

10. SHEFFIELD CITY COUNCIL STATEMENT OF COMMON GROUND (BJT)

1. Purpose

For members to note the ongoing actions taken by the Authority to sign up to a Statement of Common Ground in relation to the Habitat Regulations Assessment Appropriate Assessment (HRAAA) supporting the Sheffield Local Plan.

2. Context

2.1 Sheffield City Council published a HRAAA in January 2023. This was consulted on alongside the Publication (Regulation 19) Draft Sheffield Plan. The Peak District National Park Authority (PDNPA) did not make any representations on the Draft Plan or the HRAAA at that stage, but had commented on early draft policies. An Addendum to the HRAAA was published in September 2023 to address concerns raised by Natural England. The HRAAA and Addendum were submitted to the Secretary of State alongside the Publication Draft Sheffield Local Plan (Regulation 22 stage) in September 2023.

2.2 A further Addendum to the HRAAA was submitted in April 2024 to address a number of concerns raised by Natural England.

2.3 As part of the Duty to Cooperate, work on a Sheffield Plan Local Authorities Statement of Common Ground (SoCG) continued during 2023 and early 2024. The other local authorities in Sheffield City Region were asked to comment on various drafts of the SoCG and, as part of that process, the PDNPA raised concerns about the conclusions in the HRAAA. These concerns were conveyed to the City Council in an email dated 3rd April 2024.

2.4 The PDNPA's primary concern was that the HRAAA underestimated the potential impacts of the Sheffield Plan, specifically the impact that the rise in population linked to housing growth would have on visitor pressure in the National Park. The PDNPA's view is that the increase in recreational pressure will have an adverse impact on the integrity of the South Pennine Moor Special Area for Conservation (SAC) and Special Protection Area (SPA).

2.5 The final version of the SoCG was published on the Examination website on 2nd May 2024. It was, however, not possible to reach agreement with Sheffield City Council in advance of the SoCG being submitted. Paragraphs 4.8 and 4.9 of the SoCG state that:

2.5.1 4.8 The Peak District National Park Authority does not agree that the HRAAA provides a satisfactory evidence base to identify likely significant effects, as the HRA methodology is flawed and the impacts have been underestimated.

2.5.2 4.9 The Peak District National Park Authority does not agree that the mitigation measures set out to offset recreational pressure are sufficient. This is on the grounds that there is no evidence that creation of accessible natural green spaces as set out will mitigate the negative effects in respect of additional recreational pressure and wildfire risk on the protected sites in a national park context.

2.6 In responding to these concerns Sheffield City Council has now agreed to make amendments to the HRAAA and has engaged positively in other measures to mitigate the impact of the Sheffield Plan. The following paragraphs set out the agreements that have been drafted between Sheffield City Council and the Peak District National Park Authority and that will form the basis of a new SoCG in order to secure the progress of the Sheffield Local Plan through its examination process.

Recreational Pressure on the South Pennine Moors SAC/SPA

2.7 In updating the HRAAA, Sheffield City Council acknowledges that, when considering the Sheffield Plan, individually or in combination with other local plans, it cannot be concluded beyond reasonable doubt that the achievement of the conservation objectives for the South Pennine Moors SAC/SPA would not potentially be undermined due to recreational pressure. Mitigation is therefore considered necessary to avoid an adverse effect on the integrity of the European site.

Securing appropriate mitigation measures

2.8 Sheffield City Council and the PDNPA agree that the September 2024 update to the HRAAA identifies an appropriate range of mitigation measures that are necessary to reduce and manage recreational pressure on the South Pennine Moors SAC/SPA. The pressures are linked to population growth within Sheffield arising from proposed development in the Sheffield Plan.

2.9 Both parties agree that a Mitigation Delivery Plan will be produced to identify and cost the mitigation measures. A modification is proposed to the supporting text of Policy GS5 of the Sheffield Plan to make this clear. These measures will be subject to refinement through further discussions between the signatories of the SoCG, Natural England and other implementing partners. Sheffield City Council will lead on the preparation of a Mitigation Delivery Plan which will be completed no later than 12 months after the date of adoption of the Sheffield Plan.

