield/greenfield split, and the site-selection process. The supporting text should also confirm that the SUDPR makes sufficient housing provision for at least 5 years from the likely adoption date of the Plan and could make sufficient provision of potential housing land for a similar 10 year period. It should also refer to the target in RPG11 (Table 3) and anticipated provision of housing development on previously developed land. With these amendments, I am satisfied that the overall housing requirement and proposed provision is wholly appropriate, and provides a sound basis for housing provision in Solihull in the period up to 2011 and beyond.

Recommendation

3.70 **I RECOMMEND** that the Plan is **modified** by:

- (i) *amending the text in the Introduction to the Housing Chapter, by correcting the number of houses built to **85,429** (¶ 3.0.2) [CD175];*
- (ii) *amending Policy H1 to indicate housing completions as **1,895 dwellings** and housing capacity on new strategic sites as **770 dwellings** [CD175];*
- (iii) *amending paragraphs 3.1.1-3.1.2 as already proposed [CD175];*
- (iv) *updating the supporting text covering the elements of housing land provision, using information in the Housing Background Paper and statements to the Housing RTS, with references to current progress in housing provision, including demolitions, density, brownfield/greenfield split, and the site-selection process;*
- (v) *amending the supporting text to demonstrate that the Plan makes adequate housing provision for at least 5 years from the likely adoption date of the Plan and makes sufficient provision of potential housing land*

for a 10 year period from the expected date of adoption;
 (vi) amending the text accompanying Policy H1 to refer to the % target and anticipated provision of housing development on previously developed land.

PROPOSAL H1/1: DESIGNATION OF HOUSING LAND

Objections to First Deposit

1126/336 – Hampton-in-Arden Society; 1264/350 – P Seddon; 1282/697 – British Waterways;

Objections to Revised Deposit

1140/115/R – William Davis Ltd; 1361/247/R – Bulpitt Trust; 1373/218-219/R – Granby Farms Ltd; 1359/254/R – Taylor Woodrow Devts Ltd; 1362/275/R – Cala Homes Ltd; 1365/298/R – Chase Midland plc; 1375/319/R – Harper Estates; 1379/21/R – J J Gallagher Ltd; 1380/179/R – HBF; 1386/228/R, 418/R – Marcity Devts; 1438/390/R – Mr J Taylor; 1493/198/R – David Wilson Estates/Taylor Woodrow Devts Ltd; 1500/402-403/R – Azemco Ltd.

Inspector's reasoning and conclusions

- 3.71 Proposal H1/1 confirms the designation of land for 1,912 dwellings on those sites listed in Table 2 and shown on the Proposals Map. I understand that this figure relates to the total remaining capacity on these sites, including dwellings under construction and those not yet started at April 2001. The situation will now be different, since many more dwellings have been completed or are under construction. However, given that SMBC wishes to retain the base date of April 2001, the overall figure would seem to be correct. Most of the objections either relate to specific sites, which I deal with on an individual basis under Table 3 (below), or cover points already addressed under Policy H1 (see above). These include the points about density, local distinctiveness and the quality of the environment (Rev 3/13), and there are no other general points that need to be addressed under this specific proposal.
- 3.72 As for Table 2, I summarise the sites to be included at the end of the following site-specific section of my report. However, for the avoidance of doubt and to clarify the total capacity of the sites listed, it would be helpful if the figures in the various columns are totalled.

Recommendation

3.73 I RECOMMEND that the Plan is **modified** by amending Table 2 (Land to be designated for housing) to include a total figure for the various columns.

TABLE 2: LAND TO BE DESIGNATED FOR HOUSING

SITE-SPECIFIC OBJECTIONS

- 3.74 This section of my report only deals with those sites proposed by SMBC in Table 2 of the SUDPR. Other sites suggested by objectors are dealt with under Proposal H2/1 or in Chapter 3A (Housing Omission Sites). In considering these designated housing sites, I draw attention to my conclusions

on the overall housing land supply situation (see Policy H1 above) which provide the context for my assessment of these particular sites.

Site 1 – Oakfield Way, Catherine-de-Barnes

Objections to First Deposit

1140/576 – William Davis Ltd; 1379/1027 – J J Gallagher Ltd; 1424/1161 – Westbury Homes (Holdings) Ltd; 1435/687 – Mr & Mrs A D Gatling; other objectors also refer to this site in their general objections.

Objections to Revised Deposit There were no objections to the Revised Deposit draft.

Key issues

- *Should this site be designated for new housing development, particularly in terms of:*
 - *whether it accords with guidance in PPG3 & RPG11;*
 - *the proposed density of the development;*
 - *its rural location, accessibility by public transport, and availability of facilities and services;*
 - *the sustainability of its location.*

Inspector's reasoning and conclusions

- 3.75 Site 1 lies on the western edge of Catherine-de-Barnes, north of Hampton Lane (B4102) and south of Oakfield Way/Foxfield Way. At the time of the inquiry, it was a vacant field covering some 1.7ha and forming part of a larger residential development, most of which has been completed. Catherine-de-Barnes is a settlement inset from the Green Belt, and this site lies within the settlement boundary. Designated as a strategic housing site in the adopted UDP [CD111], outline planning permission was originally granted for housing on part of this site in 1994, and on the remaining area in 2003. A reserved matters application was refused in November 2003, and subject to a planning appeal with an inquiry in June 2004, but I am not aware of its outcome.
- 3.76 Although at the time of the SUDPR inquiry, this site was not developed, the principle of residential development is fully established in the 2003 outline planning permission. In terms of the site-selection criteria in PPG3, it lies within an established settlement less than 2km from Solihull, with some facilities and a regular bus service, and would round-off the existing built-up area with firm defensible boundaries. Although the estimated capacity is slightly below the minimum figure in PPG3, this may be appropriate for this locality and may be exceeded when detailed proposals are finally approved. Since the principle of residential development has been established, I am satisfied that it is appropriate to include this as a designated housing site in the SUDPR.

Recommendation

3.77 I RECOMMEND NO MODIFICATIONS to the Plan to meet these objections.

Site 3 – Former Solihull College, Radbourne Road, Solihull

There were no site-specific objections to this site, which has now been developed.

Site 4 – School Road, Hockley Heath

Objections to First Deposit 1437/86-88 – Mr R Bennett

Objections to Revised Deposit 1492/45R – Countryside Planning Services

Key issues

- *Should this strategic housing site be deleted, since the remaining development is inappropriate.*

Inspector's reasoning and conclusions

3.78 Site 4 lies on the western fringe of Hockley Heath, north of School Road. Its designation as a strategic housing site in the adopted UDP [CD111] has been carried forward into this UDP Review. Following the grant of full planning permission in 1999, the first housing completions were recorded in August 2000 and the development was completed in July 2002. Strictly speaking, this site should therefore no longer feature as a housing proposal. However, at the Plan's base date of April 2001, the development was not completed, so it is more of an historic allocation. Although the site adjoins open countryside, it is excluded from the Green Belt and a firm boundary has been created on its western side. I deal with CPS' suggestion that any remaining development should be transferred to a site on the opposite side of School Road in Chapter 3A of my report (Site HH48B). Consequently, since the development of this site is complete, these objections have largely been overtaken by events and no further amendments are needed.

Recommendation

3.79 I RECOMMEND NO MODIFICATIONS to the Plan to meet these objections.

Site 5 – Former British Gas Site, Wharf Lane, Solihull

There were no site-specific objections to this site, which is now being developed.

Site 6 – Maxstoke Lane, Meriden

Objections to First Deposit 1275/115 – CPRE; 1140/578 – William Davis Ltd; 1362/748-749 – Cala Homes (Midlands) Ltd; 1379/1027 – J J Gallagher Ltd; 1389/1137 – Meriden Parish Council; 1418/641 – Trustees of the Archdiocese of Birmingham; 1424/1162 – Westbury Homes (Holdings) Ltd; 1450/77 – Mr R Clinton.

Objections to Revised Deposit 1112/71/R – Westbury Homes Ltd; 1359/187/R-188/R, 355/R – Taylor Woodrow Devts Ltd; 1362/426/R-427/R – Cala Homes (Midlands) Ltd; 1365/423/R-424/R – Chase Midlands plc; 1375/317/R-318/R – Harper Estates;

Key issues

- *Should this site continue to be allocated for housing development, particularly having regard to:*
 - *its planning history and status in the adopted UDP;*
 - *its suitability in terms of the site-selection criteria in PPG3, its locational characteristics and greenfield status;*
 - *the loss of existing playing fields and the proposals for replacement, particularly bearing in mind the guidance in PPG17 and the need for recreational open space in Meriden;*
 - *uncertainty about development coming forward during the Plan period, particularly in view of land ownership constraints;*
 - *opposition from the local community.*

Inspector's reasoning and conclusions

- 3.80 Site 6 lies to the east of Maxstoke Lane on the northern fringe of Meriden, about 50m from the village centre. Extending to 2.68ha, it is a rectangular site, currently used as playing fields, adjoining houses to the south and west, with fields to the north and east bounded by mature hedges and trees. In the adopted UDP [CD111], it is designated as a strategic housing site, associated with the provision of replacement playing fields (Proposal R1/8). At that time, the site was selected to meet overall housing requirements, including the need to distribute housing evenly around the Borough and to reinforce the natural centre of the village and support existing shops and services. This housing designation has been carried forward into the SUDPR, along with the proposed replacement recreation ground (Proposal R4/3).
- 3.81 This proposal to build houses on the existing recreation ground and provide a replacement recreation ground on land south of Hampton Lane is locally very contentious. This site has a complex planning history. The adopted UDP confirms that the development of Site 6 is dependent on the re-siting of the recreation ground to a more central location, with a new car park. A 1994 S106 agreement associated with the development of former Site 6B in Main Road (*Strawberry Fields*) reserved the site for the replacement recreation ground. In January 1998, planning permission was granted for new housing on Site 6 and for the replacement recreation ground. A CPO for the proposed replacement recreation ground was confirmed in October 1999, following a public inquiry. In January 2004, outline planning permission was again granted for residential development on Site 6 and for the replacement recreation ground. MPC has sought to challenge these latest permissions, but it would probably be too late to mount a successful legal challenge.
- 3.82 At the inquiry, MPC made a formal request to hold these proposals in abeyance until I had reported on this matter. However, SMBC resisted this request on the grounds that the principle of these proposals has been established through the CPO inquiry and the granting of two planning permissions. SMBC is now only concerned with the detailed layout of the sites and does not wish to further delay either the housing or recreation ground proposal. In view of the progress made on these proposals, and SMBC's strong commitment to them, I can see no reason to delay progress at this critical stage on legal or other grounds.
- 3.83 I realise that some of the original reasons for this proposal, based on 1980's principles and policies, are less relevant when seen against current housing provision. However, SMBC wishes to continue with this proposal principally because of the significant progress that has been made towards enabling development and the strong links in planning history with UDP Site 6B which has now been developed. The housing proposal also offers the opportunity to achieve qualitative improvements to sports and recreation facilities for Meriden in a central location, by a proposal that has been tested in the wider public interest through the CPO inquiry process. SMBC is strongly committed to this project and I consider its justification and advantages represent the special

circumstances necessary to justify the proposed housing development on greenfield land, formerly in the Green Belt.

- 3.84 Several objectors argue that the greenfield status of the housing site conflicts with national guidance in PPG3. In line with PPG3 (¶ 31/40), SMBC has reviewed this site and assessed the availability of previously developed land. However, the particular circumstances of this site, particularly its planning history and relationship with the replacement recreation ground, represent a special case to justify developing this greenfield site as an *urban extension* to Meriden. Its allocation for housing would not reflect current RPG strategy, but I consider the particular circumstances of this proposal are sufficient to justify an exception in this case.
- 3.85 In locational terms, Site 6 is close to the village centre, where there is a good range of shops and access to regular bus services to Solihull, Coventry and Birmingham. Its development would support local facilities and, as far as I am aware, there are no infrastructure, physical or environmental constraints. Land ownership and legal issues are being resolved, and arrangements for vehicular access would be unlikely to have any major traffic implications. Although lying on the northern fringe of the village, outside its present built-up limits, the site is well contained, with established hedgerow boundaries. Development would be unlikely to have any major visual or physical impact on the adjoining Green Belt and surrounding countryside in the sensitive *Meriden Gap*.
- 3.86 Furthermore, the development of this site would directly help to support the provision of replacement playing fields, along with the necessary maintenance, and provide a range of housing, including affordable housing (at least 40% of the estimated 75 dwellings). There are no objections from GO-WM or Sport England, and the replacement sports and recreation facilities would more than offset the loss of the existing playing fields. Although no detailed assessment of the need for open space in Meriden has been undertaken, SMBC has assessed the proposals against the guidance in PPG17. By making qualitative improvements to existing recreation provision, providing replacement facilities as attractive, useful and better quality on a slightly smaller and conveniently located site, the proposal would meet the terms of PPG17 (¶ 13/15(iii)). The detailed design of the new recreation facilities will be drawn up in consultation with local residents and Sport England, and details of possible layouts of the new recreation ground were publicised in July 2004.
- 3.87 SMBC confirms that at the time of the First & Revised Deposit drafts, no planning permission existed on Site 6. However, the decision to grant outline planning permission in 2004 was more directly related to the deadline to serve the notice to treat and the timescale to reserve this site in the 1994 S106 agreement, rather than to circumvent the outcome of this UDP inquiry. SMBC is duty bound to serve the notice to treat within a specific period through the confirmation of the CPO for the replacement recreation ground, hence the grant of outline planning permission in January 2004. There is little to suggest that SMBC's ownership of the site has unduly influenced its planning judgement on this proposal. Furthermore, in the light of the planning history, permitted status of the site, SMBC's commitment to the project and the guidance in PPG2, I can see no exceptional circumstances that would justify deleting the housing designation and returning the site to the Green Belt.
- 3.88 This proposal is not only well established, but there has also been considerable progress since the last inquiries. At the time of this UDP inquiry, the housing site was about to be marketed and details of the replacement recreation ground were being finalised. Outline planning permission has been granted for both the housing site and the replacement recreation ground and, as I confirmed at the inquiry, I have no power to revoke these permissions. The replacement recreation ground is an integral part of the overall proposals, and

since both elements are fully committed, I am satisfied that they should feature as firm proposals in the SUDPR.

- 3.89 I realise that Site 6 might not have been chosen if a fresh start was being made on this UDP. I also recognise that the proposal would result in the loss of a valuable existing recreation facility, but this would be replaced by a better facility in a central location. Furthermore, the planning history, previous commitments, current progress and planning status of this site are important material considerations. In my view, the considerable progress that has been made on this project since the last UDP and CPO inquiries, and SMBC's strong degree of commitment to this proposal provide the special circumstances necessary to endorse this greenfield housing allocation.
- 3.90 Consequently, I conclude that it is appropriate to continue to designate Site 6 as a strategic housing site in the SUDPR, principally due to the planning history, commitment and progress that has been made to enable these developments to take place, the sustainable location of the proposed housing site, the potential to provide new houses in the village, including affordable housing, and the opportunity to make qualitative improvements to sports and recreation facilities for Meriden.

Recommendation

3.91 I RECOMMEND NO MODIFICATIONS to the Plan to meet these objections.

Site 7 – 745 Warwick Road, Solihull

Objections to First Deposit 1361/1029 – Bulpitt Trust; 1379/1027 – J J Gallagher Ltd; 1450/77 – Mr R Clinton.

Objections to Revised Deposit There were no objections to the Revised Deposit draft.

Key issues

- *Should this site form part of the windfall allowance, rather than being specifically designated as a proposed housing site.*

Inspector's reasoning and conclusions

- 3.92 This 0.4ha site fronting Warwick Road, Solihull, together with all sites with a developable area of 0.4ha or less, was deleted at Revised Deposit stage (Rev 3/11), to avoid the potential for double-counting with windfall sites. If any residential development comes forward in the future, it would form part of the allowance for windfall sites. Consequently, these objections have been met and no further amendments are necessary.

Recommendation

3.93 I RECOMMEND NO MODIFICATIONS to the Plan to meet these objections.

Site 8 – Council Depot, Moat Lane, Solihull

There were no site-specific objections to this site, and I have dealt with the general points raised in the general objections under Policy H1.

Site 9B – Chelmsley Lane, Marston Green

Objections to First Deposit 1424/824 & 1163 – Westbury Homes (Holdings) Ltd.

Objections to Revised Deposit There were no objections to the Revised Deposit draft.

Key issues

- *Is the designation of this housing site premature, because of the uncertainty about its development.*

Inspector's reasoning and conclusions

3.94 This 4.8ha site lies off Chelmsley Lane in Marston Green and is currently being developed for housing. It was originally proposed for housing in the adopted UDP [CD111]. At the time of the First Deposit draft, a planning application for housing had been called in for determination by the Secretary of State under the *Greenfield Land Direction 2000*. Although this application was refused, outline planning permission for residential development was eventually granted in November 2002, with details being approved in January 2003. The first housing completions were recorded in June 2003. Since the site is now being developed, there is no longer any uncertainty about the appropriateness of this site as a housing designation.

Recommendation

3.95 I RECOMMEND NO MODIFICATIONS to the Plan to meet this objection.

Site 9D/E – Berwicks Lane/Coleshill Road/Moorend Avenue, Marston Green

There were no site-specific objections to this site

Site 9F – Chelmsley Lane/Coleshill Road, Marston Green

Objections to First Deposit 1126/336 – Hampton-in-Arden Society; 1264/349 – Mr Seddon; 1313/628 – Prowting Projects; 1409/882 – Secretary of State for Health.

Objections to Revised Deposit The objections to this site at Revised Deposit stage are dealt with under Proposal H2/1 (Site L).

Key issues

- *Does the designation of this housing site reflect national guidance in PPG3, particularly in terms of the sequential site-selection process and density;*
- *Does the proposed designation of this site maximise its potential for development.*

Inspector's reasoning and conclusions

3.96 This site is a 1.9ha field adjoining new housing development to the north, with existing housing to the west and south and Marston Green Park to the east. It was identified to meet long-term housing needs in the adopted UDP [CD111] and was designated as a housing site in the First Deposit draft. However, at Revised Deposit stage, this site was transferred to the long-term housing category (Proposal H1/2; Table 2; Site L), largely on the grounds that it is a greenfield site which is no longer needed to meet the regional housing requirement figure up to 2011 (Rev 3/11 & 3/17). This amendment meets the objections about the site-selection process and the fact that this is a greenfield site. I deal with the points about reinstating the housing designation of this site and maximising its potential under Proposal H2/1 (Site L), as well as the objections seeking its return to the Green Belt, later in this section of my report.

Recommendation

3.97 I RECOMMEND NO MODIFICATIONS to the Plan to meet these objections.

Site 10A - Kenilworth Road/Station Road, Balsall Common

Site 10B - Kenilworth Road/Needlers End Lane, Balsall Common

There were no site-specific objections to these sites

Site 11 – Dickens Heath

Objections to First Deposit 1435/186 – Mr & Mrs A D Gatling.

Objections to Revised Deposit There were no objections to the Revised Deposit draft

Key issues

- *Should this proposed housing site be deleted, bearing in mind its location.*

Inspector's reasoning and conclusions

3.98 Site 11 covers most of the new village of Dickens Heath, most of which is completed or under construction. It is a designated housing site in both the adopted UDP [CD111] and UDP Review, with outline planning permission having been granted in December 1996 and detailed planning permission for all the remaining capacity. Dickens Heath is effectively a new self-contained settlement, now expected to provide over 1,500 dwellings, lying less than 1km from the main built-up area of Solihull. Bus links may be improved and previous highways concerns have been withdrawn (1054/1065). As the village develops, new facilities are being provided, with the new village centre under construction at the time of the inquiry. Consequently, it is wholly appropriate to include this established commitment as a designated housing site.

Recommendation

3.99 I RECOMMEND NO MODIFICATIONS to the Plan to meet this objection.

Site 12 – 909 Warwick Road, Solihull

Objections to First Deposit 1359/717 – Taylor Woodrow Devts Ltd; 1361/1029 – Bulpitt Trust; 1362/748 – Cala Homes (Midlands) Ltd; 1365/843 – Chase Midland plc; 1375/866 – Harper Estates; 1379/1027 – J J Gallagher Ltd; 1386/809 – Marcity Devts; 1398/787 – Persimmon Homes (South Midlands) Ltd; 1427/825 – Wimpey Homes West Midlands Ltd; 1450/77 – Mr R Clinton.

Objections to Revised Deposit 1359/188R; 355/R – Taylor Woodrow Devts Ltd; 1386/421/R – Marcity Devts.

