



## Hanslope Neighbourhood Plan

### Summary of responses received to Regulation 16 publicity period

Canal & Rivers Trust	No comments.
Historic England	<p>We welcome Plan B, showing the Conservation Area, and paragraph 2.2 noting the designated heritage assets in the parish. However, we would have welcomed an overview of the historical development of the parish and Hanslope itself, information on which can be found in the Hanslope Historic Town Assessment Report, although we note that this is contained within the Hanslope Character and Design Statement.</p> <p>We consider that it would be helpful to set out what the special architectural or history interest of the Conservation Area is (the reason for its designation) and to note whether or not it has a character appraisal and/or management plan (if not, this could be a community project to add to the evidence base for the Plan – we would be pleased to advise further).</p> <p>is there a list of locally-important buildings and features ? Non-designated heritage assets, such as locally important buildings, can make an important contribution to creating a sense of place and local identity. (If not, then the preparation of such a list would be another excellent community project to further add to the evidence base for the Plan - we would again be pleased to advise further).</p> <p>National Planning Practice Guidance states “... <i>where it is relevant, neighbourhood plans need to include enough information about local heritage to guide decisions and put broader strategic heritage policies from the local plan into action at a neighbourhood scale. ... In addition, and where relevant, neighbourhood plans need to include enough information about local non-designated heritage assets including sites of archaeological interest to guide decisions</i>”.</p> <p>The Guidance notes that “<i>The local Historic environment record and any local list will be important sources of information on non-designated heritage assets</i>”. Has the Milton Keynes Historic Environment Record been consulted for archaeological records in the parish The Hanslope Historic Town Assessment Report also contains information on archaeology in the settlement and on historic landscape character.</p> <p>We consider that the Vision set out in paragraph 5.1 of the Plan accords with paragraph 29 of the National Planning Policy Framework (2018), which states “<i>Neighbourhood planning gives communities the power to develop a shared vision for their area</i>”. However, we are disappointed that the Vision does not include any specific reference to the historic environment or heritage assets of the parish – we would welcome rewording such as “<i>Hanslope will recognise, value, protect and enhance its</i></p>

*natural and heritage assets, and its important rural heritage, culture and character”.*

We welcome, in principle, Objective 2. However, conservation areas are areas of special architectural or historic interest, the character and appearance of which it is desirable to preserve or enhance. In addition, development within the setting of the conservation area can affect its character and/or appearance. The objective should therefore be *“New developments within the Conservation Area or its setting should preserve or enhance its character and/or appearance.....”*.

The characteristics of different areas in Hanslope, including the Conservation Area, are identified in the Hanslope Historic Town Assessment Report and the Hanslope Character and Design Statement, which we welcome (although we note that it does not contain a map showing the different character areas).

We consider that Neighbourhood Development Plans should be underpinned by such a thorough understanding of the character and special qualities of the area covered by the Plan. (We note that paragraph 1.2 of the Plan refers to the policies of the Plan aiming to protect the special character of the villages of Hanslope and Long Street and of the wider parish, which requires the understanding of that special character). We also believe that characterisation studies can help inform locations and detailed design of proposed new development, identify possible townscape improvements and establish a baseline against which to measure change.

We would also like to see a specific objective for new development to conserve or enhance the significance of other heritage assets, including listed buildings.

Paragraph 154 of the National Planning Policy Framework (2012) requires plans to include only policies *“that provide a clear indication of how a decision maker should react to a development proposal should be included in the plan”*. Although this is in respect of local plans, paragraph 16 of the revised Framework (2018)’s requirement for plans to *“contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”* applies to all plans.

Paragraph 5.5 of the Plan recognises these requirements; *“Policies must be clearly written so they can be easily applied when considering planning applications”*. However, Policy HAN1 does not, in our view, itself provide a clear indication of how a decision maker should react to development proposals.

As drafted, paragraph 5.5 implies that the National Planning Policy Framework and the policies of the Local Plan will not be relevant considerations for planning matters that fall within the scope of the policies in the Plan. However, the strategic policies of the Local Plan will apply, where relevant, to planning applications in Hanslope parish, regardless of whether or not the policies of the Neighbourhood Plan are also relevant (particularly as the Plan deliberately avoids repeating those local plan policies). The National Planning Policy Framework will remain a material consideration that could, in theory at least, indicate a decision other than in accordance with the adopted development plan (which will include the policies of the made Neighbourhood Plan).

