

# Statement of Common Ground between Shropshire Council and Newcastle-under-Lyme Borough Council

**Date: September 2021**

## 1. Introduction

- 1.1. The National Planning Policy Framework (2019) (NPPF), specifies that Local Planning Authorities are “*under a duty to cooperate with each other, and with other prescribed bodies, on strategic matters that cross administrative boundaries*”<sup>1</sup>.
- 1.2. The NPPF also specifies that “*in order to demonstrate effective and on-going joint working, strategic policy-making authorities should prepare and maintain one or more statements of common ground, documenting the cross-boundary matters being addressed and progress in cooperating to address these. These should be produced using the approach set out in national planning guidance, and be made publicly available throughout the plan-making process to provide transparency*”<sup>2</sup>.

## 2. Purpose

- 2.1. This Statement of Common Ground (SoCG) has been produced to support the Shropshire Council Local Plan Review (2016-2038). Newcastle-under Lyme Borough Council are at an earlier stage of plan preparation on their Local Plan Review, and are due to consult on an Issues and Options paper in autumn 2021. It has therefore been agreed that it is appropriate to consider any further strategic cross boundary issues to support the Newcastle-under-Lyme Local Plan Review as part of a separate SoCG at an appropriate time in their plan preparation timetable. This SoCG sets out how Shropshire Council and Newcastle-under-Lyme Borough Council have positively engaged in order to fulfil the Duty to Cooperate requirements in relation to the Shropshire Council Local Plan Review (2016-2038).

## 3. Scope

- 3.1. The National Planning Practice Guidance (NPPG) provides details on the scope of a SoCG, which can be summarised as follows:
  - The plan-making authorities responsible for joint working detailed in the statement;
  - A description and map of the administrative areas covered by the statement, and a brief justification for these area(s);
  - The key strategic matters being addressed by the statement;
  - Governance arrangements for the cooperation process;
  - If applicable, the housing requirements (if known) within the area covered by the statement;
  - Distribution of needs or the process for agreeing distribution of needs (including whether there is and the distribution of unmet needs);
  - A record of where agreements have (or have not) been reached on key strategic matters, including the process for reaching agreements on these; and
  - Any additional strategic matters to be addressed by the statement which have not already been addressed.

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<sup>1</sup> MHCLG, (2019), NPPF – Paragraph 24

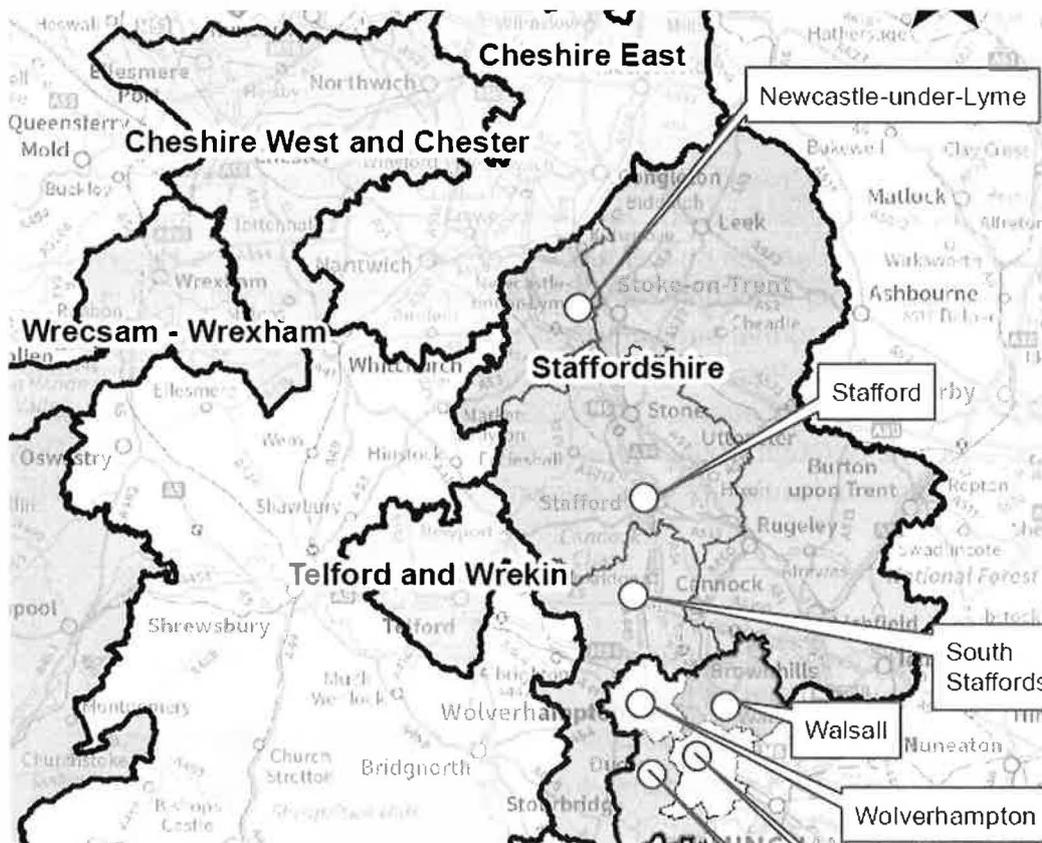
<sup>2</sup> MHCLG, (2019), NPPF – Paragraph 26

