

## Foxton Neighbourhood Plan

### Summary of representations submitted by Harborough District Council to the independent examiner pursuant to Regulation 17 of Part 5 of The Neighbourhood Planning (General) Regulations 2012

Name	Policy/ page ref	Full Representation
Carl Bedford (not received on form)	Policy F20	<p>On reading the Submission Copy on the FPC Website I have noted a possible conflict with Local Plan Policies which may affect the NDP meeting the Basic Conditions.</p> <p>As I will be away for the next two months and may therefore miss the final consultation prior to appointment of the Inspector by HDC I wonder if you would be so kind as to pass my observations to the Officer/Inspector concerned for attention?</p> <p>The possible conflict is with regard to an item (not annotated) within proposed NDP Policy F20 concerning Foxton Locks which states:-</p> <p>" The creation of new, permanent overnight accommodation other than through the re-use of existing buildings will not be permitted. The provision of residential moorings will not be permitted"</p> <p>The point with regard to the creation of new overnight accommodation appears to conflict with HDC Local Plan Policy LR/9 concerning Canal Based Recreation Facilities and Policy LR14 concerning Self-Catering Accommodation: both of which would appear to allow the possibility of such new building.</p>
Andrew granger and Co on behalf of Mr J Carter Land off North Lane, Foxton, Leicestershire		<p><b>Introduction</b></p> <p>Andrew Granger &amp; Co. Ltd specialises in the promotion of strategic land for residential development and commercial uses. As a company, we are heavily involved in the promotion of client's land through various Neighbourhood Plans and also have vast experience in contributing to the Local Plan preparation process throughout the country.</p> <p>On behalf of our client, we have submitted written representations to the previous consultation stages. We are seeking to work with the Foxton Neighbourhood Plan Group in promoting the subject site, Land off North Lane, Foxton, for residential development.</p> <p><b>The Site &amp; Development Potential</b></p> <p>The site (Appendix 1), measures approximately 0.65 ha (1.61 acres) and is located adjacent to the planned limits to development for Foxton.</p>

	<p><b>The site is bordered by North Lane to the north and west, commercial workshops, offices and an animal rescue centre to the east and a public house to the south-east. The paddock immediately to the south of the site has been built on through the construction and siting of a mobile dwelling and an assortment outbuildings and sheds. Part of the site is currently in use as a car park for the adjacent employment uses.</b></p> <p><b>The site is well screened by mature trees and hedgerows along its northern, western and southern boundaries, which would be retained and enhanced as part of the development of the site. It is enclosed within the village by North Lane, which forms a strong boundary to this edge of Foxton.</b></p> <p><b>A planning application, for the erection of 13 dwellings and open space, was recently refused on the site by Harborough District Council. The reason for refusal stated that the site would significantly extend the built form of the village into the open countryside and impact upon the Conservation Area and Heritage. We have since submitted an appeal to the Planning Inspectorate.</b></p> <p><b>The application proposed a mix of house types, including bungalows and starter homes, ranging from 650 sq. ft. to 1,960 sq. ft. The housing mix proposed takes account of the need to provide a range of new homes, taking into account the needs of older households and the need for smaller, low cost homes. There were no technical objections to the scheme. The Highways Authority confirmed the scheme was acceptable and the Public Rights of Way Officer stated ‘I have no objection to the application...’.</b></p> <p><b>Our appeal submission, in summary, is based on the fact that we believe the site is well screened and self-contained/enclosed within the village by North Lane, which forms a strong and defensible. We consider that the site is suitably screened by existing mature trees and hedgerows along three of its boundaries and existing residential development on its fourth, which severely restricts views in and out of the site. The site is adjacent to a variety of land uses and the majority of heritage interest and Listed Buildings/Locally Listed Buildings are located on the other side of the village and are not visible from the appeal site.</b></p> <p><b>Foxton Neighbourhood Development Plan</b></p> <p><b>Further to our previous submission in March 2016, we wish to comment on the Submission document as follows:</b></p> <p><b>In respect of Policy F11: Housing Provision we suggest that there should be greater flexibility within this policy to assist in the delivery of new homes and ensure the plan can be found sound. At present the policy proposes 27 dwellings, however, this should be a minimum of 27 dwellings in line with guidance in the National Planning Policy Framework (NPPF). The latest figures suggest that Foxton will need to accommodate between 25 and 51 dwellings. This is based on the draft Housing Distribution Options presented by the Council in June 2015, which was based on delivering 475 dwellings per annum – this figure has since increased to 550 dwellings per annum.</b></p> <p><b>Furthermore, in respect of the above policy, we consider that the allocation of two sites, under Policies F14 and F15, will have a greater impact on the Conservation Area and Heritage of Foxton than the site this submission relates to (Land off North Lane, Foxton, as shown at Appendix 1). The sites relating to</b></p>
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	<p>Policies F14 and F15</p> <p>Policies F1 and F11</p> <p>Policy F16</p> <p>Policy F17</p> <p>F19</p>	<p>Policies F14 and F15 are within the centre of the village, adjacent to existing residential properties and buildings designated as Listed Buildings and Locally Listed Buildings. Development of these two sites will have a detrimental impact on heritage assets within Foxton and will directly impact on the residential amenity of existing residential properties adjacent to the sites.</p> <p>Policies F1 and F11 state that development will not be allowed outside the Foxton Limits to Development. There is no flexibility within these policies to provide for situations of undersupply in the District. This is contrary to the presumption in favour of sustainable development as outlined in paragraph 14 of the NPPF. It also does not take into account Policy CS2 of the adopted Core Strategy, which states that ‘Housing development will not be permitted outside the Limits to Development (either before or following their review) unless at any point there is less than a five year supply of deliverable housing sites...’.</p> <p>Policy CS2 of the adopted Core Strategy allows for flexibility in the delivery of new homes where the LPA is unable to demonstrate a 5 year supply of deliverable housing land. The policies (F1 and F11) in the emerging Neighbourhood Plan are restrictive. A more positive and flexible approach would be to reflect the adopted Core Strategy Policy CS2.</p> <p>We support the inclusion of Policy F16: Housing Mix and the Neighbourhood Plan Groups desire to ‘see a mix of housing to meet the needs of people living locally’. We consider that our client’s site can deliver a mix of houses, as alluded to previously, and will assist the Neighbourhood Plan in meeting this objective.