

THE SHEFFIELD PLAN

Our City, Our Future

**Duty to Cooperate Position Statement
October 2023**



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1. Introduction

- 1.1 The purpose of this position statement is to set out the progress made regarding the duty to cooperate in relation to production of the Sheffield Local Plan and to set out a statement of compliance with the duty. This statement is being published to support submission of the Sheffield Plan, which has been produced under Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012.
- 1.2 The statement explains how engagement has continued to take place with relevant local planning authorities and other prescribed statutory bodies as part of the Local Plan process since production of the previous Position Statement in December 2022, which was published alongside Regulation 19 consultation on the Draft Sheffield Plan. It summarises the scope of the matters that are considered 'strategic' for the purposes of the duty to cooperate and provides an update on progress towards Statements of Common Ground that will sit alongside the Sheffield Plan as part of the Examination.

Duty to Cooperate

- 1.3 The December 2022 Duty to Cooperate Position Statement (paragraphs 1.3 to 1.8) sets out in more detail the background and legislation to the Duty. It also identified the key strategic issues and matters for discussion with neighbouring authorities and prescribed bodies.
- 1.4 Section 2 of the Position Statement sets out the progress of discussions with the Duty to Cooperate stakeholders between December 2022 and September 2023, documenting where effective cooperation is happening and progress towards finalising Statements of Common Ground where appropriate. It also notes where bodies responded to the Regulation 19 consultation on the Draft Sheffield Plan.
- 1.5 A full list of relevant authorities and bodies for the purpose of the Duty to Cooperate is included in Appendix 1.

Progress on the Duty to Cooperate

- 1.6 Following guidance from the Planning Advisory Service (PAS) in early 2022, a substantial amount of progress has been made against the key recommendations:
 - Ensuring a clearly presented audit trail of the work that has been undertaken. This was presented in a schedule within the previous Duty to Cooperate Position Statement and a further update is presented in Appendix 2 of this document.



- Identification of particular themes where agreement should be sought.
 - Further exploration of the scope for meeting Sheffield's unmet housing needs through dialogue with relevant Local Planning Authorities.
 - More detailed explanation of the issues surrounding employment land needs.
- 1.7 The previous Position Statement indicated the progress made on all of these aspects, in particular highlighting continued engagement with other Local Authorities. A number of representations were made on the Draft Plan at Regulation 19 stage by other Local Authorities in the sub-region, in addition to further correspondence specifically about meeting housing need and targeted discussions in relation to housing, employment and logistics. Appendix 2 provides a record of this engagement through correspondence and discussions.
- 1.8 A refreshed sub-regional Statement of Common Ground is now progressing towards sign-off by all Authorities and will be presented to South Yorkshire's Mayoral Combined Authority board on 14th November for formal endorsement. This sets the context for Sheffield's duty to cooperate discussions with other local planning authorities in the sub region and plays an important role in supporting each authority in being able to demonstrate wider collaboration.



2. Strategic issues

- 2.1 The main strategic issues for the Sheffield Plan were initially identified in the 2020 Duty to Cooperate Statement, as well as additional issues specific to prescribed bodies including flooding and heritage.
- 2.2 This section provides a brief update on progress that has been made since December 2022 for each of the key strategic matters. Of particular note is the progress made towards developing Statements of Common Ground with relevant organisations.

Housing

- 2.3 Alongside the Regulation 19 consultation, a formal letter was sent to all 8 Local Planning Authorities in the former Sheffield City Region, in January 2023, seeking to confirm the position in relation to housing need and land supply. A copy of the letter is provided in Appendix 3.
- 2.4 The letter specifically asked whether the firm position on Sheffield's housing requirement set out in the Publication Draft Plan altered any Local Authority's position on meeting any of the city's housing need. All Authorities who responded confirmed that they would still not be in a position to meet any of Sheffield's housing needs.
- 2.5 Rotherham was the only Local Authority to make comments on housing policy within the Publication Draft Plan, noting the complexity of delivering large numbers of homes in the Central Area and the substantial resources required to achieve the target.
- 2.6 The sub-regional Statement of Common Ground has progressed since the previous Position Statement and is currently in the process of being signed off by all Authorities. It sets the context around the overall number of homes being planned for across the area in comparison to the Government's standard method, and reports on how many are being delivered. Sheffield's Draft Statement of Common Ground with other Local Authorities makes direct reference to the agreed evidence base position set out in the sub-regional document.
- 2.7 The Council continues to be committed to partnership working with Homes England. Homes England are a key partner in moving forward delivery of Catalyst Sites, other sites in Priority Locations and other sites in Sheffield's housing pipeline as a fundamental element of the spatial strategy. Since publication of the previous Position Statement progress has been made on masterplanning exercises for a number of locations in the Central Area. A formal Statement of Common Ground with Homes England will confirm this position and demonstrate the breadth of the relationship between the two organisations as part of the Sheffield Housing Growth Board.



