

Telford & Wrekin Local Plan - Duty to Co-operate Statement

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1 Summary

1.1 This statement shows how the Council has discharged its legal Duty to Cooperate in the preparation of the Telford & Wrekin Local Plan. The statement updates and supersedes one prepared in January 2016 in association with the Regulation 19 (Publication Version) of the Local Plan.

1.2 The statement presents a brief summary of the legal issues and national policy that frame how the Council should progress the Duty. It sets out how the Council has identified and scoped out the organisations with which it considers it has a duty and explains how the Council has engaged with relevant bodies. An audit of evidence is attached to this statement.

1.3 Based on the process undertaken to date, the Council is confident that it has met its legal requirements under the Localism Act 2011.

2 What is the Duty to Cooperate?

2.1 Despite the demise of regional planning in 2013, 'strategic planning' (managing development and infrastructure impacts that are likely across more than one local authority area) remains an important aspect of the plan-making process. If not addressed properly, this might result in unsustainable plans that reduce the ability to deliver infrastructure and inward investment. Most crucially, the plan may be found unsound at examination, significantly reducing the local authority's ability to manage development appropriately.

2.2 To replace the regional planning structure, the former Coalition government enacted the Localism Act 2011, which now makes strategic planning the responsibility of local councils. Local authorities are expected to address strategic issues in local plans and demonstrate how this has been managed through the 'Duty to Cooperate'. The 'Duty' is set out in Section 33A of the Planning and Compulsory Purchase Act 2004 (as amended by Section 110 of the Localism Act).

2.3 As well as applying to all local planning authorities and county councils in England, the Duty also applies to a number of other "prescribed" bodies. Regulation 4 of the Town and Country Planning (Local Planning) (England) Regulations 2012 sets out who those "prescribed" bodies are. These are set out below:

- The Environment Agency;
- The Historic Buildings and Monuments Commission for England (now known as Historic England);
- Natural England;
- The Mayor of London;
- The Civil Aviation Authority;
- The Homes and Communities Agency;
- Clinical Commissioning Groups;
- National Health Service Commissioning Board;
- The Office for Rail Regulation;
- Transport for London;

- Each Integrated Transport Authority ⁽¹⁾;
- The Highway Authority (Telford & Wrekin is a unitary authority so its highways function is discharged as part of its wider municipal responsibilities. The Secretary of State for Transport is the highways authority for the trunk roads and motorways which run through the borough and is represented by Highways England);
- The Marine Management Organisation;
- The Local Enterprise Partnership (LEP) and Local Nature Partnership (LNP).

2.4 The Duty relates to sustainable development or use of land that would have a significant impact on at least two local planning areas, otherwise described as *strategic matters* and requires:

- Councils and public bodies to "...engage constructively, actively and on an ongoing basis..." to develop strategic policies;
- Councils to set out planning policies to address such issues; and
- Councils to consider joint approaches to plan making.

2.5 The Duty to Cooperate is not a 'duty to agree'. However, all local planning authorities are expected to demonstrate evidence of having successfully cooperated to plan for issues with cross-boundary impacts when their local plans are submitted for examination. The key requirement is therefore to present clear 'outcomes' emerging from the 'process' of cooperation that has taken place.

3 National Policy on Duty to Cooperate

3.1 The requirements of the Duty are amplified in paragraphs 178-181 of the National Planning Policy Framework (NPPF), and the Planning Practice Guidance (PPG). As stated above, public bodies have a duty to cooperate on planning issues that cross administrative boundaries, particularly those which relate to the *strategic priorities* identified in paragraph 156 of the NPPF. It states that public bodies should:

- co-operate on planning issues that cross administrative boundaries, particularly those that relate to strategic priorities, including the homes and jobs needed in an area, the provision for retail, leisure, commercial development, a wide range of infrastructure provision, climate change mitigation as well as adaptation and conservation of the natural and historic environment, including landscape;
- undertake joint working on areas of common interest for the mutual benefit of neighbouring authorities;
- work collaboratively with other bodies to ensure that strategic priorities across local boundaries are properly co-ordinated and clearly reflected in individual Local Plans;
- consider producing joint planning policies on strategic matters and informal strategies such as joint infrastructure and investment plans;
- local planning authorities should work collaboratively on strategic planning priorities to enable delivery of sustainable economic growth in consultation with Local Enterprise Partnerships and Local Nature Partnerships;

1 Telford & Wrekin Council is not part of any Integrated Transport Authority

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- work collaboratively with private sector bodies, utility and infrastructure providers; and
- demonstrate evidence of having effectively co-operated to plan for issues with cross-boundary impacts when their Local Plans are submitted for examination. This could be by way of plans or policies prepared as part of a joint committee, a memorandum of understanding or a jointly prepared strategy which is presented as evidence of an agreed position.

3.2 As stated above, co-operation should be a continuous process of engagement from initial thinking through to implementation, resulting in a final position where plans are in place to provide the infrastructure necessary to support current and projected future levels of development.

3.3 Two tests of soundness identified in the NPPF (paragraph 182) relate directly to the Duty, as follows:

- positively prepared – the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is practical to do so consistently with the presumption in favour of sustainable development; and
- the plan should be deliverable over its period and based on effective joint-working on cross-boundary strategic priorities.

3.4 As part of the consultation process and through the 'Duty' more specifically, Telford & Wrekin Council has sought engagement from an early stage with neighbouring local authorities to establish what the cross-boundary issues might be in relation to the emerging Local Plan.

3.5 The local authorities that adjoin the borough are:

- Shropshire Council;
- Stafford Borough Council ;
- South Staffordshire Council; and
- Staffordshire County Council area

3.6 Whilst other nearby authorities are considered to be:

- Those authorities covering the Joint Black Country Core Strategy area (Dudley, Sandwell, Walsall and Wolverhampton);
- Birmingham; and
- Herefordshire;

3.7 Some more distant authorities were scoped out following the Regulation 18 consultation stage including:

- Stoke-on-Trent;
- Newcastle-under-Lyme, and
- Powys.

3.8 There are some important reasons for looking beyond simply engaging with neighbouring authorities, as required in the NPPF, at this stage. Principally, it is to recognise the borough's historic relationship with the rest of the West Midlands, in particular relating to Telford's

designation as a New Town for dealing with overspill from the conurbation. In addition, the Council wishes to employ a 'belt and braces' approach which recognises that it is better to look further afield than may be appropriate, rather than be too constrained and risk legal challenge.

3.9 Section 4 below provides brief commentary on how the Duty relates to the Borough of Telford & Wrekin. Sections 5 to 7 provide more detail relating to the engagement that has taken place up to the submission of the Local Plan for examination.

4 The Duty as it relates to Telford and Wrekin

4.1 The previous section outlined what the 'Duty to Co-operate' entails and identified the key national policy requirements that the Council must address if it is to comply with its legal obligations. These requirements are stated at face value. However, it must be recognised that every local authority is unique in terms of the planning issues that it faces, their relationship with their neighbouring areas, meaning that the planning response will be specific to each local authority. Consequently, the way in which the legal obligation is discharged will be specific to every authority.

4.2 In demonstrating that it has complied with the Duty legislation, the Council must work collaboratively to ensure that strategic priorities across local boundaries are properly co-ordinated and clearly reflected in individual local plans⁽²⁾. It is therefore necessary to understand the relationship between Telford & Wrekin and its neighbours, given the available evidence base, and the implications this has for how the Council should progress any matters of a strategic nature.

4.3 The NPPF ⁽³⁾ identifies the development and infrastructure requirements of the area as being strategic priorities that should be set out in a local plan. This includes, most critically, the provision of new housing and jobs needed up to 2031. In the context of Telford & Wrekin, particularly regarding its designation as a New Town in 1968, the available evidence from the Census relating to migration and travel to work patterns supports the view that, in broad terms, the borough is formed by its own housing market area, separate to any other local authority area. Furthermore, as set out in the Regulation 18 (Consultation Version) of the Local Plan and demonstrated in the evidence base, the full objectively assessed needs of the borough can be met within the borough's housing market and functional economic area, in order to deliver sustainable development without the need to accommodate any of its own shortfall within neighbouring local authority areas ⁽⁴⁾.

4.4 Consequently, the Council does not consider that it needs to cooperate with neighbouring authorities on the issue of meeting its own development needs. This is because the development strategy proposed in the Local Plan supports a level of growth that that can be met within its

2 paragraph 179 of the NPPF

3 paragraph 156

4 see the Telford and Wrekin Strategic Housing Market Assessment (2014) and Telford and Wrekin Objectively Assessed Report (2015) for further details

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own area. This is in line with borough's wider role as an economic driver across the Marches LEP area ⁽⁵⁾ and reflects the legacy of the new towns period and the level of existing supply of land in the pipeline ⁽⁶⁾.

Regional collaboration

4.5 Telford & Wrekin Council has a tradition of working with other authorities within the West Midlands region, principally through the now revoked regional planning process. The Council is a non-constituent member of the West Midlands Combined Authority and is also a member of the West Midlands Planning Officers Group (WMPOG) and continues to attend meetings regularly. Since the enactment of the duty to cooperate obligation in the Localism Act in 2011, and the publication of the NPPF, the Council has engaged with a number of local authorities across the region.

4.6 To this end, the Council continues to work alongside the following authorities in the preparation of their Local Plans and other relevant Development Plan Documents through the Duty to Cooperate process:

- Shropshire Council;
- Stafford Borough Council;
- Herefordshire Council;
- South Staffordshire Council;
- Black Country Authorities (covering Dudley, Sandwell, Walsall and Wolverhampton); and
- Birmingham City Council.

4.7 As part of the process of working with its neighbours, the Council has either formally signed memoranda of understanding (MoUs) which establish the parameters for future engagement, or has received notification that no strategic issues exist at this time with (refer Appendix 2).

4.8 Through engagement undertaken to date, Telford & Wrekin and Shropshire agree that, whilst neither authority shares a housing market area, both areas are 'complementary' to one another in terms of their strategic functions within the sub-region. This position was formally agreed by both councils in 2014 during the preparation of the Shropshire Site Allocations and Management of Development DPD (SAMDev).

4.9 In terms of the wider Greater Birmingham area, Telford & Wrekin Council has been engaged in discussions regarding the housing shortfall emanating from Birmingham as part of the Greater Birmingham and Solihull Local Enterprise Partnership (GBSLEP) since this issue first emerged in 2013. The Council has attended a number of meetings with its local authority colleagues and the GBSLEP on this matter and has agreed to continue constructive engagement

5 Covering the three local authority areas of Telford and Wrekin, Shropshire, and Herefordshire

6 For further details relating to the justification for the housing requirement, see the Technical Paper: Housing Growth (2016) that accompanies the regulation 19 consultation.

on this matter. It was stated in the housing need study for Greater Birmingham and Solihull that Telford & Wrekin does not share a housing market with the Greater Birmingham and Black Country HMA ⁽⁷⁾.

Local collaboration with other Duty to Cooperate bodies

4.10 In addition to its obligation to cooperate on the preparation of the Local Plan, the Council has also engaged extensively with stakeholders on the subject of its Infrastructure Delivery Plan (IDP) which was finalised in January 2016. Many of the bodies who were invited to co-operate on the preparation of the Local Plan were also closely involved in providing data, commentary, expertise and advice on the infrastructure issues facing the borough over the long term. With regard to health provision, for example, the desire to promote collaboration on common health and town planning outcomes was approved at the joint NHS Clinical Commissioning Group/ Telford & Wrekin Council Health and Wellbeing Board in September 2015.

4.11 Over and above this type of activity, the Council remains committed to working with other agencies on individual land use projects across the borough such as the management of the Shropshire Hills Area of Outstanding Natural Beauty as well as the Ironbridge Gorge World Heritage Site Management Plan because both sites straddle two local authority boundaries and have distinct heritage, ecological and geotechnical challenges. In this respect, Natural England, the Environment Agency and Shropshire Council participate in a joint working party on both bodies and Historic England are a key partner in the management and protection of Ironbridge. Similar joint working with Duty to Cooperate bodies such as Natural England exists in relation to the Wrekin Forest Partnership and the Local Nature Partnership.

5 Potential Strategic Matters

5.1 In July 2013, Telford & Wrekin Council issued for consultation its strategic direction and options relating to a range of topics areas that might be covered in an emerging local plan (Strategy and Options stage). At the time, the Council sought to engage with those relevant, neighbouring local authorities and the prescribed bodies to ascertain what the strategic matters might be for them in relation to the emerging local plan.

5.2 The Council has continued to engage with the duty to cooperate bodies on a range of matters since then and a summary is set out in Appendix 1.

5.3 In the lead up to the submission of the Local Plan to the Planning Inspectorate, the Council sought to update the list of strategic matters that may have implications for the emerging Local Plan and then consulted each body again. Table 1 below sets out a summary of the bodies that the Council liaised with, and includes an update on the position reached between the Council and the related body at the time of writing this statement.

7 Greater Birmingham and Solihull LEP and Black Country Local Authorities: Strategic Housing Needs Study Stage 3 Report, Peter Brett Associates (August 2015), para 9.1

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Table 1 Duty to Cooperate bodies and identified strategic matters, summer 2015 and subsequent update as of June 2016

Duty to Cooperate Body	Potential Strategic Matters/Issues	Position as of June 2016
Shropshire Council	<ul style="list-style-type: none"> Housing target Economic growth level Location of economic development Gypsy and Traveller site policies Retail Tourism and heritage (especially around the Ironbridge Gorge World Heritage Site) Transport Infrastructure Strategic Ecological, landscape features and designations Waste Management Minerals Water infrastructure 	No issues outstanding (see paragraphs 6.2-6.6)
Stafford Borough Council	<ul style="list-style-type: none"> Strategy for Newport (adjacent to Stafford boundary) 	No issues outstanding (see paragraphs 6.7-6.8)
Birmingham City Council	<ul style="list-style-type: none"> Distribution of housing 	Ongoing discussions (see paragraphs 6.10-6.12)
Black Country Authorities (comprising Wolverhampton, Dudley, Sandwell and Walsall)	<ul style="list-style-type: none"> Distribution of housing Waste planning 	Ongoing discussions (see paragraphs 6.13-6.16; 7.1-7.4)
South Staffordshire Council	<ul style="list-style-type: none"> Employment and business links 	Ongoing discussions linked to Black Country Authorities (see paragraphs 6.17-6.18; 7.1- 7.4)
Staffordshire County Council	<ul style="list-style-type: none"> Waste Management 	No issues outstanding (see paragraphs 6.19-6.21)
Herefordshire Council	<ul style="list-style-type: none"> Housing target and where future households may come from Gypsy and Traveller site policies Transport infrastructure 	No issues outstanding (see paragraph 6.22)

Duty to Cooperate Body	Potential Strategic Matters/Issues	Position as of June 2016
	<ul style="list-style-type: none"> Strategic ecological, landscape features and designations Waste Management Landfill sites Minerals 	
Stoke-on-Trent City Council	Offer to meet to discuss potential for strategic matters and reflecting the fact that Newcastle-under-Lyme and Stoke-on-Trent City Council are working on a joint Local Plan	No issues (see paragraph 6.23)
Newcastle-Under-Lyme Borough Council	Offer to meet provided to discuss potential for strategic matters and reflecting the fact that Newcastle-under-Lyme and Stoke-on-Trent City Council are working on a joint Local Plan	No issues (see paragraph 6.23)
Powys Council	Agreed position that no strategic matters exist	No issues (see paragraph 6.23)
Environment Agency	<ul style="list-style-type: none"> Flood risk Waste water infrastructure 	No outstanding issues (see paragraphs 6.24-6.26)
Historic England	<ul style="list-style-type: none"> Heritage issues Conservation Areas Tourism (including around the Ironbridge Gorge World Heritage Site) Strategic ecological, landscape features and designations around but not exclusively restricted to the Ironbridge Gorge Archaeology and Scheduled Ancient Monuments - including minerals 	No issues outstanding apart from Site H5 (the Beeches) (see paragraphs 6.27-6.29)
Natural England	<ul style="list-style-type: none"> Green Infrastructure including designated sites 	No issues outstanding (see paragraphs 6.30-6.31)
Homes and Communities Agency	<ul style="list-style-type: none"> Distribution of housing provision and phasing/ timing of development Distribution of employment provision and phasing/timing of development 	No issues outstanding (see paragraphs 6.32-6.34)

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Duty to Cooperate Body	Potential Strategic Matters/Issues	Position as of June 2016
The Local Nature Partnership	<ul style="list-style-type: none"> Housing target Location of economic development Cross-boundary tourism ie. AONB Strategic ecological, landscape features and designations Ironbridge Gorge World Heritage Site Flood Risk Water Infrastructure Mineral issues 	No issues outstanding (see paragraphs 6.35-6.37)
The Marches Local Enterprise Partnership	<ul style="list-style-type: none"> Alignment of employment and housing growth with the MLEP strategic economic plan 	No issues outstanding (see paragraphs 6.38-6.39)
Telford and Wrekin Clinical Commissioning Group (CCG) (previously the Primary Care Trust)	<ul style="list-style-type: none"> Health-related infrastructure provision 	No issues outstanding (see paragraph 6.40)
National Health Service Commissioning Board	<ul style="list-style-type: none"> Health-related infrastructure provision 	No issues outstanding (see paragraph 6.40)
Telford & Wrekin Highways Authority	<ul style="list-style-type: none"> Level and distribution of housing and employment development 	No issues outstanding (see paragraphs 6.41-6.42)
The Integrated Transport Authority (WMITA)	<ul style="list-style-type: none"> Housing target Location of economic development Transport infrastructure 	No issues (see paragraph 6.43)
Highways England	<ul style="list-style-type: none"> Level and distribution of housing and employment development 	No issues outstanding (see paragraph 6.44)
The Mayor of London	Agreed position that no strategic matters exist	No issues (see paragraph 6.45)
Transport for London	Agreed position that no strategic matters exist	No issues (see paragraph 6.45)
Civil Aviation Authority	Agreed position that no strategic matters exist	No issues (see paragraph 6.45)
Office for Rail and Roads	Agreed position that no strategic matters exist	No issues (see paragraph 6.45)

5.4 Section 6 briefly considers how these matters were progressed up to submission of the Local Plan and, where relevant, in the finalisation of the IDP.

6 Engagement with bodies up to submission stage

6.1 As summarised in the previous section, the Council has engaged with both the prescribed bodies and the relevant local authorities to determine those issues that may emerge as forming strategic matters to be considered through the Duty obligation. This section therefore provides some more detail concerning the Council's ongoing engagement work relating to those matters identified in Table 1 up to and including the Regulation 22 (submission) stage and the finalisation of the IDP. Appendix 1 sets out a summary of engagement with each body, including the dates where specific meetings were held between parties, and signposts the reader to the specific detail of any relevant understandings or agreements reached at the submission stage. This is set out in Appendix 2.1 to 2.18.

Shropshire Council

6.2 The Shropshire Council administrative area is the most closely aligned area to Telford & Wrekin. Consequently, Shropshire has raised the most issues that could potentially form strategic matters. In response, the Council and Shropshire have held regular meetings to discuss issues relating to the emerging planning framework across both authority areas. An agreement has now been reached on the basis of joint working on the development of the local plan, and the Council will cooperate with Shropshire as it progresses the review of its core strategy.

6.3 In developing the Telford & Wrekin Waste Capacity Study, the Council liaised with Shropshire Council regarding the future cross-boundary movement of municipal waste. No issues were raised at the time the study was prepared. Nonetheless, whilst being essentially a contractual issue for the waste management service provider, the Council will have to continue to engage with Shropshire Council through the Duty to Cooperate process.

6.4 On housing matters, a key factor in determining the level of engagement between both councils is the nature of the housing market areas covering both council areas. It has been agreed that both areas are broadly separate in terms of their strategic housing market areas. A formal agreement recognising this was signed by both authorities during the preparation of the Shropshire Site Allocations and Management of Development DPD (SAMDev) which was adopted in December 2015.

6.5 Shropshire Council confirmed in writing on 21 September 2015 its view that:

- housing and employment land provision have been discussed in considerable depth over the last 18 months and the revised requirements derived from the objectively assessed housing need are accepted by Shropshire Council to support economic growth and reinforce the complementary relationship between the two authorities;
- the Local Plan does not include allocations to accommodate housing or other development needs within Shropshire Council authority area;
- Shropshire Council has not sought to accommodate housing or other development needs in the Local Plan; and that
- Both authorities have engaged constructively, actively and on an ongoing basis during preparation of the Local Plan.

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6.6 The Council believes it has discharged its Duty to Cooperate with Shropshire Council. To this end, a formal agreement with Shropshire was signed off by the Council on 23 June 2016 (see Appendix 1 and Appendix 2.1 for further details). The Council has also resolved to work with Shropshire Council on progressing other projects such as a Supplementary Planning Document to cover the Ironbridge Gorge World Heritage Site.

