

Appendix H: General Representations

Amenity Societies/Residents Associations

None

Representations

In total 191 representations have been received. 50 letters/emails of representation received in response to the first consultation exercise in March 2016. 49 letters/emails raised objections with 1 email in support. 70 further emails/letters of representation were received following the second consultation exercise in April 2017 following the submission of revised plans and additional supporting documentation. 69 respondents raised objection with one respondent offering support. The respondents who sent a second representation reiterated the objections raised during the first round of consultations. A further round of consultation took place in May 2017, due to the additional ES information being made available on line. Following the Committee meeting in 2017, further consultations have been carried out in December 2020 due to the Regulation 22 submission. Following receipt of additional information in response to the Environment Agency consultee responses, additional consultations were carried out in August 2021, October 2021 and December 2021.

Representations (Action Groups)

Hampden Fields Action Group (HFAG)

The HFAG were formed as a local group of residents seeking to resist development proposals on the Hampden Fields site to the south of the Aston Clinton Road for a major housing led urban extension that was first submitted to AVDC in 2012. The Action Group have submitted detailed representations to this application in 2017, 2018, 2021 and 2022. The submissions are summarised below.

Summary

- Prematurity :
- Alignment of Eastern Road (South) – Claims over sequential and exceptions testing for flood risk in the FRA Addendum are flawed.
- Flood risk (see section below)
- Phasing – The FRA addendum which states that Phase 1 (commercial) construction may progress in advance of the construction of the ELR(S) (para 5.1.63) is a change of approach from that stated in the Officer’s report presented to the SDMC . This change in approach was not known by the SDMC when they considered this application, Furthermore, it goes against the infrastructure -led intention of the VALP. The phasing of this development directly affects the assumptions and calculations on which the Standalone transport case is based.
- Financial Viability – BC Affordable housing confirmation that the proposal cannot meet the requirement for affordable housing challenges the financial viability of this scheme. It also sets precedent for other components of the Aylesbury Garden Town plan and will reduce the benefit to the local community across the whole town.

- Water Services Infrastructure: Issues raised in Thames water letter which states that they cannot accommodate this development without network upgrades to water, foul water and sewage treatment..., must be fully address and resolved before any planning permission could be granted.
- Coalescence, design and appearance.
- 5 year housing supply, large opportunistic schemes of this nature should not be needed to achieve housing targets
- proposals to be considered sustainable development if presumption in favour is triggered
- In its favour, the site provides employment and it may attract jobs to the area
- Primary school, leisure facilities (if built) and additional shops are welcomed and will contribute to the sustainability credentials of the new town.
- No plans for secondary school or doctors surgery which may add burden on local schools/surgeries
- Access to rail links and to town centre is overstated and it is anticipated vast majority of people will have to use the car
- Doubtful that application is an urban extension to Aylesbury as the flood plain drives majority of development to the east. It is more like a new town with no sense of place and its sustainability credentials are overplayed.
- Size and amount of development would encircle Weston Turville residents who live on Aston Clinton Road. In conjunction with Hampden Fields, this would lead to an unacceptable level of development that would form an amorphous mass engulfing the villages of Aston Clinton and Weston Turville.
- No longer a meaningful gap between settlements
- Residential development is squeezed onto the site due to the flood constraints
- Affordable housing provisions (unspecified at the time) should not be afforded as a factor weighing in the applicants favour
- Given other commitments (road funding/school/LEAPs etc), it should not fall on affordable housing to fall below 30% provision
- Doubt over deliverability of the site as there is an acknowledged funding gap to build the new link road. Promoter has no formal option over the site so the landowners could pull out at any time
- Phasing of the development not provided
- Given Sport England have objected, the proposal lacks detail on what will be delivered in respect of sports facilities
- Hampden Fields should not be considered until the deliverability of the ELR(S) is assured and guaranteed

A summary of the main Transport issues raised in HFAG response dated January 2021 are set out below:

- HFAG requests and concerns over Aylesbury Transport Model have gone unanswered. Significant issues remain over the change in peak hours and the lack of validation at the Walton Street Gyratory system
- Given the fact that the cumulative impact case includes four major road schemes associated developments, Jacobs' own recommendation is that it should be run back

through the Countywide Model. Key Garden Town Principles are not achieved. These proposals encourage the use of cars and in key locations create by far the busiest roads in the town, encouraging yet greater use of vehicular transport. Key modal shift initiatives as part of the Cumulative Assessment, like the Park and Ride scheme along the A41 corridor are now to be reviewed rather than brought forward.

- New roads, particularly the Southern Link Road operate at Volumes 250% higher than the average Urban A road would, based on Department for Transport data.
- There appears to have been no greenhouse gases (GHG) or CO2 calculations made as part of the Environmental Assessment. For a cumulative impact road scheme of this size, the Planning Authority should want to know what the impact of increased traffic will be on GHGs and CO2.
- The Transport Assessment Addendum contains significant omissions in data which prejudice the public; forecast traffic flows have not been published on key links
- Mitigation is proposed but these proposals have not been remodelled at key junctions. The complete model needs to rerun and republished with the full mitigation schemes in place.
- The standalone using 2022 as the base year is unrealistic even by the developer's own admission. It is so far outside of NPPG that it is almost certain open to challenge
- A 2036 Standalone assessment is essential.
- Broughton Lane mitigation, required in all scenarios, is subject to a separate consenting regime over which the Council and developer cannot guarantee success.
- The Richmond Road closure/mitigation scheme attracts more traffic to the Tring Road corridor when the stated aim of the scheme is to reduce use of the Tring Road. This will be a major concern for residents.
- The Walton Street gyratory remains considerably overloaded in all scenarios. Even in the best case cumulative scenarios it is considerably worse than the scenario rejected by the Secretary of State in 2015
- The claimed improvements in the gyratory performance are only achieved by adopting a wholly unrealistic earlier peak AM time of 07.00 to 08.00 when very few schoolchildren / parents /schools buses will be present.
- These points taken together need much closer scrutiny with more analysis as required. The Highways Authority will be aware they cannot allow a scheme to be approved with incomplete information, unrealistic and unreasonable scenarios demonstrating beyond any doubt that there are significant highways deficiencies associated with amended Transport Assessment.

