

Public Document Pack

SOLIHULL METROPOLITAN BOROUGH COUNCIL

CPH Climate Change, Planning & Housing Decision Session

Wednesday, 27 January 2021 at 6.00 pm

PLEASE NOTE that any member of the press and public may view the proceedings at this virtual meeting via this weblink
<https://www.youtube.com/channel/UC7DDSVoAlgTnwgp0Ku8iFLQ>

Disclosing Pecuniary Interests - What Must You Do?

(a) You must complete a declaration of your disclosable pecuniary interests, including those of your spouse/civil partner (or someone with whom you are living as such) and send it to the Monitoring Officer within 28 days of your election or appointment to the Council.

(b) When you attend a meeting of the Council, Cabinet, Scrutiny Board, Committee, Sub-Committee or Joint Committee etc, and a matter arises in which you have a disclosable pecuniary interest, unless you have been granted a dispensation, **you must:**

- Declare the interest if you have not already registered it
- Not participate in any discussion or vote
- Leave the meeting room until the matter has been dealt with
- Give written notice of any unregistered interest to the Monitoring Officer within 28 days of the meeting

(c) If you are the Leader or a Cabinet Portfolio Holder you may not exercise any of your delegated powers as a single member in relation to a matter in which you have a disclosable pecuniary interest or take any other step except to give written notice of any unregistered interest to the Monitoring Officer within 28 days of your becoming aware of the interest, or arrange for another person or body to deal with the matter.

| Disclosable Interest | Description |
|---|--|
| Employment, office, trade, profession or vocation | Any employment, office, trade, profession or vocation carried on for profit or gain by you or your partner. |
| Sponsorship | Any payment or provision of any other financial benefit (other than from the Council) made or provided within 12 months of your declaration of interests in respect of any expenses incurred by you in carrying out duties as a member, or towards your election expenses. |
| Contracts | Any contract between you or your partner (or a firm or body corporate in which you or your partner is a partner or a director, or in the securities of which you or your partner has a beneficial interest) and the Council (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged. |
| Land | Any beneficial interest in land which is within the area of the Council and which gives you or your partner a right to occupy the land or receive income. |
| Licences | Any licence held by you or your partner (alone or jointly with others) to occupy land in the area of the Council for a month or longer. |
| Corporate tenancies | Any tenancy where (to your knowledge)— (a) the landlord is the Council; and (b) the tenant is a body in which you or your partner has a beneficial interest i.e. a firm or body corporate in which you or your partner is a partner or a director, or in the securities of which you or your partner has a beneficial interest. |
| Securities | Any beneficial interest held by you or your partner in securities of a body where— (a) that body (to your knowledge) has a place of business or land in the area of the Council; and (b) either— (i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you or your partner has a beneficial interest exceeds one hundredth of the total issued share capital of that class. “securities” means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society. |

SOLIHULL METROPOLITAN
BOROUGH COUNCIL

To:
Councillors A Mackiewicz, M McLoughlin
and J Fairburn

NICK PAGE
CHIEF EXECUTIVE

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Date: Monday, 18 January 2021

CPH CLIMATE CHANGE, PLANNING & HOUSING DECISION SESSION

Wednesday, 27 January 2021

AGENDA

1. **APOLOGIES FOR ABSENCE**
2. **DECLARATIONS OF PECUNIARY OR CONFLICTS OF INTEREST**
3. **QUESTIONS AND DEPUTATIONS**
4. **LOCAL DEVELOPMENT SCHEME** (Pages 5 - 12)

To agree an updated timetable for the Local Plan Review for incorporation into the Local Development Scheme

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Meeting date: 27th January 2021

Report to: Cabinet Member for Climate Change,
Planning and Housing

Subject/report title: Local Development Scheme

Report from: Perry Wardle - Assistant Director – Growth and Development

Report author/lead contact officer: Gary Palmer – Group Manager Policy & Engagement
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Wards affected:

- All Wards | Bickenhill | Blythe | Castle Bromwich | Chelmsley Wood |
 Dorridge/Hockley Heath | Elmdon | Kingshurst/Fordbridge | Knowle |
 Lyndon | Meriden | Olton | Shirley East | Shirley South |
 Shirley West | Silhill | Smith's Wood | St Alphege

Public/private report: Public

Exempt by virtue of paragraph:

1. Purpose of Report

- 1.1 To agree a revised timetable for the Local Plan Review for incorporation in to the Local Development Scheme (LDS).

