

Solihull Local Plan

Preamble

1. I held an advisory meeting with Solihull Metropolitan Borough Council officers and a representative of the Planning Advisory Service (PAS) on 19 December 2025. The meeting focused on the emerging Local Plan (the Plan). Prior to the meeting, on 11 December 2025, the Minister of State for Housing and Planning wrote a letter (the Solihull Letter) to the Council prompted by changes to the latter's Local Development Scheme (LDS). Amongst other things, the letter indicates that an advisory visit should take place "before Christmas". This letter set the broad context for the discussion at the meeting and the contents of this note.
2. Where necessary in what follows, I will make references to the National Planning Policy Framework (the Framework), the Planning Practice Guidance (PPG) and the Draft National Planning Policy Framework published for consultation on 16 December 2025 (the Draft Framework). Where necessary, I will also refer to the Planning and Compulsory Purchase Act 2004 (the 2004 Act) and the associated Town and Country Planning (Local Planning) (England) Regulations 2012 (the 2012 Regulations).
3. The Planning Inspectorate's general advice is included in its Procedure Guide for Local Plan Examinations (the Procedure Guide), which has recently been updated <https://www.gov.uk/government/publications/examining-local-plans-procedural-practice>

Current position

4. A Local Plan for the district was withdrawn following examination last year (the withdrawn plan). However, the Council started to prepare a plan afresh following that. The withdrawn plan was based on a spatial strategy that would include some Green Belt boundary alteration to facilitate housing development. Since withdrawal of the plan some of the sites that were the subject of potential allocations have received planning permission or resolutions to grant on the basis of 'very special circumstances' to allow development in the Green Belt. The Council took from the previous examination that, despite the delivery issues largely relating to the NEC site in the latter years of the plan period, the Inspectors were broadly supportive of the overall spatial strategy, and the approach to site selection. There also appeared to be no concerns in relation to the duty to cooperate. The proposed plan period housing requirement in the withdrawn plan was based on the standard method at that time, plus an uplift linked to economic growth aspirations, and a figure for unmet needs of Birmingham City.
5. The Council had previously intended to bring forward a fresh local plan in the 'legacy system' (that is subject to the 2012 Regulations), and what are expected to be saved elements of the 2004 Act. However, the recently updated LDS indicates that the Council intends to prepare a plan in the 'new' system, once the amendments to the 2004 Act contained in the Levelling up and Regeneration Act 2023 are in effect. Formal preparation would be preceded by an Issues and Options consultation under Regulation 18 of the 2012 Regulations. In what follows I will

refer to the 'legacy' and 'new' systems in line with the terminology set out above.

6. The reasons for the Council's change of tack are broadly as follows:
 - The West Midlands Combined Authority is committed to bringing forward a Spatial Development Strategy and joint work to support this has been initiated in advance of the system going live next year;
 - Changes to local housing needs in the sub-region following revisions to the standard method include a substantially higher figure for Solihull and some other West Midlands authorities, whilst Birmingham City, due in part to the abandonment of the urban uplift, has a considerably lower housing need. Indeed, in Birmingham's case it appears that the emerging plan may be able to meet its own needs with some headroom.
 - Material change to the national policy position on Green Belt including the introduction of the concept of 'grey belt'.
7. The Council's view is that these things constitute material changes in circumstances which mean that the withdrawn plan's assumptions about the spatial strategy and how and where the sub-region's unmet needs could be met would have to be revisited as part of local plan preparation. Moreover, these things are likely to be set in the broader strategic context offered by the SDS.

Flexibilities etc

8. The Framework emphasises the importance of plan-led development and recent statements of national policy have set out the Government's commitment to pursue universal plan coverage. Indeed, the importance of the plan-led approach is recognised in the Council's Issues & Options document (at paragraph 11). Weight can also be accorded to emerging policies in decision-making as set out in the Framework and recognised in the Draft Framework (Policy DM4). In this context, we talked about emerging speculative applications relating to the district and their fit (or otherwise) with the withdrawn plan's spatial strategy. We spoke about how alterations to the timetable would mean that it would take longer to secure a plan-led approach to development in the district.
9. The Minister, both in the Solihull Letter and elsewhere, has set out that the strategic planning reforms should not in themselves lead to delays local plan progress. Indeed, in his letter to the Planning Inspectorate of 9 October (the October Letter), the Minister sets out the role of emerging SDS in the context of the "flexibilities" that Inspectors are expected to apply in examinations relating to the last plans to be brought forward in the legacy system prior to the closing date for submissions in December 2026. According to the October Letter it "is therefore critical that Inspectors approach examinations of current system plans with the appropriate degree of flexibility. The evidencing of expectations to establish whether the legal and soundness tests have been met... should be proportionate to the context in which plans in the existing system are being prepared."
10. Furthermore, in both a recent Written Ministerial Statement, and in another letter to the Planning Inspectorate (both dated 27 November 2025), the government has signalled its

intention to remove the statutory Duty to Cooperate in the legacy plan-making system. Instead, a plan-maker's cooperation is to be assessed as a soundness issue in line with the relevant sections of the Framework.

