

# Cassop-cum-Quarrington Neighbourhood Plan 2020-2035 BASIC CONDITIONS STATEMENT



December 2020

# CONTENTS

1. Introduction	1
2. Legislative Requirements	1
3. Basic Conditions:	2
• Having regard to national policy	2
• Contributing to achievement of sustainable development	5
• Conformity with local strategic policy	7
• Compatibility with EU Obligations	11
• Meeting Prescribed Conditions	12
4. Conclusion	12
Appendices:	13
• Appendix 1 - List of Strategic Policies	14
• Appendix 2 – SEA and HRA Screening Opinion	16

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## 1.0 INTRODUCTION

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- 1.1 In accordance with Regulation 15(1)(d) of The Neighbourhood Planning (General) Regulations 2012, this Statement has been prepared to accompany the Submission Draft of the Cassop-cum-Quarrington Neighbourhood Plan (hereinafter also referred to as the 'CCQ NP', 'Neighbourhood Plan' or 'Plan').
- 1.2 Paragraph 8(2) of schedule 4B to the Town and Country Planning Act 1990 requires that the Neighbourhood Plan must –
- 1) have regard to national policies and advice contained in guidance issued by the Secretary of State (sub-section a);
  - 2) contribute to the achievement of sustainable development (sub-section d);
  - 3) be in general conformity with the strategic policies contained in the development plan for the area (sub-section e);
  - 4) be compatible with EU obligations (sub-section f);
  - 5) meet prescribed conditions and comply with prescribed matters (sub-section g).
- 1.3 Part 3 of this Statement sets out how the CCQ Neighbourhood Plan meets each of the above Basic Conditions.

## 2.0 LEGISLATIVE REQUIREMENTS

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- 2.1 Before assessing the Basic Conditions, this section addresses the various other requirements of legislation associated with the Neighbourhood Plan.

### The Qualifying Body

- 2.2 The process of making the Neighbourhood Plan has been led by Cassop-cum-Quarrington Parish Council. This is a 'qualifying body' under the Neighbourhood Planning legislation, which entitles them to lead the plan making process.
- 2.3 This satisfies the requirements set out in the Localism Act (2011) and in Section 61F(1) of the Town and Country Planning Act (as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004).

### The Neighbourhood Plan Area

- 2.4 The Neighbourhood Area to which the Neighbourhood Plan relates covers the whole of the Parish of Cassop-cum-Quarrington in County Durham and the boundary of that Area is co-terminus with the Parish boundary. The extent of the Neighbourhood Area is shown on page 8 of the Neighbourhood Plan. This was designated as a Neighbourhood Area by Durham County Council on 1<sup>st</sup> July 2014.
- 2.5 This satisfies the requirements set out under section 61G (1) (2) and (3) of the Town and Country Planning Act 1990 (as applied to Neighbourhood Plans by section 38A of the Planning and

Compulsory Purchase Act 2004) and Regulations 5, 6 and 7 of the Neighbourhood Planning (General) Regulations 2012.

#### The Neighbourhood Plan

- 2.6 The Cassop-cum-Quarrington Neighbourhood Plan is a Neighbourhood Plan setting out policies in relation to the development and use of land for a designated Neighbourhood Area in line with the requirements of Section 38A of the Planning and Compulsory Purchase Act 2004.

#### The Plan Period

- 2.7 The lifespan of the Neighbourhood Plan is 2020 to 2035. This mirrors the Plan period for the County Durham Plan, which was adopted in October 2020 and which confirms (at paragraph 1.3) that it *'provides the policy framework for the county up to 2035'*.

#### Excluded Development

- 2.8 The Neighbourhood Plan does not include provision for any excluded development as set out in Section 61K of the Town and Country Planning Act 1990.

#### The Neighbourhood Plan and the Neighbourhood Area

- 2.9 The Neighbourhood Plan relates only to the Cassop-cum-Quarrington Neighbourhood Area and no other area, and there are no other Neighbourhood Plans relating to this Area.
- 2.10 In light of the information in Paragraphs 2.7 to 2.9 above, the Neighbourhood Plan meets the requirements of Section 38B(1) and (2) of the Planning and Compulsory Purchase Act 2004.

