
From: Paul Smith [REDACTED]
Sent: 27 March 2019 12:48
To: NewLocalPlan
Subject: Consultation on the Proposed Main Modifications to the Wycombe District Local Plan
Attachments: WDLP-Main-Mods-Response-Form-2019-01-22 Rev.D.pdf
Importance: High

Dear Sir / Madam,

Please find attached a Representation to the Proposed Main Modifications on behalf of our client.

I look forward to confirmation that the Representation has been received and will be taken into consideration.

Kind regards

Paul Smith BA(Hons), BTP, MRTPI
Director



www.apexplanning.co.uk

Follow me on: [Google+](#) and [LinkedIn](#)

This transmission or any part of it is intended solely for the named addressee. It is confidential and may contain legally privileged information. The copying or distribution of this transmission or any information it contains by anyone other than the addressee is prohibited. If you have received this transmission in error, please let us know by replying to this email. If you are not the named addressee you must destroy the original transmission and its contents. Apex Planning Consultants Limited t/a Apex Planning Consultants. Company Number: 8091611. Registered in England & Wales. Registered Office: 1 Hillbeck Grove, Middleton, Milton Keynes, MK10 9JJ

P Before you print please consider the ENVIRONMENT

Click [here](#) to report this email as spam.



For official use only



Wycombe District Local Plan Proposed Main Modifications (February - March 2019) Representation Form

The Wycombe District Local Plan was submitted for examination in public in March 2018. Hearings were held over the summer of 2018.

The independent Local Plan inspector has identified various changes that she considers may need to be made to the Plan (known as “Proposed Main Modifications”) to make the Wycombe District Local Plan a “sound” plan.

We invite your comments, also known as representations, on these Proposed Main Modifications.

- Please quote the Proposed Main Modification you are commenting on (question 1 in part B).
- Please give your comments on the Proposed Main Modification and indicate any further changes to the Proposed Main Modifications that you feel are necessary (question 2 in part B).
- **Comments will only be accepted for the Proposed Main Modifications. General comments about the content of the Local Plan not related to a Proposed Main Modification will not be accepted.**

The deadline for responses to be received by the Council is **11:59 pm on Wednesday 27 March 2019**.

Responses can be submitted:

- online at www.wycombe.gov.uk/local-plan-modifications
- by email to newlocalplan@wycombe.gov.uk (an automatic email response will confirm receipt)
- or sent by post to:
Planning Policy Team,
Wycombe District Council,
Queen Victoria Road,
High Wycombe,
Bucks,
HP11 1BB

You can submit as many comments as you would like. Please complete a separate part B for each part of the plan on which you want to comment.

This form has two parts:

- Part A – Your Details
- Part B – Your comment(s). Please expand the comments table as appropriate

All comments received will be passed to the independent Local Plan Inspector for consideration.

PART A

1. Personal Details

2. Agent's Details (if applicable)

* If an agent is appointed, please complete only the Title, Name and Organisation boxes below but complete the full contact details of the agent in 2.

Title		Mr
First Name		Paul
Last Name		Smith
Job Title (where relevant)		Director
Organisation (where relevant)		Apex Planning Consultants
Address		
Postcode		
Telephone		
Email Address		

3. Client Details

If you are an agent representing a specific site interest, please fill in the details below.

Site Interest	Owners
Client's Name	Mr. Afrus Ali; Ms. Adenike Kuburat Bello; Mrs.Heather Brennan; Mr. Benhur Dias; Mrs. Clemy Benhur Dias; Mr. Richie Donnelly; Mrs. Sultana Fulon; Mrs. Kawther Mohammad; Mrs. Alina Neagoe.

4. Please tick this box if you wish to be notified of future stages of the Wycombe District Local Plan

Y

5. Please tick this box if you wish to receive our electronic Weekly Planning Bulletin which gives you updates on local and national Planning matters (you will need to supply an email address to receive this)

PART B – Comments on the Proposed Main Modifications– Please copy and use a separate sheet for each representation

Name or Organisation:

Apex Planning Consultants

1. Which of the inspector’s Proposed Main Modifications does this response relate to?

Proposed Main Modification number

PMM1

2. Please use this box to set out your comments on the Proposed Main Modification, setting out clearly if you support or object to the Proposed Main Modification and the reasons supporting your position.

If appropriate, please set out what further change(s) to the Proposed Main Modification you consider necessary. It will be helpful if you are able to put forward your suggested revised wording of any policy or text.

