

Statement of Common Ground between Shropshire Council and Powys County Council

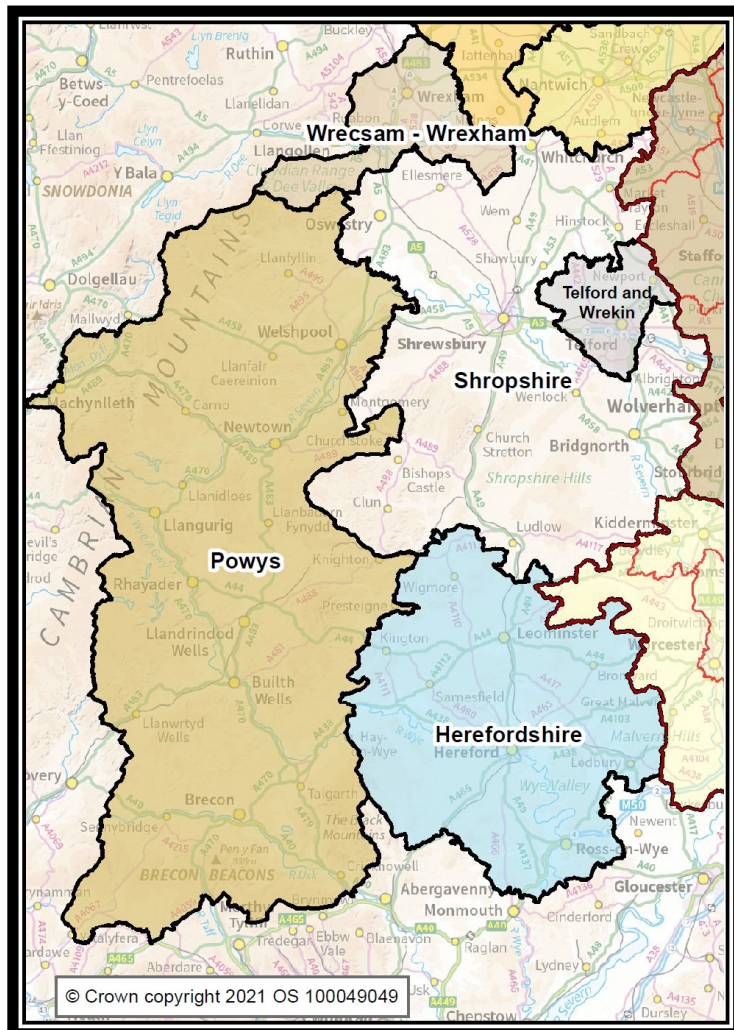
Date: 30 June 2021

1. Introduction

- 1.1. This Statement of Common Ground (SoCG) has been produced to support Shropshire Council's Local Plan Review. It sets out how Shropshire Council has engaged with Powys County Council in order to fulfil its Duty to Cooperate requirements.

2. Relevant Local Authorities and Geography

- 2.1. The relevant Local Authorities to this SoCG are Shropshire Council and Powys County Council.
- 2.2. Shropshire Council's administrative area is located in the West Midlands of England. It adjoins Powys County Council's administrative area, which is located at the heart of Wales, along much of its western boundary.
- 2.3. As Powys County Council is a neighbouring Planning Authority, it is important that effective duty to cooperate discussions are undertaken with them, regarding strategic matters that cross administrative boundaries, during the Shropshire Local Plan Review.
- 2.4. The map below illustrates the location of Shropshire Council and Powys County Council administrative areas:



3. Duty to Cooperate

Shropshire Council Local Plan Review

- 3.1. The Shropshire Local Plan currently comprises the Core Strategy (adopted 2011) and the Site Allocations and Management of Development (SAMDev) Plan (adopted 2015), together with adopted formal Neighbourhood Plans. On completion of the Local Plan Review process, the Core Strategy and SAMDev Plan documents will be replaced by the 'Shropshire Local Plan' (2016-2038) document (with the exception of any saved policies), supported by any adopted formal Neighbourhood Plans.
- 3.2. The Shropshire Local Plan document will include strategic and detailed policies, together with site allocations for a Plan period 2016 to 2038.
- 3.3. There has been ongoing and active engagement between Shropshire Council and Powys County Council throughout the Shropshire Council Local Plan Review. Specifically:
 - Duty to Cooperate discussions have occurred at appropriate times during the Local Plan Review process.
 - Powys County Council have been consulted during the various 'Regulation 18' Consultations undertaken to inform the Shropshire Local Plan Review. The Local Plan Review consultation periods thus far are as follows:
 - Issues and Strategic Options Consultation – 23rd January 2017 to 20th March 2017.
 - Preferred Scale and Distribution of Development Consultation – 27th October 2017 to 22nd December 2017.
 - Preferred Sites Consultation – 29th November 2018 to 8th February 2019.
 - Strategic Sites Consultation – 1st July 2019 to 9th September 2019.
 - Regulation 18: Pre-Submission Draft of the Shropshire Local Plan – 3rd August 2020 – 30th September 2020.
 - Powys County Council have been consulted as part of the 'Regulation 19' Consultation being undertaken to inform the Shropshire Local Plan Review.
 - Duty to Cooperate discussions will continue at appropriate times as the Local Plan Review progresses.

