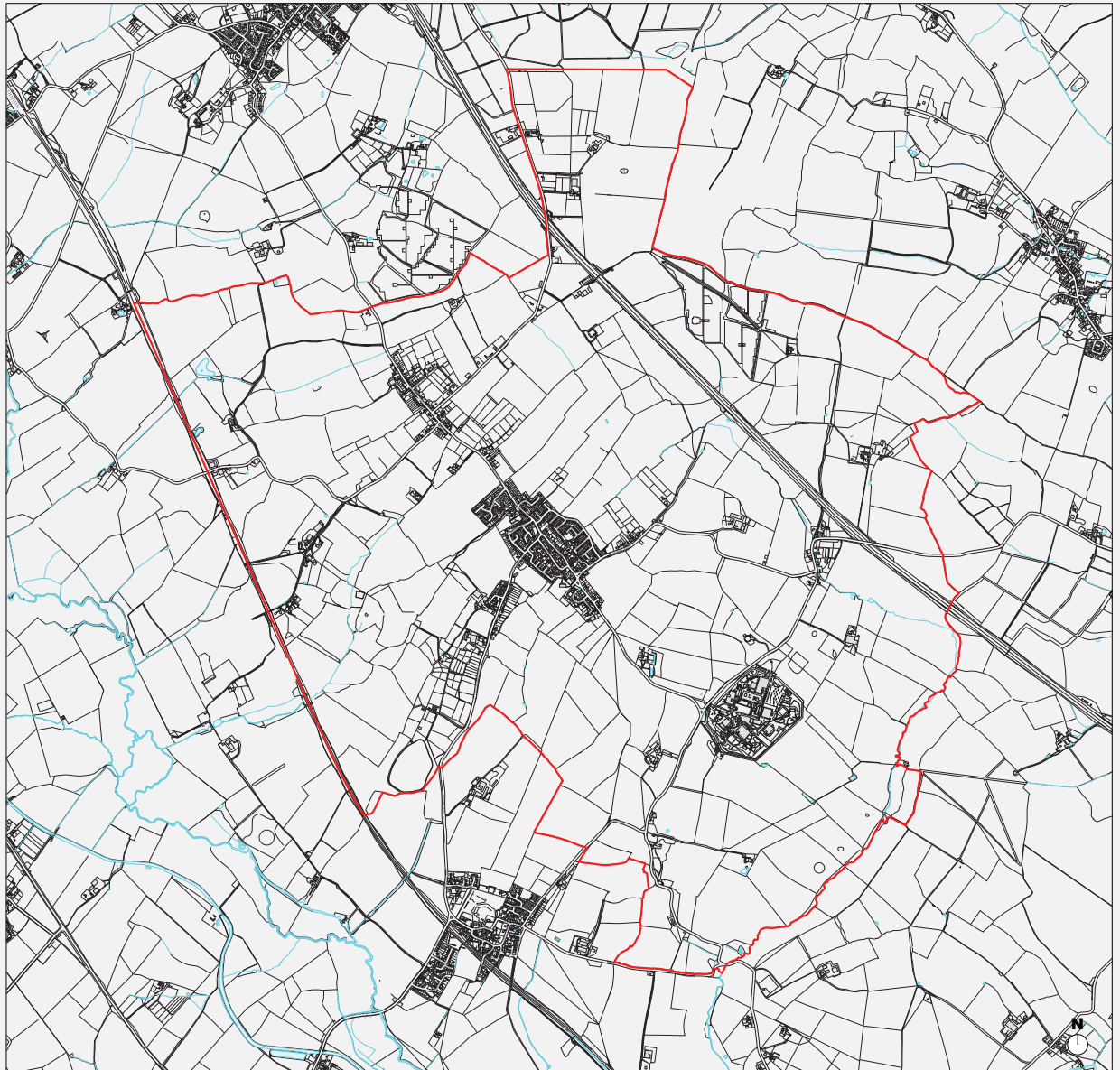


# SCOPING SESSION NOTE

JANUARY 2023



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## 1.0 INTRODUCTION

- 1.1 Hanslope Parish Council (HPC) have engaged Oneill Homer (OH) to support the Hanslope Neighbourhood Plan Steering Group (SG) in their consideration to undertake modifications to the made Hanslope Neighbourhood Plan 2016 – 2031 (Made Plan). An initial session took place on Wednesday 16 November 2022 to explore the scope of modifications to the Made Plan and a follow-up meeting took place on Wednesday 18 January 2023.
- 1.2 This note captures the essence of that discussion and sets out some further thoughts on the modification project. The note also makes a series of recommendations for how a modification project should proceed in the coming months. The SG should consider its content in taking the project forward.

## 2.0 KEY POINTS RAISED

### NEIGHBOURHOOD PLANNING

- 2.1 As not all members of the SG were involved in the production of the Made Plan, key points about Neighbourhood Planning is outlined below.
  - a. Managing expectations of what a Neighbourhood Plan (NP) can and can't do is important.
  - b. It will be important for the SG to provide regular updates to HPC as the 'qualifying body' who will take the Hanslope Neighbourhood Plan Review (HNPR) through its formal stages.
  - c. A Neighbourhood Plan is tested against a number of basic conditions. In essence, the conditions are:
    - Has the Plan had full regard to national planning policy?
    - Is the Plan in general conformity with strategic planning policy?
    - Does the plan promote the principles of sustainable development?
    - Does the plan meet the requirements of environmental law?

### WHAT IS THE PURPOSE OF PURSUING MODIFICATIONS TO THE MADE PLAN

- 2.2 At the start of the session, the purpose of pursuing modifications to the Made Plan was discussed.
  - a. The SG commented on how successful the Made Plan had been in determining the outcome of planning applications, with of the majority of decisions in a 12 month period quoting or referencing NP policies.
  - b. The current National Planning Policy Framework (NPPF) contains housing delivery and housing supply tests for Local Planning Authorities and there are penalties when these tests are not being met (§73 – §76, NPPF) as the village experienced during the preparation of the first neighbourhood plan. These penalties do not currently apply in the Milton Keynes area, but this position can change during the plan period. §14 of the NPPF does provide some 'relief' from these penalties if a neighbourhood plan meets certain criteria ([link](#)).

