



Draft Surrey Heath Local Plan:  
Preferred Options (2019 – 2038)

Duty to Co-operate  
Statement of Compliance

March 2022



March 2022

Surrey Heath Borough Council  
Knoll Road, Camberley GUI5 3HD  
[planning.consultation@surreyheath.gov.uk](mailto:planning.consultation@surreyheath.gov.uk)



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## 1. Introduction

- 1.1. The purpose of this Draft Statement of Compliance is to demonstrate how the Council has met both the legal and soundness requirements of the Duty to Co-operate in the production of the Surrey Heath Local Plan 2019 – 2038 to date. It is being published alongside the Draft Surrey Heath Local Plan: Preferred Options (2019 – 2038) document which is the subject of consultation from 14 March 2022 to 09 May 2022.
- 1.2. The Statement of Compliance updates that published in 2018 in relation to the Local Plan: Issues & Options/Preferred Approach and will be further updated as plan making progresses. A revised Statement will be published alongside the next version of the Plan in early 2023.
- 1.3. As there is further work still to be undertaken to prepare the next version of the Local Plan, this Compliance Statement also highlights areas of joint working that are still developing, for example the preparation of a Transport Assessment.
- 1.4. Responses to the Preferred Options Local Plan will help to inform the on-going joint working with partners on strategic planning matters relevant to Surrey Heath. Whilst joint working has been taking place with many partners for a number of years, in order to set a 'starting point' for Local Plan purposes, this has been taken as a date just before the first Duty to Co-operate Scoping Report was consulted on which is January 2017. Significant matters agreed before this point are also referenced in this Statement.
- 1.5. In addition to engagement with prescribed duty to co-operate bodies, the Council also engages with many other stakeholders including residents, utility companies and local interest groups. This engagement is in line with local planning regulations and the Council's adopted Statement of Community Involvement 2020. A Statement of Consultation will be prepared to support the next version of the Local Plan.
- 1.6. This Duty to Co-operate Statement should also be read in conjunction with the Statements of Common Ground prepared by the Council with a number of Duty to Co-operate partners. These can be viewed on the local plan evidence base webpage<sup>1</sup> and are discussed in more detail in Section 3 of this Statement.

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<sup>1</sup> <https://www.surreyheath.gov.uk/residents/planning/planning-policy/evidence-base>



## 2. What is the Duty to Co-operate?

- 2.1. In preparing local plans, local authorities must address strategic planning matters that cross administrative boundaries. The duty to co-operate 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 maximise the effectiveness of Local Plan preparation in the context of strategic cross boundary matters.
- 2.2. The duty to co-operate is a legal test that will be examined by a planning inspector when the plan is submitted to government for examination. Therefore, the Council needs to provide robust evidence of the duty to co-operate process. This evidence will need to provide details about those who the Council has co-operated with, the nature and timing of co-operation and how it has influenced the preparation and content of the Local Plan.
- 2.3. The duty to co-operate is not a duty to agree, but the Council must demonstrate that it has made every effort to work closely with identified partners. The duty to co-operate is ongoing and does not end with the adoption of the Local Plan.



### 3. National Legislation and Policy

- 3.1. The Duty to Co-operate is a requirement of the Localism Act 2011 (section 110). This introduces Section 33a into the Planning and Compulsory Purchase Act which requires ongoing collaboration and engagement between neighbouring local authorities and other relevant bodies in the preparation of any development plan and defines the strategic matters which relate to the duty as:
- a) Sustainable development or use of land that has or would have a significant impact on at least two planning areas, including (in particular) sustainable development or use of land for and in connection with infrastructure that is strategic and has or would have significant impact on at least two planning areas; and
  - b) 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.
- 3.2. The Town and Country Planning (England) (Regulations) 2012 sets out a legal test relating to the duty to co-operate and defines the prescribed bodies (in addition to surrounding planning authorities) where the Council is required to engage as part of the Duty to Co-operate. These are defined as:
- The Environment Agency
  - Historic England
  - Natural England
  - The Mayor of London
  - The Civil Aviation Authority
  - Homes England
  - Clinical Commissioning Groups
  - The Office of Rail Regulation
  - Transport for London
  - Each integrated Transport Authority
  - Each Highway Authority within the meaning of section 1 of the Highways Act 1980
  - The Marine Management Organisation
- 3.3. In addition, although not defined in the same way as the organisations listed above, Local Enterprise Partnerships and Local Nature Partnerships are defined in the Regulations as bodies that local authorities have a duty 'to have regard to' so long as those activities are relevant to plan making.



- 3.4. The National Planning Policy Framework 2021 identifies that effective and on-going joint working between strategic policy-making authorities and relevant bodies is integral to the production of a positively prepared and justified strategy. In particular, the duty to co-operate requirements identify the need for authorities to prepare one or more “Statements of Common Ground” (SoCG). The purpose of SoCGs are to show how cross boundary issues have been jointly addressed and how they will be progressed in the future:
- They are a written record of the progress made by strategic policy-making authorities during the process of planning for strategic cross-boundary matters;
  - They document where effective co-operation is and is not happening throughout the plan-making process; and
  - They are a way of demonstrating at examination that plans are deliverable over the plan period and based on effective joint working across local authority boundaries.
  - They form part of the evidence required to demonstrate that a local authority has complied with the duty to co-operate.
- 3.5. This Draft Statement of Compliance should be read in conjunction with the Statements of Common Ground that the Council has prepared as set out below. These will be updated as the Plan progresses.

**Table 1: Agreed Statements of Common Ground**

Reference	SoCG Partner (s)	Key Strategic Planning Matters covered
<b>SCGd 1</b>	Hart District Council	Housing
<b>SCGd 2</b>	Rushmoor Borough Council	Housing
<b>SCGd 3</b>	Bracknell Forest Borough Council	TBHSPA

- 3.6. In addition to the above, the Council is a signatory to other Statements of Common Ground, including, in 2018 with Hart and Rushmoor in relation to their Local Plans and also with Royal Borough of Windsor and Maidenhead, Runnymede and Surrey County Council in relation to strategic cross boundary matters covering a geographical area which included parts of all three local authorities including land in the northeast of Surrey Heath.
- 3.7. In 2021, the Council agreed a Statement of Common Ground with Bracknell Forest Borough prior to the submission of the Bracknell Forest Borough Local Plan covering matters including housing, employment, transport and the TBHSPA.

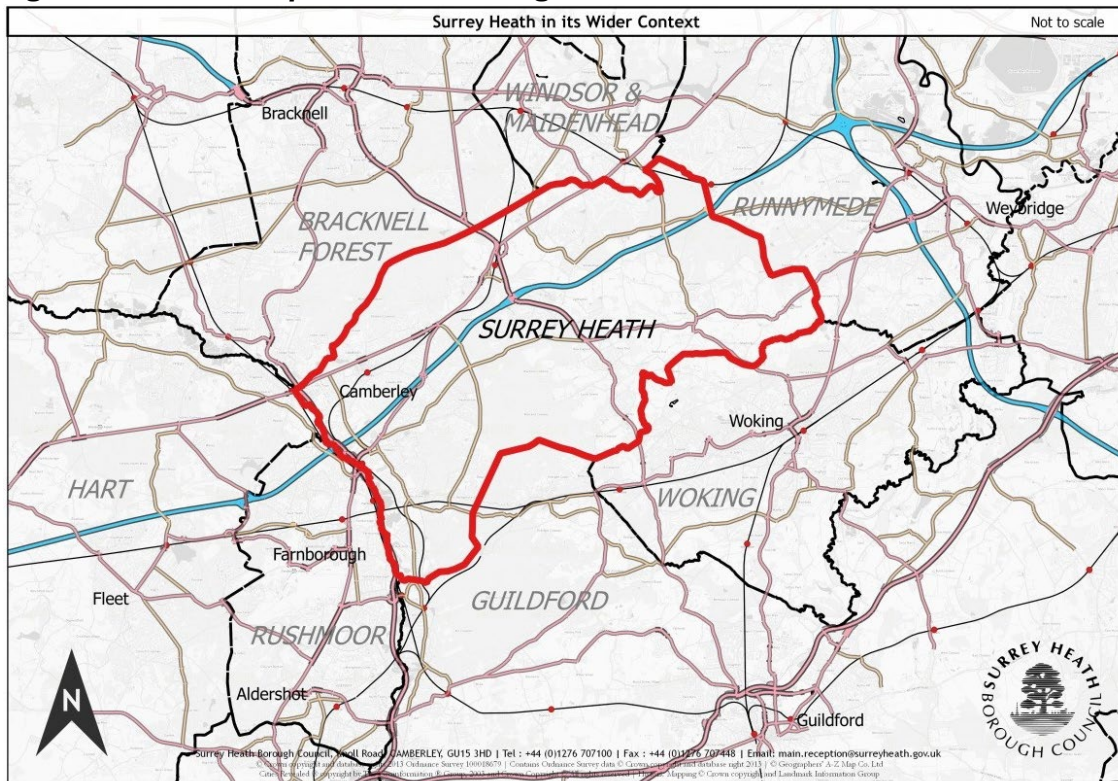


## 4. Surrey Heath Strategic Context

- 4.1. The Borough covers an area of some 9,607 hectares and has a population of just over 89,000. The western half of the Borough is mainly urban in character and comprises a number of settlements with Camberley being the main centre. The eastern half of the Borough is mostly countryside and Green Belt.
- 4.2. The Spatial Portrait set out in the Draft Local Plan sets out the context for the Borough. Some elements of the context within which Surrey Heath sits which are particularly relevant to the Duty to Co-operate are set out below.
- 4.3. Surrey Heath lies in the North West Corner of Surrey and adjoins the counties of Berkshire and Hampshire. It shares boundaries with:
  - Bracknell Forest Borough;
  - The Royal Borough of Windsor and Maidenhead;
  - Runnymede Borough;
  - Woking Borough;
  - Guildford Borough;
  - Rushmoor Borough; and,
  - Hart District.



