

# **HANSLOPE PARISH NEIGHBOURHOOD PLAN REVIEW 2016 - 2031**

**The Report of the Independent Examiner to Milton Keynes City Council on the  
Hanslope Parish Neighbourhood Plan Review**

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Independent Examiner  
27<sup>th</sup> February 2025**

## Summary

I was appointed by Milton Keynes City Council, in agreement with the Hanslope Parish Council, in January 2025 to undertake the Independent Examination of the Hanslope Parish Neighbourhood Plan Review.

The Examination has been undertaken by written representations.

The Neighbourhood Plan proposes modifications to some of the Policies in the 'made' Plan. It continues in its purpose to bring forward positive and sustainable development in the Neighbourhood Area. There is an evident focus on safeguarding the Area's distinctive character.

The Plan Review has been underpinned by community support and proportionate community engagement. The Plan adds appropriate local detail to sit alongside Plan: MK 2016 - 2031.

Subject to a series of recommended modifications set out in this Report I have concluded that the Hanslope Parish Neighbourhood Plan Review meets all the necessary legal requirements and should proceed to be made by Milton Keynes City Council.

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## **Introduction**

This report sets out the findings of the Independent Examination of the Hanslope Parish Neighbourhood Plan Review 2016-2031. The Plan was submitted to Milton Keynes City Council by Hanslope Parish Council in their capacity as the 'qualifying body' responsible for preparing the Neighbourhood Plan.

Neighbourhood Plans were introduced into the planning process by the Localism Act 2011. They aim to allow local communities to take responsibility for guiding development in their area. This approach was subsequently incorporated within the National Planning Policy Framework (NPPF) in 2012 and this continues to be the principal element of national planning policy. The NPPF was amended in December 2023 and it is against that version of the NPPF that this Examination is conducted. A later amended version of the NPPF was published in December 2024 but this was after the Hanslope Plan had been submitted.

This report assesses whether the Hanslope Parish Neighbourhood Plan Review is legally compliant and meets the 'basic conditions' and other statutory requirements that such plans are required to meet. It also considers the content of the Plan and, where necessary, recommends modifications to its policies and supporting text.

## **The Role of the Independent Examiner**

The Examiner's role is to ensure that any submitted neighbourhood plan meets the legislative and procedural requirements. I was appointed by Milton Keynes City Council, in agreement with the Hanslope Parish Council, to conduct the Examination of the Hanslope Parish Neighbourhood Plan Review and to report my findings. I am independent of both the Milton Keynes City Council and the Hanslope Parish Council. I do not have any interest in any land that may be affected by the Plan.

I possess the appropriate qualifications and experience to undertake this role. I have over 40 years' experience in various local authorities and third sector bodies as well as with the professional body for planners in the United Kingdom. I am a Chartered Town Planner and a panel member for the Neighbourhood Planning Independent Examiner Referral Service (NPIERS). I am a Member of the Royal Town Planning Institute.

In examining the Plan, I am also required, under paragraph 8(1) of Schedule 4B to the Town and Country Planning Act 1990, to check whether:

- the policies relate to the development and use of land for a designated Neighbourhood Area in line with the requirements of Section 38A of the Planning and Compulsory Purchase Act 2004;
- the Neighbourhood Plan meets the requirements of Section 38B of the 2004 Act (the Plan must specify the period to which it has effect, must not include provision about development that is excluded development, and must not relate to more than one Neighbourhood Area);
- the Neighbourhood Plan has been prepared for an area that has been designated under Section 61G of the Localism Act and has been developed and submitted for examination by a qualifying body.

These are helpfully covered in the submitted Basic Conditions Statement and, subject to the contents of this Report, I can confirm that I am satisfied that each of the above points has been properly addressed and met.

## **The Plan Review**

The Neighbourhood Planning Act 2017 identifies that Qualifying Bodies may seek to review 'made' neighbourhood plans. It introduces a proportionate process for the modification of Neighbourhood Plans where a Neighbourhood Development Plan has already been made in relation to that Neighbourhood Area.