We therefore suggest that paragraph 5.5 be revised slightly to read *“For*

	<p><i>all planning matters, the national and local policies of other planning documents – the National Planning Policy Framework and the strategic policies from the adopted Milton Keynes Local Plan - will continue to be used”.</i></p> <p>We note that four of the five development sites identified in Policy HAN2 already have outline planning permission, so we make no comment on the selection of these sites. According to our records, Site D does not contain, nor is within the setting of, any designated heritage assets. Normally we would draw attention to the possibility of non-designated archaeological remains on a site, but given that this is a relatively small and previously-developed site, we consider that the potential for such remains is low (assuming that no significant finds were found during the development of Williams Close). We therefore have no objections to the allocation of this site.</p> <p>We welcome and support Policies HAN3 and HAN4, which we consider to be consistent with paragraph 58 of the National Planning Policy Framework (2012) (and paragraph 125 of the revised Framework (2018)), with the required understanding and evaluation of the area’s defining characteristics being provided by the Hanslope Historic Town Assessment Report and the Hanslope Character and Design Statement.</p> <p>We would, however, suggest that the third bullet point of Policy HAN4 be slightly reworded to read “.....<i>must sustain and enhance the special character and appearance of the Area and significance of those assets</i>”.</p> <p>There are no buildings within the parish on the 2018 Historic England Heritage at Risk Register. However, the Register does not include Grade II listed secular buildings outside London. Has a survey of the condition of Grade II buildings in the Plan area been undertaken? If not, this could be another community project to add to the evidence base for the Plan and we would again be pleased to advise further.</p> <p>As a general comment, it is our experience that Neighbourhood Plans set out the sustainability issues facing the Plan area, which in turn helps justify the objectives, policies and proposals of the Plan.</p> <p>We note that section 4 of the Plan sets out the community view on planning issues. However, we feel that this could be expanded, or another section added, to set out more clearly the sustainability issues that face the Plan area, and which therefore justify the objectives, policies and proposals of the Plan.</p> <p>For example, has there been any or is there any ongoing other loss of character, particularly in the Conservation Area, e.g. through inappropriate development, inappropriate alterations to properties under permitted development rights, loss of vegetation, insensitive streetworks etc that affect local character, which would provide the rationale for Policy HAN3?</p> <p>Finally, the preparation of the Neighbourhood Plan offers the opportunity to harness a community’s interest in the historic environment by getting the community to help add to the evidence base perhaps by, as noted in our comments above, a more detailed character assessment of the Conservation Area, the preparation of a local list of locally important buildings and features or a survey of Grade II listed buildings to see if any are at risk from neglect, decay or other threats.</p>
National Grid	An assessment has been carried out with respect to National Grid’s

