

Representation on the Sheffield Plan Publication (Pre-Submission) Draft

Respondent details

Comment ID number: PDSP.113.001

What is your Name: Ken9724

If you are making this representation as a member of an organisation, what is the name of your organisation:

Hunter Archaeological Society

If you or your organisation are making a representation on behalf of another person, organisation or group, please tell us who it is and its role:

N/A

Document

Which document to you wish to make a representation on:

Part 1: Vision, Spatial Strategy, Sub-Area Policies and Site Allocations

Which section of the document is your representation on:

Policy D1: Design Principles and Priorities

Which paragraph/site/map layer of the document is representation on:

N/A

Representation

Do you consider the Local Plan is legally compliant: Yes

Do you consider the Local Plan is sound: No

Do you consider the Local Plan complies with the duty to co-operate: Yes

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate:

Policy D1 calls for development to take advantage of and enhance Sheffield's distinctive heritage, particularly the buildings, structures and settlement forms associated with a list of categories. As well as the historic landscape and its component parts, Sheffield's landscape and landscape features are also important assets in themselves. Sheffield's historic environment would benefit from an over-arching strategy for its conservation and enjoyment (as required by NPPF 190 (a) - (d)) which would provide a context for the policies spread through Parts 1 and 2 of this consultation document. Such a strategy would best be presented as a Strategy document separate to a policy in the Local Plan but could be presented solely as a brief narrative in the Local

Plan with policies that provide the over-arching policy context for subsequent policies such as DE8, DE9 and parts of ES1 and a number of the GS policies. In order to make sufficient provision for the conservation and enhancement of the natural, built and historic environment (NPPF 20(d)) and ensure that developments are sympathetic to all aspects of local character and history, including landscape setting (NPPF 130(c)), the list of categories needs to be expanded comprehensively to reflect the city's distinctive heritage and to include landscapes and landscape features.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above:

1. The Hunter Archaeological Society (HAS) acknowledges that the principal role of Part 2 of the draft Local Plan is to answer such questions as: 'What do I need to do to get planning permission' and 'how will the plan be implemented?' (Part 1, para 1.13). However, as Policy DE9 acknowledges 'Development proposals should conserve and, where appropriate, enhance and secure a sustainable future for those elements that contribute to the significance of the city's heritage assets,'.

HAS welcomes this policy and, in particular, supports the opening paragraph and the associated sections (a) and (b), with their reference to Sheffield's distinctive heritage and landscape. HAS suggests that an opportunity has been lost to reference the city's historic landscape as well as its natural landscape and proposes the following additional wording (which it was not possible to highlight) to reflect, as they do, the nature and contribution of many of the listed bullet points:

a) Sheffield's distinctive heritage, particularly the buildings, structures and settlement forms that comprise its historic landscapes, associated with:

2. HAS reproduces the council's list from Policy D1 below, with some proposed amendments, as well as the list proposed in Appendix A of the Joined Up Heritage Sheffield (JUHS) draft response, which the HAS supports, followed by three proposals additional to that:

Categories in draft policy D1:

- (a) Water-powered industries;
- (b) The metal trades (e.g. cutlery, medical equipment, umbrellas, specialist steels) and their supporting industries (e.g. ganister quarrying and refractories);
- (c) Non-conformism;
- (d) Sheffield Board schools;
- (e) The Central Sub-Area, including the medieval core between Sheffield Castle and the Cathedral, and the historic street pattern;
- (f) Victorian, Edwardian and Garden City-style suburbs;
- (g) The city's post-war built heritage;
- (h) Historic village centres and farmsteads;
- (i) The city's rural setting, topology and landscapes;
- (j) Historic parks, gardens and cemeteries.

Proposed additions to policy D1:

- (k) Public housing developments, especially where innovative or experimental;
- (l) The Blitz and its aftermath;
- (m) The Great Sheffield Flood of 1864;

- (n) Mineral extraction, processing and manufacture, especially the refractory industry;
- (o) Public houses and brewing;
- (p) Football and other sports in which the city has been a leader;
- (q) Popular music, especially of the later 20th century;
- (r) Worker organisation and activism, including the Sheffield Outrages;
- (s) Radicalism and social reform, including (but not limited to) the Chartists, women's suffrage, the slave trade, the Corn Laws, the Poor Law and access to land;
- (t) Vernacular buildings typical of the area;
- (u) Designed landscapes and streetscapes, especially those of Robert Marnock;
- (v) Historic transport route patterns, including packhorse routes and turnpike roads;
- (w) The imprisonment of Mary Queen of Scots;
- (x) Historic uses by major landowners, for example the deer park associated with Sheffield Manor or Rivelin Chase;
- (y) Other categories of particular historical importance in the city, as may be identified from time to time by the Local Planning Authority.

Additional suggestions:

Community traditions, such as sword dancing.

Reservoirs, water supply and water management systems

Medical heritage

Cruck-framed buildings

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s):

Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

In order to be able to expand appropriately on the necessarily brief submission made above.

