

## ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS

1.	<b>Meeting:</b>	<b>Cabinet</b>
2.	<b>Date:</b>	<b>9 April 2014</b>
3.	<b>Title:</b>	<b>Rotherham Local Plan: Response to Inspector's Main Modifications to the Core Strategy</b>
4.	<b>Directorate:</b>	<b>Environment &amp; Development Services</b>

### 5. Summary

The report seeks approval of the Council's response to the Inspector's Main Modifications to the Core Strategy, as part of the Examination in Public (EIP) of Rotherham's Core Strategy.

### 6. Recommendations

1. That Cabinet approve the Council's consultation response to the Inspector's Main Modifications to the Local Plan Core Strategy.

## 7. Proposals and Details

### **Background**

Rotherham's Local Plan consists of two main documents – the Core Strategy setting out the broad amount and distribution of future growth and the Sites & Policies document identifying the detailed sites and setting out development management policies to deliver this growth. The Local Plan will replace the existing Unitary Development Plan in guiding planning decisions and determining planning applications.

Preparation of the Core Strategy has taken place over a number of years. Consultation on previous drafts culminated in the Cabinet approving submission of the document for examination in 2013 (Cabinet minute C198; 24 April 2013).

On 6 June 2013 the Core Strategy was submitted to the Secretary of State for independent examination to determine whether the Core Strategy is “sound”, ie legally compliant and fit for purpose. Following hearing sessions in October and November 2013 the Inspector's preliminary findings are that the plan as it stands is not sound but can be made so through a number of changes to the policies and supporting text (called “Main Modifications”). Members will recall the summary of these changes provided in the report to Cabinet of 5 February 2014.

The Inspector's Main Modifications have been published for consultation between 7 March and 17 April (as endorsed by Cabinet minute C182; 5 February 2014). This provides an opportunity for the Council, the general public and other interested parties to provide comments on the Main Modifications. The Inspector will take these into account in preparing his final report. Full details of the Main Modifications can be read in the consultation document on our website:

[http://rotherham-consult.limehouse.co.uk/portal/planning/cs/core\\_strategy\\_proposed\\_modifications/mm](http://rotherham-consult.limehouse.co.uk/portal/planning/cs/core_strategy_proposed_modifications/mm)

The implications of the Main Modifications proposed by the Inspector are:

- **Housing numbers** - the Inspector proposes to increase the housing requirement for the Plan period (2013-2028) 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 (ie make up the 'backlog').
- **Phasing of development sites** – policies would be reworded to remove reference to the phasing of sites (ie which development sites should come forward first).
- **Commitment to Co-operation** - the Core Strategy would 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 if required by fresh evidence of higher housing need.
- **Bassingthorpe Farm** - Bassingthorpe Farm would 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.

Recognising local residents' concerns about loss of Green Belt, we will continue to argue for a housing target that is lower than the previous government-imposed regional target. We will also continue to argue for a phased approach to development to try and recycle brownfield land first before greenfield or Green Belt land. Our communities were very clear that they supported this approach and we feel strongly that this would allow us to choose the right sites at the right time in settlements across the borough.

The recently issued national planning policy guidance also emphasises the importance of reusing brownfield land. We feel that retaining a phasing policy will allow us to do this. We also consider that our approach is more in line with the Localism agenda by setting an appropriate local housing target rather than effectively having a target imposed by government via the planning inspectorate. Our local target will require some Green Belt release to meet housing need but we have tried to keep this release to the absolute minimum required to produce a sound plan. Recent government announcements on Green Belt would seem to support this approach.

With this in mind, the Council's proposed consultation response to the suggested Main Modifications:

- Challenges the way the housing backlog is calculated and accommodated and puts forward an alternative lower figure. Our own calculations to take account of the backlog would result in an overall target of 15,583. **This is 1,550 homes below the higher target proposed by the Inspector.**
- Proposes that **the backlog should be accommodated across the entire 15 years of the plan** rather than in the first 5 years as proposed by the Inspector. Delivery of the backlog within the first 5 years would require the release of many more sites for development, particularly within the Green Belt, with no realistic prospect of the backlog being addressed.
- Proposes that this revised housing target should be used within the plan and reflected in terms of housing distribution between settlements.
- Strongly supports retaining a policy wording which allows for the phasing of development sites (i.e. identifying which sites should come forward first) – **this would allow us to take account of the brownfield status of sites.**
- Proposes that the proposed provision of local facilities at Waverley should remain identified as a 'local centre' within the retail centre hierarchy.

Appendix 1 sets out the detailed response to each Main Modification which, subject to approval by Cabinet, will be submitted to the Inspector for his consideration. The table below summarises the proposed response to each Main Modification:

Ref.	Summary of Modification	Summary of Response
MM1	Introduction of a new policy setting out the action the Council will take to address issues around housing delivery. This includes a commitment to complete a Strategic Housing Market Assessment by December 2014 and an immediate review of the Core Strategy should this show the need to accommodate further housing within Rotherham. Also includes new monitoring indicators for policy.	Broadly support the Modification on the basis that any “early” review of the Core Strategy is predicated on the outcome of an updated Strategic Housing Market Assessment.
MM1 appendix	An appendix to MM1 is also included, which is an alternative form of part of this new policy put forward by DLP consultants during the hearing sessions. The Inspector has asked that the two policies be consulted on together.	Object. The Policy is not compliant with national planning policy guidance. The Policy in MM1 is considered preferable to this alternative.
MM2	Rewords Policy CS1 to provide for the Bassingthorpe Farm strategic allocation and the distribution of the higher housing requirement around the borough. Makes Waverley a district centre in the hierarchy of retail centres.	Accept that sufficient work has been completed to support Bassingthorpe Farm as a strategic allocation and that work will continue to master plan future development on the site. Object to the proposed backlog figure. Object to Waverley as a District centre. Suggest lower housing figures and distribution based on alternative backlog calculation.
MM3	Rewording of Policy CS6 to increase housing requirement and remove phasing of development	Object to the backlog being dealt within the first 5 years of the Plan period, and how the figure has been derived. Support the option which distributes backlog over the entire Plan period. Suggest lower housing figures and distribution based on alternative backlog calculation.
MM4	Rewording of Policy CS3 to remove phasing of development	Object to the removal of phasing as this would not allow us to take into account the brownfield status of a site when considering its release.
MM5	Amendments to Policy CS30 regarding low carbon and renewable energy to reflect progressive strengthening of Building Regulations	Support Modification