	<p>electricity and gas transmission apparatus which includes high voltage electricity assets and high-pressure gas pipelines, and also National Grid Gas Distribution's Intermediate and High-Pressure apparatus.</p> <p><b>National Grid has identified that it has no record of such apparatus within the Neighbourhood Plan area.</b></p>
<p>Natural England</p>	<p>In our review of the Hanslope Neighbourhood Plan we note that there are no designated sites or protected landscapes within or near the Neighbourhood Plan area and there are less than 500 additional dwelling sites or 1000 sqm of commercial sites proposed.</p> <p>As a result we have no specific comment to make further to our comments dated 6th July 2018.</p> <p>Further Recommendations</p> <p>Natural England would also like to highlight that removal of green space in favour of development may have serious impacts on biodiversity and connected habitat and therefore species ability to adapt to climate change. We recommend that the final neighbourhood plan include: Policies around connected Green Infrastructure (GI) within the parish. Elements of GI such as open green space, wild green space, allotments, and green walls and roofs can all be used to create connected habitats suitable for species adaptation to climate change. Green infrastructure also provides multiple benefits for people including recreation, health and well-being, access to nature, opportunities for food growing, and resilience to climate change.</p> <p>The recently produced Neighbourhood Plan for Benson, in South Oxfordshire provides an excellent example. We are of the opinion that the policy wording around the Environment, Green Space and Biodiversity is exemplar. We would recommend you considering this document, when reviewing yours.</p>
<p>Anglian Water</p>	<p><b>Policy HAN2: Housing Development Sites</b></p> <p>We note that it is proposed to allocate sites for residential development the majority of which currently have the benefit of outline planning permission.</p> <p>Anglian Water has no objection to the principle of residential development on the sites identified in the Neighbourhood Plan.</p> <p><b>Policy HAN8: Local Green Spaces</b></p> <p>It is proposed to allocate the existing allotments located on Newport Road as a local green space. The land identified on the relevant map includes Hanslope-Newport Road Sewage Pumping Station (HANSSP) in the ownership of Anglian Water.</p> <p>Policy HAN8 states that proposals for development will be resisted unless very special circumstances can be demonstrated.</p> <p>The Revised National Planning Policy Framework (July 2018) also states that policies for managing development within a Local Green Space should be consistent with those for Green Belts</p> <p>The National Policy Statement for Waste Management states that waste management development is considered to be inappropriate development in the Green Belt. As such it is unclear whether Anglian Water can undertake any development relating to the continued operation of Hanslope-Newport Road Sewage Pumping Station which</p>

	<p>would require planning permission.</p> <p>We have no objection to the principle of the allotments being designated as local green space. However we would ask that the existing pumping station as shown on the attached map is removed from the proposed local green space designation for the reasons set out above.</p>
Wolverton & Greenleys Town Council	<p>The Committee RESOLVED not to comment directly on the Neighbourhood Plan, but to note the following observations: that the proposed housing developments would have the potential to increase the number of commuters using the Railway Station and its facilities at Wolverton and we would ask for this to be taken into account in any future discussion with the regards to any development of the Railway Station and its parking.</p>
Castlethorpe Parish Council	<p>Fully supports the Plan.</p>
Sherwill Drake Forbes	<p>We have considered the Plan and in particular Policy HAN2 (Housing Development Sites) against Test 2 of the Basic Conditions contained in the Localism Act 2011. Test 2 requires that the Plan contributes to the achievement of sustainable development.</p> <p>HAN2 proposes residential development on five sites (Sites A-E). Of these sites all but Site D already benefit from at least outline planning consent. Site D is the only allocation than will potentially deliver any new housing (approximately 8 care bungalows) during the Plan period.</p> <p>We have prepared the enclosed supporting Technical Note which considers the development potential of Site D. The site is narrow being approximately 17.1 metres wide and consequently it would not be possible to develop the required number of units on the site as a result of its geographical constraints. The requisite infrastructure needed to service the site in a safe and efficient manner, and in line with current design guidance, would severely constraining the developable area to just a few units, potentially jeopardising viability.</p> <p>We have therefore reservations that Site D will come forward and coupled with the fact the other allocated benefit from at least outline planning consent it will mean that the Plan will do nothing to contribute to sustainable development during the Plan period and therefore likely to fail when considered against Test 2.</p> <p>It is also not clear whether that the Plan contains allocations to meets its identified housing requirement.</p> <p>As a consequence, the village should not benefit from the protection afforded to it by paragraph 14 of the National Planning Policy Framework by having a neighbourhood plan in place.</p>
Smith Jenkins on behalf of McCann Homes	<p>We previously made representations directly to the Parish Council in August 2018 during their presubmission consultation. Our client is disappointed to learn that no substantive changes have been made to the Neighbourhood Plan in light of our comments and furthermore that only cursory mention of their significance has been made in the submitted consultation statement. For this reason we formally request that the Independent Examiner appointed to assess the Plan's compliance with the Basic Conditions does so by way of an Informal Hearing. We appreciate that the process of Examination is entirely at the Examiner's discretion but consider that in this instance a hearing is appropriate given the context of the Plan and the serious concerns we raise below.</p>

You will be aware that McCann Homes control the Milton Keynes Equestrian Centre (MKEC) and have been refused permission for the erection of 51 dwellings (including affordable housing) on this previously developed site. An appeal has been lodged against the decision of Milton Keynes Council.