- c. MKC provided all rural areas with a housing requirement of 1 focussing most of its growth on the city and its larger towns. The review of Milton Keynes' (MK) Local Plan, which is expected to be informed by The Milton Keynes Strategy for 2050, is at a very early stage. The SG suggested that a large amount of MKs' development is focused eastwards and unlikely to affect Hanslope for the next 15-20 years. Relying on the review of MK's Local Plan to avoid growth in its rural areas does carry risk, however indications to date (see village survey below) shows no appetite for additional growth at this time.
- d. The SG discussed the option of a 'two pronged' approach. This would consist of a shorter, more brief review to be completed in the coming months to retain the application of §14 relief of the Made Plan which expired in October 2022. This would subsequently be followed by a more thorough review which would allow the SG more time to review and amend policies in greater detail and plan for the next period of growth in line with a review of MK's Local Plan.
- e. The Made Plan may therefore go through a modification process without making any new housing allocation proposals which likely means retaining the plan period to 2031.
- f. The advantage of this option is that there will be no need for the SG to go through the process of assessing sites for new allocations. Instead, it can follow the action plan set out in Section 4 for modifying existing policies and introduce new policies as discussed at the session refreshing the neighbourhood plan to bring it in accordance with new approaches to planning policy tools.
- g. The disadvantage of this option is that it assumes MKC can maintain at least a three-year housing land supply and 45% housing delivery, although a revised version of the NPPF is currently being consulted in which, if successful, would remove this reliance on housing land supply and delivery tests.
- h. Importantly, the Made Plan allocated three sites for residential development, two of which remain undeveloped despite multiple planning permissions being granted. For §14 to be engaged, it must be demonstrated that these sites remain deliverable. The modification can provide the opportunity to make key policy provisions to further encourage the development of these two sites. One option is that of a Neighbourhood Development Order (NDO), which can be made on behalf of the landowners for the purpose of lowering the planning risk for any applications coming forward.

