

Duty to Cooperate Memorandum of Understanding (MoU) between Wycombe District Council (WDC) and Buckinghamshire County Council (BCC) (“the Councils”) in relation to the 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 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 between the Bucks Districts and BTVLEP and the authorities are working towards a Bucks Wide MOU that can be agreed with 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 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 Wycombe District of 10,925 homes and new employment floorspace. The growth is identified from a number of different sources, including:

- Previously developed land in towns and villages
- Development of the former reserve sites around High Wycombe and at Bourne End
- Development on the edge of villages beyond the Green Belt (within and beyond the AONB)
- Limited release of Green Belt land.
- Major expansion of Princes Risborough.

The scale of growth identified does not meet all the identified need for development due to the very significant level of constraints that exists in the District, notably the Green Belt and the Area of Outstanding Natural Beauty (AONB).

Joint working and collaboration

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

- Ongoing dialogue on infrastructure planning including assessing the infrastructure implications of emerging growth scenarios; BCC has contributed towards the preparation of the Wycombe Infrastructure Delivery Plan in terms of identifying the infrastructure needs for new development.
- Prince Risborough expansion – There has been extensive joint working on a range of issues in relation to the proposed expansion of Princes Risborough – see section 3 for more details.
- 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 and sharing information on more detailed testing

of key sites and development of mitigation measures. Detailed highways development management inputs to sites in the Housing and Economic Land Availability Assessment and key development sites in the emerging Plan. Joint liaison with Highways England on issues affecting the strategic road network.

- Green Belt – there has been joint working on Green Belt issues – see section 4 for details.
- Need for Older People’s accommodation – officers from the two Councils have liaised on the emerging evidence and have considered policy approaches.
- Wider dialogue on the scale and distribution of growth across Bucks as part of the Bucks Planning Group.

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 Wycombe District, and are hence not repeated here. These matters have been the subject of extensive discussions at a Bucks wide level that both WDC and BCC have been involved in.

Whilst BCC have some outstanding concerns regarding certain issues in the Bucks wide MoU, the following matters can be agreed between the WDC and BCC:

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;
- That the findings of the HEDNA (December 2016) and HEDNA addendum (2017) are agreed
- That the objectively assessed housing need for Wycombe District is 13,200;
- That the housing capacity and hence requirement for Wycombe District is 10,925 dwellings, and that the unmet need of 2,275 dwellings can be accommodated in the Vale of Aylesbury Local Plan;
- That the details of the employment land growth and distribution is a matter for the Bucks Districts and BTVLEP, but BCC has no dispute over the position set out in the Bucks wide MoU (13.7.17).

2. Distribution of Growth and Strategic Infrastructure within Wycombe District

Position

The Plan is proposing around 10,975 homes. Around 87% of this growth is focused on the four most sustainable settlements of the District – namely High Wycombe, Marlow, Princes

Risborough and Bourne End. Over half of the growth is focused on the High Wycombe Urban Area and much of that growth is already committed through existing completions, permissions, allocations in the Delivery and Site Allocations Plan (ie town centre allocations) and the reserve sites.

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

- 6,350 homes in/around the High Wycombe Urban Area
- 2,050 homes at Princes Risborough¹
- 800 homes at Bourne End
- 350 homes at Marlow
- 1,400 homes in the rural areas focused on the main villages.

The Plan is also proposing additional new employment land, primarily at High Wycombe and Princes Risborough, mirroring where the greatest housing growth is being planned.

WDC has liaised with BCC at various stages of the Local Plan preparation process to coordinate infrastructure provision and assessment of housing supply in the form of the HELAA and the AONB site report to support growth. This has included close liaison and dialogue with key services at BCC on the emerging scale and pattern of growth, starting from before the Local Plan options consultation in February 2014 onwards. This dialogue has underpinned the preparation of the Infrastructure Delivery Plan and other supporting evidence e.g. HELAA. More recently the engagement has involved sharing and inputting to emerging drafts of infrastructure delivery plans and revised growth scenarios including:

- Draft Infrastructure Delivery Plan for Princes Risborough (February 2016)
- Draft Infrastructure Delivery Plan for remainder of District (June 2016)
- Sharing an updated development scenario (winter 2016)
- Sharing a revised draft Infrastructure Delivery Plan (combining Princes Risborough and the rest of the District) (March 2017)
- Sharing of draft plan policies, including site specific policies setting out infrastructure requirements for those sites (June 2017).

Agreement

1. Based on work to date the scale of growth and broad distribution is feasible in light of the existing infrastructure, and as such BCC do not have any in principle objections to the scale of growth and broad distribution across the District;
2. That the Infrastructure Delivery Plan provides a sound basis for taking the plan forward;
3. WDC and BCC will work closely together alongside their partners on finding solutions to improve transport connectivity between the Thames Valley and the South East Midlands, through Buckinghamshire;

¹ It is anticipated that a further 600 homes will be provided at Princes Risborough beyond the end of the plan period as the main expansion area is unlikely to be fully built out before 2033.

