

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

## **1. Introduction and Context**

- 1.1 Aylesbury Vale District Council, Chiltern District Council, South Bucks District Council, Wycombe District Council, and the Bucks Thames Valley Local Enterprise Partnership (BTVLEP) are committed to working together under the Duty to Co-operate (DtC) to ensure that the growth needs of Buckinghamshire are appropriately considered within the wider sub-regional context, against the relevant provisions of the National Planning Policy Framework (NPPF), whilst taking account of any other material considerations so that the County's development needs are planned for in the most sustainable ways. To ensure that the requirements of the Planning and Compulsory Purchase Act (2004) (as amended) and the NPPF relating to the DtC are met the Councils and BTVLEP have entered into this Memorandum of Understanding (MoU) to ensure that there will be the "continuous process of engagement from initial thinking through to implementation" referred to at paragraph 181 of the NPPF. The Buckinghamshire district councils will also be engaging with their other respective DtC organisations as each council considers necessary having where relevant regard to joint engagement and information sharing.
- 1.2 The areas for cooperative working are set out below in discrete topic areas. For each topic area the relevant areas of work are set out with a description of the process which will or has been undertaken together with the timings for the completion of the work and the role of other organisations. It also sets out matters where there has been agreement. This document will operate as a 'living' document being updated and revised as necessary to ensure that all areas of cooperation are reflected in it. Any amendments to the MoU will require the agreement of all participants.

## **2. Issues for Cooperation**

This section sets out issues where cooperation is or has taken place and where agreement has been reached.

### **2.1 Housing**

(a) Housing Market Area (HMA) - This work has been completed and subsequently revised as a jointly commissioned study for all of the Buckinghamshire councils, it concluded that the 'best fit' for a Bucks HMA is to include all of the four district councils which are the subject of this MoU. This is based on there being a joint Plan for Chiltern and South Bucks Districts. The completed study forms part of the evidence base for all three district level Local Plans and is available on the Councils' websites.

**Agreement** — It is agreed that the 'best fit' Housing Market Area based on plan areas consists of Aylesbury Vale, Chiltern, South Bucks and Wycombe Districts.

(b) Housing and Economic Development Needs Assessment (HEDNA) - a jointly commissioned Bucks HEDNA has been undertaken to establish housing and employment need within the 'best fit' HMA and an updated HEDNA was published in December 2016. An Addendum was then prepared in June 2017 (see below for details as to what this covered) The results of this work is being utilised as the housing and employment need evidence to

inform the production of the Local Plans for each Council and to assist in the co-operation with other neighbouring authorities.

**Agreement** – based on the December 2016 Bucks HEDNA update and the Bucks HEDNA Addendum June 2017, the following objectively assessed housing need figures for the 4 District Council areas and for the Buckinghamshire Housing Market Area for the respective plan periods up to 2033 are agreed as:

Authority	Objectively Assessed Housing Need
Aylesbury Vale (2013-33)	19,400
Chiltern and South Bucks (2014-33)	12,900
Wycombe (2013-33)	13,200
Bucks HMA	45,500

(c) Housing distribution — Each Council has undertaken a Housing and Employment Land Availability Assessment (HELAA), in accordance with the agreed HELAA methodology for the four district councils (agreed and published May 2015). The Councils have acted as critical friends to each other to ensure that the methodology is applied in a uniform manner. The Councils have agreed the housing distribution of each District to assist in determining whether housing needs can be met within an individual district or not.

**Agreement** – June 2017

Authority	Housing Distribution
Aylesbury Vale (2013-33)	27,400
Chiltern and South Bucks (2014-33)	7,175
Wycombe (2013-33)	10,925
Bucks HMA	45,500

(d) Unmet housing needs - The Councils agreed that that the housing need within the HMA would first fall to be met within each plan area based on the needs of each individual plan area, but if that was proven to be impossible then the resultant need would be met elsewhere within the 'best fit' HMA where it was reasonable to do so and was consistent with achieving sustainable development. Only if needs could not be met fully within the 'best fit' HMA would consideration then be given to needs being met outside of the HMA with authorities that have the next strongest functional links. Through the capacity work referred to above it was shown that the housing need for Chiltern, South Bucks and Wycombe districts would exceed their capacity. The resultant unmet need then needed to be met where possible in the relatively unconstrained part of the HMA lying outside the Green Belt and the Area of Outstanding Natural Beauty (AONB). The determination of the level of unmet need was then determined through discussions between the relevant councils.