</p> <p>We would advise that Policy F17: Affordable Housing should reflect national and local planning policy in respect of the recent Court of Appeal decision which backed the government policy to exempt small development sites from the need to deliver affordable housing - developments of ten homes or fewer or where the floor space totals 1,000 sq. m. or less are exempt from the requirement to provide or contribute to affordable housing policy.</p> <p>The delivery of new homes will assist with Policy F18: Retention of Key Services and Facilities. Without housing growth and development local services can come under threat and therefore, new development can assist in ensuring services remain viable.</p> <p>We support the inclusion of Policy F19: Water Management.</p> <p>To ensure greater flexibility in the plan and to ensure it is robust in the delivery of new homes and dealing with future demand, we propose that our client’s land, Land off North Lane, Foxton (Appendix 1) is allocated in the Foxton Neighbourhood Plan. The site is capable of supporting a scheme of 13 dwellings, including bungalows and starter homes, alongside a large area of open space. The development of the site would not have an overbearing or dominant impact upon the village or existing residents as it is well screened and not visible from within the village, due to existing residential properties, offices, studios and workshops. The site is also well screened from North Road because of existing mature trees and hedgerows, which would stay as part of the development.</p>
Mrs Donna Nye	Site 22	22 Main Street Site 22

		<p><b>I haven't been consulted about this by NDP or Council. My parents were asking if it was to be included and the boundary line has been moved for development. I thought they were to be extended. Its not using agricultural land.</b></p>
<p><b>Mr Marton Bagshaw, Planning Consultant,</b> On behalf of Mr and Mrs King, The Manor House Swingbridge Street Foxton</p>	<p><b>Policy F9</b></p>	<p>John Martin &amp; Associates has been instructed by the owner of the land identified as The Manor House Grounds, to submit the following representation in objection to the proposed designation of the aforementioned land as a Local Green Space (Policy F9) in the Foxton Neighbourhood Plan (FNDP) Submission version, for the following reasons:</p> <p>i) The designation of a Local Green Space (LGS) as part of the process of plan preparation is set out in the NPPF (77) and states that:</p> <p style="text-align: center;"><b><i>The Local Green Space designation will not be appropriate for most green areas or open space. The designation should only be used:</i></b></p> <ul style="list-style-type: none"> <li>• <b><i>Where the green space is in reasonably close proximity to the community it serves;</i></b></li> <li>• <b><i>Where the green area is demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of wildlife; and</i></b></li> <li>• <b><i>Where the green area concerned is local in character and is not an extensive tract of land.</i></b></li> </ul> <p>In addition Planning Practice Guidance (PPG) ID: 37-009 states that: <b><i>Local Green Spaces may be designated where those spaces are demonstrably special to the local community, whether in a village or in a neighbourhood in a town or city.</i></b></p> <p>With reference to the above and in particular the three bullet points of NPPF (77), there has been no assessment or evidence presented to justify or support the basis on which individual sites, including the land at Manor House Grounds is now proposed as an LGS. No evidence has been provided either by the Parish Council or local community as to why or on what basis this particular site area could reasonably be identified as '<i>demonstrably special</i>' as required by both the NPPF and PPG.</p> <p>Views of this site are restricted in their extent and significance being limited to short range glimpses of the site from the public rights of way which pass immediately adjacent to the site. In this regard the site is considered to have limited visual significance within the wider setting of the village.</p> <p>Whilst reference is provided in the Basic Conditions Statement to the proposed designation of Policy F6 (Local Green Space), this only provides general details in respect of Policy F6 as a whole and as such there is no reference to any assessment having been completed or any justification provided in relation to the proposed</p>

	<p>designation of an individual site.</p> <p>This approach is in marked contrast to the survey and assessment work that has been completed by Officers of the Harborough District Council in their own separate consideration of LGS designation as a part of the background work to the new Harborough Local Plan which is currently being prepared. The District Council assessment of potential sites for LGS designation similarly included consideration of the Manor House Grounds, however their assessment of the site as reported to the District Council Local Plan Advisory Panel September 2014 confirmed the following in respect of the site:</p> <p><b><i>'Adjacent to the canal and within the village envelope this site is shown to have significance to the community and to the visual amenity of Foxton. It is not considered to be a large tract of land and is visually accessible and is currently classed as important open land. Part of the site is subject to an extant planning application and part already has dwellings/gardens on it and so would be unsuitable to designate. Additional area for a tennis court should also be taken into account. There appears to be no public access to the site, nor has the site been used by the public for recreational purposes. It is recommended that part of the site may be suitable as Local Green Space, given the proximity to the church/canal and the prominent position on the entrance to the village, however the site lies within the conservation area and it needs to be determined whether this and the Core Strategy policies are sufficient protection. Recommend further consideration.</i></b></p> <p><b><i>After discussion with agent and ward member is considered that this site is not suitable for Local Green Space designation. Reasons being it is private property used as garden, and part of the site is developed with a tennis court and a planning permission is extant on the site.'</i></b></p> <p>Significantly the officer assessment confirmed that the District Council did not propose the designation of the land at Manor House Grounds as LGS through the emerging local plan for the reasons which were set out. In the absence of any new evidence or assessment to that previously considered and presented by Officers of the District Council, there is considered to be no justification to support the proposal that the site should now be designated as an LGS in the FNDP.</p> <p>ii) The landowner has fully engaged in the process of preparing the FNDP. It has previously been advised through the consultation process that there is an existing hard surfaced tennis court located centrally within the site area together with an extant planning permission for the conversion of an existing barn to a single residential dwelling (LPA ref: 11/01185/FUL) which is located to the eastern most edge of the area.</p> <p>In addition it is confirmed that the majority of the site is principally an area of unimproved grass land which is actively used for the purposes of grazing sheep. As such the landowner has confirmed that there is the requirement for an appropriate livestock building to be erected on the site for animal welfare purposes. This will have a further negative impact on the visual character and quality of the area.</p>
