

FAO Mr Andrew Mead
Christleton & Littleton Neighbourhood Plan Examination
Intelligent Plans & Examinations Ltd
Office 10
5 Argyle Street
Bath
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Dear Mr Mead

CHRISTLETON AND LITTLETON NEIGHBOURHOOD PLAN EXAMINATION (REF: 01/AM/CLNP)

This letter in respect of the Christleton and Littleton Neighbourhood Plan examination is supplied on behalf of Brampton Strategic Land, who have an interest in the land shown outlined in red at Appendix 1.

In June 2026 Knights submitted representations on behalf of Brampton Strategic Land and R and C Handley in response to the Christleton and Littleton Neighbourhood Plan Regulation 16 consultation. The response raised a number of issues, including matters related to the proposed Green Gaps policies GG1-GG5 and objected in principle to the inclusion of the proposed designation of Green Gaps within the Neighbourhood Plan.

In addition, specific objection was made to Policy GG1 - Land separating Christleton from Great Boughton and Huntington, as the area proposed to be covered by GG1 includes the land shown at Appendix 1 that Brampton Strategic Land are promoting for development via the Cheshire West and Chester Council Local Plan process.

We have taken note of your letter dated 30 June 2026 to Christleton Parish Council ('the PC') and Cheshire West and Chester Council (the LPA'), in which it was confirmed that the examination is proposed to proceed via the written representations process and an annexe to the letter set out various queries for the PC and the LPA regarding the Neighbourhood Plan as submitted.

The points raised in the annexe included outlining your initial position in respect of Policies GG1 – GG5; namely: that these comprise a strategic land use policy, which is a matter for a Local Plan, that you were considering recommending the deletion of Policies GG1 – GG5, and that you requested comments of both Councils.

We have subsequently noted the joint response by the PC and the LPA to your letter of 30 June, submitted on 7 August 2026 ('Combined response to Examiner's initial questions'), along with a number of other documents that were also submitted. These included a 'Christleton and Littleton NDP Green Gaps Paper, July 2026'.

We note that PC and LPA response sets out that the LPA accept the Examiner's proposal to delete Policies GG1 – GG5 and they made no further comment on the issue.

The PC however disagreed with the Examiner's comments and they argue that the Green Gap policies should be retained. They have provided the Green Gaps paper in support of their position.

Section 38A of the Planning and Compulsory Purchase Act 2004 defines a neighbourhood development plan as, "...a plan which sets out policies (however expressed) in relation to the development and use of land in the whole or any part of a particular neighbourhood area specified in the plan."

Paragraph 8 of Schedule 4B to the Town and Country Planning Act 1990 is at the heart of neighbourhood planning.

Paragraph 8 (as amended by Section 99 of the Levelling-up and Regeneration Act 2023 as from 25th March 2026), states as follows:-

"(1) The examiner must consider the following—

(a) whether the draft neighbourhood development order meets the basic conditions (see sub-paragraph

(2)).....

(2) A draft order 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 order,..."

However, in relation to basic conditions the former provisions under the Planning and Compulsory Purchase Act 2004 apply to neighbourhood development plans submitted before 31 December 2026.

Formally Paragraph 8 of Schedule 4B stated that:-

(2) A draft order 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 order,

(e) the making of the order 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).. (our emphasis)

The NPPF as published on 17th August 2026 at PM17 1 & 2 on page 17 states:-

- 1. Neighbourhood plans must meet certain "basic conditions" and other legal requirements before they can come into force. These are tested through an independent examination before the neighbourhood plan may proceed to referendum.*
- 2. The basic conditions include consideration of whether having regard to national policies and advice contained in guidance issued by the Secretary of Stateit is appropriate for the neighbourhood plan to be 'made.'"*

As set out in PPG paragraph: reference 41-074 'When considering whether a policy is in general conformity a qualifying body, independent examiner, or local planning authority, should consider the following:

- *whether the neighbourhood plan policy or development proposal supports and upholds the general principle that the strategic policy is concerned with*

- *the degree, if any, of conflict between the draft neighbourhood plan policy or development proposal and the strategic policy*
- *whether the draft neighbourhood plan policy or development proposal provides an additional level of detail and/or a distinct local approach to that set out in the strategic policy without undermining that policy*
- *the rationale for the approach taken in the draft neighbourhood plan or Order and the evidence to justify that approach'*

As set out in our representations of June 2026 our firm position on the proposed Green Gaps policy is that policies GG1-GG5 seek to duplicate the policies contained in the development plan for the area and would constrain and conflict with these. Such policies include in particular the following Cheshire West and Chester Local Plan (Part One) policies:

- STRAT 2 Strategic development
- STRAT 3 Chester
- STRAT 8 Rural Area
- STRAT9 Green Belt and Countryside
- STRAT 11 Infrastructure
- ECON 1 Economic growth, employment and enterprise
- SOC 2 Rural exception sites
- SOC 4 Gypsy and Traveller and Travelling Showpersons accommodation

Your letter dated 30 June 2026 specifically referred to the LPA's responsibility to identify land to contribute to meeting the future housing needs. In this regard it is noted that the current Cheshire West and Chester Council 5-year housing land supply position is 1.89 years. Whilst the LPA have published a timetable for the preparation of a new Local Plan to be prepared under the new Town and Country Planning (Local Planning) (England) Regulations 2026) submission for examination is not envisaged before May 2028 and adoption by December 2028. In the meantime, meeting the government's housing need figure for the area will require an increased supply of housing sites to be identified and maintained.

Rather than providing a distinct local approach to that set out in the strategic policies without undermining those policies, as envisaged PPG paragraph reference 41-074, policies GG1-5 would seek to duplicate policy STRAT 9 and are likely to undermine the operation of the policies listed above that manage the location of new development.

Our representations of June 2026 concluded that the green gaps policy would fail to be in general conformity with the strategic policies contained in the development plan for the area and, in accordance with basic condition (e), policies GG1-GG5 should be deleted from the NP.

Our position therefore reflects the concern you expressed as the Examiner.

We have however noted the PC's response to your letter of 30 June on the matter of Green Gaps and wish to express concerns: given that it is proposed that the examination be conducted by the written representations procedure, without a hearing and the PC and the LPA's 'Combined response to Examiner's initial questions' and the accompanying material has been provided during the examination process, Brampton Strategic Land have not therefore been afforded to opportunity to respond to this, despite being an interested party with regard to the Green Gaps policy.

We note it is the responsibility of the Examiner to determine the examination procedure and to determine whether the Neighbourhood Plan and its policies meet the basic conditions that neighbourhood plans are required to comply with, and whether the plan should proceed to a local referendum.

We do not consider the PC's position that the Green Gap policy should be retained can be supported and we consider the examination should result in the deletion of this policy. If however the Examiner has any doubt in this matter, we request the opportunity to respond to the material submitted by the PC and we request that a hearing be convened into the Neighbourhood Plan.

In this regard we note your letter of 30 June says "I will reserve the option to convene a hearing should a matter(s) come to light where I consider that a hearing is necessary to ensure the adequate examination of an issue, or to ensure that a person has a fair chance to put a case".

In our view a hearing is now necessary to ensure that the issues in relation to policies GG1-GG5 can be properly examined.

Please note that as an interested party Brampton Strategic Land would wish to attend any hearing.

We trust that you will agree that this is now best way to proceed and we look forward to receiving confirmation that a hearing will now take place.

If in the meantime we can be of further assistance on this matter at this time please do not hesitate to let me know

Yours sincerely



Carl Copestake
Partner

M [REDACTED]
D [REDACTED]
E [REDACTED]

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**Appendix 1 – Site location
plan, land at Manor Farm,
Christleton**

Key

Site Boundary

