

Draft Statement of Common Ground

as agreed between

Sevenoaks District Council and

London Borough of Bromley

1. List of Parties involved:

This Statement of Common Ground (SCG) has been prepared by Sevenoaks District Council (SDC) together with the London Borough of Bromley (LBBR). It reflects the agreed position between the parties.

The purpose of this SCG is to set out the basis on which SDC and LBBR have actively and positively agreed to work together to meet the requirements of the Duty to Cooperate. SDC has prepared their Local Plan for submission in Spring 2019. LBBR adopted its Local Plan in January 2019. This statement also describes the established mechanisms for ongoing cooperation on strategic matters.

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) 2019 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 ongoing 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 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.

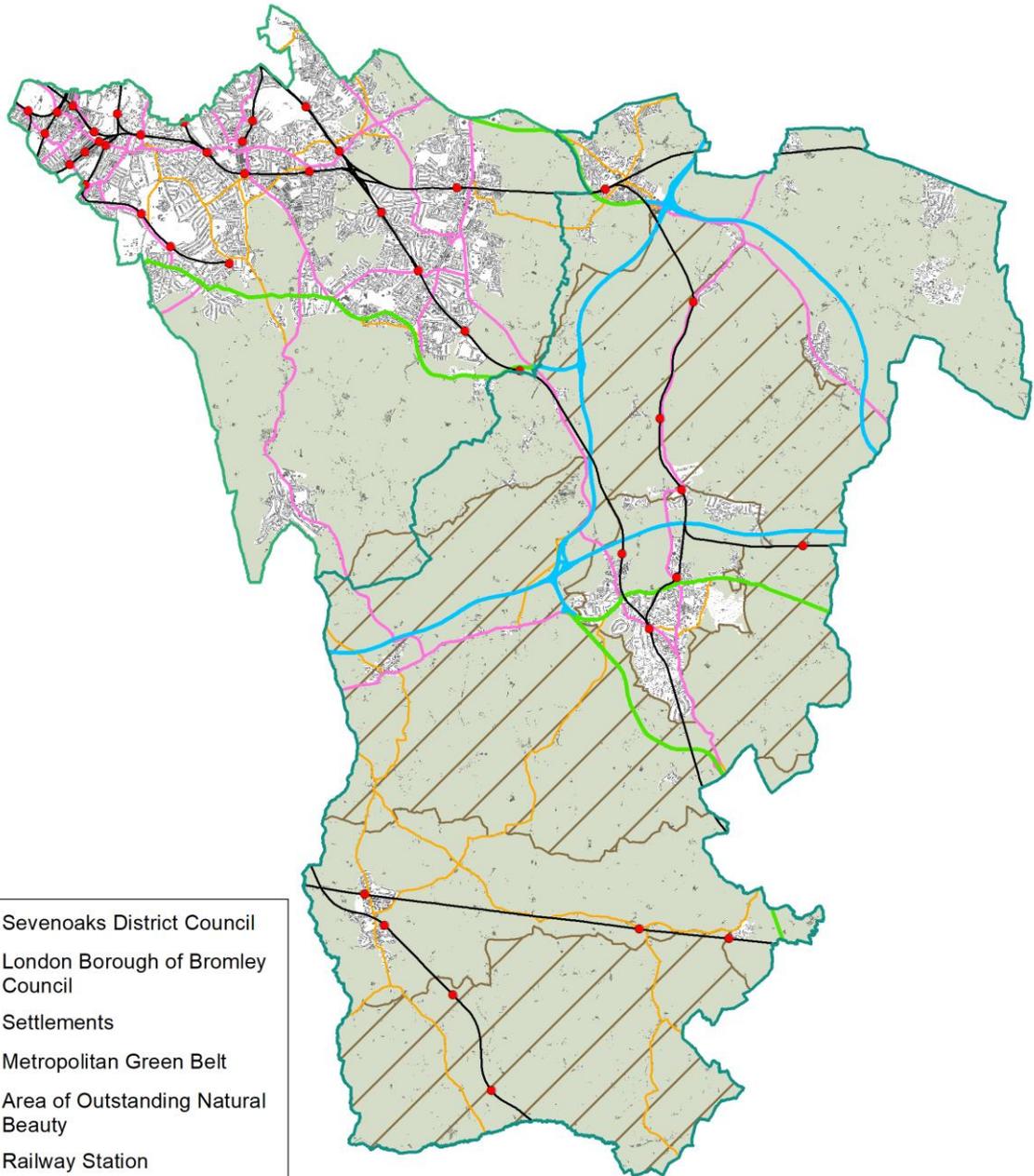
2. Signatories:

Signed on behalf of Sevenoaks District Council (Officer)	Signed on behalf of Sevenoaks District Council (Councillor)
Position:	Position:
Date:	Date:

Signed on behalf of London Borough of Bromley (Officer)	Signed on behalf of London Borough of Bromley (Councillor)
Position:	Position:
Date:	Date:

3. Strategic Geography

The administrative areas set out in the map below show that SDC and LBBr share a common boundary and hence are required to work cooperatively in an effective way to address key strategic matters pertaining to these areas.