<b>Ref.</b>	<b>Summary of Modification</b>	<b>Summary of Response</b>
MM6	New housing trajectory based on the higher housing target	Object to the backlog being dealt within the first 5 years of the Plan period, and how it has been derived. Support the option which distributes backlog over the entire Plan period
MM7	Rewording of Policy CS4 to indicate that land at Bassingthorpe Farm is taken out of the Green Belt	Support the wording of the Modification and note that further master planning work for the Bassingthorpe Farm site will allow continued community input into how the Strategic Allocation is developed.
MM8	New paragraphs within explanatory text regarding Bassingthorpe Farm	Support Modification
MM9	Rewording of Policy CS7 to indicate where commuted sums will be accepted in lieu of affordable housing provision on site, and greater clarity over viability considerations	Support Modification
MM10	Rewording of explanatory text to CS7, to reflect Main Modifications	Support Modification
MM11	Amendment to CS8 to clarify that options for new gypsy and traveller sites will be considered throughout the borough	Support Modification
MM12	Amendments to Map 5 to reflect new housing numbers etc	Object based on our response to MM3 and MM6. Suggest lower housing figures and distribution based on alternative backlog calculation
MM13	Amendment to retail hierarchy in CS12 to make Waverley a district centre	Object. Suggest that Waverley should remain as a local centre
MM14	Amendment to CS9 which indicates that relocation of inappropriately located employment uses will be supported	Support Modification
MM15	Amendment to CS23 encouraging the suitable reuse of historic buildings	Support Modification
MM16	Amendment to CS22 clarifying that gaps in green space provision will be secured through development where it is necessary to do so as a direct result of the new development	Support Modification
MM17	Amendments to Policy CS26 to ensure minerals policy reflects data from the most recent draft Local Aggregates Assessment	Support Modification
MM18	Amendment to CS14 to take account of national guidance on thresholds in relation to Transport Assessments	Support Modification

<b>Ref.</b>	<b>Summary of Modification</b>	<b>Summary of Response</b>
MM19	Amendments to Policy CS32 regarding monitoring and infrastructure, which makes specific reference to the role of the Infrastructure Delivery Group and Forum	Support Modification
MM20	Amendment to CS17 to safeguard provisional route of HS2 line	Support Modification

### ***Next steps***

The Council's response to the Main Modifications must be submitted to the Inspector by the consultation deadline of **5pm on 17 April 2014**. The Inspector will consider all duly made representations to the Main Modifications consultation and take them into account when writing his final report. The Inspector has also indicated that he intends to hold a further two days of hearing sessions on 15 & 16 May prior to finalising his report.

Following the hearing sessions the inspector will produce his final report. The expectation is that report would be able to recommend that the Core Strategy is sound subject to the inclusion of his final wording of Main Modifications.

The Council would then be in a position to proceed to adoption of the Core Strategy. Final adoption of the Core Strategy remains a decision to be taken by Members via Cabinet and full Council, having regard to the inspector's final report and officers' recommendations at that time.

### **8. Finance**

There are no direct financial implications arising from this report.

### **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.

Inspectors' reports on other local plans are published regularly. If any reports of relevance to Rotherham's circumstances become available prior to the submission

deadline officers may make minor amendments to the consultation response, if it would help enhance our arguments. However, the main thrust of our response will not differ from this version.

## **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, encourage inward investment 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**

Proposed RMBC response to the Main Modifications consultation (Appendix 1)

Letter from the Inspector to the Council regarding his preliminary thoughts on the Core Strategy and its examination:

[http://www.rotherham.gov.uk/corestrategyexamination/downloads/download/7/examination\\_documents](http://www.rotherham.gov.uk/corestrategyexamination/downloads/download/7/examination_documents)

Main Modifications consultation documentation:

[http://rotherham-consult.limehouse.co.uk/portal/planning/cs/core\\_strategy\\_proposed\\_modifications/mm](http://rotherham-consult.limehouse.co.uk/portal/planning/cs/core_strategy_proposed_modifications/mm)

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## Appendix: Draft Consultation Response to the Inspector's Main Modifications

**NB any references to appendices in the following text refer to published background documents that will accompany our consultation response. They are not reproduced here.**

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Main Modification Number: **MM1**

Support/Object: **Object**

With regard to part A of the proposed Policy, the Council supports the positive stance by the Inspector. We agree that any Core Strategy review should be triggered by the findings of a new Strategic Housing Market Assessment (SHMA). Should the SHMA indicate that further housing beyond that accommodated by the Core Strategy is required then the Council acknowledges that an early review of the Core Strategy will be necessary.

As indicated in ED/79, the Council believes that a commitment to produce an updated SHMA by December 2014 is realistic and achievable. Work is currently underway to finalise a brief and appoint consultants to undertake the study.

The Council supports part B of the proposed policy. An alternative form of policy wording was also produced during the hearing sessions and is included as MM1 Appendix. The Council will address this in more detail in its response to MM1 appendix, however as summarised in examination library document RMA/26, it is considered that the wording of this policy (MM1) provides the most appropriate, flexible and robust basis for monitoring housing delivery and triggering appropriate action as necessary.