Representation on the Sheffield Plan Publication (Pre-Submission) Draft

Respondent details

Comment ID number: PDSP.113.002

What is your Name: Ken9724

If you are making this representation as a member of an organisation, what is the name of your organisation:

Hunter Archaeological Society

If you or your organisation are making a representation on behalf of another person, organisation or group, please tell us who it is and its role:

N/A

Document

Which document to you wish to make a representation on:

Part 2: Development Management Policies and Implementation

Which section of the document is your representation on:

Policy ES1: Measures Required to Achieve Net Zero Carbon Emissions in New Development

Which paragraph/site/map layer of the document is representation on:

N/A

Representation

Do you consider the Local Plan is legally compliant: Yes

Do you consider the Local Plan is sound: No

Do you consider the Local Plan complies with the duty to co-operate: Yes

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate:

The Hunter Archaeological Society (HAS) acknowledges that the principal role of Part 2 of the draft Local Plan is to answer such questions as: 'What do I need to do to get planning permission' and 'how will the plan be implemented?' (Part 1, para 1.13). However, as Policy DE9 acknowledges 'Development proposals should conserve and, where appropriate, enhance and secure a sustainable future for those elements that contribute to the significance of the city's heritage assets,'. HAS welcomes the thrust of this policy but believes that an opportunity has been missed to emphasise the opportunities that exist for the retention of embedded carbon through conversion/alteration of existing buildings. There exists an

acknowledged hierarchy of waste in central government advice, from re-use of material in its original form at the top, to energy recovery as the last resort. Accordingly, HAS suggests that the listing of sections should be re-ordered, so that it starts with current (c), re-use of existing buildings wherever possible, with an additional requirement that the absence of re-use would need to be justified before consideration of new build would occur.

Consideration should also be given to amending the title of this policy because, as it exists, it can easily be read as only applying to new build. It is appreciated that 'development' can and does apply equally to alteration/conversion; perhaps omission of 'new' would suffice and make it clear that the policy applies to all development. HAS notes that the requirement for Whole Life Cycle Carbon Assessments, included in an earlier draft of this Plan, has been dropped. HAS considers this to be a retrograde step and would strongly support the reintroduction of such a requirement.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above:

There exists an acknowledged hierarchy of waste in central government advice, from re-use of material in its original form at the top, to energy recovery as the last resort. Accordingly, HAS suggests that the listing of sections should be re-ordered, so that it starts with current (c), re-use of existing buildings wherever possible, with an additional requirement that the absence of re-use would need to be justified before consideration of new build would occur.

Consideration should also be given to amending the title of this policy because, as it exists, it can easily be read as only applying to new build. It is appreciated that 'development' can and does apply equally to alteration/conversion; omission of 'new' would suffice and make it clear that the policy applies to all development.

HAS supports the proposal in the JUHS draft response:

Policy ES1

Amend ES1(c) to read "adopt a 're-use first' approach to buildings and adhere strictly to the

hierarchy of waste, prioritising in descending order the retention of the building, recovery and re-use of building materials in their original form, recycling or remanufacturing material into a new product, energy recovery, and disposal";

Add a requirement to provide a Whole Life Cycle Carbon Assessment.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s):

Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

In order to be able to expand appropriately on the necessarily brief submission made above.

Representation on the Sheffield Plan Publication (Pre-Submission) Draft

Respondent details

Comment ID number: PDSP.113.003

What is your Name: Ken9724

If you are making this representation as a member of an organisation, what is the name of your organisation:

Hunter Archaeological Society

If you or your organisation are making a representation on behalf of another person, organisation or group, please tell us who it is and its role:

N/A

Document

Which document to you wish to make a representation on:

Part 2: Development Management Policies and Implementation

Which section of the document is your representation on:

Policy GS6: Biodiversity Net Gain

Which paragraph/site/map layer of the document is representation on:

N/A

Representation

Do you consider the Local Plan is legally compliant: Yes

Do you consider the Local Plan is sound: No

Do you consider the Local Plan complies with the duty to co-operate: Yes

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate:

The Hunter Archaeological Society (HAS) acknowledges that the principal role of Part 2 of the draft Local Plan is to answer such questions as: 'What do I need to do to get planning permission' and 'how will the plan be implemented?' (Part 1, para 1.13). However, as Policy DE9 acknowledges 'Development proposals should conserve and, where appropriate, enhance and secure a sustainable future for those elements that contribute to the significance of the city's heritage assets,'. HAS recognises the need to reverse the impacts that biodiversity has suffered over the years and supports the concept of Biodiversity Net Gain. However, HAS would caution against throwing the baby out with the bath water, i.e. achieving positive conservation of one aspect of the environment at the expense of another.

Accordingly, the biodiversity policies need to recognise the value, function and role played by heritage assets and historic landscapes in their contribution to the character of the city of Sheffield. It has also to be acknowledged that all habitats are the product of past and present human management of the landscape, whether that be considered positive or negative.

Accordingly, and for example, Sheffield's Waterways Strategy recognises Sheffield's river valleys and their associated water management systems as being of international significance, to the extent that consideration has been given to pursuing their designation as a World Heritage Site. Many of these water management systems consist of weirs of various forms, size and location. Improvement to water-based biodiversity often sees weirs as anathema and seeks their removal rather than seeking to identify ways of accommodating both the cultural capital alongside the natural capital e.g. fish passes rather than weir removal. HAS considers, therefore, that the GS policies, in particular, GS 5, GS9, GS10 and GS11 fall significantly short of providing sufficiently for the conservation of the natural, built and historic environment.

