

ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS

1.	Meeting:	Cabinet
2.	Date:	5 February 2014
3.	Title:	Local Plan: Consultation on Main Modifications to the Core Strategy
4.	Directorate:	Environment & Development Services

5. Summary

The report seeks authorisation to consult on modifications to the Core Strategy to accommodate the changes required by the Planning Inspector. These modifications are necessary to make the document sound and enable the Council to adopt the document following due process.

6. Recommendations

- 1. That Cabinet approve public consultation on Main Modifications to the Core Strategy.**
- 2. That the Council's response to the Main Modifications consultation be endorsed by Cabinet prior to submission to the Inspector.**

7. Proposals and Details

Background

Rotherham's Local Plan consists of two documents – the Core Strategy setting out the broad amount and distribution of future growth and the Sites & Policies document setting out the detailed sites and development management policies to deliver this growth.

On 6 June 2013 we submitted the Core Strategy to the Secretary of State for independent examination to determine whether the Core Strategy is “sound”, ie legally compliant and fit for purpose. The public hearing sessions took place in Riverside House between 22 October and 6 November 2013. The Inspector also visited several areas of the borough to inform his examination of the Core Strategy.

The Council put forward a very strong case in support of the Core Strategy at the hearings. Recognising local residents concerns about loss of Green Belt, we argued for a housing target that is lower than the previous government-imposed regional target. The Plan's target for new homes strikes a balance between meeting our future needs and protecting the environment.

Over the last few years Rotherham has not seen as many new homes built as we would have liked. This is despite there being capacity for over 5,000 new homes with planning permission each year for the last five years. The Council believes this shortfall is due to market conditions and not a lack of permissions on suitable sites.

We also promoted a phased approach to development to try and recycle brownfield land first before greenfield or Green Belt land. We argued strongly that this would allow us to choose the right sites at the right time in settlements across the borough.

We sought to continue our policy of seeking 25 per cent of new housing development as affordable housing.

We received the Inspector's initial conclusions on 6 January 2014 (Appendix 1) and the key recommended changes are set out below. These changes are required by the Inspector to make the Core Strategy sound – without these changes the Council cannot adopt the document.

- **Housing numbers** - the housing requirement for the Plan period (2013-2028) should be increased from 14,370 to 17,133. The Inspector accepts the Council's use of a local housing target set below the previous Regional Strategy figure. But he considers we should do more to make up the shortfall from under delivery in previous years.
- **Phasing of development sites** – the Core Strategy should be reworded to remove reference to the phasing of sites (i.e. which development sites should come forward first). This is to bring the Core Strategy in line with the national planning policy framework that does not prioritise this aim.
- **Commitment to Co-operation** - the Core Strategy should be modified to include a commitment to ongoing co-operation with relevant bodies and neighbouring

authorities and to an early / immediate review of the Core Strategy. This reflects concerns around the Strategic Housing Market Assessment (SHMA). However, the inspector favours continuing with the examination of the Core Strategy and finalising his report as a soon as possible so the Council can adopt the plan.

- **Bassingthorpe Farm** - Bassingthorpe Farm should be included in the Core Strategy as a Strategic Allocation, allowing it to come forward ahead of other sites in the Sites and Policies document.
- **Affordable Housing** - the Inspector endorses our 25% target and supports the amendments suggested to the affordable housing policy during the examination, primarily concerning commuted sums. These were made to clarify and strengthen its application while exempting self-build from the requirements.
- **Waverley** - the scale of development taking place at Waverley warrants its identification as a Principal Settlement in the Core Strategy settlement hierarchy, rather than as a Local Service Centre.

The Inspector has asked the Council to draft the wording of these modifications for his consideration and approval, prior to undertaking consultation. Officers are currently working to prepare these for the Inspector.

Consulting on Modifications to the Core Strategy

The Council is required to consult on the Inspector's Main Modifications on his behalf. Consultation will take place over a 6 week period. The timing will be dependent upon the Council receiving the final wording of the Main Modifications from the Inspector and also the preparation of the accompanying Sustainability Appraisal. We envisage that consultation will start end of February / early March 2014. A consultation plan is attached for information at Appendix 2.

Representations will be invited in relation to the Sustainability Appraisal and the 'legal compliance' and 'soundness' of the Main Modifications only. It will not be an opportunity to repeat or raise further points about the Core Strategy, or to seek further changes.

We may also make available a schedule of minor changes to the Core Strategy. These do not affect the soundness of the plan and will be published for information only, not for comment.

Next steps

Following the close of consultation we will send any representations to the Inspector to enable him to take them into account when writing his final report. We expect that this report would then recommend that the Core Strategy was sound subject to the inclusion of the Modifications.

Under the Local Plan Steering Group scheme of delegation, Cabinet approval is required for public consultation on Development Plan Documents. This report seeks authorisation to undertake consultation on the Main Modifications. As the Main Modifications are proposed and approved by the Inspector (not the Council) there is

no mechanism for the Council to influence these changes prior to consultation starting.

