



**PLAN-IT X**  
TOWN AND COUNTRY PLANNING SERVICES

# Foxton Neighbourhood Development Plan

## Basic Conditions Statement

February 2021

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# Contents

1. Introduction .....	1
Submitting Body .....	2
Neighbourhood Area .....	2
Foxton: Location .....	2
Involvement of the Local Community and Stakeholders .....	2
2. Conformity with the National Planning Policy Framework and Planning Practice Guidance .....	5
3. Contributing to sustainable development .....	20
4. Conformity with the strategic policies of the Local Plan .....	23
Harborough Local Plan 2011-2031 .....	23
5. Compliance with European Union obligations .....	27
Strategic Environmental Assessment .....	27
Habitats Regulations Assessment Screening Statement .....	28
6. Other basic conditions .....	30
7. Equality Impact Assessment .....	31
8. Conclusions .....	32
Appendix 1: Foxton Neighbourhood Plan – Equalities Impact Assessment .....	33
Introduction .....	33
Methodology .....	33
Baseline Data .....	33
Summary .....	34
Key Issues and Policies of the Foxton Parish Neighbourhood Plan .....	34
Impact of Policies on Groups with Protected Characteristics .....	35
Age .....	35
Disability .....	36
Gender reassignment .....	36
Marriage and civil partnership .....	36
Pregnancy and maternity .....	36
Race .....	36
Religion or belief .....	37
Sex .....	37
Sexual orientation .....	37
Conclusion .....	37

## 1. Introduction

- 1.1 This Basic Conditions Statement has been prepared to accompany the Foxtton Neighbourhood Plan. It explains how the proposed Foxtton Neighbourhood Plan has been prepared in accordance with the Neighbourhood Planning General Regulations 2012 (as amended) (The Regulations) and how the basic conditions of neighbourhood planning, and other considerations as prescribed by Paragraph 8 of Schedule 4B of the Town and Country Planning Act 1990 have been met.
- 1.2 Paragraph 8 of Schedule 4B to the Town and Country Planning Act 1990 requires that Neighbourhood Development Plans must meet the following basic conditions:
- i. the Neighbourhood Development Plan must have appropriate regard to national policies and advice contained in guidance issued by the Secretary of State;
  - ii. the draft Neighbourhood Development Plan must contribute to the achievement of sustainable development;
  - iii. the draft Neighbourhood Development Plan must be in general conformity with the strategic policies contained in the development plan for the area of the local planning authority, in this case the Harborough Local Plan 2011-2031 (Adopted April 2019);
  - iv. the draft Neighbourhood Development Plan must meet the relevant EU obligations; and
  - v. prescribed matters have been complied with in connection with the proposal for the Neighbourhood Development Plan.
- 1.3 This Basic Conditions Statement addresses these requirements in five sections:
- Section 2 demonstrates the conformity of the Foxtton Neighbourhood Plan with the National Planning Policy Framework and Planning Practice Guidance;
  - Section 3 shows how the Foxtton Neighbourhood Plan will contribute to sustainable development;
  - Section 4 demonstrates the conformity of the Foxtton Neighbourhood Plan with the adopted Harborough Local Plan 2011 – 2031 (Adopted April 2019);
  - Section 5 demonstrates compliance with the appropriate EU obligations and other prescribed matters; and
  - Section 6 addresses other basic conditions that apply besides those set out in the primary legislation.
- 1.4 The Foxtton Neighbourhood Plan is supported by a Consultation Statement, Equality Impact Assessment (included in this document at Appendix 1) and this Basic Conditions Statement.

## Submitting Body

- 1.5 The Neighbourhood Plan is submitted by Foxton Parish Council, which is a statutory Qualifying Body as defined by the Localism Act 2011.

## Neighbourhood Area

- 1.6 This Plan applies to the Parish of Foxton, which was designated as a Neighbourhood Area on 29 October 2012. In accordance with Regulation 6, Harborough District Council, on behalf of the relevant body (Foxton Parish Council), completed the necessary statutory processes to enable designation of the Foxton parish area as a Neighbourhood Area.
- 1.7 The Foxton Neighbourhood Plan relates only to the development and use of land within the Parish of Foxton and to no other Neighbourhood Areas.
- 1.8 The Foxton Neighbourhood Plan is the only Neighbourhood Development Plan in the designated area. No other Neighbourhood Development Plan exists nor is being prepared for part or all of the designated area. It is the intention that the current Foxton Neighbourhood Plan ('made' January 2017) will be replaced by this new Foxton Neighbourhood Plan.
- 1.9 The Foxton Neighbourhood Plan covers the period 2016 to 2031. This has the same end date of the Harborough Local Plan (Adopted April 2019).
- 1.10 No provision for excluded development such as national infrastructure, minerals or waste development is contained within the Neighbourhood Plan.

