

HARBOROUGH DISTRICT COUNCIL

FOXTON NEIGHBOURHOOD PLAN DECISION STATEMENT

1. Summary

- 1.1 Following an Independent Examination, Harborough District Council now confirms that the Foxton Neighbourhood Plan will now proceed to a Neighbourhood Planning Referendum.
- 1.2 This decision statement can be viewed at:

Harborough District Council Offices

The Symington Building,
Adam & Eve Street,
Market Harborough
Leicestershire
LE16 7AG

Open - Mon/Tues/Thu/Fri: 8.45am - 5pm. Wed: 9.30am - 5pm

Market Harborough Library

Leicestershire County Council
The Symington Building
Adam and Eve Street
Market Harborough , LE16 7LT
Tel: 0116 305 3627
Fax: 0116 305 0670
E-mail: marketharboroughlibrary@leics.gov.uk

Monday → Closed
Tuesday → 10am - 6pm
Wednesday → 10am - 6pm
Thursday → 10am - 6pm
Friday → 10am - 6pm
Saturday → 10am - 4pm
Sunday → Closed

2. Background

- 2.1 In July 2012 Foxton Parish Council, as the qualifying body, applied for Foxton Parish to be designated as a Neighbourhood Area for the purpose of preparing a neighbourhood plan. The Neighbourhood Area application was approved by Harborough District Council (the Council) on 29th October 2012 in accordance with the Neighbourhood Planning (General) Regulations (2012)
- 2.2 Following the submission of the Foxton Neighbourhood Plan to the Council, the Plan was publicised and representations were invited. The consultation period closed on 18th November 2016.
- 2.3 The Council, with the agreement of Foxton Neighbourhood Plan Group, appointed an independent examiner, Andrew Matheson, to review whether the Plan met the Basic Conditions required by legislation and should proceed to referendum.

2.4 The Examiner's Report concludes:

This Independent Examiner's Report recommends a range of modifications to the Policies, as well as to some of the supporting text and maps, in the Plan. Modifications have been recommended to effect corrections, to ensure clarity and in order to ensure that the basic conditions are met. Whilst I have proposed a significant number of modifications, the Plan itself remains fundamentally unchanged in the role and direction set for it by the Qualifying Body, the Parish Council. Where deletions have been recommended because of inappropriate repetition of Local Plan content, the policy requirements within the Harborough District Core Strategy will still be effective.

I therefore conclude that, subject to the modifications recommended, the Foxton Neighbourhood Plan:

- has regard to national policies and advice contained in guidance issued by the Secretary of State;
- contributes to the achievement of sustainable development;
- is in general conformity with the strategic policies of the development plan for the area;
- is compatible with European Union (EU) and European Convention on Human Rights (ECHR) obligations.

On that basis I *recommend* to the Harborough District Council that, subject to the incorporation of modifications set out as recommendations in this report, it is appropriate for the Foxton Neighbourhood Plan to proceed to referendum.

3. Decision and Reasons

- 3.1 At its meeting on 5th December 2016, the Executive agreed that the Examiner's recommended modifications should be accepted and that the amended Neighbourhood Plan should proceed to a referendum (see Executive decision at Appendix 1).
- 3.2 The Qualifying Body and District Council has made the modifications, proposed by the examiner, to secure that the draft plan meets the basic conditions. Appendix 2 sets out these modifications and the action to be taken in respect of each of them.
- 3.3 The Council agrees with the Examiner's recommendation that there is no reason to extend the Neighbourhood Plan area (Foxton Parish) for the purpose of holding the referendum.
- 3.4 The Examiner has concluded that with the specified modifications the Plan meets the basic conditions and other relevant legal requirements. The Council concurs with this view the Plan complies with the provision made by or under sections 38A and 38B of the 2004 Planning and Compulsory Purchase Act. Therefore to meet the requirements of the Localism Act 2011 a referendum which poses the question

'Do you want Harborough District Council to use the Neighbourhood Plan for Foxton to help it decide planning applications in the neighbourhood area?'

will be held in the Parish of Foxton.

