

DUTY TO COOPERATE STATEMENT OF COMMON GROUND

BETWEEN: East Hampshire District Council and the South Downs National Park Authority

DATE: March 2018

1. Introduction

1.1 This Statement of Common Ground (SCG) is a jointly agreed statement between East Hampshire District Council (EHDC) and the South Downs National Park Authority (SDNPA). It sets out the position and understanding with respect to the strategic cross-boundary matter of housing, and agreed actions to resolve outstanding matters. It is not binding on either party, but sets out a clear and positive direction to inform ongoing strategy and plan-making.

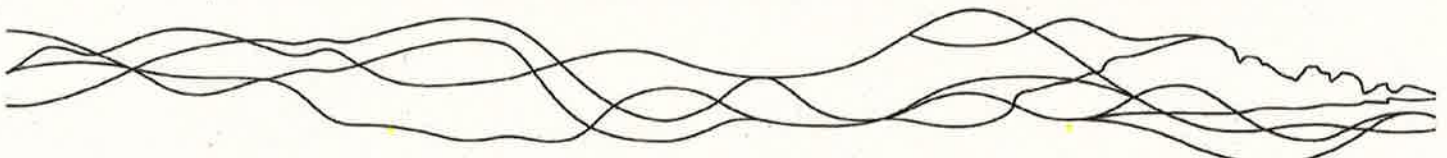
2. Context

2.1 Section 62 of the Environment Act 1995 requires all relevant authorities, including local authorities such as EHDC, to have regard to the purposes of national parks. These are:

- To conserve and enhance the natural beauty, wildlife and cultural heritage of the area;**
- To promote opportunities for the understanding and enjoyment of the special qualities of the National Park by the public.**

2.2 As a National Park and Local Planning Authority, plan-making for the SDNPA is subject to the National Planning Policy Framework (NPPF) whereby Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change, unless specific policies in the NPPF indicate development should be restricted. An example of such restrictions given in footnote 9 on page 4 of NPPF is policies relating to the development of sites within a National Park.

2.3 Furthermore Paragraph 115 of the NPPF states that great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty. The conservation of wildlife and cultural heritage are important considerations in all these areas, and should be given great weight in National Parks and the Broads. It should also be noted that the DEFRA UK Government Vision and Circular 2010 on English National Parks and the Broads, referenced in the NPPF at this point makes clear that the Government recognizes



that the Parks are not suitable locations for unrestricted housing and does not therefore provide general housing targets for them.

- 2.4 East Hampshire is a district area of which approximately 57% falls within the South Downs National Park. This means that statutory planning responsibilities within the district are geographically split along the National Park boundary. There is a close functional relationship between EHDC and the SDNPA that has long been recognised in planning terms. In accordance with the duty to co-operate, the two planning authorities have worked together to prepare the Joint Core Strategy (JCS)¹ that set a clear development strategy for East Hampshire both inside and outside the National Park. The JCS sets out both authorities' overall approach towards the local application of sustainable development through its objectives and core policies over the period 2011 to 2028 (a 17 year period). The South Downs Local Plan (SDLP) will supersede the JCS in the National Park part of East Hampshire when it is adopted.
- 2.5 At the time of the JCS being prepared, the Housing Market Area (HMA) was defined as East Hampshire district.² The South Downs HEDNA however identifies that, for the purposes of assessing housing need relevant to the South Downs National Park, both authorities fall partly or wholly in the Central Hampshire Housing Market Area (HMA) consisting of East Hampshire, Winchester, Basingstoke and Test Valley.³
- 2.6 EHDC has recently launched its Local Plan Review which will have a plan period 2017 -2036. Once adopted it will supersede the JCS for the parts of the district that lie outside of the SDNP. As part of the emerging evidence base EHDC will be considering its Housing Market area and Functional Economic area and defining them for the purposes of plan-making outside of the South Downs National Park.

3. Purpose and objectives

- 3.1 The SDNPA is preparing its first Local Plan – the South Downs Local Plan (SDLP). The SDLP is a landscape-led plan, with ecosystem services (at its heart). The SDLP will provide a comprehensive development plan document to cover the whole of the National Park, and will include a policy to address all types of development, with the exception of minerals and waste.
- 3.2 The purpose of this SCG is to demonstrate clearly and concisely how the strategic cross-boundary matter of meeting objectively assessed housing needs has been and will continue to be jointly addressed and on how points of disagreement between the parties are being positively resolved. Further detail will be given in the South Downs National Park Duty to Cooperate Statement, and in the jointly prepared documents referred to below.