4. WDC and BCC will continue to work closely together on infrastructure delivery to support the implementation of local plan policies and proposals.

3. Princes Risborough expansion

Position

WDC has assessed a range of different options in relation to the expansion of Princes Risborough and that assessment has concluded that an expansion of up to 2,500 homes and some additional employment land provision is the most sustainable option for the expansion of the town.

LTP4 identifies north/south connectivity issues as a major transport challenge, and includes an aspiration to improve north south road links. Whilst identifying the strategic issue and certain links where improvements could be made such as the A404 between High Wycombe and Maidenhead, and the A413 and A355, LTP4 does not set out any more detailed proposals for north/south road improvements in Bucks.

However, both Councils agree that upgrading the A4010 may not be achievable or represent value for money/affordable given the current bottlenecks in and on the outskirts of High Wycombe. The work in relation to the housing expansion was therefore focused on providing necessary additional highway capacity to enable the new development.

WDC and BCC together with BTVLEP jointly commissioned testing of road infrastructure options for the expansion of Princes Risborough. Objectives to assess the options for new road infrastructure were agreed between WDC, BCC, BTVLEP and the PRSG. A wide range of road infrastructure options were assessed against these objectives and these were narrowed down to the two main options:

- Option 11b – a “through route” through the expansion area and part of the southern part of the town. The latest cost estimate is £49m
- Option 17 – running partly through the expansion area and partly beyond the edge of the town. The latest cost estimate is £80m.

More recently WDC has commissioned with support and input from BCC other more detailed transport assessment work including considering the southern alignment of the relief road, the overall design approach, the potential phasing of the relief road, and assessment of options for public transport improvements to support growth.

Based on Option 11b WDC has worked with BCC and ATLAS on viability work and it concludes that the infrastructure necessary to support the expansion of the town can be viably delivered by the development.

Work is ongoing between WDC, BCC, Network Rail and Princes Risborough Town Council to consider more detailed aspects of delivering local transport infrastructure improvements and connections that affect the local rail network.

Work on detailed delivery mechanisms is ongoing. WDC has appointed Pick Everard to progress this work to feed into the next more detailed capacity plan and infrastructure

delivery plan work that will be produced as supplementary planning guidance to inform future planning application(s).

WDC has also been liaising with BCC on other issues including in relation to education provision and flood risk issues, including joint working on groundwater and surface water flood risk issues, including the SFRA work. The outputs from this work have been fed into the infrastructure delivery plan, the concept plan for the expansion of the town, and the policies in the plan setting out requirements for the development.

Agreement

1. That the Option 11b “through route” represents the most appropriate alternative for new road infrastructure to support the growth of the town set out in the Local Plan, having regard to all relevant objectives including deliverability/viability and the strategic context;
2. That the viability appraisal (March 2017) and its assumptions provides a robust and proportionate assessment of the current viability position at this time;
3. That the viability assumptions do not assume any capital input from the BCC capital programme;
4. That WDC and BCC will work closely and collaboratively together in the future to ensure the delivery of infrastructure to support the urban expansion of the town, including working together on bids for funding that may assist with the forward funding or grant funding of infrastructure at Princes Risborough.

4. 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. In Wycombe District, the Local Plan and its supporting evidence documents sets out the range of options considered.

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.

WDC then progressed a Green Belt Part 2 assessment for Wycombe District, preparing a draft methodology shared with the other Bucks Districts and BCC. Whilst the methodology has not been 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.

WDC and BCC have liaised on the Green Belt Part 2 work. In the consultation draft Wycombe District Local Plan (June 2016) WDC consulted on possible sites for release from

the Green Belt to help meet housing and employment land needs. BCC raised no objections in principle to the release of these sites from the Green Belt.

Following this consultation WDC undertook further work to refine the methodology and identified 3 additional sites for potential release from the Green Belt (details of these 3 sites were set out in an update note emailed to BCC 14.2.17).

Agreement

1. That the principle of releasing land from the Green Belt to contribute to meeting assessed needs is agreed in Wycombe District, having tested all the reasonable alternatives elsewhere in the District;
2. That there are no strategic concerns about the Plan's approach to Green Belt land release in Wycombe District.
3. BCC have expressed concerns about 1 of these sites amounting to approximately 30 dwellings, due to concerns about the defensible boundary of the site but have agreed that, given the size of the site, this is not a strategic issue to be pursued.

