

East Hampshire Local Plan 2021-2040

Statement of Common Ground between

**South Downs National Park Authority and
East Hampshire District Council**



Version

Table 1: Editions of this document

| <u>Version</u> | <u>Date</u> | <u>Note</u> |
|----------------|------------------|--|
| Version 0.1 | 04 December 2023 | First draft (EHDC) |
| Version 0.2 | 17 January 2024 | South Downs National Park Authority (SDNPA) (Proposed Amendments) |
| Version 0.3 | 18 January 2024 | EHDC signed |
| Version 0.4 | 19 January 2024 | SDNPA signed |

1. Introduction

- 1.1. This Statement of Common Ground (the Statement) has been prepared by East Hampshire District Council (EHDC) and the South Downs National Park Authority (SDNPA) (the parties) to support the East Hampshire Local Plan 2021-2040.
- 1.2. This Statement ensures the requirements set out in the National Planning Policy Framework (NPPF) [December 2023] have been met. The NPPF states:

*'Local planning authorities ... are under a duty to cooperate with each other, and with other prescribed bodies, on strategic matters that cross administrative boundaries.'*¹

- 1.3. The purpose of the Statement is to document the strategic matters being considered, and the progress made in cooperating to address them at this stage of the plan making process. It focusses on areas where there is agreement, and if appropriate those matters where work is ongoing to resolve differences. The Statement is intended to be 'live', updated as circumstances change, and agreement occurs on any outstanding issues. The Statement also forms part of the evidence to demonstrate compliance with the Duty to Cooperate (DtC) during the preparation of the East Hampshire Local Plan 2021-2040.
- 1.4. The Statement supersedes earlier published versions, dated March 2018, November 2020, and March 2021.

2. Parties and signatories involved

- 2.1. East Hampshire District Council. On behalf of East Hampshire District Council - Cllr Angela Glass, Regulation & Enforcement Portfolio.
- 2.2. South Downs National Park Authority. On behalf of the South Downs National Park Authority – Mike Hughes, Director of Planning (Interim).

3. Relationship with other documents

- 3.1. Where appropriate, East Hampshire District Council (EHDC) has prepared separate Statements with other Duty to Cooperate (DtC) prescribed bodies. All Statements will be published on East Hampshire District Council's [website](#).
- 3.2. Unless otherwise stated, all evidence documents referred to in this Statement have been published on East Hampshire District Council's [website](#).

¹ Paragraph 24, NPPF (December 2023)

4. Strategic Geography

- 4.1. This Statement of Common Ground (SoCG) covers East Hampshire District. As shown in Figure 1, the District comprises the two Local Planning Authority (LPA) areas of:
- East Hampshire District Council (EHDC) for the area outside the National Park, which equates to approximately 43% of the District; and
 - South Downs National Park Authority (SDNPA) for the area inside the National Park, which equates to approximately 57% of the District.
- 4.2. The National Parks and Access to the Countryside Act 1949, as amended by Section 245 of the Levelling Up & Regeneration Act (LURA) 2023, requires all relevant authorities, including EHDC and the SDNPA, to seek to further the purposes of National Parks. The purposes of National Parks are:
- 1) To conserve and enhance the natural beauty, wildlife, and cultural heritage of the area; and
 - 2) To promote opportunities for the understanding and enjoyment of the special qualities of the National Park by the public.
- 4.3. As a National Park and Local Planning Authority, plan-making for the South Downs National Park is subject to Paragraph 11 of the National Planning Policy Framework (NPPF) [December 2023] whereby Local Plans should provide for objectively assessed needs, unless policies in the NPPF provides a strong reason for restricting development. Footnote 7 of the NPPF indicates that such policies include those relating to National Parks.
- 4.4. Furthermore, Paragraph 182 of the NPPF states that great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks which, along with the Broads and “National Landscapes” (formerly referred to as Areas of Outstanding Natural Beauty [AONBs]), have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas and should be given great weight in National Parks. The scale and extent of development within all these designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas. The Planning Practice Guidance (PPG) confirms that the NPPF policies for protecting these areas may mean that it is not possible to meet objectively assessed needs for development in full through the plan-making process, and they are unlikely to be suitable areas for accommodating unmet needs from adjoining (non-designated) areas.
- 4.5. It should also be noted that the DEFRA UK Government Vision and Circular 2010 on English National Parks and the Broads makes clear that the Government recognises that National Parks are not suitable locations for unrestricted housing and does not, therefore, provide general housing targets for them. The expectation is that new housing will be focussed on meeting affordable housing requirements, fostering and maintaining thriving rural economies, and supporting local employment opportunities and key services.

