

ALL NUMBERED RECOMMENDATIONS HAVE BEEN CONSIDERED INDIVIDUALLY BY OFFICERS OF THE COUNCIL AND ARE CONSIDERED APPROPRIATE MODIFICATIONS TO INCORPORATE INTO THE PLAN.

Recommendations:

1. Add “2016-2031” to the cover page title.
2. Add in para 1.4 a reference in brackets after the first sentence to read: “see page 2 for the map of Neighbourhood Plan area”.
3. Amend the title of the map on page 2 to “Neighbourhood Plan Area”; amend the legend on the map to read: “Neighbourhood Area & Parish Boundary”.
4. Reword the second sentence of para 1.4 as: “The Neighbourhood Plan has been prepared by Foxtton Parish Council as the ‘Qualifying Body’”.
5. Reword para 1.5 as:
“The Foxtton Neighbourhood Plan website (<http://foxttonndp.weebly.com>) has been used to provide information and updates on the Plan progress and is now a source of the material and evidence used in the Plan preparation.”
6. Reword the subheading above para 1.6 from ‘What we have done so far’ to (say) “How we prepared the Plan”.
7. Reword the opening of para 1.10 to read: “The comments received were considered by Foxtton Parish Council
8. Remove the sub-heading ‘What happens next’ and reword paras 1.11-1.13 as (say):
“Subsequently, the Plan was submitted to Harborough District Council for the formal public consultation and Independent Examination and, subject to the outcome from the examination, a referendum. Once the Plan is ‘made’ it forms part of the Development Plan against which planning applications within the Parish are assessed.”
9. Renumber the subsequent paragraphs after removing 1.12 & 1.13 and revise the Contents page.
10. Add to para 1.15: “Further details are included in the Basic Conditions Statement, available to view on the Foxtton Neighbourhood Plan website (<http://foxttonndp.weebly.com>).”
11. Reword Policy F1 as:
“The Countryside (land outside the Foxtton Limits to Development and the Foxtton Locks Area as defined on the Policies Map) will be protected for the sake of its intrinsic character, beauty, the diversity of its landscapes, heritage and wildlife, the wealth of its natural resources and to ensure it may be enjoyed by all. Development in the Countryside will be limited to that which supports community uses, essential infrastructure and that which requires a rural location (including the special circumstances set out in paragraph 55 of the NPPF).”
12. Add a paragraph headed “Explanation” immediately below the F1 Policy box:

Appendix A – Foxton Neighbourhood Plan Examiners Recommendations

“The Foxton Limits to Development generally follow the boundary defined in the Harborough District Core Strategy 2006-2028, except in two respects:

- an area to the north-west presently occupied by agricultural buildings, known as Fisher’s Farm, has been included within the Limits (see Policy F13) to encompass the prospective redevelopment of the site;
- a small area to the north, known as land at 22 Main Street, has been excluded to retain this open aspect and to respect the decision of the Planning Inspector in June 2014 regarding this land (ref: APP/F2415/A/14/2216078).

The Foxton Locks Area has been defined as in the Foxton Locks Masterplan 2009 (see here: http://www.foxtonvillagehall.org.uk/pickup/foxton_locks_masterplan_report.pdf).

13. Edit para 2.7 to:

“The landscape in Foxton Parish is one of the most sensitive landscapes in Harborough district and is unable to accommodate wind turbines without degradation of the existing landscape. Large-scale solar farms can also have a negative impact on the local landscape. We do not believe that people will want to visit and spend their money in an area they regard as spoiled by wind or solar farms.”

14. Reword Policy F2:

“Small scale ground-mounted solar photovoltaic farms will be supported where:

- A. They are on previously developed and non-agricultural land;
- B. Their location is selected sensitively and well-planned so that the proposals do not impact on any heritage asset (including views important to the setting of those heritage assets), in particular Foxton Locks, Foxton Village Conservation Area, and the Grand Union Canal;
- C. The proposal’s visual impact has been fully assessed and addressed in accordance with Planning Practice Guidance on landscape assessment (Planning Practice Guidance ref: 5-013-20150327); and
- D. The installations are removed when no longer in use and the land is restored to its previous use.

