

Summary Sheet

Title

Doncaster Local Plan Statement of Common Ground

Assistant Director Approving Submission of the Report

Simon Moss, Assistant Director, Planning, Regeneration & Transport

Report Author

Ryan Shepherd, Senior Planning Officer

Ward(s) Affected

All

Executive Summary

Local planning authorities have a statutory “duty to cooperate” with other relevant bodies in order to encourage and enable strategic planning. In preparing their Local Plan Doncaster have identified a number of strategic and cross boundary issues on which agreement is sought (in addition to those issues covered by the Sheffield City Region Statement of Common Ground to which Doncaster and Rotherham Council have agreed to be signatories).

As a result Doncaster Council has prepared a Statement of Common Ground for consideration by other parties in order to support submission of its Local Plan for examination. There are no significant implications for Rotherham arising from the Statement.

Being a signatory to the Statement will also benefit the Council as it completes the partial update to the Rotherham Local Plan Core Strategy currently underway. When the updated Core Strategy is submitted to government for independent examination, the planning inspector will require evidence that the duty to cooperate has been met. The Doncaster Local Plan Statement of Common Ground will form a part of this evidence.

Recommendations

That the Council be a signatory to the Doncaster Local Plan Statement of Common Ground.

List of Appendices Included

Appendix 1 - Doncaster Local Plan Statement of Common Ground

Appendix 2 – Equalities Screening

Background Papers

Sheffield City Region Statement of Common Ground

<https://moderngov.sheffieldcityregion.org.uk/documents/s2265/Appendix%201%20Draft%20SCR%20Statement%20of%20Common%20Ground.pdf>

Consideration by any other Council Committee, Scrutiny or Advisory Panel

None

Council Approval Required

No

Exempt from the Press and Public

No

Title: Doncaster Local Plan Statement of Common Ground

1. Recommendations

- 1.1 That the Council be a signatory to the Doncaster Local Plan Statement of Common Ground.

2. Background

- 2.1 Local planning authorities have a statutory “duty to cooperate” with other relevant bodies in order to encourage and enable strategic planning. The Council has met this duty in preparing its adopted Local Plan.
- 2.2 In preparing their Local Plan Doncaster Council have identified a number of strategic and cross boundary issues on which agreement is sought. The Statement of Common Ground will support submission of Doncaster’s Local Plan for examination. This sits alongside the high level Sheffield City Region Statement of Common Ground which Doncaster and Rotherham Council are both signatories to, and covers a range of strategic issues.
- 2.3 The Council is now asked to sign up to a number of the agreements relating to housing, employment, infrastructure, transport, town centres, green infrastructure, the built and historic environment, waste, and minerals. (Agreements numbered as follows in Appendix 1: 1 to 7, 11, 13, 15, and 17, and 19).
- 2.4 The majority of these agreements have no significant implications for Rotherham, and focus on continued engagement and sharing of information. In relation to housing and employment the agreements highlight that Doncaster will meet its requirements within its own borough. With regards to infrastructure the Statement of Common Ground recognises that any future cross boundary infrastructure provision requiring Rotherham Council involvement or endorsement would be subject to separate discussions and agreement.
- 2.5 Rotherham, Barnsley and Doncaster Councils have previously worked together to produce a joint Waste Core Strategy (adopted in 2012). The Statement of Common Ground recognises that the four South Yorkshire authorities are currently procuring updated evidence regarding waste. This may then be taken forward to produce a revised Joint Waste Plan for the four authorities; however the Statement clarifies that the Councils have yet to formally agree to produce a Joint Waste Plan.
- 2.6 Doncaster is the main mineral producing authority within South Yorkshire. The Statement of Common Ground highlights longer term concerns regarding the supply of concreting aggregates (sharp sand and gravel) and also supports more sustainable use of aggregates (such as use of secondary, recycled aggregates) to reduce pressure on

resources. Rotherham only has one non-operational aggregate quarry at present. In the longer term there could be increased pressure to consider / explore the potential to extract sand and gravel within Rotherham should this prove to be viable and of appropriate quality; however the Council is not aware of any market signals or interest from operators to date which indicate that this may be the case.