## **3.0 BASIC CONDITIONS**

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### **BASIC CONDITION 1: HAVING REGARD TO NATIONAL POLICY**

- 3.1 National Planning Practice Guidance states: *'A qualifying body is advised to set out in its basic conditions statement how they have had regard to national policy and considered whether a particular policy is or is not relevant. A qualifying body is encouraged to set out the particular national policies that it has considered, and how the policies in a draft neighbourhood plan ... take account of national policy and advice.'* (Paragraph: 070 Reference ID: 41-070- 20190509).
- 3.2 The Neighbourhood Plan contains 4 policies. These have been set out in Table 1 below and are considered in turn against national policy as set out in the National Planning Policy Framework (NPPF) and, where relevant, national Planning Practice Guidance (PPG).

*Note – applicable equally to all 4 policies of the Neighbourhood Plan are paragraphs 28 and 29 of the NPPF, in that the policies are each designed to manage development in a way that reflects the local community's vision for the area, without undermining the strategic policies for the area.*

Table 1 – How each policy in the Neighbourhood Plan has regard to national policy and guidance

<p><b>POLICY CCQ1: PROTECTED RURAL SETTINGS</b></p>
<p>This policy seeks to protect the countryside between and around Bowburn and Parkhill for the role it plays in providing a rural setting to those settlements, retaining their separate individual identities and preventing their coalescence with each other and with neighbouring settlements by maintaining the integrity and extent of rural gaps between them.</p> <p>This accords with the NPPF (paragraphs 13 and 65) by reflecting and supporting strategic policies in the adopted County Durham Plan relating to the pattern and scale of new development and the management of development on unallocated (edge of settlement) sites and the countryside<sup>1</sup>. This is covered further in this Statement under Basic Condition 3.</p> <p>In particular, the policy plays an important ‘conserving’ role in seeking to protect and enhance these rural settings. In so doing, it also helps implement paragraph 170 of the NPPF by contributing to and enhancing the natural and local environment.</p>
<p><b>POLICY CCQ2: LOCAL GREEN SPACES</b></p>
<p>This policy identifies and designates a number of sites as Local Green Spaces (LGS’s), which the policy then seeks to protect and enhance because of their importance to the local community and for their respective functions and values as open space.</p> <p>This policy, and the process followed to identify the LGS sites is fully in accordance with paragraphs 99 and 100 of the NPPF. The supporting text to the policy confirms that the sites were assessed in accordance with criteria set out in paragraph 100 of the NPPF and that a summary table of the assessment outcomes is provided in the Plan’s Appendix.</p> <p>Planning Practice Guidance reiterates that ‘<i>Local Green Space designation is for use in Local Plans or Neighbourhood Plans</i>’ (Paragraph: 006 Reference ID: 37-006-20140306).</p> <p>In the case of the 17 LGS sites in Policy CCQ2, The policy implements NPPF paragraph 13 by supporting strategic policy relating to green infrastructure in the County Durham Plan. This is covered further in this Statement under Basic Condition 3.</p> <p>More broadly, the policy helps support and implement two specific sections of the NPPF – section 8 (Promoting healthy and safe communities) and section 15 (Conserving and enhancing the natural environment).</p>

<sup>1</sup> It is of relevance to note that the Inspector’s Report on the Examination of the County Durham Plan states at para 330 that ‘... there is no need for the [County Durham] Plan to set out a housing requirement figure for any of the designated neighbourhood areas as referred to in national policy. Furthermore, it also justifies policy 6 (as modified) allowing neighbourhood plans to protect land outside development limits from development proposals on unallocated sites’.

### **POLICY CCQ3: LOCALLY VALUED HERITAGE ASSETS**

This policy provides a means of identifying a number of non-designated heritage assets in the Plan area and seeking that they be properly recognised, conserved and enhanced in development proposals. The term used for these in the Plan is ‘Locally Valued Heritage Assets’, or LVHA’s for short.

