

**SCG003**



**Statement of Common Ground  
between Fareham Borough Council and  
Portsmouth City Council**

**September 2021**

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## 1 Introduction

### What is a Statement of Common Ground?

- 1.1 The Duty to Co-operate, introduced by the Planning and Compulsory Purchase Act 2004 (amended by Section 33A of the Localism Act) places a legal duty on local planning authorities, county councils in England and other prescribed bodies to engage constructively, actively and on an ongoing basis to develop development plan documents, including activities that prepare the way or support the activities of preparing development plan documents, in respect of strategic matters.
- 1.2 The Duty to Co-operate in relation to planning of sustainable development as set out in Section 33A of the Localism Act 2011, specifically relates to 'strategic matters' which are defined as follows:
- Sustainable development or use of land that has or would have a significant impact on at least two planning areas, in particular in connection with sustainable development or use of land for or in connection with strategic infrastructure which has or would have a significant impact on at least two planning areas, and
  - Sustainable development or use of land in a two-tier area if the development or use— (i) is a county matter, or (ii) has or would have a significant impact on a county matter.
- 1.3 Paragraph 20 of the National Planning Policy Framework (NPPF) also outlines strategic priorities that a local plan should have to cover. They include:
- Housing (including affordable housing), employment, retail, leisure and other commercial development;
  - 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);
  - Community facilities (such as health, education and cultural infrastructure); and
  - 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.
- 1.4 In accordance with the NPPF (paragraph 24), public bodies have a duty to cooperate on planning issues that cross administrative boundaries, particularly those which relate to the strategic priorities set out above. This forms part of each local planning authority's evidence for their respective emerging Local Plans.
- 1.5 This SoCG has been prepared in accordance with paragraph 27 of the NPPF and the section of the Planning Practice Guidance on Maintaining Effective Cooperation. It has also followed guidance prepared by the Planning Advisory Service (PAS) on this matter. It has been prepared in parallel with the Publication Local Plan (Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012<sup>1</sup>). This Plan, upon adoption, will supersede the existing Fareham Local Plan Parts 1 and 2. The new Local Plan will cover the period to 2036 and sets out the vision, objectives and policies to guide future development in the Borough over the plan period.

### What does this document include?

- 1.6 Section 2 outlines the strategic geography of the Borough including a brief description of the area in transport network terms.

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<sup>1</sup> <http://www.legislation.gov.uk/uksi/2012/767/regulation/19/made>

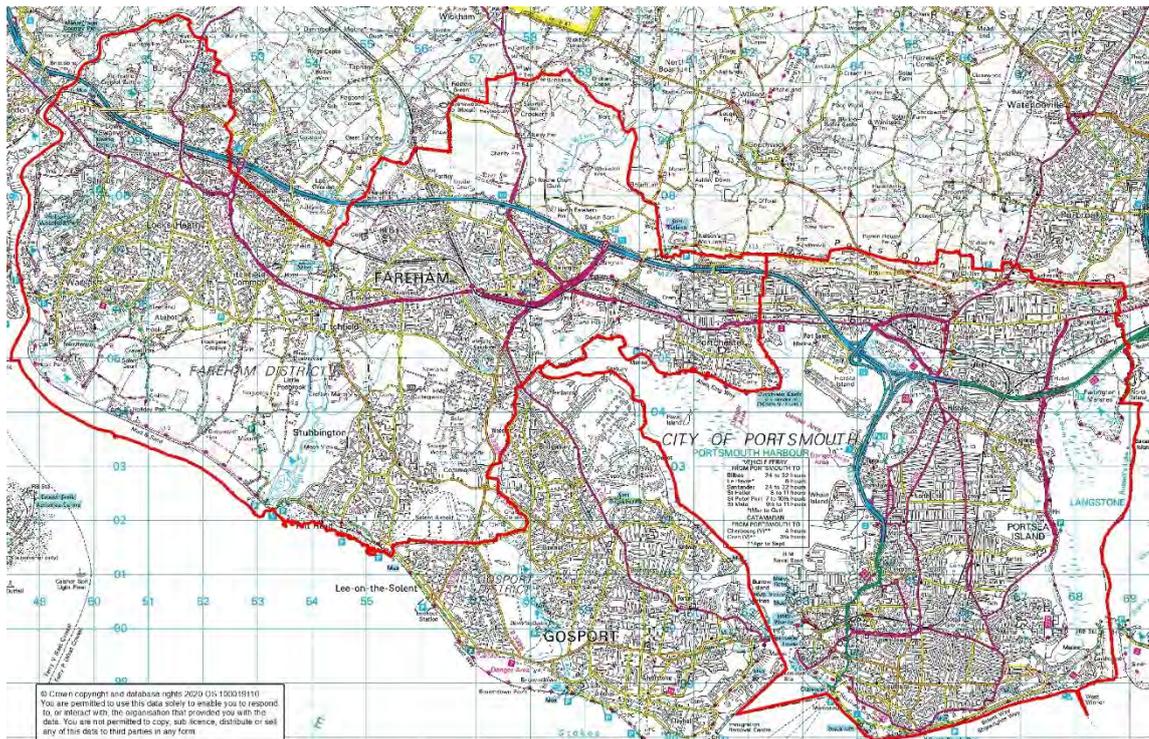
1.7 Section 3 sets out the strategic issues which form the background to this SoCG.

