

17th July 2019

Planning Inspector of Vale of Aylesbury Local Plan (VALP),
c/o Programme Officer,
Ms L. St John Howe,
PO Box 10965,
Sudbury, Suffolk.

Dear Ms St John Howe,

I am contacting you as a Regulation 19 objector to the VALP (Representation No. 953, re.MMO006). I would like to draw to the Inspector's attention evidence regarding:

- issues of process and transparency in relation to Maids Moreton and the VALP
- issues with the Settlement Hierarchy, the HELAA and the Sustainability Appraisal
- issues with AVDC's interaction with the local community.

Settlement Hierarchy

The factors that define the size of settlement should be consistently applied. Maids Moreton is not, and never was, a Medium Village, and now falls even further short of the criteria with the imminent reduction of the bus service. I attach the new timetable¹ which shows there are only two possible return journeys a day to from Maids Moreton to a main supermarket (for one of these, the return trip is 2½ hours after arriving at Tesco). None of these bus services would get people to or from work with normal office hours in Buckingham, Winslow or Aylesbury.

AVDC's classification of Maids Moreton as a Medium Village is not supported by the evidence required by its own guidelines. Its Medium Village classification is not a sound basis on which to consider VALP and planning matters.

HELAA issues

In summer 2016, the draft VALP consultation asked at Question 7: "Do you agree with the conclusions of the HELAA and if not what should it say and why?" This question related to HELAA 3.

The Nov-Dec 2017 consultation contained no equivalent question relating to HELAA 4, which had been published in January 2017. The absence of any such consultation question about the HELAA implied that there was nothing further to comment on. To the contrary; for Maids Moreton there had been significant changes in the new HELAA, none of which were prompted by the earlier consultation responses to Question 7 on HELAA 3. Yet the consultation did not draw attention to these changes or facilitate public comment on them. Had it done so, residents might well have commented on:

- why MMO001, the most sensitive and valued site in the village, had gone from a long-standing Unsuitable to being judged as Part-Suitable
- why MMO004, the only site in the village classified as Suitable in the previous consultation, to the general agreement of respondents, had had its housing numbers halved
- the lack of evidence for changing MMO006 from Not Suitable to Suitable for 170 houses.

Instead, residents, the parish council and even the district/county councillor were not even made aware that there had been any changes in the HELAA that deserved public attention.

I would like to share extracts from my email correspondence with AVDC (December 2017 and May 2019) following my discovery of the significant revisions for Maids Moreton in HELAA 4. In answer to my question about whether residents are stakeholders, the officer responded:

[Email extract A: 21st December 2017]

¹ www.bucksc.gov.uk/media/4514252/maids-moreton-290719.pdf

No residents aren't stakeholders – it is referring to Buckinghamshire County Council as local highway authority plus any other statutory consultee who would normally be needed to consult on a planning application such as the Environment Agency.

I learned from the same AVDC officer in May 2019:

[Email extract B: 20th May 2019]

the earliest I would anticipate for work on a new HELAA is later on next year. But it will most likely be called 'HELAA 1 for Buckinghamshire' or something. Or it might just be a County-wide 'Call for Site's exercise is commenced.

Other than this there will just be a bit of updating in the next month or so on the existing HELAA around Milton Keynes edge because we have an additional site or two to find there.

What an AVDC officer views as “just a bit of updating” may appear rather differently to the unconsulted residents affected. Such a non-transparent process is not a robust way of producing sound evidence.

The assertion that **residents aren't stakeholders** is most alarming, and contrary to the VALP Submission Consultation Statement (CD/SUB/011, Feb 2018, p.7) and the Statement of Community Involvement², which places Parish Councils and Individuals alongside Housebuilders equally as stakeholders:

3.4 [...] The term 'stakeholder' means any person or any organisation that has an interest in the planning document. For Local Plans, the following groups will be notified at relevant stages of the document preparation: [...]

Specific consultees: [including:]

- Parish and town councils [...]

Other consultees: [including:]

- Individuals
- Housebuilders/ agents/ landowners/ housing associations

Yet in Maids Moreton, AVDC cooperated only with Housebuilders in relation to revised designations in HELAA 4 and the associated VALP allocation at MMO006.

