

Basic Conditions Statement
Foxton Neighbourhood Plan
January 2020

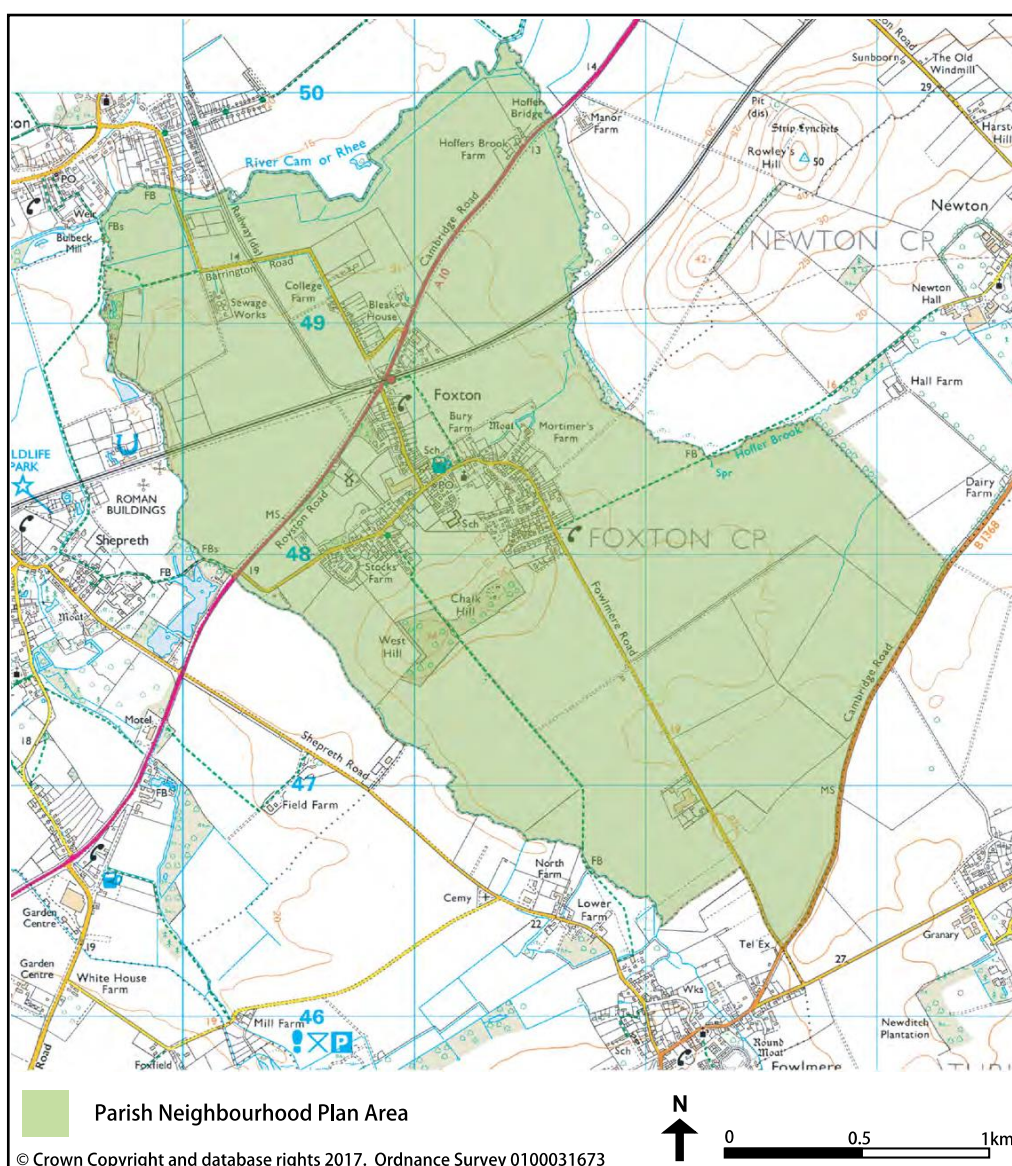
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Foxton Neighbourhood Plan - Basic Conditions Statement