Because of their greater visual impact, wind turbine farms will not generally be supported.”

15. Add a paragraph of “Explanation” immediately below the F2 Policy box:

“For solar farms national guidance says specifically (Planning Practice Guidance 5-013-20150327): “Depending on their scale, design and prominence, a large scale solar farm within the setting of a heritage asset may cause substantial harm to the significance of the asset”. National planning policy provides for local people to have the final say on wind farm applications (Written Statement HCWS42).”

16. Reword Policy F3:

“Development proposals must consider and address their potential impact on local tranquillity; accordingly the following will not be supported:

Appendix A – Foxton Neighbourhood Plan Examiners Recommendations

A. Industrial, commercial, leisure, recreation and sporting proposals that introduce sources of noise, particularly night-time noise, above the ambient level; and

B. Developments requiring floodlights, security lights and streetlights.

Planning conditions will be applied to ensure appropriate control.”

17. Add a paragraph of “Explanation” immediately below the F3 Policy box:

“National Planning Practice Guidance (Ref: 30-011-20140306) confirms that “noise concerns can be relevant to neighbourhood planning, and it is important to consider potential changes in the acoustic environment when drawing up a neighbourhood plan or considering a neighbourhood development order”. On artificial light the guidance acknowledges (Ref: 31-001-20140306) that “artificial light is not always necessary, has the potential to become what is termed ‘light pollution’ or ‘obtrusive light’ and not all modern lighting is suitable in all locations”.”

18. Retitle Policy F4 as: “Foxton Areas of Separation”.

19. Reword para 2.13 as: “The countryside separating these places is particularly vulnerable and the community wishes to ensure that its undeveloped character, providing a distinct rural border to the built up area, is maintained. The Foxton Areas of Separation aim to check the potential encroachment from Market Harborough and from the expansion of tourism development associated with Foxton Locks towards Foxton. They will help to safeguard the scale, setting and special character of Foxton village.”

20. Reword Policy F4 as: “The open and undeveloped character of the two Foxton Areas of Separation, as defined on the adjacent map and the Policies Map, will be retained.

The construction of new buildings, 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.” Amend the adjacent map and the Policies Map accordingly.

21. Add a paragraph of “Explanation” immediately below the F4 Policy box:

“The Spatial Strategy (Policy CS1) of the Harborough Core Strategy 2006 – 2028 includes “a continuing commitment to the principle of Areas of Separation across the district”.”

22. Reword Policy F5 as:

“Development must have appropriate regard for the network of local ecological features and habitats. New development will be expected to maintain and enhance existing ecological and landscape features (such as watercourses, hedgerows and treelines) for biodiversity.

Development proposals shall support the delivery of the Water Framework Directive and its objectives as set out in the Anglian River Basin Management Plan.”

23. Add a paragraph of “Explanation” immediately below the F5 Policy box:

“A core principle for planning is that it should contribute to conserving and enhancing the natural environment and reducing pollution (Planning Practice Guidance ref: 8-007-20140306).”

Appendix A – Foxton Neighbourhood Plan Examiners Recommendations

24. Move the “Heritage” heading to page 12 before ‘The Canal’ and reduce the latter to a sub-heading; place a sub-heading “History” above para 2.23; reword the existing ‘Conservation Area’ sub-heading as “Foxton Conservation Area”; alter the Contents page in line with these changes.

25. On the map on p14 show the two Conservation Areas as they were declared at different dates.

26. Reword Policy F6:

“The Grand Union Canal is recognised as a heritage asset, a key strategic Green Infrastructure and wildlife corridor, and a recreation and tourism resource that can be enjoyed for its contribution to the quality of life of this and future generations. It is a key feature that contributes to the character of Foxton and the location and design of new development must have appropriate regard for the significance of this asset and its setting.”

