



## Report to Cabinet

**Date:** 16 February 2021

**Title:** **Princes Risborough Expansion Supplementary Planning Document**

**Relevant councillor(s):** Warren Whyte, Nick Naylor, Martin Tett

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**Ward(s) affected:** Ridgeway East; Ridgeway West; The Risboroughs;

### Recommendations:

- 1) To approve the Princes Risborough Expansion Supplementary Planning Document (PRE SPD) for adoption (as set out at Appendices 1 to 9) and
- 2) To give delegated authority to the Service Director, Planning and Environment, in consultation with the Cabinet Member for Planning and Enforcement, to approve minor changes, including formatting, accessibility compliance and typographical errors in the SPD and supporting documents, prior to publication.

### Reason for decision:

To ensure that planning applications for Princes Risborough expansion can be assessed against detailed guidance in the capacity and delivery plan, in accordance with the adopted Wycombe District Local Plan.

## 1. Executive summary

- 1.1 The Council has prepared the Princes Risborough Expansion Supplementary Planning Document (PRE SPD) following the Wycombe District Local Plan to guide development. This expands upon Development Plan policy to indicate the Council's preferred approach to where homes, school facilities and infrastructure should be provided; how and when they should be phased, and how the development should fund this.

- 1.2 The Council is asked to approve this for adoption and to give delegated authority to the Service Director for Planning and Environment, in consultation with the Cabinet Member for Planning and Enforcement, to approve minor changes, including formatting, accessibility compliance and typographical errors in the SPD and supporting documents, prior to publication.

## **2. Content of report**

### **Policy and Delivery Context**

- 2.1 As the largest single housing allocation in the Wycombe District Local Plan (adopted August 2019) and in the south of Buckinghamshire the Princes Risborough Expansion Area (PREA) is a strategic development for the County comprising around 2500 homes and associated infrastructure, including two primary schools, sports pitches, and a relief road acting as a complete alternative to the A4010.
- 2.2 The Local Plan (i.e. the Wycombe District Local Plan adopted for the Wycombe Area August 2019) forms part of the Development Plan for the Wycombe area. It sets out the requirements for a comprehensive development that shows how phasing issues can be overcome and requires equitable contributions from developers to provide offsite infrastructure.
- 2.3 Development proposals are determined in accordance with the Development Plan unless material considerations indicate otherwise. Policy PR17 of the Local Plan says that the “[expansion area] development will be assessed against the Council’s capacity and delivery plans for the area”. These documents together form the SPD. This will form a material consideration which will be taken into account by the Local Planning Authority when determining any future planning applications for the expansion area.
- 2.4 Landholdings within the PREA are fragmented but have been consolidated by six developers with landowning interests. Ideally – and typically - this situation would lend itself to a consortium approach with a lead developer co-ordinating planning, delivery and land-value equalisation. In this case only a partial consortium with five of six developers and comprising around 50% of land interests is understood to have been formed. A plan showing the major land interests can be found in Appendix 1 (PRE SPD executive summary).
- 2.5 Reflecting the constraints on the expansion area and its scale the infrastructure requirements set out in Local Plan policy are costly, estimated at over £131 M overall; critically they include a new relief road for the town that is to serve as a ‘complete alternative to the A4010’ with two rail under-bridges, and two new primary schools.

- 2.6 While the development is considered viable it is recognised that the scale of infrastructure required early on presents cashflow challenges to developers. To help with this, the Council has secured a £12M Housing Infrastructure Fund (HIF) recoverable grant towards the implementation of the first phase of the relief road known as the Southern Relief Road or SRL.
- 2.7 The lack of an overarching consortium presents additional challenges for developers' ability to deliver comprehensive development in a way that addresses financial and phasing issues; this underlines the importance of having a robust SPD in place against which to assess planning applications and defend any appeals.

