



Author/Lead Officer of Report: Simon Vincent,
Local Plan Service Manager

Tel: x 35259

Report of: Executive Director of Place
Report to: Cooperative Executive
Date of Decision: 20 October 2021
Subject: Sheffield Local Development Scheme and Member engagement on Sheffield (Local) Plan Spatial Options

Is this a Key Decision? If Yes, reason Key Decision:-	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
- Expenditure and/or savings over £500,000	<input type="checkbox"/>	
- Affects 2 or more Wards	<input type="checkbox"/>	
Which Cabinet Member Portfolio does this relate to? City Futures, Development, Culture and Regeneration		
Which Scrutiny and Policy Development Committee does this relate to? Overview and Scrutiny Management Committee		
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? 650		
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:-		

Purpose of Report:

To seek approval for a revised Local Development Scheme (LDS) (which sets out the development plan documents that SCC will prepare and consult on and the timetable for producing them) and to secure the bringing into effect of the LDS on 21 October 2021.

To set out the process for engaging with Members on the overall spatial options, with the aim of reaching agreement on a preferred approach by January 2022 (in advance of producing the Publication Draft Sheffield Plan; to be published for public consultation in October 2022).

To seek approval for the establishment of a new Sheffield Plan Member Working Group to provide an ongoing political steer for officers on the content of the Plan.

Recommendations:

It is recommended that the Cooperative Executive:

- approves the revised Local Development Scheme attached as an Appendix to this report; and
- resolves that it is to have effect from 21 October 2021; and
- agrees to the LDS being published on the Council’s website; and
- approves the process for cross-party engagement with Members on the overall spatial options; and
- approves the establishment of a new Sheffield Plan Member Working Group, with membership drawn from the Climate Change, Economy and Development Transitional Committee

Background Papers:

Sheffield Local Development Scheme (November 2019)
 Sheffield Statement of Community Involvement (July 2020)
 Draft Local Development Scheme (see Appendix)

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: Sheila Dillon Equalities: Annemarie Johnston
<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	EMT member who approved submission: Michael Crofts
3	Cabinet Member consulted: Cllr Julie Grocutt
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 Decision Maker by the EMT member indicated at 2. In addition, any additional forms have been completed and signed off as required at 1.
	Lead Officer Name: Simon Vincent
	Job Title: Local Plan Service Manager
Date: 30 September 2021	

1. PROPOSAL

1.1 *Revised Local Development Scheme*

- 1.1.1 Section 19 of the Planning and Compulsory Purchase Act 2004 (the **2004 Act**) 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 Framework¹ 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, community facilities, and conservation and enhancement of the natural, built and historic environment, as well as including policies designed to secure contribution towards mitigation of and adaptation to climate change.
- 1.1.2 The Council’s current Local Plan comprises saved policies of the Unitary Development Plan dating back to 1998 and the Core Strategy dated 2009. Work is underway to begin the process of developing a new Local Plan. We will be calling Sheffield’s new local plan the “Sheffield Plan”².
- 1.1.3 Arising from this process, the local planning authority has a legal obligation to prepare and maintain a Local Development Scheme (“**LDS**”) pursuant to section 15 of the 2004 Act. The LDS outlines which local development plan documents are going to be prepared together with the subject matter and geographical area to which they relate, as well as the timetable for producing each document. This report seeks approval for a revised LDS which will be published on the Council’s website.
- 1.1.4 The most recent version of the LDS (published in November 2019) allowed for two public consultation periods and envisaged adoption of the Local Plan by September 2023. Since the publication of the previous LDS, there has been delay to the timetable. Consultation on the Sheffield Plan Issues and Options took place in September to October 2020 but that was 2 months later than planned due to the Covid-19 pandemic. Since then it has also been necessary to take account of the Government’s Planning White Paper (published August 2020) and subsequent changes to national planning policy and guidance, including revisions to the national standard methodology for calculating housing need. There has also been a change of Council administration and time is needed to brief Members on potential

