

Appendix 1

South Cambridgeshire District Council's response to the consultation on the submission Foxton Neighbourhood Plan

1. South Cambridge District Council (SCDC) is taking the opportunity to provide the examiner of the Foxton Neighbourhood Plan with the local planning authority's comments on the submission version of the plan.
2. SCDC has worked closely with Foxton Parish Council (PC) as they have been preparing their plan. We appreciate the hard work that has gone into getting their neighbourhood plan this far along the process. There have been many meetings with the neighbourhood plan team to discuss the plan as it has evolved. SCDC has provided constructive comments to the team at these meetings followed up by detailed notes to assist them in their plan making.
3. SCDC is pleased that many of the comments that were made during the pre-submission consultation (Regulation 14) have resulted in changes to the Submission version of the Foxton Neighbourhood Plan. The comments contained in this Appendix are identified either as matters that relate directly to whether, in our opinion, the Plan meets the Basic Conditions or as matters that would help the use of the Plan in practice. Those comments relating to meeting the Basic Conditions test are identified as follows – (BC test) and the other comments as (Non-BC test))

Mapping – (BC Test)

4. In earlier comments to the Foxton Plan we had asked the Parish Council to consider having larger scale maps to cover the whole of their parish to provide a comprehensive Policies Map – maybe at A3 scale so that it is easy to read. Figures 30A and 30B remain at a small scale that make it difficult to define the precise boundaries of designations.
5. Alternatively, we had suggested that the Parish Council could consider the approach used in our Local Plan Policies Map where individual villages can be covered by several A4 maps at legible and easy to read scales.
6. Figures 11i-11v could benefit from each being A4 size with crisp boundaries. The keys all have become somewhat blurry. Also, the Ordnance Survey mapping copyright is indistinct on all these maps.

Comments on the planning policies –

Chapter 5 Environment and local character: built and natural

7. Policy FOX2 Sustainable Design and Construction

- Supportive of the intentions of the policy – it is ambitious and does take things a step on from the current policies in the Local Plan. However, we have comments around the implementation of the policy and its clarity. (BC test)
- It is not clear how the information required should be provided within an application. The nature of the application itself could impact on how this can be demonstrated . We would suggest that the policy wording is amended to read as follows:
 - ‘Where appropriate, developments proposals should include demonstrate how the following are achieved:’ (BC test)
- We consider it doubtful whether, as written, the Policy is compliant with the Written Ministerial Statement dated 25 March 2015 and which remains in force. It states that neighbourhood plans should not set out any additional local technical standards or requirements relating to the construction, internal layout or performance of new dwellings.
- The policy calls for new development to target ‘zero carbon emissions’. We consider that “zero carbon emissions” needs to be defined, perhaps by adding the definition to the glossary. The policy needs to clearly state what evidence would need to be submitted to show compliance with the policy. (BC test)
- Bullet point 3 - Technically speaking this refers to ‘fabric efficiency’ measures rather than ‘energy efficiency’ measures so we suggest ‘energy efficiency’ be replaced by ‘fabric efficiency’. (BC test)
- Bullet point 4 - BREEAM ‘excellent’ can be quite hard to achieve for small non-residential development (from a cost perspective rather than technical feasibility). Should this requirement relate to major non-residential (i.e. 1,000m² and above) and then consider a more tailored approach for smaller scale non-residential development that doesn’t require an army of consultants to deliver? (BC test)
- Bullet point 6 – This does not add specific local considerations to the existing Local Plan Policy NH/15. However we would suggest that if this element of the policy is to be retained, it is tightened as follows: *‘Retrofit to reduce energy demand, and generation of renewable energy, are encouraged where appropriate and where such measures safeguard the character and appearance of designated and non-designated heritage assets.’* (BC test)
- Bullet point 7 - We suggest for clarity that this bullet point is amended to read as follows *“All proposals must demonstrate how they accord with the principles set out in the Greater Cambridge Sustainable Design and Construction SPD, which was adopted in January 2020”*. (BC test)
- It is unclear how much evidence there is to support this policy and what impact it would have on the future viability of developments within the village. Achieving zero carbon emissions will have cost implications. (BC test)

8. Policy FOX/4 Heritage Assets and their setting

- The first paragraph of this policy repeats the Local Plan Policy NH/14 about heritage assets which is one of our strategic policies. (BC test)
- The non-designated assets have been shown on the Policies Map which is to be welcomed but they are shown as a letter not showing the

extent/boundaries of the asset. For clarity the boundaries of each asset should be shown not just a letter. (BC test)

- Whilst recognising that the non-designated heritage assets were included in the Foxtton Conservation Area Appraisal the Plan would have benefited from having included a description of each asset and reasons for its inclusion as an appendix. (BC test)
- On Figure 13 it is unclear what status the built features shown on the map as red asterisks and identified from A-E are within the neighbourhood plan. (Non-BC test)
- Harm is detailed in the Policy, but there is no indication of what harm is or where this definition has been sourced from, this is then not reflected in the supporting text. If this is to refer to the NPPF level of harm, then it should be referred to. (BC test)

9. Policy FOX/5 Protect and Enhance Foxtton's Landscape Character

- The policy implies that it will be all scales of development that would need to be considered under this policy - is this the intention? (BC test)
- In the first bullet point mention is made of the terms 'hard edge' and 'blend' - these terms should be defined. (BC test)
- Does the second bullet point about Green Belt sensitive edges add any locally specific detail? There is a Local Plan policy that considers such land - Policy NH/8. (BC test)
- Final section about development in the open countryside – what development would be expected here? There are Local Plan policies that cover this issue. E.g. Policy S/7 and Policy NH/3. (BC test)

