

High Littleton and Hallatrow Neighbourhood Plan Decision Statement (Proceeding to Referendum)

1. INTRODUCTION

- 1.1 Pursuant to the Adopted Bath & North East Somerset Council's Statement of Community Involvement, the Head of Planning & Building Control is authorised on behalf of the Local Planning Authority to make decisions on Neighbourhood Plan proposals following the examination of a Neighbourhood Plan proposal in accordance with the Town and Country Planning Act 1990 (as amended) and the Neighbourhood Planning (General) Regulations 2012 (as amended) and other relevant legislation.

2. BACKGROUND

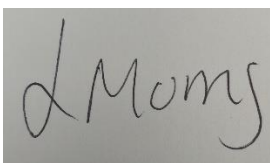
- 2.1 The plan area comprises the whole parish of High Littleton and Hallatrow in the Bath & North East Somerset Council authority area (B&NES). On 6th October 2016, B&NES Council approved that the High Littleton and Hallatrow Neighbourhood Area be designated in accordance with the Neighbourhood Planning (General) Regulations 2012.
- 2.2 High Littleton and Hallatrow Parish Council submitted the draft High Littleton and Hallatrow Neighbourhood Plan, and supporting documents, to B&NES Council in February 2024.
- 2.3 Following submission of the High Littleton and Hallatrow Neighbourhood Plan to the local authority, B&NES Council publicised the Plan and supporting documents and invited representations during the consultation period 2 July and 23 August 2024 in line with Regulation 16 in The Neighbourhood Planning (General) Regulations 2012.
- 2.4 In September 2024, B&NES Council appointed an independent examiner, Janet L Cheesley BA (Hons) DipTP MRTPI to review the Plan and consider whether it should proceed to referendum.
- 2.5 The examiner identified that the content of the Consultation Statement available for consultation as part of the package of documents publicised for comment under Regulation 16 did not accord with the requirements of Regulation 15(2) in The Regulations. To rectify the situation, B&NES Council publicised a revised Consultation Statement as part of the documents for a further six-week consultation period from November 6 to December 18, 2024, under Regulation 16. During the same consultation period, the Landscape Character Assessment of High Littleton Parish (LCA) (April 2018) was made available for public consultation as a number of the policies are reliant on the findings of the LCA for their justification.

- 2.6 The examiner's report was received on 6th February 2025 and concluded that subject to making the modifications recommended in the report, that the draft Plan meets the Basic Conditions and should proceed to referendum. The examiner also recommended that the area for the referendum should not extend beyond the Neighbourhood Area to which the plan relates.
- 2.7 In accordance with legislation, the local authority must consider each of the recommendations made in the examiner's report, decide what action to take in response to each recommendation and what modifications should be made to the draft Plan in order to be satisfied that it meets the Basic Conditions and is compatible with Convention Rights. If the authorities are satisfied, then a referendum must be held. Consideration also needs to be given as to whether to extend the area to which the referendum is to take place.

3. DECISION AND REASONS

- 3.1 Having considered the examiner's recommendations and reasons for them, B&NES Council concur with the examiner's view and have decided to make modifications to the draft High Littleton and Hallatrow Neighbourhood Plan to ensure that it meets legal requirements including the Basic Conditions as set out in legislation. Appendix 1 sets out the modifications to be made in response to the examiner's recommendations, together with the reasons for them.
- 3.2 B&NES Council are satisfied that the Neighbourhood Plan as modified complies with the legal requirements and can proceed to referendum.
- 3.3 B&NES Council also agree with the examiner that there is no reason to extend the Neighbourhood Plan Area for the purpose of holding the referendum.
- 3.4 I declare that we have no private interest in respect of this matter that would prevent us from making this decision.

Signed:

A rectangular box containing a handwritten signature in black ink. The signature appears to read 'Louise Morris' in a cursive script.

Louise Morris MRTPI
Head of Planning & Building Control
Bath & North East Somerset Council

Dated: 20th February 2025

APPENDIX 1: Modifications to the draft High Littleton and Hallatrow Neighbourhood Plan in response to the Examiner's recommendations

Throughout the table modifications are shown as follows:

The paragraph, policy and page numbering relates to the submission draft High Littleton and Hallatrow Neighbourhood Plan, as submitted to the LPA in February 2024

The Examiner's report notes that: "*The Plan is a well-written document, which is easy to read. Where I have found errors, I have identified them above. It is not for me to re-write the Plan. If other minor amendments are required as a result of my proposed modifications, I see these as minor editing matters which can be dealt with as minor modifications to the Plan. In particular, there are a number of maps near the end of the Plan which require titles and keys.*" The final plan, to be published for the purposes of the referendum, will renumber the policies and paragraphs following the making of the changes as set out in the table below.

