

Neighbourhood Plan Review April 2021

Consideration of Minor (non-material)/Major (material) updates to the Made Foxton Neighbourhood Plan (27 January 2017)

1 Planning process

The Foxton Neighbourhood Plan passed Referendum with 98 yes votes out of 122 persons that voted on a turnout of 29% on 26 January 2017. However, since submitting the Neighbourhood Plan two allocated housing sites have received planning permission, the Harborough Local Plan has now been formally adopted and the new National Planning Policy Framework (2019) is in force.

These significant developments resulted in the Parish Council taking the decision to formally review the Neighbourhood Plan to ensure that it remains relevant and shapes development within the Parish up to 2031, the timescale for the new Harborough Local Plan.

The opportunity has been taken to review all the current Plan policies and consider whether they now meet the needs of the community. The revised Neighbourhood Plan has revisited the range of environmental protections to better reflect the importance of the countryside and open spaces locally and has added a new policy concerning non designated heritage assets and car parking. Some policies are new whilst others have a strengthened evidence base. There has also been the deletion of policies that have been delivered through site completions or commitments.

Other provisions within the Neighbourhood Plan remain as they were in the version which passed referendum in 2017. The QB have sought to change only those policies that require updating in line with changed circumstances or community requirements.

The process for reviewing the Neighbourhood Plan is set out in the Consultation Statement which is included within the Submission material.

In addition to the Consultation Statement the Foxton Neighbourhood Plan Review 2021 is accompanied by:

- Foxton Statement of Basic Conditions Feb 2021;
- Minutes of PC meeting 8th Feb 21
- NDP covering letter
- NP Review Statement of modification Feb 21

2 Planning Strategy

The timescale for the 'made' Foxton Neighbourhood Plan was already aligned to the new Local Plan in reflecting a time period of 2016-2031.

The adopted Harborough Local Plan has removed the Limits to Development which were a part of the Core Strategy 2006-2028. The Neighbourhood Plan has taken the opportunity to reinstate a settlement boundary in order to control development over the Plan period and to reinforce the different approach to development within and outside of the redline boundary as part of the countryside.

The Local Plan does not set out a minimum housing requirement for Foxton due to the number of completions and commitments as of 31 March 2018. The allocation policies in the 'made' Foxton plan have delivered their housing requirement, and it appears that the Hog Lane site cannot be delivered.

Since the Foxton Neighbourhood Plan was 'made', further revisions have been made to the National Planning Policy Framework (NPPF) in August 2018 and February 2019.

3 Neighbourhood Plan Policies

The Review Neighbourhood Plan has introduced the following changes to the Neighbourhood Plan which was Made in November 2017.

Policy F1 Countryside

The policy has been brought up to date with the Local Plan. The policy now references the Local Plan policies SS1, GD3 and GD4.

Policy F2 Renewable Energy

Minor text changes

Policy F3 Tranquillity

Minor text changes

Policy F4 Foxton Areas of Separation

Policy has been shortened.

Original

Policy F4: Foxton Areas of Separation

The open character of the two Foxton Areas of Separation, as defined on the adjacent map and the Policies Map, will be retained. The construction of new buildings or inappropriate uses of land which adversely affect this open character or the character and setting of Foxton village will not be supported. Any development proposal within the Areas of Separation must assess and address its impact on the setting of Foxton Village, (as appropriate) the historic Foxton Locks and the objective of separation and give specific attention to location, design and landscaping appropriate to the character of the area.

New

Policy F4: Foxton Green Zone

The open and undeveloped character of the two Foxton Areas of Separation, as defined on Map 2 and the Policies Map, will be retained.

The construction of new buildings, including new caravan and lodges sites, will not be supported unless they preserve the openness of these Areas and do not conflict with the objective of separation.

Policy F5 Ecology and Biodiversity

Minor text changes and to identify individual sites.

Policy F6 The Canal

No changes

Policy F7 Local Heritage Assets

No changes

Policy F8 Ridge and Furrow

New policy for Ridge and Furrow. Ridge and Furrow can be considered a non designated heritage asset. The policy should not materially affect the nature of the Plan, as the previous version of the Foxton Plan also considered non designated heritage assets.

Policy F9 (formerly F8) Design

No changes

Policy F10 (formerly F9) Local Green Spaces

No changes

Policy F11 (formerly F10) Trees

No changes

Policy F12 (formerly F11) Housing Provision

Updated to take account of completions and planning permission given.

Policy F13 (formerly F12) Windfall Housing

Minor wording changes relating to remove reference to dispersed nature of village and internal configuration of existing buildings. Added text for development not to extend beyond the limits to development.

(Fishers Farm (F13) and Land at Middle Street and Vicarage Drive (F14) – deleted as housing has been delivered through the policies)

Policy F14 (formerly 16) Housing Mix

Minor text changes to update the policy.

Policy F15 (formerly F17) Affordable Housing

Minor text changes.

Policy F16 (formerly F18) Retention of Key Services and Facilities

Minor text changes to update policy

Policy F17 (formerly F19) Water management

Minor text changes to update policy

Policy F18 (new policy) Car Parking

New policy to require car parking standards as set out in Appendix 4, which sets out the number of spaces required according to the size and typology of the development.

Policy F19 (formerly F20)

Minor text changes. Addition of text for electrical charging points.

4 Note on the Nature of the Changes

The Advisory Committee and Qualifying Body take the view that the changes were material modifications which do not change the nature of the Plan and require an examination but not requiring a referendum.

Planning Practice Guidance, reviewed in May 2019, introduces the following categories:

1. Minor (non-material) modifications to a neighbourhood plan or order are those which would not materially affect the policies in the plan or permission granted by the order. These may include correcting errors, such as a reference to a supporting document, and would not require examination or a referendum.
2. Material modifications which do not change the nature of the plan or order would require examination but not a referendum. This might, for example, entail the addition of a design code that builds on a pre-existing design policy, or the addition of a site or sites which, subject to the decision of the independent examiner, are not so significant or substantial as to change the nature of the plan.
3. Material modifications which do change the nature of the plan or order would require examination and a referendum. This might, for example, involve allocating significant new sites for development.

The 'made' Foxton Neighbourhood Plan directs growth in the Plan area. It has policies on design, windfall development, affordable housing and housing mix. The Review Neighbourhood Plan has been amended to not allocate housing sites but continues to direct growth through limits to development, windfall and Local Green Space protection policies.

5 How are these changes regarded by the Qualifying Body?

The Qualifying Body are fully supportive of the changes to the Made Neighbourhood Plan as described above.

Amendments were considered following Regulation 14 consultation and changes incorporated into the Submission version of the Neighbourhood Plan as identified in the Regulation 14 comments and responses document.

The Foxton Review Neighbourhood Plan was formally approved by the Parish Council at its meeting on 8th February 2021 (minute 47/21 refers)

6 Conclusion

It is the view of the Local Planning Authority that the changes are material but do not affect the nature of the Plan. In the view of the LPA the Foxton Review Plan requires examination but not a referendum.