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Your ref:

Our ref: PINS/Q4625/539/3/DP512

Date:

March 2005

Dear Madam

SOLIHULL UNITARY DEVELOPMENT PLAN – FIRST REVIEW 2001-2011 **REPORT OF INQUIRY INTO OBJECTIONS**

1. As you know, the First Secretary of State has appointed me to hold a public inquiry into objections to the *Solihull Unitary Development Plan First Review 2001-2011*. I now enclose my report of the inquiry, containing my recommendations not only on those objections heard at the inquiry, but also on those made in writing.
2. The public inquiry was held between 20 May – 10 September 2004 at The Civic Suite, Solihull, and sat on 38 days. I held a *Pre-Inquiry Meeting* to outline the arrangements for the inquiry on 1 March 2004. I have visited all the sites that were the subject of objections either before, during or after the inquiry. _
3. The *Solihull Unitary Development Plan First Review 2001-2011 (SUDPR)* was prepared by Solihull Metropolitan Borough Council (*SMBC*) as Local Planning Authority under Section 12 of the Town & Country Planning Act 1990, in accordance with the associated Regulations, legislation and Planning Policy Guidance Note PPG12. The SUDPR is a statutory development plan prepared in the context of the established framework of planning policy guidance at national, regional and local level. This includes *Regional Planning Guidance for the West Midlands (RPG11)*, the latest version of which (June 2004) [*CD51G*] was published during the course of the inquiry. When adopted, the SUDPR will replace the 1997 *Solihull Unitary Development Plan [CD111]* and form part of the statutory development plan for Solihull Metropolitan Borough. The SUDPR contains planning policies and proposals covering the period up to 2011.
4. Following initial work and public consultation in March 2000, the *First Deposit Draft* of the SUDPR [*CD114*] was placed on deposit at the end of January 2002. SMBC considered all representations submitted by 28 March 2002 and, following an analysis of the representations, the *Revised Deposit Draft [CD119]* was placed on deposit in June 2003. Having considered the representations made, SMBC concluded that there was no need to make any further changes to the Plan in response. However, a number of minor editorial changes and typing corrections were subsequently proposed [*CD156*]. During the course of the inquiry, the text and policies of the SUDPR were reviewed and updated [*CD175*], particularly in respect of conformity with the latest version of RPG11 [*CD51G*]. For the avoidance of doubt, my recommendations relate to the text and policies in the *Revised Deposit Draft [CD119]*.

5. By the close of the inquiry, the total number of representations made at the various stages of the SUDPR was as follows:

	First Deposit	Revised Deposit	Total
Total number of representations	4046	587	4633
Total number of objections	3242	447	3689
Objections withdrawn unconditionally	327	12	339
Supporting representations	804	140	944
Outstanding objections	2915	435	3350

6. As part of the preparation of the SUDPR, *Sustainability Appraisals* of the First & Revised Deposit Plans were undertaken in January 2002 & June 2003 [CD117/122]. A *Statement of Pre-Deposit Publicity & Consultation* was also produced [CD113]. To inform the preparation of the SUDPR, a *Housing Needs Survey & Urban Capacity Study* were undertaken [CD96-98/CD99-101]. Several other Council strategies are also referred to, including the *Environment Strategy* [CD89], *Solihull's Countryside* [CD95], *Community Strategy* [CD106], *Housing Strategy 2002-2005* [CD107], *Economic Development Strategy* [CD124] and *Public Transport Strategy* [CD153], along with various *Supplementary Planning Guidance* [CD161-163]. In March 2004, SMBC published a set of *Background Papers* to provide the context for the SUDPR inquiry and the consideration of objections [CD135-148]. In April 2004, SMBC published the *Housing Sites Selection Compendium* [CD154], including a summary assessment of all designated strategic housing sites and housing sites promoted by objectors. At the end of the inquiry, SMBC produced an updated version of the UDP Review incorporating all the proposed and suggested changes, along with factual updating of the text [CD175].
7. In making my recommendations on the objections, I have taken into account all the evidence, submissions, discussions and representations made at the inquiry and in writing by both SMBC and the objectors, including the supporting representations. I have considered the full range of issues raised in each objection, even though not all may be mentioned in my report. I have dealt with objections that have been withdrawn conditionally on the basis of some change being made, but not those withdrawn unconditionally. I have also had regard to various *Reports and Minutes of Council Meetings on the UDP Review* [CD123], and *Schedules of Objections and Representations* made at First & Revised Deposit stages [CD115-116/120-121]. In addition, I have had regard to all the material in the Inquiry Library, including Core Documents, statements and other material listed in *Annex B* of my report. A schedule of representations, including objections to the First & Revised Deposit Plans, supporting representations and withdrawn objections, is appended at *Annex C*. The inquiry programme, listing those who appeared, is appended at *Annex A* of my report.