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		<p>Whilst the site is currently subject of Harborough Local Plan Policy HS/9 - Important Open Land it is considered that the form and character of the site has been substantially altered since the designation of that policy some 15 years ago. This has occurred primarily through the construction of the tennis court and the grant of the extant planning permission for the conversion of the adjacent barn to a residential dwelling, which encroaches into the eastern part of the area.</p> <p>iii) Planning Practice Guidance (ID: 37-011) addresses the issue of: <b><i>'What if land is already protected by designations such as National Park, Area of Outstanding Natural Beauty, Site of Special Scientific Interest, Scheduled Monument or conservation area?' and as such confirms that: 'Different types of designations are intended to achieve different purposes. If land is already protected by designation, then consideration should be given to whether any additional local benefit would be gained by designation as Local Green Space'.</i></b></p> <p>In this regard the land forming the Manor House Grounds is identified as being within the designated Foxton conservation area. It is therefore our clients considered opinion that in the absence of any supporting information or justification the proposed addition of the LGS designation is not necessary in relation to this site.</p> <p>Planning and development management policies relevant to the consideration of any planning application for new development proposed in a conservation area, include the statutory requirement set out in the S72(1) Planning (Listed Buildings and Conservation Areas) Act 1990 and those of the NPPF (132-134) in relation to a designated heritage asset. These existing policy requirements are considered appropriate to enable the control and management of any development proposed on this particular site should this arise in the future, without an unnecessary additional layer of policy in the form of LGS.</p> <p>In this regard we trust that due consideration will be given to the content of this letter and would confirm that in the event that a subsequent public examination on the FNDP is held then our client would wish to be invited to provide evidence orally to the Examiner.</p>
<b>Mr Oliver Bates</b>	<b>Limits to Development</b>	<b>Foxton NP does meet the basic conditions as the proposed amendments to the village boundary are not consistent with the adopted Core Strategy and are not justified in that they are not based upon proportionate evidence. What evidence and local support has informed the removal of Land between 16 and 28 Main St. from the settlement boundary?</b>
<b>Sport England</b>		<p><b>Thank you for consulting Sport England on the above Neighbourhood Consultation.</b></p> <p><b>Planning Policy in the National Planning Policy Framework identifies how the planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. Encouraging communities to become more physically active through walking, cycling, informal</b></p>

		<p>recreation and formal sport plays an important part in this process and providing enough sports facilities of the right quality and type and in the right places is vital to achieving this aim. This means positive planning for sport, protection from unnecessary loss of sports facilities and an integrated approach to providing new housing and employment land and community facilities provision is important.</p> <p>It is important therefore that the Neighbourhood Plan reflects national policy for sport as set out in the above document with particular reference to Pars 73 and 74 to ensure proposals comply with National Planning Policy. It is also important to be aware of Sport England’s role in protecting playing fields and the presumption against the loss of playing fields (see link below), as set out in our national guide, ‘A Sporting Future for the Playing Fields of England – Planning Policy Statement’.  <a href="http://www.sportengland.org/facilities-planning/planning-for-sport/development-management/planning-applications/playing-field-land/">http://www.sportengland.org/facilities-planning/planning-for-sport/development-management/planning-applications/playing-field-land/</a></p> <p>Sport England provides guidance on developing policy for sport and further information can be found following the link below:  <a href="http://www.sportengland.org/facilities-planning/planning-for-sport/forward-planning/">http://www.sportengland.org/facilities-planning/planning-for-sport/forward-planning/</a></p> <p>Sport England works with Local Authorities to ensure Local Plan policy is underpinned by robust and up to date assessments and strategies for indoor and outdoor sports delivery. If local authorities have prepared a Playing Pitch Strategy or other indoor/outdoor sports strategy it will be important that the Neighbourhood Plan reflects the recommendations set out in that document and that any local investment opportunities, such as the Community Infrastructure Levy, are utilised to support the delivery of those recommendations.  <a href="http://www.sportengland.org/facilities-planning/planning-for-sport/planning-tools-and-guidance/">http://www.sportengland.org/facilities-planning/planning-for-sport/planning-tools-and-guidance/</a></p> <p>If new sports facilities are being proposed Sport England recommend you ensure such facilities are fit for purpose and designed in accordance with our design guidance notes.  <a href="http://www.sportengland.org/facilities-planning/tools-guidance/design-and-cost-guidance/">http://www.sportengland.org/facilities-planning/tools-guidance/design-and-cost-guidance/</a></p>
<p>Leicestershire County Council c/o Nik Green</p>	<p>Highways</p>	<p>Foxton Neighbourhood Plan Comments  Requested – 4 July 2016</p> <p>Leicestershire County Council is supportive of the Neighbourhood plan process and is pleased to be consulted on the Foxton Neighbourhood Plan.</p> <p>Highways  General Comments  No comments at this time</p>

	<b>Flooding</b>	<b>Flooding Authority</b> No comments at this time
	<b>Developer Contributions</b>	<b>Planning</b> <b>Developer Contributions</b> If there is no specific policy on Section 106 developer contributions/planning obligations within the draft Neighbourhood Plan, it would be prudent to consider the inclusion of a developer contributions/planning obligations policy, along similar lines to those shown for example in the Draft North Kilworth NP and the draft Great Glen NP albeit adapted to the circumstances at Foxton. This would in general be consistent with the relevant District Council's local plan or its policy on planning obligations in order to mitigate the impacts of new development and enable appropriate local infrastructure and service provision in accordance with the relevant legislation and regulations, where applicable. <a href="http://www.northkilworth.com/wp-content/uploads/2016/01/nk-draft-low-resolution-1.pdf">www.northkilworth.com/wp-content/uploads/2016/01/nk-draft-low-resolution-1.pdf</a> <a href="http://www.greatglen.leicestershireparishcouncils.org/uploads/175670305aeaf48650823074.pdf">www.greatglen.leicestershireparishcouncils.org/uploads/175670305aeaf48650823074.pdf</a>
	<b>Mineral and Waste</b>	<b>Mineral &amp; Waste Planning</b> No comments at this time
	<b>Education</b>	<b>Education</b> No comments at this time
	<b>Property</b>	<b>Property</b> <b>Strategic Property Services</b> No comments at this time
	<b>Adult Social Care</b>	<b>Adult Social Care</b> Suggest reference is made to recognising a significant growth in the older population and look for developments to include bungalows etc of differing tenures. This would be in line with the draft Adult Social Care Accommodation Strategy for older people which promotes that people should plan ahead for their later life, including considering downsizing, but recognising that people's choices are often limited by the lack of suitable local options.
