

DRAFT

High Littleton & Hallatrow Neighbourhood Plan Basic Conditions Statement

Introduction

This document explains how the proposed High Littleton & Hallatrow Neighbourhood Development Plan meets the requirements of the Neighbourhood Planning (General) Regulations 2012. It has been prepared by High Littleton Parish Council in accordance with the Localism Act 2011.

By Order of Bath & North East Somerset Council made in October 2016 the parish of High Littleton (which includes Hallatrow) was designated as a Neighbourhood Plan Area.

Map

The Neighbourhood Plan Area - the 'Designated Area' is as shown on page 5 ('Our Parish') of the High Littleton & Hallatrow Neighbourhood Plan and is the boundary of the parish of High Littleton.

Background

High Littleton Parish Council recognises that the parish (including the villages of High Littleton and Hallatrow, and hamlets of White Cross and Mearns) is set within open countryside which provides the rural communities with a distinctive character and very special sense of place, and provides physical separation of the main settlements of High Littleton and Hallatrow.

The landscape surrounding the two villages has very limited capacity to accommodate development, which should be of modest scale enabling it to be properly integrated into the established morphology of the settlements rather than encroaching into the open countryside. There is a clear need to maintain the green spaces and open countryside between the two villages, as well as that between the surrounding villages of Paulton, Clutton and Timsbury.

This Plan seeks to ensure that our Parish continues to thrive and remains an attractive place to live, work and visit. We wish to ensure that future generations benefit from improved and sustainable facilities and that the distinctive rural nature of the Parish is maintained and protected by realising the following key objectives:

- Allow for small-scale development (between 1 – 9 dwellings) that can be supported by the local infrastructure
- Preserve and protect the distinct rural and historical character of the parish
- Maintain the integrity of buildings to preserve the parish's heritage
- Safeguard and enhance the natural environment and biodiversity within the parish and encourage measures to increase resilience and adaptation to climate change
- Support and enhance existing amenities and services within the parish for the benefit of the community and other stakeholders and help to reduce the carbon footprint

Legislation

Neighbourhood Development Plans must meet the following basic conditions (**Paragraph 8, Schedule 4B, 1990 Act**):

(1) The examiner must consider the following:

(a) whether the draft neighbourhood development plan meets the basic conditions (see subparagraph (2)),

(b) whether the draft neighbourhood development plan complies with the provision made by or under sections 61E(2), 61J and 61L,

(d) whether the area for any referendum should extend beyond the neighbourhood area to which the draft neighbourhood development plan relates, and

(e) such other matters as may be prescribed.

(2) A draft neighbourhood development plan meets the basic conditions if:

- (a) 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,*
- (d) the making of the neighbourhood development plan contributes to the achievement of sustainable development,*
- (e) 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),*
- (f) the making of the neighbourhood development plan does not breach, and is otherwise compatible with, EU obligations, and*
- (g) prescribed conditions are met in relation to the neighbourhood development plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood development plan.*

(6) The examiner is not to consider any matter that does not fall within sub-paragraph (1) (apart from considering whether the draft neighbourhood development plan is compatible with the Convention rights).

Meeting Requirements

Neighbourhood Plans must not breach and must be compatible with EU and human rights obligations. The National Planning Policy Framework makes clear that a sustainability appraisal should be an integral part of the plan preparation process, but the particular assessment requirements need to respond to the scale, status and scope of the plan being developed. It is not the case that every Neighbourhood Plan will need an environmental assessment of the type normally required when preparing Local Plans. Strategic Environmental Assessment may be required for Neighbourhood Plans, where they are likely to cause significant environment effects.

Even where there is no need to undertake formal environmental assessment under EU directives, it is good practice to prepare a statement setting out how environmental issues have been taken into account and considered during the preparation of the Neighbourhood Plan.

