



Winchester
City Council

Statement of Common Ground

Between

**Winchester City Council and East Hampshire District
Council**

August 2024

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1. Introduction

A Statement of Common Ground (to be referred to throughout as SoCG), of which concerns strategic cross-boundary matters, is a written record of the progress made by strategic plan-making authorities (and other prescribed bodies¹) during the process of (non-exhaustive) producing or reviewing a local plan. It documents the effective co-operation between the parties and outlines matters that are common ground (agreed) and areas of disagreement. Introduced by the 2018 National Planning Policy Framework, strategic policy making authorities are required to produce, maintain, and keep up to date a SoCG to highlight the agreements on cross-boundary strategic issues.

The SoCG (and associated Duty to Cooperate Statement of Compliance - to be published to support the Winchester City Council Regulation 19 consultation) is used to demonstrate at examination that respective authorities (and relevant bodies) have cooperated on cross-boundary matters; and that the plan has been prepared in a positive and effective manner, therefore meeting the soundness test². The document assists in presenting evidence that plans are deliverable over the plan period and based on effective joint working across local authority boundaries. Furthermore, it is also part of the evidence required for local planning authorities to demonstrate that they have complied with the Duty to Cooperate.

This will form part of the Duty to Cooperate Statement of Compliance to inform the Regulation 19 Publication consultation. It documents the outcomes of co-operation to date in preparing the local plan in order to inform and shape a positively prepared and justified strategy. In doing so it addresses, has been produced in accordance with, and takes account of the requirements set out in the National Planning Policy Framework³ (NPPF), Planning Practice Guidance⁴ (PPG), relevant planning acts, and any other applicable information.

This document therefore sets out the current position regarding points of common and/or disagreement on relevant strategic cross-boundary matters and for the purpose of this consultation, can be read as a standalone document.

¹ [The Town and Country Planning \(Local Planning\) \(England\) Regulations 2012 \(legislation.gov.uk\)](https://www.legislation.gov.uk/uksi/2012/2616/regs/1-10)

² [National Planning Policy Framework \(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/281122/nppf-2019.pdf) para 35

³ [National Planning Policy Framework \(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/281122/nppf-2019.pdf)

⁴ [Plan-making - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/281122/nppf-2019.pdf) Maintaining Effective Cooperation

2. Legislation

The “Duty to Cooperate” was introduced by Section 33A of the Planning and Compulsory Purchase Act (2004)⁵ from Section 110 of the Localism Act (2011)⁶ as a strategic planning mechanism to replace regional spatial strategies. It places a legal duty on Local Planning Authorities, County Councils and prescribed public bodies to engage constructively, actively, and on an ongoing basis to maximise the effectiveness of local plan and marine plan preparation in the context of strategic cross boundary matters.

Strategic matters regarding plan-making refers to: *“sustainable development or use of land that has or would have a significant impact on at least two planning areas, including (in particular) sustainable development or use of land for or in connection with infrastructure that is strategic and has or would have a significant impact on at least two planning areas.”* (Section 33A, (4)(a))

Additionally, paragraph 20 of the NPPF outlines the strategic policies that a local plan should address, resolve, and where necessary, make provision for, these being:

- a) *“Housing (including affordable housing), employment, retail, leisure and other commercial development;*
- b) *The provision of infrastructure for transport, telecommunications, security, waste management, water supply, wastewater, flood risk and coastal change management, and the provision of minerals and energy (including heat);*
- c) *Community facilities (such as health, education and cultural infrastructure); and*
- d) *Conservation and enhancement of the natural, built and historic environment, including landscapes and green infrastructure, and planning measures to address climate change mitigation and adaptation.”*

Paragraphs 24 – 27 of the National Planning Policy Framework (NPPF) recognises this duty and considers effective, joint working between relevant bodies as integral to a positive and well-prepared strategy. Paragraph 26 also identifies joint working as helping to determine additional infrastructure, and whether development needs that cannot be wholly met within a particular plan area could be met elsewhere. PPG paragraphs 029 – 033, and 075 provide further information on meeting the Duty to Cooperate, explains the differences between the Duty to Cooperate and a SoCG, illustrates how the Duty to Cooperate is considered during examination, and how the Duty to Cooperate should be addressed during plan review.