To that end, HAS strongly recommends that appropriate policy direction is incorporated into Chapter 8 to ensure that, in applying the laudable principles of Biodiversity Net Gain, the positive developments for nature are not made at the expense of the city's irreplaceable cultural capital.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above:

The wording of policies GS5, GS6, GS9, GS10 and GS11 should be amended to refer explicitly to and protect, in the context of biodiversity conservation and enhancement, the natural landscape and the heritage assets that make up the historic environment of the city, in particular (but not exclusively) its heritage of waterways, water storage and water infrastructure, and their settings.

HAS supports the proposals by JUHS in its draft response:

Policy GS5

Append "while conserving historic waterways and waterpower infrastructure, and their settings."

Policy GS6

Append "BNG will not be applied so as to harm the significance of heritage assets, including historic waterpower infrastructure. In particular, the destruction of weirs will not be permitted in order to achieve BNG."

Policy GS9

Amend GS9(d) to read "enables the removal of any existing culverts and structures over watercourses (excluding heritage assets) wherever practicable and compatible with other Plan objectives";

Amend paragraph 8.32 to read: "Many of the measures required by the policy have dual benefits in terms of reducing flood risk and enhancing biodiversity. For example, removing some non-historic canalised sections of watercourse may make them more attractive to wildlife, slow the rate of flow and increase the channel capacity. It should be noted that historic artificial channels and ponds, especially those associated with waterpower are heritage assets, and many also provide valuable habitat."

Clarify how areas of Land Safeguarded for Flood Storage will be used including any structures to be built. Protect all such areas from any construction that negatively impacts their heritage, recreational or scenic value.

Provide a definitive list of areas of Land Safeguarded for Flood Storage, include such areas the Site Allocations, and complete an assessment of their potential impact (including to heritage).

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Policy GS10

Append "Development will be expected to conserve heritage assets, including historic waterpower infrastructure."

Policy GS11

Append "Development will be expected to conserve heritage assets, including historic waterpower infrastructure. In particular, it will not be permitted to raise historic dam or channel levels as part of any drainage scheme. Consideration may be given to re-opening lost or blocked channels to assist with water management."

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s):

Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

In order to be able to expand appropriately on the necessarily brief submission made above.

Representation on the Sheffield Plan Publication (Pre-Submission) Draft

Respondent details

Comment ID number: PDSP.113.004

What is your Name: Ken9724

If you are making this representation as a member of an organisation, what is the name of your organisation:

Hunter Archaeological Society

If you or your organisation are making a representation on behalf of another person, organisation or group, please tell us who it is and its role:

N/A

Document

Which document to you wish to make a representation on:

Part 2: Development Management Policies and Implementation

Which section of the document is your representation on:

Policy DE1: Local Context and Development Character

Which paragraph/site/map layer of the document is representation on:

N/A

Representation

Do you consider the Local Plan is legally compliant: Yes

Do you consider the Local Plan is sound: No

Do you consider the Local Plan complies with the duty to co-operate: Yes

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate:

The Hunter Archaeological Society (HAS) acknowledges that the principal role of Part 2 of the draft Local Plan is to answer such questions as: 'What do I need to do to get planning permission' and 'how will the plan be implemented?' (Part 1, para 1.13). However, as Policy DE9 acknowledges 'Development proposals should conserve and, where appropriate, enhance and secure a sustainable future for those elements that contribute to the significance of the city's heritage assets,'.

HAS recognises that documents such as this have to contain many elements and that brevity is therefore necessary. However, HAS is concerned that the brevity of narrative and of policy means that signposts to enable prospective developers to navigate the necessary processes appear to have been omitted.

HAS welcomes the reference to local character and sense of place, to enhancing heritage assets in section (f) of this policy and the stated need for detailed appraisals positively to enrich the surroundings. HAS strongly recommends that this narrative and policy would benefit from signposting developers to the South Yorkshire Archaeology Service and the Historic Environment Record, to enable access to data and advice at the earliest possible point in the development process, to ensure that the historic landscape, heritage assets and historic character are all taken into account from the off and that opportunities as well as constraints can be identified as soon as possible. This point is made because, while paragraph 9.8 refers to supplementary planning guidance and Local Planning Application Requirements, there is no indication whether these documents exist, will be reviews of existing documents or have to be developed and over what timescale. Regardless of whether or not such documents exist, there is a need for signposting to the appropriate guidance and other documents to ensure that the policies are as effective and accessible as possible.

HAS recognises the current thrust of government policy towards 'beauty' and 'beautiful' buildings and would comment that beauty, as ever, is in the eye of the beholder. Without guidance from central government, it is difficult to suggest that appropriate criteria should be signposted and, unfortunately, it has to be assumed that business will continue as normal with the addition of 'beauty' into applications, reports and associated documentation to demonstrate that this illusory ambition has been met.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above:

Amend associated policy narrative to reference the South Yorkshire Archaeology Service and the Historic Environment Record;
signpost the appropriate guidance and other documents to ensure that the policies are as effective and accessible as possible.

HAS supports the JUHS proposal in its draft response:

Policy DE1

Append "Development proposals will be expected to conform with the Council's design guidance

for the site, including the Urban Design Compendium".