The policy supports and implements section 16 of the NPPF (Conserving and enhancing the historic environment). In particular, paragraph 184 recognises that *‘Heritage assets range from sites and buildings of local historic value to those of the highest significance..’*

For those of local historic value, Planning Practice Guidance confirms that *‘there are a number of processes through which non-designated heritage assets may be identified, including the local and neighbourhood plan-making processes..’* (Paragraph: 040 Reference ID: 18a-040-20190723).

The paragraph goes on to note that *‘irrespective of how they are identified, it is important that the decisions to identify them as non-designated heritage assets are based on sound evidence’*.

In the case of the 6 LVHA’s in Policy CCQ3, the supporting text to the policy confirms that each of them were identified by means of *‘established and recognised methodologies promoted by Historic England and Civic Voice’*. The Plan includes a summary table of the assessment outcomes for the LVHA’s within its Appendix.

This also implements Planning Practice Guidance which states *‘Where it is relevant, neighbourhood plans need to include enough information about local heritage to guide decisions and put broader strategic heritage policies into action at a neighbourhood scale’* (Paragraph: 005 Reference ID: 18a-005-20190723).

In turn, the policy implements NPPF paragraph 13 by supporting strategic policy relating to the historic environment in the County Durham Plan. This is covered further in this Statement under Basic Condition 3.

### **POLICY CCQ4: ACHIEVING BEAUTIFUL AND SUCCESSFUL DEVELOPMENT**

This policy sets out key criteria to be met in order to achieve beautiful and successful development in the Plan area.

This supports and implements section 12 of the NPPF (Achieving well-designed places). In particular, paragraph 125 expects Plans to *‘set out a clear design vision and expectations, so that applicants have as much certainty as possible about what is likely to be acceptable’*. It adds that *‘Neighbourhood Plans can play an important role in identifying the special qualities of each area and explaining how this should be reflect in development’*.

Planning Practice Guidance notes that *‘Good design is set out in the National Design Guide’*, and that the Guide *‘can be used by all those involved in shaping places including in plan-making and decision making’* (Paragraph: 001 Reference ID: 26-001-20191001).

Policy CCQ4 fulfils this by presenting a series of maxims for development (cross referenced to the National Design Guide) which seek to deliver beauty and successful place-making and be efficient in

terms of functionality and use of resources.

In turn, the policy implements NPPF paragraph 13 by supporting strategic policy relating to sustainable design in the County Durham Plan. This is covered further in this Statement under Basic Condition 3.

## **BASIC CONDITION 2: CONTRIBUTING TO ACHIEVEMENT OF SUSTAINABLE DEVELOPMENT**

- 3.3 The purpose of the planning system is to contribute to the achievement of sustainable development. The objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.
- 3.4 Achieving sustainable development means the planning system has three interdependent objectives, relating to the economy, society and the environment. These are identified in paragraph 8 of the NPPF as follows –
- ***‘an economic objective** – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;*
  - ***a social objective** – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being; and*
  - ***an environmental objective** – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy’.*
- 3.5 Paragraph 9 of the NPPF gives clear advice on how plans should contribute to these sustainability objectives: *‘Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area’.*
- 3.6 Paragraph 13 then clarifies the role of neighbourhood plans in attaining sustainable development: *‘Neighbourhood plans should support the delivery of strategic policies contained in local plans or spatial development strategies; and should shape and direct development that is outside of these strategic policies’.* Paragraph 29 of the Framework adds that: *‘Neighbourhood plans can shape, direct and help deliver sustainable development, by influencing local planning decisions as part of the statutory development plan’.*



3.7 Against this context, the table below examines how the CCQ Neighbourhood Plan contributes to each of the three dimensions of sustainability.

