



# Land Off Osier Way, Buckingham

VALP Main Modifications Consultation  
Representations MM084



**Boyer**



For internal Use only	ID:		Rep No:	

# VALP Proposed Main Modifications Consultation

# RESPONSE FORM

Responses are encouraged via the Council's online consultation system available on the website, see <https://aylesburyvaledc.jdi-consult.net/localplan>. However, this form can be returned via email to [localplanconsult@aylesburyvaledc.gov.uk](mailto:localplanconsult@aylesburyvaledc.gov.uk) or in hard copy if necessary to:

Planning Policy, Aylesbury Vale District Council, The Gateway, Gatehouse Road, Aylesbury, Bucks, HP19 8FF

**The consultation runs from 12pm Tuesday 5 November until 5.15pm Tuesday 17 December**

This form has two parts:

Part A - Personal Details and Part B - Your comments

## PART A

### 1. Personal Details

Title	<input type="text" value="Mrs"/>
First Name	<input type="text" value="Alison"/>
Last Name	<input type="text" value="Walker"/>
Organisation <i>(Where relevant)</i>	<input type="text" value="Wates Developments"/>
Address Line 1	<input type="text" value="Wates House"/>
Address Line 2	<input type="text" value="Station Approach"/>
Address Line 3	<input type="text" value="Leatherhead"/>
Post Code	<input type="text" value="KT22 7SW"/>
E-mail Address	<input type="text" value="Alison.Walker@wates.co.uk"/>
Telephone Number	<input type="text" value="01372 861000"/>

### 2. Agent's Details (if applicable)

Title	<input type="text" value="Mr"/>
First Name	<input type="text" value="Christopher"/>
Last Name	<input type="text" value="Roberts"/>
Organisation	<input type="text" value="Boyer Planning"/>
Address Line 1	<input type="text" value="Crowthorne House"/>
Address Line 2	<input type="text" value="Nine Mile Ride"/>
Address Line 3	<input type="text" value="Wokingham"/>
Post Code	<input type="text" value="RG40 3GZ"/>
E-mail Address	<input type="text" value="christopherroberts@boyerplanning.co.uk"/>
Telephone Number	<input type="text" value="01344 753 090"/>

## PART B

# REPRESENTATION FORM

**Please Note:** You do not need to return this form if you have made the same comments via the council's online system for this consultation. Duplicates will not be considered.

**Please specify which Proposed Main Modification, part of the Sustainability Appraisal addendum or Habitat Regulation Assessment your comments relate to. Any representations on the content of the new evidence published alongside the Proposed Main Modifications must also relate to a specified Main Modification to the VALP or they will not be accepted. If you wish to comment on more than one Modification please use a separate form for each.**

e.g. MM001

MM084

**Do you support or object?**

Support  Object

**Do you consider the Local Plan to be legally compliant?**

Yes  No

**Do you consider the Local Plan to be sound?**

Yes  No

**If you do NOT consider the Local Plan to be sound, please specify on what grounds:**

Positively prepared  Justified  Effective  Consistent with National Policy

**Enter your full representation here:**

Our full representation is provided on the accompanying document.

**If your representation is more than 100 words, please provide a summary under 100 words here:**

The proposal to modify VALP Policy D-BUC046, such that development on that site must achieve 'at least' 420 dwellings, is problematic. It introduces a vague definition and would also penalise an applicant if less than 420 dwellings were proposed.

Additionally, the reference to the current status of the Neighbourhood Plan is unnecessary to make Policy D-BUC046 sound. It is also irrational, as the wording of the policy (as proposed to be modified) will be rendered incorrect in future.

**Please specify the changes you think are needed to be made to the proposed main modification. It will be helpful if you are able to put forward your suggested revised wording of any policy or text.**

Please refer to our accompanying representation.

**If the inspector decides further hearing sessions are needed would you wish to speak at these?**

Yes  No

**If Yes - you wish to speak at any further hearings, please outline why you consider this to be necessary:**

We request to participate in any further hearings, in order to aid the Inspector and ensure effective discussion of the issues raised in our representation.

**Do you wish to be notified...**

When the Inspector's report is published?

When the Vale of Aylesbury Local Plan is adopted?

**Vale of Aylesbury Local Plan: Responses should be returned to Aylesbury  
Vale District Council by 5.15pm Tuesday 17 December 2019  
(responses will not be accepted after this time)**

25 October 2019

## Privacy Notice for Vale of Aylesbury Local Plan (VALP) Main Modifications consultation

Aylesbury Vale District Council (AVDC) is committed to protecting your privacy when you use our services. The law requires us to give you a Privacy Notice which gives you details about how we use and protect your information.

### Our contact details are:

The Gateway, Gatehouse Road, Aylesbury, Buckinghamshire, HP19 8FF. Telephone: 01296 585858

Our Data Protection Officer is Mr Andy Barton. He can be contacted via [jbinning@aylesburyvaledc.gov.uk](mailto:jbinning@aylesburyvaledc.gov.uk) or telephone 01296 585495.