Supporting text

Add the following paragraph: "Benchmarks and parameters for the City Centre and for other Sub-Areas as needed will be defined in an updated Urban Design Compendium, which will be adopted as a Supplementary Planning Document."

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s):

Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

In order to be able to expand appropriately on the necessarily brief submission made above.

Representation on the Sheffield Plan Publication (Pre-Submission) Draft

Respondent details

Comment ID number: PDSP.113.005

What is your Name: Ken9724

If you are making this representation as a member of an organisation, what is the name of your organisation:

Hunter Archaeological Society

If you or your organisation are making a representation on behalf of another person, organisation or group, please tell us who it is and its role:

N/A

Document

Which document to you wish to make a representation on:

Part 2: Development Management Policies and Implementation

Which section of the document is your representation on:

Policy DE2: Design and Alteration of Buildings

Which paragraph/site/map layer of the document is representation on:

N/A

Representation

Do you consider the Local Plan is legally compliant: Yes

Do you consider the Local Plan is sound: No

Do you consider the Local Plan complies with the duty to co-operate: Yes

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate:

The Hunter Archaeological Society (HAS) acknowledges that the principal role of Part 2 of the draft Local Plan is to answer such questions as: 'What do I need to do to get planning permission' and 'how will the plan be implemented?' (Part 1, para 1.13). However, as Policy DE9 acknowledges 'Development proposals should conserve and, where appropriate, enhance and secure a sustainable future for those elements that contribute to the significance of the city's heritage assets,'.

Taking the above comments and policy statements into account, HAS welcomes section (c) of this policy, not least because of the retention of embodied energy such an approach brings, but is disappointed that there is no reference to the need, as there will be from time to time, for new buildings, as well as particularly alterations to

existing, to reflect the nature and character of their locality. While the issue is incorporated into DE1, HAS believes that repetition on this policy would be an appropriate way of emphasising the need for such consideration; at the very least, with regard to this issue, there should be cross-referencing from this policy to DE1.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above:

Ensure adequate cross-reference to DE1 requirement for new buildings to reflect the nature and character of their locality to underline the importance of this requirement.

HAS supports the proposal from JUHS in its draft response:

Policy DE2

Add paragraph (s), to read “Upward extensions will be required to be appropriate and of high

quality, preferring the form, style and materials of the host building”;

Add paragraph (t), to read “The quality of approved schemes should not be diluted, whether

through condition discharge applications, Non-Material Amendments, or new planning

applications”;

Append “Proposals are required to be buildable, and applications must include sufficient detail to

demonstrate this.”

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s):

Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

In order to be able to expand appropriately on the necessarily brief submission made above.

Representation on the Sheffield Plan Publication (Pre-Submission) Draft

Respondent details

Comment ID number: PDSP.113.006

What is your Name: Ken9724

If you are making this representation as a member of an organisation, what is the name of your organisation:

Hunter Archaeological Society

If you or your organisation are making a representation on behalf of another person, organisation or group, please tell us who it is and its role:

N/A

Document

Which document to you wish to make a representation on:

Part 2: Development Management Policies and Implementation

Which section of the document is your representation on:

Policy DE3: Public Realm and Landscape Design

Which paragraph/site/map layer of the document is representation on:

N/A

Representation

Do you consider the Local Plan is legally compliant: Yes

Do you consider the Local Plan is sound: No

Do you consider the Local Plan complies with the duty to co-operate: Yes

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate:

The Hunter Archaeological Society (HAS) acknowledges that the principal role of Part 2 of the draft Local Plan is to answer such questions as: 'What do I need to do to get planning permission' and 'how will the plan be implemented?' (Part 1, para 1.13). However, as Policy DE9 acknowledges 'Development proposals should conserve and, where appropriate, enhance and secure a sustainable future for those elements that contribute to the significance of the city's heritage assets,'.

HAS welcomes section (d) of this policy and the intent to reflect local character and contribute to sense of place. HAS suggests that there is an opportunity to add to the examples given in parenthesis, and that 'historic street pattern' should be included, reflecting as it so often does, the development of the component parts of the city as

well as the development of routes into and out of it over time. HAS considers this to be a different and separate issue to those addressed through policy DE4.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above:

Add 'historic street pattern' to the list in parenthesis in policy DE3 (d)

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s):

Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

In order to be able to expand appropriately on the necessarily brief submission made above.

Representation on the Sheffield Plan Publication (Pre-Submission) Draft

Respondent details

Comment ID number: PDSP.113.007

What is your Name: Ken9724

If you are making this representation as a member of an organisation, what is the name of your organisation:

Hunter Archaeological Society

If you or your organisation are making a representation on behalf of another person, organisation or group, please tell us who it is and its role:

N/A

Document

Which document to you wish to make a representation on:

Part 2: Development Management Policies and Implementation

Which section of the document is your representation on:

Policy DE5: Design of Shop Fronts

Which paragraph/site/map layer of the document is representation on:

N/A

Representation

Do you consider the Local Plan is legally compliant: Yes

Do you consider the Local Plan is sound: No

Do you consider the Local Plan complies with the duty to co-operate: Yes

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate:

The Hunter Archaeological Society (HAS) acknowledges that the principal role of Part 2 of the draft Local Plan is to answer such questions as: 'What do I need to do to get planning permission' and 'how will the plan be implemented?' (Part 1, para 1.13). However, as Policy DE9 acknowledges 'Development proposals should conserve and, where appropriate, enhance and secure a sustainable future for those elements that contribute to the significance of the city's heritage assets,' HAS welcomes the provisions of this policy that are intended to retain as much as possible of the local architecture and character that contribute so much to sense of place. HAS notes the proviso regarding roller shutters in Conservation Areas and, while regretting their need, recognises the effort being made to minimise their impact.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above:

None made.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s):

Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

In order to be able to expand appropriately on the necessarily brief submission made above.