	<b>Environment</b>	<b>Environment</b> No comments at this time
	<b>Communities</b>	<b>Communities</b> Consideration of community facilities in the draft Plan would be welcomed. We would suggest where



	<p><b>s</b></p> <p><b>Economic</b></p> <p><b>Broadband</b></p> <p><b>Flood Risk</b></p>	<p>possible to include a review of community facilities, groups and allotments and their importance with your community. Consideration could also be given to policies that seek to protect and retain these existing facilities more generally, support the independent development of new facilities and relate to the protection of Assets of Community Value and provide support for any existing or future designations.</p> <p>The identification of potential community projects that could be progressed would be a positive initiative.</p> <p><b>Economic Development</b> The plan does not appear to have any specific Economic Development policies therefore we have no comments at this time.</p> <p><b>Superfast Broadband</b> High speed broadband is critical for businesses and for access to services, many of which are now online by default. Having a superfast broadband connection is no longer merely desirable, but is an essential requirement in ordinary daily life.</p> <p>All new developments (including community facilities) should have access to superfast broadband (of at least 30Mbps) Developers should take active steps to incorporate superfast broadband at the pre-planning phase and should engage with telecoms providers to ensure superfast broadband is available as soon as build on the development is complete.</p> <p><b>Flood Risk Guidance for Neighbourhood Plans</b></p> <p>All types of flooding must be considered when identifying new development sites as detailed in the National Planning Policy Framework (March 2012) section 10, ' Meeting the challenge of Climate Change, Flooding and Costal Change'. Developers should also consider The Sequential and Exception Tests as outlined in the document Technical Guidance to the National Planning Policy Framework ( March 2012), 'Flood Risk.</p> <p>In line with current government policy, (Sustainable drainage systems: Written statement - HCWS161, December 2014), Sustainable Drainage Systems (SuDS) should be prioritised for managing surface water flows. Therefore appropriate space allocation for SuDS features should be included within development sites. These features should look to introduce blue green corridors to improve the bio-diversity and amenity of new developments, and surrounding areas where possible.</p> <p>Often ordinary watercourses and land drainage features (including streams, culverts and ditches) form part of development sites. LCC recommend that existing watercourses and land drainage (including watercourses that form the site boundary) are retained as open features along their original flow path, and are retained in public open space to ensure that access for maintenance can be achieved.</p>
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<p><b>Environment Agency c/o Nick Wakefield</b></p>	<p><b>Policy F13</b></p>	<p><b>Foxton Neighbourhood Plan Submission - Regulation 16 Notification</b></p> <p><b>Thank you for consulting the Environment Agency on the examination version of the Foxton Neighbourhood Plan. We welcome the opportunity to provide comment on the submission.</b></p> <p><b>We have reviewed the documents submitted for the Plan and have the following comments to make.</b></p> <p><b>The (flooding) Sequential Test</b></p> <p><b>In our response to the pre-submission draft version of the Plan (response dated 18 March 2016, reference LT/2006/000111/OR-18/PO1-LO1, copy attached) we highlighted the issue of the need for the Sequential Test to be carried out for sites at flood risk. This was with particular reference to the site known as Fisher's Farm, North Lane which contains land within Flood Zone 3 and has been put forward as a housing allocation site under Policy F13.</b></p> <p><b>The need for the Sequential Test to be carried out for such sites is set out in paragraph 100 of the National Planning Policy Framework (NPPF) which states that 'Local Plans should apply a sequential, risk-based approach to the location of development to avoid where possible flood risk to people and property...by: applying the Sequential Test'.</b></p> <p><b>Neighbourhood Plans need to be in conformity with Local Plans and therefore paragraph 100 of the NPPF also applies to the Foxton Neighbourhood Plan.</b></p> <p><b>We note from the submitted Basic Conditions Statement document that paragraph 100 has not been referenced with regard to Policy F13 and also that the Sequential Test is not mentioned in the wording of the Policy. Further, there appears to be no evidence to show that the Sequential Test has been applied to the Fisher's Farm, North Lane site, nor that the site has been deemed to have passed the Test.</b></p> <p><b>The Environment Agency wishes to draw these omissions to the attention of the Inspector during his/her consideration as to whether the submitted Plan meets the basic conditions as set out in the Planning Practice Guidance and the NPPF.</b></p> <p><b>For completeness, we would also like to draw to the Inspectors attention to the comments the Environment Agency made regarding water management and The Water Framework Directive in our letter</b></p>

		of 18 March 2016.
Anglia Water c/o Stewart Patience	Policy F13	<p>Thank you for the opportunity to comment on the Foxton Neighbourhood Plan (Submission Version). Please find enclosed a response on behalf of Anglian Water. I would be grateful if you could confirm that you have received this response. The views of Severn Trent Water who are responsible for water services within the Parish should also be sought on the content of the Neighbourhood Plan.</p> <p>I would be grateful if you could confirm that you have received this response.</p> <p><b>Policy F13: Fisher's Farm, North Lane</b></p> <p>It is proposed to develop this site for 10-12 dwellings. We note that reference is made to Anglian Water's previous comments relating to the need for improvements to the existing foul sewerage network in the supporting text for this policy.</p> <p>Reference could also be made to the preparation of a foul drainage strategy prior to the occupation of the dwellings as part of Policy F13. This would be consistent with the requirement for a 'surface water drainage solution' for the site as outlined in criterion J of the Policy.</p>
	Policy F14	<p><b>Policy F14: Land at Middle Street and Vicarage Drive</b></p> <p>It is proposed to develop this site for 6 dwellings. Anglian Water has no objection to Policy F14.</p>
	Policy F15	<p><b>Policy F15: Land at Junction of Vicarage Drive and Hog Lane</b></p> <p>It is proposed to develop this site for 3 dwellings. Anglian Water has no objection to Policy F15.</p>
	Policy F19	<p><b>Policy F19: Water Management</b></p> <p>Anglian Water support the requirement to use SuDS so as not to increase flood risk and to reduce flood risk where possible.</p>
Jon Fox		<p>Development within the village , inside the limits to development (policies F1 F11 F12 F13 especially land between vicarage Drive and Middle Street (Policy F14) and Vicarage Drive and Hog Lane (Policy F18) contradicts a number of 'Objectives ' of the NDP set out in clause 1.19, namely to conserve Foxton's character , history and local surroundings and to protect the intrinsic character and beauty of Foxton's countryside and to enhance Foxton's natural environment.</p> <p>Furthermore the ruination of these site by allowing development would be diametrically opposed and contrary to the Ecology and Biodiversity protection set out in Policy F5 of the NDP – Clause 2.14 and 2.15 on page 10 to make this clear.</p>

		<p>Policy F3 Tranquillity would also be seriously compromised by any such development bringing increased traffic , noise and light pollution, and the loss of the natural habitat and important open space in the heart of the village.</p> <p>Whilst the current phase of consultation refers to HDC's inspection of compliance as to the form and submission of the Foxton NDP it is necessary to point out to the Inspector at this stage that some of these proposals in the NDP are flawed by contradictions to the policies therein.</p>
