

# **Duty to Cooperate Memorandum of Understanding (MoU) between Aylesbury Vale District Council (AVDC), Chiltern District Council (CDC) and South Bucks District Council (SBDC) (“the Councils”) in relation to the Vale of Aylesbury 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 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 Vale of Aylesbury 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. The growth 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 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).

## **Joint working and collaboration**

AVDC and CDC/SBDC 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
- Consideration of development capacity within Chiltern and South Bucks 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 CDC/SBDC have been involved in.

As a result of these discussions the following matters can be agreed between AVDC and CDC/SBDC:

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 (2017) are agreed
- That the objectively assessed housing need for Aylesbury Vale is 19,400;
- That Aylesbury Vale is able to accommodate further housing need from adjacent constrained plan areas within expected development rates, encompassing 5,725 dwellings of unmet for CDC/SBDC, and that the resultant total housing need of 27,400 dwellings can be accommodated in the Vale of Aylesbury Local Plan (VALP);

- That there is sufficient employment land available across the FEMA to meet overall forecast employment land needs across the four Bucks district councils and that this is sufficient to cater for adjustments in growth sectors going forward.

## **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.

### Agreement

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

## **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 then progressed a Green Belt Part 2 assessment for Aylesbury Vale, 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 CDC/SBDC consultation document on Green Belt Preferred Options published in 2016 the councils entered into detailed discussions with the assistance of GL Hearn consultants to establish the realistic capacity for development within Chiltern and South Bucks.

AVDC and CDC/SBDC 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 CDC/SBDC

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 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 CDC/SBDC.

#### 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 CDC/SBDC is supported in principle;
2. That there are no strategic concerns about CDC/SBDC's approach to removing land from the Green Belt to meet housing need within the CDC/SBDC area.
3. That the capacity identified for development within their plan area by CDC/SBDC is accepted as realistic.

#### **4. 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.

## 5. Compliance with the Duty to Cooperate

The Councils have worked collaboratively resulting in specific outcomes including areas of agreement in relation to the VALP, 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.

### Signed by the following Council representatives

Signed:



**Cllr Carole Paternoster**

**Cabinet Member for Growth**

**Aylesbury Vale District Council**

Signed:



**Cllr Peter Martin**

**Cabinet Member for Planning &  
Economic Development**

**Chiltern District Council**

Signed:



**Cllr John Read**

**Cabinet Member for Planning &  
Economic Development**

**South Bucks District Council**

**Agreement Dated – 03 January 2018**