Representation on the Sheffield Plan Publication (Pre-Submission) Draft

Respondent details

Comment ID number: PDSP.113.008

What is your Name: Ken9724

If you are making this representation as a member of an organisation, what is the name of your organisation:

Hunter Archaeological Society

If you or your organisation are making a representation on behalf of another person, organisation or group, please tell us who it is and its role:

N/A

Document

Which document to you wish to make a representation on:

Part 2: Development Management Policies and Implementation

Which section of the document is your representation on:

Policy DE8: Public Art

Which paragraph/site/map layer of the document is representation on:

N/A

Representation

Do you consider the Local Plan is legally compliant: Yes

Do you consider the Local Plan is sound: No

Do you consider the Local Plan complies with the duty to co-operate: Yes

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate:

The Hunter Archaeological Society (HAS) acknowledges that the principal role of Part 2 of the draft Local Plan is to answer such questions as: 'What do I need to do to get planning permission' and 'how will the plan be implemented?' (Part 1, para 1.13). However, as Policy DE9 acknowledges 'Development proposals should conserve and, where appropriate, enhance and secure a sustainable future for those elements that contribute to the significance of the city's heritage assets,'.

HAS is concerned that Policy DE8 appears only to address future public art. While the impact of existing public art is noted in Para 9.19, there is nothing, neither in the preceding narrative nor the policy itself, that addresses that which exists already.

While existing public art may well be considered to be a heritage asset, and

therefore covered by Policy DE9, HAS considers that there should be an appropriate cross-reference to DE9, for clarity and the avoidance of any doubt in how such assets will be considered and dealt with, not least because they have little or no other protection.

This suggestion does not cover those elements that might contribute to social cohesion and community sense of place but may not, for whatever reason, be considered to be heritage assets; nor does it cover the need that may arise from time to time for the sensitive relocation of existing artwork or reinstatement of previously moved items. These issues need to be covered by an appropriate additional policy or section within DE8.

HAS suggests that there needs to be at least a reference that acknowledges the national guidance for the treatment of commemorative items and objects such as statues, particularly in the context of contested heritage.

HAS notes that there is reference to further guidance on Public Art, to be provided in Sheffield's 'Public Art Strategy'. While that is something to look forward to, and it may be claimed that some or all of the points made above will be addressed in that document, there is no indication of the scope and content of that document and, if there is no policy for guidance to address, there is no guarantee that the issues raised will all be covered. In the meantime, as there is not even an indicative timetable for production of such a Strategy, HAS maintains these issues need to be addressed in the Local Plan, both in the narrative text and in the policy itself.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above:

Ensure that this policy and its associated narrative is equally applicable to existing artwork;

cross-reference Policy DE9, for clarity and avoidance of doubt; acknowledge and reference national guidance for the treatment of commemorative items.

HAS also supports the JUHS proposal in its draft response:

Policy DE8

Append the following:

“Existing public artworks should be protected:

(d) Proposals will be expected to retain existing artworks visible to the public in situ.

Where this is not possible, proposals should include a firm plan for their reinstatement, preferably within the site or if necessary at a new location. Relocation of an artwork will be secured by condition;

(e) If the nature of the development makes the loss of an artwork visible to the public unavoidable, the proposal will be expected to provide for a replacement of the same or higher quality and distinctiveness;

(f) Proposals affecting statues and other commemorative objects will be decided according to national policy;

(g) Historic England's guidance on contested heritage will be followed where it is relevant;

(h) The Council will identify a city centre location for the Crimean Monument and reinstate it there.”

Amend paragraph 9.20 to read: “Where public art is a condition of development, there may be certain circumstances where that condition may be discharged through

a legal agreement; however, finance in lieu of public art will only be allowed as a last resort where the provision of new public art is not feasible.”

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s):

Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

In order to be able to expand appropriately on the necessarily brief submission made above.

Representation on the Sheffield Plan Publication (Pre-Submission) Draft

Respondent details

Comment ID number: PDSP.113.009

What is your Name: Ken9724

If you are making this representation as a member of an organisation, what is the name of your organisation:

Hunter Archaeological Society

If you or your organisation are making a representation on behalf of another person, organisation or group, please tell us who it is and its role:

N/A

Document

Which document to you wish to make a representation on:

Part 2: Development Management Policies and Implementation

Which section of the document is your representation on:

Policy DE9: Development and Heritage Assets

Which paragraph/site/map layer of the document is representation on:

N/A

Representation

Do you consider the Local Plan is legally compliant: Yes

Do you consider the Local Plan is sound: No

Do you consider the Local Plan complies with the duty to co-operate: Yes

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate:

The Hunter Archaeological Society (HAS) acknowledges that the principal role of Part 2 of the draft Local Plan is to answer such questions as: 'What do I need to do to get planning permission' and 'how will the plan be implemented?' (Part 1, para 1.13). However, as Policy DE9 acknowledges 'Development proposals should conserve and, where appropriate, enhance and secure a sustainable future for those elements that contribute to the significance of the city's heritage assets,' reflecting the statement in Para 9.21 that 'Heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.'