27. Add a paragraph of “Explanation” immediately below the F6 Policy box:

“The appropriate conservation of heritage assets forms one of the ‘Core Planning Principles’ (NPPF Paragraph 17 bullet 10) that underpin the planning system.”

28. The sub-heading above para 2.31, the legend on the three Policies maps and the entry on the Contents Page are all incorrect and need to be brought in line with the Policy title “Local Heritage Assets”. The heading to the related map is also incorrect as it is not limited to the Local Assets now scheduled but all the recognised heritage assets.

29. It is confusing in para 2.31 to refer back to “the previous version of the Village Design Guide” and that paragraph should more simply say:

“The Neighbourhood Plan has given local people their chance to give their views on local heritage assets which might be recognised in addition to nationally designated heritage assets.”

30. There is a need for brief detail that explains the basis for the inclusion of each local asset, but this might be best done within a second Appendix to the Plan where individual photographs could also be included. I am aware that brief details can be derived from The History of Foxton Buildings by D. T. Chambers and those would be very suitable.

31. Add a paragraph of “Explanation” immediately below the F7 Policy box:

“The properties now scheduled as Local Heritage Assets are derived from ‘The History of Foxton Buildings’ (2012) by D. T. Chambers O.B.E and brief details about each property from the book are included as Appendix 2.”

32. The heading above para 2.32 would better read as “Local Design”.

33. Within the Village Design Statement (VDS) there is no content listed as ‘requirements’ and that is entirely appropriate, but the wording of the Policy F8 needs to be brought in line with the VDS as follows:

“All new developments should reflect the distinctive character of Foxton and explicitly address the guidance set out in the Foxton Village Design Statement (Appendix 1).”

34. Within the VDS itself:

There is a stray 'that' in paragraph 4;

On page 51 the photograph and its positioning need to be corrected. Also on that page the last two bullet points say the same thing in different words; one of these should be deleted.

35. Add a paragraph of "Explanation" immediately below the F8 Policy box:

"Planning Practice Guidance (Ref: 26-001-20140306) acknowledges that "Good design responds in a practical and creative way to both the function and identity of a place". The Village Design Statement is a practical and creative guide for Foxton."

36. Omit the site of the Manor House from the Local Green Space designations indicated in Policy Maps I & II.

37. For the remainder of the designated Local Green Space sites, add a table as a new Appendix 3 summarising how each matches up to the criteria provided in the NPPF (para 77) and Planning Practice Guidance; cross reference the tabulation and Policy Map II.

38. Add a paragraph of "Explanation" immediately below the F9 Policy box:

"The NPPF provides for local communities to designate areas as 'Local Green Space' (para 76) provided that such sites meet specific criteria."

39. Reword the Policy F10 as:

"Development that damages or results in the loss of ancient trees or trees of good arboricultural and amenity value will not normally be supported. Proposals should be designed to retain ancient trees or trees of arboricultural and amenity value as these help to define the character of Foxton. Proposals should be accompanied by a tree survey that establishes the health and longevity of any affected trees and indicates replanting where appropriate."

40. Add a paragraph of "Explanation" immediately below:

"One of the Core Planning Principles (NPPF para 17) is that good planning should "take account of the different roles and character of different areas, ... recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it".

41. Replace para 3.2 with:

"Harborough Local Plan work has examined 11 draft options for the distribution of 475 dwellings per annum across the District over the period to 2031. These options suggest that Foxton should provide for a range between 0 and 51 dwellings. The average of these 11 options for Foxton is a figure of 27 dwellings. It should be noted that the new Harborough Local Plan is not expected to be completed until 2017 at the earliest. Nevertheless, it is known that the new Local Plan is likely to require more housebuilding in Foxton, so it makes sense to use its assessment work to date, and averaging the options is a pragmatic response for the purposes of neighbourhood planning."