For clarity, in drafting the Main Modifications the Council acknowledges that any SHMA should relate to the entire housing market area, which is referred to in part a(i). It is therefore considered that parts (i) and (ii) overlap and are repetitious. It is suggested that a slight amendment would remove the need for two criterion.

### ***Change requested:***

Amend the criteria in part B of the policy as follows:

- (i) ~~produce an updated Strategic Housing Market Assessment for Rotherham's housing market area, to be completed in December 2014;~~ and
- (ii) use its best endeavours to co-operate with neighbouring local authorities, especially Sheffield City Council, to produce jointly ~~as a matter of urgency~~ a Strategic Housing Market Assessment for the entire housing market area, **to be completed in December 2014;** and
- (iii) ~~(ii)~~ undertake an immediate review of the Core Strategy should the updated Strategic Housing Market Assessment demonstrate a need for additional housing provision to that provided for in Policy CS6

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Main Modification Number: **MM1 Appendix**

Support/Object: **Object**

The Council objects to the proposed wording of the policy, which it does not consider is robust, flexible or in compliance with the Framework. The Council would direct the Inspector to the objections which have previously been set out in paragraphs 1 to 7 of examination library document RMA/26 and hence are not repeated here. In summary however, the Council is concerned that it:

- includes triggers and mitigations which do not take account of the current financial climate or provide a sufficient analytical basis for mitigating actions
- Duplicates policy already contained within the Core Strategy (such as CS33 presumption in favour of sustainable development, and CS7 housing mix and affordability)
- Is not compliant with paragraph 85 of the Framework regarding Safeguarded Land

The Council considers that the policy set out in MM1 provides a more appropriate, robust policy which is compliant with the Framework.

***Change requested:***

The Policy set out in MM1 Appendix should not be included in the Core Strategy. The Council supports the alternative policy and explanatory text in MM1 (as suggested for amendment in line with the Council's response to MM1).

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Main Modification Number: **MM2**

Support/Object: **Object**

The Council broadly supports the wording of this modification, which clarifies how development will be distributed across the borough. In particular the Council accepts the identification of Bassingthorpe Farm as a strategic allocation.

However the Council has concerns regarding the overall housing requirement (in terms of backlog) as set out in our response to MM3. These are not repeated here; however in summary the Council considers that there is an inconsistency between accepting that the 2008 based projections are the most realistic basis for assessing need, and requiring backlog between 2004 and 2013 to be determined against the revoked Regional Strategy target. Given that 2008 is the base date for the projections supporting the housing target it is suggested that between 2004/5 and 2007/8 the backlog should be determined against the former Regional Strategy target but that between 2008/9 and 2012/13 the backlog is more appropriately determined against the new 850 per year housing target.

This gives a backlog total of 2,833 and would result in an overall housing target of 15,583. It is suggested that this revised target should be reflected in the Policy in terms of housing distribution between settlements. Revised figures are therefore provided:

	<b>Housing</b>	
	<b>No.</b>	<b>%</b>
Rotherham urban area (exc. Bassingthorpe Farm)	4,500	29
Bassingthorpe Farm Strategic Allocation	1,700	11
Rotherham urban area (including Bassingthorpe Farm Strategic Allocation)	6,200	40
Dinnington, Anston & Laughton Common (exc. Dinnington East)	600	4
Dinnington East	800	5
Wath-upon-Deerne, Brampton Bierlow & West Melton	1,400	9
Bramley, Wickersley & Ravenfield Common	900	6
Waverley	2,500	16
Maltby & Hellaby	780	5
Aston, Aughton & Swallownest	610	4
Swinton & Kilnhurst	610	4
Wales & Kiveton Park	450	3
Catcliffe, Treeton & Orgreave	150	1
Thorpe Hesley	150	1
Thurcroft	300	2
Smaller villages	150	1
	<b>15,600</b>	<b>101</b>

The Council does not support the identification of Waverley as a District Centre. More detailed response is provided to MM13, however in summary the Council does not consider that this is either justified or effective. The local centre uses which form part of the extant planning permission are split over several areas and therefore a single 'district centre' cannot be defined on the Policies Map. As such the ability to define primary and secondary shopping areas in line with NPPF is compromised. The location of these uses indicates that identifying two local centres is most appropriate.

***Change requested:***

The housing distribution (table in Policy CS1, part 1) should be amended as follows, to reflect an overall housing requirement based on calculating backlog set out in the response to MM3

	<b>Housing</b>	
	<b>No.</b>	<b>%</b>
Rotherham urban area (including Bassingthorpe Farm Strategic Allocation)	6,200	40
Dinnington, Anston & Laughton Common (exc. Dinnington East)	600	4
Dinnington East	800	5
Wath-upon-Deerne, Brampton Bierlow & West Melton	1,400	9
Bramley, Wickersley & Ravenfield Common	900	6
Waverley	2,500	16
Maltby & Hellaby	780	5
Aston, Aughton & Swallownest	610	4

Swinton & Kilnhurst	610	4
Wales & Kiveton Park	450	3
Catcliffe, Treeton & Orgreave	150	1
Thorpe Hesley	150	1
Thurcroft	300	2
Smaller villages	150	1
	<b>15,600</b>	<b>101</b>

The proposed housing figures above would result in Bassingthorpe Farm providing around 11% of the overall housing requirement. Therefore Part 2, first sentence of second paragraph of CS1 should reflect this.

The Council considers that the first sentence of part 4 of CS1, as set out in MM1, should be amended to read “Waverley is identified as a principal settlement and District Centre.”