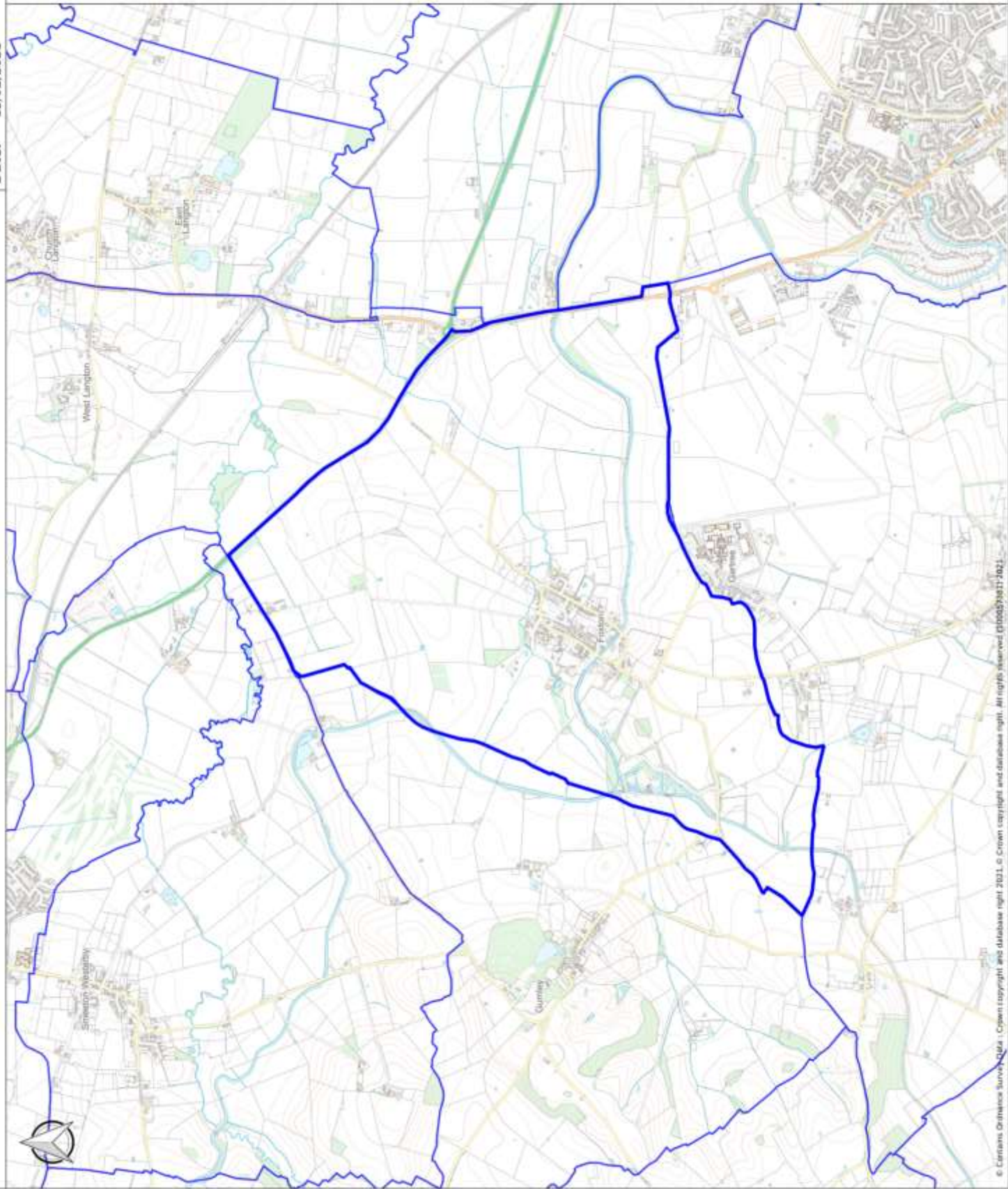
## Foxton: Location

- 1.11 The Foxton Neighbourhood Area is situated to the north-west of the town of Market Harborough in Harborough District, Leicestershire. The parish amounts to 663 hectares. Foxton lies to the south-west side of the A6 on the Grand Union Canal. The resident population is 478 and there are 192 households (2011 Census).
- 1.12 Foxton has a range of basic services and facilities, including a primary school, public house, village hall, a church, allotments and a recreation ground.

## Involvement of the Local Community and Stakeholders

- 1.13 The Foxton Neighbourhood Plan has been prepared by Foxton Parish Council, with input from the community and stakeholders as set out in the accompanying Consultation Statement. The Pre-

Submission Draft Neighbourhood Plan has been consulted on as required by the Regulations and the responses have been recorded and changes have been made as per the schedule set out in the Consultation Statement.



## 2. Conformity with the National Planning Policy Framework and Planning Practice Guidance

- 2.1 It is required that the Foxtton Neighbourhood Plan has regard to national policies and advice contained in guidance issued by the Secretary of State. This is principally provided by the National Planning Policy Framework and Planning Practice Guidance. The updated National Planning Policy Framework (NPPF) was published on 19 February 2019 and it is against this version of the NPPF which the Foxtton Parish Neighbourhood Plan has been assessed.
- 2.2 It should be noted that not all sections of the National Planning Policy Framework will be relevant to the Foxtton Neighbourhood Plan as there is no legal requirement for a Neighbourhood Plan to provide policies covering all the provisions within the National Planning Policy Framework. However, where a Neighbourhood Plan expresses a policy it must have appropriate regard to the relevant parts of the National Planning Policy Framework, as well as the Planning Practice Guidance.
- 2.3 A key theme that runs throughout the National Planning Policy Framework is the presumption in favour of sustainable development. The NPPF specifies that the purpose of the planning system is to contribute to the achievement of sustainable development. In order to achieve sustainable development, the planning has three overarching objectives, economic, social and environmental.
- 2.4 This section considers the conformity of the Foxtton Neighbourhood Plan in respect of relevant policies within the National Planning Policy Framework and Planning Practice Guidance. Planning Practice Guidance is published on a dedicated website available at [www.gov.uk/government/collections/planning-practice-guidance](http://www.gov.uk/government/collections/planning-practice-guidance)
- 2.5 The areas of Planning Practice Guidance which have been particularly relevant to the Foxtton Neighbourhood Plan, in addition to the guidance on Neighbourhood Planning are:
- Conserving and Enhancing the Historic Environment;
  - Climate Change;
  - Design: process and tools;
  - Flood Risk and Coastal Challenge;
  - Healthy and Safe Communities;
  - Light Pollution
  - Natural Environment;
  - Noise Pollution
  - Open space, sports and recreational facilities, public rights of way and local green space;
  - Housing for Older and Disabled People;

- Housing Needs of Different Groups;
- Planning Obligations;
- Renewable and low carbon energy
- Transport evidence bases in plan making and decision taking

2.6 The following table identifies the sections of the National Planning Policy Framework that the Foxton Neighbourhood Plan conforms with and provides a supporting commentary. Reference is also made to the relevant Planning Practice Guidance (PPG).



Foxton Parish Neighbourhood Plan Policy	National Planning Policy Framework	Planning Practice Guidance	Commentary
<p><b>F1: Countryside - Protects the Countryside for its intrinsic character, beauty, landscape, heritage, wildlife, natural resources and to ensure it may be enjoyed by all. States that development will be controlled in accordance with Policies SS1 and GD3 of the Harborough Local Plan.</b></p>	<p>Paragraphs 78 79, 83, 84, 91, 92 151, 170</p>	<p>How can planning policies conserve and enhance landscapes? (Paragraph: 036 Reference ID: 8-036-20190721)</p>	<p>National planning policy recognises the intrinsic character and beauty of the countryside. This policy mirrors this approach and has regard to the promotion of the rural economy and allows some forms of appropriate development.</p>
<p><b>F2: Renewable Energy - This policy details the circumstances that must be met for the development of small-scale ground-mounted solar photovoltaic farms to be supported. It also states that wind turbines will not be supported.</b></p>	<p>Paragraphs 148, 151, 154</p>	<p>How can local planning authorities identify suitable areas for renewable and low carbon energy? (Paragraph: 005 Reference ID: 5-005-20150618)  How are 'suitable areas' defined in relation to wind energy development? (Paragraph: 032 Reference ID: 5-032-150618)  What are the particular planning considerations that relate to large scale ground-mounted solar photovoltaic farms? (Paragraph: 013 Reference ID: 5-013-20150327)  Do local people have the final say on wind farm applications? (Paragraph: 033 Reference ID: 5-033-150618)</p>	<p>The NPPF supports and encourages the use of renewable resources including the development of renewable energy and planning is recognised as having a key role to play in the delivery of renewable energy infrastructure. This policy supports the NPPF in that it includes a policy relating to the provision of such infrastructure whilst ensuring adverse impacts are addressed satisfactorily. It also supports the view that the need for renewable energy does not automatically override environmental protections and the planning concerns of local communities. The views of local communities likely to be affected should be listened to.</p>

