

WYCOMBE LOCAL PLAN EXAMINATION

Matter 1 – Legal Compliance and the Duty to Cooperate

1. What are the relevant strategic matters in relation to the duty to cooperate?
2. In preparing the plan did the Council engage constructively, actively and on an on-going basis with neighbouring authorities and other relevant organisations on relevant strategic matters, in respect of the Duty to Cooperate? What were the outcomes of these discussions?
3. How has that cooperation been undertaken and have any formal agreements or Memorandum of Understandings been produced?
4. What outcomes have resulted from the cooperation with adjoining authorities in relation to: Housing; Gypsy and Travellers; Employment; and Infrastructure?

A key strategic matter in relation to the duty to co-operate is the approach taken to meeting housing needs across the Housing Market Area. The approach taken by the authorities in the HMA has been for the unmet needs in Wycombe District Council (WDC), South Buckinghamshire District Council (SBDC) and Chiltern Borough Council (CBC) to be accommodated in Aylesbury Vale District Council (AVDC). As an approach to meeting housing needs of the HMA this is not an unreasonable approach and there has clearly been co-operation amongst these authorities to reach such an agreement. However, the outcomes of this co-operation are based on a Strategic Housing Market Assessment that has significantly underestimated the level of need within AVDC. We are therefore concerned that whilst the outcomes of the co-operation with regard to meeting housing needs would appear to be effective there must be considerable doubt as to the expectation that AVDC can indeed meet all of the unmet need arising within WDC.

In order to address these concerns, we would suggest that there is a need to increase delivery across the HMA in order to meet housing needs. If it is not possible to meet all of the HMA developments needs within the four authorities then they will need to seek support from adjacent authorities to the HMA, such as Milton Keynes. As a minimum the Council must ensure that the unmet needs of WDC are met in full through additional allocations. This would still leave unmet needs within CBC and SBDC, however, as they are in the early stages of plan preparation it is possible for them to still prepare a plan that addressed any unmet needs either through allocations in their proposed joint plan or in neighbouring boroughs through the duty to co-operate.

In addition to concerns regarding unmet needs within the HMA there would appear to have been very limited engagement with London Borough's during the preparation of the Local Plan despite the evidence suggesting significant and important links with the Capital and its struggles to meet its housing needs. We note the correspondence with the GLA in Appendix 2 to the Duty Co-operate Statement that the GLA have

acknowledged in that they do not consider there to be any outstanding issues. However the evidence with regard to London's housing delivery would suggest otherwise. IN our statement we identified those London Borough's where there are high levels of net immigration into Wycombe. The highest of these was Hillingdon who have in their response to the London Plan stated in the summary of their response to the London Plan that was taken to their Cabinet on the 15th of February¹ that:

"Hillingdon's housing target of 1,553 homes per year is not considered to be achievable. On average, 749 homes have been built in the Borough each year over the last 4 years. Whilst the Hayes Housing Zone will increase housing delivery to a degree, such a significant increase in the target will not be delivered, unless significant harm is caused to the existing built environment."

and

"Furthermore, the small sites component of the target of 765 units per annum bears no resemblance to what has been delivered in recent years. Hillingdon has delivered an average of 176 units per annum on small sites over the last 8 years. Such a reliance on small sites does not constitute a strategic approach to housing delivery which should be progressed through the London Plan. It is not considered that policy H2 will accelerate delivery to such a significant degree and will, in fact, lead to inappropriate development."

These statements would suggest that there are likely to be significant unmet needs arising within Hillingdon despite the Mayor's assurances that London's needs will be met. We would suggest that duty to co-operate discussions should have been held with those authorities tasked with delivering the development set out in the London Plan rather than solely with the GLA.

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¹ <https://modgov.hillingdon.gov.uk/documents/s40203/11%20-%20REPORT%20-%20PUBLIC%20Proposed%20Response%20to%20Draft%20London%20Plan.pdf>