### **The Princes Risborough Expansion Supplementary Planning Document (PRE SPD)**

- 2.8 The PRE SPD expands upon, and is consistent with, policies in the Local Plan. It sets out the Council's preferred approach to development of the expansion area, and shows how this can be achieved, underpinned by technical evidence that includes a viability appraisal, strategic-level transport modelling and a drainage strategy. It provides a framework to guide the preparation and assessment of future planning applications within the area.
- 2.9 Structure of the SPD
- a) The Princes Risborough Expansion Supplementary Planning Document has four sections:
    - i. Section 1 sets out the purpose and status of the SPD, outlines key planning policies and summarises the engagement activities that have informed this document.
    - ii. Section 2 provides an analysis of the expansion area and its wider context and highlights the key issues that influence how new development will take place. It also sets out initial responses to the key issues raised. This section forms the foundation for the rest of the SPD.
    - iii. Section 3 reflects on the local plan principles and policies for the town, as well as the analysis, and defines seven design themes for the expansion. It then sets out the Council's preferred approach in terms of design guidelines for achieving the Local Plan vision and meeting policy objectives.
    - iv. Section 4 sets out the delivery plan for the expansion area, outlining the Council's preferred approach on phasing of housing and delivery of associated infrastructure.

2.10 The SPD, including an executive summary, is attached as Appendices 1 to 9.

## **Engagement**

- 2.11 We have conducted extensive engagement on the proposals for the PRE SPD, including with the relevant service providers (such as the Education, Health, Thames Water and Highways), with local Members and the Town Council, local residents and developers. A public consultation ran for 6 weeks from June 2019 and included an exhibition and two public meetings that were well attended. 180 written responses were received. Additionally, an independent Design Review was undertaken by Design South East in October 2019. This included a workshop with officers and developers.
- 2.12 Following the design review the council continued to engage with developers and explored the scope for a collaborative approach to finalise the SPD. This frustrated earlier adoption but was considered worthwhile given the potential to gain agreement on delivery. Unfortunately, it has not proven possible to reach agreement on a collaborative approach with developers at this stage.
- 2.13 Briefing to local Members and the Town Council were provided on 3 and 8 February 2021.
- 2.14 As a result of responses received throughout engagement on the SPD, a number of changes have been made to the SPD that is being recommended for adoption, compared to the 2019 draft SPD. These include:
- a) An overall approach that is simplified and less prescriptive, organised around distinct themes and with the number of proposed character areas reduced from five to two, and clarifying that the SPD represents the Council's preferred approach to achieving its policy objectives, while recognising that alternatives are possible
  - b) A review of land parcels available for development with some changes in density, including lower density south of Alscot Conservation Area to better reflect its setting, and revisions to land parcels around Longwick Bog
  - c) Changes to the local centre position and indicative relief road alignment to avoid mature trees and to minimise issues of cross site boundary coordination by different developers
  - d) The approach to local health service provision and need for a new medical centre has been reviewed in light of comments from the Clinical Commissioning Group (CCG) that it does not now support a new medical centre and wishes to see the town's local health needs being met by an expansion of existing facilities. It is proposed that the CCG seeks s106

contributions to a co-location of facilities at the Stratton Road surgery where there is floorspace available (rather than a new medical centre).

- e) The estimate of strategic infrastructure costs has increased from £90M to over £131M. This follows input from relevant Services; the cost estimates and allowances have increased, notably for the relief road, the schools, the underpass, pedestrian footbridge. This primarily reflects experience designing the SRL and changes in the assessment methodology for calculating costs of primary school provision. Additional allowances have also been made for the cost of land acquisition for strategic open spaces, off site walking and cycling improvements, health provision, and achieving a net gain in biodiversity. A viability appraisal indicates that the development remains viable, as higher infrastructure costs tend to be reflected in lower land values. See sections 4 and 5 for further detail.
- f) The phasing of infrastructure has been updated e.g. primary school places are needed earlier on. In response to local concerns about the safety and other impacts of development traffic on Shootacre Lane and Picts Lane, and about the phasing of the Culverton link road, the SPD has been amended, to encourage early phasing of the Culverton Link Road and to make the case for early developer contributions to enable work on design and land acquisition by the Council. This is to assure timely delivery of this scheme by developers. (More detail is provided in the Statement of Consultation, available as a Background Paper).
- g) The SPD sets out the potential for early delivery of a 'phase 1A' possibly up to 200 homes off Longwick Road in advance of the SRL being in place and subject to meeting policy criteria.
- h) The SPD is now based on developers delivering the majority of infrastructure, including the SRL, unless full funding is secured for the Council to deliver this, and recognising that the Council may continue to have a role in critical land assembly if necessary.
- i) More detail is included concerning long term maintenance of 'blue and green' infrastructure.