Foxton Parish Neighbourhood Plan Policy	National Planning Policy Framework	Planning Practice Guidance	Commentary
			In the case of wind turbines, a planning application should not be approved unless the proposed development site is an area identified as suitable for wind energy development in a Local or Neighbourhood Plan. There is no local community support for wind turbines and the policy reflects this.
<p><b>F3: Tranquillity – Development proposals must consider and address their potential impact on local tranquillity. Development resulting in unacceptable levels of noise and light pollution will not be supported.</b></p>	Paragraph 180	<p>What light pollution considerations does planning need to address? (Paragraph: 001 Reference ID: 31-001-20191101)</p> <p>What factors can be considered when assessing whether a development proposal might have implications for light pollution? (Paragraph: 002 Reference ID: 31-002-20191101)</p> <p>When is noise relevant to planning? (Paragraph: 001 Reference ID: 30-001-20190722)</p> <p>Can noise override other planning concerns? (Paragraph: 002 Reference ID: 30-002-20190722)</p>	Seeks to mitigate adverse impacts resulting from noise and light pollution from new development.

Foxton Parish Neighbourhood Plan Policy	National Planning Policy Framework	Planning Practice Guidance	Commentary
		<p>What factors are relevant if seeking to identify areas of tranquillity? (Paragraph: 008 Reference ID: 30-008-20190722)</p>	
<p><b>F4: Foxton Areas of Separation – Protects the open and undeveloped character of the two defined Areas of Separation. The construction of new buildings, caravans and lodges sites will not be supported unless they preserve the openness of these Areas and do not conflict with the objective of separation.</b></p>	<p>Paragraphs 20, 125 130, 170</p>	<p>How can planning policies conserve and enhance landscapes? (Paragraph: 036 Reference ID: 8-036-20190721)</p> <p>How are well-designed places achieved through the planning system? (Paragraph: 001 Reference ID: 26-001-20191001)</p>	<p>This policy allows account to be taken of the different roles and characters of areas and recognise the intrinsic character and beauty of the countryside. It also seeks to identify and protect the special qualities of an area.</p>
<p><b>F5: Ecology and Biodiversity - Expects development not to harm the network of local ecological features and habitats, including several identified features. New development will be expected to maintain and</b></p>	<p>Paragraphs 170, 174, 175</p>	<p>Is there a statutory basis for planning to seek to minimise impacts on biodiversity and provide net gains in biodiversity where possible? (Paragraph: 009 Reference ID: 8-009-20190721)</p> <p>How can planning authorities plan for biodiversity and geodiversity?</p>	<p>The National Planning Policy Framework is clear that pursuing sustainable development includes moving from a net loss of biodiversity to achieving net gains for nature, and that a core principle for planning is that it should contribute to conserving and enhancing the natural environment and reducing pollution.</p>

Foxton Parish Neighbourhood Plan Policy	National Planning Policy Framework	Planning Practice Guidance	Commentary
<p><b>enhance these features. for biodiversity gain.</b></p>		<p>(Paragraph: 010 Reference ID: 8-010-20190721)</p> <p>What evidence needs to be taken into account in identifying and mapping local ecological networks? (Paragraph: 011 Reference ID: 8-011-20190721)</p> <p>What is biodiversity net gain? (Paragraph: 022 Reference ID: 8-022-20190721)</p> <p>How can biodiversity net gain be achieved? (Paragraph: 023 Reference ID: 8-023-20190721)</p>	<p>This policy seeks to minimise impacts on biodiversity and seek positives in biodiversity. It also has identified and mapped components of local ecological networks and features.</p>

Foxton Parish Neighbourhood Plan Policy	National Planning Policy Framework	Planning Practice Guidance	Commentary
<p><b>F6: The Canal –The Canal is recognised as a heritage asset and strategic Green Infrastructure and wildlife corridor, and a recreation and tourism resource. This policy seeks to protect these features and development proposals must have regard to its significance and its setting.</b></p>	<p>Paragraphs 83, 91, 171, 185, 189, 190</p>	<p>How can heritage issues be addressed in neighbourhood plans?(Paragraph: 005 Reference ID: 18a-005-20190723)</p> <p>How should open space be taken into account in planning? (Paragraph: 001 Reference ID: 37-001-20140306)</p> <p>What can green infrastructure include? (Paragraph: 004 Reference ID: 8-004-20190721)</p> <p>Why is green infrastructure important? (Paragraph: 005 Reference ID: 8-005-20190721)</p> <p>What planning goals can green infrastructure help to achieve ? (Paragraph: 006 Reference ID: 8-006-20190721)</p>	<p>This supports a number of themes promoted in the NPPF. It seeks to conserve the historic environment, maintain a network of habits and green infrastructure, seeks to promote healthy communities, and supports a sustainable rural economy.</p>
<p><b>F7: Local Heritage Assets – Identified Local Heritage Assets should be conserved and enhanced.</b></p>	<p>Paragraphs 185, 189, 197</p>	<p>How can heritage issues be addressed in neighbourhood plans?(Paragraph: 005 Reference ID: 18a-005-20190723)</p> <p>What are non-designated heritage assets?</p>	<p>This policy supports the conservation of heritage assets. It recognises that heritage assets are an irreplaceable resource and seeks their conservation and enhancement and plans positively with respect to non-designated heritage assets. Heritage</p>

Foxton Parish Neighbourhood Plan Policy	National Planning Policy Framework	Planning Practice Guidance	Commentary
		<p>(Paragraph: 039 Reference ID: 18a-039-20190723)</p> <p>How are non-designated heritage assets identified? (Paragraph: 040 Reference ID: 18a-040-20190723)</p>	<p>assets within the plan area have been identified so they can be appropriately considered.</p>
<p><b>F8: Ridge and Furrow – Identifies areas of Ridge and Furrow. Development proposals which will affect these identified features will balance the need for/public benefit of the proposed development against the significance of the asset and the extent which it will be harmed. Mitigation measures should be identified where appropriate.</b></p>	<p>Paragraphs 185, 189, 197</p>	<p>How can heritage issues be addressed in neighbourhood plans? (Paragraph: 005 Reference ID: 18a-005-20190723)</p> <p>What are non-designated heritage assets? (Paragraph: 039 Reference ID: 18a-039-20190723)</p> <p>How are non-designated heritage assets identified? (Paragraph: 040 Reference ID: 18a-040-20190723)</p> <p>What are non-designated heritage assets of archaeological interest and how important are they? (Paragraph: 041 Reference ID: 18a-041-20190723)</p>	<p>This policy supports the conservation of heritage assets. It recognises that heritage assets are an irreplaceable resource and seeks their conservation and enhancement and plans positively with respect to non-designated heritage assets. Designated heritage assets within the plan area have been identified so they can be appropriately considered. Seeks to protect areas of high archaeological potential.</p>