**Table 2 – How the Neighbourhood Plan contributes to the achievement of sustainable development**

<b>ECONOMIC SUSTAINABILITY:</b>
<p>The CCQ Neighbourhood Plan contains no specific policies for the economy. This reflects the current (and ongoing) provision for economic growth already in place in the area<sup>2</sup> and that objectives for economic growth are fully met in the adopted County Durham Plan through its comprehensive strategic policies for employment and infrastructure.</p> <p>However, the Neighbourhood Plan’s policies will nevertheless all have positive consequential effects upon the economy. Through their focus upon conserving and enhancing rural settings, open spaces and historic assets, together with achieving beautiful and successful development, they will all serve to make the area a more attractive place in which to live and do business. This is embodied in the Plan’s vision <i>‘to tangibly improve the Parish as a place to live and work’</i>.</p>
<b>SOCIAL SUSTAINABILITY:</b>
<p>The Neighbourhood Plan likewise has no specific policies for new housing. Again, this reflects the significant (and ongoing) provision for housing growth already in place in the area<sup>3</sup> and that objectives and requirements for housing growth are fully met in the adopted County Durham Plan (see also footnote 1 on page 3 of this Statement).</p> <p>However, aside from this, the Neighbourhood Plan does include policies which promote social sustainability.</p> <p>In particular, It has an objective and policies on the environmental assets of the area (important green spaces and historic resources) which seek to ensure they are protected and enhanced.</p> <p>It also has an objective and policy to promote good design, which NPPF paragraph 124 identifies as <i>‘a key aspect of sustainable development’</i>.</p> <p>Together, these policies help promote the social sustainability objective of the NPPF <i>‘by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being’</i> (paragraph 8b).</p>
<b>ENVIRONMENTAL SUSTAINABILITY:</b>
<p>The Neighbourhood Plan proactively seeks to protect and enhance the environment of the Parish.</p> <p>Indeed, this is its overriding focus.</p> <p>It reflects the specific circumstances of the area in terms of the scale, pace, nature and location of its growth and development on the one hand and the most treasured characteristics of its environment on the other. This environmental focus has been the result of the clear priorities and</p>

<sup>2</sup> As explained in paragraphs 2.40 to 2.42 of the CCQ Plan

<sup>3</sup> As explained in paragraphs 2.43 to 2.44 of the CCQ Plan



aspirations expressed by the community as the Plan was prepared.

The Plan achieves this environmental dimension of sustainability through every one of its policies –

- Policy CCQ1 – by seeking to protect and enhance the rural settings of the main settlements for the important roles they play visually and physically, as set out in the explanatory text to the policy (see paragraphs 4.15 and 4.16 of the NP);
- Policies CCQ2 and CCQ3 – by seeking to protect and enhance local green spaces and locally valued heritage assets for the positive contributions they make to the environment of the Parish;
- Policy CCQ4 - by promoting improved standards of design to help achieve development which is beautiful (positively enhancing the environment of the area) and successful (efficient in terms of functionality and use of resources).

### **BASIC CONDITION 3: CONFORMITY WITH STRATEGIC LOCAL POLICY**

3.8 Basic Condition 3 requires that the CCQ Neighbourhood Plan must be ‘in general conformity’ with strategic local policy. National Planning Practice Guidance<sup>4</sup> explains what this means:

*‘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 and the evidence to justify that approach.’*

3.9 National Planning Practice Guidance<sup>5</sup> explains that the fulfilment of Basic Condition 3 ‘addresses strategic policies no matter where they appear in the development plan’.

3.10 It goes on to provide guidance<sup>6</sup> on how to determine whether a policy is a strategic policy in a development plan, including -

- *‘whether the policy sets out an overarching direction or objective*

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<sup>4</sup> Paragraph: 074 Reference ID: 41-074-20140306

<sup>5</sup> Paragraph: 075 Reference ID: 41-075-20190509

<sup>6</sup> Paragraph: 076 Reference ID: 41-076-20190509

- *whether the policy seeks to shape the broad characteristics of development*
- *the scale at which the policy is intended to operate*
- *whether the policy sets a framework for decisions on how competing priorities should be balanced*
- *whether the policy sets a standard or other requirement that is essential to achieving the wider vision and aspirations in the local plan or spatial development strategy*
- *in the case of site allocations, whether bringing the site forward is central to achieving the vision and aspirations of the local plan or spatial development strategy*
- *whether the local plan or spatial development strategy identifies the policy as being strategic'*

3.11 Until recently, the assessment of strategic policy conformity in County Durham would have required consideration of CCQ NP policies against the Saved Policies of the former City of Durham Local Plan, as well as emerging policies of the County Durham Plan (CDP).