11. We discussed the Framework's approach to housing supply in the latter parts of a plan period, and that this could include broad locations for growth as well as allocations. Indeed, for years 11-15 it indicates that this should be done "where possible". Moreover, what the forthcoming SDS may determine in terms of housing distribution and the spatial strategy mean that the context for plan making in the district has materially changed from the situation that pertained to the withdrawn plan. This consideration could have a bearing on how definitive a plan prepared in advance of the SDS would need to be about supply in the latter years of the plan period.
12. We also talked about Part 1 plans that identify exceptional circumstances for Green Belt release, with Part 2s relating to them that make detailed amendments to boundaries and identify site allocations. We discussed whether a similar approach could be taken in a legacy system plan, setting the spatial direction with broad locations that are revisited in an update in the new system. We noted that the draft Framework indicates that plans in the new system should be updated every five years, and that earlier updates could be taken forward including where these are recommended through examination. These are again matters that may be relevant to the 'flexible' approach that the Minister anticipates.
13. The Council expressed some concern that there could be changes to the 'flexibilities' approach ahead of submission of a plan, or during examination. This is based on previous plan preparation experience and the perceived changes in emphasis expressed in letters to the Planning Inspectorate. We discussed how the Ministerial letters, including the Solihull one, would be relevant considerations in respect of a plan to be examined in the legacy system. However, the Council would appreciate more certainty that the flexibility approach would remain in place for a legacy system plan were they to be in a position to submit one (see paragraph 25 below).

Scope and Regulation 18

14. Although the consultation exercise the Council is about to embark on is an 'informal' one which foreshadows the new system coming into place, it is progressing its Issues and Options document under Regulation 18 of the legacy system. I am of the view that the range of matters covered in the Issues and Options document is reasonably comprehensive, as amongst other things, it includes questions on the housing requirement, the site selection process and the spatial strategy. At a high level, it shows sites that have been promoted through the call for sites process.
15. We discussed, in light of the above that it would be prudent to 'twin track' the document to provide a basis for preparing a plan in the legacy system should that prove to be feasible. In order to do this effectively, the Issues and Options document should set out more explicitly that it is being prepared under Regulation 18, and should refer to the 2012 Regulations (see, in particular footnote 10 of the document). We talked about the delegated authority in place for plan preparation and submission and the Council should ensure that this would cover a twin-

tracked approach. The Council should be satisfied that consultation on the document accords with the requirements of the relevant legislative requirements including the 2012 Regulations.

16. Having said this, there are practical difficulties relating to a timetable which would see an expedited preparation phase looking to submit by the December deadline. Amongst the most significant of these is that preparation would have to go straight from a broad brush, high-level Regulation 18 consultation into a Regulation 19 consultation which would feature a spatial strategy and sites which had not been consulted on before. This is inconsistent with the approach set out in the Council's recently updated Statement of Community Involvement (SCI) which anticipates two rounds of Regulation 18 consultation prior to a Regulation 19 exercise. It is likely that the SCI would have to be revised again to account for any expedited process. Moreover, the LDS would also need to be updated to take into account an expedited process and the scope of any proposed current system plan. I understand that cabinet approval would be required to make the necessary alterations to these documents.
17. It is also likely that an expedited process would result in a significant amount of representations at Regulation 19 as interested parties would not have had an earlier opportunity to comment on detailed sites or the preferred spatial strategy. Processing the representations is therefore likely to be a time-consuming task. With this consideration in mind the following resource, linked from MHCLG's [Create or Update a Local Plan](https://www.localdigital.gov.uk/digital-planning/case-studies/) site, contains case studies of digital approaches to gathering and processing representations:
<https://www.localdigital.gov.uk/digital-planning/case-studies/> .
18. Another relevant factor relates to the Council elections in May with all seats being contested. The pre-election period will have an effect on the timing and scope of any consultation that is needed. Moreover, changes to the political make-up of the Council could also have implications for the timetable relating to decision-making and scrutiny on plan preparation activities. These things would tend to push a potential Regulation 19 exercise to late Summer/early Autumn.
19. Taking these things together with the need to assemble an evidence base (see more below) to support a plan in the current system there are clear timetabling challenges associated with preparing a plan to meet the December 2026 deadline.