Foxton Parish Neighbourhood Plan Policy	National Planning Policy Framework	Planning Practice Guidance	Commentary
<p><b>F9: Design – New development should reflect the distinctive character of Foxton and address the guidance set out in the Foxton Village Design Statement.</b></p>	<p>Paragraphs 124, 125, 127, 130</p>	<p>How are well-designed places achieved through the planning system? (Paragraph: 001 Reference ID: 26-001-20191001)</p> <p>How can plans support well-designed places? (Paragraph: 002 Reference ID: 26-002-20191001)</p> <p>What role can non-strategic policies play? (Paragraph: 004 Reference ID: 26-004-20191001)</p>	<p>This policy seeks to secure high quality design. The subject of good design is attributed great importance in the National Planning Policy Framework and is a key aspect of sustainable development and should contribute positively to making places better for people. This policy has regard to this approach and facilitates the promotion or reinforcement of local distinctiveness. It seeks to deliver development that is of a design that reflects the surrounding area and the character of Foxton</p>
<p><b>F10: Local Green Spaces - Identifies Local Green Spaces within Foxton which will be protected. New development which would be harmful to these Local Green Spaces will be supported.</b></p>	<p>Paragraphs 99-101</p>	<p>What is Local Green Space designation? (Paragraph: 005 Reference ID: 37-005-20140306)</p> <p>How is land designated as Local Green Space? (Paragraph: 006 Reference ID: 37-006-20140306)</p> <p>How does Local Green Space designation relate to development? (Paragraph: 007 Reference ID: 37-007-20140306)</p> <p>What if land has planning permission for development?</p>	<p>Regard is had to national policy which allows for neighbourhood plans to identify for the protection green areas of importance to them. The Local Green Spaces meet the criteria set out in paragraph 100 of the National Planning Policy Framework as demonstrated by Neighbourhood Plan Appendix 3: Local Green Spaces: Summary of Reasons for Designation. The full reasons for designation are included in the Neighbourhood Plan evidence base.</p>

Foxton Parish Neighbourhood Plan Policy	National Planning Policy Framework	Planning Practice Guidance	Commentary
		<p>(Paragraph: 008 Reference ID: 37-008-20140306)</p> <p>Can all communities benefit from Local Green Space? (Paragraph: 009 Reference ID: 37-009-20140306)</p>	
<p><b>F11: Trees– Policy seeks to resist development that damages or results in the loss of ancient trees or trees of good arboricultural or amenity value. Their retention is considered of value to the area. Tree surveys should accompany development proposals and hedgerows.</b></p>	<p>Paragraphs 127, 170, 175</p>	<p>How can I find out whether an area is 'ancient woodland'? (Paragraph: 021 Reference ID: 8-021-20140306)</p> <p>How can I find out whether trees that could be affected by a development proposal are 'aged or veteran' trees? (Paragraph: 023 Reference ID: 8-023-20140306)</p>	<p>This policy supports the conservation and enhancement of the natural and local environment. Development resulting in the loss of ancient trees will not be supported. It also seeks to ensure development is sympathetic to local character including the surrounding landscape setting.</p>
<p><b>F12: Housing Provision – The plan makes provision for a minimum additional 27 dwellings. This will be met through existing commitments and development within the</b></p>	<p>Paragraphs 68, 78, 117</p>	<p>How can planning policies support sustainable rural communities? (Paragraph: 009 Reference ID: 67-009-20190722)</p>	<p>The Neighbourhood Plan defines the Limits to Development which takes into account the character and built form of Foxton. The policy promotes sustainable development by seeking to locate housing where it will enhance or maintain the vitality of existing communities.</p>



Foxton Parish Neighbourhood Plan Policy	National Planning Policy Framework	Planning Practice Guidance	Commentary
<p><b>defined Limits to Development.</b></p>			
<p><b>F13: Windfall Housing - This policy supports individual housings development within the defined Foxton Limits to Development, subject to suitable design and has regard to the character of the Conservation Area, protection of important features and the provision of a safe and suitable access. The development site must not extend beyond the Limits to Development and the proposal should not result in the loss of residential garden space.</b></p>	<p>Paragraphs 68, 77, 108, 117, 118, 127, 180</p>	<p>How can planning policies support sustainable rural communities? (Paragraph: 009 Reference ID: 67-009-20190722)</p>	<p>This policy is responsive to local circumstances and support housing developments that respects the character of its setting. The policy promotes sustainable development by seeking to locate housing where it will enhance or maintain the vitality of existing communities. Seeks to protect residential gardens and the contribution they make to the character of the area.</p>
<p><b>F14: Housing Mix – Expects development proposals for new dwellings to demonstrate how they will meet the housing needs of older households and/or</b></p>	<p>Paragraphs 61, 77</p>	<p>How do the housing need of particular groups relate to overall housing need calculated using the standard method? (Paragraph: 001 Reference ID: 67-001-20190722)</p>	<p>The NPPF requires the delivery of homes to be informed by a local housing needs assessment and for planning policies to plan for the identified housing need. The Neighbourhood Plan supports this approach and seeks to deliver a mix of</p>

Foxton Parish Neighbourhood Plan Policy	National Planning Policy Framework	Planning Practice Guidance	Commentary
<p><b>the need for smaller homes. Only support development of dwellings with more than three bedrooms where necessary to make best use of a redundant or disused building.</b></p>		<p>Why is it important to plan for the housing needs of older people? (Paragraph: 001 Reference ID: 63-001-20190626)</p> <p>What range of needs should be addressed? (Paragraph: 003 Reference ID: 63-003-20190626)</p> <p>What evidence can plan-makers consider when identifying the housing needs of older people? (Paragraph: 004 Reference ID: 63-004-20190626)</p> <p>How can the housing requirements of particular groups of people be addressed in plans? (Paragraph: 006 Reference ID: 63-006-20190626)</p>	<p>housing in its neighbourhood area that reflects local need. Recognises the role that conversions of buildings can make towards meeting housing provision.</p>
<p><b>F15: Affordable Housing – Allows for Rural Exception Sites within or adjoining the Limits to Development. Housing should meet an identified local need, be in keeping with the character of the</b></p>	<p>Paragraphs 61, 77, 108, 127, 180</p>	<p>How can planning policies support sustainable rural communities? (Paragraph: 009 Reference ID: 67-009-20190722)</p> <p>What types of households are considered to be in affordable housing need? (Paragraph: 005 Reference ID: 67-005-20190722)</p>	<p>This policy is responsive to local circumstances and support housing developments that reflect local needs. It supports the provision of affordable housing to meet the needs of different groups in the community.</p>