1. Introduction

- 1.1. This Statement has been prepared by Foxton Parish Council (FPC) to accompany the Foxton Neighbourhood Plan 2020-2031 (Submission Version February 2020) on submission to South Cambridgeshire District Council (SCDC) under regulation 15 of the Neighbourhood Planning (General) Regulations 2012 as amended (“the Regulations”).
- 1.2. The Neighbourhood Plan has been prepared by FPC, a qualifying body, for the Neighbourhood Area covering the whole of the parish of Foxton, as designated by SCDC on 17th November 2015.



- 1.3. The policies described in the Neighbourhood Plan relate to the development and use of land in the designated Neighbourhood Area and do not relate to any other designated Neighbourhood Area. The plan period is from 1st April 2020 to 31st March 2031, the end date of which aligns to the South Cambridgeshire Local Plan.

- 1.4. The Neighbourhood Plan does not contain policies relating to excluded development in accordance with the Regulations. The document also contains a number of non-statutory proposals that relate to local planning matters in Section 13, Community Aspirations which do not form part of the examined 'neighbourhood development plan' but provides a 'wish list' that has emerged during consultation that the Parish Council have considered during the preparation of the document.
- 1.5. The Statement addresses each of the four 'basic conditions' required of the Regulations and explains how the submitted Neighbourhood Plan meets the requirements of paragraph 8 of schedule 4B to the Town and Country Planning Act 1990.
- 1.6. The Regulations state that a Neighbourhood Plan will be considered to have met the basic conditions if:
 - Having regard to National Policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the neighbourhood development plan
 - The making of the neighbourhood development plan contributes to the achievement of sustainable development
 - The making of the neighbourhood development plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area)
 - The making of the neighbourhood development plan does not breach, and is otherwise compatible with EU obligations

2. Background

- 2.1. The plan preparation has been led by FPC, through the Neighbourhood Plan Working Group. It has comprised three main stages:
 - Evidence gathering which has been set out in the background evidence:
 - Foxton Conservation Area Appraisal 2018
 - Foxton Landscape Character Assessment 2017
 - Foxton Housing Needs Assessment, AECOM 2017
 - Foxton Site Options and Assessment Report, AECOM 2018
 - Employment survey 2016, updated 2018
 - Draft Neighbourhood Plan May 2019 (Pre-submission version); the draft plan and accompanying background documents were published for 6 weeks in accordance with regulation 14 of the Regulations.
 - Submission Neighbourhood Plan (February 2020) which takes into account representations received on the earlier version and has been modified for submission to SCDC; it is accompanied by the Basic Conditions Statement and the Consultation Statement.
- 2.2. FPC has consulted the local community extensively throughout the process. 2016 was spent gathering evidence and raising awareness of the process. A detailed all-household questionnaire exercise was carried out in February 2017, which gave a good steer on the key issues for Foxton from the 150+ completed questionnaires. The questionnaire also raised a number of questions for which answers were sought in the subsequent questionnaire consultation process in early 2018. A village consultation event was held in late January 2018, together with focus groups for villagers in the age group under-represented in earlier consultations. Relevant stakeholders have also been consulted

including developers and landowners. Full details are set out in the Consultation Statement and appendices.

- 2.3. It has also worked closely with officers of SCDC since the start of the project to collate and examine the evidence base, to design and iterate policy proposals and to define the proper relationship between the NP and the South Cambridgeshire Local Plan 2018-2031.
- 2.4. The Plan has not duplicated policies which will be used in determining planning applications. This has allowed the Neighbourhood Plan to focus on a smaller number of locally relevant and important policies.