Stafford Borough Council

6.7 Stafford Borough Council lies along a significant length of the administrative boundary to the north-east of the borough, and is accessible along the A518 linking Telford to Stafford via the market town of Newport. Stafford has been consulted at all critical stages as the Local Plan has evolved. The Council has held meetings with Stafford Borough officers and it was agreed in September 2015 that there are no strategic matters between the two authorities.

6.8 The Council believes it has discharged its Duty to Cooperate with Stafford Borough Council. To this end, a formal agreement with Stafford was signed off by the Council on 23 June 2016 (see Appendix 1 and Appendix 2.2 for further details).

Relevant local authorities within the Greater Birmingham Housing Market Area

6.9 This section sets out how the Council has so far interacted with Birmingham City Council, the Black Country authorities (Wolverhampton, Walsall, Sandwell and Dudley) and South Staffordshire Council.

6.10 The **Birmingham City Council** administrative area is situated within the West Midlands conurbation and, hence, does not adjoin the boundary of Telford & Wrekin. Consequently, it is agreed by both parties that neither share a housing market or functional economic area. It is also agreed that there are no strategic matters arising from the Local Plan that are likely to affect Birmingham directly. Nonetheless, the Council recognises that there are wider strategic matters emanating from Birmingham that are impacting on how adjoining and other related local authorities are likely to progress their own local plans in the immediate future.

6.11 To coincide with the Regulation 18 consultation, Birmingham City Council confirmed that it did not object to the proposed housing and employment growth targets in the Local Plan but suggested that some of the in migration to meet the housing requirement in the Local Plan is likely to come from the Black Country which forms part of the Greater Birmingham Housing Market Area which, in turn, has a shortfall in housing provision. It has confirmed that it did not have any other Duty to Cooperate issues in relation to Birmingham and Telford & Wrekin.

6.12 At Regulation 19, the City Council gave its support for the Council setting a housing requirement above its OAN but stated that *"it would be helpful to understand where these additional households originate from"*. The City Council has suggested further that *"As the Greater Birmingham Housing Market Area currently has shortfall against objectively assessed need, consideration of the extent to which migration from the Greater Birmingham HMA accounts for this additional growth would be welcomed"*. (see Appendix 1 and Appendix 2.3)

6.13 The four **Black Country** authorities have a long established alliance of working jointly on strategic development plan documents (for example, preparing a Joint Core Strategy (2010)). None of these authorities adjoin the boundary of Telford & Wrekin. Furthermore, Telford & Wrekin does not share a housing market or functional economic area with the Black Country.

Nonetheless, the Council recognises that there are strategic matters emanating from the wider West Midlands conurbation that are impacting on how adjoining and other related local authorities, including the Black Country authorities, are likely to progress their own local plans in the immediate future. Consequently, it is acknowledged that due to Telford & Wrekin's historic relationship with the Black Country in terms of housing provision across the region, ongoing discussions should proceed in the spirit of the Duty obligation. Moreover, the Council is a non-constituent member of the West Midlands Combined Authority and wishes to play its role in matters of shared interest around the combined authority.

6.14 The Black Country authorities were consulted on the Local Plan. At Regulation 18, the Black Country authorities did not object to it but, rather, made comments relating to the projected level of housing growth set out in Policy HO1. They stated that the housing planned for over and above the Objectively Assessed Need (5,615 homes) be assigned to the Greater Birmingham and Black Country HMA.

6.15 At Regulation 19, the position of the Black Country authorities changed to one where they state that *"it is reasonable to conclude that at least 2,000 of the 5,615 extra homes"* provided in the borough be allocated towards meeting the identified housing shortfall in the Greater Birmingham and Black Country Housing Market Areas (See Appendix 1 and Appendix 2.4).

6.16 Even though for the purposes of plan-making Telford & Wrekin is a discrete housing market area apart from the Black Country, the Council has carefully considered this request. A number of discussions and meetings with the other authorities took place in the spring in the context of including the possibility of entering into an MOU with the Black Country on the proviso that this figure of 2,000 homes could be justified. However, in the absence of any substantive evidence to justify this request, the Council has concluded that there was nothing to convince it to enter into an MOU.

6.17 South Staffordshire Council (SSC) adjoins the borough by virtue of a narrow strip of land south of Lynn. The Council met formally with officers from South Staffordshire Council in the lead up to the Regulation 18 (Consultation) Version of the Local Plan. SSC is also part of the Black Country Housing Market Area, which itself forms part of the Greater Birmingham area. It is agreed that both areas do not share a housing or functional economic area. On this basis, both councils agreed to continue on-going engagement (and agree that there are unlikely to be any directly-related strategic matters arising from the draft Local Plan), and that it is important to do so in the context of housing market issues (including unmet housing need) affecting the Greater Birmingham area within which South Staffordshire is a part.

6.18 At Regulation 19, SSC asked that the Council assign at least 2,000 of the housing requirement in the Local Plan to be assigned to the Greater Birmingham and Black Country HMA (see Appendix 1 and Appendix 2.5). The Council does not agree that it has any obligation to accede to SSC request for the same reasons as have been given in relation to the Black Country.

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Staffordshire County Council

6.19 The Council considered the issue most likely to be of a strategic nature for Staffordshire County Council as waste management. In developing the Telford & Wrekin Waste Capacity Study, the Council liaised with Staffordshire regarding the future cross-boundary movement of municipal waste. No issues were raised at the time the study was being prepared. Staffordshire Council confirmed in an email of 27 August 2015 that there were no strategic waste issues with the Council. Nonetheless, whilst being essentially a contractual issue for the waste management service provider, the Council will continue to engage with Staffordshire through the Duty process.

6.20 Staffordshire County Council is also a minerals authority. Neither authority considers there to be any strategic cross border issues in relation to minerals planning.

6.21 The Council believes it has discharged its Duty to Cooperate with the Staffordshire County Council (See Appendix 1 and Appendix 2.6 for details).

Herefordshire Council

6.22 Whilst Herefordshire does not immediately adjoin the administrative boundary, it is within the Marches LEP area alongside Telford & Wrekin Council and Shropshire Council. The Council has sought agreement regarding those issues that could potentially be classed as strategic matters. The Council has had discussions with officers from Herefordshire. Neither party considers there to be any strategic cross boundary issues affecting one another that might influence the Local Plan. Herefordshire Council officers confirmed in a letter of 9 September 2015 that it did not object to the Local Plan, did not wish to make representations to accommodate its housing needs and is satisfied that the Council has complied with its Duty to Cooperate requirements (see Appendix 1 and Appendix 2.7 for details).

Other Local Authorities

6.23 Discussions have also taken place with a number of other local authorities listed in Table 1. These include Stoke-on-Trent City Council, Newcastle-under-Lyme Borough Council, and Powys County Council. The Council does not consider there to be any matters of a strategic nature with any of these authorities, and these three authorities have each confirmed this in writing. One meeting was held with representatives from Stoke on Trent during the Regulation 18 period to review the findings of the 2014 SHMA report.

Environment Agency

6.24 The Environment Agency (EA), alongside Severn Trent Water (STW), has worked closely with the Council particularly to understand the impacts of proposed levels of development on the local water and waste water environment. Accordingly, the Council has worked with the EA through both the Strategy and Options stage of the Local Plan (July 2013) and the consultation on the Proposed Housing and Employment Sites document in June 2014. To demonstrate this joint working, the EA and the Council have been co-operating in progressing an update to the flood risk evidence base. With regards to the management of waste water, the Council progressed an updated Water Cycle Study (WCS) with EA and the STW. The EA is satisfied with this research.

6.25 The EA is also satisfied with the work the Council has carried out in its IDP, subject to some suggestions about how water issues could be better expressed. The Environment Agency has also advised in response to the Regulation 18 (Consultation) version of the Local Plan its broad support for the Local Plan subject to some textual submissions which have largely been incorporated into the Regulation 19 (Publication) version of the Local Plan.

6.26 In February 2016, following a process of ongoing engagement on a range of topics related to the plan, EA confirmed their position that they are satisfied that the Council has discharged its obligations under the duty to cooperate legislation (see Appendix 1 and Appendix 2.8 for further details). A late submission in March 2016 confirmed broad agreement on relevant strategic matters. The Council believes it has discharged its responsibility to cooperate with the EA

Historic England

6.27 Historic England (HE), previously known as English Heritage, is the statutory consultee whose input primarily relates to the borough's historic environment. HE have been engaged at all previous stages of local plan preparation. Their input has influenced the production of specific policies set out in the Regulation 18 (Consultation) version of the Local Plan, in particular relating to the strategy for the historic environment, as well as specific draft heritage policies (for example covering Ironbridge Gorge World Heritage Site (IGWHS)). They appear to confirm their overall support for the direction of travel of the Local Plan.

6.28 Historic England made a number of very detailed comments on the Regulation 19 (Publication) version too including on heritage policies within the Built Environment section of the Local Plan and on the sites allocations. Over both stages and as a result of Historic England comments, the Council has incorporated most of these comments, has restructured Section 8 of the Local Plan to read 'Built environment and heritage' and has adjusted the boundaries of Housing Allocation H5 (The Beeches). The Technical Paper: Historic Environment clarifies the approach the Council has taken to this site and why as well as the methodology the Council has taken to all employment and housing allocations.

6.29 The Council believes it has discharged its duty to cooperate with the HE (see Appendix 1 and Appendix 2.9).

Natural England

6.30 Natural England (NE) have been engaged at all previous stages of the Local Plan preparation on all matters relating to the natural environment policy. Their input influenced the production of specific policies set out in the consultation (Reg 18) version of the emerging local plan, in particular relating to the designation of a number of new local nature reserves (LNRs) across Telford and which are shown on the local proposals map. For example, the Council has recently completed the declaration of Dothill LNR and have an number of other sites on which Natural England's views are being sought as part of the formal declaration process.

Telford & Wrekin Local Plan - Duty to Co-operate Statement

6.31 In March 2016, following a process of ongoing engagement on a range of topics related to the plan, NE confirmed their position that they had been engaged throughout the plan-making process, including related areas such as Appropriate Assessment, and did not object on the ground of non-compliance with the Localism Act (see Appendix 1 and Appendix 2.10 for further details). The Council believes it has discharged its duty to cooperate with NE.

Homes and Communities Agency

6.32 The Homes and Communities Agency (HCA), previously in the guise of the Telford Development Corporation (TDC), has played a significant part in the development of Telford over the last four decades or more. The HCA are a major public sector landowner in the borough. The HCA is actively involved in the delivery of a number of housing and employment sites in Telford as part of an ongoing partnership working arrangement with the Council, in particular the strategic sites at Lawley, Lightmoor, and the Telford Millennium Community development in Ketley. The HCA has also input previously to the preparation of the current development plan, including the Core Strategy and the Central Telford Area Action Plan. Through its role as the government's public sector land holder, the HCA and the Council have worked collaboratively on the preparation of the Local Plan, in particular relating to a number of proposed site allocations.

6.33 In its Regulation 18 submission, the HCA stated in broad terms its support for the Local Plan's general growth strategy and the indicative yields of relevant employment and housing land allocations. It identified some anomalies in the Green Network maps which have been corrected for the Regulation 19 exhibition. Changes have been made to Beeches Hospital (H5) and Land at The Hem (H10) housing allocation boundaries, in response to other Duty to Cooperate observations and wider concerns and these changes have been presented and explained to the HCA.

6.34 In March 2016, following a process of ongoing engagement on a range of topics related to the plan, HCA confirmed their position that they are satisfied that the Council has discharged its obligations under the duty to cooperate legislation (see Appendix 1 and Appendix 2.11 for further details). The Council believes it has discharged its Duty to Cooperate with the HCA.

The Local Nature Partnership

6.35 The Joint Shropshire and Telford & Wrekin Local Nature Partnership (LNP) was formed in July 2012. The LNP brings together a range of organisations, including local authorities, businesses, conservation and community groups, will focus on developing a shared environmental vision and identifying local priorities. It aims to raise awareness of the vital benefits that a healthy natural environment brings to people and the economy; promoting the use of the natural environment to tackle public health issues' ensure communication and coordinated action across organisations and influence local plans, development frameworks and policies.

6.36 Engagement so far has covered issues covering natural environment policies has fallen principally to Natural England and Shropshire Wildlife Trust (SWT). This is due to the relatively embryonic nature of the LNP. In due course the council will pursue constructive engagement with the LNP in the lead-up to the publication stage of the local plan. To ensure that engagement is both effective and timely, the Council is represented on the LNP Board, alongside Natural

England. For example, the Council works with the LNP on progressing a Natural Capital Accounting map for the LNP area to inform its strategic priorities and on the Council's Green Guarantee Project.

6.37 The LNP confirmed in its letter of 24 September 2015 that the Council had complied with its Duty to Cooperate in relation to the LNP (see Appendix 1 and Appendix 2.12 for further details).

The Marches Local Enterprise Partnership

6.38 The borough is situated within the Marches Local Enterprise Partnership (MLEP) alongside Shropshire and Herefordshire local authority areas. The remit of the MLEP is not to cover planning specifically, but it does seek to align the priorities of the MLEP with those relating to land use planning across the three areas. In broad terms, the emerging local plan has sought to align with the MLEP by responding to the economic priorities of the MLEP, namely stimulating economic growth, prosperity, skills and inward investment, as well as improvements to transport and broadband infrastructure.

6.39 The MLEP Board confirmed in the letter of 24 September 2015 its support for the Local Plan and, in particular, the employment and housing land targets. It noted further that these ambitions build upon extensive work to transform Telford Town Centre and reflect Telford's status in the MLEP Strategic Economic Plan as one of the three Urban Powerhouses that are driving economic growth across the Marches area. Thus, the Local Plan was seen to meet the strategic priorities of the Marches MLEP, set out in its Strategic Economic Plan (see Appendix 1 and Appendix 2.13 for further details).

Telford and Wrekin Clinical Commissioning Group (TWCCG) and NHS Property Services (representing NHS Commissioning Board)

6.40 The Council has undertaken extensive discussion with the TWCCG/NHS Property Services in relation to understanding the potential impacts of the emerging local plan on the provision of health services and infrastructure across Telford and Wrekin. This will be progressed through the Infrastructure Delivery Plan (IDP) in support of the Local Plan. The Local Plan was presented to the joint Health and Wellbeing Board in September 2015. The CCG confirmed in its response to the Regulation 18 consultation that the detail in the plan regarding anticipated total growth in population and the location of such growth would allow the CCG to plan future healthcare provision. A follow up joint letter of 11 January 2016 from the CCG and NHS England North Midlands states that neither body had fundamental issues to raise in connection with the Local Plan and, further, that they were satisfied that the Council had complied with its Duty to Cooperate (see Appendix 1 and Appendix 2.14 for further details).

Telford & Wrekin Highways Authority

6.41 The Highway Authority has worked closely with the Council's Environment and Planning Policy Team to model the impact of proposed levels of development on the local and strategic highway networks and has prepared research to inform local parking standards. As a whole of Council document, it is clearly implied that the Council has fully addressed all issues in its Local Plan relating to the discharge of its responsibilities as a highways authority.

Telford & Wrekin Local Plan - Duty to Co-operate Statement

6.42 In December 2015, following a process of ongoing engagement on a range of topics related to the plan, including the development of the Telford Strategic Transport Model (TSTM), the Highway Authority confirmed their position that they are satisfied that the Council has discharged its obligations under the duty to cooperate legislation (see Appendix 1 and Appendix 2.15 for further details).

The Integrated Transport Authority (WMITA)

6.43 The Local Plan does not propose any alterations to the existing strategic rail network. Consequently, the West Midlands Integrated Highway Authority (WMITA) has not raised any matters requiring engagement under the duty legislation (see Appendix 1 and Appendix 2.16 for further details).

Highways England

6.44 In addition, Highways England (though not a specific body identified in the Localism Act) has worked closely with the Council to understand the impacts of proposed levels of development on the strategic highway networks through the outcomes of the transport modelling exercise and have fed into the IDP. Highways England confirmed in a letter of 26 January 2016 that it was pleased to have engaged with the Council and that the Council has met its obligations regarding Duty to Cooperate. Highways England and the Council are committed to continued partnership working beyond the adoption of the Local Plan (see Appendix 1 and Appendix 2.17 for further details).

The Mayor of London, Transport for London, Civil Aviation Authority, and Office for Rail and Roads


6.45 See Appendix 1 and Appendix 2.18 for details.

7 Outstanding matters

7.1 The foregoing analysis has shown how the Council has discharged its Duty to Cooperate with relevant public bodies where it was considered that there may be a strategic matter to address.

7.2 The only outstanding matter of a strategic nature at this stage of the Local Plan preparation relates to the view put forward by Birmingham City Council, the Black Country authorities and South Staffordshire Council that some of Telford & Wrekin Council's housing requirement be assigned to the Greater Birmingham and Black Country Housing Market Area.

7.3 The Council has carefully considered these representations. It has been acknowledged by all parties that Telford & Wrekin functions as a separate housing market area, based on an analysis of the relevant indicators presented in supporting evidence to the Local Plan. Such an approach is consistent with the decision of the Greater Birmingham and Solihull Local Enterprise Partnership (GBSLEP) to exclude Telford & Wrekin from their assessment of housing needs within the GBSLEP area. Given this relationship, and based on current evidence available, the Council is not convinced that it should be a participant in any redistribution of future housing growth outwards from the West Midlands conurbation. Nonetheless, discussions will continue



to progress on this basis as the Black Country authorities (in collaboration with South Staffordshire Council) progress with the preparation of evidence to support the review of their Core Strategy (2010).

7.4 Notwithstanding this matter, and for the reasons given above, the Council considers that it has discharged its Duty to Cooperate.

Appendix 1 Summary record of engagement relating to TWLP

Name of body (In regs + others)	Record of engagement (i.e. meeting dates, project timetables)	What was the outcome of the engagement at time of submission? (Policy/letter/MoU/agreement etc)	Sign-post to relevant section of DtC statement for details (i.e. para, appendix)
Shropshire Council	<p>A total of ten meetings were held between 2012 and 2016, involving Council officers, on a range of topics centred around the issues identified in Table 1 of this statement.</p> <p>Meetings were held at the following times:</p> <ul style="list-style-type: none"> December 2012; June 2013; October 2013; March 2014 (two meetings); June 2014; January 2015; June 2015; September 2015; January 2016 	Signed agreement between both councils regarding the Telford & Wrekin Local Plan.	<ul style="list-style-type: none"> Paragraphs 6.2 to 6.6; See Appendix 2.1 for details of the agreement

Name of body (In regs + others)	Record of engagement (i.e. meeting dates, project timetables)	What was the outcome of the engagement at time of submission? (Policy/letter/MoU/agreement etc)	Sign-post to relevant section of DtC statement for details (i.e. para, appendix)
Stafford Borough Council	<p>A number of meetings were held between 2015 and 2016, involving Council officers, to discuss a range of topics relating to the emerging local plan. Meetings were held at the following times:</p> <ul style="list-style-type: none"> • June 2015; • September 2015; • January 2016. 	Signed agreement between both councils regarding the Telford & Wrekin Local Plan.	<ul style="list-style-type: none"> • Paragraphs 6.7 to 6.8; • See Appendix 2.2 for details of the agreement
Birmingham City Council (BCC)	<p>Series of meetings held between 2013 and 2016, held at the following times, to discuss plan-related matters:</p> <ul style="list-style-type: none"> • June 2013; • July 2013; • December 2013; • March 2014; • June 2015; 	<p>The latest formal position between both authorities was signed in June 2014 in the form of a memorandum of understanding. Subsequent letter of March 2016 relevant too</p>	<ul style="list-style-type: none"> • Paragraphs 6.10 to 6.12; • See Appendix 2.3 for details

Telford & Wrekin Local Plan - Duty to Co-operate Statement

Name of body (In regs + others)	Record of engagement (i.e. meeting dates, project timetables)	What was the outcome of the engagement at time of submission? (Policy/letter/MoU/agreement etc)	Sign-post to relevant section of DtC statement for details (i.e. para, appendix)
	<ul style="list-style-type: none"> September 2015; March 2016. 		
Association of Black Country Authorities (ABCA) ⁽⁸⁾	Series of meetings held during 2015 and 2016 involving the respective officers from ABCA and TWC on a number of matters relating to the local plan	Insufficient evidence provided to TWC to justify any formal agreement at time of submission	<ul style="list-style-type: none"> Paragraphs 6.13 to 6.16 and 7.1 to 7.4 See Appendix 2.4 for details
South Staffordshire District Council	Meeting held in July 2015 between respective officers from both LPAs. Subsequent engagement taken forward in association with ABCA.	Insufficient evidence provided to TWC to justify any formal agreement at time of submission	<ul style="list-style-type: none"> Paragraphs 6.17 to 6.18 See Appendix 2.5 for details
Staffordshire County Council	Series of correspondence in 2015, by email/telephone, specifically on potential issues inc. cross-boundary waste and minerals movements	Letter received confirming no strategic matters requiring discharge of the duty obligation.	<ul style="list-style-type: none"> Paragraphs 6.19 to 6.21 See Appendix 2.6 for details