Mrs Angela Gubbins	Site 22	<p>Limits to Development</p> <ol style="list-style-type: none"> <li>1. The new boundary excludes this plot</li> <li>2. It has been extended round the farmyard and other properties</li> <li>3. It would make a good site for affordable housing</li> <li>4. This is within the conservation area and existing limits to development</li> <li>5. I was asked if this was to be included in the limits to development (see email) however it has been moved and excluded</li> <li>6. It is not using up any agricultural land which is quickly disappearing</li> </ol> <p>Email from Margaret Wright 2<sup>nd</sup> Feb 2015 Hi Angela Does the plot of land between Lorraine and Claire belong to you? If so, should it remain as a proposed development site for the Neighbourhood Development Plan? I understand Lorraine has withdrawn the rear paddock as a potential development site</p> <p>Email response from A Gubbins 3<sup>rd</sup> Feb 2015 Hello Margaret My children own the garden at 22 Main St Foxton and still want it to be included as a proposed development site in the NDP.</p> <p>With the White House being sold, perhaps the purchasers should be consulted about the field attached to the house.</p>
Mr Sam Matts	<p>Sustainable Development Page 4. 1.14</p> <p>Policy F20: Foxton</p>	<p>States "an economic role - contributing to building a strong responsive and competitive economy.....to support growth and innovation". This is contradicted as mentioned below under Policy F20 Foxton Locks Page</p> <p>Final paragraph (p43) states several times "will not be permittedff, preventing any growth &amp; contradicts Sustainable Development. This repetitive statement goes too far for businesses who cannot relocate to</p>

	<p><b>Locks Page 42/43</b></p> <p><b>No.6.4 Foxton Locks Page 40</b></p> <p><b>Policy F4. Foxton Green Zone Page 10</b></p> <p><b>Objectives Page 5 Bullet point page 6</b></p> <p><b>Page 41. Foxton Locks Masterplan. 6.10 + 6.13</b></p>	<p>develop due to their association with the canal.</p> <p>Detailed within the document is the following which would affect any development and safeguard the site: The Foxton Locks are Grade 2 listed, the Inclined plane is a Scheduled monument &amp; Heritage site, the entire canal network is a conservation area. There are still safeguards within the planning system to prevent unsuitable development.</p> <p>We do not see the need for such statements on page 43 within a policy that would stifle appropriate business opportunities. It is in our business interest to ensure that any such opportunity does not compromise what visitors come to see and enjoy.</p> <p>Therefore, there has to be more flexibility within such a policy and is what was understood to be required within the NOP.</p> <p>Policy F20 final paragraph does not support the statement regarding buildings as they are all used for business purposes (not "mainly"). There are few buildings on the entire Canal &amp; River Trust Foxton Locks/Inclined plane site and all have defined uses anyway. The shop/chandlery, Bridge 61 public house and visitor trip boat, are owned by ourselves under Foxton Boat Services.</p> <p>".....will not be supported unless it preserves...." This statement effectively allows some development provided it meets certain criteria. Why doesn't Policy F20 allow that same flexibility?</p> <p>"To support sustainable tourism within the parish". Statements within the NDP appear to be against any form of visitor encouragement, particularly Policy F20 and the final statement on page 6.</p> <p>This is referred to in great length but has been shelved by Canal &amp; River Trust.</p> <p>At this point there is a statement that "The Canal &amp; River Trust has indicated that the Masterplan will be replaced by a new visitor management strategy". All that was mentioned in 6.10 really has no relevance and therefore a simple statement that the Canal &amp; River Trust are under the process, through consultants, of producing a Visitor Management Strategy, is all that's required. By detailing this shelved document could increase resistance to any development regardless of what it might be.</p>
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<p><b>Mr Guy Longley Pegasus Planning Group</b></p>	<p>3.5 (Policy F11)</p> <p>3.11 – 3.12 (Policy F14)</p>	<p>The Foxton Neighbourhood Plan has been prepared under the neighbourhood planning regime established through the Localism Act and the National Planning Policy Framework (the Framework). The Plan will inform and guide planning decision making in Foxton for the period to 2031.</p> <p>The work that has gone into the Neighbourhood Plan is evident and the community engagement that has been undertaken to date should provide a good foundation for future community support and consensus should the plan reach referendum stage. It is a requirement that the Neighbourhood Plan must pass the Basic Conditions as set out in the Localism Act 2011, including:</p> <ul style="list-style-type: none"> <li>• Have regard to the national policies and advice contained in guidance issued by the Secretary of State;</li> <li>• Contribute to the achievement of sustainable development;</li> <li>• Be in general conformity with the strategic policies of the development plan for the area (Harborough District Council Core Strategy); and</li> <li>• Be compatible with the European Union and European Convention on Human Rights obligations.</li> </ul> <p>Pegasus Group act on behalf of Cliffe Investments Limited who have interests in land at Middle Street and Vicarage Drive, Foxton. Cliffe Investments have been actively promoting the site at Vicarage Drive for development and have engaged with Foxton Parish Council and the Neighbourhood Development Plan Committee throughout the Neighbourhood Plan process. Pegasus Group held a public exhibition on the proposals in October 2014 and attended the drop-in Neighbourhood Plan sessions on 25th and 27th February 2016.</p> <p>Policy F11 sets out a minimum housing target for Foxton for the period to 2031 of 27 dwellings. Policy F11 takes account of existing commitments and allocates further housing sites, including land between Middle Street and Vicarage Drive, at Policy F14 to meet this target. This approach is supported as in setting this level of growth the Parish Council has had regard to the Harborough Core Strategy, the emerging Local Plan, and local infrastructure and build rates. Policy F14 of the Submission Version Neighbourhood Plan proposes to allocate land between Middle Street and Vicarage Drive for housing development. Cliffe Investments supports the proposed allocation for around 6 dwellings. A masterplan has been prepared showing how the site could be developed. A copy is attached at <b>Appendix 1</b>.</p> <p>Whilst the allocation of the site for residential development is supported, Cliffe Investments has concerns that some of the requirements in relation to the form of the development are not adequately justified and are</p>
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	<p>unnecessarily prescriptive.  Commentary on each of the criteria within Policy F14 is set out below.</p> <p>Criteria A of Policy F14 seeks to secure at least 40% affordable on site. This aspect of Policy F14 will need to be reviewed in light of the recent changes to the Planning Policy Guidance on affordable housing provision on smaller sites. Paragraph 31 (ref 23b-031-20160519) of the National Planning Practice Guidance advises that contributions for affordable housing should not be sought from small scale developments of 10 units or less. This comment also applies to F17: Affordable Housing.</p> <p>Criteria B sets out details on the layout and design of the site. B i) requires the construction of 2 and 3 bedroom single storey dwellings along the Middle Street frontage of the site. Appendix 2 shows the relationship between the existing single storey farm buildings and proposed 2 storey dwellings on the site. This pattern of single storey dwellings to the west and 2 storey homes to the east of the road is replicated further along Middle Street. Plots will be set back within the site and dwellings are level with the existing building line. The distance between the proposed and existing buildings extends to approximately 18 metres, and further south the relationship between these dwellings is as low as 14 metres. Given the context of existing single and 2 storey dwellings along Middle Street, and in the village as a whole, it is not considered justified to limit building heights along Middle Street as proposed.</p> <p>Criteria B ii) seeks to limit dwellings along the Vicarage Drive frontage of the site to 2 and 3 bedrooms. Policy F16 sets out that new housing development shall provide for a mix of house types informed by the most up-to-date Strategic Housing Market Assessment (SHMA) and local evidence of need. There is not sufficient evidence to justify limiting dwelling sizes on the site.</p> <p>Criteria C seeks to secure highway improvements at the junctions of Vicarage Drive/Main Street and Middle Street/Main Street. Cliffe Investments Limited will take advice from Leicestershire County Council (LCC) as Highways Authority as to any highways improvements necessary to made the development acceptable in both planning and highways terms.  It should be noted that LCC Highways previously raised no objections to the scheme, subject to the imposition of conditions, and no highways improvements were considered necessary at that time.</p> <p>Criteria D seeks to deliver a new footpath along the north side of the site linking Middle Street and Vicarage Drive. The proposals can provide a footpath link through the site to link Middle Street and Vicarage Drive.</p> <p>Criteria E seeks to designate land to the north of the proposed allocation as Local Green Space. Whilst Cliffe Investments are willing to enter discussions with the Parish Council about the future use and management of this land, it is not considered appropriate that this is designated as Local Green Space through the Neighbourhood Plan.</p> <p>Local Green Space designations need to meet the criteria set out in paragraph 77 of the National Planning Policy Framework (NPPF). Paragraph 77 sets out that Local Green Spaces should only be used:</p> <ul style="list-style-type: none"> <li>• "where the green space is in reasonably close proximity to the community it serves;</li> </ul>