**Figure 1: Relationship with surrounding local authorities.**

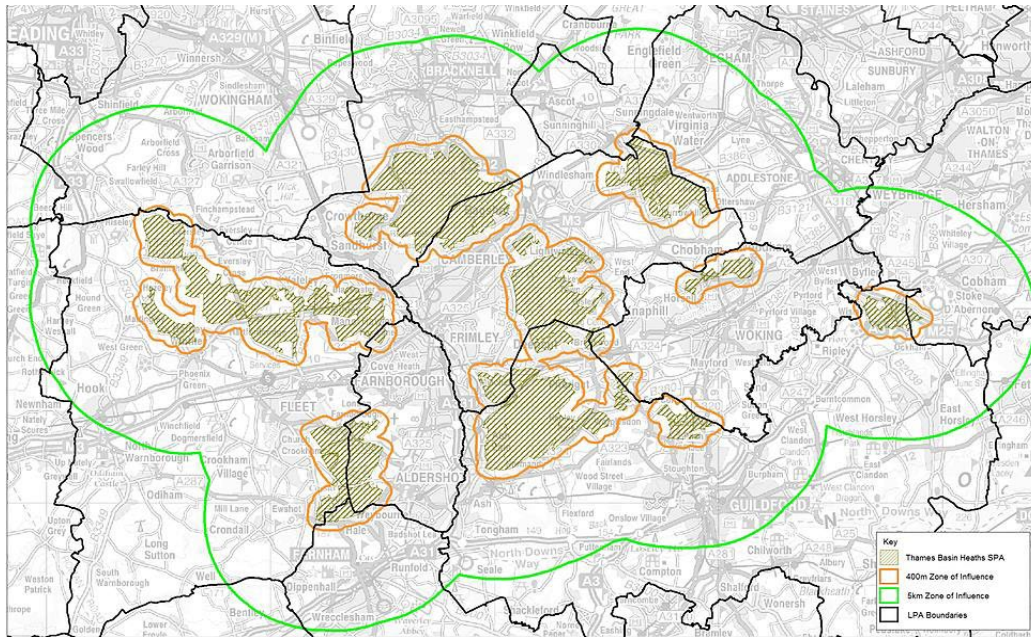


- 4.4. The Borough contains a number of heathland areas recognised as being of international and national importance which form part of the Thames Basin Heaths Special Protection Area (TBHSPA) that extends across other authorities in Surrey as well as Berkshire and Hampshire. 23% of the Borough is covered by the TBHSPA with a further 19% within the 400m exclusion zone around the SPA where no net new residential development is permissible. Furthermore, approximately half of the Borough is designated Green Belt.





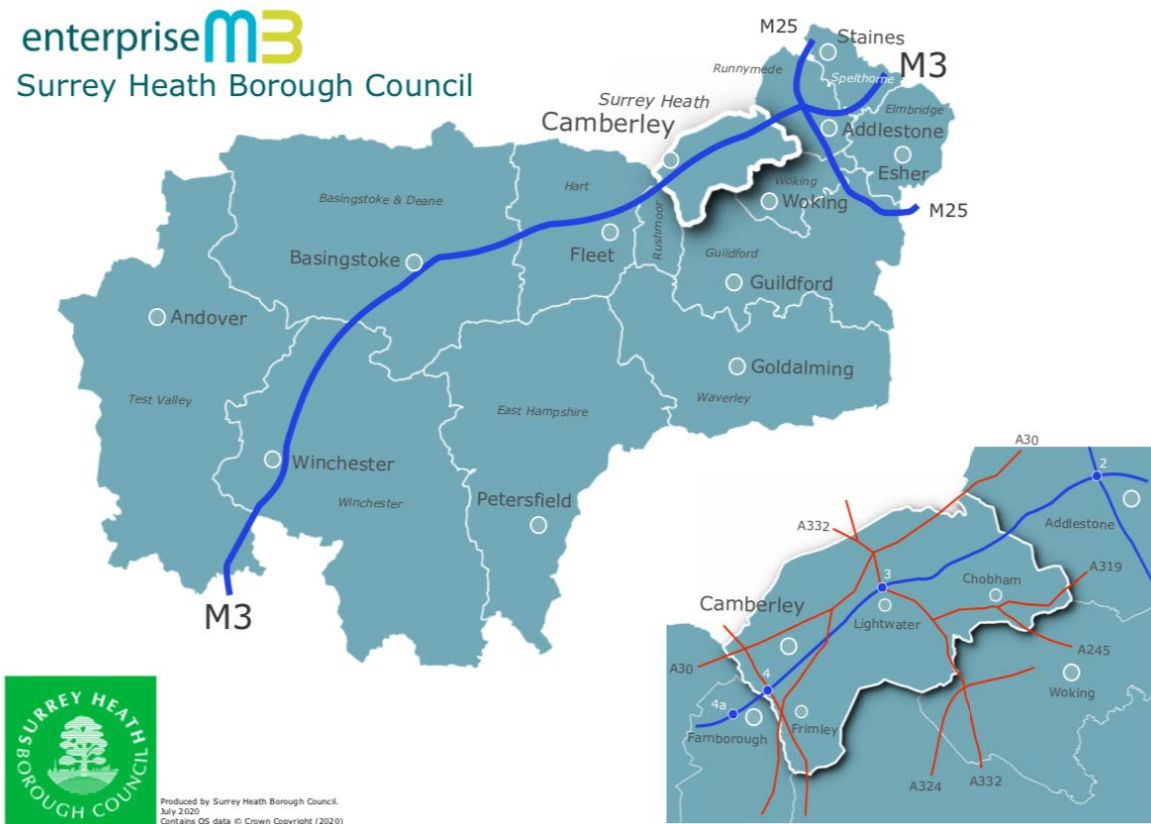
**Figure 2: Thames Basin Heaths Special Protection Area**



- 4.5. Much of the Borough is therefore constrained which impacts on the opportunities for delivering new homes and the need to work collaboratively with other local authorities.
- 4.6. Surrey Heath lies within the Blackwater Valley with the River Blackwater forming the western boundary of the Borough. The Blackwater Valley authorities work closely together on issues including transport, green infrastructure and economic development. Surrey Heath is identified as being within a Housing Market Area and Functional Economic Area with Hart and Rushmoor Councils.
- 4.7. The Borough is located within the Enterprise M3 Local Enterprise Partnership (LEP) area and within the Surrey Nature Partnership Local Nature Partnership (SNYP). Camberley is identified by the LEP as a ‘step – up’ town with latent potential economic growth.



**Figure 3: Surrey Heath and the Enterprise M3 LEP**



- 4.8. The Borough contains a stretch of the M3 as well as other major transport routes (road and rail) which clearly extend beyond Surrey Heath boundaries. The impact of development in Surrey Heath and cumulatively with development elsewhere is a matter which requires collaborative joint working.
- 4.9. Also relevant to the duty to co-operate discussions is the stage at which other local authorities have reached with their local plans. For those authorities bordering Surrey Heath, this is set out in Appendix I.



## 5. Strategic Planning Matters and Duty to Co-operate partners

- 5.1. Having regard to advice in the NPPF and relevant legislation, a Duty to Co-operate Scoping Statement was consulted on with the duty to co-operate bodies in 2017. This sought to agree the strategic cross boundary planning matters affecting Surrey Heath Borough and the relevant duty to co-operate partners. The Scoping Statement was amended following consultation and a final version was published alongside the Regulation 18 consultation on the Local Plan in 2018.
- 5.2. In preparing the Preferred Options version of the Local Plan, and in view of changes to national planning policy and guidance, the opportunity was taken to revisit the strategic matters previously identified. The Council consulted on a revised Duty to Co-operate Scoping Framework in July – September 2020 and, following amendment as a result of consultation responses, was published in October 2020<sup>2</sup>.
- 5.3. Based on the revised Framework, the Council has identified the following strategic cross boundary matters that have the potential to affect the Local Plan:

### **Housing and Economic Needs**

Matter 1: Meeting Housing Needs

Matter 2: Meeting needs for Gypsies and Travellers and Travelling Showpeople

Matter 3: Delivering Economic growth including retail

### **Natural Environment**

Matter 4: Thames Basin Heaths Special Protection Area

Matter 5: Natural Environment and Green Belt

Matter 6: Flooding

### **Infrastructure**

Matter 7: Transport

Matter 8: Social infrastructure including Healthcare and Education

Matter 9: Utilities including water and waste water

### **Climate Change**

Matter 10: Climate Change

- 5.4. Appendix 2 sets out a matrix of Duty to Co-operate Strategic Matters and partners.

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<sup>2</sup> <https://www.surreyheath.gov.uk/sites/default/files/documents/residents/planning/planning-policy/D2C%20Scoping%20Accessible%20Version%20Final.pdf>



## 6. Duty to Co-operate Engagement Mechanisms

- 6.1. The Council is actively involved in a number of cross boundary and joint partnerships that will inform the Local Plan. Many of these are formalised, regular meetings or forums where a variety of topics are discussed and some are tailored for the purposes of producing the Local Plan. Table 2 below sets out details of regular partnership meetings that have a direct relevance to the preparation of the Local Plan.

**Table 2: Table of existing Partnership Meetings (relevant to Plan making)**

Partnership/Working Group	Authorities/Organisations involved	Purpose
Surrey Planning Officers Association	All Surrey Heads of Planning.	To agree joint working opportunities and arrangements, consider matters of cross boundary significance and to discuss all other issues of Surrey interest.
Planning Working Group	All Surrey Planning Policy Managers.	To discuss and resolve cross boundary policy issues, share relevant information and experience.
Transport for Surrey	Transport operators, Surrey Councils, Surrey Police.	Co-ordinate transport activities in the County.
Transport for Surrey Heath	Includes Surrey County Council, transport providers and business interests.	A partnership project which aims to deliver improved transport solutions within the Borough.
Surrey Heath Partnership	Including Surrey Police and Fire and Rescue, Surrey County Council, Surrey Heath CCG as well as the business community and voluntary sectors.	Sets out a shared 25 year Strategy for the Borough with a shorter term Action Plan.



