

Buckinghamshire and Milton Keynes Natural Environment Partnership: Response to the VALP Main Modifications Consultation

In the “suggested change column” – current Plan text is shown in black; underlined text shows the main modification; **any amendments / text in red shows the NEP’s recommendations as tracked changes, to bring in line with national policy and make the proposed main modifications and the Plan sound.**

Modification	NEP comment / representation	Suggested change	Basis (e.g. legal compliance or soundness)
<p>Related to MM017 (pg 46, Para 3.41) and MM018 (pg 48, S5) – and MM246 (pg 256, 11.1)</p> <p>Additional modification AM 036 3.38 –</p> <p>Also in Glossary “Green Infrastructure”</p> <p>(See also the NEP’s response to MM246)</p>	<p>The revised definition of green infrastructure includes reference to an ANGSt-compliant network – now including “woodland, natural and semi-natural habitats for wildlife, Local nature Reserves and Local Wildlife Sites...footpaths, cycleways...and other recreational routes” as well as “transport routes”.</p> <p>The NEP strongly argues that its representation on this is considered – as i) it relates to the main modifications MM017 and MM018 ; and ii) <u>some of the suggested amendments are not sound and could lead to perverse outcomes.</u></p> <p>The NEP has several concerns with the revised definition:</p> <ul style="list-style-type: none"> • “<i>transport routes</i>”, <i>footpaths</i>” [undefined, but could mean residential pavements for example], “<i>cycleways</i>” and “<i>other recreational routes</i>” are being listed as types of green infrastructure. <p>The NEP is concerned with this definition and recommends removal. Whilst these are potentially sustainable travel routes, and could be green infrastructure if wildlife grew along them, they should not be confused with having an equivalent</p>	<p>“...green infrastructure – a network of <u>ANGSt compliant</u> high quality, multi-functional green spaces which improve connectivity of towns and villages and the wider countryside. It also delivers ecological enhancements, and economic and social quality of life benefits for local communities at both the local and strategic level. It can include green corridors, such as hedgerows or transport routes, and open green spaces, such as parks and historic parks, allotments, and-country parks, commons and village greens, private gardens, sustainable drainage features, green roofs and walls, street trees and “blue infrastructure” such as streams, ponds, canals and other water bodies. woodland, natural and semi-natural habitats for wildlife, Local Nature Reserves and Local Wildlife Sites, historic parks, ancient monuments and landscapes, watercourses, lakes, ponds, footpaths, cycleways, allotments and other recreational routes.”</p> <p>See also the NEP’s response to MM246 below – which also covers this point.</p>	<p>Soundness –justified; Soundness – effective Soundness - consistency with national policy</p> <p>Existing PPG and accepted definitions for green infrastructure do not include transport routes, footpaths, cycleways or other recreational routes</p> <p>e.g. NPPF (NPPF 2018 pg 67, glossary, NEP underlining) <i>“Green Infrastructure – a network of multi-functional green space, urban and rural, which is capable of delivering a wide range of environmental and quality of life benefits for local communities.”</i></p> <p>PPG (Planning Practice Guidance) Green Infrastructure (Natural Environment Section) <i>“What can green infrastructure include?”</i> <i>Green infrastructure can embrace</i></p>

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	<p>meaning to “green infrastructure”.</p> <p>Provision of a cycleway or a footpath should not count towards provision of green infrastructure.</p> <p>A cycleway or footpath does not provide the same biodiversity, wildlife or ecosystem services for people as truly “green” infrastructure would – e.g. contribution to local air quality, shading, flood risk reduction, pollination, linking habitats for biodiversity and wildlife, vegetation for carbon uptake, etc.</p> <p>Transport routes, footpaths and cycleways should not be confused with green infrastructure and their inclusion could, therefore, lead to perverse outcomes.</p> <ul style="list-style-type: none"> • “allotments” are listed twice in the revised definition. • There is no definition of “ANGSt” included here (but there should be)- or justification /explanation as to why it might be important to consider in terms of infrastructure covering services and facilities. • Including “Local Nature Reserves” and 		<p><i>a range of spaces and assets that provide environmental and wider benefits. It can, for example, include parks, playing fields, other areas of open space, woodland, allotments, private gardens, sustainable drainage features, green roofs and walls, street trees and ‘blue infrastructure’ such as streams, ponds, canals and other water bodies. References to green infrastructure in this guidance also apply to different types of blue infrastructure where appropriate.</i></p> <p><i>Paragraph: 004 Reference ID: 8-004-20190721</i></p> <p><i>Revision date: 21 07 2019”</i></p> <p>Other accepted definitions of GI that also do not include any reference to hard-standing areas or sustainable transport routes include:</p> <p>European Strategy for GI (2013) (Para 1.2)</p> <p>Buckinghamshire Green Infrastructure Strategy 2009 (see pg 2)</p>

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	<p>“Local Wildlife Sites” in the definition of green infrastructure might give the impression that such sites are infrastructure provision and should be accessible, rather than valuable intrinsically for wildlife. It is essential to understand that, in line with the Buckinghamshire and Milton Keynes Natural Environment Partnership’s “Vision and Principles for the Improvement of Green Infrastructure in Buckinghamshire and Milton Keynes” – “some wildlife habitats that are particularly sensitive to human disturbance may not be suited to multi-functionality including access. But sites, routes and links taken together should seek to create a multi-functional and connected network.”</p> <p>So not all GI provision can be, or should be, multi-functional.</p>		<p>Buckinghamshire Green Infrastructure Delivery Plan (2013) (see pg 3)</p> <p>Aylesbury Vale Green Infrastructure Strategy (2011) – see pg 4.</p> <p>Buckinghamshire and Milton Keynes Natural Environment Partnership’s 2016 “Vision and Principles for the Improvement of Green Infrastructure in Buckinghamshire and Milton Keynes” - see pages 1-2 (2016)</p> <p>ANGSt definitions of “natural” and “green infrastructure” – Natural England, “Nature Nearby” Accessible Natural Greenspace guidance (2011)</p> <p>“Natural”- Proxy measures of land use when determining what is “natural” – Annex 2, page 48. There is no mention of hard surfaces:</p> <p>“Green Infrastructure - <i>“A strategically planned and delivered network comprising the</i></p>

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			<p><i>broadest range of high quality green spaces and other environmental features. Designed and managed as a multi-functional resource capable of delivering those ecological services and quality-of-life benefits required by the communities it serves and needed to underpin sustainability. Its design and management should also respect and enhance the character and distinctiveness of an area with regard to habitats and landscape types."</i></p>
SECTION 9 – NATURAL ENVIRONMENT			
<p>MM224 Pg 222 Section 9</p>	<p>The new paragraph 9.9 inserted should include the definition of priority habitats and species with reference to the NERC Act 2006, per the NPPF .</p>	<p>Priority habitats are those habitats that were identified as being the most threatened and requiring conservation action under the UK Biodiversity Action Plan (UK BAP). Priority habitats and priority species are also defined under section 41 of the Natural Environment and Rural Communities Act 2006, and are not always fully protected under UK wildlife laws.</p> <p>However, they can be sensitive to development and both national and local priority species and habitats are capable of being a material consideration when determining planning applications. Priority Habitats in Aylesbury Vale include the following: Lowland Calcareous Grassland, Lowland Meadow, Lowland Beech and Yew Woodland, Lowland Mixed Deciduous, Wet Woodland Wood Pasture and Parkland, Flood Plain Grazing</p>	<p>Soundness – consistency with national policy</p> <p>NPPF (2018) Annex 2 (Glossary) defines Priority habitats and species as: <i>Species and Habitats of Principal Importance included in the England Biodiversity List published by the Secretary of State under section 41 of the section 41 of the Natural Environment and Rural Communities Act 2006.</i></p>

