

**SD08d**

**Statement of Common Ground**

**Between**

**Winchester City Council and Fareham 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 bodies<sup>1</sup>) 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 test<sup>2</sup>. 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 legal compliance of the Duty to Cooperate.

This Winchester City Council and Fareham Borough Council 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 Framework<sup>3</sup> (NPPF), Planning Practice Guidance<sup>4</sup> (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.

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<sup>1</sup> [The Town and Country Planning \(Local Planning\) \(England\) Regulations 2012 \(legislation.gov.uk\)](https://www.legislation.gov.uk/uksi/2012/2700/regs/1-10)

<sup>2</sup> [National Planning Policy Framework \(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/281242/nppf-2018-07.pdf) para 35

<sup>3</sup> [National Planning Policy Framework \(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/281242/nppf-2018-07.pdf)

<sup>4</sup> [Plan-making - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/plan-making) Maintaining Effective Cooperation

## 2. Legislation

The “Duty to Cooperate” was introduced by Section 33A of the Planning and Compulsory Purchase Act (2004)<sup>5</sup> from Section 110 of the Localism Act (2011)<sup>6</sup> 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*

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

<sup>6</sup> [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 Fareham Borough Council have entered into in relation to points of common and uncommon ground for relevant strategic cross-boundary matters.

#### Fareham Borough Council

<b>1. List of Parties involved:</b>	
Winchester City Council and Fareham Borough Council	
<b>2. Signatories:</b>	
<p>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.</p> <p>It is agreed that these discussions will inform the Winchester City Council Local Plan 2020 - 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.</p> <p>For Winchester City Council the Statement of Common Ground is signed by Julie Pinnock, Corporate Head of Planning and Regulatory Services.</p> <p>For Fareham Borough Council this Statement of Common Ground is signed by Lee Smith, Head of Planning.</p>	
Signed: 	Signed: 
Name: Julie Pinnock	Name: Lee Smith
Position: Corporate Head of Planning and Regulatory Services	Position: Head of Planning
Winchester City Council	Fareham Borough Council
<b>3. Strategic Geography</b>	
<p>This section will outline the strategic geographical relationship between the authorities highlighting key connecting routes between the administrative areas and the key issue facing the authorities. The section will also provide a brief update of the plan-making process to date and anticipated timeline for adoption.</p> <p>Fareham Borough Council is situated to the south of the Winchester administrative area with the whole of Fareham's northern border adjoined to the district. There are two main connecting routes into Fareham from the Winchester district; the A32 (Wickham Road) forms a direct route from the village of Wickham directly south into</p>	

the town of Fareham whilst the M3 travels south-west from Winchester town into Eastleigh where it merges in to the M27 and travels east through the Winchester district at the south and on into Fareham's administrative area. The authorities are affected by the Solent water catchment area and SSSI nutrient neutrality catchment and will need to work cooperatively to address issues that may be presented by this. Both authorities are within the county of Hampshire and are both involved in the Partnership for South Hampshire with a number of other authorities.

