Telford & Wrekin Local Plan Examination

Response to Matter 1 - Compliance with statutory procedures and legal matters

Land South of Holyhead Road, Wellington (Site Reference: HO6)

St Philips Land Limited

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1.0 Introduction

1.1 This statement to Matter 1 (Compliance with statutory procedures and legal matters) of the examination of the Telford & Wrekin Local Plan Review ("the LPR") is submitted by Lichfields on behalf of St Philips Land Ltd ("St Philips"), in respect of their at land interests at Land South of Holyhead Road, Wellington (Site Reference: HO6).

1.2 Separate representations have been submitted in respect of the following Matters:

- Matter 2 (Vision, Priorities and Development Strategy);
- Matter 3 (Strategic Policies (Housing));
- Matter 5 (Allocations); and
- Matter 6 (Development Management Policies).

1.3 It follows St Philips' respective representations to the Regulation 19 Publication draft version of the Publication Plan (Regulation 19) (CD01), April 2025, in respect of their land interests. For reference, the representations comprised those identified under the Representation Reference E84 by the Council.

1.4 The National Planning Policy Framework [NPPF] outlines that during the examination process, a Local Plan must demonstrate that it has been positively prepared, is justified, is effective and is consistent with national policy. Outlined below are responses to a select number of the Inspector's questions, which set out why St Philips considers changes to Telford & Wrekin Council's ("the Council's") LPR are necessary to ensure the soundness of the LPR.

1.5 The Council has prepared a schedule of proposed changes that it wishes to make to the LPR, which are reflected in the Submission version of the LPR (CD08). Reference is therefore made to the policies and paragraphs within this version of the LPR, where necessary, unless otherwise stated.

1.6 This Statement has been prepared in line with the Guidance Note (ID03) for the Examination. In addition, the Plan was submitted in September 2025, and thus the December 2024 NPPF is wholly applicable for the purposes of assessing this plan, in accordance with Annex 1 of the revised December 2024 NPPF.[1] Reference is therefore made to the December 2024 NPPF in response to the Inspector's questions, unless otherwise stated.

[1] Annex 1 of the NPPF states at paragraph 235 regarding implementation that Plans that have been submitted for examination before 12 March 2025 will be examined under the previous version of the NPPF.

2.0 Response to Inspectors' Matters

Issue 1: Has the Council met the statutory duty to co-operate ('DtC') as set out under sections 20(5)(c) and 33A of the Planning and Compulsory Purchase Act 2004 as amended? (We shall examine this issue having regard to the letter from Matthew Pennycook MP to the Planning Inspectorate dated 27 November 2025)

1. Has the Council submitted robust evidence to demonstrate that the duty to co-operate has been met?

2.1 Yes, St Philips considers that the Council has provided sufficient, and robust, evidence to demonstrate that the Duty to Cooperate [DtC] has been met as a part of the preparation of the LPR. Namely, the 'Telford and Wrekin Local Plan Duty to Cooperate Statement (September 2025)' SC01) and accompanying 'Telford and Wrekin Local Plan Duty to Cooperate Statement Appendices' (SC01a), clearly set out how the Council has engaged proactively with neighbouring authorities, on an ongoing basis, and taken a focused approach to strategic matters.

2.2 In particular, St Philips notes that whilst the Council does not fall within the Greater Birmingham and Black Country Housing Market Area [GBBCHMA], in light of the particular land supply challenges faced by this housing market area [HMA], throughout the preparation of the LPR, the Council has taken a proactive approach to assisting in addressing unmet housing needs – to a greater extent than many authorities within the GBBCHMA. Indeed, this is supported by the fact that each of the Black Country Authorities [BCAs], and wider GBBCHMA authorities, has agreed that the Council has met the DtC (See 'Telford and Wrekin Local Plan Duty to Cooperate Statement Appendices' (SC01a)).