Recent responses from HFAG relating to Flooding and Health provision

Four main reasons for concerns regarding Environment Agency Consultee Response to the Flood Risk Assessment.

1. Stantec's existing and post development modelling predicates upon a large area of Hampden Fields, consent 16/00424, not changing such that the existing flood plain demonstrated at 16/00424 is retained in perpetuity as it was at the time Hampden Fields was approved. This is a false premise. Flood plain at 16/00424 is to be converted to hold development surface water, so its availability for fluvial flood storage will cease. Accordingly, implementation of 16/00424 will cause flood levels

to be different to those modelled. This is a major flaw in the modelling that the Stantec FRA failed to mention, so it possible (or even probable) it would not have been known by Environment Agency reviewers. In light of this we urgently invite the Council to request Stantec to include permitted development in its fluvial models.

2. The EA has not confirmed that Aylesbury "Woodlands" has the capacity for the magnitude of development proposed by 16/01040, merely that it considers that the impact on off site flooding caused by changing land levels and introducing culverts as shown by the current post Aylesbury Woodland development flood model is satisfactory. Realistically because the development layout is reserved for later approval, nobody can say for certain that the quantum of development proposed by 16/01040 can be delivered meeting flood risk policy. This begs the question whether making an outline application for development of the scale proposed on such a flood sensitive site is appropriate, including trying to deal with such fundamental issues by way of condition. Realistically the outline application should be refused and a full application invited which appropriately assesses the flood risk.
3. "Flood Risk - Further Information" on pages 5 and 6 of the EA's letter refers to flood zones, but does not amplify whether these classifications of land are to be defined by a) today's flood map for planning, b) a revised flood map for planning based on Stantec's updated existing model, or c) the post development flood model". The view of HFAG is that choice b) is correct to comply with national and local planning policy provided that the impact of 16/00424 is taken into account.
4. Condition 05 and Reason 05 are mismatched. The former apparently refers to water supply, the latter to sewage treatment and treated effluent disposal.

Aylesbury "Woodlands" - 16/01040/AOP, should have taken Hampden Fields into account. Therefore, the current flood risk assessment must by definition be deemed unsatisfactory.

HFAG pointed out that contents of their letter dated 10 January 2022 supersedes comments made previously about flood risk and surface water drainage. The main points raised are as follows:

- Yet again the latest iteration of the flood risk assessment (FRA) as supplied with the updated EIA reveals a further increase in the risk of fluvial flooding to the natural land in the north eastern part of the site, impinging on the proposed development platform. Such flooding further undermines compliance of the proposed development with overarching VALP Policy AGT3 requirement k that *"Flood Zones 2 and 3 and 3a plus climate change ... should be preserved as green space with built development restricted to Flood Zone 1"*. It also means that the current Sequential and Exception Tests, dated November 2020, are out of date and therefore must be redone to reflect the current assessment of risk of flooding.
- The newly amended flood mapping does not take into account the impact of the grant of planning consent to the Hampden Fields development, 16/00424, in

particular its reassignment of flood plain land immediately south of Aston Clinton Road for storing development surface water run-off. Accordingly, 16/01040 has lost the benefit of that part of the flood plain, the inevitable consequence of which is that flood levels will be higher everywhere compared with those shown by the latest FRA in both the extant and developed scenarios. Whereas the exact impact of the loss of flood plain on development 16/00424 is unclear, it is very clear that the current 16/01040 FRA must be changed to reflect the loss of that flood plain, likely to lead to an increase in flood compensation and flood defence works at 16/01040.

- Policy AGT3 requirement h states *“Town-wide defences through a flood alleviation system benefitting the wider community and provision of sustainable drainage systems (SuDS) will be required to reduce pressure on the existing drainage network”*. The latest FRA explains that the flood alleviation scheme is capable of reducing downstream flood levels by only a tiny amount, described as *“greater than five millimetres”*. Which is about the height of this line of text. This description of flood level reduction, which is not elucidated by FRA as the digital model is not published, points to the benefit of the development falling very short of this key VALP policy requirement.
- The absence of any ghost outline of the proposed MUGAs and sports pitches on the post development flood maps included in the FRA leads to suspicion that the post development digital terrain model (DTM) included in the flood model does not have sufficient resolution to forecast post development flooding to a five millimetre resolution. No sensitivity testing is supplied to establish how critical the post development DTM is on the flooding predicted. Whether or not the development actually achieves any off-site flood depth reduction is thus cast into doubt.
- The cross section of the proposed ELR(S) through the site is shown by the application is smaller than would be expected from proper application of highway design standards. His letter consolidates the view of HFAG that the post development DTM is inadequately defined and compounds our concern that the post development flood mapping is unreliable and could significantly under-predict future flood depths and extents.
- HFAG notes that excavations for flood compensation works and the filling to create the raised development platform is certain to annihilate large areas of existing vegetation including many trees and hedgerows, entirely contrary to AGT 3 requirements d and e, which state *“Existing vegetation should be retained where practicable, including existing woodlands and hedgerows...”* and *“The development must retain and enhance existing habitats where practicable, including linkages with surrounding wildlife sites”*. In practice such large loss of hedgerows and existing watercourses is not entirely the fault of the proposed flood compensation and defence works, as the master plan layout shows scant regard for conserving either of these important ecological assets.
- Policy AGT3 requirement j explains that the reservoir flood risk to the site should be investigated by the developer, including the impact of potential blockage of various

critical culverts. The FRA has not met this requirement, as it only considers the generic risk of reservoir failure and reproduces the existing Environment Agency risk of reservoir flooding map, rather than supplying a post development reservoir flood map including depiction of the results of culvert blockage. The missing map is essential to demonstrate the absolute flood safety of the proposed development. Whereas thankfully loss of life and major damage due to reservoir breach have not occurred in the UK for many years, there have been 'near misses' documented, most recently at Whaley Bridge reservoir, that serve as a reminder that proper assessment and elimination of reservoir flood risk are essential. Accordingly, the potential impact of reservoir flood risk on this development must be properly explored and demonstrated to be suitably controlled.

