

05 April 2019

By email

Mr J Slater
John Slater Planning Ltd
The Oaks
Buckerell
Honiton
EX14 3ER

Dear Mr Slater

Hanslope Neighbourhood Plan – Examiner’s Initial Comments

Smith Jenkins Ltd acts for McCann Homes.

On behalf of our client we made representations to the pre-submission draft and publicity period of the Hanslope Neighbourhood Plan. We write to you now in respect of your ‘Initial Comments’ and specifically the separate responses of both Milton Keynes Council and Hanslope Parish Council to these.

Foremost amongst our client’s concerns is that the matters addressed by your queries and subsequent responses should be considered by way of an oral hearing. The answers provided are far from satisfactory and contain numerous inaccuracies in respect of the procedures followed and the intentions of third parties (including our client). Continuing the Examination by means of written representations prevents these matters from being properly challenged and we formally request a hearing to avoid this being the case.

The Parish Council’s response once again demonstrates an extraordinary anti-development objective underpinning the entire plan process in Hanslope. The language used by the Parish Council in responding to your questions is entirely inappropriate and based on a fundamental misunderstanding of the purpose of Neighbourhood Plans. The response is defensive and dismisses various proposals around Hanslope as if their undesirability is self-evident and that neighbourhood plans are meant to block growth. Nothing about the Hanslope Neighbourhood Plan embodies what was “originally envisaged by legislatures”, a claim that highlights the failure of the plan to be positively prepared or contribute to sustainable development. It therefore fails the Basic Conditions.

The lack of engagement on the part of the Parish Council is not surprising given the manner in which they seek to characterise developers such as our client in their response. References to “seeing opportunities”, “enticed”, “open season”, “loopholes” and “being obliged” are completely

unacceptable in formal correspondence. Our client cannot countenance how a plan so prejudicially prepared can be deemed to meet the Basic Conditions.

We take exception to the Parish Council's belief that questions regarding the adequacy of their consultation are "disingenuous". Once again, the response indicates a fundamental misunderstanding as to how plan preparation should be conducted. The Consultation Statement submitted with the plan cannot possibly "meet the requirements for a call for sites" as it should be a summation of the engagement undertaken; it is not an exercise in and of itself. It remains the case that neither our client nor anyone else has been given a formal opportunity to promote sites for consideration in the plan. Our client would have been more than happy to engage with the Parish Council had this process have been available, however, as plan preparation has essentially been a 'closed shop', our client's only recourse has been the submission of applications and responses to the statutory periods of consultation.

The Parish Council's answer to your fourteenth query is particularly concerning. It is quite obvious that section 5 of the plan does not comprise any objective criteria that have been used for the purposes of site selection. The Parish Council's failure to conduct an adequate call for sites and undertake a suitable site selection process is a matter of deep regret and has frustrated any contribution the plan might make to sustainable development.

In respect of our client's own site, we are shocked that the Parish Council would publically concede to having "always been unclear on the status of the Equestrian Centre". It is inconceivable that a plan can have been properly prepared when by their own admission the plan-makers are unsure of the nature of sites that are available to it. The Equestrian Centre is unequivocally brownfield land, a fact that the Parish Council will have been aware of had they considered either of the officer's reports that recommended approval of our client's development to Milton Keynes Council's Development Control Committee. These applications were in full and not in outline as suggested by the Parish Council. We further note that the Parish Council are inconsistent in respect of the number of dwellings proposed for the site; for clarity it is exactly (not up to) 51.

Notwithstanding these factual deficiencies, we note that the Parish Council make no substantive comment on whether the redevelopment of brownfield land represents sustainable development. Milton Keynes Council provide a more measured opinion on the instances where this would be acceptable. However, this must be read in the context of two officer reports that recommended our client's proposals be granted permission. This decision has been appealed and is due to be heard by way of a co-joined hearing in July 2019. Notwithstanding these circumstances, it is only proper that you are made aware that there is a divergence in the views of Milton Keynes Council Officers and Members of the Development Control Committee. The Neighbourhood Plan must therefore not be unduly influenced by what are essentially political decisions to resist growth on sites that have been identified as sustainable opportunities by officers.

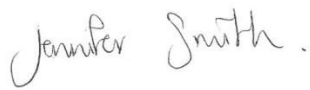
The inclusion of our client's site at the Equestrian Centre would make the Hanslope Neighbourhood Plan demonstrably far more consistent with the Basic Conditions. Presently the plan is not positively prepared and makes no contribution to sustainable development. The Parish Council's response does not provide any explanation for this. We note that Milton Keynes Council specifically state that Neighbourhood Plans are encouraged to allocate land for more homes than the indicative housing

figure; this demonstrates that the continued exclusion of the Equestrian Centre has not been for reasons of conformity with the Development Plan.

We appreciate that Neighbourhood Plans are not always professionally prepared but the lack of due diligence in the preparation of the Hanslope Neighbourhood Plan, as well as the tone and content of the responses to your questions, raise critical doubts as to its efficacy. This cannot be overlooked and we have serious concerns that the written representations procedure will result in an implicit acceptance that the Parish Council's explanation of the plan's preparation is justified.

We would respectfully request that a hearing be held to further interrogate these matters.

Yours sincerely

A handwritten signature in cursive script that reads "Jennifer Smith".

Jennifer Smith MRTPI
Director

Cc. McCann Homes
Cc. Milton Keynes Council