5. Accommodation for the older people and vulnerable adults

The Bucks HEDNA and its update, and the BCC Commissioned Housing Learning and Improvement Network (LIN) report Older People and Vulnerable Adults Housing report indicate a significant need for accommodation for the elderly. WDC have highlighted issues regarding the consistency of these two data sets and work is being commissioned to resolve this. There are also issues about the form of provision (use class) appropriate to address that need and the need for an evidence based approach to addressing affordability in future provision.

In summary this need can be addressed in two different ways:

- Adaptable housing – ensuring a proportion of new (non-specialist) housing is built to higher accessibility standards
- Providing specialist forms of housing of various types, some of which would constitute C3 dwellings, and some would be C2 care home type accommodation.

The Local Plan can assist in facilitating both these approaches through appropriate policies (see agreement).

WDC has reviewed its current supply of extra care and care home provision. It shows the following existing completions and commitments since 2013 (the start date of the Local Plan):

- A net gain of 571 care home spaces (use class C2)
- An additional 531 dwelling units (use class C3) including a single 260 unit Extra Care scheme

Further clarity however is required on the different types of need set out in the LIN report and how existing commitments and future provision contribute towards addressing those different types of need.

As with the general housing and employment land supply, the ability to deliver this accommodation is subject to the same planning constraints as for general housing (e.g. Green Belt, AONB, flood risk etc). Similarly, the ability to require private developers to directly subsidise, or provide land, for affordable/specialist accommodation will rely on evidence from BCC that there is a need for types of accommodation that are unlikely to be delivered by the market without imposing additional planning burdens.

Agreement

1. The Local Plan will adequately address the need for elderly accommodation/ provides an appropriate policy response to the housing needs of older people by including:
 - a. A policy approach that allows for the provision of specialist accommodation for the elderly on sites allocated for housing development and on windfall sites within existing urban areas, thereby providing a wide choice of sites for such provision;
 - b. A policy seeking a proportion of all new homes to meet the accessibility standards set out in the Government's technical standards, thereby future proofing new housing stock and enabling occupants to remain in their own homes to the greatest extent possible.
2. The Councils will continue to work together to clarify the scale and type of need and form of provision, and the degree to which that is likely to be met.
3. It is acknowledged that the extent to which the Plan could in addition meet any remaining needs within local catchments (as identified in the Housing LIN report/HEDNA) is rightly constrained by factors such as Green Belt, AONB and flood risk (as per general housing).
4. The extent to which the Plan can include additional policies requiring specialist housing or affordable specialist housing will rely on evidence from BCC that there is a need for types of accommodation that are unlikely to be delivered by the market without imposing additional planning burdens, and that such requirements are viable.
5. WDC and BCC will continue to work together on issues relating to older people and vulnerable adults including the affordability of new accommodation provided and design issues for new developments, and this may result in the preparation of additional guidance as appropriate.

6. Strategic Flood Risk Issues

The Councils have worked together collaboratively on strategic flood risk issues. This has included:

- Sharing and input into the Strategic Flood Risk Assessment (SFRA)
- Sharing and input into the draft Sequential Approach methodology
- Sharing and input into the SFRA level 2 work
- Sharing and input to emerging draft policy relating to flood risk and Sustainable Urban Drainage Systems management and relevant site specific policies.

In relation to the proposed Princes Risborough expansion area there has been ongoing liaison and sharing of emerging proposals, including draft policies and the emerging concept plan for the expansion area. BCC have provided support and input to discussions and workshops to help shape the concept plan and policies of the plan to ensure issues of surface water and groundwater flooding will be appropriately mitigated by future development proposals. The emerging concept plan has been prepared to take account of the areas of greatest flood risk.

Agreement

1. The Councils have worked effectively together to mitigate flood risk issues across the District and the SFRA, SFRA Level 2 and associated work to provide an appropriate and proportionate evidence base to support the Plan proposals;
2. On the Sequential Approach methodology (surface and groundwater) - output to be shared and finalised;
3. That the draft policies for the Princes Risborough expansion area and the associated concept plan provide an appropriate policy framework for mitigating flood risk issues in the expansion area;
4. That the Councils will continue to work together to ensure issues of potential groundwater and surface water flood risk in the Princes Risborough expansion area are adequately mitigated by new development. This will include BCC input to the capacity and delivery planning work being undertaken outside of the Local Plan process, and any appropriate joint drainage strategy work.

7. Compliance with the Duty to Cooperate

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

Agreement

That Wycombe District has complied with the Duty to Co-operate on strategic issues in relation to the Wycombe District Local Plan.

Signed by the following Council representatives

Signature



Name: Cllr David Johncock
Cabinet Member for Planning
and Sustainability
Wycombe District Council

Signature



Cllr Bill Chapple
Cabinet Member for Planning
Buckinghamshire County Council

Agreement Dated – 25th September 2017