

SCG004



**Statement of Common Ground  
Between Historic England and  
Fareham Borough Council on the  
Historic Environment**

**September 2021**

## 1.0 Introduction

### What is a Statement of Common Ground?

- 1.1 The Duty to Cooperate, 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 Cooperate 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 strategic policies to cover. They include:
  - Conservation and enhancement of the natural, built and historic environment.
- 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 2037 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 with regards to the historic environment.
- 1.7 Section 3 sets out the Regulation 19 Representations received from Historic England which forms the background to this SoCG.
- 1.8 Section 4 sets out the areas of agreement which have been reached relating to concerns raised by Historic England.

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

- 1.9 Section 5 sets out the areas of further work which the Council will undertake to address the outstanding concerns raised by Historic England.

What parties are involved with this Statement of Common Ground?

- 1.10 This Statement of Common Ground (SoCG) is an agreed statement between Historic England (HE) and Fareham Borough Council (FBC) as the Local Planning Authority in relation to issues and matters associated with the historic environment for the emerging Fareham Local Plan.

## **2.0 Strategic Geography**

- 2.1 Fareham Borough is located in the south-eastern corner of Hampshire, bounded to the north by the chalk hills of the Hampshire and South Downs and to the south by the coastal waters of the Solent, with the estuary landscapes of the River Hamble and Portsmouth Harbour enclosing the Borough's to west and east. Fareham is a Borough of 7,780 hectares (30 square miles) and is the fourth smallest district in Hampshire.
- 2.2 The Borough benefits from a number of designated and non-designated heritage assets which contribute to the built character. The Borough's historic environment includes 5 Scheduled Monuments, 13 Conservation Areas, more than 400 statutory Listed Buildings, 200 locally listed buildings, 8 historic parks and gardens which have been identified as having local importance and a number of archaeological sites of local importance.

## **3.0 Background and Regulation 19 Consultation Response**

- 3.1 Paragraph 190 of the NPPF states "plans should set out a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats. This strategy should take into account:
- a) the desirability of sustaining and enhancing the significance of heritage assets, and putting them to viable uses consistent with their conservation;
  - b) the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring;
  - c) the desirability of new development making a positive contribution to local character and distinctiveness; and
  - d) opportunities to draw on the contribution made by the historic environment to the character of a place.
- 3.2 A key priority of the emerging Fareham Local Plan 2037 is to appropriately manage, protect and enhance the Borough's historic environment including Conservation Areas, Listed Buildings and Scheduled Ancient Monuments.
- 3.3 Strategic Policy HE1: Historic Environment and Heritage Assets sets out the Council's commitment to conserving and enhancing the Borough's historic environment and heritage assets, stating that "all development should seek to conserve and enhance the historic environment and heritage assets, in line with local and national policy. Through the application of this policy, and the subsequent policies within the Historic Environment Chapter. The Council will take appropriate positive steps to conserve and enhance the Borough's historic environment and heritage assets.
- 3.4 Historic England have responded to all consultations in relation to the emerging Fareham Local Plan and have provided valued feedback throughout the plan preparation process in relation to the drafting of the historic environment chapter as

well as identifying issues in relation to specific allocations. Throughout the plan preparation process the Council has sought to address any concerns and issues raised.

- 3.5 In their response to the Regulation 19 Publication Plan, Historic England raised concerns regarding housing site allocation policies HA7 – Warsash Maritime Academy and HA42 – Land south of Cams Alders which they considered were insufficient to protect heritage assets either located on site or adjacent to the proposed allocations. Fareham Borough Council included their proposed changes to the policies as set out in the revised Regulation 19 Publication Local Plan and subsequently Historic England have responded that they now consider the policies sound.
- 3.6 Historic England’s response to the Regulation 19 Consultation on the Revised Publication Local Plan in June and July 2021 identified areas of concern relating to the allocation of two sites in the plan which this SoCG seeks to address. These are set out as follows:
- 3.7 For the new allocation of 20 dwellings (net yield of 12) at Redoubt Court, Fort Fareham Road (HA51), Historic England have raised a concern that although the existing housing development has already compromised the setting of Fort Fareham, a Scheduled Ancient Monument, they consider that *“housing up to two stories in height, along with the requirement for a tree belt along south-eastern edge of the site, would not result in significant harm to the setting of the fort.”* They propose the addition of a criteria restricting the height of development in order to be consistent with national policy, and therefore sound, suggesting that development should be no more than two stories.
- 3.8 The Council note that the policies in the Historic Environment chapter together with national legislation (NPPF paragraphs 194-208) will seek to ensure any such development will not adversely affect the local heritage assets and Historic England would be consulted on any future planning applications as a Statutory Consultee, however Fareham Borough Council recognise the concerns of Historic England and therefore will seek an opportunity to make an amendment through the examination of the plan, proposing the addition of a new criteria in the policy limiting the building heights to 2 to 2.5 stories to allow for the creation of additional accommodation whilst considering the fort’s setting.
- 3.9 The new Broad Location of Housing Growth (BL1) has resulted in Historic England raising concerns that they have not *“seen any evidence demonstrating that the whole 10.5-hectare site is available, or how the figure of 620 dwellings plus and undefined amount of other development has been arrived at.”* They consider that without this detail it is difficult to assess potential impact and have concerns that such development may need to include one or more tall buildings to accommodate the level of development proposed, a mixed-use development including up to 620 dwellings. They identify that such development could harm the heritage assets within and around the site which include the High Street Conservation Area and Listed Buildings in and around the site boundary. Historic England therefore consider the policy is not sound.
- 3.10 Fareham Borough Council have identified that this area is a broad location at this stage, with the potential to deliver up to 620 dwellings in years 10 to 16 of the plan, and it is accepted that at this stage, there is little detail in the Publication Local Plan. The plan states *“the redevelopment of the town centre will be a key component of the Local Plan housing delivery in the second half of the plan period with the Council developing a supplementary planning document to secure the comprehensive mixed-use redevelopment of the area including a consolidated, varied and integrated retail and leisure offer and*

