LANCHESTER NEIGHBOURHOOD PLAN

Submission Draft Version

**Lanchester Neighbourhood Plan Examiner's Questions
by Independent Examiner, Rosemary Kidd**

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Following my initial assessment of the Neighbourhood Plan and representations, I would appreciate clarification and comment on the following matters from the Qualifying Body and/or the Local Planning Authority. In order to ensure openness and transparency of the examination process, these questions and the responses should be published on the Council's website.

In addition to matters on which I would welcome clarification or further information, I am highlighting my concerns about the plan and proposing suggestions for addressing them so that the QB and/ or LPA has the opportunity to respond to them, if they wish, in advance of receiving my examination report.

I must congratulate the community on the work they have undertaken in preparing a very comprehensive assessment of potential non-designated heritage assets (NDHA) and viewpoints. The results of over 170 locations are included in three separate reports. My concern is that it is difficult to find the relevant information on a particular site within the reports. There will be a need in the future for decision makers to review the details of those sites and viewpoints that have been selected under Policies LNP3 and LNP4E. I shall propose that the relevant material together on the sites and viewpoints selected is drawn together in a format that will be easy to use.

I am proposing to suggest that two Summary Reports should be collated with one on NDHA setting out the essential information on the significance of the NDHA with a plan to show its location and photograph(s). A second report should be collated on the viewpoints setting out a map showing the location of the viewpoint (which should be publicly accessible), the arcs of views, details of any significant features in the views together with photograph(s). The reports should set out the sites in the same order as the list in the policies.

I am also proposing that the buildings and/or boundaries of sites and the extent of the aqueducts, paths and routes should be shown on the Policies Map to enable decision makers to determine whether development proposals would be likely to impact on a NDHA.

These recommendations will be made to ensure that the plan is clear and unambiguous and is drafted clearly so that it can be applied consistently by decision makers.

1. **Maps** - I shall be proposing that the maps are reconfigured into one or more Policies Maps to show the sites that are linked to the Plan's policies. The key should specify the relevant policies and number and list sites in the same order as in the policy. Maps 2, 3, 6 and 7 are for background information only. Maps 2 and 3 may be included in an Appendix to the Plan for information as they show designated heritage assets. The location of buildings and areas on Maps 4 and 5 should be improved as stated above. Maps 6 and 7 should be included in the Heritage Asset reports rather than the Plan itself. The descriptions of the locations of the sites on Map 8 should be more precise and consistent with that in the listing in Policy LNP4E. Maps 4 and 9 should only show designations within the parish. Map 10 – the sites should be named and numbered in the key consistent with the list in Policy LNP4D.

2. The introductory section on Parish Information is contained in the main in the Heritage Audit Final Report. It is very detailed and lengthy and is more appropriate for the background document. I shall be recommending that the section should be summarised to the key facts and issues relevant to the policies of the Plan.

3. Would the LPA and QB agree a couple of paragraphs of text to be included in the Introduction to the Plan setting out the strategic context for the Plan including the scale of any housing and business development and transport proposals. If this is limited to windfall development only, please state this. I have noted the Statements on pages 50 – 52, however these do not provide any indication of what the County Durham Local Plan is proposing for the parish.

4. **Objectives** - It is noted on page 30 that those objectives for Housing, Business & Employment, Transport & Travel and Community Assets will be delivered by the policies in the County Durham Local Plan and there are no specific policies in the LNP to deliver these objectives. The purpose of a plan's objectives is to identify the priorities or direction for the Plan on that topic. They are the starting point for developing the policies. Where there are no policies in the Plan that will deliver a specific objective, it is not relevant to the Plan and I shall propose that they should be deleted.

5. **Housing requirements and housing needs** – would the LPA confirm that the housing needs of the plan area have been fully met as stated on page 33 penultimate bullet point.

6. **Policy LNP1** – The representation from Lichfields refers to a proposed Main Modification to the emerging County Durham Local Plan (CDLP) that settlement boundaries should not be defined in neighbourhood plans. I presume that this is a modification to the CDLP that has been proposed by the representor. Would the LPA let me know whether this Main Modification is being progressed and confirm whether or not the identification of a settlement boundary conforms with the emerging CDLP.

7. **Policy LNP2** Neighbourhood Plan policies cannot state whether certain types of development will or will not be permitted. To avoid this form of wording in Policy LNP2 I shall propose that the first line of Policy LNP2 should be revised as follows: "***Proposals for built development should demonstrate that the following criteria have been taken into account:***" Would the QB confirm that this is acceptable.