It is our representation that in order to be sound the Plan needs to deal with the emerging strategic context for housing and employment growth in Wycombe District. We note that proposal to incorporate a new paragraph after Paragraph 1.15, however, this PMM does not go far enough in order to make the Plan sound. For clarity the proposed additional paragraph is set out below:

'There are a number of sub-regional strategic initiatives whose development is still at an early stage. This includes the Oxford-Cambridge Growth Arc and associated East-West Expressway, and the third runway at Heathrow. It is too early to say what these projects might imply for growth in the District; the Council expects to actively engage in the formation of appropriate governance structures to steer the preparation of formal strategic plans as part of the process of Plan review.'

As per paragraph 33 of the NPPF, councils are required to review plan policies and spatial development strategies to assess whether they need updating at least once every 5 years and reviews should be *'no later than 5 years from the adoption date of a plan, and should take into account changing circumstances affecting the area, or any relevant changes in national policy'*. This is enshrined in law under s39(2) of the Planning and Compulsory Purchase Act of 2004.

Paragraph 33 of the NPPF then explicitly states:
'Relevant strategic policies will need updating at least once every 5 years if their applicable local housing need figure has changed significantly; and they are likely to require earlier review if local housing need is expected to change significantly in the near future.'

The context in which Wycombe District Council's Plan has been drawn up has altered significantly as Wycombe District now forms part of the emerging Oxford to Cambridge Growth Arc and as such an early review should be included within the text of the Plan in order to make it sound.

By way of background information on the emerging context, on 13th March 2019 the Government published *'The Oxford-Cambridge Arc: government ambition and joint*

declaration between government and local partners' (The Declaration) which contains further details of the proposed Oxford-Cambridge Arc and which now includes Wycombe District within the corridor (location diagram on page 9 of The Declaration). This publication has updated the Government's ambitions for the Arc and its location.

The Declaration builds on the report produced by the National Infrastructure Commission (NIC) in November 2018 '*Partnering for Prosperity; A new deal for the Cambridge- Milton Keynes- Oxford Arc*'. The Declaration reaffirms the ambitions for the Arc including producing up to 1 million '*high-quality new homes by 2050, to tackle the severe housing affordability issues faced by many, and unlock the Arc's full potential*' (page 4 Ministerial Foreword).

The Declaration states that the Government, local authorities across the Arc, the local enterprise partnerships and England's Economic Heartland '*acknowledge that meeting this economic potential will demand our collective determination, over the long-term, to deliver significantly more homes in the Arc, of the right quality and in the right places to meet its needs. We recognise that this could include the development and expansion of existing, as well as new, settlements*'.

As a next step The Declaration on pages 7 and 8 titled '*Joint Declaration of Ambition between Government and the Arc*' sets out the context of the growth arc and states that members '*recognise that the Arc is first and foremost an area of significant economic strength and opportunity, which can further benefit its existing and future communities and businesses by realising its potential. It has a population of over 3 million and a Gross Value Added over £100 billion per year. Building upon strengths in individual parts of the Arc, especially in science, technology and high-value manufacturing, there is the long-term potential to transform the Arc as a whole into a world-leading economic area, acting as a testbed for innovation. Because of this potential, the Government has already designated the Arc a key economic priority*'.

Four thematic areas are set out, namely productivity, place-making, connectivity and environment. With regards to place-making the ambition is in '*creating places valued by local communities, including through the delivery of sufficient, affordable and high-quality homes, to increase affordability and support growth in the Arc, as well as wider services including health and education*'.

Finally, it states that as a next step, members '*are therefore going to launch a broad, joint public engagement exercise over Summer 2019*' across the four themes. (page 8).

Turning to the evidence base, The Declaration recognises at para 2.4 that some data used by the NIC was several years old and therefore 'AECOM and Oxford Economics are delivering this work. Para 2.6 goes on to set out that the '*Government will publish updated findings, including forecasts or scenarios for the Arc's economy up to 2050, in Summer 2019.*'

It is noted in paragraph 2.21 that '*There is a clear trend of new job creation outstripping target job creation, but new home completions falling short of target, in almost all parts of the Arc*' and as such paragraph 2.22 continues: '*Further analysis will consider in more detail the impact on economic outcomes if the trends continue; analysis to date already suggests significantly more homes will be needed in future*'.

There is therefore a clear implication from The Declaration that housing numbers will increase across the Arc, including in Wycombe and that the pace of delivery will need to increase, and affordability of homes will also be key. This means that the numbers of houses projected in the Plan will be subject to change within the Plan period.