Key issues

- *Should this site form part of the windfall allowance, rather than being specifically designated as a proposed housing site.*

Inspector's reasoning and conclusions

3.100 This 0.3ha site lies on the corner of Warwick Road/Hampton Lane in the main built-up area of Solihull. It is currently occupied by a detached property, used as a bridge club, adjoining a nursing home and constitutes previously developed land in the urban area. The *Urban Capacity Study [CD99-101]* confirms its suitability for residential development, and it lies in an accessible

location, adjoining Solihull town centre. However, like all other sites under 0.4ha originally designated in the First Deposit draft, this site has been deleted at Revised Deposit stage (Rev 3/11), to avoid the potential for double counting with windfall sites. It is therefore appropriate to count this site as part of the windfall allowance, rather than as a specific allocation. Consequently, these objections have been met and no further amendments are necessary.

Recommendation

3.101 I RECOMMEND NO MODIFICATIONS to the Plan to meet these objections.

Site 13 – 465 Stratford Road, Shirley

There were no site-specific objections to this site

Site 14 – Arlescote Road, Solihull

Objections to First Deposit

1361/1029 – Bulpitt Trust; 1379/1027 – J J Gallagher Ltd; 1424/1164 – Westbury Homes (Holdings) Ltd. 1450/77 – Mr R Clinton.

Objections to Revised Deposit

There were no objections to the Revised Deposit draft.

Key issues

- *Should this site form part of the windfall allowance, rather than being specifically designated as a proposed housing site.*

Inspector's reasoning and conclusions

3.102 The *Urban Capacity Study [CD99-101]* describes this 0.4ha site as a piece of greenfield land on the edge of a residential area. I understand that planning permission for residential development was granted in January 2002, even though a full assessment of open space provision in the area was not carried out. However, like all sites of 0.4ha or under originally designated in the First Deposit draft, this site has been deleted at Revised Deposit stage (Rev 3/11), to avoid the potential for double counting with windfall sites. This site will therefore be more appropriately counted as part of the windfall allowance, rather than as a specific allocation. Consequently, these objections have been met and no further amendments are necessary.

Recommendation

3.103 I RECOMMEND NO MODIFICATIONS to the Plan to meet these objections.

Site 15 – Masons Way, Olton

Objections to First Deposit

1359/717 – Taylor Woodrow Devts Ltd; 1361/1029 – Bulpitt Trust; 1362/748 – Cala Homes (Midlands) Ltd; 1365/843 – Chase Midland plc; 1379/1027 – J J Gallagher Ltd; 1375/866 – Harper Estates; 1386/809 – Marcity Devts; 1398/788 – Persimmon Homes (South Midlands) Ltd; 1427/825 – Wimpey Homes West Midlands Ltd; 1450/77 – Mr R Clinton.

Objections to Revised Deposit

There were no objections to the Revised Deposit draft.

Key issues

- *Should this site form part of the windfall allowance, rather than being specifically designated as a proposed housing site.*

Inspector's reasoning and conclusions

- 3.104 This 0.2ha site lies off Masons Way, Olton. Although originally designated as a housing site at First Deposit stage, like all sites of under 0.4ha, it was deleted at Revised Deposit stage (Rev 3/11), to avoid the potential for double counting with windfall sites. If any residential development takes place in the future, this site would be more appropriately counted as part of the windfall allowance, rather than as a specific allocation. Consequently, these objections have been met and no further amendments are necessary.

Recommendation

3.105 I RECOMMEND NO MODIFICATIONS to the Plan to meet these objections.

Site 16 – Council Depot, Clopton Crescent, Fordbridge

Objections to First Deposit

1012/491 – Mr M Allen; 1018/411 – Mr J Aston; 1019/459 – Ms T Aston; 1021/424 – Mr A Avery; 1028/460 – Mr J P Bartley; 1041/454 – Mr I M Birch; 1044/451 – Mr S Brady; 1047/432 – Mr D K Brown; 1058/426 – Mr K Cattell; 1060/462 – Mr M Charles; 1061/419 – Mr W Chorley; 1062/405 – Mr L Church; 1065/457 – Mr H Clinton; 1072/455 – Mr B Cooper; 1078/508 – Mr J Cox; 1081/109 – Mr & Mrs R Crew; 1086/407 – Mr M E Davies; 1089/416 – Mrs J Davis; 1094/435 – Mr M J Derry; 1107/442 – Mr P Evans; 1120/448 – Mr R Gardner; 1125/499 – Mr L Goldingay; 1135/492 – Mr K Grinnell; 1136/447 – Mr E Guest; 1139/430 – Ms P M Hamid; 1142/431 – Ms C Hartland; 1149/474 – Mrs B Hill; 1151/475 – Mr M Hill; 1152/476 – Mr R Hill; 1165/418 – Mrs M Ireland; 1169/443 – Mr & Mrs L Jordan; 1170/470 – Mrs D Keane; 1171/469 – Mr T Keane; 1172/496 – Mr W R Kemp; 1178/463 – Mr E J Lewis; 1191/440 – Ms H McCartney; 1195/369 – Fordbridge Town Council; 1196/479 – Mr C Mills; 1200/472 – Mr D Morton; 1203/396 – Mr A E J Nash; 1204/441 – Mr E L Neville; 1211/465 – Mr D M Otis; 1214/397 – Mr R Painter; 1215/439 – Mr G Palmer; 1216/488 – Mr C Patrick; 1219/423 – Ms K Payne; 1220/406 – Mr L Payne; 1222/461 – Mr K W Penny; 1225/485 – Mr B Phillips; 1230/468 – Mrs A Porter; 1231/467 – Mr R Porter; 1234/478 – Mr A Proctor; 1235/420 – Mr & Mrs C Proctor; 1248/425 – Ms F Rickard; 1255/507 – Mr C D Russell; 1257/450 – Mr A Ryder; 1258/489 – Ms L Salmon; 1278/458 – Mr S Smith; 1285/444 – Mr M Stephenson; 1296/394 – Mr & Mrs S Taylor; 1302/421 – Miss D Thompson; 1315/428 – Mr & Mrs C Walters; 1330/464 – Mr A Willett; 1424/1165 – Westbury Homes (Holdings) Ltd; 1443/60; 1444/59 – Fordbridge Residents Association.

Objections to Revised Deposit There were no objections to the Revised Deposit draft.

Key issues

- *Should this site be designated as a proposed housing site, particularly bearing in mind:*
 - *its greenfield status and proximity to a major highway;*
 - *loss of open space and accessibility to existing open space;*
 - *impact on Garden of Remembrance;*
 - *increased traffic, parking, congestion, noise and disturbance;*
 - *potential social problems and loss of property values;*
 - *covenant against building on the land;*
 - *social and visual impact, including loss of views towards Coleshill;*
 - *inappropriate low cost housing.*

Inspector's reasoning and conclusions

- 3.106 Part of this 1.4ha Council-owned site is greenfield land, and if this area is subtracted, its total area is less than 0.4ha. The *Urban Capacity Study [CD99-101]* highlights some of the constraints to development, including proximity to

a major highway and the potential loss of open space. At Revised Deposit stage, SMBC deleted this site and it is no longer specifically designated for housing purposes. If any housing development did take place in the future, it would be accounted for in the allowance for windfall sites. Consequently, the deletion of this site would fully meet the objections and no further amendments are needed.

Recommendation

3.107 I RECOMMEND NO MODIFICATIONS to the Plan to meet these objections.

Site 17 – Solihull College (Chelmsley Campus)

Objections to First Deposit 1379/1027 – J J Gallagher Ltd; 1424/586 – Westbury Homes (Holdings) Ltd.

Objections to Revised Deposit 1364/90/R – Catesby Property Group; 1373/338/R – Granby Farms Ltd; 1424/71/R – Westbury Homes (Holdings) Ltd; 1503/177/R – Solihull College.

Key issues

- *Should this site be designated as a proposed strategic housing site, bearing in mind its location in the Green Belt, its relationship with the built-up area and proximity to the M6 motorway;*
- *Should the capacity of the site be increased.*

Inspector's reasoning and conclusions

3.108 Site 17 forms part of Solihull College (Chelmsley Campus), adjoins existing residential development in Partridge Close and covers some 2.5ha. It lies within the approved Green Belt in the adopted UDP [CD111], and no change is proposed to the Green Belt boundary in this Review. SMBC sees this site as falling within the category of a *Major Developed Site in the Green Belt*, covered by PPG2 (Annex C), where redevelopment gives the opportunity for environmental improvements without adding to the impact on the openness and purposes of the Green Belt.

3.109 I understand that this part of the site is surplus to college requirements, and full planning permission was granted for residential development in February 2004. At the time of the inquiry, houses were under construction. The site was considered in the *Urban Capacity Study [CD99-101]*, and has been assessed again more recently [CD139; Appx B]. It is now expected to have a capacity of 166 dwellings rather than the 130 originally envisaged, and detailed monitoring will update this figure and take account of the slightly increased contribution to housing supply. I have no doubt that the justification for redeveloping part of this Green Belt site, along with appropriate mitigation measures to deal with noise from the motorway, were fully considered when detailed plans were approved. Since the principle of residential development has been established and houses are being built, it is wholly appropriate to include it in the list of designated housing sites.

Recommendation

3.110 I RECOMMEND NO MODIFICATIONS to the Plan to meet these objections.

Site 18 – Arran Way, Smiths Wood

Objections to First Deposit

1359/717 – Taylor Woodrow Devts Ltd; 1361/1029 – Bulpitt Trust; 1362/748 – Cala Homes (Midlands) Ltd; 1365/843 – Chase Midland plc; 1375/866 – Harper Estates; 1379/1027 – J J Gallagher Ltd; 1386/809 – Marcity Devts; 1398/787 – Persimmon Homes (South Midlands) Ltd; 1424/1166 – Westbury Homes (Holdings) Ltd; 1427/825 – Wimpey Homes West Midlands Ltd; 1450/77 – Mr R Clinton.

Objections to Revised Deposit There were no objections to the Revised Deposit draft.

Key issues

- *Should this site form part of the windfall allowance, rather than being specifically designated as a proposed housing site, particularly since no justification for development has been provided.*

Inspector's reasoning and conclusions

3.111 This 0.3ha site lies off Arran Way, Smiths Wood. Although originally designated as a housing site at First Deposit stage, like all sites of less than 0.4ha, it was deleted at Revised Deposit stage (Rev 3/11), to avoid the potential for double counting with windfall sites. I also understand that the *Urban Capacity Study [CD99-101]* advised that the release of this site would need to be fully justified. This site will therefore be more appropriately counted as part of the windfall allowance, rather than as a specific allocation. Consequently, these objections have been met and no further amendments are necessary.

Recommendation

3.112 I RECOMMEND NO MODIFICATIONS to the Plan to meet these objections.

Site 19 – Lowbrook Centre, Chichester Grove, Chelmsley Wood**Objections to First Deposit**

1379/1027 – J J Gallagher Ltd; 1424/587 – Westbury Homes (Holdings) Ltd.

Objections to Revised Deposit

1364/90/R – Catesby Property Group; 1373/338/R – Granby Farms Ltd; 1424/71/R – Westbury Homes (Holdings) Ltd

Key issues

- *Should this site be designated as a proposed housing site, bearing in mind that it lies in the Green Belt and the justification for its development.*

Inspector's reasoning and conclusions

3.113 Site 19 is currently occupied by a Social Services day centre and stores, which is surplus to requirements. It adjoins houses in Chichester Grove and open space, and covers about 1.2ha, with a capacity of 40 dwellings. In the adopted UDP [CD111], it lies within the approved Green Belt, but no change is proposed to the Green Belt boundary in this Review, since SMBC sees this site as falling within the category of a *Major Developed Site in the Green Belt*, covered by PPG2 (Annex C).

3.114 Although probably too small to represent a *major* developed site in the Green Belt, I am satisfied that the same principles in PPG2 (Annex C) could apply to this site. It is relatively small and well contained, is almost fully occupied by single-storey buildings and parking areas, and adjoins the residential area. Even though it lies within a Green Belt wedge between Chelmsley Wood and Marston Green, it could be considered as *previously developed land*. It lies within 0.5km of Chelmsley Wood shopping centre and is close to facilities and bus routes. As SMBC says, this is a site where redevelopment could provide the opportunity for environmental improvements without adding to the impact

on the openness of the Green Belt. SMBC also confirms that any planning applications would be assessed against the criteria set out in PPG2 (Annex C), including the need to demonstrate that proposals would benefit the visual amenity and openness of the Green Belt. Subject to careful consideration of these aspects at the detailed stage, I consider there is sufficient justification for including this site as a housing proposal in the SUDPR.

Recommendation

3.115 I RECOMMEND NO MODIFICATIONS to the Plan to meet these objections.

Site 20 – Poplar Road, Dorridge

Objections to First Deposit

1283/1101 – Mr L J Sprigg; 1313/628 – Prowting Projects; 1361/1029 – Bulpitt Trust; 1379/1027 – J J Gallagher Ltd; 1450/77 – Mr R Clinton.

Objections to Revised Deposit

There were no objections to the Revised Deposit draft.

Key issues

- *Should this site form part of the windfall allowance, rather than being specifically designated as a proposed housing site, particularly in view of the proposed density, guidance in PPG3 and access considerations.*

Inspector's reasoning and conclusions

3.116 This 0.4ha site lies off Poplar Road, near Fennis Close in Dorridge. Although originally designated as a housing site at First Deposit stage, like all sites of less than 0.4ha, it was deleted at Revised Deposit stage (Rev 3/11), to avoid the potential for double counting with windfall sites. In any event, full planning permission for development was granted in December 2002, the site (Site KD41) has now been developed with apartments (Rosemont/Claremont House), and has been taken into account as part of the allowance for windfalls. Consequently, its deletion as a proposed housing site would meet these objections and no further amendments are necessary.

Recommendation

3.117 I RECOMMEND NO MODIFICATIONS to the Plan to meet these objections.

Site 21 – Aqueduct Road, Solihull Lodge

Objections to First Deposit

1126/336 – Hampton-in-Arden Society; 1181/360 – Mr C G Looney; 1450/77 – Mr R Clinton.

Objections to Revised Deposit

1450/39/R – Mr R Clinton. Other objections to this site at Revised Deposit stage are dealt with under Proposal H2/1 - Site (i).

Key issues

- *Should this site be designated as a proposed housing site, particularly bearing in mind the guidance in PPG3, the impact on trees and wildlife, and the estimated density of development.*

Inspector's reasoning and conclusions

3.118 This 18.9ha greenfield site lies between Aqueduct Road and the Stratford-on-Avon Canal on the southern fringe of the main built-up area of Solihull Lodge. It is designated as a long-term housing site in the adopted UDP [CD111] and was proposed as a designated housing site at First Deposit stage. However, in the Revised Deposit draft, it was transferred to the long-term housing site

category (Rev 3/11 & 3/17), mainly because it was a greenfield site and was no longer needed to meet current housing requirements within the present Plan period. Its deletion from Table 2 would meet the original objections, but other objectors press for the site to be reinstated as a housing site, whilst others seek its return to the Green Belt. I deal with these issues under Proposal H2/1 - Site (i), later in this section of my report.

Recommendation

3.119 I RECOMMEND NO MODIFICATIONS to the Plan to meet these objections.

Site 22 – Braggs Farm Lane, Dickens Heath

Site 23 - North of Braggs Farm, Dickens Heath

Objections to First Deposit

1048/90-91 – Cheswick Green Residents Association; 1126/336 – Hampton-in-Arden Society; 1226/20-21 – Dickens Heath Community Association; 1275/115 – CPRE; 1368/555 – David Wilson Estates; 1369/1015 – David Wilson Estates/Taylor Woodrow Devts Ltd; 1379/1027 – J J Gallagher Ltd; 1424/1167-1168 – Westbury Homes Ltd; 1435/184-185 – Mr & Mrs A D Gatling; 1450/77 – Mr R Clinton;

Objections to Revised Deposit 1490/523/R – Mr J Scagell (Site 23). Other objections to these sites at Revised Deposit stage are dealt with under Proposal H2/1 - Sites (k) & (j).

Key issues

- *Should these sites be designated as proposed housing sites, particularly in view of the amount of housing land at Dickens Heath, their location and greenfield status, the guidance in PPG3, their status in the adopted UDP, the adjoining SINC, the impact on the rural character of the area, availability of facilities and public transport, and the low density of development proposed.*

Inspector's reasoning and conclusions

3.120 These greenfield sites lie on the southern edge of Dickens Heath. Site 22 covers 2.6ha, adjoining new housing and bounded by Rumbush Lane/Dickens Heath Road. Site 23 covers 1.3ha, adjoining new housing off Griffin Lane to the north, the canal to the east and open space to the south. In the adopted UDP [CD111], both sites are identified as long-term housing sites, and were designated as proposed housing sites at First Deposit stage. However, in the Revised Deposit draft, they were transferred to the long-term housing site category (Rev 3/11 & 3/17), mainly because they were greenfield sites and were no longer needed to meet current housing requirements within the present Plan period. The deletion of these sites from Table 2 would meet the original objectors who opposed their development, but would not fully meet those who seek their return to the Green Belt. It would also not meet the objections of those who press for the reinstatement of these housing sites. To avoid any duplication or repetition, I deal with the site-specific merits of these sites and the possible justification for their development under Proposal H2/1 - Sites (j) & (k), later in this section of my report.

Recommendation

3.121 I RECOMMEND NO MODIFICATIONS to the Plan to meet these objections.

Housing sites to be included in Table 2

3.122 In terms of Table 2 (Land to be Designated for Housing), I make no recommendations for any changes to the sites included in the Revised Deposit draft. For the avoidance of any doubt, the following sites should be included

in Table 2, with the total figures given in line with my earlier recommendation:

Site 1	Oakfield Way, Catherine-de-Barnes
Site 3	Former Solihull College, Radbourne Road
Site 4	School Road, Hockley Heath
Site 5	Former British Gas Site, Wharf Lane
Site 6	Maxstoke Lane, Meriden
Site 8	Council Depot, Moat Lane
Site 9B	Chelmsley Lane, Marston Green
Site 9D/E	Berwicks Lane/Coleshill Road/Moorend Avenue, Marston Green
Site 10A	Kenilworth Road/Station Road, Balsall Common
Site 10B	Kenilworth Road/Needlers End Lane, Balsall Common
Site 11	Dickens Heath
Site 13	465, Stratford Road, Shirley
Site 17	Solihull College (Chelmsley Campus)
Site 19	Lowbrook Centre, Chichester Grove

POLICY H2: PROVISION FOR LONG-TERM HOUSING NEEDS

Objections to First Deposit

1101/901 – Tyler-Parkes Partnership Ltd; 1057/957 – David Wilson Estates; 1126/335 – Hampton-in-Arden Society; 1140/579 – William Davis Ltd; 1245/873 – Wimpey Homes Ltd; 1275/114 – CPRE; 1361/1030 – Bulpitt Trust; 1362/750 – Cala Homes Ltd; 1364/542 – Catesby Property Group; 1365/844 – Chase Midland plc; 1373/1004 – Granby Farms Ltd; 1375/867 – Harper Estates; 1378/513 – Hockley Heath Parish Council; 1423/989 – WM RSL Planning Consortium; 1424/591 – Westbury Homes Ltd; 1438/536 – Mr J Taylor.

Objections to Revised Deposit

1122/70-73/R – Westbury Homes Ltd; 1126/501-502/R – Hampton-in-Arden Society; 1140/116/R – William Davis Ltd; 1338/331/R* – Warwickshire CC; 1359/255/R – Taylor Woodrow Devts Ltd; 1362/276/R – Cala Homes; 1364/89/R – Catesby Property Group; 1365/299/R, 425/R – Chase Midland plc; 1373/220/R – Granby Farms Ltd; 1375/320/R – Harper Estates; 1379/22/R - J J Gallagher Ltd; 1386/229/R - Marcity Devts; 1423/5-6/R – WM RSL Planning Consortium; 1438/391-392/R – Mr J Taylor; 1450/40/R – Mr R Clinton; 1494/375/R-376/R – DSM; 1500/404/R-405/R – Azemco Ltd.

Key issues

- *Is the general principle of identifying safeguarded land to meet possible longer term housing needs soundly based and in accordance with national and regional policy;*
- *Has an appropriate amount of housing land been safeguarded to meet longer term needs, having regard to likely future housing requirements, Green Belt and other development constraints, the latest regional spatial strategy and other relevant considerations;*
- *Should additional long-term housing sites be designated;*
- *Should the proposed long-term housing sites be reassessed against the latest national and regional policy and should any be deleted;*
- *Should the Plan include a mechanism specifying detailed criteria for releasing long-term housing sites if there is a shortfall or if there are signs that the latest regional housing provision target will not be met;*
- *Should the Plan include a mechanism or phasing policy, giving priority to and specifying the order of release of long-term housing sites;*
- *Should the Plan provide for a more balanced mix between brownfield and greenfield sites by bringing forward safeguarded sites;*
- *Are the safeguarded sites in appropriate locations, particularly in terms of sustainability, land use and geographical distribution;*
- *Should the Plan provide more flexibility to enable proposals for affordable housing on safeguarded land to be brought forward for development;*
- *Should the estimated capacity of long-term housing sites be specified.*

Inspector's reasoning and conclusions

3.123 Policy H2 confirms that sites will be identified to meet long-term housing needs (post-2011), but applies strong development restraint measures limiting

the use of such land to those permitted under SUDPR Policy C2 and those which would not prejudice the long-term use of the site for housing. The UDP Review does not positively allocate these sites for housing, since this decision will be taken through subsequent reviews of the SUDPR. At the inquiry, SMBC agreed to amend the title of this section and Policy H2 to the Provision of *Safeguarded Land*, rather long-term housing needs, and to delete the references to the *Plan-Monitor-Manage* process and SPG, inserted into the UDP Review at Revised Deposit stage (Rev 3/14) [CD175].