Examiner Recommendation Number (Paragraph Ref)	Recommendations and Modifications	Section	Reason
41.	Recommendation: to meet the Basic Conditions, I recommend that the vision outlined in the Consultation Statement is included in the Plan and objectives accompanying the policies are modified where necessary to duplicate the key objectives identified on Page 3.	Vision added to Page 3	To meet the Basic Conditions
42.	The planning context in Section 2 needs to be updated. In Section 3 the Map requires a Key. I see these as minor editing matters.	Section 2 & Section 3	Minor editing matter
43.	As this is an important evidence base, the Parish Council may wish to consider including the whole LCA in Appendix B. I see this as a minor editing matter.	Section 3.3	Minor editing matter
53.	<p>Recommendation: to meet the Basic Conditions, I recommend:</p> <p>1) modification to Policy PD1 to read as follows: PD1 - Preserve the rural landscape Small-scale development proposals should not have a detrimental impact on the landscape character of the Parish and should have regard to the Landscape Character Assessment of High Littleton Parish (April 2018).</p> <p>2) transferring the last sentence in Policy PD1 to the rationale column to be updated if the Parish Council decides to include the whole LCA in Appendix B</p>	Policy PD1	To meet the Basic Conditions
61.	Recommendation: to meet the Basic Conditions, I recommend transferring the last sentence in Policy PD2a to the rationale column.	Policy PD2a	To meet the Basic Conditions

<p>69.</p>	<p>Recommendation: to meet the Basic Conditions, I recommend:</p> <p>1) modification to Policy PD2b to read as follows: PD2b: Any new small-scale development must demonstrate consideration for highway and pedestrian safety and support High Littleton and Hallatrow Neighbourhood Plan Neighbourhood Plan Examiner’s Report CHEC Planning Ltd 15 easement of traffic congestion throughout the Parish, for example, by providing necessary parking. Any new small-scale development must consider the need to support a sustainable and safe commuter corridor that protects the parish residents and also supports commuters utilising this route.</p> <p>2) transferring the first sentence in the second paragraph in Policy PD2b to the rationale column.</p>	<p>Policy PD2b</p>	<p>To meet the Basic Conditions</p>
<p>77.</p>	<p>Recommendation: to meet the Basic Conditions, I recommend modification to Policy PD3 to read as follows:</p> <p>PD3: New small-scale development proposals on land between the villages of High Littleton and Hallatrow must seek to maintain the rural environment and preserve the natural green spaces between the villages, having regard to the Landscape Character Assessment of High Littleton Parish (April 2018).</p>	<p>Policy PD3</p>	<p>To meet the Basic Conditions</p>
<p>86.</p>	<p>Recommendation: to meet the Basic Conditions, I recommend modification to Policy PD4 to read as follows:</p> <p>PD4: New small-scale developments must deliver the clean energy requirements that align with the ambitions of the B&NES Local Plan and the latest Climate Action Plan. New small-scale developments must consider the installation of solar panels and green technology where appropriate, for example future planning with the installation of electric car charging points. Small-scale developments that demonstrate net zero by 2030 are supported.</p>	<p>Policy PD4</p>	<p>To meet the Basic Conditions</p>

<p>92.</p>	<p>Recommendation: to meet the Basic Conditions, I recommend modification to Policy PD5 to read as follows:</p> <p>PD5: Where appropriate, new small-scale developments must demonstrate support for safe walking routes throughout the Parish and, in particular, routes to key parish assets (including the school and recreation ground). Where any significant enhancements are proposed, a consultation with residents is encouraged.</p>	<p>Policy PD5</p>	<p>To meet the Basic Conditions</p>
<p>95.</p>	<p>The last paragraph on page 13 regarding national environmental policy should be updated if required. I see this as a minor editing matter.</p>	<p>Policy Page 13</p>	<p>Minor editing matter</p>
<p>99.</p>	<p>The second paragraph in the rationale for Policy ES4 is more relevant to Policy ES1a and thus its contents should be incorporated in to the rationale for Policy ES1a. I see this as a minor editing matter</p>	<p>Policy ES4</p>	<p>Minor editing matter</p>
<p>101.</p>	<p>Recommendation: to meet the Basic Conditions, I recommend:</p> <p>1) modification to Policy ES1a to read as follows: ES1a Respond positively to opportunities to protect and enhance the natural environment, including key wildlife habitats and corridors. All new development should focus on preserving the existing green infrastructure whilst not adversely impacting the current agricultural pastures, hedgerows, woodlands, grasslands and watercourses of the Parish landscape and environment. Key wildlife habitats and green spaces within the Parish are identified on map xx.</p> <p>2) transferring the following from Policy ES1a to the rationale: As identified in the Area Profiles of the Joint Green Infrastructure Strategy for the West of England, the Parish lies within Area 11 (Cam, Wellow and Somer Valley). 3) the inclusion in the Plan of the key wildlife habitats and green spaces map I received via email from B&NES on 20 January 2025 and modification to the last sentence in the rationale column accompanying Policy ES1a to read as follows: Key wildlife habitats and green spaces are identified on map xx.</p>	<p>Policy ES1a</p>	<p>To meet the Basic Conditions</p>