8 South Staffordshire were also in attendance

Name of body (In regs + others)	Record of engagement (i.e. meeting dates, project timetables)	What was the outcome of the engagement at time of submission? (Policy/letter/MoU/agreement etc)	Sign-post to relevant section of DtC statement for details (i.e. para, appendix)
Herefordshire Council	Meeting held in July 2015 to discuss emerging TWLP and identify any matters arising	Letter received from HC (dated 9 September 2015) confirming no strategic matters, and that TWC has discharged its duty obligations	<ul style="list-style-type: none"> • Paragraph 6.22 • See Appendix 2.7 for detail
Environment Agency	<p>TWC has engaged with EA on specific aspects of policy, inc. Infrastructure delivery, water cycle study and SFRA update. A series of meetings have taken place on this and the issue of cooperation.</p> <p>Meetings were held at the following times:</p> <ul style="list-style-type: none"> • February 2014; • June 2014; • August 2014; • April 2015; • September 2015. 	<p>Agreement between TWC and EA regarding the evidence base, and duty to cooperate confirmation letter received (dated 4th February 2016).</p>	<ul style="list-style-type: none"> • Paragraphs 6.24 to 6.26 • See Appendix 2.8 for details

Telford & Wrekin Local Plan - Duty to Co-operate Statement

Name of body (In regs + others)	Record of engagement (i.e. meeting dates, project timetables)	What was the outcome of the engagement at time of submission? (Policy/letter/MoU/agreement etc)	Sign-post to relevant section of DtC statement for details (i.e. para, appendix)
Historic England	<p>A number of meetings have been held between officers of TWC and HE on various policy topics and DtC. These were held at the following times:</p> <ul style="list-style-type: none"> • June 2015; • July 2015; • August 2015; • March 2016. 	<p>HE has inputted constructively to the local plan process. Engagement on specific policy areas has resulted in a number of revisions to the TWLP.</p>	<ul style="list-style-type: none"> • Paragraphs 6.27 to 6.29 • See Appendix 2.9
Natural England	<p>A number of meetings and correspondence were undertaken between 2012 and 2015 to progress matters relating to the natural environment of Telford and Wrekin, including Habitats Regulation Assessment and the designation of new Local Nature Reserves.</p> <p>Meetings were held at the following times:</p> <ul style="list-style-type: none"> • February 2012; 	<p>Letter received (dated 15 March 2016) confirming that no strategic matters exist and that engagement between NE and TWC has been active and ongoing during plan preparation.</p>	<ul style="list-style-type: none"> • Paragraphs 6.30 to 6.31 • See Appendix 2.10 for details

Name of body (In regs + others)	Record of engagement (i.e. meeting dates, project timetables)	What was the outcome of the engagement at time of submission? (Policy/letter/MoU/agreement etc)	Sign-post to relevant section of DtC statement for details (i.e. para, appendix)
	<ul style="list-style-type: none"> June 2012; September 2015; December 2015 		
Homes and Communities Agency	<p>A number of meetings have taken place between officers from both HCA and TWC to work constructively on the progression of the TWLP.</p> <p>Meetings were held at the following times:</p> <ul style="list-style-type: none"> February 2014; May 2014; June 2015; August 2015; January 2016; February 2016. 	<p>Letter received (dated 14 March 2016) confirming that no strategic matters exist and that engagement between HCA and TWC has been active and ongoing during plan preparation.</p>	<ul style="list-style-type: none"> Paragraphs 6.32 to 6.34; See Appendix 2.11 for details

Telford & Wrekin Local Plan - Duty to Co-operate Statement

Name of body (In regs + others)	Record of engagement (i.e. meeting dates, project timetables)	What was the outcome of the engagement at time of submission? (Policy/letter/MoU/agreement etc)	Sign-post to relevant section of DtC statement for details (i.e. para, appendix)
The Local Nature Partnership	TWC has engaged with the LNP principally through attendance at the board meetings held on a quarterly basis. TWC attended LNP board meeting in July 2013 and September 2015 to discuss the TWLP and engage on relevant matters arising.	Letter received (dated 24 September 2015) confirming that TWC had discharged its duty to cooperate.	<ul style="list-style-type: none"> Paragraphs 6.35 to 6.37 See Appendix 2.12 for details
The Marches LEP (MLEP)	Engagement between TWC and MLEP has taken place on a range of matters, including alignment of LEP investment priorities to support delivery of the TWLP.	Letter received (dated 24 September 2015) confirming support for the plan and raising no matters of a strategic nature.	<ul style="list-style-type: none"> Paragraphs 6.38 to 6.39 See Appendix 2.13 for details
Telford and Wrekin CCG	Engagement has taken place since 2014 between TWCCG and TWC on issues relating to future growth and how this might influence future health care provision across the borough.	Letter received (dated 11 January 2016) confirming that TWC has suitably discharged its obligations regarding duty to cooperate.	<ul style="list-style-type: none"> Paragraph 6.40 See Appendix 2.14 for details
NHS Commissioning Board	Engagement has taken place since 2014 between NHS England North Midlands and TWC on issues relating to future	Letter received (dated 11 January 2016) confirming that TWC has suitably discharged its obligations regarding duty to cooperate.	<ul style="list-style-type: none"> Paragraph 6.40 See Appendix 2.14 for details

Name of body (In regs + others)	Record of engagement (i.e. meeting dates, project timetables)	What was the outcome of the engagement at time of submission? (Policy/letter/MoU/agreement etc)	Sign-post to relevant section of DtC statement for details (i.e. para, appendix)
	growth and how this might influence future health care provision across the borough.		
Telford & Wrekin Highways Authority	The Local Highways Authority (LHA) and the Local Planning Authority (LPA) have worked collaboratively on the transport aspects of the TWLP, including the evidence base (Telford Strategic Transport Model) and on the identification of transport-related infrastructure needed to support delivery of the plan.	Letter received (dated 2 December 2015) confirming no fundamental issues under the duty to cooperate obligation.	<ul style="list-style-type: none"> • Paragraphs 6.41 to 6.42 • See Appendix 2.15 for details
The Integrated Transport Authority (WMITA)	TWC engaged with WMITA on the drafting of the TWLP and various amendments were made prior to issuing the Publication(regulation 19) version.	Email correspondence received from WMITA. No strategic matters raised.	<ul style="list-style-type: none"> • Paragraph 6.43; • See Appendix 2.16 for details

Telford & Wrekin Local Plan - Duty to Co-operate Statement

Name of body (In regs + others)	Record of engagement (i.e. meeting dates, project timetables)	What was the outcome of the engagement at time of submission? (Policy/letter/MoU/agreement etc)	Sign-post to relevant section of DtC statement for details (i.e. para, appendix)
Highways England	<p>Highways England has engaged with Telford Borough Council in the context of the preparation of the Local Plan and IDP throughout 2015 and 2016.</p> <p>Meetings were held at the following times:</p> <ul style="list-style-type: none"> • April 2015; • July 2015; • August 2015; • October 2015; • December 2015; • January 2016 	<p>Letter received (dated 26 January 2016) confirming HE are satisfied that TWC has met its obligations with regards to the duty.</p>	<ul style="list-style-type: none"> • Paragraph 6.44 • See Appendix 2.17 for details
The Mayor of London (MoL)	<p>Clarification was sought from the Mayor of London on any potential strategic matters resulting from the TWLP.</p>	<p>No strategic matters raised.</p>	<ul style="list-style-type: none"> • See Appendix 2.18 for details

Name of body (In regs + others)	Record of engagement (i.e. meeting dates, project timetables)	What was the outcome of the engagement at time of submission? (Policy/letter/MoU/agreement etc)	Sign-post to relevant section of DtC statement for details (i.e. para, appendix)
Transport for London	Clarification was sought from the TfL on any potential strategic matters resulting from the TWLP.	No strategic matters raised.	<ul style="list-style-type: none"> See Appendix 2.18 for details
Civil Aviation Authority	Clarification was sought from the CAA on any potential strategic matters resulting from the TWLP.	No strategic matters raised.	<ul style="list-style-type: none"> See Appendix 2.18 for details
Office for Rail and Road	Clarification was sought from the OR&R on any potential strategic matters resulting from the TWLP.	No strategic matters raised.	<ul style="list-style-type: none"> See Appendix 2.18 for details

Appendix 2 Evidence relating to outcome of engagement



Appendix 2.1

Copy of signed agreement between TWC and Shropshire Council, dated June 2016

Duty to Co-operate Protocol & Checklist

Local Planning Authorities and other bodies party to this agreement/ understanding:
Telford and Wrekin Council (TWC) Shropshire Council (SC)

Development Plan Document(s) covered by this agreement/ understanding:
Telford and Wrekin Local Plan (2011-2031)

Stages in the process forming part of this agreement:
TWLP Strategy and Options consultation (2013); Proposed Housing and Employment Sites (2014), TWLP Pre submission consultation at regulation 18 stage (2015); Publication consultation at regulation 19 stage (2016).

Checklist criteria <small>NB: this is a starting point list to be mutually agreed</small>	Full agreement	Areas for discussion <small>NB: Refer to attachments if required</small>
Overall strategy incl. relationship to urban and rural approaches	Agreement between TWC & SC	TWLP strategy runs until 2031 and during that time will seek to direct the vast majority of new development towards Telford, a lesser extent at Newport and a small number of rural villages.
Level of housing provision	Agreement between TWC & SC	TWLP makes provision for 15,555 net new dwellings between 2011-31, based on OAN using accepted methodology. Appropriate provision made for Gypsy & Travellers through an updated assessment of need and supply of sites from existing commitments.
SHMA	Agreement between TWC & SC	<p>The current evidence would suggest that TWC and SC are separate housing market areas for the purposes of future planning for housing. Both TWC and SC are taking their respective development plans forward on this basis.</p> <p>Telford and Wrekin have commissioned a SHMA update to support the production of their Local Plan. This updates the SHMA 2014. The update forms part of the evidence base for the examination of the TWLP.</p> <p>Both authorities are satisfied with the steps TWC have taken to update the SHMA evidence:</p> <ul style="list-style-type: none"> i. Both authorities are satisfied there are no strategic cross-boundary implications for the respective authorities, and;


Checklist criteria NB: this is a starting point list to be mutually agreed	Full agreement	Areas for discussion NB: Refer to attachments if required
		<p>ii. Neither Council seeks to accommodate its housing need in the other's area.</p> <p>Migration flows between the authorities were considered, there is a net gain of population per year from Telford to Shropshire but that this is not significant. The housing provision for both authorities provides for in-migration.</p>
Distribution of housing provision	Agreement between TWC & SC	<p>TWLP housing distribution has a focus on Telford (approx. 13,400 dwellings), Newport (1,200), and rural area (900).</p> <p>Growth on eastern Telford at Priorslee Strategic Urban Extension and growth in Shifnal in Shropshire considered for infrastructure implications.</p> <ul style="list-style-type: none"> • Education provision discussed - both locations considered to meet own needs with some future redistribution likely • Flood risk – any potential impact on Wesley Brook Shifnal from Priorslee to be managed through appropriate design and layout, and other flood mitigation measures to be agreed by TWC and Shropshire Council (SC) prior to commencement of development.
Level and distribution of employment land provision	Agreement between TWC & SC	<p>TWLP makes provision for a minimum of 76 hectares of employment land to meet needs up to 2031. Total identified supply allocated in TWLP is above this (148 hectares). The vast majority of allocated sites identified in Telford (within Strategic Employment Areas). Includes provision made for 10 hectares on the edge of Newport to address an identified need for employment in the town during the plan period.</p> <p>Both parties agree that there no likely cross-border implications for employment in either area. This is the continuation of a long standing situation recognised and planned for in both Council's Local Plans.</p>
Level and distribution of retail provision	Agreement between TWC & SC	<p>Not considered an issue, neither Plan has proposals for significant retail development outside main centres. TWLP does not propose any additional retail floorspace beyond sites already committed.</p>
Appropriate provision made for	Agreement between	Established patterns of cross boundary commuting – mostly on strategic routes and public transport to

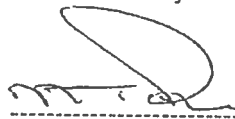
Checklist criteria NB: this is a starting point list to be mutually agreed	Full agreement	Areas for discussion NB: Refer to attachments if required
public and private transport incl P&R and commuting patterns	TWC & SC	and from Telford.
Consistency of planning policy and proposals across common boundaries	Agreement between TWC & SC	Some slight difference in approach to development in rural areas, but agreed to confirm at this stage that neither party has significant concerns regarding emerging plans and proposals.
Mineral planning issues	Agreement between TWC & SC	Strong functional links and close working relationship. Support for identified issues in each area. Joint LAA (Local Aggregates Assessment) prepared and coordination at local and regional level. WMRAWP (Shropshire Chair) considered main strategic issues and it is minuted (meeting date 30 th November 2015) that no significant issues were identified .
Waste planning issues	Agreement between TWC & SC	Cross boundary functional relationship. Similar approaches to building capacity for waste sites into the approach to employment land and identifying suitable locations. Under the agreed Duty to Co-operate Protocol (October 2013) RTAB (Shropshire Chair) considered main strategic issues and it is minuted (meeting date 9 th November 2015) that the draft policies on waste planning were supported and no significant issues cross-border identified.
Approach to provision of Gypsy and Traveller sites	Agreement between TWC & SC	Appropriate provision made for Gypsy & Travellers through an updated assessment of need and supply of sites from existing commitments. TWC and SC continue ongoing engagement regarding transit provision. No cross-border implications identified in relation to the TWLP.
Ironbridge Gorge World Heritage Site (IGWHS)	Agreement between TWC & SC	The IGWHS straddles both local authority areas. Consequently, both councils are working jointly on a new supplementary planning document (SPD) for the IGWHS. Work has begun and a skeleton draft will be produced in January 2016 as a basis for further engagement.
Wrekin Forest	Agreement between TWC & SC	Both parties have worked jointly, through the Wrekin Forest Partnership, on the emerging policy relating to the designation of the Wrekin Forest as a Strategic Landscape in the TWLP.

Log of meetings, reports and other records to substantiate the collaborative working:

Date	Issues discussed
06/01/2016	DtC Memorandum/Agreement; Plan updates; CIL updates; IGWHS planning issues
16/09/2015	BTW scale of growth, Waste/Minerals, water quality/flood risk, potential collaboration, joint training, misc minor queries
04/06/2015	Plan updates, BTW OAN, World Heritage Site, Wrekin Forest, Minerals, RAF Cosford
29/01/2015	BTW Plan update, SC Examination progress, SHMA/OAN, Ironbridge Power Station, World Heritage Site, Wrekin Forest Partnership
18/06/2014	Plan updates, SHMA – outputs, 'Greater Birmingham' issue
13/03/2014	Plan preparation updates, housing and SHMA, AMR, Green Infrastructure, flooding, transport
02/10/2013	Plan preparation updates, housing and SHMA, gypsy and traveller issues, waste, minerals
10/06/2013	Plan preparation updates, housing and SHMA, gypsy and traveller issues, waste, minerals
13/12/2012	Plan preparation updates, CIL, housing and SHMA, gypsy and traveller issues, waste, minerals, Shifnal, Ironbridge Power Station, MOD Cosford

We, the undersigned, agree that the above statements and information truly represent the joint working that has taken place under the 'Duty to Co-operate'.


 Authority A*


 Authority/ Organisation B (& C, D etc)* *Mr. Mel. Price*
Planning, Housing, Regulatory Services & Environment

* Must be signed by either Council Leader or responsible Cabinet Member or responsible Chief Executive or Chief Officer only. For non-local authority organisations signatory should be at equivalent level.

26/2/16

Mr. Richard Overt
 Deputy Leader and Cabinet
 Member for Housing, Health
 and Leisure

23/6/16



Telford & Wrekin Local Plan - Duty to Co-operate Statement

Appendix 2.2

**Copy of signed agreement between TWC and Stafford Borough Council,
dated June 2016**

Duty to Co-operate Protocol & Checklist

Local Planning Authorities and other bodies party to this agreement / understanding:

Telford & Wrekin Borough Council (TWC)
Stafford Borough Council (SBC)

Development Plan Document(s) covered by this agreement/ understanding:

TWC - Telford & Wrekin Local Plan 2011-31 (TWLP)

Stage in the process forming part of this agreement:

TWLP Consultation (Regulation 18) Stage (2015); TWLP Publication (Regulation 19) Stage (2016)

Checklist criteria NB: this is a starting point, list to be mutually agreed	Full agreement	Areas for discussion NB: Refer to attachments if required
Overall strategy incl. relationship to urban and rural renaissance	Agreement between TWC & SBC	TWLP strategy runs until 2031 and during that time will seek to direct the vast majority of new development towards Telford, a lesser extent at Newport and a small number of rural villages.
Extent of Housing Market Area	Agreement between TWC & SBC	The evidence would suggest that TWC and SBC are separate housing market areas for the purposes of future planning for housing. Both TWC and SBC are taking their respective development plans forward on this basis.
Level of housing provision	Agreement between TWC & SBC	TWLP makes provision for 15,555 net new dwellings between 2011-2031. Appropriate provision made for Gypsy & Travellers through an updated assessment of need and supply of sites from existing commitments.
Distribution of housing provision	Agreement between TWC & SBC	TWLP housing distribution has a focus on Telford (approx. 13,400 dwellings), Newport (1,200), and rural area (900).
Level and distribution of employment land provision	Agreement between TWC & SBC	TWLP makes provision for a minimum of 76 hectares of employment land to meet needs up to 2031. Total identified supply allocated in TWLP is above this (148 hectares). The vast majority of allocated sites are identified in Telford (within Strategic Employment Areas). TWLP includes provision for 10 hectares on the edge of Newport to address an identified need for employment in the town during the plan period.

		No cross-border implications for employment development at Telford or Newport.
Level and distribution of retail provision	Agreement between TWC & SBC.	<p>Based on evidence of likely future need during the plan period and the level of existing supply, TWLP does not seek to identify significant new retail floorspace in the Borough beyond existing sites in Telford Town Centre, which will continue as the Borough's principal town centre. No additional floorspace allocated at Newport above and beyond existing committed sites.</p> <p>Consequently, no cross-border implications for retail development at Newport or Telford.</p>
Level and distribution of office provision	Agreement between TWC & SBC.	<p>TWLP does not include any additional allocation of office floorspace up to 2031. However, future office development would contribute towards meeting the overall provision for employment, with office development identified as an acceptable or preferred use as part of a number of employment allocations in the plan.</p>
Appropriate provision made for public and private transport incl P&R and commuting patterns	Agreement between SBC & TWC.	<p>TWLP has been prepared through engagement with internal and external highways and transport stakeholders. An Infrastructure Delivery Plan addresses likely future transport requirements to support future levels of growth up to 2031.</p> <p>Transport infrastructure will be focused on Telford. No significant cross border commuting effects likely as a result of the future pattern of development.</p>
Consistency of planning policy and proposals across common boundaries	Agreement between TWC & SBC.	<p>Neither party has significant concerns regarding the respective development plans.</p>
Any Other Strategic Duty to Co-operate Matters		None identified


Log of meetings, reports and other records to substantiate the collaborative working:

<p>Meetings between:</p> <p>Darren Oakley (TWC – Principal Planning Officer)</p> <p>Tom Lewis (TWC – Senior Planning Officer)</p> <p>Alex Yendole (SBC – Planning Policy Manager)</p>	<ul style="list-style-type: none"> • Duty to Cooperate meetings held on 29th June 2015 to discuss regulation 18 version of TWLP; • Formal response to the TWLP regulation 18 consultation document received from SBC in September 2015; • Follow-up meeting held on 11th January 2016 to discuss publication version;
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We, the undersigned, agree that the above statements and information truly represent the joint working that has taken place under the 'Duty to Co-operate'.



Authority A*



Authority/ Organisation B (& C, D etc)*

Cabinet Member for Planning & Regeneration

* Must be signed by either Council Leader or responsible Cabinet Member or responsible Chief Executive or Chief Officer only. For non-local authority organisations signatory should be at equivalent level.

Mr. Richard Overton
Deputy Leader and Cabinet
Member for Housing, Health
and Leisure
23/6/16



Appendix 2.3

Copy of letter from Birmingham City Council, dated March 2016

Copy of Birmingham Development Plan Duty to Cooperate MoU, dated June 2014

11th March 2016

Environment and Planning Policy team,
Business and Development Planning,
Telford & Wrekin Council,
PO Box 457,
Telford,
TF2 2FH

For the attention of the Environment and Planning Policy team

Dear Sir / Madam

Telford & Wrekin Local Plan 2011-2031 - Publication Version

Thank you for consulting the City Council on the above.

The City Council welcomes the publication of the Telford & Wrekin Local Plan 2011-31. The overall strategy of the plan, particularly supporting population growth, concentrating growth within Telford and prioritising the use of brownfield land is supported.

