

## **FULL COUNCIL REPORT APPENDIX 1:**

### **REPORT TO THE STRATEGY & RESOURCES POLICY COMMITTEE – 2<sup>ND</sup> AUGUST 2023**



## Report to Policy Committee

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**Report of:** Executive Director, City Futures

**Report to:** Strategy & Resources Policy Committee

**Date of Decision:** 2<sup>nd</sup> August 2023

**Subject:** Recommended Responses to Representations on the Publication Draft Sheffield Local Plan ('The Draft Sheffield Plan') and agreement to proceed to full Council for further approval to submit the Plan to Government

Has an Equality Impact Assessment (EIA) been undertaken?	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
If YES, what EIA reference number has it been given? 2257				
Has appropriate consultation taken place?	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
Has a Climate Impact Assessment (CIA) been undertaken?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
Does the report contain confidential or exempt information?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
If YES, give details as to whether the exemption applies to the full report / part of the report and/or appendices and complete below:-				
N/A				

### **Purpose of Report:**

The report and associated appendices recommend the Council's response to the representations received as a result of public consultation on the Publication Draft Sheffield Plan that took place from 9<sup>th</sup> January to 20<sup>th</sup> February 2023. The main body of the report highlights the key issues that were raised and outlines the recommended Council response. Recommended responses to all the main issues raised in the representations are set out in the Consultation Statement on the Publication Draft Plan (Appendix 1).

Appendix 2 recommends a schedule of suggested amendments to the Plan that are derived from the recommended responses. Officers consider that these amendments are needed to make the Publication Draft Plan 'sound'. If approved by full Council, they would be submitted to the Government alongside the Draft Plan. The amendments will then be considered by an independent Planning

Inspector as part of the public examination (following submission of the Plan to Government).

Appendix 3 of the report lists recommended other minor amendments to the Plan to correct errors (mainly typographical) or update factual information that has altered since the Plan was approved by full Council in December 2022. These do not need to be considered by the Planning Inspector.

For ease, the proposed amendments are set out in a tracked change version of the Publication Draft Sheffield Plan at Appendix 4 (showing all the suggested changes that are listed in Appendices 2 and 3).

Appendix 5 provides a list of the 'submission documents' and, when relevant, refers to updated positions on these documents. Updates will generally have resulted in response to comments received as part of the public consultation, and/or owing to the iterative nature of these documents.

The report also sets out the timetable and process for submitting the Sheffield Plan to the Government for public examination.

### **Recommendations:**

It is recommended that the Policy Committee:

- a) Endorses the recommended responses to the main issues raised in representations on the Publication Draft Plan set out in the Consultation Statement (Appendix 1);
- b) Endorses the suggested amendments to the Publication Draft Sheffield Plan set out in Appendix 2 and shown as tracked changes within Appendix 4;
- c) Endorses the suggested other minor amendments to the Publication Draft Sheffield Plan set out in Appendix 3 and shown as tracked changes within Appendix 4;
- d) Notes the ongoing evidence updates with respect to the relevant 'submission documents' as set out in the main body of the report and within Appendix 5;
- e) Delegates authority to the Chief Planning Officer, in consultation with the Chair, deputy chair and spokesperson of the Transport, Regeneration and Climate Policy Committee, to bring forward further minor amendments to the Publication Draft Sheffield Plan and updates to associated documentation prior to consideration by full Council;
- f) Refers this report to full Council in accordance with the constitution to seek approval to submit the Draft Sheffield Plan and associated documentation to the Government for independent examination.

## Background Papers:

- Publication Draft Sheffield Plan:
  - Part 1: Vision, Spatial Strategy, Sub-Area Policies and Site Allocations
  - Part 2: Development Management Policies and Implementation
  - Annex A: Site Allocations
  - Annex B: Parking Guidelines
  - Key Diagram
  - Policies Map (digital map only)
  - Glossary¶
- [Report to the Cooperative Executive \(16 February 2022\) – Sheffield Local Plan Spatial Options](#)
- [Sheffield Statement of Community Involvement](#) (July 2020)
- Sheffield [Local Development Scheme](#) (21 October 2021)

Lead Officer to complete:-		
1	I have consulted the relevant departments in respect of any relevant implications indicated on the Statutory and Council Policy Checklist, and comments have been incorporated / additional forms completed / EIA completed, where required.	Finance: Kerry Darlow
		Legal: Victoria Clayton
		Equalities & Consultation: Louise Nunn
		Climate: Michael Johnson
	<i>Legal, financial/commercial and equalities implications must be included within the report and the name of the officer consulted must be included above.</i>	
2	<b>EMT member who approved submission:</b>	Kate Martin, Executive Director, City Futures
3	<b>Committee Chair consulted:</b>	Cllr Tom Hunt
4	I confirm that all necessary approval has been obtained in respect of the implications indicated on the Statutory and Council Policy Checklist and that the report has been approved for submission to the Committee by the EMT member indicated at 2. In addition, any additional forms have been completed and signed off as required at 1.	
	<b>Lead Officer Name:</b> Simon Vincent	<b>Job Title:</b> Service Manager (Strategic Planning)
	<b>Date:</b> 17 July 2023	

## **1. PROPOSAL**

### **1.1 Overview**

1.1.1 This report sets out the recommended Council responses to main issues raised in the representations made on the Publication (Pre-Submission) Draft Sheffield Local Plan (what we are calling ‘The Sheffield Plan’). It also discusses updates to the Draft Sheffield Plan documents that officers consider are required to make the plan ‘sound’. The soundness tests are set out in the National Planning Policy Framework (NPPF). Other minor amendments are also suggested to correct typographical errors or update factual information. The report also confirms the list of relevant ‘submission documents’, which are submitted to the Government alongside the Draft Sheffield Plan.

1.1.2 Any suggested amendments will need to be approved by full Council before the Plan is submitted to the Government for public examination. Following submission an independent planning inspector(s) will be appointed by the Government and will consider whether the suggested amendments relating to the soundness of the Plan should be made. The Inspector may also recommend other changes if they are needed to make the Plan sound. It is expected that the Plan will be adopted by the end of 2024.

1.1.3 The new plan will guide the future of the city by setting out the vision and policies for how and where development will take place up until 2039. Once adopted it will become the city’s primary land-use and place-shaping strategy. It will cover the whole city except for the areas in the Peak District National Park (where the Peak Park Authority is responsible for planning).

1.1.4 Throughout this report we refer to the Publication (Pre-Submission) Draft Sheffield Local Plan as the ‘Draft Sheffield Plan’ or simply the ‘Draft Plan’.

### **1.2 Background**

1.2.1 Section 19 of the Planning and Compulsory Purchase Act 2004 (the **2004 Act**)<sup>1</sup> requires the local planning authority to identify the strategic priorities for the development and use of land in its area and set out policies to address those priorities in “development plan documents” (which are often collectively referred to as the “Local Plan”). Together, Section 19 of the 2004 Act and the National Planning Policy Framework<sup>1</sup> require that strategic policies set out an overall strategy for the pattern, scale and quality of development and make sufficient provision for housing, employment, retail, leisure and other commercial development, infrastructure and community facilities. The strategic

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<sup>1</sup> See <https://www.gov.uk/government/publications/national-planning-policy-framework--2>; paragraph 20.

policies are also required to cover the conservation and enhancement of the natural, built and historic environment, as well as including policies designed to secure contributions towards mitigation of and adaption to climate change<sup>2</sup>.

- 1.2.2 The Council's current Local Plan comprises 'saved' policies in the Unitary Development Plan (1998) and the Core Strategy (2009). Many of the policies in the current documents are out of date. A new plan is needed to conform with national policy in the latest National Planning Policy Framework (NPPF) (2021). The Sheffield Plan will replace all the existing development plan documents except for three policies in the Sheffield Core Strategy relating to waste management<sup>3</sup>. A separate Joint Waste Management Plan is being prepared with the other South Yorkshire local authorities; this will replace the remaining three Core Strategy policies once it has been adopted.
- 1.2.3 The Local Plan is required by statute and the Council's constitution to be adopted by full Council. The Planning and Compulsory Purchase Act 2004 (as amended) and the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) set out the process that must be followed for preparing the Local Plan before it can be adopted.
- 1.2.4 Public consultation previously took place on the [Sheffield Plan Issues and Options document](#) in September/October 2020. That document was published under Regulation 18 of the Town and Country Planning Regulations<sup>4</sup>. The 2020 Issues and Options consultation was effectively a re-run of consultation undertaken in 2015 and was necessary to reflect new evidence and changes to national planning policy. The purpose of the Regulation 18 consultation was to ask the public and stakeholders what issues the new Local Plan should address. It focussed particularly on the broad scale of economic and housing growth and the general approaches for accommodating that growth.
- 1.2.5 The latest consultation took place from 9<sup>th</sup> January – 20<sup>th</sup> February 2023 – this was on the full Publication Draft Sheffield Plan, produced under Regulation 19 of the Town and Country Planning Regulations. The consultation followed approval of the Draft Plan by full Council on 14<sup>th</sup> December 2022. The Regulation 19 document represents the Council's firm proposals on how it wishes to see the city develop over the period to 2039.
- 1.2.6 Consultation was undertaken in accordance with Regulations 19, 20 and 35 of the Town and Country Planning (Local Planning) (England)

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<sup>2</sup> Section 19(1B-1E) of the Planning and Compulsory Purchase Act 2004.