However, the Council will be able to make formal comments on the Modifications, along with all other interested parties. The Council's views on the Modifications can be determined during the consultation period via the Local Plan Steering Group and endorsed by Cabinet prior to submission to the inspector.

Final adoption of the Core Strategy remains a decision to be taken by Members (via Cabinet and Full Council) following receipt of the Inspector's report.

Sites & Policies document

The inspector has set out changes to the Core Strategy to make it sound. The most fundamental change is to increase the housing target. However, the inspector has made no recommendations about how or where this should happen. It is for the Council to revisit the draft Sites & Policies document to determine how and where extra housing sites can be found when we have received the inspector's final report.

Public consultation on the next version of the Sites & Policies document is programmed for summer 2014. At this stage the public and all interested parties can comment on the latest draft that will incorporate the results of the inspector's changes to the Core Strategy.

8. Finance

Costs incurred in relation to consultation on the Main Modifications to the Core Strategy will be met by the Planning Policy budget.

9. Risks and Uncertainties

- The Localism Act and National Planning Policy Framework (NPPF) express a strong presumption in favour of sustainable development. Our UDP policies only continue to have any weight where they are in accordance with the NPPF. It is important that Rotherham's Core Strategy is in place as soon as possible to provide an up-to-date planning policy framework for the Borough's future growth and development.
- A failure to achieve timely progress on the Local Plan could delay the spatial strategy required to guide future decision-making on planning applications.
- Having a Local Plan in place will provide a steer for any neighbourhood plans that may emerge under the provisions of the Localism Act.
- Failure to make progress with the Local Plan risks delayed provision of the new homes and employment opportunities that the Borough needs.

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 and other town, district and local centres within the borough.

11. Background Papers and Consultation

Appendix 1: Inspector's letter

Appendix 2: Consultation Plan

Core Strategy Examination website:

http://www.rotherham.gov.uk/info/1004/planning_policy/2083/core_strategy/2

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Appendix 1: Letter from the Planning Inspector

Dear Mr Shepherd

Introduction

1. As you know, I have conducted a series of 7 Hearings and visited a good deal of the Borough. These visits have included 2 accompanied site inspections at Dinnington and Bassingthorpe Farm with Wentworth Woodhouse. I am now able to set out some preliminary thoughts on the Core Strategy and its examination so far. They should not be construed as final or all-embracing conclusions.
2. I regret to say that I am not convinced that, in its present form, the Core Strategy is sound. I therefore set out below the issues which I consider should be the subject of Main Modifications and which should be consulted upon in due course. I invite you to draft them for my consideration.

Housing numbers

3. The evidence refers to various estimates and targets for housing during the plan period, depending upon the base date and assumptions made. I have come to the view, however, that the 2008-based household projections provide the most realistic basis for the housing target. On its own, the outcome is a good deal fewer dwellings than the Regional Strategy (RS) target but, as you say, it closely aligns with the early results of the 2011 Census. A greater emphasis should, however, be placed upon the need to address the backlog. The backlog should be assessed according to the degree to which net housing completions have fallen short of the target set out in the development plan which was extant at the time.
4. From 2004/05 to 2012/13, this was the RS and RSD/14 Table 2 gives a total backlog during 2004/05 – 2011/12 of 3,738 dwellings to which should be added the 2012/13 deficit of 645 (1160-515). This total backlog of 4,383 dwellings equates to an annual provision of 292 dwellings, although the Council should aim to accommodate it within the first 5 years of the plan period. This change will have implications for the housing trajectory which should continue to include the 20% buffer to which the Framework refers. The total annual provision of 850 + 292 would bring it up to 1,142 annually, about the same as the RS annual requirement of 1160 dwellings which several participants advocate. It would better accord with the Government's policy to boost significantly the supply of housing and provide for a greater choice of sites. An annual 100 or so windfall sites would augment the supply. These revised housing numbers should be the subject of a Main Modification, and I look forward to receiving your suggested draft of it.

Phasing

5. Policy CS3 seeks to prioritise the development of the most sustainable sites. This appears to me to be a phasing policy and, even though you consider that

it would apply to no more than *a handful of sites*, I do not consider that it accords with the Framework. Development which is sustainable, it says, should go ahead without delay. The Sites and Policies DPD should identify sustainable sites in accordance with the strategy set out in the Core Strategy and the Council should encourage their suitable development straightaway. I therefore ask you to re-draft this Policy, taking my views on it as set out in Document ED/26.