The City Council note that the 15,555 homes which the plan provides for between 2011 and 2031 is 5,600 greater than the objectively assessed need. Whilst the City Council supports Telford & Wrekin in planning for housing growth it would be helpful to understand where these additional households originate from. It appears likely that some will come from the Black Country given historical migration trends. As the Greater Birmingham Housing Market Area currently has a shortfall against objectively assessed need consideration of the extent to which migration from the Greater Birmingham HMA accounts for this additional growth would be welcomed.

Once again thank you for consulting the City Council. I wish you every success with the Plan and I look forward to continuing to work with Telford & Wrekin as work on it progresses.

Yours sincerely



Waheed Nazir

Director of Planning and Regeneration

Waheed.nazir@birmingham.gov.uk

BIRMINGHAM DEVELOPMENT PLAN

Duty to Co-operate

Local Planning Authorities and other bodies party to this agreement/ understanding:
A. Birmingham City Council (BCC)
B. Telford and Wrekin Council (TWC)

Development Plan Document(s) covered by this agreement / understanding:
Birmingham Development Plan

Stage in the process forming part of this agreement:
Pre-Submission*
*NB: In the event of any changes to the plan prior to submission and/or as part of modifications proposed during the Examination process then updated versions of this document may be prepared.

Checklist criteria NB: this is a starting point, list to be mutually agreed between the parties to this agreement. Checklist discussed and agreed: Yes/ No	Summary status E.g.: Full or partial agreement, / Shared understanding on area(s) of disagreement, or/ Not applicable Delete as appropriate	1. Summary of the approach in the plan 2. Summary of agreed position and any outstanding concerns or other comments NB: Refer to attachments and appendices if required
a) Overall approach incl. relationship to urban and rural renaissance	Agreed/ Shared Understanding/ Not Applicable	<p>1. The vision, strategic objectives and approach set out in the BDP envisages that by 2031 Birmingham will be renowned as an enterprising, innovative and green city that has delivered sustainable growth meeting the needs of its population and strengthening its global competitiveness.</p> <p>Following around half a century of decline in the latter half of the C20 the city's population is expected to grow rapidly extending and building on the success of the strategy for urban renaissance that has been the hallmark of planning in the city since the 1980's.</p> <p>2. Following abolition of the Regional Spatial Strategy the City Council has worked and continues to work with adjoining authorities in the GBSLEP and West Midlands Metropolitan Area and beyond not only to ensure the continuing success of urban renaissance but also, through the GBSLEP</p>

		<p>Strategic Spatial framework Plan, the Strategic Policy Framework for the West Midlands Metropolitan Area and local plans, to ensure that there remains an appropriate balance between growth and development to meet needs in both urban and rural areas. There are no outstanding issues in relation to the strategy set out in the BDP between the parties signatory to this document.</p>
<p>b) Estimation of housing requirements and the level and distribution of housing provision</p>	<p>Agreed/ Shared Understanding/ Not Applicable</p>	<p>1. The Birmingham SHMA which underpins the BDP estimates a housing requirement of c80,000 net new dwellings in the period up to 2031. The 2012 SHLAA's best estimate of likely capacity without incursion into Green Belt (except at the site of the former Yardley Sewage Works) and including an allowance for c700 on land at Longbridge within Bromsgrove District is c45,000 dwellings, including allowance for windfalls. The Pre-submission version of the BDP proposes that 51,100 net new dwellings - should be provided including the removal of land from the Green Belt to increase capacity within Birmingham leaving a balance to be found outside the city's boundary of c29,000 dwellings.</p> <p>2. The major issues concern the scale of the housing requirement, the extent to which capacity exists or can be identified within Birmingham's boundary and then the scale and distribution of any resultant shortfall. The BDP sets out Birmingham City Council's position in respect of these matters and it is envisaged by the parties signatory to this document that the satisfactory resolution of these issues will be achieved through (1) completion of the GBSLEP Strategic Housing Needs Study (2) Distribution of the overall housing need and the resultant 'overspill' housing through the Second Iteration of the GBSLEP Strategic Spatial Framework Plan and through arrangements negotiated with other authorities beyond the GBSLEP as justified by the evidence and (3) Subsequent accommodation of the 'overspill' growth in the review of Local Plans in adjoining areas. This approach is accepted by the parties signatory to this document.</p>
<p>c) Appropriate provision made for migration</p>	<p>Agreed/ Shared Understanding/ Not Applicable</p>	<p>1. The Birmingham SHMA takes account of migration in establishing the overall housing requirement and, broadly speaking, the effects of migration trends are then taken</p>

		<p>into account in the estimation of housing requirements in adjoining areas through the preparation of local plans.</p> <p>2. The identification of a housing shortfall or 'overspill' requirement refers to potential additional housing over and above that included in population and household projections that is needed outside Birmingham's boundary in order that housing needs can be met. The process for resolution of this matter is as set out in b)2 above. This approach is accepted by the parties signatory to this document.</p>
d) Level and distribution of employment land provision	Agreed/ Shared Understanding/ Not Applicable	<p>1. The BDP identifies a serious emerging shortfall of land to accommodate future employment growth and investment. The plan addresses this issue by protecting the city's core employment areas from competing uses so they offer a continuing supply of recycled land supplemented by the release of a major new employment site (80ha) at Peddimore. Proposals for six economic zones are primarily focussed within the existing employment areas and include two Regional Investment Sites. The possible longer-term need for further strategic employment sites is to be addressed by the GBSLEP Spatial Plan for Recovery and Growth and associated technical work with adjoining LEPs. This will be informed by the joint commissioning of a Review into the West Midlands-wide need and provision of very large employment development opportunities.</p> <p>2. This approach is accepted by the parties signatory to this document.</p>
e) Hierarchy of centres and the level and distribution of retail provision	Agreed/ Shared Understanding/ Not Applicable	<p>1. The BDP defines a retail hierarchy of centres in Birmingham. The approach in the BDP is to make provision for a net increase of 270,000 m² in comparison retail floorspace concentrated in the City Centre, Sutton Coldfield town centre and three District Growth Points. Growth elsewhere will be small scale.</p> <p>2. This approach is accepted by the parties signatory to this document.</p>
f) Level and distribution of	Agreed/ Shared	<p>1. The approach in the BDP is to encourage 745,000 m² gross of new office development</p>

office provision	Understanding/ Not Applicable	<p>in the network of centres primarily focussed in the city centre including a substantial proportion of the new office floorspace expected to be provided within the Enterprise Zone.</p> <p>2. This approach is accepted by the parties signatory to this document.</p>
g) Appropriate provision made for public and private transport including Park & Ride and commuting patterns	Agreed/ Shared Understanding/ Not Applicable	<p>1. The BDP incorporates a range of transport policies and proposals across all modes. These are consistent with the extant Local Transport Plan and emerging Birmingham Mobility Action Plan (BMAP). There are proposals to improve networks both within and beyond the boundary which will impact, for example, on modal choice for commuters. Major development proposals close to the city boundary have impacts that can extend across the administrative boundary. Close cross-boundary co-operation on transportation matters continues through both West Midlands Shadow ITA and the associated Local Transport Boards (LTB).</p> <p>2. There is no desire to increase the proportionate levels of in-commuting across the city boundary associated with potential growth in Telford & Wrekin so there is an expectation that there will be a need for an appropriate balance between the levels of housing and employment growth taking place coupled with enhancement to strategic infrastructure linkages as well as commensurate improvements to local transport infrastructure. The details will be subject of continuing engagement as the local plan for Telford and Wrekin is progressed. in areas beyond the city boundary which is a matter to be addressed in the relevant local plans. This approach is accepted by the parties signatory to this document.</p>
h) Consistency of planning policy and proposals across common boundaries such as transport links and green infrastructure	Agreed	<p>1. Telford & Wrekin does not have an adjoining boundary with Birmingham City Council; however it is clearly with the wider travel to work area. As such spatial/transport policies which take account of the use of rail services or development within close proximity to the strategic highway network should be consistent, where possible.</p>
i) Green Belt	Agreed/	<p>1. Significant changes to the Green Belt are</p>

matters	Shared Understanding/ Not Applicable	<p>proposed in association with major development proposals at Langley and Peddimore to the north-east of Birmingham and at the site of the former Yardley sewage works. The changes to the Green Belt boundary have been made in such a way as to identify new boundaries that will endure in the long-term and allow for development to be accommodated that will not undermine the essential purposes or integrity of the wider West Midlands Green Belt. The City Council acknowledge that additional land which is currently designated as Green Belt in adjoining areas may need to be identified for development – as a consequence of the process to determine the level and distribution of future growth set out under b)2 above - but the responsibility for those proposals, should they arise, will lie with the respective local planning authority (working collaboratively with other relevant authorities) to be determined through a review of the relevant local plan(s).</p> <p>2. This approach is accepted by the parties signatory to this document.</p>
j) Minerals, waste and water resources including flooding	Agreed/ Shared Understanding/ Not Applicable	<p>1. As a major city Birmingham is reliant on minerals predominantly produced in adjoining shire areas to help facilitate its growth and development. The City Council recognises that it can reduce the demand for mineral extraction through effective recycling and reuse of building materials and aggregates. Similarly the City Council recognises that its 'footprint' can be reduced through self-sufficiency and vigorous adoption of the waste hierarchy. The City Council is an active member of both the West Midlands Aggregates Working Party (AWP) and the Regional Technical Advisory Body (RTAB) covering waste. Both groupings help ensure discharge of the DtC. In respect of water resources and flooding the City Council is fully aware of its responsibilities and will vigorously pursue the principles of sustainable drainage to reduce the risks of flooding both within the city and beyond its boundaries.</p> <p>2. This approach is accepted by the parties signatory to this document.</p>
k) Air quality matters	Agreed/ Shared	<p>1. The City Council is committed to the improvement of air quality for its residents</p>

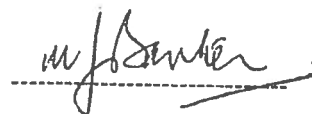
	Understanding/ Not Applicable	and those in surrounding areas. It is, and will remain an active participant in initiatives to address these matters jointly with adjoining authorities and other agencies subject to the nature of actions being consistent with the city's aspirations for growth. Detailed policies on air quality and noise matters will be set out in a separate Development Management DPD. 2. This approach is accepted by the parties signatory to this document.
1) Any other matters that might reasonably be identified under the Duty to Co-operate	Agreed/ Shared Understanding/ Not Applicable	1. No other matters identified. 2.

Log of meetings, reports and other records to substantiate the collaborative working:

	Details:
Meetings	Meetings on the Birmingham Development Plan held on 19/06/13 and 04/03/14. Meeting between the West Midlands Duty to Co-operate Group and TWC representatives on 11/07/13.
Groups	Regular meetings: (1) West Midlands Planning Officers Group – TWC and BCC are both represented on this group
Responses to consultation and correspondence	21/02/14 – TWC response to the Birmingham Development Plan 2031 Pre Submission version 29/07/13 – BCC letter to TWC on Shaping Places Strategy and Options Consultation
Additional points	

We, the undersigned, agree that the above statements and information truly represent the joint working that has and will continue to take place under the 'Duty to Co-operate'.


 Waheed Nazir
 Director of Planning & Regeneration
 Birmingham City Council*


 Michael Barker
 Assistant Director: Planning
 Specialist
 Telford and Wrekin Council*

* Must be signed by either Council Leader or responsible Cabinet Member or responsible Chief Executive or Chief Officer only. For non-local authority organisations signatory should be at equivalent level.

June 2014



Telford & Wrekin Local Plan - Duty to Co-operate Statement

Appendix 2.4

Copy of Regulation 19 submission from Association of Black Country Authorities (ABCA), March 2016

Draft Duty to Cooperate Protocol and Checklist between TWC and ABCA, May 2016

Note from ABCA to TWC on housing matters, June 2016

Letter from TWC to Wolverhampton City Council, dated June 17 2016

Letter from Wolverhampton City Council to TWC, dated 23 June 2016

Our Ref: PS/CW
Date: 15 March 2016
Please ask for: Christine Williams
Direct Line: 01922 652089

Vincent Maher
Strategic Planning Programme Manager
Environment & Planning Policy Team
Telford & Wrekin Council

BY EMAIL TO: localplan@telford.gov.uk

Dear Mr Maher

Association of Black Country Authorities response to Publication Telford and Wrekin Local Plan

Thank you for your email of 1 February 2016 offering the opportunity to comment on the Publication of Telford and Wrekin Local Plan. I am responding on behalf of the four Black Country local authorities (Dudley, Sandwell, Walsall and Wolverhampton).

The Black Country Authorities recognise the positive conversations that have already taken place between our officers and are keen to continue to work with your officers under the duty to cooperate and to ensure our collective growth aspirations are realised. This response seeks to maintain a dialogue on this issue throughout the final stages of your plan preparation.

The Black Country Authorities welcome and support progress made with the preparation of the Telford & Wrekin Local Plan. Telford & Wrekin has strong functional, physical, economic and cultural ties with the Black Country and the adoption of the Local Plan will provide a strong basis for making investment decisions and help to inform the emerging priorities of the West Midlands Combined Authority.

The Black Country authorities are particularly keen to ensure that the Local Plan reflects the interdependencies between our housing markets in view of the proposed level of housing growth which it proposes.

It is considered that these concerns are capable of being addressed through limited amendments to the Local Plan which recognise the functional relationship between Telford & Wrekin, the Black Country and the wider housing market in which it is located.

Detail

Telford & Wrekin Council published a draft Local Plan in 2015, to which the Black Country authorities provided a consultation response in line with the duty to cooperate. The key issue raised in that response was the projected level of housing growth and the source of the future residents to occupy that housing. South Staffordshire Council and Birmingham City Council also submitted similar responses on this issue.

The housing requirement set out in Policy HO1 of your plan for the period 2011-31 (15,555 homes) is 5,615 homes above your Objectively Assessed Housing Need (OAHN). The Council's Objectively Assessed Housing Need Report (2015, PBA) states "our preferred demographic projection is the best available measure of the borough's objectively assessed housing need (OAN) of 497 dpa over the plan period 2011-31." (para 6.4) We also note that the Infrastructure Delivery Plan (para 14) clearly states that: "the Council does not consider that there are any unfunded critical projects that would prevent the delivery of the Local Plan."

The Local Plan further states that the reason for this significant additional housing development is to support delivery of the overall plan vision and growth strategy, including the delivery of affordable housing, and also to recognise Telford and Wrekin's role in attracting inward investment to the Marches Local Enterprise Partnership Area and that "the additional population comes from net in-migrants".

Para's 6.12 and 6.13 of the Council's OAN PBA report then go on to explain that there is no evidence of unmet need at present for Shropshire, but that there is clear evidence of projected unmet need in the Greater Birmingham and Black Country Housing Market Area. This evidence has since been strengthened through publication of the Greater Birmingham and Solihull LEP and Black Country Local Authorities Strategic Housing Needs Study Report.

Para 6.13 then states that "Telford & Wrekin, which has grown historically as an overspill town for the Black Country, may be well placed to resume this role as projected unmet housing need ripples outwards from Birmingham.

In the Black Country consultation response to the earlier draft Telford & Wrekin Local Plan, it was suggested that all of the extra 5,615 homes should be assigned to the Greater Birmingham and Black Country HMA (GBBCHMA). This was justified at the time because:

- The Council's own OAHN report states that Shropshire and GBBCHMA have the strongest migration and commuting links with Telford & Wrekin (TW) – therefore these areas are most likely to be affected by extra homes provided in TW;
- There is currently no evidence of unmet housing need for Shropshire but published evidence of substantial unmet need in the GBBCHMA.

However, it is now recognised that, given recent migration patterns (summarised in the table below), it is unlikely that all of the extra homes will be occupied by households which would otherwise have lived in GBBCHMA.

	Out T&W	of Into T&W	Net
Greater Bham & BC HMA	12,940	16,670	+3,730 (+3,290 from S Staffs / BC)
Shropshire	18,940	16,860	-2,080
North West	7,330	6,380	-950
Wales	6,630	5,720	-910
South West	6,120	5,260	-860
ALL	86,800	84,100	-2,700

Source: 2000-14 Migration Data from NHSCR

There is currently no data on the origin of new home occupiers in TW to provide a firmer indication of the likely balance. However, a comparison of migration flow volumes can be used as a proxy, as they provide more robust evidence of a strong migration relationship than net flows alone.

During 2000-2014 there were 170,900 moves into and out of TW. Of these moves, 29,610 took place between TW and the GBBCHMA – 17.3% of the total. Therefore it is likely that at least 973 (17.3%) of the 5,615 extra homes planned in TW will be occupied by people who would otherwise have lived in GBBCHMA.

However, this assumes a continuation of past trends. These trends cover the period of the recession, during which normal patterns of net out-migration from the conurbation were suppressed. As the main historic source of net in-migration into TW even over this period was GBBCHMA, it is likely that net in-migration from GBBCHMA will increase in future. This increase will be exacerbated by a “pressure valve” effect in the GBBCHMA, as unmet demand for housing grows, forcing people to look elsewhere for a home. In contrast, Shropshire plans to meet its projected local housing need in full in future years and so is likely to continue to draw migrants from TW in similar numbers, rather than contributing extra population to TW.

There are also good transport connections between TW and the GBBCHMA, allowing easy commuting by road or train. 2011 Census figures show that 23% of out-commuters from TW travel to Birmingham, the Black Country and South Staffordshire to work, the majority to Wolverhampton and Birmingham. Therefore there is scope for commuting to increase in future.

Therefore, based on a combination of historic migration and commuting patterns and the likely effects of under-provision of housing in GBBCHMA, it is reasonable to conclude that at least 2,000 of the 5,615 extra homes provided in TW will contribute towards meeting the identified housing shortfall in the GBBCHMA.

These issues were raised at previous stages of the Plan preparation process and constructive discussions have since taken place, the Black Country authorities are keen to work further with the Council to resolve this key issue.

The Black Country authorities consider that sufficient evidence has been provided on commuting and migration links between TW and the GBBCHMA to demonstrate that provision of extra housing in TW will inevitably meet a proportion of the GBBCHMA shortfall.

The Black Country Authorities would welcome a statement in the Local Plan itself or in the key supporting evidence, to provide certainty for authorities in the Greater Birmingham and Black Country Housing Market Area as we consider options to meet our future housing need.

The Black Country authorities are of course willing to further discuss the detail of the issues raised above and also the mechanisms which could be used to confirm TW agreement to a contribution to the GBBCHMA housing shortfall.

In conclusion, we look forward to working together in the future to achieve our collective growth aspirations and subject to the successful conclusion of these matters we see no reason to raise issues of soundness to your plan.

Yours sincerely



Paul Sheehan
Chief Executive of Walsall Council
and Secretary of the Association of Black Country Authorities

Duty to Co-operate Protocol & Checklist

Local Planning Authorities and other bodies party to this agreement / understanding:
Telford & Wrekin Council (TWC) and
The Black Country Authorities (Walsall Council, City of Wolverhampton, Dudley Metropolitan Borough Council, Sandwell Metropolitan Borough Council) and South Staffordshire District Council, hereinafter called "the five authorities".