Procedural matters

8. At the opening of the inquiry, SMBC confirmed that all the statutory formalities had been complied with, including the publication of notices announcing the inquiry. During the course of the inquiry, there were no issues arising from procedural aspects of the SUDPR.

The report

9. My report contains over 240 recommendations on objections to most of the 200 or so policies and proposals contained in the Plan (including the introductory

and accompanying text and appendices), along with objections to more than 130 specific sites identified in the Plan or mentioned by objectors.

10. I have prepared the normal brief form of report on the inquiry and the objections. My report generally follows the order of the Revised Deposit draft on a policy-by-policy basis, covering both general and site-specific objections under the appropriate policy heading. Objections are grouped by policy, but where they cover both general and site-specific matters, they are normally dealt with separately. Where objectors refer to several policies in their site-specific housing objections, they are normally dealt with together. Because of the number of sites involved, objectors' housing "omission" sites are dealt with in a separate chapter (Chapter 3A). The large number of objections relating to several policies in the Hockley Heath area are dealt with under the appropriate policy heading, but a list of objections by policy is appended at Annex D. My report is intended to be read together with the Revised Deposit Draft of the SUDPR [CD119], along with the updated version [CD175].
11. Since all statements and documents have been recorded, and SMBC and the objectors are familiar with the evidence presented, my report concentrates on the key issues raised in the objections, along with my conclusions and recommendations. References to objections and documents (including Core Documents) are shown in brackets thus: () & []. An asterisk (*) indicates that the objection is withdrawn conditional on a proposed change being made. Text in italics generally refers to documents, places or post-inquiry events. References to SUDPR & RDSUDPR, the Plan and the Review generally refer to the Revised Deposit version of the SUDPR [CD119].
12. In preparing my report, I have not received any further material from SMBC or objectors after the inquiry closed. Since then, a number of relevant Circulars, Planning Policy Guidance Notes and other Departmental advice have been issued. At the time the inquiry opened, *Draft Regional Planning Guidance for the West Midlands incorporating the Secretary of State's Proposed Changes [CD51A]* had been published, but had not been finalised. However, the new RPG11 was published during the course of the inquiry in June 2004 [CD51G]. SMBC considered the initial implications of this new RPG on the SUDPR, especially in terms of the employment strategy and Regional Investment Sites, during the course of the inquiry, and has updated the text accordingly [CD175].
13. On 28 September 2004, after the inquiry closed, *Regional Planning Guidance for the West Midlands (RPG11)* became the *West Midlands Spatial Strategy* and is now formally part of the development plan for Solihull. To avoid any confusion, I generally refer to this document as the latest regional strategy (RPG11) [CD51G]. SMBC may need to consider further the implications of this latest regional guidance, along with any recent revisions to national planning policy guidance, (including new PPS1, PPS7, PPS9, PPS11, PPS12, PPS22, PPS23 & PPS25 and revisions to PPG3) when considering my report and preparing modifications to the Plan. However, I note that PPG12 remains in operation for development plans, like the Solihull UDP Review, being prepared under the 1999 Regulations.

Main issues and recommendations

14. I have generally found the *Solihull Unitary Development Plan Review* to be a sound, comprehensive and well thought out document, covering the key issues relevant to Solihull Borough. Most objectors do not challenge its overall development strategy, its main aims and objectives, or its four fundamental principles which establish commitments to:
 - *the regeneration of the West Midlands and its return to prosperity;*
 - *protect and enhance the quality of life in Solihull;*

- *further protection and maintenance of the Green Belt; and*
- *supporting and promoting the principles of sustainable development.*

