

Statement of Common Ground
Portsmouth City Council & Havant Borough Council

July 2024



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1. Introduction

What is a Statement of Common Ground?

- 1.1 This Statement of Common Ground (SCG) is a jointly agreed statement between Portsmouth City Council (PCC) and Havant Borough Council (HBC). It sets out the position and understanding with respect to key cross boundary strategic issues between the two authorities. It is not binding on either party but sets out a clear and positive direction to inform ongoing strategy and plan making. It should be noted that this is a bilateral agreement between these two authorities only. It supersedes the SCG between PCC and HBC dated February 2021.
- 1.2 The Planning and Compulsory Purchase Act 2004 introduced the Duty to Cooperate which placed a legal duty on local planning authorities, and other prescribed bodies to engage constructively, actively and on an ongoing basis to develop development plan documents, in respect of strategic matters. The Levelling Up and Regeneration Act (LURA) was enacted in November 2023. When its secondary legislation is implemented, the Duty to Cooperate will be removed. Until such time the Duty to Cooperate remains in place. Both parties are committed to compliance with existing legislation up to the point the process changes.
- 1.3 Section 33A of the Localism Act 2011 specifically relates to strategic matters. Despite the proposed removal of the Duty to Cooperate by the LURA and replacement with an alignment policy, PCC and HBC agree on the importance of continuing to work on their strategic cross boundary issues.
- 1.4 This SCG has been prepared in accordance with the NPPF and the guidance¹ prepared by the Planning Advisory Service (PAS) on this matter. It has been prepared in parallel with both the emerging Havant Borough Local Plan (Regulation 18), acknowledging the early stage of preparation with a draft plan not yet available, and Portsmouth Pre-Submission Local Plan (Regulation 192), which is at a comparatively more advanced stage.

What does this document include?

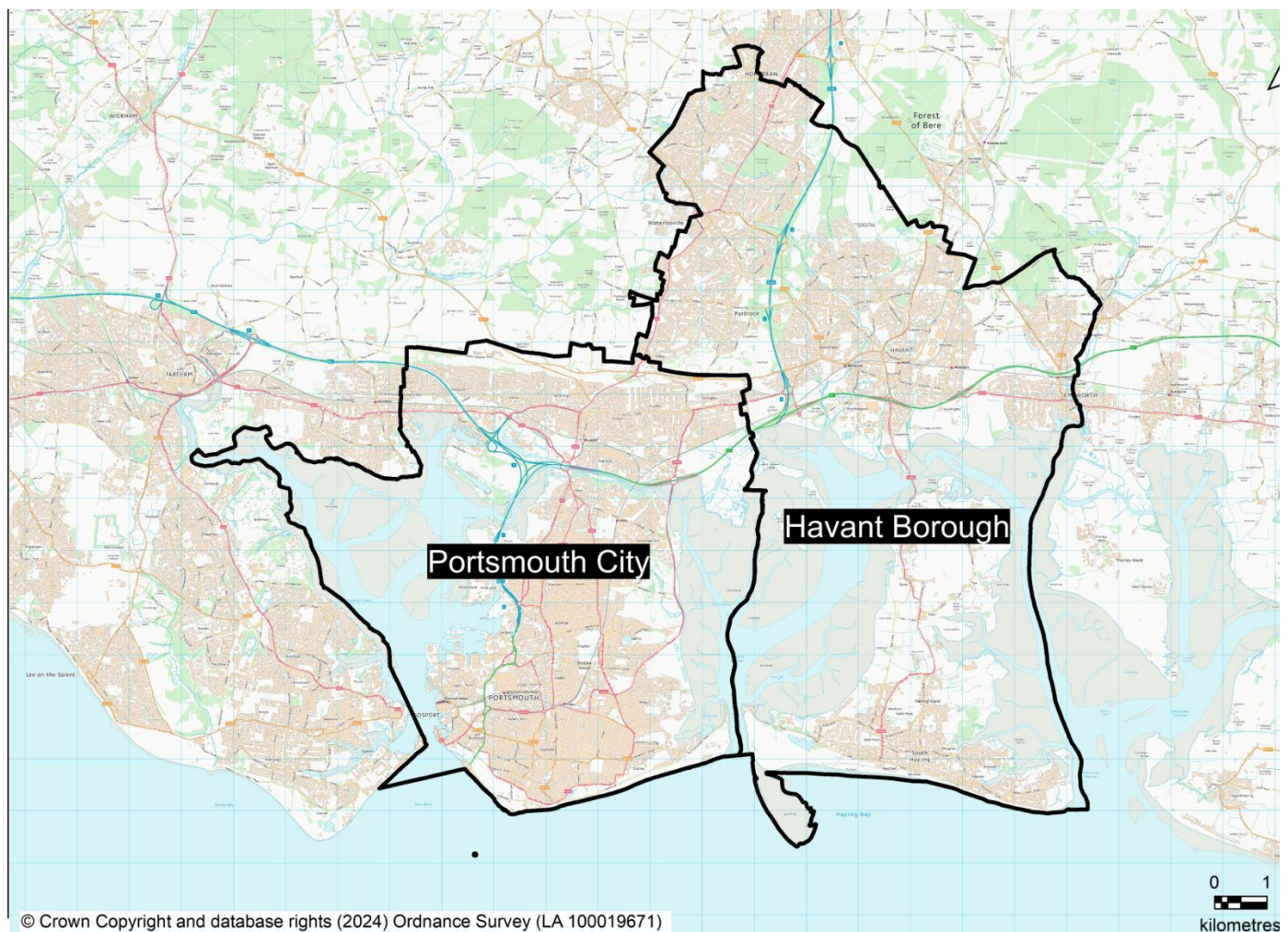
- 1.5 Section 2 outlines the strategic geography of Portsmouth City and Havant Borough Council.
- 1.6 Section 3 sets out the key cross boundary strategic issues addressed by this SCG with an agreed position between the two Councils on each issue.

