



# Guidance Note and Response Form

## VALP Further Main Modifications Consultation

15 December 2020 – 9 February 2021

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

### Introduction

Following the Main Modifications consultation in late 2019 and the Council's consideration of those responses, the plan has reached the next key stage in the process. The Council has prepared further modifications to the VALP in response to representations and based on other updated information. The Inspector has considered the Council's proposed further Modifications and determined that some of these are main modifications and require further consultation in order to make the VALP a 'sound' plan. The Proposed Further Main Modifications document is accompanied by a Sustainability Appraisal Addendum and an updated Habitats Regulations Assessment as well other supporting documents. The Proposed Further Main Modifications will be subject to an eight week public consultation period from **9am Tuesday 15 December 2020 until 5.15pm Tuesday 9 February 2021.**

The consultation material can now all be viewed on our website:  
<https://www.aylesburyvaledc.gov.uk/section/valp-examination> .

Due to the COVID-19 pandemic, there are currently Government regulations in place which remove the requirement for the Council to display hard copies of consultation material in its main offices at the Gateway in Aylesbury and deposit point locations around the area. These regulations are due to expire on 31 December 2020 and so the Council will make hard copies available after this date. Further information can be found in the Statement of Availability, which can be found on the Council's website through the link above.

We would encourage consultees to make their representations via our online consultation platform, found at: <https://aylesburyvaledc.oc2.uk/> . This will enable the Council to deal with your representations in a more efficient way. This will assist the examination process by allowing the comments to be sent to the Inspector and publicised in a more timely manner after the consultation.

Responses should be limited to the Proposed Further Main Modifications, the Sustainability Appraisal Addendum and the updated Habitats Regulations Assessment. If you have a comment on the additional evidence produced to support this stage of the plan it should be made against the further main modification it relates to. You should not repeat or re-submit your previous representations or raise new issues on parts of the plan that haven't changed. Following completion of the consultation period the Council will prepare a response to the representations for the Inspector. The Inspector will then consider the representations and the Council's response and decide whether any further hearings are necessary or

any issues need to be revisited. At the end of the examination process the Inspector will present his final conclusions in a final, binding report. If the plan is found legally compliant and 'sound' with any necessary modifications, it will then be adopted by the Council.

If you require a hard copy version of the response form, need assistance in completing your representation, or have any other questions then please contact the Planning Policy Team by email at [localplanconsult.av@buckinghamshire.gov.uk](mailto:localplanconsult.av@buckinghamshire.gov.uk) or by phone on 01296 585308.

## Part A: Personal Details

Please note that it is not possible for representations to be considered anonymously. Representations will be published on the consultation website and sent to the Inspector but address and contact details will be removed from published responses.

**By making a representation you are agreeing to your name and comments being published.**

The Council reserves the right not to publish or take into account any representations which it considers offensive or defamatory. The Council will be publishing representations after the consultation closes. Where possible, please supply an email address when submitting responses as this will allow us to contact you electronically. Everyone who submits a representation will be added to the relevant consultation database (if not already included) so that we can keep you up to date with the Plan. If you do **not** wish to be contacted in this way, please state this clearly on the form or email us at [localplanconsult.av@buckinghamshire.gov.uk](mailto:localplanconsult.av@buckinghamshire.gov.uk).

If an agent or consultant has been engaged to act on your behalf, please fill in both sets of details in full when registering online or on your form. Correspondence will be sent to the agent.

## Part B: Representation

The Council is inviting comments on whether the Further Main Modifications are legally compliant and sound. Comments should only be made on the Proposed Further Main Modifications published for comment or the accompanying Sustainability Appraisal Addendum and/ or Habitats Regulations Assessment. Please give details to explain why you support or object to the wording of the Further Main Modification or part of the accompanying a Sustainability Appraisal Addendum and/ or Habitats Regulations Assessment. The Inspector is not inviting further comments on issues not covered by the Proposed Further Main Modifications, Sustainability Appraisal addendum or Habitat Regulations Addendum.