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		Marsh, Eutrophic Standing Water, Lowland Fens, Ponds, Reedbeds, Rivers, Arable Field Margins, Hedgerows, Lowland Heathland, Open Mosaic Habitats on Previously Developed Land, Traditional Orchard. Although not always protected under UK wildlife laws, these sites may have been designated as nationally important such as a SSSI, Ancient Woodland or locally important, such as a Local Wildlife Site.	
	<p>The paragraph about the “biometric calculator” requires some corrections for clarity – to more clearly set out that:</p> <ul style="list-style-type: none"> i) “biometric” is not the correct term for the biodiversity metric. Biometric refers to human body measurements and calculations. ii) The application of the mitigation hierarchy requires avoidance, then exploitation of all <u>on-site</u> avoidance, mitigation and compensation opportunities, before seeking any off-site offsets to achieve a net gain; iii) Paragraph 9.14 also currently says “A negative unit loss would need to be offset”. This statement is confusing as it could be interpreted that ‘loss’ is acceptable. The emphasis should be on achieving net gain (on-site in so far as possible through the mitigation hierarchy). 	<p>A biodiversity impact assessment calculator applies a statistical analysis to ecological biological data and measures the habitat gains or losses of a development and then quantifies how many “biodiversity units” would be lost or gained. Any development would need to generate a net gain so the unit figure would need to be positive. A negative unit loss would require biodiversity impacts of development to be avoided, mitigated or compensated for on-site - or (and only where all on-site opportunities have been exhausted) compensated for offsite (an “offset”) - in line with full operation of the mitigation hierarchy at NE1 (d) – to achieve a net gain. need to be offset.</p> <p>The biodiversity unit value, where offsets are needed, can be equated to monetary value, and the relevant details will be considered in the SPD. In this way, a biodiversity impact assessment calculator quantifies how many biodiversity units would need to be paid for by a development in order to offset any net biodiversity loss that remains after having followed the mitigation hierarchy on-site. Offset providers are able to offer for sale conservation projects that deliver biodiversity units, and these may be bought by a developer. Developer contributions will need to seek to show a net gain using the biodiversity impact assessment calculator.</p> <p>Prior to the SPD being adopted, or a Buckinghamshire Biometric Calculator being formally agreed between Buckinghamshire</p>	<p>Soundness – effective (clarity)</p> <p>Paragraph 170 of NPPF refers to net gain. It specifically states that:</p> <p><i>“Planning policies and decisions should contribute to and enhance the natural and local environment by: ... d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures...”</i></p>

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	<p>iv) It is the Buckinghamshire and Milton Keynes Natural Environment Partnership, the area's Local Nature Partnership, using its combined partnership expertise, that is leading the work on the Bucks & MK biodiversity net gain scheme, not just the Buckinghamshire Councils;</p> <p>And</p> <p>i) That the "Warwickshire" metric refers to the <i>most recent version</i> of the metric being used by Warwickshire County Council.</p> <p>ii) That the Warwickshire metric is one of a number available. Consideration could, for example, also be given to the recently-published Defra metric 2.0 released as a test / beta metric.</p>	<p>Councils, Warwickshire's current Biometric Calculator should be used to determine the quantitative ecological impact of any development.</p> <p>A best-practice methodology should be used to determine the quantitative ecological impact of any development – for example based the most recent Warwickshire County Council's current Biometric biodiversity impact assessment calculator – until a formally-agreed local approach is set out in the SPD, agreed between Buckinghamshire Councils in conjunction with the Buckinghamshire and Milton Keynes Natural Environment Partnership.</p>	
<p>MM228 Pg 222 NE1</p>	<p>The NEP suggests some amendments to make the policy clearer to interpret and understand, in particular with reference to:</p> <p>i. Protected sites –to reinstate reference to SSSIs, irreplaceable habitats such as ancient trees or woodland. These are not mentioned elsewhere and are specifically highlighted in the NPPF (SSSI at 175b;</p>	<p>NE1 Protected Sites Biodiversity and Geodiversity</p> <p>Protected Sites</p> <p><u>Internationally or nationally important Protected Sites (SACs and SSSIs) and species will be protected. Avoidance of likely significant adverse effects should be the first option.</u> <u>Development likely to affect the Chiltern Beechwoods SAC will be subject to assessment under the Habitat Regulations and will</u></p>	<p>Soundness – justified Soundness – effective (clarity) Soundness – consistency with national policy</p> <p>NPPF Paras 174 – 177 Specifically:</p>

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	<p>irreplaceable habitats at 175c)</p> <p>ii. In NE1 (a) to make it clear that it is not just SSSIs that are being referred to here, but features of sites of international or national importance – and protected sites and species; also that the NPPF (Para 175b) states that development proposals leading to adverse impacts should not normally be permitted –it does not have to be a “significant” adverse impact in this instance.</p> <p>iii. In NE1 (c), to make clear the biodiversity net gain requirement applies to all development except for householder applications (and particular exceptions to be specified in an SPD).</p> <p>iv. In NE1 (d) what might be meant by “significant harm”. The description of the mitigation hierarchy in this paragraph is about what happens with a net loss in biodiversity as calculated using a metric that uses impacts on habitats as a proxy for affects on species. “Significant harm” is a different term – with a different meaning based on ecological loss.</p> <p>v. In NE1 (d) to set out more clearly how, in the case of a habitat-based calculated net loss (e.g. calculated via an accepted</p>	<p><u>not be permitted unless any significant adverse effects can be fully mitigated.</u></p> <p>Development proposals that would lead to an individual or cumulative significant adverse impact <u>on an internationally or nationally important Protected Site or species SSSIs, such as SSSIs, or irreplaceable habitats such as ancient woodland or ancient trees,</u> will be refused unless exceptional circumstances can be demonstrated and that the impacts to the site are clearly out weighed by the benefits of development as follows:</p> <p>Sufficient information must be provided for the Council to assess the significance of the impact against the importance of the protected site and the species which depend upon it. This will include the area around the protected site. Planning permission will be granted only where:</p> <p>a. the benefits of the development affecting the site clearly significantly and demonstrably outweigh both the any adverse impacts on the protected site and the ecosystem it provides that it is likely to have on the features of the site that make it internationally or nationally important of special scientific interest and any broader impacts on the national network – for example <u>of Sites of Special Scientific Interest, and</u></p> <p>b. the loss can be mitigated and compensation can be provided <u>to achieve a net gain of equivalence in biodiversity/geodiversity.</u></p> <p>Sufficient information must be provided for the Council to <u>assess the significance of the impact against the importance of the Protected Site and the protected or priority species which</u></p>	<p>NPPF - mitigation hierarchy (on site first then offsite) Para 175a</p> <p>NPPF - significant harm Para 175a (NPPF 2018)</p> <p><i>“...if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused...”;</i></p> <p>NPPF - irreplaceable habitats Para 175c</p> <p><i>“c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons⁵⁸ and a suitable compensation strategy exists; ...”</i></p> <p>NPPF - Priority habitat and</p>

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	<p>metric), the mitigation hierarchy should require on-site avoidance, mitigation and compensation first, and offsite-offsets only as a last resort. This is different, and should not be confused / amalgamated with, what would happen in the case of “significant harm” – an ecological term (not necessarily based on units from a metric that reviews impacts on habitats as a proxy for impact on species) - where the mitigation hierarchy gives strong protections. It is recommended this is made clear in Policy NE1.</p> <p>vi. In NE1(e), the meaning of a site of regional or local importance and that this includes LWS and LGS</p> <p>vii. In NE1 (e) – to explain the meaning of a “habitat of principal importance” – that this is known as a priority habitat.</p> <p>viii. Make clear the expectations overall for plan to promote the conservation and restoration and enhancement of priority habitats, ecological networks, priority species and to secure measurable net gains for biodiversity.</p> <p>ix. In NE1 (f), ecological surveys should be consistent with standards and also guidance – e.g. the CIEEM Ecological</p>	<p><u>depend upon it. This will include the area around the Protected Site and the ecosystem services it provides and evidence that the development has followed the mitigation hierarchy set out in (d) below development has followed a mitigation hierarchy of avoid, then mitigate if avoidance cannot be achieved – then compensate/offset if mitigation cannot be achieved. Avoidance will require the applicant the applicant to demonstrate that the development could not be located in an alternative, less harmful location.</u></p> <p><u>Protection and enhancement of Biodiversity and Geodiversity</u></p> <p>To protect and enhance biodiversity and geodiversity, plans should should promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity.</p> <p><u>Protection and enhancement of biodiversity and geodiversity will be achieved by the following:</u></p> <p>c. <u>A net gain in biodiversity on minor and major developments (except householder applications) will be sought by protecting, managing, enhancing and extending existing biodiversity resources, and by creating new biodiversity resources. These gains must be measurable using best practice in biodiversity and green infrastructure accounting and in accordance with any methodology (including a biometric calculator) to be set out in a future Supplementary Planning Document.</u></p>	<p>species NPPF (2018) Annex 2 (Glossary) defines Priority habitats and species as: “<i>Species and Habitats of Principal Importance included in the England Biodiversity List published by the Secretary of State under section 41 of the section 41 of the Natural Environment and Rural Communities Act 2006.”</i></p> <p>Protected or priority species or their habitats NPPF Para 174b</p> <p>NPPF Para 176-177 – re giving the same protection to habitats sites.</p> <p>Irreplaceable habitats Para 175c “<i>development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons⁵⁸ and a suitable compensation strategy exists; “</i></p> <p>Local nature reserves NPPF Para 174. “<i>To protect and enhance</i></p>