- 3.5 The date on which the referendum will take place is agreed as **26th January 2017**

Appendix 1: Executive decision in respect of Foxton Neighbourhood Plan 5th December 2016

Foxton Neighbourhood Plan Proposal Decision (DRAFT MINUTES of 14/12/2016 – final minute to be inserted when available)

RESOLVED that

- i) The Independent Examiner's recommended changes to the Foxton Neighbourhood Plan be accepted in full as set out in the schedule at Appendix A and the tabled Addendum, and the recommendation that the amended Foxton Neighbourhood Plan should proceed to a Referendum of voters within the Parish of Foxton to establish whether the Plan should form part of the Development Plan for the Harborough District be noted.
- ii) The holding of a Referendum relating to the Foxton Neighbourhood Plan on 26th January 2017 that will include all of the registered electors in Foxton Parish be approved.

Summary of Reasons

The Examiner's report into the Foxton Neighbourhood Plan was received on the 7th November 2016, with an updated report on the 30th November 2016. The Examiner considered the Plan along with the representations received when the Plan was published by the Council. The report recommends to the Council that, subject to the modifications proposed (as set out in Appendix A to the report), the Plan should proceed to a Referendum.

The Neighbourhood Planning (General) Regulations 2012, (Regulation 18) sets out that the matters that the Council should consider at this stage in the Neighbourhood Plan making process. In short, the Council must consider each of the recommendations made by the Inspector in their report, including the reasons for them, and decide what action to take in response to each recommendation (as set out in Appendix A to the report).

It is considered that the recommended modifications should be incorporated into the Plan and noted by the Executive in order to ensure that the Plan is robust, sound, meets the Basic Conditions and comprises a user-friendly and efficient document. Liaison with Foxton Parish confirms that they are happy to accept these recommendations. On this basis, the Plan should then proceed to a referendum in Foxton Parish to determine if local people support it.

Appendix 2: Schedule of Modifications Recommended in the Examiner's Report

Recommendation No	Examination Plan paragraph /page	Examiners Recommendation	Reason
1	Cover page	Add "2016-2031" to the cover page title.	clarity
2	1.4	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".	clarity
3	Page 2	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".	clarity
4	1.4	Reword the second sentence of para 1.4 as: "The Neighbourhood Plan has been prepared by Foxton Parish Council as the 'Qualifying Body'".	To make clear that the Parish Council has had responsibility for Plan preparation as the 'Qualifying Body'
5	1.5	Reword para 1.5 as: "The Foxton Neighbourhood Plan website (http://foxtonndp.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."	to reflect the fact that the Plan is at submission stage.
6	1.6	Reword the subheading above para 1.6 from 'What we have done so far' to (say) "How we prepared the Plan".	clarity
7	1.10	Reword the opening of para 1.10 to read: "The comments received were considered by Foxton Parish Council"	clarity
8	1.11 – 1.13	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."	Simplification to reflect current stage of the Plan
9	1.12 & 1.13	Renumber the subsequent paragraphs after removing 1.12 & 1.13 and revise the Contents page.	accuracy
10	1.15	Add to para 1.15: "Further details are included in the Basic Conditions Statement, available to view on the Foxton Neighbourhood Plan website (http://foxtonndp.weebly.com)."	clarity

Recommendation No	Examination Plan paragraph /page	Examiners Recommendation	Reason
11	Page 8	<p>Reword Policy F1 as: “The Countryside (land outside the Foxton Limits to Development and the Foxton 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).”</p>	To ensure the policy is clear and robust
12	Page 8	<p>Add a paragraph headed “Explanation” immediately below the F1 Policy box: “The Foxton Limits to Development generally follow the boundary defined in the Harborough District Core Strategy 2006-2028, except in two respects:</p> <ul style="list-style-type: none"> • 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). <p>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).”</p>	clarity
13	2.7	<p>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</p>	Remove repetition

Recommendation No	Examination Paragraph /page	Examiners Recommendation	Reason
		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	Page 8 and 9	<p>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.”</p>	To ensure the policy is written as an operational policy and meets the requirements of the NPPF
15	Page 9	<p>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).”</p>	clarity
16	Page 9	<p>Reword Policy F3: “Development proposals must consider and address their potential impact on local tranquillity; accordingly the following will not be supported: A. Industrial, commercial, leisure, recreation and sporting proposals that introduce sources of noise, particularly night-time</p>	To ensure the policy “provides a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency” (NPPF para 17)