The online portal has recently been upgraded in order to improve the consultation process. Consultees who have used the portal for previous consultations will notice the look of the website has changed, however the process for making and viewing representations is still very similar. If you intend to submit a representation on the portal, there is an updated help page available with instructions on how to register, log in, make comments and view representations.

In addition to the proposed Further Main Modifications the Council has identified further minor amendments it considers necessary to improve the clarity of the Plan. These amendments are known as Further Additional Modifications and they include the correction of typos and updates to factual information. These Further Additional Modifications are not considered to affect the soundness of the Plan and **do not form part of this consultation**. Any representations made about the Further Additional Further Modifications will not be considered by the Council as 'duly made' as part of this consultation.

## **Legal Compliance**

The Inspector has assessed whether the Plan meets the legal requirements under section 20(5) of the Planning and Compulsory Purchase Act 2004 (as amended), which includes whether the Council has complied with the Duty to Co-operate when preparing the VALP. In relation to the current consultation, comments regarding legal compliance should only be submitted where they relate to the Proposed Further Main Modifications.

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

- The Plan should be included in the current Local Development Scheme (LDS) and the key stages should have been followed.
- The process of community involvement should be in general accordance with the Statement of Community Involvement (SCI).
- The Plan should comply with the Town and County Planning (Local Planning) (England) Regulations 2012 (as Amended) (the Regulations).
- The local planning authority must provide a Sustainability Appraisal Report and a report assessing if there would be any impact of the plan in combination with other plans and projects on species covered by EU Directive (a Habitat Regulations Assessment). This should identify the process by which it has been carried out, baseline information used to inform the process and the outcomes of that process.

## **Soundness**

Local Plans are required to be assessed against the tests of Soundness. The appointed Inspector has to be satisfied that the Plan is positively prepared, justified, effective and consistent with national policy in accordance with section 20 of the Planning and Compulsory Purchase Act 2004 (as amended). If you are objecting to a Proposed Further Main Modification, the response forms asks you to identify which of the below tests of the soundness you consider the modifications fails to address, which will aid the Inspector when considering your comments. Soundness is explained in National Planning Policy Framework (NPPF 2012) paragraph 182.

### **Positively prepared**

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

### **Justified**

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

### **Effective**

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

### **Consistent with national policy**

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

## General Guidance

Where there are groups who share a common view on how they wish to see the Plan modified, it would be very helpful for that group to send a **single** representation which represents the view. In such cases the group should indicate how many people it is representing.

Please remember that where a representation is **over 100 words** you are required to include a **summary in fewer than 100 words** of its main points in the box provided, which will be published alongside your full representation. Where a summary has not been provided by a respondent, one will be produced by a planning officer to outline the key representation issues as a point of reference for the Inspector and any other interested parties.

Care will be taken to ensure the summaries reflect the representations and it is important to note that the full text of all representations and any attachments will still be sent verbatim to the Inspector. The summary will therefore not impact on how the Inspector views your representation.

### Representations can be made:

- via the Council's online consultation portal: <https://aylesburyvaledc.oc2.uk/>
- via the representation form which can be downloaded from the website and returned:
  - via email to: [localplanconsult.av@buckinghamshire.gov.uk](mailto:localplanconsult.av@buckinghamshire.gov.uk)
  - or by post to: Planning Policy, Buckinghamshire Council, The Gateway, Gatehouse Road, Aylesbury, Bucks, HP19 8FF



## VALP Proposed Further Main Modifications Consultation Response Form

Responses are encouraged via the Council's online consultation system available at <https://aylesburyvaledc.oc2.uk/>.