3. Conformity with National Planning Policy

- 3.1. The Neighbourhood Plan has been prepared with regard to national policies as set out in the National Planning Policy Framework 2012 (NPPF) and the revised Framework of February 2019 and is mindful of the National Planning Practice Guidance (NPPG) in respect of formulating neighbourhood plans.
- 3.2. There are several NPPF paragraphs that provide general guidance on neighbourhood planning, to which the Neighbourhood Plan has directly responded:
- 3.3. In relation to the presumption in favour of sustainable development:
 - Paragraph 12: the development plan is the starting point for decision making and this includes any neighbourhood plan.
 - Paragraph 13: neighbourhood plans should support the delivery of strategic policies contained in local plans or spatial development strategies and should shape and direct development that is outside of these strategic policies.
 - Paragraph 14: reminds us that four criteria apply in the case of the adverse impact of allowing development that conflicts with the neighbourhood plan is likely to be significantly and demonstrably outweigh the benefits provided.
- 3.4. The Parish Council believe that the Neighbourhood Plan is planning positively for future development in the parish and supports the delivery of the strategic policies of the adopted Local Plan as advised in the above paragraphs of the NPPF.
- 3.5. Paragraph 18 and 21 advise that policies to address non-strategic matters and detailed matters should be included within neighbourhood plans, and the Foxton Neighbourhood Plan contains such policies.
- 3.6. Advice on non-strategic policies and the role of neighbourhood plans is identified in paragraphs 29 and 30. The Foxton Neighbourhood Plan establishes a shared vision for the area and its policies shape, direct and help deliver sustainable development. It has sought to translate objectives into a number of meaningful planning policies to complement other development plan policies for managing development.
- 3.7. The Neighbourhood Plan strikes a positive balance between the policy constraints of the Parish and the need to support the general requirements of the development plan as set out in section 5 below.
- 3.8. The Neighbourhood Plan avoids duplicating development plan policies by focusing on site-specific policies that translate the general requirements of the development plan into a Foxton context. Once made, the Neighbourhood Plan should be easily considered alongside the development plan and any other material considerations in determining planning applications.

3.9. Set out below is a brief summary of how each policy conforms to the NPPF. The particular paragraphs referred to in the table are those considered the most relevant to each policy but are not intended to be an exhaustive list of all possible relevant paragraphs.

Table 1: NPPF Conformity

Policy	Policy Title	NPPF Para no.	Commentary
FOX/1	Rural character	125, 127, 170, 171	Sets the context for new development to ensure rural character is retained.
FOX/2	Sustainable design and construction	124	Seeks sustainable aspects of design including siting, orientation and building methods and construction encouraging sustainable energy features.
FOX/3	The Conservation Area and its setting	125, 127,	Seeks to conserve and enhance the Conservation Area and its setting
FOX/4	Heritage assets and their setting	125, 127,	The policy supports development provided it conserves the significance of designated and identified non designated heritage assets
FOX/5	Protect and enhance Foxton's Landscape Character	125, 127,170	Requires respect for landscape character in particular Foxton Chalklands and settlement edges
FOX/6	Protect and enhance key views and village gateways	125, 127, 170	Supports the protection of key views, whilst encouraging improvement of village gateways
FOX/7	Protect and enhance green spaces	97, 99, 101	Prevents the loss of valued green spaces
FOX/8	Biodiversity and new development	170, 174	New development is expected to retain natural features and enhance or plant new landscaping
FOX/9	Redevelopment of old school/chapel site on Station Road	69, 78, 117, 118	Seeks the highest quality of design for the redevelopment of a brownfield site as a housing allocation

Policy	Policy Title	NPPF Para no.	Commentary
FOX/10	Housing mix	77	Requires a mix and variety of housing for all new development, including smaller units
FOX/11	Rural Exceptions housing	77, 78, 143, 145	Rural exceptions schemes are supported in appropriate locations
FOX/12	Protect existing community facilities	91, 92	Promotes protection of existing community facilities which are locally valued and increase community cohesion
FOX/13	Provision of a Foxtton day care facility	91, 92	Support for childcare schemes in the village
FOX/14	Protect and increase recreational and informal open space	92, 96, 127	To protect amenity space and increase facilities
FOX/15	Improve the extent of the non-motorised path network	91, 98 102	To require new development to link to footpaths and cycleways where possible
FOX/16	New employment provision in Foxtton	83,	Allocation for employment use
FOX/17	Alleviating congestion and improving traffic flow	102	Support for schemes which will improve traffic flow and pedestrian safety
FOX/18	New development and connectivity	102	Supporting sustainable forms of transport and preventing unacceptable congestion
FOX/19	Foxtton Travel Hub	82	Travel hub proposals must minimize impact on existing residents and make improvements
FOX/20	A10/Cambridge Road Redevelopment Opportunity Site	69, 78, 118, 119, 122, 171	Allocates a site for mixed use redevelopment