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	<p>Report Writing guidance.</p> <p>x. In NE1(g) the expectations for planning when a development is proposed on a Priority Habitat. Text from the NPPF (2018) should be incorporated in to this section of the Plan .</p> <p>Specifically, paragraph 174 (b) <i>“To protect and enhance biodiversity and geodiversity, plans should:....</i> <i>b) promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity.”</i></p> <p>xi. In NE1 (g) – to remove the last sentence regarding assessing whether advantages outweigh the disadvantages of development to the protected site and local community v adverse impacts. This is not in line with the NPPF and it is not clear the basis on which it is included. <i>“The only exception will be where the advantages of development to the protected site and the local community clearly outweigh the adverse impacts. In such a case, the Council will consider the wider implications of any adverse impact</i></p>	<p>d. If significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or as a last resort, compensated for, then development will not be permitted. If a net loss in biodiversity is calculated, using a suitable biometric calculator (see c), then avoidance, mitigation and compensation, on-site first, then off-site must be sought so the development results in a net gain in order for development to be permitted. Mitigation, compensation and enhancement measures must be secured and should be maintained in perpetuity.</p> <p>e. Development which would result in damage to or loss of a site of biodiversity or geological value of regional or local importance (such as Local Wildlife Sites or Local Geological Sites) including habitats of principal importance (known as Priority habitats), or species of principal importance (Priority Species) or their habitats will not be permitted except in exceptional circumstances where the need for, and benefits of the development significantly and demonstrably outweigh the harm it would cause to the site, and the loss can be mitigated and compensation provided to achieve a net gain in biodiversity/geodiversity</p> <p><i>(suggested new paragraph here)</i> Development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.</p> <p>f. The Council will, where appropriate, expect ecological surveys</p>	<p><i>biodiversity and geodiversity, plans should:</i></p> <p><i>a) Identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity; wildlife corridors and stepping stones that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation; and...”</i></p> <p>Local Biodiversity Action Plan: Buckinghamshire and Milton Keynes Natural Environment Partnership’s Biodiversity Action Plan – “Forward to 2020” available here: https://bucksmknep.co.uk/projects/forward-to-2020-biodiversity-action/</p> <p>CIEEM Ecological Report Writing guidance</p>

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	<p><i>to a protected site, such as its role in providing a vital wildlife corridor, mitigating flood risk or ensuring good water quality in a catchment.”</i></p> <p>xii. The definition of a priority habitat or priority species should be included in the glossary –per the NPPF (2018) –which refers to the definition in the NERC Act 2006 - should be included for clarity at Para 9.9 and in the Glossary.</p> <p>xiii. The Biodiversity Code of Practice referred to in NE1 (f) should be BS42020 (not BS2020 –i.e. the 4 has been missed)</p> <p>xiv. In NE1 (i) To correct - that the NEP’s Biodiversity Action Plan (BAP) does not just solely focus on creating priority habitat within Biodiversity Opportunity Areas, but in areas of local biodiversity priority.</p> <p>xv. In NE(i), it should not the amount of information available about a site that determines its significance and importance for biodiversity.</p> <p>NE1 Protected Sites has clearly been written based on paragraph 175 of the NPPF 2018, which is appropriate. However, paragraphs 176 and 177 of the NPPF also relate to protected sites and it</p>	<p>for planning applications. These must be undertaken by a suitably qualified person and consistent with nationally accepted standards and guidance (BS 42020:Biodiversity – Code of Practice for planning and development; and CIEEM Ecological Report Writing guidance) as replaced</p> <p>g. Where development proposals affect a Priority Habitat (As defined in the Buckinghamshire and Milton Keynes Biodiversity Action Plan or UK Biodiversity Action Plan and as listed in accordance with s41 of the NERC Act 2006) then mitigation should not be off-site. Where no Priority Habitat is involved then mitigation is expected to follow the mitigation hierarchy, where options for avoidance, mitigation and compensation on-site, and then offsite compensation, should be followed in that order as outlined in d. can be of site. When there is a reasonable likelihood of the presence of protected or priority species or their habitats, development will not be permitted until it has been demonstrated that the proposed development will not result in adverse impacts on these species or their habitats. The only exception will be where the advantages of development to the protected site and the local community clearly outweigh the adverse impacts. In such a case, the Council will consider the wider implications of any adverse impact to a protected site, such as its role in providing a vital wildlife corridor, mitigating flood risk or ensuring good water quality in a catchment.</p> <p>h. Development proposals will be expected to promote site permeability for wildlife and avoid the fragmentation of wildlife corridors, incorporating features to encourage biodiversity, and retain and where possible enhance existing features of nature conservation value on site. Existing ecological networks should</p>	

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	<p>appears these have not been considered in NE1, or at least they are not easily identifiable as having been considered. It is recommended that this wording is incorporated in to the VALP for the avoidance of any doubt as to the definition/protection of a protected site/habitat:</p> <p><i>“176. The following should be given the same protection as habitats sites:</i></p> <p><i>a) potential Special Protection Areas and possible Special Areas of Conservation;</i></p> <p><i>b) listed or proposed Ramsar sites; and</i></p> <p><i>c) sites identified, or required, as compensatory measures for adverse effects on habitats sites, potential Special Protection Areas, possible Special Areas of Conservation, and listed or proposed Ramsar sites.</i></p> <p><i>177. The presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site.”</i></p>	<p><u>be identified and maintained to avoid habitat fragmentation, and ecological corridors including water courses should form an essential component of green infrastructure provision in association with new development to ensure habitat connectivity.</u></p> <p>i. <u>Planning conditions/obligations will be used to ensure net gains in biodiversity by helping to deliver the Buckinghamshire and Milton Keynes Biodiversity Action Plan targets in the biodiversity opportunity areas and other areas of local biodiversity priority.</u> Where development is proposed within, or adjacent to, a biodiversity opportunity area, biodiversity surveys and a report will be required to identify constraints and opportunities for biodiversity enhancement. <u>Development which would prevent the aims of a biodiversity opportunity area from being achieved will not be permitted. Where there is potential for development, the design and layout of the development should secure biodiversity enhancement and the Council will use planning conditions and obligations as needed to help achieve the aims of the biodiversity opportunity area. A monitoring and management plan will be required for biodiversity features on site to ensure their long-term suitable management (secured through planning condition or Section 106 agreement).</u></p> <p>j. <u>Development proposals adversely affecting a local nature reserve will be considered on a case-by-case basis, according to the amount of information available about the site and its significance and importance for biodiversity, relative to the type, scale and benefits of the development being proposed and any mitigation. Any mitigation strategy will need to include co-operation with the nature reserve managers and consider</u></p>	

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		<p><u>the importance of the site to wider ecological networks..</u></p> <p>k. The following should be given the same protection as habitats sites:</p> <p>a) potential Special Protection Areas and possible Special Areas of Conservation;</p> <p>b) listed or proposed Ramsar sites; and</p> <p>c) sites identified, or required, as compensatory measures for adverse effects on habitats sites, potential Special Protection Areas, possible Special Areas of Conservation, and listed or proposed Ramsar sites.</p> <p>The presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site.</p>	
<p>MM231 Pg 225 Para 9.17</p>	<p>To strengthen the wording around what the SPD will expect in terms of using a biodiversity metric to measure impacts from development on biodiversity.</p> <p>To clarify the NEP’s role in working with the Buckinghamshire councils to develop a consistently biodiversity net gain scheme for the area.</p> <p>To make the policy clearer and easier to interpret.</p> <p>To correct the term “biometric” to biodiversity.</p>	<p>In order to <u>implement achieve</u> criterion (a) of the policy below, a supplementary planning document (SPD) will be prepared, working with the other Buckinghamshire councils in conjunction with the Buckinghamshire and Milton Keynes Natural Environment Partnership on a mechanism, to <u>explain how the policy objective of achieve no net loss and ‘net gain’ can be achieved. ‘Net gain’ means protecting existing habitats and ensuring lost or degraded environmental features are compensated for by restoring or creating environmental features that are of greater value to wildlife and people.</u> The SPD will set out the expectations to use a recognised consider the possibilities of adopting a biodiversity impact assessment metrics calculator to quantify gains and losses and consider the</p>	<p>Soundness – effective Soundness - justified</p>