15. However, the application of some of the policies and the designation or non-identification of specific sites are in some cases contentious. In all, I make over 60 recommendations for modifications, which address valid points made by SMBC and objectors, including amendments already proposed by SMBC [CD175], and reflect national, regional and strategic policy and local considerations.
16. I find the Vision and overall strategy of the Plan, including its principal objectives, are soundly-based and recommend only minor changes to the text.
17. The most contentious aspect on Housing is the overall supply of housing land, particularly in the longer-term. I conclude that the proposed housing provision accords with the latest regional strategy and meets its requirement of 4,000 dwellings up to 2011. The SUDPR also 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. Existing housing provision would provide for almost 8 years supply from the expected date of adoption and, taking into account safeguarded land, the Plan could make sufficient provision of potential housing land for at least 10 years from this date, in line with recent ministerial statements. The assumptions used in the figures of housing land supply, including the allowance for windfalls, are soundly based and no allowances should be made for non-implementation of committed sites. Only some minor updating and clarification of the text in the Plan is needed. I endorse all the proposed housing sites listed in Table 2.
18. As for longer-term housing needs, I conclude that the general principle of identifying safeguarded land is soundly based and the proposed level of provision is appropriate. I endorse the specific sites identified in Table 3, but the text should confirm that these are not "reserve" sites to be released in the event of a shortfall, since they need to be assessed against the latest regional strategy. There is no need to allocate further additional housing land at the present time, particularly on greenfield or Green Belt sites. However, the supply of housing land in the longer term, including housing strategies and potential housing sites, should be assessed as a priority in the future review of this UDP as part of the new LDF process. On affordable housing, I endorse the proposed threshold of 0.5ha/15 dwellings and 40% provision level, justified because of the high level of need for such accommodation in Solihull, the high level of commitments and the fact that most of the remaining housing provision is likely to take place on smaller sites. However, Policy H4 should be reviewed in the future, pending the outcome of national policy on affordable housing and reflecting the "rural exceptions" policy for rural settlements.
19. Most of the additional or alternative housing sites promoted by objectors are in the Green Belt and are "old friends", having been considered at previous UDP inquiries. Given the present adequacy of housing land supply and their greenfield Green Belt status, there is no justification for any of these sites to be allocated for housing at this time.
20. On Employment, the most contentious issue concerns the provision of land for Regional Investment Sites (RIS). I conclude that the employment strategy generally reflects the latest regional strategy, and that there is a continuing need to provide a supply, range and choice of RIS land in Solihull to serve the Coventry-Solihull-Warwickshire High Technology Corridor and East Birmingham & North Solihull Regeneration Zone. I endorse the designation of existing business parks at Birmingham Business Park & Blythe Valley Park as RIS. More particularly, I consider the proposed extension of Blythe Valley Park is justified in terms of the requirements of the latest regional strategy, particularly in serving the CSW-HTC & EB/NSRZ, and would have the least impact on the Green Belt, environment, landscape and ecology than any of its main

competitors. However, I do not support alternative proposals for the extension of Birmingham Business Park, Brickfield Farm, Blackfirs Lane, or any of the other sites promoted, principally because of their impact on the Green Belt.

21. As for the other employment policies, I endorse the designation of land at Bickenhill Lane, Bickenhill for general employment use under Policy EMP2, rather than as within the NEC policy area, along with land at Provident Park, Shirley. I also recommend some amendments to Policy E4 on Birmingham International Airport, updating the situation, clarifying SMBC's position and transferring those elements that relate to the expansion of the airport, including proposals to extend the main runway, to Policy T15 in the Transport chapter.
22. On *Transport*, I conclude that the provision of an integrated and sustainable transport strategy is soundly based, as are most of the general policies in this chapter. As regards the strategic road network, I recommend some updating and clarification of Policy T11 on the M42 and endorse all of the proposed road schemes, including the by-passes around Hockley Heath & Balsall Common, Knowle Relief Road and improvements to the M42(J4), A34 (Shirley), A45 (Elmdon) and at Dickens Heath. Policy T13 should update the proposed car parking guidelines, and Policy T15 on Birmingham International Airport should be updated, clarified and amended to cover all transport aspects, including proposals to extend the main runway.
23. On *Environment*, I recommend a few minor amendments to some policies, to reflect changes proposed by SMBC and provide further updating and clarification. I am satisfied that it is appropriate to separate this chapter from that covering the countryside. The most contentious issue on the *Countryside* concerns the Green Belt. I endorse the general approach of the Green Belt policies, including the status of the various settlements, but some minor amendments and clarifications are required. I do not support the amendment of the Green Belt boundaries to remove any of the specific sites put forward by objectors, or the inclusion of specific policy covering the National Motorcycle Museum. I recommend some minor amendments to some of the other policies, principally to update them in terms of more recent national guidance in PPS7 and provide cross-references to other policies.
24. I endorse, without any amendment, most of the policies on *Retailing and Centres*, with the addition of a new policy supporting the retention of local facilities, to reflect the latest national guidance in PPS7. I also recommend a minor amendment to Policy S8 (Out-of-Centre retail developments) to bring it into line with the latest national policy set out in the ministerial statement of April 2003. I also endorse most of the policies on *Sport & Recreation*, apart from some minor amendments to Policies R4 & R7. On *Waste & Minerals*, I recommend minor amendments to some of the policies, mainly to reflect changes proposed by SMBC and to update or clarify various matters. On *Implementation*, I recommend a minor change to the text and a review of Policy IM1 in the light of revised national guidance on planning obligations. I also recommend a minor amendment to one of the monitoring indicators in Appendix 1. _

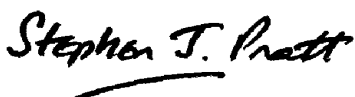
General comments

25. I must express my appreciation for the co-operation and courtesy given to me by all those who appeared at the inquiry, and I appreciate the efforts of everyone who contributed to the smooth running and congenial atmosphere of the inquiry. Statements and evidence were taken briefly and there was little repetition of the arguments. As a result, the inquiry time was used efficiently and effectively, particularly since most objections were dealt with by hearing sessions. SMBC's planning team had a heavy burden in preparing their rebuttal evidence, not only at the inquiry, but also in responding to written objections.

