MATTER 1: REQUIREMENTS, VISION, STRATEGY, OBJECTIVES AND SUSTAINABILITY

Issue 1: Has the Council complied with all the legal requirements, and in particular the duty to co-operate, and are the Core Strategy’s proposals for sustainable growth deliverable, clear, sufficiently justified, effective and consistent with all relevant national policy?

1.1 What measures has the Council taken to comply with the duty to co-operate, with which local authorities has that co-operation taken place and what has been the outcome of that co-operation? What documentary evidence is there of that co-operation, and what evidence is there in the Core Strategy of the effectiveness of that co-operation?

1.2 Have there been any discussions at any time with a nearby Borough or District to accommodate any unmet need, and has any nearby Authority requested the Council to meet any of its needs? And what was the outcome of any such request? For example, are any arrangements or understandings in place between the Council and Sheffield City Council? In which ways has the Council acted as a “good neighbour” in matters of town and country planning?

1.3 Are all cross-boundary issues satisfactorily addressed?

We refer to our representations on the Publication Core Strategy and Focused Changes Documents where we explore cross boundary issues in greater detail. We do not consider that the Council has adequately discharged its duty to cooperate to address planning issues of a strategic scale. The HBF is concerned that in establishing its housing requirement and in deciding its planning strategy, Rotherham Council has not had sufficient regard to cross-boundary housing planning issues that will have a major material effect on the district. As such the Core Strategy is unsound as it fails the positively prepared and effective tests of the NPPF.
The duty requires effective and deliverable policies on cross-boundary issues and for authorities to go beyond mere consultation. The Council has failed to do this with regards to the housing needs of the district and the wider city region. Whilst Rotherham’s housing requirement is discussed in greater detail within our comments upon Matter 3 it is worth noting the HBF considers that the chosen housing requirement does not constitute a positive planning strategy to deal with the full objectively assessed needs for both market and affordable housing within Rotherham. In deriving its housing requirement the Council appears to disregard the evidence provided within its Strategic Housing Market Assessment (SHMA) (LEB/15), despite the requirements of NPPF paragraph 159, in favour of a lower figure derived from the 2008 based household projections. This leads to an annual shortfall in provision of at least 250 dwellings within Rotherham against the SHMA recommendations. If it is found that Rotherham is not meeting its needs, as we believe, there will be cross border implications which have not been duly considered in the preparation of the plan.

We note that processes have been put in place by the local authorities of the Sheffield City Region to consider cross-boundary matters and note the outcomes of these discussions as documented in the Duty to Cooperate Background Paper, June 2012 and the more recent Statement of Co-operation, June 2013 and Technical Note for Memorandum of Understanding Between Rotherham Metropolitan Borough Council and Sheffield City Council, August 2013 (RSD/14). It is also noted that Sheffield made an objection to Rotherham’s core strategy (page 4 Duty to Co-operate Background Paper, CSP/5) based upon its housing requirement being less than that set within the former Yorkshire and Humber RS. To rectify this situation Rotherham and Sheffield have produced a memorandum of understanding, which is included as appendix 23 of the Statement of Co-operation, June 2013 and expanded upon with the Technical Note for Memorandum of Understanding Between Rotherham Metropolitan Borough Council and Sheffield City Council, August 2013 (KSD/14).

In dealing with Sheffield’s objection Rotherham has identified a number of actions through the focused changes documents which were;

- Identification that the targets were not ceilings and windfalls would be used to provide flexibility;
- Commitment to an early review if identified through joint working;
- Identification of safeguarded land in the forthcoming Sites and Policies document which could be released at plan review, providing the sites overcame technical assessments of their sustainability at the time of review.

It is, however, notable that the actions do not directly deal with the issue raised by Sheffield of proposed under-delivery, rather they propose a mechanism to be applied if the Core Strategy should be found to be wanting in the future. Whilst Sheffield may have withdrawn their objection the issue of under-delivery remains. It is also concerning that no representatives from Sheffield City Council, or indeed any other Council, are included in the attendees for this or
the Matter 3. Attendance by Sheffield and others would have provided a greater insight into fulfilment of the duty.

In addition whilst Rotherham concede in paragraph 5.13 of the Technical Note for Memorandum of Understanding Between Rotherham Metropolitan Borough Council and Sheffield City Council, August 2013 (KSD/14) that the housing market area extends beyond Sheffield and Rotherham it has not sought to include other constituent authorities within the memorandum of understanding. Perhaps even more concerning is the fact that the memorandum of understanding does not address the agreed city-region wide shortfall particularly against Sheffield’s objectively assessed needs for housing. Using the ‘What Households Where’ website, an independent and free to use resource presenting Government population and household projections currently based upon the 2008 based household projections (as used by Rotherham), identifies an annual need for 2,940 new homes between 2013 and 2028 in Sheffield, over twice the figure currently being planned for. Whilst these figures are no substitute for a properly evidenced SHMA the current Sheffield SHMA, produced in 2007, is significantly out of date.

The 2013 report for Sheffield City Region ‘Forecasts of Populations and Households for the Sheffield City Region’ (REB/16) considers a number of scenarios for household growth within the city region. The report identifies on page 37 that current planned household growth, which is in line with plan targets, is lower than all the other scenarios. This report states that this ‘implies that planned levels of new house building will be insufficient to cater for household growth arising from within the existing population’. This is worsened by the fact that none of the modelled scenarios account for economic growth within the city region. The memorandum of understanding whilst identifying that Sheffield’s objections have now been withdrawn does not address these wider city region issues it is therefore considered to fail with regards to the duty to co-operate.

Due to the reasons stated above the HBF is of the opinion that despite the Council’s efforts, noted above, it has failed to adequately comply with the duty to co-operate.