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		threshold of development this should apply to, and how the requirement for net gain system will be managed and monitored.	
MM227 Pg 222 Para 9.4	There is no reference in this section to the statutory protection afforded to Local Nature Reserves. It is recommended that this is included.	Local nature reserves are places with wildlife or geological features that are of special interest locally, and should be safeguarded . There are local nature reserves at Buckingham (Buckingham Sand Pit, Coombs Quarry) and at Haddenham (Snakemoor). Development proposals adversely affecting a local nature reserve will be considered on a case-by-case basis, according to the amount of information available about the site and its significance, relative to the type, scale and benefits of the development being proposed and any mitigation. Any mitigation strategy will need to include co-operation with the nature reserve managers.	Soundness – consistency with national policy NPPF Para 174a <i>To protect and enhance biodiversity and geodiversity, plans should:</i> <i>“Identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity; wildlife corridors and stepping stones that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation; and ... “</i>
SECTION 11 – DETAILED INFRASTRUCTURE			
MM246 Pg 256 Para 11.1	The NEP strongly disagrees with the insertion of the definition of green infrastructure for the VALP, to now include market squares and other hard surfaced community areas. No justification of why these have been included has been given. <u>Including hard surfaces in a Green Infrastructure</u>	Green infrastructure Green infrastructure is a strategically planned network of high quality multi-functional green spaces in both urban and rural areas as well as associated features such as trees, hedgerows, ponds, waterways, green roofs and green walls. It is designed, developed and managed to meet the environmental, social and economic needs of communities and wildlife. The term includes	Soundness – justified Soundness – effective Soundness – consistency with national policy Existing PPG and accepted

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	<p><u>definition is concerning for three main reasons - because it:</u></p> <ol style="list-style-type: none"> Does not adhere to national policy or recognised definitions or practice of green infrastructure – including latest PPG definition of green infrastructure, European GI Strategy definition, Natural England’s definitions within the ANGSt suite of documents, and local definitions – including the Aylesbury Vale Green Infrastructure Strategy (2011) and the Bucks & MK Natural Environment Partnership (2016) definitions - so is unsound; Does not adhere to ANGSt definitions of publicly-accessible “<u>natural</u>” green spaces or the “Nature Nearby” examples of “natural” spaces or green infrastructure definition – so the new VALP wording is internally inconsistent with the policy around ANGSt. <p>The revised draft VALP at Paras 11.7 and 11.8 indeed cites the ANGSt requirements for “...access to good quality natural greenspace near where they live”. Para 11.8 specifically quotes from Natural England’s “Nature Nearby” publication (2011) that a “natural” space must be “...a place where human control and activities</p>	<p>open green spaces such as parks and gardens, country parks, allotments, cemeteries, green corridors (potentially including cycleways and rights of way), village greens and trees. It also includes informal amenity green spaces and accessible countryside such as river and canal corridors, woodland, natural grassland, wetlands, lakes and nature reserves (<u>water related green infrastructure is also known as ‘Blue Infrastructure’</u>). For the purposes of the VALP, ‘Green Infrastructure’ includes civic spaces, including market squares and other hard surfaced community areas used for community activities. <u>Where the VALP site allocations require (or development coming forward on any other site that would be required to meet the standards in Policy I1) the provision of ‘green infrastructure’, private green spaces such as residential gardens do not count towards meeting this requirement as they are not publicly accessible natural green space and so do not meet Natural England’s definition of ANGSt in para 11.8.</u></p>	<p>definitions for green infrastructure do not include cycleways or hard-surfaced community areas such as market squares or civic spaces.</p> <p>e.g. NPPF Glossary (NPPF 2018 pg 67) <i>“Green Infrastructure – a network of multi-functional green space, urban and rural, which is capable of delivering a wide range of environmental and quality of life benefits for local communities.”</i></p> <p>PPG (Planning Practice Guidance) Green Infrastructure (Natural Environment Section) “What can green infrastructure include?” <i>Green infrastructure can embrace a range of spaces and assets that provide environmental and wider benefits. It can, for example, include parks, playing fields, other areas of open space, woodland, allotments, private gardens, sustainable drainage features, green roofs and walls, street trees and ‘blue infrastructure’ such as streams, ponds, canals and other</i></p>

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	<p><i>are not intensive so that a feeling of naturalness is allowed to predominate”.</i></p> <p>However - nowhere in the “Nature Nearby” Accessible Natural Greenspace guidance document, where ANGSt (Access to Natural Greenspace Standard) is explained, or in the example sites provided there, does it suggest that hardstanding community areas such as market squares and similar civic spaces would qualify as “natural”. The guidance suggests that such spaces could take many forms –“from a space dedicated to wildlife to more local nature such as a village common, the local park, the scrap of land at the bottom of the street” – so this about nature being nearby – not hardstanding surfaces being nearby.</p> <p>To emphasise the point and the need for consistency with ANGSt and other definitions and practice - , the “Nature nearby” publication includes the following:</p> <ul style="list-style-type: none"> • Definition of “green infrastructure” (pg 8): <i>“Green Infrastructure – A strategically planned and delivered network comprising the broadest range of high quality green spaces and</i> 		<p><i>water bodies. References to green infrastructure in this guidance also apply to different types of blue infrastructure where appropriate.</i></p> <p><i>Paragraph: 004 Reference ID: 8-004-20190721</i> <i>Revision date: 21 07 2019”</i></p> <p>Other accepted definitions of GI that also do not include any reference to hard-standing areas or sustainable transport routes include:</p> <p>European Strategy for GI (2013) (Para 1.2)</p> <p>ANGSt definitions of “natural” and “green infrastructure” – Natural England, “Nature Nearby” Accessible Natural Greenspace guidance (2011)</p> <p>“Natural”- Proxy measures of land use when determining what is “natural” – Annex 2, page 48. There is no mention of hard surfaces!</p> <p>“Green Infrastructure - “A strategically planned and</p>

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	<p><i>other environmental features. Designed and managed as a multi-functional resource capable of delivering those ecological services and quality-of-life benefits required by the communities it serves and needed to underpin sustainability. Its design and management should also respect and enhance the character and distinctiveness of an area with regard to habitats and landscape types.</i></p> <p>Even in the definition of multi-functionality is no mention made of hard surfaces:</p> <ul style="list-style-type: none"> • “Multi-functionality – The ability to perform more than one function at the same time. In terms of greenspace this can mean providing opportunities for recreation whilst delivering biodiversity and contributing to climate change adaptation and mitigation.” • Proxy measures of land use when determining what is “natural” – Annex 2, page 48. There is no mention of hard surfaces! <p>3. Would lead to perverse outcomes – e.g. where green infrastructure requirements are fulfilled without any actual green</p>		<p><i>delivered network comprising the broadest range of high quality green spaces and other environmental features. Designed and managed as a multi-functional resource capable of delivering those ecological services and quality-of-life benefits required by the communities it serves and needed to underpin sustainability. Its design and management should also respect and enhance the character and distinctiveness of an area with regard to habitats and landscape types.”</i></p> <p>Buckinghamshire Green Infrastructure Strategy 2009 (see pg 2)</p> <p>Buckinghamshire Green Infrastructure Delivery Plan (2013) (see pg 3)</p> <p>Aylesbury Vale Green Infrastructure Strategy (2011) – see pg 4.</p> <p>Buckinghamshire and Milton Keynes Natural Environment Partnership’s 2016 “Vision and</p>