Thames Basin Heaths Joint Strategic Partnership Board	Councillor representatives from all affected local authorities and County Councils as well as Natural England. Surrey Heath performs the secretarial role in the Partnership.	The Board is set up to ensure a consistent strategic approach to mitigate and manage the impacts of development on the SPA.
Thames Basin Heaths Joint Officers Group	Officer representatives from all affected local authorities and County Councils as well as Natural England.	The Group co-ordinates the strategic policy approaches of mitigating and managing the impacts of development on the SPA. It provides information to the JSPB for strategic decision making.
Enterprise M3 Local Economic Partnership – officer and leaders Board meetings	The Council is represented on various LEP officer groups as well as the LEP Leaders Board.	The LEP looks at the strategic management of resources to achieve economic growth. Currently producing a local industrial strategy for the LEP area.
Surrey Futures Steering Board	Surrey County Council, Surrey authorities, EM3 LEP, Surrey Nature Partnership.	Brings partners together to agree the investment priorities to support the County’s economy.
Surrey Leaders Group	Surrey County Council and all Surrey local authority leaders.	Cross boundary issues.
Surrey Heath Health and Wellbeing Board	Includes representatives from Surrey County Council, Surrey Heath CCG and the voluntary sector.	Aims to harness opportunities for promoting and encouraging good health and active lifestyles and prepares the Surrey



		Heath Health and Wellbeing Strategy.
Surrey Planning and Health Forum	Includes representatives from Surrey County Council, CCGs, Surrey local authorities.	Established in 2019 to strengthen links across planning and health teams. Networking Group that reports to the Health and Wellbeing Board.
Conservation Officers Group	Includes representatives from Historic England and local authorities.	To discuss heritage in planning decisions and share best practice.
Surrey Development Forum	Includes representatives from Surrey County Council, the Surrey Districts and Boroughs, statutory and local agencies and the development industry.	Started in October 2020 and linked to the Surrey Place ambition. To identify and address strategic issues, share best practice and to facilitate collaborative, creative thinking to achieve sustainable growth in Surrey for the benefit of the current and future communities.
D&B Climate Change Officers Meeting	Surrey County Council, all Surrey local authorities.	To allow for co-operation on climate change matters in Surrey including the delivery of County-wide projects.



### **Surrey wide County initiatives**

- 6.2. In 2017 the Borough Council signed a memorandum of understanding relating to an Interim Local Strategic Statement<sup>3</sup> for Surrey 2016 – 2031 (December 2017) whereby all Surrey authorities and the County Council committed to joint working towards a number of strategic objectives:
- 1) Supporting economic prosperity
  - 2) Meeting housing needs
  - 3) Delivering Infrastructure
  - 4) Supporting environmental sustainability, natural resource management and conserving and enhancing the character and quality of the countryside and openness of the Green Belt.
- 6.3. A Surrey Infrastructure Prioritisation Framework was agreed by Surrey County Council's Cabinet in February 2021. Regular officer meetings between SHBC and SCC began in January 2022 to discuss infrastructure matters and these meetings are now held monthly.
- 6.4. Surrey County Council, the Surrey local authorities and partners are currently working together to prepare a Surrey 2050 Place Ambition to ensure that Surrey continues to play a full part in the economic success of the country over the next 30 years, as a key driver of growth, innovation and skills in the national economy, and an excellent place where people can live, work and learn. This work is being taken forward through the Surrey Futures Board. A Surrey Place Ambition and Draft Implementation Framework is subject to consultation until 4 March 2022<sup>4</sup>. Surrey Heath lies within Strategic Opportunity Area 4 – Blackwater Valley Corridor.

### **Other engagement mechanisms**

- 6.5. In addition to representation on the above groups, the process of on-going co-operation has been via the following:
- Preparation of a Duty to Co-operate Scoping Framework;
  - Consultation on emerging drafts of the Surrey Heath Local Plan;
  - One to one meetings (including virtual meetings);
  - Emails and telephone calls;
  - Joint evidence/consultation on evidence;

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<sup>3</sup> [https://www.surreycc.gov.uk/\\_\\_data/assets/pdf\\_file/0005/173165/Surrey-Local-Strategic-Statement-Final-Version-December-2017-ilovepdf-compressed.pdf](https://www.surreycc.gov.uk/__data/assets/pdf_file/0005/173165/Surrey-Local-Strategic-Statement-Final-Version-December-2017-ilovepdf-compressed.pdf)

<sup>4</sup> <https://www.surreysays.co.uk/environment-and-infrastructure/placeambition/>



- Feedback on other local authority Local Plans and Policy documents;
- Input into strategic strategies such as the EM3 Industrial Strategy and Surrey Place Ambition.

6.6. The Council has recorded the process of engagement and co-operation. Whilst detailed Minutes are not included as part of this Statement, a summary of the outcomes to date is included in the following Sections. The Council’s Authority Monitoring Report also includes a summary of Duty to Co-operate activities undertaken each year.

**Draft Regulation 18 Consultation, 2018**

6.7. The Council undertook public consultation on an Issues and Options/Preferred Approach Local Plan in 2018. The responses to this consultation from the Duty to Co-operate bodies are summarised within Table 5 of this Statement.

**Undertaking Joint Studies**

6.8. A number of studies which have informed the Local Plan have been jointly commissioned or undertaken, either in partnership with duty to co-operate bodies, or in consultation with them. Engagement on some of these is set out in more detail in later sections of this Statement. These include:

**Table 3: Duty to Co-operate involvement in the Evidence Base**

Study	Partners/Involvement	Local Plan Outcome
Strategic Land Availability Assessment	Call for Sites sent to: Hart District Council, Rushmoor Borough Council, Guildford Borough Council, Royal Borough of Windsor and Maidenhead, Runnymede Borough Council, Surrey County Council, Woking Borough Council, Waverley Borough Council, Bracknell Forest Borough Council, Natural England, Historic England, Environment Agency, Enterprise M3 LEP	Identification of potential sites for assessment.





	<p>Draft SLAA shared for comment with:</p> <p>Hart District Council Rushmoor Borough Council</p>	<p>Agreement to the process by which the Council has identified potential housing capacity and amendments to the SLAA following comments from Hart District Council.</p>
<p>Employment Land Technical paper update</p>	<p>Shared with:</p> <p>Hart District Council, Rushmoor Borough Council, Enterprise M3 LEP</p>	<p>Ensure that Surrey Heath is making an appropriate contribution to economic growth within the Functional Economic Area and the EM3 LEP.</p> <p>Inform Local Plan economic development policies.</p>
<p>Strategic Flood Risk Assessment</p>	<p>Consultation/technical input:</p> <p>Surrey County Council, Environment Agency</p>	<p>Inform site allocations to ensure that development is located in areas at lowest risk of flooding and is consistent with national policy.</p> <p>Inform Local Plan flood risk policies.</p>
<p>Hart, Rushmoor and Surrey Heath Water Cycle Study</p>	<p>Joint Commission/input:</p> <p>Hart District Council, Rushmoor Borough Council, Environment Agency, Natural England, Hampshire County</p>	<p>Inform the Infrastructure Delivery Plan.</p>



	Council, Surrey County Council.	
Habitat Regulations Assessment	Technical input:  Discussion on SANG matters with Natural England	Inform Local Plan policies on Biodiversity and Thames Basin Heaths SPA  Evidence the mechanism to avoid and mitigate the impact of new development on the TBHSPA.
Infrastructure Delivery Plan	Request for information sent to Surrey County Council, Highways Agency, CCGs, EM3 LEP, Utilities, Frimley Health NHS Trust	To identify and deliver the required infrastructure to support the growth identified in the emerging Local Plan.
<b>On-going to be completed for the next stage of the Local Plan:</b>		
Transport Assessment	Highways England, Surrey County Council	Inform the spatial strategy, site allocations, transport policy and the infrastructure delivery plan.
Air Quality Assessment (part of Habitat Regulation Assessment)	Natural England	Inform the site allocations and biodiversity policies.



## 7. Strategic Matters

- 7.1. The following sections set out the specific cross boundary issues under each strategic planning matter and how the Council has worked collaboratively with duty to co-operate bodies in order to progress these in the preparation of the Draft Local Plan.

### Matter 1 – Meeting Housing Needs

#### What is the Strategic cross boundary matter?

- 7.2. The key strategic housing issues relevant to the Surrey Heath Local Plan are considered to be:
- The identification of the number and type of new homes needed;
  - The identification of how the delivery of these new homes can take place and whether there is a need to approach other authorities to help meet any unmet needs;
  - The availability of sufficient TBHSPA mitigations measures (namely the provision of Suitable Alternative Natural Greenspace (SANG)) to enable delivery of the required number of new homes (see Matter 4).
- 7.3. As set out in the Context section, Surrey Heath is significantly affected by environmental and Policy constraints that affect the opportunities for future housing development. This includes the need for the provision of measures to mitigate the impacts of development upon the Thames Basin Heaths Special Protection Area as set out in Matter 4. Capacity work undertaken by the Council has demonstrated a likely shortfall in housing provision and as such this has been made clear to other relevant neighbouring local authorities. The key strategic matter is therefore the delivery of sufficient housing to meet the Government's standard methodology requirement for Surrey Heath (327 homes per annum).

#### Who has been involved and arrangements for co-operation

- 7.4. All neighbouring and Surrey local authorities have been engaged in this matter. There is a long standing relationship of close working with Hart and Rushmoor on housing matters as set out below. Having regard to the housing market relationships with Hart and Rushmoor and the inclusion of unmet needs in the adopted Hart Local Plan (see below) more detailed discussions have been held with these two authorities at this stage. Co-operation has been mainly through emails and virtual meetings.