2.15 Following the consultation on the draft SPD and with input from the Highway Authority and a sub group of the Steering Group led by Princes Risborough Town Council technical work was also undertaken to address traffic management/calming in the Mill Lane and Askett area. This resulted in a position statement formally approved by the Wycombe Cabinet Member for Planning and Sustainability. This is available as a background paper.

## Key Issues

## Phasing and delivery of infrastructure

- 2.16 Key issues include the phasing of infrastructure, apportionment of infrastructure costs between developers, and responsibility for infrastructure delivery. In the absence of a developer-led consortium the preferred overarching delivery mechanism is a Framework Agreement with developers and, potentially, other parties with land interests. This would set out each signatory's contributions to infrastructure funding and delivery: essentially, what will be delivered, when, where and by whom, and the basis on which equitable contributions are calculated. It would ensure linkage between housing and infrastructure delivery. It would be expected to reflect policy requirements and the position set out in the SPD, and would underpin a single planning application for the whole site.
- 2.17 Other more ad hoc or partial planning applications are possible but would be more challenging to assess, and to coordinate and assure the delivery of infrastructure. Any planning applications would be assessed for compliance with policy and the adopted SPD with equitable contributions and delivery of infrastructure secured by s106 agreement and planning conditions.
- 2.18 In any case careful phasing of development will be required to avoid capacity bottlenecks mainly in relation to traffic and school places. The SPD sets out a phasing which takes account of the evidence to date on key infrastructure triggers.
- 2.19 Figure D within the SPD executive summary (Appendix 1) shows the phasing of development and infrastructure. Local highway constraints on Longwick Road /Tesco roundabout mean that only limited development is possible before the SRL is in place, thereby providing an alternative route for development traffic that minimises the impact on Longwick road junctions. As mentioned, the SPD also identifies scope for a phase 1A of development.
- 2.20 The delivery of the SRL is critical to enable the main phase of housing delivery to get under way. At present the Council is leading on the design of this scheme for which it has secured the HIF grant, although this does not cover the full costs of the project. The Council has engaged with developers to resolve the funding gap which is necessary to enable the Council to progress the SRL by this approach. While the HIF grant helps developers' cashflow and accelerates housing delivery it is important to note that the Local Plan policy requirement for the relief road to be provided as part of the development was approved by an independent Inspector before Homes England had fully committed to provide HIF funding. The Council set out how the road could be delivered<sup>1</sup> without this funding, and the SPD allows for an alternative

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<sup>1</sup> This is summarised in the examination Topic Paper for Princes Risborough.

approach whereby developers deliver the SRL in the absence of HIF. (See also section 4.)

- 2.21 Thereafter delivery of phases two and three of the relief road unlock the second and third phase (682 and 1247 homes respectively). The SPD indicates that the relief road should be complete by around 1400 homes, expected by 2029/30, with widening of the B4009 the following year.

### **3. Other options considered**

3.1 Alternative options would be to:

- a) Not adopt the PRE SPD. This would undermine the Council's position in determining any planning applications or defending its position at appeal. This would result in planning applications being determined without detailed guidance in place, including crucially in terms of phasing and the approach to calculating equitable contributions.
- b) Make further changes to the SPD before adoption. If significant changes are made it may be necessary to delay the adoption, possibly until at least June 2021 owing to Purdah starting 22 March 2021. This could result in planning applications being determined without detailed guidance in place, including crucially in terms of phasing and the approach to calculating equitable contributions (based on net developable area) which may well be contested by developers.

### **4. Legal and financial implications**

- 4.1 The PRE SPD is subject to – and has been prepared in accordance with – the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended). Once adopted as a Supplementary Planning Document, it will become a material consideration in the determination of relevant planning applications.
- 4.2 Once adopted the SPD together with its statutory adoption statement<sup>2</sup>, must be made available to the public on the Council website and at appropriate office

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<sup>2</sup> Regulation 11 of the 2012 regulations defines an adoption statement as follow: “adoption statement” means a statement specifying— (a) the date on which a supplementary planning document was adopted, (b) if applicable, any modifications made pursuant to section 23(1) of the Act, (c) that any person with sufficient interest in the decision to adopt the supplementary planning document may apply to the High Court for permission to apply for judicial review of that decision, and (d) that any such application must be made

locations in accordance with Regulation 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).