We enclose a plan of our client's site and proposed development for clarity. We continue to believe that the residential redevelopment of the Equestrian Centre represents significant benefits including a reduction in traffic volumes, the provision of affordable housing, infrastructure funding, and the reuse of previously-developed land. We therefore respectfully requested that the site be allocated in the Neighbourhood Plan.

Our clients consider that the submission draft of the Neighbourhood Plan is unsound and does not satisfy the Basic Conditions required of Neighbourhood Plans. Furthermore, we have serious doubts that the Neighbourhood Plan would achieve its implicit objective of restricting further development in Hanslope, particularly as sustainable opportunities have not been given the appropriate degree of consideration.

Paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 (as amended) outlines the basic conditions that Neighbourhood Plans are required to meet. These may be summarised as:

- a) Be consistent with national policy and guidance issued by the Secretary of State;
- b) Contribute to achievement of sustainable development;
- c) Be in general conformity with the strategic policies in the local Development Plan;
- d) Do not breach and be otherwise compatible with EU obligations;
- e) Not have significant effect on a designated European site.

We have serious concerns that the current Plan does not pass four of the five basic conditions. The one exception is regarding European sites. We acknowledge the Plan will have no such impacts in this regard.

We address our concerns below according to each of the Basic Conditions in turn as well as our general comments on the evidence base and due process the Plan has been informed by.

#### **Consistency with national policy and guidance issued by the Secretary of State**

The Plan does not represent the "positive planning" required by Paragraph 16 of the National Planning Policy Framework (NPPF, 2018). This is apparent from the outset of the document with a foreword that effectively prejudices the consideration of any additional growth in the village and outlines inaccurate and unsubstantiated concerns regarding cumulative impacts. We agree that it is helpful for the background and context of the Neighbourhood Plan to be provided. However, in this instance it serves only to highlight that the steering group do not intend the Neighbourhood Plan to deliver sustainable growth; it has been prepared instead to prevent further growth of any kind in direct conflict with national policy (specifically Paragraph 16 of the NPPF).

We are aware that the flyers were circulated within the plan area prior to the plan's preparation. The wording of these clearly demonstrate the negative planning that has informed the plan and the leading nature of 'consultation' carried out by the steering group. The purpose and

objective of the plan has therefore been inconsistent with national policy from the outset and the submission draft fails the Basic Conditions in this respect.

Paragraphs 65 and 66 of the NPPF refer to how the housing requirement figure for a Neighbourhood Plan should be derived. In the case of Milton Keynes and Hanslope, it is considered that Paragraph 66 is particularly relevant as it may not be possible to provide a definitive requirement figure for the neighbourhood area due to the emerging Plan:MK. Nevertheless, Paragraph 66 advises that the Local Authority may provide an indicative figure for housing if requested to do so by the neighbourhood planning body. In the absence of any Hanslope-specific housing needs assessment, we are surprised and disappointed that the steering group have not availed themselves of the opportunity to formally establish a planned figure of growth via Milton Keynes Council. The assumption that no further growth is needed is not based on any objective information or formal request under Paragraph 66. In this respect the Plan is also inconsistent with national policy and fails this Basic Condition. A housing needs assessment or similar must be prepared to support the Neighbourhood Plan.

#### **Contribute to Sustainable Development**

We have serious concerns that the Plan makes no meaningful contribution to sustainable development, as best exemplified by its “allocations”. Of the five sites where “development proposals will be supported”, four already benefit from some kind of permission. The contribution of the Neighbourhood Plan is therefore overstated and simply consists of shaping the details of reserved matters. Whilst these are important, the delivery of sustainable development has already been established in principle on those sites. The Basic Condition will therefore be more demonstrably met if the Plan identified other sustainable opportunities in the village.