4. Contribution to Sustainable Development

- 4.1. South Cambridgeshire District Council has determined that a Strategic Environmental Assessment (SEA) and a Habitats Regulations Assessment (HRA) was not required for the Neighbourhood Plan as it considered the policies were unlikely to have a significant environmental effect, as defined by the Environmental Assessment of Plans and Programmes Regulations 2004. The report is dated June 2019.
- 4.2. However, the basic condition of “contributing to the achievement of sustainable development” requires a broader scope of assessment to embrace social and economic as well as environmental objectives. For completeness therefore, Table 2 summarises the economic, social and environmental attributes of each policy.
- 4.3. The vision and objectives of the Neighbourhood Plan comprise a balance of social, economic and environmental goals. The social goals are to improve the local amenities and of meeting the demand and need for new homes of the local community to allow a younger demographic to develop. Economic goals are relatively limited in scale in the Parish, but the provision of high value local employment is achievable and the growth in the number of households in the parish over the plan period will help retain existing facilities. Environmental goals include the protection and enhancement of Foxton’s natural and historic environment.
- 4.4. However, the objectives make clear that there are environmental parameters within which these social and economic goals must be kept by ensuring development is in scale with the rural character of the existing parish.
- 4.5. The chosen policies therefore translate the objectives of the Neighbourhood Plan into viable and effective development management policies which will deliver strong social, economic and environmental impacts.
- 4.6. The sustainability attributes of each policy are summarised in the table below.

Table 2: Sustainability Attributes

Key: *positive- neutral x negative

Policy	Policy Title	Soc	Econ	Env	Commentary
FOX/1	Rural character	*	-	*	Ensures rural character is retained which is beneficial to both the environment and the wellbeing of residents
FOX/2	Sustainable design and construction	-	-	*	This is clearly very positive for the environment by promoting sustainable construction. There are potential economic impacts as the cost of sustainable feature could be increased, but this is not likely to be of significance.
FOX/3	The Conservation Area and its setting	*	-	*	This policy will deliver a very positive impact on the historic environment and enhance the wellbeing of residents through sympathetic design
FOX/4	Heritage assets and their setting	*	-	*	This policy will deliver a very positive impact on the historic environment and enhance the wellbeing of residents through sympathetic design

Policy	Policy Title	Soc	Econ	Env	Commentary
FOX/5	Protect and enhance Foxtton's Landscape Character	*	-	*	Provides a positive impact for the natural environment and for the sense of place which can enhance the wellbeing of residents.
FOX/6	Protect and enhance key views and village gateways	*	-	*	Provides a positive impact for the natural environment and for the sense of place which can enhance the wellbeing of residents.
FOX/7	Protect and enhance green spaces	*	-	*	This policy protects green spaces from being developed and therefore has a positive social and environmental impact
FOX/8	Biodiversity and new development	*	-	*	In economic terms, this is a neutral policy but it is positive in environmental and social terms. It seeks to ensure that important ecological and biodiversity features are retained and enhanced
FOX/9	Redevelopment of old school/chapel site on Station Road	*	*	*	This allocation provides positive benefits for all aspects of sustainable development.
FOX/10	Housing mix	*	-	-	A housing mix which reflects the needs of the village will bring positive social benefits by rebalancing the housing stock towards smaller homes.
FOX/11	Rural Exceptions housing	*	*	x	This policy may have a negative impact on the environment, because it allows housing in a location that would not normally be available for housing. However, there are positive effects on social wellbeing by providing affordable housing and also economic benefits by construction and by bringing in additional residents who can support local facilities.
FOX/12	Protect existing community facilities	*	*	-	The retention and encouragement of community facilities will clearly be positive in terms of wellbeing and social aspects of village life as well as retaining local businesses.
FOX/13	Provision of a Foxtton day care facility	*	*	-	The provision of a childcare facility would improve social aspects of the village as well as providing childcare so parents are able to work and staff to be employed (economic benefits).