3. Options considered and recommended proposal

3.1 Option 1: the Council is a signatory to the Statement of Common Ground

Being a signatory to the Statement will assist Doncaster Council in demonstrating that they have met their requirements to co-operate with other parties. It will also be beneficial to Rotherham Council in completing the partial update of the Local Plan Core Strategy, by helping to demonstrate to the planning inspector that the Council has met the duty to cooperate.

3.2 Option 2: the Council does not sign the Statement of Common Ground

If the Council does not sign the Statement then it may be detrimental to ongoing co-operation with Doncaster Council, including the ability for the Council to negotiate and prepare its own Statement of Common Ground to support the partial update of the Core Strategy. Being a signatory to the Statement would be of significant benefit to the Council in demonstrating to the planning inspector an active engagement in strategic planning across the city region. Meeting the duty to cooperate is a statutory requirement, if the inspector deems it has not been met a local plan examination cannot continue. The duty cannot be met retrospectively. It is therefore advisable that the Council does all it can to meet the duty in the preliminary stages of the Local Plan Core Strategy partial update prior to submitting the plan for examination.

3.3 Option 1 is the recommended option.

4. Consultation

4.1 Consultation on the Statement is not a requirement. When local planning authorities consult on draft local plans, the statement will form part of the supporting evidence for the plan. The public, stakeholders and interested parties can then comment on the plan and supporting evidence as appropriate.

4.2 Rotherham officers have input to the draft Statement at various stages and are content with the wording.

5. Timetable and Accountability for Implementing this Decision

5.1 If the report recommendation is approved, officers will make the necessary arrangements for Rotherham to be a signatory to the

Statement in relation to those agreements set out at Appendix 1. It is anticipated that the Assistant Director, Planning, Regeneration & Transport would sign the statement.

6. Finance and Procurement Implications

- 6.1 There are no financial and procurement implications arising from this report.

7. Legal Implications

- 7.1 Section 110 of the Localism Act sets out the 'duty to co-operate'. This applies to all local planning authorities, national park authorities and county councils in England. The duty:
- relates to sustainable development or use of land that would have a significant impact on at least two local planning areas or on a planning matter that falls within the remit of a county council;
 - requires that councils set out planning policies to address such issues;
 - requires that councils and public bodies 'engage constructively, actively and on an ongoing basis' to develop strategic policies; and
 - requires councils to consider joint approaches to plan making.
- 7.2 Local planning authorities must demonstrate how they have complied with the duty at the independent examination of their Local Plans. If a local planning authority cannot demonstrate that it has complied with the duty then the Local Plan will not be able to proceed further in examination. The adoption of the Doncaster Plan Statement of Common Ground demonstrates how the Council has complied with the duty to co-operate.

8. Human Resource Implications

- 8.1 There are no human resources implications arising from this report.

9. Implications for Children and Young People and Vulnerable Adults

- 9.1 There are no implications for children and young people and vulnerable adults arising from this report.

10. Equalities and Human Rights Implications

- 10.1 An equalities screening has been completed and is attached at Appendix 2. A full equalities analysis is not required.

11. Implications for Partners and Other Directorates

- 11.1 The implications for partners or other directorates are mainly associated with the draft plans that are influenced by the Statement of Common Ground, such as the partial update of Rotherham's Local Plan

Core Strategy. There will be opportunity to comment on these draft plans when they are subject to public consultation.

12. Risks and Mitigation

- 12.1 The Council has a statutory duty to meet the duty to cooperate. This is set out in the Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011) and The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended). The National Planning Policy Framework elaborates on the duty in relation to plan making.
- 12.2 When a local plan is considered at independent examination it is subject to a legal “test of soundness”. To pass this test, the Council must demonstrate it has met the duty to cooperate. The duty cannot be met retrospectively so to mitigate any risk, the Council should do all it can to meet the duty prior to submitting its local plan for examination.

13. Accountable Officer(s)

- 13.1 Ryan Shepherd, Senior Planning Officer
- 13.2 Bronwen Knight, Head of Planning and Transport, Regeneration & Environment

Approvals obtained on behalf of:-

	Named Officer	Date
Strategic Director of Finance & Customer Services		
Assistant Director of Legal Services		
Head of Procurement (if appropriate)		
Head of Human Resources (if appropriate)		