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## VILLAGE SURVEY

- 2.3 During the scoping session and follow up meeting, the most recent results from the Hanslope Village Survey were discussed.
- a. Of those who responded to the survey, the majority were long-term residents of the village (>31 years of residency).
  - b. The most common reason given for moving to Hanslope was to pursue a more rural lifestyle. Clearly there is a desire amongst the local community to preserve this rural way of life as over 88% are against any further housing development.

- c. The negative attitude towards development is reiterated with over half of respondents saying the growth of the village has had a negative effect on them.
- d. When asked what the parish needs in the future, the overwhelming response was for more open space, sports/recreational facilities and public transport. These goals contradict with the residents' unfavourable approach to development as it will be hard to achieve without encouraging some level of development.

### 3.0 ANALYSIS OF MADE PLAN POLICIES AND PROPOSED REVISED POLICY SCHEDULE

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#### WHAT OTHER MODIFICATIONS TO THE MADE PLAN ARE NEEDED?

- 3.1 There have been some changes to the planning policy context and the SG have been monitoring the implementation of the plan. An analysis of the Made Plan policies is set out in the table overleaf.
- 3.2 As mentioned in Section 2.2, there is currently a consultation on the national planning policy context and OH will continue to advise the SG on its relevance to the project. For now, neighbourhood planning continues to form an important part of the planning system.

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#### ARE ANY NEW POLICIES NEEDED?

- 3.3 During the scoping session, two potential new policies were presented to the SG.
  - a. The first of these was First Homes exception sites. The Government has set out a requirement for the provision of First Homes in a Written Ministerial Statement on 24 May 2021. First Homes are discounted market sale housing (a minimum of 30%) that are considered to meet the definition of affordable housing. These requirements were subsequently incorporated into National Planning Practice Guidance which also allow for First Homes Exception Sites to come forward on unallocated land outside of a development plan. The provisions also require at least 25% of all affordable housing units delivered through planning obligations to be First Homes. There is an opportunity for planning policy to define a maximum size of First Homes Exception Sites. There had recently been an attempt at securing a Rural Exception Site (similar to First Homes Exception Sites) at Long Street. The SG was satisfied with the way in which MKC applied existing policy to such proposals. It was therefore considered that the policy idea was not necessary to revisit.
  - b. The second proposed policy was policies on Climate Change Mitigation. The discussion was centred around encouraging new developments to have solar panels on their roof. These kinds of provisions are already included in national and strategic policy. It was also agreed that MKC were occupying the majority of this space well. It was therefore considered that the policy idea would not add value to the planning policy space on this matter.
  - c. The SG agreed to explore a new policy to formalise a local gap policy approach between Hanslope and Long Street (see Policy HAN10).

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## WHAT IS THE PROCESS OF MODIFYING A MADE PLAN?

- 3.4 The process is guided by the Regulations as per the Made Plan with the main differences being:
- a. The publication of a Modification Proposal (instead of a draft plan) for the Regulation 14 consultation.
  - b. The publication of an additional formal document, a Modification Statement, which sets out the Parish Council's position, and an indication of MKC's position, on whether the modifications change the nature of the plan is needed for the Regulation 14 consultation. The Modification Statement is also submitted to MKC at Regulation 15.
  - c. The outcome of the change of nature test establishes whether the plan will need to undergo a referendum. The appointed examiner will determine whether the modifications change the nature of the plan taking into account the Parish Council and MKC position before the examination starts.
  - d. If the examiner establishes that the modifications do not change the nature of the plan, then the examination will proceed on the basis that no referendum will take place.
  - e. If the examiner establishes that the modifications does change the nature of the plan, the Parish Council will be offered the opportunity to withdraw the Modified Plan from examination or proceed on the basis that there will be a referendum.
  - f. The initial scope of the short-term modifications project set out in this note, including the introduction of policy HAN10, indicates that the modifications are material, but unlikely to change the nature of the Made Plan and therefore unlikely to undergo a referendum, but will need an examination.