<sup>3</sup> The waste management policies to be retained are:

Policy CS68 Waste Development Objectives; Policy CS69 Safeguarding Major Waste Facilities; Policy CS70 Provision for Recycling and Composting

<sup>4</sup> Town and Country Planning (Local Planning) (England) Regulations 2012, Regulation 18.

Regulations 2012. This included making a copy of each of the proposed submission documents available for public inspection together with a Statement of the Representations Procedure. Submission documents are defined at Regulation 17 as:

- a) the local plan which the local planning authority propose to submit to the Secretary of State,
- b) if the adoption of the local plan would result in changes to the adopted policies map, a submission policies map,
- c) the sustainability appraisal report of the local plan,
- d) a statement setting out -
  - i. which bodies and persons were invited to make representations under regulation 18,
  - ii. how those bodies and persons were invited to make such representations,
  - iii. a summary of the main issues raised by those representations, and
  - iv. how those main issues have been addressed in the local plan, and

such supporting documents as in the opinion of the local planning authority are relevant to the preparation of the local plan.

1.2.7 Representations received are being considered prior to the submission of the Draft Sheffield Plan under Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The proposed list of 'submission documents' continues to be as reported to full Council on 14<sup>th</sup> December 2022 but with some ongoing evidence updates. A Consultation Statement has been prepared summarising the public consultation process and setting out the Council's response to the main issues raised in the representations. This is attached as Appendix 1 to this report.

1.2.8 Section 19 of the Planning and Compulsory Purchase Act 2004 requires us to carry out consultation on the Draft Sheffield Plan in accordance with the Statement of Community Involvement (SCI). The public consultation that was undertaken accords with the SCI.

1.2.9 The Council is required to undertake a Sustainability Appraisal of a Development Plan Document under Section 19 of the Planning and Compulsory Purchase Act 2004 which incorporates the requirements of the Environmental Assessment of Plans and Programmes Regulations 2004 (as amended). This appraisal is one of the proposed submission documents (as defined in Regulation 17 of the Town and Country Planning (Local Planning) (England) Regulations 2012) that was made available for public inspection as part of the public consultation.

1.2.10 The Council is also required to carry out a Habitats Regulations Assessment (HRA) screening to determine if the policies of the Draft

Sheffield Plan give rise to any Likely Significant Effects (LSEs) on the integrity of European Sites. These include Special Protections Areas and Special Areas of Conservation. This is one of the proposed submission documents (as defined in Regulation 17 of the Town and Country Planning (Local Planning) (England) Regulations 2012) that was made available for public inspection as part of the public consultation. An addendum to the HRA is being prepared to address a representation received from Natural England. We are aiming to complete this before the Sheffield Plan is submitted to the Government but it may be necessary to complete this prior to any public hearings on the Plan taking place.

- 1.2.11 The preparation of Development Plan Documents is subject to the ongoing statutory duty to cooperate contained in Section 33A of the Planning and Compulsory Purchase Act 2004. It is considered that the Council is working constructively and continuously with its neighbouring authorities and key agencies. Officers are continuing to work on a series of 'Statements of Common Ground' with the other local authorities in Sheffield City Region (including the South Yorkshire Mayoral Combined Authority (SYMCA)) and with 'prescribed bodies' (Natural England, Historic England, the Environment Agency, National Highways). We are aiming to complete those Statements of Common Ground before the Plan is submitted to the Government or, if necessary, before public hearings take place on the relevant issues.

### **1.3 Overview of the Public Consultation Process**

- 1.3.1 Emails or letters were sent to all the organisations, businesses and individuals who are registered on the Sheffield Plan database, alerting them to the start of the consultation. The consultation was also publicised through social media and through Local Area Committee (LAC) mailings. A range of meetings and drop-in sessions were held during the consultation period, including presentations and/or staffed exhibitions with all 7 LACs; a full list of the events is included in the Regulation 22(1)(c) Consultation Statement set out at Appendix 1.

- 1.3.2 Consultees were able to make comments on all aspects of the Draft Sheffield Plan as well as the supporting documents. The Plan comprises:

- Part 1: Vision, Spatial Strategy, Sub-Area Policies and Site Allocations
- Part 2: Development Management Policies and Implementation
- Annex A: Site Allocations
- Annex B: Parking Guidelines
- Key Diagram
- Policies Map (digital map, online)
- A Glossary¶



1.3.3 **413 separate responses** were received (including some responses received after the deadline for responding). The respondents made **1,985 comments** on different aspects of the Plan. There were:

- 249 responses from individual members of the public
- 77 responses from landowners/developers
- 8 responses from statutory consultees (e.g. Environment Agency; Historic England; Natural England)
- 7 responses from other Local Authorities (incl. South Yorkshire Mayoral Combined Authority)
- 59 responses from community groups or representative bodies
- 9 responses from political parties/MPs/councillors
- 4 petitions

1.3.4 The **4 petitions** (270, 654, 2,823 and 635 signatures) that were received relate to the proposed Gypsy & Traveller/industrial site at Eckington Way (Site SES03). A further petition, relating to a greenfield housing site on land to the East of Moor Valley Way (Site SES10), has not been formally submitted to the Council but remains live on the Change.Org website. This has 902 signatures to date. Responses to all 5 petitions are set out in Section 1.4 below.

## 1.4 **Summary of the Main Issues raised and Recommended Council Response**

1.4.1 The following paragraphs provide an overview of a number of the main issues raised through the public consultation on the Publication Draft Sheffield Plan, as well as highlighting the most significant comments from statutory consultees. A recommended response to each issue is also set out. Responses to all the main issues are set out in the Consultation Statement (Appendix 1). For the purposes of transparency, a further document is being prepared ahead of full Council that will provide a response to all issues raised during the public consultation.

### Part 1: Vision, Aims and Objectives

1.4.2 There were relatively few comments on the Vision, Aims and Objectives. Some respondents wanted specific reference to tackling **Climate Change** in the Vision Statement (rather than just in one of the 8 Aims). Others felt that the level of ambition in the Plan is incompatible with Council's **2030 Net Zero Carbon target** – they would like the Plan to require net zero carbon buildings as soon as it is adopted.

1.4.3 We consider that the Vision Statement remains appropriate in capturing the overall economic, social and environmental objectives of the Sheffield Plan. The Vision Statement refers to 'environmental sustainability' and specific reference to the Climate Emergency is made in Aim 2. Policy ES2 'Measures Required to Achieve Carbon

Reduction in New Development' is discussed in paragraphs 1.4.25 to 1.4.27 below.

Part 1: Overall Spatial Approach and Growth Plan

- 1.4.4 There was support for protection of **Green Belt** land from individuals and voluntary groups. Elements of the development sector contended that land should be removed from the Green Belt in order to meet housing needs and support economic growth. Many of them suggested specific sites that should be released.
- 1.4.5 We recommend that the Council should continue to support the overall spatial approach set out in the Publication Draft Sheffield Plan. The NPPF states that plans should provide for the objectively assessed housing need *unless* the application of policies in the Framework that protect areas or 'assets of particular importance' provides a strong reason for restricting the overall scale, type or distribution of development in the plan area. The Green Belt is an asset of particular importance and exceptional circumstances do not exist to justify altering the boundary to allow development on greenfield sites. Furthermore, although neighbouring local authorities have indicated that they are unable to meet any of Sheffield's housing need, there is headroom in existing adopted plans that can cater for 'footloose' migration from other parts of the UK and from abroad. The Council's demographic analysis shows that proposed employment growth and housing growth in the Plan are aligned.
- 1.4.6 The development sector also has concerns about the **deliverability of brownfield sites** and the **housing mix** that would be delivered (they consider there is too much reliance on apartments and insufficient numbers of family-sized homes will be built). Objections to many of the sites that have been proposed in the Draft Plan have been received on that basis.
- 1.4.7 Whilst there are undoubted challenges in delivering development on brownfield sites, the city has a strong record in delivering new development on such sites. We consider that the Sheffield Plan is supported by good evidence to show that sites are coming forward and there is a strong pipeline of new development on brownfield sites in the Central Area and in other parts of the city, such as Attercliffe. Homes England are continuing to work with the Council's Regeneration Service and Housing Growth Service, using master planning and, where necessary, grant support to help unlock more difficult sites and develop new housing markets.
- 1.4.8 The strategy of focussing a high proportion of overall housing growth in the Central Area is likely to lead to a higher proportion of apartments being delivered overall than might otherwise be the case. However, Sheffield is part of a wider housing market area; it is therefore to be expected that the regional city will have a higher proportion of apartments in the overall housing stock than neighbouring local

authorities (where the reverse is generally true). The Draft Plan also promotes a broader housing mix in the Central Area, identifying locations where, for example, larger urban family homes will be encouraged (e.g. Policy CA2B 'Priority Location in Wicker Riverside'). These issues were previously considered by the Cooperative Executive when agreeing the overall spatial approach and by full Council when approving the content of the Publication Draft Plan.