Further to this, two of the four “tests of soundness” of Local Plans (NPPF Paragraph 35) directly relate to the Duty to Cooperate, specifically:

- a) *“Positively prepared – providing 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*

⁵ [Planning and Compulsory Purchase Act 2004 \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukpga/2004/24/section/33A)

⁶ [Localism Act 2011 \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukpga/2011/22/section/110)

areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;

- c) *Effective – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground”*

In regard to the production of a SoCG, paragraph 27 of the NPPF specifically states:

“In order to demonstrate effective and on-going joint working, strategic policy making authorities should prepare and maintain one or more statements of common ground, documenting the cross-boundary matters being addressed and progress in cooperating to address these. These should be produced using the approach set out in national planning guidance and be made publicly available throughout the plan-making process to provide transparency.”

The Plan Making chapter of the PPG and in particular the *Maintaining Effective Cooperation* section (paragraphs 009 – 028) provides additional information and guidance on how authorities should (non-exhaustive): produce a SoCG, what cross-boundary matters should be included, carrying out effective cooperation, activities documented, functional geographical area, and preparation and publication.

The Government consulted upon reforms to national planning policy during December 2022 as part of the Levelling Up and Regeneration Bill (LURB), stating that the Levelling Up and Regeneration Act (LURA) will remove the Duty to Co-operate, but that the duty will remain in place until those provisions come into effect. To secure appropriate engagement between authorities where strategic planning considerations concern cross-boundary matters, the Government intends to introduce an alignment policy as part of a future revised Framework. Further consultation on what should constitute the alignment policy is anticipated to be undertaken.

The LURA was enacted during November 2023, and now includes provisions to remove the legislative that imposes the Duty to Co-operate. However, these provisions have not yet been enacted and will ‘come into force on such day as the Secretary of State may by regulations appoint’. Transitional arrangements mean that the Duty to Cooperate will remain for plans submitted for examination before June 2025 and adopted by December 2026.

3. Statement of Common Ground

This section comprises the Statement of Common Ground that Winchester City Council and East Hampshire District Council have entered into in support of the authorities' respective Local Plan review. This statement demonstrates the current understanding of points of common ground and where necessary, areas of disagreement, for relevant strategic cross-boundary matters.

1. List of Parties involved:

Winchester City Council and East Hampshire District Council

2. Signatories:

Both parties agree that this statement is an accurate representation of matters discussed and issues agreed upon, or where there are areas of disagreement, this statement documents the issue, and that both parties confirm their respective position.

It is agreed that these discussions will inform the Winchester City Council Local Plan 2020 - 2040 and the East Hampshire District Council Local Plan 2021-2040; both parties will continue to work collaboratively to meet the Duty to Cooperate obligations and will both continue to work proactively on the key strategic cross boundary issues identified in this document.

For Winchester City Council the Statement of Common Ground is signed by Julie Pinnock, Corporate Head of Planning and Regulatory Services.

For East Hampshire District Council this Statement of Common Ground is signed by Cllr Angela Glass, the Portfolio Holder for Regulation and Enforcement

Signed:



Signed



Name: Julie Pinnock

Name: Cllr Angela Glass

Position: Corporate Head of Planning & Regulatory Services

Position: Portfolio Holder for Regulation Enforcement

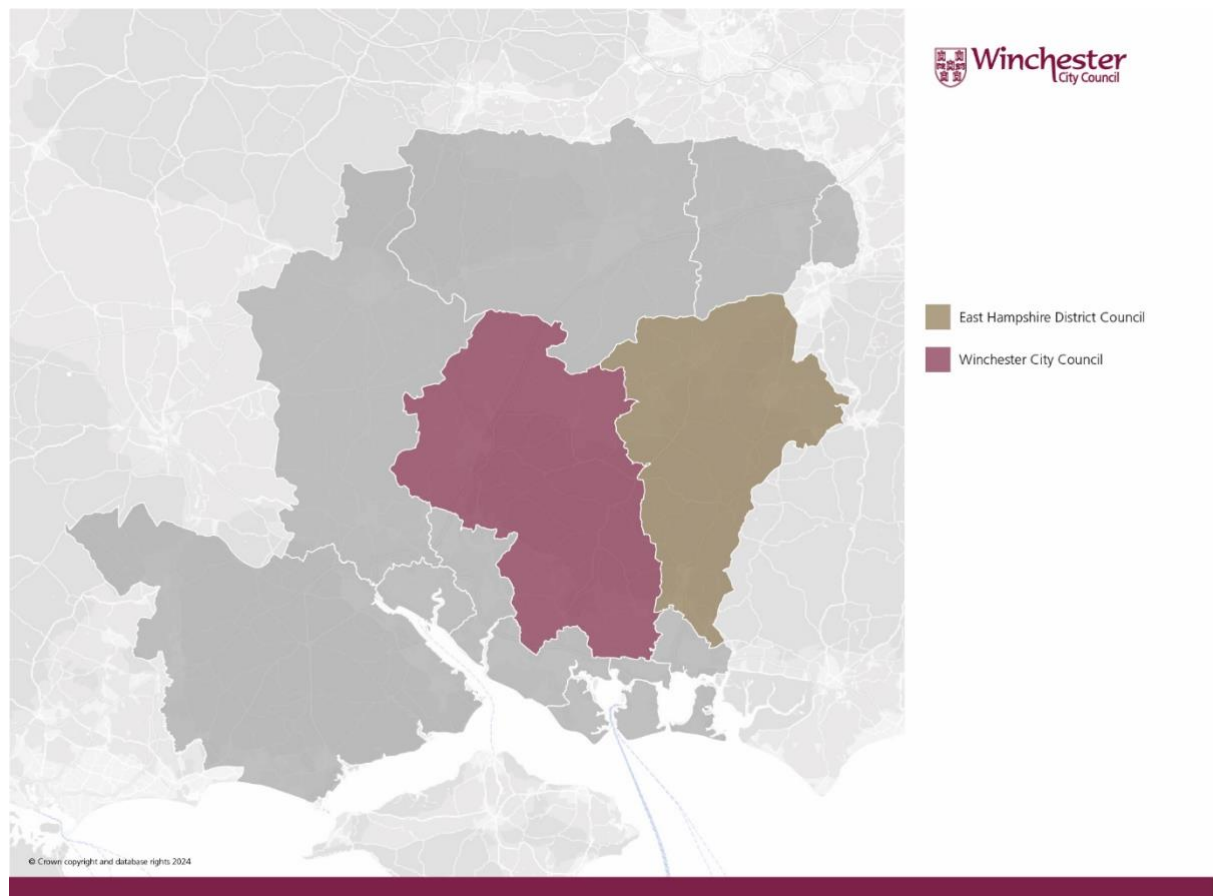
Winchester City Council

East Hampshire District Council

3. Strategic Geography & Plan-Making history

This section will outline the strategic geographical relationship between the authorities delineating the geographical positioning, identifying key geographic factors and planning designations that influence policies within the emerging plans, recognising primary travel routes and the historic planning strategy of the combined area.

The section will also provide a brief update of the plan-making process to date and anticipated timeline for adoption.



Map demonstrating relationship between Winchester and East Hampshire

East Hampshire District Council is situated to the east of the Winchester administrative area with the majority of the boundary adjoining the districts. The A31 forms the key connecting route, running from Guildford to Farnham to Alton and into the Winchester district where it passes through New Aylesford on to Winchester Town where it links to the M3. The other major road is the A272 connecting Winchester to Petersfield, and then onwards on the A3 towards East Hampshire's southern parishes. Significant areas of both districts are covered by the South Downs National Park planning designation and has led to both authorities in conjunction with the South Downs National Park Authority previously producing individual Joint Core Strategies to guide development within the respective districts. Both authorities are within the county of Hampshire and are both involved in the Partnership for South Hampshire with a number of other authorities.