Other consequential changes resulting from the change in housing target are set out in response to MM3 (overall housing requirement), MM5 (trajectory) and MM12 (Map 5 (Housing and Employment Land Distribution))

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Main Modification Number: **MM3**

Support/Object: **Object**

The Council acknowledges the general principle of addressing the backlog of housing from the previous plan period, however it has three areas of objection: firstly, that the backlog should be calculated against the former Regional Strategy target from 2004 to 2008 and that from 2008 it should be calculated against the proposed new annual housing target; secondly, that any housing backlog should be accommodated over the Plan period; and thirdly, that phasing of sites is appropriate, is not contrary to the Framework, and can help ensure the planned delivery of development and infrastructure.

*Calculation of housing backlog*

In his preliminary findings the Inspector accepted the annual housing requirement of 850 homes per year noting that he had “come to the view... that the 2008-based household projections provide the most realistic basis for the housing target” (ED/75; paragraph 3). The Council considers that there is an inconsistency between accepting that the 2008 based projections are the most realistic basis for assessing need, and requiring backlog between 2004 and 2013 to be determined against the revoked Regional Strategy target.

Given the apparent acceptance that 2008 based projections are appropriate for determining objectively assessed needs, it is considered to logically follow that any backlog from 2008 (the base date of projections) should also be against the locally determined target. The Council therefore contends that the overall requirement should be comprised of:

- The annual requirement over the plan period (12,750); plus
- Backlog in delivery against the RS target from 2004/5 to 2007/8 and against the new annual target of 850, from 2008/9 to 2012/13

	Backlog determined against RS target				Backlog determined against 2008 based target					Totals
	2004/05	2005/06	2006/07	2007/08	2008/09	2009/10	2010/11	2011/12	2012/13	
<b>Target</b>	750	750	750	750	850	850	850	850	850	<b>7250</b>
<b>Net Additions</b>	496	306	457	525	606	339	485	688	515	<b>4417</b>
<b>Difference</b>	-254	-444	-293	-225	-244	-511	-365	-162	-335	<b>-2833</b>

This results in an overall requirement of 15,583 (12,750 plus backlog of 2,833).

#### *Accommodating housing backlog*

MM3 incorporates the view expressed in the Inspector's preliminary findings that any backlog should aim to be accommodated within the first 5 years of the plan period. This approach is reflected in the trajectory and accompanying tables in MM6. The Council is concerned that that the implications of this approach are fully understood. Its view is that accommodating the backlog within the first five years is not an approach supported by the evidence base. As such the Council welcomes and supports the alternative wording included in MM3 which would allow the identified backlog to be distributed throughout the plan period.

The Council has previously provided evidence on this issue in RMA/16, paragraphs 7 to 13.

The total backlog proposed amounts to 4,383 homes and, when added to the proposed Core Strategy requirement of 12,750, gives a total requirement of 17,133. However, adding the backlog, plus a 20% buffer to the five year requirement, results in a figure of 10,360 or 2,072 per annum.

This presents two difficulties; firstly, this is a wholly unrealistic and undeliverable figure and secondly, the number of sites that would need to be allocated to bolster the five year supply, would be well in excess of the number of sites needed to meet the increase in the overall supply.

The five year supply figure of 10,360 represents 60% of the overall requirement figure, leaving 677 per annum as the annual requirement for the plan period. This is not realistic, particularly given the current state of the housing market.

For the five year supply to be bolstered sufficiently to show 10,360 of deliverable sites, even were the market able to deliver, a large number of sites would need to be

allocated. This is because, for each new site that is allocated, only a proportion of its potential capacity can be counted in the five year supply. This is due to the lead in times between allocation and delivery potentially starting, and the likely annual build out rates of each site. In practice this means that newly allocated sites will not be able to count as contributing until the third or fourth year of the plan period. e.g. a site of 400 dwellings capacity may contribute only around 70 dwellings to the five year supply.

While it is accepted that it is generally desirable to address any backlog in the first five years, in this case it is not possible nor desirable due to the size of that backlog compared to that of the overall requirement.

Looking at the sites in the SHLAA (LEB/13), to identify those which could deliver housing early enough to contribute to the five year supply, there are 42 Green Belt sites identified that fall into this category. These sites are those which have nothing constraining their development other than they are currently allocated as Green Belt. These sites have not yet been proposed as potential allocations and they have not, therefore, been factored in to the amended 5 year supply shown in table 17 of Rotherham Core Strategy: Housing and Economic Growth Background Paper (KSD/7). These sites therefore represent the capacity for new potential allocations which could provide delivery in the first five years of the plan period.

Together the 42 sites could potentially deliver 6,831 dwellings over the plan period, 1,731 of which could potentially be delivered within the first five years. The analysis is carried out in accordance with lead-in teams and delivery rates agreed in SHLAA.

If the backlog were addressed over the whole plan period the overall requirement would be increased by 2783 above that in the Publication Core Strategy, and the 5 year requirement for deliverable sites would be increased by **857**. The above suite of 42 sites would present several options to deliver the five year requirement and the overall requirement without requiring the allocation of additional sites.

However if the backlog were addressed over the first five years of the plan period the 5 year requirement for deliverable sites would be increased by **4362**; 2.5 times that which the SHLAA shows is available. This suggests an additional 100 sites are necessary (58 more sites than the 42 sites identified above). While it is accepted that exceeding the overall requirement is not necessarily harmful, we contend that, in this case, the amount would be unrealistic, unreasonable and undesirable in terms of its consequences for the Green Belt and infrastructure provision.

The 42 sites identified above average 163 units, a mixture of large and small sites. If the additional 58 new sites required were of a similar average size e.g. 150 units, an additional 8700 units would need to be allocated, over and above the requirement plus backlog target, to give a chance of delivering the five year supply requirements if all of the backlog is dealt with in first 5 years.