### How the issue has been addressed

- 7.5. At the time of preparing the Hart and Rushmoor Local Plans, the three authorities were identified as comprising a Housing Market Area. A Strategic Housing Market Assessment (SHMA) was prepared jointly in 2009 with a second published in December 2014. A further update was prepared in 2016 to inform plan making in the three authorities. A Joint Member Liaison Group was also established to discuss matters of housing need across the HMA as well as related matters regarding the Thames Basin Heaths Special Protection Area and employment needs. As a result, there has been a long history of collaborative working between these authorities including the establishment of a Joint Member Liaison Group which supported work on the Rushmoor and Hart Local Plans.
- 7.6. For the Surrey Heath Local Plan, the starting point for deriving a housing requirement is the standard methodology which gives a local housing need of 327 dwellings per annum. At all stages of the Plan making process to date Surrey Heath has made clear to partners that there is likely to be a potential shortfall in being able to meet local housing needs due to the environmental constraints within the Borough. This has included through formal responses to Hart and Rushmoor Local Plans and appearance at the Hart Local Plan examination. Both Hart and Rushmoor have met their own local housing needs.
- 7.7. The Surrey Heath Issues and Options Local Plan consultation in 2018 identified a shortfall in housing capacity. As a result, the Council made representations about the likely shortfall in response to the Hart Local Plan. Following discussion on this matter at the Hart Local Plan Examination, the Hart Local Plan Inspector stated in paragraph 35 of his Report<sup>5</sup>:

*“...I CONSIDER THAT THIS PLAN SHOULD SEEK TO MEET THE IDENTIFIED UNMET NEEDS OF SHBC OF 731 DWELLINGS, WHICH REPRESENTS THE MOST UP-TO-DATE FIGURE AT THIS POINT IN TIME.”*

- 7.8. The Hart Local Plan 2014 – 2032 Strategy and Sites was adopted in April 2020. Paragraph 90b of the adopted Hart Local Plan states [in part]:

*90 ... THIS REQUIREMENT COMPRISES:*

*B - AN ADDITIONAL 41 HOMES PER ANNUM (731 HOMES) TO ADDRESS AN UNMET HOUSING NEED IN SURREY HEATH UNDER THE DUTY TO CO-OPERATE.’*

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[https://www.hart.gov.uk/sites/default/files/4\\_The\\_Council/Policies\\_and\\_published\\_documents/Planning\\_policy/Hart%20Local%20Plan%20Report%20-%20Final.pdf](https://www.hart.gov.uk/sites/default/files/4_The_Council/Policies_and_published_documents/Planning_policy/Hart%20Local%20Plan%20Report%20-%20Final.pdf)



- 7.9. In 2021 work on the emerging Surrey Heath Strategic Land Availability Assessment (SLAA) suggested that there was still likely to be a shortfall in capacity for new homes against the Governments standard methodology<sup>6</sup>.
- 7.10. In December 2020 letters were sent to all Surrey and neighbouring authorities (excluding Hart and Rushmoor) setting out the current constraints in the Borough and the emerging SLAA evidence that there was likely to be a shortfall in housing capacity against housing needs. The letter set out that further contact would be made once further progress on the SLAA had been made.
- 7.11. A further letter was sent to Surrey and neighbouring authorities in October 2021 (excluding Hart and Rushmoor) confirming a shortfall in capacity against housing needs. The letters also highlighted the significant need for gypsy and traveller pitches and the challenges in identifying sufficient supply. Authorities were asked whether they were able to meet any unmet general housing needs or the needs of gypsies and travellers and travelling showpeople. The outcome of this request is set out in Appendix 3. No authorities responded suggesting that they could take any unmet needs from Surrey Heath.
- 7.12. Duty to Co-operate meetings were held with Hart (June 2021) and Rushmoor (July 2021) to discuss relevant cross boundary strategic matters including unmet housing needs. Following this, and completion of the draft SLAA, a written request was made in October 2021 to both Hart and Rushmoor regarding unmet housing needs and gypsy and traveller and travelling showpeople needs. A further meeting was held with Hart in January 2022.
- 7.13. The responses from those consultations are as below. In their letter of December 2021, Hart District Council confirmed their commitment to deliver 41 new homes per annum over the overlapping Plan periods (2019 – 2032) to meet unmet needs in Surrey Heath. This is also set out in an agreed Statement of Common Ground between the two authorities (SCGI) published on the Council’s website alongside the Draft Local Plan. A further Statement of Common Ground has also been agreed with Rushmoor Borough.

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<sup>6</sup> Further detail is set out in the Housing Supply Topic Paper available on the Councils website.



**Table 4: Responses from Hart District Council and Rushmoor Borough Council**

	<b>Response date</b>	<b>Response [summary]</b>
Hart District	21 December 2021	<p>Confirmed the Local Plan commitment of 41 dpa to meet unmet needs in Surrey Heath.</p> <p>Having regard to the recent adoption of the Hart Local Plan and no need for an imminent review, to the likely change to the Governments approach to housing numbers and to the fact that the Surrey Heath shortfall falls late in the Plan period, Hart is not able to increase the provision of unmet needs that can be provided for.</p> <p>Suggested that if there remained unmet needs that Surrey Heath could accept that the Plan has an unmet need at the end of the Plan period (accepted by the Hart Local Plan Inspector), and/or address its own needs through a Green Belt Review.</p> <p><u>Gypsy and Traveller Needs</u></p> <p>Hart is finding it challenging to meet its own needs and is unable to make provision for any unmet need in Surrey Heath.</p> <p><u>SANGs</u></p> <p>Hart is currently reviewing SANG capacity figures and will be happy to share the findings. Hart needs to understand its own long term SANG capacity needs.</p> <p><u>Other Matters</u></p> <p>Hart made a number of comments on the SLAA and on the need for a buffer. Comments on the SLAA related to using the SLAA to focus on the needs and supply in Surrey Heath and to deal separately with the matter of unmet needs being provided for within Hart District. It was also suggested that the 5 Year Housing Land Supply was separated from the SLAA.</p> <p>[Note – following a further meeting with Hart in January 2022 a number of changes were made to the Surrey Heath SLAA to take account of these comments]</p>



<p>Rushmoor Borough</p>	<p>2 December 2021</p>	<p>Noted factual points raised in the letter and set out in the SLAA regarding the currently identified shortfall and the SLAA capacity sources.</p> <p>Noted that no account had been taken at that point for unmet needs to be met from the commitment in the Hart Local Plan.</p> <p>Noted that the Rushmoor Local plan meets the objectively assessed needs for the Borough.</p> <p>Advised that the significant buffer anticipated at the time of the Local Plan adoption has been reduced due to factors such as delays in sites coming forwards. As at April 2021 a small surplus over the Local Plan requirement is identified.</p> <p>The Council is unable to meet any unmet needs arising from Surrey Heath.</p> <p><u>Gypsies and Travellers</u></p> <p>The Council is unable to meet any unmet needs for Gypsy and Traveller accommodation.</p> <p><u>SANG</u></p> <p>Suggest would be beneficial for the authorities to meet to discuss SANG with the potential to widen to other members of the TBHSPA Joint Partnership Board.</p>
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7.14. In terms of meeting wider housing needs, the Council has continued to co-operate with other authorities, to raise awareness of the constrained nature of the Borough, and the inability to meet unmet needs arising from elsewhere. The evidence in the SLAA confirms that the Council is not in a position to assist other authorities in meeting any shortfall in housing capacity.



### Outcomes to date

- Opportunity for Rushmoor and Hart to comment on the SLAA and for comments to be incorporated into the Surrey Heath SLAA 2022.
- Recognition by Hart and Rushmoor that Surrey Heath has a restricted land supply (HMA Statement of Common Ground, November 2018)
- Agreement that Hart will deliver 731 homes towards unmet need in Surrey Heath (533 over the Surrey Heath Plan period) [adopted Hart Local Plan, HDC letter dated 21 Dec 2021 and agreed SCGd].
- Clarification as to whether any other relevant local authority is able to meet unmet needs in Surrey Heath;
- Continued engagement on opportunities for shared SANG to enable housing development in Surrey Heath (see Matter 4);
- Awareness by other local authorities that Surrey Heath would not be able to help meet any unmet needs elsewhere;
- Ability to meet the housing requirement for Surrey Heath as set out in the Draft Local Plan (Policy SSI) and Housing Topic Paper.

## Matter 2 – Meeting needs for Gypsies and Travellers and Travelling Showpeople

### What is the Strategic Cross boundary matter?

- The identification of the number and type of pitches needed for Gypsies and Travellers and Travelling Showpeople within Surrey Heath Borough;
- The identification of sites to enable delivery of the pitches to meet this need;
- The identification of whether there is a need to approach other authorities to help meet any unmet needs and whether other authorities could take on any unmet needs from Surrey Heath.

7.15. The Council has a responsibility through the National Planning Policy Framework and other legal requirements to assess and plan for the housing needs of all residents, including the Gypsy and Traveller community. A Gypsy and Travellers Accommodation Assessment (GTAA) prepared to support the Draft Local Plan shows a need for at least 32 pitches for Gypsies and Travellers and 14 plots for Travelling Showpeople over the plan period. Following the granting of planning permission for two pitches on a site to the South of the M3 junction in Lightwater, the outstanding need is for 30 pitches for Gypsies and Travellers.





### **Who has been involved and arrangements for Co-operation**

- 7.16. All neighbouring authorities were engaged as part of the Gypsy and Traveller Accommodation Assessment 2020. To help support the Duty-to-Cooperate and provide background information for the study, telephone interviews were conducted with Planning Officers in the seven neighbouring planning authorities.
- 7.17. Additional Partners are set out in the Matrix in Appendix 2. Outside of the GTAA 2020, further co-operation has been mainly through emails and virtual meetings, and through formal written communication as outlined below.

### **How the Matter has been addressed**

- 7.18. A letter was sent to all Surrey and neighbouring authorities in October 2021 (excluding Hart and Rushmoor) which highlighted the significant need for Gypsy and Traveller pitches and the challenges in identifying sufficient supply from urban and countryside sites. Authorities were asked whether they were able to meet any unmet general housing needs or the needs of Gypsies and Travellers and Travelling Showpeople. The outcome of this request is set out in Appendix 3. No authorities responded suggesting that they could take any unmet needs from Surrey Heath, with other authorities also facing significant environmental and policy constraints.
- 7.19. Letters were sent under separate cover to Hart District and Rushmoor Borough Councils to ask whether any of Surrey Heath's unmet housing or Gypsy and Traveller needs could be met within these authority areas. However, at this stage, neither authority has identified additional capacity to assist with meeting Surrey Heath's unmet Gypsy and Traveller needs.
- 7.20. Surrey Heath Borough Council were contacted by Bracknell Forest Council in February 2021 regarding whether any of their unmet Gypsy and Traveller needs could be met within Surrey Heath. However, a response was sent setting out that there is no capacity to meet their unmet needs within Surrey Heath.

