

LOW CONISCLIFFE & MERRYBENT PARISH NEIGHBOURHOOD PLAN (2018-2036)

June 2019



Foreword

Your Plan for Low Coniscliffe and Merrybent.

In December 2016 the Parish Council of Low Coniscliffe and Merrybent, as the Neighbourhood Planning Qualifying Body, decided to look at the feasibility of producing a Neighbourhood Plan for the whole of the Parish.

This Submission Draft Plan has been informed by vital feedback from the local community and prepared with a considerable amount of hard work undertaken by the Low Coniscliffe and Merrybent Neighbourhood Plan Steering Group.

A great deal of early engagement has informed the preparation of this Submission Draft Plan, including: community drop in events, community questionnaires, formal consultation on the Pre-Submission Plan and many Steering Group meetings. The draft vision, objectives, planning policies and community actions have all been developed as a result of this early engagement. The planning policies are of particular importance, as in the future they will be used by Darlington Borough Council to manage development within the Parish.

We have worked with Darlington Borough Council to develop this Draft Plan and members of the Steering Group attended a Locality Neighbourhood Planning Networking event at Durham County Hall last year. The purpose of the Networking Event was to share the value of talking to other Neighbourhood Planning groups, take the opportunity to air our views, experiences and issues and to familiarise ourselves with resources that are available to support us.

In addition to obtaining the basic neighbourhood grant funding we have also been successful in obtaining additional financial help in the form of a Technical Support Grant to prepare a Housing Needs Study and consider opportunities for the preparation of Design Codes.

The Parish Council believe that this Neighbourhood Plan represents local needs and aspirations and should therefore be used to assess planning proposals in the Parish.

Low Coniscliffe and Merrybent Parish Council would like to thank all those involved in the preparation of this document for their enormous effort and commitment to its production.

Margaret Ellerton
Chair Low Coniscliffe and Merrybent Parish Council.

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1. Introduction

- 1.1 Neighbourhood Planning is a right for communities introduced through the Localism Act 2011. Communities can shape development in their areas through the preparation of Neighbourhood Development Plans. Policies within Neighbourhood Plans cannot block development or support less development than already committed in the Local Plan. What they can do is shape where that development will go and what it will look like.
- 1.2 Neighbourhood Plans can also cover issues which are not related to the use and development of land. They can provide a useful document in which a Town or Parish Council can establish priorities for action to improve their area. These are often referred to as ‘community actions’. The main purpose of a Neighbourhood Plan is to set policies for the use and development of land.
- 1.3 Once a Neighbourhood Plan has been: examined by an Independent Examiner; agreed at the referendum stage by the local community; and ‘made’ (brought into legal force) by the Local Planning Authority it becomes part of the statutory Development Plan. Planning law requires that planning applications are determined in accordance with the Development Plan, unless material planning considerations¹ indicate otherwise.

Planning context

- 1.4 Neighbourhood Plans have to meet a number of ‘basic conditions’ to ensure they are legally compliant, they must:
- Have regard to national planning policy and guidance;
 - Be in general conformity with the strategic policies of the Local Plan;
 - Contribute to the achievement of sustainable development; and
 - Be compatible with European obligations.

National planning policy and guidance:

- 1.5 National planning policy and guidance is set out in the National Planning Policy Framework (NPPF) and National Planning Practice Guidance (NPPG) respectively.

Local Plan:

- 1.6 The preparation of the Low Coniscliffe and Merrybent Neighbourhood Plan (‘the Plan’) has been informed by the adopted Darlington Core Strategy (2011) and the saved policies of the Darlington Local Plan (1997). Regard has also been given to the evidence base that is being developed by Darlington Borough Council (DBC) alongside the emerging new Local Plan.
- 1.7 The Plan reflects and provides local detail to a number of policy areas contained within the current Local Plan for the area, including protection and enhancement of the historic and natural environment, protection and enhancement of community facilities and support for the rural economy and thriving communities. The Basic Conditions Statement, that accompanies this Submission Plan describes how the Plan is in general conformity with the strategic policies of the Local Plan.