3.2. The NPPG also recognises that *“The level of cooperation detailed in the statement is expected to be proportionate to the matters being addressed. The statement is expected to be concise and is not intended to document every occasion that strategic policy-making authorities meet, consult with each other, or for example, contact prescribed bodies under the duty to cooperate. The statement is a means of detailing key information, providing clear signposting or links to available evidence on authorities’ websites”*<sup>3</sup>.

## 4. Relevant Local Authorities and Geography

4.1. This SoCG has been prepared jointly by Shropshire Council and Newcastle-under-Lyme Borough Council. As neighbouring Local Planning Authorities, it is important that effective duty to cooperate discussions are undertaken regarding strategic matters that cross administrative boundaries.

4.2. The below map illustrates the location of Shropshire Council and Newcastle-under-Lyme Borough Council:



## 5. Duty to Cooperate

### ***Shropshire Council Local Plan Review***

5.1. 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 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.

<sup>3</sup> MHCLG, (2019), NPPG – Plan Making, Paragraph: 011 Reference ID: 61-011-20190315

5.2. The Shropshire Local Plan will include strategic and detailed policies, together with site allocations for a Plan period 2016 to 2038.

5.3. There has been ongoing and active engagement between Shropshire Council and Newcastle-under-Lyme throughout the Shropshire Council Local Plan Review. Specifically:

- Duty to Cooperate discussions have occurred at appropriate times during the Local Plan Review process. These discussions took place within the context of Newcastle-under-Lyme Borough Council preparing a joint Local Plan with Stoke-on-Trent up until December 2020.
- Newcastle-under-Lyme Borough 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 – 23<sup>rd</sup> January 2017 to 20<sup>th</sup> March 2017.
  - Preferred Scale and Distribution of Development Consultation – 27<sup>th</sup> October 2017 to 22<sup>nd</sup> December 2017.
  - Preferred Sites Consultation – 29<sup>th</sup> November 2018 to 8<sup>th</sup> February 2019.
  - Strategic Sites Consultation – 1<sup>st</sup> July 2019 to 9<sup>th</sup> September 2019.
  - Regulation 18: Pre-Submission Draft of the Shropshire Local Plan – 3<sup>rd</sup> August 2020 – 30<sup>th</sup> September 2020.
- Newcastle-under-Lyme Borough Council were also consulted as part of the 'Regulation 19' Consultation undertaken to inform the Shropshire Local Plan Review.
- Duty to Cooperate discussions have taken place at appropriate times as the Local Plan Review progressed.

