

**Committee Name and Date of Committee Meeting**

Cabinet Cabinet – 08 July 2019

**Report Title**

Local Plan Core Strategy: Five Year Review

**Is this a Key Decision and has it been included on the Forward Plan?**

Yes

**Strategic Director Approving Submission of the Report**

Paul Woodcock, Strategic Director of Regeneration and Environment

**Report Author(s)**

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**Ward(s) Affected**

Borough-Wide

**Report Summary**

In line with legislative requirements, a desk based review of the Local Plan Core Strategy has been undertaken to assess whether some or all of it may need updating. The review indicates that, although the Core Strategy continues to be broadly up to date and complies with requirements set out in national planning policy, a number of areas require an update. Approval is sought to commence a partial update of the Core Strategy to update policies relating to housing, flood risk and water management, climate change and carbon reduction, and the presumption in favour of sustainable development, and to update infrastructure requirements to support new growth.

**Recommendations**

1. That the findings of the Local Plan Core Strategy Five Year Review be noted.
2. That approval be given to the commencement of a partial update of the Local Plan Core Strategy (adopted 10 September 2014).
3. That a further report be brought to Cabinet to consider a revised Local Development Scheme setting out the timescale for, and broad scope of, the partial update of the Core Strategy.

**List of Appendices Included**

Appendix 1 Core Strategy Five Year Review  
Appendix 2 Equality Analysis

**Background Papers**

Rotherham Local Plan Core Strategy (adopted September 2014):

[http://rotherham.limehouse.co.uk/portal/planning/cs/adopted\\_cs/adopted\\_cs](http://rotherham.limehouse.co.uk/portal/planning/cs/adopted_cs/adopted_cs)

National Planning Policy Framework:

<https://www.gov.uk/guidance/national-planning-policy-framework>

Planning Practice Guidance:

<https://www.gov.uk/government/collections/planning-practice-guidance>

**Consideration by any other Council Committee, Scrutiny or Advisory Panel**

Overview and Scrutiny Management Board – 3 July 2019

**Council Approval Required**

No

**Exempt from the Press and Public**

No

## **Local Plan Core Strategy: Five Year Review**

### **1. Background**

- 1.1 The Council's Local Plan provides a long-term development strategy, setting out policies and proposals for new development. It consists of several documents, including the Core Strategy 2013 – 2028, and is used to make planning decisions and decide planning applications.
- 1.2 The Core Strategy (adopted 10 September 2014) sets out the spatial strategy for the whole Borough and identifies the broad locations for delivering new housing, employment and other development. It sets out how much new development is needed, where it should go and when it should happen. It also sets out the strategic policies and the required new infrastructure to make this happen. The detailed policies and sites for new development are set out in the separate Local Plan Sites and Policies document (adopted 11 June 2018).
- 1.3 Local Planning Authorities are required by legislation to review Local Plan documents at least every five years from the date of adoption, and to decide either that their policies do not need updating, or that one or more policies do need updating.
- 1.4 In line with Government guidance a desk based review of the Core Strategy has been undertaken which has considered:
  - Changes to national planning policy, including the introduction of a standard methodology for calculating local housing requirements.
  - A review of housing need and delivery.
  - An assessment of planning appeals performance.
  - The results of Local Plan monitoring.
  - Duty to co-operate findings.
  - Other changes in circumstances.
- 1.5 Appendix 1 provides a summary of the Core Strategy Five Year Review.

### **2. Key Issues**

- 2.1 The review confirms that the Core Strategy continues to be broadly up to date and complies with the requirements set out in national planning policy, although there are several areas where an update to policies is considered appropriate.
- 2.2 Housing and employment policies  
An update to housing policies is required to take account of Central Government changes to national planning policy which introduced a housing delivery test, a standardised method for calculating local housing need, and changes relating to neighbourhood plans.
- 2.3 There is also a need to consider the latest local evidence regarding affordable housing delivery, an updated Strategic Housing Market Assessment, and Gypsy and Traveller housing requirements. Consideration should also be given to opting into the Government's housing standards (which include minimum internal space requirements) to ensure that new homes provide appropriate space for residents.

