

From: [REDACTED]
To: [REDACTED]
Cc: [REDACTED]
Subject: Representations to the Sheffield Plan
Date: 20 February 2023 14:23:59
Attachments: [Sheffield Forgemasters - Sheffield Plan - Part B Policy ES1 20-02-23.pdf](#)
[Sheffield Forgemasters - Sheffield Plan - Part B Policy DE9 20-02-23.pdf](#)
[Sheffield Forgemasters - Sheffield Plan - Part A Form 20-02-23.pdf](#)
[Sheffield Forgemasters - Sheffield Plan - Part B Policy EC1 20-02-23.pdf](#)

Dear sir or madam,

I am instructed by Sheffield Forgemasters Engineering Limited to make representations to the Sheffield Local Plan. Accordingly, please find attached the completed Part A and Part B representation forms in respect of the following policies contained within Part 2 of the Plan:
Policy ES1 Measures Required to Achieve Net Zero Carbon Emissions in New Development
Policy EC1 Development in the Advanced Manufacturing Innovation District (AMID)
Policy DE9 Development and Heritage Assets

If you or a colleague has any questions regarding the representations, please do not hesitate to contact me.

Kind regards,

Keith Jones

Associate - Planning & Development North

JLL

Landmark St Peters Square 1 Oxford Street | Manchester | M1 4PB



My pronouns are: he/him



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Part B - Your representation

Please use a separate sheet for each representation and return along with a single completed Part A.

Name or Organisation: Sheffield Forgemasters Engineering Limited

3. To which part of the Sheffield Plan does your representation relate?

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

Paragraph Number:

Policies Map:

4. Do you consider the Sheffield Plan is:

Tick all that apply, please refer to the guidance note for an explanation of these terms.

4.(1) **Legally Compliant** Yes

No

4.(2) **Sound** Yes

No

4.(3) **Complies with the Duty to Cooperate** Yes

No

5. **Please give details of why you consider the Sheffield Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.** If you wish to support the legal compliance or soundness of the Sheffield Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

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

Sheffield Forgemasters supports the drive to reduce carbon emissions across the City and is working to move towards this aim throughout its operations. While the policy relates only to regulated carbon emissions through systems that are regulated by building regulations, we believe the policy should provide clearer guidance as to how this relates to heavy industry.

The steel industry, which is of historic and current significance in Sheffield is in part, heavily reliant upon the use of natural gas as a fuel. It is not currently possible for such industries to reduce carbon emissions by 75% without structural intervention from central government to decarbonise the national grid and deliver alternative fuel sources which allow the seamless operation of such industries. This intervention is unlikely to be delivered and complete during the life of this Development Plan.

In order to remedy this, we believe that the policy should be amended to recognise that it is probable where heavy industry has no choice but to rely upon carbon emitting energies, such as natural gas that this is recognised in the policy until a point in time where alternative solutions may come forward. Notwithstanding this point, where there are developments within heavy industry that are not reliant on carbon emitting fuels, that it is those buildings seek to meet the targets to reduce carbon emissions unless there is some clear and justifiable reason relating to that development which outweighs the delivery of reduced emissions.

As worded, it would not be possible for the steel industry to comply with this policy and would thus prevent the Sheffield steel industry from investing. It is therefore inconsistent with the economic strategy within the Plan, including Policy SP1: Overall Growth Plan and Policy SP4: East Sheffield Sub-Area. Therefore, the policy is not effective and is thus not Sound.

Continue on a separate sheet if necessary

6. Please set out the modification(s) you consider necessary to make the Sheffield Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified in Question 5 above.

(Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Sheffield Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

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

The policy should be reworded to address the carbon emissions from general industrial processes separately from emissions arising from other non-energy intensive uses. The amendment should make it clear that the requirement to reduce carbon emissions for such uses only applies to the non-industrial processes taking place. We consider that to make the policy Sound, the following paragraph should be added to the end of the Policy.

“Industrial developments, which are heavily reliant upon natural gas should explore alternative, non-carbon emitting fuels. Where this is not feasible, justification should be presented. Developments should demonstrate that carbon emissions arising from non-industrial processes have been reduced by 75%, in line with the requirements set out above.”

Continue on a separate sheet if necessary

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues they identify for examination.