There are three types of modification which can be made through a Neighbourhood Plan Review. The process depends 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.

The Hanslope Parish and Milton Keynes City Councils have, as is appropriate, considered this issue and taken the view that the proposed changes to the 'made' Plan fall into the second category: "material modifications which do not change the nature of the plan or order and which would require examination but not a referendum". I have properly considered these assessments and agree that, whilst the Plan Review includes some material modifications, these do not change the nature of the Plan, which takes a considered view of local needs, and the Review requires examination but not a referendum. I have reached this decision for the following reasons:

- revised policies largely update those in the 'made' Plan;
- where there are additional or additions to policies, these do not change the nature of the Plan when considered alongside the made Plan; and
- modifications made, or now recommended, within the Review bring the Plan up to date to reflect changes in national and local planning policy.

It is therefore appropriate for me to examine the Plan against Schedule A2 of the Planning and Compulsory Purchase Act 2004. The regulations identify that an Independent Examiner's report must recommend one of three outcomes:

- that the local planning authority should make the draft plan; or
- that the local planning authority should make the draft plan with the modifications specified in the report; or
- that the local planning authority should not make the draft plan.

I will later consider each Plan Policy in turn and identify any modifications required to ensure that they meet the Basic Conditions and my recommendations then follow.

In undertaking this Examination I have considered the following documents:

- Hanslope Parish Neighbourhood Plan Review 2016-2031 as submitted
- Parish Council Modification Statement (November 2024)
- City Council Modification Statement (email dated 06/01/25)
- Hanslope Parish Neighbourhood Plan Review Basic Conditions Statement (November 2024)
- Hanslope Parish Revised Neighbourhood Plan Review Consultation Statement (August 2024)
- Hanslope Parish Neighbourhood Plan Review Strategic Environmental Assessment Screening Report (May 2023)
- Hanslope Parish Neighbourhood Plan 2016 - 2031
- Content at: [www.milton-keynes.gov.uk/planning-and-building/hanslope-neighbourhood-plan](http://www.milton-keynes.gov.uk/planning-and-building/hanslope-neighbourhood-plan)

- Content at: [www.hanslopeparishcouncil.org/community/hanslope-parish-council-15401/neighbourhood-plan1/](http://www.hanslopeparishcouncil.org/community/hanslope-parish-council-15401/neighbourhood-plan1/)
- Representations made to the Regulation 16 public consultation on the Hanslope Parish Neighbourhood Plan
- Plan: MK 2016 - 2031
- National Planning Policy Framework (NPPF) (2023)
- Neighbourhood Planning Regulations (2012)
- Planning Practice Guidance (PPG) (March 2014 and subsequent updates)

I carried out an unaccompanied visit to the Neighbourhood Area on 29<sup>th</sup> January 2025 in particular to view the sites referenced within the Plan.

The legislation establishes that, as a general rule, neighbourhood plan examinations should be held without a public hearing, by written representations only. Having considered all the information before me, including the representations made to the submitted plan which I felt made their points with clarity, I was satisfied that the Hanslope Parish Neighbourhood Plan Review could be examined without the need for a public hearing and I advised Milton Keynes City Council accordingly. The Qualifying Body and the local authority have responded to my enquiries so that I may have a thorough understanding of the context and thinking behind the Plan, and the correspondence has been shown on the Milton Keynes City Council neighbourhood planning website for the Hanslope Parish Neighbourhood Plan Review.

### **Hanslope Parish Neighbourhood Area**

A map showing the boundary of the Hanslope Parish Neighbourhood Area has been provided within the Neighbourhood Plan. Further to an application made by Hanslope Parish Council, Milton Keynes City Council approved the designation of the Neighbourhood Area on 9<sup>th</sup> December 2015. This satisfied the requirement in line with the purposes of preparing a Neighbourhood Plan under section 61G(1) of the Town and Country Planning Act 1990 (as amended).

