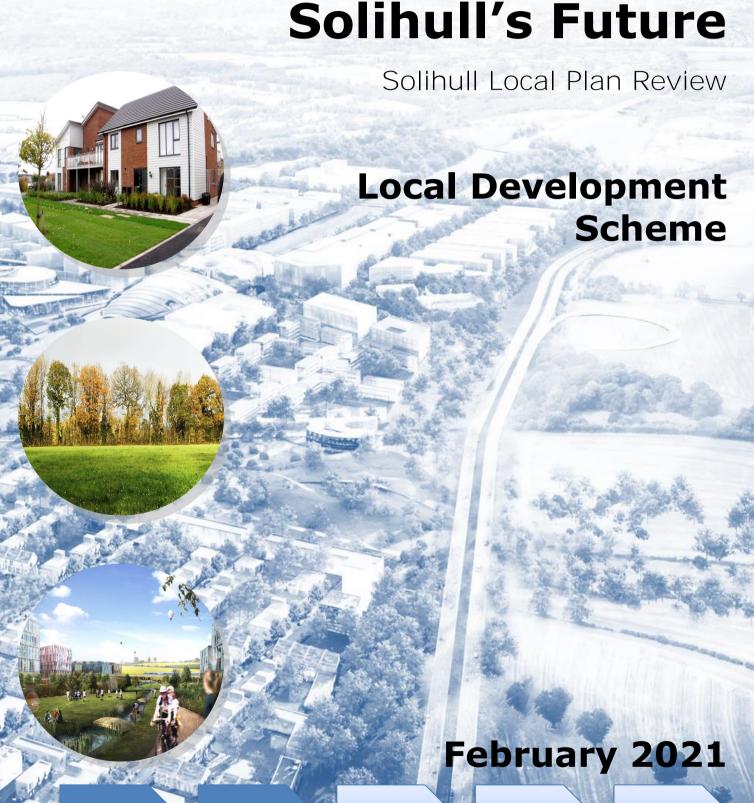


Reviewing the Plan for Solihull's Future



Submission

Plan

Draft Plan

Examination

of Plan

Adoption of

Plan

Issues and

Options

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1. Introduction

- 1. A Local Development Scheme¹ (LDS) is prepared by the Council to indicate what documents it has produced, or intends to produce, that will form part of its development plan. This LDS sets out the programme for reviewing the Solihull Local Plan (SLP), which is currently the principal statutory development plan document for the Borough.
- 2. The LDS is required to specify:
 - The documents which are to be Development Plan Documents (DPD) which will form part of the Development Plan for the area;
 - The subject matter and geographical area to which each DPD relates;
 - Any DPDs that are to be prepared jointly with one or more LPAs;
 - Any matter or area where the LPA has or proposes to agree to the constitution of a joint committee; and
 - The timetable for the preparation and/or revision of the DPDs.
- 3. This LDS replaces the January 2020 LDS and covers the period 2021. It acknowledges the adoption of the Local Plan in 2013 and the Gypsy & Traveller Site Allocations Plan in 2014; and it incorporates a timetable for the review of the local plan.
- 4. The LDS will be reviewed as required to reflect any amendments in the timetable for the Local Plan Review; or in response to changes to planning legislation, the National Planning Policy Framework and Guidance and any other material considerations.

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¹ Section 15 of The Planning and Compulsory Purchase Act, 2004 (as amended by the Localism Act, 2011) requires the Council as Local Planning Authority (LPA) to prepare and maintain a Local Development Scheme.

2. Planning for the Future of the Borough

Existing Planning Policies and Proposals

- 5. The revised National Planning Policy Framework (NPPF) was published in July 2018, further revised in February 2019, replacing that published in March 2012. The NPPF is a material consideration in the determination of planning applications.
- 6. In March 2014 the then Department for Communities and Local Government (CLG) launched the planning practice guidance (PPG) web-based resource. This was accompanied by a Written Ministerial Statement which included a list of the previous planning practice guidance documents cancelled when this site was launched. The PPG is updated on a frequent basis.
- 7. The Solihull Local Plan was adopted in December 2013 and covers the period 2011 to 2028. Following adoption, a legal challenge has resulted in the overall housing requirement being treated as not adopted and this aspect of the plan has been remitted back to the Council for reconsideration.
- 8. The Solihull Gypsy & Traveller Site Allocations Plan was adopted in December 2014, and allocates sites to meet the Borough's requirements for the period 2012 to 2027.
- 9. A <u>Statement of Community Involvement</u> (SCI) was published in February 2007, and updated in January 2020. The SCI explains how we will involve communities and stakeholders in all planning matters, including the production of planning policy and proposal documents. It also sets out how we will give advice and assistance to those undertaking neighbourhood planning.
- 10. An <u>authority monitoring report</u> (AMR) was published in March 2020 to help monitor progress on plan policies and inform the need to review them.