¹ East Hampshire District Local Plan: Joint Core Strategy (Adopted June 2014)

² East Hampshire Strategic Housing Market Assessment and Local Housing Requirements Study (NLP, 2013)

³ South Downs National Park HEDNA (GL Hearne, 2017)



4. Addressing unmet housing need in the context of the JCS

4.1 The JCS confirmed an objectively assessed housing need (OAN) for the whole of East Hampshire district of a minimum of 592 dwellings per annum for the period 2011-2028. In 2015, a Memorandum of Understanding (MoU) was signed by both authorities which committed to meeting the OAN for East Hampshire which equated to a minimum of 10,060 dwellings over the Plan period. It was recognised and agreed at that time that based on the environmental constraints within the National Park an appropriate apportionment for doing so would be as follows:

- 1,694 dpa within the National Park (i.e. 100 dpa)
- 8,366 dpa outside of the National Park (i.e. 492 dpa) (which included 71 dpa unmet need from the SDNP)

4.2 The JCS Spatial Strategy for Housing Policy (CPI0) set out broad area apportionments to be identified through the East Hampshire District Local Plan: Housing and Employment Allocations, the South Downs Local Plan and Neighbourhood Plans:

- a minimum of 700 dwellings at Alton and Horndean and Petersfield;
- a minimum of 200 dwellings at Clanfield;
- a minimum of 175 dwellings at both Liphook and Four Marks/South Medstead;
- a minimum of 150 dwellings at both Liss and Rowlands Castle;
- a minimum of 150 dwellings at other villages outside the National Park;
- a minimum of 100 dwellings at other villages in the National Park.

4.3 Since the adoption of the JCS, the two authorities have continued to work in partnership to ensure that strategic planning issues are properly and holistically addressed. Examples are given in the Duty to Cooperate Statement.⁴

4.4 Given the commitments set out in the MoU (albeit these were based upon assessments carried out some time ago and in a different context of a JCS and no Neighbourhood Plans), the SDNPA has produced a housing trajectory for the JCS period (2011-28), which is specific to the part of East Hampshire falling within the National Park. This is attached at Appendix I and summarised in the Table I below. It should be noted that revised assumptions have been made in respect of the rate of discount applied to extant planning permissions and site allocations, reflecting a historically low lapse rate within the East Hampshire area, as shown in Appendix 2. These assumptions are equivalent to the EHDC 5 Year Housing Land Supply (as of 1st April 2017) published 28th Aug 2017, meaning that the resulting figures are directly comparable to the trajectory for East Hampshire district outside the National Park and more closely reflect the evidence for East Hampshire. However as a result these figures are not directly comparable to the South Downs AMR 2017 (Indicators JCS2 and JCS3) which instead used National Park-wide assumptions, applied to the whole SDLP period (2014-33) consistent with other areas.

⁴ South Downs National Park Duty to Cooperate Statement, 2017



Table I Housing Supply in the South Downs part of East Hampshire District Council

	A ¹	B	C	D ²	E	F
District	Provision made in the SDLP (Policy SD26)	Completions in first 6 years of JCS period (2011-12 2016/17)	Unimplemented Planning Permissions	Windfall Allowance	Total Provision (A+B+C+D) (JCS period 2011-2028)	Average Per Annum (E/17 years)
East Hampshire	932	396	188	162	1,678	99

¹ Column A includes site allocations in the draft South Downs Local Plan, and the made Petersfield, Liss and East Meon Neighbourhood Plans. This figure excludes 97 of the homes to be delivered in Petersfield, Liss and East Meon which are assumed to come forward in the period 2028-2033 and therefore do not fall within the totals above relating to the JCS period. It also excludes 81 net dwelling completions on sites allocated in Petersfield which are instead included in Column B.

²Windfall is based on average annual figure over a 10 year period (Apr 2006 to Mar 2016) which calculates as 24 dpa – a figure for windfall is not applied for the first 2 years going forward (i.e. 100% discount for 2017-18 and 2018-19) and a figure of 18 dpa applied thereafter (i.e. 24 discounted by 25%).

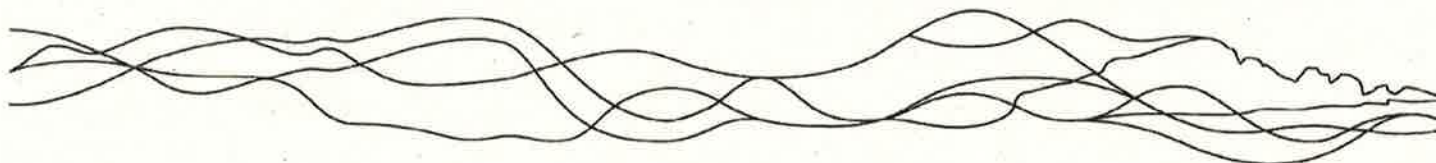
4.5 Key points to note are:

- a) Over the period 2011-28, it is expected that 1,678 homes will have been delivered in the National Park within East Hampshire, equivalent to 99 dwellings per year on average. This is just 16 dwellings short of the MoU commitment, equating to just 1 dwelling per year.
- b) The supply of homes through as-yet unimplemented site allocations in the East Hampshire within the SDNP area during the JCS period totals 932. This consists of 707 homes allocated through the made Petersfield Neighbourhood Plan and not yet completed, 90 provided for in the Liss and East Meon Neighbourhood Plans, and 135 proposed to be allocated in the SDLP, or identified in the SDLP for inclusion in emerging neighbourhood plans.