HAS is greatly concerned about the brevity of the introductory narrative and the policy elements and that, without more-detailed explanation of what designated heritage assets are and indications about the different ways in which they have to be managed, that brevity will be counter-productive. At the simplest level, definitions of the differing types of heritage assets could be provided in the Glossary (where only the broad-brush 'heritage asset' is included).

Similarly, there is a lack of explanation of what comprises non-designated heritage assets and what criteria are used to identify them and under what circumstances. There is no reference to the South Yorkshire Historic Environment Record in the context of seeking to inform the development constraints or opportunities for a prospective development, only in the context of lodging the end-product, which HAS considers to be a significant omission that needs rectifying. Likewise, there is no reference to the recently-adopted Local Heritage List, which is a key vehicle for enabling communities to register what is important to them in their locality, what creates local character and sense of place from the perspective of the community itself, as well as addressing heritage assets that need to be considered in formulating development proposals.

The National Planning Policy Framework (NPPF; para 190; para 193 in the current consultation draft (February 2023)) requires that local authorities' plans should set out a positive strategy for the conservation and enjoyment of the historic environment. HAS notes that there is nothing in this draft Local Plan that suggests this will be done and, as a result, no indication of what the council expects a developer's strategy towards the historic environment of the city should be. With no reference to the South Yorkshire Archaeology Service or appropriate reference to the Historic Environment Record and Local Heritage List and, therefore, what data are available and how those data and accompanying advice might be secured and used, achieving elements (a)-(g) of DE9 are, unnecessarily, made that much more difficult as a result.

In a similar vein, while there is reference to consideration of the impacts of development on a Conservation Area (CA) and its setting, there is nothing that indicates what the Council's approach is going to be to its duty, under s91 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, regarding the identification and designation of new CAs – for example, the longstanding commitment to designation of the Castlegate area – nor its duty under s91(2) of that Act to review its existing CAs from time to time.

The Unitary Development Plan has identified and protected around 40 Areas of Special Character for their special architectural or historic interest. As such, these areas are heritage assets and should be referenced as such within this draft Plan, along with the steps that are proposed to conserve and enhance them within the context of the development management process. HAS is concerned that this apparent omission makes these areas vulnerable as well as removing a stock of locations that could and should be considered for potential future designation as Conservation Areas, for the benefit of local communities, local character and sense of place, as well as the heritage of the city.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above:

Reference the different types of designated heritage asset and define them individually in the Glossary;
define non-designated heritage assets in the Glossary'
reference the South Yorkshire Archaeology Service (SYAS) in the context of seeking heritage data and heritage advice as part of the development management process;
signpost how SYAS and the HER can be contacted for data and advice;
define the South Yorkshire Historic Environment Record (HER) in the Glossary;
reference that the council will also undertake review, from time to time, of its existing Conservation Areas;

indicate what is the proposed fate of the existing Areas of Special Character.
Additionally, HAS supports the proposed amendments by JUHS in its draft response: Policy DE9

Insert the following after the first paragraph: "To further identify heritage assets of particular

importance to the city, and in accordance with its statutory duty, the Council will designate new

Conservation Areas in Castlegate and other areas of special architectural or historic interest the

character or appearance of which it is desirable to preserve or enhance. The Council will also

create, maintain and expand a Local Heritage List of non-designated heritage assets of local (or

greater) significance (see Local Heritage List policy)."

Amend DE9(d) to read: "pay special attention to the desirability of preserving or enhancing the

character or appearance of Conservation Areas, with particular regard for the special architectural

or historic interest for which they are designated";

Add paragraph (i) to read "accompanied by a satisfactory Heritage Statement";

Replace the final paragraph with the following:

"Development that would harm the significance of a heritage asset will be permitted only where

this is clearly justified and outweighed by other public benefits of the proposal.

"Harm to the significance of a designated heritage asset will be permitted only in exceptional cases

where the public benefit of the proposal is sufficient to overcome the strong presumption in law

against harm, and where there is evidence of a suitably rigorous assessment of potential

alternatives'

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"In assessing the public benefit of a proposal the loss of economic, environmental and social

benefits created by the historic environment will be taken into account."

"Where harm to a heritage asset cannot be avoided, and no feasible alternative is found, proposals

are expected to provide satisfactory mitigation that compensate for the harm."

Paragraph 11.7

Add "A Heritage Statement (see policy DE9)".

Supporting text

Insert supporting text on the importance and benefits of heritage

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s):

Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

In order to be able to expand appropriately on the necessarily brief submission made above.