Which parties are involved with this Statement of Common Ground?

1.8 This Statement of Common Ground (SoCG) is an agreed statement between Fareham Borough Council (FBC) and Portsmouth City Council (PCC), relating primarily to FBC's Revised Publication Local Plan, hereafter referred to as 'the Plan'.

**2.0 Strategic Geography**

2.1 This SOCG relates to the cross boundary strategic matters between FBC and PCC as shown on the map below.



**Figure 1: Fareham Borough Council and Portsmouth City Council Administrative Boundaries**

2.2 The Planning Practice Guidance states that a SOCG will need to cover the area that policy making authorities and public bodies cooperate within, depending on the strategic matters being planned for and the most appropriate functional geography for the gathering of evidence and the preparation of planning policies. However, local planning authorities may have more than one Statement of Common Ground where there are strategic cross-boundary matters to be addressed.

**3.0 Strategic Matters**

3.1 This section sets out where agreement has been reached on cross-border strategic matters, or where further work to reach common ground is required.

**Housing**

Fareham Borough Council's Position

3.2 FBC's emerging Local Plan aims to deliver sufficient land to meet the housing need for the Borough and has been subject to two Regulation 19 consultations and three Regulation 18

consultations on that basis. It remains FBCs intention to meet the housing need of the borough.

- 3.3 The current standard methodology takes account of population growth and housing affordability with a cities and urban centres uplift for urban local authorities in the top 20 cities and urban centres. National policy currently dictates that Local Planning Authorities are to use the 2014-based household projections as the basis for calculating their housing need, unless there are exceptional circumstances where alternatives may be appropriate. The household projections are then adjusted to take account of affordability using the most recent affordability data (March 2021). Therefore, the housing requirement for the borough is 541 homes per annum.
- 3.4 The strategic housing provision, described in Strategic Policy H1 (Housing Provision) of the Revised Publication Local Plan, is based on the standard methodology figure re-confirmed by the Government in December 2020. The level of housing provision in the Revised Publication Local Plan includes a contingency of 11% to address any potential slippages in delivery, and a contribution of 900 homes (plus 11%) towards unmet need from neighbouring authorities. Therefore, the overall growth level for the Borough until 2037 is projected to be 9,556 new dwellings.
- 3.5 Strategic Policy H1 along with the Housing Allocations identified in the Revised Publication Local Plan show how FBC will deliver the above identified housing requirement. The stepped trajectory included in the Plan shows that whilst challenging, the housing requirement is deliverable and the contribution to unmet need is considered appropriate.
- 3.6 It is understood from the work on the revised PfSH Spatial Position Statement (SPS) that, based on standardised plan periods of 2020-2036, there is a predicted shortfall in the region of 10,750 homes across the sub-region<sup>2</sup>. These numbers are based on the standard methodology for calculating housing need using a 2020 base date and prior to the urban uplift for Southampton. They do not consider housing sites that are not yet in the public domain which could be proposed in emerging Local Plans. Table 4 of the Statement also indicates that Fareham have a shortfall of supply which is not now correct and therefore this will be updated as the work progresses. The SPS work is currently ongoing and will need to factor in the housing requirement base year now starting at 2021, the recently published affordability data in March 2021 and the city and urban centre uplift which applies to the housing requirement for Southampton. The level of unmet need within neighbouring authorities and across the sub-region is therefore likely to alter significantly as the urban uplift is applied, plans emerge within the sub-region and the government makes changes to the standard methodology.