However, this form can be returned via email to [localplanconsult.av@buckinghamshire.gov.uk](mailto:localplanconsult.av@buckinghamshire.gov.uk) or via post to:

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

**The consultation runs from 9am Tuesday 15 December until 5.15pm Tuesday 9 February 2021.**

This form has two parts - Part A: Contact Details and Part B: Representation Form

### Part A: Contact Details

Personal details	Personal details	Agent's Details (if applicable)	Agent's Details (if applicable)
Title	Mr	Title	Mrs
First Name	Simon	First Name	Sarah
Last Name	Willis	Last Name	Hamilton-Foyn
Organisation	Willis Dawson	Organisation	Pegasus Group
Address Line 1		Address Line 1	Pegasus House
Address Line 2		Address Line 2	Querns Business Centre
Address Line 3		Address Line 3	Whitworth Road, Cirencester, Gloucestershire
Post Code		Post Code	GL4 8LD
E-mail Address		E-mail Address	<a href="mailto:Sarah.hamilton-foyn@pegasusgroup.co.uk">Sarah.hamilton-foyn@pegasusgroup.co.uk</a>
Telephone Number		Telephone Number	01285 6417117

## 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 Further Main Modification, part of the Sustainability Appraisal addendum or Habitat Regulation Assessment addendum your comments relate to.
- Any representations on the content of the new evidence published alongside the Proposed Further Main Modifications must also relate to a specified Further 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.

**What are you commenting on? Please only state a Further Main Modification reference (e.g. FMM001), the Sustainability Appraisal Addendum or the Habitats Regulation Assessment.**

FMM058

**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:**

FMM058 relates to MM076 (new site policy for Shenley Park) and Policy D-WHA001. Pegasus objected to the site being included in the Main Modifications.

In our response to the Main Modifications we reviewed the transport evidence in particular **ED214C** and **ED215A** and considered that the transport evidence did not necessarily support the Proposed Modifications to the Plan. This situation has not changed in light of the evidence in ED254 Jacobs VALP Modelling – Countywide Local Plan Modelling Support, Phase 4 Report (May 2020).

The Proposed Further Main Modification is not justified and therefore not sound.

The FMM to Criteria o -

*“More detailed traffic modelling will be required to inform on the extent and design of offsite highway works and to determine whether the section of A421 between the Bottledump roundabout and the site access roundabout needs to be dualled. The scope and design of any detailed traffic modelling must be agreed by Buckinghamshire Council as the highway authority, in consultation with the Milton Keynes highway authority.”*

However, Paragraph 4.3.2 in **ED254** concludes that:

*“To the south-west of Milton Keynes the key results from the Run 1a scenario showed:*

*The mitigation measures had relatively little effect on the highway network;*

*There were marginal improvements on some side roads of the A421.*

*The overall scale of change was very small such that moderate negative impacts (compared to the Do Minimum scenario) remained.”*

The report explains further in paragraph 4.3.2 that:

*“when the mitigation scenario is compared to the DM it shows relatively little relief or improvement compared to the unmitigated scenario. Both Coddimoor Lane and Whaddon Road have increased travel times in the with mitigation scenario compared to the without scenario. and this is due to the increased development in the area. The proposed mitigation scheme, which is a new link road facilitating access for the Shenley Park development, does not provide such relief as may have been anticipated as within the modelling it only serves the new development trips and therefore does not provide benefit existing trips. It should also be noted that in the model, there are large amounts of the highway network in Milton Keynes which are not included; this may result in higher levels of congestion on the A421 than would actually be the case.” (my emphasis)*

The results of the modelling are set out in Table 4-D and a RAG rating is applied, based on a purely qualitative assessment of the overall impact of the DS scenario in terms of increased travel time and secondly based on a qualitative assessment of the overall improvement, if any, the DS with mitigation scenario provides.