Winchester City Council:

The existing WCC Local Plan Part 1 (JCS with the SDNPA) was adopted during March 2013 with the Local Plan Part 2 Housing and Employment allocations adopted during April 2017) and Gypsy, Traveller & Travelling Showpersons Development Plan

Document (Traveller DPD) (adopted 2019) forming the Development Plan as a whole. Work on the emerging plan began during 2018 with public consultation on a Strategic Issues and Priorities consultation taking place Feb – April 2021 followed by a draft plan Regulation 18 consultation occurring during Nov – Dec 2022.

Subsequent to the two Regulation 18 consultations, a Regulation 19 consultation is scheduled to take in Sept 2024. Following this, it is anticipated that the Local Plan will be submitted to the Inspectorate by October/November 2024 with the Examination early in the New Year and once adopted will replace the existing development plan.

East Hampshire District Council:

The existing EHDC and SDNP Joint Core Strategy (JCS) was adopted by EHDC on 8 May 2014 and by the South Downs National Park Authority (SDNP) on 26 June 2014. It has now been superseded in the South Downs National Park by the South Downs Local Plan, which was adopted on 2 July 2019. The Local Plan Part 2 which concerns Housing and Employment allocations within the EHDC planning area was adopted by EHDC on 7th April 2016.

The emerging Local Plan has gone through two pre-publication Regulation 18 consultations during 2019 (draft Local Plan consultation and large sites consultation), however, a full Council meeting during May 2022 agreed to conduct further early-stage engagement; therefore, two more Regulation 18 consultations were programmed to support the emerging Local Plan.

Both of these consultations have now happened;

- An Issues and Priorities consultation was undertaken from 21 November 2022 to 16 January 2023 and
- A Draft Local Plan consultation was undertaken from 22 January 2024 to 8 March 2024.

The next step for the Local Plan is Regulation 19 consultation, for which a date is to be confirmed.

At this point in time, it is anticipated that the Local Plan will include sufficient land to meet local housing need for the authority.

4. Strategic Matters

This section sets out where agreement has been reached on cross-border strategic matters, or where further work to reach common ground is required. Duty to Cooperate meetings have taken place over the course of the Local Plan review, details of which and minutes documenting the outcome of the meeting(s) can be found in the Duty to Cooperate Statement of Compliance.

At the time of writing this Statement of Common Ground, the strategic cross-boundary matters identified that concern both authorities are:

- Meeting identified housing needs within the district and wider unmet housing needs

- Meeting the identified need for Gypsy, Traveller and Travelling Showpeople accommodation within the district and wider unmet needs
- Achieving nutrient neutrality
- Continued work as part of the Partnership for South Hampshire

The following demonstrates areas of common ground and/or details of disagreement or where further work is required, and will be updated throughout the plan-making process:

Housing

Winchester City Council:

The emerging Local Plan aims to deliver sufficient land to meet the housing need for the Local Plan area and, in assessing the housing requirement for the plan-period, the amount of existing pipeline development is taken into consideration. The Standard Method output has established an overall need for Winchester District over the plan-period of 13,565 dwellings; the Standard Method is updated on an annual basis with the first 4 years from 2020 resulting in yearly needs for 685, 666, 707 and 691 dwellings (2,749 total). The remaining 16 years of the plan-period (2024-2040) equates to 676 dwellings per annum i.e., 10,816, totalling 13,565 dwellings.

It remains WCCs intention to meet the Standard Method housing need of the Local Plan area. In addition to this the plan makes provision for an 'unmet needs allowance' to help with meeting the (currently undefined) unmet needs of neighbouring authorities in accordance with the Partnership for South Hampshire's 2023 'Spatial Position Statement'.