4.6 It is agreed that the JCS commitments and the commitments made in the MoU relating to housing need and supply are being met up to 2028. Therefore the objections made by EHDC to the Pre-Submission SDLP in relation to deficient housing supply in the National Park in the period 2011-2028 are duly withdrawn.

5. Addressing unmet housing need beyond 2028

5.1 It is agreed between the parties that it is not appropriate to seek to meet the full OAN in the South Downs National Park, given Government policy and the background of a landscape – led plan as described above. It is agreed that the two authorities will continue to work closely together to address future housing needs beyond 2028. This work will commence as part of the EHDC Local Plan Review and going forward will inform any future review of the SDNPA Local Plan.



6. Gypsies, travellers and travelling showpeople

6.1 East Hampshire District Council has completed a GTAA for the entire District, the outcomes of which will be used to update policy SD33 of the SDLP.

7. Wealden Heaths Phase II SPA monitoring

7.1 EHDC and the SDNPA have agreed joint monitoring of net additional residential development within 400m buffer zone of the Wealden Heaths Phase II SPA to ensure that jointly we do not exceed the threshold of 43 dwellings from a base date of April 2011.

7.2 It has been mutually agreed by the authorities that relevant allocations in a Regulation 19 Local Plan will be treated as commitments and be counted towards the 43-windfall allowance, to ensure that allocations remain deliverable.

7.3 In the case of the Regulation 19 SDNPA Local Plan, Policy SD74 allocates Land at Fern Farm, Greatham for 4 permanent Gypsy and Traveller pitches and this site is located within 400m of the Wealden Heaths Phase II SPA. EHDC and SDNPA have included this site within the joint monitoring calculations and therefore it counts towards the 43 windfall dwellings.

8. Other matters

8.1 Representations have been made by EHDC to the pre-submission SDLP on detailed wording matters. This SCG addresses only the strategic cross-boundary matter of housing.

Signed on behalf of East Hampshire District Council	<i>Angela St. James</i>
Date	<i>6th March 2018</i>
Position	<i>Portfolio Holder for Planning</i>

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Signed on behalf of the South Downs National Park Authority	<i>NEVILLE HARRISON</i>
Date	<i>8/3/18</i>
Position	<i>CHAIR PLANNING COMMITTEE</i>

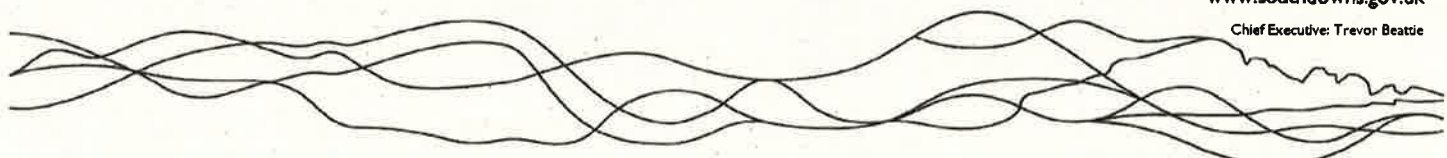
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Appendix 1 East Hampshire Housing Trajectory (SDNP part only) using East Hampshire JCS methodology