### **Outcomes to Date**

- 7.21. A number of options have been explored to identify sufficient sites to meet this need. The Draft Local Plan does not include sites to meet all of the identified need given the limited availability of land to deliver pitches and plots, in addition to the environmental and policy constraints in the Borough. One specific site allocation for 4 pitches is identified at Diamond Ridge Woods on the edge of the Old Dean and is included as a site allocation in Policy H12. The Council has not identified additional sites at this stage due to the limited availability of sites and constraints in the Borough.



- 7.22. The Council has so far been unable to identify sufficient sites to meet Gypsy and Traveller needs in the Borough over the plan period. Communication with other authorities under the Duty-to-Cooperate has established that, at this stage, there is no capacity for other authorities to assist in meeting this unmet need.
- 7.23. In order to address the identified shortfall, a further call for sites for Gypsy and Traveller and Travelling Showpeople accommodation will take place alongside the Draft Local Plan consultation, and other site opportunities will be investigated further. An additional consultation on Gypsy and Traveller sites and Travelling Showpeople yards is programmed to take place in Summer 2022.

### **Matter 3 - Delivering Economic growth including retail**

#### **What is the Strategic cross boundary matter?**

- 7.24. The strategic planning issue is:
- The identification of future employment needs
  - To ensure sufficient employment land and buildings are available to meet needs
  - To determine the impact of development elsewhere on Camberley Town Centre and of proposals in CTC on other centres.

#### **Who has been involved and arrangements for co-operation**

- 7.25. Planning Practice Guidance (PPG) requires authorities to assess their economic development needs working with other local authorities in the relevant functional economic market area.
- 7.26. Surrey Heath is located within the Enterprise M3 Local Economic Partnership area and within the Hart, Rushmoor, Surrey Heath Functional Economic Area (FEA), and has therefore engaged with those organisations.
- 7.27. A Town Centre Uses and Future Directions Study has been prepared by consultants to support the Local Plan. This included extensive telephone surveys, including of people outside the Borough, and an assessment of adjoining retail centres.



### How the issue has been addressed

- 7.28. A joint Hart/Rushmoor/Surrey Heath Employment Land Review was prepared in 2015 and informed the Rushmoor and Hart Local Plans. An Employment Land Review update was prepared by the three authorities in 2016. This formed the basis for a Surrey Heath Employment Land Technical Paper Update, 2020 undertaken by consultants on behalf of Surrey Heath BC to provide updated economic information to inform the Surrey Heath Local Plan. The Update Paper was subject to consultation with Hart and Rushmoor and the EM3 LEP.
- 7.29. The Council works closely with the EM3LEP to ensure that the Borough plays a role in contributing to economic growth in the LEP area. This has included seeking funding from the LEP, joint projects such as highway and public realm improvements in Camberley, and input from the Borough Council into emerging strategic LEP documents such as the Local Industrial Strategy.
- 7.30. Camberley Town is the main retail and employment centre in the Borough. Based on the evidence, no additional retail capacity is proposed over the plan period and this will not therefore impact on other centres.

### Outcomes to date

- An updated employment evidence base has been prepared and agreed with the FEA partners.
- No unresolved cross boundary matters relating to economic or retail development with core partners are identified at this time.
- Representation from Surrey Heath into emerging strategic LEP strategies.
- Local plan policies reflecting the EM3LEP priorities



## Matter 4 – Thames Basin Heaths Special Protection Area (TBHSPA)

### What is the Strategic cross boundary matter?

- 7.31. The Strategic Planning Matter is the protection of the integrity of the Thames Basin Heaths Special Protection Area (TBHSPA) whilst also planning for new development, particularly new housing.
- 7.32. The TBHSPA was designated in March 2005 and is protected from adverse impact by European and UK law. The TBHSPA is a network of heathland sites designated for their ability to provide a habitat for the internationally important bird species of woodlark, nightjar and Dartford Warbler. The TBHSPA spans 11 local authorities across Hampshire, Berkshire and Surrey.
- 7.33. Based on research, Natural England consider there is a cause and effect relationship between recreational use and Annex I heathland bird populations. This research indicates a number of mechanisms leading to impacts on breeding success. Ranging from direct mortality (such as people trampling on nests), to nest abandonment or predation due to frequent flushing of birds (by people and dogs), or avoidance of disturbed areas. A range of wider effects are also associated with more general urban pressures, including uncontrolled heathland fires, fragmentation and pollution of the heaths, and cat predation.
- 7.34. As a result, Natural England objected to all planning applications for a net increase in housing within 5km of the SPA and this led to the refusals of planning permissions until mitigation measures could be put in place. In order to ‘unlock’ future housing development, joint working between the affected local authorities, Natural England and other interested parties took place through the Joint Strategic Partnership (JSP) (see Table 2) to deliver a consistent approach to avoidance of harm and mitigation of impacts to ensure that new homes could be delivered within the affected local authorities without harming the heathland habitats. The cross boundary impacts of visitors to the SPA has also meant that a co-ordinated approach is required.
- 7.35. The whole of Surrey Heath (and Rushmoor Borough) lies within 5km of the TBHSPA. This means that all net new dwellings must provide SPA mitigation measures as set out in the Thames Basin Heaths Special Protection Area Avoidance and Mitigation Strategy Supplementary Planning Document, 2019. Surrey Heath does not have significant options for the provision of Suitable Alternative Natural Greenspace (SANG) and must therefore rely on joint working to help deliver sufficient SANG capacity to enable housing delivery.

### Who has been involved and arrangements for co-operation

- 7.36. The Council has engaged with Natural England and other local authorities on this issue.



7.37. In addition to regular duty to co-operate meetings and/or engagement with the above bodies, the following regular working arrangements have been established (see Table 2 in Section 6 of this Statement):

- Thames Basin Heaths Joint Strategic Partnership (JSP) Board
- Thames Basin Heaths Strategic Access Management and Monitoring Board
- Thames Basin Heaths Officer Group
- Thames Basin Heaths Access Management and Monitoring Partnership
- Shared SANG already exists with Hart and Rushmoor Councils (Hawley Meadows SANG), and with Bracknell Forest Borough Council (Shepherds Meadow SANG). As set out below duty to co-operate discussions with relevant bodies have enabled additional shared SANG capacity.

7.38. In 2019, Hart, Rushmoor and Surrey Heath Councils were awarded funding by the former Ministry of Housing, Communities and Local Government (MHCLG) under the Joint Working Planning Delivery Fund to undertake joint work to investigate and seek to implement alternative and complementary avoidance and mitigation measures to those already agreed, which can be delivered in order to mitigate net new residential development within the HMA. The three Councils are working in partnership with Natural England and at the end of the project are required to report to Government.

7.39. In October 2021 the Council wrote to all local Surrey and neighbouring local authorities regarding unmet housing needs as set out under Matter 1. The letter also asked whether the local authorities were able to assist in relation to the provision of additional SANG capacity. The outcome of this approach is set out in Appendix 3.

7.40. A Habitat Regulation Assessment has been undertaken to support the Plan taking account of discussions with Natural England on SPA related matters.

#### **How the issue has been addressed**

7.41. As part of the JSP and other groups referred to above, the Council has worked collaboratively in agreeing and delivering avoidance and mitigation measures to ensure protection of the TBHSPA. The above mechanisms ensure a co-ordinated approach to the monitoring and delivery of Suitable Alternative Natural Greenspace (SANG) and Strategic Access Management and Monitoring Arrangements (SAMM).

7.42. The relevant duty to co-operate bodies have been consulted on the draft TBHSPA Local Plan Policy. Natural England has been engaged on potential SANG options and a meeting held in August 2021 regarding Diamond Ridge Woods SANG.



- 7.43. In May and October 2021 duty to co-operate meetings were held with Bracknell Forest Borough which specifically discussed the matter of shared SANG opportunities. This resulted in agreement to further capacity from Bracknell Forest from the Shepherds Meadow SANG extension for about 500 homes.

#### **Outcomes to date**

- Production of a Draft HRA, prepared that demonstrates that any adverse effect on Natura 2000 sites, from proposed development in the Local Plan can be adequately mitigated;
- Agreed mitigation measures for all net new dwellings comprising the provision of Suitable Alternative Natural Greenspace (SANG) and the payment of financial contributions towards Strategic Access Management and Monitoring measures (SAMM) as reflected in Draft Local Plan Policy EI and in the Councils adopted Thames Basin Heaths Special Protection Area Avoidance and Mitigation Strategy SPD;
- Joint working on alternative mitigation measures recognising the constraints in delivering SANG across some parts of the HMA;
- Through discussions with Natural England, an existing SANG at Diamond Ridge Woods has been identified as having additional capacity (subject to improvements to the site and amendments to the site area).
- A shared approach to SANG delivery enabling housing delivery in the Borough including:
  - ◆ Shepherds Meadows – capacity provided by Bracknell Forest Borough Council
  - ◆ Shepherds Meadow Extension – capacity provided by Bracknell Forest Council as set out in the agreed Statement of Common Ground with Bracknell Forest dated March 2022.

## **Matter 5 – Natural and Historic Environment and Green Belt**

### **What is the Strategic cross boundary matter?**

- 7.44. Surrey Heath lies in a larger than local level countryside and landscape context. There are a number of partnerships that exist to deliver joint working and co-ordinated approaches. These include those relating to the Blackwater Valley, and those authorities affected by Green Belt constraints.
- 7.45. There are several heritage assets that cross boundaries, including the Basingstoke Canal Conservation Area and the Bagshot Registered Park and Garden.



