

Examination of the Aylesbury Vale Local Plan 2013 – 2033

Inspector: Mr. Paul Clark BA MA MRTPI

Programme Officer: Mrs Louise St John Howe

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Mr. Mike Taylor, BsocSc (Hons) MSc MRTPI MIED
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By email

Dear Mike,

The content of your letter of 26 April 2019 has been considered by the Inspector. He has asked me to respond as follows.

Section 5 of the Planning Inspectorate's published Procedural Practice in the Examination of Local Plans https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/672662/Procedural_Practice_in_the_Examination_of_Local_Plans_-_final.2.pdf sets out what is expected to happen during and after the hearing sessions. Paragraphs 5.24 to 5.33 are relevant to the current context.

Paragraphs 5.24 and 5.25 make it clear that the nature and likely extent of proposed modifications should be fully discussed at the hearings; so there is nothing surprising in the Inspector giving a clear indication of the nature of the modifications which he is expecting the Council to produce. Paragraph 5.26 states that the Inspector will set out arrangements and seek agreement on a timetable for any necessary sustainability work and public consultation. That is the stage at which we are about to arrive. Paragraph 5.27 sets out the principles that will apply to that stage.

The first of those principles is that the Inspector should be reasonably satisfied at this point that the proposed modifications are necessary to rectify the unsoundness problems that have already been identified. It follows that there is nothing surprising in the Inspector having given a view on the Council's proposed way forward.

The third of those principles is that the Inspector will not finally recommend a modification unless any party whose interests might be prejudiced has had a fair opportunity to comment on it. The application of that principle lies behind the Inspector's qualification in the extract from Examination Document ED181 which you quote on the second page of your letter; "in the absence of any comment from any other party".

That qualification is intended to remind the Council that it does not have the Inspector's unqualified endorsement of the Council's proposed way forward; Examination Document ED181 expresses no more than his reasonable satisfaction at this point that the proposed modifications are necessary to remedy the soundness problems that have been identified. It therefore does not prejudice or predetermine the outcome of the next stage of the examination of VALP, which is the publication of the Council's proposed modifications in order to allow representations to be made on them.

The specifics of your letter raise three points; housing requirement, transport infrastructure and early review.

In relation to housing requirements, the ORS work which constitutes the evidence base which is expected to underly the Council's proposed modifications has been published on the website. When the modifications are published, it can be expected to be the subject of comment alongside the proposed modifications themselves. At that stage, representations on the proposed modifications will be entertained by the Inspector, including any comment on the adequacy of the justification for the proposed modifications. The Inspector will consider the representations made and will also consider whether any further Hearing Session is required to help him come to an understanding of the representations.

In relation to transport, the Inspector's Interim Findings advised that work needed to be done to identify specific proposals contained within the Buckinghamshire Local Transport Plan 4, the Aylesbury Transport Strategy and the Buckingham Transport Strategy and translate these into the plan as modifications in order to make it sound. He did not call for additional transport modelling to be done but did point out the need to comply with the requirements of Sustainability Appraisal for each proposal put forward. Chilmark and others will have the opportunity to make representations on any proposed modification at the proper time when it is published, in accordance with the Inspectorate's Procedural Practice.

As stated earlier, the Inspector will consider those representations.

The plan as submitted proposed an early review. In the Inspector's view, the date of the early review was so early that it could be seen as indicating that the plan, as submitted, was unsound. He therefore called for modifications (particularly on housing requirements) which would make it unnecessary for there to be a plan policy requiring a review, given the statutory and national policy requirement to review a plan at least every five years to assess whether it needs updating. The Council is therefore expected to propose modifications to delete references to an early review. Chilmark and others will have the opportunity to make representations on any proposed modification at the proper time when it is published, in accordance with the Inspectorate's Procedural Practice. As stated earlier, the Inspector will then consider those representations.

Yours sincerely,

Louise St John Howe

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Aylesbury vale Local Plan Examination