

Committee Name and Date of Committee Meeting

Cabinet – 18 September 2023

Report Title

Joint Regional Statement of Common Ground

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

Yes

Strategic Director Approving Submission of the Report

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Report Author(s)

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Ward(s) Affected

Borough-wide

Report Summary

Local planning authorities have a statutory “duty to cooperate” with other relevant bodies in order to encourage and enable strategic planning. The Council has met this duty in preparing its adopted Local Plan. Rotherham’s Local Plan has already identified the sites required to deliver the housing and employment development required during the plan period.

The duty also operates at a wider scale and the South Yorkshire Mayoral Combined Authority (SYMCA) members have worked together on a Joint Statement of Common Ground (the Statement) to cover cross boundary, strategic planning matters within the former Sheffield City Region (SCR) area (referred as ‘Region’ in this report). The Statement covers energy and climate change, housing, employment, transport, natural environment, waste, digital connectivity and other matters of strategic interest.

The Statement will be beneficial to the local planning authorities within the Region as they prepare and review their local plans, as it demonstrates they have met the duty to cooperate at a strategic level. Being a signatory to the Statement will also benefit the Council as it completes the partial update to the Local Plan Core Strategy currently underway. When the updated Core Strategy is submitted to government for independent examination, the planning inspector will require evidence that the duty to cooperate has been met. The Statement will form a significant part of this evidence.

Endorsing the Statement will not require the Council to identify any additional housing land, nor will it require any review of the Local Plan Sites and Policies Document prior to the timescales required by legislation.

The Statement is an updated document from the Sheffield City Region Statement of Common Ground that was approved by Cabinet in December 2019.

Recommendations

That Cabinet:-

1. Approves that the Council be a signatory to the Joint Regional Statement of Common Ground.

List of Appendices Included

- Appendix 1 Joint Regional Statement of Common Ground
- Appendix 2 Map of Joint Regional Statement of Common Ground
- Appendix 3 Equality Part A – Screening
- Appendix 4 Carbon Impact Assessment

Background Papers

Sheffield City Region Statement of Common Ground
(approved by Cabinet on 23rd December 2019, Item 91)
https://modern.gov.rotherham.gov.uk/documents/s123893/2019-12-16_Cabinet_SCR%20appx%202.pdf

Consideration by any other Council Committee, Scrutiny or Advisory Panel

No

Council Approval Required

No

Exempt from the Press and Public

No

Joint Regional Statement of Common Ground

1. Background

- 1.1 In preparing local plans, local planning authorities are under a duty to cooperate with others on strategic planning matters. This is usually evidenced by joint plans, statements of common ground or memorandums of understanding.
- 1.2 The Council has an adopted Joint Waste Plan with Barnsley and Doncaster Councils and has also previously secured a memorandum with Sheffield City Council on housing targets to provide evidence of cooperation for the Local Plan Core Strategy examination process. The Council has also been a signatory of Statements of Common Ground when Doncaster, Wakefield and Bassetlaw Councils were preparing their local plans.
- 1.3 In 2021 the Combined Authority changed its name from “Sheffield City Region” to the “South Yorkshire Mayoral Combined Authority” to better reflect the organisation and the communities it serves. This also recognised the Government’s decision to change the geographies of Local Economic Partnerships and the agreement of a Devolution Deal and funding to SYMCA only covering South Yorkshire. However, the constituent and non-constituent members of SYMCA remain unchanged¹, and the former SCR area continues to be an appropriate strategic level for co-operation for spatial planning.
- 1.4 The Joint Regional Statement of Common Ground is an updated document from the former Sheffield City Region Statement of Common Ground, which in summary:
- Updates the chapters and agreements in relation to housing, employment, transport and digital connectivity.
 - Recognises the current issues and challenges facing our region. The Statement has also been expanded to focus on Energy and climate change, the natural environment and waste – providing contextual background as well as areas of agreement.
 - Continues to recognise other strategic matters including Green Belt, Minerals, the Peak District National Park, and health and wellbeing challenges.
 - Contains updates and additions to data and evidence where appropriate, including the tables set out in the Annex of the Statement.
- 1.5 The Council’s officers have worked on the Statement with other members of the SYMCA. Its main purpose is to set out an agreement on strategic planning matters as part of the plan-making considerations. The Statement covers energy and climate change, housing, employment, transport, natural environment, waste, and digital connectivity across the Region. It also refers to some topics in less detail, such as green belt, minerals planning, the Peak District National Park and health and wellbeing.

¹ Constituent members of SYMCA are Sheffield, Barnsley, Doncaster and Rotherham Councils. Non-constituent members are Derbyshire Dales, North East Derbyshire, Chesterfield, Bassetlaw and Bolsover Councils.