- 2.4 In conjunction with this it will be important to consider the employment policies to ensure that future housing and economic growth requirements remain aligned.
- 2.5 Flood Risk and water management  
An update to flood risk and water management policies is required to improve consistency of policies with national planning practice guidance, and to reflect the most recent evidence regarding surface water flooding and flood defences (including allowances in design for climate change).
- 2.6 Climate change and carbon reduction  
It is appropriate to consider whether relevant policies (in particular those related to low carbon, renewable energy and minerals) could be updated to move towards a net zero climate change or net zero carbon approach, recognising the continuing challenges of climate change, the importance of reducing carbon emissions and reducing reliance on fossil fuels.
- 2.7 Presumption in favour of sustainable development  
To comply with national planning policy the Core Strategy promotes sustainable development. The policy sets out how the Council will seek to meet the needs of the borough, grant planning permission for proposals wherever possible and specifies how proposals will be considered where there are no policies relevant to an application or relevant policies are out of date. It will be important to update this policy to reflect changes to national policy regarding this 'presumption in favour of sustainable development'.
- 2.8 Infrastructure  
The Core Strategy is supported by the 2012 Infrastructure Delivery Study which sets out the infrastructure requirements to support growth derived from the Local Plan. These requirements were partially updated as part of implementing the Community Infrastructure Levy (CIL) in Rotherham. Further work to update infrastructure requirements will be required to support an update to the Core Strategy and inform spending decisions for CIL income.
- 3. Options considered and recommended proposal**
- 3.1 **Option 1: Full review and update of Core Strategy**  
The five year review does not indicate that a full update of the Core Strategy is required. A full update would have significant time, resource and cost implications.
- 3.2 **Option 2: Partial update of Core Strategy**  
The findings of the five year review indicate that a partial update of the Core Strategy focused only on those limited areas requiring amendment would be appropriate. This targeted approach will ensure that any update is undertaken in a timely and efficient manner.

### 3.3 **Option 3: Do not progress with an update of the Core Strategy**

Where Local Plan policies are out of date this would harm the Council's ability to deliver on its strategic objectives. It would mean the Council may be susceptible to decisions being challenged by planning appeals, and reduce the ability to provide certainty for residents, developers and investors.

3.4 Option 2 is recommended, with options 1 and 3 not considered appropriate. The five year review does not indicate a need for a full update of the Core Strategy; however a partial update addressing the key areas of concern would be appropriate and could be undertaken in a timely and efficient manner, minimising the resource and cost implications. Failure to update the Core Strategy could leave the Council at risk as set out above.

3.5 The full extent of costs can only be established following agreement of the scope of the Core Strategy update. However, key resource implications are identified in the table below. Consultation and evidence base costs would be met from the approved Planning Policy revenue budget. In addition, there is an approved 'statutory' costs budget. . More detail on the funding of the resource requirements is provided in Section 6 below.

<b>Resource</b>	<b>Implication</b>
Officer time	Primarily within the Planning Service, but also including other service areas depending upon the scope of the update.
Evidence base documents	Any Core Strategy update must be evidence-based and there will be a requirement to undertake or commission a number of technical supporting documents.
Consultation	The Council will be required to undertake public consultation as part of updating the Core Strategy. As well as web-based consultation this could include a range of other methods.
Consultation and document production software	The Council utilises web-based document production and consultation software tailored to the requirements of preparing planning documents, including maintaining and managing a database of consultees. Continuity of use of this software will be essential during the Core Strategy update programme.
Examination costs	Prior to adopting the updated Core Strategy the Council will be required to submit it for independent examination by a Government-appointed Planning Inspector. The Council will be responsible for meeting the costs of this examination, including the appointment of a Programme Officer to act as liaison between the Inspector examining the plan and other parties (including the Council).

- 3.6 As only a partial update of the Core Strategy is proposed, costs will be lower than compared to a full review of the Core Strategy; however they will still be significant. Every effort will be made to minimise costs wherever possible.
- 3.7 For clarity, the recommendations in this report do not commit the Council to a specific scope or timescale for the Core Strategy update. Should Cabinet approve the recommendations then a further report seeking approval of a revised Local Development Scheme will be brought back to Cabinet in December 2019 setting out a timetable for updating the Core Strategy, together with the resource requirements and financial implications arising from this. Further Cabinet approval would also be required prior to undertaking public consultation on any Core Strategy update, although this would not be until Autumn 2020 at the earliest.

#### **4. Consultation on proposal**

- 4.1 The desk based review of the Core Strategy has been undertaken in consultation with relevant services, including Transportation, Housing, Ecology, RiDO, and Drainage.
- 4.2 There is no requirement to undertake wider consultation at this stage; however any update of the Core Strategy would be subject to public consultation in line with relevant legislation and the Council's Statement of Community Involvement.