Summary Table of Current Development Plan Documents

11. The following table sets out the current development plan regime for the Borough:

Name	Description	Date
Solihull Local Plan	A local plan with both strategic ('Part 1' policies) together with site allocations and development management policies ('Part 2' policies).	December 2013 ²
Solihull Gypsy & Traveller Site Allocations Plan	A site allocations plan relating to accommodation for Gypsies and Travellers.	December 2014
Hampton-in-Arden Neighbourhood Development Plan	A Plan prepared by Hampton-in-Arden Parish Council on behalf of the local community to guide development in their Neighbourhood Area.	August 2017
Knowle, Dorridge & Bentley	A Plan prepared by Knowle, Dorridge &	April 2019

² The schedule setting out which parts of the plan should not be treated as adopted following the legal challenge can be found at http://www.solihull.gov.uk/Portals/0/Planning/LDF/Schedule.pdf.

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Heath Neighbourhood Development Plan	Bentley Heath Neighbourhood Forum on behalf of the local community to guide development in their Neighbourhood Area.	
Berkswell Neighbourhood Development Plan	A Plan prepared by Berkswell Parish Council on behalf of the local community to guide development in their Neighbourhood Area.	September 2019

Future Planning Policies and Proposals

12. Whilst there is some flexibility in how a local planning authority takes forward its plan making responsibilities, a key requirement is that all LPAs have an up to date local plan that meets objectively assessed needs; is consistent with the NPPF; and reflects the presumption in favour of sustainable development.

Local Plan Review

- 13. The adopted Solihull Local Plan covers the period 2011-2028. The Plan will need to be reviewed to enable longer term needs to be addressed and to keep it up to date, as required by the National Planning Policy Framework. However, this need is given greater urgency for three reasons.
- 14. Firstly, the successful legal challenge to the SLP post adoption means that the current Local Plan has no overall housing requirement for the plan period. This makes it difficult to demonstrate that the Borough has a five-year housing land supply, as required by the National Planning Policy Framework. The absence of an adequate housing land supply increases the risk of speculative housing developments being allowed on appeal.
- 15. Secondly, the examination of the Birmingham Development Plan has made clear that the City Council is unable to meet its own housing need within its boundaries, and that the shortfall will have to be met elsewhere within the Housing Market Area (HMA) (or other nearby areas) such as Solihull. Paragraphs 8.4.5 to 8.4.6 of the adopted Solihull Local Plan acknowledges that when work on housing needs identifies a need for further provision in the Borough, a review will be brought forward to address this. This is the appropriate time for doing so.
- 16. Finally, the UK Central Masterplan and Prospectus for a 'Garden City' approach to the High Speed 2 Interchange have set out the Council's ambitions for this part of the Borough. The Proposed Local Area Plan for the High Speed 2 Interchange and Adjoining Area highlighted the need to review the Green Belt boundary to enable the Interchange Area to be allocated for development. An updated Local Plan addressing this matter is vital if the full potential of the High Speed 2 project is to be realised.

Progress to Date

- 17. The Local Plan Review commenced in July 2015 when the Council decided to follow this route rather than pursue a Local Area Plan (LAP) for the area around the proposed HS2 Interchange. The stages the review has reached are as follows (and described in more detail in the following paragraphs):
 - July 2015 Local Plan Review commences
 - November 2015 Council publishes Scope, Issues and Options consultation
 - December 2016 Council publishes Draft Local Plan consultation

- January 2019 Council publishes Supplementary Consultation to Draft Local Plan Review
- October 2020 Council publishes the Draft Submission Plan (the Regulation 19 version of the plan)

Scope, Issues and Options consultation (November 2015)

- 18. The first stage of the LPR consultation took place from 30th November 2015 to 22nd January 2016. At this stage views were invited on the scope of the review, the issues that ought to be taken into account and the broad options for growth that ought to be considered.
- 19. The consultation document (available here) set out the key issues/questions and broad options for accommodating the anticipated growth. A summary of the representations (and the Council's responses to them can be found here.
- 20. In parallel to the Scope, Issues and Options consultation the Council also issued a 'call for sites' invitation. A schedule and map of sites submitted through this exercise were published in May 2016 and can be found here.

