

Statement of Common Ground between Shropshire Council and Cheshire West and Chester Council

Date: April 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 Cheshire West and Chester 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 Cheshire West and Chester Council.
- 2.2. Shropshire Council's administrative area is located in the West Midlands of England. It adjoins Cheshire West and Chester Council's administrative area, which is located to the north of Shropshire.
- 2.3. As Cheshire West and Chester 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 Cheshire West and Chester 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 Cheshire West and Chester Council throughout the Shropshire Council Local Plan Review. Specifically:
 - Duty to Cooperate discussions have occurred at appropriate times during the Local Plan Review process. This included a Duty to Cooperate meeting on 23rd January 2018, subsequent to which a DTC template was completed and returned by Cheshire East on 14th February 2018. Also, correspondence detailed in paragraphs 4.7 & 4.8.
 - Cheshire West and Chester 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.
 - Cheshire West and Cheshire Council have been consulted as part of the 'Regulation 19' Consultation being undertaken to inform the Shropshire Local Plan Review.
 - Further Duty to Cooperate discussions have taken place on 26th January 2021 and will continue at appropriate times as the Local Plan Review progresses.

4. Key Strategic Matters

Housing Market Area

- 4.1. The Shropshire Council area is considered to represent a self-contained housing market area (HMA). It was determined through the Cheshire West and Chester Local Plan (Part One) examination that Cheshire West was also largely a self-contained HMA (although interactions were acknowledged with a number of neighbouring authorities).
- 4.2. 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 Cheshire West and

Cheshire Council have liaised closely during the Shropshire Local Plan Review, in accordance with the duty to cooperate.

Housing Need and Requirement

- 4.3. 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.
- 4.4. The Cheshire West and Chester Local Plan Local Plan (Part One) Strategic Policies was adopted in January 2015 and Local Plan (Part Two) Land Allocations and Detailed Policies was adopted in July 2019. It is expected that the housing requirement for the borough which is set out in Local Plan (Part One) policy STRAT 2 can be achieved through the delivery of extant planning permissions, Local Plan (Part One) strategic sites, and Local Plan (Part Two) land allocations within the Cheshire West and Chester area.

Green Belt: Shropshire Council

- 4.5. 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.
- 4.6. 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.
- 4.7. As required by the NPPF, Shropshire Council has explored with Cheshire West and Chester 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 Cheshire West and Cheshire Council could assist in meeting the identified development needs for: Bridgnorth; Albrighton; Shifnal; Alveley; and RAF Cosford.
- 4.8. The Cheshire West and Chester Council (Local Plan) Part One, as adopted, established that the borough was a self-contained housing market area and that future housing need could be met within Cheshire West, without the need for substantial Green Belt release. 42% of Cheshire West and Chester is within the North Cheshire Green Belt, situated in the north of Cheshire West's administrative area. Cheshire West and Chester formally responded to Shropshire Council on the 18th March 2020, that it would not be sustainable to seek to locate housing or employment need away from the settlements identified in paragraph 4.7 (above), especially as the area of Cheshire West adjoining Shropshire is also designated as countryside. On this basis, Cheshire West and Chester confirmed that

it would be unable to meet any of the specifically identified development needs for Bridgnorth; Albrighton; Shifnal; Alveley; and RAF Cosford.