### **Consultation**

In accordance with the Neighbourhood Planning (General) Regulations 2012, the qualifying body has prepared a Consultation Statement to accompany the Plan.

The Planning Practice Guidance says:

“A qualifying body should be inclusive and open in the preparation of its neighbourhood plan [or Order] and ensure that the wider community:

- is kept fully informed of what is being proposed
- is able to make their views known throughout the process
- has opportunities to be actively involved in shaping the emerging neighbourhood plan [or Order]
- is made aware of how their views have informed the draft neighbourhood plan [or Order].” (Reference ID: 41-047-20140306)

I note that initial community engagement began in late 2022 with an online village survey, which was advertised on social media, in the Parish magazine (Hanslope Clarion) and on the Parish notice board. Questions included: ‘Thinking forward to the next 15 years, 2037, what does the village need?’ 247 responses were recorded and the full survey results were published. Another round of community consultations took place in October 2023 starting with a leaflet delivered to every household in the Parish outlining how every resident could have a say in what was included in the Neighbourhood Plan. In connection with this, two open, public meetings were held with displays of proposed modifications to existing policies; comments received were recorded and responses were subsequently published. The pre-

submission consultation was undertaken for six weeks between 11<sup>th</sup> June and 23<sup>rd</sup> July 2024 including statutory consultees. Responses to the issues raised have been noted in the Consultation Statement accompanying the Plan.

I am therefore satisfied that the consultation process was proportionate to the scale of the Review and accords with the requirements of the Regulations and the Practice Guidance and that, in having regard to national policy and guidance, the Basic Conditions have been met.

### **Representations Received**

Consultation on the submitted Plan Review, in accordance with Neighbourhood Planning Regulation 16, was undertaken by Milton Keynes City Council from 8<sup>th</sup> November to 20<sup>th</sup> December 2024. I have been passed 7 representations in total and these have been made available on the Neighbourhood Plan Review webpage. In reaching my own conclusions about the specifics of the content of the Plan I may later reference Regulation 16 representations and note points of agreement or disagreement with them, just as the Qualifying Body has already done for earlier consultations. That does not imply or suggest that consultation has been inadequate, merely that a test against the Basic Conditions is being applied. All representations have been read thoroughly but I may not need refer to all of them in this Report.

## **The Neighbourhood Plan**

### **Basic Conditions**

The Independent Examiner is required to consider whether a neighbourhood plan meets the “Basic Conditions”, as set out in law following the Localism Act 2011. In order to meet the Basic Conditions, the Plan must:

- have regard to national policies and advice contained in guidance issued by the Secretary of State;
- contribute to the achievement of sustainable development;
- be in general conformity with the strategic policies of the development plan for the area;
- be compatible with European Union (EU) and European Convention on Human Rights (ECHR) obligations.

The submitted Basic Conditions Statement has helpfully set out to address the issues in the same order as above. I note that the Local Plan is Plan: MK 2016 – 2031.

I have examined and will below consider the Neighbourhood Plan Review modifications against all of the Basic Conditions above, utilising the supporting material provided in the Basic Conditions Statement and other available evidence as appropriate.

Having considered all the evidence and representations submitted as part of the Examination I am satisfied that the submitted Plan Review continues to have regard to national planning policies and guidance in general terms. The Plan continues to set out the community needs it will meet whilst identifying and safeguarding Hanslope Parish’s distinctive features and character. The Review has been approached with transparency and care, with input as required and support from Milton Keynes City Council.

Because this is a Plan Review, in the majority of instances, regard for national policies has already been established at the previous Examination. Since the original Neighbourhood Plan was ‘made’ no new Local Plan has been adopted although one is in progress; I must examine against the content of the adopted Plan. In the writing up of the current Plan document, it is sometimes the case that the phraseology is imprecise, not helpful, or it falls short in justifying aspects of the selected policy. Planning Practice Guidance says that “A

policy in a neighbourhood plan should be clear and unambiguous. It should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications. It should be concise, precise and supported by appropriate evidence. It should be distinct to reflect and respond to the unique characteristics and planning context of the specific neighbourhood area for which it has been prepared” (Paragraph: 041 Reference ID: 41-041-20140306). Accordingly, sometimes I have been obliged to recommend modifications so as to ensure both clarity and meeting of the ‘Basic Conditions’ more generally.

