

# **Duty to Cooperate Memorandum of Understanding (MoU) between Aylesbury Vale District Council (AVDC) and Wycombe District Council (WDC) (“the Councils”) in relation to the Vale of Aylesbury Local Plan and Wycombe District Local Plan.**

## **Introduction**

Through the Bucks Planning Group (BPG) the Councils have been cooperating for several years both on a bilateral basis and with the other Buckinghamshire planning authorities and the Bucks Thames Valley Local Enterprise Partnership (BTVLEP) on strategic issues relating to the preparation of the new Local Plans.

A MoU has been agreed (July 2017) between the Bucks Districts and BTVLEP and the authorities are working towards a Bucks Wide MOU that can be agreed with Buckinghamshire County Council (BCC).

This is not a legally binding agreement but a document setting out the current position on strategic issues in relation to the Duty to Co-operate on the Vale of Aylesbury Local Plan and the Wycombe District Local Plan, and identifies areas of agreement/outcomes resulting from that cooperation.

## **Context**

The context for this MoU is a scale of growth in Aylesbury Vale of 28,830 homes and new employment floorspace and the constraints and related scale of growth in Wycombe District. The growth in Aylesbury Vale is identified from a number of different sources, including:

- Extensive existing commitments and completions
- The development of a Garden Town at Aylesbury
- Development of sites on the periphery of Aylesbury Vale’s strategic settlements
- Limited development at villages
- Development at RAF Halton within the Green Belt.
- A significant site on the edge of Milton Keynes.

The growth in Wycombe District is limited by the fact that around three quarters of the District is either Green Belt or Area of Outstanding Natural Beauty or both. Nevertheless significant housing and employment growth is identified from a number of different sources/locations, including:

- Optimising the use of previously developed sites;
- Development of the former reserve sites;
- Release of land from the Green Belt;
- Major expansion of Princes Risborough;
- Some development around villages.

The scale of growth identified meets all the identified need for development for Aylesbury Vale and also makes provision for significant unmet development from adjacent plan areas due to the very significant level of constraints that exist in the south of Buckinghamshire, notably the Green Belt and the Area of Outstanding Natural Beauty (AONB). Overall the objectively assessed housing need for the Bucks Housing Market Area (HMA) is met within the HMA.

### **Joint working and collaboration**

AVDC and WDC have been working together over a significant period of time on a range of issues. These include:

- Preparation of joint evidence and coordinated approaches on other evidence including
  - the scale of housing need within the 'best fit' Housing Market Area (HMA)
  - the scale of employment need within the best fit Functional Economic Market Area
  - traffic modelling and testing – jointly commissioned traffic modelling using the County wide strategic traffic model to test the impact of growth and help develop mitigation measures
  - joint working on Green Belt issues – see section 4 for details
  - joint Housing and Economic Land Availability Assessment methodology
  - jointly commissioned study of potential housing delivery across the four Bucks councils' area;
  - joint Gypsy and Travellers needs assessments
  - Consideration of development capacity within Wycombe's plan area to determine the level of unmet need to be requested from Aylesbury Vale.

Cooperation has taken place at both an officer and member level through regular liaison meetings and through specific project work.

### **Strategic Issues**

#### **1. Scale of Growth**

##### Position

The Bucks wide MoU (13.7.17) sets out more detail on the background to the issues around the scale of growth across Bucks and in Aylesbury Vale, and are hence not repeated here. These matters have been the subject of extensive discussions at a Bucks wide level that both AVDC and WDC have been involved in.