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

² Many consultation documentations produced in the early stages of this process and the developing draft plan itself may also make reference to the “Sheffield Plan” (on front covers for example). This is for consistency of presentation and to indicate that the work is contributing towards the Local Plan process, which will eventually lead to adoption of the new Sheffield Plan. However, it remains important to note that the Council is some way off developing its draft plan at this stage.

options for accommodating future growth. The previous LDS is now clearly out of date and so the revised LDS proposes and sets out the following:

- Work will continue on producing the Publication Draft Local Plan (the Council's formal proposals for the new Local Plan) which is expected to be prepared by September 2022. Consultation on the Publication Draft Local Plan is now proposed to take place in October-November 2022³;
- Submission of the Publication Draft Local Plan to Government is now expected to take place in April 2023⁴;
- Once the Publication Draft Local Plan is submitted to Government there will be a Public Examination comprising a number of public hearings. Under the revised LDS we now expect the public hearings to take place during the period July-November 2023, with the Inspector's preliminary report on the Draft Sheffield Plan being published around March 2024⁵;
- Consultation on any 'main modifications' to the Draft Plan if required (reflecting the Inspector's recommendations) would take place May-June 2024⁶, with the final Inspector's report expected to be published by September 2024; and
- Cabinet approval and adoption by full Council is proposed to take place in December 2024.

1.1.5 The revised LDS updates the information on neighbourhood plans that are being prepared in Sheffield. The Localism Act 2011 introduced the right for local residents and workers to develop their own planning policies in a neighbourhood plan, which eventually become part of the Local Plan. The National Planning Practice Guidance ("**NPPG**") encourages local authorities to include details of neighbourhood plans in their LDS⁷. Table 1 of the LDS (at the Appendix to this report) provides information relating to three neighbourhood plans which are currently being prepared by designated Neighbourhood Forums in Sheffield.

1.2 Member engagement on overall spatial options and establishment of a Member Working Group

1.2.1 The Sheffield Plan Issues and Options document (September 2020) set out various options for meeting future housing needs, including the option of accommodating more housing in the central area of Sheffield and various options for releasing varying amounts of land from the Green Belt. Since then, the Government has changed the national Planning Practice Guidance on calculating future housing needs. Significantly, this change includes applying a 35% increase in the housing need figures for London and the 19 other largest towns and cities in England (including Sheffield). The effect of

³ This consultation is required to be carried out pursuant to Regulation 19 of the Town and Country Planning (Local Planning) Regulations 2012.

⁴ The Submission is required to be carried out pursuant to Regulation 22 of the Town and Country Planning (Local Planning) Regulations 2012.

⁵ Note that the public hearings and inspector's preliminary report are not shown as separate "milestones" in figure 1; these events are grouped in as part and parcel of the examination stage after submission, shown as spanning January 2022 to June 2023 inclusive.

⁶ Again the consultation on the main modifications is grouped in with the examination stage.

⁷ See [National Planning Practice Guidance: Plan-making, September 2018](#).

this has been to increase Sheffield's total housing need from just under 37,000 additional homes to almost 50,000 additional homes over the period 2021-2038.

1.2.2 The housing need figure provides a starting point for setting the housing *requirement* in the Sheffield Plan. In setting the requirement, local authorities are expected to consider the housing need figure alongside the constraints the area faces, including Green Belt and the land that is actually available for development. Members will also wish to consider the implications of future growth and development in the context of the Climate and Nature Emergencies. These are fundamental questions for the Plan and we therefore propose to spend time this autumn engaging with Members on the overall spatial options, with the aim of reaching agreement on a preferred approach by January 2022. This would therefore be in advance of producing the Publication Draft Sheffield Plan; that is to be published for public consultation in autumn 2022.

1.2.3 The process we are proposing is:

- Briefings with all political parties on overall spatial options – Oct 2021;
- Climate Change, Economy and Development Transitional Committee considers overall spatial options and provides advice to the Cooperative Executive – Nov 2021
- Cooperative Executive makes recommendation to full Council on preferred overall spatial approach – Dec 2021;
- Full Council approves overall spatial approach – Jan 2022;
- Officers develop the Publication Draft Sheffield Plan based on the approved overall spatial approach – Jan – Sep 2022

1.2.4 We also propose that a new Sheffield Member Working Group is established with membership drawn from the Climate Change, Economy and Development Transitional Committee. The role of this group would be to provide a political steer to officers on other significant decisions relating to the content of the Sheffield Plan. It is envisaged that this group would meet periodically, as necessary, in the period up to Submission of the Sheffield Plan. The policies would be the subject of public consultation in autumn 2022 (when consultation takes place on the full Publication Draft Sheffield Plan).