5. The Development Plan and emerging planning documents

- 5.1. At the time of the signing of this Statement of Common Ground (SoCG);
- 5.2. The East Hampshire District Council (EHDC) Development Plan – which covers the area of the District outside the National Park - comprises the Local Plan Part 1 (Joint Core Strategy [JCS]) [Adopted in May 2014], the Local Plan Part 2 (Housing and Employment Allocations) [Adopted in April 2016], and the saved policies of the Local Plan Second Review 2006. A draft plan to cover the plan period of 2021-40 is being prepared for a Regulation 18 consultation. This is scheduled to start on 22 January 2024 for 6 weeks, as per the [Local Development Scheme 2023](#). When adopted, the new Local Plan will replace the current Development Plan.
- 5.3. The South Downs National Park Authority (SDNPA) Development Plan – which covers the whole of the National Park, including the area of the District inside the National Park - is the South Downs Local Plan (SDLP) [Adopted in July 2019]. The SDNPA is currently at the very early, evidence gathering stage of its Local Plan Review (LPR) process. A draft plan for a Regulation 18 consultation is anticipated for early 2025 as per the [Local Development Scheme 2022](#).

Figure 1 - Map of East Hampshire District

OUR PLANNING AREAS

EAST HAMPSHIRE LOCAL PLAN

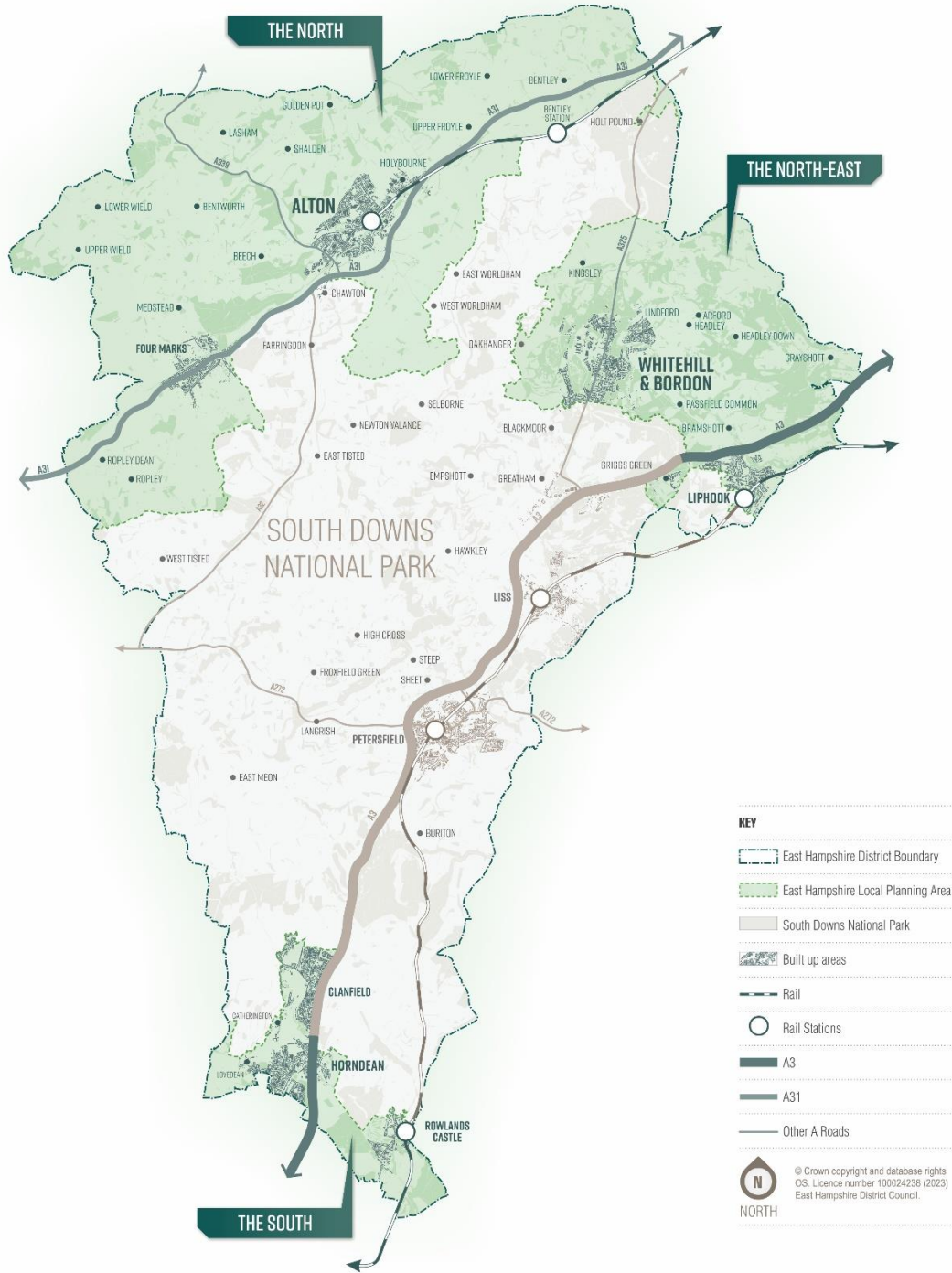


FIGURE 1.3: OUR PLANNING AREAS

6. Identified Strategic Matters

6.1. The East Hampshire [Duty to Co-operate Framework 2022](#) has identified the following strategic cross boundary matters in the preparation of the East Hampshire Local Plan 2021-40. The matters relating to housing need, traveller accommodation, transit traveller accommodation, and the Wealden Heaths Phase II SPA are set out in greater detail in Sections 7 to 10 below:

- 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;
- Consideration of the potential need for transit accommodation for Travellers (with regards to travelling routes across districts/boroughs);
- Supporting economic growth and opportunity, creating the conditions in which businesses can invest, expand and adapt;
- Transport impacts and mitigation from proposed development;
- Infrastructure requirements and provision; particularly in relation to education, health, drainage, waste water and water supply;
- Responding to the Climate Change Emergency;
- Flood risk (from all sources);
- Habitats / Biodiversity;
- Mitigation strategy for the Wealden Heaths Phase II SPA;
- Achieving nutrient neutrality – the potential impacts of development on water quality in the Solent;
- Landscape; and
- Safeguarding mineral resources and minerals and waste infrastructure.

6.2. As documented in the Duty to Co-operate Framework 2022, the two LPAs have been conversing on matters related to the preparation of the East Hampshire Local Plan 2021-40 since its early stages.