Policy	Policy Title	Soc	Econ	Env	Commentary
FOX/14	Protect and increase recreational and informal open space	*	-	*	This policy protects green spaces from being developed and therefore has a positive social and environmental impact
FOX/15	Improve the extent of the non-motorised path network	*	-	*	The provision of footpath and cycleways improve the health of residents and also is a positive benefit for the environment, reducing pollution.
FOX/16	New employment provision in Foxton	*	*	-	The allocation for employment use may provide opportunities for local jobs as well as increase the economic activity in the village
FOX/17	Alleviating congestion and improving traffic flow	*	-	*	Alleviating congestion or at least not worsening the current situation has benefits for the environment. The policy also seeks to improve pedestrian safety, a positive social impact.
FOX/18	New development and connectivity	*	-	*	Alleviating congestion or at least not worsening the current situation has benefits for the environment. Locating new development close to amenities has social benefits
FOX/19	Foxton Travel Hub	*	*	-	Travel hub proposals will provide more sustainable forms of transport and provide economic benefits.
FOX/20	A10/Cambridge Road Redevelopment Opportunity Site	*	*	*	Allocates a site for mixed use redevelopment, which will bring positive benefits to the economy of the village as well as social benefits via visual improvements to the site. Planting may provide environmental improvements.

5. General Conformity with Strategic Local Policy

- 5.1. The Adopted Local Plan for Foxton parish is the South Cambridgeshire Local Plan, adopted in 2018. There is a requirement for neighbourhood plans to be in general conformity with the strategic policies of the Local Plan and the Foxton Neighbourhood Plan has been prepared with this in mind.
- 5.2. Foxton is identified as a 'Group Village' in the Local Plan (Policy S/10) which means that residential development and redevelopment is restricted to 8 dwellings within the development framework (i.e. settlement boundary) or exceptionally, 15 dwellings on a single redevelopment site. The Neighbourhood Plan reflects this Group Village designation and seeks to allocate six new homes on a small site within the village and also a small site for an additional employment opportunity adjacent to the existing Burlington Press site. However, the opportunity exists for redevelopment of a site known as the 'A10 triangle' which may give

the potential for a further number of homes as part of a mixed use redevelopment. Whilst this site lies beyond the development framework, Policy S/7 allows for land beyond settlement frameworks to be allocated in Neighbourhood Plans.

- 5.3. The following table sets out the comparison of Neighbourhood Plan policies with Local Plan policies.
- 5.4. Accordingly, the Neighbourhood Plan is in general conformity with the Local Plan and the policies have been designed to add local context to the development plan policies of the area.

Table 3: Conformity with SCDC Local Plan Policies

Policy	Policy Title	Local Plan policy	Conformity
FOX/1	Rural character	S/10, HQ/1	Conforms to S/10 in the sense that the NP recognizes the group village status and that the development framework policy allows only small scale development (8 houses/15 houses on brownfield site). It adds local context to HQ/1.
FOX/2	Sustainable design and construction	HQ/1 NH/15	Whilst there are no specific Local Plan requirements for sustainable design and construction, the NP policy is in general conformity and adds detail to HQ/1
FOX/3	The Conservation Area and its setting	HQ/1 NH/14	Conforms to the stated need to conserve or enhance important historic assets and their setting
FOX/4	Heritage assets and their setting	HQ/1 NH/14	Conforms to the need to conserve or enhance important historic assets and specifies non-designated heritage assets
FOX/5	Protect and enhance Foxton's Landscape Character	HQ/1 NH/2 NH/8	This policy adds additional detail in particular to Local Plan Policy NH/2, drawing on background evidence to the NP (Foxton Landscape Character Assessment 2017). It is also in general conformity with Policy HQ/1 which seeks high quality design, responding to its environment.
FOX/6	Protect and enhance key views and village gateways	HQ/1 NH/2	This policy adds additional detail in particular to Local Plan Policy NH/2, drawing on background evidence to the NP (Foxton Landscape Character Assessment 2017). It is also in general conformity with Policy HQ/1 which seeks high quality design, responding to its environment.