Sustainable development:

- 1.8 The purpose of the planning system is to help achieve sustainable development as defined by the NPPF. This specifies that the presumption in favour of sustainable development should be

¹ Material Planning considerations are matters that should be taken into account in making a planning decision.

the basis for every plan and every planning decision. In brief, ‘sustainable development’ is about positive growth which delivers economic, environmental and social progress for this and future generations. The Basic Conditions Statement that accompanies this Submission Plan, explains how the implementation of the Plan is expected to contribute to sustainable development.

European obligations:

- 1.9 Neighbourhood Plans must be compatible with EU obligations. The Strategic Environmental Assessment (SEA) is a way of ensuring that the environmental implications of policies are taken into account before plans are brought into force. DBC provided a screening opinion, which is available on the DBC website², to establish whether a SEA was required for the Plan. This concluded that a SEA was not required.
- 1.10 The main purpose of the Habitats Regulations Assessment (HRA) process is to ensure that the plan will not result in significant damage to internationally important nature conservation sites. DBC provided a screening opinion and concluded that the Plan is not likely to have a significant effect on any European Sites. The Screening Opinion is available on the DBC website.

Background to the Neighbourhood Plan

- 1.11 In December 2017 the Parish Council resolved to begin the process of preparing a Neighbourhood Plan and established a Steering Group to lead the Plan preparation process; the Steering Group held their first meeting in January 2017. On 26 May 2017, the Parish of Low Coniscliffe and Merrybent was designated as a Neighbourhood Area for the purposes of Neighbourhood planning. The process of preparing the Plan began formally in May 2017 with a community launch event.
- 1.12 The Neighbourhood Plan Steering Group, made up of local volunteers, has worked on behalf of the Parish Council to develop this Pre-Submission Draft Plan. Regular feedback on plan preparation progress is provided to the Parish Council at its meetings.
- 1.13 There have been two rounds of early engagement to obtain the views of the local community and stakeholders on the scope of the Plan:
- May 2017 – launch event and identification of issues and policy options for the Plan³; and
 - August 2017 – engagement on the vision and objectives for the Plan – a leaflet was sent to all households in the Parish and key stakeholders to ask for input to the draft vision and objectives.
- 1.14 This work informed the preparation of a Pre-Submission Draft Plan which was subject to consultation between 21 April and 2 June 2018. The draft Plan identified:
- The context in which the Plan has been prepared – an overview of the Parish and the **opportunities and challenges** for the Plan to address;
 - A **positive vision and objectives** for the future of the Neighbourhood Plan Area;
 - How the vision and objectives of the Plan will be **delivered through planning policies** i.e. **the policies that will be used to determine planning applications** within the Plan Area - providing a framework for sustainable development; and
 - How the vision and objectives of the Plan will be **delivered through community actions** i.e. measures which are **intended to encourage action and influence decisions** taken by relevant bodies.

