

## **Is Your Argument That the Plan Is NOT SOUND or NOT LEGAL? Here's how to tell...**

### **NOT SOUND = The plan doesn't make sense**

This could be points like...

- There are better sites elsewhere that weren't chosen.
- The site is too difficult to build on (e.g. steep, flood risk, poor access).
- It would harm nature, heritage or health and no good reason is given.
- The numbers don't work (e.g. not enough houses actually fit, or it's too expensive to build).
- It doesn't match national planning policy (like protecting countryside or making places healthier).

Think of this as saying "This plan is flawed, unworkable, or bad for the community."

### **NOT LEGAL = The plan breaks the rules**

You could point out the plan goes against national laws or policies like...

- Flood risk rules
- Wildlife protection laws
- Heritage protection laws
- Equality law
- Environment act

Think of this as "This plan shouldn't even be allowed under the law."

---

### **The arguments we've made categorised:**

**The council's planning inspectors are looking for arguments that the housing development:**

1. Isn't sound
2. Isn't legal

So we've organised all the arguments we've collected into the two categories put forward by the council.

Please feel free to make your own arguments and gather your own evidence including your personal thoughts, photographs and experiences. We hope this helps you understand whether your argument is against the soundness of the plan, or its legality.

### **WHY THIS PLAN IS NOT SOUND**

Under national planning rules, a site like this can only be included if it's shown to be reasonable, deliverable, and in line with national policy. But the plan to build on The Horsefield fails on all of these counts.

### **1. Better options exist.**

There are bigger, better, and easier places to build across Sheffield, including brownfield land and less sensitive greenfield areas. Choosing this site makes no sense when we already have other options that won't cause as much harm.

### **2. The numbers don't add up**

The Council says 103 homes could be built, but once you take into account:

- Flood zones
  - Wildlife areas
  - Steep slopes
  - Buffer zones around trees, rivers and hedgerows
- ...you're realistically looking at 30–40 houses max. Is that worth all the damage?

### **3. It won't be affordable**

Developers have to make at least 50% of the homes “affordable” to meet the Green Belt rules. But based on local prices and building costs, they'd lose money on every affordable home built here. The site is not financially viable.

### **4. It takes so much away from us**

- The new housing estate would destroy one of the only natural green spaces we can all access on foot.
- Wildlife corridors and ancient woodland would be disrupted.
- The council's planning inspector has acknowledged that the development would harm Glen Howe Park, a heritage asset.

Under planning rules, any damage to heritage or ecology must be clearly justified. That hasn't happened.

### **5. No access, no amenities, no plan**

The council has already admitted that the infrastructure in our area is poor.

The planning inspector noted that the council also have no plans to improve infrastructure, and even though verbal promises have been made, there has been no plan or budget.

Access to public transport is poor, which means more cars.

An access road would need to be built.

## WHY THIS PLAN IS NOT LEGAL

Under the law, a housing plan must follow national policies and legal duties. But this one fails several key tests.

### 1. It breaks flood protection law

This site sits right next to a functional floodplain and a major flood defence project the Council itself is spending £53 million on. Putting homes here risks undoing that investment and may breach the Flood and Water Management Act 2010, which requires councils to avoid increasing flood risk.

### 2. It ignores wildlife laws

Not only have many of you reported the beautiful wildlife you enjoy on The Horsefield, we know that there are special protection laws for hedgerows, rivers and rare species.

According to the NPPF, the developers would need to prove that not only would their development not harm the nearby rivers, hedgerows and rare species such as bats. But they would need to *increase* “biodiversity” (wildlife, plants, nature) by 10%. More than a little tricky, we believe!

Environment Act 2021 | National Planning Policy Framework (NPPF)

### 3. It goes against heritage protection rules

Glen Howe Park is a designated heritage asset, and the Council admits the plan may harm its setting. Under national law and the Planning (Listed Buildings and Conservation Areas) Act 1990, any harm must be backed by clear and convincing justification. The Council has not provided that.

### 4. It may breach the Equality Act

Our village has a higher than average amount of people who are older, disabled, or unwell, and the Horse Field as their accessible green space.

Removing it without replacing it may disproportionately harm vulnerable groups, which would breach the Equality Act 2010.

“Planning decisions must consider how policies affect those with protected characteristics.”

— Equality Act 2010, Public Sector Equality Duty

•