### ***Newcastle-under-Lyme Borough Council Local Plan***

5.4 On 13 January 2021 members of Newcastle-under-Lyme Cabinet resolved to undertake the production of a new Borough Local Plan independent of Stoke-on-Trent City Council. A new Local Development Scheme has been prepared to cover the period 2021-2024, setting out the preparation of the Newcastle-under-Lyme Borough Local Plan. Information on the LDS can be found here [https://www.newcastle-staffs.gov.uk/sites/default/files/IMCE/Planning/Local%20Development%20Scheme%202021-2024\\_0.pdf](https://www.newcastle-staffs.gov.uk/sites/default/files/IMCE/Planning/Local%20Development%20Scheme%202021-2024_0.pdf)

## **6. Key Strategic Matters**

### **Housing Market Areas**

- 6.1. The Shropshire Council area is considered to represent a self-contained housing market area (HMA).
- 6.2. Similarly the Newcastle-under-Lyme Borough Council area comprises its own Housing Market Area although there are overlapping HMAs and strong migration links to the north and south.
- 6.3. It is acknowledged that the duty to cooperate is not restricted to just Local Planning Authorities within the same HMA. As such both Local Authorities continue to liaise closely in accordance with the Duty to Cooperate.

## **Housing Need and Requirement: Shropshire Council**

- 6.4. 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.
- 6.5. Shropshire Council currently understands that evidence prepared to inform the Local Plan Review being undertaken for the Association of Black Country Authorities (ABCA) indicates a significant unmet housing and employment land need within the Black Country, which forms part of the GBBCHMA, although the exact extent of these unmet has not yet been fully quantified through the Black Country's plan review. However, the NPPF is clear that strategic cross-boundary matters should be "dealt with rather than deferred", so as a result of Duty to Cooperate discussions with ABCA, Shropshire Council is proposing to contribute towards meeting unmet housing and employment land needs understood to be arising in the Black Country. Specifically, Shropshire Council is proposing to contribute around 1,500 dwellings and around 30ha of employment land towards unmet needs arising in the Black Country. Rather than identifying specific sites to achieve these contributions, they will form part of the wider housing and employment land requirements for Shropshire.

## **Green Belt: Shropshire Council**

- 6.6. 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 to 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.
- 6.7. 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/A5 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. There is also a need to facilitate the long-term sustainability of the occupiers of the RAF Cosford site, including the Midlands Air Ambulance Charity. As such a level of Green Belt release is proposed within the ongoing Local Plan Review.
- 6.8. In November 2019 Newcastle-under-Lyme Borough Council wrote to Shropshire Council requesting the Council give consideration to accepting some cross boundary housing needs, within the context of exploring all available options to the potential release of Green Belt. Shropshire Council responded to this request in April 2020, indicating that the Council were not able to accommodate any cross boundary development needs from Newcastle-under-Lyme.
- 6.9. Shropshire Council wrote to Newcastle-under-Lyme Borough Council in February 2020 requesting the Council give consideration to accommodate an element of Shropshire's

housing needs, and in particular in relation to the emerging Green Belt development requirements relating to the sustainable growth requirements of a number of specific settlements Newcastle-under-Lyme Borough Council responded to this request in April 2020, indicating the Authority were unable to accommodate any housing needs from Shropshire within their area.

## **7. Other Strategic Matters**

### **Gypsies and Travellers: Shropshire Council**

- 7.1. Shropshire Council 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.
- 7.2. The evidence concludes that there is no current strategic requirement for allocation. However, the need to provide a permanent plot for Travelling Showpeople resident on a temporary site in Shropshire and potentially for public transit capacity to support private provision are identified. These requirements are proposed to be directly addressed by the Council, with a planning application for a travelling show persons site currently under consideration. 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. There are no significant cross boundary strategic issues identified.

### **Minerals and Waste**

- 7.3. Shropshire Council is engaging separately with Staffordshire County Council as the Mineral and Waste Authority for Staffordshire.