The below table illustrates the overall position in terms of housing need and supply for the Winchester District:

| Winchester District Housing Need | | Winchester District Housing Provision | |
|--|----------------|--|---------------|
| Standard Method need for Plan period 2020-2040 (see Table H1) | 13,565 | Completions since start of Local Plan period (2020-2023) | 3,170 |
| Unmet Needs Allowance (for unmet need in neighbouring authorities) | 1,900 | Outstanding planning permissions | 6,780 |
| | | Other Commitments (previous Local Plans incl. SDNP) | 745 |
| | | Windfall development | 1,895 |
| | | Additional allocations made in this Local Plan | 2,875 |
| Total District_Housing Requirement | 15,465* | Total District_Housing Provision* | 15,465 |

* Includes approximately 350 dwellings within the South Downs National Park part of Winchester District

The table relates to housing need and supply for the whole of Winchester District, reflecting the area covered by the Standard Method figure. The Local Plan area excludes that part of the District within the South Downs National Park, where it is assumed that about 350 dwellings will be completed. The remaining housing requirement for the Local Plan area is 15,115 dwellings (15,465 – 350 = 15,115).

East Hampshire District Council:

The Standard Method output for East Hampshire (district-wide) is 578⁷ dpa, however, the PPG allows for strategic-making authorities that do not align with local authority boundaries, such as National Parks, to identify a housing need figure using a method determined locally. When looking at a disaggregated approach to the standard method between the two local planning authorities the housing need within the Local Plan Area is 464 dwellings per annum. This results in a local housing need of 8,816 dwellings over the plan period. It will be for the South Downs National Park Authority (SDNPA) to work through its own process to calculate local housing needs for its area.

Considering the landscape sensitivity associated with the National Park, there is potential for some unmet housing needs from within the South Downs National Park area. In order to estimate these unmet needs for its Draft Local Plan, EHDC took a pragmatic approach based on past delivery and historic agreements with the SDNPA. Based on the delivery of 100 dwellings per annum within the part of East Hampshire that falls within the National Park, it is estimated that there would be a residual requirement (potential unmet need) of 14 dwellings per annum (266 dwellings over the plan period).

The EHDC housing requirement⁸ has been determined as a minimum of 464 new dwellings per annum (dpa) within our Local Plan Area. When assumptions are made for potential unmet need in the National Park, the minimum local housing need requirement is 478 dpa, which totals 9,082 over the plan period (2021-2040).

Whist the above requirement has been established, a number of these dwellings have already been built or are committed through planning permissions granted since 2021, the start of the plan period:

| Component | No. dwellings |
|---|----------------------|
| Completions (2021-2023) | 940 |
| Commitments (existing planning permissions) | 3965 |
| Windfall | 1,320 |

⁷ It should be noted that since March 2024, the minimum local housing need across East Hampshire District generated by the standard method falls slightly to 575 dwellings per year. However, for the purposes of this SoCG, the previous outputs used in East Hampshire’s Draft Local Plan (2024) have been used (578 dpa)

⁸ [See Housing Technical Note and updates 2023/2024](#) –

| | |
|--------------|--------------|
| Total | 6,225 |
|--------------|--------------|

There are unmet needs emerging from Havant Borough and Portsmouth City Councils, about which EHDC is in dialogue with those Councils. At this time, there is no firm commitment to accommodate a quantified number of unmet needs from either Council area. That dialogue continues as Local Plan preparation moves forwards.

Agreed Position:

It is agreed that both WCC and EHDC are planning to deliver sufficient housing to meet their individual local housing need. Both authorities have agreed in continuing with the current Standard Method output and WCC welcomes the EHDC intention to meet their own need within the district and also supports the contribution being made towards accommodating the potential unmet need within the SDNP planning area.

Whilst there is no unmet need arising from either authority to be planned for, the approach towards providing a general contribution towards unmet need elsewhere, if possible, is supported. Both Councils agree to support the ongoing partnership working on housing need and unmet need being delivered through the PfSH Spatial Position Statement.

Both authorities will work in collaboration with all other PfSH authorities to support the PfSH Statement of Common Ground and Spatial Position Statement, which have been agreed by the PfSH Joint Committee and are available on the PfSH website.