¹ <https://www.local.gov.uk/sites/default/files/documents/simple-guide-strategic-pl-557.pdf>

² <https://www.legislation.gov.uk/ukxi/2012/767/regulation/19/made>

2. Strategic Geography

- 2.1 Portsmouth City lies adjacent to the Solent on the southern coast of England. The majority of the City's landmass is on Portsea Island and therefore it has a unique geographic location and relationship to the sea. The authority comprises approx. 40.1 square kilometres and is home to approximately 208,100 people, with a population density higher than some parts of London.
- 2.2 The Borough of Havant is located on the coastal plain between the South Downs and the Solent. The authority area comprises approximately 55 square kilometres with a population of 124,208. The borough is made up of five sub areas including Emsworth, Havant, Hayling Island, Leigh Park and Waterlooville.
- 2.3 Havant Borough lies immediately to the northeast of Portsmouth. The Drayton & Farlington ward of Portsmouth borders the Bedhampton and Purbrook wards of Havant.
- 2.4 Portsmouth is constrained in terms of geographical area, with the Solent to the South, the large natural Harbours and the close proximity of the adjoining Borough's and Districts to the north. This limits the space for potential development in the City largely to brownfield land. Most of the brownfield sites in the City have significant constraints such as contamination, historic structures and complicated ownership.
- 2.5 Havant Borough is mainly urban in nature though there are some areas which are more rural in character, notably that of Hayling Island. Havant Borough shares a large proportion of the constraints which also affect Portsmouth City, being a small, already densely built up urban area with little growth potential and significant constraints affecting potential development sites. Chichester Harbour National Landscape encompasses the eastern edges of Hayling Island and the southern part of Emsworth. The northern part of the Borough adjoins and falls within the setting of the South Downs National Park. The least constrained areas in Havant Borough are already identified for development, including the Dunsbury Park which is part of the Solent Freeport and Havant Thicket Reservoir which serves a sub-regional infrastructure function as a new reservoir.
- 2.6 Portsmouth City Council and Havant Borough Council both fall within the Portsmouth Housing Market Area and Functional Economic Market Area in their entirety.