Of particular note is Chart 4 (page 17) which states that Wycombe's annual housing target based on 10-year average annual completions is 12% below target.

Additionally, of note to the Plan is page 28's summary of Policy Pillar 2: Place-making at paragraph 4.6:

'The Government will:

- Complete the analysis into new or expanded settlements and consider where economic and housing growth, including through locally-led plans, could maximise the benefits of new road and rail infrastructure;*
- Consider how the design of new settlements can support the Industrial Strategy Grand Challenges, through the demonstration and deployment of new technologies;*
 - Complete underway assessments on Garden Communities bids, and announce successful proposals in spring 2019;*
- Work with the Building Better, Building Beautiful Commission to gather evidence on design and quality place-making in order to identify opportunities to promote improved design quality and greater community consent; the Commission will publish an interim research report by July 2019; 8*
- Work with local authorities to consider what planning approaches and flexibilities may be appropriate to better support planning and increased housing supply over the long-term.'*

This demonstrates that plans for the Arc are now gathering greater pace and will impact on the housing needs within the local authorities across the Arc. It will be necessary for all local authorities to plan proactively for this increased housing need. Given that these aims have important implications for the Plan further amendments to the policy text, notably to include a mandatory early review, should be included in PMM1 in order for the Plan to be sound, in particular to demonstrate that it has been positively prepared.

Aylesbury Vale Position

As the Inspector will be aware Aylesbury Vale District Council's (AVDC) proposed local plan (VALP) is also currently subject to examination and there has been discussions between AVDC and the Inspector regarding the question of an early review. The Inspector will also be aware that a new unitary authority for Buckinghamshire is proposed and would comprise the county council and four district councils including Wycombe DC. This change is due to take place in April 2020 subject to parliamentary approval. This is also noted as part of The Declaration at footnote 1.

Aylesbury Vale's VALP is currently subject to Examination in Public and there is currently dialogue between Aylesbury Vale District Council (AVDC) and the Inspector of that plan, Mr Paul Clark. There is ongoing discussion regarding the need to include an early review in that plan and AVDC's position in relation to that was published on 21st February 2019. An early review was proposed in the Plan, however the Inspector's Interim Findings of 29th August 2018 stated that he was troubled by the idea of an early review of the VALP as he felt that it could not be

considered to be 'positively prepared' and therefore sound should an early review be required.

AVDC's updated position is now that, with the proposed new unitary authority for Buckinghamshire, it considers that there is no justification for immediately updating the VALP as it will be a matter for the new Council which should be able to determine the timetable and it is not the responsibility of the existing councils to do so (paragraph 6 of *AVDC Response to Discussion Document D5 Acting on Interim Findings* February 2019). The Council's original intention (stated at paragraph 3) was 'to commence the process of updating, or reviewing, the VALP immediately after its adoption in order to address the implications of such matters as the Oxford Cambridge Expressway, the Oxford Cambridge Arc, the new NPPF and the new housing figures derived from the Government's Standard Method'.

Following on from the Inspector's determination that 'the Oxford Cambridge Arc does not need to be reflected in the housing figures of the VALP' the Council considers there is no longer justification for the immediate updating of the VALP to take account of the Arc's impacts 'because the Government proposes, amongst other things, a strategic vision for the Arc and will commission further studies into such matters as the location of new settlements' (paragraph 5).

This approach, in our view, is directly contrary to the NPPF. An early review must be adopted into the Wycombe District Plan in order for the Plan to be found sound. The need to do so is clearly stated at paragraph 33 of the NPPF which states:

'Policies in local plans and spatial development strategies should be reviewed to assess whether they need updating at least once every 5 years, and should then be updated as necessary⁹. Reviews should be completed no later than 5 years from the adoption date of a plan, and should take into account changing circumstances affecting the area, or any relevant changes in national policy. Relevant strategic policies will need updating at least once every 5 years if their applicable local housing need figure has changed significantly; and they are likely to require earlier review if local housing need is expected to change significantly in the near future' [My emphasis].