It is noted that for Milton Keynes *“The mitigation schemes offer only a marginal level of improvement such that the impact of the mitigation scenario compared to the DM is largely unchanged.”*

To conclude, *“ To the south-west of Milton Keynes local plan development has a moderate negative impact on congestion with travel time increases on the A421 and some adjoining roads. These impacts largely remain in the mitigation scenario.”*

Our observation is that this conclusion and the corresponding “Amber” RAG rating significantly downplays and perhaps ignores the impacts in areas where the network is already constrained,

most notably the A421 corridor. Figure 4-G of the Jacobs Report (ED254) shows a 130% increase in travel time on the A421 in the PM peak compared to the Do Minimum. The Buckinghamshire Council Supporting Statement (**ED256**) refers to traffic flow increases on the A421 of c.10% in peak periods compared to the Do Minimum, which we do question given the impact of both Salden Chase and Shenley Park (c.3,000 units) accessing directly onto the A421. However, it is the case that when a network is already congested then slight increases in demand will tend to significantly increase delay, queueing and increased congestion. Journey times and delay will begin to exponentially increase in congested networks as traffic volume increases.

As a result we believe the criteria that has been used to assess traffic impact is too broad and high level even for the preparation of a Local Plan and needs to be drilled down further to get a more comprehensive understanding of what is happening particularly along the A421 and adjoining roads. More detailed traffic modelling has for example been undertaken for Buckingham where it states the following in paragraph 1.7 of **ED257**

*“It should be noted that the Countywide Strategic Transport Model (CTSM) is normally used for the high level assessment of the traffic implications of Local Plan allocations on the highway network. However, it was clear in this case that a further level of more detailed assessment would be required to focus on the known constraints of the local highway network in the town centre”.*

Our view is that a further level of more detailed assessment is required to the south – west of Milton Keynes as part of the Local Plan process to assess the cumulative impact of the two developments, Salden Chase and Shenley Park, on an already congested part of the network. This is particularly important given that it has been shown that the mitigation measure input into the Countywide Model i.e. the Shenley Park Link Road *“does not provide such relief as may have been anticipated”*. (paragraph 4.3.2 of **ED254**).

Furthermore, the Council has identified that the Shenley Park Link Road, being a new link road between the A421 Buckingham Road and H6 and/or H7 Childs Way or Chaffron Way, would address rat running through Whaddon. However, the Phase 4 modelling work does not support this claim as the model run comparing the Do Minimum with the Do Something with mitigation (Run1a) shows in the AM Peak a 17.06% increase in travel time on Coddimore Lane, south of Whaddon, and a 11.30% increase on Stratford Road to the north of Whaddon. In the PM peak the increase is substantially greater with a 63.36% increase in travel time on Coddimore Lane. In addition the information on traffic flows provided within the Buckinghamshire Council Supporting Statement (**ED256**) highlights that there is very little difference in the two-way traffic flows on Coddimore Lane, as a result of the Shenley Park Link Road. The flows increase slightly (1.9%) in the AM Peak and decrease slightly in the PM peak (-3.4%), however we do question why the PM flows reduce when the travel time increases by 63.36% within the modelling results. Furthermore, although these traffic flow changes might be considered as not material, it seems that the Council’s statement that the Shenley Park Link Road “would address rat running through Whaddon” is misleading particularly when the Council refers to this on a number of occasions within their Schedule of Responses (**ED263**) - see responses to MM070 and MM076. It is also important to note that both the Do Minimum and Do Something modelled scenarios show increases in congestion, when compared with the Base Case, on most roads in the vicinity of Shenley Park and in particular through Whaddon. Therefore, there is a strong likelihood that rat running through Whaddon in 2033 will be significantly more as compared to the present day. It is therefore misleading and incorrect to suggest that Shenley Park will “address rat running through Whaddon”.

