

Statement of Common Ground
Between
Winchester City Council and Eastleigh Borough
Council

August 2024



Winchester
City Council

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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 SoCG 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/2012/2706/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/281112/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/281112/nppf-2019.pdf)

⁴ [Plan-making - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/281112/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 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:

⁵ [Planning and Compulsory Purchase Act 2004 \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukpga/2004/20/section/33A)

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

“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.

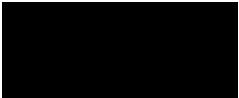

The LURA was enacted during November 2023, and now includes provisions to remove the legislative that imposes the Duty to Co-operate. However, these provisions have not yet been enacted and will ‘come into force on such day as the Secretary of State may by regulations appoint’. Transitional arrangements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

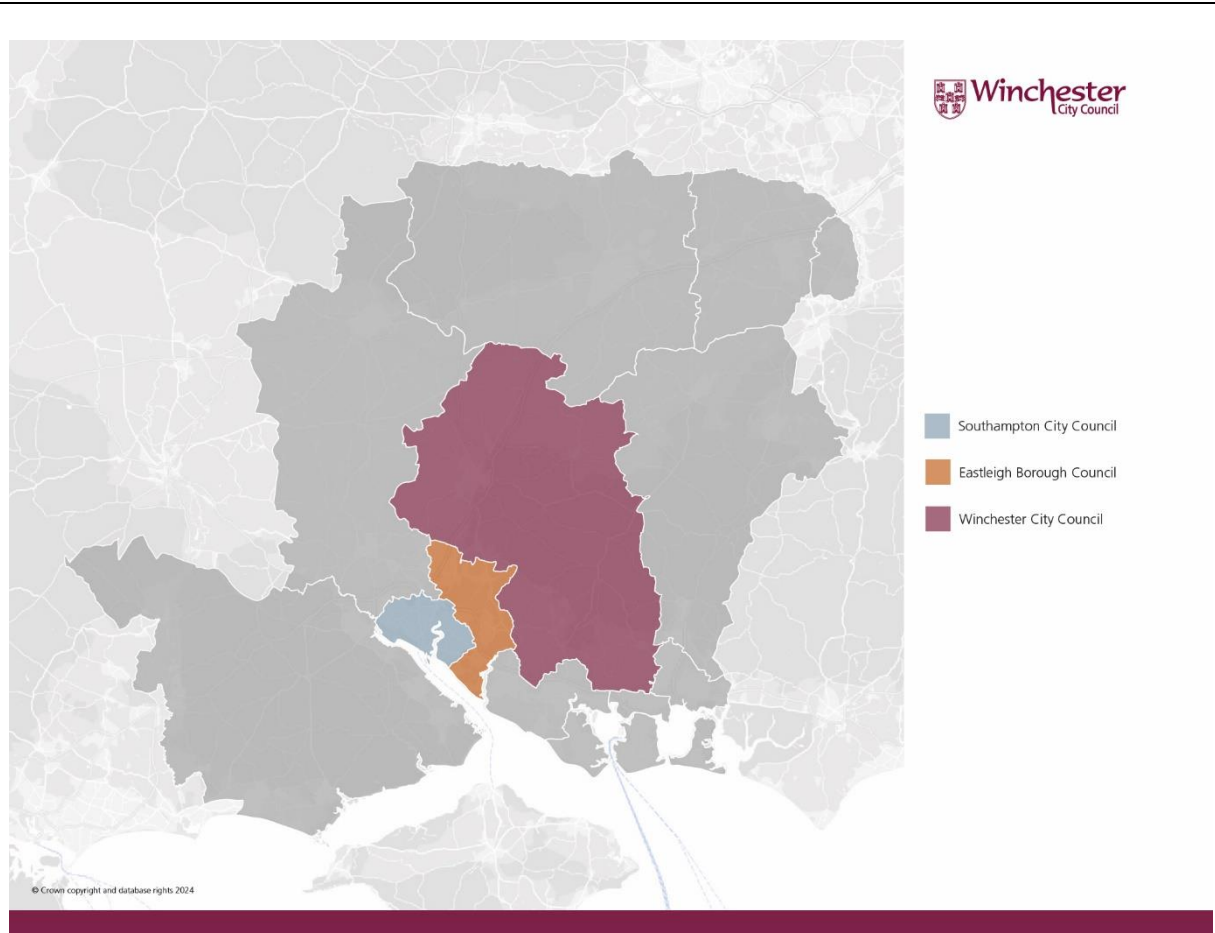
In July 2024 the Government published draft revisions to the NPPF and other changes to the planning system for public consultation. The outcomes are awaited.

3. Statement of Common Ground

This section comprises the interim Statement of Common Ground that Winchester City Council and Eastleigh Borough 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.