Draft Local Plan consultation³ (November 2016⁴)

- 21. Consultation on the Draft Plan (available here) commenced on 5th December 2016 and finished on the 17th February 2017. Over 1,750 responses were received and a summary of the representations was reported to Cabinet Member for Managed Growth on 18th July 2017.
- 22. An overall summary of representations has now been published and can be found here. In addition schedules of individual summaries arranged by question/site and by respondent were also published, these can be found here and here.
- 23. Alongside the representations an updated schedule of "Call for Sites" Submissions (July 2017) was also published and it can be found here.

Supplementary Consultation to Draft Local Plan consultation (January 2019)

- 24. Consultation on the Supplementary Consultation to the Draft Plan Local Plan Review (available here) commenced at the end of January 2019 and finished on the 15th March 2019. This supplementary non-statutory consultation sought views on potential additional and/or alternative sites to those in the Draft Local Plan consultation, called 'Amber Sites'; reviewed the housing figures, taking into account the standard methodology for assessing local housing need (LHN); and published more detailed Site Assessments for the Call for Sites.
- 25. Over 1,000 responses were received and a summary of the representations was reported to Cabinet Member for Climate Change, Planning & Housing on 18th July 2019.
- 26. An overall summary of representations has now been published and can be found here. In addition schedules of individual summaries arranged by question/site and by respondent were also published, these can be found here and here.

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³ A consultation under Regulation 18 of the plan making regulations

⁴ The document was dated November 2016 as Cabinet approval for consultation was given in November although the consultation commenced in December.

⁵ A consultation under Regulation 18 of the plan making regulations

Draft Submission Plan⁶ (October 2020)

- 27. This version of the plan (available <u>here</u>) was published on 30th October 2020 (alongside an updated evidence base) and representations upon it were invited to be submitted by 14th December 2020.
- 28. The responses made at this stage will form the focus for the independent examination of the plan, as the next stage will be for the Council to submit the plan to the Planning Inspectorate. Submission to the Planning Inspectorate is expected to take place early in 2021 after all the representations have been reviewed.

Duty to Cooperate

- 29. Planning for an area's needs should normally be undertaken at the 'Housing Market Area' level, and in this respect Solihull is one of 14 local planning authorities that is within (in whole or in part) the HMA that includes Birmingham and surrounding authorities. The Scope, Issues and Options Consultation set out that across the HMA there is a shortfall of some 37,500 dwellings between the number of houses needed between 2011 and 2031 and the number of dwellings included in authority's current (or emerging) development plans.
- 30. It is recognised that this is a shared issue for the HMA as a whole and a number of districts will be in a position to help to accommodate some of this shortfall. It is expected that this will be one of the key issues to be addressed through the on-going and legal obligation under the duty to cooperate.
- 31. Through the Draft Local Plan, the Council included within the housing requirement a figure that not only accommodated the Borough's own needs (which was not being achieved through the SLP 2013), but also tested incorporating a contribution of 2,000 towards accommodating the shortfall noted above.
- 32. In March 2017 the 14 HMA authorities have commissioned a HMA wide "Strategic Growth Study". The purpose of the study is as follows:

"The scale of the housing shortfall in the Greater Birmingham and Black Country Housing Market Area (GBHMA) has been formally acknowledged through the adopted Birmingham Development Plan and the PBA Strategic Housing Needs Study. The purpose of this study is to build on this and other evidence to identify more specific options and broad locations for addressing the shortfall, which can be delivered by the market."

- 33. The study <u>report</u> was published in February 2018 and was accompanied by a <u>position</u> statement on behalf of the 14 HMA authorities.
- 34. It is important to be clear about the status of the Strategic Growth Study. It constitutes technical evidence that the Council needs to take into account and respond to; it is not a policy document that is proposing what should be built and where. It is only if and when such options are incorporated into the Council's emerging local plan could they be considered as formally proposed options.
- 35. It is important to stress that through the duty to cooperate the constituent local authorities agree to <u>test</u> the distribution of the housing shortfall in their plans. If through the plan making process it becomes clear that the level of housing expected to be provided in an area cannot be sustainably accommodated (and a plan is found sound on this basis) then the issue would need fresh consideration across the HMA. This was a factor effectively

