

Lanchester Neighbourhood Plan – Examination

Responses to Examiner Questions of 12 March 2020

Durham County Council - 31 March 2020

The tables below set down examiner questions in relation to the examination of the Lanchester Neighbourhood Plan, sent to the council on 12 March 2020. Responses are provided from the Parish Council and Durham County Council Officers.

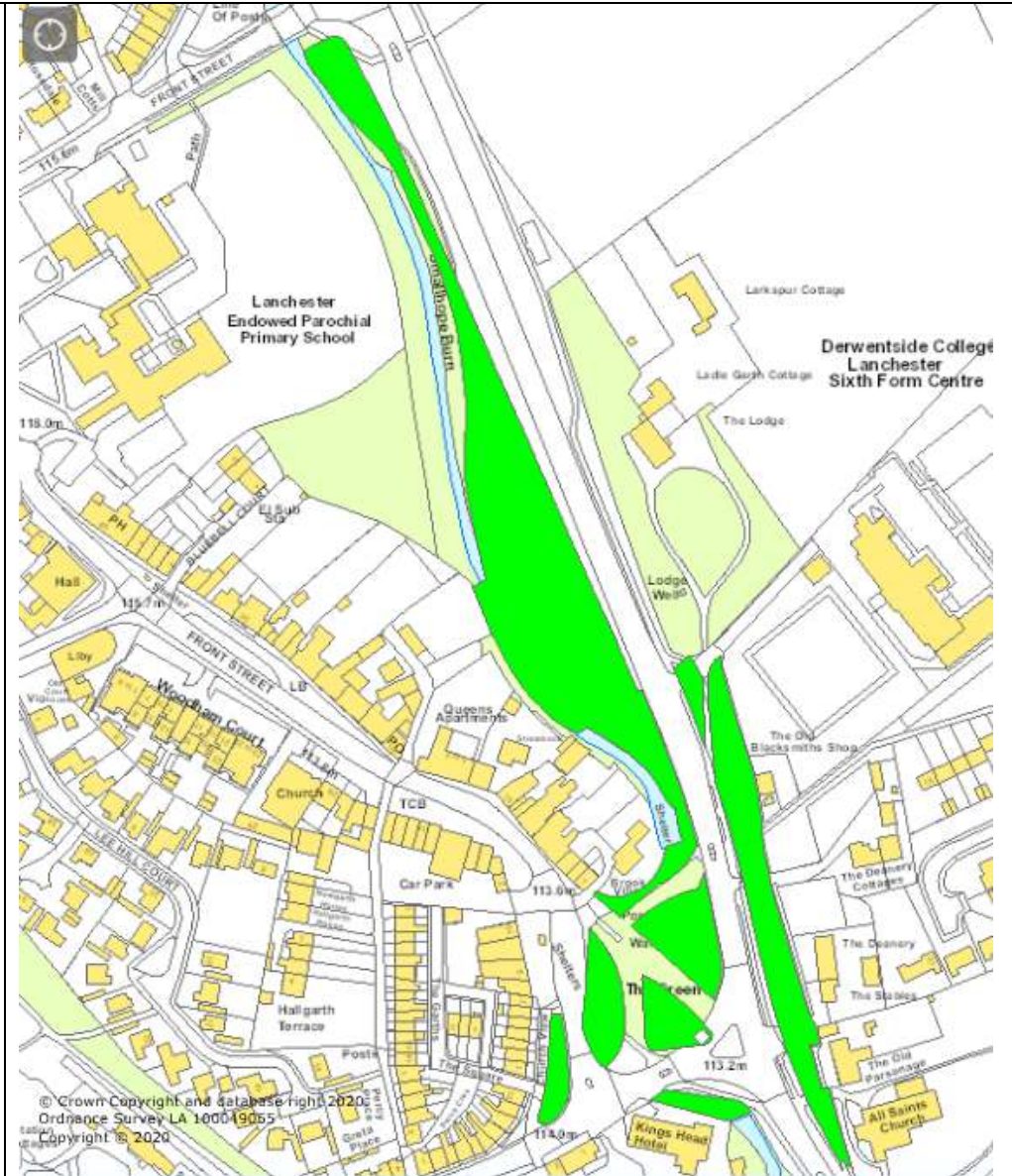
	Examiner Question	Response
1	<p>Maps - I shall be proposing that the maps are reconfigured into one or more Policies Maps to show the sites that are linked to the Plan's policies. The key should specify the relevant policies and number and list sites in the same order as in the policy. Maps 2, 3, 6 and 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.</p>	<p>Durham County Council (DCC) Officers and Lanchester Parish Council (LPC) accept these proposed changes. It is however questioned as to whether Map 9 (Valued Landscapes) would benefit from retaining the extended landscape value beyond the Parish boundary given that this shows the wider context to landscape value.</p> <p>To ensure that the group can carry out the proposed changes, please confirm that the following amendments are required:</p> <ul style="list-style-type: none"> • Maps 1, 4, 5, 8, 9, 10, 11 and 12 will be deleted and the designations transferred into a Policies Map/s • Maps 2 and 3 will be moved to the appendix • Maps 6 and 7 will be moved to the proposed Heritage Asset Report • Additional contextual changes to when maps 8, 10, 4 and 9 are transferred into a policies map
2	<p>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.</p>	<p>DCC Officers and LPC agree with this recommendation. The Neighbourhood Plan Working Group produced this comprehensive section to provide a wealth of information about the Parish and a context for the whole Neighbourhood Plan.</p>
3	<p>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</p>	<p>The following text changes are proposed at the end of the Introduction section:</p> <p>Existing</p>