(1) The examiner must consider the following—

| Regulation | Comments |
|---|--|
| <i>(a) whether the draft neighbourhood development plan meets the basic conditions (see sub-paragraph (2)),</i> | <p>By reason of National Planning Policy Framework (Dec 2023) paragraph 2, this plan is a material consideration in the determination of an application for planning permission. The Plan seeks to reflect the wishes, needs and priorities of this community.</p> <p>The Neighbourhood Plan has due regard for the Plan-making principles set out in Para 15/16 of the NPPF and in particular seeks to:</p> <ol style="list-style-type: none"> 1. support proportionate, sustainable and small-scale residential development, in a way that enhances the character of the area and protects the natural and historic environment for future generations (PD) 2. safeguard and enhance the natural habitat and biodiversity within the Parish and to adapt and build resilience to a changing climate, supporting the net-zero carbon objectives of the Council (ES) 3. recognise heritage of assets (including buildings, walls and monuments), specific areas of historic importance and historic natural features (including trees and hedges) in the parish such that they can be preserved to maintain the distinct character of the parish (HB) |

| Regulation | Comments |
|--|--|
| <p><i>(b) whether the draft neighbourhood development plan complies with the provision made by or under sections 61E(2), 61J and 61L,</i></p> | <p>The provision of 61E (2) 61J and 61L as amended by s38C (5) (b) is a reference to the provisions of 38A and 38B.</p> <p>38A (1) High Littleton Parish Council is a qualifying body authorised to act in relation to the neighbourhood area and is therefore entitled to submit a neighbourhood development plan for the neighbourhood area.</p> <p>(2) The neighbourhood plan policies and guidelines relate solely to the Neighbourhood Area – the Parish of High Littleton.</p> <p>38B(1) (a) The period of the neighbourhood plan is up to 2043. (b)The neighbourhood plan does not include any provision for excluded development such as national infrastructure. (c) There is no other neighbourhood plan in place in this neighbourhood area.</p> <p>38B(2) The neighbourhood plan does not relate to more than one neighbourhood area; it relates to the neighbourhood area as designated by Bath and North East Somerset Council in October 2016.</p> <p>38B (4) The Neighbourhood Planning (General) Regulations 2012 have been used to inform the process of making the Neighbourhood Plan.</p> <p>High Littleton Parish Council (the 'qualifying body') has submitted as part of the plan a statement on Community Engagement (page 9 of the plan) and included in this statement (below) is a list of the Regulation 14 consulted bodies.</p> <p>(Note: NDPs which are likely to have a significant effect on European Sites habitats must be subject to an appropriate assessment-the Plan will not affect European Sites habitats. NDOs may also be subject to an Environmental Impact Assessment-This is not applicable to NDPs.)</p> |
| <p><i>on(d) whether the area for any referendum should extend beyond the neighbourhood area to which the draft neighbourhood development plan relates,</i></p> | <p>It is not considered that there would be any benefit in extending the referendum area beyond the neighbourhood area as the plan relates only to those properties that fall within the neighbourhood boundary.</p> |
| <p><i>(e) such other matters as may be prescribed.</i></p> | <p>There are no other prescribed matters</p> |

(2) A draft neighbourhood development plan meets the basic conditions if

| Regulation | Comments |
|---|--|
| <p><i>(a) 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,</i></p> | <p>By reason of National Planning Policy Framework (Dec 2023) paragraph 2, this plan is a material consideration in the determination of an application for planning permission. The Plan seeks to reflect the wishes, needs and priorities of this community.</p> <p>The Neighbourhood Plan has due regard for the Plan-making principles set out in Para 15/16 of the NPPF and in particular seeks to:</p> <ol style="list-style-type: none"> 1. support proportionate, sustainable and small-scale residential development, in a way that enhances the character of the area and protects the natural and historic environment for future generations (PD) 2. safeguard and enhance the natural habitat and biodiversity within the Parish and to adapt and build resilience to a changing climate, supporting the net-zero carbon objectives of the Council (ES) 3. recognise heritage of assets (including buildings, walls and monuments), specific areas of historic importance and historic natural features (including trees and hedges) in the parish such that they can be preserved to maintain the distinct character of the parish (HB) |
| <p><i>(d) the making of the neighbourhood development plan contributes to the achievement of sustainable development,</i></p> | <p>At a very high level, the objective of sustainable development, as set out in the National Planning Policy Framework, can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.</p> <p>The High Littleton and Hallatrow Neighbourhood Plan contributes to the achievement of sustainable development by seeking to:</p> <ol style="list-style-type: none"> 1. support proportionate, sustainable and small-scale residential development, in a way that enhances the character of the area and protects the natural and historic environment for future generations (PD) 2. safeguard and enhance the natural habitat and biodiversity within the Parish and to adapt and build resilience to a changing climate, supporting the net-zero carbon objectives of the Council (ES) 3. recognise heritage of assets (including buildings, walls and monuments), specific areas of historic importance and historic natural features (including trees and hedges) in the parish such that they can be preserved to maintain the distinct character of the parish (HB) |
| <p><i>(e) 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),</i></p> | <p>This Plan takes due account of the adopted Development Plan for Bath & North East Somerset Council, and is in general conformity with policies relating to housing, green spaces and economy.</p> |