Site D is the only “allocation” that does not benefit from planning permission but suffers from its own problems in terms of availability, scope, and deliverability. Together these seriously undermine the Plan’s contribution to sustainable development. Site D comprises garaging that is claimed to be redundant although there is no confirmation of this. The land is understood to be in public ownership according to records maintained by Milton Keynes Council although there is no evidence that the Council have been consulted as to its availability for development. The garages were apparently granted permission in 1969 under reference NR/194/69; a separate permission to the dwellings on Williams Close that predate the garages. We have established this factual background to this site of our own accord. There is no such undertaking in the Plan itself, suggesting the site’s provenance and characteristics are poorly understood. Indeed, the very fact that the garages were granted permission separate to the dwellings they serve suggests that there is and was a need for separate secure storage on Williams Close. We would therefore question the likelihood of each individual garage owner/leasee agreeing to the redevelopment of the site and therefore whether the “allocation” is deliverable enough to realistically contribute towards sustainable development in accordance with the Basic Condition. Furthermore, it is not clear whether the “allocation” of site D is even a

housing allocation for the purposes of Paragraph 14 of the NPPF (as originally introduced in the 2016 Ministerial Statement). Policy HAN2 simply says “for approx. 8 care bungalows”. This is an imprecise allocation that is of questionable deliverability. A “care bungalow” implies accommodation or a facility in a C2 use-class that would not constitute a housing allocation. The proposed scale of the “allocation” also appears to require a density in excess of 100 dwellings per hectare. That is at least four times greater than a typical housing site in a rural location, even before a reduction is applied for the fact bungalows are actually a low density form of development. It is therefore entirely inconsistent with other policies in the Neighbourhood Plan and Local Plan including Policy HAN4 and Policy H8.

It is completely unclear how this site and the Plan more generally contributes to sustainable development. It is imprecise, undeliverable, inconsistent, and does not meet the Basic Conditions.

### **EU Obligations**

It is questionable whether the Neighbourhood Plan complies with Human Rights obligations. Neither our clients nor the freehold owners of the Equestrian Centre (Mr & Mrs Gifkins) have been given any opportunity to formally promote their site or challenge the presumptions of the steering group in declining to allocate it for development. This is certainly against the spirit, if not the exact wording, of Article 6 of the Convention that requires a fair and public hearing of matters that are in dispute (in both civil cases and criminal cases). Article 8 of the Convention enshrines the right to respect of private and family home-life. The Neighbourhood Plan has allocated a site (Site D – garages off Williams Close) for development without any recorded justification of how this would affect the owners and leases of this property.

### **General conformity**

The Neighbourhood Plan is due to be submitted at a time where the prevailing strategic policy for the Borough (the 2013 Core Strategy) is due to be replaced by a new Local Plan (Plan:MK) that has not yet been adopted. Therefore this Basic Condition will need to be particularly carefully addressed by the Neighbourhood Plan.

We believe that the steering group are presently relying too heavily on the fact that Plan:MK defers extensively to Neighbourhood Plans to determine what proposals should be granted permission within the rural area. Plan:MK proposes a wholly different settlement hierarchy to the Core Strategy with no distinction between the varying sustainability of villages in the rural area. Policy CS1 of the 2013 Core Strategy defines a settlement hierarchy that includes more tiers and specifically identifies Hanslope as being one of three villages in its third tier (‘selected villages’). Although the policy explains that no further allocations will be sought in the village, the Core Strategy as a whole has fallen demonstrably short in delivering its housing targets and there are numerous recent examples of windfall developments in sustainable rural locations being granted permission.

General conformity with the Development Plan would therefore be best demonstrated if the Neighbourhood Plan were to acknowledge Hanslope’s sustainability and position within the settlement hierarchy and allocate a sufficient level of additional development to assist with maintaining rural land supply ahead of Plan:MK being adopted.



**Evidence base and site selection**

Our clients are frustrated by the lack of site-specific evidence that underpins the Plan. There is no clarity over what sites have been considered, how they were selected, or whether landowners have had any opportunity to engage in this process. As outlined above, neither McCann Homes nor Mr and Mrs Gifkins (the freehold owners of MKEC) have received any formal approach from the Parish Council as to the availability or suitability of their land.