**Who has been involved and arrangements for co-operation**

- 7.46. The Council has consulted the Surrey Nature Partnership which works across Surrey championing the value of the natural environment in decision making.
- 7.47. The Blackwater Valley Countryside Partnership co-ordinates work in the Blackwater Valley on behalf of Bracknell Forest Borough Council, Guildford Borough Council, Hampshire County Council, Hart District Council, Rushmoor Borough Council, Surrey County Council, Waverley Borough Council and Wokingham Borough Council as well as relevant Town Councils.
- 7.48. Strategic Green Belt planning matters are considered by the Surrey Planning Officers Group and Planning Working Group as appropriate.
- 7.49. Quarterly meetings of Conservation Group Surrey (COGS) attended with Historic England and Conservation Officers/Planning Officers across Surrey Boroughs and Districts to provide opportunity for discussion on planning applications and appeals, changes in legislation/processes and Heritage at Risk.
- 7.50. Historic England has been consulted informally on emerging heritage policies.

**How the issue has been addressed**

- 7.51. Relevant bodies have been consulted on the emerging Local Plan.
- 7.52. Historic England consultation on draft Local Plan Policy DH7 Heritage Assets and comments incorporated.
- 7.53. No outstanding matters identified to date pending any comments on the Draft Local Plan.

**Outcomes to date**

- 7.54. Input from Historic England into draft Local Plan policies.



## Matter 6 – Flooding

### What is the Strategic cross boundary matter?

- 7.55. Flood risk is an issue that has the potential to cross administrative boundaries, where development in one area could potentially increase flood risk in another area.
- 7.56. The NPPF requires (where) that the evidence base for the Local Plan includes a Strategic Flood Risk Assessment (SFRA). The SFRA provides the framework for applying the sequential and exception tests. It is important to ensure that in allocating land or determining applications, development, where possible, is located in areas at lowest risk of flooding.

### Who has been involved and arrangements for co-operation

- 7.57. The key partners are:
- Environment Agency
  - Surrey County Council: Lead Local flood Authority
  - Thames Water

### How the issue has been addressed

- 7.58. On behalf of the Council, Capita has prepared a Strategic Flood Risk Assessment to support the Local Plan. Surrey County Council and the Environment Agency were consulted on the Draft SFRA and comments incorporated into the final version. Surrey County Council also reviewed the draft flooding policy (Policy E6) prior to the Draft Plan being finalised and the Policy was amended based on comments received. The SFRA has been used to inform the site allocations process. Surrey County Council were also engaged on the matter of Flooding during the preparation of the Strategic Land Availability Assessment (SLAA). The County Council were sent details of the sites close to flood zone areas and assessments were updated accordingly. No outstanding strategic cross boundary matters have been identified to date pending responses to the Draft Local Plan consultation.

### Outcomes to date

- Preparation of an up-to-date SFRA agreed by key partners which has informed the emerging Local Plan site allocations and Local Plan Policy E6 Flood Risk and Sustainable Drainage.
- Comments on the Regulation 18 Plan, 2018 have informed the Draft Local Plan policies 2020.





- There are no unresolved cross boundary matters relating to flooding with other local authorities at this time.

## Matter 7 – Transport

### What is the Strategic cross boundary matter?

- 7.59. The strategic planning matter is the impact of proposed new development on the strategic highway network in Surrey Heath and in adjoining local authorities, particularly when considered cumulatively with development in other authorities.
- 7.60. It should be noted that the Transport Assessment is still being completed to support the Local Plan.

### Who has been involved and arrangements for co-operation

- 7.61. The Council is using Surrey County Council to undertake the Transport Assessment for the Local Plan using their SINTRAM model which is agreed by Highways England. Co-operation has been largely through face to face and video meetings and by email. Information on large developments in neighbouring authorities has also been used for the transport assessment.
- 7.62. Preparation of the Local Plan has, and will, continue to involve input from a range of other transport related bodies including bus operators, the Basingstoke Canal Authority, the Blackwater Valley Partnership and Sustrans.
- 7.63. Duty to co-operate meetings with Woking and Runnymede Councils in 2021 highlighted transport as a potential cross boundary matter depending on the location and scale of sites to be allocated in the Surrey Heath Local Plan. This matter will be kept under review as the TA progresses and in the light of responses to the Draft Surrey Heath Local Plan.

### How the issue has been addressed

- 7.64. The TA will identify the strategic impacts on the highway network and enable discussions with partners as to how those impacts might be addressed.

### Outcomes to date

- Preparation of a Transport Assessment for the Local Plan underway with key partners; Surrey County Council and Highways England.



## Matter 8 – Social infrastructure including Healthcare and Education

### What is the Strategic cross boundary matter?

- 7.65. The Strategic matter is the need to ensure that any cross-boundary health issues, particularly health related infrastructure arising as a result of Surrey Heath's Local Plan and neighbouring Local Plans are understood and any future requirements delivered. Some healthcare provision is delivered cross boundary, for example Frimley Park Hospital is located within the Borough.

### Who has been involved and arrangements for co-operation

- 7.66. Surrey Heath lies within the Frimley CCG and Surrey Heartlands CCG. Meetings with the CCG have taken place prior to the Local Plan Issues and Options consultation 2018 and prior to the Draft Plan consultation 2022. The Council also attends the Surrey Planning and Health Forum to consider wider health issues.
- 7.67. In December 2021, a letter was sent to infrastructure providers including those relating to education and health setting out the proposed spatial strategy and seeking views on the impact on future infrastructure needs. Following on from this, a duty to co-operate meeting was held in January 2022 with Frimley Health NHS Trust regarding the draft spatial strategy and the draft Local Plan Policy for Frimley Park Hospital.

### How the issue has been addressed

- 7.68. The issue has been discussed through face-to-face meetings and emails. A consultation response was received from both Frimley CCG and Frimley Health NHS Trust. These responses have fed into the draft Infrastructure Delivery Plan. Further discussion on these matters will take place following responses to the Draft Local Plan.

### Outcomes to date

- Preparation of a draft Infrastructure Delivery Plan (IDP) identifying known capacity and details of any known or planned provision including input from Surrey County Council as Education Authority, Frimley Health NHS Trust and Frimley CCG. Comments are sought on the Draft IDP as part of the Local Plan consultation 2022.
- Delivery of infrastructure is set out in Draft Local Plan Policy INF1. This seeks to ensure that infrastructure is provided in a timely manner and that development includes the provision of, or meets the reasonable costs of, providing necessary infrastructure to address needs arising from the development.
- Inclusion of a specific Policy for Frimley Park Hospital.



## Matter 9 – Utilities including water and waste water

### What is the Strategic cross boundary matter?

- 7.69. Whilst Utility providers are not duty to co operate bodies, as set out in the D2C Scoping, they are statutory consultees on the Local Plan. There is also a need to consider any cross boundary water supply and waste water issues so that future requirements can be met.

### Who has been involved and arrangements for co-operation

- 7.70. The Council has engaged with the Environment Agency, and relevant neighbouring local authorities on this issue. Utility providers were contacted in December 2021 setting out the proposed spatial strategy and seeking views on the impacts on infrastructure provision.

### How the issue has been addressed

- 7.71. The Council prepared a joint Water Cycle Study in 2017 with Hart, Rushmoor, HCC, SCC, Environment Agency, Natural England and Thames Water. Engagement has also taken place with water companies and other utility providers as part of ongoing work in support of the Draft Infrastructure Plan.
- 7.72. In response to the 2018 Reg 18 stage, the Environment Agency commented that a Water Cycle Study should be undertaken.
- 7.73. Comments from utility providers have fed in to the Draft Infrastructure Plan and any matters arising will be discussed further following consultation on the Draft Local Plan.

### Outcomes to date

- Preparation of a Water Cycle Study
- Preparation of relevant sections of the Draft IDP supported by relevant partners, to ensure that it can be demonstrate that the Local Plan is deliverable.
- Inclusion of a policy within the Local Plan to address water efficiency standards as recommended by the WCS



## Matter 10 - Climate Change

### **What is the Strategic Cross Boundary Matter**

- 7.74. Climate change is a wide-ranging global matter and one of the greatest challenges facing our society which needs to be addressed on a wide scale. Along with many other adjoining and Surrey authorities, the Council has declared a Climate Emergency and pledged to contribute to making the Borough net zero by 2050. Local Plan policies seek to ensure that development contributes to the mitigation of, and adaption to, climate change, with adaptation and mitigation measures relating to a number of the individual Matters previously set out, including Flooding, Health, the Natural Environment and Transport.
- 7.75. There is a need for joint working across boundaries relating to the strategic planning matters relevant to climate change in order to achieve the significant carbon reduction targets within the Local Plan and deliver the national target of net zero carbon emissions by 2050.

### **Who has been involved and arrangements for co-operation**

- 7.76. The Surrey Climate Change Strategy adopted by Surrey County Council sets out the goal to achieve net zero by 2050 and provides a joint framework for collaborative action on climate change across Surrey's local authorities and other partners. As part of this strategy, Surrey Heath Borough Council has been involved in joint working with Surrey authorities, with Surrey Heath Officers attending a monthly D&B Climate Change Officers Meeting covering different topics relating to climate change.
- 7.77. The Borough Council has also established a Climate Change Working Group who played a key role in the development of the Surrey Heath Borough Council Climate Change Action Plan. The Action Plan draws directly on the Surrey Climate Change Strategy and supports the shared ambition of Surrey's 12 local authorities and sets out the collective approach to tackle climate change.

### **How the issue has been addressed**

- 7.78. A Surrey Heath Climate Change Study (2020) was produced to explore ways in which climate change objectives can be effectively addressed through the Local Plan. This has informed the Draft Local Plan policies relating to Climate Change mitigation and adaptation.



- 7.79. The D&B Climate Change Officers Meeting held by Surrey County Council has allowed for co-operation on strategic climate change issues in Surrey and has facilitated discussions on issues including Electric Vehicle Charging Points and net zero targets, and has allowed Surrey County Council to keep Officers updated on the SCC Greener Futures delivery and development.

