



Report For:	Cabinet
Date of Meeting:	Special Cabinet 19 August 2019
Part:	Part 1 - Open

SUMMARY

Title of Report:	ADOPTION OF THE WYCOMBE DISTRICT LOCAL PLAN 2013-2033
Cabinet Member: Officer Contact: Direct Dial: Email:	Councillor David Johncock Rosie Brake 01494 421581 rosie.brake@wycombe.gov.uk
Wards affected:	All
Reason for the Decision:	<p>The Council has received the independent Planning Inspector's report following the examination of the new Wycombe District Local Plan.</p> <p>The Inspector has found the Plan to be 'sound', subject to the inclusion of modifications to the plan, legally compliant and now capable of adoption.</p> <p>Adoption of the Plan is the next step and means that the Plan becomes a statutory part of the development plan for the District. Full weight can be attached to it in the consideration of planning applications.</p>
Proposed Recommendation to Council:	That Council accepts the Inspector's main modifications and adopt the Wycombe District Local Plan, as set out at Appendix B.
Sustainable Community Strategy/Council Priorities - Implications	<p>Corporate Implications</p> <p>The new Wycombe District Local Plan plays a significant part in delivering the Council's priorities as set out in the Corporate Plan, especially the "Great Place to Be" and "Growth and Prosperity" priorities.</p> <p>The plan allocates sites for new housing and economic development (including land that is owned by the Council) in sustainable locations, identifies key associated infrastructure requirements and sets a framework for determining planning applications.</p> <p>Equalities</p> <p>An Equalities Impact Assessment has been prepared alongside the preparation of the Plan.</p> <p>Health & Safety</p>

	<p>There are no Health & Safety implications of adopting the Plan.</p>
<p>Monitoring Officer/ S.151 Officer Comments</p>	<p>Monitoring Officer: The new Wycombe District Local Plan has been prepared under the Planning and Compulsory Purchase Act 2004 (as amended) (“the Act”) and the Town and Country Planning (Local Planning) (England) Regulations 2012</p> <p>The Inspector has issued her report and recommendations. Subject to accepting the Inspector’s main modifications, the Inspector considers the plan to be “sound” in the terms set out in the National Planning Policy Framework (NPPF) and to meet the requirements of Section 20(5) of the Act.</p> <p>As part of her assessment the Inspector has considered that the Plan has been prepared in a legally compliant way, including in relation to the “Duty to Cooperate” introduced through the Localism Act 2011.</p> <p>The Council can now proceed to adopt the Plan under section 23 of the Act amended by section 112 of Localism Act 2011. To adopt the Plan, the Council must accept all the Inspector’s recommended modifications.</p> <p>S.151 Officer: There are wider financial considerations arising from the preparation of the Plan including potential land acquisition costs, infrastructure costs and other costs associated with the council as landowner. As the Plan was being prepared some provision was made in the capital programme for such costs. However, all future capital and revenue costs will need to be submitted through the budget setting process for the new Buckinghamshire Council so all material financial risks can be considered within the Medium term Financial Planning process.</p>
<p>Consultees:</p>	<p>Consultation on the Plan has been in accordance with the adopted Statement of Community Involvement and as such there has been extensive consultation and engagement with the local community, stakeholders and statutory consultees; and with our neighbouring authorities through the Duty to Co-operate. There are no further consultation requirements.</p> <p>Appropriate individuals and organisations have been notified of the publication of the Inspector’s report and will also be need to be notified of the adoption of the Plan.</p>
<p>Options:</p>	<p>There are two options:</p>

	<ol style="list-style-type: none"> 1. Adopt the Plan incorporating the Main Modifications recommended by the Inspector, or 2. Not adopt the Plan at all. <p>The Council cannot adopt the Plan without including all the Inspector's recommendations. Whilst there are a number of modifications recommended by the Inspector, these are of a detailed nature and do not significantly alter the Plan. The fundamental strategy of the Plan, including the housing target, and all the main housing and employment allocations remain in the Plan.</p> <p>Given the important issues addressed in the Plan and how the Plan will help shape key areas of the District in the future and the extensive Council resources involved in, and community input to, preparing it, it is strongly recommended that the Council proceed with adoption of the Plan.</p>
Next Steps:	<p>Adoption of the plan by Full Council, following which the Council has to publish an Adoption Statement, notify those who have been asked to be notified of the Plan's adoption, and publish the sustainability appraisal and habitats regulations assessment reports that were prepared alongside the Plan.</p> <p>The adopted plan will replace the current Wycombe District Local Plan (the plan adopted in 2004) and the Core Strategy (adopted in 2008). The Delivery and Site Allocations plan will be updated along with the Policies Map.</p> <p>Members will be advised when the published Plan and Policies Map are available.</p>
Background Papers:	Report on the Examination of the Wycombe District Local Plan – by Inspector Nicola Gulley (July 2019)