42. Rewrite para 3.3 as:

Appendix A – Foxton Neighbourhood Plan Examiners Recommendations

“In the preparation of this Neighbourhood Plan the community was consulted about the housing potential of 24 sites; the six most promising sites were the subject of detailed appraisals (see <http://foxtonndp.weebly.com>) and ultimately four sites were assessed as best able to meet the objectives of the Plan, sustainable, deliverable and, collectively, capable of delivering the housing quantity required over the Plan period (with an allowance for site windfalls).”

43. Update Table 1 on Housing Commitments to 2016 with revised content as follows:

Planning application	Address	Dwellings	Status at 30th September 2016
08/01657/FUL (25/03/09), Revised Scheme 10/01274/FUL (11/11/10) 15/00308/INIT	Land adj 20 Vicarage Drive	1	Now completed
14/00241/FUL (16/04/14) 14/00242/LBC (16/04/14)	The Old School House, Woodgate	1	Commenced
10/00167/ETF (01/04/10), 11/01185/FUL (14/10/11)	The Manor House, Swingbridge St	1	Commenced
13/01556/FUL (20/12/13)	28 Middle St	1	Not started
10/00155/FUL (11/03/10)	43 Main St	1	Now completed
14/00761/FUL (25/07/14)	27 Main Street	1	Not started

44. Rewrite para 3.5 as:

“Of the 27 new homes being planned for there are already 6 either completed or in the pipeline as single sites (see Table 1 above). This means that sites must be identified or allocated for at least 21 more.”

45. Rewrite the opening sentence of Policy F11 as:

“This Plan makes provision for a minimum of 27 additional dwellings.”

46. Add immediately below the F11 Policy box:

“This Policy will be subject to review in the light of the published Harborough Local Plan when available and the actual delivery of new dwellings at that date.

Appendix A – Foxton Neighbourhood Plan Examiners Recommendations

Explanation:

The approach adopted follows Planning Practice Guidance (Ref: 41-040-20160211) which says that neighbourhood planning “should take account of latest and up-to-date evidence of housing need. In particular, where a qualifying body is attempting to identify and meet housing need, a local planning authority should share relevant evidence on housing need gathered to support its own plan-making.”

47. Retitle the heading above para 3.6 as “Windfall Housing”.

48. Retitle the Policy F12 as “Windfall Housing” and briefly explain the concept in the pre-amble.

49. Rewrite the Policy as:

“Individual housing developments within the Foxton Limits to Development, as defined on the Policies Map, will be supported if the development:

A. Is in keeping with the scale, grain and character of its surroundings and has appropriate regard for the Conservation Area; the Statement for the latter notes: “The character of the village is the mixture of old and new buildings, the many roads and the dispersed open areas. These spaces are important and are predominantly large garden areas or paddocks”.

B. Protects important features such as traditional walls, hedgerows and trees;

C. Does not result in the inappropriate loss of residential garden space to the detriment of the dispersed village pattern, the area south of the canal being more dispersed than the remainder of the village; reuse or internal reconfiguration of existing buildings will generally be preferred;

D. Has safe and suitable access;

E. Addresses the other Policies in this Plan as appropriate to the proposal.”

50. Add immediately below the F12 Policy box:

“Explanation:

There is a consistent record of windfall housing sites becoming available within Foxton’s Limits to Development (see Table 1 above) and therefore the Plan is entitled to rely on the provision of para 48 of the NPPF relating to the inclusion of windfall sites within housing supply.”

51. Remove from para 3.10 the phrase ‘therefore the site will be subject to passing the sequential test’ since the flooding issue has been addressed via another route.

