



Improvement and Review Commission - Supplement

Date: 12 November 2014
Time: 7.00 pm
Venue: Council Chamber
District Council Offices, Queen Victoria Road, High Wycombe Bucks

Agenda

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**Cabinet Member response to the Reasons for Call in of the Reserve Sites
Cabinet decision**

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Appendix C

Cabinet Member response to the Reasons for Call in of the Reserve Sites Cabinet decision

Introduction

As I and other Cabinet Members highlighted at Cabinet on 20th October this is not an easy decision to take and not one that we take lightly. We know that this is a very controversial issue for those living near to the sites and we are under no illusions as to the strength of local concern. But I would like to address the various issues raised in the call in.

Response to Issues Raised

Issue 1: Infrastructure planning and improvements must precede any development of the Reserve sites and must be given the highest priority. This is clearly contrary to the Council's own Core Strategy which states in Policy C8 that "Before release of any land at these locations all necessary infrastructure will need to be provided including solutions that deliver sustainable transport modes and minimise congestion". The current situation is intolerable and is worsening almost daily given the present development projects. – only when spare capacity is demonstrable may anything further be considered. This is to be done in co-operation with BCC / TfB as primary infrastructure requirements are Highway related. Further schools / social services impacts follow close behind. Issues such as community facilities may progress simultaneous with development but is WDC responsibility.

Cabinet Member response

In an ideal world we would be taking these sites through the normal plan making process, indeed that is what the Core Strategy policy says. However as is explained in the Cabinet report we are not in a position to do that. Changes nationally are driving this, both in terms of the basis for the 5 year housing land supply assessment (based on objectively assessed need) and also the delays to the Local Plan (Duty to Cooperate).

Had we been able to take it through a plan that would have allowed the infrastructure required to be assessed prior to release. Instead, we now need to secure the infrastructure as part of the process of considering the planning applications. Members will be aware that the intention is to set up mechanisms to ensure that infrastructure issues are fully addressed. Some work has already been undertaken as part of the Local Plan process on potential infrastructure requirements, including options for transport mitigation packages, and other feedback from infrastructure providers has also been received. All this work was published on the Council's website as part of the Local Plan consultation earlier in the year. This work would be taken forward further as part of the development brief process and the round table sessions in relation to the High Wycombe sites. This will provide the infrastructure

framework to inform planning applications. We will work closely with Buckinghamshire County Council and the various other infrastructure providers on this work.

However, we need to be clear – as we have been in the various public meetings and briefing sessions that we have held – that we cannot expect or indeed require new development to deal with all existing infrastructure issues. We can look to new development to address the infrastructure impacts of the development. There is an important difference. However, by ‘pooling’ the infrastructure issues of the four sites in High Wycombe, we will ensure that we maximise the infrastructure benefit for the town as a whole, by looking at the cumulative impacts.

Issue 2 Primary requirement is for ‘Affordable’ homes of mixed tenure (buy / rent / shared ownership) and this feature must be developed / planned in conjunction with RSLs such as Red Kite / Guinness / Paradigm etc. Demand is mainly from local people and this class of housing must be reserved for local residents.

Cabinet Member response

Our evidence on housing need is that there is a need for both market and affordable homes, both for rented and to buy. I agree that the provision of ‘affordable’ homes is very important, and we will be using our Planning and Housing powers to ensure we secure as much as we can, for local benefit. We negotiate with developers to secure a proportion of the housing on the sites as affordable housing. Our current policy is that on greenfield sites such as the reserve sites, this would be 40% of the total bedspaces on the sites. This is subject to normal development viability considerations, which have been tightened up by the National Planning Policy Framework (NPPF). Normally a developer would work with a Registered Provider such as Guinness, Paradigm or others to deliver those affordable homes.

In terms of ensuring homes are provided for local people, for affordable rented homes the mechanism for allocating these homes to people is through Bucks Home Choice, based on people who are on the Council’s Housing Register. To go on the Housing Register, unless they are homeless, applicants need to meet certain criteria, including either living and/ or working (minimum 24 hours a week) in the District for at least 2 years immediately preceding the date of application. This does have the effect of prioritising homes for local people. For shared ownership homes, we encourage Registered Providers to give people with a local connection the first opportunity to purchase these homes. If they are not taken up, the opportunity is made available to others.

In addition to using our Planning powers to achieve as much affordable housing as we can, we also have some land interests in some of the reserve sites. We are exploring whether there are more innovative ways – such as park homes – that allow homes to be built at a lower capital cost, and thus sale prices would be more

reasonable than conventional properties. We are also exploring how, through land ownership controls, we can secure the lower price in perpetuity for the benefit of local people, who may otherwise be priced out of the market of homes for sale.

Issue 3 If local need is prioritised, Points 1 & 2 above may be more easily accepted by those local voices currently objecting. Low density of housing is both more acceptable to current objectors and more attractive to future occupants.

Cabinet Member response

The density of housing on the sites is something that would be considered as part of the preparation of the development briefs for the sites, and then as part of the planning application process, with the associated public involvement in those processes. It does not form part of the Cabinet decision.