Foxton Parish Neighbourhood Plan Policy	National Planning Policy Framework	Planning Practice Guidance	Commentary
<p>area, protect residential amenity and provide a safe and suitable access. When allocating these homes, priority will be given to those with a local connection to Parish Council.</p>		<p>Where should policy on seeking planning obligations be set out? (Paragraph: 004 Reference ID: 23b-004-20190901)</p>	
<p><b>F16: Retention of Key Services and Facilities - This policy supports the retention of identified services and facilities unless a replacement is provided, of equivalent or better provision.</b></p>	<p>Paragraphs 84, 91, 92</p>	<p>How can positive planning contribute to healthier communities? (Paragraph: 001 Reference ID:53-001-20190722)</p> <p>What is a healthy place? (Paragraph: 003 Reference ID:53-003-20191101)</p>	<p>The policy supports the retention and development of local services and community facilities in villages and plans positively against the unnecessary loss of facilities that meet day to day needs.</p>

Foxton Parish Neighbourhood Plan Policy	National Planning Policy Framework	Planning Practice Guidance	Commentary
<p><b>F17: Water Management – Having regard to feasibility, new development should incorporate Sustainable Drainage Systems. Development proposals should support the delivery of the Water Framework Directive and its objectives.</b></p>	<p>Paragraphs 148, 149, 157</p>	<p>How can the challenges of climate change be addressed through the Local Plan? (Paragraph: 003 Reference ID: 6-003-20140612)</p> <p>Planning and flood risk (Paragraph: 001 Reference ID: 7-001-20140306)</p> <p>Reducing the causes and impacts of flooding (Paragraph: 050 Reference ID: 7-050-20140306)</p> <p>Why are sustainable drainage systems important? (Paragraph: 051 Reference ID: 7-051-20150323)</p> <p>When should a sustainable drainage system be considered? (Paragraph: 079 Reference ID: 7-079-20150415)</p>	<p>Policy takes into account the potential for flood risk and proactively seeks to implement measures to reduce the causes and impacts of flooding.</p>
<p><b>F18: Car Parking - Identifies the level of parking provision to be provided. Supports the installation of electric vehicle charge points.</b></p>	<p>Paragraph 105</p>	<p>What baseline information should inform a transport assessment of a Local Plan? (Paragraph: 005 Reference ID: 54-005-20141010)</p>	<p>This policy seeks to set parking standards taking into account local circumstances such as existing car parking problems. It also seeks to make provision for charging electric cars.</p>

Foxton Parish Neighbourhood Plan Policy	National Planning Policy Framework	Planning Practice Guidance	Commentary
<p><b>F19: Foxton Locks – Seeks to positively conserve and manage the Foxton Locks Area and allow for waterside and countryside recreation. Supports associated visitor attractions, has regard to its heritage assets, and development proposals must also satisfy other policies of the Neighbourhood Plan. Traffic implications of any proposals are also to be considered and the installation of electric charge points are also supported.</b></p>	<p>Paragraphs 83, 102, 103, 104, 105, 185, 189, 190</p>	<p>How can heritage issues be addressed in neighbourhood plans?(Paragraph: 005 Reference ID: 18a-005-20190723</p> <p>Why establish a transport evidence base for Local Plans? (Paragraph: 001 Reference ID: 54-001-20141010)</p>	<p>This policy facilitates sustainable rural tourism and leisure development whilst minimising the impact on the environment, including the historic environment and traffic implications.</p>

### 3. Contributing to sustainable development

3.1 Sustainable development is about positive growth- making economic, environmental, and social progress for this and future generations. The Foxtton Neighbourhood Plan must contribute to the achievement of sustainable development of which there are three dimensions: economic, social, and environmental. These dimensions give rise to the need for the planning system to perform several roles:

- a) an **economic** objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordination the provision of infrastructure;
- b) a **social** objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural wellbeing; and
- c) an **environmental** objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

3.2 The following section summarises how the above sustainability objectives of the National Planning Policy Framework compare with the policies of the Neighbourhood Plan. This has been done by assessing the Foxtton Neighbourhood Plan against each of the Planning Policy 'subjects' as contained within Sections 5 to 17 of the NPPF.

National Planning Policy Framework	How the Foxtton Neighbourhood Plan supports objective
<b>1 – Delivering a sufficient supply of homes</b>	Providing a steer as to where new housing should be focused and the form development should take. Supporting a supply and mix of housing types to meet local needs, including the needs of older households and the need for smaller homes. Supports the development of Rural Exception Sites and priority will be given to those with a local connection to Foxtton Parish when affordable housing is allocated.

<b>National Planning Policy Framework</b>	<b>How the Foxtton Neighbourhood Plan supports objective</b>
<b>2 – Building a strong, competitive economy</b>	Seeks the retention and improvement of key local facilities, supporting the vitality of the community. Supports sustainable tourism.
<b>3 – Ensuring the vitality of town centres</b>	The village of Foxtton has a range of basic services and facilities and an ambition of the plan is to protect the vitality of the community, supporting the retention of existing services and facilities.
<b>4 – Promoting healthy and safe communities</b>	Seeks the protection of the countryside, local green spaces, as well as the protection and enhancement of green infrastructure, including The Canal. These are recognised as a recreational resource and have potential to improve quality of life. Seeks the retention of key local facilities, providing opportunities for people to meet and protect quality of life.
<b>5 – Promoting sustainable development</b>	Supports housing development within the defined Foxtton Limits to Development with its range of services and facilities. Supports the re-use and conversion of buildings and sustainable economic growth.
<b>6 – Supporting high quality communications</b>	Not applicable
<b>7 – Making effective use of land</b>	Supports infill housing development within the defined Foxtton Limits to Development, facilitates the redevelopment of brownfield land and the re-use and conversion of redundant and disused buildings.
<b>8 – Achieving well-designed places</b>	Includes policies to require development to respect the scale, form and character of its surroundings, and local materials and features, including landscape as well as the built environment. Seeks the protection of residential amenity and the protection of the countryside and the setting of Foxtton Village.
<b>9 - Protecting Green Belt Land</b>	Not applicable
<b>10 - Meeting the challenge of climate change, flooding and coastal change</b>	Supports the conversion and re-use of redundant or discussed buildings. As there are well-established national and local policies that manage development and flood risk, there is no need for the Neighbourhood Plan to duplicate them. However, the Neighbourhood Plan seeks the use of Sustainable Drainage Systems. Encourages the use of electric cars by providing charging points and supports specific forms of renewable energy development.

National Planning Policy Framework	How the Foxton Neighbourhood Plan supports objective
<b>11 - Conserving and enhancing the natural environment</b>	Protects the character of the countryside, Locally Important Views, the network of local ecological features and habitats and Local Green Space. Protects natural landscape from the harmful impacts of development. Requires the impact of development to maintain and enhance ecological corridors and landscape features for biodiversity.
<b>12 - Conserving and enhancing the historic environment</b>	Prevents against the loss of the historic environment, including non-designated assets of local importance. Seeks to positively contribute to and manage the district's historic environment.
<b>13 - Facilitating the sustainable use of minerals</b>	Not applicable.