Also relevant is AVDC's Legal Compliance Checklist³ (Feb 2018, pp.8-9). AVDC asks and answers:

[Q:] 2. Are you inviting representations from people resident or carrying out business in your area about the content of the DPD?

[A:] The Consultation Statement (CD/SUB/011) and the Duty to Cooperate Topic Paper (CD/DTC/001) provides an overview of when and how key delivery stakeholders were consulted and engaged with, any issues raised and how they have been resolved or taken into account. Stakeholders have also been consulted in the production of the Infrastructure Delivery Plan (CD/INF/001) and in other studies such as the Housing and Economic Land Availability Assessment (CD/HOU/007).

This answer appears to be a compliant 'yes', but the correct answer to the question as asked is actually '**No**': Maids Moreton residents were *not* consulted on the HELAA 4 that was in use when this document

² VALP Submission Consultation Statement (CD/SUB/011, Feb 2018, p.7) at: www.aylesburyvaledc.gov.uk/submission-documents; reiterated in *Statement of Community Involvement* (Nov 2018, pp.5–6), at www.aylesburyvaledc.gov.uk/sites/default/files/page_downloads/FINAL%20November%202018%20SCI.pdf

³ www.aylesburyvaledc.gov.uk/sites/default/files/VALP/Examination/CD.SUB_014%20PAS%20Legal%20Compliance%20Checklist%20%28AVDC%2C%20February%202018%29.pdf

was produced; we were only consulted on HELAA 3 (i.e. CD/HOU/007 referred to above), which had been withdrawn for a year at the time when this answer was published.

As there was no consultation on HELAA 4, AVDC also did not fulfil its own acknowledgement in VALP Scrutiny Responses to Draft Local Plan (2016) that all evidence must be available in time for the pre-submission consultation:

5.1 To become an adopted local plan the inspector who undertakes the public examination into the new plan will need to be convinced that the evidence which supports it is robust. The Council is therefore producing a broad range of evidence to support the plan. [...]

5.5 As soon as any further evidence is available it will be published on the Council's website and the evidence will be used to inform the pre submission version of VALP. The evidence will all have to be in place to accompany the submission version of the plan during the pre submission consultation on the local plan and the Council is confident that the evidence will be in place to allow consultation and submission in accord with the expected timetable.⁴

However, HELAA 4 was *not* in place in time for the pre-submission consultation that elicited comment on HELAA content. It is concerning that HELAA 4 is now carrying undeserved full weight in VALP allocations and planning applications, with the appearance of having undergone full and transparent public scrutiny, when in fact not all of it has. It is also alarming that, as Email Extract B above shows, further *ad hoc* manipulation of the HELAA is still taking place, still without public notification or consultation, and with no apparent awareness at AVDC that this could be problematic in terms of ensuring that the HELAA can be relied on for robust, transparent and sound technical evidence, not influenced by other pressures to provide convenient 'authority' and 'evidence' on demand.

I believe that the lack of open process I have explained discredits both HELAA 4 itself and the allocation in the VALP of site MMO006, which relies on HELAA 4 for supporting evidence.

Sustainability Appraisal

AVDC disregarded the evidence of its own independent commissioned Sustainability Appraisal by allocating in the VALP the least, rather than most, sustainable option assessed in Maids Moreton. This allocation is therefore not based on evidence and cannot be viewed as "sound". It is not clear why the only site that had been considered Suitable in HELAA 3 (site MMO 004) was not evaluated on its own in the SA, but only as part of a bundle with other sites that drag down its sustainability scores overall.

I hope these comments will be useful in helping the Inspector to reject the classification of Maids Moreton as a Medium Village; the allocation of MMO006 in the VALP; and HELAA 4 itself on grounds of:

- disregard of firm evidence
- reliance on unsound evidence and process
- lack of transparency
- lack of conscientious public engagement
- non-compliance with AVDC's own policies.

Yours sincerely,

Jane Wood

⁴ VALP SCRUTINY RESPONSES TO DRAFT LOCAL PLAN

(<https://aylesburyvale.moderngov.co.uk/documents/s4642/VALP%20Scrutiny%20draft%20Plan%20consultation%20report%207%207%2016.pdf>)