#### **5 Timetable and Accountability for Implementing this Decision**

- 5.1 There are a number of statutory stages in producing an updated Core Strategy. These will need to be set out in an update to the Council's Local Development Scheme, which will be subject of a future report to Cabinet. In summary the update process will involve the following stages:

<b>Stage</b>	<b>Purpose</b>
Establish scope of update and timescale	To inform an update of the Local Development scheme (to be approved by Cabinet).
Evidence gathering	Forms the basis of information for the update.
Development of options	Preparation of the draft updated Core Strategy, including public consultation (subject to approval by Cabinet).
Core Strategy Partial Update	Published for consultation (subject to approval by Cabinet and Council).
Submission Core Strategy	Updated Core Strategy is submitted to the Secretary of State (subject to approval by Cabinet and Council).
Independent Examination	Held by a Planning Inspector into any objections.

Inspectors Report	Setting out any recommended changes that the Council must make if it wishes to adopt the updated Core Strategy.
Adoption of updated Core Strategy	Adoption following Council resolution. The updated Core Strategy would form part of Rotherham's Local Plan.

## **6 Financial and Procurement Advice and Implications**

- 6.1 The full extent of costs can only be established following agreement of the scope of the Core Strategy update. Consultation and evidence base costs would be met from a combination of the approved Planning Policy revenue budget and the statutory costs revenue budget. The current estimate for the cost of the Government appointed Planning Inspector is £30,000 - £40,000. In addition, Programme Officer costs are currently estimated to be £10,000 to £15,000. These will not be incurred until 2020/21 at the earliest, and depending upon the agreed timetable may fall in 2021/22. If the costs are spread over two financial years, this will be more manageable from a revenue budget perspective. More detail on the budgetary implications, including any shortfall, if identified and how they will be managed will be provided in the further report. Funding options can include exploring internal and external funding and grant options.

## **7 Legal Advice and Implications**

- 7.1 Under [regulation 10A of The Town and Country Planning \(Local Planning\) \(England\) Regulations 2012 \(as amended\)](#) local planning authorities must review local plans at least once every five years from their adoption date to ensure that policies remain relevant and effectively address the needs of the local community. The desk based review, which has been undertaken, is in accordance with these Regulations.
- 7.2 Should amendments to the Local Plan Core Strategy be required following this review, the statutory process required to be followed is set out within the body of the report.

## **8 Human Resources Advice and Implications**

- 8.1 There are no Human Resources implications associated with the recommendations of this report.

## **9 Implications for Children and Young People and Vulnerable Adults**

- 9.1 An updated Core Strategy will assist in delivering the Local Plan's objectives and strategy, include promoting and delivering sustainable patterns of development and sustainable communities, meeting the housing and economic needs of Rotherham's communities and enhancing the quality of the built and natural environment.

## 10. Equalities and Human Rights Advice and Implications

- 9.1 There are no direct equalities or human rights implications arising from the recommendations of this report; however these will be taken into account in both in the updating of policies, and in undertaking any public consultation.

## 10 Implications for Partners

- 10.1 The implications for partners or other directorates are mainly associated with the preparation of any required evidence base documents and updates to Core Strategy policies and to ensure partners and directorates are fully engaged in the process.

## 11 Risks and Mitigation

- 11.1 Where relevant Local Plan policies are out of date the national presumption in favour of sustainable development will apply, and the Council's ability to deliver on its strategic objectives would be harmed. It would mean the Council may be susceptible to decisions being challenged by planning appeals, and reduce the ability to provide certainty for residents, developers and investors.

## 12 Accountable Officer(s)

Bronwen Knight, Acting Assistant Director, Regeneration & Environment

Approvals obtained on behalf of:-

	<b>Named Officer</b>	<b>Date</b>
Chief Executive	Sharon Kemp	24/06/19
Strategic Director of Finance & Customer Services (S.151 Officer)	Judith Badger	19/06/19
Assistant Director of Legal Services (Monitoring Officer)	Bal Nahal	18/09/19
Assistant Director of Human Resources (if appropriate)	John Crutchley	24/04/19
Head of Procurement (if appropriate)	Joanne Kirk	25/04/19

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This report is published on the Council's [website](#).