- 4.3 The SPD does not have direct financial implications for the Council. However, it makes clear the costs that developers are expected to incur – and have been allowed for – including affordable housing, highways, education and other infrastructure. This will help to avoid viability issues and infrastructure not being provided, or the Council incurring capital costs on these items of infrastructure.
- 4.4 The viability appraisal is positive and includes allowance for developers to make an early contribution to the funding gap of the SRL, (see section 5 below). Adoption of the SPD by the Council does not change the responsibility for delivery of the relief road, which is set out in the Local Plan as a requirement of the development, i.e. responsibility for funding the relief road in full would rest with developers. Neither does the SPD represent any commitment or obligation on the Council to provide funding towards the infrastructure. We anticipate that an update on the SRL will be reported to Cabinet separately in the summer.
- 4.5 While the viability appraisal indicates that the development is viable<sup>3</sup>, and that the development would remain viable under a range of scenarios, this would undoubtedly present a risk of delay to delivery of the expansion area.

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promptly and in any event not later than 3 months after the date on which the supplementary planning document was adopted;”

<sup>3</sup> The viability appraisal – in the base case – shows that the overall development has an anticipated headroom (‘super-profit’) over £50 million (before HIF repayment and based on September 2020 costs). This allows for increased costs should these arise. The viability appraisal reflects a lower benchmark land value (cost for developers to buy the land) than previously assumed necessary to ensure that developers can pay the full costs of infrastructure. As a result, the BLV has been adjusted from £160 000 per acre in the Princes Risborough local plan viability for Princes Risborough to £100 000 per acre. This reflects up-to-date national guidance on viability which states that the price paid for the land should not result in developers avoiding their full planning obligations. It also reflects similar schemes assessed elsewhere. A report by consultants Carter Jonas is available as part of the Viability Appraisal which is a background report.



4.6 There is a risk that the SPD could be challenged by way of judicial review of the decision to adopt the SPD.

## **5. Corporate implications**

5.1 Recognising the cash flow challenges of the PREA, Homes England has committed to a £12M recoverable grant towards the cost of the Council delivering the SRL, with the remainder of funding to be provided by developers. This scheme provides strategic access to the PREA and involves land acquisition, a replacement rail bridge and extensive highway works. It is the first phase of the relief road for the town.

5.2 Following a decision by the November 2019 Shadow Executive meeting the Council commissioned Balfour Beatty/Stantec to design this project and survey and preliminary design work is progressing.

5.3 A further update report is scheduled to be brought to Cabinet in the summer to report progress.

5.4 This SPD helps meet the Council's corporate plan priorities as follows:

- a) strengthening our communities: by providing much needed homes, new community and sports facilities
- b) improving our environment: by providing guidelines for the expansion which will deliver high quality developments that respond to a landscape-led approach, securing green and blue infrastructure and prioritising sustainable travel
- c) protecting the vulnerable: by providing affordable housing, by providing walkable and safe neighbourhoods, and by providing local community facilities to serve older people or those with impaired mobility
- d) increasing prosperity: by supporting the town's population as a whole, making it a vibrant and attractive place to live, by supporting the local economy, and by enabling longer term improvements to the town centre as a result of the relief road.

5.5 Implications for Council services are as follow

- a) Property

The Council acquired two homes known as Ivy Cottages to enable future delivery of phase 3 of the relief road. These are being refurbished with the intention of letting them out. The capital cost of acquisition (based on the valuation at the time) is expected to be recouped when that section of the relief road is delivered (expected

to be around 2028/29. The refurbishment cost is to be paid off by rental income. Property support for any land assembly may be required if the Council progress the SRL.

b) Climate change

The SPD prioritises sustainable travel for local trips, thus reducing reliance on car generated trips and sets out requirements for electric charging points.