*opportunities for development for approximately 620 dwellings in years 10 to 16 of the plan*". The policy also sets out that "*new development should demonstrate a quality of design that responds positively to the existing townscape*".

- 3.11 Historic England request that specific additional policy wording is included in the BL1 Broad Location of Growth (as set out in appendix 1) to require the adoption of the supplementary planning document in advance of any major development proposals in the area and that new development should generally respect established building heights, without being visible above rooflines within the conservation area.
- 3.12 As set out, the Council are commencing work on the supplementary planning document, which will provide further opportunity for input and consultation with Historic England. In addition, the policies in the Historic Environment chapter together with national legislation (NPPF paragraphs 194-208) will seek to ensure any such development will not adversely affect the local heritage assets.

#### **4.0 Areas of Agreement**

- 4.1 Historic England and Fareham Borough Council as Local Planning Authority have reached agreement through the addition of the changes made to criteria f of policy HA7 – Warsash Maritime Academy and criteria h of policy HA42 – Land South of Cams Alders. With the changes to these criterion Historic England consider the policies to be sound.

#### **4.0 Areas of Further Work**

- 4.1 In respect of policy HA51 – Redoubt Court, Fareham Park Road, Fareham Borough Council agree to consider the appropriateness of an alteration to this policy through the examination.
- 4.2 In respect of policy BL1 – Broad Location for Housing Growth, Fareham Borough Council recognise the concerns of Historic England and note the request to reconsider the wording of policy BL1. The Council are committed to undertaking the preparation of a supplementary planning document to guide development, which will identify and assess the significance of any affected heritage assets. As the statutory advisor on heritage, the Council will liaise with and consult Historic England in considering the impact of the potential development on the significance of the designated heritage assets and to address the points they raise.

#### **5.0 Signatories**

- 5.1 Both parties agree that this statement is an accurate representation of matters discussed and issues agreed upon.
- 5.2 It is agreed that these discussions will inform the Fareham Local Plan 2037 and both parties will continue to work collaboratively in order to meet the duty to cooperate.
- 5.3 For Historic England the Statement of Common Ground is signed by Edward Winter, Historic Environment Planning Adviser.
- 5.4 For Fareham Borough Council the Statement of Common Ground is signed by Richard Jolley, Director of Planning and Regulation.

Signed:



Name: Edward Winter

Position: Historic Environment  
Planning Adviser

***Historic England***

Date: 20/09/2021

Signed:



Name: Richard Jolley

Position: Director of Planning and  
Regeneration

***Fareham Borough Council***

Date: 20/09/2021

## Appendix 1

Historic England's suggested amendments shown in red:

### Policy BL1: Broad Location for Housing Growth

The Town Centre broad location, as identified on the policies map, has the potential to deliver up to 620 homes in years 10 to 16 of the Plan to meet the borough's housing need. The continued renewal and redevelopment of the town centre is a priority for the Plan. The Council has a strong ambition to secure delivery, recognising the wider placemaking, economic regeneration and health benefits that the scheme will provide.

The area identified as the broad location currently includes surface and multistorey car parks, the police station and bus station offices, Fareham Shopping Centre, Fareham Library, Ferneham Hall and the civic offices. The town centre like others across the country faces challenges from the economic downturn and changing retail patterns. Fareham town centre also supports a wide range of leisure and cultural attractions and enjoys an active night-time economy.

The redevelopment of the town centre site will be a key component of the Local Plan housing delivery in the second half of the Plan period with the Council developing a supplementary planning document to secure the comprehensive mixed-use redevelopment of the area including a consolidated, varied, and integrated retail and leisure offer and opportunities for residential development for approximately 620 dwellings in years 10 to 16 of the Local Plan, significant improvement to the public realm and improved accessibility to and through the town centre creating a healthier environment through improvements to air quality.

Due to the importance, sensitivity and potential of the area, a masterplan (as detailed below) for the area will need to be adopted by the Council as a supplementary planning document, in advance of any major development proposals for the area.

Development proposals for the area will be required to meet the following broad criteria which will be ~~set~~ developed ~~out~~ in the Fareham Town Centre Masterplan Supplementary Planning Document:

- a) New development should demonstrate a quality of design that responds **sensitively and** positively to the existing townscape, providing a variable and interesting form that will enhance the area as the focal point and gateway to Fareham; and
- b) New development should respect generally established building heights and should not be visible above rooflines within the conservation areas. This principle will be further developed in the SPD.**
- cb)** Proposals should protect and consolidate retail uses and ensure a mix of commercial leisure and retail operators creating a variety of uses to ensure an interesting streetscape and vibrant uses during the day and evening; and

de) Proposals will be expected to deliver vibrant, high quality outdoor public spaces including a new town square, linked by pedestrian spaces to other key town centre destinations.