- 1.4.9 Some within the development sector also consider that **more employment land** is needed, especially for logistics (large-scale warehousing) and to provide greater scope for the Innovation District to expand. Again, they contend that Green Belt land should be released to increase land supply.
- 1.4.10 The issues around employment land supply were highlighted in the report to full Council on 14<sup>th</sup> December 2022. The Draft Plan identifies 13.4 years supply of employment land (i.e. sufficient to last to 2035). Our assessment continues to be that this is sufficient to support the economic strategy in the Plan on the basis that additional land will come forward through the redevelopment of existing employment sites ('windfall sites') to meet needs to 2039. The Logistics Study has identified suitable sites to meet the city's needs and that there is sufficient capacity within the City Region to meet 'wider than local' need for logistics uses.

#### Part 1: Blue and Green Infrastructure

- 1.4.11 A number of environmental organisations and individuals feel the plan should be stronger in supporting **nature recovery** and **expansion of the blue and green infrastructure network**. Numerous comments were received suggesting that more reference should be made to the Local Nature Recovery Strategy/Network and some suggested that 'areas for nature recovery' should be shown on Policies Map. Some respondents suggested that mention should be made of the heritage value of the green network and to its value for food production and active travel.
- 1.4.12 It is intended that Part 1 Policy BG1, Blue and Green infrastructure, should be read in conjunction with the Sub-Area policies in Part 1 and Policies in Part 2 of Draft Plan (especially policies NC15 and GS1-GS11). Whilst these policies, in combination, will help to deliver more greenspace and support nature recovery, we agree that the Plan should be clearer about the need to *connect* existing greenspaces and wildlife habitats. We also agree that it should be more explicit about the wider value of greenspaces, so it is clear that those may be considerations when deciding planning applications.
- 1.4.13 Work on the Local Nature Recovery Strategy/Network mapping has, however, not yet been completed at the South Yorkshire level, so it is not possible to include it on the Policies Map. In particular, more work is needed to identify 'opportunity areas' for nature recovery. We

therefore suggest that further information, including mapping of nature recovery areas, should be set out in a supplementary planning document in due course.

- 1.4.14 In light of the above, a number of amendments to Policy BG1 and the supporting text are proposed to ensure the Policy is consistent with paragraph 179 of the National Planning Policy Framework:
- Amendments to the supporting text so that it explains the progress on producing the Local Nature Recovery Strategy/Network, as well as the need to produce a supplementary planning document to help deliver the policy;
  - Adding references to the heritage value of green space, as well as recognising its value for food production and active travel;
  - Adding references to *extension* of the network of blue and green infrastructure and the role of greenspaces as ‘stepping stones’ connecting designated wildlife sites;
  - Adding a reference to Natural England’s Green Infrastructure Framework to both the Policy and supporting text;
  - Amending the title of Map 17 to make it clear that it only shows the *existing* network of blue and green Infrastructure
- 1.4.15 Some respondents wanted a stronger ambition around enhancement and better access to the city’s **waterways**, with a greater commitment to **de-culverting** of rivers and streams. Others considered that biodiversity should be prioritised over recreational objectives where there is a conflict.
- 1.4.16 In response to these comments, we have suggested that the supporting text to Policy BG1 should be amended to emphasise the importance of the city’s waterways as part of the network of blue and green infrastructure. Furthermore, we also suggest that a number of the Sub-Area policies (SA1 through to SA8) are amended to include an additional criterion relating to ‘extending and enhancing active travel routes along one bank of the Main Rivers wherever practicable and where it is consistent with biodiversity and heritage objectives’. In addition, we suggest that Main Rivers and Ordinary Watercourses should be shown on the Policies Map. These changes will make it easier to understand where the policies are intended to apply. This will make the Policy more effective by making it clearer to developers what will be expected of them on sites adjoining Main Rivers.
- 1.4.17 We have also suggested an amendment to the supporting text of Policy BG1 which clarifies that where there are **tensions between biodiversity objectives and human access** that cannot be resolved, the Plan will give priority to the protection and enhancement of biodiversity.
- 1.4.18 Several respondents considered that more **green space** should be provided in the Central Area to support the significant new development that is planned there. A number of new

greenspaces/public spaces are, in fact, planned in the Central Area as part of the Draft Sheffield Plan. We do not consider that further changes are needed.

Part 1: Transport Strategy

- 1.4.19 There was support in full, or part, for the approach to enabling sustainable travel set out in Policy T1. This support was from a number of respondents including the South Yorkshire Mayoral Combined Authority, CPRE, Derbyshire County Council, South Yorkshire Climate Alliance, North East Derbyshire District Council and a number of individuals.
- 1.4.20 A significant number of respondents did, however, state that they would like to see a stronger approach to securing **cycle and pedestrian infrastructure**, including for non-standard bikes and e-bikes. In response to this comment, it should be noted that the Plan sets out policies in relation to requirements for new development only and cannot stipulate provision of cycle parking which is not related to a new development. The Draft Plan already makes provision for consideration of non-standard cycle parking spaces and charging facilities through its policies (Policy CO2 and Annex B: Parking Guidelines). We have, however, proposed some additional supporting text to Policy T1 'Transport Strategy' which further emphasises the importance of making provision for non-standard cycles, including cargo bikes, and electrically assisted non-vehicular travel, such as E-Bikes because of the role they can play in making active travel accessible to more people and for more journeys.
- 1.4.21 Several respondents also suggested that reference should be made to **railway re-opening** opportunities in the Upper Don Valley. In response to this and following discussions with the South Yorkshire Mayoral Combined Authority, we consider that discussions regarding the possible re-opening of the Upper Don Valley Rail Line have now progressed sufficiently to justify additional references in the Sheffield Plan. Several amendments to this effect are therefore proposed.

Part 2: Development Management Policies

- 1.4.22 It was suggested that there should be a specific policy on **older people's specialist accommodation** and specific sites should be allocated for supported accommodation for older people. However, such accommodation is already acceptable on all allocated Housing Sites and we consider it is preferable to maintain flexibility, rather than being prescriptive on certain sites.
- 1.4.23 With regard to the requirements to provide **wheelchair accessible housing**, some developers questioned whether there is sufficient evidence to justify the requirement for 2% of new homes in schemes of 50 or more new homes to be wheelchair accessible. We are not proposing any changes in response to this comment because we

believe there is appropriate evidence in the Strategic Housing Market Assessment and Whole Plan Viability Appraisal to support the requirements in the Policy.

- 1.4.24 On requirements for developer contributions towards **affordable housing**, some respondents from the development sector contend that the policy should not apply to supported accommodation for older people. Whilst we recognise the challenges of affordability in both meeting the need and delivering this type of accommodation, the policy in the Draft Plan already includes flexibility and testing through financial appraisal at the planning application stage. Again, therefore, we do not think that an amendment to the Plan is needed,
- 1.4.25 In relation to **reducing carbon emissions**, some respondents suggested that higher standards on development should be imposed more quickly. However, there were also views from the development sector that requirements should be reduced or introduced more gradually.
- 1.4.26 In the Draft Plan (Policy ES1), we propose that, from 1<sup>st</sup> January 2025, developments in Sheffield will be expected to deliver a 75% reduction in carbon dioxide emissions over the 2013 standards (in line with the Government's proposed Future Homes and Future Buildings Standards). We are proposing a further tightening of standards from 1 January 2030 when applications will be expected to demonstrate that the development will be net zero carbon. This will apply to regulated energy and unregulated energy, and developers will be expected to demonstrate how much embodied carbon is in the building. We have proposed a minor amendment so that the Plan now refers to a 64% reduction against the *current* Building Regulations (2021), rather than a 75% reduction against the now superseded Regulations that were published in 2013. This keeps the same percentage level reduction as the original policy but reflects the 2021 position in terms of an improvement.
- 1.4.27 The proposed approach takes into account the conclusions of the Whole Plan Viability Appraisal which considered the cumulative impact of all the policies in the Draft Plan on development viability. We consider that this provides robust evidence to justify the proposed standards. Setting a higher requirement would mean reducing other policy requirements (e.g. in relation to affordable housing or wheelchair accessible housing). It is also worth noting that the Sheffield Plan should be reviewed before 2030, so a fresh look can be taken at both the technology available and overall viability. We expect renewable energy technology to have advanced and reduced in cost by 2030.
- 1.4.28 On **biodiversity net gain (BNG)**, some respondents felt that the Plan should increase the minimum BNG requirement of 10% because it is not ambitious enough. However, we are not proposing any amendment in response to this comment. The minimum 10% BNG requirement accords with national policy and, again, reflects the result

of the Whole Plan Viability Appraisal. As with the carbon reduction policy, setting a higher requirement would mean reducing other policy requirements. Furthermore, Policy GS6 in the Draft Plan already requires more than 10% BNG where:

- there is a particular ecological need in that location based on evidence in a biodiversity/nature recovery action plan or as part of the Local Nature Recovery Network mapping, or
- there is evidence of rare/protected species within, or close to, the development site; or
- the site starts with very low or nil existing biodiversity value.

