

REPRESENTOR ID WDLP19 0917

## WYCOMBE DISTRICT LOCAL PLAN EXAMINATION

### STATEMENT ON BEHALF OF MPAC (FORMERLY MOLINS PLC) IN CONNECTION WITH MATTER 1 – LEGAL COMPLIANCE AND THE DUTY TO COOPERATE

1. This document is part of the response by Mpac (formerly Molins plc) to the Inspector's request for further written statements on questions identified by her in the Schedule of Matters, Issues & Questions. This statement relates to *Matter 1 – Legal Compliance and the Duty to Co-operate*.
2. Different matters identified by the Inspector overlap with one another. In order to avoid as much duplication as possible, we have attempted to address each issue in only one of our statements and, where relevant, in other statements just to cross-refer to the document in which the issue is addressed.

#### **Duty to Co-operate (questions 1 to 4)**

3. The aspect related to the duty to co-operate which indicates that the draft plan is, in its present form, unsound relates not to the process by which Wycombe engaged with other authorities, but the result in relation to housing provision that emerged from that engagement (and from other failures by Wycombe).
4. Thus, in direct response to question 4<sup>1</sup>, the outcome in relation to housing is
  - (a) a plan that is neither positively prepared nor justified when considered against reasonable alternatives, because it compromises sustainability and fails to maximise the proportion of Wycombe's need to be met within the district (see Mpac's representations on *Matter 2 – the Plan's Strategy*);
  - (b) a plan that is inconsistent with national policy, both for its failure to maximise the proportion of Wycombe's need to be met within the district and for its approach to development sites in the AONB (again, see Mpac's representations on *Matter 2 – the Plan's Strategy*);
  - (c) a plan which is neither robust nor likely to be deliverable over the plan period (see Mpac's representations on *Matter 3 – Housing Provision, Supply etc.*).

#### **Sustainability Appraisal (question 7)**

5. The Council's Sustainability Appraisal (September 2017) is not in accordance with paragraph 14 of the NPPF which requires Local Planning Authorities to "*positively seek opportunities to meet the development needs of their area*".
6. It proceeds on the flawed basis of an in-principle decision to exclude additional appropriate sites that are developable without causing significant harm within the AONB/Green Belt to accommodate the Council's much needed housing. We expand upon this in our detailed responses to Matters 2, 5 and 6. However, by way of example the local plan has proposed a major

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<sup>1</sup> The MoU agrees that 2,275 dwellings of unmet housing need arising from Wycombe District will be accommodated in the Vale of Aylesbury Local Plan.

expansion of Princes Risborough (PR3) which “*would have a significant impact on views from the AONB escarpment*”<sup>2</sup> and have not allocated the former Molins Sports Ground which would have “*minor adverse impact on the landscape and scenic beauty of the AONB*”<sup>3</sup>. Instead of seeking this opportunity, Wycombe is unreasonably rejecting it.

7. The Council attributes its approach to the “*significant constraints in the District, which includes large areas of land designated as AONB and Green Belt.*” (Paragraph 8.6.4 of the Sustainability Appraisal). However, the Council has not been positive enough to meet the clear recognition in the NPPF that local planning authorities should “*explore all reasonable options*”. Reasonable options have been excluded from further consideration without the proper application of planning judgement on the basis that they involve allocating sites for development in the Green Belt and / or the AONB. The development of sites such as the Mpac/Molins site is more sustainable than exporting the housing it could provide to an adjoining local authority area.
8. In light of the foregoing the Sustainability Appraisal (ref: WDLP 2) is inadequate in terms of its assessment of the likely effects of the Plan’s policies and its consideration of reasonable alternatives.

#### **Implementation of the Plan’s Strategy (question 13)**

9. Objective 6 of the Plan is to “*contribute our fair share towards tackling the need for more housing, including for affordable housing ...*”. The Plan’s mechanisms for achieving that end are unsound.
  - (a) The Plan makes insufficient provision in the district to contribute to the need for more housing (see Mpac’s representations on *Matters 2 and 3*).
  - (b) The Plan fails to allocate deliverable sites within the district that are available to contribute towards tackling the district’s need for more housing (see Mpac’s representations on *Matters 2 and 3*).
  - (c) The Plan allocates for housing development sites which are not readily deliverable (see Mpac’s representations on *Matter 3 – Housing Provision, Supply etc.*).
  - (d) The Plan makes insufficient provision to ensure a 5-year supply of housing throughout the period for which it applies (see Mpac’s representations on *Matter 3 – Housing Provision, Supply etc.*).
  - (e) Although the Plan seeks to export a significant quantum of housing to meet Wycombe’s need to Aylesbury Vale’s area, it makes no provision to ensure that that supply is provided or to react proactively if some or all of that provision fails to materialise (see Mpac’s representations on *Matter 3 – Housing Provision, Supply etc.*).
  - (f) Policy DM21 is, in effect, the closest that the Plan gets to a policy for the implementation of objective 6 insofar as general market housing is concerned. It is entirely inadequate for the purpose (see Mpac’s representations on *Matter 3 – Housing Provision, Supply etc.*).

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<sup>2</sup> See Paragraph 207 of Inspector’s Report into the appeal re the Former Molins Sports & Social Club, Mill Lane, Monks Risborough (APP/K0425/W/16/3149747)

<sup>3</sup> See Paragraph 38 of SoS’s decision letter dated 20 July 2017 re the Former Molins Sports & Social Club, Mill Lane, Monks Risborough (APP/K0425/W/16/3149747)