I would highlight however that this is not about 'concreting over' every blade of grass, but developing sensitively, recognising that there are some significant constraints that need to be taken into account on the sites, and also recognising the importance of retaining green open space for the benefit of existing and future residents. As was set out in the Cabinet report, it is our aim that large parts of each site should remain undeveloped.

Issue 4 Phasing the release of sites to ensure High Wycombe isn't turned into a massive building site.

Cabinet Member response

Option 2 in the Cabinet report explores the issue of releasing some but not all of the sites now. It concludes that if some of the sites are not released now planning applications are likely to come forward on the sites anyway and these would have to be considered against the 5 year housing land supply position, the current "reserved" status of the sites and the presumption in favour of sustainable development. Similarly if all the sites are released but some are held back to be developed later than others, the delay to development on the sites would have to be justified within the same context set out above.

Indeed, in terms of delivering infrastructure, it may well be preferable for the sites to come forward at around the same time so that the collective impact on infrastructure can be properly assessed and the right infrastructure packages can be delivered in a more timely and comprehensive way.

Issue 5 Developing the sites will effectively lead to gridlock in High Wycombe and other parts of the district. No one has produced any convincing arguments about how the infrastructure can be improved. The Infrastructure and ability of BCC/Highways to deliver is called into question as a result of comments made by BCC Leader Martin Tett. He stated in public that he has no solution to the Congestion and there is no plans/funds to improve the road structures in High Wycombe. It raises serious questions as to how we can justifiably bring forward and additional housing or reserved sites in High Wycombe when BCC can't deliver!

Cabinet Member response

I refer to my answer to issue 1 in terms of our overall approach to infrastructure, including transport. We have already worked very closely with Buckinghamshire County Council on the new Local Plan, including the assessment of the impacts of development on the road network and possible mitigation packages, and we will develop this further.

In terms of addressing existing traffic and transport issues, the County Council is about to start work on the new Local Transport Plan which will look at bringing forward sustainable transport measures to help address transport issues not just in High Wycombe but across the District and the County as a whole. It is important to recognise that this is taking place within a financially constrained world and funding for transport improvements may need to come from a number of different sources including from development (where justified), and from bidding for grants and loans, for instance through the Local Enterprise Partnership. We have already worked successfully with the County Council and the Local Enterprise Partnership to secure funding for High Wycombe Town Centre and the Southern Quadrant area, including for significant transport measures, and we will be working closely with them in the future on this. The timing is good in terms of being able to bring together work on the transport implications of the reserve sites and work on the Local Transport Plan.

In relation to the comments attributed to Martin Tett, the County Council have responded to us on this issue and their response, from the County's Director of Growth & Strategy, Stephen Walford, is set out below:

"There is a recognition that the government agenda at national level, across all main parties, is to substantially increase house-building. In the South-East this means ongoing challenges around identifying suitable land and measures to ensure the infrastructure network continues to function, and that new development doesn't come at the cost of our region's vital economic contribution to UK Plc. Through our role on the South East Strategic Leaders group (where BCC Leader Cllr Martin Tett is Deputy Chairman), we are advocating greater infrastructure investment in the South East region as a means to ensure future economic prosperity for an area that delivers more economic value (GVA) to HM Treasury than all the 8 Core Cities put together, or indeed than Wales and Scotland combined.

Inevitably this relative prosperity has a price, with one of the highest levels of car ownership (and multiple car ownership) anywhere in the country. In High Wycombe itself, the same attractions that see business interest in development opportunities also see a demand for growth in housing, schools, roads, health facilities and all the other amenities that residents rightly expect in a great county like Buckinghamshire.

As mentioned above, the NPPF firmly states the presumption in favour of development so, in working with the District on development proposals, we no longer have the ability to recommend refusal of development on the basis of simply having a detrimental impact. As has been stated in a number of public forums in the Wycombe area, the county has no 'magic wand' to wave in relation to traffic, but we can choose to work with the District on forward planning opportunities and modelling of growth proposals to establish what the impacts might be, and then work to ensure solutions are embedded within site masterplans or developer's proposals. As part of our own workstreams we will also be working to produce a new transport plan, as well as area transport strategies for the main growth areas (including Wycombe) to ensure that infrastructure requirements of new growth proposals in the updated Local Plan are reflected in supporting infrastructure delivery plans.

The joint work both councils have undertaken recently to evidence traffic impact demonstrates how committed we are to working together, and this is further supported by the county taking opportunities to bid for further infrastructure funding via the LEP to secure as much funding as possible to tackling these issues. This partnership working will continue going forward as both councils seek to deliver the best possible outcome for the local community.

Issue 6 The Head of Planning was asked to come back to Cllr T Snaith and members with Martin Tett/BCC response ahead of bringing item to Cabinet, This hasn't happened and we haven't had opportunity for Members to look into this issue.

Cabinet member response

This is addressed in relation to issue 5.

Issue 7. The issue of actual number of homes needed has been questioned and hasn't been addressed to satisfaction of both members and residents.