SMBC's advocates and witnesses were always helpful and I appreciate the hard work of their back-room team.

26. My particular thanks must go to SMBC's advocates, *Ian Dove QC, Jeremy Cahill QC & Nadia Sharif*, and to all members of their planning team who bore the brunt of the work, including *Paul Watson, David Simpson, Rachel Batts, Maurice Barlow, Martin Fletcher & Piers Cockcroft*. My thanks also go to the various companies, organisations, residents' groups and individuals who gave so much time and thought to their representations at the inquiry and in writing. I hope my recommendations will go some way towards meeting their concerns, whilst retaining the *Urbs in Rure* character of Solihull that everyone is keen to safeguard.
27. I must also thank my assistant inspector, *Stuart Wild*, for dealing with the objections to the *Knowle Relief Road (Proposal TR12/3)*. As will be seen from the preamble which follows, this was in the interests of propriety. He dealt with this matter independently and I took no part in his assessment of the objections or in his conclusions and recommendation. However, I endorse his recommendation on this matter. His section of the report is included within the main report at the appropriate place under the Transport chapter.
28. I was pleased to be assisted, once again, by my Programme Officer, *John Banbery*, whose diligent work greatly assisted the efficient running of the inquiry. He organised the inquiry and site visit programme, along with all the associated documentation, helping to make my task easier and ensuring that the inquiry ran smoothly. Finally, I must thank the positive, efficient and good-natured assistance given by the Civic Suite management and staff, whose careful attention to the needs of the inquiry and its participants contributed in no small way to the efficient running of the inquiry.
29. My report follows these preambles, preceded by a *Summary of Main Recommendations* and list of *Abbreviations*. Annexes setting out the inquiry programme and appearances, lists of inquiry documents, including core documents, and a Schedule of Representations, with details of proofs of evidence and statements, follow. These annexes and schedules are based on databases prepared by the Programme Officer and SMBC.
30. A copy of this letter has been sent for information to the Head of the Development Plans Branch at the Government Office for the West Midlands in Birmingham, and to the Planning Directorate of the Office of the Deputy Prime Minister in London.

Yours faithfully



STEPHEN J PRATT
BA (Hons) MRTPI
Inspector

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Your ref:
Our ref: PINS/Q4625/539/3/DP512
Date: March 2005

Dear Madam

SOLIHULL UNITARY DEVELOPMENT PLAN FIRST REVIEW 2001-2011
REPORT OF INQUIRY INTO OBJECTIONS
OBJECTIONS RELATING TO PROPOSAL T12/3 – KNOWLE RELIEF ROAD
OBJECTION NUMBERS: 1049/361; 1059/365; 1068/358; 1080/206;
1085/351; 1115/75; 1121/58; 1275/172; 1446/356

- 1A. As you know, I have been appointed by the First Secretary of State to deal with the above objections made to the *Solihull Unitary Development Plan First Review*. These objections relate to Proposal T12/3 – Knowle Relief Road. I am dealing with these objections in the interests of propriety, because one of the objectors who appeared at the inquiry is a salaried planning inspector who is known to the inspector appointed to hold the inquiry and deal with objections to this Unitary Development Plan, Mr Stephen J Pratt.
- 2A. I held a session of the inquiry to deal with these objections on Thursday 29 July 2004. I have considered the representations made by these objectors, both at the inquiry and in written representations, along with the Council's responses. I visited the area and the proposal referred to in these objections on an unaccompanied basis on 27 July 2004, and at the request of one of the objectors to part of the road alignment after the close of this session of the inquiry on 29 July 2004. My report containing my recommendation on these objections can be found at the appropriate place within the Transport section of the report (Chapter 5 – Proposal T12/3).
- 3A. My report is intended to be read together with the Revised Deposit version of the Unitary Development Plan First Review (June 2003) [CD119], the submitted objections, documents and Council's responses. It should also be read in the context of the main report and recommendations of the inspector appointed to hold the inquiry and deal with the remaining objections to this Unitary Development Plan Review.
- 4A. My report concludes that the *Solihull Unitary Development Plan First Review* should not be modified in respect of the objections relating to Proposal T12/3 – Knowle Relief Road.

Yours faithfully

Stuart Wild

STUART WILD
MRTPI MCMI
Inspector

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