Employment

- 2.8 On-going discussions with other sub-regional Local Authorities continue to confirm that there is agreement that no other Authority will contribute to meeting Sheffield's employment land need. This is reflected in the Statement of Common Ground.
- 2.9 The letter sent to Authorities in January 2023 asked Authorities to confirm whether they were in a position to meet the 'wider than local' need for logistics developments. A key element of this approach that informed responses is the implication of a large logistics site at Apleyhead in Bassetlaw. Rotherham MBC has expressed concern about inclusion of this site in Bassetlaw's Local Plan due to the potential impact of the Apleyhead site on the strategic road network (A57). This means they also have a degree of concern about Sheffield's approach to this matter which highlights the supply of large-scale logistics sites across the wider city region, meaning that wider than local needs for such uses can be met. The Inspector for Bassetlaw's Local Plan has recently recommended inclusion of that site allocation.
- 2.10 Having continued to discuss this approach with neighbouring LPAs during regular duty to cooperate meetings the Statement of Common Ground now draws out an agreed position. It confirms that there is no additional requirement being made for authorities to contribute to Sheffield's logistics provision at this stage.

Transport

- 2.11 Since publication of the previous Position Statement, close working with National Highways has continued, with detailed discussions relating to a number of aspects of the Transport Assessment. Regular update meetings have brought together National Highways with the consultants carrying out the Assessment, as well as the City Council. In addition, National Highways have agreed a number of detailed technical aspects of the modelling.
- 2.12 The Interim Transport Assessment is now complete and will be submitted to Government alongside the Sheffield Plan. The Interim Assessment includes 3 reports covering impacts and potential mitigation measures in relation to the Strategic Road Network, Local Road Network and Public Transport & Active Travel. A separate Summary Report has also been produced. A position has been agreed with National Highways which welcomes the continued positive engagement between National Highways and the Council regarding the Strategic Road Network. The Statement of Common Ground will focus on agreement to date on the methodology for strategic modelling and action taken to reach an agreement on junction modelling following concerns from National Highways about the previously proposed approach. The final Transport Assessment will be completed by the end of 2023.



- 2.13 The final element of Transport Assessment analysis is ongoing and the Statement of Common Ground with LPAs includes agreement that Authorities will continue to work together on strategic matters and cross-boundary issues, including the finalisation of any necessary mitigation measures.
- 2.14 The Office of Rail and Road was contacted at Regulation 19 but no response on the Draft Plan was received.

Digital Infrastructure

- 2.15 Digital infrastructure continues to be an issue primarily relating to policy alignment with nearby authorities. This is a matter of agreement as all authorities work towards policies that support strong digital infrastructure across the area. The sub-regional Statement of Common Ground highlights the position being taken across the sub-region on planning for digital infrastructure and the importance of creating a supporting planning framework for digital connectivity.

Valued Landscapes

- 2.16 There has been no change in position since production of the previous Position Statement, with the existing agreed sub-regional Common Approach to Green Belt Review in place. There is also an agreed Statement of Common Ground with North East Derbyshire in relation to land in the Green Belt.
- 2.17 The Peak District National Park Authority did not raise any concerns about the impact of the Plan on the national park during the regulation 19 consultation.