| Regulation | Comments |
|--|---|
| <i>(f) the making of the neighbourhood development plan does not breach, and is otherwise compatible with, EU obligations,</i> | <p>It was determined that the Neighbourhood Plan will not have significant environmental effects and that no European Sites will be affected by the policies described in the Neighbourhood Plan.) As such an SEA is not required for this Neighbourhood Plan. Therefore, basic conditions concerning Habitats and Environmental Impact Assessment as described in Schedules 2 and 3 of the Regulations have been accounted for.)</p> <p>The Neighbourhood Plan has regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights and comply with the Human Rights Act 1998.</p> |
| (g) prescribed conditions are met in relation to the neighbourhood development plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood development plan. | None. |

The Qualifying Body has submitted with this application, accompanying documents as set out in Regulation 15 of the Neighbourhood Planning (General) Regulations 2012.

Conclusion

It is submitted that the Neighbourhood Plan meets the conditions set out in Paragraph 8 of Schedule 4B of the 1990 Act.

| Neighbourhood Plan Policy | NPPF | B&NES Core Strategy / Placemaking Plan / Local Plan Partial Update |
|--|--|---|
| <p>PD1: Preserve the rural landscape. Small-scale development proposals should not have a detrimental impact on the landscape character and setting of the Parish and its surrounding countryside and should not have a detrimental impact on the important views identified in the Landscape Character Assessment. The full report is available on the Parish Council website and summarised at Appendix B (of the plan).</p> | <p>12. Achieving well-designed places 15. Conserving and enhancing the natural environment</p> | <p>NE2: Conserving and Enhancing the Landscape and Landscape Character NE2A: Landscape Setting Of Settlements</p> |
| <p>PD2a: Support small-scale (between 1 to 9 dwellings), infill developments. Small-scale development proposals are supported where they are considered small-scale or infill. No major sites will be offered up for development through this plan.</p> | <p>5. Delivering a sufficient supply of homes</p> | <p>RA1: Development in the villages meeting the listed criteria</p> |
| <p>PD2b: Any new small-scale development must demonstrate consideration for highway and pedestrian safety and support easement of traffic congestion throughout the Parish, for example, by providing necessary parking. Greater consideration and resource is required to ensure a balance is maintained for the people living in the Parish and the people commuting through the villages via the A39. Any new small-scale development must be sensitively developed and 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>9. Promoting sustainable transport</p> | <p>ST1: Promoting Sustainable Travel And Healthy Streets</p> |
| <p>PD3: Maintain the rural environment and preserve the natural green spaces between the villages in line with the recommendations of the Landscape Character Assessment. New small-scale development proposals on land between the villages of High Littleton and Hallatrow must take due consideration of the Landscape Character Assessment. Any development that is proposed in the important green space identified and valued by the local communities will not be supported.</p> | <p>8. Promoting healthy and safe communities 15. Conserving and enhancing the natural environment</p> | <p>NE2: Conserving and Enhancing the Landscape and Landscape Character NE2A: Landscape Setting Of Settlements LCR6A: Local Green Spaces</p> |

