

Matter 1
Representor reference: 1129



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**Wycombe District Local Plan
Matter 1 – Legal Compliance and the Duty to Cooperate**

**By Strutt & Parker
On behalf of IM Land
Land at Berwick Road, Marlow**

Introduction

1. This hearing statement has been prepared by Strutt & Parker on behalf of IM Land, who have residential development interests in two sites on the edge of Marlow: Land at Seymour Court Road and Land at Berwick Road. This statement relates to Land at Berwick Road.
2. The site was promoted to the Council in response to consultation on the draft Local Plan, and is capable of accommodating 30-40 dwellings on part of the site in a sustainable location on the edge of the built up area of Marlow.
3. This statement responds to the Inspector's Matter 1: Legal Compliance and the Duty to Co-operate, due to be discussed at the hearing sessions on 16th July 2018.

4. What outcomes have resulted from the cooperation with adjoining authorities in relation to: housing;....?

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1. In relation to housing AVDC have included Policy S2 Spatial strategy for growth in the draft Vale of Aylesbury Local Plan. This Policy will make provision for the delivery of the following in the period to 2033:
 - A total of 27,400 new homes in accordance with the spatial distribution set out below. This is made up of:
 - 19,400 homes to meet the needs of Aylesbury Vale District
 - 2,250 homes to meet the needs of Wycombe District
 - 5,750 homes to meet the needs of Chiltern/South Bucks Districts
2. However, AVDC are not creating a separate housing supply area 'ringfence' (either sites or areas) for the 8,000 dwellings of unmet need they have agreed to accommodate. Therefore, there is no guarantee regarding the timescale of delivery of Wycombe's housing need within Aylesbury Vale. Due to the lack of a ringfence, if AVDC are not able to maintain a 5YHLS there is no mechanism in place to ensure that sufficient housing is delivered in locations accessible to Wycombe, Chiltern and South Buckinghamshire.
3. Aylesbury, Aylesbury Parkway and Haddenham can be accessed directly from High Wycombe by rail, which is where much of the housing need is arising from. AVDC are distributing 16,398 to Aylesbury, 1,051 to Haddenham, 1,128 to Halton Camp, all locations accessible from High Wycombe. However, given that Marlow is on a branch line from Maidenhead there are no direct rail services to anywhere in AVDC. Bus services also require a change at High Wycombe and take around 1 hour and 20 minutes. Therefore, AVDC cannot be considered a sustainable location for meeting unmet housing need arising from Marlow. This should therefore have been an important consideration in the planning balance when considering whether exceptional circumstances

existed to justify Green Belt release and development in the AONB at Marlow through the Green Belt Part 2 Study (**GB1**) and AONB Site Assessment Report (**AONB1**).

4. However, it was not considered because the Council filtered out 91 of the 104 sites that were input into the Green Belt Part 2 Assessment during Stages 1 to 3 of the process. Only the 13 remaining sites were assessed in Stage 4 at which point their contribution to meeting housing need in sustainable locations was balanced against their contribution to the function of the Green Belt.
5. The AONB Assessment process did not consider the need for development in particular locations and the cost of delivering that development elsewhere.

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. IM Land note that subsequent to the Regulation 19 consultation the Council has published a 'Sustainability Appraisal Clarification Note in response to Regulation 19 Representations' (**WDLP10.22**) to set out how the Council approached site selection and the sustainability appraisal.
2. IM Land has reviewed this note and its concerns regarding the sustainability appraisal and site selection process remain. Whilst IM Land do have interests in a site that was not included in the sustainability appraisal, it is the Council's approach to how it defined reasonable alternatives to its overall strategy that IM Land do not consider to be justified in terms of paragraph 182 of the NPPF. Indeed, IM Land find that that Appendix 22 is tantamount to an acceptance that their initial SA was defective, given that additional sites have been appraised and others have been reappraised. The note is merely an attempt at *ex post facto* justification which has not been consulted upon and cannot rectify the fact that the approach taken by the Council is unsound.
3. Furthermore, the Sustainability Appraisal should incorporate the requirements of the Strategic Environmental Assessment Directive to appraise the likely significant environmental effects of implementing the plan and any reasonable alternatives.
4. The crux of the issue is that the flawed approach to the consideration of sites in the AONB (particularly in regard to major developments) and/or Green Belt as inputs into the Sustainability Appraisal has resulted in reasonable alternatives to the spatial strategy not being considered.
5. For example, the Council's options appraisal in the SA only considered the allocation of between 39 and 58 dwellings at Marlow, when the potential capacity of available sites is approximately 650 dwellings. Therefore, the social and economic benefits of allocating housing to the District's second largest settlement have not been assessed against potential harm to environmental

assets, such as the AONB and Green Belt. In particular, the Council has not allowed itself to consider the benefits of providing affordable housing in a sustainable location in a town where housing affordability is a well known issue.

6. In the context of the Government's desire to widen opportunities for home ownership expressed in paragraph 50 of the NPPF, Paragraph 3.45 of the HEDNA Addendum (**HEDN2**) states that *'there is a clear income gap between being able to afford market rent and being able to afford home ownership in all of the local authority areas, though this is particularly the case when considering 2-bed housing.'*
7. In Wycombe District, a household needs an income of £31,000 to rent a two-bed dwelling, but £61,600 to buy a second hand two bed home (worth on average £236,775) and £80,400 to buy a new two bed home (worth on average £309,540). The HEDNA, however doesn't take into account housing availability. In Marlow, of the 411 dwellings sold in Marlow in the last 18 months (according to the HM Land Registry UK House Price Index), only 5 properties sold for under £236,775 and only 36 properties had a sale price of under £310,000. There is clearly a shortage of affordable property to buy in Marlow, when compared against Wycombe as a whole. IM Land therefore consider that addressing the issue of housing affordability in Marlow should have been given greater consideration in the SA and site selection process.
8. IM Land's objections to the soundness of the evidence base are set out in full in its response to the draft Local Plan policies CP2 and CP3.