Gypsy and Traveller Accommodation Needs

Winchester City Council:

In support of the Local Plan review, a Gypsy and Traveller Accommodation Assessment⁹ has been produced to inform the likely need for Gypsy and Traveller accommodation over the plan period. The GTAA breaks down the overall Gypsy, Traveller, and Travelling Showpeople need into 4-year bands. The need identified takes into account unauthorised pitches, pitches with temporary planning permission, concealed and doubled-up households and movement from bricks and mortar in the first 4 years. The total net new household formation is then applied proportionately across the remaining 4-year bands.

The GTAA identifies an overall need over the period to 2039 for:

- 115 pitches for Gypsy and Travellers that met the PPTS planning definition of a traveller
- 85 pitches for Gypsy and Travellers that at the time of preparing the GTAA did not meet the planning definition of a traveller
- 27 plots for Travelling Showpersons that met the PPTS planning definition of a traveller
- 6 plots for Travelling Showpersons that at the time of preparing the GTAA did not meet the planning definition of a traveller.

⁹ [2022 10 31 Winchester GTAA Final Report \(5\).pdf](#)

The consultants were also appointed to prepare a Pitch Deliverability Assessment (PDA) with the objective to provide advice on the suitability, availability, and achievability of any existing private Gypsy and Traveller sites (with permanent planning permission) to assist in meeting the identified accommodation needs for Gypsies and Travellers.

The Council has undertaken further work following the GTAA to take account of changes to the definition of travellers in the Planning Policy for Traveller Sites and changes in traveller needs and on key sites. This has reduced the overall need for pitches, particularly for gypsy travellers and has examined various potential sources of supply. A Gypsy and Traveller Topic Paper has been produced to evidence this work, which reaches the following conclusions on traveller pitch / plot needs and supply:

| | Gypsy traveller (Years 0-5) | Gypsy traveller (Years 6-19) | Travelling showpersons (Years 0-5) | Travelling showpersons (Years 6-19) |
|----------------------------|--------------------------------|---------------------------------|---------------------------------------|--|
| Pitch / plot need | 51 | 40 | 22 | 13 |
| Pitch / plot supply | 38 | 90 | 11 | 6 |
| Surplus / Shortfall | -13 | +50 | -11 | -7 |

There is scope to meet the need for about 68 additional gypsy traveller pitches through the intensification or expansion of existing sites. In addition, the Council is seeking to bring the former public site at Tynefield (Whiteley) back into use and to expand the number of pitches provided to about 30 and there is scope to achieve about 30 additional pitches, if needed, through windfall provision.

The need for plots for travelling showpeople is much more modest and there is scope to provide about 17 additional plots through site intensification or expansion and maintaining travelling showpersons' use of plots at The Nurseries, Shedfield.

As a result, the Council expects to be able to meet gypsy traveller needs over the Local Plan period as a whole but is unable to identify sufficient available and deliverable sites to meet current needs (years 0-5, 2022-2026). For travelling showpersons, the Council is unable to meet either short-term or longer-term needs.

East Hampshire District Council:

The East Hampshire GTAA 2020 identifies the need for Gypsy, Traveller and Travelling Showpeople accommodation in East Hampshire, including the SDNP. The draft Local Plan 2021-2040 proposes to allocate a small number of sites to help meet identified need but does not fully meet the demonstrable need. This includes provision of six Travelling Showpeople plots on a proposed strategic site. There is likely to be an identified unmet need arising from East Hampshire.

EHDC asked WCC for assistance with meeting this need (August 2023) and shared an assessment of sites for extension, intensification and new (which is published as part of the East Hampshire draft Local Plan 2021-2040 consultation). This assessment demonstrates the challenges facing East Hampshire in terms of meeting identified need.

The draft Local Plan 2021-2040 proposes to address need through some allocations, and criteria-based policies. Any further site suggestions will be encouraged and assessed as the LAA is updated each year.