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		<ul style="list-style-type: none"> <li>• where the green area is demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquility or richness of its wildlife; and</li> <li>• where the green area concerned is local in character and is not an extensive tract of land."</li> </ul> <p>Harborough District Council has undertaken two rounds of public consultation on Local Green Spaces across the district. The Council produced the Local Green Space submissions report in November 2014. The site the subject of Policy F14 was assessed and was not designated as Local Green Space. Harborough District Council consulted on the Local Green Space Assessment along with the New Local Plan Options paper in September - October 2015. The site at Vicarage Drive is not included as this was not considered to be suitable as Local Green Space. The NPPF makes clear that Local Green Space designation "will not be appropriate for most green areas or open space" (Paragraph 77).</p> <p>Notwithstanding the acknowledged unsuitability of the site for designation as Local Green Space as confirmed by Harborough District Council, Cliffe Investments are happy to have further discussions with the Parish Council on the future use and management of this land.</p> <p>Criteria F requires the implementation of a landscaping scheme, including the retention/replacement of trees and hedges along the boundary of the site. The masterplan at Appendix 1 proposes the retention of the majority of existing trees and hedgerows on site.</p> <p>Cliffe Investments support the allocation of land at Middle Street and Vicarage Drive for residential development, subject to amendments to the wording of Policy F14 as set out above. Policy F14 and the Policies II- Foxton Village Map should therefore be amended to reflect these concerns.</p>
<b>Mr Ian Dickinson Area Planner Canal and Rivers Trust</b>		<p>The Canal &amp; River Trust is a company limited by guarantee and registered as a charity. It is separate from government but still the recipient of a significant amount of government funding.</p> <p>The Trust has a range of charitable objects including:</p> <ul style="list-style-type: none"> <li>• To hold in trust or own and to operate and manage inland waterways for public benefit, use and enjoyment;</li> <li>• To protect and conserve objects and buildings of heritage interest;</li> <li>• To further the conservation, protection and improvement of the natural environment of inland waterways; and</li> <li>• To promote sustainable development in the vicinity of any inland waterways for the benefit of the public.</li> </ul> <p>About 1.4km of the Grand Union Canal and about 3.25km of the Harborough Arm fall within the Neighbourhood Plan Area including Foxton Locks, a Grade II* listed flight of staircase locks (the largest such flight on the English canal system) together with the remains of the Foxton Inclined Plane which was built at the beginning of the 20th century to allow boats to bypass the lock flight. The Inclined Plane is a designated Scheduled Ancient Monument. The Canal &amp; River Trust owns and operates the canal and the locks, and is owner of an area of land around them, including the site of the former inclined plane.</p>



	<p><b>Paragraphs 2.12-2.13 and Policy F4</b></p>	<p>As well as being nationally important designated heritage assets, collectively the locks and the inclined plane form the focus of a 30 acre country park which is a popular local and regional visitor destination. The park is free to enter and attracts an estimated 300,000 visitors annually.</p> <p>The Trust welcomes the inclusion of policies within the Plan that are designed to support the valuable multi-functional role of the canal and the Locks, which provide an asset both to the local community and also the wider population beyond the Plan area.</p> <p>We do however have some concerns that the Plan as submitted does not meet the Basic Conditions on matters that are of relevance to the Trust, which we highlight below. We have suggested amendments to the Plan which we believe would assist in enabling the relevant paragraphs and policies to meet the Basic Conditions and thus allow the Plan to proceed to a Referendum.</p> <p><b>Policy F4: Foxton Green Zone</b></p> <p>Policy F4 seeks to protect the open and undeveloped character of the Foxton Green Zone. The supporting text at paragraphs 2.12- 2.13 states that one of the aims of the Green Zone is to check the expansion of tourism development associated with Foxton Locks towards the village of Foxton. To this end, the policy seeks to prevent the construction of new buildings and the development of new caravan sites (including holiday lodges) unless they preserve the openness of the Green Zone and do not conflict with its purposes.</p> <p>Foxton Locks lie a short distance west of the village, and the Canal &amp; River Trust supports 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. We also support the proposed resisting of inappropriate built development within the Green Zone (which could also potentially affect the character of the locks and the canal).</p> <p>We are however, concerned that the supporting text at paragraph 2.13, as worded, includes the explicit aim of preventing tourism development associated with Foxton Locks, and that this aim does not reflect national guidance and advice contained in the National Planning Policy Framework (NPPF), and would not contribute towards the achievement of sustainable development. This aim is also not in conformity with the strategic policies contained in the development plan for the area.</p> <p>The fifth core planning principle set out in paragraph 17 of the NPPF states that 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”.</p> <p>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</p>
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	<p>developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside.</p> <p>The Trust recognises that these paragraphs need to be considered alongside those that set out more restrictive national policies, such as those in relation to the historic environment. However, in this case, we note that the land between Foxtan Locks and the village is not designated as Green Belt nor as an Area of Outstanding Natural Beauty, for example. Within the Plan area, the Locks are a key feature and have a distinct character and role, which is recognised within the Plan. As an established local and regional visitor attraction, the Locks have the potential to contribute significantly to the local economy of the Plan area, providing employment for local people and bringing in visitors who will use and support local facilities, businesses, shops etc. and thus help to support sustainable rural leisure and tourism, and a thriving local community within the Plan area. Development which helps to support and maintain this role would therefore be in keeping with the aims of the core principles of the NPPF.</p> <p>The adopted Harborough Core Strategy 2006- 2028 specifically seeks to support the promotion and management of Foxtan Locks as a tourism attraction (Policy CS11). Despite being adopted before the publication of the NPPF, this section of Policy CS11 is positively prepared and clearly consistent with paragraphs 17 and 28 of the NPPF, as set out above, and its policies on the historic environment. The Basic Conditions Statement seeks to establish the Neighbourhood Plan's consistency with Policy CS11 of the Harborough Core Strategy and therefore we assume that it is common ground that this is considered to be a strategic local plan policy. For the avoidance of doubt, the Trust considers this to be the case, in accordance with paragraph 156 of the NPPF. The wording of paragraph 2.13 appears to be at odds with Policy CS11, by seeking to restrict expansion of tourism development associated with the Locks.</p> <p>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 Foxtan Locks, and also the wider canal network, and does not seek to restrict this support to certain locations only. The Harborough Arm of the Canal forms the northern boundary of the Green Zone and thus the restriction it would impose would potentially limit sustainable development associated with the canal, as well as the locks.</p> <p>The Basic Conditions Statement does not explain how Policy F4 can demonstrate conformity with Policy CS11 in this respect. The Basic Conditions Statement indicates that Policy F4 is in conformity with the NPPF because it accords with paragraph 17 by preventing coalescence and facilitating the retention of the character and identity of Foxtan,</p>