Biodiversity / Green Infrastructure

- 2.18 Following consultation on the Draft Plan in early 2023 the Council has continued to engage with Natural England, particularly in relation to the Habitats Regulations Assessment Appropriate Assessment (HRAAA). Further work has been carried out to ensure that the Plan is compliant, and all potential impacts assessed; an Addendum to the HRAAA has been produced in response to concerns expressed by Natural England at the Regulation 19 stage. This means the Council is in a position to agree outputs with Natural England and a Statement of Common Ground will set this out more fully.
- 2.19 Work continues at the South Yorkshire level, led by SYMCA supported by the Local Nature partnership to develop Local Nature Recovery Strategies

Flooding

- 2.20 The Council continues to collaborate with the Environment Agency (EA) around Level 2 of the Strategic Flood Risk Assessment (SFRA), following agreement to this approach prior to consultation on the Draft Plan.



- 2.21 The forthcoming Level 2 SFRA will consist of a number of documents, including a main report summarising the process and methodology and detailed site assessment reports as well as technical reports on functional flood plain and flood modelling.

Heritage

- 2.22 Historic England provided comprehensive feedback on the Draft Sheffield Plan, taking account of previous input on the Heritage Impact Assessment.
- 2.23 A Statement of Common Ground will set out how the Council has responded to Historic England's consultation comments, and how this has moved the two organisations to a position of agreement on the approach to the historic environment in the Plan.

Other

- 2.24 No strategic, or cross-boundary health matters have been identified, and the prescribed bodies did not respond to the regulation 19 consultation. However, the NHS has been engaged with the process of developing the Infrastructure Delivery Plan.



Appendix 1 - List of Duty to Cooperate Stakeholders

Local Authorities

- Barnsley Metropolitan Borough Council *
- Bassetlaw District Council
- Bolsover District Council
- Chesterfield Borough Council
- City of Doncaster Council *
- Derbyshire Dales District Council
- North East Derbyshire District Council
- Rotherham Metropolitan Borough Council *

[* South Yorkshire Local Authorities that, together with Sheffield City Council, are constituent members of the South Yorkshire Mayoral Combined Authority – see below]

- Peak District National Park Authority
- Derbyshire County Council
- South Yorkshire Mayoral Combined Authority (SYMCA). Note that the South Yorkshire Passenger Transport Executive is also accountable to SYMCA.

Prescribed bodies

- Civil Aviation Authority
- Environment Agency
- Highways Authority
- Historic England
- Homes England
- Natural England
- National Highways
- NHS Clinical Commissioning Groups
- NHS Commissioning Board
- Office of Rail and Road (formerly known as the Office of Rail Regulation)
- South Yorkshire Local Nature Partnership
- South Yorkshire Integrated Transport Authority (now part of the MCA – see above)

The Sheffield Plan contains policies on minerals but our intention is to develop a separate joint waste management plan with the other South Yorkshire Districts. We are engaged with the following bodies on minerals matters:

- Yorkshire and Humber Aggregates Working Party (YHAWP)
- East Midlands Aggregates Working Party (EMAWP)



Appendix 1 - List of Duty to Cooperate Stakeholders

The duty also applies to the prescribed bodies below. However, given the strategic issues which have been identified, we consider it is unnecessary to actively seek cooperation with these bodies, either because the Sheffield City Council area is not covered by such a body, or their area of activity is not relevant to the district:

- Marine Management Organisation
- Mayor of London
- Transport for London

Other bodies

Local Enterprise Partnerships (LEPs) and Local Nature Partnerships (LNPs) are not subject to the requirements of the duty to cooperate but local planning authorities must cooperate with them and have regard to their activities when preparing their local plans, provided those activities are relevant to plan making. For the purposes of preparing the Sheffield Plan, the following bodies will also be treated as duty to cooperate bodies:

- Local Enterprise Partnership (SY LEP) – this is within the umbrella of the SY Mayoral Combined Authority so not approached as a separate body.
- South Yorkshire Local Nature Partnership



Appendix 2 – Engagement with Local Authorities and Prescribed Bodies

This schedule provides an update to the schedule in the Duty to Cooperate Position Statement December 2022

