

Wycombe District Local Plan Examination

Matter 1 – Legal Compliance and the Duty to Cooperate

Statement by Berkeley Strategic (June 2018)

- 1.1 This Statement is prepared by Berkeley Strategic ('Berkeley') in relation to Matter 1 of the Wycombe Local Plan examination.
- 1.2 Berkeley controls the Abbey Barn South and Wycombe Summit site which is an allocation within the Local Plan (Policy HW5). Berkeley also controls two sites at Chapman Lane, Bourne End and Heath End Farm, Flackwell Heath.
- 1.3 Berkeley's previous consultation response on the Regulation 19 Proposed Submission Local Plan (November 2017) focuses on the soundness of the Local Plan with particular regard to the proposed spatial strategy, housing supply and Green Belt.
- 1.4 Matter 1 includes consideration of the duty to cooperate and the Sustainability Appraisal (SA) which are related to these issues and consequently this statement provides brief responses to selected questions under Matter 1 as follows.

1. What are the relevant strategic matters in relation to the duty to cooperate?

- 1.5 Berkeley considers that the most important strategic matter in relation to the duty to cooperate is the NPPF's requirement for the Local Plan to deliver the full objectively assessed housing need (OAN) and in this regard the Council's proposed reliance on meeting a proportion of its OAN (2,275 homes) in a neighbouring district, Aylesbury Vale.
- 1.6 Berkeley has proved there is additional development potential in Wycombe which would mean a greater proportion of OAN could be met within the district closer to where the need arises. This would be a more sustainable approach than the strategy currently proposed which relies on unrealistic delivery rates in Aylesbury Vale.

2. In preparing the plan did the Council engage constructively, actively and on an on-going basis with neighbouring authorities and other relevant organisations on relevant strategic matters, in respect of the Duty to Cooperate? What were the outcome of these discussions?

- 1.7 Berkeley recognises that as part of the duty to cooperate the Council has reached an agreement with Aylesbury Vale District Council in relation to the amount of housing

forming part of the Objectively Assessed Need (OAN) to be delivered in Aylesbury Vale as opposed to in Wycombe.

- 1.8 However, it is clear from evidence submitted by the Council that the agreement reached was not straight forward and that Aylesbury Vale District Council has previously expressed concerns over the Council's housing land supply position and consequently about the scale of the identified unmet need (Wycombe District Local Plan and the Duty to Cooperate report - March 2018 p27).
- 1.9 Berkeley does not dispute that there is now an agreement between the authorities. However, Berkeley remains concerned about the Council's assessment of housing land supply in Wycombe, including the Council's Green Belt review, the assessment of reasonable alternatives as set out in the Sustainability Appraisal and the unrealistic housing delivery assumptions for development in Aylesbury Vale, all of which have informed the agreement to deliver 2,250 or 2,275 homes in Aylesbury Vale under the duty to cooperate (depending on which district's plan is being looked at).
- 1.10 Accordingly Berkeley has parallel objections to the Aylesbury Vale Local Plan which has also been submitted for examination with hearings due to take place during July 2018.

4. What outcomes have resulted from the cooperation with adjoining authorities in relation to: Housing; Gypsy and Travellers; Employment; and Infrastructure?

- 1.11 Berkeley considers the overall housing requirement in the Aylesbury Vale Local Plan, which includes 2,250 homes required to meet Wycombe's unmet housing need, as well as 5,750 homes to address the unmet needs from Chiltern and South Buckingham, as an outcome of the cooperation between authorities, is unprecedented and undeliverable.
- 1.12 This is a result of unrealistic assumptions about the rates of building that can be achieved on sites in and around Aylesbury which are due to accommodate 60% of the overall housing requirement. In Berkeley's experience, the delivery of over 800 dwellings per annum at Aylesbury itself relied on by the Council will raise a market saturation issue and consequently will in practice be unachievable. The risks associated with market saturation in Aylesbury Vale are highlighted by Wessex Economics who have stated in their Housing Delivery Study (2017):

'...it is possible that the market for new homes could become saturated. In such circumstances developers might slow down the pace of development or not commence development of new sites' (p15).

- 1.13 The consequence of the currently proposed strategy adopted by both authorities under the duty to cooperate in relation to unmet need is that Aylesbury Vale will be unable to deliver its housing figure and that the unmet need for Wycombe will not be delivered in full over the plan period.
- 1.14 When combined with concerns about the assessment of reasonable alternatives within the Council's Sustainability Appraisal and the Council's Green Belt review (GB2) which supports the housing land supply (as explored in relation to our previous representations dated November 2017 and our Matter 6 Statement), Berkeley considers that the level of unmet need to be accommodated in Aylesbury Vale should be reduced and that Wycombe should more fully explore opportunities to deliver a greater proportion of its own OAN within the district. This approach could also provide greater flexibility to ensure OAN is delivered in full.
- 1.15 Having assessed the potential to deliver a greater proportion of housing within the district, a revised agreement under the duty to cooperate should be prepared between the authorities and the Local Plan amended to increase the amount of housing to be delivered within Wycombe.

7. Is the Sustainability Appraisal (WDLP 2) adequate in terms of its assessment of the likely effects of the Plan's policies and allocations and its consideration of reasonable alternatives and have the requirements for Strategic Environmental assessment been met?

- 1.16 The Council's Sustainability Appraisal (SA) (2017) sets out an assessment of Reasonable Alternatives to the selected spatial strategy.
- 1.17 The SA includes appraisals of a series of options relating to the spatial strategy, including options C and D, which would include the district fully meeting OAN in line with the NPPF:
- Option B, the Council's preferred approach, is a supply led approach and is based on the development of the district capacity assessed through the HELAA.

