

Comments from Friends of the Loxley Valley on Pre Application Community Engagement, Application validation and Determination

1. Statement of Community Engagement

1.1 The **Statement of Community Engagement** summarises the developer's pre application work. It cites NPPF Guidance Section 4 which states "...the more issues that can be resolved at pre application stage, including the need to deliver infrastructure and affordable housing, the greater the benefits." It is important to understand, regarding pre application community engagement, that nothing was resolved.

1.2 The community engagement between 4 December 2019 and 8 January 2020 was particularly poorly designed. The period encompassed the Christmas and New Year public holidays when most people's minds were elsewhere. The one-day display on 11 December was held in a venue that was hard to find and difficult to reach even by car. Stannington Community Centre is accessed via the pathless Myers Grove Lane and is not served by public transport. It did not encourage or facilitate public participation on a winter's night. The venue is not well known in the Loxley valley and is little used by most people who would be affected by the proposed development.

1.3 So far as can be determined the pre application community engagement leaflet drop was haphazard too. Anecdotally, many households in Loxley did not receive this leaflet. We have not yet been able to find anybody in or around Dungworth village who received the leaflet. Many local Loxley and Wisewood citizens learned of the display via information on the Nextdoor social media platform, not via the developer. Without this even fewer community members would have known about the developer's community engagement. The leaflet itself conveyed little information and the newhomesinloxley.com website simply replicated information in the leaflet.

1.4 The initial "stakeholder" workshop that took place on 13 December 2018 was a closed invitee-only event which most members of the community only heard about after the fact. The workshop report was not made public until April 2020. The report placed on record the expectation of the then chief planning officer (Rob Murfin) that the workshop would mark the beginning of an open-minded exploration of whether there could be any sustainable way of developing the site. Mr Murfin told the meeting that the council would look for a full planning application for a development of award-winning status if a sustainable outcome could be identified. The meeting was told that the next step would be an ongoing process of community consultation and involvement. It raised expectations of an ambitious, innovative and consensual mixed-use development but this was not followed up. Indeed, a year of silence and apparent inactivity on the part of the developer followed. This ended suddenly in December 2019 when the developers announced, at short notice, their intention to seek only outline planning permission for an unremarkable, 350 dwelling, urban housing estate lacking any merit. The brief and hollow "community engagement" described above then followed.

1.5 What feedback there was is now largely repeated in the many public objections to the outline planning application. Despite the developer stating that feedback has "...helped to shape the plans submitted to Sheffield City Council", there have been no obvious adjustments to the application other than a reduction in the number of potential dwellings from 350 to 300. The opportunity afforded to the developer to modify the application and address public concerns expressed in the pre application feedback was wasted.

2. Application validation and Determination

2.1 The Determination timeline states the Outline Planning Application was validated on 23 April, but all the documentation required for validation had not been submitted by that date. On 23 April the application must have remained invalid. It was not until 3 June that the Design and Access Statement documentation appeared on the City Council's 'planning portal'. This was to be read in conjunction with the Supporting Planning Statement. The Ecology Report only appeared in the planning portal 'Documents' section on 22 June.

By 3 June the Application comment period was underway and the public were responding in large numbers, largely unaware that a significant amount of documentation in support of the application had not been made available.

2.2 Notices publicising the Application were first posted on 22 May, four weeks after the Application first appeared on the 'planning portal'. Indeed, it was not until mid-May that the public gained any awareness of the application and the first comment (objection) was posted on 14 May. At the time the deadline for public comments was given as 1 June. The initial and partial documentation available for comment, on the most significant potential development in the Loxley Valley for a generation, amounted to circa. 1400pp, and the public were told they had two weeks to make their views known. Friends of the Loxley Valley raised their concerns about the impossibly tight deadline for proper scrutiny with the City Planning Service case officer for the Hepworth Application. As a result the deadline was extended to 15 June. However, for the Sheffield and Rotherham Wildlife Trust, whose planning adviser was furloughed until early June, an extension to 19 June was granted.

2.3 After further representations the initial site notices were replaced with new notices on 24 June giving a further 30 days for public comments. Welcome as this was, over 700 objections to the Application had already been lodged, including FoLV's, before the Ecology Report became available. Though the new comment period provided an opportunity for the public to submit views on the Ecology report, realistically few would because a) they would not know about the new deadline or newly published information and b) in their mind, and ours, the 15 June deadline was the key date and evidently many people worked hard to ensure their comments reached the Planning Service by then.

2.4 Responsive as the Planning Service has been, the process of determination to date has been seriously flawed and has clearly disadvantaged the public in their consideration of the Application. 'Resetting' the comment period, in our view, was the only reasonable course of action in the circumstances.

2.5 A number of objectors raised concerns about proper public scrutiny and challenge to the Application during the Covid 19 'lockdown'. Hallam MP, Olivia Blake, called for determination of the Application to be deferred until the lockdown is over and the Planning Committee can once again meet as a body with the public in attendance. Friends of the Loxley Valley firmly support this call. Clearly closing libraries during the Covid 19 'lockdown' will have prevented the section of the community without access to online facilities from viewing hard copies of the planning application documentation. This is a 'digital divide' and equality issue. The digitally excluded had no voice on this outline planning application. In parallel, many individuals who sought to post their comments via the 'Planning Portal' had a very frustrating time. The portal appeared at times to struggle with the volume of activity and many individuals complained that their comments had disappeared and had to be rewritten, in some cases several times. We expressed our concern to the Planning Service that some individuals may simply have given up trying.

2.6 A Planning Committee Meeting via Zoom (if indeed this practice continues now 'lockdown' restrictions are being lifted) to determine an application that has the potential to affect the course of future development in Loxley Valley, and with such long term potential impacts on the quality of life for residents, is simply not adequate. At present we understand that because of the 'lockdown', members of the Planning Committee will not even undertake a site visit before being asked to decide on the Application. However, this position may change as 'lockdown' restrictions are lifted.

3. Summary & Recommendation

3.1 In summary, Friends of the Loxley Valley, and many other individuals and organisations are concerned for the future character of a unique landscape. We find the pre-application and post application community engagement fell short of an adequate and fair process. A better way forward would be for the developer, City Council, National Park Authority, and other organisations with a keen interest in the future of the Hepworth site and the preservation of Loxley Valley's distinctive character, would be to agree a structured dialogue process on a level playing field. This would include opportunities for public engagement and joint fact finding. Different key issues regarding the unique location could be considered in turn. The aim would be to find a solution for the site of potential award winning merit. It could examine ways to make better use of some existing structures, with lower impact on wildlife, and the river and the woodland setting. The approach would be collaborative, mediated if necessary, but better than the current adversarial planning system. We believe Loxley Valley and its communities deserve this.