5. Other Strategic Matters

Distribution of Development

- 5.1. Shropshire and Cheshire West and Chester Council area are directly linked by the transport corridor associated with the A41/A49 and the Shrewsbury – Chester rail lines. This is identified as the North East Shropshire and the A41 & A49 strategic corridors in the Shropshire Draft Local Plan and includes, Tern Hill strategic site and Whitchurch and Market Drayton as Principal Centres and the largest towns in North East Shropshire. Shropshire Council recognises the corridor as supporting Shropshire’s links to the wider North West and Northern Powerhouse through Cheshire together with the significance of major national infrastructure investment connected to the delivery of HS2.
- 5.2. The overall strategic approach of development in the Plan which seeks that the majority of development will be focused in identified existing urban areas and strategic settlements reflects the important role that towns such as Whitchurch, which is close to the boundary with Cheshire West and Chester Council area, and also Market Drayton as two of Shropshire’s five Principal Centres play. Oswestry is identified as a further Principal Centre in the North West of the county. All these Principal centres have significant existing allocations in the adopted Plan which it is proposed to save. Additionally, there are a range of smaller settlements around each of the towns and in the strategic corridors which will be expected to accommodate more modest levels of development.
- 5.3. Whitchurch is currently and continues to be identified as a Principal Centre. In order to respond to local needs and contribute towards strategic growth objectives in the north-east of the County it is proposed by the Draft Local Plan the town will act as a focus for significant development and deliver around 1,600 dwellings and around 20 hectares of employment development, with an aspiration that employment delivery will balance housing development and that there will be localised infrastructure improvements in support of development.
- 5.4. Market Drayton, which is closer to Staffordshire, has a similar role to Whitchurch and the draft Local Plan provides for sites to achieve balanced housing and employment growth within Market Drayton through the provision of around 1,200 dwellings and 35 hectares of employment land. The strategy for Market Drayton seeks to ensure that housing and employment development will respond to local needs, provide opportunities for existing businesses to expand and opportunities associated with High Speed 2.
- 5.5. Following the decision by the MOD to discontinue the use of the Clive Barracks, Tern Hill military site and dispose of the Barracks, this has provided an opportunity, aligned with the Shropshire Economic Growth Strategy and Local Plan strategy, for the redevelopment of this predominantly brownfield site within the A41 strategic corridor.
- 5.6. The Draft Plan identifies Clive Barracks, Tern Hill a predominantly brownfield site of around 72ha to be redeveloped to form a new strategic settlement achieved by a comprehensive mixed-use redevelopment of the site to provide a range of local services and facilities, around 750 dwellings, around 6ha of employment land and extensive green infrastructure to provide local employment, social and environmental opportunities.
- 5.7. Draft Plan guidelines set out an expectation that the site will be subject to a masterplan and that required improvements to the local and strategic road network including the A41/A53 Tern Hill roundabout will be undertaken, informed by consultation with Highways

- England and an appropriate Transport Assessment (including consideration of cumulative impact).
- 5.8. The Cheshire West and Chester Local Plan (Part One) runs to 2030 and aims to provide 22,000 new homes and 365 hectares of employment land to meet a range of types and sites of site. Development will be brought forward in line with the settlement hierarchy, locating the majority of new development within or on the edge of Chester and the towns of Ellesmere Port, Northwich and Winsford, to maximise the use of existing infrastructure and allow homes, jobs and other facilities to be located close to each other and accessible by public transport. The starting point for meeting these needs being the use of brownfield land (and greenfield land where needed) and the Local Plan identifies several strategic-scale development sites in Chester, Ellesmere Port, Northwich and Winsford. In relation to Green Belt, the Plan demonstrated the exceptional circumstances necessary to release Green Belt around Chester.
 - 5.9. To maintain the vitality and viability of rural areas, an appropriate level of new development will be brought forward to support new homes and economic and social development, focus on key service centres in the most sustainable rural locations – the closest to Shropshire being Malpas, on the A41 corridor, identified as accommodating at least 200 dwellings but not exceeding the capacity of existing services and infrastructure unless the required improvements can be made.
 - 5.10. Although there is significant planned growth within Shropshire, in the A41/A49 corridor, no significant cross boundary impacts with Cheshire West and Chester are anticipated to arise from this. Development within Shropshire is seeking to provide balanced employment and housing delivery to meet Shropshire needs with appropriate infrastructure to support it in line with the overall strategy approach for sustainable development set out in the Draft Local Plan. Cheshire West and Chester Council has set out strategic and detailed policies to guide development and has identified site allocations and other potential development opportunities within the Authority's adopted Plan which makes provision for the period to 2030. Cheshire West and Chester Council has indicated that it broadly supports Shropshire's strategy of seeking to meet its own development needs within Shropshire, the support for transition to a zero-carbon economy through an urban focus to development identified in Draft Policy SP2 and the principle of delivering higher density development on the most accessible urban sites, as well as the other measures set out in Draft Policy SP3.