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⁶ A publication under Regulation 19 of the plan making regulations

- acknowledged by the Birmingham Development Plan Inspector who recommended modifications to the plan to ensure appropriate monitoring of plan making progress takes place across the HMA as a whole.
- 36. The duty to cooperate is a fundamental aspect supporting the plan making progress, not just because of its standing in legislation, but also because the output from the duty has a strong influence over, for instance, the number of dwellings to be accommodated. This in turn impacts both on the plan's strategy and the nature and number of sites needed to accommodate an appropriate level of growth.
- 37. An updated position statement (available <u>here</u>) was published by the HMA authorities in September 2020.

Revised Timetable

- 38. It remains a priority of the Council to have a reviewed development plan in place as soon as possible, but it is also important to ensure that a robust plan is prepared that the Council considers is a sound basis for putting forward to examination.
- 39. The Draft Submission Plan was published on 30th October 2020, and although this was later than the summer 2020 date set out in the January LDS, it should be noted that the previous timetable was set before COVID-19 impacted on its production; and in the circumstances the short slippage is not considered to be unreasonable.
- 40. Now that the Draft Submission Plan has been published, the opportunity has been taken to provide an indicative timetable for the remaining stages, which is as follows:
 - Submission to Secretary of State Winter 2020/21 / spring 2021
 - Examination of plan Spring & summer 2021
 - Adoption of the Local Plan Review Autumn 2021
- 41. It should be noted that the above timetable is dependent on a number of factors, including the following:
 - Review and assessment of the representations on the Draft Submission Plan has commenced, but at the time of writing it is not known whether the nature and scale of the representations will indicate that a revision to the plan is necessary and/or whether additional analysis/evidence to support the plan is required.
 - Once the plan is submitted to the Planning Inspectorate then the Inspector will have responsibility for conducting the examination, and the hearings.
 - It is not unusual for the Inspector to identify main modifications that he/she identifies as being necessary to make the plan sound. These will need to be published for a period of six weeks to allow participants to comment upon them, and they then may be the subject of further hearings.
 - The COVID-19 pandemic had an impact on the last stage of plan production as noted above, and it may have an impact on future stages too, especially around timetabling of hearing sessions which may have to be undertaken virtually.
- 42. The factors noted above may impact upon the date the plan could be adopted with a result that it may not be adopted until winter 2021/22, or possibly spring 2022.

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Neighbourhood Plans

- 43. Local influence will be provided by Neighbourhood Development Plans⁷ prepared by communities within the Borough. To date, three communities have a 'made' Neighbourhood Plan. These are Hampton-in-Arden, Knowle Dorridge & Bentley Heath, and Berkswell. Two other plans (Balsall and Meriden) have been the subject of successful examinations and are expected to move towards referendums when Covid-19 restrictions allow. Appendix B sets out the stages communities have reached with their neighbourhood planning activities.
- 44. Updated information about Neighbourhood Planning in Solihull can be found on the Council's web pages at http://www.solihull.gov.uk/Resident/Planning/appealsenforcement/planmaking/neighbourhoodplanning

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⁷ Neighbourhood plans must be in accordance with the strategic policies of the Local Plan. Neighbourhood plans are described in law as a neighbourhood development plan in the Planning and Compulsory Purchase Act 2004.

3. Solihull's Intended Local Development Plan Documents

- 45. Having regard to the above national, regional and local strategies and priorities, we have assessed our future priorities for Local Development Documents as:
 - Those which we are required to produce in accordance with the current planning system;
 - Those required to update/replace existing policies and proposals; and
 - Those that are required to address new development priorities and issues.
- 46. The development plan documents we currently intend to produce/develop are as follows:
 - Local Plan Review and Policies Map
- 47. The Council's ambitions set out in the UK Central Masterplan were recognised in the Proposed Local Area Plan for the High Speed 2 Interchange and Adjoining Area (LAP), which was subject to an initial (Regulation 18) consultation between November 2014 and January 2015. The representations received were reported to the Council's Full Cabinet in July 2015, when it was agreed that the development envisaged by the proposed LAP would be pursued through a wider Review of the Local Plan.

Summary Table of Development Plan Documents that are Intended to form the Development Plan for the Borough

48. The following table sets out the intended future development plan regime for the Borough. It includes those documents that the Council intends to produce/develop (as noted above) and it recognises that there may be others produced by local communities as they bring forward their plan.

