Statement of Common Ground

as agreed between

Tandridge District Council and

Reigate & Banstead Borough Council
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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 Reigate & Banstead Borough Council (RBBC). 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 RBBC 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 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. 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 shows that TDC and RBBC share a common boundary and hence are required to work cooperatively in an effective way to address key strategic matters pertaining to these areas.

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1 TDC submitted their Local Plan in January 2019; within the 6-month transitional window where plans are to be examined against the NPPF 2012. Reference in this SCG to the NPPF therefore relate to the 2012 NPPF unless otherwise specified. References to the NPPG relate to that which was in place under the 2012 NPPF.
2. Key Matters

2.1 Housing

Housing needs

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 the 2012 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 \(^2\) 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 (or over five years old but which have been reviewed and found not to require updating). These plans have been assessed as meeting housing needs in the context of their own HMAs.

2.1.4 TDC’s 2015 SHMA 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-based household projections (which were published in 2018), TDC updated their OAN paper in line with the NPPF 2012 \(^3\), which includes the uplift of the projections based on market signals. The 2018 paper identified an OAN of 398 dwellings per annum (7,960 20 year total).

2.1.5 TDC’s Housing Topic Paper 2019 sets out, when considering all the evidence, including the constraints within the District, that a total of 6,057 dwellings over 20 years is the maximum capacity achievable in the District. This will lead to an unmet housing need of approximately 1,903 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 2012 NPPF states ‘Joint working should enable local planning authorities to work together to meet development requirements which cannot wholly be met


\(^3\)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.
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 adopted 2014 Reigate & Banstead Core Strategy plans to deliver an annual average of at least 460 homes per annum between now and 2027. RBBC are not able to meet their full objectively assessed needs (concluded as being 600-640 homes per annum⁴). This was accepted by the Inspector examining the Reigate & Banstead Core Strategy who concluded that “A shortfall of over 2,000 dwellings against the full objectively assessed housing needs would remain, but given the environmental and other constraints across the borough, it is not possible to meet this shortfall sustainably without conflict with the other aims of the Framework.”

2.1.8 RBBC has recently reviewed its Core Strategy⁵; this review concluded that none of the policies in the plan requires updating or modification at this time. The Core Strategy, and the housing requirements contained within it, therefore continues to be the up to date strategic policy framework for Reigate & Banstead.

2.1.9 It is acknowledged that the 2019 NPPF sets out a new standard methodology for the calculation of local housing needs. Both Councils agree that these local housing needs figures would need to be considered as part of any future Local Plans.

2.1.10 In light of the above, and through duty to cooperate meetings and representations received, both Councils agree that RBBC is presently unable to meet its own housing needs due to constraints on the borough and, therefore, is unable to assist with meeting unmet housing need from Tandridge at this time.

2.1.11 However, both Councils will continue to work together – with each other and other authorities with whom they share housing market links – to examine whether, and how, unmet needs could be addressed within their respective HMAs. This engagement will occur through existing joint working structures. New governance arrangements may be established if required to help address and deliver shared strategic priorities.

**Strategic opportunities and cross boundary sites**

2.1.12 As part of the preferred strategy, TDC have allocated South Godstone Garden Community (SGGC) for around 4,000 dwellings. One of the reasonable alternatives for the Garden Community site was Redhill Aerodrome, which straddles the boundary between RBBC and TDC. However, as set out in the Sustainability Appraisal 2018 and the Housing Topic Paper 2019, there are a number of reasons why Redhill Aerodrome was not allocated. As such, TDC’s Local Plan does not identify the Redhill Aerodrome site as an allocation, nor does it safeguard land.

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⁴ Based on the OAN assessment at that time.
⁵ In accordance with Regulation 10A of the Town & Country Planning (Local Planning)(England) Regulations 2012 (as amended)
2.1.13 The Submission Reigate and Banstead Development Management Plan (DMP) proposed the removal of Redhill Aerodrome from the Green Belt and the safeguarding of the site for potential development beyond the plan period (2027). However, the Inspector examining the DMP has provided post hearing advice which concludes that “there is insufficient evidence to demonstrate the exceptional circumstances required for the Redhill Aerodrome site to be released from the Green Belt and safeguarded for future development at this time”. The Inspector therefore recommended that the policy be deleted from the DMP. The Inspector particularly identifies the current lack of support for the site within the TDC Local Plan, as well as insufficient evidence of the deliverability of access to the M23, as key considerations in concluding that the safeguarded should be deleted from the plan.

2.1.14 Both Councils agree that, at this time, there is insufficient evidence to support allocation or safeguarding of the Redhill Aerodrome site. However, TDC and RBBC agree to maintain a constructive dialogue in respect of issues related to the Redhill Aerodrome and, should circumstances change, agree to establish joint working arrangements to examine development options for the Aerodrome or any other cross boundary sites in order that they can be comprehensively planned to deliver shared strategic priorities.