By contrast, to the south of the district in particular around Aylesbury there are a multiple number of new highway schemes supporting planned growth, which the modelling demonstrates could well

improve travel times in 2033. There is a view, to the detriment of local communities and also Milton Keynes, that North-East Aylesbury Vale has not been prioritised in terms of highways infrastructure provision and the Council's response to Newton Longville Parish Council within **ED263**, regarding the potential link road between the A421 and A4146, confirms this by stating that there are "*expectations over other highway considerations in the County*". Although significant highway mitigation schemes, such as the Bletchley Southern Bypass and duelling of the A421 were previously included within the modelling work, they have been completely removed from the Phase 4 modelling. The only piece of new highway infrastructure proposed for Shenley Park and indeed Salden Chase i.e. c.3,000 units in total is the Shenley Park Link Road, which as highlighted above, the Jacobs Phase 4 Modelling Report states in para 4.3.2 "*does not provide such relief as may have been anticipated as within the modelling it only serves the new development trips and therefore does not provide benefit to existing trips*".

In addition, our representations on the Proposed Main Modifications expressed concern that it was not clear whether any traffic impact assessment had been undertaken to assess the impact of the proposed Shenley Park Link Road on the existing MK residential areas of Oxley Park, Kingsmead and Tattenhoe. Analysis of the traffic modelling work suggests that this assessment has still not been undertaken. Given the direct impact that the new link road could have on existing MK communities we do not believe it appropriate to undertake this work at a later date as part of a future transport assessment supporting a planning application. The Jacobs VISSIM traffic model will likely identify traffic flows on the new link road within the Do Something run and these should be provided and assessed as part of this VALP process.

It is evident from the latest Modelling work undertaken by Jacobs in (**ED254**) that there are still significant uncertainties about the impact of the proposed Shenley Park development on existing communities both within North-East Aylesbury Vale, such as Whaddon and Newton Longville, and also Milton Keynes. Such uncertainties, which go to heart of the principle of developing Shenley Park cannot simply, in our opinion, be addressed by further traffic modelling work referred to in the FMM once the principle of developing Shenley Park has already been accepted. The conclusion by Jacobs that the proposed new Shenley Park link road does not provide the relief anticipated is a very important consideration. It would appear therefore that the Shenley Park proposed allocation is neither "maximising infrastructure provision" nor does the infrastructure provision proposed, particularly in relation to highways, have the desired effect.

Consequently, the traffic modelling results and the lack of meaningful mitigation measures demonstrates that the Shenley Park strategic allocation does not accord with the SA Addendum (**ED204** - Oct 2019), which in section 7.2.1 states

*"A decision was made to concentrate development on one strategic site rather than split the new housing figure up between sites to maximise infrastructure provision and lessen the impact on the countryside and existing settlements." (my emphasis)*

*"Following a Housing and Economic Land Availability Assessment update three strategic sites were selected for further investigation and evidence gathering:*

- *Shenley Park;*
- *Eaton Leys; and*
- *Extension to allocated Salden Chase site*

*Considering the HELAA, constraints and updated evidence base (transport, flood assessment, landscape, ecology etc.) enabled a conclusion on which site performed best and should be included as an allocation in VALP. This assessment process came out in support of Shenley Park as the preferred site."*

The summary of the Proposed Modifications (**ED229**) also state that:

*"The Council has revisited the conclusions of the Housing and Economic Land Availability Assessment regarding development around the southern and south western edges of Milton Keynes. It was considered appropriate to concentrate development on one strategic site rather than split the development on smaller sites to maximise infrastructure provision and lessen the impact on the countryside and existing settlements." (my emphasis)*

Furthermore, in response to objections to the proposed allocation of Shenley Park in the Proposed Main Modifications, the Council's Schedule of Responses **ED263** again in response to MM070 refers to the ability to maximise infrastructure at Shenley Park:

*"201. In order to maximise infrastructure provision and lessen the impact on the countryside and existing settlements, the most suitable option to allocate further land in close proximity to Milton Keynes is via a single, strategic site with a capacity of at least 1,150 dwellings. Shenley Park is the most sustainable site which fulfils these criteria." (my emphasis)*

Without wishing to repeat comments made previously it is important to note that the **SA Addendum ED204** concluded that:

*"...the appraisal has not been able to conclude the likelihood of any of the alternatives leading to 'significant' effects, either positive or negative.*

*The appraisal serves to highlight Shenley Park as performing relatively well in respect of several objectives; however, it does not necessarily follow that this is the site most suitable or sustainable overall, as the various objectives are not assigned any weighting. For example, the appraisal serves to highlight Shenley Park as performing relatively poorly in respect of heritage objectives, and the Council - as decision-makers – might assign particular weight to this matter. Equally, Shenley Park is judged to perform less well than Salden Chase Extension in respect of 'Communities' objectives, due to uncertainties in respect of secondary school delivery, and the Council might assign particular weight to this."*

Irrespective of our objections to the SA, that the process was flawed as it only considered 3 sites and did not consider all reasonable alternatives; it does appear that the Council in their justification (both in the PMM and in response to objections to the PMM) for the site rely upon the opportunity to maximise infrastructure associated with the strategic site (since non-strategic sites were not considered in the SA). Yet in terms of highway infrastructure the supporting evidence base demonstrates that the proposed Shenley Park allocation neither helps maximise infrastructure nor does the infrastructure proposed, i.e. the new link road, have the desired effect.

As mentioned previously it appears that the decision was made to concentrate development on one strategic site rather than split the new housing figure between sites to maximise infrastructure provision and lessen the impact on the countryside and existing settlements. This approach is not justified; as by including a number of sites – this would still enable developer contributions towards infrastructure plus the provision of any required on-site infrastructure, as long as they accord with the NPPF. Furthermore, a medium scale proportionate extension to the existing Newton Leys development can help support and improve existing infrastructure.

The Plan relies on these issues (the proposed new link road not providing the relief anticipated) being addressed at a much later date as part of the planning application. However, it is considered that the uncertainty only serves to undermine the strategy of the local plan as the allocation cannot be fully justified and therefore this affects the soundness of the Plan.

It is acknowledged that evidence that is provided only has to satisfy the Local Plan and therefore is not as detailed as required to support a planning application, ED263 in response to objections from Milton Keynes Council makes this clear, *“any impacts will be assessed in detail as part of further pre-app / Transport Assessments and where necessary, mitigation will need to be adequately tested as part of this.”*

Nevertheless it is considered that the evidence provided is insufficient to support the allocation; added to the objections we previously raised in our representations, that not all reasonable alternatives have been considered in the identification of Shenley Park, it is considered that the proposed allocation relying upon further evidence at a later date is inadequate to justify the allocation. Having considered the latest evidence provided to support the FMM this supports our previous objections to the site.

As we have stated previously development to the south of Milton Keynes such as around Newton Leys and also Eaton Leys would seem to have less impact on both Buckinghamshire CC roads and also MK roads and existing MK residential areas. (ED256 ref paragraph 11.5.4 compares Salden Chase Extension, Shenley Park and Eaton Leys and concludes that: *“Reviewing the extracted plots and overall traffic patterns in the models shows that of the developments that were assessed, Eaton Leys has the least impact on traffic in the NE of the Aylesbury Vale district.”*)

It is our case, therefore, that if a strategic scale site is going to come forward, as directed by the SA Addendum (**ED204**) then it needs to help deliver meaningful new highway infrastructure to mitigate the impact of development and hopefully improve parts of the road network in particular those around existing settlements. It has been demonstrated that Shenley Park as proposed does not fulfil this therefore other reasonable alternatives need to be assessed including other strategic site options or indeed the alternative of spreading the development in two or three medium scale developments. Medium scale development can deliver significant infrastructure benefits such as new schools, new green infrastructure, extra care housing, community and health facilities etc. These infrastructure benefits do not just come forward through strategic sites.

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

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

Pegasus seek the deletion of policy D-WHA001 Shenley Park and therefore the relevant PMMs and FMMs relating to this policy and instead promote the inclusion of Land West of Newton Leys, Milton Keynes.