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	<p>and does not refer to tourism development associated with the Locks area. This in itself results in a lack of clarity over the purpose of Policy F4.</p> <p>As part of meeting the Basic Conditions, it is necessary for Neighbourhood Plans to provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency as stated in the core planning principles in paragraph 17 in the NPPF.</p> <p>The Basic Conditions Statement makes clear that Policy F4 is intended to protect the countryside within the Green Zone from inappropriate development which would either adversely affect the character of Foxton village or result in coalescence, and as noted above, we consider this to be a clear and reasonable aim. However, 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 this, without explaining why.</p> <p>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 (and by inference that if they are not associated with the Locks, potentially they may be acceptable).</p> <p>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. To apply such a restriction could therefore result in the prevention of sustainable development that is otherwise acceptable in NPPF terms, as well as lack conformity with the strategic policies contained in the Development Plan for the area. In order to meet the Basic Conditions and demonstrate that Policy F4 has appropriate regard to national policies and advice as set out in the NPPF and is in general conformity with the strategic policies contained in the adopted Core Strategy the Trust suggests that a number of amendments should be made to Policy F4 and its supporting text.</p> <p>We would ask the Examiner to consider the following revised wording:  <i>"The open character of the Foxton Green Zone, as defined on the Policies Map, will be protected. The construction of new buildings or inappropriate uses of land, which adversely</i></p>
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	<p><b>Paragraphs 6.1- 6.13 and Policy F20</b></p>	<p><i>affect the open character of the Green Zone or the character and setting of Foxton village will not be supported. Any new development that is justified within the Green Zone will be sensitive to it, the setting of Foxton Village and the historic Foxton Locks. It will be located, designed and landscaped in such a way that is appropriate to the character of the area.”</i></p> <p>We would further suggest that references to checking the expansion of tourism development associated with Foxton Locks in paragraph 2.13 should also be amended to refer only to the prevention of inappropriate development associated with Foxton Locks, where such development would adversely affect the character and setting of Foxton village.</p> <p>This would assist in ensuring that the stated purpose of the policy meets the Basic Conditions and provides greater clarity of purpose for Policy F4. This will also ensure that it provides a clearer basis for consistent decision-making which reflects the core planning principles set out in the NPPF.</p> <p>Furthermore, we would suggest that the above amendments would help achieve greater consistency with other policies contained within the Neighbourhood Plan. Specifically, we note that Policy F6 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. We consider that Policy F6 is appropriately worded, and the Basic Conditions Statement explains clearly how it reflects national advice and guidance contained in the NPPF. Without the changes we propose, there appears to be a potential conflict between the application of Policy F4 and Policy F6. This would not provide the necessary practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency.</p> <p><b>Policy F20: Foxton Locks</b>  Policy F20 relates to the Foxton Locks Area as defined within the Plan. It seeks to sustain the value of the Locks Area by giving priority to three specific criteria. As with Policy F4, 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 supporting text set out in paragraphs 6.1- 6.8 is essentially descriptive, although it gives an indication of the value of the locks area as a heritage asset, a wildlife habitat, a leisure and recreational resource for both the local community and visitors and also a notable contributor to the local economy through the businesses located there.</p> <p>The Trust agrees that the locks area is a nationally important heritage asset, and that it also fulfils a range of other functions, being a locally and regionally important visitor attraction which contributes to the local economy, as well as a valuable recreational and leisure</p>
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		<p>resource and an important wildlife habitat and (along with the rest of the canal network) a green infrastructure corridor. We are pleased to see a specific policy included within the Plan which recognises the wide-ranging importance and value of the locks area and has the aim of supporting development within this area which contributes to the positive management of the locks area.</p> <p>The supporting text to Policy F20 refers in detail to the aims of the Foxton Locks Masterplan (2009) at paragraphs 6.10- 6.13. The Masterplan was funded jointly by British Waterways (the Trust's predecessor organisation), East Midlands Tourism, the Inland Waterways Association, the Foxton Inclined Plane Trust and the Old Union Canal Society, and it set out a vision for the development of the locks area as a regional tourist destination. A key feature of the vision set out within the Masterplan was the restoration of the inclined plane, but it has now been recognised that this is not economically feasible. The Canal &amp; River Trust has therefore undertaken work on a Destination Management Plan which will supersede the Masterplan and set out an updated vision for the locks area.</p> <p>In terms of the criteria identified by Policy F20 as sustaining the value of the locks area, we are concerned that there is a lack of clarity in Criterion B and Criterion C of the first part of the policy that is likely to result in the policy failing to provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency as stated in the core planning principles in paragraph 17 in the NPPF. In order to achieve this, the Trust suggests that a number of amendments should be made to Policy F20 in order to provide the clarity needed to provide such a practical framework.</p> <p>Criterion B prioritises quiet enjoyment of the locks area for waterside and countryside recreation. This appears to be open to a number of different interpretations, and the reference to "quiet enjoyment" could be interpreted in an overly restrictive way which would not be in accordance with the role of Foxton Locks as a tourism attraction as set out in Policy CS11 of the adopted Harborough Core Strategy 2006- 2028 and in the context of the advice contained in the NPPF referred to above. We therefore feel that criterion B may not readily provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency. Despite being adopted before the publication of the NPPF, this section of Policy CS11 is positively prepared and clearly consistent with paragraphs 17 and 28 of the NPPF, and its policies on the historic environment. The Basic Conditions Statement seeks to establish the Neighbourhood Plan's consistency with Policy CS11 and therefore we assume that it is common ground that this is considered to be a strategic local plan policy. For the avoidance of doubt, the Trust considers this to be the case, in accordance with paragraph 156 of the NPPF.</p>
