Statement of Common Ground

as agreed between

Tandridge District Council and Wealden District Council
Contents

1. Introduction

The basis for preparing this Statement of Common Ground

2. Key Matters

  2.1 Housing
  2.2 Travellers
  2.3 Conservation and enhancement of natural and historic environment

3. Actions going forward

4. Signatories / Declarations

Appendix A: Administrative Areas
1. Introduction

The basis for preparing this Statement of Common Ground

1.1 This Statement of Common Ground (SCG) has been prepared by Tandridge District Council (TDC) together with Wealden District Council (WDC). It reflects the agreed position between the parties.

1.2 The purpose of this SCG is to set out the basis on which TDC and WDC have actively and positively agreed to work together to meet the requirements of the Duty to Cooperate. TDC have prepared their Local Plan for Regulation 19 consultation during the summer of 2018. This statement also describes the established mechanisms for ongoing cooperation on strategic matters.

1.3 Under section 33A of the Planning and Compulsory Purchase Act 2004 (amended by section 110 of the Localism Act 2011) and in accordance with the National Planning Policy Framework (NPPF) 2012 it is a requirement under the Duty to Cooperate for local planning authorities, county councils and other named bodies to engage constructively, actively and on an on-going basis in the preparation of development plan documents and other local development documents. This is a test that local authorities need to satisfy at the Local Plan examination stage and is an additional requirement to the test of soundness.

1.4 The Duty to Cooperate applies to strategic planning issues of cross boundary significance. Local authorities all have common strategic issues and as set out in the National Planning Practice Guidance (NPPG) “local planning authorities should make every effort to secure the necessary cooperation on strategic cross boundary matters before they submit their Local Plans for examination.” The statutory requirements of the Duty to Cooperate are not a choice but a legal obligation. Whilst the obligation is not a duty to agree, cooperation should produce effective and deliverable policies on strategic cross boundary matters in accordance with the government policy in the NPPF, and practice guidance in the NPPG.

1.5 The administrative areas set out in Appendix A show that TDC and WDC share a common boundary and hence are required to work cooperatively in an effective way to address key strategic matters pertaining to these areas.

2. Key Matters

2.1 Housing

2.1.1 Government policy places much emphasis on housing delivery as a means for ensuring economic growth and addressing the current national shortage of housing. Paragraph 47 of NPPF is very clear that ‘local planning authorities should use their evidence base to ensure that their local plan meets the full, objectively assessed needs for market and affordable housing in the housing market area, as far as is consistent with the policies set out in this framework…’.
2.1.2 TDC prepared a Housing Market Assessment (HMA) Paper\(^1\) as part of their Strategic Housing Market area Assessments (SHMAs) in 2015 and updated this in 2018. The TDC SHMA 2018 identifies that there is a small flow from Bromley to Tandridge at 2.5% and a commonality with Bromley house prices in the settlements of Oxted, Woldingham, Limpsfield and Warlingham.

2.1.3 The TDC HMA papers set out that "...evidence points towards Tandridge being a functional component of a HMA including Croydon, Reigate and Banstead and Mid Sussex," which does not include Wealden District Council. This correlates with the Wealden SHMA published in August 2016 and concludes:

"...the definition of a broader HMA which includes Wealden, Eastbourne and Rother with the addition of Tunbridge Wells, Lewes and Mid Sussex. However, it is not a completely exclusive geography for understanding influences on Wealden as other authorities or parts of authorities may also have some migration, commuting and house price relationships and influences with Wealden, albeit these will be less significant"

2.1.4 WDC’s SHMA therefore indicates that Tandridge is not one of the authorities found to share a strong relationship with Wealden. TDC’s SHMA recognises that whilst Wealden has accommodated the fifth largest outflow from Tandridge over the past five years, it did not feature amongst the ten largest flows recorded at the 2011 Census. This suggests an increasingly strong migration relationship between Tandridge and Wealden, albeit at a level which is notably lower than those authorities identified as consistently having the strongest relationships and therefore does not form part of its immediate HMA.

2.1.5 TDC’s 2015 SHMA has identified an objectively assessed housing (OAN) need for the district of 470 houses per annum which amounts to 9,400 dwellings over 20 years. Following the publication of the 2018 household projections, TDC updated their OAN paper in line with the NPPF 2012\(^2\), which includes the uplift of the projections based on market signals. The 2018 paper identified an OAN of 398 dwellings per annum.

2.1.6 TDC’s Housing Land Supply Paper 2018 sets out when considering all the evidence, including the constraints within the District, a total of 6,150 dwellings over 20 years is the maximum capacity achievable in the District. This includes a buffer of 5%. This will lead to an unmet housing need of approximately 1,904 dwellings in Tandridge based against the OAN 2018. In seeking to meet their unmet housing need, TDC has engaged with neighbouring councils within their HMA to explore the possibility of them assisting TDC to meet this need.

2.1.7 Paragraph 179 states “Joint working should enable local planning authorities to work together to meet development requirements which cannot wholly be met within their own areas – for instance, because of a lack of physical capacity or because to do so would cause significant harm to the principles and policies of this Framework”.