### **Development in Market Drayton**

- 7.4. Market Drayton is located in the North-East of Shropshire, close to the boundary of Newcastle-under-Lyme Borough Council. The town is the fifth largest settlement within the Shropshire Council area and has been identified to act as a Principal Centre within the draft Local Plan. Draft Policy S11.1 of the Draft Local Plan identifies the growth requirements for Market Drayton, being 1,200 dwellings and 35ha of employment land over the plan period 2016-2038. At March 2019, 559 dwellings have either been completed or committed since 2016. A number of moderately scaled housing sites have therefore been proposed for allocation to the north of the A53 in order to deliver the residual housing requirement to 2038. These are detailed in Schedule S11.1 (i) of the draft Local Plan and identified on the Draft Policies Map. In recognition of the existing allocated employment commitments, the draft Local Plan does not seek to allocate any additional employment land to 2038.
- 7.5. At the strategic scale, given their proximity, it is recognised there is some potential for additional cross boundary traffic movements between the two authority areas from development in Market Drayton, although there is no evidence to indicate this would be significant. The strategy for Market Drayton provides for balanced growth incorporating 'saved' employment allocations from the existing SAMDev Plan, in order to support a level of self-containment to reduce the need for out-commuting. In addition, draft Policy DP25 provides the Council's approach to infrastructure provision resulting from new planned development. It states that "new development should only take place where there is sufficient existing infrastructure capacity available. Where a new development would lead

to a shortfall in infrastructure provision, the development will be required to fund necessary improvements through suitable developer contributions, unless the identified shortfall is being addressed by other means.” To inform the submission of the draft Local Plan a minor modification is proposed to the explanatory text to Draft policy DP25 which states, “It should be noted that consistent with the national CIL Regulations (as amended), CIL funds may be passed to bodies outside the area to deliver infrastructure that will benefit the development of the area”.

## **Neighbourhood Development Planning**

- 7.6. Market Drayton Town Council were preparing a Neighbourhood Development Plan for the Town Council area, which also incorporated land in the three adjoining parishes of Moreton Say, Adderley and Norton in Hales. In 2018 this Neighbourhood Development Plan was subject to the Examination process and was not recommended to proceed to referendum. As a result no further work has taken place on this Neighbourhood Development Plan.
- 7.7. A separate Neighbourhood Development Plan is currently in the early stage of preparation by Moreton Say, Adderley and Norton in Hales Parish Councils, although this has not yet reached its Regulation 14 Draft stage.

## **8. Matters of Agreement**

- 8.1. Shropshire Council intends to meet their identified LHN within their Local Authority area through the Local Plan review up to 2038. The Duty to Cooperate conversations between the two authorities have agreed that neither authority was able to meet any additional need for housing above their own LHN. Shropshire will accommodate its own LHN within its area. It is acknowledged that the context and timeframe for the Newcastle-under-Lyme Local Plan Review has changed recently, and it is therefore appropriate for Newcastle-under-Lyme to review their position regarding the LHN as part of future Duty to Cooperate conversations with adjoining authorities, including Shropshire Council; as they progress their Local Plan Review.
- 8.2. Shropshire Council has explored with Newcastle-under-Lyme Borough Council their ability to sustainably accommodate the development requirements associated with specific settlements/sites within the Green Belt in Shropshire. Through the Duty to Cooperate conversations Newcastle-under-Lyme Borough Council have indicated they are not in a position to accommodate any of Shropshire’s proposed Green Belt release.

## **9. Matters of Disagreement**

- 9.1. There are no matters that Shropshire Council and Newcastle-under-Lyme Borough Council disagree on.

## **10. Governance Arrangements**

- 10.1. Governance arrangements are key to ensure that effective duty to cooperate discussions are undertaken and an appropriate SoCG prepared.
- 10.2. Updating of this SoCG will be linked to key milestones within the Local Plan process for the Local Planning Authorities involved.

## **11. Conclusions**

- 11.1. The parties agree that:

- i) Shropshire Council has fulfilled its Duty to Cooperate with Newcastle-under-Lyme Borough Council.
- ii) The parties will continue to work positively together and where relevant with other prescribed bodies on strategic cross boundary issues.

## 12. Signatories

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

| <b>Shropshire Council</b>                      | <b>Newcastle-under-Lyme Borough Council</b>              |
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| Name: Edward West                              | Name: <i>PAUL NORTH-COTT</i>                             |
| Position: Planning Policy and Strategy Manager | Position: <i>PORTFOLIO HOLDER FOR STRATEGIC PLANNING</i> |
| Date agreed: 15th September 2021               | Date agreed: <i>14th SEPTEMBER 2021</i>                  |
| Signature:                                     | Signature  |