52. Rephrase Policy F13 as:

“Some 0.83 hectares of land at Fisher’s Farm, to the north of North Lane, as shown on the Policies Map, is allocated for housing development and suitable proposals will be supported subject to the following:

A. The development shall provide for up to 12 dwellings;

Appendix A – Foxtton Neighbourhood Plan Examiners Recommendations

- B. At least 40% of these shall be Affordable Houses unless it can be demonstrated that this requirement would make the development undeliverable;
- C. The development boundary shall exclude any land within the Flood Zones 2 or 3;
- D. The layout and design of the site should incorporate the construction of a row of terraced and/or semi-detached houses along the southern frontage to the site;
- E. A new pavement should be constructed along the full frontage onto North Lane so as to link into the safe, continuous pedestrian route to the village shop;
- F. The hedge along the southern boundary of the site shall be retained or replaced;
- G. The existing footpath within the site shall be retained;
- H. Improvements to the junction of North Lane and Main Street shall be required to the satisfaction of the highway authority;
- I. The site shall be completely cleared and any contamination present safely remediated prior to the commence of any development;
- J. Surface water and foul water drainage strategies shall be devised and implemented in consultation with the relevant infrastructure bodies prior to any construction and this should incorporate an appropriately designed, constructed and maintained sustainable drainage system as well as liaison with the Welland Rivers Trust to explore appropriate interventions to assist the resilience of the adjacent river; and
- K. Proposals shall address all other relevant Policies in this Plan, in particular Policies F5, 8, 10, & 16.”

53. Add immediately below the F13 Policy box:

“Explanation:

The development of this site for housing will contribute to meeting the local housing requirements as set out in Policy F11”.

54. Rewrite paragraph 3.12 to read:

“As a result we have allocated a part of the site for housing development. The larger, northern part shall be retained as open space (and in accordance with Policy F9 designated as a Local Green Space). The community has expressed an interest in the site being used as a community orchard; this would be a link to Foxtton’s past when local orchards were known to grow the local apple variety “Foxtton Pride”.”

55. Rewrite Policy F14 as:

“Policy F14: Land at Middle Street and Vicarage Drive

Some 0.38 hectares of land between Middle Street and Vicarage Drive, as shown on the Policies Map, is allocated for a housing development of up to six dwellings which will be supported if:

Appendix A – Foxtton Neighbourhood Plan Examiners Recommendations

A. The layout and design of the development addresses and respects the location within the Village Conservation Area, the character of the adjacent range of farm buildings on the west side of Middle Street and the important boundary with the retained open space to the north of the site;

B. Appropriate highway improvements are included at the junctions of Vicarage Drive/Main Street and Middle Street/Main Street to the satisfaction of the highway authority;

C. A new footpath is provided linking Middle Street and Vicarage Drive;

D. A landscaping scheme is undertaken which includes the retention or replacement of trees and hedges of native species along the boundary of the site;

E. Proposals address all other relevant Policies in this Plan, in particular Policies F5, 7, 8, 10, 16 & 19; and

F. A binding obligation is entered into to retain and maintain the land immediately to the north as open space, now designated as Local Green Space (and identified as such on the Policies Map).”

56. Add immediately below the F14 Policy box:

“Explanation:

The development of this site for housing will contribute to meeting the local housing requirements as set out in Policy F11”.

57. Rewrite Policy F15 as:

“Policy F15: Land at Junction of Vicarage Drive and Hog Lane

Some 0.08 hectares of land at the junction of Vicarage Drive and Hog Lane, as shown on the Policies Map, is allocated for housing development for up to three dwellings which will be supported if:

A. The layout and design of the site addresses and respects the location within the Village Conservation Area and incorporates two-storey dwellings along the Vicarage Drive frontage of the site with the buildings set back so that that they are no further forward than the building line established by nos. 11 and 13 Vicarage Drive;

B. A landscaping scheme is undertaken which includes the retention or replacement of trees and hedges of native species along the boundary of the site; and

C. Proposals address all other relevant Policies in this Plan, in particular Policies F5, 7, 8, 10, 16 & 19.”

58. Add immediately below the F15 Policy box:

“Explanation:

The development of this site for housing will contribute to meeting the local housing requirements as set out in Policy F11”.