-  Sevenoaks District Council
-  London Borough of Bromley Council
-  Settlements
-  Metropolitan Green Belt
-  Area of Outstanding Natural Beauty
-  Railway Station
-  Railway Line
-  Motorway
-  Primary Road
-  A Road
-  B Road

4. Strategic Matters

The NPPF defines the topics considered to be strategic matters (para 20). Those strategic matters relevant to SDC and LBBr are explored below.

Housing

Government policy places much emphasis on housing delivery as a means for ensuring economic growth and addressing the current national shortage of housing. The NPPF is very clear that *“strategic policy-making authorities should establish a housing requirement figure for their whole area, which shows the extent to which their identified housing need (and any needs that cannot be met within neighbouring areas) can be met over the plan period.”*

The Sevenoaks and Tunbridge Wells Strategic Housing Market Assessment (SHMA) published in 2015 identified that Sevenoaks falls within a West Kent housing market area which includes Sevenoaks, Tonbridge and Tunbridge Wells. It goes on to state that *“there is a close set of interactions between the towns of Sevenoaks, Tonbridge and Tunbridge Wells which reflect their geographical proximity.”*

Given the evidence, it is clear that SDC and LBBr do not share the same housing market area. However, that is not to say that there are no interactions between the two authority areas although these are considered to be minimal and not significant regarding housing.

SDC has undertaken Regulation 19 consultation on a Plan that includes proposed Green Belt release but also outlines a degree of unmet housing need. SDC is constrained by the Green Belt (93%) and the Area of Outstanding Natural Beauty (AONB) (60%) and it is noted that SDC cannot meet its need in full within its own administrative area. Discussions have taken place with neighbouring authorities, in the first instance those within the housing market area, and then more widely, to discuss assistance with any unmet need, but no authority to date has been in a position to assist SDC with its unmet need.

SDC's Regulation 19 Plan outlines a housing supply of 10,568 units, which includes 1,104 completions in the period 2015-18. Based on a requirement of 707 units per annum, or 11,312 units in total over a 16 year period (2019-35), this leads to an unmet housing need of approximately 1,800 units (or 16% of the requirement).

Given that SDC and LBBr do not share the same housing market area, and the limited extent of functional connections between SDC and LBBr, it is likely that SDC would first seek assistance on unmet need from the authorities within its housing market area, namely Tonbridge & Malling Borough Council and Tunbridge Wells Borough Council, before turning to any others of its neighbours. In relation to LBBr this would involve seeking assistance from the Greater London Authority through the London Plan.

The London Plan (2016) sets minimum housing supply targets for London Boroughs and charges them to achieve and exceed the minimum targets in order to close the gap between London's identified housing need and supply (London Plan Policy 3.3). Bromley's Local Plan was found sound at examination subject to a number of modifications and was adopted by Bromley Council 15th January 2019. Policy 1 of the Bromley Local Plan states that the Council will make provision for a minimum of 641 additional homes per year.

It is understood that, at present, LBBr is unable to assist SDC with unmet housing need, due to the constraints on both local authorities, and their inability to meet housing needs beyond their own, irrespective of unmet needs elsewhere.

Consequently, both local authorities will continue to work together and identify the position as both SDC and LBBr prepare to review their Local Plans at least every 5 years.

Actions

- SDC and LBBr will engage through the wider Duty to Co-operate forum with other neighbouring authorities, conscious that in relation to housing related matters, such engagement occurs with the Greater London Authority through Spatial Development Plan for London (the London Plan).
- SDC and LBBr to each undertake a 5 year review of their respective Local Plans in line with national guidance.

Gypsies & Travellers

There are established links between SDC and LBBr in relation to Gypsy & Traveller flows which are rooted in historic patterns of movement of the Gypsy & Traveller community linked to seasonal work such as fruit picking in remote areas such as the North Downs. There are a number of existing sites on either side of the Local Authority boundary.

Both SDC and LBBr have allocated sufficient pitches/sites for Gypsies & Travellers to meet need in full, but are unable to assist with any unmet need arising elsewhere due to District and Borough-wide constraints.

Both local authorities will continue to operate existing joint working arrangements through the wider Duty to Cooperate forum to ensure that suitable provision can be made as appropriate.

Actions

- SDC and LBBr will engage through the wider Duty to Co-operate forum with other neighbouring authorities outside each other's housing market area in relation to provision for Gypsies & Travellers.
- SDC and LBBr to each undertake a 5 year review of their respective Local Plans in line with national guidance.