- 3.124 The principle of removing land in Solihull from the Green Belt and identifying safeguarded land to meet possible future housing needs stems from the recommendations of the inspector holding the 1991 UDP inquiry and subsequent consideration at the 1995 UDP inquiry [CD128/129]. This approach reflects national policy in PPG2 (¶ 2.12 & Annex B) which advises that, when reviewing development plans, any proposals affecting Green Belt boundaries should be related to a longer time-scale than that normally adopted, to ensure that Green Belt boundaries will not need to be altered at the end of the Plan period. Similarly, the approach of applying strong development restraint policies to safeguarded land directly reflects PPG2 (Annex B). It is also important to note that the purpose of identifying safeguarded land is not to provide additional housing sites for development during the current Plan period or beyond, or to solve urban fringe problems, but to ensure that Green Belt boundaries endure beyond the end-date of the SUDPR.
- 3.125 SMBC confirms that the Green Belt boundaries in the 1997 adopted UDP are intended to reflect a longer timescale than that normally adopted, in line with PPG2 (¶ 2.12). In most places, they are tightly drawn around the main urban areas, except where safeguarded land is identified. The inspectors' recommendations at the earlier UDP inquiries were clear in terms of the location and extent of safeguarded land, and SMBC generally followed these recommendations. Sustainability considerations were introduced by PPG13 (1994), and were taken on board by the 1995 inquiry inspectors and by SMBC in its eventual identification of these safeguarded sites. Although the concept of sustainability has developed since then, this does not suggest that the general principle of safeguarding land to meet possible future housing needs is outdated or inappropriate in the Solihull context.
- 3.126 I understand that the sites originally identified as safeguarded land have essentially been carried forward from the adopted UDP, although at First Deposit stage, four of these long-term housing sites (i)-(l) were brought forward for development within the Plan period. However, due to updated estimates of housing land supply, SMBC considered it was unnecessary to develop these greenfield sites, particularly since their allocation would conflict with PPG3 and the latest regional strategy. Although no detailed reassessment of these sites was undertaken prior to the deposit of the SUDPR, a basic assessment against current national and regional policy has been undertaken in the *Housing Sites Selection Compendium* [CD154]. However, I understand that no detailed assessment of the safeguarded sites, either individually or on a comparative basis, or including potential alternative sites and strategies, has been undertaken as part of this UDP Review.
- 3.127 I recognise that the identification of specific areas of land to meet longer term housing needs does not sit comfortably with the *Plan-Monitor-Manage* approach advised in the current PPG3, especially since most of the designated areas are greenfield sites outside the main urban areas. However, I am generally satisfied that these areas are appropriately excluded from the Green Belt, particularly in view of the permanent and enduring nature of such boundaries. Similarly, the identification of these areas of land to meet possible future housing needs does not fit well with the latest regional spatial strategy, particularly since most lie beyond the MUA, where urban extensions are not favoured, or in rural areas where housing development should

generally be limited to local needs. I note that neither PPG3 nor the latest RPG11 gives any clear guidance on the question of safeguarded land. SMBC confirms that these sites are not intended as supplementary housing sites which would be released in the event of any shortfall. Their suitability and the need to positively allocate them for housing would be addressed in subsequent reviews of this UDP, as part of the *Plan-Monitor-Manage* approach, when an assessment against current national and regional policy could be made.

- 3.128 It is also important to note that the latest regional guidance represents a fundamental change in previous planning policies, where the development of substantial urban settlements outside Solihull's MUA, along with urban extensions and development around the smaller Green Belt settlements, no longer accords with regional strategy, particularly Policies CF2 & CF3. Many of the sites identified as safeguarded land fall into this category. SMBC confirms that in the absence of any exceptional circumstances, none of these sites could be brought forward for development without a change in the latest regional strategy. Bearing in mind the apparent conflict between the possible allocation of these sites for housing in the future and the latest regional strategy, I consider an urgent review of their suitability as long-term housing sites should be undertaken. This should not delay the adoption of the SUDPR, but should inform its next review under the new LDF regime. Subject to SMBC's priorities in preparing DPDs as part of its new LDF, I would expect future housing land availability and potential housing sites and strategies to be towards the top of the list of work to be undertaken.
- 3.129 Turning to the general adequacy of the amount of safeguarded land, there is no specific guidance in national or regional policy on this matter. It largely depends on current housing land supply and likely future housing requirements, which I have dealt with under Policy H1 (see above). In essence, I conclude that the UDP Review makes sufficient housing provision not only for a 5-year period from the anticipated date of adoption, but throughout the current Plan period. As for longer term needs, the SUDPR could provide at least 13.7 years supply of potential housing land from April 2004, including the safeguarded sites, which would comfortably meet the requirement for at least 10 years potential supply from the expected date of adoption. Without taking account of the safeguarded sites, the SUDPR could provide almost 8 years supply from the expected date of adoption. I am also aware that, under the new LDF regime, this UDP Review is unlikely to have a "shelf-life" of much more than 3 years before the new DPDs are prepared. SMBC also intends to review the SUDPR as soon as it has been adopted, if not before. In these circumstances, it seems to me that there is no overriding or urgent need to identify additional safeguarded land in order to meet current or longer-term housing needs, particularly in greenfield or Green Belt locations that would perform poorly against national policy in PPG3 and the latest regional spatial strategy.
- 3.130 Given the current adequacy of housing land supply, both within the Plan period and beyond, and bearing in mind the permanent nature of the established Green Belt boundaries, I cannot see any general justification for identifying further safeguarded land. This would require amendments to existing Green Belt boundaries which, in the absence of any exceptional circumstances, could not be justified in terms of current national policy or the latest regional strategy. Similarly, since these sites have been removed from the Green Belt relatively recently, after a thorough debate at two UDP inquiries, there would have to be some very special circumstances to justify their re-inclusion in the Green Belt. In the absence of exceptional circumstances, ad-hoc amendments to the Green Belt boundary to either allocate additional or alternative long-term housing sites, or remove existing safeguarded sites, would undermine the integrity and enduring nature of the existing Green Belt boundary established by the adopted UDP. Furthermore, any loss of Green Belt land without directly supporting urban regeneration would be contrary to the latest

regional spatial strategy. Consequently, I can see no general justification for any changes to existing Green Belt boundaries, and these matters are best addressed on a site-by-site basis.

- 3.131 Some objectors argue that the Plan should set out a mechanism for releasing these long-term housing sites for development, including specific criteria. I have referred to this possibility when dealing with the objections to Policy H1 (see above), and return to it when considering objections to Policy H7. I recognise that such a policy could help to provide for the orderly release of future housing sites, helping to deliver affordable housing and other facilities, and giving certainty to landowners and developers. It would also reflect the principles of *Plan-Monitor-Manage & Planning to Deliver*, accord with new RPG11 Policy CF6, and make use of the resources invested in this UDP Review.
- 3.132 However, I consider it would be inappropriate and premature to include a mechanism prioritising the future release of safeguarded sites which, as yet, have no firm decision supporting their allocation for housing development, particularly given the apparent conflict between many of the identified sites and the latest regional strategy. I also note that there is no suggestion in PPG2 (Annex B) that the release of safeguarded land should be ranked. If further housing land is needed, during or beyond the current Plan period, safeguarded greenfield land may not necessarily be the first choice, particularly since most identified sites lie outside the MUA where new housing development is to be focused, and both PPG3 & RPG11 give priority to *previously developed land*. Such a policy could also prejudice the release of other more suitable sites that may come forward in the future. Similar conclusions apply to the possibility of a phasing policy, particularly given the current level of commitments and the limited additional new provision needed to meet current housing requirements.
- 3.133 Nevertheless, to avoid any doubt and to emphasise the point, I consider it would be helpful if the text accompanying Policy H2 confirms that, although these sites have been removed from the Green Belt and safeguarded to meet longer term housing needs, no decision has yet been taken on the positive allocation of any of these sites for housing. It should also confirm that they are not intended as “reserve” or “first choice” supplementary housing sites in the event of shortfalls in housing land supply, particularly since they would have to be assessed against current national and the latest regional strategy.
- 3.134 All the identified safeguarded land comprises greenfield sites, and I have addressed the balance between greenfield and brownfield sites under Policy H1. If any of these sites did come forward in the future, they would contribute to the proportion of greenfield sites being developed. This could have implications in terms of the latest regional strategy [CD51G; Table 3; ¶ 6.20]. They would also have to be fully justified in terms of national and regional policy, and particularly against the site-selection criteria and hierarchy in PPG3 (¶ 30-32) and RPG11 Policies CF2 & CF3.
- 3.135 In general terms of location and sustainability, it may often be better to locate safeguarded land between the urban area and the Green Belt, well related to the existing urban areas and the range of local facilities. As HIAS says, such locations may be preferable to identifying safeguarded land in the rural area or adjoining small free-standing settlements in the Green Belt, particularly given the latest regional strategy. However, in Solihull, there is little, if any, non-Green Belt lying between the existing built-up areas and the Green Belt. The existing use of such land, whether for agriculture or grazing, is best addressed on a site-by-site basis, as part of any detailed assessment of the suitability of such sites for development at the appropriate time.

- 3.136 Some objectors, like HHPC, argue that the distribution of safeguarded land is unduly concentrated in the rural settlements around Hockley Heath, with over 50ha (or 70%) of the safeguarded land in this parish. However, this is largely due to the fact that the land in this part of the Borough was originally designated as *Interim Green Belt*, stemming from earlier proposals to designate Hockley Heath as a major housing location, deleted in later plans. As part of the currently adopted UDP, decisions had to be taken about establishing a permanent Green Belt boundary in this locality which would endure longer than the current UDP Plan period, and these were discussed in detail at two UDP inquiries. Since then, apart from the changes in regional planning policy, I can find little justification to make further amendments to the Green Belt boundary, reducing the amount of safeguarded land in this area and returning some or all of these sites to the Green Belt. This would undermine the long-term principle and integrity of the Green Belt in this locality, and in general terms, I can find no exceptional circumstances that would warrant this course of action.
- 3.137 The provision of affordable housing is dealt with under Policy H4. If any of these safeguarded sites did come forward, an element of affordable housing would undoubtedly be required and be provided. However, to promote the early development of any of these sites simply because a greater provision of affordable housing would result would not accord with national policy in PPG3. It would also give undue preference to greenfield sites which would otherwise not lie at the top of the site-selection hierarchy.
- 3.138 Since none of the sites proposed as safeguarded land is positively allocated for housing at this time, it would be wholly inappropriate to indicate an estimated capacity in Table 3 of the SUDPR. SMBC's overall estimate of at least 2,000 dwellings provides a sufficient indication of the scale and scope for potential housing development on these sites.
- 3.139 Having considered all the representations and discussions on the question of making provision for longer-term housing needs, I come to the following conclusions:
- *the general principle of identifying safeguarded land to meet possible longer term housing needs is soundly based and in accordance with national policy in PPG2;*
 - *the overall amount of safeguarded land stems from previous decisions to remove land from the Green Belt to meet future needs in the adopted UDP;*
 - *given the current position on housing land supply, both within the current Plan period and beyond, the overall amount of safeguarded land is appropriate, particularly bearing in mind the need for enduring and long-term Green Belt boundaries;*
 - *no further additional safeguarded land should be identified for the period of the current UDP Review;*
 - *no existing safeguarded sites should be deleted or returned to the Green Belt unless exceptional circumstances can be demonstrated;*
 - *the principle and suitability of the safeguarded sites for housing should be examined against current national policy and the latest regional strategy, along with the supply of housing land in the longer term, including housing strategies and potential housing sites, as a priority in undertaking the review of this UDP as part of the new LDF process;*
 - *it would be inappropriate and premature to include a mechanism or phasing policy setting out criteria for the release of safeguarded land, but the Plan should confirm the fact that these areas are not intended as reserve sites for future housing development to be released in the event of shortfalls in housing land supply.*

Recommendation

3.140 I RECOMMEND that the Plan is modified by:

- (i) amending the title of this section and Policy H2 to the **Provision of Safeguarded Land**, and deleting the references to the Plan-Monitor-Manage process and SPG [CD175];
- (ii) amending the text accompanying Policy H2 to confirm that, although these sites have been removed from the Green Belt and safeguarded to meet longer term housing needs, no decision has yet been taken on the positive allocation of any of these sites for housing, and that they are not intended as “reserve” housing sites in the event of shortfalls in housing land supply;

I FURTHER RECOMMEND that, subject to the Council's priorities in undertaking a review of this UDP Review as part of the new LDF regime, priority be given to assessing the suitability of safeguarded land for housing against current national policy and the latest regional strategy, along with an assessment of longer term housing land supply, housing strategies and potential housing sites, to inform the next review of this UDP.

PROPOSAL H2/1: LONG-TERM HOUSING NEEDS**Objections to First Deposit**

1126/335 – Hampton-in-Arden Society; 1140/582 – William Davis Ltd; 1245/874 – Wimpey Homes West Midlands Ltd; 1362/750 – Cala Homes (Midlands) Ltd.

Objections to Revised Deposit

1126/501/R – Hampton-in-Arden Society; 1362/245/R, 246/R – Cala Homes (Midlands) Ltd; 1365/300/R, 425/R – Chase Midland plc; 1373/221/R, 334/R, 338/R – Granby Farms Ltd; 1375/321/R, 417/R – Harper Estates; 1386/420-421/R – Marcity Devts.

Key issues

- Does the provision of safeguarded land accord with the latest national and regional policy;
- Are the safeguarded sites in appropriate locations, particularly in terms of sustainability and land use;
- Has sufficient safeguarded land been identified or should additional long-term housing sites be identified to meet future housing needs or replace sites already identified as safeguarded land;
- Should the Plan set out a mechanism specifying the criteria to release safeguarded land for housing development.

Inspector's reasoning and conclusions

3.141 Proposal H2/1 confirms that 76.8ha of land has been identified to meet possible long-term housing needs, as listed in Table 3. I have already dealt with the general points raised under this policy, including the principle, amount and location of safeguarded land and a mechanism to release such land (see Policy H2 above). No other general points are raised and the remaining points are best dealt with on a site-by-site basis.

Recommendation

3.142 I RECOMMEND NO MODIFICATIONS to the Plan in response to the general objections to Proposal H2/1.

**TABLE 3: LONG-TERM HOUSING SITES
SITE-SPECIFIC OBJECTIONS**

3.143 This section of my report only deals with those sites proposed by SMBC in Table 3 of the SUDPR. Other sites suggested by objectors are dealt with in Chapter 3A (Housing Omission Sites). In considering these long-term housing

sites, my conclusions on the overall housing land supply situation and provision for long term housing needs (see Policies H1/H2 above) provide the context for my assessment of these particular sites.

- 3.144 In the adopted UDP, Sites (a)-(l) were removed from the *Interim Green Belt* and safeguarded to meet longer-term housing needs, and this designation is carried forward into this UDP Review at both First & Revised Deposit stages. The planning merits of removing these sites from the Green Belt and their identification as safeguarded land were considered at the last UDP inquiries, where this approach was supported by the inspectors. These decisions have already been taken and, in physical and visual terms, little has changed since then. At First Deposit stage, sites (i)-(l) were originally proposed as strategic housing sites for development within the current Plan period. However, following the review of current housing land supply and since current housing requirements could be met from brownfield and other existing sites within the main urban areas, SMBC transferred these greenfield sites to the safeguarded land category at Revised Deposit stage (Rev 3/11 & 3/17). This directly reflects the principles of *Plan-Monitor-Manage* advocated by PPG3, as well as the site-selection criteria and hierarchy in PPG3 (¶ 30-32) & new RPG11.
- 3.145 Most of the site-specific objections can be divided into three groups:
- *those objecting to the designation of proposed long-term housing sites and seeking their re-inclusion in the Green Belt;*
 - *those objecting to specific long-term housing sites and/or proposing additional or alternative long-term housing sites;*
 - *those seeking to bring forward specific long-term housing sites for development within the current Plan period to meet current housing needs.*
- 3.146 For the first group, the main issue is whether there are any special circumstances which might justify returning the site in the Green Belt, particularly bearing in mind that the safeguarded sites were identified as a result of independent scrutiny at previous UDP inquiries and the latest regional strategy does not indicate any need for a general review of existing Green Belt boundaries. For the second group, I deal with the particular criticisms of sites included in Table 3 in this section of my report, leaving the additional or alternative "omission" sites to Chapter 3A. The question of bringing land forward for housing development is related to my earlier conclusions on longer term housing land supply, and largely depends on whether there are any compelling reasons to bring such land forward on site-specific considerations.

Site (a) – Lowbrook Lane/Tilehouse Lane, Tidbury Green

Site (b) – Tidbury Green Farm, Tidbury Green

Objections to First Deposit

1005/574 – Redrow Homes; 1025/217 – Mr D Ballantyne; 1158/218 – Mr K Horton; 1192/1202 – Mr & Mrs I McDowall; 1202/222 – Mr G Mourbey; 1227/178-179 – Mr S M Phillips; 1239/221 – Mrs A Redhorn; 1264/349 – Mr P Seddon; 1275/114 – CPRE; 1297/370 – Ms A Thomas; 1301/650-651 – Warwickshire Wildlife Trust; 1359/719 – Taylor Woodrow Devts Ltd; 1362/751 – Cala Homes (Midlands) Ltd; 1365/845 – Chase Midland plc; 1375/868 – Harper Estates; 1378/514 – Hockley Heath Parish Council; 1397/30-31 – Pendragon plc; 1398/789 – Persimmon Homes Ltd; 1435/182, 187 – Mr & Mrs A D Gatling; 1450/76 – Mr R Clinton.

Objections to Revised Deposit

1494/375/R – DSM; 1504/174/R – Tidbury Green Residents Association;

Key issues

- *Are these sites appropriately identified as safeguarded land or should they be deleted from Proposal H2/1 (Table 3), particularly in view of locational and sustainability considerations and the impact on the character of the settlement, residential amenity, traffic and nature conservation;*

- *Are there any exceptional circumstances to justify returning these sites to the Green Belt, in view of their background and evolution.*

Inspector's reasoning and conclusions

- 3.147 These greenfield sites lie on the north-western and eastern edges of Tidbury Green, a small settlement with a limited range of facilities lying in the Green Belt to the south-west of Dickens Heath. Site (a) covers nearly 23ha of fields, paddocks and ponds, in a shallow valley lying behind the houses in Lowbrook Lane and Tilehouse Lane, and extends to the River Cole (the Borough boundary) to the west. Site (b) covers 11.2ha of open fields and paddocks fronting Fulford Hall Road and behind the houses along Norton Lane. In the adopted UDP, both sites are identified to meet long term housing needs. Most objectors seek to delete these sites from the list of long-term housing sites, arguing that they should return to the Green Belt.
- 3.148 In addition to my general conclusions under Policy H2 and in the introduction to this site-specific section of my report, it must be emphasised that neither of these sites are positively allocated for housing in this UDP Review. They were originally identified as *Interim Green Belt* and have been safeguarded to meet *possible long-term housing needs, post 2011*, in the currently adopted UDP. In the meantime, strong development restraint policies, similar to Green Belt policy, would apply. The designation of these sites as safeguarded land had much to do with their previous status as *Interim Green Belt*, and was endorsed by the inspectors at the previous UDP inquiries [CD128: p.39-40; CD129] in the context then applying. Since then, little has changed in visual or physical terms.
- 3.149 I recognise that these sites do not lie between the urban area and the existing Green Belt, but the general suitability of these sites as safeguarded land meets most of the other criteria in PPG2 (Annex B). Both sites are well contained and the Green Belt boundary remains firm and well-defined. There is no erosion of the gap between Solihull and Redditch and, given the retention of the Green Belt around Grimes Hill in Bromsgrove DC, no risk of coalescence with this settlement. Their designation as safeguarded land would not harm the visual amenity or open character of the adjoining Green Belt, and provides certainty, rather than blight. Given the enduring nature of Green Belt boundaries and the firm advice in PPG2 that such boundaries should not be frequently changed, I can see no exceptional circumstances that would justify deleting these sites as safeguarded land or returning them to the Green Belt.
- 3.150 Policy H2 confirms that future decisions about the suitability of these sites for housing development would be taken in a subsequent review of the UDP. At this time, the sites would have to be assessed in terms of their sustainability, locational characteristics, availability of infrastructure, traffic implications and impact on the character of the settlement and on residential amenity. I note the presence of a nearby LNR and potential SINC, but the impact on nature conservation would also have to be examined in the context of SUDPR Policy ENV11. I also note that the sites do not perform particularly well against the site-selection criteria in PPG3, particularly in terms of their somewhat isolated location away from the main urban areas and greenfield nature. The sites are large enough to contribute to the local community, providing additional facilities and affordable housing, but this would be at the expense of almost trebling the population of Tidbury Green and substantially expanding this small rural settlement into the surrounding countryside. Both sites would also perform poorly against the latest regional strategy, since they lie outside the MUA in the rural area beyond the main urban areas.
- 3.151 I also note SMBC's view that, if these sites were positively considered for housing, it might be necessary to make further amendments to the Green Belt boundary to inset the remainder of Tidbury Green from the Green Belt. At present, they play a part in maintaining the rural gap between Tidbury Green

and Grimes Hill in Bromsgrove district. However, since there is no question of positively allocating these sites for housing development at this time, these are matters which would be examined in detail if it becomes necessary to consider the development of these sites in future reviews of the UDP.