2.3 It is noted that the DtC is both a 'Legal' and 'Soundness' test, under Section 33A of the Planning and Compulsory Purchase Act 2004 and the NPPF. It is also noted that the Minister of State for Housing and Planning's ("the Minister of State") 'Reforming Local Plan-Making' Written Ministerial Statement (dated 27th November 2025) removed the 'Legal' DtC; albeit, it does not remove the clear requirements set out in the NPPF (i.e. the 'Soundness' element of the DtC). Notwithstanding this, for the avoidance of doubt, St Philips considers that the Council has demonstrated that it has clearly met the 'Legal' test in relation to the DtC as the Council has comprehensively detailed strategic matters requiring cross-boundary co-operation, how the cooperation with adjoining authorities has been carried out and how this has informed the Council's approach.

2. Has the Council carried out effective engagement with neighbouring local authorities and other prescribed bodies on all relevant strategic matters? In particular has effective engagement taken place in respect of housing and employment needs and provision in a cross-border context?

2.4 The NPPF is clear that for a plan to be found 'sound', it must be 'positively prepared', which means that it must provide a *"strategy which, as a minimum, seeks to meet the area's*

objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development" (Para 36a). Importantly, it is also clear that contributions towards unmet housing needs should be based on 'available information' (Para 28), rather than being deferred (Para 35c).

2.5 In addition to the above, the Planning Practice Guidance [PPG] is clear that this cooperation should produce effective and deliverable policies on important strategic cross-boundary matters. It goes on to state that in order to demonstrate effective and on-going joint working, strategic policy-making authorities are required to prepare, where relevant, and maintain one or more Statements of Common Ground [SoCGs] documenting the cross-boundary matters and progress made through co-operatively addressing these.

2.6 As the Inspectors will be aware, a perennial issue facing several authorities within the GBBCHMA is the inability of those areas within the main conurbation to address their housing needs in full – in particular, the BCAs. The consequence of this is that since 2019, there has been a longstanding issue of how these needs will be met within the GBBCHMA. However, as a part of their joint work on the Black Country Plan Review [BCPR], and due to the acuteness of their unmet needs, the BCAs began to look beyond the GBBCHMA to assist in meeting their unmet housing needs, towards Stafford, Shropshire, Telford and Wrekin and Wyre Forest; authorities which fall outside of the GBBCHMA.

2.7 Whilst the BCPR was cancelled in 2022, individual BCAs are now preparing Local Plans, with most now at EiP. Importantly, these plans show significant shortfalls against their respective local housing need [LHN] figures under the previous standard method [SM] – by virtue of the NPPF's 'transitional arrangements' – which will worsen in due course as these plans are reviewed and transition to the revised-SM. Nevertheless, despite the change in plan-making, the BCAs have still maintained their approach to seeking assistance from authorities beyond the GBBCHMA, such as Telford and Wrekin, to meet their needs.

2.8 In the context of the above, and whilst further detail on the scale of these unmet needs is set out in more detail in St Philips Matter 3 Statement, the 'available information' from emerging Local Plans being prepared across the GBBCHMA and beyond indicates that there is an unmet housing need of c.32,800 dwellings arising predominantly from the BCAs. This will rise to c.45,000 dwellings by 2042 once these authorities transition to the new plan-making system and address the revised SM-based housing needs.

2.9 It is self-evident from the Council's DtC evidence – namely, SC01 and SC01a – that the Council has demonstrated ongoing joint working with the GBBCHMA and neighbouring authorities, and has not sought to 'defer' this matter. Indeed, the Council has increased its proposed contribution from 80 dwellings per annum [dpa] in 2024 to the currently proposed 153 dpa as a part of the Submission Plan, reflecting the changing nature of this issue. Crucially, given the current scale of these unmet needs, it is also clear that the Council is one of the only authorities to effectively grapple with this issue and make a proportionate contribution to addressing them – as opposed to other authorities such as South Staffordshire, who have sought to defer addressing these needs by markedly reducing their proposed contribution.

2.10 Whilst it is a DtC, and not a 'Duty to Agree', it is plain to see that the GBBCHMA authorities are satisfied that the Council's approach to this important cross-boundary matter is

'effective', ultimately supporting the effectiveness and soundness of the Council's approach. In essence, St Philips is satisfied that the Council has carried out effective engagement with neighbouring local authorities and other prescribed bodies on all strategic housing matters.