

Full Council - 19 March 2025

Making of the Hanslope Neighbourhood Plan Review

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Exempt / confidential / not for publication	No
Council Plan reference	Not in Council Plan
Wards affected	Newport Pagnell North & Hanslope Ward

Executive summary

The report recommends that Council makes (brings into legal force) the Hanslope Neighbourhood Plan Review.

1. Proposed Decision(s)

1.1 That Council make the Hanslope Neighbourhood Plan Review pursuant to the provisions of Section 38A(4) of the Planning and Compulsory Purchase Act 2004 (PCPA).

2. Reasons for the decision?

2.1 Where a referendum is not required, the local planning authority must make (adopt) a Neighbourhood Plan following the receipt of the examiner's report.

3. Background to the decision

3.1 The existing Hanslope Neighbourhood Plan was made in October 2019. A Review of the Neighbourhood Plan was submitted to the Council for examination in October 2024 and was subsequently publicised for a six-week period, ending on 20 December 2025. All comments received were then passed to the Examiner, Andrew Matheson, who submitted his report on the Plan on 27 February 2025 (attached at Annex A), stating that the plan met the relevant basic conditions and requirements, subject to modifications.

- 3.2 The main modifications recommended by the examiner are the deletion of one of the proposed Local Green Spaces and the amendment of the development boundary to remove land to the rear of properties along Newport Road. The Local Green Space at Wheatfields was considered by the examiner to fail the test for designation as set out in paragraph 107 of the National Planning Policy Framework (NPPF). The change to the boundary was as a result of a representation by the Council and was accepted by the Parish Council.
- 3.3 There are three types of modification which can be made to a neighbourhood plan or order. The process will depend on the degree of change which the modification involves:
- a) Minor (non-material) modifications to a neighbourhood plan or order are those 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.
 - b) Material modifications which do not change the nature of the plan or order 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.
 - c) 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.
- 3.4 In his report, the Examiner stated that that whilst the modifications to the draft plan are material, they would not change the nature of the plan and therefore recommended that the plan should be made with the modifications specified in his report without the need for a referendum.
- 3.5 Whether modifications change the nature of the plan is a decision for the independent examiner. The examiner in this case has considered the nature of the existing plan, alongside representations and the statements on the matter made by the qualifying body and the local planning authority and concluded as set out in paragraph 3.4 above. The LPA is bound to accept the examiner's recommendation.
- 3.6 Paragraph 14(3) of Schedule A2 of the PCPA states that *"if the examiner's report recommends that the authority should make the draft plan with the modifications specified in the report, the authority must make the draft plan with those modifications."* The Council must accept the independent examiner's recommendations, except where there are concerns in relation to breach of any retained EU obligation or Convention rights, or to correct errors. There are no such concerns in this case and therefore the Council is obliged to accept the examiner's recommendations.

3.7 As with any planning decision there is a risk of legal challenge, but that risk is mitigated by ensuring that the relevant statutory provisions and Regulations are followed, and that the Council’s decision-making process is clear and transparent.

4. Implications of the decision

Financial	N	Human rights, equalities, diversity	Y
Legal	Y	Policies or Council Plan	Y
Communication	N	Procurement	N
Energy Efficiency	N	Workforce	N

a) Financial implications

Publicity and officer support costs associated with making neighbourhood plans is met within the Heritage and Design budget and staff resources to implement the plan come from the existing staff within the Development Plans and Development Management Teams.

b) Legal implications

Detailed legal comments are set out in paragraphs 3.3 to 3.7 above. In addition, it should be noted that the Hanslope Neighbourhood Plan has been consulted on in accordance with the relevant regulations. Regulation 18 (A) of the 2012 Regulations requires the local planning authority to make the Neighbourhood Plan within 5 weeks of the receipt of the examiner’s report, or such later date as agreed in writing between the local planning authority and the qualifying body.

In accordance with Regulation 19 of the Neighbourhood Planning (General) Regulations 2012 Regulations, the LPA must, as soon as possible after deciding to make a Neighbourhood Development Plan:

- a) publish on the website and in such other manner as is likely to bring the Plan to the attention of people who live, work or carry on business in the neighbourhood area:
 - i) the decision document,
 - ii) details of where and when the decision document may be inspected;
- b) send a copy of the decision document to:
 - i) the qualifying body; and
 - ii) any person who asked to be notified of the decision.

In accordance with Regulation 20, the LPA must, a soon as possible after making a Neighbourhood Development Plan:

- a) publish on the website and in such other manner as is likely to bring the Plan to the attention of people who live, work or carry on business in the neighbourhood area:

- i) the Neighbourhood Development Plan; and
 - ii) details of where and when the Neighbourhood Development Plan may be inspected; and
- b) notify any person who asked to be notified of the making of the Neighbourhood Development Plan that it has been made and where and when it may be inspected.

A Decision Statement (Annex B) will be published once Council makes the plan.

c) Other implications

The usual practice is that decisions relating to the making of Neighbourhood Plans would first be considered by the executive (Cabinet) and then referred to full Council for final decision. However, in this case, given the requirement to make the Neighbourhood Plan within 5 weeks of receipt of the examiner's report, for the sake of expediency, the decision is put before Council directly, without a prior recommendation from Cabinet. This is fully compliant with legal requirements.

5. Alternatives Considered

- 5.1 The LPA is obliged to proceed to make the Plan as outlined above. Therefore, there are no options available other than for the Council to make the reviewed Hanslope Neighbourhood Plan, which once made will become part of the Milton Keynes Development Plan.

List of annexes

Annex A – Examiner's Report

Annex B – Decision document for making the Hanslope Neighbourhood Plan

List of background papers

Hanslope Neighbourhood Plan [Hanslope Neighbourhood Plan | Milton Keynes City Council](#)

The Localism Act, 2011

The Neighbourhood Planning (General) Regulations 2012

National Planning Policy Framework paras 30 & 38