As a result of these discussions the following matters summarise the matters that have been agreed between AVDC and WDC - the detail is set out in the Bucks wide MoU (13.7.17):

Agreement:

- That the 'best fit' Housing Market Area and Functional Economic Market Area for Bucks based on plan areas consists of Aylesbury Vale, Chiltern, South Bucks and Wycombe Districts, although Aylesbury Vale's links to Milton Keynes and Oxfordshire and its membership of two LEPs must also be recognised;
- That the findings of the HEDNA (December 2016) and HEDNA addendum (September 2017) are agreed
- That the objectively assessed housing need for Aylesbury Vale is 19,400 and for Wycombe District is 13,200 dwellings (both covering the period 2013-33);
- That over the same period the housing capacity of Wycombe District for the period 2013-33 is 10,925 dwellings and that Aylesbury Vale will accommodate further housing need from adjacent constrained plan areas within the HMA, encompassing 2,275 dwellings of unmet need for WDC, and that the resultant total housing need of 27,400 dwellings will be accommodated in the Vale of Aylesbury Local Plan (VALP);
- The overall approach across the FEMA broadly delivers sufficient land for economic growth taking into account a range of factors including an element of redistribution of growth from the three southern districts including Wycombe District into Aylesbury Vale to take account of their shortfalls due to their constrained nature.
- That the nature of retail development is such that it cannot be 'exported' to a neighbouring authority because retail catchments are generally on a smaller geographical scale to housing and the needs for B class employment.

Affordable housing is dealt with in paragraph 2.1(e) of the Bucks wide MoU dated July 2017.

## **2. Distribution of Growth within Aylesbury Vale District**

### Position

The VALP is proposing 28,830 homes. Around 57% of this growth is focused on Aylesbury with almost 20% of the remainder being allocated at or near the other four strategic settlements in the District – namely Buckingham, Haddenham, Winslow and Wendover. The 76 villages within Aylesbury Vale accommodate 3,554 or 12.3% of the overall total of which 424 are allocated in VALP.

Once existing completions and commitments are taken into account the emerging Local Plan is proposing (within the plan period to 2033) around:

- 7,810 homes in/around the Aylesbury Garden Town
- 850 homes at Buckingham
- 315 homes at Haddenham
- 585 homes at Winslow
- 1,000 homes near Wendover (RAF Halton).

The VALP is not proposing additional new employment land beyond what is committed or set out in existing planning applications.

The Wycombe District Local Plan is proposing 10,925 dwellings which is broadly distributed as follows:

- 6,350 dwellings at the urban area of High Wycombe;
- 2,050 at Princes Risborough;
- 350 at Marlow;
- 800 at Bourne End and Wooburn;
- 1,400 across the rural areas.

This focuses around 87% of housing growth at the four main settlements in the District and 13% in the villages/rural areas.

The main additional employment land proposals in the Plan are focused on High Wycombe and Princes Risborough.

### Agreement

1. Based on work to date the scale of growth and broad distribution is feasible in the light of the housing delivery report and existing infrastructure, and as such WDC support the level of growth and its broad distribution across Aylesbury Vale and AVDC supports the level of growth and its broad distribution across Wycombe District;

### **3. Green Belt**

Emerging work on local plans across Bucks indicated that there was unlikely to be sufficient housing and employment land in Chiltern, South Bucks and Wycombe Districts to meet Objectively Assessed Needs in each of those districts, as set out in the Bucks HEDNA.

The Buckinghamshire Districts and BCC jointly commissioned Arup to undertake an assessment of the Bucks Green Belt, focusing on the degree to which general areas of land identified in the study fulfil the Green Belt purposes set out in paragraph 80 of the NPPF.

AVDC and WDC then progressed a Green Belt Part 2 assessment for their respective areas, preparing a draft methodology shared with the other Bucks Districts. Whilst the methodology was not agreed as a county wide basis for the second stage of assessment, the approach is closely based on the work undertaken by Arup whilst bringing in other sustainability and site suitability factors and making a judgment on whether exceptional circumstances exist on a site by site basis for releasing land from the Green Belt.

In connection with the draft Wycombe District Local Plan 2016 the councils entered into detailed discussions with the assistance of GL Hearn consultants to establish the realistic capacity for development within Wycombe District. This included consideration of sites assessed as part of the Green Belt Part 2 work. Some additional Green Belt sites were proposed for release from the Green Belt following the consultation on the draft Local Plan in 2016.

AVDC and WDC have liaised on the Green Belt Part 2 work. In the consultation draft VALP in summer 2016 AVDC consulted on a possible site for release from the Green Belt at Wendover to help meet housing and employment land needs including unmet need from WDC.

