

# **CASTLETHORPE NEIGHBOURHOOD PLAN REVIEW**

Modification Proposal Statement

April 2020

## Introduction

1. As a 'Qualifying Body', the Castlethorpe Parish Council ("the Parish Council") proposes to modify the made Castlethorpe Neighbourhood Plan ("the Made Plan") of 18 October 2017. This Statement is published as part of the submission documentation of the proposed modified Neighbourhood Plan ("the Modified Plan"). The final version of the Modified Plan, together with a Basic Conditions Statement and Consultation Statement, is published separately.

2. A draft version of the Modified Plan and this Statement was consulted on in February and March 2020 as per Regulation 14 of the 2012 Neighbourhood Planning (General) Regulations (as amended).

3. Both the Parish Council and the Local Planning Authority, Milton Keynes Council (MKC), consider that the proposals represent material modifications to the Made Plan, but they are not considered so significant or substantial as to change the nature of the Made Plan. In which case, the modifications may be made without a referendum in accordance with the Neighbourhood Planning (General) and Development Management Procedure (Amendment) Regulations 2017/1243. Regulation 15(1)(f) of the 2012 Regulations (as amended by Regulation 5(7) of the 2017 Regulations) requires:

*"in relation to a modification proposal, a statement setting out the whether or not the qualifying body consider that the modifications contained in the modification proposal are so significant or substantial as to change the nature of the neighbourhood development plan which the modification proposal would modify, giving reasons for why the qualifying body is of this opinion."*

4. This Statement serves this purpose and notes the following additional requirements in the Planning Practice Guidance (PPG):

- *the qualifying body must (... when the modified plan is submitted to the local planning authority) state whether they believe that the modifications are so significant or substantial as to change the nature of the plan and give reasons*
- *the local planning authority must (when sending the modified plan to the independent examiner) state whether they believe that the modifications are so significant or substantial as to change the nature of the plan and give reasons. The local planning authority must also submit a copy of the original plan to the independent examiner*
- *the qualifying body must decide whether to proceed with the examination after the examiner has decided whether the modifications proposed change the nature of the plan*

5. In accordance with the requirements of the PPG as stated above<sup>1</sup>, this document therefore explains the background reason to this modification, details what are the modifications and gives the reasons as to why the Parish Council believes that the Modified Plan is not so significant or substantial as to change the nature of the plan.

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<sup>1</sup> Paragraph: 085 Reference ID: 41-085-20180222

## Background

6. The Made Plan covers the period 2015 – 2030. The designated neighbourhood area covers the same area as the Parish boundary. On 18 October 2017 it was agreed by Milton Keynes Council to 'make' the Castlethorpe Neighbourhood Plan, following a referendum which took place on Thursday 21 September 2017. The results showed 93% of those who voted were in favour of the plan.

7. There are five reasons for the Parish Council proposing to make modifications. Firstly, the Made Plan has been used in determining planning applications and, in the light of some issues raised, the Parish Council considers that Policy 3 on design matters requires modifying to more clearly set out the local community's expectations.

8. Secondly, a Conservation Area Review is due to be completed by MKC and in working with the Parish Council, it has resulted in the introduction of a new policy identifying Buildings of Local Interest.

9. Thirdly, some minor errors to the way the Development Boundary of Policy 1 was drawn have been identified and require correcting to bring the policy into line with the new Local Plan ('Plan:MK'), which has been adopted since the Made Plan (see Figure 1 overleaf).

10. Fourthly, the revised National Planning Policy Framework (NPPF) of February 2019 has incorporated a previous Written Ministerial Statement of 2016 in respect of maintaining the full weight of made neighbourhood plans in decision making. Its § 14 requires that where a neighbourhood plan has been made within two years and has allocated housing land to meet its identified housing requirement, then the presumption in favour of sustainable development of its § 11 will not be engaged unless the local planning authority cannot demonstrate a three-year supply of housing land or has failed its housing delivery test.

11. In this respect, MKC has confirmed that the Made Plan has already allocated housing land (in its Policy 2) that exceeds its identified housing requirement. There is therefore no need for the Modified Plan to make provision for new housing allocations, but it will benefit from an additional two years of 'protection' from § 14 once made. With MKC's advice at the Regulation 14 stage, a new policy has been inserted to address this specific matter and the plan period has been extended to match that of the adopted Plan:MK, i.e. March 2031.