7. 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)

Yes

No, I do not wish to participate in hearing session(s)

No

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

The issues raised are considered to be too complex to deal with simply in writing. It is considered fundamental to the proper examination of the Sheffield Plan that this policy and the evidence base which supports it is fully explored, understood, and addressed by parties who have knowledge of the particular issues raised.

Please note that the inspector will make the final decision as to who is necessary to participate in hearing sessions, and to which hearing session(s) they should attend, and they will determine the most appropriate procedure to adopt to hear those who wish to participate at the examination hearings.

Part B - Your representation

Please use a separate sheet for each representation and return along with a single completed Part A.

Name or Organisation: Sheffield Forgemasters Engineering Limited

3. To which part of the Sheffield Plan does your representation relate?

Policy Number: DE9 Development and Heritage Assets

Paragraph Number:

Policies Map:

4. Do you consider the Sheffield Plan is:

Tick all that apply, please refer to the guidance note for an explanation of these terms.

- | | | |
|---|-----|-------------------------------------|
| 4.(1) Legally Compliant | Yes | <input checked="" type="checkbox"/> |
| | No | <input type="checkbox"/> |
| 4.(2) Sound | Yes | <input type="checkbox"/> |
| | No | <input checked="" type="checkbox"/> |
| 4.(3) Complies with the Duty to Cooperate | Yes | <input checked="" type="checkbox"/> |
| | No | <input type="checkbox"/> |

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DE9 Development and Heritage Assets

Policy DE9 is not consistent with National Policy in relation to development that would result in the "substantial harm or total loss to the significance of a designated heritage asset." Therefore, Policy DE9 is not sound, as currently worded.

The final policy states that in such circumstances, development would only be permitted in "exceptional circumstances".

This approach is not consistent with national policy, which at paragraph 201 requires that such development demonstrate that the substantial harm or total loss is "necessary to achieve substantial public benefits that outweigh that harm or loss" or that all of the following criterion identified are met:

- a) the nature of the heritage asset prevents all reasonable uses of the site; and
- b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and
- d) the harm or loss is outweighed by the benefit of bringing the site back into use

The policy can easily be made sound by ensuring the policy tests relating to development and heritage assets are consistent with the NPPF.

Continue on a separate sheet if necessary

6. Please set out the modification(s) you consider necessary to make the Sheffield Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified in Question 5 above.

(Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Sheffield Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

DE9 Development and Heritage Assets

The policy should be amended to ensure that it is consistent with National Policy set out within the NPPF. We consider that the final paragraph of the policy should be replaced by the following:

“Development that would result in substantial harm or total loss to the significance of a designated heritage asset will be permitted where the development is necessary to achieve substantial public benefits that outweigh that harm or loss, or the criteria set out in paragraph 201 of the NPPF (or any national policy document which replaces it) are met.”

Continue on a separate sheet if necessary

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

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7. 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)

Yes

No, I do not wish to participate in hearing session(s)

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Sheffield Plan Consultation Representation Form January – February 2023

Please use this form to provide representations on the Sheffield Local Plan. Sheffield City Council must receive representations by **5pm on 20th February 2023**. Only those representations received by that time have the statutory right to be considered by the inspector at the subsequent examination.

Responses can be submitted via

- the electronic version of the comment form which can be found on the Council's web site at: <https://haveyoursaysheffield.uk.engagementhq.com/draft-local-plan>
- an e-mail attachment: sheffieldplan@sheffield.gov.uk
- post to: **Strategic Planning Team, Planning Service, 4th Floor, Howden House, Sheffield S1 2SH**

Please note:

- Representations must only be made on the basis of the legal compliance, compliance with the Duty to Co-operate and/or soundness of the Plan.

Please read the guidance note, attached or available on the Council's webpage##, before you make your representations. The Local Plan and the proposed submission documents, and the evidence base are also available to view and download from the Council's Local Plan webpage:

Data Protection Notice:

Under the General Data Protection Regulation 2016 (GDPR) and Data Protection Act 2018 (DPA) Sheffield City Council is a Data Controller for the information it holds about you. The lawful basis under which the Council uses personal data for this purpose is consent.

