



Submission Surrey Heath Local Plan
(2019 – 2038)

STATEMENT of COMMON
GROUND SCG011

with Guildford Borough Council



October 2024

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I. Introduction

- I.1. This Statement of Common Ground (SCG) has been prepared jointly between **Surrey Heath Borough Council (SHBC)** and **Guildford Borough Council (GBC)**. It sets out the agreed position as at October 2024 in relation to relevant cross boundary strategic planning matters and particularly the needs of Gypsies and Travellers and Travelling Showpeople. It has been prepared to support the Submission Surrey Heath Local Plan (2019 – 2038) (Local Plan) and has been agreed by both SHBC and GBC and demonstrates ongoing co-operation between the two Parties in line with the requirements set out below.
- I.2. Under Section 33A of the Planning and Compulsory Purchase Act 2004 (as amended by Section 110 of the Localism Act 2011) and in accordance with paras. 24-27 of the National Planning Policy Framework (NPPF 2023), it is a requirement under the duty to cooperate for a local planning authority to engage constructively, actively and on an ongoing basis in the preparation of development plan documents and other documents. This is a test that local authorities need to satisfy prior to the local plan examination stage and is an additional requirement to the test of soundness.
- I.3. The duty to cooperate applies to strategic cross boundary matters (those that might apply are set out in para. 20 of the NPPF). The statutory requirements of the duty to co-operate are a legal obligation although it is not a duty to agree. Co-operation should produce effective and deliverable policies on strategic cross boundary matters in accordance with national planning policy, as further explained in National Planning Practice Guidance (NPPG).
- I.4. The Council published a Duty to Cooperate Statement of Compliance, July 2024 alongside the Pre-Submission Surrey Heath Local Plan setting out how the duty had been met to date. An update to this Duty to Cooperate Statement has been prepared for Submission of the Surrey Heath Local Plan setting out how the Council has continued to engage with relevant duty to cooperate bodies since July.



2. Background

2.1. Guildford Borough adjoins the southern boundary of Surrey Heath. Like Surrey Heath it has significant areas designated as Green Belt and is also affected by the Thames Basin Heaths Special Protection Area. There are a range of potential strategic cross boundary matters that affect the two authorities. The Surrey Heath Duty to Cooperate Scoping Framework identifies all strategic cross boundary matters as being relevant.

- Matter 1: Meeting Housing Needs
- Matter 2: Gypsies and Travellers and Travelling Showpeople
- Matter 3: Economic Growth
- Matter 4: Thames Basin Heaths Special Protection Area
- Matter 5: Natural and Historic Environment and Green Belt
- Matter 6: Flooding
- Matter 7: Transport
- Matter 8: Social Infrastructure
- Matter 9: Utilities
- Matter 10: Climate Change

2.2. GBC adopted their Local Plan: Strategy and Sites 2015 – 2034 in April 2019 and the Guildford Local Plan: Development Management Policies in March 2023. In February 2024 a decision was made by the Council that the Local Plan: Strategy and Sites needed to be updated. Details on scope, budget and timetable are still to be agreed.