1.4.29 There were also concerns from heritage organisations about the impact of biodiversity measures on **heritage assets** (principally structures associated with historic waterpower along the city's rivers). The heritage value of Sheffield's waterways is, however, already recognised under Policy D1 and Policy DE9 sets out criteria for considering development proposals that affect heritage assets. These policies, together with those relating to biodiversity net gain, would all be taken into account when considering development proposals. The weight attached to different policies would depend on the specific circumstances of the case. We do not therefore consider that changes are required in response to these comments

1.4.30 There was a suggestion that the '**Areas of Special Character**' (ASCs) that were included in the Unitary Development Plan should be designated as Conservation Areas in the Sheffield Plan. However, this is not appropriate. The review of Conservation Areas and the designation process sits outside of the local plan process and is a distinct separate piece of work. Any Conservation Areas designated in the future will be shown on the Policies Map in future reviews of the Sheffield Plan.

1.4.31 There were a number of comments about **parking standards**. These were not all about the same matter but included concerns around the implications of car free/low car provision in the City Centre. The Access Liaison Group consider that on-site disabled parking provision is essential especially if there isn't sufficient accessible parking provision in the City Centre. We have proposed an amendment to the Parking Guidelines in Annex B in relation to car free housing development which makes it clear that provision will be required for disabled parking in the Central Area.

1.4.32 Developers also requested provision of **parking for food retail developments** in the Central Area. However, we do not agree that additional parking (except for operational and disabled spaces) is appropriate for food retail developments in the City Centre. The Plan provides policies which support a car free, sustainable approach for city centre living, whereby everyday needs can be met locally, by active modes or public transport. The parking guidelines have been developed to increase sustainable trips and support a car free or low

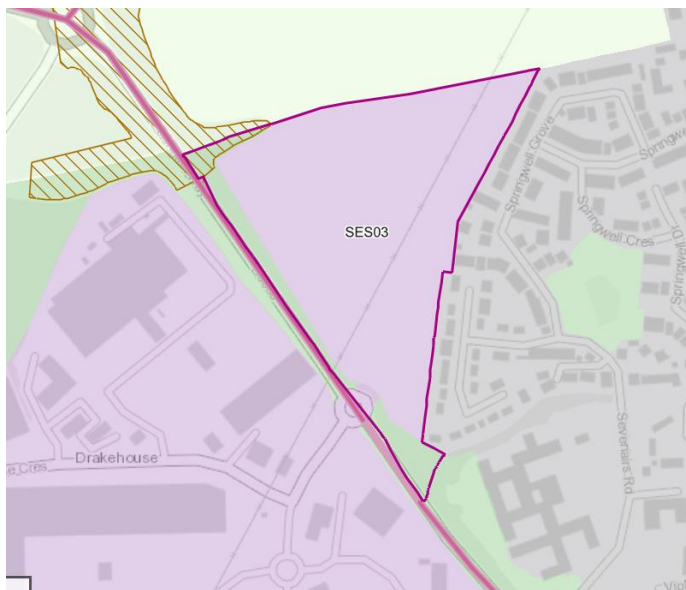
car city centre, as well as responding to the Council's declaration of a Climate Emergency and net zero ambitions.

- 1.4.33 There were numerous other comments suggesting **minor changes** to the wording of the policies in Part 2 of the Plan, to improve clarity of wording or add further detail. However, we have only proposed changes where we consider it is necessary to address matters of soundness (in particular, the effectiveness of the Plan).

#### Proposed Site Allocations

- 1.4.34 Whilst we received comments across a number of sites the following two sites attracted a particularly high level of comments:

- 1.4.35 **Site SES03 Land at Eckington Way** – the proposed employment/traveller site attracted the highest level of representations, including 4 petitions (see paragraph 1.3.4 above). There were also 115 objections from individuals, 6 objections from councillors/MPs and an objection from a business. The site was also the subject of a Council resolution on 20<sup>th</sup> February 2023.



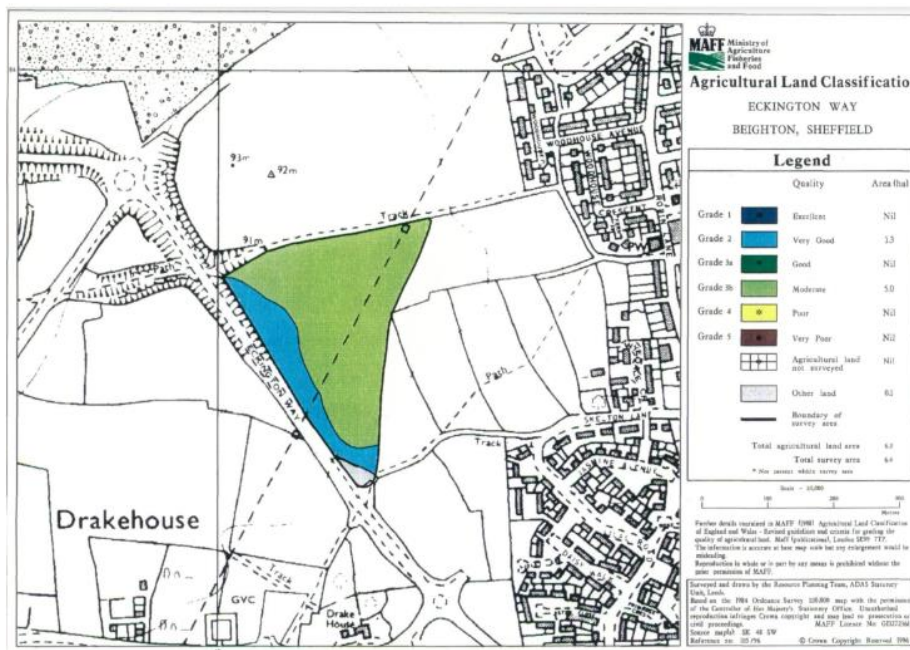
- 1.4.36 Having considered the representations including the Council resolution, our recommendation is that the proposed site allocation should be retained. However, we suggest that some amendments are made to clarify the developable area of the site and to add conditions relating to the requirement for an environmental buffer strip and need to take account of the overhead power lines. This is based on our assessment of specific concerns (including those raised in the Council resolution). Our conclusion is based on our consideration of the following key issues:

- Proximity to adjoining housing (noise and overlooking) - an environmental buffer strip would need to be provided between the existing housing and the developed part of the site. In addition, the



employment uses would not be of a nature by which they would generate noise nuisance with respect to residential amenity. Final details of the site layout would be determined at the planning application stage, with appropriate planning conditions imposed to protect residential amenity.

- Proximity to the Green Belt boundary and loss of greenfield land – the site is not in the Green Belt and not all the city’s development needs can be accommodated on brownfield sites. The Council has previously decided that exceptional circumstances do not exist to justify altering the Green Belt boundary (with the exception of the release of the former Norton Aerodrome site from the Green Belt).
- Loss of agricultural land – a narrow strip of land along the western edge of the site is ‘best and most versatile land’ (Grade 2) – shown in blue on the map below. However, the majority of the site is classed as Grade 3b, which does not fall into the ‘best and most versatile land’ classification. The need to provide the proposed uses is judged to outweigh the small loss of higher quality agricultural land.



Map showing Agricultural Land Classification survey: [Agricultural Land Classification detailed Post 1988 ALC survey, Beighton, Eckington Way - ALCL10596 \(naturalengland.org.uk\)](#)

- Industrial uses next to housing - the proposed conditions on development of the site would limit employment to those uses that can be carried out in a residential area.
- Air pollution – impacts would need to be assessed at the planning application stage as part of any Air Quality Assessment if the associated vehicle movements exceeded the established thresholds. From experience of planning applications of a similar

scale it is felt that any impacts with respect to air quality could be mitigated.

