Statement of Common Ground

as agreed between

Tandridge District Council and the London Borough of Croydon Council

July 2019
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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 Croydon Council (LBCC). 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 LBCC have actively and positively agreed to work together to help 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 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. 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.

1.4 The administrative and conservation areas set out in Appendices A, B and C shows that TDC and LBCC 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 HMA papers set out that “...evidence points towards Tandridge being a functional component of a HMA including Croydon, Reigate and Banstead and Mid Sussex.”

2.1.3 However, it is equally apparent – and of importance for the Council in developing the Local Plan – that all of the authorities which are identified as forming this functional HMA (Croydon; Reigate and Banstead; and Mid Sussex) have NPPF-compliant adopted Local Plans which are less than five years old. These plans have been assessed as meeting housing needs in the context of their own HMAs, which do not include Tandridge.

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 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.

2.1.5 TDC’s Housing Land Supply Paper 2018 sets out 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 of the NPPF 2012 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”.

2.1.7 The Croydon Local Plan adopted February 2018 has a housing target of 32,890 which will be delivered in three almost equal ways; in the Croydon Opportunity Area (the metropolitan centre, on allocated development sites and the sustainable growth of the suburbs. However, the London Plan is currently being updated and plans to increase LBCC need from 1,435 per annum to 2,949 per annum. Once the new London Plan is adopted the Croydon Local Plan will be reviewed.

2.1.8 Through duty to cooperate meetings and representations received, LBCC have identified no available capacity to meet TDC’s unmet need as they are unable to meet their own needs as the target is based upon their maximum capacity rather than meeting housing need. However, both councils will continue to work together to try to meet their housing needs as informed by their evidence to support their Local Plans, including relationships with the Gatwick Diamond and the South London Partnership.


\(^2\) TDC submitted their Local Plan in January 2019, within the 6 month transitional window where existing plans are to be examined against the NPPF 2012.
Action:

- TDC and LBCC will share evidence and engage during the preparation of their Local Plans
- TDC to undertake a 5 year review of the Local Plan
- Croydon to undertake a review of the Local Plan once the London Plan is adopted.

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 Garden City 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.

2.2.4 LBCC have allocated traveller sites through their local plan and have a five year supply of sites however they are also having difficulties meeting their own identified accommodation in the longer term. Whilst both Councils are currently unable to meet their own need they will share evidence and engage to ensure that suitable provision can be made as appropriate.

Action:

- TDC and LBCC will continue to consider where unmet need could be met.
- TDC to undertake a 5 year review of the Local Plan
- Croydon to undertake a review of the Local Plan once the London Plan is adopted. TDC and LBCC will continue to work together to share evidence, engage and try to meet identified needs in the interim period.

2.3 Infrastructure

Other infrastructure

Road Networks

2.3.1 The main strategic cross boundary issues relating to transport is the A22. Additionally, The Mayor’s Transport Strategy sets a target of 80% of all journeys to be made by walking,
cycling or public transport by 2041. Given the amount of growth in the outer suburbs planned for in the Croydon Local Plan and in the emerging new London Plan it is outer London where to achieve greater capacity there needs to be a cut in the car mode share for trips coming into outer London from outside London by 10%. Works on the A22 would need to consider carefully in detail this modal share issue. Discussions between TDC Croydon and the London Mayor will continue about this issue.

**Actions:**
- TDC to discuss works to be undertaken for the A22 and as part of this consider how to cut the car mode share for trips coming into outer London from outside London along this route by 10%.

### 2.4 Site Specific

#### 2.4.1 LBCC do not support the way that the housing allocation HSG06 in the Plan– Land of Salmons Lane West, Caterham is presented to guide development of the allocation as this would conflict with the Kenley Aerodrome Conservation Area

#### 2.4.2 LBCC and TC have discussed the allocation ahead of the submission the draft Local Plan. Some suggested changes have been agreed which are indicated in revised policy wording below. There is still disagreement on the final allocation number for the site which LBCC believes, taking into account the constraints for the site, should be up to 60 units. LBCC also believe that the only part of the site that is developable is area d as shown on the plan in Appendix C. LBCC believe that should areas a, b, and c still form part of the allocation these should not be developed and a clear steer about how these areas contribute to the allocation should be set out in HSG06

#### 2.4.3 The main areas of disagreement are:
- The Kenley Aerodrome Conservation Area Proposals Statement should not inform the heritage assessment.
- Parts A, B and C of the site set out in Appendix C should not be developed. The heritage assessment shouldn’t be led by this.
- The descriptions of development for areas a, b and c should be revised to indicate that as these are green spaces or covered by mature trees they would not be developable and would form part of the landscaping in the overall delivery of the allocation.

**Actions:**
- TDC Amend the Policy HSG06 as agreed with LBCC.

### 3. Set out clearly for the Inspector appointed to examine the Local Plan, areas where an agreement has not been reached **Actions going forward**
Tandridge District Council Local Plan: Statement of Common Ground with London Borough of Croydon Council, July 2019

<table>
<thead>
<tr>
<th>Housing / Gypsy and Traveller</th>
<th>TDC and LBCC will share evidence and engage during the preparation of their Local Plans through the Gatwick Diamond and the South London Partnership, reviewing their respective plans when appropriate.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gypsy &amp; Traveller Sites</td>
<td>TDC and LBCC will continue to work together to share information and try to meet identified needs in the interim period.</td>
</tr>
<tr>
<td>Infrastructure</td>
<td>TDC and LBCC to update each other on works to the A22.</td>
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<tr>
<td>Site Specific</td>
<td>Amendment of Policy HSG06 to reflect LBCC concerns but also to make the Inspector aware where there are still areas of disagreement.</td>
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</tbody>
</table>

4. Signatories/Declaration

Signed on behalf of Tandridge District Council (Councillor)

Signed on behalf of Tandridge District Council

Position: Leader of the Council
Date: 05/09/2019

Signed on behalf of London Borough of Croydon Council (Director of Planning and Strategic Transport)

Steve Dennington
Position: Head of Spatial Planning
Date: 01/08/2019
Appendix C: HSG06 (Parts A, B, C and D)