**Outcomes to date**

- 7.80. The Surrey Heath Climate Change Study (2020) makes clear that achieving net zero carbon emissions will require interventions beyond the scope of the Local Plan in respect of a number of areas, such as supporting electric vehicle uptake and new energy infrastructure. Ongoing collaborative working with Surrey and neighbouring authorities is required in order to address these matters. The Surrey partnerships (within the D&B Climate Change Officers Meeting) have facilitated the delivery of county wide projects such as the Solar Together scheme.
- 7.81. Surrey Heath Borough Council continues to work collaboratively with other Surrey authorities including the County Council. Ongoing co-operation with Surrey authorities will feed into the Plan as it progresses.
- 7.82. The Council will produce a Climate Change and Green Infrastructure SPD.



## 8. Summary of Co-operation

- 8.1. Table 5 below sets out a high level summary of the partnership engagement to date on strategic planning matters with adjoining local authorities, Surrey County Council and duty to co-operate agencies. A summary of all the comments made at the Surrey Heath Draft Local Plan Issues and Options/Preferred Options (2018) stage are published separately on the Local Plan evidence webpage.
- 8.2. Appendix 3 provides a summary of the responses received from neighbouring and Surrey local authorities in response to the matter of unmet housing needs.
- 8.3. Comments made on the Draft Surrey Heath Local Plan: Preferred Options (2019 - 2038) will be used to update this table and to inform the next version of the Local Plan, along with on-going working with partners.

**Table 5: Summary of engagement with key duty to co-operate bodies**

Organisation	Summary of co-operation to date	Summary of on-going co-operation issues
Bracknell Forest Borough (BFBC)	<p>Statement of Common Ground, March 2022 agreed to support the Draft Surrey Heath Local Plan in relation to the provision of SANG capacity (SCG3).</p> <p>Reg 18 Consultation 2018 – responded that had no objection to the approach to meeting housing need across the Hart, Rushmoor, Surrey Heath HMA, and would wish to be kept updated on the progress to meet Gypsy and Traveller provision. Comments were also made regarding the need to take impacts of air quality on European/Natura 2000 sites, and the potential for development to impact upon the strategic road network within Bracknell Forest.</p> <p>TBH – the Council works with BFBC as part of the TBH partnership. BFBC has provided SANG capacity at Shepherds Meadow for developments in SHB.</p>	<p>SHBC continues to work with BFBC through the TBH partnership arrangements and through the sharing of SANG capacity.</p> <p>Consultation on Reg18 Local Plan.</p>



Organisation	Summary of co-operation to date	Summary of on-going co-operation issues
	<p>SHBC responded to the BFBLP Reg19 consultation and related correspondence and a Statement of Common Ground relating to strategic matters was agreed in December 2021 to support the submission of the BFB Local Plan.</p> <p>2020/21 – written correspondence with regards to unmet needs in Surrey Heath.</p>	
Enterprise M3 LEP	Reg 18 Consultation 2018 – no response made.	Consultation on Reg18 Local Plan.
Environment Agency (EA)	<p>The EA has had an input into the emerging Local Plan, environmental studies (SA/SEA and HRA) and technical studies, particularly the SFRA.</p> <p>Reg 18 Consultation 2018 – responded in support of the Vision with suggested additional Objective on water quality. Advise that the strategy must be supported by an SFRA and Water Cycle Study and all proposed sites must be assessed in terms of flood risk. Traveller sites should not be supported in Flood Zone 2 and employment sites will need to be informed by the Sequential Test. The approach to flood risk, green infrastructure and biodiversity is supported</p>	Consultation on Reg18 Local Plan.
Frimley Clinical Commissioning Group	December 2021 invited to comment on the impact of Draft Spatial Strategy. Response fed into Draft IDP.	Consultation on Reg18 Local Plan.
Guildford Borough (GBC)	Reg 18 Consultation 2018 – responded in support of housing needs being met across the HMA, with the suggestion of possible inclusion of Green Belt reserve sites if HMA partners cannot meet need. Suggest that amendments	SHBC continues to work with GBC through the TBH partnership arrangements and



Organisation	Summary of co-operation to date	Summary of on-going co-operation issues
	<p>to Green Belt boundaries should not be ruled out to meet gypsy and traveller needs. The approach to biodiversity should include recent work by the Surrey Nature Partnership and notes that joint work is being undertaken on the potential clean air zone on the A331. The approach to transport infrastructure is supported.</p> <p>2020/21 – written correspondence with regards to unmet needs in Surrey Heath.</p> <p>TBH – the Council works with GBC as part of the TBH partnership.</p>	<p>on Surrey working groups.</p> <p>Consultation on Reg18 Local Plan.</p>
Hart District (HDC)	<p>Statement of Common Ground (SCGI), March 2022 agreed to support the Draft Surrey Heath Local Plan setting out that Hart will deliver 731 homes towards unmet need in Surrey Heath (533 over the Surrey Heath Plan period) following written correspondence and officer led virtual meetings.</p> <p>Reg 18 Consultation 2018 – responded with concerns that to date insufficient work has been done to try and meet housing needs in the Borough and raised concerns with the SLAA methodology. The future role of the HMA under the revised NPPF was also raised.</p> <p>Joint working through an HMA Member Liaison Group. Statements of Common Ground have previously been agreed by Hart, Rushmoor and Surrey Heath in relation to matters of housing, economy and the TBH in 2018 in relation to the Rushmoor and Hart Local Plans.</p>	<p>SHBC continues to work with HDC through the TBH partnership arrangements and on cross boundary strategic matters specifically housing needs.</p> <p>Consultation on Reg18 Local Plan.</p>





Organisation	Summary of co-operation to date	Summary of on-going co-operation issues
National Highways (formerly Highways England)	Reg 18 Consultation 2018 - For Surrey Heath, HE's interest is in the M3 and the impact of growth of traffic on that motorway. Informal views sought in December 2021 on the draft Spatial Strategy.	Future involvement in the TA process. Consultation on Reg18 Local Plan.
Historic England (HE)	Reg 18 Consultation 2018 – responded with general comments regarding evidencing and delivering a positive strategy for the conservation, enjoyment and enhancement of the historic environment. Early consultation on draft heritage policies.	Consultation on Reg18 Local Plan.
Homes England	Reg 18 Consultation 2018 – no response made.	Consultation on Reg18 Local Plan.
Mayor of London	Reg 18 Consultation 2018 – no response made.	Consultation on Reg18 Local Plan.
Natural England (NE)	NE has had an input into the emerging Local Plan and evidence base. It is also a key partner in the delivery of measures to protect the TBHSPA across the affected authorities. There is regular liaison through the TBH partnership as set out in Table 2. NE has had an input into SANG and SPA matters affecting the Local Plan. NE responded to the Reg 18, 2018 consultation suggesting that SANG capacity is identified in all the allocation policies, seeking clarification on the Princess Royal barracks site boundary, suggesting content for the TBHSPA policy, and welcoming early discussions on an HRA which will need to be informed by a traffic flow model and air quality modelling.	SHBC continues to work with NE through the TBH partnership arrangements.  Consultation on Reg18 Local Plan.



Organisation	Summary of co-operation to date	Summary of on-going co-operation issues
Royal Borough of Windsor and Maidenhead (RBWM)	<p>Reg 18 Consultation 2018 – responded encouraging the SLAA methodology and assumptions be revisited to identify additional capacity. Agreement to continued joint working on Gypsy and Traveller needs. Urge protection of the Strategic Green Belt buffer between the two Boroughs. Support strategic options and approach to employment land. Would welcome further engagement on strategic transport and infrastructure issues. Note that it is not clear that sufficient SANG is yet in place and that further traffic modelling and air quality mitigation work needs to be undertaken.</p> <p>Statement of Common Ground with RBWM, SHBC, Runnymede and SCC agreed in 2018.</p> <p>2020/21 – written correspondence with regards to unmet needs in Surrey Heath.</p>	<p>SHBC continues to work with RBWM through the TBH partnership arrangements.</p> <p>Consultation on Reg18 Local Plan.</p>
Runnymede Borough	<p>Reg 18 Consultation 2018 – no response made.</p> <p>Statement of Common Ground with RBWM, SHBC, Runnymede and SCC agreed in 2018.</p> <p>2020/21 – written correspondence with regards to unmet needs in Surrey Heath.</p> <p>D2C meeting held in 2021 regarding strategic cross boundary matters, including potential highways impacts depending on the scale and location of development in Surrey Heath.</p>	<p>SHBC continues to work with Runnymede through Surrey working groups.</p> <p>Consultation on Reg18 Local Plan.</p>
Rushmoor Borough (RBC)	<p>Statement of Common Ground (SCG2), March 2022 agreed confirming that Rushmoor is unable to meet any unmet needs following written correspondence and officer level virtual meeting.</p>	<p>SHBC continues to work with RBC through the TBH partnership arrangements.</p>



Organisation	Summary of co-operation to date	Summary of on-going co-operation issues
	<p>Previous joint working through an HMA Member Liaison Group. Statements of Common Ground have been agreed by Hart, Rushmoor and Surrey Heath in relation to matters of housing, economy and the TBH in 2018 in relation to the Rushmoor and Hart Local Plans.</p> <p>Reg 18 Consultation 2018 – responded encouraging Surrey Heath to try and meet housing needs, and if not welcome continued joint working to discuss how unmet needs can be met. Suggest some changes to Objective A re housing to be delivered and request a clear distinction between housing need and the housing requirement. Rushmoor raises concerns about the SLAA methodology and encourages opportunities for increasing capacity.</p>	<p>Consultation on Reg18 Local Plan.</p>
<p>Surrey County Council (SCC)</p>	<p>Reg 18 Consultation 2018 – responded with suggested policy wording for flood risk/SUDS, suggested reference to collaborative partnership working on infrastructure, reference to the Waste and Minerals Local Plans, to the Electric vehicle Strategy and to joint working on air quality.</p> <p>SCC has had an input into background evidence and technical studies. Regular infrastructure meetings now take place.</p> <p>Statement of Common Ground with RBWM, SHBC, Runnymede and SCC agreed in 2018.</p>	<p>Discussions on infrastructure, particularly highways and education infrastructure are on-going.</p> <p>SCC are managing the emerging Transport Assessment.</p> <p>SHBC continues to work with SCC through the TBH</p>