## 4. Conformity with the strategic policies of the Local Plan

- 4.1 Neighbourhood Development Plans must demonstrate that they are in general conformity with the strategic policies of the adopted development plan for the local area. The current adopted plan for the area is the Harborough Local Plan 2011-2031 (Adopted April 2019).
- 4.2 The following sections identifies how the Policies of the Foxton Neighbourhood Plan are in general conformity with the relevant strategic policies of the Harborough Local Plan 2011-2031 (Adopted April 2019).

### Harborough Local Plan 2011-2031

- 4.3 The Foxton Neighbourhood Plan is considered to conform to the following policies of the Harborough Local Plan. The table below provides a further explanation of the conformity.

Policy SS1:	The Spatial Strategy
Policy GD2:	Settlement Development
Policy GD3:	Development in the Countryside
Policy GD4:	New Housing in the Countryside
Policy GD6:	Areas of Separation
Policy GD8:	Good Design in Development
Policy H3:	Rural Exception Sites
Policy H5:	Housing density, mix and standards
Policy RT4:	Tourism and Leisure
Policy HC1:	Built Heritage
Policy HC2:	Community Facilities
Policy GI1:	Green Infrastructure Networks
Policy GI4:	Local Green Space
Policy GI5:	Biodiversity and geodiversity
Policy CC2:	Renewable Energy Generation
Policy CC4:	Sustainable Drainage
Policy IN2:	Sustainable Transport

<b>Foxton Neighbourhood Plan Policy</b>	<b>Harborough Local Plan 2011-2031</b>	<b>Explanation of Foxton Neighbourhood Plan Conformity with the Harborough Local Plan</b>
<b>F1: Countryside</b>	Policies SS1, GD3 & GD4	Seeks the protection of open countryside and protects it from unacceptable development. Development will only be allowed that is in accordance with the relevant policies of the Harborough Local Plan.
<b>F2: Renewable Energy</b>	Policy CC2	Promotes energy from renewable sources. Regard will be had to the impact of such development on the built and natural environment as well as its visual impact. At the end of its life the development will be fully decommissioned, and the site restored.
<b>F3: Tranquillity</b>	Policy GD8	Seeks to minimise the impact of development on residential amenity and seeks to prevent noise pollution having an adverse impact on amenity and living conditions, Minimises pollution from glare or spillage of light from external lighting.
<b>F4: Foxton Areas of Separation</b>	Policy GD6	Seeks to ensure that development does not harmfully reduce the separation between developments, in this case, between Foxton and the potential encroachment from Market Harborough and the expansion of tourism development associated with Foxton Locks.
<b>F5: Ecology and Biodiversity</b>	Policy G15	Protects locally designated ecological sites and requires new development to contribute towards the protection and improvements in biodiversity.
<b>F6: The Canal</b>	Policies RT4, G1 and G15	Supports the promotion and management of the canal as a tourist attraction and its role as a strategic Green Infrastructure asset and wildlife corridor. Supports the safeguarding and enhancement of this asset.
<b>F7: Local Heritage Assets</b>	Policy HC1	Supports the conservation and enhancement of the parish's

Foxton Neighbourhood Plan Policy	Harborough Local Plan 2011-2031	Explanation of Foxton Neighbourhood Plan Conformity with the Harborough Local Plan
		heritage assets. Development will have regard to the scale of any harm and to the significance of the non-designated asset.
<b>F8: Ridge and Furrow</b>	Policy HC1	Supports the conservation and enhancement of the parish's heritage assets. Recognises the historic value of archaeological assets and balances the need for public benefit against the significance of the assets and any harm or loss.
<b>F9: Design</b>	Policy GD8	Requires new development to respect and enhance both the local character and distinctiveness of Foxton.
<b>F10: Local Green Spaces</b>	Policy G14	The Neighbourhood Plan identifies Local Green Spaces that meet the relevant national criteria. Protects and preserves high quality green spaces with benefits for the local community. The Neighbourhood Plan identifies the facilities to be safeguarded.
<b>F11: Trees</b>	Policy GD8	Respects local landscape and resists the loss of landscape features, with mitigation where necessary.
<b>F12: Housing Provision</b>	Policy SS1	Supports limited growth in Foxton, identified as a Selected Rural Village, to reflect its scale and character but also to sustain the village.
<b>F13: Windfall Housing</b>	Policy GD2, Policy GD4, Policy GD8	Supports housing development with the defined Limits of Development of Foxton.  Supports development which respects and enhances the local character and distinctiveness of Foxton, including important features. Seeks to resist the loss of residential garden space which is considered to the detriment of the character of the area. Seeks to ensure safe and suitable access..

<b>Foxton Neighbourhood Plan Policy</b>	<b>Harborough Local Plan 2011-2031</b>	<b>Explanation of Foxton Neighbourhood Plan Conformity with the Harborough Local Plan</b>
<b>F14: Housing Mix</b>	Policy SS1, Policy H5, Policy GD8	Provides for a mix of housing types informed by up-to-date evidence of housing need.
<b>F15: Affordable Housing</b>	Policies SS1 and H3	Provides for housing that meets the needs of Foxton. Allows for Rural Exception Sites that meet a local need and respects the character of the area and that are in close proximity to a rural settlement.
<b>F16: Retention of Key Services and Facilities</b>	Policy SS1, Policy HC2	Supports the safeguarding of services and facilities in Foxton. Seeks the retention of existing community facilities where appropriate alternatives do not exist. The Neighbourhood Plan identifies the facilities to be safeguarded.
<b>F17: Water Management</b>	Policy CC4	Seeks to manage flood risk and supports, where appropriate, the incorporation of Sustainable Drainage Systems, (SuDs) within new development.
<b>F18: Car Parking</b>	Policy IN2	Seeks to provide suitable levels of car parking taking into account local circumstances.
<b>F19: Foxton Locks</b>	Policy HC1 and RT4	Supports development which maintains and enhances the value, importance, and integrity of these heritage assets. Supports its promotion as a regional tourist attraction.

## 5. Compliance with European Union obligations

5.1 A neighbourhood plan or Order must be compatible with European Union obligations, as incorporated into UK law, in order to be legally compliant. There are three directives that may be of particular relevance to neighbourhood plans:

- Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment (often referred to as the Strategic Environmental Assessment (SEA) Directive). This seeks to provide a high level of protection of the environment by integrating environmental considerations into the process of preparing plans and programmes.
- Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora and Directive 2009/147/EC on the conservation of wild birds (often referred to as the Habitats and Wild Birds Directives respectively). These aim to protect and improve Europe's most important habitats and species.