#### Portsmouth City Council's Position

- 3.7 Portsmouth has a finite capacity to accommodate new development due to its geographical constraints; changes to Portsmouth's housing target are therefore directly reflected in the cities unmet housing need. Fareham's Revised Publication Local Plan references the City Council's formal request for Fareham to accommodate 1,000 dwellings of Portsmouth's unmet need. This request was made in February 2020 in response to FBCs Local Plan Supplement consultation (January 2020). The scale of the shortfall in the capacity of the city at that time was considered to be 2,800 dwellings (2019 HELAA, PCC) and was expected to increase overall as the new Portsmouth plan progressed.
- 3.8 However, under the current methodology (updated by affordability ratio data in April 2021), the City Council now has a projected shortfall in housing delivery of around 800 dwellings

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<sup>2</sup> Based on figures released in September 2020.

for the plan period to 2020 to 2038 (2021 HELAA), although this is expected to change as the plan progresses, taking into account new planning permissions, any under delivery against the government's housing need targets and refinement of the draft strategic site allocation's proposals and likely implementation rates. The City Council therefore maintains the request to FBC to accommodate a portion of Portsmouth's unmet need. The City Council is also conducting other Duty to Cooperate discussions on the matter with neighbouring authorities in the Portsmouth Housing Market Area as it recognises that the distribution of housing need is broader than the PCC and FBC authority areas and will require consideration and co-operation at the sub regional scale. Other neighbouring authorities (Havant Borough Council, and Gosport Borough Council) have to date indicated to the City Council that they do not have the capacity to accommodate the cities unmet housing need.

- 3.9 PCC therefore welcomes FBC's inclusion of an identified increased<sup>3</sup> contribution to unmet need of neighbouring authorities of 900 dwellings (+11% contingency) in the Revised Publication Local Plan, with the acknowledgement of PCC's previous requests (February 2020) to include a contribution of 1,000 dwellings to its unmet need in the Local Plan housing supply.
- 3.10 Portsmouth City Council has published a 'regulation 18' version of its new Local Plan for consultation on 17th September 2021. Draft Policy H1 identifies that there is expected to be a level of unmet need in the potential housing supply for the plan period. A potential DtC contribution of 1,000 homes has been included in the city's housing supply while discussions on the sub regional distribution of housing need continue through PfSH and potentially on a bilateral basis with other local authorities.

#### Agreed Position

- 3.11 In its representation on the Revised Publication Local Plan (July 2021) PCC retains its request to Fareham BC to take a proportion of its unmet housing need given the strategic cross boundary connections with the housing market area and its geographical proximity and welcomes the recognition of this within in the Fareham Local Plan 2037 housing supply. PCC request that all deliverable supply options for the plan period have been fully explored given the scale of unmet need indicated by PCC.
- 3.12 Both authorities therefore agree that the inclusion of a contribution towards unmet need made by FBC of 900 homes plus a contingency of 11% to address any potential slippages in delivery is an appropriate contribution given the continued uncertainty over sub-regional unmet need. PCC recognises that the distribution of unmet housing need will require consideration and co-operation at the sub regional scale.
- 3.13 PCC and FBC will continue to work collaboratively to address strategic planning matters, both through the Partnership for South Hampshire (PfSH) and, as necessary, on a bilateral basis. Both FBC and PCC recognise there is ongoing sub-regional work in relation to housing need and supply and that the level of unmet need will alter as other Local Plans progress. Both parties agree to support the ongoing partnership working on addressing sub-regional unmet need being delivered through the PfSH Statement of Common Ground to produce a new Joint Strategy and will continue to contribute towards the project. PfSH is supportive of authorities proceeding with local plans before the production of the Joint Strategy has concluded and recognises the importance of partnership authorities having up-to-date Local Plans. Should the Joint Strategy work identify sites not considered suitable for development in the Fareham Local Plan technical evidence, this would be a

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<sup>3</sup> The Revised Publication Local Plan has increased the unmet need contribution to 900 + 11% from a maximum of 847 +15%

matter for the Local Plan review. As a member of PfSH, PCC have signed a SoCG with FBC on the Fareham Local Plan.