Representation on the Sheffield Plan Publication (Pre-Submission) Draft

Respondent details

Comment ID number: PDSP.113.010

What is your Name: Ken9724

If you are making this representation as a member of an organisation, what is the name of your organisation:

Hunter Archaeological Society

If you or your organisation are making a representation on behalf of another person, organisation or group, please tell us who it is and its role:

N/A

Document

Which document to you wish to make a representation on:

Part 2: Development Management Policies and Implementation

Which section of the document is your representation on:

Policy DE9: Development and Heritage Assets

Which paragraph/site/map layer of the document is representation on:

N/A

Representation

Do you consider the Local Plan is legally compliant: Yes

Do you consider the Local Plan is sound: No

Do you consider the Local Plan complies with the duty to co-operate: Yes

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate:

The Hunter Archaeological Society (HAS) acknowledges that the principal role of Part 2 of the draft Local Plan is to answer such questions as: 'What do I need to do to get planning permission' and 'how will the plan be implemented?' (Part 1, para 1.13). However, as Policy DE9 acknowledges 'Development proposals should conserve and, where appropriate, enhance and secure a sustainable future for those elements that contribute to the significance of the city's heritage assets,' reflecting the statement in Para 9.21 that 'Heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.'

HAS is greatly concerned about the brevity of the introductory narrative and the policy elements and that, without more-detailed explanation of what designated heritage assets are and indications about the different ways in which they have to be managed, that brevity will be counter-productive. At the simplest level, definitions of the differing types of heritage assets could be provided in the Glossary.

Similarly, there is a lack of explanation of what comprises non-designated heritage assets and what criteria are used to identify them and under what circumstances. There is no reference to the South Yorkshire Historic Environment Record in the context of seeking to inform the development constraints or opportunities for a prospective development, only in the context of lodging the end-product, which HAS considers to be a significant omission that needs rectifying. Likewise, there is no reference to the recently-adopted Local Heritage List, which is a key vehicle for enabling communities to register what is important to them in their locality, what creates local character and sense of place from the perspective of the community itself, as well as addressing heritage assets that need to be considered in formulating development proposals.

The National Planning Policy Framework (NPPF; para 190; para 193 in the current consultation draft (February 2023)) requires that local authorities' plans should set out a positive strategy for the conservation and enjoyment of the historic environment. HAS notes that there is nothing in this draft Local Plan that suggests this will be done and, as a result, no indication of what the council expects a developer's strategy towards the historic environment of the city should be. With no reference to the South Yorkshire Archaeology Service or appropriate reference to the Historic Environment Record and Local Heritage List and, therefore, what data are available and how those data and accompanying advice might be secured and used, achieving elements (a)-(g) of DE9 are, unnecessarily, made that much more difficult as a result.

In a similar vein, while there is reference to consideration of the impacts of development on a Conservation Area (CA) and its setting, there is nothing that indicates what the Council's approach is going to be to its duty, under s91 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, regarding the identification and designation of new CAs – for example, the longstanding commitment to designation of the Castlegate area – nor its duty under s91(2) of that Act to review its existing CAs from time to time.

The Unitary Development Plan has identified and protected around 40 Areas of Special Character for their special architectural or historic interest. As such, these areas are heritage assets and should be referenced as such within this draft Plan, along with the steps that are proposed to conserve and enhance them within the context of the development management process. HAS is concerned that this apparent omission makes these areas vulnerable as well as removing a stock of locations that could and should be considered for potential future designation as Conservation Areas, for the benefit of local communities, local character and sense of place, as well as the heritage of the city.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above:

Reference the different types of heritage asset and define them individually in the Glossary;
define 'non-designated heritage assets' in the Glossary;
reference the South Yorkshire Archaeology Service (SYAS) re seeking heritage data and advice as part of the development management process;
signpost how the SYAS and the Historic Environment Record (HER) can be contacted for data and advice;
define the HER and its purpose in the Glossary;
reference that the council will, from time to time, undertake review of its Conservation Areas;
indicate what is the proposed fate of the existing Areas of Special Character.
In addition, HAS supports the proposals in the draft JUHS response:

Policy DE9

Insert the following after the first paragraph: "To further identify heritage assets of particular importance to the city, and in accordance with its statutory duty, the Council will designate new Conservation Areas in Castlegate and other areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance. The Council will also create, maintain and expand a Local Heritage List of non-designated heritage assets of local (or greater) significance (see Local Heritage List policy)."

Amend DE9(d) to read: "pay special attention to the desirability of preserving or enhancing the character or appearance of Conservation Areas, with particular regard for the special architectural or historic interest for which they are designated";

Add paragraph (i) to read "accompanied by a satisfactory Heritage Statement";

Replace the final paragraph with the following:

"Development that would harm the significance of a heritage asset will be permitted only where

this is clearly justified and outweighed by other public benefits of the proposal.

"Harm to the significance of a designated heritage asset will be permitted only in exceptional cases

where the public benefit of the proposal is sufficient to overcome the strong presumption in law

against harm²⁰, and where there is evidence of a suitably rigorous assessment of potential

alternatives²¹

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"In assessing the public benefit of a proposal the loss of economic, environmental and social

benefits created by the historic environment will be taken into account."

"Where harm to a heritage asset cannot be avoided, and no feasible alternative is found, proposals

are expected to provide satisfactory mitigation that compensate for the harm."

Paragraph 11.7

Add "A Heritage Statement (see policy DE9)".

Supporting text

Insert supporting text on the importance and benefits of heritage.

Local Heritage List

A policy is needed relating to the Local Heritage List and its ongoing expansion.