The table below shows the implications of these approaches; to meet the requirement within the first five years would require sites to be allocated which would deliver over 25,800 homes.

	<b>Annual requirement</b>	<b>Housing backlog</b>	<b>Additional homes required to meet 5 year supply</b>	<b>Estimate of total homes to allocate</b>
Meeting backlog over the plan period	12,750	4,383	none	17,133
Meeting backlog within first 5 years	12,750	4,383	8,700	25,833

The above is an estimate; however it indicates that allocating the number of sites that would be required to sufficiently bolster the five year supply would result in an overall supply of land far in excess of the overall requirement.

If the smaller backlog of 2,833 were applied (based on our suggested calculation of backlog against the former Regional Strategy target and the 850 year local target), the problem still exists as the 5 year requirement would still be 9,634.

The implications of dealing with the housing backlog are highlighted in the Main Modifications Integrated Impact Assessment. This identifies the potential for numerous individual and cumulative negative impacts arising from delivery of the backlog over the first 5 years of the Plan period (table 4-1). It also clearly highlights concern around whether these can be mitigated, noting that there is uncertainty how mitigating policies could be implemented in a way which fully addresses the proposed change. Particular concern is raised around the impact in terms of delivery of infrastructure. Pages 25 and 26 of the IIA examine these in greater detail.

Conversely the IIA notes that accommodating the housing backlog over the Plan period would allow mitigation to provide a proportionate response to any negative effects arising from an increase in the housing requirement.

The IIA recommends either the retention of the phasing policy which would enable development to be delivered in a planned manner to reduce impacts, or that any backlog is distributed over the Plan period. It also recommends refreshing the infrastructure delivery study.

The Council therefore considers that a plan which seeks to meet the housing backlog within the first five years would not be sound as there would be no robust evidence supporting it. There is no evidence that releasing the quantum of land required (which would require substantial Green Belt release) would be effective.

In this respect the Council would refer to the Inspector's report on Ryedale's Local Plan (ED/45). At paragraph 47 he indicates:

"The specific recognition of the need to provide a 20% buffer ...addresses previous underperformance against the former YHRSS targets. Neither the NPPF, nor the former YHRSS specifically requires overall provision within the plan period to be

increased to compensate for past under performance, and with the revocation of the YHRSS, it could be argued that the need to make specific provision for this shortfall is no longer necessary. Adding this backlog to the 20% NPPF buffer might increase the choice of housing sites, but it would increase the housing requirement in the short term to unrealistic and probably undeliverable levels, resulting in increased in-migration...”

Other inspectors have noted that there is no prescription as to how any backlog should be dealt with. The Inspector examining South Gloucestershire’s Local Plan (appendix 1; paragraphs 95 to 98) supported averaging backlog over the plan period given that there was no certainty that the market could deliver the higher levels that meeting backlog in the first five years would require. This was also the approach adopted by the Inspector examining the West Lancashire Local Plan (appendix 2; paragraphs 60 to 63).

#### *Phasing of sites*

Whilst the Main Modifications IIA recommends retention of the phasing policy should housing backlog be required to be accommodated within the first 5 years of the Plan period (to ensure delivery in a planned way and reduce the impact on existing infrastructure), the Council also supports its retention however backlog is addressed. A more detailed response to the issue of phasing is provided in response to MM4, and so not re-iterated here, demonstrating that phasing policies are not contrary to the Framework.

#### *Summary*

The Council considers that delivering the housing backlog over the first 5 years of the Plan period would have significant negative impacts (as evidenced by the Integrated Impact Assessment). The scale of land release which would be required through the Sites and Policies document to achieve this would effectively nullify much of the Local Plan strategy and supporting policies and risk unnecessary Green Belt release.

The land release required would also have infrastructure implications, as the IIA highlights. The IIA rightly indicates the need for the Infrastructure Delivery Study to be refreshed to assess the implications of the higher dwelling requirement. However until this is undertaken it is considered that there is no evidence that the infrastructure requirements of the scale of land release required by meeting the backlog within the first five years of the Plan period can be met. The most appropriate approach would be to ensure that any backlog is averaged out over the plan period as a whole.

The Council therefore considers that the appropriate approach to adopt, as supported by the findings of the IIA, would be to accommodate the housing backlog over the Plan period.

#### ***Change requested:***

The last sentence of the first paragraph of CS6 should be amended as follows:

The Council will ~~aim to accommodate the backlog within the first five years of the Plan period (or evenly distributed throughout the plan period)~~ **accommodate the backlog evenly distributed throughout the plan period.**

Reinstate criteria c(ii) as a new criteria c as follows:

**c. Phasing for the release of sites not within the broad location for growth will be set out in the Sites and Policies document , having regard to the principles set out in Policy CS3 Location of New Development.**

Consequently criteria c. as shown in MM3 should revert back to its original numbering (d.)

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Main Modification Number: **MM4**

Support/Object: **Object**

The Council broadly supports the wording of this modification, which was suggested by the inspector during the hearing sessions. However the Council continues to consider the inclusion of phasing policies appropriate and in line with the Framework.

The Main Modifications IIA recommends retention of the phasing policy should housing backlog be required to be accommodated within the first 5 years of the Plan period (to ensure delivery in a planned way and reduce the impact on existing infrastructure). The Council also supports its retention however backlog is addressed.

The Inspector examining the Reigate and Banstead Local Plan (appendix 1) faced a similar situation with Policy which sought to phase the release of Greenfield sites. He noted that "...introducing the often easier-to-develop greenfield sites at an early stage risks undermining the "urban areas first" strategy which lies at the heart of the [plan]." (paragraph 71). Consequently the Inspector found that an approach which allows greenfield sites only when necessary to maintain a five year supply is sound.

