

Shropshire Council  
Shirehall  
Abbey Foregate  
Shrewsbury  
Shropshire SY2 6ND

Date: 16<sup>th</sup> September 2022

Reference: Response to ID17

Dear Planning Inspectors,

We write in response to your correspondence regarding the Duty to Cooperate (**Reference ID17**), issued following the completion of the Stage 1 hearing sessions.

Specifically, we write in response to your request for further information regarding the Duty to Cooperate activity that has occurred *“prior to the point of submission”* of the draft Shropshire Local Plan on the 3<sup>rd</sup> September 2021, in order to demonstrate that Shropshire Council has *“engaged constructively, actively and on an ongoing basis with other local planning authorities, prescribed bodies or other persons prescribed or of a prescribed description in relation to the strategic matters of housing and employment land when preparing the Plan”*.

Shropshire Council considers that it has effectively engaged with and undertaken the Duty to Cooperate with relevant bodies and as recognised within your correspondence ID17 *“All of the identified strategic cross-boundary matters and how the Council considers its Duty was addressed with the relevant bodies are summarised in its compliance statement (EV042).”* This was subsequently expanded upon within the Council’s Matter 2: Hearing Statement and within the relevant hearing session.

However, Shropshire Council welcomes the opportunity to provide further information regarding the activity undertaken when engaging constructively, actively and on an ongoing basis, consistent with the requirements of the Duty to Cooperate, in relation to the strategic matters of housing and employment land when preparing the Plan.

To this end, we have prepared the enclosed schedule which summarises the key engagement activity undertaken by Shropshire Council with adjoining and closely related Local Planning Authorities (the section relating to the Black Country Authorities is at Pages 1-15), which are considered the main relevant bodies with regard to the strategic matters of housing and employment land. Specifically, the schedule provides a summary of the key activity undertaken with the adjoining and closely related Local Planning Authorities, identifies the date upon which this activity occurred, summarises the available evidence to demonstrate that this activity occurred, and summarises the nature of the activity and focus of discussions.

This schedule is supported by a bundle of appropriately redacted copies of the available evidence of the engagement activity undertaken. In assembling this evidence, the Council has noted that within your correspondence ID17 you recognise that *“As that evidence should already exist it is not for us to prescribe its breadth or format. What is vital is that it helps demonstrate constructive, active and ongoing engagement on strategic matters relating to housing and employment and how this engagement maximised the effectiveness of plan preparation.”*

In addition to the engagement activity summarised within this schedule we would ask you to note that:

- Shropshire Council has undertaken an iterative approach to the development of the draft Shropshire Local Plan. Reflecting this principle, a series (five) Regulation 18 Consultations have been undertaken. Furthermore, a formal Regulation 19 Consultation has also been undertaken. During each of these consultations, which represent an important component of the proactive engagement undertaken by Shropshire Council, adjoining and closely related Local Planning Authorities were invited to respond to inform the draft Shropshire Local Plan. These consultations were as follows:
  - Regulation 18: Issues and Strategic Options Consultation: 23/01/2017 - 20/03/2017.
  - Regulation 18: Preferred Scale and Distribution of Development Consultation: 27/10/2017 - 22/12/2017.
  - Regulation 18: Preferred Sites Consultation: 29/10/2018 - 08/02/2019.
  - Regulation 18: Strategic Sites Consultation: 01/07/2019 - 09/09/2019.
  - Regulation 18: Pre-Submission Consultation: 03/08/2020 - 30/09/2020.
  - Regulation 19: Pre-Submission Consultation: 18/12/2020 - 26/02/2021.
- The draft Shropshire Local Plan represents an early and partial review of the adopted Local Development Plan and the most recent component of the adopted Local Development Plan (known as the Site Allocations and Management of Development (SAMDev) Plan) was only adopted a short time before the commencement of the process undertaken to inform the preparation of the draft Shropshire Local Plan. Specifically, the SAMDev Plan was adopted in December 2015 and the review process commenced in late 2016/early 2017. As such, much of the proactive engagement undertaken as part of the preparation of the SAMDev Plan (which was found to be compliant with the Duty to Cooperate) remains relevant for the draft Shropshire Local Plan. However, the prepared schedule primarily focuses on the engagement activity undertaken during the Local Plan Review process itself.
- The engagement activity undertaken during the preparation of Local Plans within other Local Planning Authorities administrative areas is also of relevance to this Council’s discharge of our Duty to Cooperate. However, again the prepared schedule primarily focuses on the engagement activity undertaken during the Local Plan Review process itself.



The proactive engagement undertaken with each of the adjoining Local Planning Authorities and closely related Local Planning Authorities culminated in the completion of the submitted Statements of Common Ground (SoCG). These SoCG recognise the engagement undertaken and identify any relevant strategic cross-boundary matters, including with relation to strategic matters of housing and employment land. As such they effectively demonstrate that proactive engagement consistent with the requirements of the duty to cooperate has been undertaken.

Furthermore, it is important to recognise the **outcomes** of the duty to cooperate activity undertaken is evidence that the engagement was constructive and effective. Specifically, directly informed by the effective engagement and duty to cooperate activity undertaken between Shropshire Council and the Association of Black Country Authorities, Shropshire Council has proposed a contribution to unmet housing and employment land needs forecast to arise within the Black Country Authorities administrative areas. These proposed contributions have been agreed within the SoCG between Shropshire Council and the Association of Black Country Authorities (EV041), which is signed by Shropshire Council and representatives of each of the Black Country Authorities.

The proposed contributions to unmet housing and employment land needs forecast to arise within the Black Country Authorities administrative areas within Shropshire Council's administrative area are 1,500 dwellings and 30ha of employment land. Shropshire Council considers that these are appropriate contributions and importantly they have been specifically agreed with the Black Country Authorities within the signed SoCG. For reasons which we have already explained in writing and orally at the hearing sessions, these figures are (a) evidence based, and (b) expressly an initial contribution. As you know, we are committed to continuing to work with the Black Country Authorities and other Local Planning Authorities in ascertaining the most sustainable distribution of any residual unmet need (including whether further land should be released from the Green Belt and if so where) following the examination of the emerging Black Country Local Plan. However, we are aware that other parties at the examination of the draft Shropshire Local Plan have indicated that they consider that these agreed contributions are insufficient and more should be done in Shropshire at this time. Whilst this is clearly a matter of soundness for the Planning Inspectors to consider, we would draw the key distinction between the requirements of the legal Duty to Cooperate and the consideration of soundness.

In conclusion, Shropshire Council considers that it has actively, constructively and effectively engaged on an ongoing basis with other local planning authorities, prescribed bodies or other persons prescribed or of a prescribed description in relation to the strategic matters of housing and employment land when preparing the draft Shropshire Local Plan, such that the Duty to Cooperate has been met and sustainable outcomes achieved.



This position is supported by the enclosed schedule which summarises the key engagement activity undertaken by Shropshire Council with adjoining and closely related Local Planning Authorities. It is also supported by the wider activity undertaken and importantly the completed SoCG with adjoining and closely related Local Planning Authorities.

Shropshire Council also considers that the active and constructive engagement undertaken on an ongoing basis with relevant bodies has supported the preparation of an effective and sound plan.

Yours sincerely

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Planning Policy and Strategy Manager  
Shropshire Council