2.0 HOW DOES THIS DECISION CONTRIBUTE?

2.1 As stated above, the LDS sets out a timetable for preparing, consulting and adopting the Sheffield Plan, which will be designed to contribute towards securing a strong economy, thriving neighbourhoods and communities, improving health and wellbeing, addressing inequalities across the city, mitigating and adapting to climate change and increasing biodiversity. It therefore directly aligns with the Council's ambition (and statutory duty) of delivering the Local Plan.

2.2 The Member engagement process during autumn 2021 aims to build political consensus around the best way of meeting the city's development

needs in a sustainable way. It is consistent with the ambition in the Our Sheffield One Year Plan to be a more democratic council, with new ways of making decisions, listening to more views and connecting with communities,

3.0 CONSULTATION

- 3.1 There is no legal requirement to consult on the Local Development Scheme. The development plan documents to which the LDS relates will themselves be the subject of extensive public consultation as set out in the LDS. Consultation on the Sheffield Plan will be carried out in accordance with the [Statement of Community Involvement](#) (July 2020).

4. RISK ANALYSIS AND IMPLICATIONS OF THE DECISION

4.1 Equality of Opportunity Implications

- 4.1.1 There are no equalities impacts, positive or negative, from approving, bringing into effect and publishing the revised Local Development Scheme.

4.2 Financial and Commercial Implications

- 4.2.1 There are no direct revenue implications as a result of approving, bringing into effect and publishing the revised Local Development Scheme.

4.3 Legal Implications

- 4.3.1 Pursuant to Section 15(1) of the Planning and Compulsory Purchase Act 2004 (**the 2004 Act**) all local planning authorities are legally required to prepare and maintain a Local Development Scheme (**LDS**). Section 15 (3A) provides that if a local planning authority does not prepare an LDS, the Secretary of State may prepare one and direct the authority to bring it into effect.
- 4.3.2 Section 15(2) of the 2004 Act prescribes what an LDS must specify, including the documents proposed to be prepared which are to be development plan documents (**DPDs**), the subject matter and geographical area to which each DPD relates, and the timetable for the preparation and revision of the DPDs. It also requires the LDS to set out which DPDs are to be prepared jointly with other local planning authorities. In SCC's case this means the joint South Yorkshire Waste Management Plan which is proposed to be prepared jointly with Barnsley, Doncaster and Rotherham councils. Initial work has been undertaken with the other South Yorkshire local authorities to develop the evidence base for the plan but a timetable for producing the new document has yet to be agreed. Consequently the proposed revised LDS will need to be updated once agreement has been reached on the timetable and process.
- 4.3.3 Section 15 (7) of the 2004 Act requires the local planning authority to resolve that an LDS is to have effect and specify in that resolution the date from which it is to have effect.

- 4.3.4 Section 15 (8) of the 2004 Act requires a local planning authority to revise their LDS at such time as they consider appropriate, or when directed to do so by the Secretary of State.
- 4.3.5 Section 15 (9) requires the up-to-date text of the LDS to be made available to the public. The revised LDS will be published on the Council's website.
- 4.3.6 Giving effect to the recommendations of this report and particularly bringing the LDS into effect and publishing it on the Council's website will comply with the relevant legislative requirements summarised above. The coming into effect of the LDS will prevent intervention from the Secretary of State pursuant to section 15 (3A) or (8) of the 2004 Act.

4.4 Other implications

- 4.4.1 The adoption date of December 2024 goes beyond the target date of 2023 set by the Government for getting new local plans in place. In our view, however, the timetable is realistic given the recent changes to national planning policy and the need to engage with the new Council administration (see paragraph 1.2.1 above). We are continuing to work with the Planning Advisory Service to look at where time savings could be made and will propose further changes to the LDS if progress is made more quickly than currently anticipated.