3. Cooperation to date

Record of engagement

- 3.1. Table 6 of the Council's Duty to Cooperate Compliance Statement, July 2024 and subsequent Duty to Cooperate Statement of Compliance Update together set out cooperation with each relevant duty to cooperate body during the Plan making process. In summary, engagement with GBC has entailed:
- June 2018 - Consultation on the Surrey Heath Local Plan Issues and options;
 - December 2020 - Letter to GBC regarding potential unmet housing needs and the need for Suitable Alternative Greenspace (SANG) capacity;
 - October 2021 – Letter to GBC regarding identified unmet general housing needs and unmet gypsy and traveller and travelling showpeople needs and whether GBC is able to help meet those needs and GBC response;
 - Spring and Summer 2022 Draft Regulation 18 Local Plan consultations;
 - Spring and Summer 2022 – GBC response to Draft Local Plan consultations;
 - August 2022 – Letter to GBC regarding meeting unmet Gypsy and Traveller and Travelling Showpeople Needs and GBC response;
 - October 2022 – virtual officer meeting;
 - September 2023 – Briefings attended by GBC on the Strategic Highway Assessment Report (SHAR) and Gypsy and Traveller and Travelling Showpeople needs;
 - September 2023 – draft SHAR sent to GBC for comment;
 - October 2023 Letter sent to GBC regarding unmet Gypsy and Traveller and Travelling Showpeople Needs and GBC response;
 - June 2024 – Virtual officer meeting;
 - July 2024 – Letter from SHBC Portfolio Holder to GBC Portfolio holder regarding help with unmet Gypsy and Traveller and Travelling Showpeople Needs;
 - August 2024 GBC response to July Portfolio letter;
 - August 2024 – Publication of the Surrey Heath Pre-Submission Local Plan;
 - September 2024 – GBC response to the Pre-Submission Local Plan;
 - October 2024 – virtual officer meeting to discuss Pre-Submission representations and the Statement of Common Ground.
- 3.2. In addition to the above, GBC is part of the Thames Basin Heaths Joint Partnership Board and Surrey Planning Working Group.



- 3.3. In response to letters referenced above regarding unmet housing needs and unmet Gypsy and Traveller and Travelling Showpeople needs, GBC identified that they were unable to meet any unmet needs arising from Surrey Heath.

Regulation 18 Representations

- 3.4. GBC responded to the Draft Surrey Heath Local Plan Regulation 18 and to the Gypsy and Traveller Additional Site Allocations consultations in 2022. Fuller summaries of the representations along with SHBC's response can be found in Appendices 4 and 5 to the Consultation Statement, July 2024.
- 3.5. Key cross boundary matters raised by GBC were:

Draft Surrey Heath Local Plan (2019 – 2038)

- GBC supports the housing requirement proposed including for provision to be met within Hart District.
- Questions whether a target for Gypsy, Traveller and Travelling Showpeople accommodation should be included in Policy SS1.
- Recommends that within Policy H9 Rural Exception sites the Council includes affordable accommodation for gypsies and Travellers not meeting the Planning Policy for Traveller Sites (PPTS) definition.
- Welcomed the production of the Gypsy and Traveller Accommodation Assessment (GTAA), 2020 but is concerned that insufficient sites are allocated to meet identified needs which may result in cross boundary impacts.
- Suggest there may be an opportunity to include specific allocations of pitches and plots within some of the proposed site allocations, and that exceptional circumstances may exist to justify amending Green Belt boundaries.
- Consider it is also important to work towards meeting the needs of households that do not meet the definition in the PPTS.
- Surrey Heath should also meet the needs for Travelling Showpeople plots as plots in Guildford Borough are to meet needs arising in that Borough.
- Suggest additional reference to the forthcoming Local Cycling and Walking Infrastructure Plan in Policy IN2: Transportation.

Gypsy and Traveller Additional Site Allocations

- Pleased to see further steps to meet needs being taken but concerned that the allocations could only meet the first five years of need and no broad locations identified for later plan periods.



- GBC are concerned that if needs are not met there will be cross boundary impacts with GBC.
 - Note that no provision has been made for the need of travellers who don't meet the PPTS definition.
- 3.6. In response to the above amendments were made reflecting GBC's comments in relation to Policies H9 and IN2.
- 3.7. With regards to meeting the needs of Gypsies and Travellers and Travelling Showpeople, SHBC has set out through letters, duty to cooperate meetings and briefings, the challenges in finding sufficient sites to meet identified needs. This has included approaching neighbouring authorities on a number of occasions to see if they could help provide for any unmet needs. In the absence of sufficient identified sites to meet needs, the Council has amended a number of Policies including Policy H9 and H11 Gypsies and Travellers and Travelling Showpeople to provide a more permissive approach that encourages unallocated sites to come forward to meet future needs.
- 3.8. As noted in the Outcomes of the June 2024 officer meeting below, GBC has welcomed this approach whilst noting there remains an unmet need.
- 3.9. In June 2024 a virtual officer meeting was held to discuss the representations made by GBC on the Draft Local Plan and the emerging Pre-Submission Local Plan. The outcomes of this meeting summarise the agreed position on strategic cross boundary planning matters prior to pre-submission.