Organisation	Date	Type of engagement	Key topics / themes	Commentary	Next Steps
Barnsley Metropolitan Borough Council	June 2023	Meeting	Employment land, housing, transport, digital infrastructure, landscapes and biodiversity, minerals and waste.	Discussed and agreed the scope of issues to be covered by SoCG. Noted that Barnsley raised no concerns with the Draft Sheffield Plan. Note potential future boundary change at Oughtibridge Mill.	Share content of draft Statement of Common Ground.
Barnsley Metropolitan Borough Council	Sept 2023	Letter	Housing need, Local Plan progress	Confirmation that the position regarding meeting Sheffield's housing need remains unchanged from January 2022. Confirmation that no update will be made to Barnsley's Local	Noted. No action required.



Appendix 2 – Engagement with Local Authorities and Prescribed Bodies

Organisation	Date	Type of engagement	Key topics / themes	Commentary	Next Steps
				Plan in advance of the next review in 2027.	
Bassetlaw District Council	Feb 2023	Response to consultation on Publication Draft Plan	Large scale logistics, transport.	Concern about the approach to the need for large-scale logistics set out in the Plan.	Continue to discuss the wider than local need for logistics with relevant authorities. Draft content for Statement of Common Ground.
Bassetlaw District Council	Sept 2023	SCC response to Bassetlaw's Local Plan Main Modifications	Large scale logistics.	Support Bassetlaw's proposed Main Modifications.	No further action required.
Bolsover District Council	Feb 2023	Meeting	Housing need and land supply, large scale logistics.	Confirmation of respective positions on housing growth and including growth plan for areas within Bolsover District.	Share content of draft Statement of Common Ground.
Chesterfield Borough Council	Feb 2023	Response to Duty to Cooperate letter	Housing need and land supply, large scale logistics	Confirmation of Chesterfield's position in relation to meeting Sheffield's housing needs and wider than local needs for logistics.	Share content of draft Statement of Common Ground.



Appendix 2 – Engagement with Local Authorities and Prescribed Bodies

Organisation	Date	Type of engagement	Key topics / themes	Commentary	Next Steps
City of Doncaster Council	Feb 2023	Response to Duty to Cooperate letter	Housing need and land supply, large scale logistics	Confirmation of Doncaster's position in relation to meeting Sheffield's housing needs and wider than local needs for logistics.	Noted. Share content of draft Statement of Common Ground
City of Doncaster Council	June 2023	Meeting	Housing, employment, transport, Plan implementation.	Discussed and agreed the scope of issues to be covered by Statement of Common Ground.	Share content of draft Statement of Common Ground.
North East Derbyshire District Council	Feb 2023	Response to consultation on Publication Draft Plan	Land within the Green Belt adjacent to North East Derbyshire.	Highlighted the importance of ensuring the Plan takes into account the impact of development on adjacent Conservation Area within NEDDC.	Proposed amendments to site allocation to ensure consideration of the adjacent Conservation Area. Clarification in relation to proposed Green Belt boundary change.
North East Derbyshire District Council	Feb 2023	Response to Duty to Cooperate letter	Housing need and land supply,	Confirmation of North East Derbyshire's position in relation to meeting Sheffield's housing	Noted. Share content of draft Statement of Common Ground



Appendix 2 – Engagement with Local Authorities and Prescribed Bodies

Organisation	Date	Type of engagement	Key topics / themes	Commentary	Next Steps
			large scale logistics	needs and wider than local needs for logistics.	
North East Derbyshire District Council	June 2023	Meeting	Norton Aerodrome, housing, transport.	Discussed and agreed the scope of issues to be covered by Statement of Common Ground.	Share content of draft Statement of Common Ground.
Rotherham Metropolitan District Council	Feb 2023	Response to consultation on Publication Draft Plan	Housing delivery in the Central Area, Apleyhead Logistics site in Bassetlaw.	Highlight the complexities of delivering new homes in the Central Area. Notes that Rotherham MBC does not support allocation of the Apleyhead Logistics site within the Bassetlaw Local Plan due to transport and emissions concerns.	Follow up with meeting to discuss the points raised.
Rotherham Metropolitan District Council	Feb 2023	Response to Duty to Cooperate letter	Housing need and land supply, large scale logistics	Confirmation of Rotherham's position in relation to meeting Sheffield's housing needs and	Noted. Share content of draft Statement of Common Ground



