

Statement of Common Ground

as agreed between

Sevenoaks District Council and

Dartford Borough Council

November 2021

1. List of Parties involved:

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



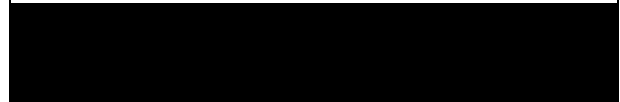
The purpose of this SCG is to set out the basis on which SDC and DBC have actively and positively agreed to work together to meet the requirements of the Duty to Cooperate.

Further to the Local Plan examination, which took place in autumn 2019, SDC is now updating the evidence base to support its emerging Local Plan. DBC has prepared its Pre-Submission (Publication) Local Plan. This statement also describes the established mechanisms for ongoing cooperation on strategic matters. It reflects established active and positive engagement between DBC and SDC on development strategy and planning matters for several years, and a history of close corporate collaboration between the authorities (for example, some shared service arrangements).

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.

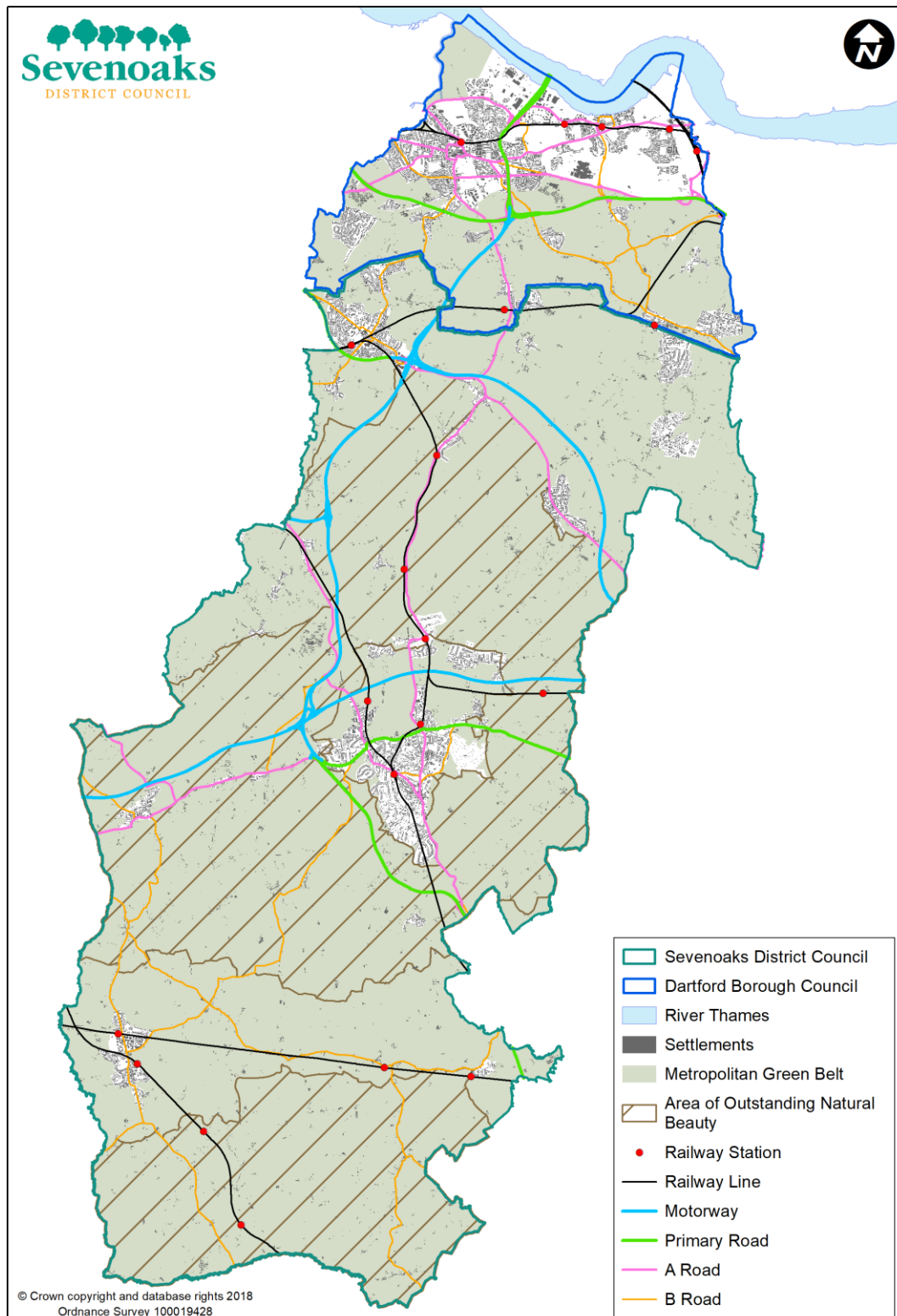
The Duty to Cooperate applies to strategic planning issues of cross boundary significance. Local authorities all have common strategic issues and as set out in the National Planning Practice Guidance (NPPG) *“local planning authorities should make every effort to secure the necessary cooperation on strategic 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	Signed on behalf of Sevenoaks District Council
	