8. **Policy LNP2 criterion a)** would the QB explain what is meant by the word "materiality"? Should this be "materials"?

9. **Policy LNP2 criterion d) Housing for Older People** Would the QB provide me with the evidence to justify the figures for housing for older people which differ from those set out in the emerging CDLP Policy 15. Has any evidence been prepared to demonstrate whether these figures would affect the viability of development sites? Bearing in mind that there are no housing allocations in the Plan area, would the QB comment on how it is proposed that this requirement would be delivered.

10. **Policy LNP3 Historic Environment** Does DCC have a procedure for designating local lists of non-designated heritage assets? How is it intended that the proposed list of Locally Valued Heritage Assets is to be taken forward? Should an amendment be added to the policy to give support to the designation of the sites in the Table on page 43 as the Local List of Heritage Assets? Eg "***Support will be given to the***

designation of the following Locally Valued Heritage Assets on a Local List of Non Designated Heritage Assets."

11. Has DCC approved the list of Parks and Gardens and Designed Landscapes of Local Interest shown on Map 4.

12. **Heritage Audit -** It is not usual to consider natural heritage sites as non-designated heritage assets. I shall recommend that the Village Green and Dora's Wood should be included under Green Infrastructure. Dora's Wood is also mentioned under Biodiversity.

    a) **Village Green** (no 76)– would you confirm whether this is already protected as a registered village green. Is it publicly owned?

    b) **Oak trees** (no 106) are these protected by Tree Preservation Orders? This is the established method of safeguarding significant trees and woodland.

    c) **Dora's Wood** (no 70) please confirm that this a community woodland owned by Woodland Trust with full public access.

    d) **Woodland Hall grounds** (no 19) is this covered by the listing by CDC as a Park and Garden of Local Interest as shown on Map 4? If so its inclusion as a LVHA would be a duplication.

13. **Policy LNP4A Green Infrastructure**. The map on page 44 shows the green infrastructure sites in and around the village and hence provides the local information to aid the interpretation of CDLP Policy 27 on safeguarding green infrastructure. As the plan makers have chosen not to designate Local Green Spaces, it would be helpful to plan users to include the relevant sites on the Policies Map and to include a statement in the policy that they should be safeguarded in accordance with the CDLP policy on Green Infrastructure. The section in the policy on green infrastructure adds no locally specific details to the CDLP policy. Would the LPA confirm the nature of the open space on the sites shown as "Private Spaces". It is not easy to distinguish them on the map on page 44 of the NP from the Allotments and Amenity Green Spaces.

14. Would the QB confirm that the Lanchester Parish Landscape of High Value is co-terminus with the area within the parish of DCC's AHLV. Would the QB explain what Policy LNP4B adds to the CDLP Policy 40 on Landscape.

15. Policy LNP4C – emerging CDLP Policy 41 covers tree, woodland and hedgerows but not stone boundary walls. Would the QB and LPA comment on the following revised wording for this policy:

    "- Retention – development proposals should seek to safeguard and enhance existing valued landscape features for their aesthetic, biodiversity and heritage values. *Proposals affecting trees, woodland and hedgerows should be considered against the relevant policy of the CDLP (Policy 41). Stone boundary walls shall be retained as far as possible on their current alignment. Any new boundary walls constructed as part of the development proposals should be constructed of stone similar to that used locally and shall be of a similar walling design and bonding."*

16. **Policy LNP4D -** The third point on protected sites conservation refers to nationally protected sites. Would the LPA confirm whether or not there are any nationally designated nature conservation sites within the plan area.

17. **Policy LNP4D** - The third point on protected sites conservation states that "*Development should not result in unsustainable increases in recreational use.*" Would the QB explain how it is intended that this policy statement should be interpreted by decision makers.

18. **Policy LNP4E Local Views** – it is difficult to require development proposals to protect and where possible to enhance views. The usual policy wording is to ask developers to demonstrate that their proposal will not have a significantly adverse impact on the view. Would the QB / LPA comment on the following suggested revision to the wording of the policy.

"The viewpoints shown on Map 8 are particularly sensitive and developers are required to demonstrate that the proposal will not have a significantly adverse impact on these publicly accessible views."

Would the QB confirm that the viewpoints are all publicly accessible.

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