<p>109.</p>	<p>Recommendation: to meet the Basic Conditions, I recommend:</p> <p>1) modification to Policy ES2 to read as follows: ES2: Any new small-scale development should be specifically designed to minimise the risk of light spillage/light pollution within the Parish. Lighting should be designed to protect light sensitive species and dark skies. In particular, light spillage should be minimised beyond the site boundary into neighbouring properties, the wider countryside and night sky to protect bats and other nocturnal wildlife that may be adversely affected.</p> <p>2) transferring the following from Policy ES2 to the rationale: It is widely recognised at a local level that noise and light pollution is a growing problem and there is strong support to reduce harm to the environment and wildlife.</p>	<p>Policy ES2</p>	<p>To meet the Basic Conditions</p>
<p>116.</p>	<p>Recommendation: to meet the Basic Conditions, I recommend:</p> <p>1) modification to Policy ES3 to read as follows: ES3: Ensure that sustainable drainage solutions are incorporated which reduce water pollution and enable the Parish to adapt and build resilience for the increasing pressures of climate change. Incorporating and delivering Sustainable Urban Drainage Systems (SuDS) and where feasible, Nature-Based Solutions (NbS), will be a requirement of any new small-scale development.</p> <p>2) transferring the following from Policy ES3 to the rationale: SuDS and NbS will help to slow the flow of water through the landscape and improve natural drainage. Delivering Nature-Based Solutions will also help to improve water quality, through natural infiltration, and reducing urban diffuse pollution by capturing surface water run-off before any polluted water drains back through the landscape into the local rivers.</p>	<p>Policy ES3</p>	<p>To meet the Basic Conditions</p>
<p>120.</p>	<p>Recommendation: to meet the Basic Conditions, I recommend the deletion of Policy ES4.</p>	<p>Policy ES4</p>	<p>To meet the Basic Conditions</p>
<p>126.</p>	<p>The accompanying text and rationale refer to Appendix G, where they should refer to Appendix C. The second paragraph under the aim in section 4.4 should refer to 'villages', rather than 'village'. I see these as minor editing matters.</p>	<p>Section 4.4</p>	<p>Minor editing matter</p>

<p>127.</p>	<p>Recommendation: to meet the Basic Conditions, I recommend modification to Policy HB1 to read as follows:</p> <p>HB1: Where relevant, new small-scale development proposals should seek to preserve a designated heritage asset listed in Appendix C or its setting or any features of special architectural or historic interest which it possesses. Restoration of original features of designated heritage assets and/or improvements to previous unsympathetic alterations will be supported.</p>	<p>Policy HB1</p>	<p>To meet the Basic Conditions</p>
<p>136.</p>	<p>Recommendation: to meet the Basic Conditions, I recommend:</p> <p>1) modification to Policies HB2 and HB3 into one combined policy to read as follows: HB2: New buildings, as part of a small-scale development proposal, should be sympathetic to design characteristics, building shapes and proportions and be of simple form. New small-scale development proposals fronting onto the A39 should reflect the distinct design characteristics of existing buildings and be sympathetic in form. Prominent developments (i.e. those fronting on to or visible from the A39) should make use of natural local materials with the use of slate, neutral clay or dark tiles for roofs with lias stone (High Littleton) templestone (Hallatrow) being encouraged.</p> <p>2) transferring the second paragraph in Policy HB2 into the rationale.</p> <p>3) deleting 'and should be preserved' from the end of the first sentence in the rationale accompanying Policy HB2.</p>	<p>Policies HB2 and HB3</p>	<p>To meet the Basic Conditions</p>
<p>140.</p>	<p>Recommendation: to meet the Basic Conditions, I recommend:</p> <p>1) modification to Policy HB4 to read as follows: HB4: New small-scale development proposals in the vicinity of the school and Holy Trinity Church should have regard to the distinct historic character of the area.</p> <p>2) transferring the second paragraph in Policy HB4 into the rationale.</p>	<p>Policy HB4</p>	<p>To meet the Basic Conditions</p>