- It is common ground that at the heart of the National Planning Policy Framework (NPPF) treatment of flood risk lies the requirement to direct new development to sites having the lowest risk of flooding taking into account climate change. HAFG believes that for two principal reasons the developer's Sequential Test that seeks an exemption to build on Flood Zones 2 and 3 does not comply with the rules of NPPF and its Planning Practice Guidance (PPG):

1. The Environment Agency's Long Term Flood Risk mapping points to the application proposing residential and perhaps commercial development on parts of the site which properly are classified as Flood Zone 3b. As you know from NPPF as explained by the PPG such development is not allowed on land that is classified as Flood Zone 3b. Even though detailed modelling already created for the current FRA should be capable of establishing the extents of Flood Zone 3b, the current EIA does not identify where it is. The 2016 version of the FRA did show Flood Zone 3b, though of course that version is now out of date. Not showing Flood Zone 3b today is a major omission, as without it the development cannot demonstrate that it complies with fundamental national policy. Indeed, because the FRA does not show the elements of the development on any of its flood risk diagrams, it is very difficult to interpret what is the current flood frequency at any location within the proposed built development.

2. The Sequential Test done by the applicant comprises circular reasoning, a real 'Catch-22'. To show why this is true, the Test as currently presented can be paraphrased thus: VALP did not allocate a reserve site for the quantum of development at AGT3. Therefore, there is no alternative site available for the development. Thus, the Sequential Test is passed. Clearly if this principle were right, the Sequential Test would be passed irrespective of how high flood the risk is and how vulnerable to flooding the proposed development is, which cannot be right. To comply with NPPG and the PPG the correct approach to the Sequential Test is to work out how much development 16/01040 can accommodate on its Flood Zone 1, and seek an alternative site with lower flood risk for the difference between that figure and the amount of development applied for. The Sequential Test would be passed only if there is no alternative site available for the shortfall, which is highly unlikely given the Council have already embarked on a early call for sites for the new Buckinghamshire Plan. Only then, could development could take

place on Flood Zones 2, and if capacity there is exceeded, on Flood Zone 3. Even then residential development and other such flood vulnerable uses proposed on Flood Zone 3 would remain subject to passing the Exception Test.

- On the subject of sustainable drainage (SuDS), Buckinghamshire County Council Developer Advice for Surface Water Drainage Strategies is the standard in which the LLFA sets out what SuDS details are expected of outline planning applications such as 16/01040. Requirement i of the Developer Advice on outline application content is inclusion of “*Calculations to determine the size of attenuation and/or infiltration features, to show that what is in the layout is technically feasible*”. The application presented shows no more than a picture of a network of waterways across the development platform and a few small ponds outside the platform together with an estimate of the total rainwater storage needed to serve the entire development. There is no reference whatsoever to finished ground levels, to the volume of storage in individual elements or to the way in which the flow would cascade through the waterways. Clearly requirement i has not been met. It is quite extraordinary that the Lead Local Flood Authority has accepted such generalised evidence that the site can accommodate the quantum of development proposed and has simply asked for conditions.
- It is a further and significant concern to HFAG that storage locations identified for essential fluvial flood alleviation storage are the same as ones identified for essential rainwater run off attenuation storage. Separating those two functions at those locations could be problematic, and without the application showing how this is achievable, it is unsafe to reckon that the same land could be used for both purposes.
- On the basis of the foregoing comments, HFAG concludes that changes made to the application since September about which you are consulting have not ameliorated the clear adverse impact of flood risk to the development as proposed. Furthermore, there is no certainty that the quantum of development applied for can be drained to standards even if it can be defended and flood compensation can be supplied thereby benefitting the wider community.

Overall, there are clear and overwhelming reasons why the planning application should be refused today. If the Council chooses to grant the application without addressing the issues above, we believe it will put itself in clear breach of the NPPF in relation to flood issues and is thus likely to face legal challenge.

Flood Risk Assessment & Sequential Test (letter dated 3.02.21)

The developer's updated Sequential Test stemming from the flood risk assessment is very similar to the original one done in 2016. It can be found in the at Planning Statement Addendum at Appendix D. HFAG cannot detect that the Environmental Agency advice into this matter of January 2017 directed to the LPA (Clare Gray) has been addressed. Paragraphs 155 and 158 of the NPPF require the applicant to seek to direct development away from the

flood plain. Only when it is clear that another site is unable to be found can development be directed to the flood plain subject to the Exception Test being passed for development with high vulnerability to flood risk. In this case the developer has done the Sequential Test for everything except the ELR(S) based on the post development defended flood plain situation rather than on the existing situation. In fact, according to the Environment Agency "long term flood risk" fluvial flood plain mapping some of the residential development appears to be allocated to current Flood Zone 3B and therefore is deemed "inappropriate". Accordingly, it must fail the Exception Test. This is a quasi public scheme, promoted through Buckinghamshire Council's development arm, Buckinghamshire Advantage. What has happened here is the council have put the "cart before the horse" in that they decided the route of the road, which enables other aspects of the development (which in turn contribute substantially to the funding of the road). To overcome the fact that the ELR (S) is currently proposed to be routed through mapped Flood Zone 3 the council declared the road as "essential" infrastructure. The developer has routed the ELR (S) entirely within the 'red line' of the land over which it has direct control. In doing so it goes across the land most highly impacted by current flooding, not even taking the line within its site least impacted by flooding.

As the council deems the road to be essential infrastructure, compulsory purchase could be pursued, the road should have the best alignment based on both environmental impact and highway engineering in accordance with Department of Transport standards even if it does not lie entirely within the developer's land control.

It is remarkable that in the development of the whole of the Local Plan no alternative sites could be found for the sports areas, the employment areas or the residential development (1,100) homes. Indeed, the developer is advising that the Sequential Test is passed without showing a search for alternative sites for such development with lower risk of flooding from all sources. In 2014 we saw how sports fields in the flood plain became unusable, yet the view persists that here sports fields do not deserve allocation to land with a low risk of flooding.

