

Appendix A – Summary of Examiner Recommendations, Foxton Review Neighbourhood Plan

Amen dment Ref no	Policy No.	Policy Title	Examiner comments	Suggested Revised Text	Reason
1	F1	Countryside	The policy has been brought up to date to reflect the adoption of the Harborough Local Plan. The policy specifically references Policies SS1, GD3 and GD4 of that Plan. The review of the policy has been carefully-considered. It meets the basic conditions.	No amendments	Meets the Basic Conditions
2	F2	Renewable Energy	The review of the Plan introduces some minor text changes to the 'made' Plan. The review of the policy has been carefully-considered. It meets the basic conditions	No amendments	Meets the Basic Conditions
3	F3	Tranquility	The review of the Plan introduces some minor text changes to the 'made' Plan. The review of the policy has been carefully-considered. It meets the basic conditions.	No amendments	Meets the Basic Conditions

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4	F4	Foxton Areas of Separation	<p>The review of the Plan has resulted in the policy being shortened. The revised policy comments that the open and undeveloped character of the two Foxton Areas of Separation, as defined on Map 2 and the Policies Map, will be retained. It specifically comments that the construction of new buildings, including new caravan and lodges sites, will not be supported unless they preserve the openness of the Areas of Separation and do not conflict with the objective of the policy.</p> <p>The policy is now much clearer than the policy in the 'made' Plan. In addition, the importance of retaining the existing separation between the village and the Locks (to the south-west) and to Airfield Farm (to the south-east) is unchanged. The review of the policy has been carefully-considered. It meets the basic conditions.</p>	No amendments	Meets the Basic Conditions
5	F5	Ecology and Biodiversity	<p>The review of the Plan introduces some minor text changes to the 'made' Plan and identifies individual sites of biodiversity interest.</p> <p>The review of the policy has been carefully-considered. It meets the basic conditions.</p>	No amendments	Meets the Basic Conditions
6	F6	The Canal	No changes are proposed to the policy in the 'made' Plan.	No amendments	Meets the Basic Conditions

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7	F7	Local Heritage Assets	No changes are proposed to the policy in the 'made' Plan.	No amendments	Meets the Basic Conditions
8	F8	New Policy for Ridge and Furrow	The review of the Plan identifies parcels of land with ridge and furrow characteristics and identifies them as non-designated heritage assets. I am satisfied that the policy does not materially affect the nature of the Plan given that the previous version of the Foxton Plan also considered non designated heritage assets. The review of the approach to non-designated heritage assets has been carefully-considered. It meets the basic conditions.	No amendments	Meets the Basic Conditions
9	Policy F9: (formerly F8)	Design	No changes are proposed to the policy in the 'made' Plan.	No amendments	Meets the Basic Conditions

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<p>10</p>	<p>Policy F10: (formerly F9)</p>	<p>Local Green Spaces</p>	<p>No changes are proposed to the policy in the 'made' Plan.</p> <p>The policy has two related parts. The first comments that the identified local green spaces (LGSs) will be protected and enhanced. The second comments that development which is harmful to the LGSs will not be supported.</p> <p>I looked at the existing LGSs. They continue to be entirely appropriate as LGS designations. Nevertheless, since the Plan was made the courts have refined the approach towards policies in neighbourhood plans for LGSs (in the 'Mendip' cases). In particular they have identified that there is no need to secure enhancement to identified LGSs.</p> <p>In these circumstances I recommend that the policy is modified to take account of these circumstances. I also recommend that the supporting text is expanded so that it provides a context for the modified policy. Nevertheless, the overall practical effect of the policy remains unchanged.</p>	<p>Replace the policy with: 'The Plan designates the green spaces shown on Map 5 and the Policies Map as Local Green Spaces. Development proposals within the designated local green spaces will only be supported in very special circumstances'</p> <p>At the end of paragraph 2.39 add: <i>'Policy F10 follows the matter-of-fact approach in the NPPF. In the event that development proposals come forward on the local green spaces within the Plan period, they can be assessed on a case-by-case basis by the District Council. In particular it will be able to make an informed judgement on the extent to which the proposal concerned demonstrates the 'very special circumstances' required by the policy'</i></p>	<p>To ensure the policy meets the requirements of the NPPF and to provide clarity to decision makers</p>
<p>11</p>	<p>Policy F11: (formerly F10)</p>	<p>Trees</p>	<p>No changes are proposed to the policy in the 'made' Plan.</p>	<p>No amendments</p>	<p>Meets the Basic Conditions</p>