59. Add immediately below the F16 Policy box:

Appendix A – Foxton Neighbourhood Plan Examiners Recommendations

“Explanation:

In line with the Strategic Policy CS2 of the Harborough Core Strategy Policy F16 ensures that developments, whenever they are built out across the plan period, are appropriately to Foxton and informed by the latest assessments of local housing need.”

60. Amend the preamble to the Policy F17 as follows:

Delete para 3.22 which is out of date; renumber subsequent paragraphs.

61. Amend para 3.23 to read:

“The Harborough Core Strategy requires 40% of new dwellings to be affordable; under present national policy only the development at Fisher’s Farm would be required to meet this obligation.”

62. Replace the opening paragraph of Policy F17 with:

“Affordable housing will be provided through the obligation attaching to Policy F13 and through Rural Exception Sites; proposals for the latter will be supported within or adjoining the Limits to Development where:”

63. Add immediately below the F17 Policy box:

“Explanation:

The NPPF limits the circumstances where an obligation to include affordable housing within a development may be sought and only one of the allocated sites falls outside that restriction.”

64. Rewrite the Policy F18 as:

“Proposals that ensure the retention and improvement of key local facilities will be supported. Any redevelopment will only be supported if the facility affected is replaced by an equivalent or better provision in an equally suitable location. These facilities (as at 2016) are: primary school, pubs, village hall, church, allotments, recreation ground and shop.”

65. Add immediately below the F18 Policy box:

“Explanation:

The Government’s policy intention when introducing neighbourhood planning was to provide a powerful set of tools for local people to ensure they get the right types of development for their community” (Planning Practice Guidance 41-083-20160211).”

66. Reword the Policy F19 as:

“Where feasibility assessments are positive, new developments should incorporate Sustainable Drainage Systems (SuDS) with attenuation, storage and treatment capacities incorporated.”

67. Add immediately below the F19 Policy box:

Appendix A – Foxton Neighbourhood Plan Examiners Recommendations

“Explanation:

In line with Government Policy (Written Statement HCWS161) SuDS should be prioritised for managing surface water flows.”

68. Amend para 6.1 so that it reads:

“Foxton Locks are situated about half a mile to the west of Foxton. The Locks area includes a significant number of heritage assets and this aspect is addressed in more detail in Section 2: Heritage.”

Move the balance of para 6.1 to 6.2.

69. Amend the maps presently included as pages 44 & 56 as follows:

p44: add the outline of the area designated a Scheduled Monument, indicate the building within the Locks area that currently have a listed building status and show the outline of the Canal Conservation Area;

p56: alter the scale of the map so that the outline of the (renamed) Foxton Locks Area of Separation is shown in full.

70. Amend the tense in the second sentence of para 6.10 to say “set” in place of “sets”; delete para 6.12 and renumber subsequent paragraphs; amend the opening line of (existing) para 6.13 to say: “Some of the Masterplan proposals have the support of the local community but there are concerns that.....”

71. Rewrite Policy F20 as:

“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:

- A. New visitor attractions are directly associated with Foxton Locks;
- B. Proposals have appropriate regard for the significance of the heritage assets of the Locks Area and their setting;
- C. Proposals address all other relevant Policies in this Plan, in particular Policies F3, 4, 5, 6, 7 & 10;
- D. Traffic implications, including those for the nearby Foxton village, are fully assessed and addressed; related measures that may need to be considered include traffic management, public transport improvements, road signage and junction improvements.”

72. Add immediately below the F20 Policy box:

“Explanation:

This Plan seeks a sustainable future for the Locks Area having regard to the many interests that it serves both locally and nationally.”

Appendix A – Foxton Neighbourhood Plan Examiners Recommendations

73. Delete the final sentence of para 7.1 and paras 7.2 & 7.3; amend the Contents page accordingly.

END