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|--|---|--|
| <p>PD4: New small-scale developments must deliver the Clean Energy requirements that align with the ambitions of the B&NES Local Plan and Climate Emergency Action Plans.</p> <p>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. Only small-scale developments that demonstrate net zero by 2030 are supported.</p> | <p>14. Meeting the challenge of climate change, flooding and coastal change</p> | <p>SCR6: Sustainable Construction Policy For New Build Residential Development</p> <p>SCR7: Sustainable Construction Policy For New Build Non-Residential Buildings</p> <p>SCR2: Roof Mounted/Building Integrated Scale Solar PV</p> |
| <p>PD5: 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 required.</p> | <p>8. Promoting healthy and safe communities</p> <p>9. Promoting sustainable transport</p> | <p>ST1: Promoting Sustainable Travel And Healthy Streets</p> <p>ST2A: Active Travel Routes</p> |
| <p>ES1a: Respond positively to opportunities to protect and enhance the natural environment, including key wildlife habitats and corridors.</p> <p>In particular, focus on preserving the existing green infrastructure whilst not adversely impacting the current agricultural pastures, woodlands, grasslands and watercourses of the Parish landscape and environment.</p> <p>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). Based on the characteristics of this Area and the Nature Recovery Network, it is of particular importance that any impact on the hedgerows, woodlands, grasslands and watercourse habitats are protected and mitigated as part of any new small-scale development.</p> | <p>14. Meeting the challenge of climate change, flooding and coastal change</p> <p>15. Conserving and enhancing the natural environment</p> | <p>NE3 Sites. Habitats and Species</p> <p>NE3a Biodiversity Net Gain</p> <p>NE4 Ecosystem Services</p> <p>NE5 Ecological networks and Nature Recovery</p> <p>NE6 Trees and woodland conservation</p> |
| <p>ES1b: Demonstrate Biodiversity Net Gain (BNG) improvements and provide mitigation to benefit the local environment, if required through legislation</p> <p>Any off-site mitigation should focus on improving local habitats and supporting species adaptation to climate change.</p> | <p>14. Meeting the challenge of climate change, flooding and coastal change</p> <p>15. Conserving and enhancing the natural environment</p> | <p>NE3a Biodiversity Net Gain</p> |

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| <p>ES2: Any new small-scale development should be specifically designed to minimise the risk of light spillage/light pollution within the Parish.</p> <p>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. 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 will be affected.</p> | <p>14. Meeting the challenge of climate change, flooding and coastal change</p> <p>15. Conserving and enhancing the natural environment</p> | <p>PCS1 Pollution and nuisance</p> |
| <p>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.</p> <p>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>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>Any new small-scale development will specifically need to demonstrate robust Surface Water Management Plans that will future-proof and build resilience to Climate Change for the local communities over the next 100 years and beyond and protect against future flood events.</p> | <p>14. Meeting the challenge of climate change, flooding and coastal change</p> <p>15. Conserving and enhancing the natural environment</p> | <p>CP5: Flood Risk Management SU1: Sustainable Drainage</p> |
| <p>ES4: Protect and enhance spaces and access routes within the parish that are valued by the community, in particular protecting local green spaces that also provide health and wellbeing benefits for residents.</p> | <p>8. Promoting healthy and safe communities</p> <p>14.</p> <p>15. Conserving and enhancing the natural environment</p> | <p>ST1: Promoting Sustainable Travel And Healthy Streets</p> <p>LCR6A: Local Green Spaces</p> |

| Neighbourhood Plan Policy | NPPF | B&NES Core Strategy / Placemaking Plan / Local Plan Partial Update |
|---|--|---|
| <p>HB1: New small-scale development proposals should seek to preserve or enhance their character and setting or any features of special architectural or historic interest which they possess. Restoration of original features and/or improvements to previous unsympathetic alterations will be supported.</p> | <p>12. Achieving well-designed places 16. Conserving and enhancing the historic environment</p> | <p>HE1: Historic Environment D2: Local Character & Distinctiveness</p> |
| <p>HB2: New small-scale development proposals fronting onto the A39 should reflect the distinct design characteristics of existing buildings and be sympathetic in form. Design characteristics for this area are set out in more detail in the Local Character Assessment, including heights of buildings, roof shapes, windows, materials and other architectural details.</p> | <p>12. Achieving well-designed places 16. Conserving and enhancing the historic environment</p> | <p>D2: Local Character & Distinctiveness</p> |
| <p>HB3: 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. More 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 and lias stone (High Littleton) templestone (Hallatrow) being encouraged.</p> | <p>12. Achieving well-designed places 16. Conserving and enhancing the historic environment</p> | <p>D2: Local Character & Distinctiveness</p> |
| <p>HB4: New small-scale development proposals in the vicinity of the school and Holy Trinity Church should preserve and, where possible, enhance the distinct character of the area. Design characteristics for this area are set out in more detail in the Landscape Character Assessment.</p> | <p>12. Achieving well-designed places 16. Conserving and enhancing the historic environment</p> | <p>D2: Local Character & Distinctiveness</p> |