### What information will we collect about you:

- Name and address
- Contact details
- Job title/organisation (where relevant)
- Your comments/representations

### Why are we using your information?

We are asking for your information so that we can support the local planning process and creation of the Local Plan, including within the independent examination process. As a Local Planning Authority, the law requires us to carry out consultations for this purpose.

We can use your information because you have given us your permission to use it and we need to comply with the law. You may have rights to stop us using your information depending upon the stage of the local plan and the applicable legislation. If you want to check or stop us using your information you should email [localplanconsult@aylesburyvaledc.gov.uk](mailto:localplanconsult@aylesburyvaledc.gov.uk) and quote 'Vale of Aylesbury Local Plan consultations'.

If you do not give us your information or you stop us using your information (where possible) your comments or representation may not be taken into account within the local planning process and we may not be able to contact you with any follow up information on the plan's development, including the outcome of the independent examination.

Your information will normally be retained for the length of the plan period or until the plan is no longer in effect.

Your information is only used for the reasons above but if we need to use it for any other reason we will normally tell you.

### We may share your information with:

JDi Solutions who operate our online local plan consultation system for us. Your information is held in their system as result of representations you make, but only your name is published in relation to your representation. Importantly JDi Solutions are not permitted to do anything with your information other than provide it to us for our lawful use in relation to the preparation of the Local Plan

Once the consultation closes we are required by Regulations to share all valid and existing comments/representations with the independent Planning Inspector appointed by government to AVDC to undertake the examination. If the Inspector wishes to invite you to answer any follow up questions in response to your representation or invite you to attend any further public hearing for the purposes of the examination, we will share your contact information with the Inspector, via our appointed external Programme Officer, so he can contact you about the local plan.

**Please note that your name, organisation, system ID and representation will be made publically available. However your contact information will not be published in the report of representations and will be redacted if it appears in the body of your representation.**

### Automated Decision Making

We will not carry out any automated decision making. All decisions are made by a living person.

25 October 2019

## Your rights

You have legal rights over your information. For details of those rights, how long we keep your information and how we keep it safe, see our main Privacy Notice on [Privacy Notice page](#)

If you have any concerns and/or complaints you may write to Jackie Binning, Data Governance Manager, on email [jbinning@aylesburyvaledc.gov.uk](mailto:jbinning@aylesburyvaledc.gov.uk) or telephone

17<sup>th</sup> December 2019  
Our Ref: 18.6021/MN

Planning Policy  
Aylesbury Vale District Council  
The Gateway  
Gatehouse Road  
Aylesbury  
HP19 8FF

Crowthorne House  
Nine Mile Ride  
Wokingham  
Berkshire  
RG40 3GZ

T 01344 753220  
F 01344 753221

Dear Sir/Madam

## Aylesbury Vale Local Plan Main Modifications Consultation

### Representation on Behalf of Wates Developments Ltd., in Relation to Proposed Main Modification 0084

#### Representation

On behalf of our client, Wates Developments Ltd ('Wates'), please find below our response to proposed Main Modification 084 ('MM084'). This concerns Local Plan Policy 'D-BUC046' and the proposed allocation of Land off Osier Way, Buckingham, which Wates is seeking to bring forward.

An application for outline planning permission (ref. 19/00148/AOP) was submitted on 15<sup>th</sup> January 2019, and is being currently being considered by the Council in its capacity as Local Planning Authority ('LPA'). The application seeks consent for up to 420 dwellings, together with supporting infrastructure.

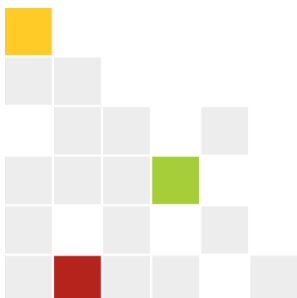
Our client objects to the proposal to modify Vale of Aylesbury Local Plan ('VALP') Policy D-BUC046 in the manner envisaged at MM084. There are two issues of concern.

Firstly, the wording of the policy is proposed to be modified to read;

*"Current neighbourhood plan status*

*Neighbourhood plan, made in October 2015. The land has no notation but is outside the settlement boundary. The neighbourhood plan is in early stages of review." (Emphasis our own).*

The proposal to describe the progress of the Neighbourhood Plan review is unnecessary to make Policy D-BUC046 sound. It is also not a rational statement, as the VALP sets out a spatial and development strategy up to 2033. It is highly likely that the Buckingham Neighbourhood Development Plan will have been reviewed (at least once) by 2033. As such, the proposed wording will be rendered incorrect in future and risks becoming misleading as a consequence. Accordingly, this part of MM084 should be rejected and deleted.



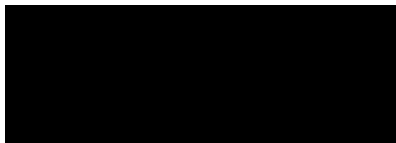
Secondly, a further concern, is that the 'site-specific requirements' set out in Policy D-BUC046 are proposed to be modified such that the development (of Land off Osier Way) will be required to provide "*at least*" 420 dwellings, rather than "*around*" 420 dwellings, as was the case in the Proposed Submission VALP.