Cabinet Member response

The issue of the number of homes needed has been debated extensively over the last year or so and been subject to significant scrutiny. As far back as last autumn seminars were held both for Members and for stakeholders where the consultants who produced the figures explained how the figures have been derived. The figures were subject to scrutiny and discussion during the Local Plan consultation. Since then individual members and residents have also queried the figures and answers have been provided. Information in the form of questions and answers has also been available on the website for a number of months.

I would remind members that national policy requires local authorities to “boost significantly the supply of housing” by meeting the full objectively assessed need for market and affordable housing. National policy and more detailed practice guidance sets out how that assessment of need should be undertaken, and that forms the basis of the figures that we are basing this decision on. As we explained during the Local Plan consultation, the housing need is much higher than our current housing targets in our Core Strategy, which were based on the now abolished South East Plan and which itself sought to redistribute some of the housing away from constrained districts like Wycombe to less constrained parts of the region.

It is clear to me from the many conversations that I have had with people on this point that there is general dissatisfaction with the methodology that we are required to follow. Many people have raised common sense concerns – such as the fact that places that have grown more in the past, are ‘punished’ by being expected to continue the trend. However, we have to work within the methodology laid down by Government. Even if we were to challenge the numbers, and even if that challenge lead to a change in the Government methodology, this would take time to feed through – and in the meantime applications would be assessed – and permissions potentially granted – against the 5-year supply calculated on the current methodology. It would not, therefore, provide a mechanism to hold back development on these sites.

Issue 8 Bringing forward the reserved sites contradicts and breaches WDC policies on Environmental issues <http://www.wycombe.gov.uk/council-services/environment/being-green/greener-council/environmental-policy.aspx>

Cabinet Member response

The beginning of the environmental policy to which the call in refers states:

“It is our policy to meet our national and international legislative obligations, to develop local sustainable communities, enhance the local environment, deliver environmentally-friendly services and enforce environmental legislation to help stem the depletion of the world's finite natural resources.”

One of the key national legislative and policy obligations is to deliver sustainable development through the planning system. There is a national presumption in favour of sustainable development set out in the National Planning Policy Framework.

Environmental considerations are a key part of sustainable development but so too are social and economic considerations, including providing for homes and jobs.

Meeting social and economic objectives can have environmental impacts and these need to be carefully considered. That is why, through the preparation of development briefs, we will look carefully at the environmental and other constraints on the sites to determine how development can best be brought forward on the sites, including identifying areas where it is not appropriate to develop. We have already done a lot of work on this and this was published in the Local Plan Options Consultation document earlier in the year, and associated technical reports.

The inclusion of the sites in the Core Strategy means that they have already been subject to a Sustainability Appraisal, which assesses how the sites perform against a range of social, economic and environmental objectives.

Issue 9: Allowing members one minute to make statement /questions was deemed by members to be inadequate

Cabinet Member response

Speaking at Cabinet is at the discretion of the Leader.

Issue 10: The decision should be taken by all councillors at full council. Concern has been voiced that members whose wards affected were not able to vote on the decision. Local people do not understand why their elected local members in the areas affected have no vote on this issue.

Cabinet Member response

The taking of this decision at Cabinet is in accordance with Part 2 the Council's Constitution which sets out the authority for decisions making by the relevant bodies of the Council - - i.e. Full Council, Cabinet, the Council's Committees, Cabinet Members, and the officer scheme of delegation.

More specifically Part 2 B - 1 of the Constitution sets out the Cabinet terms of reference, and highlights that approval of any non-statutory strategies and plans is reserved to the Cabinet for decision. The decision relating to Reserved Sites constitutes a non-statutory plan.

We have had a much wider debate with Members and the wide community about this issue, including events in August and September, as well as the Local Plan consultation itself earlier in the year. The issues have had a wide airing, as noted by the comments of the Local Plan Task and Finish Group which was considered by the Cabinet on 20th October.

Issue 11: Residents feel that WDC is not acting on feedback received from consultations

Cabinet Member response

Although we knew it was not a popular message at the time, when we undertook the Local Plan Options Consultation earlier in the year, we were clear about the status of the reserve sites and the fact that development would need to happen in the near future. The consultation leaflet explicitly stated: “*We expect to see these sites developed in the next few years.*”

It is understandable that residents feel that we are not acting on their feedback, but the principle of development has been established on these sites for many years, having been tested through inquiries and examinations. What the feedback from the consultations during the year has given us is a clear picture of the key issues to be addressed going forward and these will prove invaluable in the preparation of development briefs and in considering the infrastructure issues further.

Issue 12: Releasing reserve sites when there are so many reasons not to release them will only fuel residents views that the Cabinet does not understand the issues that impact our Town and local residents.

I'm afraid that I do not agree that there are so many reasons not to release the reserve sites and I have set out my reasons in response to the issues raised and also in the Cabinet report from 20th October. We have spent a lot of time considering these issues carefully as a Cabinet and have also shared these issues widely through public meetings and workshops. I and the Cabinet do understand the issues, we have visited the sites and discussed the issues with many people over recent months. It is a difficult decision but I believe that the decision made at Cabinet on 20th October is robust and well founded.