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	<p>spaces being provided – therefore the ecosystem services that would otherwise be provided would be absent (ANGSt would not, therefore be fulfilled either).</p> <p>The NEP therefore strongly recommends the removal of the new, unsupported and unjustified definition of green infrastructure to include hard-surfaced civic surfaces, in favour of the previous definitions and those provided in the “Nature Nearby” publication about ANGSt, in PPG guidance, and locally in the NEP’s Vision and Principles for the Improvement of Green Infrastructure in Buckinghamshire and Milton Keynes, agreed by all NEP partners, including AVDC, in 2016.</p>		<p>Principles for the Improvement of Green Infrastructure in Buckinghamshire and Milton Keynes” - see pages 1-2 (2016)</p>
<p>MM249</p>	<p>The Buckinghamshire and Milton Keynes Natural Environment Partnership is disappointed to see the removal of reference to the “Vision and principles for the improvement of green infrastructure in Buckinghamshire and Milton Keynes” as an explicitly-supported document, particularly as this was agreed in 2016 by all the NEP’s partners, including AVDC.</p> <p>The “Assessment for Open Space, Sports and Recreation Needs for Aylesbury Vale” Final Report 2017 does not include generally-accepted typologies of green infrastructure (as outlined in detail at the NEP’s response to MM246). It actually provides a wide definition of “open</p>	<p>The Buckinghamshire and Milton Keynes Natural Environment Partnership (the NEP), which include the local planning authorities on its Board, has produced a Vision and Principles for the Improvement of Green Infrastructure in Buckinghamshire and Milton Keynes (2016) document which provides accepted definitions of green infrastructure. updated this part of the Buckinghamshire Green Infrastructure Strategy. Further work is intended to be undertaken by AVDC to update the rest of the Green Infrastructure Strategy for Aylesbury Vale to be in line with future needs and used to deliver strategic green infrastructure. Further work will be undertaken on what potential there is to remedy existing deficiencies in accordance with the ANGst standards. Currently the Sport and Leisure Facilities SPG and Companion Document: Ready Reckoner is used to provide details on what developments should provide. The detail in these will be updated. The ‘Assessment</p>	<p>Soundness – unjustified</p> <p>Soundness – ineffective</p> <p>Soundness – inconsistency with national policy</p> <p>The “Assessment for Open Space, Sports and Recreation Needs for Aylesbury Vale” Final Report 2017 does not include generally-accepted typologies of green infrastructure (as outlined in detail at the NEP’s response to</p>

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	<p>space” (see page 12) and also of “living spaces” (see paras 2.10 and 2.11) – which are different concepts and must not be confused with GI or used to set strategies for GI. The purpose of the “Final Report” (see its Para 2.15-2.17) was to define a shared vision for culture and sport, and to conduct a needs and provision assessment based on local evidence.</p> <p>The 2017 “Final Report” referred to in the new paragraph is therefore incorrectly being drawn upon to provide a typology of green infrastructure.</p> <p>These definitions are very different from, and should not be confused with, Green Infrastructure. GI is a far broader term and must not be assessed and planned for within the narrower lense of leisure and cultural facilities.</p> <p>The “Final Report” itself includes, at Para 4.129, reference to “civic spaces, including market squares and other hard surfaced community areas used for community activities” as being included as green infrastructure - but without explanation. This is not the accepted definition of GI or consistent with national policy.</p> <p>Equally as crucial here, the “Final Report” appears to be being relied on for the definition of GI in the new wording of the modified sections of the VALP and Policy I1 – yet this report focussed on</p>	<p>for Open Space, Sports and Recreation Needs for Aylesbury Vale: Final Report’ (2017)17 https://www.aylesburyvaldc.gov.uk/sites/default/files/page_downloads/CD.SLB_001%20Assessment%20of%20Open%20Space%2C%20Sports%20and%20Recreation%20Needs%20for%20AV%20%28Torkildsen%20Barclay%2C%20March%202017%29.pdf identifies typologies of green infrastructure, current provision of green infrastructure, provision standards and future need based on applying those standards. The 2017 Final Report makes clear that green infrastructure is able to cover any number of the typologies identified. It also identifies specific green infrastructure features which can enhance the sport and recreational value of green space while not duplicating other provision in an area. Therefore, the approach in the VALP Policy I1 is for Green Infrastructure to perform a range of functions and provide multiple benefits where possible – including providing habitats for wildlife, improving quality of life, air and water quality and flood risk, health and wellbeing, recreation, access to nature and adaptation to climate change - in order to enhance the <u>sport and recreation</u> value of green space for both wildlife and people.</p>	<p>MM246). It actually provides a wide definition of “open space” (see page 12) and also of “living spaces” (see paras 2.10 and 2.11) – which are different concepts and must not be confused with GI or used to set strategies for GI. Its definition of GI includes reference to civic spaces and hard-standing, but without justification.</p> <p>The purpose of the “Final Report” (see its Para 2.15-2.17) was to define a shared vision for culture and sport, and to conduct a needs and provision assessment based on local evidence. This is utterly different from assessing the needs of access to green space per ANGSt.</p>

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	<p>assessing sports and culture needs and included hardstanding surfaces within its definition of GI without explanation. These spaces are NOT the same as green infrastructure needs or indeed the ANGSt definitions or standards which have now been introduced as key in the new VALP modified wording.</p> <p>The NEP does not, therefore, agree that the 2017 Final Report should be used to define the typology of green infrastructure – the report was for a different purposes and typologies of open and living spaces cannot be used for setting policies on green infrastructure without being inconsistent with generally-accepted definitions of GI from EU, national and local policy and strategies, and risking perverse and possibly unintended outcomes from the GI Policy I1.</p> <p>The generally-accepted definitions of GI include those in current PPG guidance, in the European GI Strategy, in the ANGSt documents to which the draft VALP is now looking to adhere to, in the Aylesbury Vale Green Infrastructure Strategy of 2011, which built on the Buckinghamshire Green Infrastructure Strategy of 2009, and in the locally-agreed and partnership-wide approved NEP documents on how to improve green infrastructure across the local area.</p> <p>The purpose of green infrastructure in such definitions tends to include multi-functionality –</p>		

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	<p>but with respect to <i>wildlife</i> and other ecosystem services such as space for recreation, health & wellbeing, – but not with the primary function being to enhance the sport and recreation value, as is implied in the new wording and which could lead to perverse outcomes.</p> <p>The new draft wording does not give any explanation as to why the typologies of a Sports / recreation / culture focussed assessment report should take precedence in setting the definition of GI in the Policy I1 in the modified draft VALP, over widely-accepted definitions of green infrastructure from the EU, PPG guidance, ANGSt and accepted local GI-related strategies including the 2011 Aylesbury Vale GI Strategy.</p> <p>The suggested corrections are therefore to reinstate support for the NEP’s GI Vision and Principles document and provide clarity over what GI means according to the accepted guidance and definitions – to that the Policy I1 is properly informed.</p> <p>NB – if a section regarding open spaces and dedicated recreation spaces including sports spaces is required, then for the reasons outlined, this should be in a separate paragraph and not mixed into the Green Infrastructure section of the modified VALP.</p> <p>As stated above, green infrastructure and the</p>		

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	<p>ANGSt standards do not include open and leisure spaces as such a mix would suggest – which is misleading, risks misinterpretation and would lead to perverse outcomes –e.g. the provision of a hard-standing surface being accepted as a “natural” area of accessible greenspace as if the ANGSt standards would intend this – they specifically do not.</p>		
<p>MM253</p>	<p>To correct the otherwise incorrect statement that the 2017 Final Report identified deficiencies across the AVDC district in terms of meeting ANGSt standards. It was the Buckinghamshire 2009 GI Strategy findings that are quoted here, not findings from the “2017 Final Report.”</p> <p>The “Final Report (2017)” referred to replicates directly the Buckinghamshire Green Infrastructure Strategy 2009 findings, rather than any new data or work. Para 4.141 of the “Final Report” states this.</p> <p>This is acknowledged in the 2011 Aylesbury Vale Green Infrastructure Strategy 2011 document (see page 10) and the new wording added into the latest draft VALP directly draws on the words in that strategy.</p>	<p><u>The Buckinghamshire Green Infrastructure Strategy (2009) identified 2017 Final Report identifies deficiencies across the district against the ANGSt standards for access to natural greenspace. Only three settlements in Aylesbury Vale – Aston Clinton, Buckingham and Wendover – meet the minimum ANGSt requirements for the provision of larger accessible green space. Many parts of Aylesbury Vale do not meet the standard of providing at least one 20ha site within 2km or one 500ha site within 10km of people’s homes. There is also a deficiency of accessible green infrastructure over 100ha in Aylesbury.</u></p>	<p>Soundness - justified</p>
<p>MM255 Pg 257 Para 11.7</p>	<p>Again, the NEP objects to the inclusion of types of infrastructure that do not fall within the generally-accepted definitions of GI as provided</p>	<p><u>Although Policy I1 is the primary policy for green infrastructure, several VALP policies will also secure elements of green infrastructure. Policy T6 ensures development connects to</u></p>	<p>Soundness – justified Soundness – effective Soundness –inconsistent with</p>