3.12 However, the recent adoption of the CDP (on 21/10/2020) has greatly simplified this by rendering the former Local Plan policies as superseded. This is confirmed in Table 15 of Appendix B of the CDP. In accordance with NPPF paragraph 21, the CDP also includes a list of its strategic policies (Appendix A). For ease of reference, this list is replicated at the end of this Statement in Appendix 1.

3.13 The assessment of conformity with the CDP's strategic policies is set out in Table 3 below. This deals in turn with each of the 4 policies of the CCQ Neighbourhood Plan, identifying the relevant associated CDP strategic policy (or policies) and providing a commentary in terms of their conformity with those policies.

Table 3 – How the Neighbourhood Plan conforms with strategic local policy

<b>POLICY CCQ1 - PROTECTED RURAL SETTINGS</b>
<p><u>Relevant Strategic Policies of the CDP:</u></p> <ul style="list-style-type: none"> <li>• Policy 1: Quantity of New Development</li> <li>• Policy 6: Development on Unallocated Sites</li> <li>• Policy 10: Development in the Countryside</li> </ul> <p><u>Conformity and Commentary:</u></p> <p>Policy CCQ1 conforms firstly with CDP policy 1 in terms of that Plan having fully met housing and employment needs. The CDP confirms at Paragraph 1.9 that '<i>As the Plan allocated sufficient sites to meet housing needs for the county it does not set out housing requirements for designated neighbourhood areas</i>'.</p> <p>The edges of the Protected Rural Settings are also consistent with the CDP's glossary definition of</p>

'built-up area'.<sup>7</sup>

Secondly, CCQ1 sets out a locally specific policy of restraint which both supports and provides added detail to CDP policies 6 and 10, covering development on unallocated sites and in the countryside respectively.

The Protected Rural Setting policy is consistent with Policy 6 because it provides support and detail in relation to criteria 'b', 'c' and 'd' of that policy by articulating why development would be constrained in the PRS (coalescence, character, scale, function, form and setting).

Attention is also drawn to relevant observations on this matter by the Inspector in his Examination of the CDP. At paragraph 330 of his Examination report he notes –

*'there is no need for the [County Durham] Plan to set out a housing requirement figure for any of the designated neighbourhood areas as referred to in national policy. Furthermore, it also justifies policy 6 (as modified) allowing neighbourhood plans to protect land outside development limits from development proposals on unallocated sites'.*

Policy CCQ1 is likewise consistent with CDP Policy 10 in terms of the broad scope of that policy, but particularly in terms of providing an additional local focus to its sub-sections –

- l) which seeks to prevent development giving rise to unacceptable harm to the various qualities of the countryside;
- m) which seeks to ensure that development in the countryside does not *'result in the merging or coalescence of neighbouring settlements'*;
- o) which seeks to prevent development impacting *'adversely upon the setting, townscape qualities, including important vistas, or form of a settlement'*.

## **POLICY CCQ2 - LOCAL GREEN SPACES**

### Relevant Strategic Policies of the CDP:

- Policy 26: Green Infrastructure
- Policy 43: Protected Species and Nationally and Locally Protected Sites

### Conformity and Commentary:

Policy CCQ2 finds its most direct link in the CDP to Policy 26, which sets out a strategy for green infrastructure, defined in the CDP as *'a network of multi-functional green space, urban and rural, which is capable of delivering a wide range of environmental and quality of life benefits for local communities'*.

Like CDP Policy 26, policy CCQ2 seeks to protect and where possible enhance green spaces to help maintain and widen their various roles.

However, the CDP approach is generic rather than site specific. Conversely, by actually identifying

<sup>7</sup> Defined in the CDP as *'.. land contained within the main body of existing built development of a settlement or is within a settlement boundary defined in a Neighbourhood Plan. Areas falling outside this definition will be regarded as countryside'*.

specific sites for protection through a systematic LGS assessment process, CCQ2 adds a more 'finer grain' and locally specific focus to the CDP approach.

This will both conform with the CDP policy 26 and strengthen its effectiveness.