Development Plan Document(s) covered by this agreement/ understanding:
TWC - Telford & Wrekin Local Plan 2011-31 (TWLP)

Stage in the process forming part of this agreement:
TWLP Consultation (Regulation 18) Stage (2015); TWLP Publication (Regulation 19) Stage (2016); TWLP (Submission version)

Checklist criteria	Full agreement	Areas for discussion
Overall strategy incl. relationship to urban and rural renaissance	Agreement between TWC & the five authorities	TWLP strategy runs until 2031 and during that time will seek to direct the vast majority of new development towards Telford, a lesser extent at Newport and a small number of rural villages.
Extent of Housing Market Area	Agreement between TWC & the five authorities	<p>The current evidence* would suggest that with regard to plan-making TWC and the Black Country authorities/ South Staffordshire are separate housing market areas for the purposes of future planning for housing (* Telford and Wrekin SHMA 2016, GBSLEP Strategic Housing Needs Study 2015 Stages 1-3).</p> <p>Nonetheless, it is recognised that there has been historic net inward migration into TWC from the Black Country. The Greater Birmingham and Black Country Housing Market Area, of which BC / South Staffordshire is a part, has an established 38,000 unmet housing need. Reflecting past migration trends and the housing requirement set out in the TWLP, TWC agrees to accommodate 2,000 of this unmet housing need.</p>
Level of housing provision	Agreement between TWC & the five authorities	<p>TWLP makes provision for 15,555 net new dwellings between 2011-2031.</p> <p>Appropriate provision will be made for Gypsy & Travellers through an updated assessment</p>

Checklist criteria	Full agreement	Areas for discussion
		<p>of need and supply of sites from existing commitments.</p> <p>There are no cross borough issues arising from this approach.</p>
Distribution of housing provision	Agreement between TWC & the five authorities	<p>TWLP housing distribution has a focus on Telford (approx. 13,400 dwellings), Newport (1,200), and rural area (900).</p> <p>There are no cross borough issues that arise from this distribution.</p>
Level and distribution of employment land provision	Agreement between TWC & the five authorities	<p>TWLP makes provision for a minimum of 76 hectares of employment land to meet needs up to 2031. Total identified supply allocated in TWLP is above this (148 hectares). The vast majority of allocated sites are identified in Telford (within Strategic Employment Areas). TWLP includes provision for 10 hectares on the edge of Newport to address an identified need for employment in the town during the plan period.</p> <p>The parties agree that this release of employment land will support the wider West Midland economy.</p> <p>There are no cross border implications for employment development.</p>
Level and distribution of retail provision	Agreement between TWC & the five authorities.	<p>Based on evidence of likely future need during the plan period and the level of existing supply, TWLP does not identify new retail floorspace in the Borough beyond existing sites in Telford Town Centre, which will continue as the Borough's principal town centre. No additional floorspace allocated at Newport above and beyond existing committed sites.</p> <p>There are no cross-border implications for retail development.</p>
Level and distribution of office provision	Agreement between TWC & the five authorities.	<p>TWLP does not include any additional allocation of office floorspace up to 2031. However, future office development would contribute towards meeting the overall provision for employment. Policy EC1 of the Local Plan identifies a number of strategic employment areas and Table 20 identifies preferred uses in each of them setting out where office use is an acceptable or preferred use. Where proposals for office development come forward on sites that have not been identified for this use (and</p>

Checklist criteria	Full agreement	Areas for discussion
		<p>which are outside of existing centres) then such proposals would be determined on the basis of Policies EC2 and EC3 as well as national policy.</p> <p>On this basis, it is agreed that there are no cross-boundary implications as a result of the office development proposals in the plan.</p>
Appropriate provision made for public and private transport incl P&R and commuting patterns	Agreement between TWC and the five authorities	<p>TWLP has been prepared through engagement with internal and external highways and transport stakeholders. An Infrastructure Delivery Plan addresses likely future transport requirements to support future levels of growth up to 2031.</p> <p>Transport infrastructure will be focused on Telford. No significant cross border commuting effects likely as a result of the future pattern of development.</p>
Minerals planning issues	Agreement between TWC and the five authorities.	There are no cross boundary issues.
Waste planning issues	Agreement between TWC and the five authorities	<p>The five authorities are not aware of any major flows of waste between TWC and the Black Country. The Black Country believe there is at least one landfill site in Telford that receives waste from the Black Country (the Empire Works in Walsall).</p> <p>Policy ER7 of the TWLP (Publication Version) provides an appropriate framework to plan for any future landfill needs from outside of the TWC area.</p>
Consistency of planning policy and proposals across common boundaries	Agreement between TWC & the five authorities.	The parties agree to continue to cooperate with one another as South Staffordshire District Council prepares its Site Allocations Development Plan Document and as the Black Country authorities prepare the Core Strategy Review.
Any Other Strategic Duty to Co-operate Matters	Agreement between TWC & the five authorities.	<p>None identified.</p> <p>The five authorities agree to withdraw their outstanding concerns to the TWLP on the basis of this memorandum of understanding.</p>

Log of meetings, reports and other records to substantiate the collaborative working between Telford and Wrekin Council and the five local authorities

(comprising Wolverhampton, Walsall, Sandwell and Dudley and South Staffordshire):

Form of Engagement	Date	Comments
Meeting	11 th July 2013	Emerging TWLP and relationship to WM conurbation
Meeting	11 th December 2013	Discussion with GBSLEP on nature of involvement of surrounding authorities/LEPs, including T&W, in the study
Meeting	19 th May 2014	Discussion with ABCA on the GBSLEP SHNS (Stage 1) initial findings.
Meeting	7 th August 2015	Discussion on TWLP consultation document (regulation 18 version), covering various topic areas including housing, employment, and waste and minerals.
Meeting	9 th December 2015	Discussion specifically on housing matters covered in the TWLP prior to formal publication of the TWLP (regulation 19 version).

We, the undersigned, agree that the above statements and information truly represent the joint working that has taken place under the 'Duty to Co-operate'.

TWC*

THE FIVE AUTHORITIES*

* Must be signed by either Council Leader or Cabinet Member or Chief Executive or relevant Chief Officer only. For non-local authority organisations signatory should be at equivalent level.

Introduction

This note considers the relationship between Telford and Wrekin and its adjoining authorities: specifically the Black Country and South Staffordshire, the Greater Birmingham HMA (GB HMA) more widely and also Shropshire.

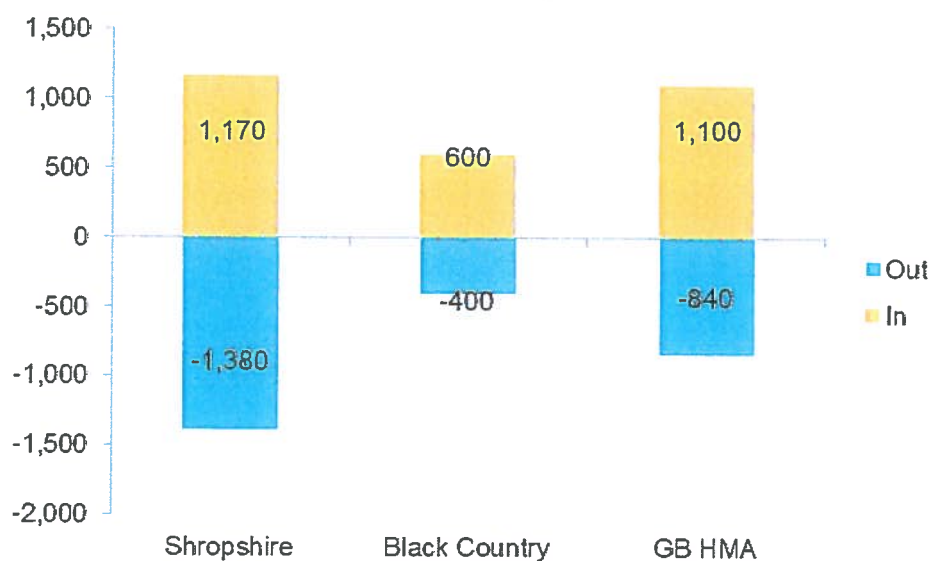
We first consider migration patterns and commuting flows. We then go onto to look at projected household growth based on the 2012 CLG projections, which informed the GBSLEP housing studies and also the Telford OAN report.

The final part of this note considering these findings in the context of Telford and Wrekin's plan making ambitions.

Migration

The GBSLEP studies confirmed that Telford and Wrekin was a net importer from the GB HMA. Within the GB HMA, there was in-migration from the combined Black Country authorities (200 households). By contrast, there was net out-migration from Telford and Wrekin to Shropshire (210).

Figure 1: Telford in and out migration (2011)



In the West Midlands, Telford was a net importer of migrants in 2014 (Table 1). This can be accounted for through in-migration primarily from the GB HMA, and within that particularly the Black Country and South Staffordshire. By 2014, the level of in-migration from the Black Country and South Staffordshire to Telford is almost double the outmigration to Shropshire.

Figure 2: 2014 Net in-migration to Telford

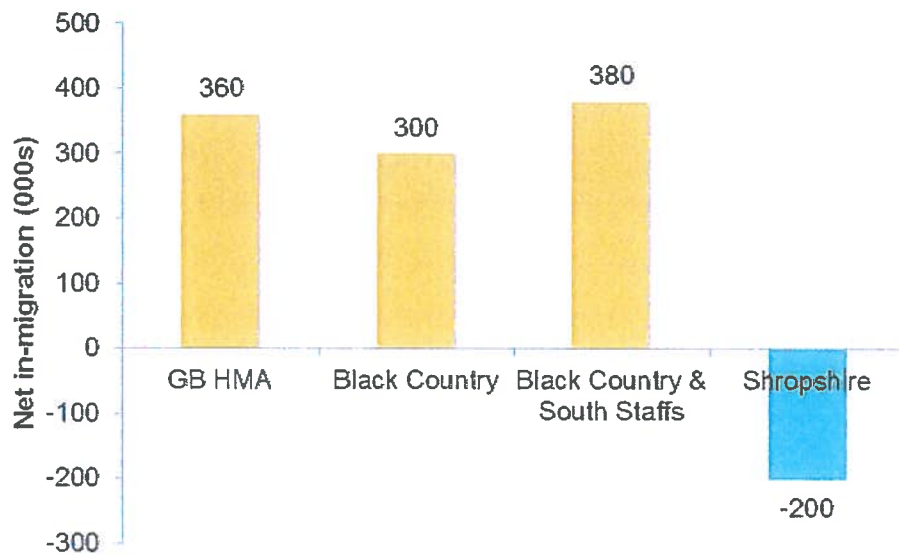
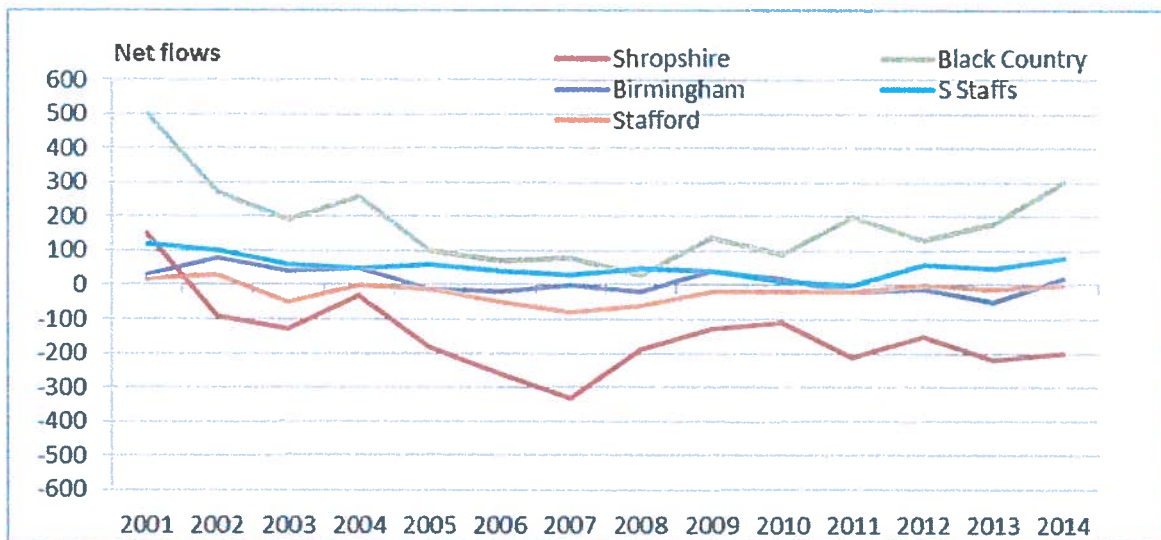


Figure 3 suggests that this in migration upward trend began to become established around 2008, whilst outmigration to Shropshire has levelled off over the same time period

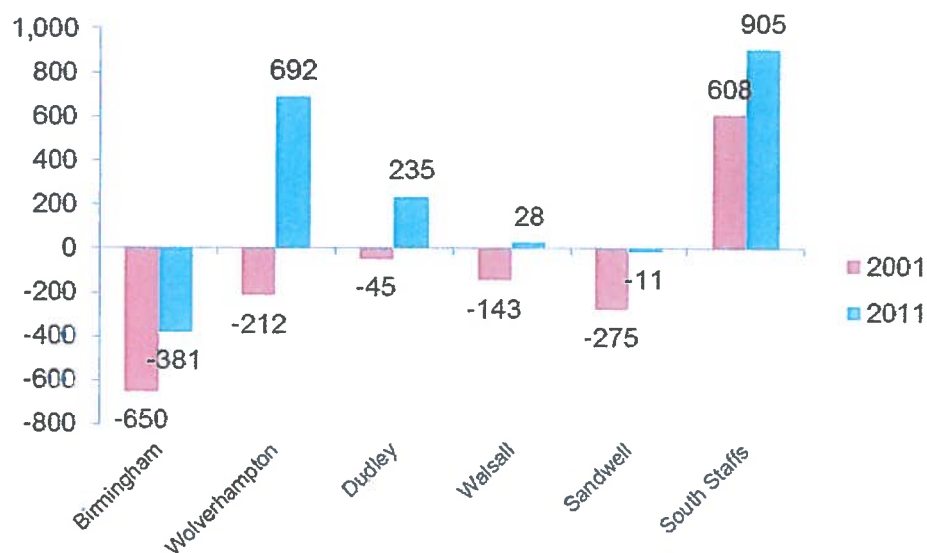
Figure 3: Trends in migration (2001-14)



Commuting

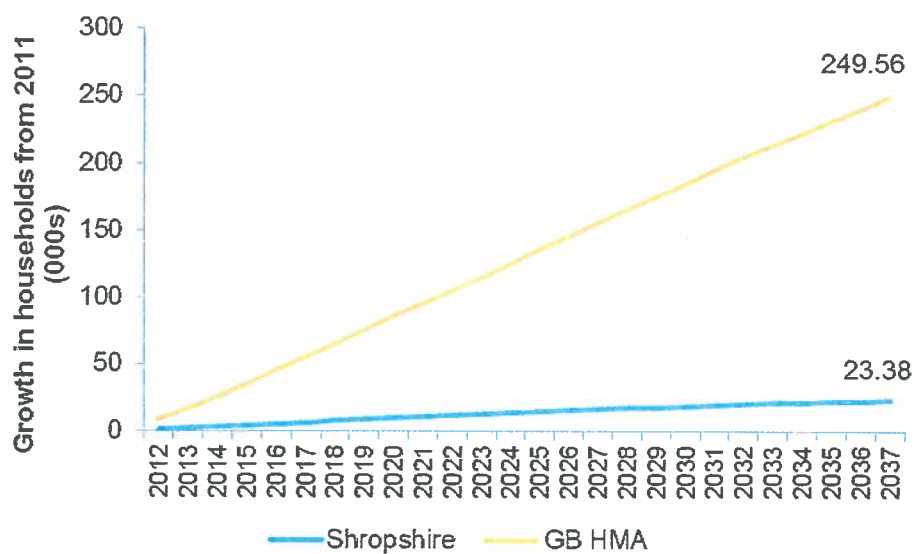
Examination of commuting patterns shows that between 2001 and 2011, Telford and Wrekin changed from being a net exporter of labour to the Black Country to being a net importer. Commuting from South Staffs to Telford and Wrekin also increased whilst in-commuting to Birmingham reduced.

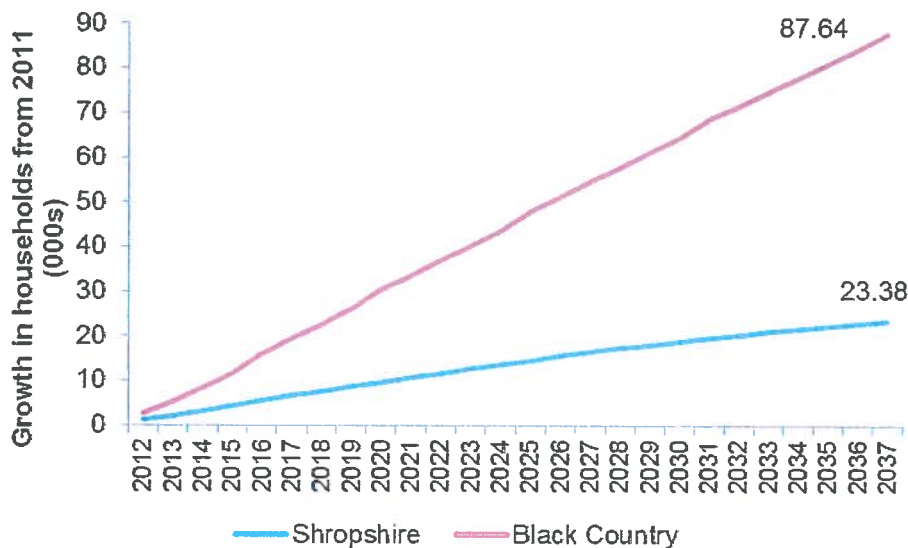
Figure 4: Net commuting into T&W 2001 vs 2011



Population

The 2012-based household projections show that that not only will growth in the GB HMA significantly outpace growth in Shropshire but that, as a component of that growth, growth in the Black Country and South Staffordshire will be more than triple that projected in Shropshire





Pulling it together

The above analysis has shown that there is net in-migration from Black Country and South Staffordshire to Telford and Wrekin, and that this trend is expected to continue. By contrast, Telford and Wrekin is a net exporter to Shropshire. Review of the household projections shows that growth in the Black Country and South Staffordshire is expected to be more than triple that in Shropshire. This means that the level of in-migration to Telford and Wrekin from these authorities is likely to become relatively much stronger, particularly given the acknowledged shortfall in capacity in the GBHMA.

Added to this, analysis of commuting data shows that working patterns between Telford and Wrekin and the Black Country authorities have shifted between the two Censuses, such that Telford and Wrekin is attracting more of the Black Country's workforce i.e. it has become a net importer (rather than exporter) of labour from the BC, and out-commuting from SS has increased..

Telford and Wrekin's plan making ambitions

The Telford plan has an employment led strategy, which requires a level of population growth beyond the demographic projection. In order to be realised this will require:

- Increased internal migration
- Increased international migration
- Reduced internal migration

Given Telford's pro-growth strategy and large supply of employment land, a policy judgement would need to be made that some of these commuters would become residents over the plan period. In a West Midlands context, the most likely source of growth to support Telford's ambitions is increased migration from the BC / SS over the plan period.

As well as absolute and percentage population growth being higher in urban areas, growth in economically active age groups is likely to be higher in the Metropolitan Area. By contrast Shropshire is a rural area that is likely to experience lower growth in these age groups.

It should be noted that the policy-on adjustments that Telford and Wrekin are considering are something of a 'zero sum' when considered in balance with the Black Country and South Staffordshire i.e. to realise the aspirations to grow economically active age groups in Telford and Wrekin, this will either come about through increased in-migration or increased commuting.

By taking need from the Black Country and South Staffordshire, it allows Telford and Wrekin to realise its ambitions through in-migration. If this does not happen, commuting patterns will change and people will commute from the Black Country into Telford and Wrekin which means that the houses will be delivered elsewhere because there will not be market demand to deliver the policy adjustment.

The Publication Version Telford and Wrekin Local Plan includes a policy-on uplift of 5,615 dwellings over the plan period. This will have a duty to co-operate impact on the neighbours that relate to Telford and Wrekin. The analysis above indicates an increased inflow from the Black Country and South Staffordshire, and from elsewhere in the wider GB HMA.

There is no precise formula in duty-to-co-operate discussions of this nature but discussions to date between the Black Country and South Staffordshire and Telford and Wrekin have focused on that authority agreeing to take 2,000 dwellings. This reflects the anticipated amendments to migration flows but allows Telford and Wrekin to continue duty-to-co-operate discussions with its other neighbours in relation to the majority of their proposed uplift (3,615 dwellings).



Telford & Wrekin
COUNCIL

Richard Partington Managing Director

Addenbrooke House
Ironmasters Way
Telford
TF3 4NT

Tim Johnson
Strategic Director of Place
Wolverhampton Council
Civic Centre
St Peters Square
Wolverhampton. WV1 1SH

Contact: Richard Partington

Telephone: 01952 308130

Fax: 01952 380104

Your Ref:

Our Ref: RP/TJHousingGrowth

Date: 17th June 2016

Dear Tim

Thank you for the call on Wednesday regarding Telford's housing growth. I thought it would be helpful to write to you to capture where I think we are, in advance of your meeting with ABCA colleagues next week.

The ABCA authorities have made an approach to this Council to take 2,000 of the Greater Birmingham Housing Market Area's unmet housing need. Telford & Wrekin's position has consistently been that such a request is not justified on the basis that we are a separate Housing Market Area for the purposes of plan making and have full justification for our housing requirement on the back of our employment land release, and are not therefore obliged to plan for the unmet housing needs of our neighbours. As a New Town, we have had a long history of promoting population growth. However, Census data consistently shows that the overwhelming majority of net inward migration comes from outside of the West Midlands and then Shropshire.

Under the duty to cooperate we have entered into discussions with your officers without prejudice and in the spirit of partnership. However, the request to take 2,000 homes remains unsubstantiated and without any reasoned justification or evidence base. Moreover, it has been made without your councils having completed a review of their capacity to take Birmingham's unmet housing need including Green Belt reviews before coming to us. It was also clear from the meeting of WMCA Chief Execs last Friday that although you have approached us as a Group, individual Authorities do not share the view that Telford should assign any housing numbers. Indeed the conversation went further with comments from several ABCA authorities that this growth should be delivered within the Black Country area and not in Telford.

As things stand therefore we have no justification to attribute any of our growth and propose to submit our Local Plan on 30th June on that basis. I would ask that you therefore formally withdraw your request for us to take 2,000 homes by the 24th June. I would not wish us to reach a point where our neighbours and partners seek to undermine our Plan at the Examination in Public, risking damaging the delivery of housing growth across all our authorities that will underpin the WMCA ambitions.

I look forward to hearing from you post the ABCA discussions on Wednesday.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Richard Partington', with a large, stylized flourish at the end.

