

Executive 5th December 2016

Item 5: Foxton Neighbourhood Plan

ADDENDUM

Modifications to covering report

Paragraph	Delete from paragraph	Insert into paragraph	Reason for deletion/insertion
Para 3.1	There is no deletion from this paragraph.	Insert after first sentence of paragraph 3.1: <i>'with a revised report being received on 30th November to take account of an additional representation'</i>	Amended to reflect revised report received on 30 th November 2016
Para 5.3	Delete from final sentence of paragraph 5.3, '13'	Insert in final sentence of paragraph 5.3: '14'	To reflect Examination Report versions II and III (received 18 th Nov and 30 th Nov) and to reflect the additional representation from the Canal and River Trust.
Para 5.5	Delete the first sentence of paragraph 5.5, <i>'The examination took place between 5th August and 7th November 2016'</i>	Insert as first sentence to paragraph 5.5: <i>'The examination took place between 5th August and 30th November 2016'</i>	To reflect the reopening of the Examination on 30 th November 2016.
Para 5.6	There is no deletion from this paragraph.	Insert in the first sentence after: <i>'The Examiner's Report into the Plan was sent to the Council on 7th November 2016'</i> , the following words: <i>'with a revised report received on 30th November 2016'</i>	To reflect the reopening of the Examination on 30 th November 2016.
Appendix A: Examiner's Recommendation	Delete from Appendix A	Insert into Appendix A	Reason for deletion/insertion
Recommendation 20.	Delete the following from recommendation 20, (2 nd para, 6	Insert the following into recommendation 20 (2 nd para 6 words in), <i>'...or</i>	To ensure the Plan reflects the additional representation from the Canal and River

	<p>words in) ‘ <i>...including new caravan and lodges sites, will not be supported unless they preserve the openness of these Areas and do not conflict with the objective of separation’</i></p>	<p><i>inappropriate uses of land which adversely affect this open character or the character and setting of Foxton village will not be supported. Any development proposal within the Areas of Separation must assess and address its impact on the setting of Foxton Village, (as appropriate) the historic Foxton Locks and the objective of separation and give specific attention to location, design and landscaping appropriate to the character of the area.’</i></p>	Trust
Recommendation 70	<p>There are no deletions from this recommendation</p>	<p>Insert the following at the end of recommendation 70: <i>“The Canal and River Trust has indicated that the Masterplan will be replaced with a Destination Management Plan”.</i></p>	<p>To reflect the representation from the Canal and River Trust</p>
Recommendation 71	<p>Delete first sentence of recommendation 71, <i>‘Developments which improve the conservation, presentation and interpretation of the Foxton Locks Area (as defined on the adjacent map) and allow for quiet recreational enjoyment will be supported where:’</i></p>	<p>Insert new first sentence in recommendation 71 as, <i>‘Development proposals which contribute to and support the conservation, presentation, interpretation and positive management of the Foxton Locks Area (as defined on the adjacent map), and allow for waterside and countryside recreational enjoyment, will be supported where:’</i></p>	<p>To reflect the additional representation from the Canal and River Trust.</p>

Appendix B: Report of the Examiner	Delete from Appendix B	Insert in Appendix B	Reason for deletion/insertion
Page 10 (currently bottom of page)	No deletions from this page of the Examiners Report	Insert paragraph as shown in section 1 below	To reflect the additional representation from the Canal and River Trust
Page 26 (immediately before recommendation 70)	No deletions from this page of the Examiners Report	Insert paragraph as shown in section 2 below	To reflect the additional representation from the Canal and River Trust

Revisions to Appendix B: Report of the Examiner

1. Section added after second paragraph under Policy F4 (currently bottom of page 10 of the Report of the Examiner) as follows:

A representation from the Canal & River Trust, whilst supporting “the aim of retaining the character and identity of Foxton village by preventing coalescence with the locks area, and which by inference helps to maintain the character and identity of the locks area as well”, expresses concern about the “explicit aim of preventing tourism development associated with Foxton Locks”. I cannot agree that the Policy as worded has the very sweeping consequence now suggested. I note that the response to a similar objection raised in an earlier consultation was that tourism development might be made to the north, south and west of the locks area, the Plan policy was intended to address expansion to the east, toward the village. However, the representation goes on to make a number of more detailed points, as well as a suggested rewording of Policy F4:

- **Paragraph 28 of the NPPF advocates support for economic growth in rural areas in order to create jobs and prosperity. This includes supporting sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside.**
- **At paragraph 5.125, the supporting text to Core Strategy Policy CS11 is clear in its support for further development of the tourism and recreational potential of Foxton Locks, and also the wider canal network, and does not seek to restrict this support to certain locations only.**
- **The wording of Policy F4 and its supporting text appear to require the introduction of a restriction within the Green Zone on any tourism development associated with Foxton Locks in order to achieve non-coalescence, without explaining why.**
- **The Policy itself specifically refers to restricting uses of land for caravan sites or holiday lodges, except where they do not conflict with the purposes of the policy, but the supporting text appears to preclude any such uses if they are associated with Foxton Locks. Neither the policy nor the supporting text offers an explanation why such uses are intrinsically incompatible with avoiding coalescence or facilitating the retention of the character and identity of Foxton village if associated with the Locks.**

- “We do not believe that it can be reasonably argued that any tourism development associated with Foxton Locks that might take place within the Green Zone would necessarily result in either coalescence, or the erosion of the character and identity of Foxton village, nor that such development could never be considered to be sustainable development.”
- Amendments would help achieve greater consistency with other policies contained within the Neighbourhood Plan, specifically Policy F6 which offers clear support for the role of the Grand Union Canal (of which Foxton Locks is a part) as an important recreation and tourism resource.

I believe that many of the Trust’s comments do not show an appropriate regard for Plan Policy F20, which is clearly supportive of development of the Locks for tourism purposes. I can agree that no specific case has been argued or justified for the specific exclusion of “new caravan (including lodges) sites” but I can see that this provides an illustration of the Policy concern for the potential impact of new, non-rural structures which might give the appearance of coalescence. I agree that some rewording is required and, although rather lengthy, I accept that elements of the rewording suggested by the Trust can provide that “practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency”, which is what the NPPF requires.

2. Section added on current page 26 of the Report of the Examiner, immediately before recommendation 70 as follows:

A representation from the Canal and River Trust accepts that Policy F20 seeks to sustain the value of the Locks Area, by giving priority to specific criteria but comments: “we feel that the policy would benefit from greater clarity and precision, particularly in explaining more clearly what the Plan considers the value of the Locks to be”. The Trust comments that it has undertaken work on a Destination Management Plan which will supersede the Masterplan and set out an updated vision for the locks area. In relation to the criteria on sustaining the value of the locks area, the Trust expresses a concern that there is a lack of clarity in Criterion B and Criterion C: Criterion B prioritises “quiet enjoyment” of the locks area but this appears to be open to a number of different interpretations; with Criterion C there is a concern that it may inadvertently require new development within the locks area to achieve a reduction of existing visitor impacts on Foxton village. Turning to the second part of Policy F20, which sets out criteria against which development proposals in the locks area should be tested, the Trust comments:

- Criterion A is clear in its aims and intentions;
- B should be deleted for clarity and to ensure that the Plan does not restrict sustainable development or lack conformity with the Development Plan;
- C meets the Basic Conditions but for greater clarity amendments are suggested;
- D is appropriate;
- E lacks clarity and there appears to be a significant overlap with Criterion F;
- F, where it does not overlap with E, should be omitted.

Whilst I can agree with the general thrust of most of these comments, and agree that amended wording is required to meet the basic conditions, I cannot agree that Criterion B should be deleted as indicated in the bullet point summary above. As stated earlier, I cannot conclude that there is a strategic policy restraint that, within the bounds of general conformity, inhibits Policy F20 from providing specifically for Foxtton Locks. Further, as the Trust has noted, “it is likely that many proposals for new visitor attractions will have at least some degree of association with Foxtton Locks, or the canal”. It is entirely proper for the Foxtton Plan to provide a local context for the application of national and district policies and as a companion to other (accepted) aspects of this Policy and other related Policies in the Plan, Policy F20 appropriately indicates that any additional visitor attractions should build from the intrinsic value of the Locks Area. Indeed, given the nature of community comments expressed through the Plan consultations, this aspect had to be addressed. To be clear, it is not the purpose of Policy F20 to set down any one determining factor “in establishing the sustainability of a rural tourism or leisure proposal in this [specific] location” (quotation taken from the Trust representation); rather the Policy sets out parameters within which appropriate proposals are encouraged. This is certainly in line with the NPPF (para 16) expectation that a neighbourhood plan should “plan positively to support local development, shaping and directing development in their area”.