

Statement of Common Ground

as agreed between

Tunbridge Wells Borough Council and
Sevenoaks District Council

Statement of Common Ground - Tunbridge Wells Borough Council and Sevenoaks District Council,
May 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 Tunbridge Wells Borough Council (TWBC) together with Sevenoaks District Council (SDC). It reflects the agreed position between the parties.
- 1.2 The purpose of this SCG is to set out the basis on which TWBC and SDC have actively and positively agreed to work together to meet the requirements of the Duty to Cooperate. TWBC have prepared their Local Plan for Regulation 18 consultation from September to November 2019. SDC have prepared their Local Plan for submission in spring 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) 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 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 TWBC and SDC share a common boundary and hence are required to work cooperatively in an effective way to address key strategic matters pertaining to these areas. It is acknowledged that the areas are also part of established and recognised Housing Market Areas and Functional Economic Market Areas.

2. Key Matters

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

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. 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"*.
- 2.1.2 Sevenoaks District and Tunbridge Wells Borough share a functional housing market area as set out within the Strategic Housing Market Assessment which was produced jointly by the two authorities. This study identified that Sevenoaks and Tunbridge Wells fall within a West Kent Housing Market Area which includes Sevenoaks, Tonbridge and Tunbridge Wells and extends to include Crowborough, Hawkhurst and Healthfield. The SHMA also identifies cross-boundary interactions with the northern parts of Rother and Wealden districts in East Sussex, between Swanley and Dartford; and with London.
- 2.1.3 The Sevenoaks and Tunbridge Wells SHMA concludes that *"The principal adjoining authorities with a strong relationship would be Tonbridge & Malling, Wealden and Rother. Equally the commissioning authorities would need to engage with those authorities in respect of any unmet housing needs arising from these other authorities' areas. We would also advise the Councils to engage with the Greater London Authority and London Boroughs in respect of any unmet needs arising from London"*.
- 2.1.4 SDC has undertaken its Regulation 19 consultation on a Local 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. SDC's Regulation 19 Plan outlines a housing supply of 9,410 units. 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 1,900 units (or 17% of the requirement).
- 2.1.5 Discussions have taken place with neighbouring authorities in the HMA to discuss assistance with any unmet need, but no authority to date has been in a position to assist SDC with its unmet need.
- 2.1.6 TWBC is currently preparing its second Regulation 18 version of the Draft Local Plan for consultation, which includes the vision, objectives and growth strategy, overarching strategic policies, place shaping policies and detailed Development Management Policies.
- 2.1.7 TWBC is also constrained by the Green Belt (22%) and the Area of Outstanding Natural Beauty (70%) as well as areas of flood risk and traffic congestion. The Regulation 18 Draft Local Plan identifies the need for 13,560 dwellings in accordance with the Standard

Methodology. Taking into account homes already built since 2013 and sites benefiting from planning permission and allocations within the existing Site Allocations Local Plan, TWBC is aiming to allocate land to meet the remaining balance of 8,914 (Note: this is still subject to change following ongoing work) dwellings. TWBC is seeking to meet its full objectively assessed need across the borough through development at a number of settlements, strategic release of Green Belt at Paddock Wood/Capel to allow expansion of the settlement and a new garden settlement within the Green Belt at Tudeley also within Capel Parish.

- 2.1.8 It is understood that, at present, TWBC 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.
- 2.1.9 Consequently, both councils will continue to work together and identify the position as both TWBC and SDC prepare to review their Local Plan every 5 years.

Actions

- TWBC and SDC will engage through the wider Duty to Cooperate forum with other neighbouring authorities outside the West Kent housing market area in relation to housing related matters, including unmet need, five year housing land supply, best fit HMAs, affordability, London's growth, large scale developments and opportunities for meeting any unmet need.
- TWBC and SDC to each undertake a 5 year review of their respective Local Plans.

2.2 Economic Development

- 2.2.1 It is considered that Tunbridge Wells and Sevenoaks form part of a wider regional economy, within which many areas share important economic relationships with London. There is also a more localised geography that has historically functioned as a sub-regional economy and which shares similar economic characteristics. It is considered that Sevenoaks district, Tunbridge Wells and Tonbridge and Malling boroughs share a functional economic market area. This reflects evidence of commuting flows and has become defined as a sub-regional economy through the West Kent Partnership.
- 2.2.2 TWBC and SDC carried out a joint Economic Needs Study (2016) in order to inform their respective Local Plans taking into account the recognised functional economic relationships. This identified a need for 11.6ha of new employment land within SDC and 11-14ha within TWBC. Additionally both authorities have carried out their own Retail and Leisure studies which seek to identify the retail, leisure, town centre needs over the Plan period, recognising the functional geography of these areas and the catchment areas for retail and leisure patterns across the wider sub-region.
- 2.2.3 TWBC is seeking to meet its identified employment land and retail needs in full through the retention, intensification and extension of the existing defined Key Employment Areas, in particular a strategic expansion in the Green Belt at land at Kingstanding Way, Royal

Tunbridge Wells and mixed use town centre enhancements primarily within Royal Tunbridge Wells and Paddock Wood.