Organisation	Summary of co-operation to date	Summary of on-going co-operation issues
		<p>partnership arrangements and Surrey working groups.</p> <p>Consultation on Reg18 Local Plan.</p>
Surrey Heath Clinical Commissioning Group	Reg 18 Consultation 2018 – no response made.	Consultation on Reg18 Local Plan.
Surrey Nature Partnership	Reg 18 Consultation 2018 – no response made.	Consultation on Reg18 Local Plan.
Woking Borough (WBC)	<p>Reg 18 Consultation 2018 – responded referencing the need for joint working to identify funding to implement measures of mitigation along the A320 corridor. All efforts should be made to ensure that housing needs are met across the HMA. Suggests that the exclusion of Fairoaks Airport as an allocation would be stronger if it is tested as an alternative option.</p> <p>2020/21 – written correspondence with regards to unmet needs in Surrey Heath.</p> <p>D2C meeting held in 2021 regarding strategic cross boundary matters, including potential highways impacts depending on the scale and location of development in Surrey Heath.</p>	<p>SHBC continues to work with Woking through the TBH partnership arrangements and Surrey working groups.</p> <p>Consultation on Reg18 Local Plan.</p>
Other Surrey Authorities	Elmbridge – Regulation 18 consultation advised that should there be a housing	SHBC continues to work with



Organisation	Summary of co-operation to date	Summary of on-going co-operation issues
	<p>shortfall that cannot be met within the HMA then it is unlikely that Elmbridge would be able to assist due to the constraints in the Borough.</p> <p>Waverley – Regulation 18 consultation advised that should there be a housing shortfall that cannot be met within the HMA then it is unlikely that Waverley would be able to assist due to the constraints in the Borough</p> <p>All Surrey Authorities - 2020/21 – written correspondence with regards to unmet needs in Surrey Heath.</p>	<p>Runnymede through Surrey working groups.</p> <p>Consultation on Reg18 Local Plan.</p>



## Appendix I: Local Plan Status in Neighbouring Local Authorities (as of February 2022)

Local Authority	Plan making stage	Other comments
Bracknell Forest Borough	A new Bracknell Forest Local Plan (up to 2037) has been prepared and was submitted for examination in December 2021.	Will replace the saved policies in the Bracknell Forest Borough Local Plan (2002) and the Core Strategy (2008).
Guildford Borough	<p>Guildford Borough Local Plan Strategy and Sites 2015 -2034 was adopted April 2019.</p> <p>Guildford Borough Local Plan: Development Management policies is being prepared with the Reg 19 proposed submission Plan out for consultation from 7 January 2022 to 18 February 2022.</p>	Will replace the Guildford Local Plan 2003 (saved policies).
Hart District	Hart Local Plan Strategy and Sites 2014 – 2032 adopted March 2020	<p>Assessment being undertaken regarding whether adopted Local Plan will need to be reviewed.</p> <p>Local Development Scheme identifies a Traveller DPD to be prepared and a Development Management Policies Local Plan to be prepared for submission in November 2022.</p>
Royal Borough of Windsor and Maidenhead	The Borough Local Plan 2013 – 2033 was adopted on 8 February 2018.	The previous Local Plan and the Maidenhead Town Centre AAP are no longer



Local Authority	Plan making stage	Other comments
		part of the Development Plan.
Runnymede Borough	Runnymede 2030 Local Plan adopted July 2020.  Review of the Runnymede Local Plan commenced in January 2021 with submission expected July 2024.	
Rushmoor Borough	Rushmoor Borough Local Plan adopted February 2019.	
Woking Borough	Site Allocations DPD adopted October 2021 and forms part of the Development Plan alongside Woking Core Strategy (2012) and Woking Local Plan Development Management Policies adopted (2016).	



## Appendix 2: Matrix of Strategic Matters and Duty to Co-operate Partners

Strategic Matters										
Organisation	Matter 1: Meeting Housing Needs	Matter 2: Gypsies & Travellers	Matter 3: Economic Growth & Retail	Matter 4: TBHSPA	Matter 5: Natural & Historic Environment and Green Belt	Matter 6: Flooding	Matter 7: Transport	Matter 8: Social Infrastructure (Healthcare & Education)	Matter 9: Utilities	Matter 10: Climate Change
<b>Surrey Authorities</b>										
Surrey County Council	✓	✓ <sup>7</sup>	✓	✓	✓	✓	✓	✓	✓	✓
Epsom & Ewell Borough Council	✓				✓					✓
Elmbridge Borough Council	✓		✓	✓	✓					✓
Guildford Borough Council	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Mole Valley Council	✓				✓					✓

<sup>7</sup> All Surrey authorities are part of a County wide transit sites project





Reigate & Banstead Council	✓				✓					✓
Runnymede Borough Council	✓	✓	✓	✓	✓		✓	✓	✓	✓
Spelthorne Council	✓		✓		✓			✓		✓
Tandridge District Council	✓		✓		✓					✓
Waverley Borough Council	✓		✓	✓	✓			✓		✓
Woking Borough Council	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
<b>Berkshire Unitaries</b>										
Bracknell Forest Borough	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Royal Borough of Windsor & Maidenhead	✓	✓	✓	✓	✓		✓	✓		✓
Wokingham Borough	✓		✓	✓	✓	✓				✓
<b>Hampshire Authorities</b>										
Hampshire County Council	✓	✓	✓	✓	✓	✓	✓		✓	✓



Basingstoke & Deane			✓							
Hart District	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Rushmoor Borough	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
<b>Prescribed bodies</b>										
Civil Aviation Authority			✓				✓			
Frimley Clinical Commissioning Group								✓		
Surrey Heartlands Clinical Commissioning Group								✓		
Enterprise M3 Local Enterprise Partnership	✓		✓	✓			✓			✓
Environment Agency	✓				✓	✓			✓	✓
Highways England							✓			
Historic England	✓		✓		✓					
Homes England	✓						✓			
Mayor of London			✓				✓			



	✓									
National Health Service Commissioning Board								✓		
Natural England				✓	✓	✓				✓
Office of Rail and Road							✓			✓
Surrey Nature Partnership				✓	✓	✓				✓
Transport for London							✓			



## Appendix 3: Outcome of duty to co-operate consultation letters (October 2021)

Responses to letter sent on 1<sup>st</sup> October 2021 to neighbouring and Surrey authorities outside Housing Market Area

Authority	Response: Housing need	Response: Gypsy and Traveller needs	Any other comments
<b>Bracknell Forest Borough</b>	BFC are not in a position to be able to help SHBC with unmet general housing needs.	BFC are unable to assist with meeting SHBC Gypsy and Traveller pitch needs.	Further discussions on creating a super SANG and unlocking further SANG capacity are scheduled to take place with officers from both LPAs shortly.
<b>Elmbridge Borough</b>	Emerging evidence base shows there is a realistic possibility that Elmbridge will not be able to meet their local housing need within existing urban areas.	No comments on this matter.	EMB is seeking to identify additional SANG capacity. Various options are being considered however, the catchment areas of these options will not extend into Surrey Heath Borough.
<b>Epsom &amp; Ewell Borough</b>	No response received.	No response received.	No response received.
<b>Guildford Borough</b>	No surplus supply and cannot therefore contribute towards	It is not considered that the level of sites identified is much greater than needed and there	GBC allocated a number of Green Belt sites, including traveller sites. The approach



Authority	Response: Housing need	Response: Gypsy and Traveller needs	Any other comments
	meeting unmet needs from elsewhere	is therefore no surplus that could be considered to meet any unmet needs arising from elsewhere.	to Green Belt release has also been tested through the High Court which has confirmed that housing need can and should form part of the exceptional circumstances test. For these reasons they consider that a thorough and robust approach will be necessary in demonstrating that Surrey Heath's housing needs cannot be met in full.
<b>Mole Valley District</b>	Mole Valley District Council cannot meet its own general housing needs and is therefore unable to assist.	There is no known supply of deliverable sites in Mole Valley to accommodate cross-boundary needs.	Mole Valley's GTAA does not identify any significant cross-boundary movement indicating a strategic requirement to accommodate households from beyond the Mole Valley's administrative boundaries.
<b>Reigate &amp; Banstead Borough</b>	Reigate and Banstead and Surrey Heath are in different housing market areas.	No comments on this matter	



Authority	Response: Housing need	Response: Gypsy and Traveller needs	Any other comments
	Consequently, it would serve limited purpose for our authorities to work together on this issue.		
<b>Royal Borough of Windsor &amp; Maidenhead</b>	No response received.	No response received.	No response received.
<b>Runnymede Borough Council</b>	At the current time it is not possible for the Council to commit to meeting unmet needs from another Local Authority area.	At the current time it is not possible for the Council to commit to meeting unmet needs from another Local Authority area.	Suggested that unmet needs should be met within the HMA.  Runnymede's SANGs are too far away from the western part of Surrey Heath where SANG is most needed, as such RBC would not be able to assist in this regard.
<b>Spelthorne Borough</b>	No response received.	No response received.	No response received.
<b>Tandridge District</b>	No response received.	No response received.	No response received.
<b>Waverley Borough</b>	Waverley is not in a position to assist in meeting the unmet	The Council is unable to assist in meeting any of the unmet	Waverley is currently not in a position to provide any



Authority	Response: Housing need	Response: Gypsy and Traveller needs	Any other comments
	housing need from the borough of Surrey Heath.	need for gypsy and traveller sites from the borough of Surrey Heath.	information about the availability of SANG in the future to support housing development in Surrey Heath.
<b>Woking Borough</b>	Woking Borough Council is unable to meet any unmet need arising from Surrey Heath Borough.	Woking Borough Council is unable to meet any unmet need arising from Surrey Heath Borough.	
<b>Wokingham Borough</b>	WBC does not have capacity to assist SHBC, or any other local planning authority, with regards to unmet needs.	Given the significant need for Gypsy and Traveller pitches in Wokingham Borough and the lack of identified suitable land supply, it is not appropriate or possible for WBC to assist in meeting any unmet need from SHBC or elsewhere.	WBC consider that housing needs can only be met within the functional geography of the originating local authority.