Economic development

There are established links between SDC and LBBr in relation to employment, primarily due to the proximity of (and links to) London, and on that basis both authorities form part of a wider regional economy in and around London. However, in so far as identifying a functional economic market area, it is considered that Sevenoaks, Tonbridge & Malling and Tunbridge Wells share the most similar economic characteristics. This reflects evidence of commuting flows and has become defined as a sub-regional economy through the West Kent Partnership.

At a localised level, links between SDC and LBBr also exist - 8% of Bromley residents work in Sevenoaks and 7% of Sevenoaks residents work in Bromley (Census 2011), however links with West Kent are much stronger.

The Sevenoaks and Tunbridge Wells Economic Needs Study (ENS) published in 2016 identified a need for 11.6ha of new employment land within the SDC area. SDC has allocated sufficient sites to meet employment need in full through the retention of existing employment sites and the potential for intensification/expansion at the Vestry Trading Estate and around the A21/M25 interchange.

In terms of retail, the Sevenoaks Retail Study published in 2017 identified a need for 32,000sqm of retail floorspace, of which one third is required in relation to convenience goods and two thirds in relation to comparison goods. SDC has not allocated new sites to meet retail need, instead focusing on an approach that intensifies town centre uses in existing centres, and considers the introduction of co-location of uses where appropriate.

Bromley's Local Plan (2019) focusses economic growth strategy in the three key areas of Bromley Town Centre, Cray Corridor and Biggin Hill Strategic Outer London Development (SOLD) Centre. Due to the proximity of the SOLD to the borough boundary, there is potential for the latter to attract workers and visitors from the northernmost communities of Sevenoaks District and Tandridge, particularly areas such as Tatsfield and Westerham. The Local Plan evidence base did not identify any infrastructure upgrades required to accommodate future commuting patterns between SDC and LBBr.

The evidence supporting Bromley's recently adopted Local Plan demonstrated that existing industrial, office and retail land can accommodate future growth in these sectors for the plan period. The Green Belt presents a significant hurdle to west- and southward expansion of employment generating uses and the more sustainable approach is to retain and promote economic functions in these sectors on existing sites across the borough. This approach was found sound at the Local Plan's examination.

Both SDC and LBBr have allocated sufficient employment land to meet need in full, but are unable to assist with any unmet need arising elsewhere due to District and Borough-wide constraints.

Both local authorities will continue to operate existing joint working arrangements through the wider Duty to Cooperate forum to ensure that suitable provision can be made as appropriate.

Actions

- SDC and LBBr will engage through the wider Duty to Cooperate forum with other neighbouring authorities outside each other's functional economic market area in

relation to economic related matters, including employment land and retail and town centre development.

- SDC and LBBr to each undertake a 5 year review of their respective Local Plans.

Infrastructure

There are a number of cross boundary infrastructure issues that have an impact on both authorities including road, rail, health and schools. Any relevant issues are discussed and explored at the Duty to Cooperate meetings between SDC and LBBr as well as with other agencies/stakeholders such as Highways England, Network Rail, the Greater London Authority and Bromley Clinical Commissioning Group.

In relation to road and rail infrastructure, SDC and LBBr are committed to continue working together in partnership with the relevant stakeholders, with the aim of ensuring the necessary improvements to support sustainable growth delivered in a timely manner over the period of the SDC and LBBr Local Plans. SDC and LBBr both recognise that securing sufficient funding to deliver infrastructure improvement schemes is important. The two authorities are committed to working together to secure the necessary funding and will positively consider all available mechanisms.

In relation to health and education infrastructure, many patients and pupils travel across the border to access important services. SDC and LBBr are committed to continued partnership working with the relevant stakeholders, including exploring joint bids to unlock funding to support sustainable growth and the necessary infrastructure in both local authority areas over the period of the SDC and LBBr Local Plans. SDC and LBBr will keep each other fully informed of any changes to any significant infrastructure needs and will continue to liaise on these matters at all levels and for all types of development, where appropriate, including through planning applications that are cross boundary.

Actions

- SDC and LBBr to continue to liaise and work together with the infrastructure providers on all cross boundary infrastructure matters, including planning applications.

5. Governance Arrangements

Officers of SDC and LBBr meet to discuss cross boundary strategic matters under the Duty to Cooperate. The narrative and outcome of these discussions is demonstrated in this Statement of Common Ground.

It is intended that the Statement of Common Ground will be updated going forward, particularly as LBBr progresses its Local Plan and as SDC goes through its Local Plan examination.

6. Timetable for review and ongoing cooperation

The expected timetable for Plan review, update and submission for SDC and LBBr is as follows:

	Present Plan Adoption	Proposed Plan Review Date	Target Reg 18 Date	Target Reg 19 Date	Target Submission Date
SDC	Core Strategy 2011 ADMP 2015	In review since 2015	Issues & Options 2017 Draft Local Plan 2018	Proposed Submission Version Local Plan Dec 2018	April 2019
LBBr	Bromley Local Plan (Jan 2019)	Within 5 years in accordance with national guidance	N/A	N/A	N/A