2. Decision(s) recommended

- 2.1 That the Local Development Scheme be updated to incorporate (a) the timetable set out at paragraph 3.7 of this report and (b) commentary on the matters set out in paragraphs 3.11 to 3.19.
- 2.2 That authority be delegated to the Director of Economy and Infrastructure, in consultation with the Cabinet Member for Climate Change, to finalise the document.

3. Matters for Consideration

Background

- 3.1 The planning system should be genuinely plan-led. Succinct and up-to-date plans should provide a positive vision for the future of each area; a framework for addressing housing needs and other economic, social and environmental priorities; and a platform for local people to shape their surroundings.

- 3.2 The Council's current plan was adopted in December 2013 and work commenced on reviewing the plan in 2015 when it was decided to review the plan as whole rather than pursue a Local Area Plan for the HS2 Interchange site and wider area. It remains a priority of the Council to have a robust and up-to-date plan in place as soon as reasonably practicable.
- 3.3 The Local Development Scheme (LDS) is a process document that the Council must maintain. This must specify (among other matters) the development plan documents (i.e. local plans) which, when prepared, will comprise part of the development plan for the area. As part of this reporting the LDS should contain a timetable setting out the intended key stages leading to the adoption of any plans that the Council is preparing.

Current LDS

- 3.4 The [current LDS](#) was last amended following a report to [Climate Change, Planning & Housing Cabinet](#) in January 2019 and it included the following timetable:
- (a) Summer 2020 – Publish the Draft Submission Plan (Regulation 19)
 - (b) Autumn 2020 – Submit plan for examination
 - (c) Winter 2020/21 – Independent examination of the plan
 - (d) Spring/summer 2021 – Adoption of the plan.
- 3.5 Following publication of the Draft Submission Plan last year it is considered necessary to update the LDS to reflect the actual publication date and the likely timetable going forward.
- 3.6 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.

Updated Timetable

- 3.7 The anticipated timetable going forward is expected to be as follows:
- (a) Winter 2020/21 / spring 2021 – Submit plan for examination
 - (b) Spring & summer 2021 – Independent examination of the plan
 - (c) Autumn 2021 – Adoption of the plan.
- 3.8 It should be noted that the above timetable is dependent on a number of factors, including the following:
- (a) 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.

- (b) Once the plan is submitted to the Planning Inspectorate then the Inspector will have responsibility for conducting the examination, and the hearings.
- (c) 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.

3.9 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.

Other Matters

3.10 The revised LDS would benefit from including commentary on a number of other matters including the following:

Community Infrastructure Levy (CIL)

- 3.11 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.
- 3.12 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 appropriate test¹ 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.

Supplementary Planning Documents (SPDs)

3.13 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 following²:

- (a) Biodiversity Net Gain and Green Infrastructure*
- (b) Climate Change*
- (c) Health*³
- (d) Highway Design & Adoption*
- (e) Historic Environment

¹ 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.

² Those marked with a * are new SPDs.

³ To incorporate hot-food takeaway SPD

- (f) House Extension Guidelines
- (g) Meeting Housing Needs
- (h) Open Space*
- (i) Replacement Dwellings in the Green Belt
- (j) Residential Design Guide*⁴
- (k) Rural Buildings Conversion
- (l) Shop Fronts and Signs
- (m) UKC Hub/Arden Cross*
- (n) Vehicle Parking Standards and Travel Plans

3.14 More work will need to be undertaken to identify an appropriate priority for bringing forward/updating these SPDs.

Planning Reforms

3.15 In August 2020 the Government launched two consultations on reforms to the planning system. One related to a major overhaul of the planning system, and the other included changes to the existing planning system that could be implemented in the meantime.

3.16 The Council responded to both consultations. In relation to the wider ranging planning reforms, the Council stressed the following matters of particular importance to the Borough:

- (a) 67% of Solihull is Green Belt. It is a fundamental part of Solihull's distinctiveness and it is also strategically very important as it contains the Meriden Gap departing Birmingham from Coventry.
- (b) Whilst we acknowledge the Duty to Cooperate has its flaws, it is vitally important that a mechanism is retained to manage strategic planning matters on a cross boundary basis.
- (c) The Council is committed to reducing the Borough's net carbon emissions and achieving net zero by 2041. A revised NPPF must integrate Climate Change into the planning process in a much stronger way.

