

## ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS

1.	Meeting:	Council Meeting
2.	Date:	16 September 2015
3.	Title:	Rotherham Local Plan: Publication Sites and Policies Document
4.	Directorate:	Environment & Development Services
5.	Advisory Cabinet Member:	Councillor Lelliott

### 6. Summary

6.1 This report is an open item. However, the Publication Sites and Policies document (including Policies Map) that this reports refers to is not yet publicly available as it falls within the definition of exempt information under Schedule 12A of the Local Government Act 1972 (as amended): 3. Information relating to the financial or business affairs of any particular person (including the authority holding the information). This is because:

- (i) The Sites and Policies document is a confidential draft that has yet to be approved by Council. Public consultation on the document will follow soon after Council has approved the document.
- (ii) Premature release of the Sites and Policies document may give interested parties an unfair advantage over other Local Plan consultees and the general public, as the detail of development sites would be released prior to formal notification of the statutory consultation period.

6.2 Subject to approval by Council, statutory public consultation on the Sites and Policies document will take place during autumn 2015 focusing on issues of soundness and legal compliance. The document will then be submitted to Government for independent examination, subject to there being no significant changes required following consultation. The Sites and Policies document (including Policies Map) was made available to Members prior to the meeting.

### 7. Recommendations

- 1. That the Council approve public consultation on the Sites and Policies document for the statutory six week period.
- 2. That the Council approve submission of the Sites and Policies document to Government, subject to no significant changes being required following public consultation.

## 8. Proposals and Details

### *Purpose*

8.1 The Council is preparing a Local Plan for Rotherham. This is both a statutory requirement and a pro-active approach to meeting our need for new homes and jobs, promoting economic growth and continuing the regeneration of the borough. The two key documents contained within the Local Plan are the Core Strategy, and the supporting Sites and Policies document:

- (a) The Core Strategy was adopted by the Council on 10 September 2014. It sets out the Council's vision for the future development of the borough between 2013 and 2028 (the plan period), and the strategic policies to guide investment and development decisions to achieve this vision.
- (b) The Sites and Policies document earmarks the specific development sites to deliver the Core Strategy's objectives and provides development management policies to help determine planning applications.

8.2 Following extensive community engagement over a number of years, we have produced a revised version of the Sites and Policies document. This is the "Publication" version which, if approved by Council, will be subject to statutory public consultation and then submitted to Government for public examination by an independent planning inspector.

8.3 The Publication Sites and Policies document takes account of:

- Consultation comments and feedback.
- Recommendations of the Integrated Impact Assessment (including Sustainability Appraisal).
- Other plans, strategies and policies of the Council and other partners, including bodies within Sheffield City Region.
- Relevant legislation, the National Planning Policy Framework and Planning Practice Guidance.
- Legal advice.
- Advice from the Planning Advisory Service.
- The outcome of cross boundary discussions with neighbouring authorities and bodies under the Duty to Cooperate.

8.4 The Publication Sites and Policies document meets the targets for new homes and jobs fixed in the adopted Core Strategy (see Appendix 1). Most new development proposed by the plan will be focused in the Rotherham Urban Area (including at Bassingthorpe Farm) and at Principal Settlements for Growth at:

- Wath, Brampton and West Melton
- Dinnington, Anston and Laughton Common, and

- Bramley, Wickersley and Ravenfield Common.

8.5 The strategic site at Bassingthorpe Farm was removed from the Green Belt and allocated for development on adoption of the Core Strategy on 10 September 2014. Subject to planning permission, we anticipate that Bassingthorpe Farm will deliver 1,700 new homes and 11 hectares of employment land within the plan period. The total capacity of the site is around 2,400 homes.

#### *Development sites*

8.6 In total, 673 potential development sites were originally put forward for consideration. Of these, 140 sites have progressed through the site selection process and public consultation and are identified to meet the targets in the Core Strategy, comprising:

**99 sites for new homes**

**40 sites for employment use**

**1 site for Gypsy and Traveller use**

8.7 Table 1 below provides a breakdown of the amount of housing on brownfield/ greenfield land and land to be removed from the current Green Belt.

