

HANSLOPE NEIGHBOURHOOD PLAN REVIEW 2016 - 2031

BASIC CONDITIONS STATEMENT

Published by Hanslope Parish Council under the
Neighbourhood Planning (General) Regulations 2012

November 2024

1.Introduction

1.1 This Statement has been prepared by Hanslope Parish Council (the Parish Council) to accompany its submission to the Local Planning Authority, Milton Keynes City Council (MKCC), of the Hanslope Neighbourhood Plan Review (the Modified Plan) under Regulation 15 of the Neighbourhood Planning (General) Regulations 2012 (as amended) (the Regulations).

1.2 The Neighbourhood Plan has been prepared by the Parish Council, a qualifying body, for the Neighbourhood Area covering the whole of the Parish of Hanslope, as designated by MKCC on the 9 December 2015 (see Plan A below). The policies described in Section 5 of the Neighbourhood Plan all relate to the development and use of land in the designated Neighbourhood Area. It does not contain policies relating to 'excluded development' as defined by, and in accordance with, the Regulations. The plan period of the Neighbourhood Plan is from 2016 to 2031. The document also contains a number of non-statutory proposals that relate to local planning matters in its Section 6 'Implementation'. Section 6 does not form part of the examined 'neighbourhood development plan' but provides the local community with a comprehensive view of issues that the Parish Council has considered during the preparation of the document.

1.3 The Neighbourhood Planning Act 2017 contains provisions to amend Section 38 of the Planning & Compensation Act 2004 in relation to modifying a made neighbourhood plan. As a result, the Neighbourhood Planning (General) & Development Management Procedure (Amendment) Regulations 2017, which came into force on 31 January 2018, amended the Neighbourhood Planning (General) Regulations (as amended) 2012 for this purpose.

1.4 Those amendments enable a qualifying body to propose modifications to a made neighbourhood plan that, if considered not to be so significant or substantial as to change the nature of the neighbourhood development plan, requires only an independent examination and not another referendum. The 2017 Regulations amend Regulations 14 to 20 of the 2012 Regulations so that the process for preparing, consulting on, submitting, publicising and examining such modifications matches that for neighbourhood plans in general. However, Regulation 15 has been amended to require the qualifying body to publish a statement alongside the neighbourhood plan as proposed to be modified at the Submission stage thus:

“setting out whether or not the qualifying body consider that the modifications contained in the modification proposal are so significant or substantial as to change the nature of the neighbourhood development plan which the modification proposal would modify, giving reasons for why the qualifying body is of this opinion”.

1.5 The Parish Council published its Modified Pre-Submission Plan and Modification Proposal Statement in June - July 2024 for the statutory consultation period in accordance with Regulation 14. The representations made on those documents have been analysed to inform some minor amendments to the submitted documentation. A full record of the consultation process and outcome is provided in the separate Consultation Statement, as per Regulation 15 (1)(b).

1.6 This Basic Conditions Statement, as per Regulation 15 (1)(d), sets out how the modification proposal meets the basic conditions requirements of how the neighbourhood development plan meets the requirements of paragraph 11 of Schedule A2 to the Planning & Compulsory Purchase Act 2004. Specifically, the Regulations state that the Modified Plan will be considered to have met the conditions if:

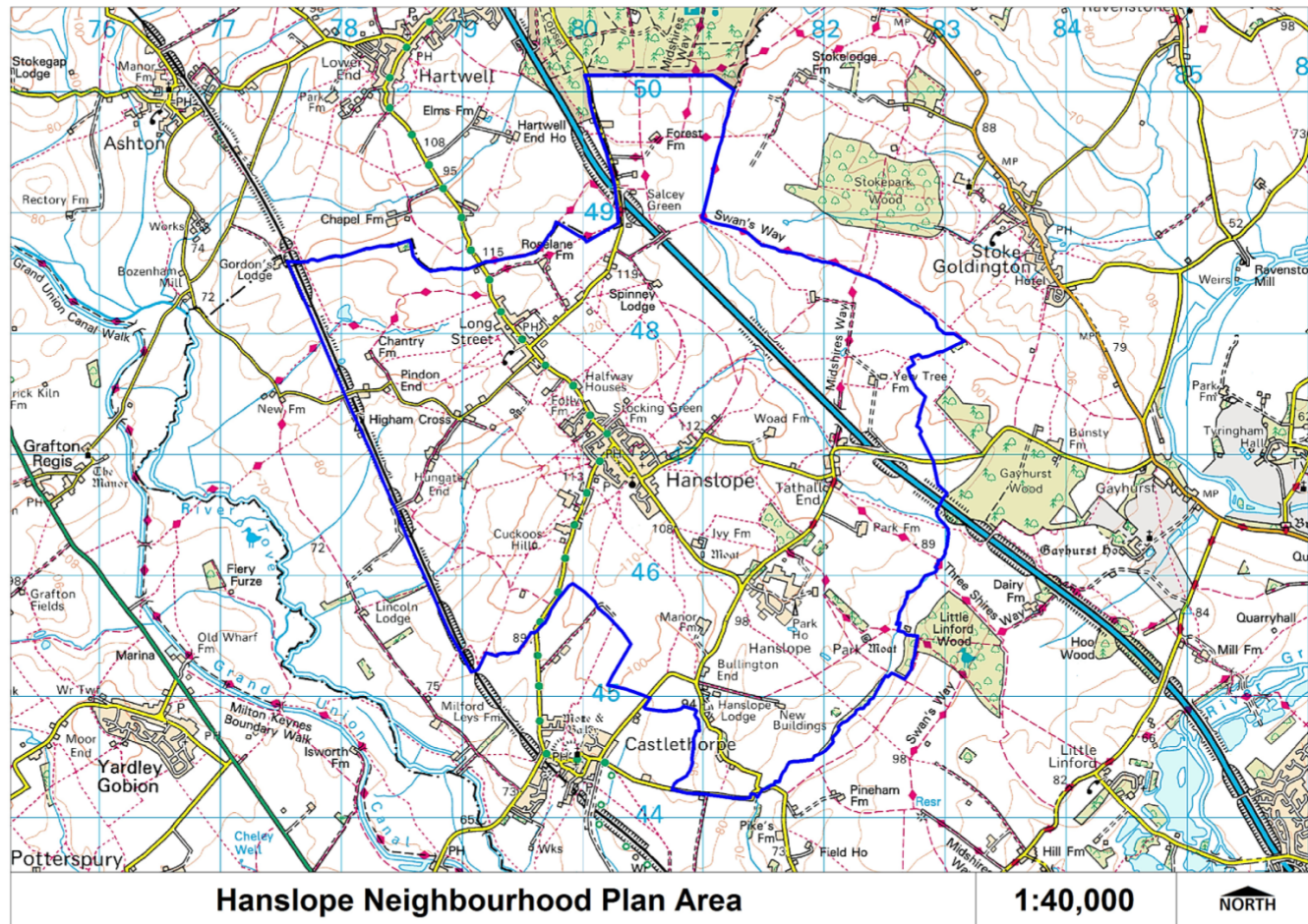
- Having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to modify the made Neighbourhood Development Plan,
- The modification of the made Neighbourhood Development Plan contributes to the achievement of sustainable development,
- The modification of the made Neighbourhood Development Plan 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 modification of the made Neighbourhood Development Plan does not breach, and is otherwise compatible with retained EU obligations

1.7 The Modified Plan contains ten policies HAN1 – HAN10 and proposes to make material modifications to HAN1, HAN4 and HAN8 and introduces one new policy – HAN10. But, in making those changes, the opportunity has been taken to make minor modifications to other policies (HAN2, HAN5, HAN6 and HAN7), primarily to update their content. All of the proposed modifications to policies are described and explained in the separate Modification Proposal Statement.

1.8 In which case, this Statement focuses on explaining how the materially modified and updated policies meet the basic conditions. The policies continue to relate to the development and use of land in the designated Neighbourhood Area. They do not relate to 'excluded development', as defined by the Regulations, and they will apply for the plan period up to 2031.