Richard Partington
Managing Director

email: richard.partington@telford.gov.uk



Richard Partington
Chief Executive
Telford and Wrekin Council

23 June 2016

Dear Richard

Telford Housing Growth

Thank you for your letter of 17 June 2016 addressed to Tim Johnson, Strategic Director of Place.

I am grateful to you for outlining your proposal to us in a clear and understandable format. As agreed I presented your letter to the Association of Black Country Authorities (ABCA) which met yesterday morning.

The Leaders of the four Councils appreciated the offer you made and the position that Telford and Wrekin believes itself to be in.

A full discussion was held with regard to your proposals and the Leaders have specifically asked me to confirm the importance of the collaboration and alignment of ABCA with Telford and Wrekin. They see this as a key strategic partnership within the West Midlands.

On this occasion ABCA, through its Leaders do not feel at this stage that they can justify asking their respective Councils to, in effect, procure housing numbers from Telford and Wrekin in preference to pressing ahead with proposals to develop land use and remediation of existing sites. The review of the Black Country Core Strategy will provide additional evidence of housing needs in the sub-region and the ability of our land supply to accommodate this requirement. We will continue to keep you updated on the progress of this work and the potential implications for boundary working.

The response to your proposal is therefore to respectfully decline the opportunity you have presented us with but to reassure you of our commitment to Telford and Wrekin as a key regional partner.

Continued.....

City of Wolverhampton Council
Civic Centre
St Peters Square
WV1 1RL

🌐 wolverhampton.gov.uk
🐦 @WolvesCouncil
📺 WolverhamptonToday

ABCA Leaders confirmed their understanding that you will continue separate discussions with both Birmingham and Solihull with regard to your proposal.

Yours sincerely



Keith Ireland
Managing Director

Direct: 01902 554500

Email: Keith.ireland@wolverhampton.gov.uk



Appendix 2.5

Copy of Regulation 19 submission from South Staffordshire Council



Date: 08 March 2016

Please ask for: Andy Johnson

Our Ref: AJ/JF

Direct Dial: 01902 696457

Your Ref:

Fax No: 01902 696403

E-mail: a.johnson@sstaffs.gov.uk

FAO Darren Oakley
Development Plans Team
Telford & Wrekin Council
PO BOX 457
Wellington Civic Offices
Telford
TF2 2FH

Dear Darren

**SOUTH STAFFORDSHIRE COUNCIL RESPONSE TO THE TELFORD &
WREKIN LOCAL PLAN 2011-2031 - PUBLICATION VERSION -
CONSULTATION**

Thank you for the opportunity to comment on the legal compliance and soundness of the Telford and Wrekin Local Plan 2011-2031 Publication document. This is an officer response consistent with the Council's response to your Local Plan consultation undertaken in September 2015. The Council's response was made by the Cabinet Member (Strategic Services) following consultation with backbench Members.

Telford & Wrekin Council is one of 9 local planning authorities that border the District of South Staffordshire. South Staffordshire is part of the Greater Birmingham Housing Market Area (GBHMA) that comprises the geography of a total of 14 local planning authorities – including Birmingham, the 4 Black Country Authorities (BCAs) and the District of South Staffordshire. There is an evidenced housing shortfall of 37,500 dwellings in the GBHMA up to 2031. The Telford Housing Market Area is a neighbour of the GBHMA.

Telford and Wrekin are proposing a housing requirement of 15,555 net new dwellings up to 2031 in Policy HO1 of the publication document. This represents a significant uplift from your Objectively Assessed Housing Need requirement (9,940 dwellings) evidenced by the PBA OAN report published in March 2015. It is clear from your Housing Growth Technical Paper, that you believe there are a number of factors that justify the uplift to what the PBA study refers to as the 'super-growth option' (circa 15,000 dwellings). It is



also clear from the Housing Growth Technical Paper, that the OAN identified in the PBA study would not need an upward adjustment for jobs or market signals. In this context, it is questionable if the factors that have helped determine the Policy HO1 requirement – set out in your Housing Growth Technical Paper - justify such a considerable uplift.

Considering this, and Telford and Wrekin's historic role in meeting the housing and employment requirements of the wider West Midlands, we believe it is reasonable that a proportion of the uplift is accepted by Telford and Wrekin as an export from the Greater Birmingham Housing Market Area (GBHMA). This would be contributing towards an evidenced need, and in our view, would help in justifying the uplift from 9,940 to 15,555 dwellings. The PBA study highlights this as an option, stating:

'One source of above-trend demand could be unmet housing need in other parts of the West Midlands.... Telford & Wrekin, which has grown historically as an overspill town for the Black Country, may be well placed to resume this role as unmet housing need ripples outwards from Birmingham. Importing need in this way could benefit both areas – the donor areas by relieving capacity constraints, and Telford & Wrekin by helping to make more sustainable settlements, pay for affordable housing and support necessary infrastructure'.

It is our view that, in its current form, the Telford and Wrekin Local Plan fails to respond reasonably to an evidenced shortfall in a neighbouring HMA and on this basis fails the 'soundness' test set out in paragraph 182 of the NPPF. Specifically, the 'positively prepared' aspect of the soundness test, which states:

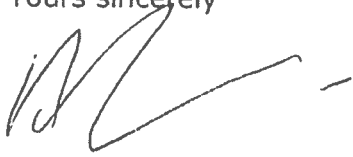
*'the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, **including unmet requirements from neighbouring authorities where it is reasonable to do so** [my emphasis] and consistent with achieving sustainable development.'*

It is understood that the Black Country Authorities have provided Telford and Wrekin with evidence in the form of migration data and commuting patterns which, alongside the considerable unmet need within the GBHMA, justifies at least 2000 of the 5,615 extra homes being attributed to the GBHMA shortfall.

We therefore, request a modification to the Plan which confirms that at least 2000 homes being proposed by Telford and Wrekin Council will contribute towards the GBHMA shortfall. Subject to this modification being made, we are satisfied that the Plan meets the legal compliance and soundness tests.

Finally, we understand that the Black Country Authorities have offered to discuss with you the potential of a Telford & Wrekin Agreement to a contribution to the GBHMA housing shortfall. We can confirm that South Staffordshire Council would be willing to take part in these discussions.

Yours sincerely

A handwritten signature in black ink, appearing to be 'AJ' followed by a long horizontal stroke.

Andy Johnson
Director (Planning and Strategic Services)



Telford & Wrekin Local Plan - Duty to Co-operate Statement

Appendix 2.6

Copy of email from Staffordshire County Council, dated 27 August 2015

Lewis, Tom

From: Lewis, Tom
Sent: 22 June 2016 16:40
To: Oakley, Darren
Subject: FW: Duty to cooperate

For Duty to Cooperate File

Tom Lewis
Senior Planning Officer
Environment & Planning Policy
Business, Development & Employment
1st Floor Upper, Wellington Civic & Leisure Centre
Larkin Way (off Tan Bank)
Telford
TF1 1LX
Tel: 01952 384239
Fax: 01952 381806
Email: tom.lewis@telford.gov.uk
www.telford.gov.uk

External Postal Address:
Business & Development Planning
Telford & Wrekin Council
PO Box 457
Telford
TF2 2FH

For all latest Council news visit our [newsroom](#); follow us on Facebook at www.facebook.com/telfordwrekin and Twitter at www.twitter.com/telfordwrekin

Take Pride in your Community, report issues using the Everyday Telford app
www.telford.gov.uk/everydaytelford

Pledge your support for our hospital www.prh4me.co.uk

From: Griffin, Matthew (Place) [<mailto:mat.griffin@staffordshire.gov.uk>]
Sent: 27 August 2015 15:46
To: Lewis, Tom
Subject: RE: Duty to cooperate

Tom
The data suggests that there are no strategic waste issues between Staffordshire and Telford.
Regards,

Matthew Griffin
Team Leader (Minerals Planning Policy)
Office location: No. 1 Staffordshire Place (Floor 2), Stafford ST16 2LP
Postal address: Planning, Policy & Development Control, c/o Staffordshire County Council, 2 Staffordshire Place, Tipping Street, Stafford. ST16 2DH

Tel. 01785 27-7275

Visit the Staffordshire Planning at www.staffordshire.gov.uk/planning

[Where to find No.1 Staffordshire Place](#)



Appendix 2.7

Copy of letter from Herefordshire Council, dated 9 September 2015

Economy, communities and corporate directorate

Geoff Hughes (director)

Your Ref:

Our Ref: AN/TW

Please ask for: Angela Newey

Direct line / Extension: 01432 383637

Fax:

E-mail: angela.newey1@herefordshire.gov.uk

9 September 2015

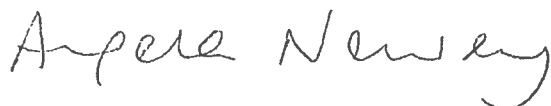
Dear Mr Oakley

Telford and Wrekin Local Plan – Duty to Cooperate

Thank you for you for consulting me on the above plan. I have read the plan with interest and have no objection to any of the policies within it. I am satisfied that the Duty to Cooperate requirements in relation to Herefordshire Council have been complied with. I can confirm that Herefordshire Council has not made representations to Telford and Wrekin Council to accommodate any of its development needs within the administrative boundary of Telford and Wrekin Council or vice versa.

I look forward to continuing to work constructively and actively together as work proceeds on our local plans.

Yours sincerely

**ANGELA NEWHEY****SENIOR PLANNING OFFICER**



Telford & Wrekin Local Plan - Duty to Co-operate Statement

Appendix 2.8

Copy of letter from Environment Agency, dated 4 February 2016

Telford & Wrekin Council
Environment & Planning Policy
Development Management
1st Floor Upper
Wellington Civic Offices
PO Box 457
Telford
TF2 2FH

Our ref: SV/2012/106308/OR-07/PO1-L01

Your ref:

Date: 04 February 2016

F.A.O: Ms. Harjot Rayet

Dear Madam

TELFORD & WREKIN COUNCIL – DUTY TO CO-OPERATE

I write in connection with the Duty to Co-operate requirements for Telford and Wrekin Council in the context of the Draft Infrastructure Delivery Plan (IDP) and the emerging Local Plan.

The Environment Agency is a statutory consultee in the plan making process. There has been an on-going dialogue between the Environment Agency and Telford & Wrekin Council from the outset of the process. The Environment Agency has made comprehensive representations at every stage to date and Telford & Wrekin Council have sought to make appropriate amendments to the Plan, and associated evidence base, in order to make it sound.

The Environment Agency are aware of the requirement for Local Authorities to address strategic issues in local plans and demonstrate how this has been managed through the 'duty to cooperate'. The 'Duty' is set out in Section 33a of the Planning and Compulsory Purchase Act 2004 (as amended by s110 of the Localism Act).

The National Planning Policy Framework (the Framework) at paragraphs 178-181 sets out that Local Planning Authorities should work collaboratively with other bodies to ensure that strategic priorities across local boundaries are properly coordinated and clearly reflected in individual local plans. The Framework expects local authorities to demonstrate evidence of having effectively cooperated, noting that cooperation should be a continuous process of engagement.

The Environment Agency have been pleased to engage with Telford & Wrekin Borough Council in the context of the preparation of the Local Plan and IDP and have welcomed the pro-active approach to ensuring that the Plan is robust and deliverable.

Regular meetings have taken place between The Environment Agency and representatives of the Borough Council to discuss the formation of the Local Plan and the associated evidence base. Specifically, with

regard to matters within our remit, we have engaged in discussions to ensure the production of a sound evidence base with regard, primarily, to flood risk and waste water infrastructure.

In consideration of the above we are satisfied that Telford & Wrekin Borough Council has met its requirements with regards to the Duty to Cooperate.

I trust the above confirms my position at this time. Feel free to contact me to discuss further if necessary.

Yours faithfully

Mr. Graeme Irwin
Senior Planning Advisor
Direct dial: 02030 251624
Direct e-mail: graeme.irwin@environment-agency.gov.uk

Rayet, Harjot

To: Rayet, Harjot
Subject: RE: Telford & Wrekin Local Plan.

Good morning Harjot.

Apologies for not making the meeting last Thursday. I understand the meeting was positive.

I am aware that the deadline for responding to the Local Plan submission is today. I have no significant comments to make as we have bottomed out the Policy Wording and supporting evidence for both the Flood Risk/Waste Water elements. However, following the meeting, Martin Everett is pulling together his comments which I should have towards the end of the week. Is it acceptable to hold fire on responding to you until I have had Martin's full comments?

Regards.

Graeme Irwin

Senior Planning Officer - Sustainable Places

Shropshire, Herefordshire, Worcestershire and Gloucestershire
Environment Agency
Direct Dial: 02030 251624
Direct email: graeme.irwin@environment-agency.gov.uk

IMPORTANT: Updated Flood Risk Climate Change allowances for Planning Matters are at...
www.gov.uk/guidance/flood-risk-assessments-climate-change-allowances



The climate is changing. Are you?

A support service led by the Environment Agency
www.gov.uk/government/policies/adapting-to-climate-change

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Appendix 2.9

Copy of letters from Historic England, dated September 2015 and March 2016



Historic England

WEST MIDLANDS

Telford and Wrekin Council
Email Response

Our ref: 1469/1470
Telephone: 0121 625 6851
Email: kezia.taylerson@
historicengland.org.uk

25 September 2015

Dear Sir, Madam,

Re: Telford and Wrekin Council Local Plan 2011 – 2031 consultation

Thank you for consulting Historic England on the above consultation document. We have the following comments to raise at this stage:

General comments

We support the general comments regarding the historic environment within paragraphs 2.4, 2.18 to 2.20. We would encourage that an additional paragraph is included to reflect the diversity of heritage and reference other designations such as locally listed buildings, registered parks and gardens and undesignated archaeology to give a more holistic overview of the historic environment within Telford.

Section 2.1.1 we support the recognition of the historic environment as a strength and also as a challenge for the Local Plan to address. The current language only refers to buildings and it would be beneficial if the text could also recognise the wider historic environment including aspects such as registered parks and gardens and archaeology etc.

We support the inclusion of the historic environment within the visionary paragraphs on page 26, particularly paragraph 2.41.

We support Table 7, Aim 6 and welcome its inclusion within the Local Plan.

We support paragraph 3.2 and the recognition that new development should not harm the borough's historic environment.

We would recommend a slight wording amendment for Policy SP4 Presumption in favour of sustainable development to reflect the wording in the National Planning Policy Framework (NPPF).



Historic England, 8th Floor, The Axis, 10 Holliday Street, Birmingham B1 1TG
Telephone 0121 625 6870 HistoricEngland.org.uk

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Correspondence or information which you send us may therefore become publicly available.



Clause 11) The need to protect and enhance the borough's historic, biodiversity and geodiversity assets, in particular the Ironbridge World Heritage Site

and replace with

Clause 11) The need to protect and enhance the borough's biodiversity, geodiversity and heritage assets, in particular the Ironbridge World Heritage Site.

We welcome the recognition of the role heritage plays within tourism and the positive economic advantages this can bring, within section 4.3 on tourism.

We would be supportive of Policy EC12 including a reference to the benefits of and possible new heritage tourism opportunities.

We would support the recognition of heritage within the section on Green Infrastructure on pages 88-92 and the role that heritage plays within the natural environment. The inclusion of a sentence to state this or a reference to heritage assets or the historic environment within one of the bullet points describing green infrastructure would be sufficient.

We support the reference to heritage within the section on culture and would encourage the Council to broaden their examples and focus on the many historic attractions that the borough offers, outside of the Ironbridge WHS. We are supportive of a policy on Culture.

With respect to Policy ER1 Renewable Energy there are times when renewable energy development is inappropriate due to its harm on the historic environment.

We note on page 145, paragraph 10.14 that the Council references a minerals safeguarding site that contains the Iron Age Wall Fort, Scheduled Ancient Monument. We support that there will be no peat extraction within this area as this could be harmful for this heritage asset and the wider strategic landscape.

Policy ER2 Minerals Safeguarding, we would welcome the inclusion of the following term at the end of clause 6) '... or other important environmental assets, such as heritage assets'.

Historic England is supportive of mineral extraction for locally distinctive building material and would support mineral development for this extraction, as long as there was no harm to heritage assets or historic landscapes as a result of this mineral development.

We support the inclusion of clause 12) within Policy ER6 Mineral Development.

We consider that Policy ER7 Waste Management Facilities would benefit from being worded in a similar way to Policy ER6 in as much as a number of clauses are cited



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for protecting and conserving the environment. A specific clause, similar to Policy ER6 would be a welcome addition within this policy to ensure that new waste facilities do not have a detrimental effect on the historic environment. We do note the bullet point in paragraph 10.41 however consider that it would be better if this was included within the policy itself.

We note Table 17 and the suggested indicators for cultural heritage and the historic environment. Number two is measured by whether there is an up to date Management Plan for the WHS, however, this will only capture assets affected within this area. The Council needs to look at indicators that have the opportunity to capture a wider perspective such as:

- Number of heritage assets at risk removed from the at risk register.
- Number of conservation areas on the at risk register.
- Number of heritage assets on the at risk register, compared to 2014 baseline.
- Number of applications approved contrary to advice from local conservation and archaeology staff and Historic England.
- Number of demolitions of locally listed buildings.

The above are just some examples of the types of indicators that the Council could use but there needs to be a realistic prospect that the indicators can measure whether the policies are working and trigger an option for amending the policy wording if it appears they are not.

We would recommend that you include a definition of 'Heritage Asset' within the Glossary.

The inclusion of a map within the appendices detailing the heritage assets and where they are found would be a welcome addition.

Built Environment Policies comments

Paragraph 9.1 4th sentence amend to 'scheduled ancient monuments' and 'historical registered parks and gardens'.

Paragraph 9.2 query over what the sentence is trying to say. Consider deleting 'with their conservation value' and replacing with 'the conservation of heritage assets' or something similar. We are unclear on the intention of the last part of the paragraph and would recommend re-wording for clarification.

Policy BE1 Listed Buildings – a key element to get across is the need for applicants to consider the significance of heritage assets, including their setting and how



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proposals may affect the significance of a heritage asset, how this significance can be protected and conserved and where possible, what are the opportunities for enhancement?

In the first sentence the policy needs to reference the significance of heritage assets, which can include settings but not relate only to setting. Delete the term 'preserve' wherever it applies within this section and replace with 'protect and conserve' to reflect the NPPF terminology.

Development proposals should protect the building and setting as they apply to a heritage assets significance (3rd sentence).

Within the clauses 1 – 8 there is repetition relating to 'massing, scale, form' etc. we would recommend that this is condensed and referenced only once so that the policy is clear.

Can you add in a clause that looks at development proposals seeking enhancements that will better reveal the significance of heritage assets?

Other policies discuss the need for a 'heritage significance statement', we would consider that the policies need to be consistent and that a 'heritage significance statement' should be submitted with all planning applications that may affect a heritage asset (whatever the type of asset) and that the justification text should be clear on what a heritage significance statement is and what it should include. Would also be useful to include the need for Landscape Visual Impact Assessment/ photomontages where views could be affected, that are part of the significance of the heritage asset.

Paragraph 9.5 delete 'preserving' and amend with 'protecting and conserving'.

Paragraph 9.6 add that these are just examples of what setting can be as it can be more far reaching than this definition, including the relationship between other heritage assets and can cover a wide geographical area, in certain cases. It would be useful to refer to Good Practice Advice Note 3: The Setting of Heritage Assets adopted March 2015 to allow for a fuller definition of what setting is and how it should be taken into account.

Paragraph 9.8 we welcome the reference to climate change and the conflict with the historic environment as often they are not compatible. Suggest that the second sentence includes a reference to 'where proposals do not harm the historic environment or ... conflict with policies ...'.

We are supportive of the inclusion of a Policy on Buildings of Local Interest and support the Council in having produced this list.



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Telephone 0121 625 6870 HistoricEngland.org.uk

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Policy BE3 Buildings of Local Interest – amend from ‘preserve’ to ‘protect, conserve and where possible’ enhance (second sentence).

Insert paragraph number for the text below the policy and consider deleting ‘new buildings list’ for the title of the list or ‘the list’. Again, final sentence delete ‘preserve’ and replace with ‘protect and conserve’.

Section 9.2.3 amend the heading to reflect NPPF terminology ‘Registered Parks and Gardens’ and replace throughout this section.

Policy BE4 same as above. Clause 1 delete ‘respect’ and insert ‘result’ or something similar for the clause to be clear.

Paragraph 9.12, first sentence, instead of ‘to protect these parks and their settings’ consider ‘to protect the significance of these parks and their settings’ or something similar.

Paragraph 9.13 delete ‘preserve’ and amend with ‘protect and conserve’.

Paragraph 9.14 consider re-phrasing the first sentence so that it is clear. Delete ‘preserve’ and replace with ‘protect and conserve’.

Paragraph 9.15 consider re-phrasing first sentence that relates to tree felling to make the sentence clear about what the applicant needs to do.