It aims for built-in climate change mitigation and adaptation as part of 'green and blue infrastructure', (design and management of open space and drainage) and to ensure benefits to wildlife and residents.

c) Sustainability

The local plan allocated the expansion of 2500 homes at Princes Risborough following a Sustainability Appraisal. The SPD reflects sustainability principles in the location of uses, ensuring that the main expansion delivers sustainable neighbourhoods.

d) Equality

There are no equality and / or diversity implications arising from the proposed recommendation of this report. A full Equality Impact Assessment was undertaken as part of the Local Plan process setting out how the Council met its Public Sector Equality Duty when approving the Local Plan. It is available here:

<https://www.wycombe.gov.uk/uploads/public/documents/Community/Equality-impact-assessments/Planning-and-sustainability/Equality-impact-assessment-local-plan.pdf> .

The WDLP Equalities Impact Assessment (EqIA) has been reviewed and is considered relevant and up to date. There have been no material changes in circumstances and/or policy changes since the EqIA was done. The SPD does not change the amount or type of development or the scope of the proposals, hence this decision does not require a separate Equality Impact assessment.

e) Value for money

The SPD improves confidence in outcomes from the planning process, increasing the prospects for a good (i.e. policy compliant) outcome and minimising the risks of costs at appeal.

## **6. Local councillors & community boards consultation & views**

6.1 Ongoing engagement with local councillors during the SPD preparation has been principally through the Town Council (see also paragraphs 2.11 to 2.15 of this report).

6.2 Councillors Bill Bendyshe-Brown and Carl Etholen responded directly to the draft SPD consultation (2019) to say they objected to the use of Shootacre Lane and Picts Lane for through traffic before the Culverton Link Road is built, on safety grounds, the poor condition of these roads, and to avoid abortive costs associated with interim works.

6.3 A briefing to the Local Community Board is being scheduled for March 2021.

## **7. Communication, engagement & further consultation**

7.1 Details of engagement on the SPD and changes proposed as a result are set out in paragraphs 2.11 to 2.15 of this report.

7.2 This follows on from extensive engagement on the Princes Risborough Expansion over seven years, as the local plan proposals were developed. More information on this can be found in the Wycombe District Local Plan Statement of Consultation.

7.3 A Statement of Consultation has been prepared for the SPD, in line with Regulation 12 of the Town and Country Planning (Local Planning) (England) Regulations (2012, as amended). It sets out who was consulted, the key issues raised during the engagement phases, the Council's position on these matters, and how the SPD responds to these as a result. It is available as a background paper, and will be published on the website on adoption.

## **8. Next steps and review**

8.1 Following the decision, the SPD and accompanying documents will be finalised, in line with the delegated authority decision. Together with an adoption statement, these will be made available to the public in accordance with Regulation 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) on the Council website and at appropriate office locations.

8.2 The Council is continuing engagement with the main developers as regards delivery and funding of strategic infrastructure including the SRL.

8.3 Developers will be expected to take account of the PRE SPD in developing their planning applications. Planning applications coming forward will be assessed against the adopted SPD and Development Plan Policies.

## **9. Background papers**

9.1 Local Plan Statement of Consultation - <https://www.wycombe.gov.uk/uploads/public/documents/Planning/New-local-plan/WDLP-core-documents-2018/Statement-of-consultation.pdf>

- 9.2 Princes Risborough Expansion SPD Statement of Consultation [available on request]
- 9.3 Mill Lane and Askett area Position Statement [ available on request]
- 9.4 Viability Appraisal [available on request]

## **10. Your questions and views (for key decisions)**

- 10.1 If you have any questions about the matters contained in this report please get in touch with the author of this report. This can be done by telephone [ 01494 421538], on Teams, or email [[aude.pantel@buckinghamshire.gov.uk](mailto:aude.pantel@buckinghamshire.gov.uk)], or [01494421507] ([john.callaghan@buckinghamshire.gov.uk](mailto:john.callaghan@buckinghamshire.gov.uk))
- 10.2 If you have any views that you would like the cabinet member to consider please inform the democratic services team. This can be done by telephone 01296 382343 or email [democracy@buckinghamshire.gov.uk](mailto:democracy@buckinghamshire.gov.uk).