1.6 Councils taking their local plans through the examination process can use the Statement as evidence in meeting the duty to cooperate requirement. Being a signatory to the Statement will help the Council in preparing the partial update of the Rotherham Local Plan Core Strategy. It will demonstrate to the Planning Inspector, who examines the updated strategy, that appropriate cooperation with neighbouring authorities on strategic planning matters has been achieved.

2. Key Issues

2.1 The Region covers two cities, several large towns, thriving smaller towns, other semi-urban areas and a rural surrounding area. Ten local authorities are responsible for preparing Local Plans (see Appendix 1) - four metropolitan districts of Barnsley, Doncaster, Rotherham and Sheffield; five district councils of Bassetlaw, Bolsover, Chesterfield, Derbyshire Dales; and North East Derbyshire. An area of the Peak District National Park also falls within the western area of the Region and is a planning authority in its own right. Derbyshire County Council and Nottinghamshire County Council are responsible for preparing minerals and waste local plans for their areas. The National Park plays a key role in the Region, but also much more widely with special qualities that reflect the importance of its landscapes, wildlife and cultural heritage.

2.2 The Statement sets out the authorities' commitment to work together at the city region scale on matters of shared strategic significance. These matters relate to:

1. Energy and Climate Change
2. Housing
3. Employment
4. Transport
5. Natural Environment
6. Waste
7. Digital connectivity

These are summarised as bullet points in the following paragraphs and the full Statement is attached at Appendix 1.

2.3 Energy and Climate Change

- SYMCA (SCR Energy Strategy) and 8 out of the 12 authorities have declared a climate emergency and established targets for reducing carbon emissions. The Statement acknowledges, as an overarching imperative, the role of the planning system in responding to the challenges of the climate change crisis and the need to reduce carbon emissions in order to meet national (by 2050), regional and local net zero carbon targets.
- Local planning authorities will seek development to achieve above Building Regulations standard and work towards securing whole life carbon assessment and Future Homes Standards.
- Local planning authorities will work together in line with the 'Connected by Water' Initiative in response to flood risk and the climate emergency on a catchment scale.

2.3.1 Rotherham has developed an annual climate change action plan with actions identified under seven themes: Energy, Housing, Transport, Waste, Built and

Natural Environment, Influence and Engagement. This action plan supports the Council's established targets of:

- 1) The Council's carbon emissions to be at net zero by 2030; and
- 2) Borough-wide carbon emissions to be at net zero by 2040.

2.4 **Housing**

- Each Local Planning Authority plans to meet their own housing need within their own Local Authority boundaries, taking account of national planning policy, housing market geographies, individual local authority economic growth targets and agreements between individual authorities as necessary.
- Through Local Plans, ensuring the quantum of housing required to deliver regional growth ambitions is being met and to agree Housing Market Areas in the Region.
- Monitor housing delivery on an annual basis, as a minimum, to ensure that housing growth continues to meet identified local need and support growth ambitions across the Region.

2.4.1 Rotherham's Core Strategy is subject to a partial update which is programmed for consultation in late 2023, subject to Cabinet approval. Endorsing the Statement will not require the Council to identify any additional housing land, nor will it require any review of the Local Plan Sites and Policies Document prior to the timescales required by legislation.

2.5 **Employment**

- The SCR Strategic Economic Plan (SEP) agreed in 2014, sought to create 70,000 new jobs and 6,000 new businesses across the former City Region (between 2015 and 2025). This informed preparation of Local Plans across the region. The SYMCA Strategic Economic Plan (2021) provides a strategy to 2041 to deliver 33,000 extra people in higher level jobs across South Yorkshire.
- Local planning authorities will plan for their own employment land needs within their own Local Authority boundaries, taking account of alignment with housing growth proposals, Functional Economic Market Areas (FEMAs) and agreements between individual authorities as necessary.
- The delivery of employment land and loss of employment land to other uses, will be monitored.
- Continue to work collaboratively to achieve the economic ambitions of the SYMCA and D2N2 SEPs and other growth strategies within the Region, developing our evidence and understanding the operation of a strategic FEMA at the regional scale.

2.5.1 Rotherham's Core Strategy is subject to a partial update which will review the remaining capacity on existing sites allocated for employment related development to ensure the employment need will be met. The adopted Core Strategy identifies the priority of safeguarding the manufacturing base and targeting several priority sectors including Creative and Digital Industries; Advanced Manufacturing and Materials; Environmental and Energy Technologies; Construction Industries; Business, Professional and Financial Services; and Low Carbon Industries.