There is a clear route for the ELR (S) which has a far less impact on the flood plain which can still link up to the Woodlands roundabout in the South and the Canal bridge in the north. In fact, it was originally published by the council's own consultants, Aecom, in 2017 as part of the Local plan process.

Given the extent of mapped fluvial flood plain on the site, the policy of NPPF, the clear advice of the PPG, the direction given by EA 2017 letter about Sequential and Exception Tests, the fundamental changes associated with the new flood risk assessment, but apparently no compliance by the developer, I ask you to please give these matters your consideration and reconsider the appropriateness of the Sequential Test/Exception test accordingly. Local residents are extremely concerned that Aylesbury's most important floodplain is about to be developed when we believe other alternatives should be objectively considered.

Healthcare Provision (summary of main issues)

- Objects to the application because of the current Healthcare proposals as set out in the application and the draft Section 106 document.

Health Impact Assessment

- The Environmental Statement does not appear to contain a specific health Impact Assessment.
- No evidence in the ES (2016) as to how the assessment identified the healthcare need. The only rational appears to accompany the application was provided by the environmental statement addendum of April 2017.

Primary Care

- The proposals do not adequately mitigate the impact on primary care/GP services. The CCG has made it clear in correspondence to the Council over several years that a contribution to a larger primary healthcare facility should be made from 16/01040/AOP site. The request from the Director of Finance at the CCG is based on the EIA population increase of 2,160 and is for £783,037.34. Provision for this or a similar amount must be made within the S106 along with a clear payment schedule.
- The NHS has expressed no desire or plan for a small GP surgery to be placed on the site of 16/01040/AOP. Thus, the only provision offered in the S106 (health centre land) is inappropriate.
- Even if the land were needed, the developer has to provide it, market it according to a council-agreed scheme, transfer or lease it to a health service provider and provide it in a serviced state within six months of the transfer or lease agreement. If no such agreement is reached, or there is no interest from a health service provider, then the developer's responsibilities cease except that they have to agree with the Health Commissioning Body and / or the council that an alternative mechanism to provide health facilities to mitigate the impact of the development is not required. Thus, under the terms of the S106, the Council could, of its own accord, decide that there was no need for any primary healthcare provision as part of the 16/01040/AOP. This possibility, baked into the current S106, is contrary to any planning policy and indeed good sense and completely unacceptable to the public.
- The current proposals are a departure from the VALP Local Plan. At point t) in relation to Policy AGT3 it states: "Provision for health facilities in consultation with the CCG". As shown in the previous paragraph, the S106 allows the Council to take a crucial decision about the provision of and for healthcare as part of this development without consultation from the CCG. The S106 needs to be significantly amended to provide contributions to both primary and secondary care arising directly out of the population impact of the proposed development. Should the Council decide to grant permission without the above issues being addressed, then it will leave itself open to legal challenge.

Secondary Care

- BHT request for mitigation is required and justified and should be provided as part of the s106.

- The Developer’s position as set out in the correspondence of 7th February 2021 is flawed and totally without merit. The developer has made no attempt to provide evidence that secondary care mitigation is not required.
- BHT have set out in numerous documents supported by legal opinion their justifiable requests for £2,118,427. Whilst the developer argues the request for mitigation carries “insufficient detail”, he does not argue that the mitigation is not required. As with the primary care request it is CIL compliant and legally due.
- Thus, if the LPA were to recommend approval it would be doing so in the full knowledge that the adverse impacts of the developments remain unmitigated in relation to secondary healthcare.

S106 Document

- The draft s106, published 26 January 2021 still pursues the prospect of a smaller standalone health facility on Woodlands. Although the size is not defined in the s106 this is presumably a 5 GP surgery in line with para 3.6.9 of the ESA. Regardless, this provision is both against approved VALP policy and the clearly defined CCG strategy.
- The s106 has not been updated to reflect the policy changes in the VALP. It does not make any provision for off-sites contributions. Paragraph 4 (Schedule 4, of the s106) discharges the developer of its obligations with no guarantee that an “alternative mechanism” is compliant with the CCG strategy, will even be implemented, nor that it will comply with CIL regulations.
- Should the health centre land not be taken forward by the CCG, which the Council is well aware it will not because of the mismatch with the CCG’s strategy, the acknowledged unmitigated adverse effect on primary healthcare provision will remain.
- The problem with the Council’s position is twofold
- The use of the words “and/or the Council” in para 4 (schedule 13) means that an alternative proposal or contribution significantly less than that requested by the CCG could be accepted solely by the council but would still fulfil the terms of the s106. It could mean that effectively no contribution to healthcare was made by the developer
- There is absolutely no provision for secondary healthcare within the s106. The unmitigated adverse impact on secondary care remains.

Collaborative working:

The issue is identical to the issues faced by the Hampden Fields 16/00424/AOP application. The minutes of 24 February 2021 directed “that officers continue to work collaboratively with the BHT and CCG on establishing a robust methodology for any future requests”. This application should be considered as falling under this direction because it is still open, the determination lies in the future, and it provides an early and substantial opportunity to demonstrate the officers’ willingness to follow the committees instruction.

Whilst the council does not have an obligation to publish every single document, it is required to allow the public sufficient information from which to understand how decisions are being taken. The council and its officers need to provide early evidence of that collaborative working and now they have engaged with both CCG and BHT to agree mitigation for Woodlands, rather than imposing the council's will on the public, if that direction is to be fulfilled.

Additionally, the council's own chief executive and other senior officers have committed to establishing a collaborative approach to mitigating secondary healthcare with development proposals.

The VALP has now been adopted with no specific proposals for secondary healthcare provision. It is therefore necessary for mitigation to be provided with each application as it comes forward.

Legal challenge

The threat of legal action is still present . Tim Seymour's email 23rd March concludes

“NB. In relation to the Trust’s request to mitigate the impact on healthcare through our original consultation response toward acute and community services, if the council continues to rely on the same reasoning as 16/ 00424 (Hampden Fields), our legal response will apply here as well.”