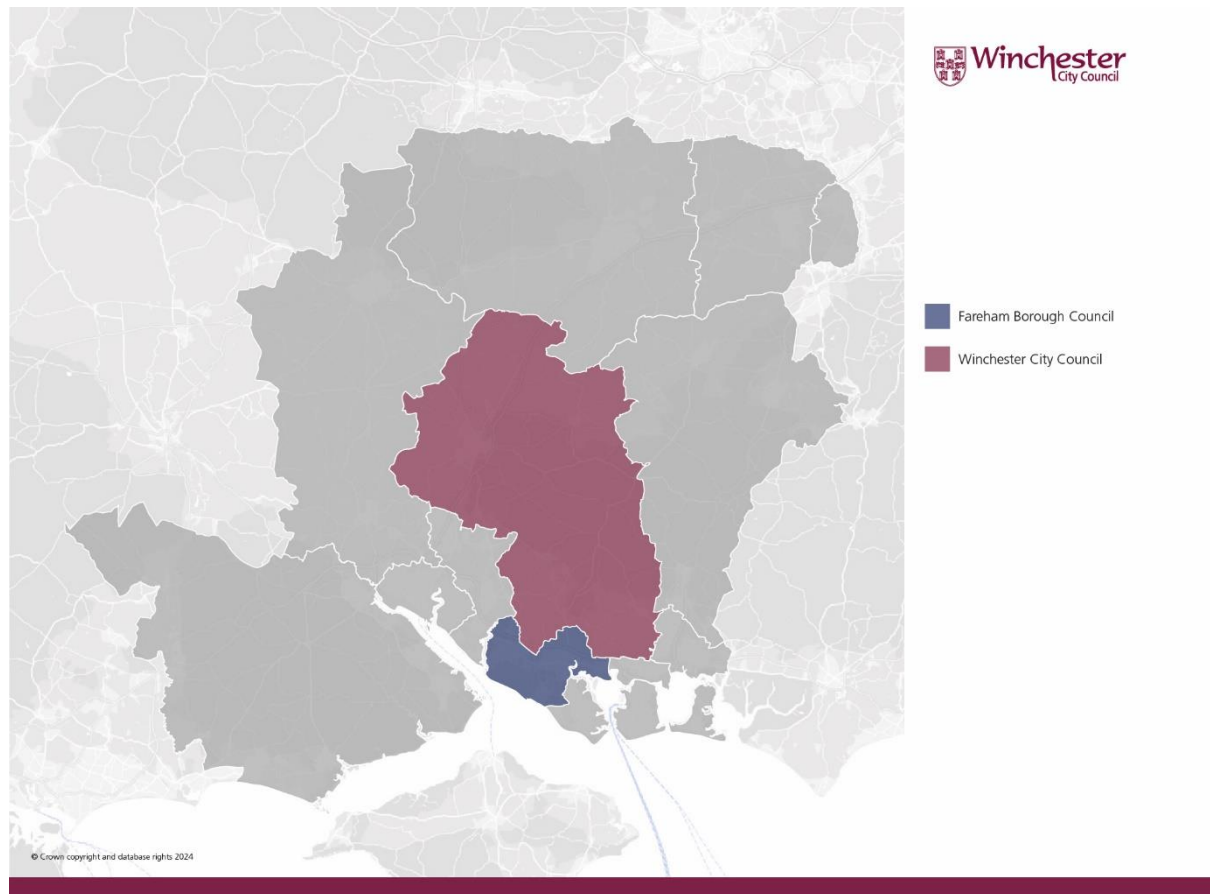


Figure 1: Winchester City Council and Fareham Borough Council Administrative Boundaries

### *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 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 Regulation 19 consultation is scheduled to take place during July – Sept 2024. Following this, it is anticipated that the Local Plan will be submitted to the Inspectorate by December 2024 with the

Examination considered for March 2025, and once adopted will replace the existing development plan.

### *Fareham Borough Council*

The Fareham Local Plan 2037 was adopted on 5th April 2023 and supersedes the Local Plan Part 1: Core Strategy (2011) and Local Plan Part 2: Development Sites and Policies (2015). The Local Plan Part 3: The Welborne Plan, was not reviewed as part of the Local Plan review and will therefore remain in place to guide the development of the Garden Village. The Plan was subject to an independent examination with the Inspector's report, published on 27th March 2023.

The Hampshire Minerals and Waste Plan (2013) also forms part of Fareham's Development Plan. This is the principal document for the management of minerals and waste in the administrative areas of the Hampshire Authorities and sets out the long-term spatial vision and strategy for sustainable minerals and waste development in Hampshire up to 2030. The plan was adopted during October 2013 and forms part of the Borough's Development Plan, alongside the adopted Local Plan.

The most recent Local Development Scheme published July 2023 does not outline a timeline for a plan review. The primary objective for the Council following the plan's adoption is to update existing Supplementary Planning Document's to support Local Plan policies. These comprise: Planning Obligations; Biodiversity Net Gain; Self and Custom House Building; Affordable Housing<sup>7</sup> and Fareham Town Centre Regeneration.

## **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
- Employment land needs
- Achieving nutrient neutrality
- 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:

<sup>7</sup> Adopted on the 3<sup>rd</sup> June 2024.



## 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:

<b>Winchester District Housing Need</b>		<b>Winchester District Housing Provision</b>	
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
<b>Total District_Housing Requirement</b>	<b>15,465*</b>	<b>Total District_Housing Provision*</b>	<b>15,465</b>

\* 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).

Fareham Borough Council:

Due to the recency of plan adoption, an updated housing need is not yet required. The adopted Plan includes a stepped housing trajectory setting out the housing requirement over the Plan period. This includes a 900-dwelling contribution to unmet need in the sub-region, 800 of which is identified for Portsmouth.