**Agreement** - That the following levels of unmet housing need within respective local plan periods up to 2033 will be accommodated in the Vale of Aylesbury Local Plan:

<b>Authority</b>	<b>Unmet Housing Need</b>
Chiltern and South Bucks (2014-33)	5,725
Wycombe (2013-33)	2,275
Total to be included in Vale of Aylesbury Local Plan	8,000

(e) Affordable housing - The Councils agreed that the affordable housing need within the HMA would first fall to be met within each corresponding plan area, subject to land availability. The VALP in delivering the unmet housing needs from other parts of the Bucks HMA will be securing a proportion of affordable housing in line with affordable housing policies in the VALP. It is further agreed that the level of affordable housing expected to be secured as part of the overall unmet housing need should contribute to meeting the relevant affordable housing needs of Wycombe and Chiltern and South Bucks, and that Aylesbury Vale District Council, working with Wycombe, Chiltern and South Bucks district councils, will enter into joint working arrangements that will aim to allow residents to have access to an appropriate element of affordable housing to be provided within housing developments in Aylesbury Vale District.

## 2.2 Economy

(a) Functional Economic Market Area (FEMA) - As part of the joint HMA study, referred to above, the Functional Economic Market Area (FEMA) has also been established and it is agreed that the 'best fit for the FEMA based on plan areas is to include all of the four district councils which are the subject of this MoU. The completed study forms part of the evidence base for all three district level Local Plans and is available on the Councils' websites.

**Agreement** – It is agreed that the 'best fit' Functional Economic Market Area consists of Aylesbury Vale, Chiltern, South Bucks and Wycombe Districts.

(b) Housing and Economic Development Needs Assessment (HEDNA) - The economic needs for the FEMA and each Council's area has been established through the jointly commissioned Bucks HEDNA referred to above and this is being utilised to inform the production of the Local Plans for each Council. The December 2016 HEDNA update provides the latest assessment. The HEDNA has been supplemented by a jointly commissioned Addendum, bringing together consideration in more detail the local market circumstances relating to commercial development through the auspices of the Bucks Thames Valley LEP, and other considerations. The Addendum identifies that there is a mismatch between approaches to assessing economic needs based on demand and labour supply forecasts, and those based on market considerations and past take up, including differing conclusions on the need for different "B" use classes. This creates uncertainties in planning ahead.

The district councils have worked together on assessing the supply of employment floorspace and land across the FEMA, and this has been considered in the HEDNA Addendum including the broad balance between supply and demand led forecasts. Overall it concludes that, against demand led forecasts:

- There is a shortfall of land and floorspace in Wycombe, Chiltern and South Bucks districts and a surplus in Aylesbury Vale District;
- There is a mismatch of supply forecasts in terms of use class.

- There is sufficient land in the FEMA to meet overall forecast needs and that this is sufficient to cater for adjustments in growth sectors going forward.

Based on the HEDNA Addendum the councils and the Bucks Thames Valley LEP agree that:

- Plans should reflect the uncertainties in relation to future economic growth by adopting a precautionary and flexible approach to economic development, including ensuring allocations are flexible to adjust to changes in the market;
- Councils should monitor economic activity and market trends, and address any implications in reviews of local plans as necessary and;
- 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 into Aylesbury Vale to take account of their shortfalls due to their constrained nature.

(c) The district councils will undertake retail studies to determine the need for retail development within their areas. The councils will consult with regard to the content of the studies in relation to their local plans at each consultation stage. It is recognised however 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.

### 2.3 Green Belt

As part of ensuring that all reasonable options have been explored to meet housing and economic needs in the preparation of the Council's Local Plans it was agreed between the Councils that an assessment of the Green Belt be undertaken. A jointly commissioned Buckinghamshire Green Belt Assessment (the Part 1 assessment) was therefore undertaken on the basis of an agreed methodology to examine the degree to which each District's designated Green Belt meets Green Belt purposes. In addition the Green Belt Assessments Part 2 undertaken by the constituent district councils have identified potential Green Belt sites that could be considered for development.