1.9 The submission documents comprise:

- The Modified Plan (incorporating the modified Policies Map)
- The Basic Conditions Statement
- The Strategic Environmental Assessment Screening Report
- The Consultation Statement
- The Modification Proposal Statement



Plan A: The Designated Hanslope Neighbourhood Plan Area

2. Conformity with National Planning Policy

2.1 The Modified Plan has been prepared with full regard to national policies as set out in the National Planning Policy Framework (NPPF) of 2023. The review of the Made Plan has taken into account how that version modified the 2018 version of the NPPF, against which the Made Plan was assessed. Account has also been taken of the Planning Practice Guidance (PPG) where relevant.

2.2 The 2023 NPPF changes of relevance include the need for increased density of brownfield sites to be in character with the surrounding area, changes to the ways in which 5 year housing land supply is demonstrated and a continued emphasis on beauty. In this respect the made policies which are not being materially modified continue to have full regard to the latest version of the NPPF.

Table A: Neighbourhood Plan & NPPF Conformity Summary		
No.	Policy Title	Commentary
HAN1	Hanslope and Long Street Development Boundaries	NPPF §83 - 84 promote sustainable development in rural areas by requiring policies to be responsive to local circumstances and by locating housing where it will enhance or maintain the vitality of rural communities. This modified policy updates the settlement boundary previously defined in the Made Plan by incorporating the Hayfields development to the south of the parish. The purpose of clearly defining the settlement boundary on the policies map, makes it clear how a decision maker should react to development proposals as per §16(d).
HAN4	Design and Development Principles in the Parish	In modifying this policy, a review was conducted of the key views identified in the Made Plan. As a result, some of the locations of the existing key views have been adjusted in response to new developments in the parish and one new key view has been added. NPPF §180 states that 'Planning policies and decisions should contribute to and enhance the natural and local environment'. In recognising the local status of the policy, HAN4 does not seek to prevent any development as a matter of principle, but rather requires development proposals to avoid unnecessary harm to identified key views by way of their height, massing or obstructive location.
HAN8	Local Green Spaces	The modified policy designates five new Local Green Spaces in accordance with §105 - §107 of the NPPF. A designation has the policy effect of the equivalence of the Green Belt (§107) in terms of the definition of 'inappropriate development' and of the 'very special circumstances' tests in the NPPF when determining planning applications located within a designated Local Green Space. All of the Local Green Space candidates, provided by the evidence base, have been tested against the criteria of §106 to achieve designation and landowners have been consulted.

HAN10	Local Gap	The policy sets out the way in which proposals in the gap between Hanslope and Long Street will conserve its natural environment (§28). It contributes to conserving the natural and local environment by protecting the essential countryside character of the area (§180). The principle of preventing the visual or physical coalescence of settlements was established by appeal decision (APP/Y0435/W/21/3282446).
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3. Contribution to Achieving Sustainable Development

3.1 MKCC has determined that a Strategic Environmental Assessment (SEA) was not required for the Neighbourhood Plan as it considered the modifications to the policies were unlikely to have significant environmental effects, as defined by the Environmental Assessment of Plans and Programmes Regulations 2004.

3.2 In its formal screening opinion of May 2023, MKCC stated:

"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".

3.3 However, the basic condition of 'contributing to the achievement of sustainable development' requires a broader scope of assessment to embrace social and economic, as well as environment, objectives. For completeness, therefore, the Neighbourhood Plan policies which have been materially modified have been analysed and a summary is contained in Table B overleaf. It is considered that those policies which are only receiving minor modifications (HAN2, HAN5, HAN6 and HAN7) have been sufficiently assessed by the Modified Plan and Made Plan's SEA screening process.

3.4 It is clear that the Neighbourhood Plan, in its own modest way, will contribute to the achievement of sustainable development. This outcome may be inevitable for Neighbourhood Plans prepared in similar planning policy circumstances. If local communities are to back development in this type of location, to the extent they will turn out to vote at a referendum, then they will expect that the environmental assets of the Parish will be protected from inappropriate development and that some social and/or economic benefits may arise from new development. In any event, the planning policy context is such that to be in general conformity with the strategic policies of the development plan, the Neighbourhood Plan must acknowledge those environmental constraints.