Commitment to co-operation

6. It is unfortunate that the Strategic Housing Market Assessment (SHMA) relates only to Rotherham rather than to the entire housing market area and that this Assessment is of some age. But provided that the Core Strategy includes a commitment to continue to co-operate with relevant bodies, particularly Sheffield City Council, and to its early or immediate review, I do not think these shortcomings need be fatal. I would welcome your further thoughts on the prospect of such a review, including the date when it could be started, and would ask you to draft a Main Modification to ensure it. It could be based upon FC 147.
7. I understand that Sheffield City Council has decided to withdraw its Sites and Policies DPD and so it will not be submitted to the Secretary of State for examination. This withdrawal would appear to me to be a good opportunity for your Council, the City Council and any neighbouring authorities to co-operate in the preparation of a SHMA for the entire housing market area. I should appreciate your views on this, including any implications for the progress of the submitted Rotherham Core Strategy. In my judgement, however, it would be better to press on with the examination of your Core Strategy and the submission of my Report on it as soon as possible on the understanding that an early/immediate review will take place. Hence, unless you request otherwise, I shall continue to prepare my Report.

Bassingthorpe Farm

8. You consider that enough work has been undertaken on Bassingthorpe Farm for the Core Strategy to identify it as a strategic allocation rather than as a broad location for growth, as at present. I agree, and a Main Modification should provide for it. It would bring forward development by a year or so, and with it an earlier completion of about 125 dwellings. The housing trajectory should be modified accordingly.

Affordable homes

9. You have put forward proposed changes to Policy CS7 and its supporting text. I consider that they are of enough significance to warrant consultation upon them as a Main Modification.

Waverley

10. Waverley is identified as a Local Service Centre, yet it is proposed at present to take as much as about 17% of the Core Strategy's housing requirement. This is substantially more than that proposed for other such centres, and it will include employment land and presumably a commensurate range of services. I consider that its importance in the strategy should be acknowledged by its inclusion as a Principal Settlement.

Conclusion

11. I hope that these, my present thoughts, are helpful. Please put this letter on the examination web-site. I look forward to your response which should also be placed upon the website. Arrangements will, of course, have to be made for public consultation on the proposed Main Modifications. In view also of the increased provision for housing, it may be necessary to undertake further sustainability appraisal.

12. This further appraisal should be undertaken while the Main Modifications are being drafted so that consultation on them and the publication of the sustainability appraisal can take place at the same time, demonstrating that the sustainability appraisal has suitably informed the Main Modifications.

Yours sincerely

Richard E Hollox

Inspector

6 January 2014

Appendix 2: Consultation Plan



Rotherham Core Strategy



Consultation on Inspector's Main Modifications: Consultation Plan

Why are we consulting?

The Council is not able to progress towards adoption of the Core Strategy until the Inspector conducting the examination into the Core Strategy has published his final report finding that the Core Strategy is, or can be made, sound. In his preliminary findings the Inspector has indicated that in its present form the Core Strategy is not sound and recommends that a number of modifications to the plan will be required.

The Council is required to undertake public consultation on the Inspector's modifications, responses to which will be forwarded to the Inspector for his consideration in preparing his final report.

How will consultation be undertaken?

The consultation plan is set out in the table below:

What is being consulted on?	<p>The Council will consult on:</p> <ul style="list-style-type: none">• A schedule of the Main Modifications recommended by the Inspector• The Sustainability Appraisal of the Main Modifications <p>Representations will be invited in relation to the Sustainability Appraisal and 'legal compliance' and 'soundness' of the Main Modifications only. It will <u>not</u> be an opportunity to repeat or raise further points about the Core Strategy, or to seek further changes.</p> <p>The Council may also make available a schedule of minor changes to the Core Strategy. These do not affect the soundness of the plan and will be published for information only, not for comment.</p>
What is the consultation period?	<p>Consultation will take place over a 6 week period. The timing will be dependant upon the Council receiving the draft Main Modifications from the Inspector and also the preparation of the accompanying Sustainability Appraisal. It is envisaged that consultation will start end of February / early March 2014.</p>

<p>Where will information be available?</p>	<p>The Consultation documents will be available:</p> <ul style="list-style-type: none"> • Online via the Council's website • The documents will also be made available for inspection at all Customer Service centres and libraries in the Borough (during normal opening times)
<p>How will people be informed of the consultation?</p>	<p>The consultation will be publicised in line with previous consultation exercises via:</p> <ul style="list-style-type: none"> • Letter / email mailout to contacts on the Local Plan database. This includes key organisations, agents, members of the public, and town and parish councils. • Press notices • Press release
<p>How can people respond to the consultation?</p>	<p>Comments will be encouraged via the Council's Local Plan online consultation website. Consultation publicity will emphasise the availability of internet access at all of the Borough's libraries. Written comments can also be provided via the response forms which will be made available.</p>
<p>How will representations be considered?</p>	<p>All responses received will be forwarded to the Planning Inspector for his consideration in preparing his final report on the Core Strategy.</p>
<p>How will feedback be provided?</p>	<p>The Inspector will publish a final report which will be informed by the consultation responses. This will be made available on the Council's website and a hard copy will be available for inspection at Riverside House.</p> <p>Under the Regulations the Council must inform all those consultees specifically requesting to be informed when the final report is available and where it can be viewed.</p>