

Inspector's Question 17

I would appreciate the Council's observations on the points made about the Duty to Cooperate in paragraphs 3.31 and 3.32 of Newton Longville Parish council's representations.

AVDC Response

The representation notes that six parishes within Aylesbury Vale fall within the Milton Keynes CCG area but says that Aylesbury Vale has not listed the Milton Keynes CCG as a body it has co-operated with. However in section 2.9 of the Vale of Aylesbury Local Plan Duty to Co-operate Statement of Compliance February 2018 relating to Strategic Planning Issues Statement – Health it is stated that “Since March 2017 AVDC have met with the CCG and have provided opportunities for the CCG to make contributions and provide information on health requirements as a result of the proposed growth and patient numbers. Officers met with representatives from Aylesbury Vale CCG on the 13th March, 11th September to collaborate further on the information supplied and their response. This has led to formal representations from the CCG regarding the VALP”. Further details of the cooperation are included in the DtC Statement of compliance Aylesbury Vale has therefore met the duty in relation to cooperation; Newton Longville's statement is incorrect in this regard.

Inspector's Question 18

May I have the Council's observations on the representation from Historic England that the quotation from the NPPF in paragraph 1.7 of the plan should in fact be two separate quotations.

AVDC Response

The intention was not to directly quote the NPPF, so quotation marks were not used, but to address this representation quotation marks will be inserted either side of the NPPF text as a minor modification.

Inspector's Question 19

May I have the Council's observations on the representation from Historic England about the apparent omission of heritage evidence from the plan's evidence base and the plan's apparent lack of reliance on such evidence.

AVDC Response

The representation from English Heritage (1048) states the following “We expect the Council to have an adequate, up-to-date and relevant historic environment evidence base and to demonstrate in the Local Plan how that historic evidence base has informed and influenced the Plan's policies and site allocations. However, with no references to any of the existing historic environment evidence we cannot be sure that this is the case and therefore have to consider the Plan not to be sound for its apparent failure to be consistent with paragraph 169 of the NPPF”.

The representation is made on the basis of the concise summary of the specific studies undertaken in association with the production of VALP at 1.18. No specific study was

undertaken of the historic environment so there is no entry in this list which relates specifically to heritage. However it is incorrect to conclude from the list at 1.18 that the council has not taken account of the existing evidence in relation to the historic environment. Indeed only four pages later paragraph 1.58 in VALP lists some of the most significant heritage sites in Aylesbury Vale. Then section 8 of the VALP relates to the built environment within which paragraphs 8.1 to 8.39 and policy BE1 deal with the historic environment.

Within the specific text on the historic environment paragraph 8.6 refers to over 3,000 listed buildings and other structures within the plan area; paragraph 8.12 refers to the district's 120 conservation areas; paragraph 8.16 refers to the district's nine parks and gardens of special historic interest; paragraph 8.18 refers to the 61 sites in the district that are included in the statutory schedule of ancient monuments; paragraph 8.22 refers to non-designated heritage assets; paragraph 8.23 refers to Buildings of Local Note; and paragraph 8.25 refers to the Archaeological Notification Areas listed in the County Historic Environment Record. It is considered that this demonstrates that the council has access to up-to-date evidence about the historic environment in its area in accordance with the requirements of paragraph 169 of the NPPF.

The council has also used this evidence in the preparation of VALP as further required by paragraph 169 of the NPPF. In relation to specific development sites information on heritage assets is referred to in the supporting text to specific policies such as at paragraph 4.134 and 4.135 in relation to D-HAL003 'RAF Halton'. Heritage assets are also referred to within site allocation policies such as in relation to the Cuddington Conservation Area in D-CDN001 'Land north of Aylesbury Road and rear of Great Stone House'. Where development is likely to affect non-designated heritage assets such as through the conversion of rural buildings this is referred to as a matter for consideration in the relevant policy (policy C1, criteria i.)

Beyond the VALP itself the historic record was particularly significant in the assessment of potential development sites within the Housing and Economic Land Availability Assessment (HELAA). As set out in the Central Buckinghamshire HELAA Methodology – May 2015, Scheduled Ancient Monuments and Ancient Woodlands are listed in Table 2 as locations which will be automatically excluded from consideration. Then at 2.15 the list of environmental constraints to be carefully considered in assessing the development potential of each site/broad location includes: Historic landscapes and their setting, listed buildings, conservation areas and their setting, and archaeological findings. Inspection of the HELAA documents shows that the implications of heritage assets for a site's suitability for development are taken into account where relevant.

The existence of heritage assets has also played a part in another significant part of the evidence base: the Aylesbury Vale Landscape Character Assessment 2008. As set out in paragraphs 5.19 to 5.24, the methodology for the assessment involves assessing the importance and influence of cultural heritage upon landscape. Table 1 shows that this involves the assessment of cultural heritage data which includes historic buildings, archaeological sites and monuments, and historic landscapes. The assessment's methodology goes on to set out how the visual and amenity value of cultural heritage features will be assessed in paragraphs 5.25 to 5.30.

As part of the Sustainability Appraisal (SA) of the VALP the impact on heritage from the alternative spatial options is assessed on page 59 of the final report. The heritage

implications from the spatial strategy commences on page 88 and commentary on the heritage implications for specific sites commences on page 90 of the SA. In conclusion the SA report then states on page 91 that “In conclusion, whilst there will be impacts to a number of heritage assets, the number of such assets is relatively few, in the context of the district as a whole. Significant negative effects are not predicted”. Heritage concerns have therefore played a significant part in the sustainability appraisal of the plan.

It is therefore considered that the Council has met the requirements of paragraph 169 of the NPPF in terms of having up to date evidence and using it to assess the significance of heritage assets and their contribution to the environment. However if it is considered that there needs to be further clarity over the use historic evidence the council will include specific references and links in the VALP to the items of heritage asset evidence that have been utilised in the production of VALP. It is however not felt to be necessary to assemble large amounts of existing evidence from a range of sources into one document as this would simply repeat large volumes of readily accessible material.

Inspector’s Question 20

Where in the plan will I find the identification of heritage assets most at risk through neglect, decay or other threats and the positive strategy for the conservation and enjoyment of the historic environment sought by NPPF paragraph 126?

AVDC Response

The council’s approach to heritage at risk is set out in paragraphs 8.38 and 8.39 of VALP. It is felt that this reflects the content of the first sentence of NPPF paragraph 126 which states “Local planning authorities should set out in their Local Plan a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats.” The requirement is to set out a positive strategy for conserving the historic environment, not to list heritage assets most at risk. It is considered that the contents of paragraphs 8.38 and 8.39 of VALP set out the required positive strategy in relation to heritage assets at risk as required by the NPPF. The benefit of including a list of heritage assets most at risk within a local plan is also queried as such a list will be a snapshot that will be preserved for some considerable in time in the local plan whilst the list will actually vary as buildings and structures move on and off the list.