Position: Development & Conservation Portfolio Holder	Position: Deputy Chief Executive and Chief Officer - Planning & Regulatory Services
Date: 09 th December 2021	Date: 09 th December 2021
Signed on behalf of Dartford Borough Council	
	
Position: Head of Planning Services	
Date: 30-11-21	

3. Strategic Geography

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



4. Strategic Matters

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

Housing Agreement

Government policy places much emphasis on housing delivery and supporting the Government's objective of significantly boosting the supply of homes. Paragraph 61 of the NPPF is very clear that "*strategic policies should be informed by a local housing need assessment*". Paragraph 66 further requires 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.*" Paragraph 26 also encourages Local Authorities to work together and states that "*development needs that cannot be met wholly within a particular plan could be met elsewhere.*"

Both parties note the scale of the government's housing ambition, and are aware of the potential economic and social benefits of sustainable urban regeneration in north Kent.

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.*"

It does however identify a strong set of migration flows between local authorities in North and West Kent and indicates that there are strong migration flows between Sevenoaks and Dartford, referring in particular to the cross-boundary interactions between Swanley and Dartford.

Overall, it can be said that there has been a clear migration trend common across the region radiating out from London (rather than orbital patterns). Typically younger people in London form households moving out to the suburbs in London or the inner parts of surrounding counties, and in later life move further out towards more coastal areas.

SDC has recently commissioned a Targeted Review of Local Housing Needs (TRLHN) which will bring the evidence on housing needs up to date, to inform both Local Plan preparation and the emerging Housing Strategy. This document sets out the latest information on migration trends into SDC. A review of the housing market area has been completed as part of the work, and emerging findings confirm that this has not substantially changed since it was defined in the 2015 SHMA.

The TRLHN is in the final stages of preparation and is expected to be available shortly, but the initial messages are clear that there remains a relationship between Sevenoaks District and the Dartford Borough.

The towns of Dartford (DBC) and Swanley (SDC) are located at a distance of 7km from each other and are linked by a regular bus service, though they are separated by strongly performing Green Belt. The rural settlements of Longfield (DBC) and Hartley (SDC) adjoin each other but are separated by a railway line. They are both surrounded by Green Belt and are not earmarked for major development.

It is clear that there are significant differences in average house prices between DBC and SDC but their characteristics mean that there are also wide variations across each local authority area.

Using ONS population estimates from 2019, the Dartford and Ebbsfleet Housing Needs Assessment (DERNA) Updated 2021 indicates that Sevenoaks District remains the fourth most common place for people from Dartford Borough to migrate to, after the London Borough of Bexley, Gravesham and Medway. This indicated that the flow of residents to Sevenoaks District has increased between 2017 and 2019, from 428 residents to 498 residents, now 7.1% of the total moving out of Dartford Borough. Sevenoaks District was also the fourth most common place of origin for people moving to Dartford Borough, with 4.9% of those moving to DBC coming from SDC in 2019. This was an increase from 408 to 440 people between 2017 and 2019. It remains the case that a greater number of people migrated to Dartford Borough from the London Boroughs of Bexley and Greenwich as well as Gravesham Borough. The numbers of people moving between the two authority areas in 2019 were similar. These movements generally align with the radial trend set out above.

