

ADAM STEWART'S VALP (MM076) RESPONSE

I do not consider modifications MMO75 and MMO76 of AVDC's Local Plan (VALP), specifically the inclusion of the Shenley Park (WHA001) development area, to be sound or justified.

Shenley Park (WHA001) was NOT included in the Vale of Aylesbury Local Plan published in November 2017. Its exclusion meant it was not included in the public hearing held in July 2018, denying local residents the opportunity to scrutinise the plans and AVDC's proposals. This is a serious breach of NPPF guidelines (specifically paragraphs 155, 158 and 182). **This is unfair and unjust.**

Shenley Park's late inclusion means it has not been subject to the same level of preparation, and investigation as other identified development sites, including Eaton Leys and Salden Chase. Nor have objectors to Shenley Park been afforded the same time or opportunity to investigate, scrutinise and formally object to the suggested development. How can Shenley Park possibly be subject to the same tight deadline? Did AVDC know that Shenley Park is less suitable and that it would meet stiff opposition – and hope that by only including it at the last minute, it would slip through unnoticed and/or unchallenged?

Specifically, in relation to WHA001, there are no concept plans, no illustrative layouts, no indication of highway distribution, no projections of vehicular/traffic impacts, no details of the green barrier between Whaddon village and new housing, no details regarding how essential public services will be paid for and no consideration to how to limit future development and urban sprawl once the natural development barrier of the North Bucks Way has been breached.

Some of these glaring developmental omissions can be explained by the almost total lack of cooperation between AVDC and MKDC – as confirmed by MKDC at their full council meeting on 23rd October 2019 when **members across all parties agreed that a 'failure of cooperation' had occurred** in contravention of 2014's PPG (paragraph 3-008), risking a non-adoption report. This lack of cooperation has resulted in a disturbing lack of information in certain key development areas – resulting in a VALP that is demonstrably unsound, non-complaint and possibly unlawful.

At this stage I would like to formally record my support for all the points raised in the submission prepared by Whaddon Parish Council, whose knowledge of development matters is second to none given their previous efforts to protect Whaddon village and the rolling countryside of the Whaddon Chase Valley. AVDC would do well to consult with them at the earliest opportunity.

I have decided to focus my detailed representation on the following areas:

TRAFFIC

AVDC is aware that Whaddon Parish Council (WPC) collects detailed traffic volume data – but neither AVDC nor AECOMS consulted with or asked WPC for their traffic data before preparing their proposals. Why not? Where is the local engagement? WPC can statistically demonstrate that weekday traffic levels have increased by over 50% in the last 5 years. Road safety is a serious concern to Whaddon residents, many of whom will testify that both vehicle/vehicle accidents and vehicle/pedestrian accidents have increased over recent years. HGV traffic has also increased, leaving village access roads dangerously potholed – a point AVDC finally acknowledged when they recently agreed to resurface the entire length of Codimoor Lane. When asked by Whaddon Parish Council how a new grid road would address traffic concerns in Whaddon, AVDC revealed they had no plans and no answers! Is AVDC aware of the sound public planning principle (adopted by both Government and Local Authorities nationwide) that *'infrastructure must come before*

development? Worryingly, AVDC confirmed that traffic issues would only be resolved at the detailed planning stage. And if they can't be? It would then be too late. Sensible, sustainable planning policy dictates that you resolve issues *before* committing to considerable expense. It would be foolhardy to start a journey before deciding on the destination. Clearly a proposed development of this scale sited on the border between Aylesbury Vale and Milton Keynes requires traffic impact analysis *across both authorities*. Not only has this not occurred, but each authority uses a different traffic modelling technique (neither of which consider the impact of major development on the surrounding road network). Given the 'failure of cooperation' between AVDC and MKC, it is clear that cooperation at the traffic impact level has not taken place. Further evidence of this lack of cooperation is evidenced by MKC's refusal to consent to access into Salden Chase from the A421 due to 'insufficient evidence to mitigate traffic'. If development of 1,855 houses is approved at Salden Chase, how will residents access their homes? Via Newton Longville? This would have a devastating effect on Newton Longville. MKC could similarly deny access to Shenley Park (WHA001) from the A421 or along the North Bucks Way, with the resulting traffic through Whaddon destroying the character, environment and safety of Whaddon village. Both authorities should be reminded that their failure to cooperate is a clear contravention of 2014's PPG (paragraph 3-008) and risks a non-adoption report recommendation from the Inspector. These important issues cannot simply be overlooked and must be resolved *before* identified development sites can be included in the Local Plan.