- Traffic/congestion –the principal roads and junctions near this site allocation have all been assessed as part of the strategic transport modelling work to support the Plan. It is important to note that this work focuses on finding ways to mitigate impacts created by the growth rates set out in the Plan itself, rather than seeking to resolve existing issues on the network.

In this context the relevant roads and junctions are not being flagged up as a major issue because the rate of change caused by the proposed developments is not significant. So, from a Local Plan point of view, there is not sufficient evidence to suggest there is a need to deliver mitigation with respect to transport impacts.

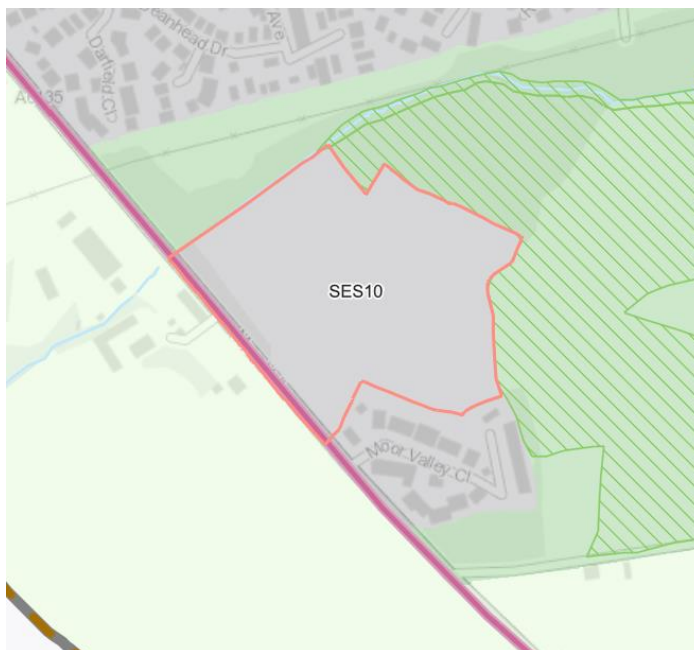
However, the modelling work does show that there are existing issues on the network in this area with respect to certain junctions operating 'over capacity' and, whilst it is not the role of the Local Plan to resolve existing problems, these matters do need to be reviewed and solutions put forward. As such, there is a commitment to review these matters as part of the updated Transport Strategy for the city, which is expected to be produced by mid-2024.

- Impact on wildlife – the site is not a designated wildlife site and any development would be required to demonstrate at least 10% Biodiversity Net Gain at the planning application stage.
- Impact on a high-pressure gas pipeline – this adjoins the rear gardens of the houses to the southwest of the site and can be protected within the environmental buffer strip.
- High-voltage powerlines that cross the site – further information has been obtained from National Grid regarding the 'sway and sag' of the power lines. Development under the power lines may be limited to access roads and car parking (though we are waiting confirmation from National Grid on whether any buildings would also be permitted). This may reduce the developable area of the site slightly (potentially meaning a wider buffer between the housing and any buildings). There is safe clearance under the power lines for Heavy Goods Vehicles and commercial vehicles to pass.
- Capacity of health and education facilities in the area –planned levels of growth within this part of the city might lead to a need for future primary school expansion in the catchment, although this would still be subject to demand monitoring. For secondary provision, it appears that future expansion might become necessary although, again, this is subject to monitoring and is not required currently. We are still awaiting advice from the Integrated Care Board on likely future health facility requirements. Whilst these

matters will require monitoring, we do not consider them to be barriers to delivering development on this site.

- Against Gypsies and Travellers being located in that area – the Council has a statutory responsibility to provide for Gypsies and Travellers that travel for work. Gypsies and Travellers have the same right to have their housing needs met as anyone else. The site is close to local services, shops and facilities, so is a sustainable location to live.

1.4.37 **Site SES10 Moor Valley Way, Owlthorpe** – this is a greenfield proposed housing site with capacity for around 151 homes. A number of representations were received after the deadline for making comments but we have taken them into account. A petition objecting to the proposed allocation also remains live on the Change.Org website.



1.4.38 The main concerns in relation to this allocation and our responses are as follows:

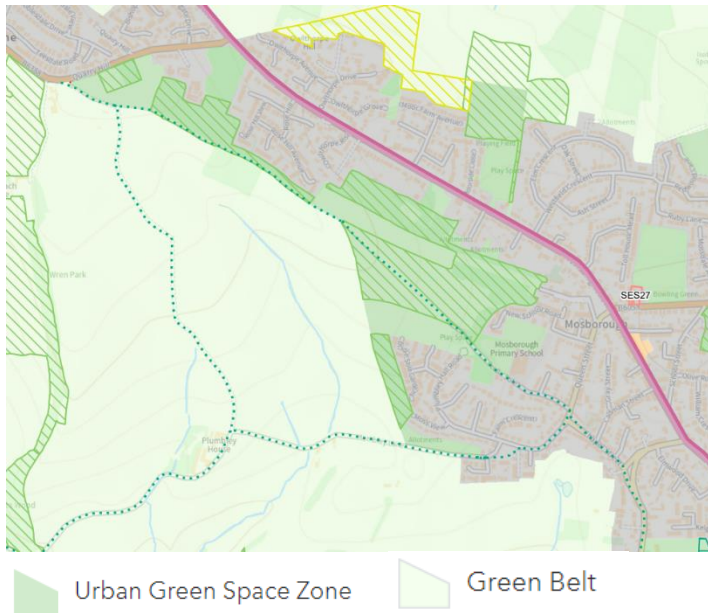
- Loss of greenfield land - the site is not in the Green Belt and not all the city's development needs can be accommodated on brownfield sites.
- Impact on wildlife - the site is not a designated wildlife site and any development would be required to demonstrate at least 10% BNG at the planning application stage. The adjoining Local Wildlife Site can be safeguarded through the requirement to provide an environmental buffer and maintain connective ecological corridors as part of the layout of the site. These are already conditions attached to the site allocation in the Draft Plan.

Additional Allocated Sites suggested by Respondents.

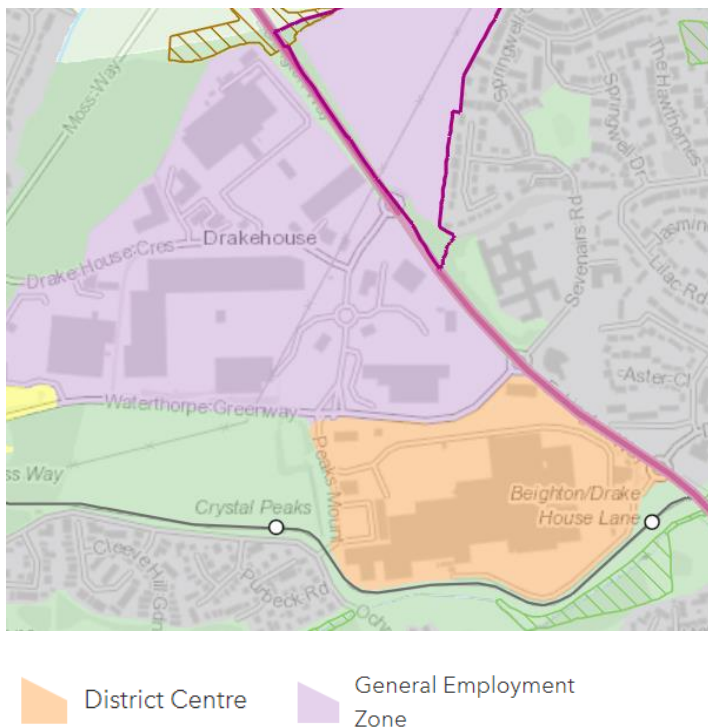
- 1.4.39 A significant number of sites have been put forward by developers/landowners, many of which are in the Green Belt and had previously been suggested at the Issues and Options stage. Two of the largest sites put forward were at Hesley Wood and Orgreave Park (Handsworth Hall Farm).
- 1.4.40 **Hesley Wood, Chapeltown** – in this case the promoter is seeking an allocation for employment use and potentially for a gypsy and traveller use. However, this site is in the Green Belt and legal advice is that it is not a previously developed site (under the definition in the National Planning Policy Framework). Consequently, it does not meet the requirements of the preferred spatial strategy for potential allocation.
- 1.4.41 **Orgreave Park (Handsworth Hall Farm), Handsworth** – the site promoter considers that this site should be removed from the Green Belt and allocated either as an employment site or a mixed employment/ housing site, providing expansion land for the Innovation District. However, the site is greenfield land within the Green Belt, so its inclusion would not align with the Spatial Strategy.