Our response to the pre-submission draft of the neighbourhood plan highlighted the fact that no site assessment proformas were available and no audit trail as to how the steering group drafted their proposed allocations. This lack of transparency and collaboration in the neighbourhood planning process is deeply concerning. In the period since the pre-submission consultation closing and the plan being submitted to the Local Authority, it appears that some 'site assessments' have been undertaken and inexplicably tagged onto the Consultation Statement under a section titled 'evidence base'. Not only is the Consultation Statement the wrong document to cover this vital area of plan preparation, it is obvious that the 'assessments' have been done retrospectively and have not purposefully informed the plan; they are dated 12 November 2018, i.e. after the pre-submission draft was published. The 'assessments' comprise a simple commentary of how just 5 criteria apply to each of the allocated sites.

There are no conclusions and no other sites have even been considered. The 'assessments' are not a comparative exercise to discern the best available sites within the Parish and are therefore not worthwhile. The steering group have been well aware that our client's site is available and at the very least we would have expected to see some form of site assessment undertaken to explain why it has been discounted in favour of the 'allocated' sites.

We consider that this is a grossly inadequate and self-justifying process that should have been undertaken in far more detail during the preparation of the plan. This is the first time any interested party have had the opportunity to comment on the 'assessments', which should have instead been subject to their own detailed consultation exercise. To submit such a basic form of site assessment in the consultation statement is plainly a token gesture that should be fully interrogated by the Local Authority and indeed the Examiner in due course.

We wish to bring to the steering group's attention the fact that a similar Neighbourhood Plan in nearby Aylesbury Vale was challenged under Judicial Review, partially quashed by a court order, and permission subsequently granted on a site where the Neighbourhood Plan's site assessments were inaccurate. The Haddenham case concerned a Neighbourhood Plan with a much stronger audit trail and evidence base that had nevertheless deployed flawed reasoning. For the Hanslope Neighbourhood Plan to essentially provide no reasoning for its "allocations" is plainly deficient and highly vulnerable to similar legal challenge. Whilst an important tool for communities without professional expertise, the power to prepare a Neighbourhood Plan should not be exercised without due care and attention. It is a matter of critical public responsibility that it is prepared correctly.

It is unlikely that without allocating other sustainable sites for housing, such as the Equestrian Centre, the Neighbourhood Plan will benefit from the reduced 3-year housing land supply requirement set out in Paragraph 14 of the NPPF. The village will remain vulnerable to speculative greenfield applications on sites that are most vehemently opposed by local residents. We would respectfully highlight that whilst being refused permission, the proposed redevelopment of the Equestrian Centre benefitted from far fewer objections from local residents than other proposed sites around the village.

Its allocation in the Plan would therefore represent a compromise between facilitating sustainable development to ward off speculative development, and respecting the wishes of prospective voters on the Plan.

The redevelopment of the Equestrian Centre is the most sustainable and least controversial way of ensuring the Neighbourhood Plan meets the Basic Conditions. Our client would be willing to assist the steering group and outline their site's offer in more detail if the Neighbourhood Plan is reviewed ahead of Examination. It is essential that such a review is made in light of the serious concerns that exist in respect of the Basic Conditions.

### **Conclusion**

McCann Homes respectfully request the allocation of the Milton Keynes Equestrian Centre for residential development in a revised version of the Neighbourhood Plan. To date we are not aware of any efforts on the part of the steering group preparing the Plan to formally contact landowners and appraise development options for Hanslope in an objective and transparent manner. This is lawfully deficient and must be rectified by preparing and publishing a proper evidence base for comment. The draft Plan is not supported by any such evidence base and appears to have been prepared with an anti-growth focus that is completely inconsistent with national policy, as displayed by its supporting flyers.

The Neighbourhood Plan in its current form does not therefore meet the required Basic Conditions. It makes no meaningful contribution to sustainable development and cannot demonstrate general conformity with the strategic policy. There also appears to be uncertainties as to whether the Plan meets EU obligations, a matter that must be clarified. The "allocations" within the Plan are largely redundant by virtue of the fact that they either already have planning permission or have significant issues in terms of suitability and availability. We would respectfully suggest that a more pragmatic and sustainable approach for the Plan would be to allocate a more sizeable opportunity, such as the Equestrian Centre, to definitively ward off further undesirable speculative allocations. Our client's proposed development is notable for attracting few objections during its recent application, which stands in stark contrast to other more controversial sites around the village that are greenfield, as opposed to our client's brownfield land, and do not offer the same benefits in terms of traffic reduction.