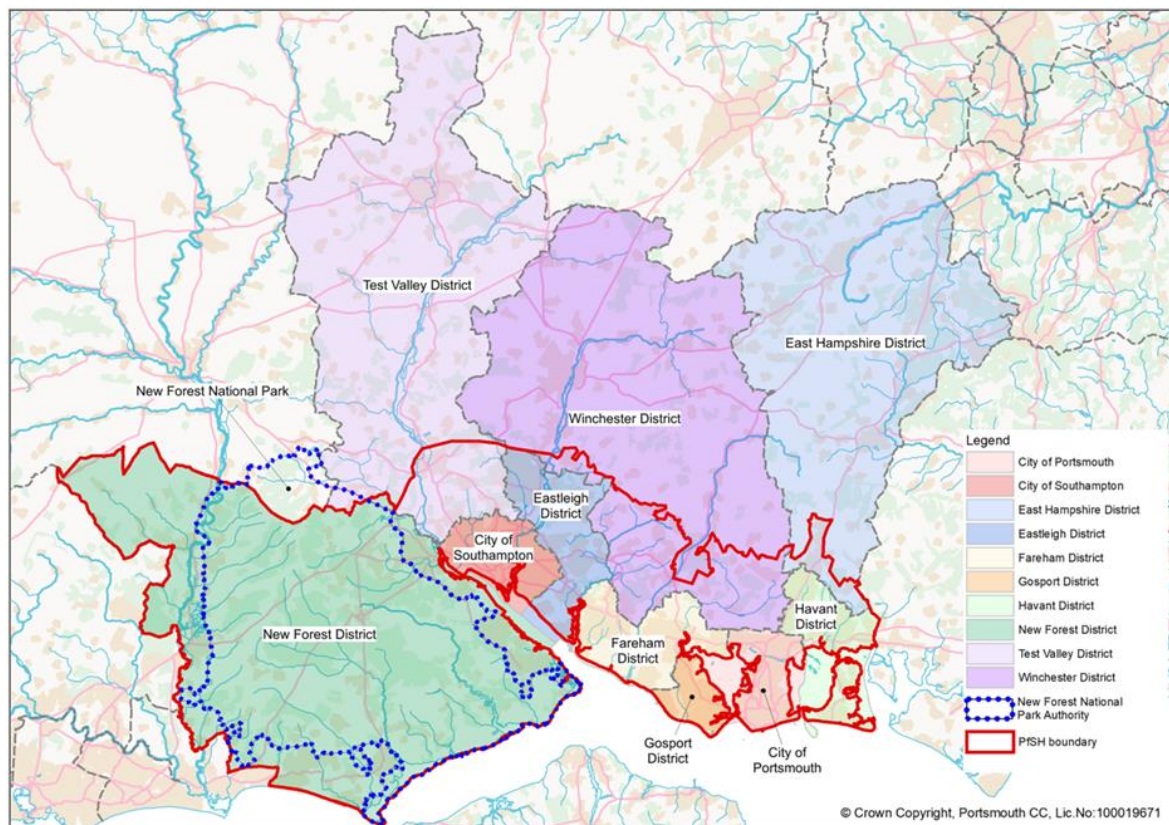
Map 1: Map of Portsmouth City and Havant Borough

Geography and shared issues

- 2.7 The City of Portsmouth and the Borough of Havant share a boundary on the eastern side of the City / western side of the Borough. Langstone Harbour acts as a natural gap between the majority of the City (Portsea Island) and the southern part of the Borough (Hayling Island). The mainland part of Portsmouth (Cosham / Drayton / Farlington) is well connected to Havant Borough, both to Havant Town / Bedhampton and to Waterlooville. The urban area of the City and Borough is in effect contiguous, with only Portsdown Hill acting as separation between the two areas and the presence of good connections by both road and public transport.
- 2.8 This geography informs the shared issues faced by the City and Borough in planning for their futures. Finding new land for housing and employment is key to both authorities, which face similar geographical constraints. As adjoining local authorities the impact of new development is felt across the boundary and so transport, and Habitat Regulations Assessment including air quality, nitrates and recreational disturbance are key issues addressed in this Statement of Common Ground.
- 2.9 Portsmouth City Council is a significant landowner in the Borough of Havant with large areas of Council housing at Leigh Park and Wecock Farm. Portsmouth City Council is also the landowner of Dunsbury Park which is part of the Solent Freeport (this is considered in further detail below). The City Council is also bringing forward several housing sites on land it owns in Havant Borough, these sites will help to deliver housing within the wider HMA.

Partnership for South Hampshire

2.10 Portsmouth City and Havant Borough are active members of the Partnership for South Hampshire (PfSH), which was originally formed in 2003 as the Partnership for Urban South Hampshire (PUSH). It is a partnership of district and unitary authorities, together with Hampshire County Council and the New Forest National Park Authority, working together to support the sustainable growth of the South Hampshire sub-region. The area covered by PfSH and the authorities involved is shown in figure 1.



Map 2: Partnership for South Hampshire Sub-Region

2.11 The Partnership has a strong track record in collaborative working to achieve common goals in South Hampshire. The Partnership was heavily involved in the production of a sub-regional strategy for development that formed part of the South East Plan. This strategy was tested through public examination and when adopted by the Secretary of State, formed part of the development plan at that time and informed the production of local plans.