Whilst the council, erroneously, may believe that this position has subsequently changed for BHT in an “undertaking” for Hampden Fields, legal action has clearly not been ruled out for Woodlands.

Conclusion

It is the firm belief of this group that failure to adequately mitigate the needs for both primary and secondary healthcare provision in line with the CCG and BHT request would be in breach of both the NPPF and CIL regulations and will be robustly resisted on behalf of the public we represent.

Until and unless the six areas of concern sets out above can be fairly addressed and legally sound solution can be found HFAG will maintain its objection to this application.

Richmond Road Petition Group (09.09.2021)

Objections to proposed highway mitigation works:

1. Proposed alterations to Broughton Lane/A41/Bedgrove Junction.

1.1 The notices displayed on site and the description of works make no reference to the works proposed at this junction, thereby concealing from the general public the nature of what is intended and depriving them of the opportunity to submit representations.

1.2 The Highways Comments dated 8 January 2021 include on page 13 an aerial view of the existing junction but excluding the recently formed junction on the east side of Broughton Lane serving the Aston Reach development, currently under construction. A similar view, but clearly showing the proposed alterations, was included in the report for the South East Aylesbury Link Road (SEALR) scheme which the Strategic Sites Committee recently considered. However, the diagram used on page 16 of these Highways Comments is a smaller version of the incomplete and almost incomprehensible sketch used at the October 2017 meeting of AVDC Strategic Development Committee. That is inexcusable when a more workmanlike illustration is available.

1.3 The statement at the foot of page 15 and top of page 16 alludes to what was stated in the October 2017 report, which was a misrepresentation of the facts. The land concerned is not in the Council's ownership. It is public open space as defined in section 19(4) of the Acquisition of Land Act 1981, and is registered by the police as a "Designated Public Place" for the purpose of law enforcement. There are procedural measures to be followed, including consultations, before the land can be appropriated for any other purpose. That is a matter for the Planning Authority to initiate.

1.4 The proposal also requires a Traffic Regulation Order to prohibit vehicular traffic from using the existing access to A41. That is subject to statutory procedures to be initiated by the Highway Authority and is not a planning matter. If it is to be relied on as a mitigation measure, the Order needs to be in place before any alterations are begun.

1.5 The traffic analysis assumes a base year of 2017 which gives a false indication, insofar as substantially increased traffic had been attracted to Broughton Lane following the alterations at its northern end in late 2016 as part of the Kingsbrook development. Those alterations were supposed to act as a deterrent to rat-running.

1.6 The highways comments about Broughton Lane in April 2012 were that "It is essential that the lane remains lightly trafficked, with speeds commensurate with its use by cyclists and pedestrians". No Condition to that intent was imposed when Kingsbrook was granted consent. Consequently, the delays experienced by A41 traffic are made worse by the signal time allocated to substantially increased Broughton Lane traffic. It has been left to the Woodlands development, which is not the cause of the problem, to design and fund a traffic calming scheme for Broughton Lane, but not until after the Eastern Link Road (ELR) is open to traffic, which is several years away.

1.7 These circumstances, arising from inadequate provision as part of the Arla and Kingsbrook schemes, are now resulting in discomfort for Broughton Hamlet residents and a proposed junction alteration which adversely affects the amenity of Broughton Pastures residents, with regard to direct access to the highway network and their enjoyment of public open space. Two schools and a parade of shops are also affected by the access arrangements proposed. In contrast, the Vale of Aylesbury Local Plan emphasises that preservation of the amenity of existing residents is afforded considerable weight in the planning balance.

1.8 The 2017 report mentioned the number of side roads entering the junction as a reason for it being “problematic”. That number is no different from when the former roundabouts were replaced by signal control, but the installed design, approved in 2013 by BCC, made inadequate provision for right-turn movements. Whatever changes are made to this junction, there will be no increase in the capacity of the roads leading from it to town and elsewhere. The network is inadequate for the present traffic.

1.9 In August 2017, a few weeks before the junction alterations were included in the Woodlands and Hampden Fields reports, a S106 Agreement had been completed with the Aston Reach developer, with an approved junction design requiring no land outside the existing highway. That work has not yet been done. The consultants acting for the Woodlands and Hampden Fields consortia had proposed a modified version of that scheme but BCC Highways wanted the scheme now being considered, having misconstrued the information on which it was based. In the above circumstances it cannot be claimed that the scheme was specifically “agreed” in 2017. There was merely an implied intention.

1.10 Some of the traffic modelling, and the conclusions drawn from it, refer to the year 2022 when there will be no Eastern Link in place. That appears to invalidate the conclusions drawn.

1.11 Residents of Akeman Way have expressed concern about the possibility of traffic cutting through what is essentially a single lane road.

1.12 For the foregoing reasons the petitioners strongly object to the proposed mitigation, but have no objection to a scheme based on the design approved for the Aston Reach development and supported by the consultants advising the applicants. They are concerned, in addition, that the Council should have regard to the carbon footprint of proposed work and seek to minimise its impact, whoever carries it out.

2. The Eastern Link Road (ELR)

2.1. For many years, this road has been identified as a key element of the future Aylesbury road network, providing additional capacity to enable relief of traffic congestion in the town. The business community has strongly supported that, being aware of the extra costs incurred daily as a result of delayed delivery of essential supplies. Former Trunk Road A41 is acknowledged to be prone to frequent congestion. It carries a substantial amount of freight traffic, little of which has any business on A41 but has no alternative route available. Tests carried out by the Council have indicated that major work is necessary on the road. It is no longer structurally adequate for the volume and weight of the traffic using it.

2.2 Delivery of the ELR has been fraught with complexity. It has been processed in a piecemeal manner in the Kingsbrook estate north of the canal, with inconsistent planning Conditions applied where it crosses the boundary between phases of the estate development. That is despite the declared intention of the Council to create a strategic road of consistent standard throughout its length by 2024 and with provision for it to become a dual carriageway by 2026.