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	<p>by EU, national and local policies and strategies.</p> <p>To avoid inconsistency with national policy, inconsistency with ANGSt requirements, and likely perverse outcomes, the NEP advocates that reference to existing pedestrian and cycle networks when discussing GI is explained. These routes may have the <i>potential</i> to provide GI connectivity routes but are not regarded as GI in their own right. The suggested amendments are made to reflect this.</p>	<p>existing pedestrian and cycle networks and provides new facilities (while cycle networks and pedestrian networks are not green infrastructure in their own right, wildlife habitats could be provided / encouraged along them to enhance connectivity and green infrastructure networks); Policy NE12 secures biodiversity enhancements; and Policy I2 sets out what is required in terms of sport and recreation provision.</p> <p>Development proposals will be expected to identify, retain and enhance existing green infrastructure assets, including corridors and <u>to ensure new links are provided between existing green spaces. Local green space designations, which are a fairly new concept now commonplace in neighbourhood plans, will mean provide protection for those areas, as outlined in Policy NE6.</u> Green infrastructure should ensure permeability for wildlife through development and provide sufficient beneficial habitat to support target species, independent of its connective function. The incorporation of sustainable drainage systems can contribute to green infrastructure provision as well as helping <u>to alleviate flooding and bringing providing other</u> biodiversity benefits. New landscaping areas are important and will be required in larger development schemes to assimilate development into the landscape and assist in the transition between the urban and rural boundary. The size and location of green infrastructure is expected to be suitable for the function it is intended to fulfil.</p>	<p>national policy</p> <p>Accepted international, national and local definitions of GI do not include cycleways or pedestrian networks (unless along green routes):</p> <ul style="list-style-type: none"> • EU GI strategy • PPG guidance • ANGSt defintin • Bucks 2009 GI strategy • Bucks & MK NEP 2016 Vision and Principles for the Improvement of GI in Bucks and MK • Vale of Aylesbury GI Strategy 2011
<p>MM256 Pg 257 Para 11.9</p>	<p>The NEP is disappointed to see the wholesale removal of explicit support in the modified VALP to the NEP’s locally-agreed Vision and principles for the Improvement of Green Infrastructure in Buckinghamshire and Milton Keynes.</p>	<p>Principles for Aylesbury Vale <u>The accessibility/quantitative and qualitative ANGSt standards will apply to development proposals of 10 homes or more and which have maximum combined gross floorspace of more than 1,000 square metres (gross internal area). These thresholds are</u></p>	<p>Soundness - justified</p> <p>Buckinghamshire and Milton Keynes Natural Environment Partnership’s 2016 “Vision and</p>

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	<p>This has been replaced with a non-equivalent paragraph concerning the threshold to which accessibility standards should be applied – the NEP assumes refer to the ANGSt standards, although this could be made clearer.</p> <p>The NEP therefore advocates reinstating the commitment to the locally-agreed principles.</p>	<p><u>a national standard in Planning Practice Guidance for securing infrastructure contributions through planning applications. It is also considered a threshold whereby at 10 or more homes the development is more likely to itself create a deficiency. Where the standards are applicable, development proposals will need to demonstrate to the Council that a development itself, with committed developments, would not create a deficiency.</u></p> <p><i>And reinstate as a separate paragraph:</i> The Buckinghamshire and Milton Keynes Natural Environment Partnership sets out the nine principles below that should be followed to achieve its Green Infrastructure Vision by 2030 of a well-designed, well-connected multi-functional network of green spaces across Buckinghamshire and Milton Keynes. The vision states that specific landscape and green infrastructure features and benefits are identified in advance of development, and are protected, enhanced, connected, extended and extended to provide multiple benefits into the long term for the growing population of Buckinghamshire and Milton Keynes. To achieve this, the principles should be applied at all scales, from strategic, county-and district-levels through to individual developments, and look across immediate planning, development and administrative boundaries so that green infrastructure and its upkeep is sufficiently planned for, and well-designed for, so that the benefits from green infrastructure for can be maximised and maintained into the long-term.</p> <p>The principles are: 1. Green infrastructure is as important and necessary as grey (man-made, constructed) infrastructure and social infrastructure for the health and wellbeing of Buckinghamshire’s economy, environment and society</p>	<p>Principles for the Improvement of Green Infrastructure in Buckinghamshire and Milton Keynes” (2016)</p>

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		<p>2. Green infrastructure, its value and benefits are considered and planned for early and strategically at all spatial scales of development</p> <p>3. Green infrastructure across Buckinghamshire should be planned to provide a range of benefits, or ‘ecosystem services’</p> <p>4. (Related to 3, above) green infrastructure creation and improvement is planned to contribute to the delivery of objectives and targets, good practice actions and activities for Buckinghamshire’s environment, health and economy</p> <p>5. Green infrastructure is managed into the long-term</p> <p>6. Connected networks of green infrastructure are necessary – at both the landscape and local scale – to maximise the benefits</p> <p>7. Green infrastructure creation and improvement is coordinated with activities cross-border</p> <p>8. Green infrastructure improvement and provision is prioritised in locations where it can deliver most benefits</p> <p>9. It is linked and relevant to, informed by and co-ordinated with, other policy areas, strategies, activities and reviews.</p>	
<p>MM258 Pg 258 After para 11.9 of</p>	<p>The new paragraph inserted here in the modified VALP refers to an “Open Space, Sports, Leisure and Public Realm SPD” that will set out “detailed guidance for the maintenance and adoption of open space”.</p>	<p><u>Long term stewardship of the public realm is important to ensure that open space provided from development is maintained to high standards. The Green Infrastructure, Open Space, Sports, Leisure and Public Realm SPD will set out detailed guidance for</u> <u>on the nature of green infrastructure, the</u></p>	<p>Soundness – justified Soundness – effective Soundness – inconsistent with national policy</p>

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<p>submitted plan – new paragraph</p>	<p>The NEP is concerned that this new paragraph (para 11.14 in the modified VALP) sits within a section on “Green Infrastructure” – yet the SPD referred to in the new paragraph is for open space and sports and leisure spaces. These are different concepts.</p> <p>We are concerned that the amendments to this paragraph illustrate a broader concern that the whole Section on “detailed” infrastructure tries to amalgamate both green infrastructure and open or sports spaces, and the policy objectives and treatment in planning associated with them.</p> <p>However - green infrastructure is defined differently (at EU level, nationally and locally) to the modified VALP (it should not include hard standing or cycleways in its definition, nor imply pavements – none of which include any “natural” spaces against which ANGSt criteria should be assessed).</p> <p>Green infrastructure is therefore a separate concept and should not be included within an SPD on “Open space, sports, leisure and public realm”.</p> <p>Muddling the concept and benefits provided by “green” infrastructure with those of general open spaces, sports facilities and hardstanding surfaces such as market squares or cycleways will lead to perverse and unsatisfactory outcomes</p>	<p><u>ANGSt standards required to be met, for the maintenance and adoption of open space, and will set out how maintenance is to be provided by a developer; at what time period land ownership should be transferred to the Council or other body; and how payments may be required towards future maintenance after the land transfer – including arrangements for Performance Bonds and for the long-term future management of green infrastructure.</u> In the case of open space <u>not being provided on site, the SPD will also set out a calculation for the financial amount due as a developer contribution and the general approach to the use of such contributions.</u></p> <p><i>NB - depending on whether AVDC plans to also provide a separate SPD for GI, or to include it within the Open Space SPD...we have assumed above that the GI elements would be incorporated into the currently-named “open spaces...” SPD. Should AVDC wish to split GI from the more general term of open spaces, which the NEP would encourage as it clearly states the difference between them and what might be required for planning in each case, then The NEP would suggest adding the following paragraph here:</i></p> <p><i>“A Green Infrastructure SPD will also be set out, with detailed guidance on the nature of green infrastructure to be provided / protected, the ANGSt standards, their requirement for areas of natural space near to where people live, the detailed requirements for planning, expectations for arrangements for the long-term future maintenance after land transfer and examples of good practice.”</i></p>	<p>The NEP’s comments here depend once again on the definition of Green Infrastructure being distinct from those of “open space”, or sports, leisure spaces and public realm.</p> <p>Accepted international, national and local definitions of GI do not include cycleways or pedestrian networks (unless along green routes), nor hard-standing surfaces or civic spaces such as market squares. The definition, used in the modified VALP, that includes these sorts of spaces comes from a Sports and leisure-led study of open space provision and not from the accepted sources of a definition of “green infrastructure” –which include:</p> <ul style="list-style-type: none"> • EU GI strategy • PPG guidance • ANGSt defintin • Bucks 2009 GI strategy • Bucks & MK NEP 2016 Vision and Principles for the Improvement of GI in Bucks and MK • Vale of Aylesbury GI Strategy 2011