The Inspector examining Chorley's Local Plan also found that with modifications its "Phasing of Housing Development" policy, in its Sites and Policies document, could be made sound (appendix 2; paragraphs 57 to 62).

Whilst the detail and circumstance of these Plans are likely to differ to Rotherham, they demonstrate that other Inspector's have found the principle of phasing development acceptable and not contrary to the Framework. Furthermore the Government's recently published Planning Practice Guidance notes that Local Plan policies should reflect the desirability of re-using brownfield land (Viability; paragraph 25).

Rotherham's Core Strategy policies provide for this concept, with the detail of any phasing policy to be developed through the Sites and Policies document (which would be examined by the Inspector appointed to examine that document).

The Council therefore remain of the view that the phasing of sites is an approach which complies with the Framework and modifications which removed the ability to

take this forward, if necessary, through the Sites and Policies document should be re-instated.

***Change requested:***

Amend the first line of CS3 as set out in MM4 as follows:

“In allocating a site for development **and for the purposes of phasing in the Sites and Policies document**, the Council will have regard to relevant sustainability criteria, including its:....”

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Main Modification Number: **MM5**

Support/Object: **Support**

The Council supports the Modification in relation to Low Carbon and Renewable Energy as drafted, and welcomes the clarity that it provides. Justification for the Modification was provided by the Council in its response to Matter 1 (Q1.19 and appendix 1), and during the hearing sessions for Matter 1 itself.

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Main Modification Number: **MM6**

Support/Object: **Object**

MM6 sets out two trajectories and supporting text based on the two options set out in MM3 for accommodating the housing backlog. The Council's response in set out in response to MM3, and hence not repeated in detail here, the Council acknowledges the general principle of addressing the backlog of housing from the previous plan period, however it considers that the backlog should be calculated against the former Regional Strategy target from 2004 to 2008 and that from 2008 it should be calculated against the proposed new annual housing target. It also contends that any housing backlog should be accommodated over the Plan period.

As such the Council objects to the trajectory and supporting text based on meeting the housing backlog in the first 5 years. Of the two options presented, the Council supports the inclusion of the alternative trajectory and supporting text based on meeting the housing backlog over the Plan period.

However as our response to MM3 sets out, the Council has concerns regarding the calculation of the housing backlog. Given the apparent acceptance that 2008 based projections are appropriate for determining objectively assessed needs, it is considered to logically follow that any backlog from 2008 (the base date of projections) should also be against the locally determined target. The Council therefore contends that the overall requirement should be comprised of:

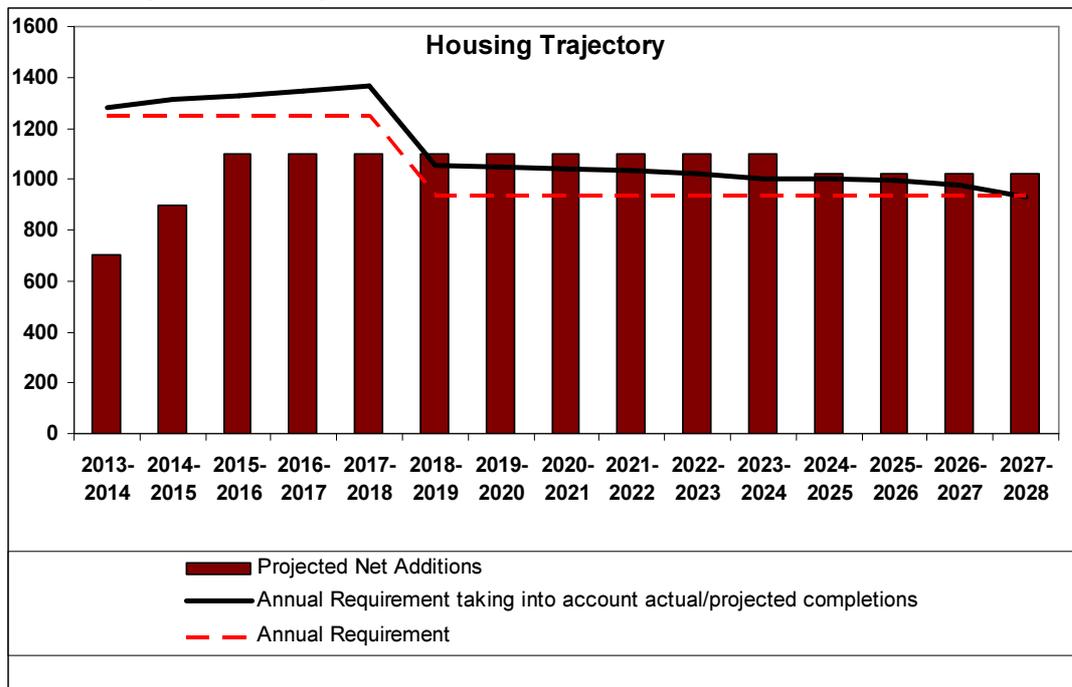
- The annual requirement over the plan period (12,750); plus
- Backlog in delivery against the RS target from 2004/5 to 2007/8 and against the new annual target of 850, from 2008/9 to 2012/13

This results in an overall requirement of 15,583 (12,750 plus backlog of 2,833).

As such the Council suggests that the housing trajectory and accompanying explanatory text should reflect these figures. Amendments reflecting this are proposed below.

