

**Delivery and Site Allocations Plan
Examination
Supporting Document**



CD7.6

**Statement of Common Ground between
Wycombe District Council and National
Grid Property (High Wycombe) Ltd**

Our ref: J024909

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8 November 2012

Dear Sarah

**Wycombe Delivery and Site Allocations Plan
Statement of Common Ground between Wycombe District Council and National Grid**

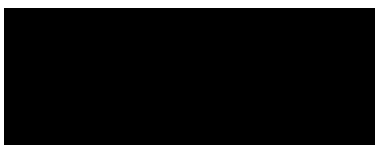
Thank you for sending the agreed final Statement of Common Ground to me by email on 7 November 2012.

I can confirm on behalf of National Grid that the Statement of Common Ground represents the final agreed position between National Grid and the Council, and on that basis National Grid is not intending to appear at the Examination into the Site Allocations Plan in December 2012.

I will write to the Programme Officer to confirm National Grid's position once the Statement has been sent to him.

Thank you for your help in this matter.

Yours sincerely



Giulia Bunting
Planning Director

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Statement of Common Ground

between

Wycombe District Council

and

National Grid Property [High Wycombe] Ltd.

**Prepared in advance of the Hearings of the
Public Examination of the
Delivery and Site Allocations Plan
for Town Centres and Managing Development**

November 2012

1. Introduction

- 1.1. This Statement of Common Ground (“the Statement”) has been prepared by Wycombe District Council (“the Council”) in conjunction with GL Hearn Ltd. on behalf of National Grid Property [High Wycombe] Ltd. (“National Grid”).
- 1.2. The purpose of this statement is to set out the agreed position between the Council and National Grid on the proposals for High Wycombe Town Centre as set out in Policies HWTC1 – HWTC21 and other development management policies (DM1-18) of the Delivery and Site Allocations Plan Proposed Submission Document (published June 2012). It also identifies the issues that continue to separate the parties in respect of these proposals.
- 1.3. Following the completion of this Statement, National Grid has indicated to the Council that it does not intend to appear at the public hearings on the Plan, scheduled to take place between Tuesday 18th – Friday 21st December 2012. In setting out its position, National Grid will rely on its written representation submitted on the Delivery and Site Allocations Plan Proposed Submission Document in July 2012 (ref DSA12/036) and the written evidence contained within this Statement.

2. Context

The Delivery and Site Allocations Plan

- 2.1. The Delivery and Site Allocations Plan (DSA) includes site specific proposals for the three town centres in Wycombe district, including the High Wycombe town centre masterplan and proposals for Marlow and Princes Risborough town centres. It also includes a series of key policies to manage development across the District to secure more sustainable development in the future.
- 2.2. Preparatory work and public consultation on the DSA began in 2004 alongside the preparation of the Council's Core Strategy, which was adopted in July 2008. The DSA has been subject to a number of further rounds of public consultation in 2007, 2009, 2010 and 2011.¹
- 2.3. The Proposed Submission version of the DSA was published on Friday 1st June 2012. The deadline for comments to be submitted to the Council on the proposed plan was Friday 20th July 2012. In total 49 responses were received.²
- 2.4. The DSA was submitted to the Planning Inspectorate on Friday 21st September 2012. The DSA will now be subject to examination by a Planning Inspector, with public hearings to be held in December 2012.

Engagement with National Grid on the Delivery and Site Allocations Plan

- 2.5. Significant engagement has been undertaken between the Council and National Grid in the development of the policies contained within the DSA Plan. In particular, discussions have focused on the proposals for High Wycombe town centre, including the proposed highway changes and the site specific policy for the former Gas Works site on Lily's Walk, High Wycombe (HWTC13), which is owned by National Grid. This engagement process has been very productive and has resulted in the two parties being able to identify a number of areas of agreement as set out in this statement.
- 2.6. National Grid has consistently engaged in the formal consultation processes on the DSA Plan, submitting representations at each stage of consultation (2007, 2009, 2010 and 2011).
- 2.7. A response was submitted by GL Hearn Ltd. on behalf of National Grid on the proposed submission Plan in July 2012 (reference DSA12/036). A meeting was held between the Council and representatives of National Grid on Thursday 20th September 2012 to discuss the issues raised in National Grid's representation. The following people were present at the meeting:

¹ See the following Core Documents – CD4.4.1 & CD4.4.5 (2007); CD4.5.1 & CD4.5.4 (2009); CD4.6.1 & CD4.6.4 (2010); CD4.7.1 & CD4.7.5 (2011)

² See Core Documents CD1.14 and CD1.15

For Wycombe District Council:
Sarah Morgan
John Callaghan (part)
Jerry Unsworth (part)
David Dewar (part)
Chris Steuart (part)

For National Grid:
Giulia Bunting (GL Hearn Ltd.)
Jade Wong (GL Hearn Ltd.)
Scott Lewis (National Grid)

2.8. The issues raised in the representation and the discussions at the meeting on 20th September inform the areas of agreement and remaining issues set out in the following sections.