MADE POLICY		KEEP	MODIFY	DELETE	NOTES
<b>HAN1</b>	Hanslope and Long Street Development Boundaries	Y	Y		It was highlighted that some of the development boundaries need to be remapped to reflect developments that have taken place since the Made Plan was published. Everything outside the development boundary is considered open countryside. It was concluded that so far, this policy has been effective in preventing development outside the development boundaries and preserving the open countryside. The surrounding hamlets of Tathall End, Bullington End, Pindon End, Higham Cross, Hungate End and Salcey Green continue to be too small for development boundaries.
<b>HAN2</b>	Housing Development Sites	Y	Y	Y (Site C only)	The SG want to use the HNPR to re-address the sites that were originally designated, but nothing has happened since, with only Site C being delivered. There is an opportunity to define key development principles for remaining Sites A and B and/or consider the use of Neighbourhood Development Orders (NDOs).
<b>HAN3</b>	Design in the Hanslope Conservation Area	Y	Y		The policies have worked well to date although there is an opportunity to incorporate more key views. Some of the current key views need updating as their arrows on the corresponding map go over areas that are occupied by housing. There may be scope to incorporate amendments following the publication of an updated MKC landscape character assessment and also pick up on specific points identified in appeal decisions by inspectors.
<b>HAN4</b>	Design and Development Principles in the Parish	Y	Y		
<b>HAN5</b>	Retail & Commercial Uses	Y	Y (for wider review project at a later date)		The policies are being utilised in planning decisions and proposals are coming forward which seeks to take advantage of policy provisions. Amendments to clarify policy application may be necessary. No developments have changed in the parish since the Use Classes Order was updated in 2020, allowing for easier change of use between classes i.e. from a residential dwelling to a shop. The SG described how a large proportion of the parish's retail units are located on farms, outside the built-up area,

MADE POLICY		KEEP	MODIFY	DELETE	NOTES
					and there are very few local amenities, e.g. coffee shops, to suit the evolving needs of modern tertiary workers or encourage socialising. There may therefore be scope to encourage this type of development within the village settlement. There is also the possibility for introducing a community hub. This would provide communal desk space for the increasing number of people working remotely, in addition to space for shops or cafes. The community hub concept would carry more leverage if it was paired with a housing allocation in the later modification.
<b>HAN6</b>	Rural Economic Development	Y	Y		The SG believe the current policy, encouraging the expansion or diversification of existing rural employment sites, were not being interpreted correctly. There is a possibility to change the wording of the existing policy to clarify the application of the policy.
<b>HAN7</b>	Community Facilities	Y	Y		The recent developments in the parish have brought only housing, with no provision for new facilities and one pub has been lost in this time. An issue was raised by the SG regarding the need for facilities specifically for young people, in part to discourage anti-social behaviour. The possibility for a skate park was discussed, with reference to nearby villages that saw a positive outcome from strategy.
<b>HAN8</b>	Local Green Spaces	Y	Y		The policy continues to protect valuable spaces. On the new development sites there may be new candidates for Local Green Space designation.
<b>HAN9</b>	Green Infrastructure	Y	Y (for wider review project at a later date)		There are three main ways in which this policy could be expanded: defining Green Infrastructure (GI) assets, biodiversity off-setting, active travel. A GI map can be created that identifies areas of biodiversity value e.g. a hedgerow or significant line of trees. The map can then be included within the GI policy, so that developments respond to it in the design of their schemes. Biodiversity mitigation strategies were referenced in the previous plan, but this



MADE POLICY		KEEP	MODIFY	DELETE	NOTES
					could be expanded in light of the Environment Act 2021 (nature recovery/net gain). Similar to the GI map, an active travel map could also be created which would encapsulate local cycling and walking routes, as well as signposting routes or areas for improvement. This may lead to a new separate active travel policy.

