



Lanchester Neighbourhood Plan

Durham County Council Decision Statement (Regulation 18(2))

Summary

1. Following an independent examination undertaken by written representations, Durham County Council now confirms that the Lanchester Neighbourhood Plan will proceed to a Neighbourhood Planning Referendum.
2. This Decision Statement will be available on the council's website and at County Hall, Durham. A copy of the statement will also be available on Lanchester Parish Council's website.

Background

3. On 24th July 2014, Durham County Council formally designated the Lanchester Neighbourhood Area. This area relates to the whole of the Lanchester parish area and is entirely within the Local Planning Authority Area. Lanchester Parish Council is the designated qualifying body for the Plan.
4. The Lanchester Neighbourhood Plan and supporting documents were Submitted to the County Council in October 2019. The County Council consulted upon the Plan for a six-week period from 6th January 2020 to 5th February 2020, in accordance with Regulation 16.
5. The Council, with the consent of Lanchester Parish Council, appointed Rosemary Kidd MRTPI to examine whether the Neighbourhood Plan met the basic conditions as set out in Schedule 4B to the Town and Country Planning Act 1990, and whether the Neighbourhood Plan should proceed to a referendum.
6. The Examiner's Report was received on 14th April 2020. The Report included 13 recommended modifications (set out below) to enable the Neighbourhood Plan to meet the 'basic conditions', and other relevant statutory provisions, and proceed to referendum.

Recommendations, Decisions and Reasons

7. The Neighbourhood Planning (General) Regulations 2012, Regulation 18 requires the local planning authority to outline what action to take in response to the recommendations of an examiner, made in a report under paragraph 10 of Schedule 4a to the Town and Country Planning Act 1990 (as applied by Section 38A of the Planning and Compulsory Purchase Act 2004).

8. Having considered the recommendations made in the examiner's report, and the reasons for them, Durham County Council has agreed to accept the modifications made to the draft plan under paragraph 12(6) of Schedule 4B to the Town and Country Planning Act 1990.
9. To meet the requirements of the Localism Act 2011, a referendum will be held in the area formally designated as the Lanchester Neighbourhood Area.
10. Recent regulatory changes linked to the Coronavirus Act (2020) mean that no elections or referendums can take place until 6 May 2021 (including neighbourhood planning referendums). These provisions are to be kept under review and may be amended or revoked in response to changing circumstances. A further notice will therefore be published when a date has been set for the referendum for the Lanchester Neighbourhood Plan.

Stuart Timmiss (Head of Development and Housing)

Dated: 19 May 2020

ANNEX 1

Examiner's recommended modifications to Lanchester Neighbourhood Plan

Recommendation Number	Policy or Section	Summary of Recommendation
1	Improve the mapping of the Plan	<p>Show the designations and areas referred to in policies on Maps 1, 4, 5, 8, 9, 10, 11 and 12 on a Policies Map(s). Annotate the keys to the maps to link sites and locations to the relevant policies.</p> <p>Move Maps 2 and 3 to an Appendix.</p> <p>Move Maps 6 and 7 to the new summary Local Valued Heritage Asset Report (recommended under Policy LNP3) and show the location and boundaries of each site in sufficient detail to enable the property / site to be identified.</p> <p>Maps showing contextual sites and areas outside the plan area (Maps 4, 9, 11 and 12) should be included within the background justification to the relevant policy in the plan or in an appendix and clearly titled as such. Only the sites within the Plan area should be shown on the Policies Map.</p> <p>Consider numbering the paragraphs of the background justification.</p> <p>References to map numbers in the Policies and text should be updated.</p>
2	Parish Information Section	Revise section to only include a summary of the key points and issues facing the Plan area.
3	New Section	<p>Include a new section before the Vision and Objectives titled <i>Strategic Context</i>.</p> <p>Insert the following text:</p> <p><i>“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.</i></p> <p><i>“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</i></p>