- Option C is based on meeting OAN through higher density + faster delivery at Princes Risborough expansion area + higher growth at Kimble c. 20% uplift to density at Tiers 1 and 2. 10% uplift at Tiers 3-6.
 - Option D is based on meeting OAN with additional GB release (13,200) Plus c10% uplift to density across all tiers.
- 1.18 Option B – the selected option - already includes some Green Belt release, and so the Council accepts that exceptional circumstances exist to warrant a release of some Green Belt land within the district to meet OAN.
- 1.19 Whilst Berkeley supports the inclusion of Options C and D in the SA in terms of meeting OAN, the make-up of Options C and D is flawed and, through the inclusion of sub options which are not sustainable and or appear to be unrealistic in terms delivery and density assumptions, they appear predesigned to produce a negative result in comparison to Option B.
- 1.20 As set out in Appendix VI of the SA, Option D includes releasing additional Green Belt sites that are considered to perform moderately or strongly in terms of Green Belt purposes. Option D does not however include Berkeley's site at Bourne End (a higher order Tier 2 settlement) which Berkeley has shown could be developed sustainably without harming the Green Belt or the wider landscape. Option D does include Berkeley's site at Flackwell Heath, but with a much greater extent and amount of development than Berkeley is promoting, therefore making it inherently unsustainable. Evidence submitted by Berkeley in November 2017 includes a robust Green Belt assessment by fabrik demonstrating that these sites do not make a strong contribution to Green Belt purposes and could be developed in a way that respects the wider function of the Green Belt and the character of the landscape.
- 1.21 Therefore Berkeley believes that there are other reasonable alternatives to Option B that should be assessed via the SA and these options would allow the Council to deliver a greater proportion of its OAN within the district and provide greater flexibility, avoiding the delivery issues that Option B and its reliance on Aylesbury Vale presents.
- 1.22 In the context of the exceptional circumstances justifying selected release of Green Belt land that does not contribute to Green Belt proposes, other reasonable alternatives, to include Berkeley's sites at Bourne End and Flackwell Heath (at the level of development proposed), should be assessed within the SA as part of a new option to meet a greater proportion of OAN within the district and provide greater flexibility to

ensure delivery, taking into account the robust and site specific evidence that has been presented by Berkeley.

- 1.23 Were these sites to be properly included in the assessment of reasonable alternatives within SA (based on the same approach presented in Appendix VI of the SA, Table VIC), we consider that the most sustainable option would not be Option B, which relies of delivery of OAN outside the district in Aylesbury Vale, but an alternative that would include sites at Bourne End and Flackwell Heath.
- 1.24 To illustrate this, Table VIC from the Council’s SA is reproduced below, together with an additional option appraisal prepared by Berkeley. This simply serves to demonstrate that an additional spatial option - to include sustainable sites at Bourne End and Flackwell Heath and potentially others - would perform similarly to Option B on most sustainability criteria but would outperform it in terms of Housing Delivery (SA Objective 8). The additional spatial option could be further developed by the Council in parallel with revised Green Belt evidence as referred to in the Matter 6 Statement.

Table VIC: Appraisal findings for the spatial strategy options

Options	SA Topics & Objectives								
	Biodiversity & Geodiversity (SA objective 1)	Landscape (SA objective 2)	Historic Environment (SA objective 3)	Natural Resources (SA objective s 4, 5 & 6)	Climate change (SA objective 4 & 5)	Housing (SA objective 8)	Transport and traffic (SA objective 7)	Community and wellbeing (SA objectives 9, 10 & 11)	Economy and employment (SA objectives 12, 13, 14 & 15)
Option A - No GB release (9,800 dwellings)	0	-	-	-	?	+	-	+	+
Option B - HELAA (10,925 dwellings)	0	-	-	-	?	+	-?	+	+
Option C - OAN no additional GB release (13,200 dwellings)	-	--?	--?	--	++?	++?	--	+	+
Option D - OAN additional GB release (13,200 dwellings)	-	--?	--?	--	?	++	--	+	+
Option E - OAN Plus (15,000 dwellings)	-	--	--	--	++?	++?	--	+	+

Table 1.1 - Additional Spatial Strategy Option

Berkeley Option - Additional GB release to deliver OAN (including land at Bourne End and Flackwell Heath)	0	-	-	-	?	++	-?	+	+
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13. Does the Plan provide robust mechanisms for the Monitoring and Implementation of the Plan’s Strategy?

- 1.25 Notwithstanding Berkeley objections to the draft Local Plan, if the Council’s submitted Local Plan strategy is adopted, Berkeley considers that it is essential for robust

monitoring to be put in place including monitoring the proposed delivery of housing not only within the District but also the 2,250 / 2,275 homes to meet Wycombe's unmet need proposed to be delivered in Aylesbury Vale.

- 1.26 If there is evidence that the proposed homes are not being delivered, then it will be necessary for the Council to allocate additional development sites to meet the shortfall through an early Local Plan review. Whilst Berkeley believes additional land should be identified in the current draft Local Plan to provide greater chance of successful delivery, if the current constrained strategy is adopted, Berkeley's sites at Flackwell Heath and Bourne End would be capable of addressing a future shortfall in housing delivery identified through future monitoring.
- 1.27 Without prejudice to our view that additional land should be fully allocated within the Local Plan for the Council to be able to deliver its OAN in full, Berkeley would in principle support the identification of reserve sites in this Local Plan which could provide added flexibility and potentially avoid having to undertake an early Local Plan review which Berkeley considers will be otherwise inevitable.