- 3.152 Consequently, I conclude that these sites are appropriately designated as safeguarded land and there are no exceptional circumstances to justify returning them to the Green Belt. Furthermore, the detailed concerns of local residents and others would be fully addressed if and when a decision is taken to consider these sites for future housing development, at which time they would also need to be assessed against current national and regional policy.

Recommendation

3.153 I RECOMMEND NO MODIFICATIONS to the Plan to meet these objections.

Site (c) – Tanworth Lane, Cheswick Green

Objections to First Deposit

1048/92 – Cheswick Green Residents Association; 1264/349 – Mr P Seddon; 1359/719 – Taylor Woodrow Devts Ltd; 1362/751 – Cala Homes Ltd; 1365/845 – Chase Midland plc; 1375/868 – Harper Estates; 1378/514 – Hockley Heath Parish Council; 1379/1034 – J J Gallagher Ltd; 1397/29 – Pendragon plc; 1398/789 – Persimmon Homes (South Midlands) Ltd; 1435/183 – Mr & Mrs A D Gatling; 1450/76 – Mr R Clinton.

Objections to Revised Deposit

1379/16/R, 20/R, 22/R, 27/R, 263/R – J J Gallagher Ltd; 1504/174/R – Tidbury Green Residents Association.

Key issues

- *Are there any exceptional circumstances to justify deleting this site as safeguarded land and returning it to the Green Belt, in view of its background and evolution;*
- *Is this site appropriately identified as an area of safeguarded land, particularly in view of locational and sustainability considerations and the impact on the character of the settlement, residential amenity, traffic and nature conservation;*
- *Is there a compelling case to justify designating this site as a strategic housing allocation to meet current and future housing land requirements.*

Inspector's reasoning and conclusions

- 3.154 This site lies on the western fringe of Cheswick Green, a compact modern settlement, washed over by the Green Belt, lying to the south-west of the main urban area of Solihull/Shirley. Extending to 12.5ha, it is currently used for pasture and grazing, and is bounded by properties fronting Tanworth Lane, Coppice Walk and the roads off Cheswick Way. In the adopted UDP, the site is identified to meet long term housing needs. Most objectors seek to delete it from the list of long-term housing sites, some arguing that it should return to the Green Belt. However, Gallaghers argue that it should be brought forward as a strategic housing site for development within an extended Plan period to 2016 and to supplement future provision of affordable housing, with a capacity of about 250 dwellings on a developable area of about 11ha.

- 3.155 Dealing firstly with the possible deletion of this long-term housing site, in addition to my general conclusions under Policy H2 and in the introduction to this site-specific section of my report, it is important to realise that this site is not positively allocated for housing in this UDP Review. It has been removed from the *Interim Green Belt* in the adopted UDP and safeguarded to meet

possible long-term housing needs, post 2011. In the meantime, development restraint policies, similar to Green Belt policy, apply. Its designation as safeguarded land had much to do with its former status as *Interim Green Belt*, but was endorsed by the inspectors at the previous UDP inquiries [CD128: p.45-46; CD129], and little has changed in visual or physical terms since then.

- 3.156 I recognise that this site does not lie between the urban area and the existing Green Belt, but its general suitability as safeguarded land meets most of the other criteria in PPG2 (Annex B). It is reasonably well contained, the Green Belt boundary remains well-defined, and its designation as safeguarded land would not harm the visual amenity or open character of the adjoining Green Belt. Given the enduring nature of Green Belt boundaries and the clear advice in PPG2 that such boundaries should not be frequently changed, I can see no exceptional circumstances that would justify deleting this site as safeguarded land or returning it to the Green Belt.
- 3.157 As for its locational characteristics and general sustainability in terms of PPG3, the site is reasonably close to the existing local facilities and regular bus service in Cheswick Green and local employment opportunities at Monkspath and BVP. It is large enough to contribute to the local community, providing additional affordable housing and supporting local facilities, although there seem to be no serious problems with their viability at present. Apart from the brookcourse and former sewage works, there are no infrastructure, physical or environmental constraints to its development. However, in physical and visual terms, eventual development would represent a significant expansion of Cheswick Green, increasing the number of houses by about 25% and resulting in the loss of a substantial area of countryside. I can also find no compelling case to justify completing the western part of the “clock face” of this settlement at this time.
- 3.158 More particularly, it is a greenfield site outside the main urban area, which would represent an *urban extension* to a settlement outside the MUA. Given the present situation in terms of housing land supply, both within the current Plan period and beyond, there is simply no need to identify further greenfield sites like this when provision can be found from existing brownfield and other land within the main urban areas. Consequently, the site would perform poorly against the site-selection criteria in PPG3 and in the latest regional strategy, particularly in terms of RPG11 Policies CF2 & CF3, where it lies towards the bottom of the site-selection hierarchy.
- 3.159 Future decisions about the suitability of this site for new housing would be taken in a subsequent review of the UDP, as Policy H2 confirms. At this time, the site would need to be assessed in terms of its sustainability, locational characteristics, availability of infrastructure and impact on the character of the settlement and on residential amenity, as well as against the latest national and regional policy. Although the site could be considered for development in the future, there is no overriding need to positively identify it for this purpose at this time. I also note SMBC’s view that, if this site was to be positively considered for housing, it might be necessary to inset the remainder of Cheswick Green from the Green Belt, representing a further significant and, at present, unjustified amendment to the Green Belt boundary.
- 3.160 As for the provision of affordable housing, I recognise the substantial need for such housing in Solihull as a whole, but apart from some estimates of housing need for Hockley Heath parish, no detailed assessment has been carried out for Cheswick Green. Whether such need should be related to the Borough, the parish or the settlement is debatable, but in any event, provision to meet affordable housing needs is intended to be made within the MUA, wherever possible, rather than within the rural settlements. The overall need for affordable housing is not a factor to justify bringing forward this site for development, particularly since the prospective developer (Gallagher) does not

intend to provide any more than the usual provision of affordable housing. At the inquiry, Gallaghers agreed that a decision to bring forward this land for development largely depends on the housing land supply position and the length of the Plan period, which I have already dealt with under Policy H1, earlier in this section of my report.

- 3.161 Consequently, I conclude that this site is appropriately designated as safeguarded land and there are no exceptional circumstances to justify returning it to the Green Belt. The detailed concerns of local residents and others would be fully addressed if and when a decision is taken to consider this site for housing development in the future. Furthermore, there is no compelling or urgent need to bring forward further greenfield sites like this to meet current housing land requirements, either within the current Plan period or beyond. To do so would not only be premature and unjustified, but would also conflict with the latest regional strategy.

Recommendation

3.162 I RECOMMEND NO MODIFICATIONS to the Plan to meet these objections.

Site (d) – Elmdon Road, Marston Green

Objections to First Deposit 1264/349 – Mr P Seddon; 1301/653 – Warwickshire Wildlife Trust; 1361/1030-1031 – Bulpitt Trust; 1379/1034 – J J Gallagher; 1424/596; 1494/591 – Westbury Homes (Holdings) Ltd.

Objections to Revised Deposit 1379/22/R – J J Gallagher Ltd.

Key issues

- *Are there any exceptional circumstances to justify deleting this site as safeguarded land and returning it to the Green Belt;*
- *Is there a compelling case to justify designating this site as a strategic housing allocation to meet current housing land requirements.*

Inspector's reasoning and conclusions

- 3.163 This 4ha field lies on the south-eastern edge of Marston Green, bounded by the Birmingham-Coventry railway line, Elmdon Road and the houses off Somerton Drive. In the adopted UDP, it is identified to meet long term housing needs. Mr Seddon argues that it should be deleted as a long-term housing site and WWT highlights its potential ecological value, but the remaining objectors argue that it should be brought forward as a strategic housing site for development within the current Plan period, with a capacity of about 125 dwellings.
- 3.164 Dealing firstly with the possible deletion of this long-term housing site, I draw attention to my earlier conclusions under Policy H2 and in the introduction to this site-specific section of my report. This site was formerly *Interim Green Belt* and was safeguarded in the adopted UDP to meet *possible long-term housing needs*, post 2011. The SUDPR does not positively allocate it for housing development, and in the meantime, strong development restraint policies, similar to Green Belt policy, apply. The site is reasonably well contained, with a well-defined Green Belt boundary, and its general suitability as safeguarded land meets the criteria in PPG2 (Annex B). Its designation as safeguarded land would not harm the visual amenity or open character of the adjoining Green Belt or encroach into the surrounding countryside. I therefore consider it is appropriately designated as safeguarded land to meet possible future long-term housing needs and there is no case for returning it to the Green Belt, particularly in view of the enduring nature of Green Belt

boundaries and the clear advice in PPG2 that such boundaries should not be frequently changed.

- 3.165 In terms of its possible allocation for housing development, this site performs well against most of the site-selection criteria in PPG3. It is close to Marston Green village centre, with ready access to local facilities, schools, jobs and bus and rail services. It is a reasonably sustainable site which could contribute to the local community by supporting existing facilities and providing affordable housing. Apart from noise from the airport and railway line, there are no physical or environmental constraints, and the site could make use of infrastructure provided for the adjoining housing estate. A noise assessment report confirms that in terms of PPG24, the site currently lies within NEC C, but with appropriate mitigation this could be reduced to NEC B. I also understand there are no firm proposals to widen the railway line which directly affect this site, and boundary planting with a buffer strip could overcome any problems from this source. The site has limited landscape and environmental quality and is readily available for development, with ready access and firm developer commitment. Although development would extend the built-up limits of Marston Green, it could be seen as a significant rounding-off, retaining the green wedge along Low Brook between the settlement and Elmdon Trading Estate. Any ecological value of the site could be assessed under Policy ENV11 when detailed proposals are drawn up.
- 3.166 Furthermore, identification of this site as safeguarded land to meet longer term housing needs was fully debated and endorsed by the inspectors at the previous UDP inquiries [CD128: p.51; CD129], and little has changed in visual or physical terms since then. However, it would represent a greenfield *urban extension*, which is not at the top of the site-selection hierarchy in PPG3. It would also perform poorly against the latest regional strategy, since although it adjoins the MUA, *urban extensions* are not favoured under Policy CF3. Nevertheless, I share the view of previous inspectors that it remains a prime candidate for consideration for housing development in future reviews of this UDP, subject to assessment against the latest regional strategy. However, since current housing requirements can be met from existing brownfield and other sites within the main urban area, there is no compelling or pressing need to make a positive allocation for housing in the SUDPR at this time.
- 3.167 I therefore conclude that the site is appropriately designated as safeguarded land to meet future long-term housing needs and there is no case to return it to the Green Belt. However, there is no compelling or urgent need to bring this greenfield site forward for development within the current Plan period, given the overall adequacy of current housing land supply to meet regional housing targets. Nevertheless, this site would represent a prime candidate when assessing potential housing sites in future reviews of this UDP, subject to assessment against the latest regional spatial strategy.

Recommendation

3.168 I RECOMMEND NO MODIFICATIONS to the Plan to meet these objections.

Site (e) – Leys Lane, Meriden

Objections to First Deposit

1264/349 – Mr P Seddon; 1275/114 – CPRE; 1359/717-719 – Taylor Woodrow Devts Ltd; 1375/865 – Harper Estates; 1379/1020-1025 – J J Gallagher Ltd; 1418/642-643 – Archdiocese of Birmingham; 1426/894 – William Davis Ltd; 1435/189 – Mr & Mrs A D Gatling; 1450/76 Mr R Clinton.

Objections to Revised Deposit

1359/187-188R; 255/R; 355/R – Taylor Woodrow Devts Ltd.

Key issues

- *Is this site appropriately designated as safeguarded land and are there any exceptional circumstances to justify deleting this site from Proposal H2/1 (Table 3) and returning it to the Green Belt;*
- *Is there a compelling case to justify designating this site as a strategic housing allocation to meet current housing land requirements.*

Inspector's reasoning and conclusions

- 3.169 This site lies on the eastern edge of Meriden, bounded by Leys Lane and the properties fronting Main Road. Extending to 3.3ha, it comprises allotments, paddocks, woodland and unused fields. In the adopted UDP, the site is identified to meet long term housing needs. Some objectors seek to delete it from the list of long-term housing sites, arguing that it should return to the Green Belt, but most of the house-builders argue that it should be brought forward as a strategic housing site for development within an extended Plan period to 2016, with a capacity of about 80 dwellings.
- 3.170 Dealing firstly with the possible deletion of this long-term housing site, I draw attention to my earlier conclusions under Policy H2 and in the introduction to this site-specific section of my report. It is important to realise that this site is not positively allocated for housing in this UDP Review. It has already been removed from the *Interim Green Belt* in the currently adopted UDP and safeguarded to meet *possible long-term housing needs*, post 2011. In the meantime, strong development restraint policies, similar to Green Belt policy, apply. It is reasonably well contained and the Green Belt boundary is well-defined by existing hedgerows. The site does not lie between the main urban area and the existing Green Belt, but its general suitability as safeguarded land meets most of the criteria in PPG2 (Annex B). Its designation as safeguarded land would not seriously harm the visual amenity, open character or integrity of the adjoining Green Belt in the *Meriden Gap*. This designation was endorsed by the inspectors at the previous UDP inquiries [CD128: p.52-53/68; CD129: p.85-91], and little has changed in visual or physical terms since then. I can therefore see no exceptional circumstances that would justify deleting this site as safeguarded land or returning it to the Green Belt.
- 3.171 In promoting this site for new housing, Taylor Woodrow has submitted a sustainability appraisal. The site performs reasonably well against the site-selection criteria in PPG3, since it is not far from the village centre, with its facilities and regular bus services. It is capable of contributing to the local community, providing affordable housing and supporting local facilities, although there are no problems with their viability at present. There are some environmental and physical constraints, such as the existing TPO, the sloping nature of the site, *Ancient Arden* landscape features and the narrow width of Leys Lane. However, these should not preclude future development, and there are no overriding ecological, access or archaeological constraints. The relocation of the allotments would also ensure that a local amenity is not lost.
- 3.172 However, this is a greenfield site which would represent an *urban extension* to a rural settlement outside the main urban area of Solihull. As such, it would fall some way down the search sequence in PPG3 and would not accord with the priorities in the latest regional strategy (Policies CF2 & CF3). It would also extend the existing built-up area into the surrounding countryside. The original identification of this site as safeguarded land was made in the context of previous national and regional policy, and there is no dispute that it would have to be reassessed against the latest regional strategy. In the absence of any urgent need to identify further greenfield sites to meet current housing requirements, I can see no case for positively allocating this site for housing development within the current Plan period. Moreover, its future potential for housing can be considered as part of future reviews of this UDP, in the context of current national and regional policies. In the meantime, its designation as a strategic housing site would be both premature and unnecessary, as well as conflicting with the latest regional strategy.

- 3.173 I realise that its development for housing would provide an element of affordable housing, helping to meet local needs. However, such provision could already be made at the Maxstoke Road site proposed in the SUDPR (Site 6). In any event, most provision to meet local housing needs is intended to be made within the main urban area, rather than within rural settlements such as Meriden. In my view, the provision of 40% affordable housing, 0.5ha open space, pedestrian links, improvements to Leys Lane and relocation of the existing allotments do not provide sufficient reasons to release this greenfield site in advance of any justified need.
- 3.174 Consequently, I conclude that this site is appropriately designated as safeguarded land to meet future long-term housing needs and there is no case for returning it to the Green Belt. However, there is no compelling or urgent need to bring this greenfield site forward for development within the current Plan period, particularly given the overall adequacy of current housing land supply to meet regional housing targets and the apparent conflict with the latest regional spatial strategy.

Recommendation

3.175 I RECOMMEND NO MODIFICATIONS to the Plan to meet these objections.

Site (f) – Hampton Road, Knowle

Objections to First Deposit 1264/349 – Mr P Seddon; 1275/114 – CPRE; 1359/717-719 – Taylor Woodrow Devts Ltd; 1375/865 – Harper Estates.

Objections to Revised Deposit 1359/187-188R; 255/R; 355/R – Taylor Woodrow Devts Ltd.

Key issues

- *Is this site appropriately designated as safeguarded land and are there any exceptional circumstances to justify deleting this site from Proposal H2/1 (Table 3) and returning it to the Green Belt;*
- *Is there a compelling case to justify designating this site as a strategic housing allocation to meet current housing land requirements.*

Inspector's reasoning and conclusions

- 3.176 This site lies on the north-eastern edge of Knowle, between Hampton Road and Kixley Lane, adjoining Knowle Football & Cricket Club, Knowle Primary School and properties in Crabmill Close. It covers 2.6ha and comprises arable fields. In the adopted UDP, the site is identified to meet long term housing needs. Mr Seddon & CPRE seek to delete it from the list of long-term housing sites and return it to the Green Belt, but the house-builders argue that it should be brought forward as a strategic housing site for development within an extended Plan period to 2016, with a capacity of about 90 dwellings on a developable area of 2ha with 0.6ha of open space.
- 3.177 Dealing firstly with the possible deletion of this long-term housing site, I draw attention to my earlier conclusions under Policy H2 and in the introduction to this part of my report. This site is not positively allocated for housing in this UDP Review, and has already been removed from the *Interim Green Belt* in the currently adopted UDP and safeguarded to meet *possible long-term housing needs*, post 2011. In the meantime, development restraint policies, similar to Green Belt policy, apply. It is well contained, the Green Belt boundary is well-defined by existing hedgerows and a footpath, and its designation as safeguarded land would not encroach into the surrounding countryside or harm the visual amenity or open character of the adjoining Green Belt. Its general suitability as safeguarded land meets most of the criteria in PPG2, and was endorsed at the previous UDP inquiry [CD128; p.56-57/ p.69-70]. Little has changed since then, and I can see no exceptional

circumstances that would justify deleting this site as safeguarded land or returning it to the Green Belt.

- 3.178 The site performs reasonably well against the site-selection criteria in PPG3, as confirmed in Taylor Woodrow's sustainability appraisal. It is close to Knowle village centre, with a range of local facilities and regular bus services, and could contribute to the local community, supporting local facilities and providing affordable housing. There are no overriding environmental or physical constraints, including landscape, access, ecology and archaeology, and apart from primary/secondary school capacity, there are no infrastructure constraints.
- 3.179 The issue of school capacity was debated at the inquiry and was subject to further information. The key problem relates to Arden Secondary School, a popular school which is over-subscribed, close to capacity, on a constrained site with little room for expansion. Although further housing development in this locality may exacerbate the situation, SMBC has a duty to provide school places, even if it results in travelling to other schools, and I understand that Arden School currently takes pupils from outside the Borough. Consequently, whilst it is a material consideration, I cannot see that this should represent an overriding constraint which would rule out future housing development on this site or in this area, particularly given declining birth rates and the possibility of developer contributions towards the provision of additional school places.
- 3.180 However, this is a greenfield site which would represent an *urban extension* to a settlement lying outside the main urban area of Solihull. It would therefore lie some way down the site-selection hierarchy in PPG3 and would not accord with the priorities set out in new RPG11 Policies CF2 & CF3. The status of Knowle & Dorridge as a settlement in the housing strategy was debated at several inquiry sessions. Although it is a relatively large and long-standing settlement, previously considered to be an appropriate location for new housing, it lies in the Green Belt beyond the MUA shown on the spatial strategy diagram in new RPG11. The latest regional strategy does not favour further development in such peripheral locations, and so the allocation of this site for new housing in the absence of any overriding need or special circumstances would not reflect the current regional spatial strategy.
- 3.181 As with other long-term housing sites, it was originally identified as safeguarded land in the context of previous national and regional policy, and there is no dispute that it would have to be reassessed against the latest regional strategy. In the absence of any urgent need to identify further greenfield sites to meet current housing requirements, there is no compelling case for allocating this site for housing development within the current Plan period. Moreover, its future potential for housing can be considered as part of future reviews of this UDP, in the context of current national and regional policies. In the meantime, its designation as a strategic housing site would be both premature and unnecessary, as well as conflicting with the latest regional strategy.
- 3.182 I recognise that its development for housing would provide an element of affordable housing, helping to meet local needs. However, most provision to meet such needs is intended to be made within the main urban area of Solihull, rather than within settlements beyond the MUA such as Knowle & Dorridge. In my view, the provision of 40% affordable housing, along with 0.5ha open space, do not provide sufficient reasons to release this greenfield site in advance of any justified need.
- 3.183 Consequently, I conclude that this site is appropriately designated as safeguarded land to meet future long-term housing needs and there is no case justifying its return to the Green Belt. However, there is no compelling or urgent need to bring this greenfield site forward for development within the current Plan period, particularly given the overall adequacy of current housing

land supply to meet regional housing targets and the apparent conflict with the latest regional spatial strategy.