Total Housing Supply as at 1st April 2022	10,268
Housing Requirement (including 900 dwellings unmet need)	9,556
Contingency for under-delivery (number of homes)	712

There are sufficient sites to provide 10,268 net new homes across Fareham Borough from 2021 up to 2037. Government policy requires that the supply is greater than the housing requirement to ensure that the Plan is sufficiently flexible to accommodate needs not anticipated in the Plan and to provide a contingency should delivery on some sites not match expectations. As the table shows, the surplus in the supply equates to 7.5% of the total requirement.

Agreed Position:

It is agreed that both WCC (in their emerging plan) and FBC (in their adopted plan) are planning to deliver sufficient housing to meet their individual local housing need. Both authorities are continuing with the Standard Method output and FBC welcomes the WCC intention to meet their own need within the district and also supports the contribution being made towards accommodating the unmet need within the PfSH 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, 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 agree to 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 Assessment<sup>8</sup> 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

<sup>8</sup> [2022 10 31 Winchester GTAA Final Report \(5\).pdf](#)

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.

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
<b>Surplus / Shortfall</b>	<b>-13</b>	<b>+50</b>	<b>-11</b>	<b>-7</b>

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.

#### Fareham Borough Council:

The Gypsy, Traveller and Travelling Showpeople Accommodation Assessment (GTAA) for Hampshire<sup>9</sup> 2017, identified a need for 3 additional pitches for those who met the definition of Gypsy, Travellers for the period to 2036 in Fareham. These are expected to be required within the next five years and will be met through the allocation HA45.

No additional sites were promoted to the Council for gypsy and traveller pitches. There was no identified need for Travelling Showpeople and no sites were promoted to the Council. The GTAA also identified some households who did not meet the current definition of a Gypsy, Traveller. It is anticipated that an updated GTAA will be undertaken during the plan period. If there are any adjustments in identified need either as a result of changes in circumstances to the households who did not meet the current definition of a Gypsy, Traveller, or the definition of a Gypsy, Traveller changes itself, or there becomes an identified need for travelling showpeople plots, then this will be addressed through the criteria-based part of policy HP11. The inclusion of the criteria-based policy HP11 in the Fareham Local Plan 2037 is the only way Fareham Borough Council would be able to assist in meeting unmet Gypsy and Traveller need of neighbouring authorities. However, there is no mechanism to quantify how much unmet need this would deliver for the purposes of plan making.

#### Agreed Position:

Both WCC and FBC have updated their evidence base to support the delivery of Gypsy and Traveller accommodation as part of their respective plan reviews and in the case of Fareham Borough Council, adoption. Subsequently, both Councils have made contact with one another by way of WCC sending formal 'unmet need' letter (copy of 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 FBC response. The WCC position has been presented as is and 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, and the Gypsy and Traveller Topic Paper. Due to the recent adoption of the FBC Local Plan, it is unlikely that the authority will be in a position to assist in meeting any of the demonstrable unmet need arising in the WCC district – once the FBC GTAA has been updated as part of the next plan review, and site assessments undertaken, it may be necessary to return to discussions should FBC be in a position to assist.

It is agreed that WCC have exhausted and evidenced all potential avenues of delivering an adequate level of development to meet the assessed need within its own district. Both authorities agree to continue to monitor the situation with the updating of evidence and will update respective positions accordingly.

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<sup>9</sup> The Gypsy, Traveller and Travelling Showpeople Accommodation Assessment (2017) was produced by Opinion Research Services on behalf of a Consortium of Hampshire Authorities: Fareham, Gosport, Havant, New Forest, Test Valley, Winchester City Councils and the New Forest National Park.

## **Employment Land**

### Agreed Position:

It is agreed that both authorities have outlined their Employment Land provision within their respective emerging and adopted plans and are presenting a surplus delivery over the plan period. Both councils agree that there is currently no identified cross-boundary need to be planned for.

Both councils will continue to engage together and through the Partnership for South Hampshire which will consider the wider economic needs of South Hampshire and distribution of development between districts and boroughs.

## **Nutrient Neutrality**

### Agreed Position:

WCC are currently progressing two Council owned schemes within the WCC administrative area. WCC prepared a Nutrient Neutrality Topic Paper<sup>10</sup> which supports Policy NE16 of the WCC Local Plan and sets out the progress of the Council owned nutrients schemes within the Winchester administrative area.

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

## **Partnership for South Hampshire**

### Agreed Position:

Both WCC and FBC agree to work in collaboration with all other PfSH authorities to establish a position in regard to Housing of which will be covered in a separate SoCG involving all PfSH authorities.

## **5. Governance Arrangements**

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

## **6. Timetable for review and ongoing cooperation**

Winchester City Council will continue to work collaboratively with Fareham Borough 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.