2.10 Both parties agree that modifications to policies NC15 and T1 of the Sheffield Plan are also necessary to help secure appropriate mitigation measures:

2.11 Modifications to Policy NC15 'Creating Open Space in Residential Developments' should assist in securing the provision of alternative natural greenspace which can help to deflect visitor pressure away from the European sites.

2.12 Policy T1 'Enabling Sustainable Travel' should identify the need to encourage sustainable travel choices between urban Sheffield and the Peak District

2.13 The Mitigation Delivery Plan will include an agreed funding plan to ensure adequate delivery of appropriate mitigation measures, whilst ensuring that the scale of developer contributions are at a level that will not undermine the conclusions of the Whole Plan Viability Assessment (VI01-VI03). It has also been agreed that Sheffield City Council will secure proportionate developer contributions towards mitigation measures from development comprising 10 or more new dwellings. Both parties agree that the scale of developer contributions per dwelling will be at a level that will not undermine the conclusions in the Whole Plan Viability Assessment (VI01-VI03). A further modification to Policy DC1 in the submitted Sheffield Plan is therefore proposed to make it clear what will be expected of developers. Policy GS5 should also include a cross reference to Policy DC1.

3. Proposals

3.1 Sheffield City Council has now published a further update to the HRAAA which takes into account new evidence on the Peak District National Park's recreational zone of influence. A new SoCG has therefore been proposed and drafted that reflects the conclusions in the revised HRAAA and sets out a number of modifications to the Sheffield Plan that both parties agree should be made.

3.2 In November 2019, Authority Committee approved a protocol by which delegation was granted to the Chief Executive of the Authority to approve Statements of Common Ground, subject to consulting with the Chair of the Authority and the Chair

of Planning before doing so, with the Members being informed of the Statements of Common Ground as they are agreed (Minute reference 67/19).

3.3 In this context, and at the time of writing, the new SoCG had not yet been signed. Officers are liaising with counterparts at Sheffield City Council in order to finalise the text and arrange the sign off process for the new SoCG in accordance with our protocol. An update on progress will be provided at the Authority meeting.

4. Recommendations

1. **That the summary of the terms of the new Sheffield Plan Local Authorities Statement of Common Ground outlined in this report be noted.**
2. **That the continuing work of officers to sign up to the Sheffield Plan Local Authorities Statement of Common Ground on behalf of the Peak District National Park Authority be noted; and**
3. **That authority be delegated to the Head of Planning to finalise and approve the Mitigation Delivery Plan on behalf of the Authority.**

5. Corporate Implications

a. Legal

Pursuant to section 33A of the Planning and Compulsory Purchase Act 2004 (applied by section 4A of the Town and Country Planning Act 199), Sheffield City Council and the Authority have a duty to co-operate with each other in relation to the planning of sustainable development, particularly in relation to the preparation of development plan or other local development documentation. In addition, paragraphs 24 to 27 of the National Planning Policy Framework places a duty on local planning authorities to co-operate with each other to address strategic issues relevant to their areas.

b. Financial

No direct implications. Officers are hopeful the interventions sought from this process will influence the operation of future Community Infrastructure Levies derived from development in the Sheffield Local Plan area. Detailed will be secured through the planned mitigation delivery plan. This could provide a stream of funding which would directly mitigate recreational impacts, e.g. through improvements to footpaths, gates, styles, signage, etc.

c. National Park Management Plan and Authority Plan

Signing up to the agreement supports the partnership approach to recreation management outlined in the NPMP.

d. Risk Management

Once established the principles and recognition of visitor impact arising from neighbouring strategic plans can be replicated across other cross boundary plans as they emerge. The report also describes a further process and time for agreeing the detail of a mitigation delivery plan, so officers are confident we can secure an appropriate and sound mechanism for future management.

e. Net Zero

The agreement strengthens the ability for users of the National Park to participate via active travel means as opposed to use of private vehicle. Well managed and sustainable access to the National Park will support our aims to reduce carbon.

6. Background papers (not previously published)

None

7. Appendices

None

Report Author, Job Title and Publication Date

Brian Taylor, Head of Planning, 31/10/2024