2.6 **Transport**

- Support the development and adoption of new Local Transport Plans for South Yorkshire and the East Midlands by Spring of 2024. The development and adoption of new implementation plans to reflect the new Local Transport Plan, covering bus, rail, tram, walking, cycling and private traffic (including freight and shift to zero emission vehicles) in a holistic and co-ordinated manner.
- Support the safeguarding and delivery of critical transport routes (both existing and new) and collaborate across boundaries to make the best use of inter-regional rail, tram, road and water transport networks.
- Acknowledge carbon emissions are predominantly driven by medium- and long distance transport, both passenger and freight, and so development and transport impacts may not be fully accounted for in an individual area's territorial emissions – and agree to ensure cross-boundary impacts of development and transport interventions are fully considered and mitigated for.
- Apply a complementary hierarchy of transport models to understand and assess the impact of local plans, projects and proposals on the transport network at appropriate scales.

2.6.1 The Council's Transportation Unit has a close working relationship with the SYMCA and other local planning authorities to ensure any impacts to Rotherham are fully assessed and mitigation measures are in place where required.

2.7 **Natural Environment**

- SYMCA has provisionally been appointed to be the Responsible Authority for the development of South Yorkshire's Local Nature Recovery Strategy. Local planning authorities use the maps, priorities and targets within the agreed Local Nature Recovery Strategies to inform any reviews of Development Plan documents, policies, guidance and site allocations in order to maximise opportunities for nature recovery.
- A natural capital assessment for the whole of South Yorkshire was commissioned by the SYMCA in 2021. The assessment identifies the existing natural capital assets, the baseline habitat level biodiversity, the flow of ecosystem services they provide, the monetary value of the resulting benefits – currently estimated at £550million per year and the opportunities to restore existing habitats and to create new ones to enhance biodiversity and deliver greater multiple benefits. Local planning authorities will use the findings of the South Yorkshire Natural Capital Assessment to help shape new development plans, including planning policies and site allocations.
- Continue to share learning on Biodiversity Net Gain across the Region and aim to develop locally-specific planning policy.

2.7.1 The Council has adopted a Biodiversity Net Gain SPD on 10th July 2023.

2.8 **Waste**

- Barnsley, Doncaster, Rotherham and Sheffield produced a Joint Waste Needs Assessment which was completed in June 2022. It identifies each authority's waste facilities, and requirements, both separately and as a whole. The Waste Needs Assessment identifies where South Yorkshire's

waste capacity gaps are, which is a starting point to determine what facilities are needed moving forward.

- The South Yorkshire authorities will aim to:
 - Plan jointly to meet South Yorkshire's Waste Needs.
 - Work collaboratively to produce a Joint South Yorkshire Waste Local Plan (JWLP) and prepare a joint/individual Local Development Scheme(s) (LDS) to reflect agreed timescales in individual authority LDS updates.
 - Prepare a JWLP Memorandum of Understanding.
 - Review policies in both the BDR Waste Plan and Sheffield Core Strategy (Waste Chapter).
 - Review current waste plan site allocations and determine need.

2.9 **Digital Connectivity**

The Government's Project Gigabit will deliver support to hard-to-reach parts of the UK towards the cost of gigabit-capable broadband. It will bring full fibre broadband to some of the most rural parts of the region, targeting properties with the slowest speeds that would have otherwise been left behind by commercial plans. To meet these new challenges, the authorities will:

- Support the implementation of Project Gigabit and the digital infrastructure elements of adopted Local Plans.
- Help to bring forward a range of local and regional interventions to improve digital connectivity, improving speeds and addressing gaps in provision.
- Support local communities to utilise the BDUK Gigabit Voucher Scheme to accelerate the roll-out of gigabit capable infrastructure across South Yorkshire and the wider Region.
- Create a supportive planning framework for digital connectivity, including consistent planning conditions that encourage developers to provide infrastructure for at least one, but ideally multiple gigabit capable broadband providers.

2.10 The Statement also sets out other issues of common interest that the authorities agree to work together on:

- Green Belt
- Minerals Planning
- Peak District National Park
- Health and wellbeing

2.11 The Statement has been prepared by the SYMCA Heads of Planning Group, which brings together senior planning managers across all the local planning authorities as well as from Nottinghamshire and Derbyshire County Councils. The Group has responsibility for the Statement alongside other pieces of collaborative work. It will ensure that the Statement is consistent with local planning practice which will be reviewed and updated on an annual basis to reflect any changes to local practice or arrangements at the regional scale. Progress and oversight for the Statement and other joint planning work will be part of SYMCA's new infrastructure and housing portfolio.