## **Employment**

### Fareham Borough Council's Position

- 3.14 The Revised Publication Local Plan uses an updated evidence base as the basis for the employment strategy within the Plan. The Economic, Employment and Commercial Needs (including logistics) study produced by PfSH provides a robust and consistent approach for planning for employment requirements across the sub-region. The Revised Publication Local Plan allocates 121,000 sq.m of employment floorspace across the borough over the plan period. The Plan allocates seven employment sites to meet that requirement in addition to the employment allocation at Welborne identified through the Welborne Plan. These sites are at Daedalus, Solent 2 in Whiteley, two sites in Wallington, land at St Margaret's Roundabout in Titchfield and Little Park Farm at Segensworth Roundabout. The development strategy proposed by the Revised Publication Plan is for a mix of large and small sites to offer a degree of flexibility and choice in size, location, and availability of sites. In line with the PfSH findings, and to provide the maximum amount of flexibility to respond to changing circumstances all of the allocations are for employment uses and not restricted to any one use class.
- 3.15 FBC considers that the employment strategy contained within the Publication Local Plan is consistent with the PfSH 'cities first' strategy. Welborne is considered a sub-regionally important site in the PfSH strategy, and whilst the supply situation for the Borough does show significant over-supply, this is concentrated in two sub-regionally important sites recognised by all PfSH partner authorities.

### Portsmouth City Council's Position

- 3.16 Portsmouth City Council will be publishing a 'Regulation 18' draft of its new Local Plan for consultation in September 2021. The Local Plan (Policy E2) identifies sufficient employment floorspace to meet the identified employment need of the city over the plan period with a potential total of 190,845sqm of employment floorspace identified; nine sites are identified with the Plan with the potential to accommodate new employment floorspace. PCC supports the strategy of basing employment requirements within the Revised Publication Local Plan on the PfSH Employment Study and recognise the overprovision of employment space for the plan period. PCC has no objection to this approach to setting employment land forecasts for the plan period given the need for flexibility and choice in delivery and to ensure employment opportunities are retained locally and to lessen out-commuting which may impact on sub regional travel patterns.
- 3.17 PCC will continue to work with FBC through PfSH to identify sufficient space for any unmet regional employment need, including locations for strategic distributions sites where there is an identified need.

### Agreed Position:

- 3.18 Both FBC and PCC are planning to deliver employment floorspace requirements within their respective Local Plans. Both authorities agree that the FBC approach to employment supply set out in Strategic Policy E1 is consistent and supports the PfSH 'Cities First' approach in the Spatial Position Statement (2016) by directing office space to the city centres. Both authorities also agree that the oversupply of employment land identified within the Fareham Publication Local Plan is considered appropriate and welcomed.

## Transport

### Fareham Borough Council's Position

- 3.19 The Revised Publication Local Plan is supported by a Strategic Transport Assessment (STA) that assesses the cumulative impact of Local Plan development. The STA modelling has used the South Hampshire Strategic Regional Transport Model (SRTM) to test the cumulative impact of the Local Plan traffic at a macro-level. Outside of Fareham, development growth is assumed to continue as 'normal' and in accordance with the PCC adopted Local Plan and in accordance with TEMPro v7.2 growth projections.
- 3.20 The STA identifies a number of junctions potentially requiring mitigation as a result of development. Within the 'Do Minimum' scenario, there are delays predicted at Delme Roundabout on the A27 which is located along the main route to Portsmouth. The STA provides a possible mitigation solution for this junction. The scheme tested is based on the Transforming Cities Fund bid and shows that a mitigation solution is possible at this location. Policy TIN2 of the Publication Local Plan requires mitigation for the impact of Local Plan development on the highway network and as such is the policy hook for developer contributions.
- 3.21 FBC is a partner in the South East Hampshire Rapid Transit (SEHRT) scheme which aims to provide improved transport links between Portsmouth, Gosport, Fareham and Havant. The rapid transit network will consist of busways (similar to the existing Eclipse service running from Fareham to Gosport) or lanes that are dedicated to buses, and technology which gives priority to buses at junctions. Rapid transit services and bus stop infrastructure are designed to reduce delays caused to passengers and provide new and more direct routes. The proposed scheme runs along the A27 between Fareham and Cosham in Portsmouth, as well as crossing some key roundabouts in Fareham town centre. In September 2020 the DfT announced just under £56 million has been awarded to the Portsmouth area, equating to the 'core' aspiration, which is programmed to be spent over the next four years on various schemes.
- 3.22 The Revised Publication Local Plan is supportive of the SEHRT scheme and Policy TIN3: Safeguarded Routes identifies and safeguards the route of the scheme. FBC will seek contributions from development towards elements of the SEHRT scheme where relevant.