NEW POLICY NO.	NEW POLICY IDEA	NOTES
HAN10	Local Gap	<p>Local gap designation is a policy tool which identifies local gaps which make a particular contribution to the local character and distinctiveness of the settlements in the Parish and requires proposals, by way of its height, scale and massing for example, to avoid the visual coalescence between settlements.</p> <p>As part of a planning appeal decision made in June 2022, the inspector noted that the settlements of Hanslope and Long Street are 'distinctly separate' and should be treated this way. This presents the opportunity to identify the local gap between the settlements in a separate policy.</p>



## 4.0 ACTION PLAN

- 4.1 The SG considered that the range of tasks fits well within the responsibilities of a single Steering Group Team, in addition to a Communications Team.
- 4.2 The following table sets out the actions for the policies which will be modified in the shorter modification of the Neighbourhood Plan. The remaining policies (HAN5 & 9) will be addressed in the wider review project at a later date.

IDEA	ACTION PLAN
HAN1	OH will provide the team with an updated map showing the new development boundary incorporating developments being built or now completed. The team should validate the changes made.
HAN2	Contact the landowners of sites A and B to determine the current situation of the site. OH will assist.
HAN3 & 4	Review the latest MKC Landscape Character Assessment 2022 ( <a href="#">link</a> ) to identify and map additional key views and pull together in a short report.*
HAN6	OH will provide the team with minor wording changes to the existing policy. The team should validate the changes proposed.
HAN7	Validate the current list of community facilities. OH will draft changes to the policy to support new facilities for young people for the team to consider.
HAN8	Identify and assess new candidates of Local Green Space designation against tests set out in §102 of the National Planning Policy Framework (NPPF). OH will provide further support once assessed.
HAN10	As per HAN3 & HAN4 review the latest MKC Landscape Character Assessment 2022 and appeal decision APP/Y0435/W/21/3282446 at The Globe, 50 Hartwell Road to identify and map key valued features and characteristics in the gap between Hanslope and Long Street and pull together in a short report.*

\*OH can provide example reports to guide the team's output

### Communications Team

- 4.3 The Communications Team will plan and manage the community engagement work throughout the project. The Team should decide what form each engagement should take: events, leaflets, social media content, surveys/questionnaires, exhibitions etc. Each will be designed to suit the timing and purpose of each consultation.
- 4.4 Throughout this process, a record of consultation and updates needs to be kept and collated in the final Consultation Statement that will be submitted with the Modified Plan, along with other submission documents.\*

## 5.0 TECHNICAL STUDIES

- 5.1 If the Plan does not allocate any additional development sites, then it is very unlikely that MKC will require a Strategic Environmental Assessment (SEA), which is a parallel process designed to show that the Plan will have no significant environmental effects. If it is determined that an SEA is required, the support for which can be funded at no

cost through the Locality Technical Support Programme (with some oversight support from OH needed to advise this process but the scope will need to be revised in that case).

- 5.2 The plan also needs to ensure it has taken proper account of the Habitat Regulations of 2017 (as amended). They require that plans must avoid or satisfactorily mitigate effects of development on internationally important nature sites.
- 5.3 The Made Plan was not subject to either of these requirements, but there will be a need to re-screen any modified or new policies for the purposes of an SEA and Habitats Regulations Assessment in due course. OH will advise the SG in due course.

## **6.0 TIMETABLE**

- 6.1 A project plan has been prepared to reflect how the project may proceed once the content of this note has been agreed. The project plan shows the sequence of activities and their dependencies, so it can be monitored and revised as necessary.

## **7.0 NEXT STEPS**

- 7.1 The SG should review the content of this note before the next Parish Council meeting on Monday 13<sup>th</sup> February 2023.
- 7.2 Once the final version of the Note is agreed with the Parish Council, make the note publicly available (published on the Parish Council's website for example).
- 7.3 Formally write to MKC to seek a view from them on the application of § 14 of the NPPF (and in due course the change of nature test and SEA and HRA screening – OH will assist).
- 7.4 Arrange initial meetings with OH attendance.