2.2.4 SDC is seeking to meet its employment and retail, town centre needs in full through the retention of existing employment sites and the potential for intensification/expansion at the Vestry Trading Estate and around the Dunbrik A25 area. SDC is seeking to meet its retail and leisure needs through the promotion of a number of mixed use development sites within Sevenoaks, Swanley and Edenbridge.

2.2.5 Both Councils 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:

- TWBC and SDC to engage through the wider Duty to Cooperate forum with other neighbouring authorities outside the functional economic market area in relation to economic related matters, including employment land and retail and town centre development.
- TWBC and SDC to each undertake a 5 year review of the Local Plan and the evidence base that informs it. Opportunities for continuing joint working arrangements will be explored where appropriate/advantageous.

2.3 Conservation and enhancement of natural and historic environment - Ashdown Forest

2.3.1 Both authorities have been actively involved in wider duty to cooperate matters affecting Ashdown Forest, a European site protected under the Habitat Regulations. Cross boundary issues of visitor pressure and vehicle emissions have the potential to adversely affect the protected habitats and species found on the Ashdown Forest.

2.3.2 TWBC and SDC have been working in partnership with other affected authorities to commission studies, undertake detailed analysis, and to develop policy to ensure planned development can go ahead without causing harm to the designated site. Both authorities are part of two formal partnerships covering these issues: one to address visitor pressure, "The Strategic Access Management and Monitoring (SAMMS) partnership"; and one to address vehicle emissions, the Ashdown Forest Working Group. The Ashdown Forest Steering Group has worked with the Planning Advisory Service as a pilot to produce a Statement of Common Ground, setting out a joint approach to this internationally-designated site.

Actions:

- TWBC and SDC to continue to be active members of the two working groups and undertake the actions set out in the signed Statements of Common Ground and any additional work/liaison as necessary.

2.4 Cross boundary infrastructure

- 2.4.1 There are a number of cross boundary infrastructure issues that have an impact on both authorities including schools, education, health, roads, active travel etc. Any relevant issues are discussed and explored at the regular Duty to Cooperate meetings between the two authorities as well as with other agencies/stakeholders such as Kent County Council Education and Highways, and the West Kent Clinical Commissioning Group (WK CCG).
- 2.4.2 In relation to highway infrastructure, TWBC and SDC are committed to continue working together in partnership, with the aim of ensuring the necessary highways improvements to support sustainable growth delivered in a timely manner over the period of the TWBC and SDC Local Plans. TWBC and SDC recognise that securing sufficient funding to deliver highway improvement schemes is important. The two parties are committed to working together to secure the necessary funding and will positively consider all available mechanisms.
- 2.4.3 TWBC and SDC are committed to continued partnership working, including exploring joint bids to unlock funding to support sustainable growth and the necessary infrastructure in the local authority areas over the Local Plan period. TWBC and SDC 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:


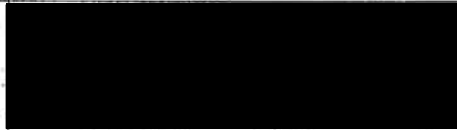
- TWBC and SDC to continue to liaise and work together with the infrastructure providers on all cross boundary infrastructure matters, including planning applications.

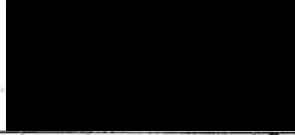
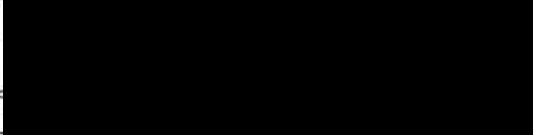
3. Actions going forward

| Key Issue | Agreed Action |
|----------------------------|---|
| Housing | TWBC and SDC will engage through the wider Duty to Cooperate forum with other neighbouring authorities outside the West Kent housing market area in relation to housing related matters, including unmet need, five year housing land supply, best fit HMAs, affordability, London's growth, large scale developments and opportunities for meeting any unmet need, prior to a 5 year review of the respective Local Plans. |
| Economic Development | TWBC and SDC will continue to engage through the wider Duty to Cooperate forum with other neighbouring authorities outside the West Kent functional economic market area in relation to economic development matters, including the provision of employment land, retail, leisure and town centre uses. Opportunities for joint working will be explored as appropriate as part of a 5 year review of respective Local Plans. |
| Environment/Ashdown Forest | TWBC and SDC will continue to form part of the Ashdown Forest working group and Implement actions set out in the signed Statements of Common Ground. |
| Infrastructure | TWBC and SDC will continue to liaise and work together with the infrastructure providers on all cross boundary infrastructure matters, including planning applications. |

3.1 In addition to the agreed position between TWBC and SDC, both authorities are also working with Tonbridge & Malling Borough Council (TMBC) on a West Kent Statement of Common Ground, to address key strategic cross-boundary matters pertinent to all three authorities. The scope of the West Kent Statement of Common Ground may be broadened to cover other infrastructure issues which are pertinent and relevant to either two or all three of the West Kent authorities, for example infrastructure in relation to flood risk.