Additionally, as two of the identified LGS sites also appear in the CDP as Locally Protected Sites, Policy CCQ2 is supportive of CDP Policy 43, which seeks to protect these sites for their biodiversity and nature conservation values.

The two sites in question are –

- LGS12 – Coxhoe Ponds Local Wildlife Site
- LGS14 – Crow Trees Local Nature Reserve

### **POLICY CCQ3 - LOCALLY VALUED HERITAGE ASSETS**

#### Relevant Strategic Policies of the CDP:

Policy 44: Historic Environment

#### Conformity and Commentary:

Policy 44 is the principal policy in the CDP dealing with the historic environment. This refers to non-designated as well as designated heritage assets. In particular, the supporting text to the policy states that '*Neighbourhood Plans can identify any buildings or spaces that are considered worthy of local designation*' (paragraph 5.450).

Policy CCQ3 does precisely this by setting out a locally identified set of heritage assets (LVHA's), thereby directly supporting and complementing Policy 44.

### **POLICY CCQ4 - ACHIEVING BEAUTIFUL AND SUCCESSFUL DEVELOPMENT**

#### Relevant Strategic Policies of the CDP:

Policy 29: Sustainable Design

#### Conformity and Commentary:

Policy 29 is the principal policy to promote high quality sustainable design in the CDP.

Policy CCQ4 supports this by adding a policy context for promoting beautiful and successful development in the CCQ area which is locally specific, proportionate and up to date in that –

- It reflects the clear messages received from the community on the subject of design
- It reflects the specific circumstances and characteristics of the Parish
- It reflects the up to date position and clear direction of travel of national policy on design

This is explained fully in the supporting text to CCQ4.

## **BASIC CONDITION 4 – COMPATIBILITY WITH EU OBLIGATIONS**

3.14 The fourth Basic Condition is that a Neighbourhood Plan must be compatible with European Union obligations (as incorporated into UK law), in order to be legally compliant. Key obligations relate to the Strategic Environmental Assessment Directive and the Habitats and Wild Birds Directives. A Neighbourhood Plan should also take account of the requirements to consider human rights.

### Strategic Environmental Assessment (SEA)

3.15 Regulation 15 of the Neighbourhood Planning Regulations (as amended) requires either that a Strategic Environmental Assessment (SEA) report is submitted with a Neighbourhood Plan or a determination is provided from the responsible authority (Durham County Council) that the Plan is not likely to have ‘significant environmental effects’ and accordingly does not require an environmental assessment.

3.16 A screening opinion has been carried out by Durham County Council on the CCQ Neighbourhood Plan. The results of this are contained in a Council document dated November 2020 and entitled ‘*Cassop-cum-Quarrington Neighbourhood Plan Strategic Environmental Assessment & Habitat Regulations Assessment Screening Report*’.

3.17 Paragraph 1.1 of that report sets out its two purposes. The first of these is to determine whether the draft CCQ NP requires a Strategic Environmental Assessment (SEA) in accordance with the European Directive 2001/42/EC and the Environmental Assessment of Plans and Programmes Regulations 2004.

3.18 Table 2 at the beginning of the report sets out the conclusions of the screening opinion in respect of SEA, which confirms that ‘*SEA is not required*’. The reason for this conclusion is as follows:

*‘The Cassop-cum-Quarrington Neighbourhood Plan does not allocate land for development and its policies seek to provide protection of rural setting, local green spaces and non-designated heritage assets along with ensuring that the design of new development contributes positively toward local character, place-making and resource efficiency. Therefore, the Neighbourhood Plan is not considered likely to have a significant effect on the environment’.*

### Habitats Regulations Assessment (HRA)

3.19 Paragraph 1.1 of the screening report states that its second purpose is to determine whether the CCQ NP requires an Appropriate Assessment in accordance with the European Habitats Directive and Birds Directive and the Conservation of Habitats and Species Regulations 2017. An Appropriate Assessment is required when it is determined through an HRA screening process that the NP is likely to have significant effects on statutorily protected wildlife sites (known collectively as Natura 2000 sites), either on its own or in combination with other plans and projects.