5. **ALTERNATIVE OPTIONS CONSIDERED**

- 5.1 The preparation, bringing into effect and revision of a Local Development Scheme are statutory requirements and in that regard there is no alternative option. Otherwise the Secretary of State can prepare an LDS and direct the local planning authority to bring it into effect and the Council would have very little, if any, input into that. However, the time periods allocated to each stage of the process in the revised LDS have been carefully considered. It is important that timely progress is made but it is equally important that the timetable can be adhered to. The time periods included in the revised LDS are considered to be the most appropriate and realistic.
- 5.2 In the proposed revised LDS, we have allowed for additional time after submission of the Plan because experience elsewhere suggests that the process from the date of submission to adoption typically takes 18-24 months. Given the size of Sheffield and the number of sites that are likely to be the subject of representations at examination, we believe that a period of 20 months is a reasonable estimate for that stage in the process.

6. **REASONS FOR RECOMMENDATIONS**

- 6.1 As explained above the local planning authority is legally required to produce a Local Development Scheme and keep it up to date and so the recommendations in this report are made to secure compliance with that statutory requirement. The LDS sets the timetable for delivery of a new Local Plan, which will be designed to contribute towards securing a strong economy, thriving neighbourhoods and communities, improving health and

wellbeing, addressing inequalities across the city, mitigating and adapting to climate change and increasing biodiversity.

- 6.2 The changes to national planning policy and practice guidance mean it is appropriate to allow more time for the new administration to consider the overall spatial options. Officers require a clear political steer on the preferred broad approach before the details can be worked in the full Publication Draft Plan and before public consultation takes place in autumn 2022.
- 6.3 Establishment of a new cross-party Sheffield Plan Member Working Group will enable officers to obtain an ongoing political steer on the content of the Plan in advance of the Plan being submitted to Government for public examination.

APPENDIX

Sheffield City Council Local Development Scheme – 2021-2024 Effective from [date]

Contents

Introduction	13
Background to Plan Making	13
Current Development Plan Documents	13
New Development Plan Documents in Preparation	14
Neighbourhood Plans	15
Figure 1: Sheffield Plan Timetable	16
Table 1: Sheffield Neighbourhood Plans	17

DRAFT

Introduction

The [Planning and Compulsory Purchase Act 2004, Section 15](#), (as amended by the Localism Act 2011) requires a Local Planning Authority to prepare and maintain a Local Development Scheme (LDS). An LDS sets out a timetable for producing development plan documents which, when eventually adopted, will comprise the Local Plan for the area.

When adopted, the Council's Local Plan will be called the Sheffield Plan. This LDS contains details of the timetable for producing the Sheffield Plan. It sets out a planning work programme for the Council over the period to December 2024 and takes effect from 21 October 2021. The LDS will be regularly reviewed to keep it up to date.

Background to Plan Making

The [National Planning Policy Framework](#) (NPPF) defines a local plan as “a plan for the future development of a local area, drawn up by the local planning authority in consultation with the community. In law this is described as the development plan documents adopted under the Planning and Compulsory Purchase Act 2004. A local plan can consist of either strategic or non-strategic policies, or a combination of the two”. Section 19 of the Planning and Compulsory Purchase Act 2004 and the NPPF specify what the local plan should include. Further guidance is also provided in [National Planning Practice Guidance on Plan-making](#) (September 2018).

The Planning and Compulsory Purchase Act 2004 (as amended) requires the City Council to update the LDS, to keep a copy of any amendments and provide up to date information about compliance with the published timetable. The Sheffield Plan is currently on track to be produced in line with the timetable outlined in this LDS.