4. Signatories/Declaration

| Signed on behalf of Tunbridge Wells Borough Council (Officer) | Signed on behalf of Tunbridge Wells Borough Council (Councillor) |
|---|--|
|  |  |
| Position: <u>HEAD OF PLANNING</u> | Position: <u>PORTFOLIO HOLDER PLANNING</u> |
| Date: <u>21/5/2019</u> | Date: <u>21-5-19</u> |

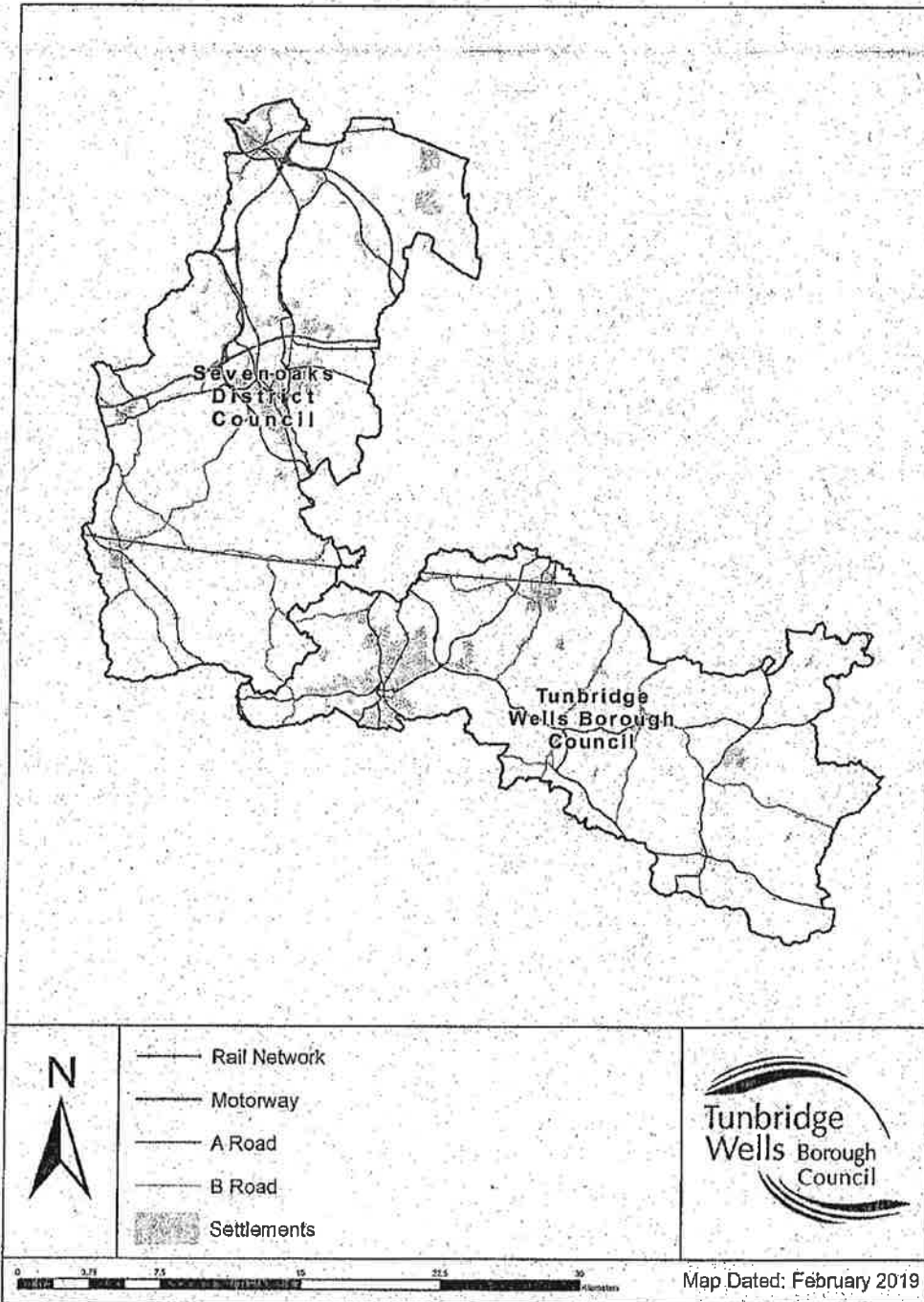
| Signed on behalf of Sevenoaks District Council (Officer) | Signed on behalf of Sevenoaks District Council (Councillor) |
|---|--|
|  |  |
| Position: <u>Chief Executive</u> | Position: <u>[Signature]</u> |
| <u>21.5.19</u> | |

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May 2019

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|-------|-------|
| Date: | Date: |
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Appendix A: Administrative Areas

Administrative Areas



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