- 3.20 Table 3 of the report sets out the conclusions of the County Council's HRA screening process which are that: *'The Neighbourhood Plan will not incur likely significant effects to Natura 2000 sites. Appropriate Assessment is not required'*. The reason for this conclusion was that: *'the policies within the Plan will not lead to built development'*.
- 3.21 Lastly, Table 4 of the report sets out the comments of statutory consultees in respect of the SEA and HRA screening assessment, including the Environment Agency, Natural England and Historic England. This confirms that each of these bodies agree with the County Council's opinions as set out in the screening report.
- 3.22 A copy of the County Council's screening summary, containing each of these tables is included in this Statement at Appendix 2.

#### European Convention on Human Rights (ECHR)

- 3.23 The CCQ NP is fully compliant with European Convention on Human Rights. There is no discrimination stated or implied, or threat to the fundamental rights and freedoms guaranteed under the Convention. The accompanying Consultation Statement sets out the comprehensive processes followed in terms of community involvement.

#### **BASIC CONDITION 5 – MEETING PRESCRIBED CONDITIONS**

- 3.24 Regulation 32 of the Neighbourhood Planning (General) Regulations 2012 (as amended) adds a further basic condition for Neighbourhood Plans in addition to those set out in the primary legislation; namely that the making of the Neighbourhood Plan is not likely to have a significant effect on a European site (as defined in the Conservation of Habitats and Species Regulations 2012).
- 3.25 The position in respect of this has been examined through the screening assessment findings of the competent authority (Durham County Council), which are set out in paragraphs 3.19 and 3.20 and Appendix 2 of this Statement.

## **4.0 CONCLUSION**

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- 4.1 In light of the evidence provided in this Statement, it is concluded that the CCQ Neighbourhood Plan fully meets the Basic Conditions as set out in the Neighbourhood Planning (General) Regulations 2012 (as amended).

# APPENDICES



## APPENDIX 1: LIST OF STRATEGIC POLICIES IN THE 2020 COUNTY DURHAM PLAN

Policy 1	Quantity of Development
Policy 2	Employment Land
Policy 3	Aykley Heads
Policy 4	Housing Allocations
Policy 5	Durham City's Sustainable Urban Extensions
Policy 6	Development on Unallocated Sites in the Built Up Area
Policy 9	Retail Hierarchy and Town Centre Development
Policy 10	Development in the Countryside
Policy 11	Rural Housing and Employment Exception Sites
Policy 12	Permanent Rural Workers' Dwellings
Policy 15	Addressing Housing Need
Policy 16	Durham University Development, Purpose Built Student Accommodation and Houses in Multiple Occupation
Policy 17	Sites for Travellers
Policy 20	Green Belt
Policy 22	Durham City Sustainable Transport
Policy 23	Allocating and Safeguarding Transport Routes and Facilities
Policy 25	Developer Contributions
Policy 26	Green Infrastructure
Policy 27	Utilities, Telecommunications and Other Broadcast Infrastructure
Policy 29	Sustainable Design
Policy 34	Wind Turbine Development
Policy 35	Water Management
Policy 36	Water Infrastructure
Policy 37	Durham Heritage Coast and Wider Coastal Zone
Policy 38	North Pennines Area of Outstanding Natural Beauty
Policy 39	Landscape
Policy 41	Biodiversity and Geodiversity
Policy 42	Internationally Designated Sites
Policy 43	Protected Species and Nationally and Locally Protected Sites
Policy 44	Historic Environment
Policy 45	Durham Castle and Cathedral World Heritage Site
Policy 46	Stockton and Darlington Railway
Policy 47	Sustainable Minerals and Waste Resource Management
Policy 48	Safeguarding Minerals Sites, Minerals Related Infrastructure and Waste Management Sites
Policy 49	Primary Aggregates Provision
Policy 50	Locational approach to the future supply of primary aggregates