Recommendation

3.184 I RECOMMEND NO MODIFICATIONS to the Plan to meet these objections.

Site (g) – Four Ashes Road, Bentley Heath

Objections to First Deposit 1264/349 – Mr P Seddon; 1359/717-719 – Taylor Woodrow Devts Ltd; 1375/865 – Harper Estates.

Objections to Revised Deposit 1359/187-188R; 255/R; 355/R – Taylor Woodrow Devts Ltd.

Key issues

- *Is this site appropriately designated as safeguarded land and are there any exceptional circumstances to justify deleting this site from Proposal H2/1 (Table 3);*
- *Is there a compelling case to justify designating this site as a strategic housing allocation to meet current housing land requirements.*

Inspector's reasoning and conclusions

- 3.185 This site lies on the western edge of Dorridge, bounded by Four Ashes Road, Bentley Heath recreation ground, allotments and existing housing. Covering 3.6ha, it comprises grazing paddocks, along with 4 residential properties. In the adopted UDP, the site is identified to meet long term housing needs. Mr Seddon seeks to delete it from the list of long-term housing sites, but the house-builders argue that it should be brought forward as a strategic housing site for development within an extended Plan period to 2016, with a capacity for about 130 dwellings.
- 3.186 As regards the possible deletion of this long-term housing site, I draw attention to my previous conclusions under Policy H2 and in the introduction to this site-specific section of my report. As with all these safeguarded sites, it is not positively allocated for housing in this UDP Review. It has already been removed from the *Interim Green Belt* in the currently adopted UDP and safeguarded to meet *possible long-term housing needs*, post 2011. In the meantime, strong development restraint policies, similar to Green Belt policy, apply. It is well contained, the Green Belt boundary is well-defined by Four Ashes Road, and its general suitability as safeguarded land meets most of the criteria in PPG2 (Annex B). Its designation as safeguarded land would not encroach into the surrounding countryside or harm the visual amenity or open character of the adjoining Green Belt. This designation was endorsed at the previous UDP inquiry [CD128; p.58-59/72], and little has changed in visual or physical terms since then. I can therefore see no exceptional circumstances that would justify deleting this site as safeguarded land.
- 3.187 As Taylor Woodrow's sustainability appraisal confirms, this site performs reasonably well against the site-selection criteria in PPG3. It is not far from local shops, Dorridge village centre and regular bus/train services, and its development could contribute to the local community, supporting local facilities and providing affordable housing. There are no fundamental environmental or physical constraints, or any overriding landscape, access, archaeological or ecological constraints which would rule out its future development. Apart from primary/secondary school capacity, which I have dealt with under Site (f) (see above), there are no infrastructure constraints.

- 3.188 However, this is a greenfield site which would represent an *urban extension* to a settlement lying outside the main urban area of Solihull. It would therefore lie some way down the site-selection hierarchy in PPG3 and would not accord with the search sequence set out in new RPG11 Policies CF2 & CF3. I have already dealt with the status of Knowle & Dorridge as a settlement in the housing strategy under Site (f) (see above), and similar conclusions apply to this site. Like other long-term housing sites, it was originally identified as safeguarded land in the context of previous national and regional policy, and it would clearly have to be reassessed against the latest regional strategy.
- 3.189 Apart from the apparent conflict with the latest regional strategy and its greenfield status, this site would seem to perform relatively well in terms of the site-selection criteria in PPG3, particularly since it would round-off the built-up area to a well-defined boundary without eroding the remaining gap between Dorridge and Solihull. However, in the absence of any pressing need to identify additional greenfield sites to meet current housing requirements, there is no compelling case for allocating this site for housing development within the current Plan period. Its future potential for housing could be considered as part of future reviews of this UDP, in the context of current national and regional policies. In the meantime, its designation as a strategic housing site would be premature and unnecessary, as well as conflicting with the latest regional strategy.
- 3.190 I recognise that its allocation as a strategic housing site would provide an element of affordable housing, helping to meet local needs. However, most provision to meet such needs is intended to be made within the main urban area of Solihull, rather than in settlements beyond the MUA such as Dorridge. As I have found before, the provision of 40% affordable housing, along with 0.75ha of open space, does not provide sufficient reason to release this greenfield site in advance of any justified need.
- 3.191 I therefore conclude that this site is appropriately designated as safeguarded land to meet future long-term housing needs and there is no case for including it in the Green Belt. Furthermore, there is no compelling or pressing need to bring this greenfield site forward for development within the current Plan period, particularly given the overall adequacy of current housing land supply to meet regional housing targets and the apparent conflict with the latest regional spatial strategy.

Recommendation

3.192 I RECOMMEND NO MODIFICATIONS to the Plan to meet these objections.

Site (h) – Grove Road, Knowle

Objections to First Deposit

1129/622-623 – William Davis Ltd; 1264/349 – Mr P Seddon;
1275/114 – CPRE; 1409/883 – Secretary of State for Health;
1435/188 – Mr & Mrs A D Gatling;

Objections to Revised Deposit

There were no objections at Revised Deposit stage.

Key issues

- *Is this site appropriately identified as an area of safeguarded land or should it be returned to the Green Belt;*
- *Are there any compelling reasons to justify allocating this site for new housing development within the current Plan period, rather than as a safeguarded site to meet longer term needs.*

Inspector's reasoning and conclusions

- 3.193 This is a 2.4ha unused greenfield site lying to the rear of new houses in Hertford Way/Stockton Close on the eastern fringe of Knowle. In the adopted UDP, this site was removed from the *Interim Green Belt* and safeguarded to meet longer-term housing needs, and this designation is carried forward into the SUDPR at both First & Revised Deposit stages. Some objectors argue that this land should not be identified as safeguarded land, while others consider it should be brought forward for development within the current Plan period, with a capacity of about 77 dwellings.
- 3.194 As regards the possible deletion of this long-term housing site, I draw attention to my previous conclusions under Policy H2 and in the introduction to this site-specific section of my report. The planning merits of identifying this site as safeguarded land were considered at the last UDP inquiry, where this approach was supported by the inspector [CD128; p.56-57/69-70]. In physical and visual terms, little has changed since then, apart from the completion of the adjoining housing estate. The site is well contained, the Green Belt boundary remains firm and well-defined, and its designation as safeguarded land would not encroach into the surrounding countryside, harm the visual amenity or open character of the adjoining Green Belt, or create pressure for further development. Given the permanence of Green Belt boundaries, the need to avoid making frequent changes and the lack of any special circumstances which might justify returning the site in the Green Belt, I am satisfied that it is appropriate to continue to identify this as safeguarded land.
- 3.195 The question of bringing forward the development of this site is largely related to the housing land supply position. In the light of my conclusions that there is sufficient provision of housing land to meet current regional housing requirements, it is unnecessary to bring forward greenfield sites reserved for possible future development, particularly since current housing requirements can be met from existing brownfield and other land within the main urban areas. In terms of PPG3, although this site is reasonably well located to local facilities and public transport, it would represent an *urban extension* beyond the main urban areas, which would lie some way down the site-selection hierarchy. Although there seem to be no overriding infrastructure, physical or environmental constraints, there are problems of primary/secondary school capacity in this locality (see Site (f) above). It would also perform poorly in terms of the latest regional strategy, particularly Policies CF2 & CF3, since it is not *previously developed land*, it lies outside the MUA, urban extensions are not favoured, and the development is not intended to meet local needs.
- 3.196 I understand that this site is included on a list of former hospital sites which the ODPM has indicated could provide affordable homes on surplus NHS land, as part of the *Sustainable Communities Plan* [UDP.134/1]. However, at the time of the SUDPR inquiry, this site had not been transferred to the ODPM and no firm decisions had been taken on its future or suitability for housing. I note that this initiative is intended to unlock major brownfield sites and kick-start regeneration, as well as protecting the countryside from encroachment and avoiding urban sprawl. Local issues also have to be examined carefully. It therefore seems to me that it would be premature to specifically identify this site for development within the Plan period, particularly given the present overall sufficiency of housing land and the greenfield nature of this site. If proposals do come forward within the current Plan period, the merits of this site should be assessed against Policy H2, including the current housing land supply position and the details of any development, including the provision of affordable housing or accommodation for key workers or young families.
- 3.197 Consequently, I conclude that this site is appropriately designated as safeguarded land and there is no sound case to return it to the Green Belt. Furthermore, I can see no compelling or pressing case to bring this land forward for development within the current Plan period, particularly bearing in mind the possible inconsistency with the latest regional strategy and the

present sufficiency of housing land supply in terms of current requirements.

Recommendation

3.198 I RECOMMEND NO MODIFICATIONS to the Plan to meet these objections.

Site (i) – Aqueduct Road, Solihull Lodge

Objections to First Deposit

The objections to this site at First Deposit stage are dealt with under Proposal H1/1 (Site 21).

Objections to Revised Deposit

1126/502/R – Hampton-in-Arden Society; 1375/334/R – Granby Farms Ltd; 1420/348/R – TRW Ltd; 1425/73/R-74/R – Westbury Homes/Miller Homes (Holdings) Ltd; 1435/4/R – Mr & Mrs A D Gatling; 1450/39/R, 41/R – Mr R Clinton; 1478/349/R – Bromsgrove District Council.

Key issues

- *Are there any exceptional circumstances to justify deleting this site as safeguarded land and including it to the Green Belt;*
- *Is there a compelling case to justify designating this site as a strategic housing allocation to meet current housing land requirements or identifying it as first priority to meet future housing needs, particularly in view of its background and evolution.*

Inspector's reasoning and conclusions

- 3.199 This 8.9ha site lies on the southern fringe of the urban area at Solihull Lodge, bounded to the west by the Stratford-on-Avon Canal, to the north by the properties fronting High Street and to the east by Mill Lodge Primary School and Aqueduct Road. Predominantly a greenfield site, used for rough grazing fields and paddocks, there are also various barns and outbuildings, along with a former coach depot in the north-eastern corner with planning permission for residential development. In the adopted UDP, the site is identified to meet long term housing needs. In the First Deposit draft of the SUDPR, it was proposed as a strategic housing site for development within the current Plan period, but was transferred to the long-term category at Revised Deposit stage.
- 3.200 Some objectors seek to delete this from the list of long-term housing sites and return it to the Green Belt, or suggest that other sites should be identified in preference. The prospective developer (Westbury/Miller Homes) argues that it should be reinstated as a strategic housing site for development within the current Plan period, with a capacity of about 280 dwellings on 7ha of land with 2.8ha of open space, or identified as a "first reserve"/supplementary site to be brought forward in advance of other sites listed in Table 3.
- 3.201 Dealing firstly with the possible deletion of this long-term housing site, I draw attention to my earlier conclusions under Policy H2 and in the introduction to this site-specific section of my report. Prior to the adopted UDP, the western part of this site was formerly *Interim Green Belt*, with the eastern part being unallocated. Following the previous UDP inquiries, the whole site was safeguarded to meet *possible long-term housing needs*, post 2011. As with the other long-term housing sites, it is not positively allocated for housing development in this UDP Review, and in the meantime, strong development restraint policies, similar to Green Belt policy, apply.
- 3.202 The site is well contained, adjoins existing development with a well-defined Green Belt boundary, and its general suitability as safeguarded land meets the criteria in PPG2 (Annex B). Its designation as safeguarded land would not encroach into the surrounding countryside or harm the visual amenity or open

character of the adjoining Green Belt. At the 1995 UDP inquiry [CD128; p.74-76], the inspector found that it did not perform a Green Belt purpose, and little has changed since then. I therefore consider it is appropriately designated as safeguarded land to meet future long-term housing needs. Consequently, there is no case for including it in the Green Belt, particularly in view of the enduring nature of Green Belt boundaries and the clear advice in PPG2 that such boundaries should not be frequently changed.

- 3.203 There is no dispute that this site is physically and technically suitable for new housing, as shown in its previous allocation as a strategic housing site at First Deposit stage. It performs well against most of the site-selection criteria in PPG3, since it is well located, close to local facilities, schools, and bus and rail services. It is a sustainable site which could contribute to the local community by supporting existing facilities and providing over 100 units of affordable housing. There are no overriding infrastructure, environmental or physical constraints, including landscape, amenity, ecology and archaeology. Detailed access arrangements have to be resolved, but neither this factor, nor the presence of the River Cole flood plain are serious constraints to its future development. Although development would be visible from the elevated canal towpath, it would be seen in the context of its mainly urban surroundings. The site is readily available for development, and could also provide additional public open space in a locality which is deficient in such provision.
- 3.204 The main shortcoming of this site is the fact that it is essentially a greenfield site which, technically, would probably represent an *urban extension*. It would therefore not be at the top of the site-selection hierarchy in PPG3, particularly bearing in mind that current housing requirements can be met from existing brownfield and other land within the main urban areas. It would also not reflect the site-selection hierarchy in the latest regional guidance, particularly Policy CF3 (¶ 3.8(e)), which does not favour peripheral extensions to the MUA. However, in this case, the site immediately adjoins the MUA and would not physically extend the periphery of the built-up area outwards into the surrounding countryside. As confirmed at the 1995 UDP inquiry [CD128; p.74-76], this is a well contained and discrete parcel of open land which is physically and visually separated from the wider countryside by the canal embankment. SMBC has found the site to be suitable for housing development on several occasions in the past and, in physical and locational terms, I consider it would represent an eminently suitable housing site, completing the pattern of development on this southern edge of the main built-up area of Solihull.
- 3.205 However, given the general adequacy of current housing land supply to meet present housing requirements, it is unnecessary and premature to positively allocate this greenfield site for housing at this time. Nevertheless, it would be a prime candidate for consideration in future reviews of this UDP, when it would need to be carefully assessed against the latest regional strategy and current national policy. In the meantime, strong development restraint policies would apply to avoid the unnecessary release of greenfield land.
- 3.206 I recognise that early development of this site would make a significant contribution to the provision of much-needed affordable housing (about 110 units) and 2.8ha of open space in this locality, benefiting the local community. However, these are not factors which, in my view, justify the premature release of this greenfield site for development. I note SMBC's view that this site could represent an urban open space, which if developed, might conflict with RPG11 Policy CF3.B(ii). However, its open space significance could be addressed in terms of PPG17 when it is considered in the future. I do not consider that this factor should weigh heavily against the future development of the site, particularly since it has previously been considered suitable for development.

- 3.207 I deal with the possibility of prioritising particular sites for future release, specifically raised by Westbury/Miller Homes, under Policy H2 (see above). My general conclusion that such a policy would be unnecessary and premature applies equally to this site. I deal with other objectors' points about suggested alternative sites, including the comparative assessments of other safeguarded sites, under the relevant site-specific sections of my report.
- 3.208 Consequently, I conclude that this site is appropriately designated as safeguarded land to meet future long-term housing needs and there is no case to reconsider its inclusion in the approved Green Belt. However, at present, there is no compelling or urgent need to positively identify this greenfield site for housing development within the current Plan period or give it priority for future release, particularly given the overall adequacy of current housing land supply to meet regional housing targets. Nevertheless, this site would represent a prime candidate when assessing potential housing sites in future reviews of this UDP, subject to assessment against the latest regional spatial strategy and current national policy.

Recommendation

3.209 I RECOMMEND NO MODIFICATIONS to the Plan to meet these objections.

Site (j) – Braggs Farm Lane, Dickens Heath **Site (k) – North of Braggs Farm, Dickens Heath**

Objections to First Deposit

The objections to these sites at First Deposit stage are dealt with under Proposal H1/1 (Sites 22 & 23).

Objections to Revised Deposit

1126/502/R – Hampton-in-Arden Society; 1226/14/R – Dickens Heath Community Association; 1275/158/R – CPRE; 1368/204/R-206/R – David Wilson Estates; 1373/334/R – Granby Farms Ltd; 1378/84/R – Hockley Heath Parish Council; 1420/348/R – TRW Ltd; 1435/2-3/R – Mr & Mrs A D Gatling; 1450/41/R – Mr R Clinton; 1488/49/R – Ms M Hart; 1490/523/R – Mr J Scagell; 1491/171/R – Mr R Stillard; 1493/201/R-203/R – David Wilson Estates/Taylor Woodrow Devts; 1504/174/R – Tidbury Green Residents Association.

Key issues

- *Are there any exceptional circumstances to justify deleting these sites as safeguarded land and returning them to the Green Belt;*
- *Is there a compelling case to justify designating these sites as strategic housing allocations to meet current housing land requirements, particularly bearing in mind their background and evolution.*

Inspector's reasoning and conclusions

- 3.210 These greenfield sites lie on the southern fringe of the new village of Dickens Heath. Site (j) covers 2.6ha, is occupied by Brickiln Farm and is bounded by Rumbush Lane, Braggs Farm Lane and new housing off Kiln Lane. Site (k) lies just to the east, and covers 1.3ha of unused land adjoining new housing off Griffin Lane, bounded by the canal and open space extending to Braggs Farm Lane. Both sites are identified to meet long term housing needs in the adopted UDP. In the First Deposit draft of the SUDPR, both were proposed as strategic housing sites for development within the current Plan period, but were transferred to the long-term category at Revised Deposit stage.
- 3.211 Some objectors seek to delete these sites from the list of long-term housing sites and return them to the Green Belt, or suggest that other sites should be identified in preference. The main developer (David Wilson Estates) argues

that they should be reinstated as strategic housing sites for development within the current Plan period, with a total capacity of about 150 dwellings.

- 3.212 In addition to my general conclusions under Policy H2 and in the introduction to this site-specific section of my report, it must be emphasised that neither of these sites is positively allocated for housing in this UDP Review. Prior to the currently adopted UDP, they were identified as *Interim Green Belt* and have been safeguarded to meet *possible long-term housing needs*, post 2011, in that Plan. In the meantime, strong development restraint policies, similar to Green Belt policy, would apply. The original designation of these sites as safeguarded land had much to do with their status as *Interim Green Belt*, but was endorsed by the inspectors at the previous UDP inquiries [CD128: p.43-44/ p.63-65; CD129: p.54]. This decision has already been taken, and little has changed in visual or physical terms since then.
- 3.213 I recognise that these sites do not lie between the urban area and the existing Green Belt. However, both sites are well contained, adjoin existing development with a well-defined Green Belt boundary, and their general suitability as safeguarded land meets most of the criteria in PPG2 (Annex B). Their designation as safeguarded land would not harm the visual amenity or open character of the adjoining Green Belt or significantly erode the gap between Dickens Heath and Tidbury Green/Cheswick Green. Given the enduring nature of Green Belt boundaries and the firm advice in PPG2 that such boundaries should not be frequently changed, I can see no exceptional circumstances that would justify deleting these sites as safeguarded land or returning them to the Green Belt.
- 3.214 There can be little dispute that these sites are physically and technically suitable for housing development, as shown in their previous allocation as strategic housing sites at First Deposit stage. Both perform reasonably well against most of the site-selection criteria in PPG3, since they are well related to the new village, close to the new village centre, although bus services are not particularly good and both sites lie over 2km from the nearest railway stations. Both sites could contribute to the local community by supporting local facilities and providing affordable housing, but most residents would probably look to the main urban area of Solihull for employment and higher order facilities. There are no overriding infrastructure, environmental or physical constraints to their development, and work already undertaken by David Wilson confirms that there are no fundamental access, archaeological or ecological constraints. Furthermore, rather than promoting a new area of development at Dickens Heath village, these sites appear on the original Master Plan for possible expansion land [O/H.2/1/1368/205/R/4; Fig 3].
- 3.215 The question of bringing forward the development of these sites is largely related to the housing land supply position. In the light of my conclusions that there is sufficient provision of housing land to meet current regional housing requirements, it is unnecessary to bring forward safeguarded sites reserved for possible future development. Moreover, these are greenfield sites outside the main urban area, which would represent *urban extensions* to a rural settlement. Given the present situation in terms of housing land supply, both within the current Plan period and beyond, there is simply no need to identify further greenfield sites like this when provision can be found from existing brownfield and other land within the main urban areas. Consequently, the sites would perform poorly against the sites-selection hierarchy in PPG3.
- 3.216 Furthermore, Dickens Heath is essentially a rural settlement to which RPG11 Policy CF2(D) applies, where development is limited to that necessary to meet local needs and support local services. The development of these sites would result in the expansion of a settlement outside the MUA, leading to decentralisation without contributing to urban regeneration, and creating a less sustainable pattern of development. Consequently, the sites would

perform poorly against the priorities in the latest regional strategy, particularly Policies CF2 & CF3.