Table B: Neighbourhood Plan & Sustainable Development Summary (+ positive, 0 neutral, - adverse effects)					
No.	Policy Title	Soc.	Eco.	Env.	Commentary
HAN1	Hanslope and Long Street Development Boundaries	+	0	+	The policy will have a positive environmental effect by containing and managing the appropriate growth of the defined village settlements that reflects the importance of the landscape and local heritage in a rural location. The policy has already started to have positive social effects as Site C (land adjacent to Folly Farm) which was allocated in the Made Plan as part of this policy, has delivered a wide range of new open market and affordable homes. The adjustments that have been made to the Development Boundary in Hanslope have simply been made to reflect that Site C has been built out and will therefore not have any directly negative social, economic or environmental effects.
HAN4	Design and Development Principles in the Parish	0	0	+	The policy will have a positive environmental effect in helping to ensure that future standards of design reflect the specific characteristics of the setting to the Conservation Area and the local character of the remainder of the Parish. The policy is not overly prescriptive or onerous and thus avoids the potential for adverse social or economic effects. The review of the existing key views and addition of one new key view does not alter the effects of the policy on sustainable development.
HAN8	Local Green Spaces	+	0	+	The policy designates a number of Local Green Spaces to rule out development unless in exceptional circumstances. The spaces offer recreational value, as well as intrinsic value as open space and therefore has a positive environmental and social

					effect. The policy avoids the potential for adverse social or economic effects by being part of a Neighbourhood Plan that contains proposals in other policies to promote new development. The Modified Plan proposes five new candidates for Local Green Space designation, in addition to the four that were originally designated as part of the Made Plan. The original assessment of this policy as avoiding the potential for adverse social or economic effects remains true. It is considered that proposing additional Local Green Spaces does not alter the impact of the policy on sustainable development.
HAN10	Local Gap	+	0	+	This new policy will have a positive environmental effect by defining a Local Gap between Hanslope and Long Street, for the purpose of protecting the essential countryside character of the area and preventing the visual coalescence of the settlements. In doing so, the policy will also have a positive social effect by preserving the distinct characters and settings of the two settlements.

4. General Conformity with the Development Plan

4.1 The Neighbourhood Plan has been prepared to ensure its general conformity with the development plan, that is the adopted Plan: MK. The new Local Plan (MK City Plan 2050) will replace Plan: MK once adopted and will establish a new strategic policy framework for the city and wider district.

4.2 At the time of preparation, it is likely that the emerging MK City Plan 2050 will be adopted after the examination of the Modified Plan. Therefore, Table C below considers the general conformity with the relevant adopted Plan: MK policies, rather than the draft policies of the emerging MK City Plan 2050.

Table C: Neighbourhood Plan & Development Plan Conformity Summary		
No.	Policy Title	Commentary
HAN1	Hanslope and Long Street Development Boundaries	Plan: MK Policy DS1 identifies Hanslope and Long Street as 'Villages and rural settlements' that permits development proposals within the defined development boundaries. It makes no requirements for additional housing land at Hanslope. The modification to the settlement boundary remains in accordance with Policy DS1 as it has simply been updated to reflect the Hayfields development which took place since the Made Plan.
HAN4	Design and Development Principles in the Parish	The review of existing key views and addition of one new key view compliments Plan: MK Policy D3 by supporting development proposals that maintain the identified key views.
HAN8	Local Green Spaces	The policy refines Plan: MK Policy L2 by adding a local focus with respect to identifying five new specific candidates for Local Green Space designation.

HAN10	Local Gap	This new policy 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. The policy complements policies DS5 and NE5 of Plan: MK and it applies similar principles but at a Parish scale
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5. Compatibility with EU Legislation

5.1 As set out in Section 3 above, a screening opinion has been provided by MKCC, which confirmed that the Modified Plan would not have any significant environmental effects and that an SEA would not be required for the Neighbourhood Plan to be in accordance with EU Directive 2001/42.

5.2 Further, the opinion stated that no Habitats Regulation Assessment is required of the Neighbourhood Plan under the EU Habitats Regulations thus:

“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.”

5.3 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.