Appendices to this report are as follows:

Appendix A –The Inspector's Report. Her recommended main modifications are available on the Council's website as an appendix to her report, and can be found at <https://www.wycombe.gov.uk/uploads/public/documents/Planning/New-local-plan/Local-plan-examination-2018/WDLP-Report-Final-with-appendices.pdf>

Appendix B – Wycombe District Local Plan 2013-2033 – Adoption Version can be found here: <https://councillors.wycombe.gov.uk/ieListDocuments.aspx?CId=118&MId=6237&Ver=4>

Detailed Report

1. The Wycombe District New Local Plan puts in place a spatial framework for meeting future housing and economic development needs over a 20-year period up to 2033. The plan aims to deliver sustainable development across the District, identifies sites and locations for new housing and employment sites and includes a set of policies for managing new development.
2. The new Plan includes a target of 10,925 new homes, including significant expansion of Princes Risborough, and large greenfield sites in High Wycombe and Bourne End. Smaller sites for homes are also allocated in larger villages, like Lane End, Stokenchurch and Marlow Bottom, as well as housing targets for Longwick and the Kimbles. The Plan also allocates new employment land at Wycombe Airpark, Princes Risborough and Stokenchurch, as well as safeguarding existing employment sites. The Plan identifies the infrastructure requirements linked to the new allocations and these are set out in site specific policies.
3. The new Plan is based on a substantial evidence base which includes housing and economic needs assessments, an assessment of sites (including sites in the Green Belt, Chilterns AONB) as well as flood risk, viability, infrastructure and transport assessments. The Plan has also been subject to a Sustainability Appraisal which has assessed different options for the overall spatial strategy and a Habitats Regulations Assessment.
4. Work on the Plan began in 2012 and following a series of public consultation stages the Plan was published for final consultation in September 2017 and submitted to the Government in March 2018 for examination in public. The Plan was debated at public hearings in July and September 2018 which were conducted by an independent Planning Inspector. The Inspector's role is to identify if the Council has met the duty to co-operate in relation to strategic issues in preparing the Plan, whether the Plan is "sound" and whether it has been prepared in a legally compliant way. Soundness is identified in the National Planning Policy Framework as being positively prepared, justified, effective and consistent with national policy.
5. The Council has now received the independent Planning Inspector's report following the examination of the Plan. The Inspector has found the Plan sound, subject to the inclusion of a number of main modifications. The Inspector's report is included in full at Appendix A. Her recommended main modifications are available on the Council's website as an appendix to her report, and can be found at <https://www.wycombe.gov.uk/uploads/public/documents/Planning/New-local-plan/Local-plan-examination-2018/WDLP-Report-Final-with-appendices.pdf>
6. Overall the modifications are not significant in that they do not alter the overall strategy of the plan or any of the main allocations. They are summarised as follows:
 - An overall increase in housing land supply from 10,927 to between 11,659 and 11,899 dwellings. Changes in supply include;
 - An increase in the indicative number of dwellings at: Policy HW5 - Abbey Barn South and Wycombe Summit from 505 to 580 dwellings; Policy HW6 – Gomm Valley and Ashwells from 520 to between 520 and 720 dwellings; and at Policy HW7 - Terriers Farm and Terriers House from 500 to between 500 and 540 dwellings;
 - An amendment to Policy CP5 to allow for the delivery of a range of Class B uses and sui generis employment related uses on all employment allocations;
 - The inclusion in Policy CP6 of the requirements for new retail floorspace;
 - Deletion of Policy HW15 - Land to the rear of Hughenden Road, High Wycombe

- The amendment of Policy DM24 to require the provision of affordable housing on the basis of units; and
 - Modifications to the wording of development management policies for consistency with national guidance, positive preparation and to reflect updated evidence.
7. These modifications were consulted on in February and March 2019 and the Inspector has considered responses to this consultation in reaching her decision on the Plan.
 8. It should be noted that the Inspector has not recommended any main modifications that introduce additional development site allocations into the Plan.
 9. The next step is to formally adopt the Plan. To do this the Council must accept all the Inspector's recommended main modifications and should not seek to make any other material changes to the Plan. Adoption of the Plan means that the Plan becomes a statutory part of the development plan for the District and full weight can be attached to it in the consideration of planning applications.
 10. The Plan that is recommended for adoption is set out in Appendix B. This incorporates all the Inspector's main modifications.
 11. Once adopted the new Plan will replace the old Local Plan adopted in 2004, the Core Strategy adopted in 2008 and some limited parts of the Delivery and Site Allocations Plan (DSA) adopted in 2013. The new Plan will be used along with the DSA in the future.