### Strategic Environmental Assessment

5.2 A Strategic Environmental Assessment Determination Report for the Foxton Neighbourhood Plan (January 2021) has been used to determine whether or not the contents of the Foxton Neighbourhood Plan require a Strategic Environmental Assessment (SEA) in accordance with the European Directive 2001/42/EC and associated Environmental Assessment of Plan and Programmes Regulations 2004. Neighbourhood Plans only require a SEA where they are likely to lead to significant effects. The Determination Report provides a screening opinion as to whether the Foxton Neighbourhood Plan is likely to lead to significant environmental effects. This statement includes a commentary on whether these effects are likely to be significant.

5.3 The outcome of this assessment concludes that whilst environmental effects have the potential to take place as a result of the neighbourhood plan, it is considered unlikely that there will be any significant effects arising from the Foxton Neighbourhood Plan, that were not covered in the Sustainability Appraisal of the Harborough Local Plan. Therefore, it is considered that the Foxton Neighbourhood Plan is not subject to the requirements of the Directive 2001/41/EC, the 'SEA Directive' and accompanying regulations and therefore will not require a full Strategic Environmental Assessment to be undertaken.

5.4 The environmental assessment consultation bodies (Environment Agency, Natural England and Historic England) have been consulted

on this Determination Report and their responses are summarised below:

- Environment Agency – The Environment Agency does not disagree with the report stating that the Foxton Neighbourhood Plan Review does not require a full SEA to be undertaken.
- Natural England – Natural England's statutory purpose is to ensure that the natural environment is conserved, enhanced and managed for the benefit of present and future generations, thereby contributing to sustainable development. Welcomes the Screening Report and can confirm that it is considered unlikely that any significant environmental effects will result from the implementation of the Foxton Neighbourhood Plan. Also agrees with the report's conclusion that the Foxton Neighbourhood Plan would not be likely to result in a significant effect on any European site either alone or in combination and therefore no further assessment work under the Habitat Regulations would be required.
- Historic England – On the basis of the submitted information Historic England judge that the plan policies do not trigger a requirement for SEA on the basis of environmental impacts as they relate to the historic environment.

### Habitats Regulations Assessment Screening Statement

5.5 The Foxton Neighbourhood Plan is unlikely to have a substantial effect of the Natura 2000 network of protected sites. A full Habitats Regulation Assessment (HRA) has been undertaken as part of Harborough Local Plan preparation. The assessment concludes that the Local Plan will not have a likely significant effect on any internationally important wildlife sites either alone or in conjunction with other plans and projects. These conclusions are based on the fact that no such sites are located within the district and no impact pathways were identified linking internationally important wildlife sites outside of the district (e.g. Rutland Water SPA/Ramsar site) to development within Harborough District.

5.6 The Local Plan HRA considered but dismissed the following sites from the analysis due to a combination of distance and absence of impact pathways linking it to the District:

- Ensor's Pool SAC;
- The Upper Nene Valley Gravel Pits SPA and Ramsar; and
- River Mease SAC

The HRA looked into the potential effects of the plan on Rutland Water SPA and Ramsar site in more detail. However, it concluded that the Local Plan will not have a likely significant effect on the site as no impact pathways were identified linking it to development within Harborough District.

- 5.7 Given that Foxton lies some 40 km from Rutland Water SPA/Ramsar, it is considered that the Neighbourhood Plan will not affect any Natura 2000 sites in line with the findings of the HRA. Therefore, it is concluded that a full Appropriate Assessment is not deemed to be required.
- 5.8 Other European directives, such as the Waste Framework Directive (2008/98/EC), Air Quality Directive (2008/50/EC) or the Water Framework Directive (2000/60/EC) do not apply to the Foxton Neighbourhood Plan.

## 6. Other basic conditions

- 6.1 Regulations 32 and 33 of the Neighbourhood Planning (General) Regulations 2012 (as amended) prescribe 2 basic conditions in addition to those set out in the primary legislation. These are:
- the making of the neighbourhood plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017, which set out the habitat regulation assessment process for land use plans, including consideration of the effect on habitats sites;
  - having regard to all material considerations, it is appropriate that the Neighbourhood Development Order is made (see Schedule 3 to the Neighbourhood Planning (General) Regulations 2012 (as amended), where the development described in an order proposal is Environmental Impact Assessment development.
- 6.2 As set out in above, it is considered that the Foxton Neighbourhood Plan will not affect any Natura 2000 sites in line with the findings of the Habitats Regulation Assessment undertaken of the Harborough Local Plan.



## 7. Equality Impact Assessment

- 7.1 The Equality Act 2010 (the Act) places a duty on all public authorities in the exercise of their functions to have regard to the need to eliminate discrimination, to advance equality of opportunity, and to foster good relations between persons who have a "protected characteristic" and those who do not.
- 7.2 Under the Act a document like a Neighbourhood Plan must be assessed through an Equalities Impact Assessment before it can be adopted or implemented. The Equalities Impact Assessment of the Foxton Neighbourhood Plan (Appendix 1) has found no negative impacts on any protected characteristic by reference to data or evidence. As a result, no recommendations are made and the assessment finds the Neighbourhood Development Plan to be appropriate and that the duty prescribed by the Equalities Act 2010 is met.

## 8. Conclusions

- 8.1 The Basic Conditions as set out in Schedule 4B of the Town and Country Planning Act 1990 and Regulation 32 of the Neighbourhood Planning (General) Regulations 2012 (as amended) are met by the Foxton Neighbourhood Plan and all the policies therein. It is therefore respectfully suggested to the Examiner that the Foxton Neighbourhood Plan complies with paragraph 8(1)(a) of Schedule 4B of the Act.

# Appendix 1: Foxtton Neighbourhood Plan – Equalities Impact Assessment

## Introduction

The Equality Act 2010 (the Act) places a duty of care on public bodies to eliminate unlawful discrimination and to promote equality of opportunity for specified equality groups. Under the Act a document like a Neighbourhood Plan must be assessed through an Equalities Impact Assessment before it can be adopted or implemented. The Assessment must address the 'protected characteristics' identified within the Act:

- age;
- disability;
- gender reassignment;
- marriage and civil partnership;
- pregnancy and maternity;
- race;
- religion or belief;
- sex; and
- sexual orientation.

The purpose of an Equality Impact Assessment is to help understand and ultimately protect the groups identified above from any adverse impact. This Assessment considers the needs of these particular groups and how they might be affected by the Foxtton Parish Neighbourhood Plan.

## Methodology

The assessment considers whether the Plan has a positive, negative or neutral impact on each of the protected characteristics (in so far as data is available) by reference to the Key Issues and Policies of the Plan. Where an adverse impact is identified the Assessment considers whether that impact is high, medium or low.

**High impact:** a significant potential impact, risk of exposure, history of complaints, no mitigating measures in place etc.