4. Key Strategic Matters

Housing Market Areas

- 4.1. The Shropshire Council area is considered to represent a self-contained housing market area (HMA). However, it is acknowledged that the duty to cooperate is not restricted to just Planning Authorities within the same HMA. As such, Shropshire Council and Powys County Council have liaised closely during the Shropshire Local Plan Review, in accordance with the duty to cooperate.

Housing Need and Requirement

- 4.2. Using Government's standard methodology, in 2020, Shropshire Council calculated a Local Housing Need (LHN) which applies to both the Local Planning Authority area and the Shropshire Council housing market area of some 1,177 dwellings per annum (equating to 25,894 dwellings over the 22 year plan period from 2016-2038). The assessment of need will be kept under review. Shropshire Council is proposing to meet the entirety of its LHN.

- 4.3. Powys County Council adopted their Local Development Plan (2011-2026) in April 2018. Policies within this adopted Powys Local Development Plan identified a dwelling requirement of 4,500 over the Plan period to meet the housing need arising within the Powys Local Planning Authority area (excluding that area of Powys within the Brecon Beacons National Park). As such, there is no unmet housing need in relation to the objectives set out in the Powys LDP for the Powys LPA area.

Green Belt: Shropshire Council

- 4.4. In order to achieve a sustainable pattern of development, Shropshire Council is proposing to accommodate development in such a way that helps make more sustainable, balanced, vibrant, resilient and self-reliant places in which to live and work. Specifically, the Local Plan Review intends direct the majority of new development towards the larger settlements with the most extensive range of services, facilities and infrastructure to support it. However, it also allows for appropriate levels of development within rural areas, to support the longer-term sustainability of rural communities.
- 4.5. The eastern part of Shropshire is located within the West Midlands Green Belt. To inform the ongoing Local Plan Review, Shropshire Council has undertaken a Green Belt review. Whilst most additional development is proposed in locations outside the Green Belt, the strategic economic importance of the eastern part of the County, particularly the M54 corridor, is a significant consideration. Impacts on longer term sustainability of Green Belt settlements due to constraints on their ability to meet their local development requirements have also been identified. As such a level of Green Belt release is proposed within the ongoing Local Plan Review.
- 4.6. As required by the NPPF, Shropshire Council has explored with Powys County Council their ability to accommodate Green Belt development requirements, particularly those relating to the sustainable growth requirements of specific settlements/sites. This has been formalised in a written communication sent 27th February 2020 which asked whether Powys County Council could assist in meeting the identified development needs for: Bridgnorth; Albrighton; Shifnal; Alveley; and RAF Cosford.
- 4.7. Perhaps unsurprisingly, given the location of the Powys County Council administrative area with regard to Green Belt in Shropshire, they have not indicated that they are able to meet these identified Green Belt development requirements.

5. Other Strategic Matters

Minerals

- 5.1. It is understood that the scale of existing movements between Shropshire and Powys administrative areas are too small to be of 'strategic significance'. Both Local Authorities are generally happy for the level and type of mineral movements occurring to continue.
- 5.2. Shropshire Council and Powys County Council as the Mineral Planning Authority for their respective areas both recognise the importance of rail facilities for the transport of minerals. Policy SP16 of the draft Shropshire Local Plan identifies the need to protect rail freight facilities which could contribute to the sustainable transport of minerals.

Waste

- 5.3. Shropshire has a waste transfer and energy recovery facility located in Shrewsbury. Shropshire Council supports the further development of a circular economy where the active recovery of material resources and energy from waste helps reduce environmental and financial costs and actively fosters opportunities for business growth. The County

performs well against national waste management targets and has sufficient existing capacity, including the land resources to meet its future needs. No further specific provision is therefore planned for waste management infrastructure. To accommodate any future demands, land will be available as part of the employment land supply.