## **The Plan in Detail**

### **Front Cover**

I note that the period that, as required, the Plan covers has been clearly stated on the front cover and the period has not altered since the Plan was made.

### **Contents**

The Contents listing is unlikely to need review in the light of modifications recommended in this Report.

### **Foreword**

This section has been appropriately updated and I have no comments on the new content.

### **List of Land Use Policies**

I note this list has been updated to accord with the Plan Review.

## **1. Introduction & Background**

The content here needs to be reviewed to remove elements that relate solely to the pre-submission consultation.

### **Recommendation 1:**

*1.1 Amend the tense of the second sentence of paragraph 1.3 as follows:*

*‘After Independent Examination, the Plan Review has been ‘made’ and become a statutory part of the development plan for the Neighbourhood Area.’*

*1.2 Delete paragraphs 1.5 and 1.6 and the intervening sub-heading; revise subsequent paragraph numbers accordingly.*

*1.3 Delete paragraphs 1.9 and 1.10 and their related sub-headings.*

## **2. The Neighbourhood Area**

This section has been appropriately updated and I have no comments on the new content.

## **3. Planning Policy Context**

This section has been appropriately updated and I have no comments on the new content.

## **4. Community Views on Planning Issues**

This section is unaltered.

## **5. Vision, Objectives & Land Use Policies**

This section is unaltered but, for clarity, I recommend that one small change is made.

### **Recommendation 2:**

*In paragraph 5.6 replace “proposed policies” with ‘policies’.*



### **Policy HAN1: Hanslope and Long Street Development Boundaries**

The Review has not altered the Policy wording but has update the Hanslope Development Boundary to reflect the building out of the Hayfields development to the south of the Parish. I regard this as an appropriate updating for clarity.

The local authority 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].” The Qualifying Body agreed that this further update would be appropriate. My background research identified that the linear extension of the Development Boundary along Newport Road was added (or reintroduced) during the first Plan Examination; it has therefore been the subject of previous scrutiny. I note that the Council's view is that the amendment, if accepted, would not change the nature of the Plan. I accept that the amendment now proposed is a further, appropriate updating of the boundary to acknowledge the effect of the planning decisions and Appeal as referenced.

#### **Recommendation 3:**

*3.1 On the Policies Maps amend the Hanslope Development Boundary to exclude land to the rear of the properties along Newport Rd in accordance with the map submitted with the representation from Milton Keynes City Council to the Regulation 16 Consultation.*

*3.2 Amend paragraph 5.8 to add:*

*‘In the light of the refusal of planning permission for residential development on land at and to the rear of 65 Newport Road (refused in April 2021 [application ref: 20/02959/OUT (subsequent appeal was dismissed)] and also in August 2023 [application ref: 23/00889/OUT]) the boundary has also been amended to exclude the land to the rear of the properties along Newport Road.’*

As amended Policy HAN1 meets the Basic Conditions.

### **Policy HAN2: Housing Development Sites**

The made Neighbourhood Plan allocated three sites for residential development as part of this policy, of which one has since been developed. The Review responds to this by removing ‘Site C - Land to the west of Long Street Road adjacent to Folly Farm’ from the policy wording. The remaining two sites have been reviewed by the Qualifying Body which considered that they could still be developed within the plan period of the reviewed Plan, hence they are retained in the policy. As the modification simply consists of removing one of the previous allocations which has been delivered, I agree with the Qualifying Body that the changes provide helpful clarification and do not change the nature of the plan.

As revised Policy HAN2 meets the Basic Conditions.