- 3.217 I recognise that the early development of these sites would provide further affordable housing to meet local needs, which is in short supply in Dickens Heath, largely as a result of previous decisions. However, provision to meet local housing needs is generally intended to be made within the MUA, rather than within rural settlements like Dickens Heath. I do not consider that the overall need for affordable housing is a factor to justify bringing forward these sites for development, particularly since the prospective developer does not intend to provide any more than the usual provision of affordable housing.
- 3.218 Consequently, I conclude that these sites are appropriately designated as safeguarded land and there are no exceptional circumstances to justify returning them to the Green Belt. The detailed concerns of local residents and others would be fully addressed when a decision is taken to consider these sites for housing development in the future. However, at present, there is no compelling or urgent need to bring forward further greenfield sites like this to meet current housing land requirements, either within the current Plan period or beyond. To do so would not only be premature and unjustified, but could also conflict with the latest regional strategy.

Recommendation

3.219 I RECOMMEND NO MODIFICATIONS to the Plan to meet these objections.

Site (I) – Chelmsley Lane/Coleshill Road, Marston Green

Objections to First Deposit

The objections to this site at First Deposit stage are dealt with under Proposal H1/1 (Site 9F).

Objections to Revised Deposit

1126/502/R – Hampton-in-Arden Society; 1373/334/R – Granby Farms Ltd; 1409/75/R-77/R – Secretary of State for Health; 1420/348/R – TRW Ltd; 1435/1R – Mr Gatling.

Key issues

- *Is this site appropriately identified as an area of safeguarded land or should it be returned to the Green Belt;*
- *Is there a compelling case to justify designating this site as a strategic housing allocation to meet current housing land requirements.*

Inspector's reasoning and conclusions

- 3.220 This 1.9ha greenfield site adjoins new housing development to the north, with existing housing to the west and south and Marston Green Park to the east. In the adopted UDP, it is identified to meet long term housing needs. In the First Deposit draft, it was proposed as a strategic housing site for development within the current Plan period, but was transferred to the long-term category at Revised Deposit stage. Some objectors seek to delete this from the list of long-term housing sites and return it to the Green Belt, or suggest other sites in preference, but SSH seeks its reinstatement as a strategic housing site for development within the current Plan period.
- 3.221 Dealing firstly with the possible deletion of this long-term housing site, I draw attention to my earlier conclusions under Policy H2 and in the introduction to this site-specific section of my report. Prior to the currently adopted UDP, this site was designated as *Interim Green Belt*, and following previous UDP inquiries, it was safeguarded to meet *possible long-term housing needs*, post 2011. It is not positively allocated for housing development in this UDP Review, and in the meantime, strong development restraint policies, similar to Green Belt policy, apply. It is well contained, adjoins existing development and lies within the urban area, adjoining the narrow wedge of Green Belt

between Marston Green and Chelmsley Wood. Its designation as safeguarded land would not harm the visual amenity or open character of the adjoining Green Belt, and its general suitability as safeguarded land meets the criteria in PPG2 (Annex B). At the 1995 UDP inquiry [CD128; p.86-88], the inspector endorsed its identification as a long-term housing site, and little has changed since then. Consequently, I consider it is appropriately designated as safeguarded land to meet possible future long-term housing needs, and there is no case for including it in the Green Belt, particularly in view of the enduring nature of Green Belt boundaries and the clear advice in PPG2 that such boundaries should not be frequently changed.

- 3.222 The site performs well against most of the site-selection criteria in PPG3, since it is close to local facilities, schools, and bus and rail services. It is a sustainable site which could contribute to the local community by supporting local facilities and providing some affordable housing. There are no overriding infrastructure, environmental or physical constraints, and highway constraints could be overcome. Issues of aircraft noise, archaeology and ecology could be considered when detailed plans are drawn up. It lies within the main urban area, and so there is no serious conflict with the latest regional strategy. The main factor against the positive allocation of this site is the fact that it is a greenfield site. In view of the general adequacy of current housing land supply to meet present housing requirements, it is unnecessary and premature to positively allocate this greenfield site for housing at this time. Nevertheless, it would be a prime candidate for consideration in future reviews of this UDP, or if a shortfall in current housing land supply existed. In the meantime, strong development restraint policies would apply to avoid the unnecessary release of greenfield land.
- 3.223 Consequently, I conclude that this site is appropriately designated as safeguarded land to meet future long-term housing needs and there is no case to reconsider its inclusion in the approved Green Belt. However, at present, there is no compelling or urgent need to positively identify this greenfield site for housing development within the current Plan period, particularly given the overall adequacy of current housing land supply to meet regional housing targets. Nevertheless, this site would represent a prime candidate when assessing potential housing sites in future reviews of this UDP, or if a shortfall in current housing land supply occurred.

Recommendation

3.224 I RECOMMEND NO MODIFICATIONS to the Plan to meet these objections.

POLICY H3: TYPE OF DWELLINGS

Objections to First Deposit

1275/113 – CPRE; 1359/720 – Taylor Woodrow Devts Ltd; 1362/752 – Cala Homes (Midlands) Ltd; 1365/846 – Chase Midlands plc; 1369/1019 – David Wilson Estates/Taylor Woodrow Devts Ltd; 1380/43 – House Builders Federation; 1386/810 – Marcity Devts; 1398/790 – Persimmon Homes (South Midlands) Ltd; 1408/940 – Second Site Property Holdings; 1423/990-991 – WMRS Planning Consortium; 1427/826 – Wimpey Homes Ltd; 1450/79 – Mr R Clinton.

Objections to Revised Deposit

There were no objections to the Revised Deposit draft.

Key issues

- *Does Policy H3 strike an appropriate balance in the provision of a range of sizes and types of dwellings, or should it be strengthened to ensure the needs of smaller households are met and restrict development on greenfield sites to 1-2 bedroom dwellings;*

- *Should the references in Policy H3 to the increase in one-person households and the Housing Strategy Statement be deleted;*
- *Is Policy H3 unclear and based on an unjustified assessment of local housing needs;*
- *Should Policy H3 be reworded to give the greatest possible encouragement to developers to use imaginative solutions to maximise use of development land, rather than the current expectations in the policy;*
- *Should development briefs be prepared in consultation with developers, landowners and the public, and be limited to sites over 1.5ha in size;*
- *Should Policy H3 promote a range of tenures, affordability and special needs to enable sustainable and balanced communities and social inclusion, and should the requirement to ensure a variety of types, sizes and tenure of dwellings be included in the Policy itself.*

Inspector's reasoning and conclusions

- 3.225 Policy H3 requires developers to provide for a range of sizes and types of dwellings, particularly having regard to the projected increase in one-person households, and confirms that SMBC will produce development briefs for strategic and windfall sites. At the inquiry, SMBC confirmed that Policy H3 requires a mix of dwellings, with the emphasis on 1-2 bedroom units. In the past, I understand that over 60% of new dwellings built in Solihull had 3 or more bedrooms, and there is clearly a need for a shift towards providing dwellings for smaller households. SMBC also believes that Policy H3, together with PPG3 and the *Housing Strategy Statement* provides the balance between flexibility and strength to negotiate for an appropriate range of dwelling sizes and types when planning applications are submitted.
- 3.226 National policy in PPG3 (¶ 9-11) specifically recognises the need to provide dwellings for smaller households. In response to CPRE, I am satisfied that Policy H3 gives enough priority to the needs of smaller households, particularly when applied with Policy H5, which encourages higher densities. To restrict provision only to smaller dwellings in some cases would be unreasonable and unduly onerous, and could prevent the creation of sustainable mixed communities, as required by PPG3. There is certainly no basis in national policy to prescribe or restrict the type of development on greenfield sites. In any event, these are a minor element of Solihull's housing land supply and would make little contribution to the provision of smaller dwellings. Policy H3 is a stronger policy than that in the adopted UDP, and rightly covers the whole of Solihull Borough, including the rural areas, which have a particular need for dwellings for smaller households. Details of the housing types and sizes on each site would be addressed in the development brief, with the emphasis on providing an appropriate mix. Moreover, I can see no conflict between Policies H3 & H5 and Policy C3 in terms of the potential impact on the character of settlements like Hampton-in-Arden and Meriden, particularly since village design statements may also influence the type of development.
- 3.227 Changes in the composition of households, with more growth in one-person households, is specifically mentioned in PPG3 (¶ 9), and is borne out by SMBC's *Housing Needs Survey [CD96-98]*. It is therefore wholly appropriate to mention this trend in Policy H3. The earlier reference to the *Housing Strategy Statement* has been deleted in the RDSUDPR (Rev 3/18). Contrary to HBF's views, I am satisfied that the basis for Policy H3 is sound, clear and fully justified by the assessment of local housing needs. It also reflects national guidance in PPG3 and the associated documents [CD3A-3D]. The need for developers to make more efficient use of development land is a central element of national policy in PPG3. Policy H3 essentially reflects SMBC's concern that demographic trends should be better reflected in new house-building. In response to Mr Clinton, the density, design and quality of new housing is specifically addressed in Policy H5, where developers would be encouraged to use imaginative solutions to maximise the use of land.

- 3.228 Policy H3 confirms that SMBC will prepare development briefs for all strategic sites and *appropriate* windfall sites (Rev 3/18), ensuring that they are only prepared for windfall sites where this is necessary. Development briefs are specifically addressed in Proposal H5/1, which confirms that they will be prepared in consultation with landowners, developers and other interested bodies, as and where appropriate. The arrangements for such consultation might vary in each case, but SMBC confirms that interested bodies could include organisations, agencies and community bodies. Reference to such consultation is therefore unnecessary in the text accompanying Policy H3. However, at the inquiry, SMBC agreed to a minor amendment to para 3.6.2 (Proposal H5/1) to confirm that *“In preparing the guidance, the Council will, as necessary, consult organisations, agencies or those whose interests may be affected”*. This could include community interests, and I recommend in favour of this minor amendment to ensure clarity and consistency. At the inquiry, SMBC also outlined the process of preparing development briefs, from an officer draft, through elected members and consultation, to formal adoption. This procedure would enable sufficient weight to be given to the final development brief, without it necessarily being formally adopted as SPG. Further details will no doubt be given in the forthcoming *Statement of Community Involvement*, required under the new development plan regime.
- 3.229 As for the need to promote a range of tenures, affordable housing and special needs, these matters are specifically addressed in Policy H4, which deals with affordable housing. No further reference to these needs is necessary in Policy H3, which essentially deals with the sizes and types of new housing.

Recommendation

3.230 I RECOMMEND that the Plan is **modified** by **amending** the final sentence of **paragraph 3.6.2** (Proposal H5/1) to indicate that **“In preparing the guidance, the Council will, as necessary, consult organisations, agencies or those whose interests may be affected”**.

AFFORDABLE HOUSING

General background to affordable housing provision

- 3.231 PPG3 and Circular 6/98 confirm that the community's need for affordable housing is a material consideration which development plans should take into account. PPG3 (¶ 15) requires plans to: define what the authority considers to be affordable housing in terms of income levels and house prices/rents; indicate how many affordable homes need to be provided throughout the plan area, including the different types of affordable housing; and identify suitable areas and sites on which affordable housing will be provided and the amount of provision sought. PPG3 (¶ 14) & Circular 6/98 (¶ 9) confirm that where there is a lack of affordable housing, based on up-to-date surveys of local needs, the plan should include a policy seeking an element of affordable housing on suitable sites, including both low-cost market housing and subsidised housing. PPG3 (¶ 16) confirms that the amount and types of affordable housing should reflect local housing need and site suitability and be a matter for agreement between the parties.
- 3.232 Circular 6/98 (¶ 10) indicates that the site size, suitability and economics of provision should be taken into account, as well as the need to achieve a successful housing development, and sets a size threshold of 25 dwellings/1ha where affordable housing may be sought. The provision of affordable housing is at the heart of the Government's *Sustainable Communities* initiative [CD72], and national policy is currently being reviewed. A consultation draft of the

revised policy was published in July 2003, with further revisions in January 2005 (*“Planning for Mixed Communities”*; 25/01/05).

- 3.233 In the latest regional guidance [CD51G], Policy CF5 confirms that authorities should create more balanced and mixed communities by providing a range of housing types and tenures, including meeting affordable housing needs. They should also keep the need for affordable housing under review, based on local housing needs assessments, including both social and low-cost market housing. Plans should indicate how many affordable houses should be provided throughout the plan area and consider whether there is a need for affordable housing to be sought on sites below the thresholds set out in national guidance. Where local circumstances justify a lower threshold, proposals should be brought forward in development plans. The latest *Regional Housing Strategy* [CD58] also identifies problems of affordability of housing in Solihull as a key issue.
- 3.234 One of the principal objectives of the SUDPR is to provide a range of new housing appropriate to the changing needs of the Borough’s population, including the provision of affordable housing. SMBC’s latest assessment of the affordable housing strategy is set out in the *Housing Background Paper* [CD139]. This confirms that the *Housing Needs Survey* [CD96-98] is the basis for the affordable housing policy and outlines the situation since the survey was completed in 2001. The HNS found an annual requirement of 1,642 affordable homes in the Borough over the next five years, compared with an annual supply of 1,011 units, leaving a shortfall of 631 affordable dwellings/year. It also indicated that, even with the proposed thresholds, the policy would provide less than 15% of the calculated need for affordable housing over the Plan period. At the local level, one of the key aims of SMBC’s *Community Strategy* [CD106] is to provide more affordable housing, whilst meeting the housing needs and preferences of Solihull residents is a key objective of the *Housing Strategy* [CD107].
- 3.235 The *Housing Background Paper* [CD139] identifies the key exceptional local constraints to meeting the affordable housing needs in the Borough, including:- the fact that need for affordable housing has not decreased since the HNS was completed; the shortfall in overall provision compared with the needs assessment; the fact that affordable housing need is greater than the annual rate and overall level of housing provision set by the latest regional strategy; and the strategy of maximising housing provision on previously developed land in the main urban area, with a heavy reliance on small windfall sites. SMBC considers the 0.5ha/15 dwelling threshold and 40% provision level proposed in the SUDPR are fully justified by these local circumstances, and are supported by emerging regional and national policy. The Background Paper also outlines current and likely future provision of affordable housing in the Plan area.
- 3.236 Most of the objections to the affordable housing policy are from developers or landowners who seek the designation or safeguarding of greenfield sites for new housing, along with HBF, CPRE, HHPC, WMRS and other interest groups who make particular points. Many argue that the provision level and thresholds are not fully justified by housing need or related to local circumstances, and are inflexible, excessive and unrealistic. Some argue that the Policy does not accord with national guidance in PPG3 & Circular 6/98. Others argue that the Policy fails to distinguish between the particular affordable housing needs in the north and south of the Borough, whilst some question whether the strategy is compatible with the HNS. The topic of affordable housing was discussed at a Round Table Session of the inquiry, notes of which are included in the Core Documents [CD167].

POLICY H4: AFFORDABLE HOUSING

Objections to First Deposit

1005/573 – Redrow Homes; 1036/964 – Westbury Homes/Miller Homes Ltd; 1069/1038 – GO-WM; 1101/705 – Balsall Parish Council; 1185/701 – Birmingham City Council; 1244/942 – Knowle Society; 1245/875 – Wimpey Homes West Midlands Ltd; 1275/112 – CPRE; 1282/1149 – British Waterways; 1305/224 – Berkswell Society; 1313/627 – Prowting Projects; 1359/721 – Taylor Woodrow Devts Ltd; 1362/753 – Cala Homes Ltd; 1364/544 – Catesby Property Group; 1365/847 – Chase Midland plc; 1369/1018 – David Wilson Estates/Taylor Woodrow Devts Ltd; 1378/518 – Hockley Heath Parish Council; 1379/1035 – J J Gallagher Ltd; 1380/44 – HBF; 1386/811 – Marcity Devts; 1398/791 – Persimmon Homes Ltd; 1408/936 – Second Site Property Holdings; 1413/102 – Solihull Youth Council; 1423/992 – WM RSL Property Holdings; 1424/597 – Westbury Homes Ltd; 1426/896 – William Davis Ltd; 1427/827 – Wimpey Homes West Midlands Ltd; 1445/1119 – Mr P Barnard; 1450/80 – Mr R Clinton; 1492/1112 – Countryside Property Services Ltd.

Objections to Revised Deposit

1037/333/R – Network Rail Infrastructure Ltd; 1057/208/R – David Wilson Estates; 1112/72/R – Westbury Homes Ltd; 1275/150/R, 159/R, 369/R – CPRE; 1305/52/R – Berkswell Society; 1338/121/R, 356/R – Warwickshire County Council; 1359/256/R-258/R – Taylor Woodrow Devts Ltd; 1362/277/R-279/R – Cala Homes Ltd; 1365/301/R-303/R – Chase Midland plc; 1379/23/R – J J Gallagher Ltd; 1380/178/R, 186/R – HBF; 1386/230/R-232/R – Marcity Devts; 1423/7/R – WM RSL Planning Consortium; 1426/60/R-61/R – William Davis Ltd; 1450/42/R-43/R – Mr R Clinton; 1493/199/R – David Wilson Estates/Taylor Woodrow Devts Ltd; 1497/94/R – McCarthy & Stone Ltd.

Key issues

- *Does Policy H4 and the accompanying text adequately reflect national guidance in PPG3 & Circular 6/98, and if not, are any local departures from national policy fully justified;*
- *How does Policy H4 relate to the recent Consultation Paper on “Influencing the size, type and affordability of housing”;*
- *Does Policy H4 adequately reflect the findings of SMBC’s Housing Needs Survey, and does the survey properly assess the local need for affordable housing in both the urban area and surrounding settlements;*
- *Does Policy H4 adequately reflect the Regional Housing Strategy and SMBC’s Community Strategy and Housing Strategy;*
- *Is the definition, scope and type of affordable housing adequately defined, covering all forms of affordable housing;*
- *Are the requirements of Policy H4 appropriate, realistic and fully justified, particularly in terms of:*
 - *Setting a minimum site size threshold of 0.5ha or 15 dwellings;*
 - *Setting a 40% target level of provision;*
 - *Requiring affordable housing on all strategic and suitable windfall sites;*
 - *Site suitability criteria;*
- *Does the Plan make sufficient contribution to affordable housing needs;*
- *Should Policy H4 distinguish between the affordable housing needs of the north and south of the Borough, in the main urban area and in the surrounding settlements, and enable local housing needs to be considered;*
- *Should Policy H4 specify the overall numerical requirement for affordable housing over the Plan period;*
- *Should Policy H4 also refer to the provision of affordable housing for key workers and those with special needs, as well as residential moorings;*
- *Should Policy H4 “seek” rather than “require” affordable housing provision;*
- *Should the Plan confirm that the effectiveness of the affordable housing policy will be regularly monitored.*

Inspector’s reasoning and conclusions

3.237 Policy H4 requires developers of strategic and suitable windfall sites to contribute to affordable housing on sites over 0.5ha/15 dwellings and help to

meet the overall 40% target for the Borough. It also sets out the means of contribution, the criteria for assessing the suitability of sites, and confirms that SPG will set out the mechanism for delivery. Further background and justification is set out in the supporting text. Amendments made at Revised Deposit stage have addressed some of the original objections made at First Deposit stage. Following the Affordable Housing RTS, SMBC provided some further amendments to the Policy and supporting text [UDP.115/5; CD175]. These confirm that the threshold applies to residential sites of *0.5ha/15 dwellings or more*, sets a target of 40% for all sites, refers to negotiations, expands the reference to SPG, and clarifies the accompanying text, including the exceptional local circumstances. These amendments would helpfully clarify the terms and application of the Policy, whilst the need to keep the Policy under review reflects the possibility of changes in national policy, as shown in recent amendments to PPG3 and consultation papers (25/01/05), and I recommend accordingly.

National policy

- 3.238 Most parties at the Affordable Housing RTS agreed that Policy H4 generally reflects national guidance on the provision of affordable housing, and I am satisfied that its general tenor broadly reflects the approach outlined in PPG3 & Circular 6/98. The main areas of dispute concern the specific thresholds and levels of provision and their justification. The approach and thresholds are also broadly in line with the Government's 2003/2005 Consultation Papers, particularly in terms of the lower site threshold proposed in Policy H4.