6.3. The following agreements and detail of further work are as at a point in time, and will be updated during the preparation of the East Hampshire Local Plan 2021-40 and South Downs Local Plan Review (LPR). The date of this document is the latest date listed in Table 1: Editions.

7. EHDC Strategic Matter 1: Meeting identified housing needs within the District and wider unmet needs

Calculating Housing Need

- 7.1. Paragraph 61 of the National Planning Policy Framework (NPPF) [December 2023] states that an overall aim for strategic policy-making authorities should be to meet as much of an area's identified housing need as possible.
- 7.2. Paragraph 62 of the NPPF explains that to determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the Standard Method.
- 7.3. The Standard Method uses a formula to identify the minimum number of homes needed to be planned for, in a way which addresses projected household growth and historic under-supply. The formulae behind the Standard Method are set out within the Planning Practice Guidance (PPG)², and identifies a minimum annual housing need figure, which relies on publicly available and robust data.
- 7.4. East Hampshire District Council (EHDC) has carried out a robust and objective assessment of housing needs using the Standard Method (2023) – see [Technical Note Update \(September 2023\)](#). The Technical Note explains that, based on the current outputs of the Standard Method (2023), a minimum of 10,982 dwellings is needed across East Hampshire District during the plan period from 2021 to 2040. This is equivalent to **578 dwellings per annum (dpa)**. The publicly available data that supports the Standard Method is presented for East Hampshire District as a whole, and so does not make a distinction between the areas inside and outside the National Park. The EHDC Technical Note suggests that the identified need figure could be apportioned between EHDC and the SDNPA as 464 and 114 dwellings per annum (dpa) respectively, taking into account projected household growth and differences in affordability ratios between the two areas.
- 7.5. However, notwithstanding the above, it is for the SDNPA to identify a local housing need figure for the National Park area through its plan-making process. Paragraph 62 of the NPPF further explains that the outcome of the Standard Method is an “advisory starting-point” for establishing a housing requirement for an area. There may be exceptional circumstances that justify an alternative approach to assessing housing need, in which case the alternative approach should also reflect current and future demographic trends and market signals. The PPG provides further guidance on what circumstances may justify an alternative approach, including where policy-making authorities do not align with local authority boundaries or data is not available, such as for National Parks. The PPG states that:

“Such authorities may continue to identify a housing need figure using a method determined locally, but in doing so, will need to consider the best available information on anticipated changes in households as well as local affordability levels.”

² PPG (Paragraph: 004 Reference ID: 2a-005-20190220)

7.6. The SDNPA published its Housing & Economic Development Needs Assessment (HEDNA) in November 2023. The HEDNA has calculated an unconstrained or “policy-off” housing need of 6,300 homes across the whole of the National Park between 2024 and 2042. This is equivalent to 350 dwellings per annum (dpa). The SDNPA is currently at the very early, evidence gathering stage of its Local Plan Review (LPR) process. As a result, the SDNPA is currently unable to confirm how much of the identified housing need can be met across the National Park, and how much of this need could be apportioned to the East Hampshire Area of the National Park.

Potential Unmet Housing Need

7.7. The SDNPA is currently at the very early, evidence gathering stage of its Local Plan Review (LPR) process. The SDNPA is working towards a draft plan which is anticipated for a Regulation 18 consultation in early 2025. As a result, the SDNPA is currently unable to confirm how much of the identified housing need could be met within the East Hampshire Area of the National Park. Moreover, EHDC and the SDNPA will continue, through existing Duty to Cooperate (DtC) arrangements, to work together to consider whether and how any identified unmet needs can be met.

7.8. Despite the undetermined position on potential unmet needs, EHDC is currently taking a pragmatic approach utilising the top-down output of 114 dwellings per annum derived from the [Technical Note Update \(September 2023\)](#) as the starting point. Based on past delivery trends within the East Hampshire Area of the National Park and historic agreements with the SDNPA, it is estimated that 100 dwellings per annum will continue to be delivered over the extent of the plan period. This leaves a residual requirement of 266 dwellings (14 dwellings per annum (dpa)).

7.9. The assumptions outlined above have been used to inform the Draft East Hampshire Local Plan (2021-40), until such time that further information is available on the potential unmet needs of the National Park. As a result, when assumptions are made for potential unmet need in the National Park, the minimum local housing need requirement for the East Hampshire Local Plan (2021-40) is estimated to be 478 dwellings per annum (dpa), the equivalent of 9,082 dwellings over the plan period.

8. EHDC Strategic Matter 2: Meeting the identified need for Gypsy, Traveller and Travelling Showpeople accommodation within the District and wider unmet needs

- 8.1. The identified need for Gypsy and Traveller and Travelling Showpeople accommodation in East Hampshire is set out in the East Hampshire District [Gypsy and Traveller Accommodation Assessment](#) (GTAA) 2020. The GTAA identifies the accommodation needs (Traveller pitches and Travelling Showpeople plots) for the area of the South Downs National Park within East Hampshire, and separately for the area of East Hampshire outside of the South Downs National Park. Combined these figures provide the total accommodation needs for East Hampshire District for Gypsy and Travellers and Travelling Showpeople that meet the planning definition, as set out in Planning Policy for Traveller Sites (Annex 1).
- 8.2. The South Downs Local Plan (adopted 2019) set out allocations and future need requirement for the part of the National Park within East Hampshire. The allocations along with granting of planning permission fulfilled the requirement for gypsy and travellers pitches. However, the evidence base underpinning the accommodation needs for East Hampshire has since been updated, and the latest position on need is as set out in the GTAA 2020, for which the base date is March 2020.
- 8.3. The GTAA 2020 identifies a need in the SDNP in East Hampshire for 7 Travelling Showpeople plots (5 of which by 2024), and 0 Traveller pitches by 2036. The identified need in East Hampshire outside the SDNP is far greater; 62 Traveller pitches and 46 Travelling Showpeople plots by 2036.
- 8.4. At the time of writing, the outstanding need identified for SDNP in East Hampshire remains the current position. I.e. no provision has been made against the identified need of 7 Travelling Showpeople plots or 0 Traveller pitches. Monitoring of this position is reported in the SDNP Annual Monitoring Report.
- 8.5. It is noted and agreed that the suitability of any proposal in the National Park and compliance with the relevant policies of the South Downs Local Plan would be the key determining factor for any planning application, and that meeting unmet needs from East Hampshire is unlikely to carry material weight given that the Planning Practice Guidance says that National Parks are not suitable locations for meeting the unmet needs of other local planning authorities.
- 8.6. East Hampshire District Council publishes a five-year supply position each year (end of March) and reports progress against identified need. Since March 2020, some completions of Traveller pitches are recorded in East Hampshire outside the SDNP. To date, no completions are recorded of Travelling Showpeople plots. There remains a significant unmet need for both types of accommodation in East Hampshire outside the