SDLP Housing Trajectory Calculations																							TOTAL JCS period	TOTAL SDLP period
	Plan Period (Years)																							
	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30	2030-31	2031-32	2032-33		
South Downs Local Plan Housing Requirement	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17							
A Plan: Annualised Local Plan target provision	100	100	100	100	100	100	100	100	100	100	100	99	99	99	99	99	99						1694	4750
B Annualised 5 year target supply with 5% buffer							105	105	105	105	105	94	95	95	95	95	95							
C Requirement minus supply	29	38	62	39	-9	45	37	30	-46	-120	-147	-50	-18	11	42	42	31						-34	
D Compensation for undersupply- Liverpool method							19,000	19	19	19	19	19	18	18	18	18	18							
E Annualised 5 year target supply with 5% buffer and Liverpool method							124	124	124	124	124	113	113	113	113	113	113							
F Cumulative deficit across whole plan period	1623	1561	1523	1462	1353	1298	1230	1155	1004	779	527	383	270	186	133	80	16	16	16	16	16	-18		
G Requirement minus supply inc. Liverpool method							56	49	-27	-101	-128	-31	0	29	60	60	49							
H Cumulative deficit inc. Liverpool method							56	105	78	-23	-151	-182	-182	-153	-93	-33	16							
I Annualised target inc Liverpool method, no buffer							119	119	119	119	119	119	119	119	119	119	119							
Manage: Annual requirement taking account of projected completions (d / number of years remaining)	95	98	102	104	104	108	112	116	112	97	75	64	54	47	44	40	16							
K Net new housing completions	71	62	38	61	109	55																	396	225
L Extant planning permissions on large sites (10+ units) ACTUAL- NB. site deemed unlikely to deliver (Adhurst St Mary) is not included.							23	17	3	3	3	0	0	0	0	0	0						49	49
N Extant planning permissions on small sites (1-9 units) ACTUAL							31	31	31	31	30	0	0	0	0	0	0						154	154
O Extant planning permissions on small sites (1-9 units) 10% DISCOUNT							28	28	28	28	27	0	0	0	0	0	0						139	139
P Net dwellings with extant planning permission ACTUAL							54	48	34	34	33	0	0	0	0	0	0						203	203
Q Net dwellings with extant planning permission DISCOUNTED							51	45	31	31	30	0	0	0	0	0	0						188	188
R Local Plan allocations							10	0	28	46	20	0	0	31	0	0	0	0	0	0	0	0	135	135
S NDP allocations - MADE							7	30	74	130	184	111	80	20	20	20	31	5	5	5	5	0	707	727
U NDP allocations - LOCAL PLAN APPORTIONMENTS (NDP emerging) ¹							0	0	0	0	0	15	15	15	15	15	15	15	15	15	16	16	90	167
V Total allocations							17	30	102	176	204	126	95	66	35	35	46	20	20	20	21	16	932	1029
X Windfall ²							0	0	18	18	18	18	18	18	18	18	18	18	18	18	18	18	162	252
Y Total housing supply (annual) non-implementation discounts applied	71	62	38	61	109	55	68	75	151	225	252	144	113	84	53	53	64	38	38	38	39	34	1678	1694
Z Cumulative housing supply (2011-12 to 2027-28)	71	133	171	232	341	396	464	539	690	915	1167	1311	1424	1508	1561	1614	1678	1716	1754	1792	1831	1865		

2 Historic windfall rate is 24 dpa. Discounted as follows: Yrs1-2:100%, Yr3 onwards:-25% i.e. 18 dpa

5 Year Housing Land Supply calculation

	2016-17	2017-18	2018-19	2019-20	2020-21	TOTAL
	3	4	5	6	7	
South Downs Local Plan Housing Requirement						
Annualised Local Plan target provision Liverpool method	119	119	119	119	119	595
Annualised Local Plan target provision with 5% buffer applied plus Liverpool	124	124	124	124	124	620
South Downs Local Plan Housing Supply						
Net dwellings with extant planning permission DISCOUNTED	51	45	31	31	30	188
Total allocations	17	30	102	176	204	529
Windfall ²	0	0	18	18	18	54
Total housing supply (annual)	68	75	151	225	252	771
Surplus/deficit (annual) against requirement + 5% buffer	-56	-49	27	101	128	151

Years supply equivalent - no 5% buffer

6.48

Years supply equivalent - 5% buffer applied

6.21

**Appendix 2 Planning permissions lapse rates across East Hampshire District
(including the SDNPA)**

Small Sites										
Year	2008/09	2009/10	2010/11	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17	Total
Lapsed	22	19	27	11	2	14	18	10	0	123
Net Outstanding	554	508	454	291	299	350	352	346	346	3500
Total	576	527	481	302	301	364	370	356	346	3623
%	3.82%	3.61%	5.61%	3.64%	0.66%	3.85%	4.86%	2.81%	0.00%	3.39%

Large Sites										
Year	2008/09	2009/10	2010/11	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17	Total
Lapsed	0	26	0	27	2	28	12	52	20	167
Net Outstanding	1154	1127	1100	1195	1381	1193	2670	6054	6279	22153
Total	1154	1153	1100	1222	1383	1221	2682	6106	6299	22320
%	0.00%	2.25%	0.00%	2.21%	0.14%	2.29%	0.45%	0.85%	0.32%	0.75%

Overall										
Year	2008/09	2009/10	2010/11	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17	Total
Total Lapsed	22	45	27	38	4	42	30	62	20	290
Total Outstanding	1708	1635	1554	1486	1680	1543	3022	6400	6625	25653
Total Net Outstanding	1730	1680	1581	1524	1684	1585	3052	6462	6645	25943
%	1.27%	2.68%	1.71%	2.49%	0.24%	2.65%	0.98%	0.96%	0.30%	1.12%