10. Policy FOX/7 Protect and enhance green space

- We previously had concerns about too many different terms being used to describe green open space as it can be confusing to use different terms that may mean different things to different people. The Plan would benefit from having a tighter description of open space that is to be protected through the plan. (BC test)
- In the supporting text to the policy paragraph 5.38 the fourth sentence states that Policy NH/12 of the Local Plan also applies to development proposals that could adversely impact upon the character of undesignated local green space. This is factually incorrect. This policy is specifically for Local Green Space identified in the Local Plan. (BC test)
- The policy does not need to repeat the protection given by Policy NH/12 and NH/11. (BC test)
- The policy states that development should avoid detrimental impact upon local green spaces within the *built-up area of the village* - does this mean within the development framework? Also, this term appears to be allocating areas that are not identified on the map and within the other definitions in the policy. (BC test)
- The Policy should refer to the Conservation Area "Appraisal" rather than Assessment. (BC test)

11. Policy FOX/8 Biodiversity and New Development

- This is somewhat repeating the biodiversity policies in the Local Plan (BC test)
- Supporting paragraph 5.5 states that there are no biodiversity designated sites within the Parish boundary; however, the River Rhee/Cam which forms the northern boundary of the Parish is designated as a County Wildlife Site. This should be included within the paragraph.
- In the policy references to 'net gain in biodiversity' should be changed to 'measurable net gain in biodiversity' as per paragraph 174 (b) and 175 (d) of the National Planning Policy Framework 2018. The difference between 'net gain' and 'measurable net gain' is considerable. (BC test)

Chapter 6 - Housing

12. Policy FOX/9 Redevelopment of old school/chapel site on Station Road.
 - This policy states that the new dwellings are to be designed and built to the M4(2) standards. We understand that the Written Ministerial Statement 25 March 2015 is still in force and states that neighbourhood plans should not set out any additional local technical standards or requirements relating to the construction, internal layout or performance of new dwellings.
 - An Examiner for a neighbourhood plan elsewhere has indicated *“My understanding is that Part M of the Building Regulations requires that all new dwellings to which Part M of the Building Regulations applies should be designed to a minimum of M4(1) ‘visitable dwellings’ and that local authorities can opt into, or ‘switch on’, requirements for M4(2) and M4(3) via Local Plan policy. However, it is clear from the WMS that neighbourhood plans cannot set this standard.”*
 - If this is not the case, does the policy apply to all buildings, or a percentage? Has an assessment of the impact on viability of the implementation of the Policy been undertaken? (BC test).
13. Policy FOX/10 Housing Mix
 - Mention is made in the final paragraph of this policy to Standard M4(2). See comments for Policy FOX/9 regarding the Written Ministerial Statement 25 March 2015. If this is not the case, should the term 'where appropriate' be added to allow for flexibility where there may be a need for exceptions to the policy? (BC test)
14. Policy FOX11 Rural Exception sites
 - This is repeating Local Plan Policy H/11 about exception sites although there are some locally specific elements. We continue to have concerns that the policy by discouraging all development in the chalklands area is too restrictive. In the future it may be that to meet the local housing needs of the parish that sites in the chalkland area may have to be considered. (BC test)

Chapter 7 Community facilities

15. Policy FOX/12 Protecting Community Facilities
 - In the first sentence of the policy the term ‘significant harm’ is used. This term should be defined for clarity. (BC test)
 - The policy asks for evidence, but it is unclear what actual evidence would be required to support this policy. (BC test)
 - Policy SC/3 in the Local Plan protects community facilities. The neighbourhood plan policy does include facilities specific to Foxton but repeats only part of the local plan policy criteria – It could be interpreted as a weaker policy. It would be preferable to highlight the specific facilities in Foxton and cross refer to Policy SC/3. (BC test)
16. Policy FOX14 Protect and Increase Recreational and Informal Open Space.
 - This policy is all embracing. Policy SC/7 in the Local Plan protects recreation grounds, allotments and community orchards. It is unclear what is meant by existing open spaces – is there a map to show all such areas within the village? Would future green spaces be considered? Is there an overlap with the green spaces protected in Policy FOX/7? (BC test)

Chapter 8 Employment

17. Policy FOX16 New Employment Provision in Foxton
 - Local Plan policies cover many of the criteria included in this policy. The only exception is the final criteria about electric charging points (BC test)

Chapter 9 Transport Employment

18. Policy FOX/18 New Development and Connectivity
 - The last section of policy talks about proposals that generate a significant amount of traffic in the area. It is not clear how this significance would be measured. (BC test)
19. Policy FOX/20 A10 Cambridge Road Development Opportunity Site
 - The policy refers to a “site” but the map identifies two sites. Would both sites be allowed to be developed or only one? (BC test)
 - This policy includes the phrase ‘minimising negative impact on... the local environment’. It should explicitly recognise heritage assets/the historic environment. (BC test)
20. Appendix 1 Designated heritage assets
 - Designated heritage assets should be taken from the National Heritage List for England. (Non-BC test)
 - The list of heritage assets can become out-of-date and therefore, if it’s considered necessary to include the list, the date and source of the list should be also be stated. (Non-BC test)