#### **Agreement**

1. The methodology and outcomes of the Green Belt Part 1 work are agreed.
2. That all the parcels/sub parcels of land recommended in the Part 1 assessment for further consideration be assessed in the Green Belt Part 2 assessments as well as other options that each council considers to be appropriate for their respective plan areas.

### 2.4 Gypsies and Travellers

A Bucks Gypsy and Traveller and Travelling Showpeople Accommodation Needs Assessment was published in August 2013 for the four districts in Buckinghamshire and this was updated in October 2014. Following the publication of new Government Planning Policy for Travellers an updated assessment (the 2017 update) was undertaken to provide the basis for the provision of Gypsy and Traveller pitches (including travelling show people) in the three Local Plan areas of the Bucks.

## **Agreement**

1. That the authorities agree the assessment of the need for gypsy and traveller accommodation (including travelling showpeople) as set out in the 2017 update report.
2. No authority in Bucks is asking another Bucks authority to meet any of their gypsy and traveller (including travelling showpeople) needs.

### **2.5 Transport**

The cross boundary impacts of development on transport infrastructure have been assessed on an agreed basis jointly with the County Council. This has been undertaken in conjunction with strategic and plan based traffic modelling of the impact of proposed allocations on the road networks within each Council's area and across the county as a whole with the assistance of the County Council using an agreed joint assessment methodology. Where appropriate joint commissioning of transport modelling including utilising the county- wide transport model has been undertaken to assess strategic growth proposals, or growth proposals straddling or close to district boundaries.

### **2.6 Infrastructure**

The District Councils have cooperated with each other and cooperated with infrastructure providers, which has particularly involved the County Council, to assess the impacts of proposed development on infrastructure across the HMA/FEMA and identify appropriate new infrastructure requirements to address deficiencies for inclusion in infrastructure delivery plans. The Councils have also worked with the Local Enterprise Partnerships to assist in the planning and delivery of infrastructure.

### **2.7 Sustainability Appraisal and Habitats Regulation Assessment**

Each authority has prepared/is preparing its own Sustainability Appraisal and Habitats Regulation Assessment for their plan area. Any under-provision against objectively assessed needs has been assessed in that authority's sustainability appraisal. Similarly any additional provision to meet unmet needs has been assessed by the authority accommodating the unmet need.

### **2.8 Flood Risk Assessment and Water Cycle Studies**

Each authority has undertaken their own flood risk assessments and water cycle studies (where necessary) or other specific studies related to water infrastructure, and have shared the outcomes of the work as appropriate. Where cross border issues have been identified the authorities have worked together to resolve these.

## **3. Wider Cooperation**

- 3.1 Outside of the joint working set out above the Councils and BTVLEP agreed that as a minimum they would consult each other at an early stage on relevant study methodologies with a view to agreeing a methodology and then consult each other on the draft study prior to publication. Wider cooperation has also involved collective engagement over strategic issues including London growth, East West Rail, HS2 and Heathrow expansion. The Councils also

agree to work cooperatively regarding issues of deliverability to ensure delivery of new housing and to share monitoring data on housing delivery at least annually to ensure up to date information is available across the 'best fit' Housing Market Area.

#### 4. The Agreement

- 4.1 This is not a legally binding document but is an agreement and working understanding through which authorities are agreeing approaches for working together on shared planning principles and approaches to issues joint evidence and the content of respective local plans where relevant. The content will be kept under review and may be modified by agreement to take account of any relevant changes in circumstances. The following authorities agree to the above.

Signed



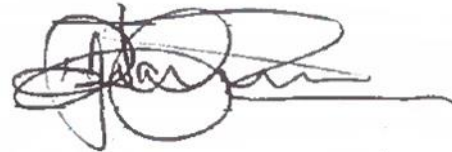
Councillor Carole Paternoster  
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Councillor Peter Martin  
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Councillor David Johncock  
Cabinet Member for Planning and Sustainability  
Wycombe District Council



Councillor Nick Naylor  
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Andrew Smith, Chairman,  
Bucks Thames Valley Local  
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Date: 13<sup>th</sup> July 2017