Current Development Plan Documents

The current adopted development plan documents (often referred to as the “Local Plan”) for Sheffield are:

- [Sheffield Core Strategy \(2009\)](#)
- ‘Saved’ policies of the [Sheffield Unitary Development Plan \(UDP\) \(1998\)](#) – see [Sheffield Core Strategy Appendix 3](#) for the list of UDP policies that were superseded by the Core Strategy

New Development Plan Documents in Preparation

(a) Sheffield Local Plan

Sheffield's Local Plan is currently in the process of being replaced, as confirmed by this Local Development Scheme. The new plan will be referred to as "the Sheffield Plan" and will include both strategic and local policies. It will set out the vision, objectives and strategic policies for the whole of the Sheffield administrative area except the part of the district within the Peak District National Park⁸. The **strategic policies** will 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, community facilities, and conservation and enhancement of the natural, built and historic environment, as well as including policies designed to secure contribution towards mitigation of and adaption to climate change.

The Plan will also include **non-strategic policies** setting out more detailed policies for specific areas, neighbourhoods and types of development. This will include the local provision of infrastructure and community facilities, establishing design principles, conserving and enhancing the natural and historic environment, and other development management policies.

Allocated sites will be illustrated on a Policies Map which will form part of the Sheffield Plan.

The plan will cover the period 2024-2039.

Once adopted, the Sheffield Plan will replace:

- All the policies in the Sheffield Core Strategy (2009) except the following policies (see further at paragraph (b) below):
 - [CS68 Waste Development Objectives](#);
 - [CS69 Safeguarding Major Waste Facilities](#) and
 - [CS70 Provision for Recycling and Composting](#)
- All the saved policies in the Sheffield Unitary Development Plan (1998)

⁸ The Peak District National Park Authority is responsible for preparing the Local Plan for the national park. See [Peak District National Park Local Development Framework Core Strategy \(2011\)](#) and [Development Management Policies \(2019\)](#).

Consultation on the [Sheffield Plan Issues and Options](#) took place in September-October 2020 and work is currently taking place on the production of a Publication (Pre-Submission) Draft Plan (under Regulation 19⁹). It is anticipated that the Plan will be adopted in 2024 following examination by the Planning Inspectorate on behalf of the Secretary of State. The full timetable, showing the main future milestones, is set out in Figure 1 below. Progress against the milestones will be reported in the Authority Monitoring Report.

The Sheffield Plan will be reviewed at least every 5 years after it has been adopted.

(b) South Yorkshire Joint Waste Local Plan

Agreement has been reached, in principle, with the other South Yorkshire Unitary Authorities to produce a Joint Waste Local Plan. This will replace waste management policies in the Sheffield Core Strategy (2009) as well as the adopted [Joint Barnsley, Doncaster & Rotherham Waste Plan \(March 2012\)](#). The overall timetable for producing the plan has not yet been agreed between the four local authorities but the process has started by the commissioning of consultants to produce the evidence base. The evidence gathered will help to inform the next stages of the project. The authorities intend to work towards production of a memorandum of understanding and legal agreement directly relating to the production of the Joint Waste Local Plan. The LDS will be updated as and when this occurs.

Once adopted, the South Yorkshire Joint Waste Local Plan will replace the following policies in the Sheffield Core Strategy (2009)

- [CS68 Waste Development Objectives](#);
- [CS69 Safeguarding Major Waste Facilities](#)
- [CS70 Provision for Recycling and Composting](#)

Neighbourhood Plans

Neighbourhood plans are defined in the NPPF as plans which are “prepared by a parish council or neighbourhood forum for a designated neighbourhood area. In law this is described as a neighbourhood development plan in the Planning and Compulsory

⁹ Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

Table 1: [Sheffield Neighbourhood Plans](#)¹¹

Area Covered by Neighbourhood Plan	Neighbourhood Planning Body	Status of Neighbourhood Plan as at Sept 2021	Expected Adoption Date
Kelham Island & Neepsend	Kelham Island & Neepsend Neighbourhood Forum	Draft plan expected April 2022	Early 2023
Ecclesfield	Ecclesfield Parish Council	Draft plan expected March 2022	May 2023
Stockbridge	Stocksbridge Town Council	On hold – future dates not published	TBC

¹¹ Further details of all neighbourhood planning proposals, including the geographical areas to which each proposed neighbourhood plan will cover, can be accessed via <https://www.sheffield.gov.uk/home/planning-development/neighbourhood-planning>.

This page is intentionally left blank