Eastleigh Borough Council

1. List of Parties involved:			
Winchester City Council and Eastleigh Borough 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 emerging Eastleigh Borough Council Local Plan; 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.			
For Eastleigh Borough Council this Statement of Common Ground is signed by Graham Tuck.			
Signed:		Signed:	
Name:	Julie Pinnock	Name:	Graham Tuck
Position:	Corporate Head of Planning and Regulatory Services	Position:	Planning Policy Manager
	Winchester City Council		Eastleigh Borough Council
3. Strategic Geography			
This section will outline the strategic geographical relationship between the authorities highlighting key connecting routes between the administrative areas and the key issues the authorities face, and cross-boundary matters that require addressing. The section will also provide a brief update of the plan-making process to date and anticipated timeline for adoption.			



Map demonstrating the geographical relationship between Winchester and Eastleigh (including Southampton)

Eastleigh Borough is situated to the southwest of the Winchester administrative area with the whole of Eastleigh’s northern and eastern borders adjoined to the district. There are a number of key road and rail links between the authority areas including the M3. The River Itchen Special Area of Conservation and the Solent and Southampton Water Special Protection Area are within or near to both authorities and they need to work cooperatively to address issues that may be presented by this. A key piece of new infrastructure that has cross-boundary implications is the delivery of the Botley Bypass which will need careful consideration. 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 March 2013 with the Local Plan Part 2 Development Management and Site Allocations adopted April 2017) and Gypsy, Traveller & Travelling Showpersons Development Plan Document (Traveller DPD) (adopted 2019). The documents, together with the Hampshire Minerals and Waste Plan October 2013 form the Development Plan as a whole. Work on the emerging plan for that part of the District which falls outside of the National Park began during 2018 with an Issues and Options 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 six week public consultation on the Winchester City Council Proposed Submission Local Plan started on the 28th August 2024. Following this, it is

anticipated that the Local Plan will be submitted to the Inspectorate by November 2024 with the Examination taking place early in the New Year. Once adopted it will replace the existing Local Plan parts 1 and 2 and the Traveller DPD.

Eastleigh Borough Council

The Eastleigh Borough Council Local Plan was adopted on 25 April 2022 and replaced the Eastleigh Borough Local Plan 2001-2011. This Plan, in conjunction with the Hampshire Minerals and Waste Plan October 2013, constitutes the full development plan for Eastleigh to cover the Plan period 2016-2036.

The plan's soundness included committing to start a review within 12 months of adoption; this was due to a shortfall in housing provision toward the end of the plan-period which equated to approximately c.2,600 dwellings. The commitment to start a review of the plan within 12 months was considered a pragmatic approach by the Inspector undertaking the examination which would allow the plan to gain adoption.

A review of the plan commenced within 12 months and has seen an update to the LDS during June 2023 and the SCI in December 2023. A Call for Sites has also been carried out. An Issues and Options consultation is scheduled for autumn 2024 which will assess options for growth; a preferred approach will be decided during summer 2026; the proceeding 12 months will test deliverability with a Reg 19 consultation anticipated for autumn 2027; submission during 2028 and adoption during 2029.

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
- Safeguarded land at Botley bypass
- Achieving nutrient neutrality
- Planning for South Hampshire commitments

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 as needed:

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).

Eastleigh Borough Council:

The plan review is at an early stage, and so a housing provision has yet to be established – therefore, any potential unmet need or mechanism for delivery cannot be ascertained.

The table below summaries the housing supply position for Eastleigh Borough as at 1.4.23:

Eastleigh Borough Housing Provision	
Completions since start of adopted Local Plan period (2016-2023)	6,073
Outstanding planning permissions and resolutions to grant permission	4,848
Other Commitments including Local Plan allocations	534
Windfall development	778

Total Housing Provision	12,233
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While the total housing provision does not meet the adopted Local Plan target to 2036 of 14,580 dwellings, the housing supply is predominately from completed and permitted sites. These include ongoing completions on strategic sites in Stoneham Park, Eastleigh and north of Boorley Green. In addition, Eastleigh Borough Council is also delivering strategic development at One Horton Heath. The summary above shows that almost half of the total housing supply identified has been completed, and only around 10% is from allocations without planning permission or an allowance for windfall developments (based on past trends for small and large windfalls developments).

Agreed Position:

Due to the difference in plan-making timeframes between the Councils, it is not possible to agree a position regarding any potential unmet need – notwithstanding this, both authorities agree to continue in their approach to assessing cross-boundary matters and will update this Statement of Common Ground, when necessary, when such a time comes that a position regarding the EBC housing need can be established

Whilst there is no established unmet housing need arising at this point in time in the Eastleigh Borough, the WCC approach towards providing an ‘unmet needs allowance’ as a contribution towards unmet need elsewhere, if possible, is supported. Both councils agree to support the ongoing partnership working on housing need and unmet need through the PfSH Spatial Position Statement and Statements of Common Ground.