12. Fifthly, the Parish Council is using the opportunity presented by the modification of the Made Plan to present further evidence to support the proposed designation of Gobbey's Field as an additional Local Green Space (see Figure 2 on page 6) in Policy 5. Despite previous examinations requiring its removal from the Made Plan, there remains strong community support for the proposal and the Parish Council maintains that the evidence continues to demonstrate Gobbey's Field meets the criteria for designation as a Local Green Space.

13. In addition to these primary reasons, it is now timely to update the Made Plan to take account of the new Local Plan. Plan:MK was adopted by Milton Keynes Council on 20 March 2019. Its evidence base informed the preparation of the Made Plan and it recognises the allocation of Policy 2 of the Made Plan as a housing commitment.

14. Plan:MK also continues to define Castlethorpe as 'villages and rural settlements' where new development will occur at locations identified in made neighbourhood plans and

within the defined Development Boundary. Additionally, given the recent signing into law the legally binding national target of net zero carbon emissions by 2050, the modification also takes the opportunity to signal the neighbourhood plan's support of actions which will help to mitigate the impact of climate change.

**Figure A3.2: Proposed changes to 1995 Settlement Boundary (see Chapter 3)**

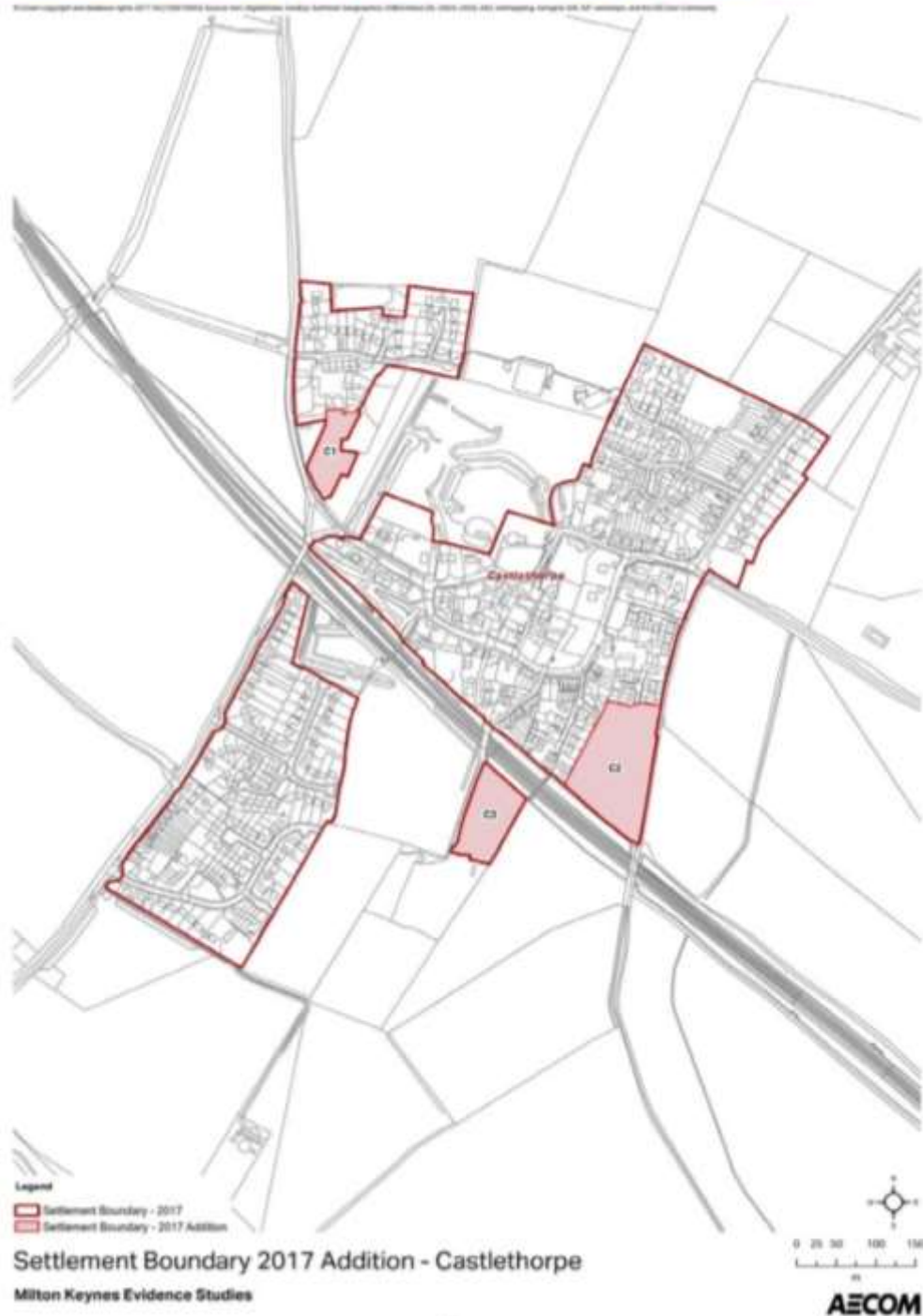


Figure 1: Milton Keynes Settlement Boundary Study (Castlethorpe)  
Source: AECOM, November 2017

