Statement of Common Ground

as agreed between

Tandridge District Council and London Borough of Bromley Council

July 2019
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Tandridge District Council Local Plan: Statement of Common Ground with London Borough of Bromley Council, July 2019

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 London Borough of Bromley Council (LBBC). 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 LBBC have actively and positively agreed to work together to meet the requirements of the Duty to Cooperate. TDC submitted their Local Plan for Examination in January 2019. This statement also describes the established mechanisms for ongoing cooperation on strategic matters.

1.3 LBBC submitted their Draft Local Plan for examination in August 2017 and as such is required to be consistent with the 2012 NPPF rather than the revised 2018 framework. In addition, as a London Borough, LBBC’s Local Plan must be in general conformity with the adopted London Plan (2016). At the time of signing the Statement of Common Ground, LBBC have received the Local Plan Inspector’s report and the adoption of Bromley’s Local Plan, subject to modifications, will be considered by Bromley Council 16th January 2019.

1.4 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.

1.5 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.

1.6 The administrative areas set out in Appendix A show that TDC and LBBC 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 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 the London Borough of Bromley. This correlates to the London SHMA undertaken in 2017, which includes Bexley, Greenwich, Lewisham and Southwark. The geographic scope of the study expected boroughs to take account of key relationship with other local authorities through their respective plan-making processes.

2.1.4 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 2016 household projections, TDC updated their OAN paper in line with the NPPF 2012, which includes the uplift of the projections based on market signals. The 2018 paper identified an OAN of 398 dwellings per annum.

2.1.5 TDC’s Housing Land Supply Paper 2018 sets out that when considering all the evidence, including the constraints within the District, a total of 6,056 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.

2.1.6 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”.

2TDC submitted their Local Plan in January 2019, which is within the 6 month transitional window where existing plans are to be examined against the NPPF 2012.
2.1.7 LBBC and TDC are within separate Housing Market Areas. LBBC have clarified that they have
investigated the future capacity for residential development over the projected Local Plan
period in accordance with the London Plan strategy (Policy 1.1). The housing supply
trajectory in the Draft Local Plan demonstrates that LBBC is able to meet the housing target
set out in London Plan Policy 3.3 (641 dpa, plus a buffer of 5%). However, LBBC does not
meet its own Borough need due to constraints including a large proportion of protected
open space and Green Belt. LBBC is unable to assist TDC with unmet housing need.

2.1.8 Any approach to London Boroughs would need to be at a strategic level through the Mayor,
as the London Plan treats the Greater London Area as one housing market which shares both
need and supply across the boroughs. Both councils will continue to work together and
identify the position as they review their respective Local Plans in the future.

2.1.9 **Actions**

- TDC and LBBC will engage through the 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, London’s
growth, large scale developments and opportunities for meeting unmet need.
- TDC to undertake a 5 year review of the Local Plan.

2.2 **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 meeting TDC
unmet need. LBBC have identified proposals to meet their own identified traveller
accommodation needs, including Green Belt release but are not able to offer provision to
neighbouring areas as exceptional circumstances could not be demonstrated.

2.2.4 LBBC have raised concerns that the plan does not provide for adequate numbers and secure
sites and plots. LBBC recommend that the Draft Local Plan addresses the need for the whole
plan period, and that, in the absence of any other specific allocation for traveller pitches, the
Policy for South Godstone Garden Community is amended to include traveller site provision.
2.2.5  TDC will update Policy SGC01 to include the provision of travellers and will to work with LBBC- through the wider Duty to Cooperate forum to ensure that suitable provision can be made as appropriate.

Actions:

- TDC will update Policy SGC01 to include the provision of travellers
- TDC and LBBC 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.

3. Actions going forward

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<tr>
<th>Key Issue</th>
<th>Agreed Action</th>
<th>Other comments</th>
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<tbody>
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<td>Housing / Gypsy and Traveller</td>
<td>TDC and LBBC will engage through the wider Duty to Cooperate forum on all housing related matters to identify where unmet need will be met, prior to the 5 year review of the TDC’s Local Plan.</td>
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<tr>
<td>Gypsy and Traveller</td>
<td>TDC will update Policy SGC01 to include the provision of travellers</td>
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4. Signatories/Declaration

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<tr>
<th>Signed on behalf of Tandridge District Council</th>
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<tbody>
<tr>
<td>(Councillor)</td>
<td>(Interim Head of Strategy)</td>
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<tr>
<td>Position: Leader of the Council</td>
<td>Position: Interim Head of Strategy</td>
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<td>Date: 05 September 2019</td>
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<tr>
<th>Signed on behalf of London Borough of Bromley Council (Chairman Of Development Control Committee)</th>
<th>Signed on behalf of London Borough of Bromley Council (Chief Planner)</th>
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<tbody>
<tr>
<td>Position: CHAIRMAN DEVELOPMENT CONTROL CCR</td>
<td>Position: CHIEF PLANNER</td>
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<td>Date: 23rd July 2019</td>
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Appendix A: Administrative Areas