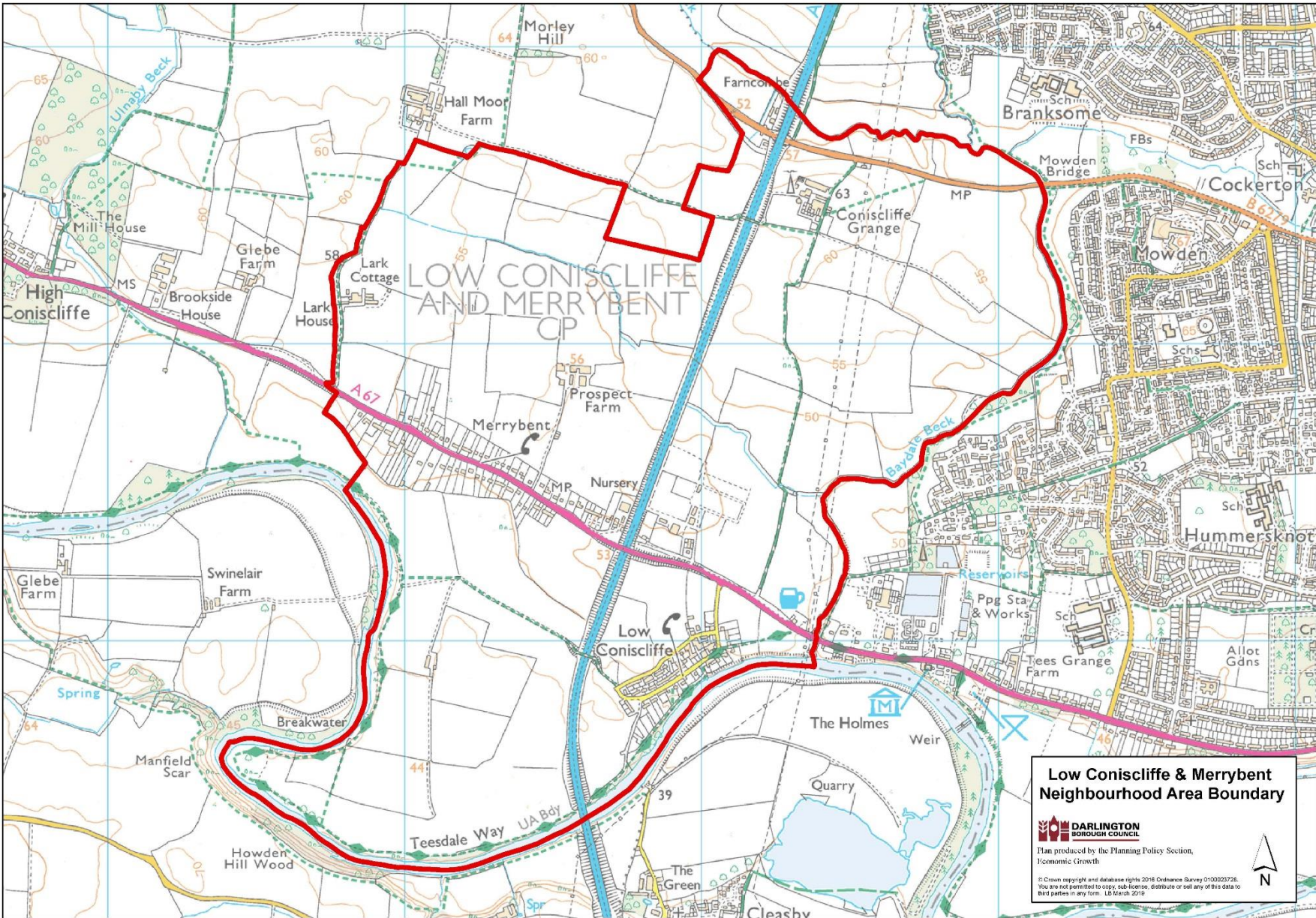
² <https://www.darlington.gov.uk/environment-and-planning/planning/planning-and-environmental-policy/neighbourhood-planning/>

³ Feedback report available at www.lowconiscliffeandmerrybentneighbourhoodplan.org.uk/consultation/

- 1.15 This Submission Draft Neighbourhood Plan is a revised version of the Pre-Submission Draft (April 2018). It is supported by a strengthened evidence base and has been modified to take account of the following:
- Representations received on the Pre-Submission Draft Plan; and
 - Independent advice provided through the Pre-Submission health check provided as part of the Government’s technical support programme.
- 1.16 The background documents that have informed the preparation of this Submission Draft Plan are available online at: www.lowconiscliffeandmerrybentneighbourhoodplan.org.uk

Next steps

- 1.17 The Plan must be subject to independent examination before it can proceed to referendum and approval. The purpose of the independent examination is to ensure that the legal requirements of plan preparation and consultation have been met and that the Plan meets the prescribed ‘basic conditions’, as set out in paragraph 1.4 above.
- 1.18 DBC will arrange the appointment of an independent Examiner. Prior to commencement of the independent examination, this Submission Plan will be publicised by DBC for a six-week period. It is expected that the independent examination will be conducted by way of written representations. The Examiner may choose to include a public session to inform their report, but this is not a requirement.
- 1.19 Once completed, the Examiner’s report will be published by DBC and must contain one of three recommendations to the local planning authority, that the plan should:
- Proceed to referendum, without modifications;
 - Proceed to referendum with minor modifications; or
 - Not proceed to referendum.