Sustainable Community Strategy/Council Priorities – Implications

12. The new Wycombe District Local Plan plays a significant part in delivering the Council's priorities as set out in the Corporate Plan, especially the "Great Place to Be" and "Growth and Prosperity" priorities. The plan allocates sites for new housing and economic development (including land that is owned by the Council) in sustainable locations, identifies key associated infrastructure requirements and sets a framework for determining planning applications.
13. An equalities impact assessment has been prepared alongside the preparation of the Plan and there are no Health & Safety implications of adopting the Plan.

Risk

14. There is a six-week period after adoption during which leave to make a legal challenge can be applied for. The Council engaged independent legal representation to advise on the latter stages of the plan preparation, publication and examination to ensure that its content and preparation are legally compliant.
15. The Plan has been produced in accordance with the Planning and Compulsory Purchase Act 2004 (as amended) ("the Act") and the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).

Legal and Financial Implications

16. The new Wycombe District Local Plan has been prepared under the Planning and Compulsory Purchase Act 2004 (as amended) ("the Act") and the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended). The Plan was submitted for examination by an independent planning inspector under section 20 of the Act and the Inspector has issued her report and recommendations. Subject to accepting the Inspector's main modifications, the Inspector considers the plan to be "sound" in the terms set out in the National Planning Policy Framework (NPPF) and to meet the requirements of Section 20(5) of the Act. As part of her assessment the Inspector has considered that the Plan has been prepared in a legally compliant way, including in relation to the "Duty to Cooperate" introduced through the Localism Act 2011.

17. There are wider financial considerations arising from the preparation of the Plan including potential land acquisition costs, infrastructure costs and other costs associated with the council as landowner. As the Plan was being prepared some provision was made in the capital programme for such costs. However, all future capital and revenue costs will need to be submitted through the budget setting process for the new Buckinghamshire Council so all material financial risks can be considered within the Medium term Financial Planning process. Investing in, and being up to date with, our plans discourages speculative development leading to costly appeals. It means we can steer development towards what we locally want and need, and can improve the quality and sustainability of development. Site specific policies identify necessary infrastructure requirements that development should fund.

Consultation

18. Consultation on the plan has been in accordance with the adopted Statement of Community Involvement and as such there has been extensive consultation and engagement with the local community, stakeholders and statutory consultees; and with our neighbouring authorities through the Duty to Co-Operate.
19. There has been consultation at each stage of the Plan since work began in 2012 which has informed the development of the Plan's strategy, allocations and detailed policies.

Options

20. The Council has two options in how it progresses upon receipt of the Inspector's Report. First, the Council can proceed to adopt the Plan under section 23 of the Act amended by section 112 of Localism Act 2011. However, it must adopt the Plan as recommended for modification by the Inspector.
21. Second, the Council can choose not to accept the modifications, not adopt the Plan and withdraw it.
22. The Council cannot adopt the Plan without including all the Inspector's recommendations and cannot change them. As such, given the important issues addressed in the Plan; how the Plan will help shape key areas of the District in the future; and the extensive Council resources involved in, and community input to, preparing it, it is strongly recommended that the Council proceed with adoption of the Plan.

Conclusions

23. The Inspector's report has found that the Local Plan is sound, subject to the modifications it contains. The report also identifies that the Council has satisfied the Duty to Co-operate and other legal requirements in producing the Plan. On the whole the nature of the modifications do not substantially alter the strategy set out in the Plan or the sites identified for development and as such there is no reason for the Council not to proceed to adoption.

Next Steps

24. Once the Plan is adopted by Full Council, the Council has to publish an Adoption Statement, notify those who have been asked to be notified of the Plan's adoption, and publish the Sustainability Appraisal report that was prepared alongside the Plan.
25. The Delivery and Site Allocations plan will be updated along with the Policies Map. Members will be advised of when the published Plan and Policies Map are available.

Background Papers

Appendix A –The Inspector's Report. Her recommended main modifications are available on the Council's website as an appendix to her report, and can be found at <https://www.wycombe.gov.uk/uploads/public/documents/Planning/New-local-plan/Local-plan-examination-2018/WDLP-Report-Final-with-appendices.pdf>

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