

**South Cambridgeshire District Council  
Record of Executive Decision**

This form should be used to record key and other decisions made by individual Lead Cabinet members. The contact officer will ensure that the signed and completed form is given to Democratic Services as soon as reasonably practicable after the decision has been taken.

A key decision shall not be taken unless notice of the item has been published at least 28 days before the decision is to be taken except where:

- a General Exception notice has been published under Rule 15 of the Access to Information Procedure Rules and the Chairman of Scrutiny and Overview Committee has been informed in writing; or
- a Special Urgency notice has been published under Rule 16 of those Rules and the Chairman of Scrutiny and Overview Committee has agreed the decision is urgent.

Unless permission has been obtained from the Chairman of Council and the Chairman of the Scrutiny and Overview Committee that this decision may be treated as a matter of urgency under Rule 12.19 of the Scrutiny and Overview Committee Procedure Rules, this decision will come into force, and may then be implemented, on the expiry of five working days after the publication of the decision, unless called in under Rule 7 of the Budget and Policy Framework Procedure Rules or Rule 12 of the Scrutiny and Overview Committee Procedure Rules. Where consent has been obtained to exempt the decision from call-in, this will be specified below.

<b>Lead Cabinet Member</b>	Lead Cabinet member for Planning
<b>Subject Matter</b>	Foxton Neighbourhood Plan - Response to Consultation on the Submission Plan
<b>Ward(s) Affected</b>	Foxton
<b>Date Taken</b>	Tuesday, 9 February 2021
<b>Contact Officer</b>	Alison Talkington, Senior Planning Policy Officer 01954 713182 / 07514 926521 (alison.talkington@scambs.gov.uk)
<b>Date Published</b>	Tuesday, 9 February 2021
<b>Call-In Expiry/Exempt from call-in</b>	Tuesday, 16 February 2021
<b>Key Decision?</b>	No
<b>In Forward Plan?</b>	No
<b>Urgent?</b>	No

<b>Purpose / Background</b>
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## **Purpose**

1. The purpose of this report is to agree the Council's response to the public consultation on the submission version of the Foxtton Neighbourhood Plan. The consultation runs for 6 weeks from 12 January until 23 February 2021.

## **Background**

2. The Foxtton Neighbourhood Area was designated on 17 November 2015.
3. Officers provided informal comments on earlier drafts of the Neighbourhood Plan ahead of the formal pre-submission consultation process and recognise the hard work that those on the steering group of the neighbourhood plan have put into preparing the Plan. This group has strived to ensure that the whole village had an opportunity to have an input into the final Plan.
4. A Strategic Environmental Assessment (SEA) and Habitats Regulations Assessment (HRA) screening was undertaken on a draft version of the Neighbourhood Plan, and a screening determination was published in June 2019.
5. Pre-submission public consultation on the draft Neighbourhood Plan was undertaken by the Parish Council from 15 May to 26 June 2019. Officers provided a formal response to the consultation, providing constructive comments about the Neighbourhood Plan to assist the neighbourhood plan group with finalising the Neighbourhood Plan. Officers have met with the steering group to discuss how these comments and the current submitted Plan has taken most of them into account. The parish has taken their plan forward in a positive way.
6. On 10 February 2020, Foxtton Parish Council submitted their Neighbourhood Plan to SCDC. Officers have confirmed, as set out in the Legal Compliance Check for the Neighbourhood Plan that the submitted version of the Neighbourhood Plan and its accompanying supporting documents comply with all the relevant statutory requirements at this stage of plan making. Public consultation on the submitted Neighbourhood Plan was begun on 10 March 2020. However, this consultation had to be suspended due to the onset of the Covid-19 pandemic and the restrictions this imposed on how we could meet the national regulatory requirements regarding neighbourhood plan consultations.
7. As the impact of the Covid-19 pandemic continued into the autumn we had to consider how we could adapt our public consultations on neighbourhood plans to ensure everyone's safety whilst still complying with current national regulations. To ensure this we decided that anyone wishing to inspect a hard copy of neighbourhood plan documents out for consultation would be able to request a copy by contacting the Planning Policy Team. Our Statement of Community Involvement has been updated to reflect this change in how we make documents available to the public for inspection. We therefore were able to resume the consultation on the Foxtton Neighbourhood Plan from 12 January until 23 February 2021.
8. Officers, in conjunction with Foxtton Parish Council, have appointed an independent examiner to consider this Neighbourhood Plan. All comments submitted during the public consultation on the submission version of the Neighbourhood Plan will be provided to the examiner for their consideration.