2. Low Coniscliffe and Merrybent Parish – its history and future

Low Coniscliffe and Merrybent Parish – a brief history

- 2.1 Low Coniscliffe and Merrybent Parish covers an area of 418ha, lying 3 miles (4.8km) to the west of Darlington. The southern boundary follows the natural watercourse of The River Tees and similarly the eastern boundary follows the Baydale Beck. The northern and western boundaries of the Parish are primarily a mix of field boundaries.

Low Coniscliffe

- 2.2 The earliest evidence of occupation in Low Coniscliffe is a possible burial mound, the remains of which, perhaps 4000 years old, has recently been found on the field to the East of Gate Lane at the entrance to the village of Low Coniscliffe. The mound dates from between 2400 BC and 1500 BC and shows that pastoral people of the time had developed an attachment to the Low Coniscliffe area.
- 2.3 The village of Low Coniscliffe dates back to the medieval times. The site of the Manor House is indicated on the oldest historic map dating from 1856-1865 and was located to the south west end of the present village in a field once known from 1066 to 1540 as Hallgarth in Low Coniscliffe. Earthworks 50 years ago revealed the Manor House and associated structures including a dovecote from the 15th-16th century. There is reputed to be another dovecote here, but the location is unknown.
- 2.4 It is recorded that Bishop Anthony Bek (Bishop of Durham), medieval knight, 1245 -1311, ordered that a tower be built in Coniscliffe. It was built between 1283 and 1310 and was probably on the site of the manor house. The precise site is believed to be at the south west end of the village, close to the River Tees and the A1 (M) to the west, where the earthwork enclosures of the medieval manor are still visible in the fields. It is recorded that in addition to the Manor House there were a further 12 houses and outbuildings on the site with 480 acres of arable land and 20 acres of meadow.
- 2.5 Due to the sparsity of properties and the farming nature of the village it was not uncommon, as with other small villages, that the practice to identify an individual property was by name and not number and this approach is clearly evident in Low Coniscliffe. Today there are 92 properties in Low Coniscliffe of which 26 are old, some dating back to the 16th century, many of these can easily be identified by their structure of river stone.
- 2.6 The name Gate Lane, on entering the village, comes from the turnpike gate that in 1762 stood on the A67 near the entrance to the village. In 1747, the Government granted permission for a turnpike trust to be established comprising of local wealthy people who took ownership of the road from Stockton to Barnard Castle. The trustees spent money on repairing the road and were then able to charge people for using it; a very early form of privatisation. The trustees collected their tolls at the turnpike gates. They also marked out their road with milestones which, after 1880, were replaced by metal mileposts. Consequently, the name Gate Lane was associated with the main access road through Low Coniscliffe and has remained such for over 250 years.
- 2.7 In the early 1800's the village was a farming community with six farms, of which four were located within the compact area of the village: Coniscliffe Grange, Low Coniscliffe East, Low Coniscliffe West and the Homestead. A large area of the village was covered with orchards

some of which were removed when the school and school house were built. Then in 1888 the Homestead farm was split into several lots and sold.

- 2.8 Low Coniscliffe today has more natural stone walling running throughout the village than any other in the Borough of Darlington. These walls are primarily constructed from river stone which was a natural and easily obtainable material locally, with many of the walls dating from the 17th century. They are found in numerous places within the village, separating individual properties from their neighbour and providing a barrier to the highway. The walls act as a stone chain, linking the various boundaries of individual properties within the oval highway which forms the ring of development of the village.
- 2.9 Many of the properties within Low Coniscliffe have an interesting history. The most obvious landmark before entering Gate Lane is on the A67 and is the Baydale Beck Inn. There has been an inn on the site for over 250 years, the original being called the Badle Beck Inn, built of river cobblestones from the Tees. It was part of the ancient manor of Coniscliffe built on the boundary of the Parish. During 1770, it was the haunt of Catton's Gang of thieves in addition to the famous Dick Turpin whose bedroom curiously had five access doors – presumably for a quick getaway. Another notorious regular was Sir William Browne, last of the Mosstroopers who was sentenced to death at Newcastle in 1743 for returning from transportation. Indeed, the inn had such a bad name that the landlord let it with 20 acres of land for £8 per annum.