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	<p>Whilst we recognise that there may be value in looking to identify and protect some spaces within the Foxton Locks area for quiet enjoyment, to seek to restrict the entire Locks area in this way risks a clear conflict with the aims of both the strategic policies of the development plan and the guidance contained in the NPPF. We would suggest that this could be readily addressed if Criterion B omitted the word “quiet”, so that it simply prioritised “the enjoyment of the Foxton Locks area for waterside and countryside recreation”.</p> <p>We are concerned that Criterion C may inadvertently require new development within the locks area to achieve a reduction of existing visitor impacts on Foxton village. The wording of this criterion is ambiguous and unclear in how it relates to sustaining the value of the locks area and is therefore inconsistent with paragraph 17 of the NPPF.</p> <p>It seems clear and reasonable that any proposed development within the locks area should take account of the potential impact it might have on the amenities of local residents and should take care to avoid creating any unacceptably adverse impacts on their quality of life, and this appears to be the aim of Criterion C, particularly when read in the context of the Basic Conditions Statement. In relation to Policy F20, this states that it has regard to the NPPF core principles in part by achieving a balance between providing a sustainable tourism and recreational facility that can provide economic benefit and protecting residential amenity.</p> <p>We therefore suggest that for clarity, Criterion C should be amended as follows:</p> <p><i>“Avoiding unacceptably adverse impacts on the local environment, including adverse impacts on the amenities of local residents.”</i></p> <p>In addition, we would suggest that this aim would appear to sit more logically within the second part of Policy F20, as it does not, in itself, contribute to the aim of sustaining the value of the locks, but rather ensures that development within the locks area avoids adverse impacts elsewhere.</p> <p>The second part of Policy F20 sets out a number of criteria against which development proposals in the locks area should be tested. These criteria are primarily development management requirements to be adhered to. The policy offers support to developments which support and maintain the positive management of the locks area providing they meet the criteria set out.</p> <p>The policy makes specific reference to development which leads to improved conservation, presentation and interpretation, but the criteria that follow would suggest that they should</p>
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	<p>apply to all development, and again this is borne out by the comments in the Basic Conditions Statement.</p> <p>The present wording could have the unintended consequence of narrowing the application of the policy to development that only related to improvements in conservation, presentation and interpretation. For clarity, we would therefore suggest that it would be appropriate to amend the wording as follows:</p> <p><i>“Development which supports and maintains the positive management of the Foxton Locks Area will be supported where it meets the following criteria”</i></p> <p>Six criteria are proposed. Criterion A is clear in its aims and intentions and we consider that it meets the Basic Conditions.</p> <p>Criterion B requires new visitor attractions to have a direct association with Foxton Locks. The Trust is concerned that this wording does not reflect national guidance and advice contained in the NPPF, and would not contribute towards the achievement of sustainable development. This aim is also not in conformity with the strategic policies contained in the development plan for the area.</p> <p>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. Visitor attractions that are sustainable should not be restricted simply because they lack a direct association with Foxton Locks, as this cannot be a determining factor in establishing the sustainability of a rural tourism or leisure proposal in this location.</p> <p>The Harborough Core Strategy specifically seeks to support the promotion and management of Foxton Locks as a tourism attraction (Policy CS11). It also recognises the role the locks and the canal play as a key strategic green infrastructure corridor which presents significant recreational, biodiversity and countryside access opportunities. Whilst it is likely that many proposals for new visitor attractions will have at least some degree of association with Foxton Locks, or the canal, Policy CS11 does not restrict its support to such attractions, and therefore we consider that Policy F20 lacks conformity with the Development Plan in this respect.</p> <p>For clarity and to ensure that the Plan does not restrict sustainable development or lack conformity with the Development Plan, we suggest that Criterion B should be deleted.</p>
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	<p>The Trust agrees that the aim of Criterion C meets the Basic Conditions, but for greater clarity, we suggest that it should be amended to read as follows:</p> <p><i>“They do not result in unacceptably adverse impacts on the locks or the surrounding area arising from noise, disturbance or light pollution.”</i></p> <p>The Trust agrees that the aim of Criterion D is appropriate and meets the Basic Conditions.</p> <p>The Trust is concerned that Criterion E again lacks clarity and thus risks failing to provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency as stated in the core planning principles in paragraph 17 in the NPPF. There appears to be a significant overlap with Criterion F, which is in part also concerned with addressing traffic impacts. Both are inconsistent with paragraph 32 of the NPPF, which states that “development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe”.</p> <p>We therefore suggest the following amendments:</p> <p><i>“They do not result in unacceptably adverse impacts arising from vehicular traffic generated by the proposal, and incorporate appropriate traffic management measures where necessary to ensure that adverse traffic impacts on Foxton village are minimised”.</i></p> <p>In addition to addressing traffic impacts on Foxton village (which we have suggested should be incorporated into Criterion E for clarity), Criterion F states that the creation of new permanent overnight accommodation other than through the re-use of existing buildings will not be permitted. It also states that the provision of residential moorings will not be permitted.</p> <p>As already noted, 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. To restrict new development which provides overnight visitor accommodation could result in preventing sustainable development which was otherwise compatible with the NPPF. Similarly, Policy CS11 of the adopted Harborough Core Strategy contains no such restriction, and explicitly supports the further development of the tourism and recreational potential of Foxton Locks. The Trust considers that the in-principle restriction on the provision of new build development which provides overnight visitor accommodation is not in conformity with Policy CS11, as it could significantly limit the ability to realise the tourism and recreational potential of the locks.</p>
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		<p>We therefore consider that this element of Criterion F does not satisfy the Basic Conditions and suggest that this element of Criterion F should be omitted.</p> <p>Residential moorings on the Trust's canal network have to be licenced by the Canal &amp; River Trust. The Trust has both nationally and locally applied moorings policies which have to be complied with in order to obtain a licence. Residential moorings require planning permission and as such would have to be judged against both national planning policy and guidance and the relevant policies of the Development Plan for the area; the Trust's moorings policies at the time of such an application would also be a material planning consideration. Neither Policy F20 nor its supporting text offers any explanation as to how or why any residential moorings within the locks area would be unacceptable or unsustainable as a matter of principle. The Basic Conditions Statement does not explain how this restriction demonstrates regard to either the NPPF or the Development Plan, and we would suggest that the imposition of a restriction on any residential moorings within the locks area (as defined in the Plan) again risks the prevention of sustainable development that is otherwise acceptable when considered against the NPPF.</p> <p>We therefore consider that this element of Criterion F does not satisfy the Basic Conditions and suggest that this element of Criterion F should be omitted.</p>
<b>Comment received without representation</b>		
<b>Natural England</b>		<p>Natural England has already commented on the Foxton Neighbourhood Plan in response to a consultation from Foxton Parish Council on its Pre-Submission Draft of the Foxton Neighbourhood Plan. A copy of our response to that consultation is attached.</p>