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	<p>for existing and new communities – where, for example, the provision of a hard-standing surface “counts” towards “green” infrastructure provision for planning application purposes – and is taken into account in assessing whether ANGSt criteria have been met.</p> <p>The ANGSt criteria were never devised to encourage such spaces nearby –they strive to provide access to <i>nature</i> near to where people live.</p> <p>And the provision of hard-standing, as referenced in the “2017 Final Report” in the modified VALP (referring to an assessment of sports, recreation and open space provision in the Vale) does not satisfy any accepted definition of <i>green infrastructure</i> from national or local strategies or policies.</p> <p>The NEP therefore considers this mixing of the needs and policies around green infrastructure and other types of open and sports spaces for communities to be wholly unsound.</p> <p>The suggested amendments are therefore to separate out any reference to Green Infrastructure from others types of open space that could include hard standing, cycle ways, or civic spaces such as market squares.</p>		
MM259	The new paragraph inserted here in the modified	<i>As per the NEP’s recommendations at MM 258</i>	Soundness –justified

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<p>Pg 258 After para 11.9 of submitted plan – new paragraph</p>	<p>VALP refers to an “Open Space, Sports, Leisure and Public Realm SPD” that will set out “detailed guidance for the maintenance and adoption of open space”.</p> <p>The NEP is concerned that this new paragraph (para 11.14 in the modified VALP) sits within a section on “Green Infrastructure” –yet the SPD referred to in the new paragraph is for open space and sports and leisure spaces. These are different concepts.</p> <p>We are concerned that the amendments to this paragraph illustrate a broader concern that the whole Section on “detailed” infrastructure tries to amalgamate both green infrastructure and open or sports spaces, and the policy objectives and treatment in planning associated with them.</p> <p>However - green infrastructure is defined differently (at EU level, nationally and locally) to the modified VALP (it should not include hard standing or cycleways in its definition, nor imply pavements – none of which include any “natural” spaces against which ANGSt criteria should be assessed).</p> <p>Green infrastructure is therefore a separate concept and should not be included within an SPD on “Open space, sports, leisure and public realm”.</p> <p>Muddling the concept and benefits provided by</p>	<p><i>NB - depending on whether AVDC plans to also provide a separate SPD for GI, or to include it within the Open Space SPD...we have assumed above that the GI elements would be incorporated into the currently-named “open spaces...” SPD. Should AVDC wish to split GI from the more general term of open spaces, which the NEP would encourage as it clearly states the difference between them and what might be required for planning in each case, then we would suggest adding the following paragraph here:</i></p> <p><i>A Green Infrastructure SPD will also be set out, with detailed guidance on the nature of green infrastructure to be provided / protected, the ANGSt standards, their requirement for areas of natural space near to where people live, the detailed requirements for planning, expectations for arrangements for the long-term future maintenance after land transfer and examples of good practice.</i></p>	<p>Soundness –effective Soundness – compliance with national policy</p> <p>The NEP’s comments here depend once again on the definition of Green Infrastructure being distinct from those of “open space”, or sports, leisure spaces and public realm.</p> <p>Accepted international, national and local definitions of GI do not include cycleways or pedestrian networks (unless along green routes), nor hard-standing surfaces or civic spaces such as market squares. The definition, used in the modified VALP, that includes these sorts of spaces comes from a Sports and leisure-led study of open space provision and not from the accepted sources of a definition of “green infrastructure” –which include:</p> <ul style="list-style-type: none"> • EU GI strategy • PPG guidance • ANGSt definition of GI • Bucks 2009 GI strategy • Bucks & MK NEP 2016 Vision and Principles for the Improvement of GI in

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	<p>“green” infrastructure with those of general open spaces, sports facilities and hardstanding surfaces such as market squares and cycleways will lead to perverse and unsatisfactory outcomes for existing and new communities – where, for example, the provision of a hard-standing surface “counts” towards “green” infrastructure provision for planning application purposes – and is taken into account in assessing whether ANGSt criteria have been met.</p> <p>The ANGSt criteria were never devised to encourage such spaces nearby –they strive to provide access to <i>nature</i> near to where people live.</p> <p>And the provision of hard-standing, as referenced in the “2017 Final Report” in the modified VALP (referring to an assessment of sports, recreation and open space provision in the Vale) does not satisfy any accepted definition of <i>green infrastructure</i> from national or local strategies or policies.</p> <p>The NEP therefore considers this mixing of the needs and policies around green infrastructure and other types of open and sports spaces for communities to be wholly unsound.</p> <p>The suggested amendments are therefore to separate out any reference to Green Infrastructure from others types of open space</p>		<p>Bucks and MK</p> <ul style="list-style-type: none"> • Vale of Aylesbury GI Strategy 2011

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	that could include hard standing, cycle ways, or civic spaces such as market squares.		
MM260	<p>This modification represents the wholesale removal of a specific policy related to green infrastructure, to be replaced with a policy that is still called Green Infrastructure but which aims to encompass both green infrastructure and broader categories of infrastructure such a sports spaces and civic spaces including market squares and areas of hard-standing.</p> <p>In doing so, the catch-all policy is trying to achieve many things but risks not delivering on the accepted international, national and local definitions of green infrastructure included within policy and strategy – which do NOT include, for example, cycleways, or areas of hard standing.</p> <p>Muddling the concept and policy requirements of “green” infrastructure with those of general open spaces, sports facilities and hardstanding surfaces such as market squares and cycleways will lead to perverse and unsatisfactory outcomes for existing and new communities – where, for example, the provision of a hard-standing surface “counts” towards “green” infrastructure provision for planning application purposes – and is taken into account in assessing whether ANGSt criteria have been met.</p> <p>The ANGSt criteria were not devised to encourage</p>	<p>I1 Green infrastructure <i>(Reinstate the deleted GI policy in part ☺)</i></p> <p>The Council will work with partners to ensure that existing and new green infrastructure is identified, planned, delivered, enhanced and managed in a strategic way as an integral part of supporting sustainable communities and sustainable growth. The Council will implement the most up-to-date green infrastructure strategies. Green infrastructure networks, whether existing or potential, are expected to be a key part of site masterplanning as required in the VALP.</p> <p>AVDC seeks to realise the potential of green infrastructure to assist communities with mitigating and adapting to climate change as well as meeting health initiatives. It seeks to deliver high quality, multi-functional, accessible, and connected open spaces that are integral to new and existing development. It will do this at a landscape, district and local scale, looking beyond boundaries, to maximise opportunities arising from green infrastructure.</p> <p>As part of this, development proposals must demonstrate that the green infrastructure network would be maintained and, where appropriate, enhanced within the site and beyond development boundaries where possible as follows:</p> <p>a. Biodiversity mitigation, where warranted, should result in a net gain in biodiversity on greenfield sites and on other sites no net loss and a net gain where possible (linked with Policy NE2).</p>	<p>Soundness –justified Soundness –effective Soundness – compliance with national policy</p> <p>The NEP’s comments here depend once again on the definition of Green Infrastructure being distinct from those of “open space”, or sports, leisure spaces and public realm.</p> <p>Accepted international, national and local definitions of GI do not include cycleways or pedestrian networks (unless along green routes), nor hard-standing surfaces or civic spaces such as market squares. The definition, used in the modified VALP, that includes these sorts of spaces comes from a Sports and leisure-led study of open space provision and not from the accepted sources of a definition of “green infrastructure” –which include:</p> <ul style="list-style-type: none"> • EU GI strategy • NPPF definition • PPG guidance

