

Hanslope Neighbourhood Plan Review (Submission Plan dated October 2024)

As you are aware I have been appointed to conduct the Examination of the Hanslope Neighbourhood Plan Review. In order that I may progress the Examination I would be grateful for the Qualifying Body's response to the initial enquiries below; the local authority may also have comments.

My purpose here is to better understand the intention behind the policy content from the authors and it is not to invite new content or policies that will not have been subjected to the public consultation process. In particular I need to be sure that the Plan meets the obligation to “contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals” (NPPF para 16). It is an expectation of Neighbourhood Plans that they should address the issues that are identified through community consultation, set within the context of higher level planning policies. There is no prescribed content and no requirement that the robustness of proposals should be tested to the extent prescribed for Local Plans. Where there has been a failure by the Qualifying Body to address an issue in the round, leading to an inadequate statement of policy, it is part of my role wherever possible to see that the community's intent is sustained in an appropriately modified wording for the policy.

My initial view, subject to the responses to this request and a brief site visit, is that the Examination can be concluded on the basis of written representations alone since the matters for consideration have been expressed clearly by all parties.

In order to ensure transparency with the conduct of the Examination a copy of these queries is being sent to the Local Planning Authority with a request that the exchange of emails be published on the webpage relating to the Neighbourhood Plan Review alongside the representations received during the Regulation 16 public consultation. Where relevant, I have included below matters raised during that formal consultation.

Modifications

There are three types of modification which can be made to a Neighbourhood Plan. The process will depend on the degree of change which the modification involves:

- minor (non-material) modifications to a neighbourhood plan or order which would not materially affect the policies in the plan or permission granted by the order. These may include correcting errors, such as a reference to a supporting document, and would not require examination or a referendum; or
- material modifications which do not change the nature of the plan or order and which would require examination but not a referendum. This might, for example, entail the addition of a design code that builds on a pre-existing design policy, or the addition of a site or sites which, subject to the decision of the independent examiner, are not so significant or substantial as to change the nature of the plan; or
- material modifications which do change the nature of the plan or order would require examination and a referendum. This might, for example, involve allocating significant new sites for development.

My understanding from the Qualifying Body's Modification Statement is that they believe that their proposals fall within the second category above. The Local Authority has supported that view. Subject to some points for consideration below, my initial view is to agree that the proposals represent “material modifications which do not change the nature of the plan or order and which would require examination but not a referendum”. The NPPF was last updated in December 2024

but it is clear from its paragraph 239 that this will not apply to a plan already submitted prior to 12th March 2025. The applicable NPPF version against which I must conduct my Examination is dated December 2023. As noted within the submitted Plan Review, the applicable Local Plan is the Plan: MK adopted in March 2019; whilst a replacement Plan is in preparation this has yet to be adopted.

From the Statement of Modifications, representations and a comparison of the Review document and the 'made' Neighbourhood Plan I have identified the following matters – please advise if you identify instances where I have missed other areas of modification.

Policy HAN1

I note that the development boundary has been “updated to incorporate the Hayfields development to the south of the parish which has been built-out since the Made Plan”. I agree that an updated adds clarity for the Policy. The local authority has suggested “It would be helpful to amend the Development Boundary to exclude land to the rear of the properties along Newport Rd Applications for residential development on land at and to the rear of 65 Newport Road were refused in April 2021 [application ref: 20/02959/OUT (subsequent appeal was dismissed)] and in August 2023 [application ref: 23/00889/OUT].” It seems that the linear extension along Newport Road was added (or reintroduced) during the first Plan Examination. Arguably the amendment now is also an updating to acknowledge the effect of the Appeals referenced. I note that the Council’s view is that the amendment if accepted would not change the nature of the Plan. What is the Qualifying Body’s view of this suggested further amendment?

Policy HAN2

I agree that an update adds clarity for the Policy.

Policy HAN4

I will need to visit the area to understand the significance of the changes proposed but I understand the logic of “some of the locations of the existing key views [having] been adjusted in response to new developments in the parish”.

Policy HAN5

I can see that the Policy wording has simply been “modified in response to the latest iteration of the Use Classes Order which was published in September 2020 (after the Made Plan)”.

Policy HAN6

A little further explanation is needed for me on the clarity that is added by removing the word “immediately” – but I concur that such an amendment is not an alteration to the nature of the Policy.

Policy HAN7

I agree that an update adds local relevance and clarity for the Policy.

Policy HAN8

On the basis of the detail included in the Local Green Spaces Report, each of the additional spaces would seem to be natural candidates for designation, but I will need to examine this further during my visit. I note that the Report is not conclusive as to the views of the owners of LGS H & I. Whilst I appreciate that the consultation period has given the owners the opportunity to object, I would like

the reassurance that the Qualifying Body did seek a response from the owners as advised by national Practice Guidance.

Policy HAN10

A representation, on behalf of significant landowners who consider themselves adversely affected by the new Policy, raises an objection. That objection does not appear to have specific regard for current local planning policy but their concern is understandable. I note that the Policy supporting text explains that not all development is precluded. Please advise me how you have considered the objections of the landowners to date and address any new issues now raised in their representation. Comments from the local authority may also be helpful here.

I note that it is said in justification of the new Policy “The principle of the Local Gap was established by appeal decision (APP/Y0435/W/21/3282446) which stated “the settlements of Long Street and Hanslope are distinctly separate settlements and should be treated as such”. This “principle” seems to be inherent in the designation of separate development boundaries for the two settlements, which follows the approach set down in Plan: MK. It is said that “The exact boundary of the Local Gap designation was identified by the Steering Group and based on field boundaries and Public Rights of Way”. I am not convinced that it is possible to define an “exact” boundary for such a policy; the area selected seems to have a disproportionate width when compared to the two development boundaries. Accordingly, I would appreciate some more details on the approach. Arguably the setting of a Listed Building is a significant consideration already?