Appendix 2 – Engagement with Local Authorities and Prescribed Bodies

Organisation	Date	Type of engagement	Key topics / themes	Commentary	Next Steps
				wider than local needs for logistics.	
Rotherham Metropolitan District Council	June 2023	Meeting	Local Plan updates, transport, housing, employment land	Discussed and agreed the scope of issues to be covered by Statement of Common Ground. Noted Rotherham's comments on the Draft Sheffield Plan.	Share content of draft Statement of Common Ground.

Organisation	Date	Type of engagement	Key topics / themes	Commentary	Next Steps
Derbyshire County Council	Feb 2023	Response to consultation on Publication Draft Plan	Housing requirement, reopening Barrow Hill Railway Line, collaboration on	Endorsement for the approach to supporting reopening of the rail line. Request for continued	Continue to engage DDC with Transport Assessment.



Appendix 2 – Engagement with Local Authorities and Prescribed Bodies

Organisation	Date	Type of engagement	Key topics / themes	Commentary	Next Steps
			impacts on the A61.	collaboration on transport issues.	
Peak District National Park Authority	Feb 2023	Response to Duty to Cooperate letter	Housing, employment.	Confirmation of PDNPA's position in relation to meeting Sheffield's housing needs and wider than local needs for logistics.	No further action required.

Organisation	Date	Type of engagement	Key topics / themes	Commentary	Next Steps
Environment Agency	Ongoing	Regular meetings	Level 2 SFRA	Collaboration on methodology and outputs from Level 2 SFRA being carried out by consultants JBA.	Continue to work in partnership towards agreement on methodology and Site Surveys. Prepare Statement of Common Ground.



Appendix 2 – Engagement with Local Authorities and Prescribed Bodies

Organisation	Date	Type of engagement	Key topics / themes	Commentary	Next Steps
Historic England	April 2023	Meeting	Heritage Impact Assessment, comments on Reg. 19 Draft Plan	Ensure mitigation measures from Heritage Impact Assessment are reflected in site allocations and make clear link to masterplanning.	Prepare draft Statement of Common Ground indicating Council's response to comments made by Historic England on the Draft Plan.
Homes England	Ongoing	Regular meetings	Housing delivery	HE are a partner on Sheffield's Housing Growth Board and involved in a number of masterplans within the Central Area.	Prepare draft Statement of Common Ground recognising the partnership arrangement between SCC and HE, and activities to deliver new homes.
National Highways	Ongoing	Regular meetings and workshops	Transport Assessment – technical aspects of modelling	Regular meetings to agree a range of technical aspects of modelling.	Continue to collaborate as necessary towards finalisation of Transport Assessment. Prepare draft Statement of Common Ground recognising agreements made in relation to modelling approach.



Appendix 2 – Engagement with Local Authorities and Prescribed Bodies

Organisation	Date	Type of engagement	Key topics / themes	Commentary	Next Steps
Natural England	Feb 2023	Response to consultation on Publication Draft Plan	Updates to Habitats Regulations Assessment Appropriate Assessment.	Consultation comments recommended further work on HRAAA which SCC has addressed through an Addendum.	Preparation of Statement of Common Ground.



Appendix 3 – Letter sent to Local Authorities January 2023

Planning Services, City Futures

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Officer: Simon Vincent
Date: 26 January 2023

Tel: 0114 273 5259

Heads of Planning
Sheffield City Region

Dear Colleagues

Duty to Cooperate – Sheffield Local Plan

I am writing to you as part of the Duty to Cooperate to ask you to confirm your local authority's position in relation to two strategic matters:

- (a) housing need and land supply
- (b) the provision of land suitable for large-scale warehousing and distribution (logistics)

Housing Need and Land Supply

The Publication (Pre-Submission) Draft Sheffield Plan (Regulation 19 version) was approved by full Council on 14th December 2022, so we thought it would be helpful if we provided an update on Sheffield's position regarding housing need and land supply. We also wanted to ask whether a firming up of the position on Sheffield's housing requirement alters your local authority's view in terms of meeting some of the city's housing need?