2.3 Additional information which has become available in 2021 shows that the Highway Authority has failed to appreciate, or has chosen to disregard, the logistical challenges in constructing a bridge over the Grand Union Canal when the only access to both canal banks is across more than 1km of waterlogged ground. That shows that there was no foundation for the optimistic statement in November 2014 by the former Transport Cabinet Member, and repeated in the paper *Aylesbury East* which was still available in 2020 and only recently withdrawn. Clearly, neither was there any credible evidence to support the 2014 grant application. The DfT approved grant has since been reallocated to other projects.

2.4 The original target date for completion of the initial single carriageway in 2021 is no longer attainable, although staff at the Garden Town exhibition in 2020 were still adhering to that date. The 2024 and 2026 dates are uncertain. The Council now intends to make use of Garden Town funding which will expire at the end of 2024 if the work has not been committed. However, the draft S106 Agreement for Woodlands contains the proviso “unless otherwise agreed in writing and in any case no longer than five years after commencement of construction”. This is a priority project on which the viability of Aylesbury’s planned growth and the relief of traffic congestion depends.

2.5 The Woodlands section of ELR has three main elements, the A41 roundabout, the canal crossing and the length in between. These will be discussed in the following sections.

3. Woodlands Roundabout A41

3.1. The proposed enlargements to the present roundabout are a widening of the existing highway and do not require planning consent. Providing there are no problems with access to the land, those works can be undertaken at any time. Access for constructing the whole of the ELR south of the canal needs to be taken from the widened section on the north side of the roundabout.

3.2 There is concern that the proposed design requires vehicles making right turns, including some buses, to pass through four sets of traffic signals. Bearing in mind that many drivers are familiar with the existing route into Aylesbury, the long detour from Aston Clinton bypass A41 to northbound ELR may discourage traffic from using it. Signage would need to be augmented by a 17t weight limit on the existing route (a) to divert heavy vehicles which have no business in Ting Road and (b) to protect Tring Road from continuing damage and consequent maintenance costs.

3.3 A suggested alternative to the present proposal is a “ring junction” like those in High Wycombe at the bottom of Marlow Hill and at Denham. A further example is at Hemel Hempsted. These junctions have been operating for many years without the need for traffic signals. They keep traffic moving and provide a much shorter route for right hand turns between adjacent arms of the junction.

4. Grand Union Canal Bridge

4.1 This is a critical element in the whole project but currently is not programmed until phase 1B. There is no detailed planning consent yet or any completed Agreement with the Canal & River Trust. Furthermore, there is no agreed alignment for the Kingsbrook section of the road. That remains in doubt following the planning consent issued on 12 March 2021 for application 20/00740/ADP. Working space and access for constructing the north side

foundations and supporting structure are limited to the highway reservation within Kingsbrook. It is likely that the site of the bridge is on soft ground and piled foundations will be needed. As far as is known, no site investigation has been carried out.

4.2 Until those works, including provision for the future dual carriageway bridge, have been completed, it will not be possible for the Kingsbrook developer to import and consolidate filling material for the northern embankment approach to the bridge. On soft ground it is often necessary to avoid the risk of long-term settlement by surcharging an embankment of this height (up to 6m) for several months before constructing the road. For that reason, the embankment for both carriageways should be completed in one exercise. There will be very limited, and therefore more expensive, means of access available if that is not done, and a high risk of long-term differential settlement.

4.3 Access to the southern side of the bridge will not be possible until the stream bridge north of the roundabout (or a substantial temporary bridge) has been built. The permanent bridge should be built to accommodate the future dual carriageway from the outset. The drawings submitted suggest that it would need to be widened soon after construction, resulting in a structure joint under the second carriageway. That is short-sighted and bad practice, as well as causing abortive work with increased carbon footprint and delay in completing that carriageway.

4.4 Other flood culverts will be needed between that bridge and the canal bridge because the ELR is sited almost wholly in flood zone 3 and the road will be on embankment. It is noted that the Stantec report refers to some culverts with dimensions smaller than 1m. In the interest of accessibility for inspection and maintenance, and avoiding the risk of blockage in culverts which will be over 25m long, there should be no culvert, either circular or rectangular in cross-section, with a height between invert and soffit of less than 1.2m.

4.5 The nature of the work described makes the target completion date look very ambitious, considering that there are legal and administrative activities which have yet to be completed.

5. The remainder of the ELR.

5.1 As previously mentioned, the embankment across the flood plain in zone 3 will have a risk of long-term settlement unless most of it is formed up to carriageway formation level from the outset. The deposit and compaction of imported fill would have to be done in sections between the flood culverts, unless the fill is re-excavated to enable the culverts to be installed in the partly completed embankment, which would be the preferred method.

6. Closing Comment.

6.1 The technical comment in the above has been compiled from professionally qualified sources. It is noted that the application is for outline consent only. If the application or any reserved matters application is referred to Committee, petitioners would wish to address the committee.

In July 2018 a petition containing nearly 500 signatures was presented to the Quarterly Meeting of Bucks CC. Petitioners were objecting to a proposal to downgrade the Richmond

Road eastern access from Broughton Pastures to the highway network. Broughton Pastures is a large 1960s housing development with two schools, a parade of shops and a frequent bus service.

To describe the proposed alteration as an improvement is wrong. It diminishes the amenity of many existing residents and is therefore contrary to a core principle of good planning. The proposal had been included without prior notice in two reports to the District Council's Strategic Development Management Committee in October 2017. It was presented as a mitigation measure for the adverse highway impact on A41 which it was claimed would result from the combined development of the Woodlands and Hampden Fields sites. It read as follows:-

The Bedgrove/Broughton Lane junction is a problematic junction on the network and this is in part due to the number of side roads competing for green time at the existing signals. A mitigation has been proposed making use of Council land which forms part of the public highway to the north of the junction. It is of interest to note that whilst researching the status of the land it was found that it was acquired in 1936 for a similar scheme to that now proposed by the developers. The scheme involves removing the northern arm of the Bedgrove junction (Tring Road local) linking it instead with Broughton Lane by way of a priority junction as shown on WSP drawing 1969/SK/150 Rev F.