3. Agreed Areas of Common Ground and Proposed Further Changes

Where changes to the policies and supporting text is proposed, proposed additional text is highlighted in **bold italic** and text proposed to be deleted is shown as ~~struck through~~.

Area 1 – Policy HWTC1 Delivering the Town Centre Vision

3.1 In its representation (paras. 6.2–6.3) National Grid stated that this policy was unsound, on the basis of not being positively prepared or justified. They proposed the following change be made to the policy:

Clause 2 – “**Where appropriate**, all development within the town centre should contribute towards meeting the following objectives for the town centre...”

3.2 It is the Council’s position that this change is not necessary to the policy as such a change would weaken the strength of the policy in ensuring that all development contributes to the delivery of the vision for the town centre. No further revisions were proposed by the Council.

3.3 Following further discussions, National Grid has accepted the position of the Council and has withdrawn its objection to this policy.

Agreed proposed change to Policy HWTC1

3.4 No changes are required to the Policy HWTC1

Area 2 – Policy HWTC3 Connections, Movements and Access

3.5 In its representation (paras. 6.4-6.6) National Grid stated that this policy was unsound, on the basis of not being positively prepared or justified. They proposed the following changes be made to the policy:

Clause 1(i) - “The creation of a an alternative route through the town centre, **as agreed between the Council and relevant stakeholders**, which will facilitate the downgrading...”

Clause 2(v) - “is cost-effective **and viable** to construct and maintain”

3.6 The Council is committed to on-going engagement with stakeholders in the development of proposals for the town centre, including changes to the highway network, and the Council is happy for this commitment to be explicitly referenced within the DSA Plan. However the Council believes such a reference would be more appropriately contained within the supporting text to Policy HWTC3 rather than within the policy itself. The Council proposed an alternative change to the supporting text and this has been accepted by National Grid.

3.7 The Council recognises that viability will be a consideration in designing and implementing changes to the town centre highway network and accepts the proposed change suggested by National Grid.

Agreed proposed changes to Policy HWTC3

3.8 Change to para. 3.36 (p.17)

“...Transport Improvement Lines are declared by Buckinghamshire County Council as the highway authority and the proposals maps show the indicative location or route of the proposed Transport Improvement Lines (see policy DM2 Transport Improvement Lines for further information). ***It is anticipated that the highway authority will proceed with the formal designation of Transport Improvement Lines once this plan is approved, in consultation with the Council and relevant stakeholders.***”

3.9 Change to Clause 2(v)

“is cost-effective ***and viable*** to construct and maintain”

Area 3 – Policy HWTC4 Economy

3.10 In its representation (para. 6.7) National Grid proposed a minor amendment to this policy, in the form of listing all retail locations in line with the office locations listed.

3.11 The Council does not agree with this suggestion as it would not increase the effectiveness of the policy and would introduce unnecessary text into the policy.

3.12 Following further discussions, National Grid has accepted the position of the Council and has withdrawn its objection to this policy.

Agreed proposed change to Policy HWTC4

3.13 No changes are required to the Policy HWTC4.

Area 4 – Policy HWTC13 Lily’s Walk

3.14 The Council and National Grid have engaged constructively over many years in the development of this site policy, and had reached agreement on most of the main principles of the policy before the proposed submission version of the DSA Plan was published.

3.15 However National Grid remains concerned that the final detailed design of the Transport Improvement Line (TIL) on the site has not been

completed and therefore the TIL may be subject to further variation which could further encroach on the National Grid site. The current layout of the TIL broadly follows the existing safeguarded road line, but there remains a possibility that as a result of further feasibility work and detailed design development the TIL could encroach further onto the National Grid site in the future, thus creating uncertainty for the future development of the site. The TIL layout may also need to be varied if land within the adjoining Buckingham House site is required to be avoided to secure the delivery of the link road, if issues arise with ownership. In this situation, there would be a high impact on the future development of the site. To address this issue, National Grid proposed the following change to the policy:

Clause 3:

“Development of this site will be required...the land provided will be in accordance with the revised Transport Improvement Line, ***as agreed with the relevant parties***, to be designated on this site.”