**Change requested:**

The Core Strategy should include the alternative trajectory and supporting text based on meeting the backlog over the Plan period set out below:



	2013-2014	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019	2019-2020	2020-2021	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2027	2027-2028
Projected Net Additions	700	900	1100	1100	1100	1100	1100	1100	1100	1100	1100	1022	1022	1022	1022
Annual Requirement	1247	1247	1247	1247	1247	935	935	935	935	935	935	935	935	935	935
Annual Requirement taking into account actual/projected completions	1283	1311	1327	1346	1368	1052	1047	1040	1031	1020	1004	1000	992	977	932

Table xx: Summary of Housing Requirement

Backlog against RSS 2004/5 to 2013/14	4383
Core Strategy Requirement 2014/15 to 2028/29	12750
<b>Total Requirement</b>	<b>17133</b>
5y Req + Backlog +20%	6855
Annual Requirement in first 5y	1371
Requirement Final 10 years	10280
Annual Requirement in final 10y	1028

Table xx: Housing Completions 2004 to 2013

	2004/05	2005/06	2006/07	2007/08	2008/09	2009/10	2010/11	2011/12	2012/13	Totals
<b>Target</b>	750	750	750	750	850	850	850	850	850	<b>7250</b>
<b>Net Additions</b>	496	306	457	525	606	339	485	688	515	<b>4417</b>
<b>Difference</b>	-254	-444	-293	-225	-244	-511	-365	-162	-335	-2833

Note:

2004/5 to 2007/8 – shortfall determined against former Regional Strategy housing target  
 2009/9 to 2012/13 – shortfall determined against Core Strategy annual requirement

5.3.xx The housing trajectory below illustrates expected housing delivery over the Plan period taking account of past rates of housing completions and conversions. It shows:

- ~~Past dwelling completion rates from 2008;~~
- Projected completion rates ~~until~~ **from** 2013 to 2028, based on contributions of the various components of housing supply. This includes existing allocated sites, existing commitments as well the assumption that future allocations in the Local Plan will be managed to meet future requirements;
- The annual housing requirement, **taking into account the backlog distributed evenly throughout the Plan period (see Table XX: Summary of Housing Requirement)** and
- The average annual target at any given year, taking into account previous completion rates (~~known or assumed, as appropriate~~). This figure is calculated by taking the total number of dwellings in the remaining requirement, divided by the number of years remaining.

**Past completion rates and the resultant backlog are shown in Table XX 'Housing Completions 2004 to 2013'**. The trajectory reflects analysis of the various components that will make up future housing supply and the delivery timescales, using evidence provided by the Joint Sheffield / Rotherham Strategic Housing Land Availability Assessment (SHLAA).

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Main Modification Number: **MM7**

Support/Object: **Support**

The Council's Strategic Green Belt Review (LEB/16) assessed the relative contribution to Green Belt purposes of land within the Core Strategy's 'broad locations for growth' (including the area now proposed as a strategic allocation). On this basis the Council supports the wording of this modification, which clarifies that the evidence provided justifies Bassingthorpe Farm as a strategic allocation.

Preparation of the Bassingthorpe Farm Concept Framework Report (KSD/6) has also been informed by a more detailed Green Belt Assessment undertaken on behalf of the land owners which demonstrates that the site can be taken out of the Green Belt, and that other amendments to the Green Belt will be made through the Sites and Policies document.

It is noted that further work will be required on the masterplan for the Bassingthorpe Farm Strategic Allocation. This will present further opportunity for community consultation and input into how the area will be developed.

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Main Modification Number: **MM8**

Support/Object: **Support**

The Council supports the Modification as drafted, and welcomes the clarity it provides.

It is noted that further work will be required on the masterplan for the Bassingthorpe Farm Strategic Allocation. This will present further opportunity for community consultation and input into how the area will be developed.

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Main Modification Number: **MM9**

Support/Object: **Support**

The Council supports the Modification as drafted, and welcomes the clarity it provides.

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Main Modification Number: **MM10**

Support/Object: **Support**

The Council supports the Modification as drafted, and welcomes the clarity it provides.

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Main Modification Number: **MM11**

Support/Object: **Support**

The Council supports the Modification as drafted, and welcomes the clarity it provides.

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Main Modification Number: **MM12**

Support/Object: **Object**

The Council broadly supports this Modification which illustrates the housing and employment distribution as set out in MM1; however in line with its response to MM2 and MM33 the Council has concerns regarding the overall housing requirement (in terms of backlog). These are not repeated here; however in summary the Council considers that there is an inconsistency between accepting that the 2008 based projections are the most realistic basis for assessing need, and requiring backlog between 2004 and 2013 to be determined against the revoked Regional Strategy target. Given that 2008 is the base date for the projections supporting the housing target it is suggested that between 2004/5 and 2007/8 the backlog should be determined against the former Regional Strategy target but that between 2008/9 and 2012/13 the backlog is more appropriately determined against the new 850 per year housing target.

This gives a backlog total of 2,833 and would result in an overall housing target of 15,583. It is suggested that this revised target should be reflected in the Policy in terms of housing distribution between settlements. Revised figures are therefore provided.

***Change requested:***

Map 5 should be amended to reflect the housing requirement and distribution set out below:

	Housing	
	No.	%
Rotherham urban area excluding Bassingthorpe Farm Strategic Allocation)	4,500	29
Bassingthorpe Farm Strategic Allocation	1,700	11
Rotherham urban area (including Bassingthorpe Farm Strategic Allocation)	6,200	40
Dinnington, Anston & Laughton Common (exc. Dinnington East)	600	4
Dinnington East	800	5
Wath-upon-Deerne, Brampton Bierlow & West Melton	1,400	9
Bramley, Wickersley & Ravenfield Common	900	6
Waverley	2,500	16
Maltby & Hellaby	780	5
Aston, Aughton & Swallownest	610	4
Swinton & Kilnhurst	610	4
Wales & Kiveton Park	450	3
Catcliffe, Treeton & Orgreave	150	1
Thorpe Hesley	150	1
Thurcroft	300	2
Smaller villages	150	1
Total	<b>15,600</b>	<b>101</b>

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Main Modification Number: **MM13**

Support/Object: **Object**

The Council does not support the identification of Waverley as a District Centre. This is neither justified or effective. The local centre uses which form part of the extant planning permission are split over several areas and therefore a single 'district centre' cannot be defined on the Policies Map. As such the ability to define primary and secondary shopping areas in line with paragraph 23 of the Framework is compromised.