<p>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.</p>	<p>“Once passed at a local referendum, the Lanchester Neighbourhood Plan will be adopted by Durham County Council as the plan which must be used in law to determine planning applications in the Parish.</p> <p>The Lanchester Neighbourhood Plan therefore provides the local community with a powerful tool to guide the long term future of Lanchester and its surrounding countryside for the period 2019 to 2034. The Plan contains a vision for the future of Lanchester Parish and sets out clear planning policies to realise this vision.”</p> <p>Following proposed changes</p> <p>“Once passed at a local referendum, the Lanchester Neighbourhood Plan will be formally-made by Durham County Council and form part of the development plan for Lanchester Parish alongside the strategic policies set down in the local plan.</p> <p>The current adopted local plan for the area is the Derwentside Local Plan (1997). The County Durham Plan is currently under examination. It will replace the Derwentside Local Plan when it is formally adopted in 2020. The County Durham Plan does not allocate any housing, business or transport development within the Parish. Any proposals will be limited to windfall development.</p> <p>The Lanchester Neighbourhood Plan therefore provides the local community with a powerful tool to guide the long-term future of Lanchester and its surrounding countryside for the period 2019 to 2034. The Plan contains a vision for the future of Lanchester Parish and sets out clear planning policies to realise this vision.”</p>
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4	<p>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.</p>	<p>These were the original objectives supported through the consultation process. LPC agree to remove those objectives which do not have policies. Would it be appropriate to include a line of text to explain that the County Durham Plan covers these objective areas?</p>
5	<p>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.</p>	<p>DCC Officers confirm that the County Durham Plan allocates sufficient sites to meet the housing needs for the county. Please see para 1.19 for further details: http://durhamcc-consult.limehouse.co.uk/file/5429026</p>
6	<p>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.</p>	<p>DCC Officers can confirm that this is a modification which has been proposed by the representor and not the Council. The County Durham Plan supports the identification of settlement boundaries in neighbourhood plans under Policy 6. Please see para 4.111 for further details: http://durhamcc-consult.limehouse.co.uk/file/5429026</p>
7	<p>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:”</p> <p>Would the QB confirm that this is acceptable.</p>	<p>LPC agree to the suggested wording.</p>