The publication Draft Sheffield Plan proposes setting a housing requirement of 2,040 net additional homes per year (2,090 homes per year gross). This means the city intends to deliver 34,680 net additional homes (35,530 homes gross) over the period 2022-2039. The requirement takes account of demographic analysis we commissioned in 2021 which shows that Sheffield needs to deliver between 1,994 and 2,323 homes per year in order to support the jobs growth target in the SCR Strategic Economic Plan. The proposed housing requirement falls within this range and reflects the capacity of the existing urban areas to accommodate more housing.

The proposed housing requirement can be met without the need to remove greenfield land from the Green Belt. Only one sustainably located previously developed site is proposed to be deleted from the Green Belt – this is the former Norton Aerodrome (270 new homes). The Council's view is that exceptional circumstances do not exist to justify more extensive Green Belt release and that no harm would be caused to the city's economic growth aspirations by setting the housing requirement at the level proposed.



We recognise, however, that the proposed housing requirement figure is significantly below the housing need figure calculated using the Government's standard methodology. The Government's figure is currently 3,018 homes per year, including the 35% uplift applied to Sheffield and the 19 other largest urban centres in England. You will no doubt recall that we wrote to you in December 2021 to ask whether your local authority would be able to meet any of Sheffield's housing need; all the local authorities within the City Region responded at that time to say that they were unable to do so. I would be grateful if you could confirm whether that is still the case, given publication of Sheffield's Regulation 19 Draft Plan.

Land Supply for Large Scale Warehousing and Distribution

We would also like to ask you to confirm whether your authority is in a position to meet 'wider than local need' for logistics developments? The City Council recently commissioned a [Logistics Study](#) to look at the need for large-scale warehousing and distribution (over 100,000 sqft/9,000 sqm). The Study concluded that Sheffield's need is 78.2 hectares (or 62.6 hectares, allowing for 20% recycling of sites). It also concluded that the need across the full Sheffield property market area (South Yorkshire) is in the range 445-531 hectares. Across the wider property market area (covering South Yorkshire plus Bassetlaw, Bolsover, Chesterfield and North East Derbyshire) the need is 633-719 hectares.

The Publication Draft Sheffield Plan includes 22.3 hectares of land that is deemed suitable for these types of logistics use. Although the Logistic Study has identified a number of other suitable sites within the city for large scale warehousing (with potential to provide over 84 hectares of land), many of the sites are in the Advanced Manufacturing Innovation District. Within the AMID the priority is to provide higher skilled jobs in advanced manufacturing and health research clusters. Consequently, the use of this land for large scale warehousing will be resisted under the economic strategy in the Sheffield Plan.

Clearly, the Publication Draft Plan is only proposing to meet a proportion of the need for logistics uses but our view is that there is sufficient land within the wider property market area to meet needs to 2039. Given that large scale logistics are recognised as having a 'wider than local' catchment and that there is sufficient land within the wider property market area, the Council does not consider that exceptional circumstances have been demonstrated to justify the release of Green Belt land for logistics uses.

I have attached Table 5.4 from the Logistics Study which summarises supply in both South Yorkshire and the wider property market area.

Next steps

Public consultation on the Publication Draft Sheffield Plan (under Regulation 19) commenced on 9th January and runs until 20th February 2023. You should have already received an email alerting you to the start of the consultation.

Our aim is to reflect your responses on the above issues in a Sheffield Plan Statement of Common Ground. We are currently working on a draft of this which we hope to share with SCR local authorities and other DtC bodies in the spring, with a view to reaching agreement on the strategic issues before we submit the Plan. We expect the Sheffield Plan to be submitted to the Government around July 2023.



Appendix 3 – Letter sent to Local Authorities January 2023

If you would like to discuss any of the issues set out above, please contact myself or Simon Vincent, Strategic Planning Service Manager. We would be grateful if you could respond to the questions set out above as soon as possible and by 20th February at the latest.

Yours sincerely

Michael Johnson

Michael Johnson
Head of Planning