Name	Description	Date
Solihull Local Plan Review	A full local plan with both strategic ('Part 1' policies) together with site allocations and development management policies ('Part 2' policies).	Autumn 2021
Solihull Local Plan	Those parts of policies P3 and P5 which relate to site allocations which are still to be bought forward ⁸	December 2013
Solihull Gypsy & Traveller Site Allocations Plan	Those parts of policies that relate to site allocations and their subsequent protection in this site allocation plan relating to accommodation for Gypsies and Travellers. ⁹	December 2014
Hampton-in-Arden Neighbourhood Development Plan	A Plan prepared by Hampton-in-Arden Parish Council on behalf of the local community to guide development in	August 2017

⁸ Paragraphs 866 to 868 of the Draft Submission Plan (Oct 2020) set these out in more detail.

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⁹ Paragraph 869 of the Draft Submission Plan (Oct 2020) set these out in more detail.

	their Neighbourhood Area.	
Knowle, Dorridge & Bentley Heath Neighbourhood Development Plan	A Plan prepared by Knowle, Dorridge & Bentley Heath Neighbourhood Forum on behalf of the local community to guide development in their Neighbourhood Area.	April 2019
Berkswell Neighbourhood Development Plan	A Plan prepared by Berkswell Parish Council on behalf of the local community to guide development in their Neighbourhood Area.	September 2019
Other Neighbourhood Development Plans	A range of plans produced by local communities ¹⁰ .	Various

¹⁰ Being plans produced in accordance with and under part 6 of the Localism Act (2011).

4. Other Planning Documents to be Reviewed

Supplementary Planning Documents

- 49. The Council already has a number of SPDs that are used to help implement policies in its adopted plan, and the emerging plan indicates others will need to be prepared. Existing SPDs will need to be reviewed to ensure they remain relevant, and updated where necessary. The anticipated schedule of SPDs includes the following¹¹:
 - Biodiversity Net Gain and Green Infrastructure*
 - Climate Change*
 - Health*
 - Highway Design & Adoption*
 - Historic Environment
 - House Extension Guidelines
 - Meeting Housing Needs
 - Open Space*
 - Replacement Dwellings in the Green Belt
 - Residential Design Guide*¹²
 - Rural Buildings Conversion
 - Shop Fronts and Signs
 - UKC Hub/Arden Cross*
 - Vehicle Parking Standards and Travel Plans
- 50. More work will need to be undertaken to identify an appropriate priority for bringing forward/updating these SPDs.

Process documents

- <u>Statement of Community Involvement</u> the updated version was approved in January 2020.
- Authority Monitoring Report, updated as necessary.

Other Documents

- 51. **Community Infrastructure Levy (CIL)** The Council adopted its CIL Charging Schedule¹³ on 12th April 2016 and it came into effect on 4th July 2016. Details about the charging schedule, monitoring reports etc. can be found here.
- 52. The current charging schedule was drawn up in the context of, and to support, the extent and location of growth expected to come forward under the Solihull Local Plan (SLP) 2013. In particular the type of developments (i.e. few large scale developments) that were still to come forward at the time CIL was to be adopted.
- 53. The context for charging CIL under the new local plan will be different with more larger scale developments, at least some of which are likely to have different infrastructure requirements than the types of development envisaged in the SLP. To ensure that the

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¹¹ Those marked with a * are new SPDs

¹² To bring together the New Housing in Context and Backland SPDs which are presently used/in preparation under the SLP 2013.

¹³ The Charging Schedule and updated rates can be found at http://www.solihull.gov.uk/cil

appropriate test¹⁴ is met under the CIL regulations it will be necessary to review the existing rates and, if evidence justifies it, that the rates then be amended.

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¹⁴ That in setting rates in a charging schedule, a charging authority must aim to strike an appropriate balance between (a) the desirability of funding from CIL (in whole or in part) the actual and expected estimated total cost of infrastructure required to support the development of its area; and (b) the potential effects (taken as a whole) of the imposition of CIL on the economic viability of development across its area.