2.12 The ethos of collaborative cross boundary working continued in South Hampshire after the abolition of regional planning and the revocation for the South East Plan in 2013. As well as joint working between member authorities, PfSH works with partner agencies in the sub-region and Government departments to deliver joint strategies and pool resources. PfSH has successfully developed a number of innovative solutions to challenging issues and thus unlocked development in the sub-region whilst recognising its constraints. The PfSH Spatial Position Statement³ was approved by the Partnership's decision making body, the Joint Committee, in December 2023. It aims to provide guiding principles for local plans to help deliver sustainable development within South Hampshire. It should be noted that it is not a statutory upper tier plan with which future local plans will need to conform. It does, however, help inform the preparation and strategic co-ordination of local plans under the duty to cooperate.

³ <https://www.push.gov.uk/work/planning-and-infrastructure/push-position-statement/>

3. Key Cross boundary 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. It should be noted that all the figures relate to the plan period for the Portsmouth Local Plan of 2020-2040.

Housing

Portsmouth City Council's Position

Housing Need	Housing Supply	Unmet need
17,980 2020-40	13,603	• 4,377 • 800 from FBC • 3,577 outstanding
899 per year	680 per year	• 219 per year

3.2 Portsmouth City Council has recently prepared its Regulation 19 Local Plan for consultation. The Plan is currently expected to go out to consultation in summer of 2024 and be submitted to the Secretary of State for examination in Autumn 2024. The Local Plan will cover the period to 2040.

3.3 The standard method sets a housing need of 899 homes per year for the City. The City Council commissioned a Housing and Economic Development Needs Assessment (HEDNA), which forms part of the evidence base for the Local Plan.

3.4 Based upon the assessment carried out through the HELAA the Local Plan has set a housing target for Portsmouth of 13,603 new homes from 2020 to 2040 or approximately 680 new homes per year. This figure is a 'capacity-based' target based on the level of housing that can be realistically achieved within the plan period having regard to Portsmouth's constraints, land availability, and development capacity. Nevertheless, the Council has sought to leave 'no stone unturned' in robustly and positively identifying all sources of potential housing supply, whilst being pragmatic in its assessment of delivery from permitted sites and HELAA sites through the application of a 'non-implementation discount'.

3.5 Whilst the housing target does not meet the standard method housing need in full, it does meet and exceed the level of housing need that may actually exist as assessed through the HEDNA of up to 655 dwellings per annum (if solely using the trend-based population projections) or the range of 431 to 634 dwellings per annum (if set against job-growth scenarios). The NPPF states that the outcome of the standard method is an advisory starting point for establishing a housing requirement. The City Council therefore considers that the housing target set in the emerging Local Plan as both justified and consistent with Government policy.

3.6 The City Council has an unmet housing need of 4,377 dwellings against its housing need. The City Council has written to its immediate neighbours (Gosport Borough Council, Havant Borough Council, Fareham Borough Council, East Hampshire District Council and Winchester City Council) to ascertain if they are able to accommodate its unmet need. Fareham Borough Council confirmed through its Local Plan that it would accommodate 800 dwellings of the City's unmet need.

Havant Borough Council's Position

3.7 Following the withdrawal of Havant Borough's previous Local Plan from examination in March 2022, HBC is producing a new Local Plan. The Council carried out a Regulation 18 consultation focused on key issues in 2022 and intends to carry out a further Regulation 18 consultation on a Draft Local Plan in Q4 of 2024.

3.8 The Council undertook a comprehensive review of the Borough's need and supply in October 2023 which indicates there is likely to be unmet need arising from Havant Borough in the region of 4,000 homes based on a plan period of 2022/23-2042/43. The Borough Council has written to its immediate neighbours (Chichester District Council, East Hampshire District Council, Portsmouth City Council, the South Downs National Park Authority, and Winchester City Council), and other authorities (Fareham Borough Council and Gosport Borough Council) falling within the same Housing Market Area (HMA) to ascertain if they are able to accommodate its unmet need.

3.9 Havant Borough Council is unable to assist with unmet housing need arising from Portsmouth City, given that Havant Borough is unable to meet its own housing need.

Housing Need	Housing Supply	Unmet need
10,320 (516 dpa) ⁴	6,011	4,309

Agreed Position

3.10 The two authorities note the respective positions on housing need and supply. It is agreed that neither authority is in a position to assist their counterpart with accommodating unmet need arising out of each Local Plan. Both authorities will continue to work through PfSH to address the wider need for housing in the HMA.