This proposed modification is not justified, because it creates ambiguity concerning the scale of appropriate development. For example, 'at least 420 dwellings' could mean 421 dwellings, or it could mean 600. Conversely, a proposal for 419 dwellings (i.e. less than 420) could be regarded as being contrary to Policy D-BUC046 and attract negative weight as a consequence. In these respects, the proposed modification undermines the clarity and effectiveness of the VALP.

It is suggested that the reference to 'at least' should be replaced with 'approximately' or reverted to 'around' (as previously envisaged), as the common understanding of these terms (in this context) would be taken to mean a figure in the order of 420 dwellings. This would allow for the applicant to respond to site specific considerations and provide an appropriate scheme, without the risk of conflict with the Development Plan.

Separately, it is noted Main Modification MM010 proposes to describe the overall VALP housing requirement as "*a total of at least 28,600...*" (Emphasis our own). It is considered that making this change is sufficient to signal the Council's intention to exceed the overall housing requirement. There is no need to apply the same terminology to site-specific policies within the VALP, as (for the reasons described) this could result in unintended consequences that may undermine effective delivery.

Yours sincerely

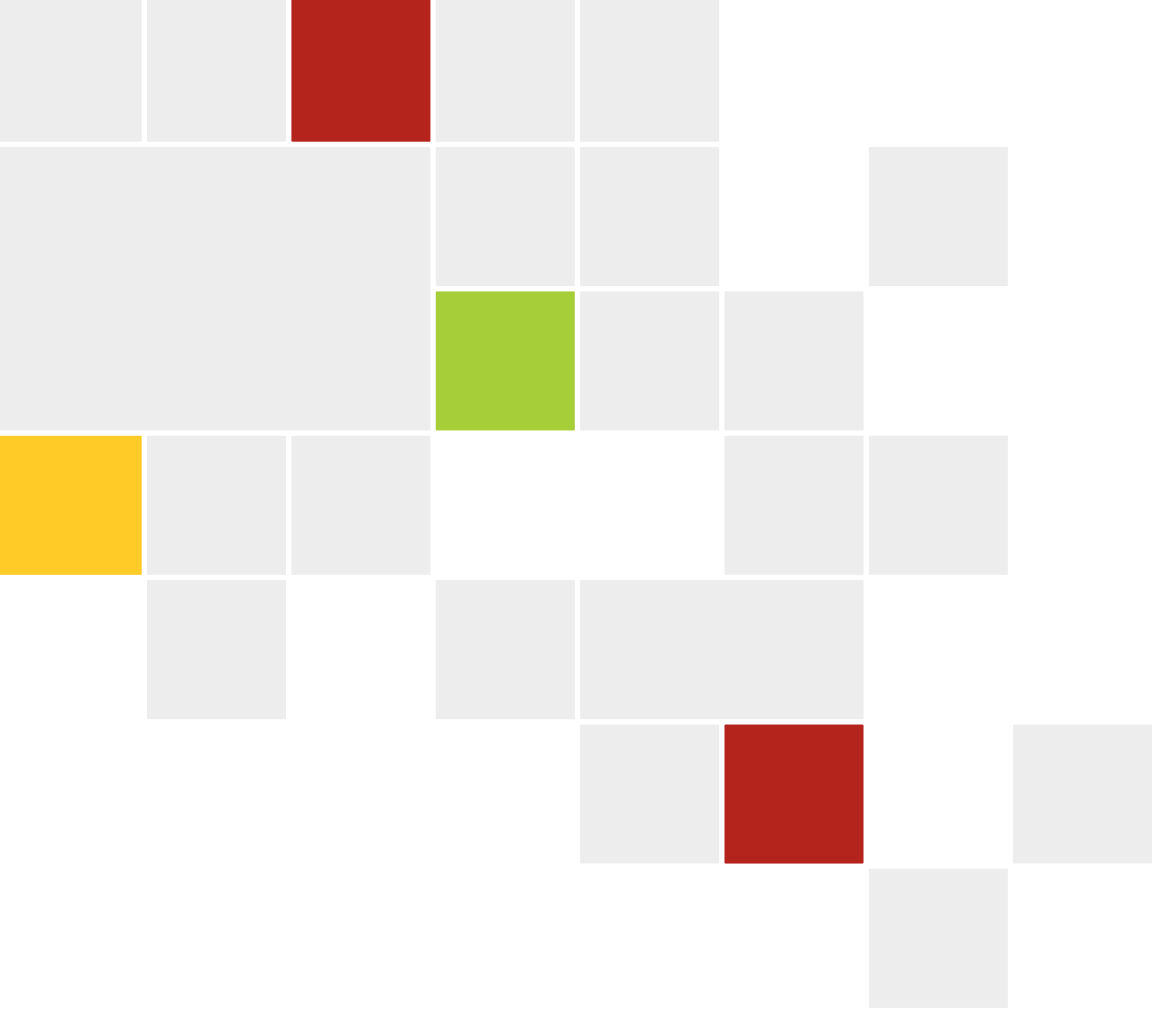
A black rectangular box redacting the signature of Mike Newton.

**Mike Newton**  
Director

Tel: 01344 753 225

Email: [mikewton@boyerplanning.co.uk](mailto:mikewton@boyerplanning.co.uk)





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