Policies Map - other designations

- 1.4.42 **Bridle Stile** (Mosborough) – Clive Betts MP and a number of local residents have asked for this land to be added to the Green Belt. It is currently shown as an Urban Green Space Zone and much of it is also designated as a Local Wildlife Site. The land would therefore have a high degree of protection from development when the Sheffield Plan is adopted. As already noted, the spatial strategy in the Draft Plan is based on the conclusion that there are not any exceptional circumstances to alter the Green Belt boundary (with the exception of a previously developed site at the former Norton Aerodrome). Therefore, we do not recommend that a change is proposed in response to these representations.



1.4.43 **Crystal Peaks District Centre** – the owners of the centre have suggested that the boundary of the District Centre should be extended to include the adjoining Retail Park (which is currently shown as a General Employment Area).



1.4.44 The Sheffield Retail and Leisure Study does not support expansion of Crystal Peaks District Centre. We consider that the centre is large enough to meet the needs of its catchment as shown and that to increase its size could lead to increased vacancy rates in a Centre that already has relatively high rates. This could undermine the vitality and viability of the Centre as designated. The area to the north is



Drakehouse Retail Park that has a different and wider than local retail function.

- 1.4.45 **The owners of Meadowhall**, British Land, consider that it should be designated as a Centre, rather than a General Employment Zone to allow for associated hotel and trade retail uses.



- 1.4.46 In the Draft Sheffield Plan, Meadowhall lies within a ‘General Employment Zone’. Hotels are, therefore, an acceptable use in General Employment Zones and trade retail (where classed as sui generis uses or retail) would be considered on their individual merits, so we do not consider there is any need to amend the policy. Meadowhall has not been identified as a shopping area in the Plan or the Retail and Leisure Study.

- 1.4.47 **Local Green Spaces** – requests were received for 7 sites to be formally designated as *Local Green Spaces*. Under national planning policy, this gives them equivalent protection to Green Belt. The designation can be applied to green spaces that are of particular local significance due to their beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of their wildlife. However, the designation cannot be applied to extensive tracts of land and any green spaces must be close to, and be demonstrably special, to the community they serve (so supported by evidence). The areas that were put forward are:

Name of respondent	Location	Ward
Cemetery Road Action Group	Montague Street	Nether Edge & Sharrow

Broomhall Park Association	Collegiate Crescent	Broomhill & Sharrow Vale
Broomhall Park Association	Park Lane	Broomhill & Sharrow Vale
CPRE Peak District & South Yorkshire	Hollin Busk and Wood Royd Lane (in part)	Stocksbridge & Upper Don
Groves Residents Group	Lynwood Gardens	Broomhill & Sharrow Vale
Hallam Cricket Club	Crimicar Lane, Fulwood	Fulwood
Hallam Community & Youth Association	Spider Park, Fulwood	Fulwood

- 1.4.48 The 7 Local Green Spaces suggested through representations on the Draft Plan are supported by varying degrees of evidence. However, it is not appropriate to add them to the Plan at this stage in the process because the landowners and other third parties have not been given the opportunity to comment on them. Notwithstanding this point, the sites are designated as Urban Green Space Zones in the Draft Plan or lie within the existing Green Belt.

*Comments from Statutory Consultees*

- 1.4.49 **Historic England** have commented on a number of proposed allocated sites, mainly in the Central Area. We have proposed a number of minor amendments to the conditions attached to the allocated sites and to the Sub-Area Policies (CA1, CA1A, CA3 and CA4) to address their concerns. We are continuing to work with Historic England towards a Statement of Common Ground.
- 1.4.50 **The Environment Agency (EA)** have highlighted a Level 2 Strategic Flood Risk Assessment (SFRA) is required. We are aware of this issue and reported the reasoning for it to full Council in December 2022. This has been commissioned and is being progressed in partnership with the EA. The Level 2 SFRA will take full account of national guidelines and will be completed prior to the Plan being examined in public. This approach has been agreed with the EA. There remains a risk that the Level 2 SFRA could mean that a small number of the proposed allocated sites are not suitable for the use proposed or the developable area will need to be reduced. We will seek to agree a Statement of Common Ground with the EA in advance of any examination hearings.
- 1.4.51 **National Highways** - we have been working closely with National Highways to understand the scale of impact on the Strategic Road Network (SRN) of the Local Plan. National Highways noted in their representations that they will continue to work collaboratively with

the City Council with a view to agreements being reached in relation to the location, scale of impact and mitigation required at the SRN, to be documented through a Statement of Common Ground. In their response, they particularly highlighted Circular 01/2022 which states that new development should facilitate a reduction in the need to travel by private car, and that they expect that developments will only be promoted at locations that are, or can be, made sustainable with appropriate infrastructure to encourage sustainable travel. In terms of the policies, National Highways were generally supportive of relevant wording within the Local Plan, subject to some minor clarifications which have now been proposed. It is unlikely that the Statement of Common Ground will be completed until later this year (but in advance of the public hearings on the transport issues).

- 1.4.52 **Natural England** – have requested evidence on the impact of air pollutants on biodiversity and the impact of the plan more generally on Sites of Special Scientific Interest. They have also sought further clarification around the conclusions in the Habitat Regulations Assessment (see paragraph 1.2.10 above) and have made a number of other more detailed comments on specific policies and site allocations. Again, we are continuing to work with them on a Statement of Common Ground.

*Amendments necessary to Account for Recent Planning Permissions and Development Completions*

- 1.4.53 The proposed site allocations in Draft Plan have been identified using a base date of 1 April 2022. This means that sites that have been completed, and planning permissions that have been granted, since that date are not accounted for in the data in the Plan. It means that adjustments will need to be made to site capacities and future supply before the Plan is adopted in December 2024 (so that it is as up to date as possible at that point in time). We intend to produce a schedule of further suggested amendments prior to the examination hearings that will enable the Inspector to take account of the above changes in their report.

## 1.5 The Scope for Amending the Publication Draft Sheffield Plan

- 1.5.1 The Issues and Options consultations carried out in 2015 and 2020 were the main opportunities for the public to say what the Sheffield Plan should include. The recent Regulation 19 stage involved asking whether the Plan is ‘**sound**’ and whether it is **legally compliant**. The tests of soundness are set out in the National Planning Policy Framework<sup>5</sup> which states that plans are considered to be sound if they are:

- a) **Positively prepared** – providing a strategy which, as a minimum, seeks to meet the area’s objectively assessed needs;

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<sup>5</sup> NPPF (2021), paragraph 35.



and is informed by agreements with other authorities through the Duty to Cooperate, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;

- b) **Justified** – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
- c) **Effective** – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
- d) **Consistent with national policy** – enabling the delivery of sustainable development in accordance with the policies in the NPPF and other statements of national planning policy, where relevant.

1.5.2 The **suggested amendments** in Appendix 2 are considered necessary to address matters of soundness raised by respondents to the public consultation. They are minor in nature and, by suggesting them now, it should save time debating potential changes at the public hearings. If the suggested amendments are endorsed by this Committee and approved by full Council, they will be submitted to the Government for consideration by the Planning Inspector as part of the public examination.

1.5.3 The schedule of **other minor amendments** in Appendix 3 will not be considered by the Planning Inspector because they do not relate to matters of soundness. They merely correct typographical or factual errors that have come to light since the Publication Draft Plan was approved by full Council in December 2022.

1.5.4 If the Council wishes to make **major amendments** to the Draft Sheffield Plan at this stage, it should be noted that it would cause **significant delay in adopting the Plan**. This is because it would be necessary to undertake a further Regulation 19 public consultation on those amendments. We estimate it could delay adoption of the Plan by around 1 year and would run counter to the recommendations of the Local Government Association peer review which highlighted the importance of getting a local plan in place as soon as possible. Further delays would potentially undermine investor confidence, create market uncertainty and be harmful in terms of delivering the high quality, new development and infrastructure that the city needs. It would also incur significant additional costs for the Council due to the need to update further aspects of the evidence base.

1.5.5 The Planning Inspector will consider whether the plan is sound and whether it complies with the legislation. As part of the Inspector's examination of the Plan, they will consider the amendments proposed by the Council as well as those put forward by objectors to the Plan.

The Inspector will recommend '**Main Modifications**' where they are necessary to make the Plan sound – this may or may not include the amendments suggested in Appendix 2 of this report.

- 1.5.6 The amendments that the Inspector considers are required to make the plan sound will be the subject of a further period of public consultation. In cases where an Inspector is recommending Main Modifications, section 20 of the Planning & Compulsory Purchase Act (PCPA) requires that he or she must first recommend that the plan as submitted (without the Main Modifications) should not be adopted, before recommending Main Modifications to make the submitted plan sound and legally compliant. Section 20 requires that the Council must then make the recommended Main Modifications if they wish to adopt the plan, however the PCPA does not require the Council to adopt the plan. Following receipt of the Inspector's report the plan (including any Main Modifications if applicable) will then come back to the full Council to be considered for adoption.