In summary the submitted Neighbourhood Plan fails the Basic Conditions for the following reasons:

- An unsubstantiated assumption that no further housing needs should be accommodated;

	<p><input type="checkbox"/> No meaningful contribution to sustainable development;</p> <p><input type="checkbox"/> “Allocations” that either already have permission or are inconsistent with Paragraph 14 of the NPPF.</p> <p><input type="checkbox"/> A retrospective and wholly inadequate site assessment process that fails to consider sites other than those proposed for “allocation”.</p>
Simon Proctor	<p><b>General Comments</b></p> <p>Whilst I am pleased to note that the plan now includes “policy maps” it is disappointing that the tone of the plan remains pejorative and whilst the overarching aim of both the National Planning Policy Framework (NPPF) and The Neighbourhood Planning (General) Regulations 2012 (the regulations) is to bring forward development this objective is not apparent in the plan.</p> <p>I would also like to state for the record that I did not resign from the working group, as per 10 July 2017 entry on page 6 of the Consultation Statement, rather the Chairman of the working group confirmed I should no longer form part of the working group as it was felt that I was supportive of development which was contrary to the aims of the working group.</p> <p><b>Paragraph 8 Schedule 10 Localism Act 2011 comprising Schedule 4B to the Town and Country Planning Act 1990</b></p> <p>The schedule sets out the basic conditions as follows</p> <p><i>A draft order meets the basic conditions if</i></p> <p><i>(a)having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the order,</i></p> <p><i>(b)having special regard to the desirability of preserving any listed building or its setting or any features of special architectural or historic interest that it possesses, it is appropriate to make the order,</i></p> <p><i>(c)having special regard to the desirability of preserving or enhancing the character or appearance of any conservation area, it is appropriate to make the order,</i></p> <p><i>(d)the making of the order contributes to the achievement of sustainable development,</i></p> <p><i>(e)the making of the order is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area),</i></p> <p><i>(f)the making of the order does not breach, and is otherwise compatible with, EU obligations, and</i></p> <p><i>(g)prescribed conditions are met in relation to the order and prescribed matters have been complied with in connection with the proposal for the order.</i></p> <p>The basic conditions comprise a definitive list with which the plan must comply, compliance with some, even if the majority, is not sufficient. It is my opinion that the plan does not meet the basic conditions.</p> <p><b><i>(a)having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the order</i></b></p> <p>Notwithstanding that the plan should be considered under National Planning Policy Framework (NPPF) 2012, not NPPF 2018, the plan does not seek to support the overarching aim of a presumption in favour of sustainable development nor the specific aims of NPPF paragraph 16. The overarching tone of the plan is to seek to restrict and resist development</p>

being a consistent theme running through the supporting documents. NPPF paragraph 47 refers to “objectively assessed needs” for housing but no figures are included in the plan. Further Milton Keynes’ Council (MKC) has been challenged successfully, including twice in Hanslope, on its 5-year housing supply. MKC is now confirming it once again has a 5-year housing supply but some feel this is for political expediency and not based on rigorous assessment. As such the plan should seek to quantify and, if appropriate, provide for any need and not simply assume that further housing is not required.

***(b)having special regard to the desirability of preserving any listed building or its setting or any features of special architectural or historic interest that it possesses, it is appropriate to make the order***

And

***(c)having special regard to the desirability of preserving or enhancing the character or appearance of any conservation area, it is appropriate to make the order***

Policy HAN3: Design in the Hanslope Conservation Area seeks to address these conditions.