- 3.16 The Council is committed to on-going engagement with stakeholders in the development of proposals for the town centre, including changes to the highway network and the Council is happy for this commitment to be explicitly referenced within the DSA Plan. The process of designating Transport Improvement Lines is set out in The Highways Act 1980 and the Council believes a reference to on-going engagement would be more appropriately contained within the supporting text to Policy HWTC13 rather than within the policy itself (in line with proposed changes agreed to Policy HWTC3 and Policy DM2 set out in this section). The Council proposed an alternative change to the supporting text in this regard and this has been accepted by National Grid.
- 3.17 National Grid remains concerned regarding the requirements of clause (5) and paragraph 3.104 regarding the provision of the gas works link road. National Grid believes that these requirements make the policy unsound, in terms of being unjustified and positively prepared, in accordance with the NPPF. The suggestion that National Grid should also provide the link road, in addition to providing sufficient land for the link road, is considered by National Grid to be far in excess of any appropriate and relevant measures to mitigate against any transport impacts generated by development of the site.
- 3.18 National Grid also believes that bullet point 5 conflicts with the aims of bullet point 3. Bullet point 3 makes reference to the revised TIL which has been prepared, albeit still subject to amendments. Bullet point 5 suggests that the delivery of the link road could be achieved on any part of the site, and not in accordance with the TIL. As such, Bullet Point 5 directly conflicts with the rest of policy HWTC13. Within its representation, National Grid proposes that bullet point 5 and paragraph 3.104 be deleted.
- 3.19 The Council is keen to ensure that any development on this site does not prejudice the delivery of the wider town centre vision. In particular, given that development proposals and necessary transport infrastructure

requirements for the site are at this stage unknown, the Council is keen to ensure that any highway infrastructure provided on-site by the development is consistent with the requirements of policies HWTC1 and HWTC3 and the proposed highway network for the town centre.

- 3.20 As the extent and nature of highway infrastructure requirements for the redevelopment of the site are not known, the Council has proposed that the text be amended to remove a specific reference to provision of “the link road” and instead refer to the overall provision of “highway improvements/infrastructure”. The extent and nature of these improvements and infrastructure will be decided through the Development Management process.
- 3.21 The proposed change to the clause 5 and paragraph 3.104 [as set out below] has been agreed between the Council and National Grid.
- 3.22 Although this proposed change is acceptable to National Grid, it should be noted that they remain unconvinced that such a provision is necessary given the requirements of Policy HWTC1 which states at clause 2 that : *“Planning permission will not be granted for any development which prejudices the implementation of this [Town Centre] vision”*. Thus the Council would be able to refuse planning permission for any development on the Gas Works site, and its associated infrastructure, if it was not compatible with the Town Centre vision under the provisions of Policy HWTC1.
- 3.23 The Council’s position is that given the strategic importance of the link road through the gas works site (HWTC13) in delivering the wider town centre vision, it is appropriate to have a specific requirement within the site policy to ensure highway works are consistent with the vision, rather than relying solely on the policy requirements of HWTC1 and HWTC3. This is a consistent approach taken with other sites around the town centre where strategically important links will be created, namely HWTC18 Baker Street and HWTC19 Rapid House.³

Agreed proposed changes to Policy HWTC13

3.24 Change to Clause 5

“If a full link road is **highway improvements / infrastructure** are required to mitigate development on this site, then ~~the link road~~ **these** must be designed and provided for in a way which is consistent with the delivery of the strategic town centre vision, and in particular meets the requirements of Policy HWTC3.”

3.25 Change to paragraph 3.103

³ A proposed change to clause 3 of policy HWTC19, consistent with the proposed change agreed in this SoCG, has been put forward to the Inspector by the Council (see change FC11 in CD7.2). The Council will also be proposing this change to clause 3 of policy HWTC18.

“There is currently an historic Transport Improvement Line....The proposed TIL to be designated on this site is shown within the supporting technical evidence. ***It is anticipated that the highway authority will proceed with the formal revision of the Transport Improvement Line on this site once this plan is approved, in consultation with the Council and relevant stakeholders.***”

3.26 Change to paragraph 3.104

“If the development proposals for the site require the implementation of ~~all or part of the link road~~ ***highway improvements / infrastructure*** to make the development acceptable in planning terms, the design and provision of ~~the highway infrastructure is~~ ***these works are*** required to be in such a way which supports, and does not prejudice, the implementation of the wider strategic vision for the town centre, including the provision of an alternative cross-town route.”