Policy BE5, part A, delete ‘preserve’ and replace with ‘protect and conserve’.

Clause 4, how will you define what will ‘taint the appearance’?

Can you add in a reference to Conservation Area Appraisals and Management Plans for the seven Conservation Areas that you have and how planning applications will need to take account of the advice within these documents?

Part B, what is a ‘heritage significance statement/heritage statement’ can the policy or justification text expand upon this to provide clarity on what is expected. We are supportive of the approach that planning applications should be supported by one. Also consider the inclusion of Landscape Visual Impact Assessments/photomontages where views and settings are integral to the significance of heritage assets.

Clause 2 add in ‘non original style’ before ‘doors’.

Paragraph 9.17 delete ‘preserved’ and amend with ‘protected and conserved’.

Paragraph 9.18 delete the ‘s’ off Conservation Areas in the first sentence.



Insert a reference to the Conservation Area Appraisals and Management Plans in the justification text and where to find them.

Consider adding some more detail to the justification element accompanying the policy as the policy text is fairly detailed and yet the justification is very short.

Paragraph 9.20 technically there are two WHS in the West Midlands – the second is the Pontcysyllte Aqueduct where it runs through part of Shropshire and into North Wales.

Paragraph 9.21 delete 'its' after the NPPF.

Policy BE6 we would recommend that you add in a reference that the council will protect the OUV of the WHS including its setting. We are aware that the Council are proposing to produce a supplementary planning document for the WHS based on updated information from a forthcoming Conservation Area Appraisal of the WHS. If this is the case, and Historic England are supportive of this approach, we consider that this policy needs to be re-written to contain appropriate hooks for a future SPD as it is not detailed enough in its current form.

The two paragraphs below the policy need a paragraph number.

Policy BE7 second paragraph any archaeological assessment should be carried out by a qualified professional and the information should be submitted with a planning application.

Clause 2, we recommend including that any information that requires recording should be added to the Historic Environment Record.

Paragraph 9.24 we support the need for a 'heritage statement' here, however, consider that this needs to be referenced in the policy and the detail included within the justification text. This reflects our approach that a heritage statement should be required where an impact may occur to any heritage asset.

Delete paragraph 9.25 due to repetition.

Site Specific comments

Housing

HS1 – There are a number of listed buildings within the existing built up area, to the South of the site. Consideration would need to be given to how these assets will be protected and conserved, especially in reference to the setting of the assets.

HS2 –To the North of the site and what appears to be included within the site boundary is a Scheduled Ancient Monument of Roman origin, with two further



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Scheduled Ancient Monuments just North of the road. The impact to these heritage assets and their setting need to be considered. To the West of the site is the Grade II Woodhouse Farm which currently benefits from a rural landscape which will be substantially affected by this proposal. How has the asset and its setting been taken into consideration? There is a Scheduled Ancient Monument to the South West of the Site, has the Council considered the impact to this asset?

HS3 – There are a number of listed buildings within the existing built up area, to the South of the site, one of them is the Grade II Holy Trinity Church. Are there any impacts to the setting of these assets as a result of the proposed development?

HS4 – To the South of the site is a Grade II railway bridge, consider if there are any impacts as a result of the development? Also consider the traffic implications and if this could have an effect on the significance of the asset.

HS5 – There is a Grade II asset on this site, how will the development proposal take account of this asset? The site is also surrounded by the Severn Gorge Conservation Area and a number of listed buildings, has the impact to their setting been considered?

HS6 – There are a number of listed buildings and the Severn Gorge Conservation Area in the wider vicinity of the site.

HS11 – To the North East of the site is the Grade II Church of St Peter, how will the asset be protected and conserved and consideration given to its setting and views that may be part of its significance?

HS13 – Cannot locate with information provided. We have emailed Telford and Wrekin Council to request additional information.

HS14 - Cannot locate with information provided. We have emailed Telford and Wrekin Council to request additional information.

For all the proposed sites where there may be harm for the historic environment, we recommend that in the first instance harm is avoided and where this cannot be avoided then harm should be mitigated. Where mitigation measures are deemed appropriate to overcome the harm then we consider it is necessary to include these measures within the Plan to ensure that there is certainty that they will be complied with at the Development Management stage. Historic England recommends that this is either in the form of site specific policies or justification text/tables relating to individual sites. We would be happy to discuss this approach with you further and offer advice on how this can be achieved. If harm to heritage assets cannot be overcome then we recommend their removal from the Local Plan and alternative sites proposed.



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SEA comments

We would encourage the Council to ensure that the strategic objectives within the Plan are the same as those within the SEA and we would encourage that the council considers the inclusion of a specific indicator for the historic environment within the strategic objectives outlined within the SEA.

Paragraph 12, page v, we support the inclusion of a section on cultural heritage and would recommend that 'historic assets' are amended to refer to 'heritage assets' to be in line with the NPPF. Additionally, we would recommend that 'historic parks and gardens' are amended to 'registered parks and gardens' to also reflect the wording of the NPPF. We note the reference to heritage at risk within the Borough and would encourage the Council to find solutions to bring these assets back into use/good condition as part of a positive strategy for the historic environment within the Local Plan.

We would recommend that Objective 21 on page x is amended to refer to cultural heritage and the need to protect, conserve and where possible enhance the significance of heritage assets, including their setting. This will relate to built and natural heritage assets and could also consider issues such as local distinctiveness and historic landscape character to encompass the wider historic environment.

Under paragraph 26 we encourage the Council to refrain from use of 'uncertain effects', as it is necessary to understand the significance of heritage assets and the potential impact that development can have on that significance. If the effects are uncertain then additional evidence base and assessment will be required to ensure that all effects are known and an appropriate avoidance/mitigation strategy is put into place.

We note the paragraph on page 39 and as stated above, any identified mitigation measures should be included within the Plan to offer certainty of their delivery. We are concerned that the cumulative effects are uncertain and consider that this should be addressed within the next iteration of the SEA.

On page 27 the table looks at whether there are any heritage assets within or adjacent to proposed development sites. The council needs to ensure that heritage assets are conserved and protected, including their setting and it may be necessary to look wider than 'adjacent' and assess whether the proposed development could have an impact on the setting of any heritage asset and address whether the setting is a part of the asset's significance. We would recommend at the next iteration of the SEA that further appraisal/assessment has been undertaken to reduce the need for the clause relating to uncertainty within this table.



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I attach a link to SEA guidance that Historic England has produced which details more information on preparing objectives, including monitoring indicators, which plans and programmes to cite for the historic environment and how to appraisal sites and policies.

https://content.historicengland.org.uk/images-books/publications/strategic-environment-assessment-sustainability-appraisal-historic-environment/SA_SEA_final.pdf/

At the next iteration of the SEA we will assess all the conclusions relating to the sites and policies for the historic environment and cross reference with the mitigation measures within the pre-submission version of the Local Plan. If you require any assistance or have any questions regarding the SEA process and the historic environment please contact me and I would be happy to assist.

If you have any questions regarding these comments please contact me, or if you would like a follow up meeting we would be happy to attend one in Telford.

Kind regards

Kezia Taylerson

Kezia Taylerson

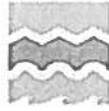
Historic Environment Planning Adviser (West Midlands)



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Historic England

WEST MIDLANDS

Telford and Wrekin Council
FAO Vincent Maher
localplan@telford.gov.uk

Our ref: 1660
Telephone: 0121 625 6851
Email: west.midlands@historicengland.org.uk

by email only

14 March 2016

Dear Vincent,

Re: Telford and Wrekin Council Local Plan 2011 – 2031 Publication Version consultation

Thank you for consulting Historic England on the above consultation document. Thank you also for meeting to talk through the general changes to the publication version. We note that various policies and paragraphs have changed numbers since our earlier comments, and that the Integrated Appraisal (IA) has been updated and a Technical Paper on the Historic Environment, amongst others, has been produced. We have, unfortunately, not been able to locate the IA Appendices online. I can confirm that Historic England wishes to make further representation on the documents; some comments were raised previously and some are new in light of revised policy and justification text rewording. I am aware that, at this stage, you are only interested in issues of soundness.

General comments

In our previous comments we recommended that references to 'preserve and enhance', other than when relating to Conservation Areas, should be amended to read 'protect, conserve and enhance' in line with NPPF terminology and this recommendation is maintained. Legislation refers to 'preserve and enhance' in respect of Conservation Areas only and wording relating to other heritage assets should be NPPF compliant.

In addition, references to historic parks and gardens remain evident in the publication version. As per previous comments, we would recommend that 'historic' be replaced with 'registered' in line with NPPF terminology.

Specific comments

Policy EC6 – The policy wording has been revised. Advertisements can impact on the character and appearance of the historic environment whether they are featured in relation to a retail or non-retail use. As such, it is recommended that Policy EC6 (ix) is amended to read '*Any retail and non-retail use subject to the provisions of Policy EC10*' to ensure that

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the historic environment and heritage assets, and their settings, are considered adequately and in line with national policy.

Policy EC10 - The policy wording has been revised. The policy, or glossary section, should clarify that 'shop front' relates to premises for retail and non-retail uses since current permitted development rights allow for certain changes of use, and taking into account the provisions of Policy EC6, for the avoidance of doubt and to ensure that the historic environment and heritage assets, and their settings, are considered adequately and in line with national policy.

Policy EC12 – A new part to this policy appears in the publication version which is of concern and relates to major hotel development within or immediately adjacent to the Ironbridge Gorge World Heritage Site, amongst others. Supporting text at 4.3.2.6 indicates that there is a growing tourism market around Ironbridge and the policy would, therefore, support hotel development in this area. The IA refers to hotel development in Telford, Newport etc but does not appear to address such development in the Ironbridge Gorge WHS and the historic environment technical paper does not address the proposal. As such, it is not clear what impact assessment has been undertaken or how the potential impact on the Outstanding Universal Values (OUV's) of the WHS has been considered and how this element of the policy is justified or consistent with national policy.

Policy HO10 – Optimal use of a heritage asset could potentially cause harm to it contrary to national policy. As such, Clause (ii) should clarify the optimal use aspect by adding '*subject to meeting the requirements of Policies BE3 - BE8*' or a similar alternative to ensure that the policy is consistent with national policy.

Section 6 – It is noted that the section on the Natural Environment has been rewritten. As per previous comments it is recommended that the following additions to text are made:

-6.0.2 – after 'flood water' include 'appreciation and understanding of the historic environment...' and,

-6.0.3 – after 'highway verges and street areas' include ',heritage assets'.

These alterations would help ensure that synergistic opportunities are provided for within the plan since the natural and historic environments often interlink especially in landscape character matters.

Section 6.5 – Strategic Landscapes makes no reference to the Shropshire Hills AONB, part of which lies within Telford & Wrekin's administrative area. It is recommended that the following text be included at the end of the new paragraph 6.5.4 :'*Proposals affecting the Shropshire Hills AONB will also be required to be consistent with the current AONB Management Plan or any subsequent update*'.

The historic environment makes a vital contribution to the special qualities of the AONB and underpins the character and distinctiveness of the areas landscapes and settlements. It also supports the benefits provided by the AONB for society, for example in relation to tourism,



recreation and amenity as well as the wider cultural aspects of sense of place, history, local character and distinctiveness.

Section 9 – The rewording and renumbering of the section is noted.

Para 9.1.1.3 - In terms of land stability it is recommended that the fourth point of this section includes Ironbridge as well as Telford.

Policy BE3 (formerly BE7) – The Ironbridge Gorge WHS does not have a buffer zone and so reference to the setting of the WHS should be made within the policy at the end of the first sentence. This would ensure that the impact of a proposal on the historic environment and heritage asset, and their settings and OUV's, are considered adequately and in line with national policy.

Para 9.2.2.2 – The NPPF states that 'great weight' rather than 'consideration' should be given and it is recommended that the sentence wording is altered to reflect the correct NPPF terminology.

Policy BE5 – The second paragraph includes a typing error 'significance of the any heritage' – 'the' should be deleted. Clause vi should also refer to non-original doors, rather than just doors, since it refers already to non-original windows.

Para 9.2.3.7 – There is no apparent definition of a heritage significance statement in the local plan glossary, or what it should contain. This should be clarified for the avoidance of doubt.

Policy BE6 - Clause ii has a typing error – 'a buildings' should be amended to 'a building'. In addition, it is not clear how this policy would work due to permitted development rights which would apply to residential units and in some commercial situations.

Policy 9.2.5.2 – 'The Garden History Society' is now known as 'The Gardens Trust' and the text should be amended to reflect this.

Policy BE8 – It is recommended that the last sentence be extended to require that any information which requires recording is set out in a suitable format and added to the Historic Environment Record in line with Planning Practice Guidance.

Site Specific comments and the Historic Environment Technical Paper and Integrated Appraisal

Housing

Historic England made representation on the majority of housing site allocations at the draft local plan consultation stage and it is noted that a Historic Environment Technical Paper has been prepared since that time and to coincide with the publication document.

The Historic Environment Technical Paper sets out that the historic impact assessment was undertaken as a mapping exercise, with a 200m radius around sites. The document

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contains no justification as to how the figure of 200m was decided upon, or how this takes into account setting which could be from further afield if considering views in to and out of sites. Furthermore, the document then goes on to list heritage assets in relation to site allocations with no further assessment of how impact on the asset, or its setting, has been considered. It is noted that the Integrated Appraisal concludes that the overall cumulative effect of the Local Plan on heritage remains uncertain. This implies that further assessment work is required. As such, Historic England maintains its previous representations in respect of the housing allocation sites.

In particular, from the information available at this time, Historic England would object to The Beeches site allocation under H5 which includes a Grade II listed building and lies to the north of the Ironbridge Gorge WHS and associated Conservation Area. The proposal would be for the conversion of the existing buildings through 'enabling' residential development in the curtilage. However, there is no evidence of a structural survey to determine that the premises are in such disrepair as to warrant 'enabling' development, Historic England has not been advised that the premises are potentially 'at risk' and is not aware that the Council has the premises on any Grade II at risk register, there is no evidence of any options appraisal for the site for alternative uses (e.g. would the site be suitable for conversion to the hotel addressing the new element introduced in revised Policy EC12), there is no evidence in the Historic Environment Technical Paper does not address the potential impact on heritage assets for the site and the Integrated Appraisal explores site H6 briefly but does not address site H5. As such, it is submitted that this site allocation is not sound.

Integrated Appraisal

Page 27 – In Objective 21 the middle column 'effected' should read 'affected' otherwise a different meaning is implied

Page 90 – Option 38 – The word 'preserved' is used in respect of Listed Buildings and Policies BE4 and BE6. In our previous comments we recommended that references to 'preserve and enhance', other than when relating to Conservation Areas, should be amended to read 'protect, conserve and enhance' in line with NPPF terminology and this recommendation is maintained. Legislation refers to 'preserve and enhance' in respect of Conservation Areas only and wording relating to other heritage assets should be NPPF compliant.

Page 90 – Option 39 – There is a typing error where 'addictions' should read 'additions'.

Page 90 – Option 40 – At the first section's 'reason for progressing or rejection' box it refers to the inclusion of Policy BE3 and then goes on to say that this option has been rejected as the Council intends to produce a relevant SPD. However, the Local Plan includes Policy BE3, so clarity here would be useful.

As a general comment on the IA, references to the number of heritage assets feature at three different times within the document and are different to each other (pages v; 41 and 170). It is not clear how these discrepancies have arisen.



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Summary

Historic England has concerns about various aspects of the Regulation 19 publication local plan a set out above. As previously advised for all the proposed sites where there may be harm for the historic environment, we recommend that in the first instance harm is avoided and where this cannot be avoided then harm should be mitigated. Where mitigation measures are deemed appropriate to overcome the harm then we consider it is necessary to include these measures within the Plan to ensure that there is certainty that they will be complied with at the Development Management stage. Historic England recommends that this is either in the form of site specific policies or justification text/tables relating to individual sites. We would be happy to discuss this approach with you further and offer advice on how this can be achieved. If harm to heritage assets cannot be overcome then we recommend their removal from the Local Plan and alternative sites proposed.

If you have any questions regarding these comments please contact me, or if you would like a follow up meeting we would be happy to meet with you to discuss further and establish any areas of common ground.

Kind regards

Rosamund Worrall

Rosamund Worrall
Historic Environment Planning Adviser (West Midlands)



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Telford & Wrekin Local Plan - Duty to Co-operate Statement

Appendix 2.10

Copy of letter from Natural England, dated 15 March 2016

Date: 15 March 2016
Our ref: 177519



Environment & Planning Policy Team
Business & Development Planning
Telford & Wrekin Council
PO Box 457
Telford
TF2 2FH

Customer Services
Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 6GJ

BY EMAIL ONLY

T 0300 060 3900

Consultation: Telford & Wrekin Local Plan 2011 – 2031 Publication Version

Thank you for your consultation on the above dated 01 February 2016

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

The Town and Country Planning (Local Planning) (England) Regulations 2012

Natural England welcomes the content of the Local Plan and we have the following comments to make.

Soundness

Natural England notes that the plan is at the publication stage and as such your authority is seeking confirmation on the soundness of the plan. As far as Natural England is concerned the plan is considered sound i.e the plan is positively prepared as demonstrated by policies supporting green infrastructure and preventing fragmentation of habitats. The plan is justified, the evidence base appears robust as far as Natural England's remit is concerned and alternatives have been considered throughout the plan stages. As far as Natural England is concerned the policies within the plan are deliverable and flexible and therefore the plan should be effective and the plan is consistent with national policy with regard to those within Natural England's remit.

Duty to co-operate

Natural England can confirm that we have been involved in discussions with the local planning authority as the plan has emerged especially in relation to the following subject areas: Water, biodiversity and geodiversity, landscapes, both nationally designated and local landscape character, green infrastructure including priority habitat creation, climate change, soil and waste. Additionally the LPA have been involved in discussions with Natural England as the Habitat Regulations Assessment for the plan has emerged and informed the different stages of the plan.

Habitats Regulations Assessment (HRA) – Integrated Appraisal (IA) including Sustainability Appraisal (SA) and Strategic Environmental Assessment (SEA)

Natural England acknowledges these reports and confirms that we agree with the conclusions therein.

Notwithstanding the above we have the following comments on the content of the plan.

The Plan's vision and strategy

Natural England advises that the Plan's vision and emerging development strategy addresses impacts and opportunities for the natural environment. We note the aspiration to protect and enhance the environment and community green spaces and we would support this.

Where relevant there should be linkages with the Biodiversity Action Plan, Nature Improvement Area, Local Nature Partnership, Area of Outstanding Natural Beauty (AONB) Management Plans, Rights of Way Improvement Plans and Green Infrastructure Strategies.

We note and support Objectives 13, 14 and 15 which relate to the natural environment, protecting and managing strategic landscapes and protecting and enhancing biodiversity

Sites of Least Environmental Value

In accordance with the National Planning Policy Framework (NPPF), the plan's development strategy appears to avoid areas of high environmental value. Natural England notes the evidence in the (IA) and HRA, which demonstrates that sites of least environmental value are allocated i.e. they avoid designated sites and landscapes.

SP3 Rural area

We note and support the policy intention to protect the best and most versatile agricultural land.

SP4 Presumption in favour of sustainable development.

We welcome and support point 5 relating to local landscape character, point 7 relating to the protection of the borough's green infrastructure assets, point 10 on climate change and 11 on protecting biodiversity and geodiversity.

Natural Environment

Natural England notes and welcomes the importance placed on the natural environment and green infrastructure in the plan. Notwithstanding this Natural England supports:

Policy NE1 relating to the protection of biodiversity and geodiversity is welcomed. Developments should aim for no net loss of biodiversity if possible.

Policy NE2 on trees, hedgerows and woodlands is welcomed. We welcome the differentiation of Ancient Woodland an irreplaceable habitat from trees and woodlands more generally a point we raised at a during a previous draft of the plan.

Policy NE6 relates to the extensive green network within Telford & Wrekin. Natural England supports the protection set out for these undesignated areas and we would urge the management to aim for priority habitat creation within these sites and green infrastructure generally. Habitats of Principle Importance will be of more value than provision of extensive areas of amenity grassland for instance.

Environmental Resources

Natural England supports the contents of chapter 10 in relation to water including policy ER10 on water efficiency and ER11 on water quality. We also welcome ER11 which promotes sustainable drainage system and the removal of culverts. These measures can provide significant benefits to biodiversity.

We would be happy to comment further should the need arise but if in the meantime you have any queries please do not hesitate to contact us.

For any queries relating to the specific advice in this letter only please contact Grady McLean on 0300 060 0723. For any new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.

Yours faithfully

Grady McLean
Lead Adviser – Sustainable Development
North Mercia Area
Grady.mclean@naturalengland.org.uk



Appendix 2.11

Copy of letter from Homes and Communities Agency, dated 14 March 2016



Homes &
Communities
Agency

Darren Oakley
Principal Planning Officer,
Telford and Wrekin Council
Wellington Civic and Leisure
Centre,
Tan Bank, Wellington
Shropshire,
TF1 1LX

14 March 2016

Dear Darren,

Consultation on the Telford and Wrekin Local Plan 2011-2031 – Duty to Cooperate

Thank you for your request for confirmation from the Homes and Communities Agency, as a prescribed body under the Localism Act 2011, that Telford and Wrekin Council and the Homes and Communities Agency have fulfilled the Duty to Cooperate in respect of the preparation of the Telford and Wrekin Local Plan 2011-2031.