3.17 The changes to the existing planning system would have seen change to the standard methodology that would increase the Borough's own needs by around 20% by applying a second affordability uplift. The Government has now brought into effect these interim changes to the existing planning system, but rather than implement those that were consulted on, it has dropped the use of a second affordability uplift.

⁴ To bring together the New Housing in Context and Backland SPDs which are presently used/in preparation under the SLP 2013.

This has been replaced with a 35% increase to housing need in the 20 largest city/urban centres in the country. This therefore means that Solihull's Local housing Need⁵ (LHN) (arrived at by using the standard methodology) will not be affected by the changes now introduced to the existing planning system.

- 3.18 The timetable associated with the more significant changes is less clear, but is not expected to take effect until at least the end of 2021. There is much detail still to be worked up before any changes could be brought into effect. In particular about how any further amendments to the standard methodology may be made, and how the methodology may make adjustments to take into account local constraints, eg the Green Belt, in setting a binding requirement on an area. These potential reforms will continue to be closely monitored, and at any point before the plan review is adopted it becomes clear that pursuing a plan under the new regime is more beneficial to the Borough, then it remains an option to withdraw the current plan.
- 3.19 The major reforms to the planning system may also see fundamental changes to how S106 agreements and CIL operates. Until this becomes clearer it is considered prudent to continue and review the CIL changing schedule as noted above.

4. What options have been considered and what is the evidence telling us about them?

- 4.1 The Council must maintain and have an up-to-date LDS in place.
- 4.2 The options around bringing forward the publication of the Draft Submission Plan were considered in January 2020 and this led to the Cabinet/Council reports in October 2020 and the subsequent publication of the plan. This was on the basis that it remains a priority of the Council to have a reviewed development plan in place as soon as possible.

5. Reasons for recommending preferred option

- 5.1 The proposed timetable set out at paragraph 3.7 represents the likely timescale going forward now that the Council has published the Draft Submission Plan.

6. Implications and Considerations

- 6.1 State how the proposals in this report contribute to the priorities in the [Council Plan](#):

| Priority: | Contribution: |
|--|---|
| <p>Economy:</p> <ol style="list-style-type: none"> 1. Revitalising our towns and local centres. 2. UK Central (UKC) and maximising the opportunities of HS2. 3. Increase the supply of housing, especially affordable and social housing. | <p>At the heart of the plan are policies seeking to increase the supply of housing (including affordable housing); maximising the potential of UK Central & HS2; Supporting continued economic growth and job provision; facilitate urban regeneration opportunities and infrastructure delivery;</p> |

⁵ As set out in the Draft Submission Plan (Oct 2020)

| | |
|--|---|
| | and providing a framework for the town centres. |
| <p>Environment:</p> <p>4. Enhance Solihull's natural environment. 5. Improve Solihull's air quality. 6. Reduce Solihull's net carbon emissions.</p> | Also at the heart of the plan are policies designed to enhance the natural environment, improve air quality and put into effect the actions from the Climate Change Declaration, including reducing carbon emissions. |
| <p>People and Communities:</p> <p>7. Take action to improve life chances in our most disadvantaged communities. 8. Enable communities to thrive. 9. Sustainable, quality, affordable provision for adults & children with complex needs.</p> | The plan also includes policies that seek to address inequalities, improve public health and allow communities to thrive (including through new infrastructure and the ability for Community Infrastructure Levy to be used locally). |

6.2 Consultation and Scrutiny:

6.2.1 Four major consultation/representation events around the LPR have already taken place and further opportunity will be available for interested parties to participate in the examination process.

6.2.2 Progress on the Local Plan Review has regularly been reported to the Economic Development and Managed Growth Scrutiny Board.

6.2.3 All members have been involved via a series of workshops that have been undertaken. These will continue and will fit in with key stages of plan production.

6.3 Financial implications:

6.3.1 None as a direct result of this report.

6.4 Legal implications:

6.4.1 None as a direct result of this report.

6.5 Risk implications:

6.5.1 None as a direct result of this report.

6.6 Equality implications:

6.6.1 None as a direct result of this report.

7. List of appendices referred to

7.1 None

8. Background papers used to compile this report

8.1 None

9. List of other relevant documents

9.1 [Local Development Scheme \(Jan 2020\)](#)

9.2 [Draft Submission Plan \(Oct 2020\)](#)

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