

**Memorandum of Understanding between Wycombe District Council (WDC) and Chiltern District Council/South Bucks District Council (CDC/SBDC) on Strategic Planning and the “Duty to Co-operate” on Planning Matters.**

The Localism Act 2011 brings significant changes to strategic planning in England. Strategic planning remains an essential part of the planning system. The Act provides for a bottom up approach to strategic planning in a local area through the “duty to co-operate.”

The Act sets out that a local planning authority has a duty to co-operate by:

*“engaging constructively, actively and on an on-going basis in the preparation of development plan and other documents and in activities that can reasonably be considered to prepare the way for the preparation of such documents for strategic matters.”*

The requirements of the Localism Act are complemented by the guidance in paragraphs 178-181 of the National Planning Policy Framework (NPPF), although these are additional to those within the Act. The NPPF includes reference to local authorities considering agreements on joint approaches to the undertaking of activities and to considering whether to agree to prepare joint local development documents. The duty involves a continuous process of engagement from initial thinking through to implementation. It should result in meeting development requirements, including unmet requirements from neighbouring authorities, where it is practical to do so. Authorities should also consider producing plans or policies prepared as part of a joint committee, a memorandum of understanding or a jointly prepared strategy which is presented as evidence of an agreed position.

The Duty to Co-operate has become the first matter that is tested at a local plan examination. Failure to co-operate will result in delay and increased costs in bringing forward up to date local plans thereby increasing the risks at planning appeals.

In the light of the Duty to Co-operate Wycombe District Council (WDC) and Chiltern District Council/South Bucks District Council (CDC/SBDC) have agreed this Memorandum of Understanding to identify areas and topics of common strategic concern.

The Memorandum of Understanding builds on long established joint working between local authorities and acknowledges where issues cannot be resolved by local authorities acting alone.

The following schedules identify the current position between the authorities, and also where further cooperation will be undertaken to seek resolution of outstanding matters.

**Schedule A:** Buckinghamshire Memorandum of Understanding (July 2017) between Aylesbury Vale District Council, Wycombe District Council, Chiltern District Council, South Bucks District Council, and Bucks Thames Valley Local Enterprise Partnership

The following issues covered by the Buckinghamshire Memorandum of Understanding are not addressed in this MOU:

- Housing – overall scale of growth
- Economy – overall scale of growth
- Green Belt
- Provision for gypsies and travellers

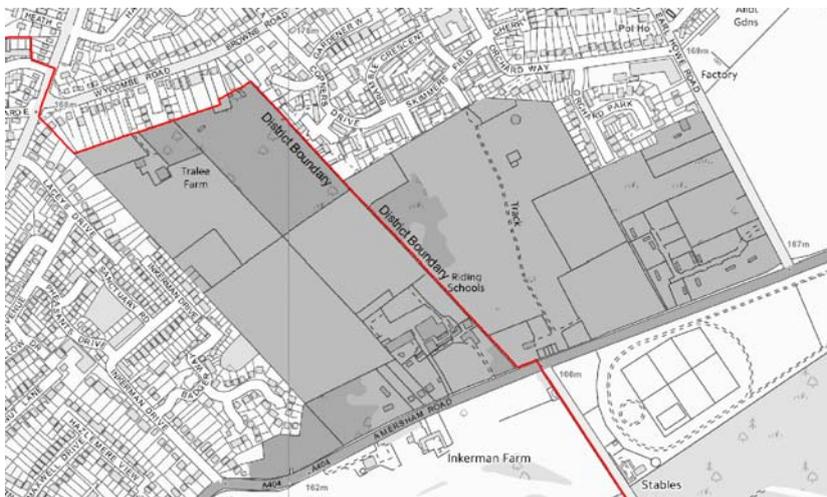
### **Schedule B:** Development in the Chiltern's Area of Outstanding Natural Beauty

Both authorities have undertaken assessments to identify potential site allocations in the Chiltern's Area of Outstanding Natural Beauty. Both authorities agree that there will be no allocations for development in new local plans that could be classified as "major development" as this should be accommodated in lesser constrained areas outside of the AONB but within the Housing Market Area.

Both authorities agree that releasing the Penn Road/Hazelmere option for development would constitute major development and as a result agree that the site should not be removed from the green belt and allocated as a development site.

### **Schedule C:** Housing proposals on WDC/CDC border

The Buckinghamshire Green Belt Assessment Part 1 identified a site that straddles the WDC/CDC border at Hazelmere/Holmer Green (as shown on plan below). All three authorities agree to ensure that development proposals should come forward that allow for a comprehensive and joined up development if both plans include an allocation for this area of land.



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### **Schedule D:** Burnham Beeches

As a result of discussions with CDC/SBDC, WDC and Natural England it is agreed that strategic allocations in WDC within 5km of Burnham Beeches will make a requisite provision of open space on-site or where this is not possible off-site contributions to the delivery of the Little Marlow Lakes Country Park. Windfall developments in WDC will through the use of CIL, or alternative means if CIL is replaced, also contribute towards the delivery of the Little Marlow Lakes Country Park.

### **Schedule G:** Strategic Transport Issues

In addition to the Countywide Transport Modelling work WDC have commissioned High Wycombe specific modelling and CDC/SBDC have commissioned more detailed modelling using the countywide model.

Both Districts agree that there are no cross border transport issues arising from this work and will continue to work together to address local issue if they arise.

**Schedule H: Flooding**

WDC and CDC/SBDC have commissioned Strategic Flood Risk assessments and agree that no strategic flood risk issues have been identified that have cross border implications.

**Schedule I: Water Quality**

WDC commissioned an assessment of the Little Marlow Sewage Treatment works which identified no cross border water quality issues. CDC/SBDC have commissioned an assessment that incorporates growth proposed in the WDC new local plan and will share the outcome of that work at the appropriate time.

This Memorandum of Understanding provides a framework for joint working between WDC and CDC/SBDC. It allows refined Agreements to be agreed between individual authorities/infrastructure providers on specific areas where they consider it appropriate.

**Signed:**



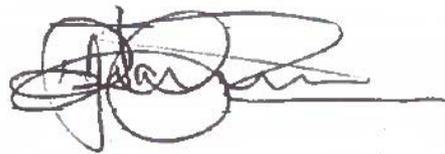
**Cllr David Johncock  
Cabinet Member for Planning and Sustainability  
Wycombe District Council**

**Signed:**



**Cllr Peter Martin  
Cabinet Member for Sustainable Development  
Chiltern District Council**

**Signed:**



**Cllr Nick Naylor  
Cabinet Member for Sustainable Development  
South Bucks District Council**

**September 2017**