INFRASTRUCTURE AND ESSENTIAL PUBLIC SERVICES

The failure of AVDC and MKDC to cooperate by engaging in effective discussion and undertaking proper joint-working has also led to serious concerns regarding the provision of and long-term sustainability of essential public services. In summary, Shenley Park residents would reside in Aylesbury Vale, pay taxes to AVDC, but use taxpayer-funded services in Milton Keynes. For example:

- **EDUCATION:** WHA001 outline plans do not provide for a secondary school as it would 'not be viable'. Where then will children of secondary school age be educated? Especially when you consider that Milton Keynes' secondary schools are already at full capacity (and in any case are intended for MKC residents). More worryingly, how will their education be financed? Due to the lack of cooperation between AVDC and MKDC there has been no discussion (and therefore no agreement) on any transfers of taxes raised from residents of any of the identified development areas to MKDC in order to adequately fund secondary schools.
- **EMPLOYMENT:** Remarkably, the Main Modifications do not mention employment. It is highly likely that residents of Shenley Park (WHA001) would work in Milton Keynes. Transport infrastructure in Milton Keynes is already at breaking point and Whaddon has evidence of steadily increasing volumes of traffic, with corresponding increases in danger to both motorists and pedestrians. MKC's November 2019 refusal to consent access into Salden Chase from the A421 is a problem that is highly likely to apply to WHA001. Due to a lack of cooperation, insufficient thought has been given to linking future residents to their place of work. Without a sustainable transport plan, VALP, and in particular the inclusion of WHA001, is unsound.
- **HEALTHCARE AND AMBULANCE SERVICES:** Shenley Park (WHA001) does not provide for healthcare services. Residents will inevitably use health services located in Milton Keynes, especially Milton Keynes Hospital. Limited cooperation on budgeting for residents of Shenley Park's use of Milton Keynes Hospital has taken place and AVDC has only agreed to a single, one-off payment of £2m. There have been no discussions regarding the ongoing and financing of the provision of healthcare and ambulance services. Certainly

- a £2m one-off fiscal transfer will be a drop in the ocean compared to the ongoing cost of providing hospital services to approximately 2,900 new AVDC residents.
- **WASTE SERVICES:** Shenley Park (WHA001) does not provide for waste services. Residents will inevitably use waste services, including recycling facilities, located in Milton Keynes.
 - **POLICE SERVICES:** Shenley Park (WHA001) does not provide for police services. Residents in WHA001 will inevitably use and rely on police services located in Milton Keynes.
 - **FIRE SERVICES:** Shenley Park (WHA001) does not provide for fire services. Residents in WHA001 will inevitably use and rely on the fire prevention and extinguishing services located in Milton Keynes.

Milton Keynes Council (MKC) currently uses a tariff system to fund infrastructure and community facilities. Every new dwelling contributes £20,000. If WHA001 were located in Milton Keynes, the 1,150 new homes would raise c. £23m for MKC. As it stands, and due to a complete failure to cooperate, MKC will receive just £2m (nominally earmarked for MK hospital), instead of c. £23m (plus ongoing council tax revenue). Recognising that MKC is being asked to fund significant infrastructure and ongoing public services provision for AVDC residents, MKC members have suggested that a boundary change be considered to allow MKC to align the revenue collection and service provision for any new residents. This was immediately rejected by AVDC – in no small part due to the undeniable fact that WHA001 allows AVDC to collect a significant sum in council taxes whilst letting MKC bear the cost of providing many of their essential public services.

Referring to WHA001, the ‘suggested changes’ document mentions that *‘the development will use some facilities in Milton Keynes, given its proximity’* (paragraph f). The reference to ‘some’ is repeated in the Sustainability Appraisal Report Addendum in Section 9.9.1. ‘Some’ dependency is unacceptably vague. MM076 mentions a primary school and a small care home – but there is almost no mention of any public service provision for residents between primary school age and those entering a care home. AVDC must more clearly define which public services AVDC is providing and financing and which public services they are expecting MKC to provide and finance. Can AVDC confirm what discussions have taken place between AVDC and MKDC in relation to the provision of and the financing of essential public services? Has an agreement been reached? It is clear that there will be an almost *total* dependency of residents in WHA001 on public services provided by and paid for by Milton Keynes Council. Is it any wonder the members have serious reservation and are objecting even at this early stage in small but meaningful ways, such as refusing to grant planning permission for access roads from the A421?