### **Policy HAN3: Design in the Hanslope Conservation Area**

Unaltered

### **Policy HAN4: Design and Development Principles in the Parish**

The wording for Policy HAN4 remains the same although the supporting text has been updated to explain that a review of all existing designated key views was conducted as part of the Review. I note that in conducting this review, some of the locations of the existing key views have been adjusted in response to new developments in the Parish. One additional key view (Key View G) was identified. From my visit to the Neighbourhood Area I was able to confirm that the views collectively are representative of the rural setting of Hanslope. These changes have been appropriately reflected on the revised Policies Map.

Policy HAN4 continues to meet the Basic Conditions.

### **Policy HAN5: Commercial, Business and Service Uses**

Minor changes have been made to the policy wording and supporting text for the purpose of reflecting legislative changes, rather than to alter the intention of the policy. I agree with the Qualifying Body that the changes provide clarity.

As revised Policy HAN5 meets the Basic Conditions.

### **Policy HAN6: Rural Economic Development**

One minor change has been made to Clause i of Policy HAN6 which alters the wording 'immediately adjoining existing buildings' to 'adjoining existing buildings'. I asked the Qualifying Body for the background to this change and was advised: "Following several planning applications for expansion of the site at Cuckoo Hill Farm and a subsequent appeal (ref: PLN/2024/2063, APP/Y0435/W/3325545 etc.), we looked to clarify policy HAN6 as we could not support any expansion into open countryside there, even if it was '*immediately next to*' an existing site, so we proposed removing 'immediately' from the policy and say '*new build development adjoining existing buildings*.'" I cannot conclude that the revised wording adds the clarity sought and therefore I propose adding an additional clause to the Policy.

#### **Recommendation 4:**

*Within Policy HAN6:*

*4.1 Amend clause i to read:*

*'They are confined to the redevelopment of existing buildings or infilling between existing buildings or new buildings adjoining existing buildings;'*

*4.2 Add a new clause ii (and revise the numbering of the subsequent clauses) as follows:*

*'ii there is no extension of sites into the countryside;'*

As amended, revised Policy HAN6 meets the Basic Conditions.

### **Policy HAN7: Community Facilities**

Two additions to the wording of Policy HAN7 have been made which support improvements to the Doctors' Surgery and facilities for young people. The revision has clarity and is appropriately justified in the supporting text.

As revised Policy HAN7 meets the Basic Conditions.

### **Policy HAN8: Local Green Spaces**

The Qualifying Body has explained that a review of the existing Local Green Space designations was undertaken and opportunities to designate further spaces were explored, where appropriate. The results of the review were set out in Appendix 4 'Local Green Spaces Report'. For the four existing designations and the five new ones, the Report explains how each one meets the three criteria set out in the NPPF. The Qualifying Body explained that further detail has been explored in relation to the 'local significance' which must be demonstrated to achieve a Local Green Space designation.

Following my visit to the Neighbourhood Area I identified a few issues which I put to the Qualifying Body and the local authority:

- It is evident that the Review of Local Green Spaces (LGS) has seen a shift from quite large spaces to much smaller ones. As a consequence, the Policies Map alone at its published scale doesn't allow the boundaries to be clearly identified, and the photographs in the Appendix may mislead. Absolute clarity will be required for those using the Plan. In particular the LGS area E is described as the "Village Pond" on the Policies Map and as "Village Green and Horse pond" in Appendix 4. I invite you add

larger scale, individual maps to the illustrations in Appendix 4 for my further consideration.

- LGS Area G seems to my eyes primarily to be a generously dimensioned footpath. I'm not convinced that "a visual break between houses and road" makes a space "Demonstrably special ..... and holds particular significance". The amenity space seems of the type to be afforded protection under Policy HAN9. Planning Policy Guidance notes: "Areas that may be considered for designation as Local Green Space may be crossed by public rights of way. There is no need to designate linear corridors as Local Green Space simply to protect rights of way, which are already protected under other legislation." (Paragraph: 018 Reference ID: 37-018-20140306).

The Qualifying Body accepted these points and the Recommendations below therefore follow from the issues I identified.