### Portsmouth City Council's Position

- 3.23 PCC continues its commitment to the delivery of the Rapid Transit scheme and will continue to work as the planning authority and Highway Authority for the city in partnership with the neighbouring Highway Authority (Hampshire County Council), supported by FBC and other District and Borough Council's to drive delivery of the scheme between constituent partnership authorities.
- 3.24 The Portsmouth Local Plan is supported by the Portsmouth City Council, Local Plan Support: Transport Assessment. The TA modelling has used the South Hampshire Strategic Regional Transport Model (SRTM) to test the cumulative impact of the Local Plan traffic at a macro-level.
- 3.25 The Local Plan Support: Transport Assessment identified a number of junctions which would need mitigation measures implementing in order to accommodate the predicted levels of growth. The A27 / A2030 junction at Farlington was the most notable junction in regard to impact on the strategic Highways Network and is therefore likely to impact on users from the wider area including Fareham Borough. The junction was identified as

needing upgrading to meet the increased levels of traffic anticipated from development in the city.

- 3.26 Portsmouth City Council is currently out for consultation on its regulation 18 Local Plan. The Local Plan regulation 18 (Policy D3) proposes a policy position which supports the development of future phases of South East Hampshire Bus Rapid Transit

Agreed Position:

- 3.27 Both authorities also agree to continue to deliver the SEHRT scheme along the A27 corridor, PCC as a neighbouring Highway Authority and FBC as partner local planning authority. PCC support the safeguarding of land and securing of contributions towards the scheme where appropriate and necessary through Policy TIN3 and TIN4 of the Revised Publication Local Plan. Both authorities also agree to continue to proactively promote the use of public transport, along with encouraging active travel modes ahead of use of the private motorised vehicle through sustainable transport policy.

**Air Quality**

Fareham Borough Council's Position

- 3.28 In December 2019 FBC commissioned a study on air quality in relation to impacts on European-designated habitat sites from developments over the period from 2019 to 2023, in order for FBC to respond to queries being raised during the determination of planning applications. This study is referred to as the 'HRA for short-term development in Fareham Borough' (2020). This investigated the adverse effects from in combination short-term development and concluded that increased nitrogen deposition to perennial vegetation of stony banks (PVSB), a qualifying feature of Solent Maritime SAC, could not be ruled out without mitigation. In order to address the adverse effect of nitrogen deposition identified at Solent Maritime SAC to PVSB, a joint Nitrogen Action Plan is being developed by Havant Borough Council with Portsmouth City Council under the Duty to Co-Operate, and further work was needed to consider what, if any, contribution Fareham Borough's Local Plan growth may make.
- 3.29 The Air Quality Habitats Regulations Assessment published in support of the Revised Publication Local Plan in September 2020 confirmed that the maximum modelled contribution from the FBLP to the pollutants of concern in this part of the site, is less than 0.025% of the relevant Critical Levels. The contribution from Local Plan development is so small as to be considered nugatory. Therefore, there is no requirement for FBC to work with Havant Borough Council, Portsmouth City Council, or any other relevant local authorities, to further develop and implement the Nitrogen Action Plan.

Portsmouth City Council's Position

- 3.30 PCC is working collaboratively with partner authorities and bodies to develop a strategic approach towards air quality including any adverse impacts identified at the Solent Maritime SAC as a result of nitrogen. In particular PCC is working on the preparation of a Nitrogen Action Plan for air quality in partnership with Havant Borough Council and other appropriate partners.
- 3.31 The City Council published an Air Quality Local Plan in 2019, as Portsmouth has been identified as a city that needs to reduce air pollution levels as quickly as possible.
- 3.32 The City Council is working closely with Government's Joint Air Quality Unit (JAQU) to develop a plan to ensure that levels of nitrogen dioxide in the city are reduced below legal

limits in the shortest possible time. This is known as our Air Quality Local Plan. Following the submission of the outline business case to the Government, a Class B Clean Air Zone (CAZ) is to be implemented in the city in autumn 2021.