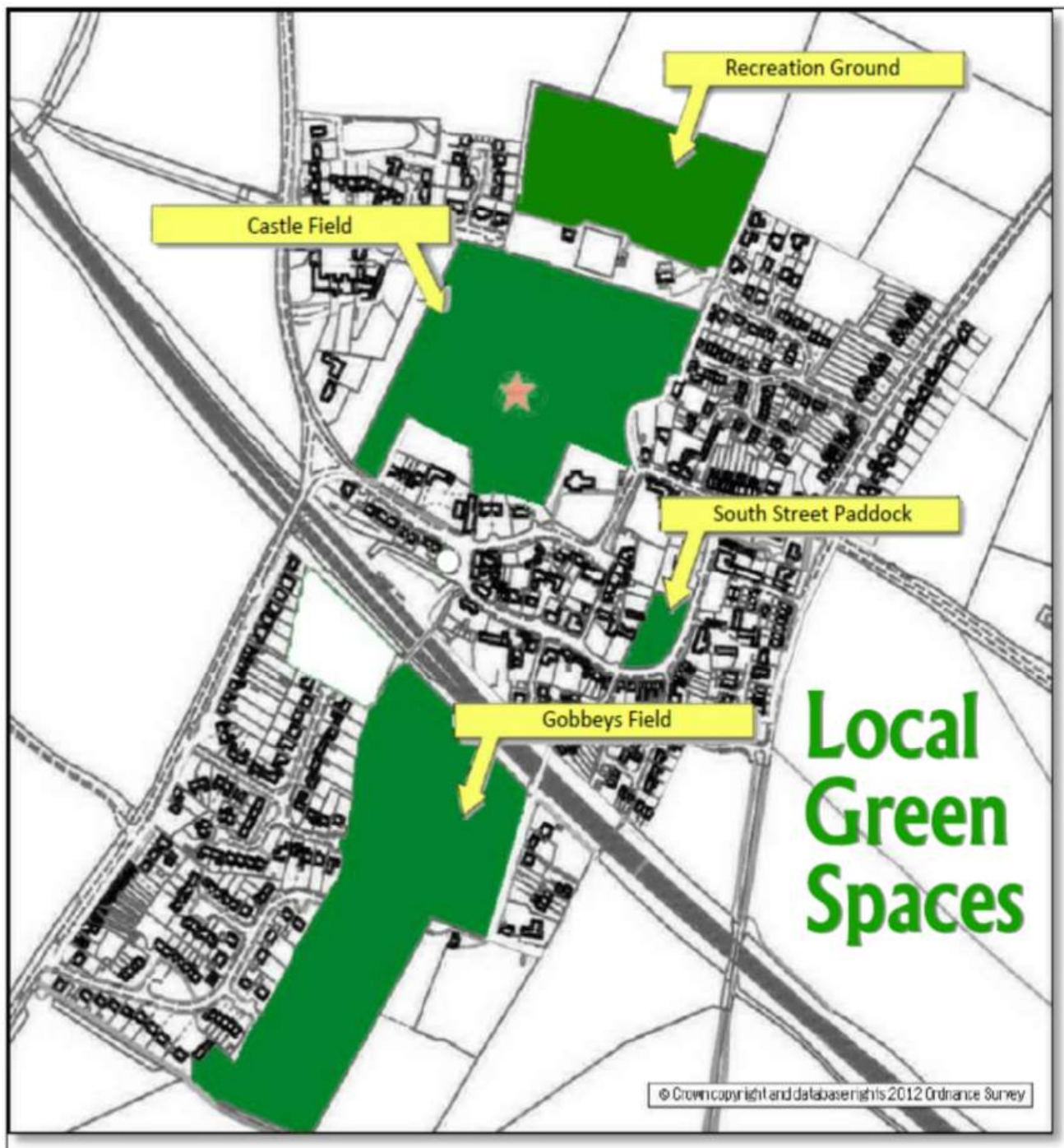


Figure 2: Castlethorpe Neighbourhood Plan – Local Green Spaces (including Gobbey's Field)

15. The remaining policies of the Made Plan are retained but are renumbered. All are considered to have regard to national policy (now the 2019 version of the NPPF); are in general conformity with the strategic policies of the development plan (now Plan:MK); and contribute to the achievement of sustainable development. However, it is proposed to delete former Policy 5 ('Car Parking for the Carrington Arms') as it is no longer considered to be necessary or desirable.

## The 'Change the Nature of the Plan' Test

16. The Parish Council considers that, although material, the proposed modifications do not individually or collectively change the nature of the Made Plan in any significant or substantial way.

17. In relation to Policy CAS1 (former Policy 1), the modification to the Development Boundary only corrects an error on the Policies Map and removes the inconsistency of the policy with the Policies Map of the adopted Plan:MK.

18. In relation to new Policy CAS3 (Housing Need), the modification has been advised by MKC to clarify the position in relation to the Modified Plan engaging NPPF §14. Plan:MK does not outline a housing requirement for each neighbourhood area. However, MKC has published a briefing note as an interim position to provide an indicative housing figure to inform new neighbourhood plans (as per NPPF §66). The figure for this and other neighbourhood plan areas is one dwelling, although it encourages plans to allocate land for more than one dwelling if they have not already done so in a made plan that they are reviewing. Here, Policy 2 of the Made Plan allocated the site at Maltings Field for 30 homes (which remains in the Modified Plan as Policy CAS2) and, as of January 2020, there were planning permissions for another 10 dwellings in the neighbourhood plan area. The new policy does not therefore change the housing supply provisions of the Made Plan.