Policy	Policy Title	Local Plan policy	Conformity
FOX/7	Protect and enhance green spaces	NH/11, NH/12 SC/8	Conforms and identifies specific green spaces to be protected in the Parish including recreational sites
FOX/8	Biodiversity and new development	NH/4 NH/6	Conforms to the stated requirement to maintain, enhance, restore or add biodiversity and conserve and enhance green infrastructure
FOX/9	Redevelopment of old school/chapel site on Station Road	HQ/1 S/10	Conforms, requiring high quality design and redevelopment of the site.
FOX/10	Housing mix	H/9, H/10	The Policy adds additional local detail arising from background evidence to the NP (Housing Needs Assessment)
FOX/11	Rural Exceptions housing	H/11	The Policy adds local detail (reference to the Foxtan Chalklands) arising from background evidence to the NP (Foxtan Landscape Character Assessment 2017).
FOX/12	Protect existing community facilities	SC/3	Conforms, adding specific detail to the amenities to be protected
FOX/13	Provision of a Foxtan day care facility	No specific policy	n/a
FOX/14	Protect and increase recreational and informal open space	SC/8	Conforms with the identified requirement to protect against the loss of recreational spaces
FOX/15	Improve the extent of the non-motorised path network	HQ/1	Conforms with the general principles of high quality design as set out in HQ/1
FOX/16	New employment provision in Foxtan	E/12	Conforms, encouraging the development of new employment in the village on a site suitable for appropriate commercial activity

Policy	Policy Title	Local Plan policy	Conformity
FOX/17	Alleviating congestion and improving traffic flow	HQ/1 TI/3	Conforms with the general principles of high quality design
FOX/18	New development and connectivity	HQ/1 TI/2	Conforms with the general principles of high quality design
FOX/19	Foxton Travel Hub	TI/2	Conforms and encourages any scheme to provide benefits to local residents as well as minimizing impacts.
FOX/20	A10/Cambridge Road Redevelopment Opportunity Site	S/7 E/13	Conforms and allocates land for redevelopment of a mixed use scheme, with details to be confirmed at planning application stage.

6. Compatibility with EU Legislation

6.1. **Strategic Environmental Assessment.** A formal screening opinion has been issued by SCDC, available to view on their website at <https://www.scams.gov.uk/media/14247/strategic-environmental-assessment-sea-screening-determination-statement-for-foxtton-neighbourhood-plan-3-june-2019-amended-dec-2019-v2.pdf>. No SEA was required. The report concluded at paragraph 5.1 “The Neighbourhood Plan has been prepared for town and country planning purposes and sets a framework for future development consent. The policies of the Neighbourhood Plan can be considered to determine the use of small areas at local level commensurate with their status in determining local planning applications. Although the Plan allocates land for development purposes, the small scale of these allocations minimises the possibility of any negative effects on the environment. Further exploration of effects on this report indicates that there would be no significant effects that would warrant a strategic level assessment through the application of the SEA Directive in the form of an Environmental Report. This determination takes into account the fact that two of the allocations are located on brownfield land, and that the third represents an extension to an existing employment area that is outside Foxton’s Conservation Area. All of the Plan’s allocations are of a small scale and are on unconstrained sites, having been through a detailed and independent site assessment process. The potential for significant effects can be ruled out in consideration of the Plan’s content, with suitable protection objectives embedded into the Plan’s site specific and thematic policy. The Foxton Neighbourhood Development Plan can therefore be screened out for its requirement of Strategic Environmental Assessment in line with the requirements of Directive 2001/42/EC.” The

Neighbourhood Plan has accordingly been prepared in accordance with EU Directive 2001/42 on strategic environmental assessment (SEA).