The issue arising from the provision of all public services is that AVDC will collect local taxes, but it will be MKC that will bear the cost of providing essential public services – or not. Without cooperation, MKC will either refuse to provide services for residents of AVDC, or these services will be underfunded and deficient. Cooperation – and an agreement on fiscal transfers to fund joint services – must take place and be concluded before any discussion about development should begin. Without agreement on transfers of money to provide for the essential public services – or an agreed boundary change, the VALP is unsustainable, non-complaint and therefore unsound.

MEANINGFUL DEVELOPMENT BARRIER

In 1998, a study by Llewelyn-Davies (at the request of SERPLAN) concluded that the ‘Shenley Ridge forms a division between the urbanity of Milton Keynes and the rolling Buckinghamshire countryside’. The study repeated the earlier recommendations that future development be kept to the East of Shenley Ridge which *“forms a logical and obvious boundary to development”*.

The Public Inspector wrote that he did “*not see the logic of regarding the Whaddon Valley as a possible long-term development area. To do so disregards the qualities of the valley landscape and the merits of the Shenley Ridge as a logical and clear long-term boundary.*”. He concluded by confirming that in his view “*the combination of the character of the landscape and the distinctiveness of the ridge dictate that development should not “spill over” the ridge.*”

https://www.milton-keynes.gov.uk/planning-policy/documents/Part_1.pdf

The North Bucks Way is a natural continuation of the Shenley Ridge and therefore serious consideration should be given to the findings and conclusions of the Planning Inspector’s report (dated 7th April 2004). AVDC should conclude – alongside MKC – that the heavily wooded/hedged North Bucks Way should represent ‘*a logical and obvious boundary to development*’. It is illogical and unnecessary to expand the city boundary into WHA001. Milton Keynes’ own ‘Strategic Development Directions Consultation’ document (dated January 2016) identified the development areas in question, including WHA001, to be ‘*potential strategic green spaces and linear park extensions*’. Further evidence that there has been no serious co-ordination or joint strategic planning regarding development sites abutting local authority boundaries.

Even the AECOM Sustainability Appraisal – so heavily relied upon by VALP – confirms that ‘*significant development would be contrary to a Biodiversity Opportunity Area (BOA) and Bucks Green Infrastructure Plan objectives*’. Both Shenley Park (WHA001) and Salden Chase are within a Biodiversity Opportunity Area!

Without defining a natural development barrier, where would encroachment into the open countryside end? Buckingham? AVDC should mirror MKC’s ambitions to ensure ‘biodiversity’ and ‘natural processes’ are placed at the top of the agenda whilst celebrating the rich variety of wildlife by protecting landscapes and habitats etc. Many objectors to this amendment and development at Shenley Park (WHA001) will consider that AVDC is too easily influenced by profit-hungry developers – many of whom are already racing to secure development rights on tracts of agricultural land reaching as far as Buckingham town. This is evidenced by Crest Homes’ ‘Development Opportunity Plan (May 2014) showing future development directional arrows pointing even further west than the development proposed at Shenley Park (WHA001). Local Authorities in conjunction with local stakeholders should be defining future development areas based on sound planning practices, not developers with deep pockets and solely economic motives.

CONCLUSION

It is undeniable that AVDC has only included WHA001 at this late stage due to its failure to allocate housing in previously approved sites in Buckingham, Winslow, Haddenham etc. Why should the residents of South-West Milton Keynes – and Whaddon in particular – suffer the consequences of a poorly prepared submission only because AVDC failed to follow due process? Lack of time to prepare sound local area plans should not replace the need for adherence to sensible planning practice and regulations. There are serious and unanswered questions regarding the late inclusion of WHA001, lack of due process and representation, lack of official documents (and the complex manner in which they are presented to the public), environmental concerns (especially in relation to suggested development within a Biodiversity opportunity Area), concerns regarding the initial and ongoing cost of providing essential public services to residents of AVDC, not to mention the funding of and findings of the AECOM Sustainability Appraisal and a demonstrable failure of AVDC and MKC to cooperate and work jointly on even the most basic of issues such as site access.

Although I have focussed the attention of my objection on why WHA001 is totally unsuitable for development, resulting in an unsound and legally non-complaint VALP, if development must take

place in one or more of the identified sites, there are clearly more acceptable sites than Shenley Park, including Eaton Leys.

