

Statement of Common Ground between Shropshire Council and Worcestershire County Council

Date: March 2022

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*”¹.
- 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*”².

2. Purpose

- 2.1. This Statement of Common Ground (SoCG) has been produced to support the Shropshire Council Local Plan Review. It sets out how Shropshire Council and Worcestershire County Council have engaged in order to fulfil their Duty to Cooperate requirements.

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;

¹ MHCLG, (2019), NPPF – Paragraph 24

² MHCLG, (2019), NPPF – Paragraph 26

- 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.

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”*³.

4. Relevant Local Authorities and Geography

- 4.1. This SoCG has been prepared jointly by Shropshire Council and Worcestershire County Council. The two Local Planning Authorities are neighbouring authorities and between them cover the entirety of the administrative areas of Shropshire and Worcestershire respectively.
- 4.2. The map below illustrates the location of Shropshire and Worcestershire County Council areas:



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

- 4.3. 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 the adopted Neighbourhood Plans. On completion of the review process, the Core Strategy and SAMDev documents will be replaced by a single Local Plan document (supported by any adopted Neighbourhood Plans) which will include all strategic and detailed policies, together with all site allocations for a Plan period 2016 to 2038.
- 4.4. Shropshire Council is at an advanced stage in the review of its Local Plan which has been through several stages of consultation as set out below. Further to the completion on the Regulation 19 stage of plan preparation in February 2021, the Council now intend to submit the Local Plan for Examination in September 2021.
- 4.5. The Shropshire 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.
 - Worcestershire County Council have been consulted as part of the ‘Regulation 19’ Consultation undertaken 18th December 2020 and 26th February 2021 to inform the Shropshire Local Plan Review.
 - Duty to Cooperate discussions will continue at appropriate times as the Local Plan Review progresses.

5. Key Strategic Matters

Transport / Highways

- 5.1. Due to the spatial distribution of development in the Shropshire Local Plan, the most populated areas of the county are some distance from Worcestershire. The two authorities therefore have no concerns about cross-boundary transport requirements or the soundness of the plan from a transport perspective

Minerals

- 5.2. The Duty to Cooperate process has principally been undertaken through discussions at the West Midland Aggregates Working Party (AWP) between July 2018 and April 2021. Both Shropshire Council and Worcestershire County Council are members of AWP.

- 5.3. As well as this, and as outlined in para 4.5, Worcestershire County Council have been consulted at each stage of Shropshire's Local Plan Review preparation process.

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- 5.4. Increasing rates of housing and employment development have strengthened the demand for construction aggregates within Shropshire and in the adjacent areas which it supplies. Shropshire Council considers that 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.
- 5.5. Despite increasing demand, significant aggregate resources are already available from permitted sites and unimplemented site allocations made in the SAMDev Plan which are proposed to be 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.
- 5.6. Worcestershire County Council had expressed concern about whether Shropshire Council could rely on the scale of windfall development to meet anticipated demand of 10.5 million tonnes in the context of the wording of policy SP16, where part 4 sets strict criteria about when working sand and gravel outside allocations and existing permitted reserves will be acceptable. WCC considered that the policy as drafted did not seem to be positively phrased about enabling such windfall development if it is needed in order to meet need or to maintain landbanks or productive capacity. Further to Worcestershire County Council's comments at Regulation 19, Shropshire Council is proposing to make a modification to part 4 of policy SP16 to cross-refer to the tests in DP30.
- 5.7. The issue of the extent of Shropshire's permitted reserves and the evidence used for this in SP16 and DP30 has been discussed with Worcestershire County Council as part of the Duty to Cooperate process. Shropshire Council is proposing further to Worcestershire County Council's comments at Regulation 19 Shropshire Council is proposing to make a modification to Explanatory text SP16. This states the landbank of permissions for crushed rock working has remained consistently above the minimum required level and no additional provision therefore needs to

be made during the Plan period. Further information about crushed rock and other mineral resources produced in Shropshire is available in the Minerals Technical Background Document.

It has been agreed that if this needs further evidence at Shropshire's Examination in Public this will be done in a way to preserve the commercial sensitivity of this data.

- 5.8. The questions relating to the use of the three-year average production in 2018 plus 20% to arrive at a productive capacity for aggregates is part of an ongoing discussion with Worcestershire County Council and others as part of the West Midlands Regional Aggregate Working Party (RAWP). However, Shropshire Council is confident it can justify this methodology, is evidence based and is robust.

Waste

- 5.9. The Duty to Cooperate process has principally been undertaken through discussions at the West Midland Technical Advisory Board (RTAB) between July 2018 and April 2021. Both Shropshire Council and Worcestershire County Council are members of RTAB.
- 5.10. As well as this, and as outlined in para 4.5, Worcestershire County Council have been consulted at each stage of Shropshire's Local Plan Review preparation process.
- 5.11. 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.
- 5.12. There are no significant movements of waste from Worcestershire County Council into Shropshire, but Policy SP14 ensures the continued operation of existing waste management facilities is safeguarded and addresses any potential strategic issues.
- 5.13. No significant cross boundary issues identified.

Other strategic matters

- 5.14. No other strategic cross-boundary matters have been identified between the two authorities.

6. Matters of Agreement

6.1 All matters, aside from those identified in Section 7 are agreed.

7 Matters of Disagreement

7.1 There are no remaining areas of disagreement between the authorities following the modifications proposed by Shropshire Council.

8 Governance Arrangements

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

9 Conclusions

- a. The parties agree that:
 - i) Shropshire Council has fulfilled its Duty to Cooperate with Worcestershire 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

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

Figure 2: Signatories

Shropshire Council	Worcestershire County Council
Name: Edward West Position: Planning Policy and Strategy Manager Date agreed: 14 th march 2022	Name: Emily Barker Position: Head of Planning and Transport Planning Date agreed: 15 th March 2022 Signature:

Shropshire Council	Worcestershire County Council
Signature:	