Following the draft VALP consultation AVDC reviewed the need for the release of land from the Green Belt and determined that there was no longer justification for the release of the land at Wendover or for the exclusion of RAF Halton from the Green Belt due to its expected closure. AVDC then considered the suitability of RAF Halton as a redevelopment site for 1,000 houses to help meet housing and employment land needs including unmet need from WDC and concluded that sufficient capacity was likely to be available without any reduction in the openness of the Green Belt.

#### Agreement

1. That the proposal to allow brownfield land within the Green Belt at RAF Halton to be redeveloped as housing together with supporting facilities to help meet housing and employment land needs including unmet need from WDC is supported in principle;
2. That there are no strategic concerns about WDC's approach to removing land from the Green Belt to meet housing need within the WDC area.

#### **4. Major Development in the Area of Outstanding Natural Beauty**

The Councils have worked together with the other Bucks districts and also liaised with Natural England and the Chilterns Conservation Board regarding the issue of major development in the AONB. A consistent methodology for assessing whether a site proposal might constitute major development in the AONB was agreed. Paragraph 116 of the NPPF addresses the issue of major development in the AONB and this highlights that one consideration as to whether there are exceptional circumstances for major development in the AONB is the cost of and scope for meeting the need in some other way.

#### Agreement

That there are not exceptional circumstances for major development in the AONB in Wycombe District or Aylesbury Vale as there is scope for needs to be addressed outside the AONB but still within the Housing Market Area.

#### **5. Gypsy and Traveller Accommodation**

The Councils have worked together collaboratively on Gypsy and Traveller Accommodation needs. This has included:

- Jointly commissioning ORS consultants to establish Gypsy and Traveller Accommodation needs
- An officer working group to supervise the conduct of the assessment
- Joint discussions regarding the approach to addressing the output from the assessment

As a result of discussions relating to potential capacity in each plan area it was determined that each council could accommodate its own need and there was no need for any further cross border cooperation.

#### Agreement

1. The Councils have worked effectively together to address Gypsy and Traveller Accommodation needs;
2. That the Councils can address their Gypsy and Traveller Accommodation needs within their own areas and neither authority is asking the other authority to accommodate any of their gypsy and traveller needs (including travelling showpeople).

## **6. Transport**

The two authorities have worked closely together and with the other Bucks authorities on assessing the transport impacts of growth in their respective Plans, including traffic modelling utilising the county-wide transport model, and consideration of mitigation measures.

#### Agreement

That there are no cross boundary strategic transport issues between the two authorities.

The two authorities will continue to work closely together on assessing and addressing the transport impacts of planned growth.

## **7. Compliance with the Duty to Cooperate**

The Councils have worked collaboratively resulting in specific outcomes including areas of agreement in relation to the VALP and the Wycombe District Local Plan, as outlined in this MoU.

#### Agreement

That Aylesbury Vale District Council has complied with the Duty to Co-operate on strategic issues in relation to the Vale of Aylesbury Local Plan and that Wycombe District Council has complied with the Duty to Co-operate on strategic issues in relation to the Wycombe District Local Plan.

Both authorities agree that there are no other cross boundary strategic issues in relation to the VALP or the Wycombe District Local Plan.

## **8. Relationship to other Memorandums of Understanding**

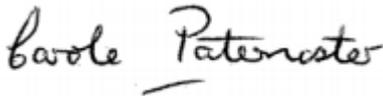
Agreement

It is agreed that this MOU does not supersede the Bucks wide Memorandum of Understanding (13<sup>th</sup> July 2017) which remains in place.

It is agreed that this MOU does supersede the Memorandum of Understanding between Aylesbury Vale District Council and Wycombe District Council dated 8<sup>th</sup> December 2016.

**Signed by the following Council representatives**

**Signature**



**Cllr Carole Paternoster**

**Cabinet Member for Growth**

**Aylesbury Vale District Council**

**Signature**



**Cllr David Johncock**

**Cabinet Member for Planning and Sustainability**

**Wycombe District Council**

**Agreement Dated – 17th January 2018**