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	<p>such spaces nearby – they strive to provide access to <i>nature</i> near to where people live.</p> <p>And the provision of hard-standing, as referenced in the “2017 Final Report” in the modified VALP (referring to an assessment of sports, recreation and open space provision in the Vale) does not satisfy accepted definitions of <i>green infrastructure</i> from national or local strategies or policies.</p> <p>The NEP therefore considers this mixing of the needs and policies around green infrastructure and other types of open and sports spaces for communities to be wholly unsound.</p> <p>The suggested amendments are therefore to separate out any reference to and requirements for Green Infrastructure and ANGSt requirements for “natural” accessible green space near to where people live, from others types of open space that could include hard standing, cycle ways and pedestrian routes (which do not necessarily include “natural” areas within or along them), or civic spaces such as market squares.</p> <p>For this reason the NEP advocates reinstating part of the draft VALP’s policy on Green Infrastructure, which adheres to the generally-accepted definitions of GI.</p> <p>We have then provided some suggested amendments to the modified policy based on the</p>	<p>Where possible green infrastructure is expected to positively contribute to the conservation, restoration, re-creation and enhancement of networks of biodiversity on a landscape scale</p> <p>b. Flood and water resource should be managed and where possible improved (linked with Policy I4)</p> <p>c. Green corridors and public rights of way to link with the wider green infrastructure network, providing walking, cycling and other exercise opportunities and avoiding habitat or linear network fragmentation</p> <p>d. New green infrastructure should demonstrate a range of types of green space such as the creation of living roofs and walls, native woodland, local nature reserves and community forests where possible</p> <p>e. Public open space within housing developments may include, but is not limited to: children’s play areas, informal green space, wildlife areas and recreation areas, street trees, community orchards, woodland and parkland, in appropriate proportions, with safe and convenient access for people of all abilities</p> <p>f. Formal sports areas as part of housing developments including playing pitches and pavilions should be provided where appropriate in addition to, and separate from, public open space areas</p> <p>g. Where appropriate a landscaping scheme should be provided which deals positively with the transition between development and any adjoining open land and link to existing Green infrastructure and Green Infrastructure features</p>	<ul style="list-style-type: none"> • ANGSt definition of GI • Bucks 2009 GI strategy • Bucks & MK NEP 2016 Vision and Principles for the Improvement of GI in Bucks and MK • Vale of Aylesbury GI Strategy 2011

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	<p>updated wording of the modified version, to make clear that:</p> <ul style="list-style-type: none"> - Amenity green space will not necessarily include any element of “natural” and so may not meet ANGSt standards. For example, an artificial grass area provides an amenity green space but would not provide any “natural” areas. - The term “wildlife value” in the modified policy at i), is not defined. Most areas of unbuilt land would hold some wildlife value. - The comment about formal outdoor sports areas, play areas and allotments being located within or outside ANGSt should specifically state that these are not considered to be part of the ANGSt assessment of whether there is sufficient natural greenspace near to a development - In Policy I1a) it is the GI opportunity zones that were identified by the Bucks & MK NEP, and not the public rights of way; also that the opportunity zones are at the very large scale; whereas GI networks existing at all scales –from the very large to the local. - In Policy I1d) that the range of types of GI 	<p>h. Protect, create, and improve recreation, play and local food cultivation opportunities for communities</p> <p><u>The Council will support proposals for green infrastructure where there is no significant adverse impact on:</u></p> <p>a. <u>Wider green infrastructure networks and connectivity to them from and across the development site. Such networks could be local-scale, such as hedgerows, including public rights of way; to the very large-scale, such as the green infrastructure opportunity zones identified by the Buckinghamshire and Milton Keynes Natural Environment Partnership</u></p> <p>b. <u>Potential to contribute to biodiversity net gains</u></p> <p>c. <u>Management of flood risk and provision of sustainable drainage systems</u></p> <p>d. <u>Provision of a range of types of green infrastructure benefits, or “ecosystem services”</u></p> <p>e. <u>Provision of sports, recreation facilities or public realm improvements (which should be provide in addition to, and separate from, areas of green infrastructure)</u></p> <p>f. <u>Potential for local food cultivation by communities</u></p> <p>g. <u>Achieving a satisfactory landscaping scheme including the transition between the development and adjacent open land including linkages to existing green infrastructure and green infrastructure features.</u></p> <p><u>New housing developments of more than 10 units and which have maximum combined gross floorspace of more than 1,000 square metres (gross internal area) will be required to meet the ANGSt (accessible natural green space standards) in Appendix C to meet the additional demand arising from new residential</u></p>	

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	<p>isn't as important as the benefits that GI provides – the ecosystem services provided to wildlife and people.</p> <ul style="list-style-type: none"> - In Policy I1e) to make it clear that requirements for GI to be provided (i.e. measured against the ANGSt standards highlighted in the modified VALP) should be separate from any requirements for sports, recreation facilities or public realm improvements –because green infrastructure does not include areas of, for example, hard standing, civic spaces, market squares or cycleways which might be included within “sports, recreation facilities” and “public realm”. - In Policy I1g), the importance of links and connections between existing GI and GI features and development areas including across adjoining land (as had been referenced in the deleted text). - ANGSt is an assessment standard of the provision of natural greenspace accessible nearby to where people live. It is not a term to describe a type of land in itself. - That loss of natural green space and whether it is “surplus t requirements” does not just rely on measurement against the ANGSt standards – this should 	<p><u>development. Amenity green space will need to be provided on site. Sports and recreation facilities can be provided as required (Policy I2) on the same site where these are compatible with publicly accessible green infrastructure. However, amenity green space and sports and recreation facilities provision should not count towards the ANGSt requirements.</u></p> <p><u>The Accessibility Standards in Appendix C will need to be met by providing accessible natural green space on or off site for developments of more than 10 homes and which have maximum combined gross floorspace of more than 1,000 square metres (gross internal area) unless it has been demonstrated in an assessment for a planning application that accessible natural green space provision has already been met, when including the increased population of the new development and any other committed development.</u></p> <p><u>Conditions will be imposed on permissions or planning obligations sought in order to secure green infrastructure reasonably related to the scale and kind of housing proposed. The benefits to be obtained or provided by the Council by virtue of the obligation will be directly relevant to the development permitted and the needs of its occupiers and fairly and reasonably related to its scale and kind.</u></p> <p><u>To count towards any ANGSt quantitative/accessibility requirements, such green space must meet the definitions of ‘accessible’ and ‘natural’ in paragraph 11.8.</u></p> <p><u>The Council will only accept the loss of ANGSt natural green space, including the incorporation of such areas into private</u></p>	

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	<p>be subject to an ecological assessment too.</p> <ul style="list-style-type: none"> - That not all accessible natural green space will be provided by a developer – it may already exist nearby or on the development site. 	<p>garden land, if <i>(and in each case also subject to ecological review, not just assessment against ANGSt)</i></p> <p><u>h. The natural greenspace ANGSt has been subject to an ANGSt assessment which shows it to be surplus to requirements</u></p> <p><u>i. The land does not fulfil a useful purpose in terms of its appearance, landscaping, recreational use or wildlife value</u></p> <p><u>j. The land does not host an element of semi-natural habitat or any other feature of value to wildlife to a greater extent than would be the case if it were planted as a garden</u></p> <p><u>k. The loss of publicly accessible green infrastructure would not set a precedent for other similar proposals which could cumulatively have an adverse effect on the locality or the environment</u></p> <p><u>l. The continued maintenance of the land for publicly accessible green infrastructure would be impractical or unduly onerous</u> and</p> <p><u>m. Publicly accessible green infrastructure lost will need to be replaced by equivalent or better following an assessment justifying this need based on applying the standards in Appendix C</u></p> <p><u>Formal outdoor sports areas, play areas, and allotments all serve a specific purpose and may be located within or outside land that would count towards meeting the ANGSt requirements. Either way such facilities should be located on land that is additional to the accessible natural green space ANGSt provided by a developer and be complimentary to it.</u></p>	

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		<u>Green infrastructure being provided must have a long term management and maintenance strategy to be agreed by the Council with assets managed for at least 30 years after completion and during this time secure a mechanism to manage sites into perpetuity. The management and maintenance strategy shall set out details of the owner, the responsible body and how the strategy can be implemented by contractors.</u>	

Other points to note:

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MM034, MM039, MM040, MM046, MM053, MM054	The NEP is concerned that the deletion of paragraphs removes the place-shaping principles including 'Take account of long-distance views across the site to the Chilterns AONB'	Re-instate the place-shaping principles concerning long-distance views across the site to the Chilterns AONB	Soundness - justified
Para 9.21	Please note that a new Chilterns AONB Management Plan was adopted by Chilterns Conservation Board in February 2019. Recommend updating to refer to the latest version.	AVDC, as a member of the Chilterns Conservation Board, endorses the Chilterns Conservation Board Management Plan 2019-24 . The management plan sets a comprehensive vision for the management of the AONB (beyond just town planning) and provides a policy framework for achieving it. Specific policies and guidelines produced by the shadow Chilterns Conservation Board may, if appropriate (such as the Chilterns Building Design Guide), be adopted by AVDC,	Soundness – effective Soundness - justified

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		or as a group of councils, as supplementary planning documents. <u>A new Management Plan covering 2019-24 will in due course replace the 2014-19 Management Plan.</u>	
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