The petitioners have recently learned of two planning proposals accessing Aston Clinton Road A41 in which consent was dependent on a contribution to what was described as the "agreed Tring Road service road improvement".

That description and the statement in the 2017 planning reports are not consistent with the facts. The proposed junction change requires a Traffic Regulation Order, the procedures for which have not been initiated by the Highway Authority. It also requires specific planning consent for a change of use and none of the required consultations have been initiated. The description of the road as a service road is *incorrect*. The service road, called Akeman Way, is unaffected by the proposal. It lies wholly to the west of the Broughton Pastures Richmond Road access which it is proposed to close to vehicles and divert to a less commodious position.

The signalised junction described as problematic had only been constructed four years previously, with Highway Authority approval. The number of side roads is the same as it has been for the past sixty years. Roundabouts were installed in the 1980s. The signalised junction installed in 2013 made inadequate provision for right-turning traffic. That was a fault of the approved design, unrelated to what has happened since then.

The land on which the proposed diversion is located was not "acquired" in 1936 and has never been part of a highway. The 1936 Agreement was for a Dedication, which does not convey title to the land, only a right to pass over it. The purpose of the Dedication was to enable the continuation of housing development along Tring Road, which had been halted by the Restriction of Ribbon Development Act 1935. The continuation eastwards to Broughton Lane was subject to prior action by the owner, which did not take place and no highway was built on that length. Therefore, that part of the dedication as highway was not implemented. The ownership of the land is irrelevant. A change of use to highway requires specific planning consent, as stated above.

It is incorrect to claim that the proposal was made by the developers. They had proposed a scheme within existing highway, based on what had already been agreed by the Highway Authority in December 2016, less than a year earlier, for the Aston Reach site east of Broughton Lane. The Highway Authority then asked for a different proposal as shown on an incomplete diagram, not a finished drawing, in the October 2017 reports.

The conclusion is that approval of the junction alterations has been based on a misrepresentation of the facts, and is dependent on statutory procedures the outcome of which cannot be guaranteed. Therefore, there are currently no grounds for any planning consents to rely on it by way of Condition or otherwise.

This objection is submitted by the Richmond Road Petition Group Committee, on behalf of the Richmond Road Petition Group

Representations (Individuals)

The following comments and observations have been reported and have been grouped into the main topic areas:

Transport and Traffic Impact

- Severe traffic impact on A41 and roads in/out of Aylesbury;
- Increased traffic in surrounding towns and villages, including HGVs;
- Current road network already at capacity. Roads cannot cope with more traffic and more congestion;
- Link road is single carriageway and would not deliver strategic benefits - New residents will need to use cars to travel to work
- This site is nowhere near the railway stations meaning more cars on overused cutthroughs which will be hazardous for school children
- Is the car parking provided adequate for the development?
- Development should not go ahead until local infrastructure is provided.
- Impact on bottleneck at junctions at Woodlands A41 roundabout
- Does not take into account the extra 600 dwellings in Aston Clinton, which would further overload the roads
- Question the appropriateness of the junction design of the A41 Woodlands roundabout
- Hampden Fields developers and Woodlands developers have shown a different design
- Hampden Fields and Woodlands developers should work together to co-ordinate the proposals and to avoid confusion and disruption at public expense
- Suggest amendment to the roundabout design with a right turn lane (similar to the Headington roundabout in Oxford)
- Question whether residents have been misinformed about how the link road is funded - End of A41 should contain three lanes to contain the level of traffic from the developments

- All smaller roads will be used as rat runs due to volume of cars
- Link road is not dual carriageway therefore there will not be sufficient capacity
- Broughton Road should be made a no through road so it is not used as a rat run
- Construction traffic causes a huge problem which will be made worse by the development
- No evidence of investment in canal towpath
- No road structure to support the development
- Aylesbury is gridlocked at present. Development will make this situation worse
- Traffic calming measures proposed at Aston Clinton are needless as traffic turns left and cuts through Western Turville to avoid the Woodlands roundabout bottleneck
- Serious errors in the transport assessment and the applicant has failed to demonstrate that the traffic on the road system will be relieved
- Development prejudicial to Vale of Aylesbury Local Plan, as it depends on speculative road through Stoke Mandeville.
- Transport strategy of the VALP is flawed
- Traffic calming through Weston Turville proposed is not guaranteed
- Unclear how any of the roads around Aylesbury can be delivered. Woodlands should not be approved until it is clear how and when the roads would be built and funded
- Development would add to the traffic problem in Weston Turville Main Street, as it is currently used as a rat run
- Unsustainable to add new houses, leisure facilities, school, hotel and conference centre to traffic flow
- Eastern link road will not solve the traffic issue from significant increase in traffic from the additional housing proposed in the Woodlands, Land South of Aylesbury, Hampden Fields, Aston Clinton Road and Kingsbrook developments
- Development will turn Aylesbury Town Centre into a ghost town as there will be traffic chaos
- Limited capacity on rail services to accommodate for this growth
- Traffic model irrelevant and inappropriate when assessing Hampden Fields
- Applicant has failed to show how the traffic at the gyratory system will be relieved
- Proposed traffic calming scheme in Weston Turville confirms that the developers acknowledge that there will be a major increase in traffic flow though the village
- Traffic modelling is false
- Increase in traffic in Bedgrove
- Additional traffic on roads will cost lives as the routes are used by Ambulances
- Too many junctions on the link roads
- No indications or evidence of the origins or destinations of traffic on the forecasts in the TA.
- TA results at odds with visual observations which indicate commercial traffic have business on the west while some are going further afield. No reason for substantial flow to be Tring Road as modelled
- Important to complete the ELR with or without the Woodlands development
- 90 degree turn a better solution than the hamburger style roundabout at Aston Clinton Rd/A41 which has too many signals