Midlands Meres and Mosses & River Dee SAC

- 5.11. The habitats regulations assessment (HRA) of the Regulation 19: pre-submission draft of the Shropshire Local Plan considers impact on internationally designated nature conservation sites including those comprising the Midlands Meres and Mosses which lie within Shropshire and Cheshire and the River Dee SAC. The Draft Plan identifies where mitigation measures will be required to remove any adverse effect arising from development on the integrity of the designated sites. Mitigation measures for potential impacts arising from development are identified in the Plan HRA and supporting documents. Since a HRA must consider the cumulative effects of plans and projects and Cheshire West and Chester has a similar obligation to prepare a HRA for plans and projects which have the potential to impact on these habitats, this effectively addresses cross boundary considerations.

Minerals

- 5.12. Increasing rates of housing and employment development have strengthened the demand for construction aggregates within Shropshire and in the adjacent areas which it supplies. Despite increased demand, sufficient crushed rock aggregate resources are already available from permitted sites. The availability of sand and gravel resources remains well above the minimum guideline and the adopted Plan (SAMDev) included allocations which provide for additional capacity. No additional site allocations for either crushed rock or sand and gravel provision are therefore proposed as part of the Local Plan Review.
- 5.13. Despite increasing demand, significant aggregate resources are already available from permitted sites and unimplemented site allocations made in the SAMDev Plan which have been saved. A number of windfall applications for sand and gravel which have significantly increased productive capacity and further significant windfall applications are expected from planned extensions to a number of existing sand and gravel sites and from the prior extraction of mineral aggregates from the redevelopment of the Ironbridge Power Station site. In light of these, the draft Plan makes a windfall allowance of 10.5mt to supplement unimplemented and 'saved' site allocations amounting 4mt. In taking planning decisions, Shropshire Council has consistently responded positively to both planned and windfall applications to release more material to maintain productive capacity to counter balance the impact of unworked site commitments in the county.
- 5.14. Only low levels of mineral flows are currently experienced across the boundary with Cheshire West and Chester and adequate productive capacity will allow these to be maintained over the revised Plan period. No significant cross boundary issues have been identified.

Waste

- 5.15. 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.
- 5.16. There are significant movements of waste from Cheshire West and Chester into Shropshire, but Policy SP14 ensures the continued operation of existing waste management facilities is safeguarded and addresses any potential strategic issues.
- 5.17. No significant cross boundary issues identified.

Gypsies and Travellers

- 5.18. Shropshire has finalised an updated Gypsy and Traveller accommodation assessment (GTAA 2019). The updated GTAA reflects joint working between the Planning policy team and Estate management team who manage Council sites as part of their Gypsy liaison service. The 2019 report 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.
- 5.19. The greatest concentration of Gypsy and traveller sites in Shropshire is in the north east of the County but with provision in other areas of the County, particularly to the South of

Shrewsbury and near Oswestry to the north west of the County. It is understood that the A41/A49 forms a main transit route running from the South West/Wales into Shropshire and northwards to Cheshire. This inevitably creates cross-boundary movement. Shrewsbury however tends to be a particular focus for unauthorised encampment being located at an intersection for main transit routes through Shropshire, including the A49

- 5.20. The evidence from the Gypsy and Traveller Accommodation Assessment (GTAA 2019) 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, and this is underway with a public consultation on a location for Council transit site undertaken by the Council's Estate Management section. 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 through the development management process. Shropshire thus intends on addressing its own needs for gypsy and traveller provision.
- 5.21. Cheshire West and Chester Council is a member of a sub-regional partnership along with Cheshire East, Halton and Warrington, who commissioned the preparation of an updated GTAA that was published in June 2018. All the authorities within the partnership agreed to meet the needs identified for their area within the GTAA. For Cheshire West and Chester, the intention was to identify sites through a DPD but the need identified through the GTAA has substantially been met through the granting of planning permission in the north of the borough. Although there are likely to be some interactions between the partnership area and Shropshire these are not considered of strategic significance and both authorities are planning to meet their identified needs within their own areas.

6. Matters of Agreement

- 6.1. All above matters are agreed between Shropshire Council and Cheshire West and Chester Council.

7. Matters of Disagreement

- 7.1. There are no matters of disagreement between Shropshire Council and Cheshire West and Chester 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 Cheshire West and Chester 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	Cheshire West and Chester Council
Name: Edward West	Name: Rob Charnley
Position: Planning Policy and Strategy Manager	Position: Head of Planning
Date agreed: 15/04/21	Date agreed: 01/03/2021
Signatur	Signature: _____