## 1.6 Next steps in the Local Plan process following public consultation

- 1.6.1 The most recent [Local Development Scheme](#) (LDS) for the Sheffield Plan (October 2021) sets out the timetable and process for producing the Plan and shows it being adopted by December 2024. The next steps are:

- **Full Council** - to consider proposed amendments to the Plan – 06 September 2023
- **Submission** of the Plan and the proposed amendments to Government – late September 2023
- **Public examination** (including public hearings) – September 2023 – September 2024 - first public hearing unlikely to be before January 2024
- **Inspector's final report** – September 2024
- **Adoption** - Dec 2024

- 1.6.2 Although submission of the Plan to Government is 5 months later than is shown in the Local Development Scheme, we remain optimistic that adoption can still be achieved by around December 2024. However, this will depend on whether the Inspector has any significant concerns about the soundness of the Plan or legal compliance. We should be able to give a clearer view on the likelihood of any delay once the Plan has been submitted and the Inspector has held their preliminary meeting; this is likely to be before Christmas this year. We estimate that public hearings may commence early in 2024.

## 2. HOW DOES THIS DECISION CONTRIBUTE?

- 2.1 The report to full Council on 14<sup>th</sup> December 2022 outlined the significant contribution the Sheffield Plan will make in terms of addressing the climate and biodiversity emergencies, as well as the

opportunities for delivering housing, jobs and important infrastructure like cycle routes, new school places and green spaces. The amendments proposed to make the plan sound and other additional amendments suggested in this report do not materially affect the previous conclusions.

- 2.2 It is worth emphasising again, that, once adopted, the Sheffield Plan will be one of the most important tools in guiding decisions on planning applications and investments for buildings and places across the whole city. The area-based proposals will have a strong influence on the character and role of every part of the city, both in areas of change and in more stable neighbourhoods. The strategic and development management policies are needed to guide the content of more detailed master plans and planning briefs, as well as decisions about planning applications.
- 2.3 The Our Sheffield [Delivery Plan for 2022/23](#) identified production of the Publication Draft Sheffield Plan as a strategic goal. The targets set out in the Delivery Plan are to obtain approval in principle for the Draft Plan in 2022 and to launch public consultation in January 2023. This target was therefore achieved.

### **3. HAS THERE BEEN ANY CONSULTATION?**

- 3.1 Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012 requires that we notify various consultation bodies and such residents or other persons carrying on business in Sheffield (from whom we consider it appropriate to invite representations) about the local plan that we propose to prepare. Further requirements for consultation on the Sheffield Plan (and on planning applications) are set out in the Statement of Community Involvement (approved in 2020). Section 19 of the Planning and Compulsory Purchase Act 2004 requires us to carry out consultation in accordance with the Statement of Community Involvement.
- 3.2 Consultation on the 'Sheffield Plan Issues and Options' took place between November 2015 and January 2016 and was followed by a further consultation in September to October 2020. As already noted, in paragraph 1.2.4 above, the purpose of those consultations was to gauge views on the broad scale of economic and housing growth and the general approaches for accommodating that growth. Responses made as part of those consultations, together with other evidence, were used to inform the content of the Draft Sheffield Plan. A summary of the responses made on the Issues and Options consultations are set out in a separate consultation report which is available on the Council's website. The Consultation Statement (attached as Appendix 1 to this report) summaries the consultation exercise that took place on the Publication Draft Plan.

### **4 RISK ANALYSIS AND IMPLICATIONS OF THE DECISION**

## 4.1 Equality Implications

- 4.1.1 The equality implications of the Draft Sheffield Plan were set out in the report to the full Council on 14<sup>th</sup> December 2022. That report was also the subject of an Equalities Impact Assessment; this has been updated to reflect the recent consultation and the proposed amendments set out in Appendix 2 of this report. Most of the modifications outlined in this report do not materially affect the previous conclusions. However, as already noted above, a number of the developers/agents who made representations are of the opinion that the proposed level and type of housing proposed in the Plan will not fully meet housing needs. In particular, they consider there will be a shortage of new family-sized homes. It is worth reminding Members, however, that this issue was considered by the Cooperative Executive when approving the spatial strategy in February 2022 and by full Council when approving the Publication Draft Plan in December 2022.
- 4.1.2 The reasons for not including specific allocated Housing Sites for older people's accommodation are outlined in paragraph 1.4.22 above. However, the ability of local plans to do this are also limited to some extent by the fact that the national Use Classes Order does not include a separate use class for older people's housing (other than for residential care homes). This means that homes that provide independent living for older people are in the same Use Class as most other types of housing.
- 4.1.3 The suggested amendments to Policy CO2 'Parking Provision in New Developments', emphasise that disabled parking will be required in housing developments that are otherwise car-free. This should help to ensure that the car parking needs of disabled people are met.
- 4.1.4 Given the level of objection to the proposed employment and Gypsy & Traveller Site at Eckington Way (SES03) (summarised in paragraphs 1.3.4 and 1.4.35 to 1.4.36 above), it should be emphasised that a failure to allocate sufficient sites for Gypsies and Travellers would have a serious negative impact on that community.
- 4.1.5 Section 149 of the Equality Act 2010 requires public authorities, when carrying out their functions, to have due regard to the need to:
- eliminate discrimination, harassment, victimisation and other prohibited conduct;
  - advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it.
  - foster good relations between persons who share a protected characteristic and persons who do not share it.

Protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

- 4.1.6 As part of the public consultation, efforts were made to engage with organisations representing people and groups with protected characteristics. Details of the meeting held with representative organisations are in the Consultation Statement (Appendix 1).
- 4.1.7 Those individuals who made comments through the Local Plan consultation portal were asked to provide details of their age, sex, ethnicity, disability, gender, sexual orientation and religion/belief. Respondents were also asked if they were a carer. A demographic breakdown of respondents is included in Appendix 6 below. Of those who responded to the questions:
- Only 3% were aged 24 or under;
  - 62% of respondents were aged 55 or over;
  - There were roughly equal numbers of male and female respondents;
  - 1 was from a person whose gender identity is different to their sex registered at birth;
  - 2 (1%) did not identify as male or female;
  - 10% were from people who were gay/bisexual/lesbian/gay woman/another;
  - 13.5% considered themselves to be disabled;
  - 13.5% were carers;
  - 60% had no religious belief;
  - 36% were Christian (all denominations);
  - 4% were from ethnic minorities.
- 4.1.8 It is worth reflecting here that, of the people who responded to the questions, young people and ethnic minorities were relatively under-represented. Just over half the total respondents answered the questions about protected characteristics.

## **4.2 Financial and Commercial Implications**

- 4.2.1 The financial implications of producing the Sheffield Plan were set out in the report to full Council on 14<sup>th</sup> December 2022. However, the costs of compiling the evidence base have risen considerably over the last 6 months due to the need to respond to concerns from prescribed bodies, notably National Highways, the Environment Agency and Natural England. Their concerns relate primarily to the provision of evidence to assess the impact of the Plan on the Strategic Road Network, flood risk and biodiversity respectively. The costs associated with the public examination are also significant because the Council is responsible for paying the planning inspector's fees.

4.2.2 Part of the cost is covered by existing budgets and the options to cover additional costs are being considered.

### **4.3 Legal Implications**

4.3.1 There are no direct legal implications of this report and legal implications regarding the local plan process remain as set out in the report to full Council on 14<sup>th</sup> December 2022. That report sought approval to consult on the Draft Sheffield Plan and contained a request that any 'schedule of suggested amendments' compiled after the consultation on the Sheffield Plan, be approved by the Strategy and Resources Committee and full Council prior to submitting the relevant documents to the Government. This report and its recommendations fulfil that request.

4.3.2 In terms of the local plan process, the Council is required to identify the strategic priorities for the development and use of land in its area and set out policies to address those priorities in development plan documents. The Draft Sheffield Plan has been prepared as a Development Plan Document and is in compliance with the provisions of the Planning and Compulsory Purchase Act 2004 and the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).

4.3.3 Section 20(2) of the Planning and Compulsory Purchase Act 2004 states that the plan should not be submitted unless the Council thinks it is ready for independent examination. Having considered the Regulation 19 consultation responses, the Council should only submit a plan if they consider it to be sound and there will not be long delays during the examination because significant changes or further evidence work is required.

4.3.4 As a Development Plan Document, the Draft Sheffield Plan, once adopted, will form part of the Policy Framework. Approving submission to the Secretary of State of any plan or strategy that is required to be so submitted (including submission for independent examination of a development plan document as required by section 20 Planning and Compulsory Purchase Act 2004) is reserved to full Council. The Council's constitution requires that this committee prepares in draft and submits any such document to full Council for the purpose of its' submission to the Government.