## **Considerations**

9. The Foxtton Neighbourhood Plan has been prepared by Foxtton Parish Council to provide planning policies for development in the area, with the aim of providing greater clarity when determining planning applications in the area. The Neighbourhood Plan includes 20 planning policies that cover a range of issues including:

- (i) Maintaining and enhancing the rural character, heritage assets and local distinctiveness.
- (ii) Improving the built-up environment of Foxtton where opportunities arise.
- (iii) Protecting and enhancing the special landscape character and green spaces including biodiversity assets.
- (iv) Supporting modest growth where this growth contributes towards meeting local housing needs.
- (v) Retaining existing community infrastructure and securing improved provision of facilities.
- (vi) Protecting and increasing formal and informal recreation open space.
- (vii) Improving the non-motorised path network for recreational usage.
- (viii) Providing appropriate high-value local employment.
- (ix) Encouraging walking, cycling and use of public transport rather than use of cars.
- (x) Maximising benefit to village if a travel hub is created and/ or closure of the level crossing.
- (xi) Reducing impact of traffic in village and improving safety.
- (xii) Ensuring the area adjacent to the station is redeveloped in a coherent way.

10. To successfully proceed through its examination to a referendum, a Neighbourhood Plan must meet a number of tests known as the 'Basic Conditions'. These tests are different to the tests of soundness that a Local Plan must meet. The Basic Conditions are set out in national planning guidance and are summarised as follows:

- (a) having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the Neighbourhood Plan.
- (b) the making of the Neighbourhood Plan contributes to the achievement of sustainable development.
- (c) the Neighbourhood Plan is in general conformity with the strategic policies contained in the development plan for the area.
- (d) the making of the Neighbourhood Plan does not breach, and is otherwise compatible with, EU obligations; and
- (e) prescribed conditions are met in relation to the Neighbourhood Plan, including that the making of the neighbourhood plan is not likely to have a significant effect on a European wildlife site or a European offshore marine site either alone or in combination with other plans or projects.
- (f) the making of the neighbourhood development plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.

Our Neighbourhood Planning Toolkit includes Guidance Note 11 (What are the Basic Conditions and How to Meet Them), which sets out further details on each of the Basic Conditions. When a Neighbourhood Plan is submitted to the local planning authority it must be accompanied by a Basic Conditions Statement that sets out how the Parish Council considers that their Neighbourhood Plan meets the Basic Conditions.

11. When considering a Neighbourhood Plan, the examiner will assess whether or not the Neighbourhood Plan meets the Basic Conditions. When an examiner recommends that

the Neighbourhood Plan should proceed to referendum (if it meets the Basic Conditions, with or without modifications), the examiner's report must also set out whether the referendum area should be extended beyond the neighbourhood area. Comments made during the current consultation on the submission version of the Neighbourhood Plan, which will be provided to the examiner for their consideration, should therefore address whether the submitted Neighbourhood Plan meets the Basic Conditions and can also address whether the referendum area should be extended beyond the neighbourhood area.

12. SCDC is fully supportive of Parish Councils bringing forward Neighbourhood Plans for their areas, including Foxton Parish Council's decision to prepare a Neighbourhood Plan, and officers have been supporting the Parish Council in the plan's preparation. The Council's proposed response to this public consultation on the submission version of the Neighbourhood Plan is set out in Appendix 1.
13. SCDC is supportive of the aims of the Foxton Plan and our comments are intended to help the Plan to be successful at examination as well as delivering policies that are clear in their meaning and are unambiguous in their interpretation. SCDC recognise the achievement of Foxton PC in reaching this stage of submitting their Plan to us for examination.
14. If the examiner is minded to recommend that the Neighbourhood Plan should proceed to referendum, the Council does not feel that the referendum area needs to be extended beyond the designated Neighbourhood Area as the planning policies included in the plan would not have a substantial, direct or demonstrable impact beyond the parish.

**Declaration(s) of Interest**

***Record below any relevant interest declared by any executive Member consulted or by an officer present in relation to the decision.***

None

**Dispensation(s)**

***In respect of any conflict(s) of interest declared above, record below any dispensation(s) granted by the Council's Standards Committee.***

None

**Consultation**

***Record below all parties consulted in relation to the decision.***

Ward Councillor

**Other Options Considered and Reasons for Rejection**

The option of not sending a response from SCDC was rejected as this Council has a duty to provide advice and assistance to groups preparing neighbourhood plans.

<b>Final decision</b>	<b>Reason(s)</b>
To agree the response from SCDC set out at Appendix 1	The response is intended to provide the independent examiner with SCDC's comments on the Foxton Neighbourhood Plan.

<b>Signed</b>	<b>Name (CAPITALS)</b>	<b>Signature</b>	<b>Date</b>
Lead Cabinet Member	Signed copy available upon request from Democratic Services (democratic.services@scambs.gov.uk)		

Chief Officer	
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<b>Further Information</b>
<i>Appendix 1: SCDC response to the Foxtan Submission Neighbourhood Plan</i>