Gypsy and Traveller Accommodation Needs

Winchester City Council:

In support of the Local Plan review, a Gypsy and Traveller Accommodation Assessment⁷ 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.

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.

⁷ [2022 10 31 Winchester GTAA Final Report \(5\).pdf](#)

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.

Eastleigh Borough Council:

The latest Gypsy and Traveller Accommodation Assessment (GTAA) for Eastleigh Borough Council was published in February 2017 to support the submission Local Plan (June 2018). This was prepared by Opinion Research Services (ORS) as an update of a recently published GTAA study. The GTAA will be updated during the review of the Local Plan.

The GTAA identified a need for:

- 5 pitches for Gypsy and Travellers on unauthorised pitches who meet the planning definition at that time (one of which was granted planning permission after the base date of the GTAA) and from future new household formation from children living within these households;
- Possibly up to 4 additional pitches for households that might arise;
- future confirmed need for 3 Travelling Showpersons plots and up to 2 additional plots to meet unconfirmed need.

Along with the 1 planning permission, the adopted Local Plan allocates sites to meet the 5 pitches and includes a criteria-based policy for other needs which may arise.

The existing total provision in the Borough is as follows:

Category	Sites/Yards	Pitches/Plots
Private with permanent planning permission	11	31
Private with temporary planning permission	0	0

Unauthorised sites	5	20
Travelling Showpeople yards	2	4
TOTAL	18	55

Agreed Position:

Both WCC and EBC have updated or will update their evidence base to support the delivery of Gypsy and Traveller accommodation as part of their respective plan reviews. Previously, both Councils have made contact with one another by way of WCC sending a formal 'unmet need' letter (copy of the letter can be found in the Duty to Cooperate Statement of Compliance) requesting assistance in meeting the demonstrable need for Gypsy and Traveller accommodation, and the subsequent EBC response. The WCC position has since been updated as above. They are still unable to fully meet their own need with the land made available to them. Their evidence for this is the GTAA and Pitch Delivery Assessment, Call for Sites, SHELAA exercises, and the Gypsy and Traveller Topic Paper 2024. Due to the timing of the EBC Local Plan review, which is at an early stage, it is unlikely that the authority will be in a position to assist in meeting any unmet need arising in the WCC district during the preparation of WCC's plan. Longer term, it is also noted that Eastleigh Borough covers a relatively small land area compared to Winchester, and a significant proportion is already built up or is designated for national or other important reasons. Therefore, EBC's initial response above explained that it was considered unlikely that EBC could help to meet unmet needs. Once the EBC GTAA has been updated, unmet needs considered and site assessments undertaken, EBC will reassess the position

Both authorities agree to continue to monitor the situation with the updating of evidence and will update respective positions accordingly. Furthermore, both authorities will consider how the revised PPTS definition (December 2023) will affect the need for Gypsy and Traveller Accommodation.

Botley Bypass

The Highway Authority is planning strategic transport infrastructure improvements to help mitigate the impact of traffic, including the provision of the Botley Bypass. Policies within the emerging WCC Local Plan seek to ensure that the road can be delivered in its entirety to ensure that the section of the Bypass in Winchester District connects to the remainder of the Bypass. This is necessary to avoid an intrusive road being built in the countryside which does not connect to the complete Bypass. It is also important to ensure that any harmful impacts on the adjoining environmentally sensitive areas are effectively mitigated or avoided. The part of Botley Bypass within Winchester District is between the district boundary at the river Hamble and the junction of the A334/A3051.

Agreed Position:

It is agreed that the land is to continue as a safeguarded route in the WCC and EBC Local Plan reviews and will remain in the plans until the development is complete. Both authorities will continue to monitor the development and if necessary, collaborate as needed on the production of evidence bases that are required, such as a Habitats Regulations Assessment.

Nutrient Neutrality

Agreed Position:

It is agreed that Eastleigh BC has a mitigation scheme in the vicinity of Chickenhall WWTW which can be used to offset the phosphorus arising from development within Winchester which is served by that

treatment works. The draft Winchester Plan envisages development of approximately 300 further dwellings over the Plan period to 2040 within that area. The phosphorus generated by this level of development is estimated to be 21kg TP, falling to 13kg TP should improvements at the Chickenhall works to Technical Achievable Limit be implemented in 2030. It is understood that the current total capacity of the EBC scheme is approximately 140kg TP. It is agreed that the scheme is available for WCC and private developers to secure phosphorus (and nitrogen) mitigation for development within Winchester District.

Partnership for South Hampshire

Agreed Position:

Both WCC and EBC agree to work in collaboration with all other PFSH authorities in an effort to address any cross-boundary matters that may occur throughout the plan-making process.

5. Governance Arrangements

For the purpose of this document, and to evidence the cooperative process undertaken between Winchester City Council and Eastleigh Borough Council, it has been decided that the final signing of the Statement of Common Ground can be at Officer Level.

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 and Eastleigh Borough Council will continue to work collaboratively 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.