8	Policy LNP2 criterion a) would the QB explain what is meant by the word “materiality”? Should this be “materials”?	LPC agree to change the word to ‘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.	The percentage of older people living in Lanchester is above the national average. At the time of writing it was not certain what percentage the County Council would use in the County Durham Plan. LPC suggest that the last line could be deleted or stated that the % should comply with the County Durham Plan.
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? E.g. “Support will be given to the designation of the following Locally Valued Heritage Assets on a Local List of Non-Designated Heritage Assets.”	The LPA does not operate a formal procedure for designating local lists of non-designated heritage assets, mainly owing to the lack of resources to support this. Instead, non-designated assets are identified within neighbourhood plans which include specific policies in line with national guidance. They are also identified within Character Appraisals and Management Plans, which will be linked to Policy 45 in the County Durham Plan. Assets identified within neighbourhood plans are mapped as a planning constraints layer in the DM validation process, triggering consultation with specialist teams (Design and Conservation, Landscape or Archaeology), and, enabling them to be taken into account through planning considerations and decisions.
11	Has DCC approved the list of Parks and Gardens and Designed Landscapes of Local Interest shown on Map 4.	Yes
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.	The following comments are made: a) <u>Village Green</u> Much of the Village Green is formally registered, as shown in the map below. The Village Green is registered and owned by LPC.

- 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.



		<p>b) <u>Oak Trees</u> These trees are not protected by Tree Preservation Orders</p> <p>c) <u>Dora's Wood</u> This woodland is a community woodland owned by Woodland Trust with full public access.</p> <p>d) <u>Woodland Hall grounds</u> This site is within the Woodlands Park Historic Park, Gardens and Designed Landscapes of Local Interest, as shown on Map 4.</p>
13	<p>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.</p>	<p>DCC Officers can confirm that the legend shown in the map on page 44 contains a comprehensive list showing all the typologies recorded across the county (reservoirs etc.) and not just those recorded in the parish. It therefore includes 'Private Spaces', however none are identified in the parish. As well as plotting the spaces on the proposed Policies Map, it may be helpful to users to include a rationalised legend within the map on page 44 removing the typologies which do not occur in the shown area?</p> <p>LPC confirm that additional text could be to added setting down more locally specific details.</p>
14	<p>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.</p>	<p>Landscape is a very important feature which merited a stand-alone policy. It is expected that potential developers would have to comment on how their development would impact on the elements that were considered during the work that resulted in the Lanchester Parish Landscape of High Value (LPLHV). The LPLHV was established following a robust methodology. It adds local knowledge and context. The Neighbourhood Plan includes a local designation which is based on local knowledge. In</p>

		addition the County Durham Plan had not yet been finalised which may see changes to their designations/areas. The LPC would seek advice from the examiner on suggested wording for this policy.
15	<p>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:</p> <p>“- 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.”</p>	LPC and DCC Officers accept the suggested rewording, noting that additional clarification may be required to ensure that stone walls should be used for new boundary walls in appropriate circumstances.
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.	DCC Officers confirm that there are no nationally designated nature conservation sites within the plan area. There is a SSSI which touches the western boundary of the parish, however it does not actually fall inside 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.	<p>Development can result in allowing/increasing access either deliberately or accidentally to land with a sensitive biodiversity value, resulting in damage caused by recreational use such as dog walking, cycling etc. The increased access degrades the biodiversity and the value of the site.</p> <p>To avoid development close to valuable biodiversity sites, a suitable stand-off distance could be agreed with planners depending on the particular characteristics of the site, the nature of the development and government</p>

		<p>guidance (Natural England). Also, LPC wanted to ensure that developments did not deliberately create new access points, car parking or walking routes onto such sites, which are sometimes included within planning proposals as a "desirable" supporting element.</p> <p>The LPC would seek advice from the examiner on suggested wording for this policy.</p>
18	<p>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.</p> <p>“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.”</p> <p>Would the QB confirm that the viewpoints are all publicly accessible.</p>	<p>LPC and DCC Officers accept suggested rewording, noting that reference to ‘Map 8’ may need to be changed when above mapping changes are taken into account.</p>