3. Options considered and recommended proposal

3.1 Option 1: Approve the Joint Regional Statement of Common Ground with the Council as a signatory.

Being a signatory to the Statement will assist the Council in completing the partial update of the Local Plan Core Strategy. It will help demonstrate to the Planning Inspector that the Council has met the duty to cooperate.

3.2 Option 2: the Council does not approve and sign the Joint Regional Statement of Common Ground

If the Council does not approve and sign the Statement, it still has the option to pursue separate statements of common ground with neighbouring authorities.

3.2.1 The Council may take this approach for specific issues between authorities that require more depth than that covered by the Statement. However, signing the Statement demonstrates to the Planning Inspector that the Council is actively engaging in strategic planning across the Region.

3.2.2 Meeting the duty to cooperate is a statutory requirement and if the Planning 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 statutory requirement. When local planning authorities consult on draft local plans, the Statement will form part of the supporting evidence for the plan. The public, stakeholders and interested parties can then comment on the plan and supporting evidence as appropriate.

4.2 The Council's officers have been part of drafting the Statement at various stages and are content with the wording and internal consultation has been undertaken as appropriate with colleagues in other services. Further, the Statement has been endorsed by the SYMCA Heads of Planning Group.

5. Timetable and Accountability for Implementing this Decision

5.1 If the report recommendation is approved, the Council's officers will make the necessary arrangements for Rotherham to be a signatory to the Statement. It is anticipated that the Cabinet Member for Jobs and the Local Economy would sign the Statement.

5.2 The other SYMCA local planning authorities are also making arrangements to consider approval of the statement and for appropriate signing if approved.

5.3 The SYMCA has not endorsed the Statement at the time of preparing this report, however the MCA is intended to seek Board approval when the South Yorkshire authorities have endorsed the Statement.

6. Financial and Procurement Advice and Implications

6.1 There are no financial implications arising from this report. The cost of the Council's officer time, involved in the development of this Statement, has been contained within existing approved revenue budgets.

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

7. Legal Advice and Implications

7.1 Section 110 of the Localism Act sets out the 'duty to co-operate'. The duty:

- relates to sustainable development or use of land that would have a significant impact on at least two local planning areas or on a planning matter that falls within the remit of a county council
- requires that councils set out planning policies to address such issues
- requires that councils and public bodies 'engage constructively, actively and on an ongoing basis' to develop strategic policies
- requires councils to consider joint approaches to plan making.

8. Human Resources Advice and Implications

8.1 There are no direct human resource implications arising from this report.

9. Implications for Children and Young People and Vulnerable Adults

9.1 There are no implications for children and young people and vulnerable adults arising from this report. The Statement will assist in delivering the Council's strategy and policies set out in the Local Plan. These include promoting and delivering sustainable patterns of development, the creation of mixed and sustainable communities, reducing pollution, providing and protecting community resources and facilities, and conserving and enhancing the quality of the built and natural environment.

10. Equalities and Human Rights Advice and Implications

10.1 An equalities screening has been completed and is attached at Appendix 1. A full equalities analysis is not required.

11. Implications for CO₂ Emissions and Climate Change

- 11.1 Climate change poses a significant threat to environments, individuals, communities, and economies on local, national, and international scales. In recognition of this the Council has aimed to be net carbon neutral as an organisation by 2030, and for Rotherham as a whole to achieve the same position by 2040.
- 11.2 Climate change is a cross cutting topic and strategic planning has a key role to play in achieving sustainable development and tackling and adapting to climate change. Several of the topics covered in this Statement are instrumental in reducing and mitigating the effects of climate change, in particular biodiversity and natural environment and transport. This includes influencing where new housing, employment and other development is located which in turn affects the need to travel and access to more sustainable travel modes.
- 11.3 The Statement sets out regional goals that support reducing the carbon footprint of development; promoting higher sustainable construction standards; building climate resilient dwellings; minimising impacts of carbon emissions harmful to local air quality, the natural environment and health.

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. 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 cooperate. This is set out in the Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011) and The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended). The National Planning Policy Framework elaborates on the duty in relation to plan making.
- 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 cooperate. The duty cannot be met retrospectively so to mitigate any risk, the Council should do all it can to meet the duty prior to submitting its local plan for examination.

14. Accountable Officers

Nigel Hancock, Head of Planning and Building Control

Approvals obtained on behalf of Statutory Officers: -

	Named Officer	Date
Chief Executive	Sharon Kemp	04/09/23
Strategic Director of Finance & Customer Services (S.151 Officer)	Judith Badger	31/08/23
Assistant Director, Legal Services (Monitoring Officer)	Phil Horsfield	31/08/23

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