The retail hierarchy set out in Policy CS12 is supported by a robust evidence, primarily comprising the 2011 borough wide retail and leisure study (LEB/18). This identified a hierarchy of town and district centres. With regard to the planned development at Waverley the study states:

"9.98 In relation to the proposed new Waverley community at Catcliffe, which we understand may comprise up to 4,000 residential units, we recommend that it is serviced by a new local centre that should contain an appropriate range of smaller retail stores and services (see Appendix 5L). It will be important that the overall size of the new centre in retail terms is broadly commensurate with the new population of the area and that retail provision is added in line with the completion of the new housing."

Planning permission has been granted at Waverley, in outline, for up to 5,400 sqm of floorspace within use classes A1, A2, A3, A4 and A5 (appendix 1: condition number 7 in the decision notice).

A further 500 square metres of retail floorspace has outline planning permission as part of the adjacent site (Helical Governetz) which is intended to accommodate Government department relocations. As such the first occupation of office space is limited to users wholly engaged in the provision of regional authority and government services and/or national government services (including outsourced support services provided by private sector business support organisations and/or consultants (appendix 2: see condition 3 of the decision notice). Condition 12 (appendix 2) also restricts the opening of the retail and leisure development to trade until the first 12,000 square metres of B1(a) office floorspace is occupied.

This proposal envisaged accommodating Government department relocations, however development has not come forward and other uses have been granted on part of the site, including a new training centre. Whilst it is a 10 year outline permission there is no evidence that the Government departmental relocation is expected to take place. In any case the area which may be subject to retail development is separate from the other sites intended for local centre uses at Waverley. As such it is not considered that it could form part of a district centre at Waverley.

With regard to the new community at Waverley, the decision notice (appendix 1) provides a reason for planning condition 7 (discussed above), which indicates that the Council considers this sufficient to achieve the objectives of policy RET6 'Local Shopping Provision' of the adopted Rotherham UDP (LEB/28). Furthermore condition number 9 stipulates that a minimum of 1,300 sqm and a maximum of 1,900 sqm of gross retail floorspace (Class A1) shall be provided within the development. The reason provided for this condition is "In order to ensure the retail floorspace is of the type and scale for which a need has been identified and which is appropriate to the scale of the neighbourhood centre, in accordance with Policy RET6 'Local Planning Provision' of the Adopted Rotherham UDP and with Paragraph 26 of the NPPF." (Our underlining).

It is clear from the above that planning permission has been granted to ensure floorspace provision of a local centre scale to serve the needs of the new community. Permission for a district centre was neither sought nor granted.

Barton Wilmore have previously argued that the totality of retail provision at Waverley warrants its inclusion as a district centre. However this argument ignores the fact that uses are not concentrated in one location; the proposed development at Waverley does not form one single centre. The attached extract from the latest approved masterplan (appendix 3) shows the mixed use areas (shown pink) in which the local centre uses will be located. It is clearly evident from this that the proposed local centre uses are set out in two primary locations. Furthermore should any retail floorspace come forward as part of the Helical Governetz scheme, then this again would be separate from the provision at the new community.

As such the retail provision should more appropriately be considered as two local centres. This is reflective of the fact that within other settlements retail and other community services and facilities are spread over a number of centres and locations. Taken in totality the uses at Waverley may be of a similar scale to higher order centres; however adopting this approach the totality of retail floorspace at local and other centres within other settlements could be of a scale to classify as a higher centre. The reality is that such uses are provided in separate locations and therefore it is illogical to conclude that a higher order centre is created.

The classification of Waverley as a district centre is neither supported by the extant planning permission, nor the 2011 Retail and Leisure Study. A district centre is neither deliverable nor effective, and the Council considers that a district centre identification is not supported by robust evidence base.

***Change requested:***

Main Modification 13 should be deleted. The hierarchy of centres should remain as set out in Policy CS12 of the Publication Core Strategy.

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Main Modification Number: **MM14**

Support/Object: **Support**

The Council supports the Modification as drafted, and welcomes the clarity it provides.

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Main Modification Number: **MM15**

Support/Object: **Support**

The Council supports the Modification as drafted, and welcomes the clarity it provides.

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Main Modification Number: **MM16**

Support/Object: **Support**

The Council supports the Modification as drafted, and welcomes the clarity it provides.

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Main Modification Number: **MM17**

Support/Object: **Support**

The Council supports the Modification as drafted, and welcomes the clarity that it provides. Justification for the Modification was provided by the Council in its response to Matter 7 (Q7.4), during the hearing sessions for Matter 7 itself, and in examination library document ED/63.

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Main Modification Number: **MM18**

Support/Object: **Support**

The Council supports the Modification as drafted, and welcomes the clarity it provides.

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Main Modification Number: **MM19**

Support/Object: **Support**

The Council supports the Modification as drafted, and welcomes the clarity it provides.

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Main Modification Number: **MM20**

Support/Object: **Support**

The Council supports the Modification as drafted, and welcomes the clarity it provides. It also notes the Integrated Impact Assessment findings that many risks and benefits cannot be identified until the HS2 route has been finalised, however that mitigation can provide a proportionate response to increased risks from any negative effects.