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<p style="text-align: center;">12</p>	<p style="text-align: center;">Policy F12: (formerly F11)</p>	<p>Housing Provision</p>	<p>The review of the Plan updates the way in which the parish will meet its strategic housing provision. It takes account of completions and commitments since the Plan was 'made'. In this context Fishers Farm (F13) and land at Middle Street and Vicarage Drive (F14) are removed as allocations from the policy.</p> <p>The review of the Plan also proposes the deletion of the allocation of land at the junction of Vicarage Drive and Hog Lane for housing development for up to three dwellings. FPC comments that this proposal no longer had community support in large part due to the scale of development that is already taking place in the village.</p> <p>Furthermore, FPC comments that it is not clear that the landowner wants to develop the site. In its response to the clarification note HDC confirmed that no applications to develop the site had been forthcoming since the Plan was 'made'.</p> <p>I am satisfied that the approach taken in this policy is both appropriate to local circumstances and meets the basic conditions. FPC has carefully monitored housing developments in the parish and has adjusted the policy accordingly. The land at the junction of Vicarage Drive and Hog Lane</p>	<p>No amendments</p>	<p>Meets the Basic Conditions</p>
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			<p>has clearly not come forward for development and as such its removal as an allocation is appropriate. In the event that development interest on the site is expressed in the future, any such proposals would be assessed against Policy F13 of the reviewed Plan.</p> <p>The review of the policy has been carefully-considered. It meets the basic conditions.</p>		
13	Policy F13: (formerly F12)	Windfall Housing	<p>The review of the policy removes the reference to dispersed nature of village and internal configuration of existing buildings. It also comments about the importance of protecting the landscape setting of the village by ensuring that new windfall developments lie wholly with the identified limits to development.</p> <p>The review of the policy has been carefully-considered. It meets the basic conditions.</p>	No amendments	Meets the Basic Conditions
14	Policy F14: (formerly 16)	Housing Mix	<p>The review of the Plan introduces some minor text changes to the ‘made’ Plan.</p> <p>The review of the policy has been carefully-considered. It meets the basic conditions</p>	No amendments	Meets the Basic Conditions
15	Policy F15: (formerly F17)	Affordable Housing	<p>The review of the Plan introduces some minor text changes to the ‘made’ Plan.</p> <p>The review of the policy has been carefully-considered. It meets the basic conditions.</p>	No amendments	Meets the Basic Conditions

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16	Policy F16: (formerly F18)	Retention of Key Services and Facilities	The review of the Plan introduces some minor text changes to the 'made' Plan. The review of the policy has been carefully-considered. It meets the basic conditions.	No amendments	Meets the Basic Conditions
17	Policy F17: (formerly F19)	Water Management	The review of the Plan introduces some minor text changes to the 'made' Plan. The review of the policy has been carefully-considered. It meets the basic conditions	No amendments	Meets the Basic Conditions
18	Policy F18: (new policy)	Car Parking	The review of the Plan proposes a new policy on car parking. It requires new development to incorporate the car parking standards as set out in Appendix 4. The appendix sets out the number of spaces required according to the size and typology of the development. The review of the policy has been carefully-considered. It meets the basic conditions.	No amendments	Meets the Basic Conditions
19	Policy F19: (formerly F20)	Foxton Locks	The review of the Plan introduces some minor text changes to the 'made' Plan. They have been carefully considered. The revised policy also offers support for the provision of electrical charging points at the Foxton Locks car parks. In its response to the clarification note FPC confirmed that this element of the policy was intended to apply to both of the car parks. I recommend accordingly. Otherwise, the policy meets the basic conditions.	In the final part of the policy replace 'car park' with 'car parks'	For Clarity

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<p>20</p>	<p>Other Matters</p>	<p>General</p>	<p>This report has recommended a series of modifications both to the policies and to the supporting text in the submitted Plan. Where consequential changes to the text are required directly as a result of my recommended modification to the policy concerned, I have highlighted them in this report. However other changes to the general text may be required elsewhere in the Plan as a result of the recommended modifications to the policies. It will be appropriate for HDC and FPC to have the flexibility to make any necessary consequential changes to the general text. I recommend accordingly.</p>	<p>Modification of general text (where necessary) to achieve consistency with the modified policies.</p>	<p>To ensure consistency and accuracy across the Plan</p>
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<p style="text-align: center;">21</p>	<p style="text-align: center;">Other Matters</p>	<p>Specific</p>	<p>The modified Plan has been prepared within the context of the 2019 version of the NPPF. In July 2021 an updated version of the NPPF was published after the review of the neighbourhood plan had been submitted for examination.</p> <p>The principal element of the 2021 update relates to design matters. Given that the design policies in the Plan are general in nature I am satisfied that there is no issue of the submitted Plan not having regard to national policy. Nevertheless, I recommend that the supporting text is expanded to address the updated NPPF.</p>	<p>At the end of paragraph 2.37 add: 'This approach is consistent with the design-led approach as captured in Section 12 of the NPPF 2021. The Plan sets out the Council's approach to setting out clear design vision and expectations for development sites, so that applicants have as much certainty as possible about what is likely to be acceptable'</p>	<p style="text-align: center;">Clarity for decision makers and to ensure consistency with latest NPPF</p>
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