Employment

Portsmouth City Council's Position

3.11 The following employment figures are set out in the Pre-Submission Portsmouth Local Plan, which is set for consultation in May 2024:

Employment Need	Employment Supply	Unmet need
138,800 sqm	138,429 m ²	0

3.12 Much of the evidence on economic development that supports the Local Plan both in regard to the need and the supply of employment land is provided by the HEDNA. This analysed the outlook for employment growth up to 2040 in Portsmouth and the results of the analysis were used to inform the employment floorspace and land needs forecasts.

3.13 Drawing the need (42,500m²) and supply (58,645m²) positions from the HEDNA and HELAA together there is indication of a potential small over-supply of office floorspace subject to a more pronounced return to office usage in the future. The position in terms of combined manufacturing, warehousing and research and development need (96,300m²) and supply (79,784m²) is that there is a small under-supply. It should be noted that there is flexibility between the E class uses of offices and research and development. Overall, it is considered that the need for employment floorspace is met by the available supply in the City. Whilst there is a small under-supply in manufacturing, warehousing and research, this is balanced overall with a similar over-supply in office floorspace.

⁴ The standard method calculation of 516 dwellings per annum (dpa) is used from 2022, though the standard method need calculation for 2024 is 512 dwellings per annum prior to the publication of the 2023 affordability ratio which is due to be published in March 2024. The former is used as a worst-case scenario.

Havant Borough Council's Position

3.14 The Council has commissioned an Employment Land Review which is nearing completion. This will confirm whether the Borough has sufficient employment land to meet its own development needs or will need to formally request assistance from its neighbours to accommodate any unmet need. Havant Borough Council will keep Portsmouth City Council up to date on the progress of this study.

3.15 Dunsbury Park is currently allocated as a strategic employment site within the north of Havant Borough, close to junction 3 of the A3(M). The strategic site is within the ownership of Portsmouth City Council and was designated as a Freeport Tax site as part of the Solent Freeport in March 2022. The site continues to be promoted by PCC as a strategic employment site through the Havant Borough Local Plan.

Agreed Position

3.16 The two authorities will continue to work together on cross boundary employment including in regard to Dunsbury Park. This Statement of Common Ground will be updated pending the publication of HBC's ELR.

Transport

Portsmouth City Council's Position

3.17 The majority of Portsmouth is located on Portsea Island which has three road and one rail link to the mainland. Portsmouth is home to an international ferry port with connections to the Continent and Channel Islands, as well as links to the Isle of Wight by ferry and hovercraft. As a unitary authority Portsmouth is also the Transport Authority and adopted its Local Transport Plan 4 (LTP4) in October 2021 which details the Council's vision for travel in Portsmouth until 2038. In February 2024 Portsmouth City Council received their Strategic Transport Assessment. The study identified a number of junctions where congestion issues were expected. Seven road junctions in the city were identified for mitigation. The results of modelling show that the preferred mitigations generally impact the trip distribution across the Portsmouth network positively. The road junction that most impacts commuters and residents of Havant Borough is the junction of the Havant Bypass (A27) and Eastern Road (A2030). The study shows that there will be a minor increase in delay on some of the arms of this junction, but due to physical constraints there are not any additional mitigation measures that can be undertaken. However, wider planned measures to increase the use of public transport are expected to reduce some demand on the SRN and on traffic travelling north/south into and out of the City. The Strategic Transport Assessment also considered the impact of development beyond the city boundaries, including Havant, but did not identify any specific impact on Havant and that no mitigation in Havant Borough was considered necessary.

3.18 The Portsmouth LTP4 sets out our priorities towards sustainable travel such as cycling, walking and public transport, which will help us to develop cleaner air and healthier lifestyles for everyone who lives, works, visits and studies here.

3.19 The City Council has undertaken a Transport assessment that shows that the preferred mitigations included in the study generally impact the trip distribution across the Portsmouth network positively.

Havant Borough Council's Position

3.20 Havant Borough Council is at a fairly early stage of the Local Plan process and has yet to identify a preferred spatial strategy and a pool of preferred growth locations. As such, these have yet to be tested alongside Portsmouth City Council's development strategy. The additional impact of development on the highway network is not yet fully known and mitigated. HBC recognises that a Reg19 Local Plan will not be published for some time and Portsmouth is not in a position to delay its Local Plan until HBC's development strategy is clearer.