Policy 51	Meeting Future Aggregates Requirements
Policy 52	Brick Making Raw Materials
Policy 53	Surface Mined Coal and Fireclay
Policy 54	Natural Building and Roofing Stone
Policy 56	Safeguarding Mineral Resources
Policy 57	The Conservation and Use of High Grade Dolomite
Policy 58	Preferred Areas for Future Carboniferous Limestone Working
Policy 59	Strategic Area of Search to the South of Todhills Brickworks
Policy 60	Waste Management Provision
Policy 61	Location of New Waste Facilities

## APPENDIX 2: DURHAM COUNTY COUNCIL SEA & HRA SCREENING ASSESSMENT SUMMARY

### Screening Summary

**Table 1 Summary of Neighbourhood Plan**

Details of Neighbourhood Plan	
Name of Neighbourhood Plan	Cassop-cum-Quarrington Neighbourhood Plan
Geographic Coverage of the Plan	Cassop-cum-Quarrington Parish ( 1,415 hectares)
Key topics / scope of Plan	Protection of rural setting, environmental assets and the establishment of design standards

**Table 2 Summary of SEA Screening Opinion**

Local Authority Details	
Name and job title of officer undertaking screening opinion	Nadia Wetherell - Sustainability and Climate Change Officer
Date of assessment	June 2019 - version 1 March 2020 - updated to reflect changes to Policy CCQ4 and removal of CCQ5 and CCQ6. November 2020 - reviewed following Regulation 14 consultation and associated amends made to the Neighbourhood Plan
Conclusion of assessment	SEA is not required
Reason for conclusion	The Cassop-cum-Quarrington Neighbourhood Plan does not allocate land for development and its policies seek to provide protection of rural setting, local green spaces and non-designated heritage assets along with ensuring that the design of new development contributes positively toward local character, place-making and resource efficiency. Therefore, the Neighbourhood Plan is not considered likely to have a significant effect on the environment.
Name and job title of officer approving screening opinion	Stephen McDonald - Principal Low Carbon Economy Officer
Date of approval	March 2020
Date of final screening document	November 2020

**Table 3 Summary of HRA Screening Opinion**

Local Authority Details	
Name and job title of officer undertaking screening opinion	Nadia Wetherell - Sustainability and Climate Change Officer
Date of assessment	June 2019 - version 1 March 2020 - updated to reflect changes to Policy CCQ4 and removal of CCQ5 and CCQ6. November 2020 - reviewed following Regulation 14 consultation and associated amends made to the Neighbourhood Plan
Conclusion of assessment	The Neighbourhood Plan will not incur likely significant effects to Natura 2000 Sites. Appropriate Assessment is not required.
Reason for conclusion	The policies within the Plan will not lead to built development
Name and job title of officer approving screening opinion	Tammara Morris Hale - Senior Ecologist
Date of approval	March 2020
Date of final screening document	November 2020

**Table 4 Summary of Consultation**

Statutory Consultee	Summary of Comments
Historic England	<p>Based on the analysis set out in the Screening Opinion, and within the areas of interest to Historic England, we agree that the emerging plan is unlikely to result in significant environmental effects and, therefore, it does not need SEA. In coming to this view we have taken the following factors into consideration:</p> <ul style="list-style-type: none"> <li>• The plan area contains a number of heritage assets including conservation areas, a listed building, and the potential for non-designated assets.</li> <li>• Heritage assets are fragile and irreplaceable and can be damaged by change through development both directly and indirectly by development in their setting.</li> <li>• The plan is not expected to allocate sites for development.</li> </ul> <p>As such, from the perspective of our area of interest, the need for SEA of the draft plan can be screened out as it is unlikely to result in significant environmental effects</p>
Environment Agency	Do not consider that there are any environmental impacts arising from the Plan which would require it being subject to Strategic Environmental Assessment (SEA)
Natural England	<p><b>Screening Request - HRA</b> Natural England agree with the conclusion of the screening assessment and note that the Plan does not allocate land for development.</p> <p><b>Screening Request - SEA</b> It is our advice, on the basis of the material supplied with the consultation, that, in so far as our strategic environmental interests (including but not limited to statutory designated sites, landscapes and protected species, geology and soils) are concerned, that there are unlikely to be significant environmental effects from the proposed plan. Natural England agree with the conclusion of the SEA screening report.</p>