- 3.33 The Habitat Regulations Assessment (Aug 2021) of the draft Portsmouth Local Plan (Reg 18) ) confirms that The Havant Air Quality HRA thus recommended that Havant Borough Council should develop a joint Nitrogen Action Plan (NAP) with Portsmouth City Council under the Duty to Co-Operate. However, that was based on the understanding that the affected area constituted 'perennial vegetation of stony banks' (relatively intolerant of atmospheric nitrogen deposition) whereas Coastal Partners have identified the area as saltmarsh, which is much more tolerant of atmospheric nitrogen deposition. This area of saltmarsh is to be directly affected by the NPI Phase 4 Coastal Defence Project and suitable compensatory provision of saltmarsh is to be agreed and delivered for that independent scheme. The requirement for a NAP will therefore be reinvestigated as part of further work being undertaken by Havant Council and Portsmouth Council for their respective HRAs. If the habitat in question is saltmarsh, then the modelling for Havant Local Plan indicates that the critical load for saltmarsh will not be exceeded, meaning an adverse effect on integrity would not arise

Agreed Position:

- 3.34 Both councils agree that the FBC Revised Publication Local Plan Air Quality Habitats Regulation Assessment (September 2020) provides the evidence to show that the contribution towards nitrogen deposition as a result of Local Plan development is so small as to be considered nugatory and there is therefore no requirement for FBC to sign up to the possible Nitrogen Action Plan being developed by PCC and Havant Borough Council if required.

**Landscape**

Fareham Borough Council's Position

- 3.35 In line with the NPPF requirement for planning policies to contribute to and enhance the natural and local environment, FBC commissioned and published a Technical Review of Areas of Special Landscape Quality and the Strategic Gaps (September 2020) to help define Areas of Special Landscape Quality in the development of the Publication Local Plan.
- 3.36 The Technical Review recommended the designation of eight Areas of Special Landscape Quality across the borough to recognise the rich and varied pattern of landscapes that exist across Fareham and to shape the Development Strategy. This designation is set out in Policy DS3 of the Revised Publication Local Plan and responds to paragraph 174a in the NPPF regarding valued landscapes. FBC have used the presence of ASLQs to shape its development strategy and allocations are considered inappropriate in these areas. Developments proposals will only be permitted in these areas where the landscape can be protected and enhanced.
- 3.37 Portsdown Hill is one of those areas designated ASLQ within the Revised Publication Local Plan, which straddles the boundary between Fareham and Portsmouth. In line with how Policy DS3 shaped the development strategy for the Revised Publication Local Plan, there are no allocations within this ASLQ, and any future proposals/applications for development in this area will be required to satisfy the requirements of Policy DS3.

Portsmouth City Council's Position

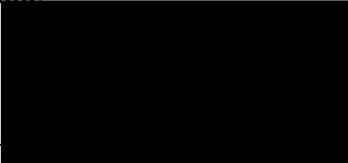
- 3.38 In the response to the February 2020 Regulation 18 consultation, Portsmouth City Council stated that Portsdown Hill is an extremely important part of the landscape in South East Hampshire. The importance of this landscape has been recognised through several planning documents including: the adopted Portsmouth Local Plan, the North Fareham Strategic Development Area Study, the South East Plan and the Hampshire Integrated Transport Assessment. PCC considers that the importance of Portsdown Hill, for its landscape value, should be appropriately addressed in emerging planning strategies, and therefore asked FBC to ensure that the landscape value of Portsdown Hill is considered through the Local Plan policy.
- 3.39 The draft Portsmouth Local Plan document for consultation (Policy S9) includes a proposed a policy position which protects Portsdown Hill for its recognised landscape, ecological and heritage value, whilst taking opportunities to increase public access and recreation where appropriate. The draft position is considered consistent with the approach in Fareham BC's Local Plan.

Agreed Position:

- 3.40 Both authorities agree that Portsdown Hill is of special landscape value and should be protected and enhanced in a manner commensurate with its status as a valued landscape. Both authorities agree that the Strategic Policy DS3: Landscape, is a positive step and one that helps define the value of Portsdown Hill.

**4.0 Signatories**

- 4.1 Both parties agree that this statement is an accurate representation of matters discussed and issues agreed upon.
- 4.2 It is agreed that these discussions will inform the Fareham Borough Council Local Plan 2037 a/nd both parties will continue to work collaboratively in order to meet the duty to cooperate.
- 4.3 For Portsmouth City Council the Statement of Common Ground is signed by the Assistant Director for Planning and Economic Growth. For Fareham Borough Council this Statement of Common Ground is signed by Richard Jolley.

Signed:		Signed:	
Name: Ian Maguire		Name: Richard Jolley	
Position: Assistant Director of Planning and Economic Growth		Position: Director of Planning and Regeneration	
<b><i>Portsmouth City Council</i></b>		<b><i>Fareham Borough Council</i></b>	
Date: 28/09/2021		Date: 28/09/2021	