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\(^2\) TDC are aiming to submit their Local Plan by January 2019, which is within the 6 month transitional window where existing plans are to be examined against the NPPF 2012.
2.1.8 Through duty to cooperate meetings, WDC have identified that they sit within a different HMA which are meeting their own needs and there is no available capacity to meet TDC’s unmet need due to constraints. Discussions would need to first occur with neighbouring authorities in the HMA to assist with any unmet need.

**Actions**

- TDC and WDC will engage through a wider Duty to Cooperate forum with other neighbouring authorities outside TDC HMA in relation to housing related matters, including unmet need, five year housing trajectory, best fit HMAs, affordability, large scale developments and opportunities for meeting unmet need.
- TDC to undertake a 5 year review of the Local Plan.
- WDC to undertake a review of the Wealden Local Plan in accordance with Policy.

2.2 **Gypsy and Travellers**

2.2.1 In March 2014 TDC issued a “call for sites” to establish land in the District that may be suitable for traveller accommodation, but there was a limited response. TDC also reviewed existing unauthorised sites and temporary permissions. However, through a robust assessment of the sites, insufficient sites have been identified to meet the need of 5 traveller sites and 21 travelling showpeople plots.

2.2.2 There are currently some planning applications submitted to TDC that could assist in meeting the 5 traveller sites; these applications are to be determined by the end of the year. However, there are no suitable sites in the first 10 years, until the GC comes forward for travelling showpeople.

2.2.3 There has been a need to cooperate with neighbouring authorities to assist in meet TDC unmet need. WDC have identified two sites to meet Gypsy and Traveller needs but have no suitable sites to meet TDC travelling showpeople’s unmet need.

2.2.4 TDC will to work with WDC through the wider Duty to Cooperate forum to ensure that suitable provision can be made as appropriate.

**Actions:**

- TDC and WDC engage through the wider Duty to Cooperate forum with other neighbouring authorities outside TDC HMA in relation to housing related matters, including traveller provision.
- TDC to undertake a 5 year review of the Local Plan.

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3 WDC identify that under the NPPF 2012 the objectively assessed housing need for the District is 950 dwellings per annum or 14,250 dwellings between 2013 and 2028. This OAHN includes part of the South Downs National Park that is located within the District. The Proposed Submission Wealden Local Plan was subject to representations under Regulation 19 between August and October 2018 and is anticipating submission of the Wealden Local Plan with a proposed housing requirement of 14,228 dwellings between 2013 and 2028.
2.3 Conservation and enhancement of natural and historic environment

Ashdown Forest

2.3.1 TDC and WDC continue to work positively together in relation to the Ashdown Forest. The Forest is an internationally protected Special Area of Conservation (SAC) and Special Protection Area (SPA).

2.3.2 In order to mitigate recreational impacts upon the SPA, TDC and WDC are both signatories to the Inter Authority Agreement (IAA) for the Ashdown Forest, which sets the process of collecting contributions to Strategic Access Management and Monitoring (SAMM) to mitigate impacts upon the Forest. Both WDC and TDC have agreed that 7km is the appropriate mitigation zone to collect SAMM contributions, based on the technical evidence of the Ashdown Forest Visitor Survey which WDC and TDC jointly commissioned, together with other authorities. An updated IAA 2018 agreement is currently in the process of being discussed between WDC and TDC, as well as other relevant authorities, and is anticipated to be signed before the end of 2018. Both WDC and TDC have an ongoing commitment (set out in the IAA) to meet at least quarterly in relation to recreational pressures on the SPA, and SAMM in particular. In addition, TDC have initiated discussions with WDC with a view to possibly sharing Suitable Alternative Natural Greenspace (SANG) to further mitigate recreational impacts upon the Forest.

2.3.3 Both WDC and TDC also attend regular meetings of the Ashdown Forest Air Quality Working Group, which is chaired by South Downs National Park Authority. TDC are signatories of the Ashdown Forest Air Quality Statement of Common Ground (SoCG) – WDC are not a signatory but both parties will continue to work together as part of the Group. This will include a forthcoming Site Nitrogen Action Plan (SNAP) to be led by Natural England which will proactively seek to reduce levels of nitrogen deposition on the Forest over the longer term.

2.3.4 Whilst TDC do not feel development within their District will have an impact on the air quality within the Ashdown Forest, TDC and WDC have actively promoted measures to reduce nitrogen deposition on the Forest, as part of good stewardship and will continue to do so as part of the ongoing process of producing a SNAP.

Actions

- Update the Inter Authority Agreement
- Consider the opportunities for sharing SANG
- Prepare a Site Nitrogen Action Plan

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4 Wealden District Council published a Position Statement in relation to the Ashdown Forest Statement of Common Ground which is available on the Council's website
3. **Actions going forward**

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<th>Agreed Action</th>
<th>Other comments</th>
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<tr>
<td>Ashdown Forest</td>
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4. **Signatories/Declaration**

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<th>Signed on behalf of Tandridge District Council (Chief Executive)</th>
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<tr>
<td>Position: COUNCIL MEMBER: PLANNING</td>
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Appendix A: Administrative Areas

[Tandridge District Council logo]

Settlements

Railway Track
- Multi Track
- Single Track
- Narrow Gauge

Roads
- B Road
- A Road
- Primary Road
- Motorway

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