AVDC must now answer the following questions:

- Why was Shenley Park (WHA001) not considered suitable for the 2017 VALP?
- Why was it suddenly (and unexpectedly) included in the October 2019 modifications document?
- Does AVDC accept the inclusion of WHA001 at such a late stage is in breach of NPPF guidelines?
- Will AVDC publish the results of the research that led it to conclude there would only be 'some' dependence of residents, when even a brief glance through the published documents reveal that there would be an almost total dependence.
- Will AVDC publish the results of their discussions and cooperation with MKC – especially in relation to capacity building and ongoing financial sustainability of essential public services, including details of ongoing transfers AVDC will make to MKC.
- What degree of influence does the landowner and potential developer of WHA001 have on AVDC?
- In reaching their conclusions, AVDC appears to place disproportionate weight on the findings of the AECOM Sustainability Appraisal. Why? Can all parties be reassured that the AECOM findings are truly 100% impartial? And, in particular, free from any developer influence or bias?
- Will AVDC reopen the Inspector's Hearing Sessions? If not, why not?

Local residents, particularly those who in the historic Domesday village of Whaddon must be given the opportunity to formally object to the very serious and negative impacts such a large development will have on their village – especially on the environment and road safety. A re-opening of the Inspector's Hearing Sessions (with both AVDC and MKC present) is the only acceptable way forward. This would allow previous objectors and Whaddon residents who have been denied the opportunity to speak and object at a hearing to seek satisfactory answers to genuine concerns, including crucial transport, landscape and social issues.

Policy MM076, including all development at Shenley Park (WHA001) must be deleted from the VALP before adoption of the VALP occurs. Eaton Leys, Bletchley or Salden Chase should be considered sustainable replacements. Better still, alternative, more-sustainable sites should be identified closer to larger towns in Aylesbury Vale – thereby helping that town's sustainability and economy, rather than that of Milton Keynes.

From the online submission:

SUMMARY:

MM076 is demonstrably unsound and potentially unlawful. AVDC only included WHA001 at this late stage due to its failure to allocate housing in previously approved sites in Buckingham, Winslow, Haddenham etc. Why should the residents of South-West Milton Keynes (and Whaddon in particular) suffer the consequences of this rushed and poorly prepared amendment? What happened to adherence to sensible planning practice and regulations? There are serious and unanswered questions regarding the lack of notice, preparation, non-adherence to due process, lack of representation, lack of official documents (and the complex manner in which they are presented to the public), environmental concerns (especially in relation to suggested development within a Biodiversity opportunity Area), concerns regarding the initial and ongoing cost of providing essential public services, and question marks over the funding and findings of the AECOM

Sustainability Appraisal. There is also a demonstrable failure of AVDC and MKC to cooperate and work jointly.

AVDC must now answer the following questions:

- Why was Shenley Park (WHA001) not considered suitable for the 2017 VALP?
- Why was it suddenly (and unexpectedly) included in the October 2019 modifications document?
 - Does AVDC accept the inclusion of WHA001 at such a late stage is in breach of NPPF guidelines?
 - Will AVDC publish the results of the research that led it to conclude there would only be 'some' dependence of residents MK?
 - Will AVDC publish the results of their discussions and cooperation with MKC regarding the building of and AVDC's contribution towards the ongoing cost of provision of essential public services.
 - What degree of influence does the landowner and potential developer of WHA001 have over AVDC?
 - Why does AVDC place disproportionate weight on the findings of the AECOM Sustainability Appraisal? Is the report demonstrably 100% impartial and free from developer influence and bias?
 - Will AVDC reopen the Inspector's Hearing Sessions? If not, why not?

The Inspector's Hearing Sessions must be re-opened with both AVDC and MKC present. This would allow local residents to scrutinise proper plans, seek answers to their legitimate concerns regarding the environment, traffic, road safety and social issues - not to mention the precedent it would set for developers to destroy the rolling landscape of Buckinghamshire for years to come. Whaddon residents must be given the opportunity to formally object to the many negative consequences MM076 would have on their village. Shenley Park is a natural buffer between Whaddon and the urban sprawl of Milton Keynes. Other towns in Aylesbury Vale need to grow to survive. Even MKC don't want an appendage - in a different borough - bolted on to MK.

Respect the existing City Boundary - and allocate housing in a more appropriate and sustainable location.

CHANGES:

Policy MM076, including all development at Shenley Park (WHA001) must be deleted from the VALP before adoption of the VALP occurs.

Eaton Leys, Bletchley or Salden Chase should be considered sustainable replacements. Better still, alternative, more-sustainable sites should be identified closer to larger towns in Aylesbury Vale – thereby helping that town's sustainability and economy, rather than that of Milton Keynes.

If you wish to participate at any further examination hearing sessions, please outline why you consider this to be necessary.

The late inclusion of MM076, its level of unsoundness and questionable legality raises serious questions regarding the competence and motivation of those elected to represent us. I would much prefer to look my elected representatives in the eye when they attempt to answer the serious objections raised by Whaddon residents.