		<p><i>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.</i></p> <p><i>“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 to 2034. The Plan contains a vision for the future of Lanchester Parish and sets out clear planning policies to realise this vision.”</i></p> <p>Delete the two paragraphs on page 31 under the heading Policies.</p>
4	Delete Objectives 1, 5, 6 and 7 on page 1 and 30.	<p>Revise the paragraph under Objective 7 to read:</p> <p><i>“During the preparation of the LNP the community identified the importance of the following matters:</i></p> <p><i>“Housing: To meet the housing needs of the Parish in order to contribute to a strong and flourishing community, whilst protecting the essential qualities and attributes of the area.</i></p> <p><i>“Business and Employment: To support local employment opportunities within Lanchester and the provision of shops and services to meet the needs of those who live, work in and visit the area. To support a strong and diverse rural economy, including farming, tourism and other land based rural businesses which respect the special qualities and character of the countryside.</i></p> <p><i>“Transport & Travel: To reduce the detrimental effects of traffic and parking pressures, whilst seeking to cater for a range of modes of transport and travel to better meet the needs of those living, working in and visiting the Parish.</i></p> <p><i>“Community Assets To identify and protect community assets in the Parish in order to sustain and promote a strong and flourishing community.</i></p> <p><i>“There are no specific policies on housing, business and employment, transport and travel and community assets in the LNP and it is not appropriate to set out these matters as objectives of the Plan. Development proposals relating to these topics will be considered using national planning policy and the policies of the adopted Derwentside</i></p>

		<i>Local Plan, the emerging County Durham Plan and the policies in this Neighbourhood Plan. Statements on Business & Employment and Transport & Travel can be found on pages 50 and 51 of this plan."</i>
5	Page 31	Delete the list of policies on page 31.
6	Policy LNP2	<p>Revise the first line of Policy LNP2 to read: <i>"Proposals for built development should demonstrate that the following criteria have been taken into account:"</i></p> <p>Revise criterion a) to read: "Positively responds to the local vernacular, materials and landscape features including...."</p> <p>Revise criterion d) to read: ".....an ageing population in accordance with the policies <i>in the County Durham Plan.</i>" Delete the second sentence "A minimum requirement ...older people."</p>
7	Policy LNP3	<p>Add the following to the wording of the policy: <i>"The properties and sites in Table X (page 43) are identified as Locally Valued Heritage Assets."</i></p> <p>The third paragraph on page 42 should be revised to read: <i>"Table X identifies the LVHA's. Site location maps and further details of each LVHA are set out in the LVHA summary report (give full title of collated evidence report). Full details of all the sites included in the audit can be found in the Lanchesterdocument 3. Where a development proposal may affect a non-designated heritage asset, the provisions of Policy LNP3 will be applied in addition to the requirements of the Heritage Policy in the CDP."</i></p> <p>A paragraph should be added to the supporting text to Policy LNP3 explaining the status of the LVHA sites and noting that they are mapped as planning constraints by Durham County Council. In addition reference to the Local List of Parks, Gardens and Designed Landscapes prepared by Durham County Council should be added to the background text.</p> <p>Delete the following sites from the Table on Page 43: Village green (LCHA number 76), oak trees (LCHA number 106), Dora's Wood (LCHA number 79), Woodland Hall grounds (LCHA number 19).</p>