Policy D2 Delivery site allocations in the rest of the district - should be amended to include Land West of Newton Leys (this can be in addition to the other additional sites in recognition of the need to provide a range and choice of sites to ensure delivery in the plan period and acknowledging that there are already delays to the Salden Chase strategic allocation following the refusal to grant permission for highway access by Milton Keynes Council).

As a consequence other sites do not have to deliver as many dwellings in the plan period, such an approach reduces the risk of the strategic site not coming forward as soon as anticipated, spreads the risk and supports housing delivery.

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

Yes

No (written response only)

**If 'Yes', please outline why you consider it necessary to speak at any further hearings:**

The issues we have raised are critical to the delivery of housing in the Local Plan and raise issues of soundness in respect of the site selection process and the SA. We note that the Inspector in ED265 has indicated that he is minded to hold further hearing sessions on MMs071,072,073,074,075,076,297 (D-NLV001 Salden Chase, D-WHA001 Shenley Park and supporting text), which we would wish to attend as the issues raised in our response to the Proposed Main Modifications and the Further Proposed Main Modifications are directed at the soundness of the Plan. Not all reasonable alternatives have been examined and the justification for the proposed allocation at Shenley Park is also undermined by the latest transport modelling evidence as referred to above.

**Do you wish to be notified:**

When the Inspector's report is published?

When the Vale of Aylesbury Local Plan is adopted?

**Responses should be returned to Buckinghamshire Council by 5.15pm Tuesday 9 February 2021.**

## **Privacy and the Vale of Aylesbury Local Plan (VALP)**

This privacy notice explains how the local planning team at Buckinghamshire Council (the data controller) will use the personal information we collect about you when participating in this process.

### **Information we hold**

We can collect the following information about you:

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

### **Why we need your information**

We are asking for your information so:

- We can support the local planning process and creation of the Vale of Aylesbury Local Plan including within the independent examination process
- We can comply with the law, as a Local Planning Authority, and carry out consultations for this purpose.

We can use your information because we have your consent to do so (Article 6(1)(a)) and we need it to provide a service as a local authority under our legal obligation (Article 6(1)(c)) under planning legislation:

- Planning and Compulsory Purchase Act 2004
- The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended)

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 discuss this or stop us using your information you should email [localplanconsult.av@buckinghamshire.gov.uk](mailto:localplanconsult.av@buckinghamshire.gov.uk) and quote 'Vale of Aylesbury Local Plan consultations'.

If you ask us to stop using your information (where possible) your comments or representations may not be taken into account within the local planning process and we will 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 is only used for the reasons above but if we need to use it for any other reason, such as the preparation of Supplementary Planning Documents (SPDs) and future Local Plans, we will normally tell you.

### **How we share and process your information**

We will share your information, if appropriate, with:

- JDi Solutions who operate our online local plan consultation system for us as our data processors.
- 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 undertake the examination. If the Inspector wishes to invite you to answer any follow up questions in response to your representations or invite you to attend any further public hearing for the purposes of the examination, we will share your contact information with the Inspector so they can contact you about the Vale of Aylesbury Local Plan.

**Please note that your name, organisation, system ID and representations 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.**

We will securely hold your information and it will normally be retained for the length of the plan period or until the plan is no longer in effect. At the end of this period your records will be confidentially disposed of.

### **Automated decision making**

We do not carry out any automated decision making in relation to this information.

### **Your rights**

You have legal rights over your information. For details of those rights, see our corporate Privacy Policy: <https://www.buckinghamshire.gov.uk/your-council/privacy/privacy-policy/>.

Our Data Protection Officer can be contacted at Buckinghamshire Council, The Gateway, Gatehouse Road, Aylesbury, HP19 8FF, or by email at [dataprotection@buckinghamshire.gov.uk](mailto:dataprotection@buckinghamshire.gov.uk).