All representations are required to be made public and will be published on the Council's website following this consultation. Your representations and name/name of your organisation will be published, but other personal information will remain confidential. Your data and comments will be shared with other relevant agencies involved in the preparation of the local plan, including the Planning Inspectorate. Anonymous responses will not be considered. Your personal data will be held and processed in accordance with the Council's Privacy Notice which can be viewed at: <https://www.sheffield.gov.uk/utilities/footer-links/privacy-notice>

Due to the Data Protection Act 2018, Sheffield City Council now needs your consent to hold your personal data for use as part of the Sheffield Plan process. If you would like the Council to keep you informed about the Sheffield Plan, we need to hold your data on file. Please tick the box below to confirm if you would like to 'opt in' to receive information about the Sheffield Plan. Note that choosing to 'opt in' will mean that the Council will hold your information for 2 years from the 'opt in' date. At this time we will contact you to review if you wish to 'opt in' again. You can opt-out at any time by emailing sheffieldplan@sheffield.gov.uk or by calling 0114 2735897.

Please tick/ delete as appropriate:

Please confirm you have read and understood the terms and conditions relating to GDPR.

Yes

No

Please tick as appropriate to confirm your consent for Sheffield City Council to publish and share your name/ organisation and comments regarding the Sheffield Plan.

I confirm my consent for Sheffield City Council to share my name/ organisation and comments regarding the Sheffield Plan including with the Planning Inspectorate.

Yes

No

Please tick as appropriate below if you wish to 'opt in' and receive updates and information about the Sheffield Plan.

I would like to opt in to receive information about the Sheffield Plan.

Yes

No

Printed Name: Keith Jones

Signature:



Date: 17 February 2023

This form has two parts:

Part A - Personal details – need only to complete once.


Part B - Your representation(s) - Please fill in a separate sheet for each representation you wish to make.

Part A- Personal Details

1. Personal Details

Name: Steve Marshall
Organisation (if applicable): Sheffield Forgemasters Engineering Limited
Address: Brightside Lane
Postcode: S9 2RW
Tel:
Fax:
Email:

2. Agent Details (if applicable)

Agent: Keith Jones
Organisation (if applicable): Jones Lang Lasalle
Address: Landmark, 1 Oxford Street, Manchester
Postcode: M1 4PB
Tel:
Fax:
Email: 

Part B - Your representation

Please use a separate sheet for each representation and return along with a single completed Part A.

Name or Organisation: Sheffield Forgemasters Engineering Limited

3. To which part of the Sheffield Plan does your representation relate?

Policy Number: EC1 Development in the Advanced Manufacturing Innovation District (AMID)

Paragraph Number:

Policies Map:

4. Do you consider the Sheffield Plan is:

Tick all that apply, please refer to the guidance note for an explanation of these terms.

- | | | |
|---|-----|-------------------------------------|
| 4.(1) Legally Compliant | Yes | <input checked="" type="checkbox"/> |
| | No | <input type="checkbox"/> |
| 4.(2) Sound | Yes | <input type="checkbox"/> |
| | No | <input checked="" type="checkbox"/> |
| 4.(3) Complies with the Duty to Cooperate | Yes | <input checked="" type="checkbox"/> |
| | No | <input type="checkbox"/> |

5. Please give details of why you consider the Sheffield Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Sheffield Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

EC1 Development in the Advanced Manufacturing Innovation District (AMID)

Sheffield Forgemasters fully support the concept and promotion of the Advanced Manufacturing and Innovation District and recognise the benefits this will bring to the Sheffield economy.

For the policy to be effective, the objectives of the policy should be made clear so that it is understood what the AMID seeks to achieve.

The policy states that development proposals will be “supported and encouraged where they reflect the innovation-focussed economic development objectives relating to the delivery of advanced manufacturing, innovation in advanced health and wellbeing or energy research focussed on net-zero carbon processes.”

However, neither the policy text or the supporting information detail what are the “innovation-focussed economic development objectives” for the purposes of the policy. Accordingly, it is not clear how a development proposal could demonstrate compliance with the Policy.

Policy EC1 is not effective as the objectives of the policy are not fully explained. Accordingly, the Policy is not Sound but can be remedied easily.

Continue on a separate sheet if necessary

6. Please set out the modification(s) you consider necessary to make the Sheffield Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified in Question 5 above.

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EC1 Development in the Advanced Manufacturing Innovation District (AMID)

The Council to set out and justify the “innovation-focussed economic development objectives” that it expects new development to reflect.

Continue on a separate sheet if necessary

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

Yes

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No

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