**Medium impact:** some potential impact exists, some mitigating measures are in place, poor evidence.

**Low impact:** almost no relevancy to the process, e.g. an area that is very much legislation-led.

## Baseline Data

This Assessment has relied on Census data for 2011 published by the Office for National Statistics. Data is available for Foxtton for age, disability, race, religious belief and sex. There is no known data for gender reassignment, pregnancy and maternity or sexual orientation.

In 2011 there were 478 people living in Foxtton Parish, 49.4% were Male and 50.6% were Female. By Comparison, the figures for the United Kingdom were 49.3% (Male) and 50.7% (Female).

20.1% of the population was 0-15 years old and 20.1% were 65 or over. The UK proportion of over 65's was 16.3% and 18.9% for 0-15's.

3.9% of the population was from a black or minority ethnic (BME) background. The proportion of the UK population classed as 'non-white' was 14.3%.

69% of the population was Christian and 1.5% other religions including Hindu and Jewish. By comparison 59.4% of the UK population consider themselves to be Christian whilst 8.3% considered themselves to be Buddhist, Hindu, Jewish, Muslim or Sikh.

6.3% of residents considered that their day-to-day activities were limited a lot through health and disability and a further 7.1% considered that their activities were limited a little. The comparable proportions for the UK were 8.9% (limited a lot) and 9.3% (limited a little).

66.0% of people who were 16 or over were married or in a registered civil partnership compared to 48.7% of people in the UK.

Gender reassignment and sexual orientation are generally invisible characteristics for which little reliable data exists at local level. There was also no data available for pregnancy or maternity.

### Summary

Generally, the proportion of Male/Females is comparable to the national picture.

The proportion of older people is higher than the national picture, and the proportion of 0-15 year olds is lower.

The proportion of BMEs is noticeably lower than the national picture, common with rural areas.

The proportion of Christians is higher to the national average, whilst the proportion of other religions is markedly lower.

### Key Issues and Policies of the Foxtton Parish Neighbourhood Plan

The Neighbourhood Plan identifies the following key issues for Foxtton that the Neighbourhood Plan needs to address;

- The retention of Foxtton's rural character
- Meeting housing needs
- Retaining key services and facilities
- The impact of vehicular traffic on village life
- The development of Foxtton Locks

These issues are reflected in the Vision for the Foxtton Parish Neighbourhood Plan;



The following objectives have been derived from the Vision;

- To conserve Foxtton's character, history and local surroundings
- To protect the intrinsic character and beauty of Foxtton's countryside
- To conserve and enhance Foxtton's natural environment
- To conserve heritage assets
- To secure high quality design in new development
- To retain community facilities and services
- To make the fullest possible use of public transport, walking and cycling, and reduce the impact of vehicular traffic on resident's quality of life
- To support sustainable tourism within the Parish

The Neighbourhood Plan contains a suite of 19 policies to deliver against that vision and respond to the issues and objectives.

## Impact of Policies on Groups with Protected Characteristics

### Age

Policy F14 requires new developments to deliver a mix of housing and demonstrate how their proposals will meet the housing needs of older households and the need for smaller homes.

Policy F15 supports the provision of affordable housing where there is a proven local need.

Policy F10 requires designated local green spaces to be protected and development will not normally be supported on these spaces if harm would occur. As green spaces include spaces which have recreational value this is likely to benefit the young who are engaged in play and this is considered to have potential for a positive impact.

Policy F16 makes provision for the retention of community services and facilities. This is seen as important for the long-term sustainability of Foxton. In addition, with an increasing proportion of older people in the population, access to locally based services will become increasingly important, reflecting lower mobility levels. Some of the parish services include a primary school, public house, village hall, church, allotments and recreation ground. Their retention is considered to have a strong benefit for young and old alike and is considered to have a positive impact.

### Disability

In requiring new developments to provide for a mix of homes to reflect evidence of need (Policy F14) there is a possibility that homes could be sought to the benefit of people with disabilities. However, the lack of evidence to include a specific requirement by reference to type of disability prevents a recommendation by this assessment for modification to the policy and leads to a conclusion that Policy F14 perhaps has only the potential for a neutral impact. There is no evidence, however, that would suggest a negative impact.

Policy F13 requires all individual housing developments have a safe and suitable access, and consequently there is potential for a positive impact on this characteristic.

### Gender reassignment

The potential to secure high quality design under Policy Fg, that creates places that work well for both occupants and users, may benefit the public realm and the opportunity for all the community to enjoy their built environment. Any improvement in sense of place and civic pride is generally believed to lead to positive places where people are better able to express themselves without fear of recrimination or hate crime. As a result, there is potential for a positive impact on this protected characteristic. However, due to the limited data related to this characteristic and the potential for tangible impacts being unknown this assessment concludes the impact to be neutral.

### Marriage and civil partnership

This assessment found no impacts on this protected characteristic.

### Pregnancy and maternity

There are potential benefits for this protected characteristic from the retention of key services and potential for their replacement by equivalent or better provision, such as the village hall and church (Policy F16). These impacts might be positive but the lack of data for this characteristic and any tangible evidence suggests that the impact should be considered neutral.

### Race

This assessment found no impacts on this protected characteristic.

### Religion or belief

There is a potential benefit for this protected characteristic from the protection of key services and facilities and their potential for their replacement by equivalent or better provision (Policy F16), including the Village Hall with potential for multi-use facilities and the Church. However, the uncertain prospects for demand and delivery draw the same conclusion that there is only a neutral impact although the potential for positive impacts should again be noted.

### Sex

This assessment found no impacts on this protected characteristic.

### Sexual orientation

The potential to secure high quality design under Policy F9, that creates places that work well for both occupants and users, may benefit the public realm and the opportunity for all the community to enjoy their built environment. Any improvement in sense of place and civic pride is generally believed to lead to positive places where people are better able to express themselves without fear of re-priming or hate crime. As a result, there is potential for a positive impact on this protected characteristic. However, due to the limited data related to this characteristic and the potential for tangible impacts being unknown this assessment concludes the impact to be neutral.

### Conclusion

The Foxton Neighbourhood Plan provides a suite of policies to respond to the vision for the benefit of the local community including protected characteristics but perhaps most particularly older people, young people, mothers to be and those with young children, disabled people and those with limited mobility.

The Neighbourhood Plan does not explicitly address the needs of religious groups, or transgender, gay or lesbian groups, or inequalities of sex. However, the Neighbourhood Plan seeks a range of housing types, and seeks retention of and improvements in facilities and services which will benefit these groups equally. There is also the potential to provide a higher quality public realm where people with protected characteristics will be less liable to be subject to hate crime.

In conclusion, this assessment has found no negative impacts on any protected characteristic by reference to data or evidence. As a result, no recommendations are made, and the assessment finds the Foxton Neighbourhood Plan to be appropriate and that the duty of care prescribed by the Equalities Act 2010 is met.