8.8 The employment allocations include three Special Policy Areas and two sites for mixed use development which will contribute towards the employment land requirement. Further areas throughout the borough are identified as mixed use areas. The mixed use policy in the plan sets out the range of uses that are acceptable within these areas should regeneration opportunities occur.

8.9 We are proposing to allocate a site as a Gypsy and Traveller site. This is based on a study that identifies a need for additional Gypsy and Traveller pitches in the borough.

8.10 In addition, we have identified 18 sites as “safeguarded land”. This is land taken out of the Green Belt but held in reserve and not developed in this plan period, i.e. not before 2028. Green Belt boundaries are required to have a longer lifespan than a 15 year plan period so when reviewing the Green Belt, as we have for this plan, we must identify sufficient reserve land to achieve this longevity. The safeguarded land identified is equivalent to a five year supply of housing land (4,250 homes). This land is not allocated for development; any consideration of safeguarded land would require a review of the plan.

<b>Table 1: Housing on brownfield/greenfield land and on land to be removed from Green Belt</b>			
<b>Housing numbers breakdown for Core Strategy target (2013 - 2028)</b>	<b>Brownfield (dwellings)</b>	<b>Greenfield (dwellings)</b>	<b>(of which Green Belt) (dwellings)</b>
<b>Current planning permissions not identified as development sites in the Local Plan</b> (The majority of these sites are less than 10 dwellings and primarily on brownfield land, i.e. over 70% brownfield)	<b>1,725</b>	<b>600</b>	<b>(0)</b>
<b>Current planning permissions identified as development sites in the Local Plan</b> (Larger sites above 0.4ha)	<b>3,570</b>	<b>1,132</b>	<b>(0)</b>
<b>New allocations identified in the Local Plan</b> (Larger sites above 0.4ha, required to meet Core Strategy settlement targets)	<b>1,261</b>	<b>7,365</b>	<b>(5,879)</b>
<b>Sub total</b>	<b>6,556</b>	<b>9,097</b>	<b>(5,879)</b>
<b>Total capacity</b>	<b>15,653</b>		
<b>Percentage</b>	<b>42%</b>	<b>58%</b>	<b>(38%)</b>

### *Brownfield land and Green Belt*

8.11 Contrary to popular belief, there is simply not enough brownfield land in the borough to meet all our housing and employment needs. In fact we only have enough suitable brownfield land for under half of the new homes we need over the next 15 years. The rest will have to be found on greenfield or Green Belt land.

8.12 It is clear that some Green Belt land is needed for new development and this was accepted by the Core Strategy inspector as providing the exceptional circumstance justifying a review of the Green Belt boundary. We have carefully considered the Green Belt boundary as part of this review to help choose the most sustainable sites for development.

8.13 We have always tried to prioritise the use of brownfield land before greenfield or Green Belt land. Our past performance over the last 10 years is excellent, with over two thirds of new homes being built on brownfield land. However:

- Brownfield land is a finite resource and, due to the success of our previous regeneration policy, many sites have already been redeveloped.

- Not all brownfield sites are suitable for housing due to location, flood risk, contamination and other constraining factors.
- Many brownfield sites are still needed for employment use; earmarking the land for housing could make employers relocate and cause job losses.
- Many sites are not economically viable; made worse by the recession. We can only allocate sites if we can demonstrate that they are likely to be developed.

8.14 Table 2 below shows our past performance on housing completions. There is currently no national target for brownfield housing development. The last time there was a national target, it was set at 60%.

<b>Table 2: Housing completions in Rotherham borough (net dwellings)</b>					
	Brownfield	Greenfield	Total	Brownfield %	Greenfield %
2004/2005	299	339	638	47	53
2005/2006	257	246	503	51	49
2006/2007	398	163	561	71	29
2007/2008	413	222	635	65	35
2008/2009	602	149	751	80	20
2009/2010	310	104	414	75	25
2010/2011	384	168	552	70	30
2011/2012	550	161	711	77	23
2012/2013	354	161	515	69	31
2013/2014	366	186	552	66	34
2014/2015	448	185	633	71	29
<b>Total</b>	<b>4,381</b>	<b>2,084</b>	<b>6,465</b>	<b>67%</b>	<b>33%</b>

### *Agricultural land*

8.15 National planning policy says we should seek to use areas of poorer quality land in preference to that of a higher quality. There is approximately 4,080 hectares of high quality agricultural land in Rotherham. Out of 158 sites we are proposing to allocate or safeguard; only three sites (totalling 24.3 hectares) are classed as high quality agricultural land. This represents 0.6% of the high quality agricultural land in the borough. We feel this has kept to a minimum the unavoidable loss of good quality farmland.