The correct approach was taken in the Plan:MK where that Plan was adopted with an early review modification included (Milton Keynes Council Plan:MK Schedule of Proposed Main Modifications February 2019):

'Policy DS20 Review of Plan:MK The Council commits to undertaking an early review of Plan:MK, with the submission of a draft plan for examination, containing strategic policies for the long-term growth of Milton Keynes, no later than December 2022. Following the completion of the joint Strategic Growth Study and adoption of the Council's Strategy for 2050 in 2019, the review of Plan:MK will bring the delivery of the long-term aspirations for transformational growth into a statutory planning policy document. The parameters and format of the review will also reflect Milton Keynes' growth proposals within the context of a potential Growth Deal as well as progress on the delivery of the Government's wider Cambridge – Milton Keynes – Oxford Corridor growth agenda, including associated national infrastructure projects and a corridor-wide Joint Vision Statement anticipated in Spring 2019. The review will also develop and formalise, as appropriate, joint working arrangements with neighbouring authorities which may result in the preparation of a joint strategic plan on a wider geography.'

The Inspector's report for Plan:MK was published on 12 Feb 2019. In finding that Plan: MK was sound, the Inspector (David Spencer) noted the impact of the NIC report of November 2017 and the impact of the Arc. The Inspector stated at para 19 that *'whilst a direction of travel for transformational growth is clearly emerging, neither report provides the necessary basis to significantly delay adopting Plan:MK in order to contemplate a higher, but as yet untested, growth strategy'*.

With regard to the Plan Review the Inspector stated:

'25. Given the emerging strategic context and plan period of Plan:MK there would be a need to review Plan:MK sooner than the five year requirement. The submitted Plan:MK does not contain a review policy and I consider it would not be positively prepared was it to remain silent on this matter.

'26. The timing of any review would need to be informed by the MK Futures growth strategy and wider dialogue with neighbouring authorities. It is not necessary that a review of Plan:MK must be a joint plan but it is sensible that this forms a reasonable option to be explored. Nor do I consider a binding MOU to prepare a joint plan would be necessary given the requirements of the DtC. The Government has set out its desire to see joint vision documents for the caMKox in 2019 and further evidence from the MKFutures growth strategy will also be available in 2019. With this in place, I see no reason why an expeditious review of Plan:MK cannot take place such that a new strategic plan could be submitted for examination by the end of 2022. 27. This would reflect that the Council itself recognises that Plan:MK is essentially an interim plan in the context of the emerging picture of strategic growth along the caMKox corridor. That is a realistic acknowledgement that Plan:MK serves as a critical bridge between the ongoing delivery of objectively assessed needs in the short to medium term and the need for the evidence base around transformational growth to be 9 further developed. That wholly accords with the Government's response to the NIC report which is clear that further assessment of the options for housing and infrastructure is required. A focussed review mechanism in Plan policy would also maintain the Council's stated ambition to deliver on the MKFutures work. 28. I therefore recommend the proposed Plan review policy at MM3, including some minor factual updates, and accompanying text at MM2 to ensure the Plan would be positively prepared. Such a mechanism would be consistent with the PPG and would avoid delaying the adoption of Plan:MK.'

With the inclusion of the early review policy, D20, as set out above, Plan:MK was found sound in the Inspector's Report of 12 February 2019 progressed to the next stage, which is adoption by MK Council in March 2019. This approach is in line with NPPF para 33 and should also be the approach to be taken with regards to Wycombe District Council's Plan as the context is comparable. A further amendment securing an early review would allow the plan to be adopted without significant delay but would ensure that the Plan keeps up to date with the increase in housing needs.

Conclusion on PMM1

All of the points highlighted demonstrate that there is significant progress being made with regards to the Oxford-Cambridge Arc which in turn includes the East-West Expressway and East-West Rail. With further forecasts being due to be published in Summer 2019 based on analysis by AECOM and Oxford Economics. These initiatives are advancing and there is, therefore, a clear timetable and scope of works which will inform the impact of these projects on Wycombe DC's growth.

Extant Buckinghamshire local authorities should continue to work together as per paragraphs 26 and 27 of the NPPF which requires joint working, until such time as the new authority takes over at which point the joint work can be transferred.

In order to pass the test of soundness under paragraph 35 of the NPPF PMM1 therefore must go further than simply stating that *'the Council expects to actively engage in the formation of appropriate governance structures to steer the preparation of formal strategic plans as part of the process of a Plan review.'*

Instead, to be sound the new paragraph should state that:

'The Council must actively engage in the formation of appropriate governance structures to steer the preparation of formal strategic plans as required under the Government's Declaration of 2019 on the Oxford-Cambridge Arc and an early review of the Plan must be begin by 2020 at the latest'.