### **Recommendation 5:**

#### **5.1 Within Policy HAN8:**

*5.1.1 Delete LGS (G) and retitle subsequent LGSs accordingly.*

*5.1.2 Replace the final sentence with:*

*'Very special circumstances must exist to justify development within a Local Green Space, where national Green Belt policy applies.'*

*5.2 Revise paragraph 5.34 to refer to four new spaces instead of five.*

*5.3 Amend the Policies Map to delete LGS (G) from the map and the key and retitle subsequent LGSs to match the Policy.*

*5.4 Replace Appendix 4 Local Green Spaces Report with the revised version as attached to the Qualifying Body's email dated 21<sup>st</sup> February 2025.*

As amended, revised Policy HAN8 meets the Basic Conditions.

### **Policy HAN9: Green Infrastructure**

Unaltered

### **Policy HAN10: Local Gap**

This is a new policy that seeks to protect the essential countryside character of the area between Hanslope and Long Street, in order to prevent visual coalescence between these separate settlements and to protect their distinctive individual character and setting. A representation, on behalf of a significant landowner who considers themselves adversely affected by the new Policy, raised an objection. I asked the Qualifying Body to advise me how they had considered the objections of the landowner to date and to address any new issues now raised in their representation. I also invited comments from the local authority. The Qualifying Body responded by noting:

"The Steering Group have considered his [repeated] objection with several discussions, notes from these published on the Parish Council website and he is always able, as are all parish residents, to attend Parish Council meetings to put his point of view but he has not yet done so. We noted also responses from members of the public at the open meetings regarding this policy (see the Consultation Statement). We also know from his own representations at the appeal hearing for the development of 141 dwellings off Long Street Road (APP/Y0435/W/17/3177851) next to his property, that he regarded the gap and *"the farmhouse's extended setting which conveys its separation and isolation from the village and the relationship the asset holds with the surrounding landscape"* (Bidwells Heritage Statement for the appeal), as important but that now the Wheatfields development has been completed he feels the gap is no longer important to the setting of his Grade II listed

farmhouse. This is why we were keen to emphasise we still think the setting of the listed building is a significant consideration.”

I can reasonably conclude that the Qualifying Body has taken the matter of consultation seriously and reached a justifiable planning judgement. The Policy has appropriate regard for the NPPF expectation at paragraph 9 which says: “Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.” Policy HAN10 is in general conformity with Policies DS5 and NE5 of Plan: MK as it applies similar principles but at a Parish scale. Policy DS5 says: “The Council defines Open Countryside as all land outside the development boundaries defined on the Policies Map. Planning permission within the open countryside will only be granted for development which is ... wholly appropriate to a rural area and cannot be located within a settlement...” Policy NE5 says, *inter alia*: “development proposals will need to demonstrate that the following aspects of landscape character have been conserved and where possible enhanced through sensitive design, landscape mitigation and enhancement measures:

1. The locally distinctive natural and man-made features that contribute towards the landscape character and its quality.

2. The historic setting and structure of the villages and hamlets.”

The Qualifying Body has also drawn attention to 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 ... there is a clear change in experience from the settlement of Hanslope to the settlement of Long Street, they are both distinct from each other”; this is also supported by Appeal decision APP/Y0435/W/17/3177851.

Whilst acknowledging the general principle of very restricted development outside of development boundaries (as defined in Policy HAN1), I was not convinced that it is possible to define an “exact” boundary for a policy such as HAN10, as had been suggested by the Qualifying Body; the area selected also seemed to have a disproportionate width when compared to the two development boundaries. Accordingly, after my visit to the Neighbourhood Area I commented to the Qualifying Body: “I can see that the natural dip in the ground between Hanslope and Long Street produces variable inter-visibility issues. It would be wrong for the Plan to suggest that it's possible to define a precise boundary of where issues will arise and I feel that the "Local Gap" coloured area on the map exaggerates the area for potential issues. I propose to recommend that the block colour be replaced with cross hatching which will result in an indicative, broken edge which need not extend significantly further east and west than the present edges of each settlement. I invite you to prepare a revised map along these lines for my further consideration.” Subsequently the Qualifying Body provided a revised Policies Map incorporating a reduced, hatched marking indicative of the intervisible “gap” between Hanslope and Long Street which I was able to accept.