Housing Needs Survey

- 3.239 SMBC's HNS [CD96-98] forms the basis of the affordable housing policy in the SUDPR. Policy H4 aims to maximise the contribution to affordable housing needs identified in the HNS from the developers of all strategic and suitable windfall sites. However, Policy H4 cannot meet all of the affordable housing need identified in the HNS, particularly given the scale of identified need and the fact that this exceeds both the annual and total housing provision level set by the latest regional guidance. Nevertheless, I consider the proper application of Policy H4 will make a reasonable, appropriate and realistic contribution to the high level of affordable housing need identified in the HNS.
- 3.240 Some objectors question whether the HNS represents a proper assessment of affordable housing need in Solihull. SMBC confirms that it was undertaken by experienced consultants (*Fordham Research*), based on recognised methods, including personal interviews and postal questionnaires from a representative sample of households, assessing local housing need by 22 sub-areas, including the main urban area and the surrounding settlements. The overall level of housing need is also supported by the housing register and official homelessness returns. Affordable housing needs are expressed on a Borough-wide basis, since such needs cannot always be met exactly where they arise. Since the HNS was undertaken, the supply of socially rented housing has decreased, the number of households, demand for socially rented housing, levels of right-to-buy and homelessness have increased, and house prices have risen faster than income. This suggests that the need for affordable housing has not decreased.
- 3.241 Although several objectors suggest that the HNS over-estimates the level of affordable housing need, few provide any alternative assessment. McCarthy & Stone's figures were not debated at the inquiry and I am generally satisfied with SMBC's written response. Most RTS participants agree that the HNS has no serious shortcomings and that it generally follows the guidance in the *Good Practice Guide* [CD45]. They also agree that it shows a comparatively high level of need for affordable housing in Solihull. It seems to me that the HNS provides a robust and sound starting point in terms of the likely high level of need for affordable housing in the Borough. This is reflected in Policy H4 and

the supporting text, and influences the level of provision to be made, including the site size thresholds and percentage provision to be sought.

Regional policy

- 3.242 I understand that the latest *Regional Housing Strategy* (RHS) [CD58] is in a transitional phase, laying the foundation for a subsequent strategy to balance regional and local agendas, and recognises the need for a much stronger regional component in housing strategies. As the *Sustainable Communities Plan* acknowledges [CD72], housing problems that emerge at local level are sometimes the consequences of the development of markets and impact of changes at regional or sub-regional level, and it advocates a policy framework for action at these levels. The apparent imbalance between the need for affordable housing and the overall housing requirement is a matter which is probably best addressed at regional level.
- 3.243 The RHS also recognises that affordability is a particular problem in Solihull, and identifies the provision of affordable housing as a key challenge. SMBC recognises that these matters need to be tackled at regional level, but pending the outcome of such work, I consider Policy H4 broadly reflects the current RHS and provides a reasonable basis on which to seek provision for affordable housing in Solihull. It also contributes to meeting the regional aim of meeting affordable housing needs where they arise, as well as developing mixed and balanced communities, contributing to urban renaissance. However, to reflect the fact that work will be undertaken at regional level, Policy H4 should be reviewed when the results of this work are known.

Local strategies

- 3.244 Most RTS participants also agree that Policy H4 generally reflects SMBC's *Community Strategy* and *Housing Strategy*. Policy H4 reflects the *Community Strategy* by seeking a balance between contributing to affordable housing needs and respecting the character of the Borough, as well as recognising that everyone has a right to decent and affordable homes. By helping to meet the housing needs and preferences of Solihull residents and working towards safe and sustainable communities, it also helps to achieve key objectives in the *Housing Strategy*, consistent with PPG3. Moreover, the provision of additional affordable housing helps to tackle homelessness in the Borough, furthering the aims of SMBC's *Homelessness Strategy*.

Definition, scope and type of affordable housing

- 3.245 Policy H4 does not itself specify the type or tenure of affordable housing to be provided. However, the supporting text (¶ 3.4.1) confirms that this is defined as *subsidised and low-cost market housing*, in line with PPG3 & Circular 6/98. The latest amendment [CD175] confirms that SMBC accepts this definition. The text (¶ 3.4.5) also confirms that SMBC will seek to negotiate an element of affordable housing provision for persons with special needs, where this is appropriate. SPG [CD104; ¶ 4.1-4.5] defines affordability in more detail in relation to local income levels and house prices, in line with Circular 6/98 and the latest regional guidance [CD51G: Annex C]. It also gives flexibility in considering affordability and the type of affordable housing to be provided.
- 3.246 SMBC has assessed the various forms of affordable housing provision, in terms of housing for rent and low-cost market housing [CD104; ¶ 4.7-4.13], but considers that social rented housing is the most appropriate form of affordable housing for most of those in housing need in Solihull. SMBC recognises that intermediate and low-cost market housing has a role to play, but considers shared ownership is the best form of affordable housing in the low-cost market sector. However, it will consider other forms of affordable housing provided it is available in perpetuity and meets the affordability criteria. The definition of affordable housing may need to be reviewed in the light of

emerging national guidance, but in the meantime, I am content that the text accompanying Policy H4, amplified by SPG, provides an appropriate basis for considering the provision of affordable housing.

- 3.247 Several objectors argue that affordable housing should not be limited to social housing or shared ownership, but should encompass all forms of affordable housing, including low-cost market housing. The text accompanying Policy H4 confirms that the provision of all forms of affordable housing is a material consideration, and does not specify any particular type of affordable housing. The critical point is whether such housing is genuinely affordable and will remain so in perpetuity. As SMBC says, low-cost market housing provided with a discount to the first occupier is unlikely to satisfy the long-term *in perpetuity* affordability test. It would, however, be helpful if this approach is confirmed in the text accompanying Policy H4.
- 3.248 The detailed mechanism and criteria for providing affordable housing, including the means of securing affordability and occupancy, both initially and in the longer term, is set out in SPG [CD104], as Policy H4 confirms. Strictly speaking, this SPG is not part of the SUDPR and is not before me in terms of objections. I understand that it has been subject to consultation, was formally adopted in May 2003, and will be kept under review through monitoring of the annual *Housing Strategy Statement*. Although it is not consistent with the affordable housing policy in the current adopted UDP, it reflects Policy H4 in the SUDPR. I understand that since its adoption, this SPG has begun to deliver a greater proportion and number of affordable dwellings on housing sites, and I am satisfied that it is appropriate to use SPG to specify the provision of affordable housing within the parameters set by Policy H4.
- 3.249 It may well be that social housing and shared ownership may represent the most appropriate form of affordable housing in Solihull. However, the type of affordable housing will be a matter for negotiation on a case-by-case basis, with SMBC having to justify its requirements in terms of specific sites, current circumstances and the type of affordable housing. SPG examines affordability in terms of income levels and house prices, which are regularly updated. Contrary to some objectors' views, the SPG does not rewrite or fundamentally alter the application of Policy H4, and in its present form, Policy H4 does not preclude any form of affordable housing being provided.
- 3.250 Similarly, I cannot see that the Policy or SPG would result in a disproportionate provision of low-cost market housing or unduly force additional affordable housing from the market sector. It would be inappropriate for Policy H4 to give priority to social rented housing, as suggested by HHPC, since there are a variety of types of affordable housing, and the proportion and type of social rented, shared ownership and low-cost market housing would be assessed on a site-by-site basis. However, the SPG may need to be reviewed in the future to remain in line with national policy, as SMBC suggests [UDP.115/5], and I recommend accordingly. Nevertheless, I am satisfied that the definition, scope and type of affordable housing set out in Policy H4 and the accompanying text is appropriate for Solihull and meets the terms of PPG3 & Circular 6/98.

Threshold and level of provision

- 3.251 Turning to the detailed requirements of Policy H4, the main dispute relates to the proposed site size threshold and the proportion of affordable housing to be provided. I understand that the threshold and provision level are based on an analysis in the HNS of affordable housing yield at different levels, taking into account the viability of development and the need to avoid deterring suitable sites from coming forward. The size threshold is below the normal 1ha/25 dwelling figure advocated in Circular 6/98, but SMBC argues that there are exceptional local circumstances to justify a lower threshold, in line with the requirements of this Circular (¶ 10(i) & endnote 9). These factors

are now specified in the text accompanying Policy H4 (¶ 3.4.4) [CD175], effectively meeting GO-WM's objection.

- 3.252 One of the main factors is the relatively high level of need for affordable housing in Solihull, which is not seriously challenged by any of the objectors. This lower threshold is permitted in the latest regional guidance, where local circumstances can be demonstrated, subject to the viability of developments. It is also in line with emerging national guidance in the 2003/2005 Consultation Papers [CD32; ¶ 10], and I understand that other West Midlands authorities apply thresholds ranging from 0.2ha/5 dwellings to 1ha/25 dwellings. Furthermore, SMBC confirms that the threshold is a baseline for negotiation, which in my view, should be confirmed in the accompanying text.
- 3.253 The second factor supporting lower thresholds and a higher level of provision relates to the nature of the housing provision to be made in the remainder of the current Plan period. The SUDPR's housing strategy seeks to maximise the use of previously developed land in the main urban area, presuming against further greenfield development. This results in a heavy reliance on brownfield sites, including windfalls, particularly within existing residential areas. Since many of these are relatively small, it might be difficult to provide the level of affordable housing needed. Figures show that only 34% of windfall sites are likely to be larger than the normal threshold of 1ha/25 dwellings. Without lowering the threshold, relatively few windfall sites would be required to provide any affordable housing. I am also aware of the extent of residential development already permitted and committed, where a limited element of affordable housing has already been negotiated. This adds further support for the lower threshold proposed in Policy H4.
- 3.254 Policy H4 also sets a 40% target level of provision of affordable housing on strategic and suitable windfall sites. The latest proposed amendment to Policy H4 confirms that a 40% provision level is expected on all relevant sites, rather than contributing to the overall 40% target for the Borough [CD175]. This reflects the high level of need for such housing, identified in the HNS. SMBC considers this level is realistic and achievable, given relatively high residential land values in Solihull and the high level of apparent need for such accommodation. Some objectors consider a figure of 20-30% would be more realistic, but in recent years, I understand that a contribution of 25-30% has been negotiated on several housing sites, including at least one which involved abnormal costs, prior to adopting the latest SPG [CD104]. Since then, contributions of between 25-40% have been achieved [UDP.115/4], similar to the provision levels applied by other West Midlands authorities.
- 3.255 Given the sustained buoyancy of Solihull's housing market, the 40% target level of provision does not seem to have dampened developer interest in the area, adversely affected the viability of housing schemes, or discouraged new housing schemes from coming forward, as Chesterton's assessment confirms [CD139; Appx C]. SMBC also confirms that the 40% figure is not solely based on the HNS, but takes account of viability. SMBC's Strategic Land Advisor confirms that the development of residential sites should generally be able to support this level of provision, provided there is flexibility to negotiate to take account of site-specific considerations. Policy H4, as amended, enables these factors to be taken into account.
- 3.256 SMBC also confirms that the 40% provision level does not depend on the availability of grant to meet part of developers' costs, since this can be taken into account in land values, which are buoyant in this locality. However, it may be relevant to the ability to deliver affordable housing, and I understand that the basis by which Social Housing Grant is allocated is under review. SMBC confirms that it will liaise with the Housing Corporation in appropriate circumstances, especially where the development helps to meet key themes in

the *Regional Housing Strategy* and where normal site economics cannot provide the necessary subsidy for the provision of on-site affordable housing. The higher provision level would also lead to significantly more affordable dwellings being provided, an important factor when considering the relatively high level of identified need for such accommodation. The 40% target might be challenging for developers, but is not unrealistic or unreasonable, and is fully justified in the Solihull context.

- 3.257 Policy H4 also requires affordable housing to be provided on all strategic and suitable windfall sites. It adopts a general Borough-wide target, but confirms that the suitability of the site and the amount of affordable housing will be determined through negotiation. The affordable housing requirement will therefore be subject to discussions on a site-by-site basis, having regard to the overall target, but also taking into account a range of factors as set out in criteria (i)-(vii). This not only enables a consistent approach to be adopted, but also provides certainty and clarity for developers and landowners, as well as providing flexibility to take account of site-specific factors. It also takes into account the inspector's views at an appeal at Marston Green [APP/Q4625/V/01/1081195]. Contrary to some objectors' views, it does not represent a blanket formulation to be applied in all circumstances, but is a starting point for negotiations. Provided that this caveat is confirmed in the accompanying text, I cannot see that this aspect of the Policy is unduly onerous, inflexible or out of line with national and regional policy.
- 3.258 The Borough-wide target has been set at a level that should not threaten the viability of sites or deter private residential development. It also helps to maximise the provision of affordable housing that can be delivered by the planning system. The principle of requiring an element of affordable housing on most sites is now well established and is a factor taken into account when developers are planning their housing schemes. Consequently, in the absence of any regional or national policy which suggests that an even higher level of affordable housing provision should be sought, I consider that Policy H4 provides reasonable and appropriate thresholds and target levels to help maximise the provision of affordable housing on new housing sites in Solihull.
- 3.259 Bearing in mind the relatively high level of need for affordable housing in Solihull identified in the HNS, significantly greater than the annual housing requirement established in the latest regional guidance, and the fact that much of the remaining new housing provision to meet current requirements is likely to be on smaller sites, including windfalls, I consider the lower than normal site size threshold of 0.5ha/15 dwellings and the higher 40% contribution of affordable housing is fully justified in the context of Solihull's local circumstances. The site size threshold and provision target are not prescriptive and allow for site-specific factors to be taken into account. It also reflects existing and emerging national policy and the latest regional strategy.
- 3.260 The specific criteria set out in Policy H4 are all relevant and reflect the guidance in Circular 6/98 (¶ 10) and in the emerging national guidance. Contrary to some objectors' views, they do not provide "get-out" clauses for developers to avoid providing affordable housing, but set out a relevant framework against which such provision can be negotiated. SMBC confirms that it is willing to negotiate with developers where particular factors could threaten the viability of developments as a result of site-specific constraints or circumstances. It would be helpful if this is confirmed in the supporting text.
- 3.261 The viability of development is amongst the factors that can be taken into account, as confirmed in Policy H4(iv), and depends on several factors, including land purchase costs, abnormal costs, density and type of development. There are few examples in Solihull where housing schemes have not proceeded because of problems of viability caused by the

requirement for affordable housing, and SMBC is not aware of any cases where sites have been reduced in size to avoid the threshold. Consequently, I cannot see that the proposed level of provision would necessarily cause problems of viability for brownfield sites. However, I consider criterion (iv) should specifically refer to *the economics of provision, including particular costs that may threaten the viability of the site*, to more accurately Circular 6/98 (¶ 10) and the 2003/2005 Consultation Papers [CD32; ¶ 9].

Contribution to affordable housing needs

- 3.262 Some objectors are concerned that Policy H4 would not make sufficient contribution to affordable housing needs. SMBC now estimates that the targets will deliver about 830 affordable dwellings over the Plan period (about 84 dw/yr), providing barely 13% of the total affordable housing need identified in the HNS. I share SMBC's view that this is probably as far as the Policy can reasonably go within established national and regional policy and the finance available for affordable housing. I understand that 100% affordable housing is being provided on its own sites and on other sites being developed by housing associations [CD139; Appx D; Table vii]. There are also other ways of providing affordable housing, such as RSLs buying sites or housing on the open market, maximising the uptake of initiatives such as the Housing Corporation's "Homebuy" scheme, S106 Agreements and use of empty homes, which could help to provide additional affordable housing. However, SMBC confirms that the SUDPR does not attempt to meet the overall level of need for affordable housing identified in the HNS, but rather that the HNS indicates the potential scale of need for such accommodation and it aims to meet needs where they arise. Nevertheless, in order to provide the context for affordable housing provision, I consider the text accompanying Policy H4 should indicate the overall amount of affordable housing likely to be provided during the current Plan period, in line with guidance in PPG3 (¶ 15).

Specific local housing needs

- 3.263 Some objectors, including CPRE, argue that Policy H4 should distinguish between the differing affordable housing needs in the north and south of the Borough, including the main urban areas and the surrounding settlements. As the *Housing Strategy* [CD107] shows, there are three broad housing contexts in Solihull: the "urban north", with its high concentration of social housing; the "urban west", with smaller areas of social rented housing; and the "rural east", with very little social rented housing. SMBC confirms that its affordable housing policy is set on a Borough-wide basis, rather than on sub-areas, mainly because affordable housing needs cannot always be met exactly where they arise and since the housing strategy aims to meet most affordable housing needs in the main urban area.
- 3.264 Policy H4(ii) enables local housing need to be assessed as part of the assessment of site suitability and the amount of affordable housing to be provided. When assessed against existing affordable housing provision, this enables the type of affordable housing to be considered, including the balance between shared ownership, low-cost market housing and social rented housing. This is particularly relevant when considering affordable housing provision in the north and south of the Borough. Such an approach provides flexibility, rather than prescribing particular forms of affordable housing or sub-dividing the Borough into particular areas. Consequently, it would be inappropriate to specify that all affordable housing in the south of the Borough should be limited to social rented housing, as suggested by HPC & CPRE.
- 3.265 As SMBC says, opportunities have to be taken where they arise in the Borough, most of which are likely to arise within the urban areas. In any event, there are few new housing allocations in the rural settlements, since they are constrained by Green Belt boundaries, and so it would be difficult to

specify an affordable housing target for each settlement. Although some windfall opportunities may arise, most affordable housing needs are likely to be met within the main urban area on larger brownfield sites. Given the extensive public transport network and the limited distance between most of the rural settlements and the main urban area of Solihull, this is not likely to cause serious problems, particularly in view of the fundamental principles of the SUDPR and the latest regional spatial strategy.

- 3.266 However, I note that the SUDPR does not make any provision for affordable housing under the “rural exceptions” policy, under PPG3 (¶ 18 & Annex B). Given the Green Belt constraints around most of Solihull’s rural settlements, this may be difficult, but in the light of amended national guidance on affordable housing in rural areas (*Planning for Sustainable Communities in Rural Areas; 25/01/05*), SMBC should address this matter in future reviews of this UDP.

Overall requirement for affordable housing

- 3.267 Some objectors argue that the SUDPR should specify the overall numerical target for affordable housing provision over the entire Plan period. This would be desirable, and would accord with national and regional policy. However, the current HNS only examines affordable housing need for a 5-year period, and these figures are set out in the supporting text. Furthermore, specific provision on particular sites would not provide the flexibility for detailed negotiations. I understand that the HNS will be reviewed in a couple of years, but in the absence of any further information, it would be inappropriate and confusing to estimate the overall need for affordable housing over a longer period or set a target for each site. However, my earlier recommendation about indicating the overall amount of affordable housing likely to be provided during the current Plan period would assist, and this matter can be kept under review, with the results informing subsequent reviews of the UDP.

Affordable housing for key workers and special needs

- 3.268 Several objectors argue that there should be a reference to the provision of affordable housing for key workers and to meet special needs. The latter category is specifically referred to (¶ 3.4.5), in line with PPG3 (¶ 13), which also defines the scope of such needs. SMBC recognises the importance of key worker housing, but finds it difficult to acknowledge as a distinct form of affordable housing. At the time of preparing and considering the SUDPR, there was little specific guidance on this matter at national level. The latest Government thinking is developing the nature of this form of accommodation, and the recent 2005 Consultation Paper (*Planning for Mixed Communities; 25/01/05*) sets out some approaches and definitions.
- 3.269 In the absence of firm guidance, it is difficult for the SUDPR to be specific on this matter. In the meantime, social rented, shared ownership, low-cost market and other forms of affordable housing could help to meet the needs of key workers who may well be a target group in certain developments and initiatives in the Borough. However, in order to specifically recognise the need for this type of accommodation, it would be helpful for an appropriate reference to be made to key workers housing in the supporting text (¶ 3.4.5). As for residential moorings, Policy H4 includes all types of affordable housing, but I consider it would be inappropriate to specifically refer to this type of accommodation, particularly since many of the canals and rivers in Solihull pass through Green Belt areas.

Other matters

- 3.270 I am satisfied that Policy H4 should *require* the provision of affordable housing in the specified cases. This reflects the wording in Circular 1/97, and the provisions of PPG3 & PPG12, whilst the remainder of the Policy confirms that

provision would be subject to negotiation. SMBC confirms that it will monitor the effectiveness of Policy H4, in line with PPG3 (¶ 19), as indicated in Appendix 1 of the SUDPR, taking into account the results of negotiations with developers and landowners on the provision of affordable housing. I have also considered the other plans referred to, along with the detailed written submission from McCarthy & Stone, but I am satisfied that Policy H4 is fully justified in the context of Solihull's circumstances. All the other points raised by objectors at First & Revised Deposit stages have been addressed, would be met by my recommendations, or require no amendments to the SUDPR.