- Preferable to construct a small bridge on ELR north of the roundabout to the full width for dual carriageway. Could accommodate a pedestrian underpass beside the watercourse
- Development of this scale should be part of a major town plan designed with infrastructure
- Minor roads including the road in the development not designed for major traffic flow
- Developments planned would make people more likely to use cars rather than walking or cycling
- Transport report is incomplete and more work needs to be done.
- Sensitivity analysis shows dramatic increases in traffic through Aston Clinton and Weston Turville.
- Bring forward the delivery of key transport infrastructure to the east of Aylesbury
- Early delivery of the ELR to A41 link road is built before the houses to reduce the volume of traffic on Broughton Lane
- Closure of Richmond Road, access to Tring Road and Bedgrove

Landscape Visual Impact/Rural Countryside

- Loss of Open Countryside
- Loss of High Grade Agricultural Land
- Loss of habitat for wildlife
- Possible loss of nesting habitats for breeding resident and migrant birds
- Large area lost for wildlife to hunt in and live
- Coalescence between Aylesbury and Surrounding Villages
- All green space is being lost
- Loss of local habitats
- No provision of running paths
- Countryside should be left along and unspoilt
- Reduce the independent existence of Aston Clinton drawing it together as a suburb of Aylesbury
- Destroys character of Aston Clinton village
- Loss of large area of agricultural land
- Loss of rural landscape
- Eradicate borders of Weston Turville and Aston Clinton
- Proposals would urbanise the parish
- Large amounts of hedgerow will be destroyed
- Severe impact on Buckland village
- Development of this site so close to Grand Union Canal is not acceptable.
- Walkers want to see countryside not housing estate and office blocks
- Arla is already an eyesore on this rural environment.

Pressure on Infrastructure

- Pressure on community infrastructure
- Schools/Hospitals/Doctors already at capacity and would be over-subscribed
- Where is the extra hospital? Stoke Mandeville cannot cope with more people?

- No further development allowed until significant investment made into Buckinghamshire Healthcare NHS trust to cope with additional demand for services
- Pressure on existing healthcare facilities
- No doctors surgery proposed
- Increased pressure on local doctors surgeries
- All residents would use Aston Clinton
- No medical provision for 3000 new residents
- Bigger hospital is needed
- Aston Clinton does not have the amenities to support this kind of development - Recommended ambulance times at Stoke Mandeville hospital are not being met and are going to get worse
- Are police given more funding to deal with problems when areas become densely populated?
- Child protection and safety issues
- Infrastructure cannot cope with over-development
- Local Schools are full
- The plan does not detail a secondary school

Housing

- No need for additional housing
- Too many houses for a small village
Should preserve villages and keep development to a minimum. Too many approved developments in Aston Clinton and no coherent plan for how many houses which is not sustainable
- No one can afford housing in the new developments in Aston Clinton
- Aylesbury should not be turned into a city
- AVDC has sufficient housing need for 5 years and the Woodlands development is not needed

Environmental

- Development on Flood Plain
- Heritage Loss
- Unacceptable environmental Impacts from noise, light and air Pollution
- Impacts from noise of sports facilities after 6pm and from floodlighting which will cause
- light pollution
- How will the development effect the canal and canal pollution?
- We have had enough of all the building work around the vale.
- Noise, traffic, air pollution
- Undue sense of enclosure for homes along Aston Clinton road which overlook the fields
from the proposed road and sports area which would substantially reduce privacy in the homes and cause a security risk
- Noise from sports pitches would adversely affect residents of Aston Clinton Road properties

- Site floods every year and will get worse as a result of development
- Development built on most sensitive flood plain without proper tests carried out
- Children will not grow up in a safe and natural environment
- Additional noise from the infrastructure
- Increased noise from additional car journeys - Will increase flood risk elsewhere

Other Planning Matters

- Deliverability of the scheme is highly questionable
- No detail of deliverability plan
- Sport England have objected which demonstrates the insufficient detail in what is planned
- Building heights contrary to saved policies in AVDLP and are out of keeping with anything other than at the very centre of town at 4.5 storeys high
- Housing densities are 40-50 dwellings per hectare and therefore contravenes policy GP35 of the Local Plan
- Employment site will be in a unsustainable area in terms of rail travel and the link road will not off-set the increase in travel
- Not sufficiently connected to Aylesbury to be regarded as an urban extension
- Do we need a new stadium when there are adequate sports facilities in the area
- Height of development unacceptable, especially with HS2 carving up the area
- Proposed planting of light shrubbery to create privacy shielding is insufficient for its purpose
- Very dense woodland would need to be created in the field north of the Aston Clinton Road homes
- Site is in a poor location from sustainability perspective
- No evidence that the site will create employment.
- Risk that buildings would be underutilised and could lead to a deprived feel to the area
- Negative impacts of scheme severely and demonstrably outweigh the benefits of the scheme
- No higher than two storeys should be permitted for residential and office/industrial uses.
- How can scheme be promoted by AV when AV does not have a Local Plan? This is not a co-ordinated way to plan for growth
- Land owned by Bucks CC and has a vested interest in the development, over new houses and offices
- Recommend that an intense woodland management scheme is submitted to ensure residential properties are not overly enclosed. Field to the north of the residential properties on Aston Clinton Road should be planted with a large number of trees.
- Access road will need at least 2m high acoustic fence at its southern side to mitigate noise from traffic
- Sports Village should not occur beyond 9pm during the week and 6pm at the weekends
- More power cuts if more development
- No consideration for residents currently living in Aylesbury
- All developments are ruining small villages

- Aston Clinton has had to absorb too much development, contrary to the emerging neighbourhood plan
- New developments cause mass exodus of people commuting as not enough new jobs created. This is unsustainable
- Too many people being cramped into a rural site
- This development is not required by the development plan for the area
- Scale of development is inappropriate for the area
- Not enough local employment space created
- Too much paperwork to properly digest within the timescales allowed
- Woodlands development cannot be considered in isolation
- Brownfield sites (in Aylesbury and Wendover) should be considered before greenfield land is built on
- Waterlogged football pitches on the proposed site will be unfit to play on
- Second rate design

