

Independent examination of the Foxton Neighbourhood Plan

Examiner: Andrew S Freeman BSc (Hons) DipTP DipEM FRTPI

Annabel Wright
Clerk to Foxton Parish Council

Alison Talkington
South Cambridgeshire District Council

Examination Ref: 01/AF/FNP

Via email

2 March 2021

Dear Ms Wright and Ms Talkington

Foxton neighbourhood plan examination

Following the submission for examination of the Foxton Neighbourhood Plan (the Plan), I would like to clarify several initial procedural matters. I also have a number of preliminary questions for South Cambridgeshire District Council and Foxton Parish Council.

1. Examination Documentation

I can confirm that I am satisfied that I have received a complete submission of the Plan and accompanying documentation, including the Basic Conditions Statement, the Consultation Statement, the Pre-Submission Sustainability Statement and the Regulation 16 representations, to enable me to undertake the examination.

Subject to my detailed assessment of the Plan, I have not at this initial stage identified any very significant and obvious flaws in the Plan that might lead me to advise that the examination should not proceed.

2. Site Visit

I intend to undertake a site visit to the neighbourhood plan area during the week commencing 22 March 2021 subject to the prevailing Government COVID-19 advice at that time. This will assist in my assessment of the Plan, including the issues identified in the representations.

The visit will be undertaken unaccompanied. It is very important that I am not approached to discuss any aspects of the Plan or the neighbourhood area, as this may be perceived to prejudice my independence and risk compromising the fairness of the examination process (and further respecting the current COVID-19 distancing arrangements).

I may have some additional questions, following my site visit, which I will set out in writing should I require any further clarification.

3. Written Representations

At this stage, I consider the examination can be conducted solely by the written representations procedure, without the need for a hearing. However, I will reserve the option to convene a hearing should I consider there are exceptional reasons for doing so.

4. Further Clarification

I have a number of initial questions seeking further clarification, which I have set out in the Annex to this letter. I would be grateful if you can seek to provide a written response within **2 weeks** of the date of this letter.

5. Examination Timetable

As you will be aware, the intention is to examine the Plan (including conduct of the site visit) with a view to providing a draft report (for 'fact checking') within 4-6 weeks of submission of the Plan.

As I have raised a number of questions, I must provide you with sufficient opportunity to reply. Consequentially, the examination timetable will be extended. Please be assured that I will endeavour to mitigate any delay as far as is practicable. The IPE office team will seek to keep you updated on the anticipated delivery date of the draft report.

If you have any process questions related to the conduct of the examination, which you would like me to address, please do not hesitate to contact the office team in the first instance.

In the interests of transparency, may I prevail upon you to ensure a copy of this letter and any respective responses, are placed on the Parish Council and Local Authority websites.

Thank you in advance for your assistance.

Your sincerely

Andrew Freeman

Examiner

Annex

From my initial reading of the Foxtton Neighbourhood Plan and the supporting evidence, I have a number of questions for South Cambridgeshire District Council and Foxtton Parish Council. I have requested the submission of a response within **2 weeks** of the date of this letter.

Questions for South Cambridgeshire District Council

1. Some of the points raised by the District Council may have been overtaken by events, for example, the reference to OS mapping copyright in 68601; to fabric efficiency in 68602; and to the local environment in 68614. Although the representations were “received” on 16 February 2021, do they represent the very latest comments of the District Council, post-dating the liaison meeting with the Parish Council on 6 August 2019?
2. Does the District Council wish to comment on any of the third-party representations?

Questions for Foxtton Parish Council

3. Given the passage of time, have there been any material events since the Plan was drafted that might affect the policies and which would need to be recognised in any made Plan?
4. Policy FOX/2 – “development is done with engagement and permissions of relevant organisations”: Is there adequate clarity over what would be required of developers? What engagement and permissions would be required and from whom?
5. Policy FOX/2 – “comply with sustainable design and construction standards”: What are the standards and where are they to be found?
6. Policy FOX/2 – Greater Cambridge Sustainable Design and Construction SPD: Has this now been adopted?
7. 5.22 – paragraph 135 of the NPPF: Is this correct?
8. Figure 12: Are *all* the features identified in the key (with the exception of the parish boundary) regarded as non-designated heritage assets (Policy FOX/4 refers)?
9. Policy FOX/5 – “Development on the eastern side which buffers the Green Belt”: Is the land to which reference is made adequately identified? Does this refer to land beyond but on the western boundary of the Green Belt where it adjoins the “Development Framework”?
10. Policy FOX/5 – final bullet point – “may only be acceptable”: If demonstrable evidence is provided, would proposals be supported?

11. The viewpoint to the east of Bleak House as shown on Figure 15 is in a position different from that shown on the Policies Map, Figure 30B. Which is correct?
12. Policy FOX/10: Is there clarity over the meaning of “homes intended for lifetime occupation”?
13. Policy FOX/11: For sites adjoining (but outside) the Green Belt, is it appropriate to apply a test of very special circumstances?
14. Policy FOX/14: How are “Existing open spaces” to be defined or identified?
15. Policy FOX/14 – “not prejudice the delivery of the future provision”: Future provision of what?
16. Policy FOX/16: Is there any distinction to be drawn between “employment uses” and “commercial uses” as expressed in the policy?
17. Policy FOX/16 – second bullet point: What is the description in Appendix 1 of the Neighbourhood Plan with which conformity is expected?
18. Do you have any comments on the objections of Cambridgeshire County Council (68590 to 68584)?
19. Do you have any comments on the objections of R2 Developments Limited (68617, 68620, 68621 and 68622)?