### *Development Management policies*

8.16 The Publication Sites and Policies document contains 70 policies grouped under seven themes designed to meet the main aims of the Core Strategy, these are:

- To implement a strategy that **delivers new development in sustainable locations.**
- To deliver housing developments which **create mixed and attractive places to live.**
- To support developments, including business, industry, retail, leisure and tourism which **support a dynamic economy**, including Rotherham's network of retail and service centres.
- To **support movement and accessibility** within Rotherham through successful public and private transport networks, as well as encouraging walking and cycling.
- To **manage the natural and historic environment** to protect and enhance Rotherham's green infrastructure, bio and geo-diversity and water environments, as well as guide minerals related development and deal with flood risk.
- To **create safe and sustainable communities** by supporting safe, healthy, sustainable and well-designed places, as well as the delivery of renewable energy and appropriate community facilities.
- To **ensure that the necessary new infrastructure is delivered** to support the Plan's spatial strategy and that decisions are taken with regard to the national **presumption in favour of sustainable development.**

8.17 As well as providing for new homes, employment, retail, mixed use and green space the suite of policies covers a range of related subjects such as design and construction, minerals, wind energy opportunities, heritage protection, flooding, sustainable drainage, biodiversity, pollution control, and climate change.

#### *Wind energy development*

8.18 A ministerial statement on 18 June 2015 on wind energy development has meant a change to the Publication Sites and Policies document. The statement sets out that, *"when determining planning applications for wind energy development involving one or more wind turbines, local planning authorities should only grant planning permission if the development site is in an area identified as suitable for wind energy development in a Local or Neighbourhood Plan."* The Publication Sites and Policies consultation will allow stakeholders and the public to comment on our approach to this policy change; which is to identify areas excluded from wind farm development (Policy SP60 in the Publication Sites and Policies document refers).

#### *Policies Map*

8.19 We have also prepared a Policies Map for the borough detailing all development sites, land use allocations and policy designations on an Ordnance Survey base map. We will make the Policies Map available online using the Council's Community Map system to enable access to the detailed information in a user friendly format.

## *Supporting documents*

8.20 The Publication Sites and Policies document will be supported by:

- An updated Integrated Impact Assessment comprising Sustainability Appraisal, Equalities Impact Assessment, Health Impact Assessment and a Habitat Regulations Assessment scoping opinion.
- Background reports providing more detail on the evidence base justifying the strategy and policies.
- Good Practice Guidance Notes to aid the interpretation of development management policies by developers including transport assessments, air quality and bio-diversity.

## *Consultation*

8.21 The Publication stage enables formal representations on issues of soundness and legal compliance, i.e. whether the Sites and Policies document is justified, whether it is effective, whether it is consistent with national policy, whether it has been positively prepared, and whether it has been produced in accordance with relevant legislation and regulations. The format of the consultation is effectively prescribed by the government regulations the Council must follow. Representations made at this stage will be forwarded to the Planning Inspectorate along with the plan.

8.22 Subject to approval by Council, the Publication Sites and Policies document will be published for statutory consultation commencing late September or early October 2015 for a six week period. The version published for consultation may include minor formatting and presentational changes. The document will be made available on the Council's website, at our main office at Riverside House and at libraries throughout the borough as appropriate. Given the nature of the consultation, community engagement events are not considered appropriate. However, planning officers will be available to answer questions and help people make their comments during the consultation period. An indicative consultation timetable is shown in Table 3 below.