Agreed Position

3.21 Both parties agree that there is a need for collaborative working to discuss cross-boundary transport issues, particularly with any delay at the junction of the Havant Bypass (A27) and Eastern Road (A2030).

3.22 The two Authorities have good road (in the form of the A27, A2030 and London Road), bus and rail links and many people live in one authority area and work in the other. The Portsmouth Transport Assessment confirms that there will not be a materially significant impact on the transport network serving the two areas. The two authorities will work together and with Hampshire County Council to promote improved sustainable transport connections.

Habitat's Regulation Assessment (Air Quality / Nitrogen)

Portsmouth City Council's Position

3.23 The Appropriate Assessment undertaken as part of the HRA for Regulation 19 highlighted that areas of saltmarsh are the only habitat that could be subjected to increased nitrogen deposition as a result of two-way commuter traffic associated with the PLP. One of these areas falls within Havant Borough and is identified as being potentially sensitive to atmospheric pollution:

- Approx. 36m from the A27 / A3 interchange in the Chichester and Langstone Harbours SPA/Ramsar.

3.24 Following detailed assessment paragraph 7.21 of the Portsmouth City Council Habitat Regulations concluded that: 'For Chichester & Langstone Harbours SPA/Ramsar site traffic growth is associated with growth across southern England, given the regionally strategic nature of the A27 as one of the busiest trunk roads in the UK, rather than by local growth, and that the forecast effect of the Portsmouth Local Plan is insignificant (slowing the forecast rate of improvement in nitrogen deposition by less than a year).'

Havant Borough Council's Position

3.25 HBC notes the findings of the Appropriate Assessment undertaken to inform the Portsmouth Plan and the nitrogen deposition on saltmarsh habitat associated with the Chichester and Langstone Harbours SPA/Ramsar.

Agreed position

3.26 The two authorities will continue to work closely together, with other partners to monitor and respond to any identified air quality impacts upon the SPA / Ramsar.

Nutrient Neutrality

Portsmouth City Council's Position

- 3.27 PCC approved its updated Interim Nutrient Neutral Mitigation Strategy for New Dwellings, in 2022. The Strategy to date focused on the use of mitigation credits largely accumulated from water efficiency upgrades to the Council's housing stock to ensure there is no net increase in nitrogen output from the City. The credits created through water efficiency measures have been used to create a credit bank the council uses to enable housing delivery in the City.
- 3.28 The Council has also purchased credits to enable the equivalent to approximately 1,000 dwellings worth of credits from the Hampshire and Isle of Wight Wildlife Trust (HIOWWT). The HIOWWT has developed a nature-based solution to provide nitrogen mitigation. The City Council is also working closely with PfSH to ensure future long term nitrate credit delivery.

Havant Borough Council's Position

- 3.29 HBC has a Position Statement and Mitigation Plan for Nutrient Neutral Development which sets out how development proposals should address the issue. Only planning applications for 15 dwellings or less (net) or are regeneration projects in Havant Borough are able to access the Council's strategic mitigation scheme at Warblington Farm. However the market for private sector mitigation has now flourished to the point where there is sufficient supply for the East Hampshire catchment for at least five years. Larger new developments in Havant Borough will therefore be expected to use third party mitigation schemes such as Warnford Park to ensure their development is nutrient neutral.

Agreed Position

- 3.30 The Solent authorities have an established history of addressing cross-boundary HRA matters positively, finding solutions which enable development to take place whilst not adversely affecting the Solent's designated sites. The two authorities will continue to work together through PfSH and to identify cross-boundary HRA issues and establish strategic solutions.

4. Conclusions regarding the legal compliance of the Portsmouth Local Plan

- 4.1 Both parties agree that this statement is an accurate representation of matters discussed and issues agreed upon.
- 4.2 Portsmouth City Council and Havant Borough Council have a strong history of collaboration, both bilaterally and multilaterally through PfSH. This has informed the development of Portsmouth's Local Plan. Both parties agree that the Duty to Cooperate is considered met between the two authorities.
- 4.3 Both parties agree that there are no substantial areas of disagreement between the parties relating to either the emerging Havant Borough Local Plan and Portsmouth Local Plan and will both continue to work proactively on the key strategic cross boundary issues identified in this SCG.

	Signed:	Signed:
	Name: Ian Maguire	Name: Alex Robinson
	Position: Assistant Director of Planning & Economic Growth	Position: Executive Head of Place
	Portsmouth City Council	Havant Borough Council
		
	Date: 12 July 2024	Date: 10 July 2024

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