Given the evidence, it is clear that there are some functional cross-boundary housing linkages between parts of the two areas but migration between the two areas is relatively limited and balanced, with significantly more people moving to Sevenoaks District and Dartford Borough from London.

As outlined in the Green Belt section below, significant proportions of the area of both Sevenoaks District and Dartford Borough lie within the Green Belt, though a much higher proportion of the larger Sevenoaks District is affected. SDC is preparing evidence to support its emerging plan and whilst the outcomes cannot be predetermined, it is unlikely that all of its housing needs will be met in non Green Belt locations. This issue will be clarified through SDC's Call for Sites process and the conclusions of emerging evidence base documents.

Both authorities note the provisions of Paragraph 141 of the NPPF which state that *"Before concluding that exceptional circumstances exist to justify changes to Green Belt boundaries, the strategic policy-making authority should be able to demonstrate that it has examined fully all other reasonable options for meeting its identified need for development. This will be assessed through the examination of its strategic policies...and whether the strategy...has been informed by discussions with neighbouring authorities about whether they could accommodate some of the identified need for development, as demonstrated through the statement of common ground."*

Whilst it is recognised that Sevenoaks District and Dartford Borough do not share a housing market, there are clear relationships between the two areas, particularly between Swanley and Dartford.

The parties agree that the Publication Dartford Local Plan 2021 includes the ability within the plan period to make a contribution towards unmet housing needs in the wider area: the Local Plan housing requirement is above the current standard method level, with some limited potential to support housing delivery required from elsewhere. The context is discussions on Statements of Common Ground with local planning authorities and, in particular, Dartford Borough's identified strong migration and commuting relationship with the London Borough of Bexley.

Notwithstanding these strong functional links with London Boroughs, SDC and DBC recognise that the preferred first port of call for any future unmet need in Greater London in line with sustainable development principles is for it to be addressed at source, and this should be achieved through a rapid revision of the London Plan. The current provisions of the adopted London Plan and its associated evidence base are a relevant consideration in this matter.

Given that there are some functional cross-boundary housing links between parts of SDC and DBC, there is a case to be made for DBC to assist with some unmet needs from SDC (if required and if not met at source housing market area) in the future should they have the capacity to do so, and where consistent with DBC's sustainable development, and national policy.

Both Local Authorities will continue to have regular duty to co-operate meetings to consider if and how to positively facilitate new housing provision and to significantly boost housing supply and regeneration in sustainable locations.

Gypsies & Travellers Agreement

There are some established links between SDC and DBC 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.

SDC has delivered 43 permanent pitches and has a small outstanding need up to 2035 for 8 pitches, to meet its needs for permanent pitch provision. This is likely to be provided through the allocation of sites in the new Local Plan.

DBC's Gypsy and Traveller Accommodation Assessment 2019 sets out the needs for pitches. There are needs for permanent pitch provision but no identified needs for transit provision. Policy M12 of the Dartford Pre-Submission (Publication) Local Plan sets out the approach towards meeting these needs which includes: realising the potential for additional accommodation within existing authorised and tolerated sites where needs arise; allocating land for additional pitches; and seeking to identify deliverable sites within Ebbsfleet Garden City.

Both local authorities will continue to operate existing joint working arrangements through regular Duty to Cooperate meetings to ensure that suitable permanent and transit pitch provision can be made as appropriate.

Economic Development Agreement

Using data from the 2011 census, the Sevenoaks and Tunbridge Wells Strategic Housing Market Assessment (SHMA) found that 7% of economically active residents living in SDC commuted to Dartford Borough. Using the same data, the Dartford and Ebbsfleet Residential Needs Assessment (DERNA) outlined that 4.5% of economically active residents living in DBC commuted to Sevenoaks District. Therefore, it can be concluded that there is some commuting between Dartford and Sevenoaks and vice versa, but this is limited. In relation to SDC, greater numbers commute into and out of the District from Tonbridge and Malling, Bromley, Tunbridge Wells and Central London. In relation to DBC, greater numbers commute into and out of the Borough from Gravesham, Bexley, Medway and Central London.