### **Recommendation 6:**

6.1 *Revise the wording of Policy HAN10 as follows:*

*‘An indicative Local Gap is shown on the Policies Map within which any countryside development proposals must be sited and designed in such a way as to prevent the visual coalescence of the distinct settlements of Hanslope and Long Street.’*

6.2 *Substitute the Policies Maps attached to the Qualifying Body’s email dated 18<sup>th</sup> February 2025 for that used in the Submission Plan.*

As amended, Policy HAN10 meets the Basic Conditions.

### **Implementation**

Unaltered

## **Policies Maps**

In view of the recommendations above, the Maps need to be amended to reflect the revision to Policies HAN1, HAN8 & HAN10.

## **Appendices**

Appendix 1: Unaltered

Appendix 2: Unaltered

Appendix 3: Appropriately reflects the revisions considered for Policy HAN3.

Appendix 4: A revised version of this Appendix reflecting changes made to the scope of Policy HAN8 was submitted with the Qualifying Body's email dated 21<sup>st</sup> February 2025

### **Recommendation 7:**

*7.1 The amended Policies Maps provided by the Qualifying Body with their email dated 18<sup>th</sup> February 2025 should replace that included within the Submission Plan.*

*7.2 The Appendix 4 provided by the Qualifying Body with their email dated 21<sup>st</sup> February 2025 should replace that included within the Submission Plan.*

## **European Union (EU) and European Convention on Human Rights (ECHR) Obligations**

A further Basic Condition, which the Hanslope Parish Neighbourhood Plan Review must meet, is compatibility with European Union (EU) and European Convention on Human Rights (ECHR) obligations, as incorporated into UK law.

There is no legal requirement for a neighbourhood plan to have a sustainability appraisal. A Strategic Environmental Assessment (SEA) Screening Opinion for the Hanslope Parish Neighbourhood Plan Review has been used to determine whether or not the content of the Plan requires a Strategic Environmental Assessment (SEA) in accordance with the European Directive 2001/42/EC and associated Environmental Assessment of Plan and Programmes Regulations 2004. In accordance with Regulation 9 of the SEA Regulations 2004, Milton Keynes City Council determined in their Report dated May 2023: "Having screened the Hanslope Neighbourhood Plan and consulted with Historic England, Natural England and the Environment Agency, it is the view of Milton Keynes City Council that the Plan's effects are unlikely to have any significant impacts beyond the Neighbourhood Area and it is considered that overall the Plan will not have significant effects on the environment. It is, therefore, concluded that the Hanslope Neighbourhood Plan does not need to be subject to Strategic Environmental Assessment". Further, the opinion stated that no Habitats Regulation Assessment is required of the Neighbourhood Plan under the EU Habitats Regulations: "Given the role of Neighbourhood Plans and the scale of development proposed in the Hanslope Neighbourhood Plan, it is considered that Appropriate Assessment of the plan is not required."

As indicated in the Basic Conditions Statement, "The Parish Council has been mindful of the fundamental rights and freedoms guaranteed under the European Convention on Human Rights in process of preparing the Neighbourhood Plan and considers that it complies with the Human Rights Act. The Neighbourhood Plan has been subject to extensive engagement with those people local to the area who could be affected by its policies and their views have been taken into account in finalising the Plan." No evidence has been put forward to demonstrate that this is not the case.

Taking all of the above into account, I am satisfied that the Hanslope Parish Neighbourhood Plan Review is compatible with EU obligations and that it does not breach, nor is in any way incompatible with, the ECHR.

## **Conclusions**

The Review of the 'made' Hanslope Parish Neighbourhood Plan sets out some modified and one new policy to guide and direct development proposals in the period up to 2031. It has been properly prepared to improve the Plan and to address changes in national and local planning policy which have arisen since the initial Plan was 'made'. My independent assessment is that the Plan Review includes material modifications which do not change the nature of the Plan and which require examination but not a referendum.