SDNP. The latest position on this can be seen in the current five-year supply position statement³.

- 8.7. Given the remaining significant need in East Hampshire, and currently no need being identified in SDNP in East Hampshire, should Traveller pitches be permitted and completed in the SDNP within East Hampshire post March 2020, consideration will be given to whether they will count towards meeting the need identified in East Hampshire outside SDNP, on a case-by-case basis. This is until such a time that a new GTAA is prepared, and/or this SoCG is updated to reflect any changing position.
- 8.8. If the identified need for Travelling Showpeople plots in the SDNP in East Hampshire is met (7 plots), when determining any proposals for additional provision beyond 7 plots (completions post March 2020) consideration will be given to whether these also count towards meeting the need identified in East Hampshire outside SDNP. Whilst the need in the SDNP for Travelling Showpeople plots originates from one site, it is not considered that need is only met when that specific need is personally met. Provision of any plot for Travelling Showpeople accommodation could meet that need, if it is not personally conditioned. This is also until such a time that a new GTAA is prepared, and/or this SOCG is updated to reflect any changing position.

9. EHDC Strategic Matter 3: Consideration of the potential need for transit accommodation for Travellers (with regards to travelling routes across districts/boroughs).

- 9.1. The GTAA 2020 states, “it is not recommended that there is a need for a formal public transit site in East Hampshire at this time” and carries on by recommending monitoring of this situation and establishing an evidence base. Both authorities continue to keep such records of incidents of unauthorised encampments and will review them collectively as part of a future update of the GTAA.

10. EHDC Strategic Matter 10: Mitigation strategy for the Wealden Heaths Phase II SPA

- 10.1. EHDC and the SDNPA are members of the Habitats Regulations Assessment Cross Boundary Steering Group, alongside Waverley Borough Council (WBC) and Natural England (NE). The group meets quarterly and, by working together, ensures there is consistency in policy and protection of the Wealden Heaths Phase II Special Protection Area (SPA).

³ <https://www.easthants.gov.uk/gypsy-traveller-and-travelling-showpeople-five-year-supply>

11. Governance arrangements

11.1. In terms of governance arrangements, the two parties agree to:

- Keep a dialogue open on matters arising which are likely to have significant impacts and implications for the delivery of local plan policies;
- To work together to achieve identified outcomes in relation to strategic matters;
- To review and update this Statement in light of any material change in circumstance; and
- To maintain positive principles of cooperation.

12. Timetable for agreement, review and updating

- This statement has been informed by ongoing engagement between the two parties and the parties will continue to work together to address identified strategic cross boundary matters. This Statement is intended to be a living document that can be reviewed and updated, informed by continued communication between the parties through meetings, statutory consultation at key plan making stages, and electronic communication.

13. Signatories

- We confirm that the information in this Statement reflects the joint working to address identified strategic cross boundary matters that has been undertaken between East Hampshire District Council (EHDC) and the South Downs National Park Authority (SDNPA). The parties will continue to work together to address cross boundary issues.

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| Signed: | Signed: |
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| Name: Cllr Angel Glass | Name: Mike Hughes |
| Position: Portfolio Holder for Regulation and Enforcement | Position: Director of Planning (Interim) |
| East Hampshire District Council | South Downs National Park Authority |
| Date: 18/01/2024 | Date: 18/01/2024 |