<b>Table 3: Timetable for Publication and Submission</b>	
16 July	Ward member and parish council chairs briefing drop-in session
16 Sept	Council approves Publication Sites and Policies document
Week beginning 21 Sept (tbc)	<ul style="list-style-type: none"><li>• Briefing note to Members and MPs</li><li>• Press briefing</li><li>• Notification of consultation sent to all consultees on Local Plan database</li><li>• Statutory notice in the local press</li></ul>

28 Sept (tbc)	Consultation starts: Documents available on Council website, at Riverside House and at libraries as appropriate. Planning officers available throughout consultation period to answer queries and assist people in making their comments
9 Nov (tbc)	Consultation closes
Nov 2015 to Feb 2016	Consultation comments assessed, list of any suggested amendments compiled and Sites and Policies document prepared for submission to Government
March 2016	Sites and Policies document, supporting material and consultation comments submitted to Government for Examination in Public

#### *Future timetable*

- 8.23 We intend to submit the Sites and Policies document to Government early in 2016, along with representations received at Publication stage and any proposed minor changes. If any significant changes are required as a result of public consultation we will bring the document back to Council for approval before submission.
- 8.24 Subject to a timetable set by the Planning Inspectorate, the independent examination is expected to take place in mid-2016. We would then bring the document to Council for formal adoption by the end of 2016 or early 2017.

### **9. Finance**

- 9.1 The costs of consultation and submission of the Sites and Policies document will be met from the Planning Policy budget.
- 9.2 The Council will also be required to meet the costs of the independent examination of the plan undertaken by the Planning Inspectorate. The precise cost will depend upon the length and complexity of the examination, but could be around £100,000 given that this is likely to be a significantly longer examination than that for the Core Strategy (which cost around £60,000). Financial Services has confirmed that these costs will be met by the Council's Statutory Costs budget. We anticipate this cost will arise in the 2016/17 financial year.

### **10. Risks and Uncertainties**

- 10.1 Approval by Council of the Publication Sites and Policies document is sought to enable public consultation and progress towards adoption.



- Rotherham's Core Strategy is now in place and helps provide an up-to-date planning policy framework for the borough's future growth and development. Progress on the supporting Sites and Policies document is vital to complete the Local Plan and bring forward the development sites required to implement the Core Strategy.
- Failure to make progress with the Local Plan risks delayed provision of the new homes and employment opportunities that the borough needs.
- At present we cannot demonstrate a five year supply of housing land. In this situation any further delay in adopting the Sites and Policies document to complete the Local Plan risks increased pressure from developers for early release of speculative Green Belt sites. This could lead to "planning by appeal" resulting in Green Belt development that is contrary to our emerging plan and local community wishes.
- The government's recently published productivity plan (Fixing the foundations: Creating a more prosperous nation, July 2015) sets out changes to the planning system. Local authorities will be required to produce a Local Plan by early 2017. Failure to meet this deadline risks government intervention, with plan making taken out of the hands of the local authority.
- Having a Local Plan in place will provide a steer for any neighbourhood plans that may emerge under the provisions of the Localism Act. Two parish councils have sought assistance with preparing a neighbourhood plan but, to date, neither has formally commenced the process.

## **11. Policy and Performance Agenda Implications**

11.1 The implementation of the Local Plan will make a positive contribution to all of Rotherham's Regeneration priorities. When adopted, the Sites and Policies document and supporting documents will further the objectives of the Commissioners' Key Outcome 10: a growing local economy, the Corporate Plan and support the delivery of the Rotherham Sustainable Community Strategy by:

- Providing sufficient, good quality new homes.
- Ensuring well designed, decent affordable housing.
- Providing employment land to meet the needs of the modern economy and support sustainable communities through access to employment opportunities.
- Promoting the "town centre first" policy approach to help the regeneration and renaissance of Rotherham Town Centre and other retail and service centres within the borough.