The Sevenoaks and Tunbridge Wells Economic Needs Study (ENS) published in 2016 identifies Sevenoaks, Tonbridge & Malling and Tunbridge Wells as a functional economic market area. DBC has set out and justified a general focus on planning the economy of its own area (see discussion of economic areas in paragraphs 1.8 and 1.9 of the Dartford Employment Needs Review 2020).

Given the evidence, SDC and DBC do not share the same functional economic market area. As such, economic development is not considered to be a key strategic matter. Both local authorities will continue to engage and discuss key strategic sites and issues, including the London Resort.

Infrastructure Agreement

There are a number of cross boundary infrastructure issues that have an impact on both authorities including transport, health and schools. Any relevant issues are discussed and explored at the regular Duty to Cooperate meetings between SDC and DBC as well as with other agencies / stakeholders such as National Highways, Network Rail, Kent County Council (KCC) Highways and Education and the Kent and Medway Clinical Commissioning Group (DGS CCG).

In relation to transport infrastructure, and in particular the M25, the A282 Dartford crossing and forthcoming proposals for the Lower Thames Crossing, SDC and DBC are committed to continue working together in partnership with the relevant stakeholders. This will include National Highways and other bodies, with the aim of ensuring the necessary improvements to support sustainable growth are delivered in a timely manner over the period of the SDC and DBC Local Plans. SDC and DBC both recognise that securing sufficient funding to deliver transport improvement schemes is essential. 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 DBC are committed to continued partnership working with the relevant stakeholders, including Kent County Council and the Kent and Medway Clinical Commissioning Group, with the aim of ensuring the necessary improvements to support sustainable growth are delivered in a timely manner over the period of the SDC and DBC Local Plans. This includes exploring opportunities for joint bids to unlock funding.

SDC and DBC will continue to liaise and work together with the infrastructure providers on all cross boundary infrastructure matters, including through infrastructure delivery plans and planning applications.

Green Belt Agreement

The Green Belt is a significant constraint that impacts both authorities and plays a key role in the separation of settlements. 93% of SDC is constrained by the Green Belt. At this stage in its plan making process and subject to the investigation of reasonable alternative, SDC considers that the emerging Sevenoaks Local Plan will seek to make the best use of land outside of the Green Belt. Subject to the outcome of discussions with neighbouring authorities, Green Belt land will be released where there are exceptional circumstances for doing so. A notably smaller Borough in land area, 54% of DBC is constrained by the Green Belt. This reflects a reduced area of Green Belt following release in DBC under a previous plan to enable Ebbsfleet development to proceed. The Dartford Pre-Submission (Publication) Local Plan accommodates the Borough's development needs within the existing urban area using a regeneration potential based approach. It does not include any release of Green Belt for housing (use class C3) development.

River Darent

The River Darent runs through both SDC and DBC and the Darent Valley Path runs along its banks. Land within the vicinity of the river is subject to risk from flooding. SDC and DBC are committed to ensuring that any development does not increase flood risk or lead to a reduction in water quality of the River Darent. The Darent Valley Landscape Partnership Scheme is a partnership that works to conserve and enhance the distinctive landscape and reconnect people to it. Both Councils are represented on the partnership board of the Landscape Partnership. There is a commitment to working on projects to improve the landscape and access along the river, so as to enhance the recreational potential of the river and also to

deliver natural flood management projects to reduce the impact and likelihood of damage from flooding.

5. Governance Arrangements

This draft SOCG is a live document that will be reviewed on a regular basis and informed by regular communication between the parties either through email or meetings and statutory consultation at key plan making stages.

Key stages of the progression of both Local Plans will trigger a review of this document. However, strategic matters will continue to be discussed, where necessary, through the ongoing duty to cooperate process.

6. Timetable for review and ongoing cooperation

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

	Present Plan Adoption	Plan Review Date	Reg 18 Date	Reg 19 Date	Target Submission Date
SDC	Core Strategy 2011 ADMP 2015	Plan currently in review	April/May 2022	Dec 22/ Jan 23	April 2023
DBC	Core Strategy 2011 Development Policies Plan 2017	In review since 2018	Strategic Issues July 2018 Preferred Options Jan 2020	Pre-Submission (Publication) Local Plan Feb 2021 & September 2021	Dec 2021