Area 5 – Policy DM2 Transport Improvement Lines

3.27 In its representation National Grid stated that this policy was unsound, on the basis of not being positively prepared or justified. National Grid proposed the following change be made to the policy:

“Planning permission will not be granted for developments which would prejudice the provision of new or improved transport infrastructure on the Transport Improvement Lines identified on the proposals map and listed in Appendix A and B. ***The details of which will be agreed between the Council and relevant stakeholders.***”

3.28 The Council is committed to on-going engagement with stakeholders in the development of proposals for the town centre, including changes to the highway network and the Council is happy for this commitment to be explicitly referenced within the DSA Plan. The process of designating Transport Improvement Lines is set out in the Highway Act 1980 and the Council believes such a reference would be more appropriately contained within the supporting text to Policy DM2 rather than within the policy itself. The Council proposed an alternative change to the supporting text and this has been accepted by National Grid.

Agreed proposed change to Policy DM2

3.29 Change to para. 6.19 (p.55)

“...The final stage of the review of improvement lines involves the County Council formally designating the new improvement lines outlined in Appendix B. ~~The County Council intends to commence this process in 2013 once this plan is approved.~~ ***It is anticipated that the highway authority will proceed with the formal designation of***

Transport Improvement Lines once this plan is approved, in consultation with the Council and relevant stakeholders.”

Area 6 – Policy DM18 Carbon Reduction

- 3.30 National Grid considers Policy DM17 to be sound but have proposed that the policy should specify the building regulation to be used as the baseline for assessing the reduction in carbon emissions. This is usually based on the 2010 Building Regulations.
- 3.31 Paragraph 6.113 (p.74) of the DSA Plan specifies that building regulations will progressively change to deliver an increasing reduction in carbon emissions when compared to the 2006 Building Regulations. The Council feels that this is an adequate reference to the regulations which set the baseline for the policy requirements and it does not need to be referenced within the policy text itself. The 2006 regulations are referenced as these are referred back to within the 2010 Building Regulations.
- 3.32 Following further discussions, National Grid has accepted the position of the Council and has withdrawn its objection to this policy, on the basis the building regulations are referenced in the supporting text.

Agreed proposed change to Policy DM18

- 3.33 No changes are required to the Policy DM18.

Areas of Dispute

Issue 1 - Box 2 (p.11)

National Grid's position

- 4.1 National Grid believes Box 2 to be unsound as it is not effective and the proposed timescales for the delivery of cross-town route should be amended or there should be sufficient evidence to demonstrate the timescales are deliverable.
- 4.2 National Grid remains concerned about the timescales set out in Box 2 relative to achieving the alternative cross-town route (which includes the Gas Works link road). National Grid does not consider it is feasible to create the alternative cross-town route in its entirety by 2013, which is implied by Box 2. Looking at the likely timescales for the delivery of two of the key sites required to enable the delivery of the new route, i.e. the Gas Works site (2013-2018) and the Buckingham House site (2018-2026) these do not correlate to the timescales set out in Box 2. Box 2 is thus misleading.

The Council's position

- 4.3 The Council is not proposing that the alternative route will be created in its entirety by 2013. A five-year programme, over the period 2013-2018, has been established for the delivery of the alternative route. Further details of this delivery programme are set out in Chapter 7 of Core Document CD2.2 *High Wycombe Town Centre Masterplan Background Paper*. The bullet point "Creation of an alternative cross-town route..." is positioned adjacent to 2013 to indicate when work will commence on this element of the masterplan, but it does not imply that all the work will also be completed in 2013.
- 4.4 Box 2 sets out the indicative timing for key elements of the town centre masterplan. Its purpose is to provide a summary of the how the masterplan vision could be delivered over the plan period. The timing column with its shaded arrow indicates the passage of the years and the ordering of the bullet points reflects the proposed delivery of parts of the vision. It is an illustrative tool, rather than a prescriptive programme.
- 4.5 The Council also wishes to clarify that the delivery of the alternative route is not dependent on the development of the Gas Works site nor the Buckingham House site and therefore the timescales set out for the delivery of these sites within the DSA does not need to be reflected within Box 2.
- 4.6 Policy HWTC13 requires any development proposals for the site to provide the necessary land for a new link road (see Appendix 4 of CD2.2) but not the delivery of the link road itself. It is anticipated that the link road will be

delivered in partnership by the highway authority and the Council, in consultation with the owners of HWTC13.

- 4.7 The Council will begin negotiations for land required from HWTC14 Buckingham House when appropriate. The majority of the land required is designated as part of the existing Transport Improvement Line and the proposed alignment of the road does not affect the existing buildings on the site. Therefore the delivery of the link road is not dependent on the redevelopment of the Buckingham House site.