Outcomes - SHBC and GBC virtual officer meeting 11 June 2024

- SHBC updated GBC on their Local Development Scheme;
- GBC highlighted that the authority reviewed current Local Plan part 1 which is now 5 years old and a decision has been made that it requires updating;
- In relation to the forthcoming publication of the Surrey Heath Local Plan Pre-submission version, it was noted that:
 - ◆ no unmet needs for housing supply in Surrey Heath, as shortfall has been agreed to be addressed via agreement with Hart DC;
 - ◆ no request from SHBC for GBC to support Surrey Heath in supply of employment floorspace, as residual forecast need for industrial and logistics floorspace is relatively modest and residual forecast need for office floorspace is not considered to be representative of actual market demand;
 - ◆ no request from SHBC for SANG capacity to be provided by GBC;



- ◆ whilst it is recognised that there are unmet needs, the flexible Policy approach explained in the Gypsy and Traveller and Travelling Showpeople briefing is welcomed;
 - ◆ Transport Assessment concluded that there are no significant adverse effects on the highways network in Guildford, arising from Surrey Heath site allocations;
 - ◆ Habitat Regulations Assessment including Appropriate Assessment, concluded no adverse impact on the Thames Basin Heaths SPA;
 - ◆ SHBC and GBC agreed that at the current time there are no outstanding cross boundary issues that would affect the SHLP, with the exception of meeting needs for Gypsy and Travellers;
- A Statement of Common Ground will be drafted later in 2024 [this document], prior to Submission of the Local Plan.



4. Pre-Submission Surrey Heath Local Plan Representations

- 4.1. Table I below sets out a summary of the representations raised by GBC to the Pre-Submission Local Plan and SHBC’s response. These were discussed at a virtual meeting on 15th October 2024.

Table I: GBC pre-Submission Representations

GBC Representation	SHBC Response
<p>Policy SSI: Spatial Strategy</p> <p>Supports the positive approach taken to meet Local Housing Needs (LHN) in full with an additional buffer in supply.</p> <p>Experience from the Guildford Local Plan: Strategy and Sites 2019 is that sites are often delayed and if one does not have a sufficient buffer then there is a significant risk that the authority will be unable to demonstrate a rolling five year supply.</p> <p>Notes that the LHN is significantly fewer than is being proposed through the Government’s proposed revisions as part of the NPPF consultation. Understand that SHB is intending to submit under transitional arrangements which would enable the examination to occur under the existing NPPF.</p>	<p>Support noted.</p> <p>Confirm that SHBC is intending to submit under the transitional arrangements allowing the plan to be examined under the NPPF 2023.</p>



GBC Representation	SHBC Response
<p>Policy H11: Gypsies and Travellers and Travelling Showpeople</p> <p>Recognise the extensive efforts made in seeking to meet needs, albeit these efforts appear to have yielded limited positive results to date and thus a somewhat concerning potential shortfall of sites.</p>	<p>SHBC notes the response from GBC and would reiterate the extensive work that has been undertaken to seek to identify suitable sites to meet needs. This has included a number of letters to adjoining local authorities to ask whether any other authority is able to help meet unmet needs, and holding a briefing session for local authorities to set out the work undertaken and the inclusion of a more flexible policy approach to determine future applications. It is not proposed that any changes are made as a result of these comments.</p>



5. Outcomes

5.1. Officers held a virtual meeting on 15th October 2024. The key outcomes of this meeting were:

- Update on the Surrey Heath Local Plan timetable;
- Constructive discussion on the GBC Pre-Submission representations and clarification on GBC's response on Gypsies, Travellers and Travelling Showpeople, which confirmed that GBC did not consider that any changes were expected as a result of the comments made.
- Agreement in principle to an updated SCG.



Signatories

Guildford Borough Council	
Name	Stuart Harrison
Position	Planning Policy Lead
Date Agreed	18 October 2024
Signature	

Surrey Heath Borough Council	
Name	Gavin Chinniah
Position	Head of Planning, Housing, Corporate Enforcement and Parking (interim)
Date Agreed	18 th October 2024
Signature	