However the plan is inconsistent as it seeks to allocate Site A whilst at the same time identifying key views, including of the Grade 1 Listed church, that would be affected as a result. These effects are highlighted by comments received from MKC’s Senior landscape officer, September 2016, as part of the planning application for the site albeit ignored by the Planning Committee. *“The village character will be affected by the development. The views, the oak trees, the open landscape character are important features that add to the sense of place, local identity and character. Whilst the trees may be retained if afforded more space, the current open character and views will be lost and mitigation is unlikely to reduce the impact to a low level...the vista over the Tove Valley looking west from Castlethorpe Road and the adjacent recreation ground is one of few panoramic views available from Hanslope, this vista would be lost by housing screening off this view. Looking back towards the village and Hanslope church, the views are enhanced by the open grassland within the site boundary being free of development...although not directly adjacent to the church and the conservation area, the impact on the landscape from this proposed development will have a long term detrimental effect on the historic views from the direction of Towcester towards the village and the prominent view of the church. The main issue is the impact of the proposal on the views of the listed St. James the Great, Hanslope Parish Church and upon the character and appearance of the village. The development would dominate views of Hanslope and in particular of St James the Great from the west detracting from the view and setting of the church and landscape character of the valley”.* These comments concluded *“I would not support the application on landscape and visual impact grounds”.*

***(d)the making of the order contributes to the achievement of sustainable development***

The plan identifies five housing sites (A-E) but these sites make no meaningful contribution to the sustainable development of the village. With the exception of site D the sites already have detailed planning permission and are under construction. Allocation of these sites is merely

maintenance of the status quo and does not provide for future growth. It should be noted that two of these sites were granted planning permission as MKC was unable to demonstrate a 5-year supply of housing.

Rather than seeking to allocate sites that are already under construction the plan should seek to identify further sites or provide for development, or certainly criterion for development, outside the development boundary which would be inconsistent with the proposed **Policy HAN1: Hanslope and Long Street Development Boundaries**.

In order for an allocation to be meaningful there must be a realistic prospect of the site coming forward for development. There is no indication that MKC as owner of Site D has any intention of the site coming forward for development notwithstanding the tenure of the buildings. The evidence base to the plan appears flawed with sites A, B, C, and E allocated only on the basis that they already comprise development sites rather than any assessment, including of alternative or additional sites that may be suitable. The purported assessment must be considered in light that the sites have planning permission and where required a Section 106 agreement confirming that on balance the sites are suitable for development and the impacts of such are mitigated. The plan's assessment criteria is therefore demonstrably anecdotal and lacking any vigour.

***(e)the making of the order is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area),***

The strategic policies for the area are contained within the 2013 Core Strategy (CS) and saved policies of the Local Plan 2005, both to be replaced by Plan:MK although this document is yet to be adopted. As such the plan in order to comply must be in general conformity with current and proposed policies. CS identifies a hierarchy of settlements, with Hanslope a tier 3 settlement albeit no allocations are to be sought in the village whilst Plan:MK seeks to guide development in the rural areas through neighbourhood Planning with a need for a further 1000 dwellings identified. As noted above there are a number of incidents where CS has not delivered sufficient housing across the borough

Hanslope is a sustainable village, and due to its size considerably more sustainable than a number of other rural settlements in the borough. This is confirmed in Milton Keynes Council Hanslope Cumulative Impacts Study – September 2018 prepared by AECOM. As such Hanslope is suited to take a significant amount of the identified need for development in the rural areas. The plan fails to assess or request from MKC details of any housing need. By failing to allocate or provide for a significant quantum of housing the plan will fail to conform to the strategic policies in Plan:MK.

***(f)the making of the order does not breach, and is otherwise compatible with, EU obligations***

I have no comments in this regard.

***(g)prescribed conditions are met in relation to the order and prescribed matters have been complied with in connection with the proposal for the order***

I have no comments in this regard.

#### **Conclusions**

- The Hanslope Neighbourhood Plan Submitted Document does not meet

the basic conditions.

- The completion of the plan has not been rigorous and appears to conflate anecdotal evidence whilst ignoring independent specialism.
- The pretext of the plan is to seek to provide sustainable development but in reality the plan appears to be no more than an attempt to stymy development in direct conflict with both NPPF and Plan:MK.
- The plan purports to provide 5 sites for development, however four of these are currently under construction, one in direct conflict with policy HN 3, and a further site unlikely to come forward for development.
- There has been no assessment of housing need in the preparation of the plan.
- The plan should seek to identify further sites or provide for development, or certainly criterion for development, outside the development boundary

In light of the above I would request that serious consideration be given to testing the plan's compliance at a hearing.