Evidence base

20. In terms of Green Belt assessment, advice on how to carry this out is now contained in PPG. The Council has designated two settlements as 'towns'. Neither the term 'town' nor 'large built-up area' are defined in the Framework. But the PPG indicates that neither of these phrases is to be taken to include villages. In any assessment, the Council should ensure that their classification of settlements within these categories is robustly justified, given that this will form an important methodological basis for the exercise.
21. Scoping for the sustainability appraisal has been done, and this exercise is carried out in-house. The Council should ensure that sustainability appraisal is carried out iteratively and in-step with plan preparation should a local plan be brought forward in the legacy system. Adequate testing of reasonable alternatives will remain critical in terms of considering whether

a plan is sound.

22. We discussed habitats regulation assessment. Significant effects were screened out in the previous round of plan making due to the district's distance from European sites. Nevertheless, these matters will need to be considered afresh at this new stage of plan-making, and in the context of changing housing needs.
23. We discussed whether the evidence base that supported the previous plan could form a basis for a plan submitted in the legacy system. The Framework expects plans to be underpinned by relevant and up-to-date evidence, which is adequate and proportionate and focused tightly on justifying the policies concerned (paragraph 32). Moreover, the Procedure Guide (at paragraph 1.19) advises that
"Evidence base documents, especially those relating to development needs and land availability, that date from two or more years before the submission date may be at risk of having been overtaken by events, particularly as they may rely on data that is even older. As a minimum, any such documents should be updated as necessary to incorporate the most recent available information. But this may not be necessary for evidence documents on topics that are less subject to change over time, such as landscape character assessments." I advised that the Council should assess the adequacy of its evidence base in the context of these considerations.

Further assistance

24. The Solihull Letter indicates MHCLG's willingness to support LPAs further when aiming to deliver plans in the current system. As indicated at the advisory visit, PAS are also able to provide assistance. Moreover, the Inspectorate could provide a further and more detailed advisory visit at an appropriate stage should the Council seek to progress a plan in the current system.
25. We spoke about other areas where the Council might welcome further support in response to the offer in the letter, which fell broadly into the following categories:
- Support with the duty to cooperate in the changing context including in respect of how a local plan could be brought forward in advance of an SDS and associated work being undertaken at that level to determine an overall spatial strategy and distribution of need;
 - A Ministerial letter (or similar) to the Council confirming that the 'flexibilities' advocated in the October Letter would pertain to the examination of a plan if one were to be brought forward in the legacy system, and offering in-principle support to an expedited timetable that would move directly from the high-level Regulation 18 exercise to the Regulation 19 version of the plan;
 - Help with assembling the evidence base, in particular the necessary transport modelling to take into account the substantial increase in local housing needs.

Pre-submission checklist

26. I shared the recently published pre-submission checklist ahead of the advisory visit and we discussed how this could be used as a self-assessment tool during plan preparation in the current system. Use of the checklist in this way could inform the content of any further advisory visits. The service level agreement between the Inspectorate and the Council will cover how the checklist will be used. Further advice on the checklist is set out in the Procedure Guide at paragraphs 1.6 to 1.11. The checklist would be amended to reflect the anticipated changes to the duty to cooperate.

Examination procedure and programme officers

27. It is important to have a programme officer in place at submission (see Stage 1 Key Actions in the Procedure Guide). The Planning Inspectorate provides programme officer training, the dates for which are published in 'Local Plans: the examinations process' <https://www.gov.uk/guidance/local-plans>. The Inspectorate's 'Guidance for Programme Officers: Local Plan Examinations' is available here: <https://www.gov.uk/government/publications/guidance-for-programme-officers-local-plan-examinations>.

28. The Council may be interested in employing a programme officer in-house rather than tendering for the services of a consultant, and proceeded on this basis in its last examination. In view of this, firstly, it would be useful for any programme officer appointed internally to undertake the Inspectorate's training course. Secondly, as programme officers are independent officers of an examination acting under the direction of appointed Inspectors, they should be impartial and seen to be so. Consequently, it would be inadvisable for anyone who has been involved with work related to plan preparation to undertake the programme officer role on its subsequent examination. Further advice on impartiality and internal appointments is provided in the 'Guidance for Programme Officers' document.

Next steps and concluding remarks

29. The above advice is based on a light touch assessment on the basis of the matters raised in the Solihull Letter and the material supplied by the Council. It is not binding on the Inspector (or Inspectors) who will subsequently be appointed to carry out the independent examination, who will also take into account the evidence base and representations made at the pre-submission stage.

G J Fort

INSPECTOR

22 December 2025