

# GUIDANCE NOTE

to accompany the publication of the  
Proposed Submission  
Vale of Aylesbury Local Plan (2017)



**Please read these guidance notes before completing your response**

## Introduction

Aylesbury Vale District Council has published its Proposed Submission Vale of Aylesbury Local Plan (VALP) for consultation from **9am Thursday 2 November until 5.15pm Thursday 14 December 2017**. We would encourage consultees to make their representations via our online consultation platform as this will enable the Council to deal with your representations in a more efficient way and will assist the examination process.

If using the online system, all consultees must ensure that **personal details are completed in full**, as this is a legal requirement. Failure to do so will result in your representation not being accepted. Organisations registered in the system must nominate a representative to fill out the account details.

The Plan has been published in order for representations to be made prior to submission of the documents to the Planning Inspectorate for independent examination. All accepted representations will be examined by a planning inspector.

The purpose of this stage of the Plan and subsequent examination is to consider whether the Plan complies with the legal requirements, the Duty to Co-operate, and whether it is legally sound. This document outlines the definitions of these obligations and further guidance can be found on our website.

## Policies

**VALP** relates to the Aylesbury Vale District and a set of strategic policies including those relating to communities, housing supply, employment, retail and the environment. It includes specific detailed policies which will be used to determine future planning applications. If you wish to comment on VALP, this can be done using our online consultation portal at:

<https://aylesburyvaledc.jdi-consult.net/localplan/>

Alternatively there will be forms which can be downloaded from our website for email and hard copy submission from Thursday 2 November. These can be found at:

<https://www.aylesburyvaledc.gov.uk/section/vale-aylesbury-local-plan-valp>.

If you require a hard copy form, need assistance in completing your representation, or have any other questions, please contact the Planning Policy Team by email at

[localplanconsult@aylesburyvaledc.gov.uk](mailto:localplanconsult@aylesburyvaledc.gov.uk) or by phone on 01296 585308 and ask for Forward Plans.

## Part A: Personal Details

Please note that it is not possible for representations to be considered anonymously. Representations will be published on the consultation website and included as part of the VALP submission to the inspector. Address and contact details will be removed from published responses but the village or town of residence will be shown. **By making a representation you are agreeing to your information being published.**

The Council reserves the right not to publish or take into account any representations which it considers offensive or defamatory. The Council will be publishing representations at some point but this toward the end or after the consultation closes. When submitting hard copy or email responses please supply an email address where possible, as this will allow us to contact you electronically. Everyone who submits a representation will be added to the relevant consultation database (if not already included) so that we can keep you up to date with the Plan. If you do **not** wish to be contacted in this way, please state this clearly on the form or opt out on the online portal.

If an agent or consultant has been engaged to act on your behalf, please fill in both sets of details in full when registering online or on your form. Correspondence will be sent to the agent. If you are a landowner with an agent acting on your behalf, please ensure that your agent knows the site name and site reference number.

## Part B: Representation

All representations, whether they support or object to the Plan, will be considered by our planning policy team and those adhering to the guidelines will be accepted.

Please specify which part of the plan you are responding to and use one form per submission. Whether making your representations online, by email or by hard copies, please ensure that you include the section or policy number of the Plan that your representations relate to.

For those using the online consultation portal, the website has a help page which details how to make and view representations through the system. Please note that representations will only be publicly visible once they have been published by the Council.

## Legal Compliance

*If commenting on how the Proposed Submission Local Plan has been prepared, it is likely that your representations will relate to a matter of legal compliance.*

*The inspector will check that the Plan meets the legal requirements.*

*You should consider the following before making a representation on legal compliance:*

- The Plan should be included in the current Local Development Scheme (LDS) and the key stages should have been followed.*
- The process of community involvement should be in general accordance with the Statement of Community Involvement (SCI).*
- The Plan should comply with the Town and County Planning (Local Planning) (England) Regulations 2012 (the Regulations). On publication, the local planning authority must publish the documents prescribed in the Regulations making them available on its website and at its principal offices. It must also notify the Local Plan bodies (as set out in the Regulations) and any persons who have requested to be notified.*
- The local planning authority must provide a Sustainability Appraisal Report. This should identify the process by which it has been carried out, baseline information used to inform the process and the outcomes of that process.*

## Duty to Co-operate

- Local planning authorities will be expected to provide evidence of how they have complied with the Duty to Co-operate.*
- Non-compliance with the Duty to Co-operate cannot be rectified after the Plan's submission. Therefore the inspector has no power to recommend modifications in this regard. Where the duty has not been complied with, the inspector has no choice but to recommend non-adoption of the Plan.*

## Soundness

*Soundness is explained in National Planning Policy Framework (NPPF 2012) paragraph 182. The inspector has to be satisfied that the Plan is positively prepared, justified, effective and consistent with national policy in accordance with section 20 of the Planning and Compulsory Purchase Act 2004 (as amended).*

**Positively prepared** - *This means that the Plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.*

**Justified** - *The Plan should be the most appropriate strategy when considered against reasonable alternatives, based on a proportionate, robust and credible evidence base.*

**Effective** - *The Plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities, sound infrastructure delivery planning, and should not infringe on regulatory or national planning barriers. It should be flexible to changing circumstances.*

**Consistent with national policy** - *The Plan should be consistent with national policy. Any departure from this must be clearly justified.*

*If you think the content of the Plan is not sound because it does not include a policy where it should do, you should go through the following steps before making representations:*

- *Is the issue with which you are concerned already covered specifically by national planning policy? If so, it does not need to be included.*
- *Is what you are concerned with covered by any other policies in the VALP Proposed Submission Plan or in any neighbourhood plan?*
- *If the policy is not covered, in what way is the Plan unsound without the policy?*
- *If the Plan is unsound without the policy, what should the policy say?*

## General Guidance

When making your representations please give details of why you think the Proposed Submission Local Plan is or is not **sound** having regard to the legal compliance, Duty to Co-operate and the four requirements, as set out previously. You should try to support your representation by evidence, showing if and why the Plan should be modified.

- It will be helpful if you also say precisely **how** you think the Plan should be modified. Representations should succinctly cover all information, evidence and supporting information necessary to support/justify the representation and suggested modification.
- Where there are groups who share a common view on how they wish to see the Plan modified, it would be very helpful for that group to send a **single** representation which represents the view. In such cases the group should indicate how many people it is representing and how the representation has been authorised.
- Please remember that where a representation is **over 100 words** you are required to include a **summary under 100 words** of its main points in the box provided.

All of the accepted formal representations received during this stage will be submitted to, and considered by, the appointed independent planning inspector at the public examination of the Plan. The process is likely to include public hearings. The inspector will determine the most appropriate procedure to adopt to hear those who choose to participate at this stage.

If you would like to appear and speak at the hearings, please state this and explain in the space provided why you consider it is necessary that you participate.

## Representations can be made:

- via the Council's online consultation portal: <https://aylesburyvaledc.jdi-consult.net/localplan/>
- via a representation form which can be downloaded from the website: <https://www.aylesburyvaledc.gov.uk/section/vale-aylesbury-local-plan-valp> and returned via email to: [localplanconsult@aylesburyvaledc.gov.uk](mailto:localplanconsult@aylesburyvaledc.gov.uk)
- or by post to: **Planning Policy, Aylesbury Vale District Council, The Gateway, Gatehouse Road, Aylesbury, Bucks, HP19 8FF**