		<p>A separate report should be collated setting out the details of those buildings and features that have been selected under Policy LNP3 as Locally Valued Heritage Assets. This should include a description of the property, its heritage significance and the assessment from the Heritage Audit gazetteer together with a map showing the location and boundaries of the sites, photograph and the reasons for selecting the site/property. Reference to the collated summary report with the site maps should be included in the supporting text.</p>
8	Policy LNP4A	<p>Add a new paragraph entitled “Safeguarding and Enhancement of Green Infrastructure” - <i>“The open spaces shown on the Policies Map shall be safeguarded and enhanced in accordance with national and strategic policies. Development proposals that would result in their loss or harm will only be supported where they satisfy the policies of the development plan.”</i></p> <p>Delete the sub-section of the Policy entitled “Green Infrastructure”</p> <p>Include the green infrastructure of the Plan area shown on the map on page 44 of the Plan on the Policies Map with a key reflecting the typologies present.</p>
9	Policy LNP4B	<p>Revise the Policy to read:</p> <p><i>“The Lanchester Parish Landscape of High Value is designated as an Area of Higher Landscape Value and identified on the Policies Map.</i></p> <p><i>“Development proposals that may impact on the Lanchester Parish Landscape of High Value should demonstrate that they have taken account of the Lanchester Landscape Value Assessment and will not have an unacceptable adverse impact on the landscape character. Proposals will be considered against the relevant policies of the CDP.”</i></p> <p>Revise the title of Policy LNP4B to <i>“Lanchester Parish Landscape of High Value”</i></p> <p>Revise the last paragraph above Policy LNP4B to read: <i>“The LPLHV is shown on the Policies Map. The landscape assessment is set out in the “Lanchester Landscape Value Assessment Report.”</i></p>

10	Policy LNP4C	<p>Revise Policy as follows:</p> <p>“- Retention – development proposals should seek to safeguard and enhance existing valued landscape features for their aesthetic, biodiversity and heritage values. <i>Proposals affecting trees, woodland and hedgerows should be considered against the relevant policy of the CDP. 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 shall be constructed of stone similar to that used locally and shall be of a similar walling design and bonding.</i>”</p> <p>Additional text may be added to the justification to explain the circumstances where new stone boundary walls would be appropriate.</p>
11	Policy LNP4D	<p>Revise Policy as follows:</p> <p>Delete “national and” from the third bullet point of the policy section “Protected sites conservation”.</p> <p>Add the following text to the justification to explain how the final sentence of the third bullet point of the policy is to be interpreted:</p> <p><i>“A suitable buffer distance around local biodiversity sites shall be agreed depending on the particular characteristics of the site, the nature of the development and national guidance. Development proposals should avoid creating adverse impacts on local wildlife sites from an increased number of visitors to the site and should not create new access points, car parking or walking routes onto such sites.”</i></p> <p>Identify and name all sites that are to be considered under Policy LNP4D on the Policies Map. Ensure that the text in the justification to the policy is consistent with the sites shown on the Policies Map.</p>
12	Policy LNP4E	<p>Replace the text of the policy with “The viewpoints shown on the Policies Map and listed in Table X are particularly sensitive and developers are required to demonstrate that the proposal will not have a significant adverse impact on these publicly accessible views.”</p> <p>Revise the names of the viewpoints so that they are more descriptive of their location; number the Table of Views.</p>

		<p>A separate background report should be collated setting out the details of the viewpoints. This should include a description of the location of the viewpoint and the main features of the views incorporating the assessment from the gazetteer together with a detailed map showing the location of the site and the arcs of the views together with photographs.</p> <p>A brief summary of the main views from each viewpoint should be included in an Appendix.</p> <p>The third paragraph under the heading Local Views should be revised to read: "The Lanchester Community Heritage Audit (2017) identified 17 views assessed as 'exceptional' or 'considerable'. These 17 views are listed in Table X below and a summary of the locations and main features is set out in Appendix XX. The Local Views Assessment Report contains full details of the viewpoints with location maps and photographs."</p> <p>Delete the summary points 1-3 on pages 47 – 48.</p>
13	New Section	<p>Include a new section headed "Community Aspiration"</p> <p>Include text on a review of parking standards as follows:</p> <p><i>"The Parish Council will work with Durham County Council Highways with a view to reviewing the parking standards for residential development in the Parish to a level of one parking space per bedroom to be provided in curtilage."</i></p> <p>Set out the justification for the aspiration from the Statements section.</p>