- 6.2. **Habitats Regulations** The Neighbourhood Area is not in close proximity to any European designated nature sites so does not require an Appropriate Assessment under the EU Habitats Regulations. The screening was carried out by SCDC as a part of the SEA screening (see link above). Paragraph 5.2 of the report states that “Subject to Natural England’s review, this HRA screening report indicates that the Foxton draft Neighbourhood Development Plan is not predicted to have likely significant effects on any Habitats site, either alone or in combination with other plans and projects. The requirement for the Plan to undertake further assessment under the Habitats Regulations 2017 is therefore screened out”.
- 6.3. **Human Rights** The Neighbourhood Plan has regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights and complies with the Human Rights Act. The overall purpose of the Neighbourhood Plan is to improve the quality of life for people living and working now and in the future in the parish from an environmental, social and economic point of view. The aims and policies in the Neighbourhood Plan have been formulated in response to local people’s views and in the light of evidence gathered for the parish, in order to meet the needs expressed and address the issues identified. In order to confirm that the NP does not have any unintended consequences for particular groups the strategic aims and the policies in the Plan have been systematically scrutinised to ensure that they do not disadvantage any potentially vulnerable groups. The Equality Act 2010 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. “Protected characteristics” are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.
- 6.4. An assessment has been made on whether the policies in the Neighbourhood Plan have a positive, negative or neutral impact on each of the protected characteristics.
- 6.5. Certain protected characteristics are not affected by the Neighbourhood Plan, namely gender reassignment, race, religion, or sexual orientation. For persons with these characteristics, the Plan has a neutral effect. Where policies in the Plan would adversely affect persons with these protected characteristics, they would not be differently affected than persons without these characteristics. For example, if a person with these protected characteristics were disadvantaged by a policy, it would have the same consequence for a person without the protected characteristic who wished to do the same thing. Similarly, if a person with one of these protected characteristics were to benefit from a policy, it would have the same benefit for a person without the protected characteristic in the same way.

Table 4: Human Rights

Policy	Policy Title	Outcomes for persons with certain protected characteristics
FOX/1	Rural character	Neutral impact
FOX/2	Sustainable design and construction	Neutral impact
FOX/3	The Conservation Area and its setting	Neutral impact
FOX/4	Heritage assets and their setting	Neutral impact
FOX/5	Protect and enhance Foxtton's Landscape Character	Neutral impact
FOX/6	Protect and enhance key views and village gateways	Neutral impact
FOX/7	Protect and enhance green spaces	Neutral impact
FOX/8	Biodiversity and new development	Neutral impact
FOX/9	Redevelopment of old school/chapel site on Station Road	Broadly positive impact
FOX/10	Housing mix	Broadly positive impact
FOX/11	Rural Exceptions housing	Broadly positive impact
FOX/12	Protect existing community facilities	Broadly positive impact
FOX/13	Provision of a Foxtton day care facility	Broadly positive impact
FOX/14	Protect and increase recreational and informal open space	Neutral impact
FOX/15	Improve the extent of the non-motorised path network	Broadly positive impact
FOX/16	New employment provision in Foxtton	Neutral impact

Policy	Policy Title	Outcomes for persons with certain protected characteristics
FOX/17	Alleviating congestion and improving traffic flow	Neutral impact
FOX/18	New development and connectivity	Broadly positive impact
FOX/19	Foxton Travel Hub	Neutral impact
FOX/20	A10/Cambridge Road Redevelopment Opportunity Site	Neutral impact

7. Conclusion

- 7.1. Foxton Neighbourhood Plan has been carefully prepared in accordance with the requirements of the Regulations and satisfies the Basic Conditions as set out in Paragraph 1.6 thereby contributing to the achievement of sustainable development.