The findings of the East Hampshire GTAA 2020 assessment are:

The need for Gypsy and Traveller pitches in East Hampshire outside of the SDNP (meeting the planning definition) accounting for unknown households -

| Years | 2020-25 | 2025-30 | 2030-35 | 2035-36 | Total |
|----------------|---------|---------|---------|---------|-------|
| No. of pitches | 49 | 7 | 7 | 3 | 66 |

The need for Travelling Showpeople plots in East Hampshire outside of the SDNP (meeting the planning definition) accounting for unknowns -

| Years | 2020-25 | 2025-30 | 2030-35 | 2035-36 | Total |
|--------------|---------|---------|---------|---------|-------|
| No. of plots | 36 | 4 | 5 | 2 | 47 |

Since 1 April 2020, 20 Traveller pitches have been completed in East Hampshire outside of the SDNP. There are 12 pitches with planning permission not yet completed, counted as supply. This leaves a remaining need of 34 pitches by 2036. No Travelling Showpeople plots have been completed since 1 April 2020 and there are none with planning permission pending delivery, as such, the need remains at 47 plots by 2036.

Agreed Position:

Both WCC and EHDC have updated or are in the process of updating their evidence base to support the delivery of Gypsy and Traveller accommodation resulting in an increased need over the plan-period. Subsequently, both Councils have made contact with one another by way of sending formal ‘unmet need’ letter (copy of letter will be included in the Duty to Cooperate Statement of Compliance) requesting assistance in meeting the demonstrable need for Gypsy and Traveller accommodation. Both authorities are unable to meet their own need with the land made available to them. This has been evidenced in the respective GTAA and Pitch Delivery Assessment, Call for Sites, SHELAA exercises, East Hampshire Background Paper for the Draft Local Plan 2024 and WCC Gypsy and Traveller Topic Paper 2024.

It is agreed that both authorities have exhausted and evidenced all potential avenues of delivering an adequate level of development to meet the assessed need within their own district and therefore are not in a position to assist in meeting the needs of

neighbouring authorities. It is noted that, as reported in the East Hampshire GTAA, East Hampshire does not have an identified need for pitches for those that do not meet the planning definition.

The East Hampshire GTAA 2020 states, “it is not recommended that there is a need for a formal public transit site in East Hampshire at this time” and continues to recommend monitoring of the situation and establishing an evidence base.

Both authorities continue to keep records of incidents of unauthorised encampments and will review them collectively as part of a future update of the GTAA.

Nutrient Neutrality

Agreed Position:

It is agreed that there are no potential nitrate or phosphate mitigation schemes within the East Hampshire district outside of the SDNP planning area. WCC are currently looking into potential schemes within the WCC administrative area, however, they are not in a position to provide more detail at this time, but if in a position to do so in the future, will make any scheme available for purchase.

Both authorities will continue to monitor the situation and update where necessary and continue to monitor potential schemes being introduced in the SDNP authoritative area.

Partnership for South Hampshire

Agreed Position:

Both WCC and EHDC agree to work in collaboration with all other PfSH authorities which is covered by a Statement of Common Ground and Planning Position Statement that has been agreed by the PfSH Joint Committee.

5. Governance Arrangements

For the purpose of this document, and to evidence the cooperative process undertaken between Winchester City Council and East Hampshire District Council, it has been decided that the final signing of the Statement of Common Ground is by the Portfolio Holder for Regulation and Enforcement for EHDC and by the Corporate Head of Planning and Regulatory Services for WCC.

The Statement of Common Ground involves member engagement of which includes consultation/presentation with lead members on behalf of the respective councils as part of the regular input members have in the plan-making process.

6. Timetable for review and ongoing cooperation

Winchester City Council will continue to work collaboratively with East Hampshire District Council to address strategic matters that, in addition to the above, arise through the plan-making process or require a resolution where there is yet to be an agreed

matter. This will occur on an ongoing basis and relate to the timings of the relevant regulatory stages that the respective authorities are at during the plan-making process. The aim is to resolve any outstanding matters through regular meetings where cross-boundary strategic matters will be addressed.