- 5.4. Powys County Council also has sufficient existing capacity, including the land resources to meet its future needs. As such there are no strategic cross-boundary considerations for the Shropshire Council Local Plan Review.
- 5.5. It is noted that there are current proposals for an energy from waste facility at Buttington Quarry (Powys County Council administrative area). Because of the scale of these proposals any Planning Application will be considered by the Planning Inspectorate and the eventual decision made by Welsh Ministers. Shropshire Council members and officers have already been engaged as part of pre-application discussions and it is considered that the Planning Application process is the appropriate mechanism for Shropshire Council and Powys County Council to comment on these proposals.

Offa's Dyke

- 5.6. Offa's Dyke (Clawdd Offa) is recognised as an important cross boundary heritage feature, parts of which are designated as a Scheduled Monument (SM), and other parts are unscheduled.
- 5.7. Offa's Dyke has been considered as part of the Shropshire Local Plan Review process. Within the draft Shropshire Local Plan, Policy DP23. Conserving and enhancing the historic environment seeks to safeguard heritage assets and their settings, including Offa's Dyke, in line with national legislation, policy and guidance.
- 5.8. The Powys Local Development Plan (2011 – 2026) includes a policy (SP7) which in combination with the protection afforded at the national level to SM's, and in respect of archaeology generally, will serve to protect this asset and its setting. The policy seeks to safeguard archaeological remains, whether scheduled or not, and their settings, in line with national legislation, policy and guidance.

River Catchments

- 5.9. The Shropshire Local Plan Review does not include any specific proposals regarding River Severn Catchment Management. If any such proposals arise, they will be subject to any appropriate cross boundary discussions and/or consultations with relevant stakeholders, including through the Planning Application process.
- 5.10. Part of the Shropshire Local Authority area adjoining Powys County Council includes the River Clun Catchment, within which low levels of development are proposed and it is impacted by development constraints imposed by the River Clun Special Area of Conservation (SAC) and related phosphate management issues. This is addressed in Policy DP13. Development in the River Clun Catchment of the draft Shropshire Local Plan.

Gypsies and Travellers

- 5.11. Shropshire has finalised an updated Gypsy and Traveller accommodation assessment (GTAA 2019). The updated GTAA refines the previously published GTAA (2017) by updating site information and considering public site management data to better understand and evidence site capacity and pitch turnover. Unauthorised encampment activity is also considered.

- 5.12. The evidence concludes that there is no current strategic requirement for allocation. However, there was a need to provide a permanent plot for Travelling Showpeople resident on a temporary site in Shropshire, a site for which has now been granted Planning Permission. There was also the need to consider provision of public transit capacity to support private provision, which is being undertaken. In addition to the intended direct provision, policies within the ongoing Local Plan Review will facilitate the ongoing delivery of sites to meet arising needs. Shropshire thus intends on addressing its own needs for gypsy and traveller provision.
- 5.13. Powys County Council adopted their Local Development Plan (2011-2026) in April 2018. Policies within the Powys Local Development Plan meet the Gypsy and Traveller need arising within the Powys County Council LPA area. As such, there is no unmet Gypsy and Traveller need in the Powys County Council LPA area.

Other Cross Boundary Infrastructure Proposals

- 5.14. If any cross boundary infrastructure proposals emerge, including cross boundary strategic highway projects such as the Pant/Llanymynech bypass, they will be subject to any appropriate cross boundary discussions and/or consultations with relevant stakeholders, including through the Planning Application process.

6. Matters of Agreement

- 6.1. All above matters are agreed between Shropshire Council and Powys County Council.

7. Matters of Disagreement

- 7.1. There are no matters of disagreement between Shropshire Council and Powys County Council.

8. Governance Arrangements

- 8.1. Governance arrangements are key to ensure that effective duty to cooperate discussions are undertaken and an appropriate SoCG prepared.
- 8.2. Updating of this SoCG will be linked to key milestones within the Shropshire Local Plan Review process.

9. Conclusions

- 9.1. The parties agree that:
 - i) Shropshire Council has fulfilled its Duty to Cooperate with Powys County Council.
 - ii) The parties will continue to work positively together and where relevant with other prescribed bodies on strategic cross boundary issues.

10. Signatories

10.1. This SoCG has been agreed and signed by the following:

Shropshire Council	Powys County Council
Name: Edward West	Name: Dr Adrian Humpage
Position: Planning Policy and Strategy Manager	Position: Principal Planning Officer - Planning Policy
Date agreed: 25/06/2021	Date agreed: 30/06/2021
Signature: _____	Signature: _____