Overall conclusions

- 3.271 Consequently, I am satisfied that with the minor amendments I recommend, Policy H4 and the supporting text would provide a clear, robust, realistic and reasonable approach that would help to maximise the provision of much-needed affordable housing in the Borough. The lower site size threshold and higher provision level are challenging, but not unduly onerous or restrictive, and would be unlikely to seriously threaten the viability of housing schemes or the delivery of affordable housing. Moreover, they are wholly appropriate to the particular local circumstances found in Solihull, with a high level of need compared with the overall housing requirement, and the fact that most of the remaining new housing development is likely to take place on small sites, including windfalls. However, the approach is flexible, with the suitability of sites and the amount of affordable housing provision being considered by negotiation on a site-by-site basis against the baseline of the specific threshold and provision level. I therefore conclude that the terms and approach of Policy H4 are soundly based and fully justified in the context of Solihull's particular housing constraints and circumstances.
- 3.272 However, I agree that the Policy should be reviewed if Government policy on affordable housing is finalised before the Plan is formally adopted. Furthermore, in the next review of the UDP, SMBC should also reconsider the issue of a "rural exceptions" policy covering affordable housing in the rural settlements, in the light of recent changes in national policy in PPG3 on the subject (*Planning for Sustainable Communities in Rural Areas; January 2005*).

Recommendation

- 3.273 I RECOMMEND** that the Plan is **modified** by:
- (i) amending Policy H4 and the supporting text in line with SMBC's proposals and suggestions, outlined in UDP.115.5, including reference to the need to review the policy in accordance with national and regional policy on affordable housing;
 - (ii) amending criterion (iv) of Policy H4 to refer to "**the economics of provision, including particular costs that may threaten the viability of the site**";
 - (iii) adding to the final sentence of Policy H4 the words: "**which will be reviewed to remain in accordance with national policy on affordable housing**", as SMBC suggests [UDP.115/5];
 - (iv) amending the text accompanying Policy H4 to:
 - (a) confirm that although affordable housing encompasses all forms of provision, including social rented housing, shared ownership and low-cost market housing, the key factor is whether such housing is genuinely affordable and will remain so in perpetuity;
 - (b) confirm that the affordable housing requirement will be subject to discussions on a site-by-site basis, having regard to the overall target, but also taking into account a range of factors as set out in criteria (i)-(vii);
 - (c) confirm that the site size threshold and 40% provision level is a

- baseline and starting point for negotiation;*
- (d) *indicate the overall amount of affordable housing likely to be provided during the current Plan period;*
- (e) *refer to the general need to provide affordable housing to meet the needs of key workers (¶ 3.4.5);*

I FURTHER RECOMMEND that:

- (v) *Policy H4 is reviewed following the outcome of any amended national policy on affordable housing, if this is finalised before the Plan is formally adopted;*
- (vi) *the policy on affordable housing in the rural settlements is reviewed in the next review of this UDP, subject to SMBC's priorities, as a result of recent amendments to national policy in PPG3;*
- (vii) *the policy on affordable housing is reviewed when work at regional level on this matter is completed, to inform future reviews of this UDP.*

POLICY H5: DENSITY, DESIGN AND QUALITY OF DEVELOPMENT

Objections to First Deposit

1069/1039 – GO-WM; 1185/702 – Birmingham City Council; 1275/111 – CPRE; 1305/225 – Berkswell Society; 1359/722 – Taylor Woodrow Devts Ltd; 1362/754 - Cala Homes (Midlands) Ltd; 1365/848 – Chase Midland plc; 1386/812 – Marcity Devts; 1398/792 – Persimmon Homes (South Midlands) Ltd; 1427/828 – Wimpey Homes West Midlands Ltd; 1450/81 Mr R Clinton; see also Hockley Heath schedule (Annex D).

Objections to Revised Deposit

1275/160/R, 162/R – CPRE; 1305/53/R – Berkswell Society; 1359/259/R – Taylor Woodrow Devts Ltd; 1362/280/R – Cala Homes (Midlands) Ltd; 1365/304/R – Chase Midland plc; 1386/233/R - Marcity Devts; 1504/175/R – Tidbury Green Residents Association.

Key issues

- *Should the Plan contain separate policies covering density and design;*
- *Should the Plan contain a policy to designate Residential Character Areas, with appropriate guidance;*
- *Does the second part of Policy H5 conflict with PPG3, particularly in terms of making more efficient use of land;*
- *Should Policy H5 “require” rather than “expect” higher densities;*
- *Should Policy H5 specify a minimum density of 50 dwellings/ha on sites which benefit from good accessibility, recognise that lower densities may be acceptable on some sites, and also provide for densities over 50 dwellings/ha on appropriate sites;*
- *Is Policy H5 more of a general aspiration than a firm policy, since targets of 50 dwellings/ha may be difficult to achieve in some locations;*

- *Should Policy H5 recognise that development has to respect the density and character of existing neighbourhoods, and allow Policy C3 to prevail in small settlements inset in the Green Belt;*
- *Should Policy H5 be amended to cover the consultation arrangements for, and status of, development briefs;*
- *Rev 3/23: is it appropriate to refer to the draft SPG in Policy H5;*
- *Rev 3/23: should reference be made to Parish Councils, Parish Plans and Village Design Statements;*
- *Rev 3/24: should the amended text also refer to density, scale and the impact on existing residential areas.*

Inspector's reasoning and conclusions

- 3.274 Policy H5 expects developers to respect Government policy on the density of development, and to have regard to the character, local distinctiveness and design quality of adjoining residential areas and the townscape and landscape of the wider locality when designing housing development. Policy H5 is essentially a combination of Policies H5 & H6 in the First Deposit draft, the latter policy having been deleted at Revised Deposit stage (Rev 3/25).
- 3.275 At the inquiry, SMBC explained that Policy H6 had been deleted, with most elements, including design and quality of development, incorporated into Policy H5, as a result of objections at First Deposit stage. The amended supporting text (¶ 3.5.2) confirms the need to make better use of land without compromising quality or the character of the environment, addressing issues of scale and density. Contrary to CPRE's views, these elements are not necessarily incompatible, since it is possible to achieve higher densities without compromising residential and environmental quality. Although the issues of design and density are different, they have dual aims, which in my view, are better combined in a single policy. This avoids any conflict between these aims and ensures that the ability to secure higher densities does not compromise the objective of creating attractive urban communities and living environments, in line with RPG11 Policies CF1 & QE3.
- 3.276 CPRE also seeks the designation of *Residential Character Areas* (RCAs), to address the problems of over-intensive development in established residential areas. At the inquiry, SMBC confirmed that design guidance is adopted in a Borough-wide context, since this gives high quality design a significant level of importance in all new development. Conservation Areas have already been designated in areas of special character and historic importance, with particular reference to these areas in SPG [CD105]. Although RCAs have been designated in other districts, CPRE had some difficulty in identifying the type of areas that might be identified in Solihull, other than inter-war housing areas. These have limited historical or architectural significance and some are already partly covered by existing Conservation Areas.
- 3.277 More particularly, RCAs do not feature in current national policy in PPG3 and could conflict with national and regional policies which require higher housing densities in MUAs. RPG11 (Policies CF1/CF3; ¶ 6.9) seeks to avoid low densities and profligate use of land, and there is nothing in national policy which supports the specific retention of low density residential areas. Policy H5 specifically covers the character, local distinctiveness and design quality of adjoining residential areas. When considered together with the associated SPG [CD105], this would ensure that relevant elements of the character of established residential areas are properly addressed when new residential developments come forward within Solihull and the surrounding settlements. I can therefore see no sound case for designating RCAs in the Solihull context.
- 3.278 In response to GO-WM, the second part of Policy H5 and the supporting text (¶ 3.5.2) has been revised (Rev 3/23-3/24) to better reflect national guidance in PPG3 (¶ 56), whilst recognising the need to avoid densities of less than 30 dwellings/ha. I consider this amendment adequately addresses this objection.

In response to Berkswell Society, the suggested replacement of *expect* with *require* makes little difference and adds little strength to the Policy. Further clarification is given later in Policy H5, which *requires* developers to observe SPG on housing layouts and design, along with development briefs and design guides. I consider this gives sufficient clarity and purpose to the Policy.

- 3.279 As for specific densities, Policy H5 already seeks greater intensity of development (above 50 dwellings/ha) at locations with good public transport accessibility, reflecting PPG3 (¶ 58). It has also been amended to better reflect the guidance in PPG3 (¶ 54-56) to ensure that the efficient use of land does not compromise the character of the environment (Rev 3/23-3/24). This gives the flexibility to consider higher or lower densities in appropriate circumstances where this can be justified in terms of the local character of the area or the characteristics of the site. No further amendments are therefore needed to meet the concerns of BCC and the house-builders. Contrary to Mr Clinton's view, this is not a vague or aspirational policy, but one with specific requirements, reflecting national guidance in PPG3 (¶ 57-58/63-64).
- 3.280 Residents in Hockley Heath are concerned that adherence to standardised densities does not result in developments which fail to respect the density and character of existing neighbourhoods, particularly in small settlements inset in the Green Belt. However, SMBC confirms that both Policies H5 & C3 will apply to development proposals in these settlements and SPG will cover the whole context of new housing, not just adjoining residential areas. I am therefore satisfied that these concerns could be addressed at the detailed development control stage, in the context of Policies H5 & C3 and other relevant policies.
- 3.281 In Rev 3/23, I am satisfied that it is appropriate to refer to SPG in Policy H5, since this provides advice on key elements of urban design, providing clear guidance to developers and certainty to applicants, without dictating the detail of design. The current SPG addresses *New Housing in Context [CD105]*, published in November 2003, which promotes good design and encourages innovative design solutions in making more efficient use of land. However, other SPG may be prepared in the future in response to emerging issues, and reference to this specific SPG could soon make the SUDPR outdated. In response to Berkswell Society, I consider it is unnecessary to replace the word *expect* with *require* in the amended Policy. In response to TGRA, Policy H5 confirms that developers are required to observe SPG, design guides and development briefs prepared by SMBC. These could include Parish Plans and Village Design Statements, provided they are formally adopted by SMBC, as confirmed in Policy C7 & Proposal C7/1.
- 3.282 In response to CPRE's points about development briefs, Proposal H5/1 specifically addresses this matter, and I draw attention to my earlier recommendation (see Policy H3 above) which considers their status and clarifies the consultation arrangements. CPRE also seeks to restore wording in para 3.5.2 in the First Deposit draft about density and scale and the impact on existing residential areas. However, I consider these elements are adequately covered in amended Policy H5 and the supporting text (Rev 3.23-3.27).
- 3.283 I therefore conclude that the revisions already made, by deleting Policy H6 and incorporating its main elements into Policy H5 and the supporting text, provide a sound basis to encourage higher densities in new residential developments, whilst ensuring high quality design has regard to the character, local distinctiveness and design quality of adjoining residential areas and the townscape and landscape of the wider locality. *However, since the close of the SUDPR inquiry, amended national policy on design has been published in the form of revised PPS1 – Delivering Sustainable Development (February 2005). It would therefore be appropriate to review the terms of Policy H5*

against this new guidance before the SUDPR is formally modified and adopted.

Recommendation

3.284 I RECOMMEND that the Plan is **modified** by reviewing Policy H5 against the latest national guidance on design in new PPS1 (February 2005) before the Plan is formally adopted.

PROPOSAL H5/1: DEVELOPMENT BRIEFS FOR HOUSING SITES

Objections to First Deposit 1054/1080* – Highways Agency; 1275/110 – CPRE; 1408/941 – SecondSite Property Holdings.

Objections to Revised Deposit There were no objections to the Revised Deposit draft.

Key issues

- Should Proposal H5/1 confirm that transport assessments will be required for proposals likely to have significant transport implications;
- Should Proposal H5/1 confirm that development briefs will be drawn up in consultation with landowners, developers and representatives of the community most affected;
- Should development briefs be prepared only for sites of more than 1.5ha or where issues raised by development are particularly complex.

Inspector's reasoning and conclusions

- 3.285 Proposal H5/1 (formerly Proposal H6/1 in the First Deposit draft) confirms that SMBC will prepare development briefs for designated housing sites and other sites where detailed guidance is required. Highways Agency's concerns, partly related to proposed development at Dickens Heath & Blythe Valley, have been addressed in the revisions to Policy T1 and the supporting text (Rev 5/1-5/2). These confirm that transport assessments will be required for development proposals likely to have significant transport implications, and I note that Proposal H5/1 confirms that development briefs will also address the question of highways infrastructure.
- 3.286 Proposal H5/1 already confirms that development briefs will be drawn up *in consultation with landowners, developers and other interested bodies as and where appropriate*. The supporting text (¶ 3.6.2) also confirms that organisations or agencies whose interests may be affected will be consulted, which generally covers CPRE's concerns. However, at the inquiry, SMBC agreed to a minor amendment to para 3.6.2 to confirm that *"In preparing the guidance, the Council will, as necessary, consult organisations, agencies or those whose interests may be affected"*. I have already recommended in favour of this amendment (see Policy H3 above), so no further amendments are needed in response to this objection.
- 3.287 In response to SecondSite, smaller housing sites have already been removed from Proposal H1/1: Table 2 (Rev 3/11). Two sites of less than 1.5ha remain, but SMBC considers that development briefs are necessary for these sites to guide planning applications in respect of local issues. Proposal H5/1 indicates that development briefs will only be prepared for non-strategic sites where detailed guidance is required, and Policy H3 confirms that development briefs will only be prepared for *appropriate* windfall sites (Rev 3/18). I consider this is a reasonable and acceptable approach to take in these circumstances.

Recommendation

3.288 I RECOMMEND NO FURTHER MODIFICATIONS to the Plan in response to these objections.

POLICY H6: DESIGN & QUALITY OF DEVELOPMENT**Objections to First Deposit** 1275/1169 – CPRE; 1305/226 – Berkswell Society.**Objections to Revised Deposit** 1275/163/R – CPRE.**Key issues**

- *Should Policy H6 require developers to also take account of SPG on residential character areas and new housing in context;*
- *Should Policy H6 “require” rather than “expect” new housing developments to be of a high quality of design and layout;*
- *Rev 3/25: Should the Plan revert to separate policies on density and design and include a policy on residential character areas.*

Inspector’s reasoning and conclusions

3.289 Policy H6 sought to ensure that all new housing development is of a high quality of design and layout. As a result of objections at First Deposit stage, this Policy has been deleted, with its main elements incorporated into revised Policy H5 and the supporting text (Rev 3/23-3/27). These objections have therefore been largely overtaken by events.

3.290 I have dealt with the points made by CPRE & Berkswell Society under Policy H5 & Proposal H5/1 above, where I conclude that amended Policy H5 and the supporting text cover all the main elements formerly in Policy H6. I also conclude that a combined policy covering both density and design is preferable, and that there is insufficient justification for the designation of *Residential Character Areas* in Solihull. No additional points remain to be considered under Policy H6.

Recommendation

3.291 I RECOMMEND NO MODIFICATIONS to the Plan to meet these objections.

POLICY H7: PHASING OF HOUSING DEVELOPMENT

Objections to First Deposit 1005/572 – Redrow Homes; 1036/965 – Westbury Homes/Miller Homes (Holdings) Ltd; 1069/1040 – GO-WM; 1359/723 – Taylor Woodrow Devts Ltd; 1362/755 – Cala Homes (Midlands) Ltd; 1365/849 – Chase Midland plc; 1369/1017 – David Wilson Estates/Taylor Woodrow Devts Ltd; 1380/45 – House Builders Federation; 1398/793 – Persimmon Homes (South Midlands) Ltd; 1423/994-996 – West Midlands RSL Planning Consortium; 1424/598 – Westbury Homes (Holdings) Ltd; 1426/897 – William Davis Ltd; 1427/829 – Wimpey Homes (West Midlands) Ltd; 1450/82 – Mr R Clinton.

Objections to Revised Deposit 1140/117/R-119/R – William Davis Ltd; 1359/260/R-262/R – Taylor Woodrow Devts Ltd; 1362/281/R-283/R – Cala Homes (Midlands) Ltd; 1365/305/R-307/R – Chase Midland plc; 1375/322/R-324/R – Harper Estates; 1386/234/R-236/R – Marcity Devts; 1423/8/R-10/R – West Midlands RSL Planning Consortium.

Key issues

- *Does Policy H7 accord with national guidance on phasing housing development in PPG12 and the concept of “Plan-Monitor-Manage” in PPG3 and associated good practice guides;*
- *Should Policy H7 address the managed release of housing sites, setting out the phasing mechanisms and listing the phasing of specific housing sites, taking account of windfall sites and any supplementary housing allocations, and provide for regular monitoring;*

- *Should Policy H7 provide more flexibility to allow affordable housing to be excepted from any phasing programmes, and promote affordable housing wherever local housing needs are established;*
- *Is Policy H7 flawed in delaying greenfield sites in favour of bringing forward brownfield sites;*
- *Rev 3/29-3/31: Is there a continued need to include a phasing policy to outline the mechanisms for phasing the release of housing land;*
- *Rev 3/29-3/31: Should Policy H7 be reinstated in view of the removal of greenfield housing allocations.*

Inspector's reasoning and conclusions

- 3.292 Policy H7 sought to phase the release of new housing sites by ensuring that previously developed land was brought forward in advance of greenfield sites. It also confirmed that a phasing programme would be prepared and reviewed annually. However, as a result of deleting new greenfield sites from the list of strategic housing sites in Proposal H1/1 (Table 2) for development within the Plan period, SMBC considers there is no longer any need for a phasing policy. Policy H7 and the supporting text have consequently been deleted in the Revised Deposit draft (Rev 3/29-3/23). I recognise that some of the objectors' criticisms of the original policy, particularly the lack of detail on the mechanisms for releasing housing land, had some substance. However, the deletion of Policy H7 and the accompanying text has addressed and removed many of the detailed points raised by objectors at First Deposit stage.
- 3.293 The concept of releasing brownfield sites for development before greenfield sites is soundly based and fully reflects national guidance in PPG3 & PPG12. However, the deletion of several greenfield sites, such as Chelmsley Lane, Aqueduct Road & Braggs Farm Lane (Sites 9F & 21-23) from Table 2 accompanying Proposal H1/1 has removed much of the justification for a phasing policy such as that contained in Policy H7. In view of the current housing land supply position, there is no need to identify new greenfield housing sites such as these, and these allocations have been transferred to the long-term category (Proposal H2/1; Table 3). The remaining sites listed in Table 2 are either brownfield sites, previously designated sites, commitments, or are already completed or largely developed.
- 3.294 Consequently, there is insufficient need to prioritise these sites and so a phasing policy is unnecessary to guide their release. Furthermore, information provided in the *Housing Background Paper [CD139]* and at the Housing RTS *[CD165]* confirms that sufficient housing provision has been made over the period of this current Plan and in the longer term. On current figures, there is likely to be a surplus in housing provision in the period up to 2011, compared with RPG11 targets, without any phasing or management of housing land release.
- 3.295 Much of the justification for a phasing policy depends on the scale of housing remaining to be provided and the split between greenfield and brownfield sites. Bearing in mind that limited housing provision remains to be provided and given the absence of major greenfield housing allocations, it seems to me that a phasing policy is unnecessary in this instance. The situation will be closely monitored, with regular reviews of housing provision, as confirmed in Policy IM1 & Appendix 1 of the SUDPR. I am also aware that the UDP is likely to be reviewed soon under the terms of the new Local Development Framework system established in the P&CPA 2004.
- 3.296 As regards windfall sites, Policy H1 confirms that such sites will be considered in terms of making more efficient use of land without compromising environmental quality, and having regard to neighbouring buildings, local distinctiveness and the character of the wider locality. Such sites are likely to mainly involve previously developed land within built-up areas, rather than greenfield sites, so there is no need to include any preference for brownfield

sites over greenfield sites. The issue of making supplementary housing allocations largely depends on the housing land supply position. Given the current adequacy of housing provision, I can see no sound justification for making further housing allocations, particularly on greenfield sites. Much would depend on the specific considerations of particular sites, which I deal with individually when addressing specific sites, either earlier in this chapter or when dealing with housing omission sites in Chapter 3A of my report.

- 3.297 As for the possibility of making an exception for affordable housing, SMBC confirms that its strategy is to maximise the provision of affordable housing through Policy H4, particularly given the level of housing need identified in the *Housing Needs Survey [CD96-98]*. This approach strikes a reasonable balance between environmental and urban regeneration issues. Moreover, the deletion of greenfield sites may not reduce the actual provision of affordable housing, since the overall level of housing provision will be met by other proposed and committed sites. In these circumstances, I consider the provision of affordable housing is more appropriately addressed in Policy H4 rather than requiring an exception to any phasing policy.
- 3.298 Consequently, I can see no compelling need or sound justification for a phasing policy to manage the release of housing land in Solihull Borough, particularly given the limited amount and type of housing provision necessary to meet the remaining housing requirement established in RPG11. In my view, the deletion of Policy H7 and the accompanying text is fully justified in the particular circumstances of Solihull's housing land supply.

Recommendation

3.299 I RECOMMEND NO MODIFICATIONS to the Plan to meet these objections.