Actions:

- TDC and RBBC will continue to work together through existing joint arrangements to examine whether, and how, unmet needs could be met.
- TDC and RBBC will continue to review opportunities for preparation of joint strategic policies in relation to housing matters or in response to specific cross-boundary sites.
- TDC to undertake a 5 year review of the Local Plan.
- TDC and RBBC will maintain a constructive dialogue in respect of issues related to Redhill Aerodrome and, should circumstances change, agree to establish joint working arrangements to deliver shared strategic priorities.

2.2 Travellers

2.2.1 In 2011, the Gatwick Diamond authorities (which include Crawley, Mid Sussex and Horsham, Tandridge, Reigate & Banstead and Mole Valley) agreed to seek to meet their own need for additional Traveller provision. The authorities meet up four times a year to discuss Traveller issues and share information.

2.2.2 TDC has assessed need for traveller and show people accommodation (in its Gypsy and Traveller Accommodation Assessment 2017 under the Planning Policy for Travellers Sites 2015 - PPTS) at 5 traveller pitches and 21 travelling showpeople plots. 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, no suitable and deliverable sites were identified for allocation in the Local Plan.
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2.2.3 There are some recent planning permissions (4 pitches) that assist in meeting need. The Local Plan proposes making site allocations within SGGC when it comes forward. There is therefore an unmet need for 1 traveller pitch and 21 travelling show people plots for the immediate future.

2.2.4 There has been a need to cooperate with neighbouring authorities to consider the potential for assistance in meeting TDC’s interim unmet need.

2.2.5 RBBC have proposed to allocate land for traveller sites through the DMP. RBBC is seeking to plan for the full need identified in the PPTS, including those who do not meet the PPTS traveller definition, or those households where this was unknown or uncertain. Through the Main Modifications, RBBC identified additional capacity for gypsy and traveller pitches, however; this is still insufficient to meet the identified five-year need in full. RBBC is able to meet its needs for travelling showperson plots in full through extension of an existing yard. All allocated sites are within the Metropolitan Green Belt and thus have required exceptional circumstances justification. Similar to TDC’s proposed strategy, future needs in later years of the plan would be met through pitch provision on sustainable urban extensions (SUEs). RBBC does not presently require any of its own needs to be accommodated in Tandridge.

2.2.6 In light of the above, it is agreed that RBBC is presently unable to assist with meeting unmet needs for traveller accommodation in Tandridge.

2.2.7 However, both Councils will continue to work together through existing joint working across the Gatwick Diamond sub-region, and through other mechanisms as appropriate, to consider how any unmet for traveller accommodation could be addressed.

Actions:

- TDC and RBBC will continue to work together through existing joint arrangements to examine whether, and how, unmet needs could be met.
- TDC to undertake a 5 year review of the Local Plan.
- TDC and RBBC will continue to work together to share information and TDC will try to meet identified needs in the interim period.

2.3 Employment

2.3.1 TDC’s 2017 Economic Needs Assessment (ENA) update identifies a net requirement for 15.3ha of employment space over the plan period. The submission Local Plan includes employment allocations capable of delivering approximately 21ha, this exceeding identified needs.

2.3.2 The adopted Reigate & Banstead Core Strategy plans for the delivery of approximately 46,000sqm of additional employment space over the period 2012-2027. More recent evidence in RBBCs 2016 Local Economic Needs Assessment, which accompanied the DMP, identifies a similar level of need under a labour supply scenario. The Submission DMP makes
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provision to meet these needs in full through reuse and intensification of existing sites, together with specific site allocations (including a strategic employment land allocation at Horley).

2.3.3 In light of the above, both Councils agree that there are no unmet employment needs within their respective areas at this time. Both Councils will however continue to monitor economic and employment land issues through existing joint working as part of the Gatwick Diamond Initiative; however, no specific action is required at this time.

2.4 Infrastructure

Flooding

2.4.1 Smallfield, a Tier 2 settlement close to the district boundary with RBBC, is the one most relevant to RBBC of those sites being allocated in TDC’s Local Plan. Around 300 units are proposed on a number of sites at Smallfield together with expansion of the primary school and flood mitigation measures, which includes attenuation ponds at a cost of approximately £10m. This has been assessed for feasibility jointly by TDC, The Environment Agency and Surrey CC and should assist in alleviating flooding in RBBC from the Burstow Stream. RBBC are pleased to see the commitment to Smallfield flood alleviation and attenuation.

Action:

- TDC will continue to engage with RBBC on any infrastructure that has a cross boundary impact.
## 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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<td>Travellers</td>
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<td></td>
<td>6. TDC and RBBC will continue to work together to share information and TDC will try to meet identified needs in the interim period.</td>
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<td>Infrastructure</td>
<td>7. TDC will continue to engage with RBBC on any infrastructure that has a cross boundary impact.</td>
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## 4. Signatories/Declaration

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<tr>
<td>(Councillor)</td>
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<tr>
<td>Position: Leader of the Council</td>
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Appendix A: Administrative Areas