The policy should contain the following:

(a) The Council will maintain a list of non-designated heritage assets, known as the

“Local

Heritage List” which it considers to be of local (or greater) significance, including (but not limited to) buildings and other structures; parks, gardens and designed landscapes;

landmarks, artworks and wayfinders; archaeological sites; places with historic connections; and areas or collections of assets connected by geography or significance;

(b) The objectives of maintaining the Local Heritage List are to raise awareness and foster

appreciation of those assets; sustain or enhance their significance; and protect them and their settings;

(c) Developers will be expected to retain, preserve, protect, safeguard and, where desirable, enhance assets on the Local Heritage List and their settings, and proposals

entailing their harm to them or their settings will be resisted;

(d) The Council will seek to keep the Local Heritage List up to date with input from local

people, groups and national amenity societies. In addition, during the execution of its planning functions, the Council may also identify non-designated heritage assets that are not on the Local Heritage List but which appear to meet the criteria, and these will

be given the same consideration as assets on the list;

(e) All Areas of Special Character defined in the Unitary Development Plan are provisionally included in the Local Heritage List with asset type Area until either designated as Conservation Areas, or reviewed by the assessment panel and either added permanently to the list or removed;

(f) Nothing in this policy adversely affects the protection afforded other non-designated

heritage assets;

(g) Progress on the Local Heritage List should be monitored via an annual report of change

in the number of locally listed heritage assets.

Paragraph 12.2 should be amended to include the annual report.

And a proposed new policy:

Culture

A policy is needed to promote cultural and creative activity, including provisions such as:

(a) Requiring proposals to consider their potential impact on cultural and creative activity and

encourage their promotion;

(b) Encouraging the provision of formal and informal spaces on a variety of scales for events,

including performances and exhibitions;

(c) Encouraging the provision of flexible and affordable workspaces and retail outlets for creative industries;

(d) Supporting proposals for cultural facilities including learning institutions, theatres in underserved areas or near existing assets such as the City Hall, Events Central in Fargate, the proposed Music Hub at Canada House, Abbeydale Picture House, Nether Edge theatres and smaller grassroots venues;

(e) Requiring proposals to take into account the attractiveness of historic buildings to cultural and creative businesses.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s):

Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

In order to be able to expand appropriately on the necessarily brief submission made above.

Representation on the Sheffield Plan Publication (Pre-Submission) Draft

Respondent details

Comment ID number: PDSP.113.011

What is your Name: Ken9724

If you are making this representation as a member of an organisation, what is the name of your organisation:

Hunter Archaeological Society

If you or your organisation are making a representation on behalf of another person, organisation or group, please tell us who it is and its role:

N/A

Document

Which document to you wish to make a representation on:

Part 2: Development Management Policies and Implementation

Which section of the document is your representation on:

Chapter 12: Monitoring

Which paragraph/site/map layer of the document is representation on:

N/A

Representation

Do you consider the Local Plan is legally compliant: Yes

Do you consider the Local Plan is sound: No

Do you consider the Local Plan complies with the duty to co-operate: Yes

Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate:

The Hunter Archaeological Society (HAS) acknowledges that the principal role of Part 2 of the draft Local Plan is to answer such questions as: 'What do I need to do to get planning permission' and 'how will the plan be implemented?' (Part 1, para 1.13). However, as Policy DE9 acknowledges 'Development proposals should conserve and, where appropriate, enhance and secure a sustainable future for those elements that contribute to the significance of the city's heritage assets,' reflecting the statement in Para 9.21 that 'Heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.'

This section, under the heading A Well-Designed City, proposes annual monitoring of the change in numbers of designated assets - Scheduled Monuments, Listed Buildings, Registered Parks and Gardens and Conservation Areas. Scheduled Monuments and Registered Parks and Gardens are wholly outwith the designatory powers of the council, as are Grade I, II* and II listed buildings and can't, therefore, be seen as measures of the council's success in implementing the Local Plan. Only Conservation Areas are designations that the council can implement. There is no mention of additional listings or Conservation Area designation in DE9 and the potential for such processes to contribute to this monitoring process. In these circumstances, HAS remains unconvinced that this is a sustainable way of monitoring the success of the council's management of the historic environment of the city.

In addition, while recognising the difficulties involved, HAS is concerned that this monitoring criterion is wholly a quantitative one (and one over which it has no control in part) without any suggestion as to how any qualitative assessments might be made. HAS believes that the council needs to consider how assessment of conservation and enhancement of the historic environment of the city can be assessed qualitatively, for example, through the Conservation Area Appraisal process or through an assessment of the degree to which Areas of Special Character have been conserved or enhanced over the period of their designation. Another option could be the number of heritage assets removed from the Heritage at Risk register (and a reducing number of assets being added to it) though that register only notes designated assets and again many might be outwith the council's control. The downside of these suggestions, as well as that proposed by the council, is that they are only dealing with designated assets and there is therefore no assessment of the impacts, either positive or negative, on the non-designated heritage assets that contribute so much to the character and sense of place of the component parts of the city.

Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above:

Acknowledge that the proposed measures under the second bullet point in 'A Well-Designed City' are quantitative only, without any qualitative assessment; develop ways of making a qualitative assessment of the impacts of the Local Plan policies on the historic environment of the city, particularly its non-designated heritage assets.

If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s):

Yes, I wish to participate in hearing session(s)

If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

In order to be able to expand appropriately on the necessarily brief submission made above.