1.4 Is the plan period, 2013-2028, the most appropriate one? Should it be longer? Should it be unspecified, i.e the next 15 years?

The plan period should be extended to ensure it accords with the preference in NPPF paragraph 159 for a 15 year time horizon. In accordance with the Council’s April 2013 Local Development Scheme (LDS) (KSD/2) adoption of the Core Strategy is not scheduled to occur until March 2014. This would leave less than 14 years to run, however, given that it is the Council’s intention to defer significant elements of the plan to the Sites and Policies DPD, such as the identification of sites, phasing and comprehensive review of the Green Belt, the time frame will be further reduced. The LDS anticipates adoption of the Sites and Policies DPD in July 2015 meaning significant plan elements will be effectively reduced to 12½ years.
The HBF recommends the time frame should be at least 15 years and therefore 2031 would be a more appropriate end date. Clarification of the plan period is essential to provide an adequate basis for the purposes of calculating the housing requirement, the housing trajectory, the five year land supply, and consideration of whether it is necessary to address any backlog in delivery.

1.8 Has the Core Strategy been positively prepared and, if so, in which ways? Subject to more detailed discussions with regard to housing, employment and retail, does it fully meet the objectively assessed development needs of the area? And does it do so with sufficient flexibility to adapt to change? And what might be the consequences of any insufficient flexibility?

The plan is not considered positively prepared as it will not boost significantly the supply of housing or meet the full objectively assessed need for market and affordable housing as required by paragraph 47 of the NPPF. Further discussion upon the Council’s proposed housing requirement and its objectively assessed need are included in the additional statement on Matter 3.

The plan is not considered to provide sufficient flexibility to change, the only real allowance for flexibility being the fact the housing requirement is not considered a ceiling. Any significant upturn in housing requirement will require a review of the plan. Reviews are by their very nature resource intensive and whilst it is noted the memorandum of understanding indicates such as a review could occur if required there is no definitive threshold to indicate when this would take place. The existence of safeguarded land also does not provide flexibility as the Council will only release this through a plan review. A more pragmatic approach would be to identify conditions within the Core Strategy where the safeguarded land could be released.

1.10 Have exceptional circumstances been demonstrated to justify any alteration to Green Belt boundaries? Is the matter adequately considered in the Core Strategy, or is too much reliance being placed on the Sites and Policies DPD? Should any additions or deletions be made to the locations identified in Policy CS4 for broad extent of changes? Are paragraphs 5.2.11 and 5.2.41 consistent?

1.11 Are the proposals for safeguarded land justified, with particular regard to the areas of search?

The Council has correctly identified the need to review the Green Belt to accommodate its development needs, including housing. The SHLAA (LEB/13a) indicates the Council cannot accommodate its development needs within the existing urban areas. Due to the tightly drawn nature of its boundary this inevitably means an alteration to the Green Belt is required. The 2012 Strategic Green Belt Review (LEB/16) provides evidence that the Council has undertaken an assessment of its Green Belt against the purposes set out within the NPPF and concluded that new development could be accommodated without creating significant harm.
Whilst the HBF is in agreement the Council needs to release Green Belt it is considered the results of the Strategic Green Belt Review should be included within the Core Strategy, either as specific sites or broad growth locations. This would ensure sites are brought forward in a timely fashion. Given the prolonged history of under-delivery against previous housing targets, stretching back until at least 04/05 (AMR December 2012, KSD/3), any delay in identifying these sites is likely to lead to continued poor delivery. Early release of Green Belt would assist the Council in achieving a 5 year housing land supply as required by NPPF paragraph 47. This is further highlighted by the 2013 ‘Whole Plan Viability Study’ (KSD/5) which identifies economic viability issues within Rotherham and notes in paragraph 4.22 that sites included in first five years of the plan must be in locations where developers can build without the need for high infrastructure costs and in areas where they can readily sell.

Delay in identifying the areas of Green Belt release as well as the areas of safeguarded land will also hinder the Council in identifying and implementing the infrastructure requirements required to facilitate growth. This is discussed in greater detail against Matter 4. Whilst it is noted that the Sites and Policies DPD is in production the Council’s May 2013 Local Development Scheme (LDS) indicates that adoption will not occur until July 2015 at the earliest. This will create delay and continued uncertainty for the development industry and residents alike.

Whilst the HBF does not wish to comment upon individual growth locations it is worth stating that if the Council is to meet its objectively assessed housing need, as opposed to the current housing target (see further comments against Matter 3) it will require further Green Belt releases than currently planned. It is also considered that in conformity with NPPF paragraph 83 the amount of safeguarded land should be increased to ensure that the Green Belt boundary endures and does not need amending at the next plan review. The current additional 5 years beyond the plan period is not considered sufficient to ensure compliance with the NPPF which requires Green Belts once set to have regard to their ‘…intended permanence in the long term, so that they should be capable of enduring beyond the plan period’.

As noted above it is considered that the safeguarded land could be used to provide flexibility within the plan without need for a review through the inclusion of a criteria based policy.

1.19 Are the proposed measures to tackle climate change justified, effective and adequately in line with the policy in the Framework of meeting the challenge of climate change, flooding and coastal change? In particular:

a) Does the Core Strategy set enough and sufficiently specific targets, for example in respect of sustainable building requirements?
b) Are its climate change measures clear, effective and adequately justified?

The Council’s May 2013 ‘Whole Plan Viability Study’ (KSD/5) indicates that when the full costs of all Core Strategy policies are applied this creates
significant viability issues for much of the plan. It is therefore considered that the Council should rely solely upon nationally prescribed building requirements and should not seek to further burden the development industry through the imposition of higher sustainability standards.

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