My Independent Examination of the Plan concludes that the Hanslope Parish Neighbourhood Plan Review meets the basic conditions for the preparation of a Neighbourhood Plan subject to a number of recommended modifications. Modifications have been recommended to effect corrections, to ensure clarity and in order to ensure that the Basic Conditions are met but the Plan Review remains fundamentally unchanged in its role and direction set for it by the Qualifying Body.

***Accordingly, I recommend that Milton Keynes City Council should 'make' the draft Hanslope Parish Neighbourhood Plan Review, subject to the modifications set out in this Report.***



**Recommendations:** (this is a listing of the recommendations exactly as they are included in the Report)

Rec.	Text	Reason
1	<p>1.1 Amend the tense of the second sentence of paragraph 1.3 as follows: 'After Independent Examination, the Plan Review has been 'made' and become a statutory part of the development plan for the Neighbourhood Area.'</p> <p>1.2 Delete paragraphs 1.5 and 1.6 and the intervening sub-heading; revise subsequent paragraph numbers accordingly.</p> <p>1.3 Delete paragraphs 1.9 and 1.10 and their related sub-headings.</p>	For clarity and accuracy
2	In paragraph 5.6 replace "proposed policies" with 'policies'.	For clarity and accuracy
3	<p>3.1 On the Policies Maps amend the Hanslope Development Boundary to exclude land to the rear of the properties along Newport Rd in accordance with the map submitted with the representation from Milton Keynes City Council to the Regulation 16 Consultation.</p> <p>3.2 Amend paragraph 5.8 to add: 'In the light of the refusal of planning permission for residential development on land at and to the rear of 65 Newport Road (refused in April 2021 [application ref: 20/02959/OUT (subsequent appeal was dismissed)] and also in August 2023 [application ref: 23/00889/OUT]) the boundary has also been amended to exclude the land to the rear of the properties along Newport Road.'</p>	For clarity and accuracy and to meet Basic Condition 3
4	<p>4.1 Amend clause i to read: 'They are confined to the redevelopment of existing buildings or infilling between existing buildings or new buildings adjoining existing buildings;'</p> <p>4.2 Add a new clause ii (and revise the numbering of the subsequent clauses) as follows: 'ii there is no extension of sites into the countryside;'</p>	For clarity and accuracy and to meet Basic Conditions 1 & 3

5	<p>5.1 Within Policy HAN8:</p> <p>5.1.1 Delete LGS (G) and retitle subsequent LGSs accordingly.</p> <p>5.1.2 Replace the final sentence with: 'Very special circumstances must exist to justify development within a Local Green Space, where national Green Belt policy applies.'</p> <p>5.2 Revise paragraph 5.34 to refer to four new spaces instead of five.</p> <p>5.3 Amend the Policies Map to delete LGS (G) from the map and the key and retitle subsequent LGSs to match the Policy.</p> <p>5.4 Replace Appendix 4 Local Green Spaces Report with the revised version as attached to the Qualifying Body's email dated 21st February 2025.</p>	For clarity and accuracy and to meet Basic Condition 1
6	<p>6.1 Revise the wording of Policy HAN10 as follows: 'An indicative Local Gap is shown on the Policies Map within which any countryside development proposals must be sited and designed in such a way as to prevent the visual coalescence of the distinct settlements of Hanslope and Long Street.'</p> <p>6.2 Substitute the Policies Maps attached to the Qualifying Body's email dated 18th February 2025 for that used in the Submission Plan.</p>	For clarity and accuracy and to meet Basic Condition 1
7	<p>7.1 The amended Policies Maps provided by the Qualifying Body with their email dated 18th February 2025 should replace that included within the Submission Plan.</p> <p>7.2 The Appendix 4 provided by the Qualifying Body with their email dated 21st February 2025 should replace that included within the Submission Plan.</p>	For clarity and accuracy and to meet Basic Condition 1