19. In relation to Policy CAS4 (a modified version of former Policy 3), the proposed modifications to a small number of design details in the policy are intended to bring clarity to the design aspirations of the Plan to aid the understanding of how the policy should be applied. The details do not alter the design strategy or approach of the Made Plan.

20. In relation to new Policy CAS5, Buildings of Local Interest, the work on the Conservation Area Appraisal has identified these as such, and is justified in the new Annex D. This will not change the nature of the plan and simply serves to bring clarity to those properties which has been identified as such in the Annex.

21. In relation to new Policy CAS6, Climate Change, the proposed signal of support for actions that will mitigate the impact of climate change will not change the nature of the Plan. It is simply a reflection of support for existing development plan policies, but this is such a globally important issue, it cannot remain absent from a new neighbourhood plan document.

22. In relation to new Policy CAS8 (former Policy 5), the proposed addition of Gobbeyes Field as a Local Green Space will not change the nature of the plan in respect of departing from the spatial strategy for the village, i.e. where development should and should not happen. It is intended, as before, to increase the level of protection afforded to private land that in any event lies outside the defined Development Boundary. Further, there continues to be clear and strong community support for the proposal, which does not require a referendum for validation of that support.

23. The modifications to the three policies (and the Policies Map as necessary) and the introduction of two new policies are considered to remain within the spirit and stated intentions of the original policies and thus is not so substantial nor so significant to warrant consideration as a change to the nature of the plan. This has been agreed with MKC.

## **Conclusion**

24. The proposed modifications are necessary and timely. They will bring clarity and consistency to aid decision making. The modification is in conformity with the spirit of the plan and is not so significant or substantial as to change the nature of the plan for the reasons set out above.