5. Production, Monitoring and Review

- 54. The production of the Local Plan will be generally overseen by the Cabinet Member for Climate Change, Planning and Housing, although key decisions will need to be made at Full Cabinet or Full Council.
- 55. This LDS sets out the Council's current programmes and priorities for the production of new planning policies and proposals. These programmes and priorities may be subject to change as time progresses. The main influences on programming and priorities are set out below:
 - Changes in national planning legislation or the procedures we are required to follow may have implications for the programming of document production, examination and adoption.
 - Changes in national, sub-national and local policies, guidance, strategies and priorities may require changes in our priorities, remove the need to produce particular documents or require the production of additional documents.
 - Consultation and involvement are key elements of the planning system. The quantity
 and content of representations cannot be foreseen. An exceptional quantity of
 representation or representations that raise new issues may have implications for
 programming.
 - The planning system requires the Planning Inspectorate to programme a large number of public examinations across the country. The programming of examinations may therefore be affected by changes in national priorities for examination.

A. Local Plan Review Profile & Timetable

Document Details:

Name:	Solihull Local Plan Review
Role and Content:	Sets out vision, objectives and spatial strategy for development in the Borough over the next 15 years. It will contain strategic policies, development management policies, site allocations and Proposals Map.
Plan Period:	2020-2036
Status:	Development Plan Document
Chain of conformity:	Must be in conformity with the National Planning Policy Framework. All other policies and proposals of the Development Plan Documents (DPDs) to be prepared are required to conform to the policies and proposals of the Local Plan.
Geographic coverage:	Borough wide

Timetable¹⁵ and Milestones (shading indicates stages completed:

Scope, Issues and Options	November 2015 – January 2016
consultation	
Draft Local Plan consultation	December 2016 – February 2017
Draft Local Plan (Supplementary	January– March 2019
Update) consultation	
Publication of Submission Draft	October - December 2020
Submission to Secretary of State	Winter 2020/21 / spring 2021
Examination of plan	Spring & summer 2021
Adoption of the Local Plan Review	Autumn 2021

Arrangements for production:

Project lead	SMBC Policy & Delivery Team.
Management arrangements	Production will be overseen by the Cabinet Member for Climate Change, Planning & Housing and Full Cabinet. The Economic Development and Managed Growth Scrutiny Board will provide scrutiny. Full Cabinet approval will be required to submit the local plan for examination.
Resources required	The wider Policy & Delivery team and other Council officers in consultation with the communities and stakeholders.
Approach to involving stakeholders and the community	See the Statement of Community Involvement.
Monitoring and review mechanisms	Will include a monitoring and implementation framework with clear objectives for achieving delivery of the development plan to be monitored through the Annual Monitoring Report.

 $^{^{\}rm 15}$ Also see paragraph 41 for factors that could impact upon this timescale.

B. Neighbourhood Plans in Solihull Metropolitan Borough

56. The following paragraphs set out the progress made to date by communities in bringing forward Neighbourhood Development Plans. The Council's web pages at http://www.solihull.gov.uk/Resident/Planning/appealsenforcement/planmaking/neighbourhoodplanning will be updated as progress is made:

Communities with an Application to Designate a Neighbourhood Area

• Bickenhill Parish (part of wider parish)

Communities with a Designated Neighbourhood Area (but no plan)

- Cheswick Green Parish
- Dickens Heath Parish
- Hockley Heath Parish

Communities with a Published Draft Neighbourhood Plan

None

Communities with a Draft Neighbourhood Plan Submitted for Examination

None

Communities with a Draft Neighbourhood Plan ready for, or at, Referendum¹⁶

- Balsall Parish
- Meriden Parish

Communities with a 'Made' Neighbourhood Plan

- Hampton-in-Arden Parish (August 2017)
- Knowle, Dorridge and Bentley Heath Neighbourhood Area (April 2019)
- Berkswell Parish (September 2019)

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¹⁶ That is to say, has been the subject of a successful examination.

C. Abbreviations

AMR Authority Monitoring Report
CIL Community Infrastructure Levy

CLG Department for Communities and Local Government

DPD Development Plan Document

EIP Examination in Public

GBSLEP Greater Birmingham and Solihull Local Enterprise Partnership

HMA Housing Market Area HS2 High Speed 2 Rail link

LAP Local Area Plan

LDS Local Development Scheme

LHN Local Housing Need
LPA Local Planning Authority

LPR Local Plan Review

NPPF National Planning Policy Framework

PBA Peter Brett Associates
PPG Planning Practice Guidance

SCI Statement of Community Involvement

SLP Solihull Local Plan

SMBC Solihull Metropolitan Borough Council
SPD Supplementary Planning Document
SPG Supplementary Planning Guidance

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