

**Committee Name and Date of Committee Meeting**

Delegated Officer Decision – 29 February 2024

**Report Title**

Sheffield Plan – Joint Statement of Common Ground

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

No, but it has been included on the Forward Plan

**Strategic Director Approving Submission of the Report**

Simon Moss, Assistant Director, Planning, Regeneration & Transport

**Report Author(s)**

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**Ward(s) Affected**

Borough-Wide

**Report Summary**

Local planning authorities have a statutory “duty to co-operate” with other relevant bodies in order to encourage and enable strategic planning. In preparing their draft Local Plan, Sheffield have identified a number of cross boundary matters on which agreement is sought.

As a result, Sheffield City Council has prepared a Joint Statement of Common Ground for consideration by Rotherham Council and other parties in order to support submission of its draft Local Plan for examination.

The majority of the matters of agreement in the Statement have no significant implications for Rotherham. However, the Council has set out a remaining area of disagreement in the Statement concerning the logistics study supporting Sheffield’s Plan and potential pressure on land supply within Rotherham for larger B8 uses. It is anticipated that the inspector examining Sheffield’s plan in due course will consider areas of disagreement in more detail as part of the examination.

**Recommendations**

1. That the Council be a signatory to the Sheffield Plan – Joint Statement of Common Ground.

**List of Appendices Included**

- Appendix 1 Sheffield Plan – Joint Statement of Common Ground
- Appendix 2 Equality Screening Part A
- Appendix 3 Carbon Impact Assessment

**Consideration by any other Council Committee, Scrutiny or Advisory Panel**  
No

**Council Approval Required**  
No

**Exempt from the Press and Public**  
No

## **Sheffield Plan – Joint Statement of Common Ground**

### **1. Background**

- 1.1 Local planning authorities have a statutory “duty to co-operate” with other relevant bodies in order to encourage and enable strategic planning.
- 1.2 In preparing their draft Local Plan, Sheffield City Council has identified several strategic and cross boundary issues on which agreement is sought. The Joint Statement of Common Ground will support the examination of the Sheffield Local Plan.

### **2. Key Issues**

- 2.1 The Joint Statement of Common Ground for Sheffield’s Local Plan (Appendix 1) has regard to strategic planning matters, specifically on housing, employment, transport, digital infrastructure, valued landscapes and biodiversity/green infrastructure.
- 2.2 Some of these agreements have implications for Rotherham as well as the continued engagement and sharing of information.
- 2.3 In relation to housing, the agreement highlights that Sheffield and Rotherham Strategic Housing Market Assessment identified both authorities as being self-contained housing markets, but with important cross boundary migration links for certain group households. Furthermore, the Sheffield and Rotherham Strategic Housing Land Availability Assessment agrees that both authorities have developed a common methodology in relation to the SHLAA.
- 2.4 On employment, the agreements highlight a Joint Sheffield-Rotherham Employment Land Review.
- 2.5 The Councils are unable to reach an agreement on the outcomes of the Sheffield City Councils Logistics Study, which would have some implications for Rotherham. The concern is regarding the Logistics Functional Market Area and the potential pressure on land supply to provide for larger ‘B8 uses’ within Rotherham Borough. It is anticipated that the inspector examining Sheffield’s plan in due course will consider areas of disagreement in more detail as part of the examination.

### **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 Sheffield City Council in demonstrating that it has met the duty 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 co-operate.

### **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 the ongoing co-operation with Sheffield City 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 co-operate 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 on proposal**

4.1 Consultation on the Statement is not a requirement. When local planning authorities consult on the draft local plans, any statements 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 into the draft statement at various stages and are content with the wording, any remaining areas of disagreement have been identified for future joint working to seek resolution. It is also anticipated that the inspector examining Sheffield's plan in due course will consider areas of disagreement in more detail as part of the examination.

## **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 signatory to the Statements in relation to those agreements set out in Appendix 1.

5.2 It is anticipated that the Assistant Director, Planning, Regeneration & Transport would sign the statement.

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

6.1 The recommendation for the Council to sign up to the Statement have no direct financial implications. The resources applied to consultation and discussions between the districts prior to agreement are met from existing approved budgets.

6.2 There are no direct procurement implications associated with the recommendations detailed in this report.

## **7. Legal Advice and Implications**

7.1 Under the National Planning Policy Framework (NPPF December 2023) strategic policy making authorities such as local planning authorities like Sheffield City Council and Rotherham Metropolitan Borough Council can produce up to date statements of common ground highlighting agreement on cross boundary strategic issues with neighbouring authorities.

7.2 If it was agreed to sign the statement of common ground this would fulfil the Council's statutory duty to co-operate and demonstrate the Council's active engagement in strategic planning across the city region.

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

8.1 No implications.

## **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 Advice and 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 CO2 Emissions and Climate Change**

11.1 A Carbon Impact Assessment has been completed and is attached at Appendix 3. The Climate team have made comments in the assessment.

## **12. Implications for Partners**

12.1. 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.

## **13. Risks and Mitigation**

13.1 The Council has a statutory duty to meet the duty to co-operate. 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.

13.2 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 co-operate. 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.

**14. Accountable Officers**

Simon Moss, Assistant Director, Regeneration & Environment

Approvals obtained on behalf of Statutory Officers: -

|  | <b>Named Officer</b> | <b>Date</b>                 |
|--|----------------------|-----------------------------|
| Chief Executive  | Sharon Kemp          | Click here to enter a date. |
| Strategic Director of Finance & Customer Services<br>(S.151 Officer) | Judith Badger        | Click here to enter a date. |
| Head of Legal Services<br>(Monitoring Officer)                       | Phil Horsfield       | Click here to enter a date. |

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