

Examination of Cotherstone Neighbourhood Plan – QB’s (Qualifying Body) responses to Examiner’s Questions

1) Would the QB confirm that they have consulted all the owners of property proposed to be designated through the policies of the Neighbourhood Plan (NP), particularly the Locally Valued Heritage Assets (LVHA) and the Local Green Spaces (LGS).

QB’s RESPONSE:

Yes – all property owners have been consulted. Details of the various methods employed are in the Consultation Statement.

2) I note that the Appendices to the Cotherstone Neighbourhood Plan (CNP) include summaries of the assessments of the Locally Valued Heritage Assets, Local Green Spaces and Valued Views. Have full assessments of the properties and sites (with photographs and maps) been published as background evidence? If so, would you provide me with a copy of each.

QB’s RESPONSE:

The full assessments constitute a considerable body of material and have not been published. However, they are available as background evidence. If the Examiner wishes to see examples, these can be happily provided on request.

3) East and West Greens are included for designation under Policy CNP2 as a LVHA and Policy CNP4 as a LGS. Would the QB explain whether both designations are necessary and what additional value in policy terms is to be achieved.

QB’s RESPONSE:

The QB considers that each of the designations are justified and appropriate as they reflect the fact that the greens have both heritage value and open space value. These are not considered mutually exclusive in policy terms and in this instance are appropriate to co-exist together. The joint designation is an appropriate response to the clear value that the greens have both as part of the iconic historic fabric of the village and as open spaces which are ‘demonstrably special to the local community’.

4) The area included in Policy CNP3 is part of the area to be designated under LVHA1. It is also within the Conservation Area. Would the QB explain why Policy CNP3 is considered necessary and what additional value in policy terms is to be achieved through this policy.

QB’s RESPONSE:

The inclusion of the policy underpins the numerous references in the NP which talk about the importance of the interface of the built edge of Cotherstone with its countryside setting. This serves a valuable planning purpose. It firstly provides a further layer to help in the application of the settlement boundary policy (CNP1) by identifying those parts of it that are particularly sensitive by virtue of their historic significance. It also underpins the operation of other NP policies, CNP2 (in respect of LVHA1) and CNP5 (Valued Views). Last but not least, it supports and provides local-level detail to County policies dealing with the Conservation Area by identifying areas and features of special heritage significance within it. This is explained in the various respective parts of the NP (see paragraphs 5.10, 5.32 to 5.34 and 6.17).

It is relevant to add that the purpose and intent behind CNP3 has been strongly supported from the outset by the County Council's Senior Conservation Officer. Support has also been forthcoming from Historic England.

5) To improve the clarity of the policy to manage development in the LGS, I am proposing to recommend that the second sentence of Policy CNP4 should be revised to read: **"Inappropriate development that would be harmful to the openness of the Local Green Spaces will only be supported in very special circumstances."** Would the QB and LPA confirm acceptance of this wording.

QB's RESPONSE:

The current wording of the policy mirrors both the NPPF (para 103) and the policy wording of LGS policies in other adopted NP's in County Durham. At a planning authority level, it is important to maintain consistency across NP's and avoid differences of approach between like policies.

The QB would therefore favour maintaining the policy wording as it is.

6) Would the QB comment on the suggestion by Natural England about including reference in the Design Code to demonstrating how a minimum of 10% biodiversity net gain is to be achieved. Has the LPA adopted a policy or guidance on the subject?

QB's RESPONSE:

This matter was similarly raised by Natural England in its response to Policy CNP7 at the Pre-Submission stage. The QB's response at that time remains equally applicable now - see Entry 11 of Appendix 8 of Consultation Statement (on page 40 of that document). It is copied below for ease of reference –

'In response to comments on Policy CNP7, it is considered that this matter is already adequately covered in CDP Policies 26 and 41 and in the NPPF and will also become a mandatory requirement when the Environment Bill is enacted'.

NB – the Environment Bill has since passed into statute as the Environment Act 2021.

7) Would the QB and LPA comment on the representation from WS Hodgson & Co that Policy CNP7 and the Design Code is unnecessarily restrictive and the proposed revision to the last line of the policy to introduce greater flexibility.

QB's RESPONSE:

The Government has made clear the importance it attaches to good design and the valuable role which Design Codes can play in helping to achieve this. The development of the NP Policy CNP7 and the accompanying Design Codes adhere very closely to this national context, providing an appropriate, fully justified and locally specific response to the community's strong endorsement to tackling design in the NP. This is explained in detail in the supporting text (paragraphs 8.7 to 8.15).

The proposed additional wording would have the effect of instantly and significantly weakening the effectiveness and implementation of the policy, bringing in an 'across the board' umbrella of imprecision and subjectivity about whether or not a design requirement is 'possible' or 'feasible'. It is therefore the QB's view that this requested change should be resisted.

8) Would you also supply me with the full Screening Assessment on the pre-submission plan for the SEA and HRA as requested in the Procedural Note.

QB's RESPONSE:

It is understood that this will be actioned by the County Council.