## 12. Background Papers and Consultation

### 12.1 Rotherham Publication Sites and Policies document and Policies Map (2015)

**The Publication Sites and Policies document (and Policies Map) that this reports refers to is not publicly available as it falls within the definition of exempt information under Schedule 12A of the Local Government Act 1972 (as amended): 3. Information relating to the financial or business affairs of any particular person (including the authority holding the information).**

### 12.2 Other Council and regional strategies have been considered and informed the preparation of the Sites and Policies document:

Rotherham Local Plan Core Strategy 2013-2028 (Adopted Sept 2014)  
The Rotherham Housing Strategy 2013-2043  
Rotherham/Sheffield Strategic Housing Market Assessment (2015)  
The Rotherham Growth Plan (draft) (2015)  
Sheffield City Region Strategic Economic Plan 2015-2025 (2014)  
Rotherham Council Corporate Plan 2013-16  
The Rotherham Sustainable Community Strategy 2012-2015  
Dearne Valley Eco-Vision (2008)  
Sheffield City Region Transport Strategy 2011-2026  
Rotherham Transport Strategy 2015-2026 (draft)  
Local Flood Risk Management Strategy (May 2014)  
South Yorkshire Interim Local Guidance for Sustainable Drainage Systems (June 2015)  
Flood Risk Tool Kit (April 2011)  
Rotherham Bio-Diversity Plan (2012)  
South Yorkshire Forest Green Infrastructure Plan (2011)  
Rotherham Green Spaces Audit (2005)  
Rotherham Green Spaces Strategy (Adopted Sept 2010)  
Rotherham Playing Pitch Strategy (2009)  
Planning and Design for Outdoor Sport and Play, Fields in Trust (2008)  
South Yorkshire Gypsy & Traveller Needs Study (2012)

### 12.3 We have undertaken extensive public consultation over a number of years on the emerging Sites and Policies document and its accompanying Sustainability Appraisal. Details of the consultation and the dates of Feedback Reports are provided in Table 4 below.

<b>Table 4: Summary of consultation on the Sites and Policies document</b>	
Feb 2006	Stakeholder workshop held to discuss emerging Core Strategy spatial options for the borough
15 May to 16 June 2006	Consultation on four Core Strategy spatial options for Rotherham via an online questionnaire and stakeholder workshops. Results given in subsequent Feedback Report (July 2006)
May 2007 (and Nov 2010)	Employment Land Review published following consultation (subsequently updated in 2010)
Jan 2007 to Nov 2008	The Council invited suggestions for potential site allocations. Subsequently the Council received further suggestions for site allocations and this “call for sites” remained open until July 2013. Further employment sites were considered after this date in conjunction with the Council’s Economic Regeneration service in order to reflect the Sheffield City Region Local Enterprise Partnership growth aspirations and align with the emerging Rotherham Growth Plan
23 Nov 2007	Stakeholder workshop held to discuss and agree how we would undertake surveys to identify possible site allocations
Apr 2008 onwards	Borough wide surveys to identify possible site allocations; review of potential boundaries and suggested changes to Green Belt
May to Aug 2009	Consultation on potential site allocations and major urban extensions into Green Belt. We received 6,150 representations during the consultation period
Dec 2009 and Mar 2010	Interim and Final Feedback Reports published on the consultation into the site allocations and major urban extensions
July to Sept 2011	Consultation on the <b>Sites and Policies Issues and Options document (June 2011)</b> including initial indication of preferred sites for development. We received 7,441 representations
Jan 2012	Feedback Report published on the consultation into the Sites and Policies Issues and Options document
May 2013 to July 2013	Consultation on the <b>Draft Sites and Policies document (May 2013)</b> . We received 7,406 representations

Oct 2014	Feedback Report published on the consultation into the Draft Sites and Policies Document
Oct to Nov 2014	Consultation on <b>Final Draft Sites &amp; Policies document (Oct 2014)</b> . We received 2,462 representations

12.4 At each stage of plan preparation we have carefully considered the results of public consultation and the Integrated Impact Assessment (IIA) of the draft plan. Where consultation and IIA have raised material planning considerations we have made appropriate changes to policies and site allocations.