The HCA has worked with Telford and Wrekin Council in regard to a number of matters which together will help to deliver its strategic housing allocations. This has involved a number of meetings to discuss the strategic approach to the delivery of development across the Borough to support aspirations for growth, as well as the ability of HCA land to support this strategic approach. This includes discussion both around housing and employment growth.

To this extent, below is a summary of a series of meetings and correspondence that have been held between the HCA, Telford and Wrekin Council and HCA's appointed consultants. This we consider demonstrates an extensive and robust engagement under the terms of the Duty.

Meetings	Comment
10.2.16	Meeting to discuss TWLP and duty to cooperate.
14.1.16	Meeting to discuss a range of issues: update on local plan progress; update on proposed site allocations; update on LDO process; update on

	local plan policies
26.08.15	Meeting to discuss emerging local plan policies and proposals
29.06.15	To discuss issues relating to the emerging local plan.
3.6.15	Meeting to discuss emerging local plan
12.01.15	Discussion on emerging Local Plan and strategic housing/employment issues.
10.10.14	Discussion on the potential for ATLAS to support Local Plan preparation.
27.5.14	To discuss Proposed Housing and Employment Sites document consultation
11.2.14	Meeting to discuss a range of planning issues relating to the emerging local plan

The HCA has also engaged proactively with Telford and Wrekin Council on the progression of two Local Development Orders on sites in the ownership of the HCA, those being at Donnington Wood and Old Park. These matters continue to progress and we hope to continue to engage with Telford and Wrekin Council in a positive manner.

Yours sincerely,



Nicola Marshall
Head of Area
Midlands West Team



Telford & Wrekin Local Plan - Duty to Co-operate Statement

Appendix 2.12

Copy of letter from Local Nature Partnership, dated 23 September 2015



Darren Oakley
Telford & Wrekin Council
Addenbrooke House
Ironmasters Way
Telford
Shropshire

Shropshire Council
Shirehall
Abbey Foregate
Shrewsbury
Shropshire SY2 6ND

Date: 24/09/2015

My Ref:

Your Ref

Dear Darren

Re: Telford & Wrekin Local Plan – Duty to cooperate with the Local Nature Partnership

Thank you for consulting the Shropshire, Telford & Wrekin Local Nature Partnership on the Telford & Wrekin Local Plan. The Local Nature Partnership has reviewed the plan and the policies within it and have no objection. We are satisfied that the Duty to Cooperate requirements in relation to the Local Nature Partnership have been complied with.

We look forward to working constructively with Telford & Wrekin Council as you work towards formal inspection and publication of the Local Plan.

Yours sincerely,

Cecilia Motley

Cllr Cecilia Motley
Shropshire, Telford & Wrekin Local Nature Partnership (Chair)



Appendix 2.13

Copy of letter from The Marches Local Enterprise Partnership, dated 23 September 2015



The Marches Local Enterprise Partnership
c/o Cameron House
Knights Court
Archers Way
Battlefield Enterprise Park
Shrewsbury
SY1 3GA
(01743) 462026

Mrs Katherine Kynaston
Assistant Director: Development, Business & Employment
Addenbrooke House
Ironmasters Way
Telford
TF3 4LF

24 September 2015

Dear Katherine,

Telford & Wrekin Local Plan – Duty to Cooperate

Thank you for inviting the Marches Local Enterprise Partnership to comment on the Telford & Wrekin Local Plan.

On behalf of the Marches LEP Board, I am happy to write to you to express support for the Local Plan and, in particular, to endorse your ambitious employment and housing land targets. These ambitions build upon your extensive work to transform Telford Town Centre, one of the three Urban Powerhouses that are driving economic growth across the Marches area. Your strategy for increasing housing and employment growth targets within appropriate areas of the Borough meets with the strategic priorities of the Marches LEP, set out in our Strategic Economic Plan.

We look forward to working with you to help deliver these jobs and homes.

Yours sincerely,

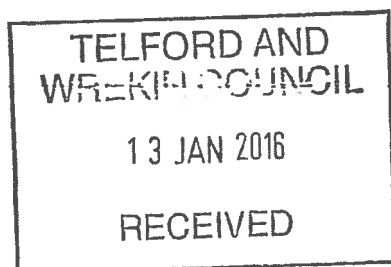
Mr Graham Wynn OBE, Chairman, Marches LEP



Telford & Wrekin Local Plan - Duty to Co-operate Statement

Appendix 2.14

**Copy of letter on behalf of Telford and Wrekin CCG and the NHS
Commissioning Board, dated 11 January 2016**



NHS
Telford and Wrekin
Clinical Commissioning Group

Halesfield 6
Telford
Shropshire
TF7 4BF

Tel: 01952-580300
Fax: 01952-582661

11 January 2016

For the attention of Gavin Ashford CMILT
Principal Planning Policy Officer
Business & Development Planning
Development, Business & Employment
1st Floor Upper,
Wellington Civic Offices & Leisure Centre
Larkin Way (Off Tan Bank)
Telford TF1 1LX

Dear Gavin

I can confirm that the NHS Telford Clinical Commissioning Group and NHS England North Midlands support the Telford and Wrekin local plan specifically around the 5 areas as detailed below;

1. We have received information related to the size and location of residential and employment sites
2. We have no fundamental issues to raise with the Local Plan or the policies within the Plan
3. We have no fundamental issues to raise with the scale and location of residential and employment development within the Local Plan
4. We will continue to cooperate with the Council in the planning for the healthcare needs of the population for the duration of the Local Plan period
5. We are Satisfied that Duty to Cooperate requirements in relation to both the CCG and NHSCB have been complied with

Yours sincerely

David Evans
Chief Officer
NHS Telford and Wrekin CCG

Rebecca Woods
Head of Primary Care
NHS England North Midlands



Appendix 2.15

Copy of letter from Telford and Wrekin Highways Authority, dated 2 December 2015



Telford & Wrekin
COUNCIL

Michael Barker
Planning Specialist

Angie Astley Assistant Director: Neighbourhood & Customer
Services

Michael.barker@telford.gov.uk

Addenbrooke House
Ironmasters Way
Telford
TF3 4NT

Contact: Angie Astley

Telephone: 01952 382400

Your Ref:

Our Ref: AA/KH/DP/nw

Date: 2 December 2015

Dear Michael

Telford & Wrekin Draft Local Plan Duty to Cooperate

I am writing to confirm that the Council acting as the Local Highway Authority (LHA) have no significant issues to raise regarding the draft Local Plan. This has been confirmed as a result of the joint commissioning of traffic modelling using the Telford Strategic Transport Model (TSTM), which has helped to identify locations on the highway network which will require mitigation due to the cumulative impacts of proposed residential and employment development. Going forward it will be vital that the Council continues to secure developer contributions as new developments come forward and that the Council continues its successful track record of securing central government funding for major infrastructure projects.

The TSTM has also been used to assess the impact on the strategic highway network which is the responsibility of Highways England (HE). Throughout the development of the draft Local Plan Council officers have worked closely with HE and secured their support for the methodology used to assess the impact of development on the highway network. The LHA have provided HE with a full set of evidence documents including the results of the TSTM and have requested a response from HE as part of meeting the two organisations 'Duty to Cooperate' obligations.

I can also confirm that the LHA support the inclusion of highway schemes within the Infrastructure Delivery Plan and have, to further support the draft Local Plan, produced a 'Transport Growth Strategy' which sets out a long term plan for delivery sustainable transport and highway infrastructure in support of the Local Plan.

The LHA look forward to working in partnership with planning colleagues to help deliver the Local Plan. In summary I am pleased to confirm that under the 'Duty to Cooperate' obligations the LHA have no fundamental issues to raise with the Local Plan.

Yours sincerely

Angie Astley

Assistant Director: Neighbourhood & Customer Services

Angie.astley@telford.gov.uk

c.c. Keith Harris
Dominic Proud



Telford & Wrekin Local Plan - Duty to Co-operate Statement

Appendix 2.16

Copy of email of correspondence from WMITA, dated 18 November 2015

Ashford, Gavin

From: Helen Davies [HelenDavies@wmita.org.uk]
Sent: 18 November 2015 08:37
To: Ashford, Gavin
Cc: Jake Thrush; Toby Rackliff
Subject: Consultation on Telford and Wrekin Local Plan
Attachments: WMR IRT_221015.pdf; IRT_Rail Demand Model_Dec 08_V01.pdf; Access Ironbridge_MPs' A4_160511.pdf

Hello Gavin

In addition to my previous email, I have been passed these on from our ITAs Rail Policy and Strategy Officer. The documents are from a third party promoter (contact details are below). You may well have seen these already but they are an interesting read.

Promoter: Ian Baxter
0779 9864 250
ian.baxter@slcrail.com

Additional comments from the West Midlands ITA concerning the Telford and Wrekin Plan

West Midlands ITA request that the local plan text supports the importance of improving rail services to the West Midlands metropolitan area, through measures such as the Shrewsbury – Telford - Birmingham line electrification and regional improvements arising from the formation of West Midlands Rail. In particular - under chapter 2.1.1 Strengths and Challenges and the table on page 25 under Connections, reference to electrification of the Shrewsbury – Telford - Birmingham line will bring the following benefits:

- Better connectivity between Telford and the West Midlands metropolitan area
- Retention of direct train services to Birmingham Airport, Coventry and London
- Support faster services to Wolverhampton, Birmingham, and beyond
- Higher capacity levels to cater for future demand
- Delivery of a lower carbon railway
- Electrification will also make it easier for people to reach employment opportunities across other regional centres - all of which should be more evident in the plan.

The importance of the HS2 Connectivity Programme - to maximise the economic and social benefits of the new HS2 line to the wider region, which includes benefits to Telford may also be worth considering. For further details, visit the West Midlands Connectivity Package: HS2 Unlocking the Benefits
www.centro.org.uk/media/208188/highspeedtwolocalconnectivitypackagefinal_1662.pdf

Helen Davies
Senior Economic Development Officer

West Midlands ITA Policy & Strategy Team

Direct Dial: 0121 214 7408



West Midlands ITA Policy & Strategy Team, 16 Summer Lane, Birmingham, B19 3SD

Please consider the environment before printing this email.



Appendix 2.17

Copy of correspondence with Highways England, dated 26 January 2016

Our ref: SHARE/ 35233467
Your ref:

Patrick Thomas

Dominic Proud
Planning
Telford Borough Council

Highways England
The Cube
199 Wharfside Street
Birmingham B1 1RN

via Email: Dominic.Proud@telford.gov.uk

Direct Line: 0121 678 8196

26 January 2016

Dear Dominic

TELFORD BOROUGH COUNCIL – DUTY TO CO-OPERATE

I write in connection with the Duty to Co-operate requirements for Telford and Wrekin Council in the context of the Draft Infrastructure Delivery Plan (IDP) and the emerging Local Plan.

Highways England has been appointed by the Secretary of State for Transport as strategic highway company under the provision of the Infrastructure Act 2015 and is responsible for the operation and maintenance of the Strategic Road Network (SRN) in England. This includes all major motorways and trunk roads. In Telford Borough the SRN consists of the M54.

Highways England is aware of the requirement for Local Authorities to address strategic issues in local plans and demonstrate how this has been managed through the 'duty to cooperate'. The 'Duty' is set out in Section 33a of the Planning and Compulsory Purchase Act 2004 (as amended by s110 of the Localism Act).

The National Planning Policy Framework (the Framework) at paragraphs 178-181 sets out that local planning authorities should work collaboratively with other bodies to ensure that strategic priorities across local boundaries are properly coordinated and clearly reflected in individual local plans. The Framework expects local authorities to demonstrate evidence of having effectively cooperated, noting that cooperation should be a continuous process of engagement.

Highways England has been pleased to engage with Telford Borough Council in the context of the preparation of the Local Plan and IDP throughout 2015.

Regular meetings have taken place between Highways England, their strategic advisors and representatives of the Borough Council to discuss highways matters in relation to the Local Plan, including transport modelling and the IDP. These are as follows:

- 27 April 2015

- 6 July 2015
- 12 August 2015
- 20 October 2015
- 9 December 2015
- 12 January 2016

Alongside these meetings, a number of additional technical meetings to discuss the Council's VISUM and VISSIM traffic models have taken place, attended by representatives of Highways England and the Council along with supporting technical advisors.

The submitted transport modelling evidence has been reviewed and whilst there are a few identified issues with the modelling documentation, it is concluded that Highways England are supportive of the implementation of the proposed Eastern Gateway scheme at M54 Junction 4, based on this evidence

It is important that Telford and Wrekin Council continue to engage with Highways England regarding the finalisation of the Eastern Gateway scheme design and implementation processes. This continued engagement will assist in the delivery of the scheme following final confirmation that funding is in place.

In terms of the scheme design we would encourage a commitment to provide queue loops on the M54 off slips, which would be linked up to the MOVA signal control and that the signal operation would be configured to enable the safe and efficient operation of the SRN to be safeguarded.

The traffic modelling evidence produced to support the IDP identifies a potential requirement for widening the M54 mainline between Junction 3 and Junction 4 in 2030. Highways England considers that, on review of the evidence presented for this proposal, the need for such a scheme is not conclusively made out for a major intervention of this nature within the plan period. On that basis we would recommend that IDP contains no reference to a proposed widening scheme.

Highways England remains satisfied that the Council has met its obligations with regards to the Duty to Cooperate.

Highways England considers that the test of soundness in terms of NPPF paragraph 181 has been met subject to the changes referenced above being made to the evidence base and relevant documentation

We look forward to continuing to work closely with the Council on the evolution of the Plan.

Please do not hesitate to contact me if you require clarification of any points raised in these comments.

Yours sincerely



Patrick Thomas
NDD Midlands

Email: Patrick.Thomas@highwaysengland.co.uk

Cc. Robert Jaffier (Highways England)
Lee White (JMP)



Telford & Wrekin Local Plan - Duty to Co-operate Statement

Appendix 2.18

Copy of correspondence from the Mayor of London, Transport for London, Civil Aviation Authority, and Office for Rail and Roads (various dates)

Oakley, Darren

From: Elliot Kemp [Elliot.Kemp@london.gov.uk]
Sent: 19 June 2015 16:37
To: LocalPlan
Cc: Jorn Peters
Subject: Duty to Cooperate: Telford and Wrekin Local Plan

Dear Mr Vout

Thank you for inviting the Mayor of London to respond to your Duty to Co-operate request for strategic issues with your Local Plan.

I can confirm there are no strategic issues between the Mayor of London and Telford & Wrekin which fall within the remit of the Duty to Cooperate.

Kind regards

Elliot Kemp MRTPI
Senior Strategic Planner
Spatial Strategy
Greater London Authority
City Hall, The Queens Walk, London SE1 2AA

Tel: +44 (0)20 7983 4908
Email: elliot.kemp@london.gov.uk

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Oakley, Darren

From: Hiley Andrew [Hileyand@tfl.gov.uk]
Sent: 17 June 2015 15:44
To: LocalPlan
Subject: Duty to Cooperate: Telford and Wrekin Local Plan

Thank you for consulting Transport for London (TfL) Borough Planning. I can confirm that it is unlikely that your Local Plan review will present any strategic issues for transport planning within the Greater London Authority area.

Regards

Andrew Hiley MCIHT
Principal Planner
Planning (Borough Planning), Transport for London

T: 020 3054 7032 Auto: 87032 M: 07545 200056

E: andrewhiley@tfl.gov.uk

A: 10th Floor, Windsor House, 42-50 Victoria Street, London SW1H 0TL

For more information regarding TfL Borough Planning, including TfL's *Transport Assessment Best Practice Guidance*, TfL's new *Travel Planning Guidance* and pre-application advice please visit <http://www.tfl.gov.uk/info-for/urban-planning-and-construction/>.

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Transport for London is a statutory corporation whose principal office is at Windsor House, 42-50 Victoria Street, London, SW1H 0TL. Further information about Transport for London's subsidiary companies can be found on the following link: <http://www.tfl.gov.uk/corporate/about-tfl/>

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Safety and Airspace Regulation Group
Airspace, ATM and Aerodromes

Telford And Wrekin Council
Business And Development Planning
P.O Box 457
Telford TF2 2FH

18th June 2015

Dear Sir

CONSULTATION ON PLANNING MATTERS

While the CAA has a duty to provide aviation safety advice when requested, it is not a statutory consultee for planning applications (unless its own property is affected). In order to reduce the time devoted to unnecessary consultations, the following guidance aims to clarify requirements.

Other than the consultation required by Section 110 of the Localism Act 2011, it is **not** necessary to consult the CAA about:

- Strategic Planning Documents (e.g. Local Development Framework and Core Strategy documents) other than those with direct aviation involvement (e.g. Regional Renewable Energy Plans);
- Waste Plans;
- Screening Options;
- Low-rise structures, including telecommunication masts. With the exception of wind turbine developments, the CAA is unlikely to have any meaningful input related to applications associated with structures of a height of 100 feet or less that are situated away from aerodromes or other landing sites;
- Orders affecting Rights of Way or Footpaths;
- Sub-surface developments;
- General planning applications not affecting CAA property.
- Solar Photovoltaic Panels (SPV)

In all cases where the above might affect an airport, the **airport operator** is the appropriate consultee. Where the above might affect a NATS installation the consultee is:

NATS
Mailbox 27
NATS Corporate and Technical Centre
4000 Parkway
Whiteley
Fareham
Hants PO15 7FL

Please be advised that we will no longer respond to future correspondence received regarding the above subjects. Where consultation is required under Section 110 of the Localism Act 2011 the CAA will only respond to specific questions (but will nevertheless record the receipt of all consultations).

It is necessary to consult the CAA in the following situations:

- When a Local Planning Authority is minded to grant permission for a development to which a statutorily safeguarded airport or NATS Plc has objected, write to:

Airspace, ATM and Aerodromes
Civil Aviation Authority
Aviation House
Gatwick Airport
West Sussex RH6 0YR

- When a Local Planning Authority is considering a proposed development involving wind turbines, write to:

Infrastructure
Airspace, ATM and Aerodromes
Civil Aviation Authority
CAA House
45-59 Kingsway
London WC2B 6TE
email: windfarms@caa.co.uk (preferred option)

- When a development involves structures of a height of 90 metres or more, lasers or floodlights, write to:

Airspace Regulation
Airspace, ATM and Aerodromes
Civil Aviation Authority
CAA House
45-59 Kingsway
London WC2B 6TE
Email: airspace@caa.co.uk

Further information on consultation requirements can be found on the CAA website, including document entitled [Guidance on CAA Planning Consultation Requirements](#).

Further information on Solar Photovoltaic Panels can be found on the CAA website including document entitled [Guidance on Photovoltaic systems](#).

Please could you ensure that your Planning Officers are aware of these principles and the revised policy and that **any associated procedures are amended with immediate effect**.

Yours faithfully

Airspace, ATM and Aerodromes
Civil Aviation Authority

Civil Aviation Authority
1NE Aviation House Gatwick Airport South West Sussex England RH6 0YR
Telephone 01293 573339 Fax 01293 573974 www.caa.co.uk

Oakley, Darren

From: Harrison, Anneli [Anneli.Harrison@orr.gsi.gov.uk]
Sent: 25 September 2015 11:33
To: LocalPlan
Subject: Duty to Cooperate : Telford & Wrekin Local Plan

Categories: Clare, Gaye

Dear Sir/Madam,

Thank you for consulting ORR on the Telford and Wrekin Local Plan.

We have reviewed your proposals and can confirm that the ORR has no comment to make on this particular document.

We kindly request that you amend your planning consultation database to exclude the Office of Rail and Road from planning correspondence which does not affect the current or (future) operation of the mainline network in Great Britain. The ORR only needs to be consulted if strategic rail issues arise or if your plans contain modifications to the rail network or to infrastructure which would directly impact on the rail network.

We may also become involved if any of the proposed developments have the potential to affect the risk profile of level crossings.

I have attached a copy of our localism guidance for reference, which can be found at: <http://www.rail-reg.gov.uk/upload/pdf/localism-guidance.pdf>

I would also draw your attention to our Duty to Co-operate e-mail address DutyToCooperate@orr.gsi.gov.uk and request that any future correspondence be sent to this address

Kind regards

A Harrison
Planning Executive

Office of Rail and Road | One Kemble Street | 2nd and 3rd Floors | London | WC2B 4AN
Tel: 020 7282 3829 | e-mail DutyToCooperate@orr.gsi.gov.uk Web: www.orr.gov.uk

ORR will use the name Office of Rail and Road for operating purposes with effect from 1 April 2015. Legal force is expected to be given to this name from 1 October 2015.

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