4.3.5 Endorsement of this report and the appendices by the Strategy & Resources Policy Committee and further approval by full Council will contribute to meeting the statutory and constitutional requirements referred to above.

### **4.4 Climate implications**

4.4.1 The climate implications of the Draft Sheffield Plan were set out in the report to the full Council on 14<sup>th</sup> December 2022. Most of the

modifications outlined in this report do not materially affect the previous conclusions. However, a number of the proposed amendments should improve the overall effectiveness of the Plan in terms of reducing carbon emissions and/or responding to the effects of climate change.

4.4.2 In Part 1 of the Draft Plan, the proposed changes to Policies SP1, BG1 and SA1-SA8 support *extension* of the network of blue and green infrastructure – this should help to mitigate the impacts of climate change (helping to reduce surface water run-off) and absorb greenhouse gases.

4.4.3 In Part 2, we have suggested two amendments to Policy ES4 which should have positive implications. Firstly, we have suggested that developments should be expected to incorporate measures (e.g. external water butts) to address risks posed by drought or long periods of dry weather. Secondly, we have proposed that developments should be expected to minimise waste and maximise the reclamation, reuse and recycling of existing materials (in line with the Waste Hierarchy) during demolition, construction and operation. It should be noted here, however, that more detail on waste management will be provided in the future Joint South Yorkshire Waste Management Plan (see paragraph 1.2.2 above).

4.4.4 An amendment to Policy ES7 is also proposed. The Policy deals with the Safeguarding of Mineral Resources and the Exploration, Appraisal and Production of Fossils Fuels and the amendment would mean that development proposals for the exploration, appraisal or production of oil and gas would only be permitted where it can be demonstrated that the proposed scheme will have a net zero impact on climate change.

4.4.5 A proposed amendment to Policy GS7 ‘Trees, Woodlands and Hedgerows’, aims to ensure that trees in hard standing are resilient to both a challenging environment (arid, prone to salt and air pollution) and a changing climate.

#### 4.5 **Biodiversity Implications**

4.5.1 Most of the suggested modifications outlined in this report do not materially affect the previous conclusions. However, the suggested changes to Policy BG1 Blue and Green Infrastructure aim to clarify the relationship of the Sheffield Plan to the Local Nature Recovery Strategy. As noted in the previous section, the amendments also help to emphasise how the Sheffield Plan can seek to *extend* the network of blue and green infrastructure in the city (not just protect and enhance existing green and blue infrastructure). This will be achieved by creating new green space and though biodiversity net gain within ‘nature recovery opportunity areas’ (that will be identified in a supplementary planning document once the Local Nature Recovery Strategy has been produced).

- 4.5.2 A number of amendments have been proposed to the Sub-Area policies to highlight the opportunities for riverside access along the Main Rivers in the city (where access does not currently exist). The amendments make clear that riverside recreational access will only be supported where it does not conflict with biodiversity objectives.
- 4.5.3 The proposed amendments to Policy GS5 'Development and Biodiversity', include a requirement to provide 'swift bricks' and/or bat roosting features in new buildings. This is increasingly being accepted as a biodiversity 'easy win' and can be achieved at minimal cost to the developer. It is also now clear that this would not otherwise be achieved through Biodiversity Net Gain, so it is appropriate to include it as a specific policy requirement.
- 4.5.4 Proposed amendments to policies SA1-SA8, GS5-GS7 also include additional or amended criteria which should further protect or enhance biodiversity.
- 4.5.5 It is, however, worth noting that some of the revisions to policies relating to biodiversity aspects of the Draft Plan, that were suggested by respondents, have not been made. This is because the wording is overly detailed or relates to how the policy will be *implemented*; it is more appropriate for those matters to be covered in a supplementary planning document

#### **4.6 Other Implications**

- 4.6.1 The public health and property implications were set out in the report to the full Council on 14<sup>th</sup> December 2022. There are no changes to the conclusions as a result of the changes.

### **5. ALTERNATIVE OPTIONS CONSIDERED**

- 5.1 The options available to the Council in terms of proposing amendments to the Sheffield Plan have already been outlined in paragraphs 1.5.1 to 1.5.6 above. This will be a matter for the Strategy & Resources Committee and full Council to consider.

### **6. REASONS FOR RECOMMENDATIONS**

- 6.1 Once adopted, the new Sheffield Plan will make a major contribution to the future development of the city and will guide development over the next 15-20 years. It is important that the plan is adopted as soon as possible.
- 6.2 The documents that are the subject of this report (Part 1: Strategy, Sub-Area Policies and Site Allocations, Part 2: Development Management Policies, Annex A: Site Allocation Schedule, Annex B: Parking Guidelines, Policies Map and Glossary) comprise the draft development plan documents for Sheffield. They were published under Regulation 19 of the Town and Country Planning (Local Planning)



(England) Regulations 2012 (as amended). The submission documents will include such documents as fall within the definition at Regulation 17 (as agreed by full Council on 14<sup>th</sup> December 2022).

- 6.3 The suggested amendments to the Draft Sheffield Plan set out in Appendix 2 of this report (and shown as tracked changes in Appendix 4) may or may not be supported by the Inspector. The Planning Inspector will only consider whether the plan is sound and whether it complies with the legislation. However, proposing amendments now should help to save time at the public examination hearings. It also shows respondents to the consultation how the Council has been able to take on board their comments.
- 6.4 The Draft Sheffield Plan represents the Council's firm proposals for the development of the city over the period to 2039. The public consultation, seeking views on the 'soundness' of the Plan was a required stage before the Draft Plan is submitted to the Government for public examination.
- 6.5 The recommendations reflect earlier decisions taken by full Council on 14<sup>th</sup> December 2022 for decisions on any desired amendments to the Plan to be taken by the Strategy & Resources Policy Committee and then full Council.

**Appendix 1: Regulation 22(1)(c) Consultation Statement of Sheffield City Council in support of The Draft Sheffield Local Plan 2022-2039**

**This Appendix is superseded by Appendix 2 of the report to full Council on 6<sup>th</sup> September 2023**

**Appendix 2: Schedule of Suggested Amendments to the Publication Draft Plan (to Address Issues of Soundness)**

**This Appendix is superseded by Appendix 3 of the report to full Council on 6<sup>th</sup> September 2023**



**Appendix 3: Schedule of Suggested Additional Minor Amendments  
to the Publication Draft Sheffield Plan**

**This Appendix is superseded by Appendix 4 of the report to full  
Council on 6<sup>th</sup> September 2023**



## **Appendix 4: Tracked Change Versions of the Publication Draft Sheffield Plan documents**

**This Appendix is superseded by Appendices 5a-5e of the report to  
full Council on 6<sup>th</sup> September 2023**





## **Appendix 5: List of Submission Documents and Ongoing Evidence Updates**

**This Appendix is superseded by Appendix 6 of the report to full Council on 6<sup>th</sup> September 2023**

## Appendix 6: Demographic Analysis of the Respondents on the Publication Draft Sheffield Plan

What is your age?	Number of respondents
16 – 18	1
19 – 24	5
25 – 34	15
35 – 44	24
45 – 54	35
55 – 64	62
65 – 74	54
75 – 84	12
85+	1
Not completed	15
<b>Grand Total</b>	<b>224</b>

What is your sex?	Number of respondents
Another	2
Female	101
Male	103
Not completed	18
<b>Grand Total</b>	<b>224</b>

Is the gender you identify with the same as your sex registered at birth?	Number of respondents
No	1
Not completed	21
Yes	202
<b>Grand Total</b>	<b>224</b>

How do you identify?	Number of respondents
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Another	2
Female	95
Male	100
Not completed	27
<b>Grand Total</b>	<b>224</b>

<b>Was is your sexual orientation?</b>	<b>Number of respondents</b>
Another	5
Bisexual	8
Gay	3
Heterosexual/straight	165
Lesbian/Gay Woman	2
Not completed	41
<b>Grand Total</b>	<b>224</b>

<b>Are you a carer?</b>	<b>Number of respondents</b>
No	168
Not completed	30
Yes	26
<b>Grand Total</b>	<b>224</b>

<b>Do you consider yourself to be a disabled person?</b>	<b>Number of respondents</b>
No	173
Not completed	27
Yes	24
<b>Grand Total</b>	<b>224</b>

<b>What is your religion or belief?</b>	<b>Number of respondents</b>
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Another	6
Buddhist	1
Christian (all denominations)	70
No religious belief	115
Not completed	32
<b>Grand Total</b>	<b>224</b>

<b>What is your ethnicity?</b>	<b>Number of respondents</b>
Another Asian background	1
Another mixed background	3
Another White background	2
Asian or Asian British - Pakistani	1
Mixed/Multiple Heritage - White and Black Caribbean	1
Not completed	21
White - English/Welsh/Scottish/British/Northern Irish	195
<b>Grand Total</b>	<b>224</b>