(Please continue on a separate sheet/expand box if necessary)

Name or Organisation:

Apex Planning Consultants

1. Which of the inspector's Proposed Main Modifications does this response relate to?

Proposed Main Modification number

PMM29

2. Please use this box to set out your comments on the Proposed Main Modification, setting out clearly if you support or object to the Proposed Main Modification and the reasons supporting your position.

If appropriate, please set out what further change(s) to the Proposed Main Modification you consider necessary. It will be helpful if you are able to put forward your suggested revised wording of any policy or text.

PMM29 as proposed slightly reduces amount of development within the Princes Risborough Expansion Area (60 dwellings fewer). This could impact on the viability of the relief road, which has not yet been fully calculated and therefore further development may be required to bring it forward. The modification should allow for further land to come forward as part of the Princes Risborough Expansion Area should it be required for the viability of the relief road as this would make the Plan sound under the requirement to be deliverable.

(Please continue on a separate sheet/expand box if necessary)

Name or Organisation:

Apex Planning Consultants

1. Which of the inspector's Proposed Main Modifications does this response relate to?

Proposed Main Modification number

PMM30

2. Please use this box to set out your comments on the Proposed Main Modification, setting out clearly if you support or object to the proposed Main Modification and the reasons supporting your position.

If appropriate, please set out what further change(s) to the Proposed Main Modification you consider necessary. It will be helpful if you are able to put forward your suggested revised wording of any policy or text.

It is our representation that Policy PR5 creates a strategic buffer and should be deleted from the Plan in its entirety for the Plan to be sound, because Policy PR5 is inappropriate, contrary to the NPPF and unsound. If protection against the coalescence of settlements is necessary in the plan then this should be achieved through development management policies, rather than a strategic buffer, which will allow sites to be considered on a case by case basis. A development management approach would be in accordance with the NPPF and that is the approach which is sound. This approach would accord with paragraph 16 of the NPPF which requires that plans should be *'prepared with the objective of contributing to the achievement of sustainable development'*.

However, we understand that the purpose of this consultation is to consider the main modifications as proposed, but notwithstanding that the landowners are adamant Policy PR5 is an unsound policy.

It would be unsound to fetter the Council's ability to respond to increased housing need arising from new infrastructure by way of the Oxford-Cambridge Expressway, East-West Rail, the Heathrow Expansion and through the District's inclusion in the Oxford-Cambridge Arc which was confirmed in February. Paragraph 23 of the NPPF requires that *'strategic policies should provide a clear strategy for bringing sufficient land forward, and at a sufficient rate, to address objectively assessed needs over the plan period, in line with the presumption in favour of sustainable development'* [my emphasis]. Restrictive policies such as PR5 mean that Wycombe will be unable to respond to this increased need as almost half of the District is Metropolitan Green Belt and around 70% of the District is part of the Area of Outstanding Beauty and therefore any attempts to further reduce land which can be developed through the introduction of a buffer policy means that potential suitable greenfield sites are being lost now, and in the future. This would be contrary to Chapter 11 of the NPPF and would increase pressure for development of Green Belt land which receive special protection under Chapter 13 of the NPPF.

(Please continue on a separate sheet/expand box if necessary)

Privacy notice

Wycombe District Council Planning Policy Service collects, uses and is responsible for certain personal information about you.

This response form collects the following personal information from you:

- your name
- your phone numbers
- your email address
- your home address

This information is being collected to allow us to fulfil our statutory function of producing a Local Plan covering the Wycombe District.

Your submissions, including personal data, may be shared with the Local Plan Programme Officer and the Local Plan Inspector. We may also share your submissions with other government partners and agencies such as Buckinghamshire County Council, the Environment Agency, Historic England and Natural England, or other service departments within Wycombe District Council.

Your submissions will be published on our website. These will be redacted (“blacked out”) to remove personal information including:

- personal contact details - Telephone numbers, email addresses, postal addresses
- signatures
- information about health conditions or ethnic origin
- information agreed to be confidential

If you are submitting information which you would like to be treated confidentially or wish to be specifically withheld from the public register, please let us know as soon as you can.

Your submissions and personal information will be kept until the Local Plan is superseded.

If you have questions about data or privacy, please see our full privacy policy on our website: <https://www.wycombe.gov.uk/pages/About-the-council/Privacy/Our-privacy-policy.aspx>

Alternatively you may contact our Data Protection Officer at **Wycombe District Council, Queen Victoria Road, High Wycombe, HP11 1BB** or at access2information@wycombe.gov.uk.