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## **Appendix 1: Setting a local housing target**

1. We are one of the few local authorities to achieve a sound Core Strategy since the National Planning Policy Framework was issued in 2012. Furthermore, we are one of only a handful of authorities to secure a housing target lower than the previous regional strategy figure. Our local target sets an appropriate level of growth while minimising loss of Green Belt land.
2. If we had stuck with the top-down housing target in the old regional strategy we would have had to find land for around 24,000 new homes over the 15 year life of the plan, most of them on Green Belt. We felt this was excessive and put forward a local target of around 14,000 new homes based on more up-to-date evidence. This stance was in keeping with the responses from the various rounds of public consultation.
3. After holding a public inquiry in October and November 2013, the inspector's initial view was that we should plan for around 17,000 new homes (the extra 3,000 above our local target would have been on Green Belt).
4. We challenged this view with clear evidence of the harm this would cause and by putting forward a robust argument at a further inquiry session in May 2014. Despite strong opposition from the development lobby, the inspector agreed with us and his final verdict was to approve a local target of 850 new homes a year. When we add on the shortfall of homes not built over the last five years, this will require 14,371 new homes to be built over the 15 year plan period, or 958 a year.
5. As a responsible Council, we are planning for all the borough's communities, including future generations, and by releasing sufficient land for new homes we can play our part in addressing the housing crisis.
6. To promote job creation, we are proposing to allocate 230 hectares of employment land for new economic development with up to an additional 5 hectares of land to accommodate new office floorspace. Our targets align with the Rotherham Growth Plan and Sheffield City Region Strategic Economic Plan.
7. The Core Strategy settled the argument about the scale of growth; the Sites and Policies document will determine exactly which sites will be developed in the borough's communities to meet this growth.
8. Table A.1 below provides a summary of the borough position.

**Table A.1: Local Plan development targets and capacity (2013 to 2018)**

<b>Core Strategy housing target (dwellings)</b>	<b>14,371</b>	
<b>Current planning permissions</b> (homes with planning permission but not yet built)	<b>7,027</b>	
<b>Additional capacity required</b> (target minus planning permissions)	<b>7,344</b>	
<b>Proposed new allocated sites</b> (homes on new residential allocations)	<b>8,626</b>	
<b>Total capacity</b> (current planning permissions plus new allocations)	<b>15,653 <sup>[1]</sup></b>	
<b>Excess / shortfall</b> (from Core Strategy target of 14,371)	<b>+1,282 (9%)</b>	
<b>Core Strategy employment land target</b>	<b>235ha</b>	
<b>Proposed employment allocations</b> (land allocated for business / industry)	<b>264ha</b>	
<b>Excess / shortfall</b> (from Core Strategy target of 235ha)	<b>+29ha (12%)</b>	
<b>Retail floor space requirement</b>	<b>20,000 sqm</b>	
<b>Proposed retail allocations</b>	<b>25,700 sqm <sup>[2]</sup></b>	
<b>Excess / shortfall</b> (from Core Strategy target of 20,000 sqm)	<b>+5,700 sqm (29%)</b>	
<b>Overall effect on the Green Belt</b>	<b>Area</b>	<b>% of current Green Belt (20,650 ha)</b>
Residential allocations (removed from Green Belt)	<b>267 ha</b>	<b>1.3%</b>
Employment allocations (removed from Green Belt)	<b>107 ha</b>	<b>0.5%</b>
<b>Total</b>	<b>374 ha</b>	<b>1.8%</b>
<b>Safeguarded Land for residential use</b> (Land reserved for use beyond the plan period. Removed from the Green Belt upon adoption but not to be developed before 2028)	<b>164 ha</b>	<b>0.8%</b>
<b>Land proposed to be included in Green Belt</b>	<b>+71 ha</b>	<b>0.3%</b>
<b>Total land to be removed from Green Belt</b>	<b>467 ha</b>	<b>2.3%</b>

[1] The housing total exceeds the 14,371 Core Strategy target as we must allocate sufficient sites in individual settlements (we can “round up” but not “round down”). This provides a buffer of around 10% which is considered prudent in plan making and will be required by the planning inspector to demonstrate flexibility should some sites not come forward or deliver lower numbers than expected.

[2] The retail floorspace provides flexibility taking account of the nature of the sites proposed for allocation – including sites within Rotherham town centre on which the amount of retail floorspace which might be delivered is uncertain. It also includes sites which have been identified to provide local facilities for residential communities and one site where retail planning permission has been granted but not yet implemented.