Recommendation No	Examination Plan paragraph /page	Examiners Recommendation	Reason
		noise, above the ambient level; and B. Developments requiring floodlights, security lights and streetlights. Planning conditions will be applied to ensure appropriate control.”	and meets the basic conditions.
17	Page 10	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”.”	clarity
18	Page 10	Retitle Policy F4 as: “Foxton Areas of Separation”.	“provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency” (NPPF para 17)
19	2.13	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.”	To provide a policy that provides a practical framework in which planning decisions can be made with a high degree of predictability and efficiency
20	Page 10	<i>Reword Policy F4 as: “The open 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 or inappropriate uses of land which adversely</i>	To provide a robust policy to determine planning applications

Recommendation No	Examination Plan paragraph /page	Examiners Recommendation	Reason
		<i>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.” Amend the adjacent map and the Policies Map accordingly.</i>	
21	Page 10	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”.”	clarity
22	Page 10	<i>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.”</i>	To ensure the policy meets wider policy requirements and does not provide a ‘blanket approach’ towards development
23	Page 11	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).”	clarity
24	Page 12 and 2.23	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.	To ensure the plan is clear and easy to read
25	Page 14	On the map on p14 show the two Conservation Areas as they were declared at different dates.	clarity

Recommendation No	Examination Plan paragraph /page	Examiners Recommendation	Reason
26	Page 13	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.”	To ensure the community aspiration to recognise the canal is made within the plan
27	Page 13	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.”	clarity
28	2.31	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.	To correct errors within the text
29	2.31	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.”	For clarity
30	Page 17	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.	For clarity and detail
31	Page 17	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	clarity

Recommendation No	Examination Plan paragraph /page	Examiners Recommendation	Reason
		each property from the book are included as Appendix 2.”	
32	2.32	The heading above para 2.32 would better read as “Local Design”.	For clarity
33	Page 20	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).”	To ensure consistency within the text
34	Page 51	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.	To correct an error and prevent repetition
35	Page 20	Add a paragraph of “Explanation” immediately below the F8 Policy box: Foxton Neighbourhood Plan Independent Examiner’s Report Page 36 “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.”	clarity
36	Pages 54 and 55	Omit the site of the Manor House from the Local Green Space designations indicated in Policy Maps I & II.	To ensure the Plan meets the requirements of the NPPF criteria for Local Green Space
37	Page 20	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.	clarity
38	Page 20	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.”	clarity
39	Page 21	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	To ensure the policy is practical and efficient and meets the requirements of the NPPF

Recommendation No	Examination Plan paragraph /page	Examiners Recommendation	Reason
		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	Page 21	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”.	clarity
41	3.2	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.”	To ensure clarity and consistency with Local Plan preparation
42	3.3	Rewrite para 3.3 as: “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://foxtonnndp.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).”	To add clarity and demonstrate a robust approach towards site selection
43	Pages 22 and 23	Update Table 1 on Housing Commitments to 2016 with revised content as follows:	To reflect the current position of housing completions in Foxton

Recommendation No	Examination Plan paragraph/page	Examiners Recommendation	Reason	
	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	3.5	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."	To ensure clarity and to reflect the current housing completions	
45	Page 23	Rewrite the opening sentence of Policy F11 as: "This Plan makes provision for a minimum of 27 additional dwellings."	For clarity	
46	Page 23	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. Explanation: The approach adopted follows Planning Practice Guidance (Ref: 41-040-20160211) which says that neighbourhood planning	clarity	

Recommendation No	Examination Plan paragraph /page	Examiners Recommendation	Reason
		<i>“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.”</i>	
47	3.6	<i>Retitle the heading above para 3.6 as “Windfall Housing”.</i>	Because the purpose of the Policy is to better direct the additional housing provided within the Limits to Development
48	Page 25	<i>Retitle the Policy F12 as “Windfall Housing” and briefly explain the concept in the preamble.</i>	To ensure clarity for the reader
49	Page 25	<i>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.”</i>	To ensure the policy is efficient , clear and robust.
50	Page 25	Add immediately below the F12 Policy box: “Explanation: Foxton Neighbourhood Plan Independent Examiner’s Report Page 38 There is a consistent record of windfall housing sites becoming available within Foxton’s Limits to Development (see Table	clarity

