

ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS

1.	Meeting:	Cabinet
2.	Date:	5 Dec 2012
3.	Title:	Local Plan Next Steps
4.	Directorate:	Environment & Development Services

5. Summary

This report provides an update on progress towards submission of the Local Plan Core Strategy to government. The reasons for delay in submission in light of legal advice are outlined, along with a proposed way forward.

6. Recommendations

1. That Cabinet support submission of the Core Strategy to government following revocation of the Yorkshire and Humber Regional Strategy.

7. Proposals and Details

The Council is preparing a Local Plan for Rotherham. This is a statutory requirement under the Planning and Compulsory Purchase Act 2004 and the Localism Act 2011. This was previously called the Local Development Framework; however the title has been altered to bring our plan into line with the National Planning Policy Framework (NPPF). The documents contained within the Local Plan will remain the same – the Core Strategy and a supporting Sites and Policies document.

A report to the Local Plan Steering Group (28 September 2012) provided details of the responses received to the Publication Core Strategy consultation and the main issues arising. Further work to address these issues is underway, namely to:

- update the Sustainability Appraisal of the plan
- produce a “whole plan viability assessment” to satisfy the NPPF
- strengthen our retail evidence to support our “town centre first” approach

Legal advice

Previous legal advice raised concerns about conformity of our proposed lower housing target with the Regional Strategy. Our approach has been to continue working towards submission of the Core Strategy to government based on a local housing target given the government’s stated intention to revoke Regional Strategies. However, as the government has yet to formally revoke the Regional Strategy for Yorkshire and Humber, and we intended to submit the Core Strategy to government before the end of 2012, additional legal advice has been obtained.

Counsel’s opinion is that the lower housing target is sufficiently below the Regional Strategy target that it is unlikely it would be found to conform with the Regional Strategy, even taking a balanced approach. Effectively the inspector at examination would be left with a potential showstopper objection. The only means by which it could be addressed is by the inspector changing the Core Strategy to increase the extent of housing provision and therefore increase the amount of Green Belt release. That would require substantial re-writing of the Core Strategy and there is a serious risk that the inspector may recommend withdrawal of the Core strategy entirely.

Counsel’s advice is that the prudent course for us to adopt is to delay submission until the Regional Strategy is revoked. This will remove the obligation to meet the regional housing target; allow us to demonstrate that our locally derived target is sufficient to meet our objectively assessed needs; and show that the current circumstances in the housing market area do not support the ambitious growth targets of the Regional Strategy.

Counsel also advised that the Memorandum of Understanding drafted with Sheffield City Council regarding the local housing target should be re-negotiated prior to endorsement by Cabinet Member.

The way forward

In light of Counsel's advice we propose to delay submission of the Core Strategy until after the Regional Strategy is revoked. This removes the requirement for conformity with the Regional Strategy housing target, as an issue. The issue of meeting the wider housing market requirements will still need to be addressed and further joint working with Sheffield will be required to demonstrate that we have met the Duty to Co-operate. This approach poses fewer risks with regard to the lower housing target. However, it is uncertain when the government will revoke the Regional Strategy and therefore when submission of the Core Strategy could take place. This may result in a longer period until an up to date plan is in place.

Given concerns regarding the level of housing growth and Green Belt release expressed both by Members and by communities through previous consultation, and the very real risk of the inspector increasing the housing target as part of the examination, on balance it is recommended that Cabinet support submission of the Core Strategy following revocation of the Regional Strategy.

This approach would allow time to:

- consult on "focused changes" to the Core Strategy prior to submission (a further report would be brought to Cabinet regarding this)
- re-negotiate the Memorandum of Understanding with Sheffield
- complete the draft Bassingthorpe Farm Concept Framework to demonstrate the Core Strategy's deliverability
- progress public consultation on the Sites and Policies document

This approach has been endorsed by the Local Plan Steering Group at their 9 Nov meeting.

Next steps

The effect on the overall Local Plan timetable would be minimised by completing work on the Core Strategy now so that it is ready to submit to government as soon as the Regional Strategy is revoked. Work would then shift focus to the Sites and Policies document to prepare for public consultation on a draft document in spring 2013. There is no reason why we cannot consult on proposed development sites pending submission of the Core Strategy.

Anticipated stages would be:

Jan/Feb 2013	Public consultation on "focused changes" to the Core Strategy
Spring 2013	Public consultation on a draft Sites and Policies document and map showing detailed proposed development sites
Spring/summer 2013	Submission of the Core Strategy to government (assuming Regional Strategy has been revoked)

We have recently submitted a consultation response to government on the strategic environmental assessment of the revocation of the Yorkshire and Humber Regional Strategy. Our response supported the assessment's finding that revocation would have no significant environmental effects in the long term and strongly urges the government to swiftly revoke the Regional Strategy.

8. Finance

The cost of additional evidence requirements has been funded from the Planning Policy budget with the exception of legal advice which has been funded by Legal Services. Costs associated with submission of the Core Strategy or consultation on the schedule of proposed minor amendments would be funded from the existing Planning Policy budget.

9. Risks and Uncertainties

As set out in section 7 above.

10. Policy and Performance Agenda Implications

The implementation of the Local Plan will make a positive contribution to all of Rotherham's Regeneration priorities. When adopted, the Core Strategy and supporting documents will further the objectives of the Corporate Plan and support the delivery of the Rotherham Sustainable Community Strategy by:

- providing sufficient good quality 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

It will contribute towards achieving the Corporate Plan priorities: Providing quality education; ensuring people have opportunities to improve skills, learn and get a job; Helping to create safe and healthy communities; Improving the environment.

11. Background Papers and Consultation

Local Plan Publication Core Strategy 2012

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