Recommendation No	Examination Plan paragraph /page	Examiners Recommendation	Reason
		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	3.10	Remove from para 3.10 the phrase ‘therefore the site will be subject to passing the sequential test’	the flooding issue has been addressed via another route.
52	Page 26	<p><i>Rephrase Policy F13 as:</i> <i>“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:</i> <i>A. The development shall provide for up to 12 dwellings;</i> <i>B. At least 40% of these shall be Affordable Houses unless it can be demonstrated that this requirement would make the development undeliverable;</i> <i>C. The development boundary shall exclude any land within the Flood Zones 2 or 3;</i> <i>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;</i> <i>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;</i> <i>F. The hedge along the southern boundary of the site shall be retained or replaced;</i> <i>G. The existing footpath within the site shall be retained;</i> <i>H. Improvements to the junction of North Lane and Main Street shall be required to the satisfaction of the highway authority;</i> <i>I. The site shall be completely cleared and any contamination present safely remediated prior to the commence of any development;</i> <i>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</i></p>	To ensure the policy is not over prescriptive and does not become out of date

Recommendation No	Examination Plan paragraph /page	Examiners Recommendation	Reason
		<i>K. Proposals shall address all other relevant Policies in this Plan, in particular Policies F5, 8, 10, & 16."</i>	
53	Page 26	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".	clarity
54	3.12	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 Foxton's past when local orchards were known to grow the local apple variety "Foxton Pride"."	To ensure that the policy meets the requirements of the NPPF, is not over prescriptive and still retains the aspiration of the community to retain part of the site as Local Green Space
55	Page 27	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: 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; Foxton Neighbourhood Plan Independent Examiner's Report Page 39 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	To ensure the policy is not over prescriptive and will be efficient to use in determining planning applications

Recommendation No	Examination Plan paragraph /page	Examiners Recommendation	Reason
		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	Page 27	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".	clarity
57	Page 28	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."	To ensure that the policy meets the requirements of the NPPF but is not over prescriptive
58	Page 28	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".	clarity
59	Page 29	Add immediately below the F16 Policy box: "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."	clarity
60	Page 30 para 3.22	Amend the preamble to the Policy F17 as follows: Delete para 3.22 which is out of date; renumber subsequent paragraphs.	After a clarification in the Court of Appeal, national policy exempts sites of 10 dwellings or fewer from the obligation to provide

Recommendation No	Examination Plan paragraph /page	Examiners Recommendation	Reason
			affordable housing (ref: 23b-031-20160519); the NPPF will override any other obligation set down in the Harborough Core Strategy.
61	3.23	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.”	After a clarification in the Court of Appeal, national policy exempts sites of 10 dwellings or fewer from the obligation to provide affordable housing (ref: 23b-031-20160519); the NPPF will override any other obligation set down in the Harborough Core Strategy.
62	Page 30	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:”.....	Ensure compliance with NPPF and notional policy regarding Affordable Housing
63	Page 31	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.”	clarity
64	Page 32	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.”	To ensure the Policy itself is positively written and the need to be explanatory of the “facilities”.
65	Page 32	Add immediately below the F18 Policy box: Foxton Neighbourhood Plan Independent Examiner’s Report Page 40 “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	clarity

Recommendation No	Examination Plan paragraph/page	Examiners Recommendation	Reason
		Practice Guidance 41-083-20160211).”	
66	Page 33	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.”	To ensure the policy is feasible as an approach for smaller sites.
67	Page 33	Add immediately below the F19 Policy box: “Explanation: In line with Government Policy (Written Statement HCWS161) SuDS should be prioritised for managing surface water flows.”	clarity
68	6.1	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.	For reasons of clarity for the reader.
69	Pages 44 and 56	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.	To ensure that the maps are clear.
70	6.10 and 6.12 and 6.13	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.....”; replace the final sentence with: “The Canal and River Trust has indicated that the Masterplan will be replaced with a Destination Management Plan”.	Accuracy and to reflect the requirements of the Plan to “plan positively to support local development, shaping and directing development in their area”.
71	Page 42	Rewrite Policy F20 as: “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: A. New visitor attractions are directly associated with Foxton Locks;	To provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency.

Recommendation No	Examination Plan paragraph /page	Examiners Recommendation	Reason
		<p>B. Proposals have appropriate regard for the significance of the heritage assets of the Locks Area and their setting;</p> <p>C. Proposals address all other relevant Policies in this Plan, in particular Policies F3, 4, 5, 6, 7 & 10;</p> <p>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.”</p>	
72	Page 43	<p>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.”</p>	clarity
73	Page 45	<p>Delete the final sentence of para 7.1 and paras 7.2 & 7.3; amend the Contents page accordingly.</p>	<p>Because the last plan to be adopted will always take precedence, and the Plan needs only to address its own monitoring</p>