Merrybent

- 2.10 Merrybent is a linear village and lies along the A67. It had very few buildings until the beginning of the 20th Century but boasted many greenhouses for the Merrybent Nurseries. In 1870 the Merrybent and Darlington Railway was built as a branch line which left the Darlington and Barnard Castle Railway at Merrybent to carry stone from various quarries; it ran from Archdeacon Newton to Barton quarry in North Yorkshire. It was closed in 1878 when the company went bankrupt, but the line and quarries were re-opened by North Eastern Railway in 1890. The railway was abandoned in 1938, and later dismantled.
- 2.11 The bridge in Low Coniscliffe was destroyed by fire in 1952. This was replaced by a temporary bridge which was built adjacent to the site in the early 1960's to enable construction traffic, which were undertaking the building of the new A1(M), to traverse the river. The bridge was only strong enough to support the weight of one lorry and was demolished, when the concrete structure which followed the site of the old railway bridge was completed, shortly before the A1(M) opened on 14th May 1965.
- 2.12 Although the village of Merrybent was built mostly in the 20th century a strategic greenfield building site was identified by Darlington Borough Council in 2009 and a new housing development followed known as Merrybent Drive. The only significant older feature in Merrybent is the milepost on the A67 which is Grade II listed and dates back to the late 19th Century. It is constructed of cast iron painted white with raised sans-serif black painted letters.

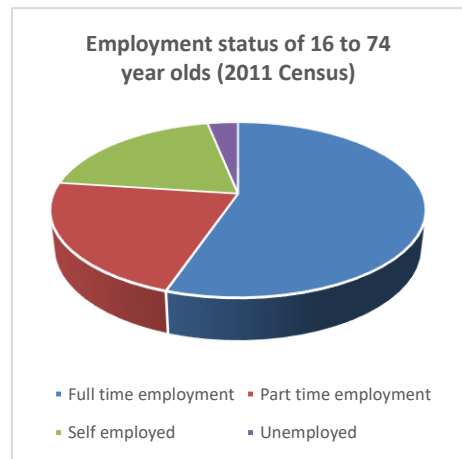
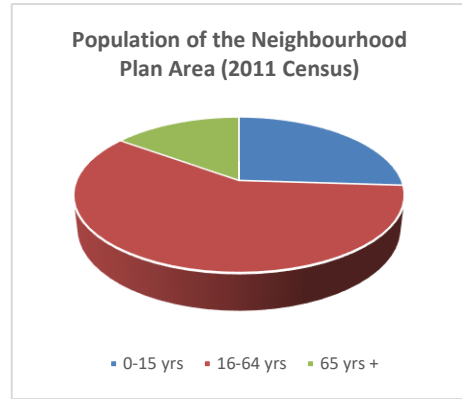
Low Coniscliffe and Merrybent Today

- 2.13 The Parish has a population of 716 (2011 census) with approximately: 59% aged 16-64, 26% aged 0-15yrs and 15% aged 65 or over. The 2011 census identified that there were 283 household spaces in the Parish. Almost all (96%) of the housing stock is either 'whole house' or 'bungalow'. Of the housing stock, 78.4% are either owned outright or with a mortgage, with 20% rented, the majority from the private sector. The average number of cars per household is

two, with 96% of households having access to either a car or van. In the age group 16-74, 73% are economically active, 53% full time, 21% part time, 19% are self-employed and unemployment is at 3%.

2.14 The Parish remains semi-rural, with strong links to Darlington for services such as schools, medical services and shops. An infrequent bus service links the Parish to Darlington to the east and High Coniscliffe, Piercebridge, Gainford, Winston, Staindrop and Barnard Castle to the west. Residents benefit from the rich environmental assets of the Parish including agriculture, trees, hedgerows, the River Tees, the Baydale Beck, the Teesdale Way and numerous bridleways passing through abundant forms of flora and fauna.

2.15 Large parts of the Parish area are in agricultural use, mainly arable grades 1 (2), with individual farmsteads scattered across the Parish. The only community facility within the Parish is the Baydale Beck Inn. Tourism is mainly focused on walking as The Teesdale Way passes through the Parish and fishing managed by Darlington Brown Trout; together with horse riding along the bridleways running through the Parish.



Views of the local community

2.16 As part of the early engagement on the Plan we asked for feedback on what the main things were that people liked about the Neighbourhood Plan Area, comments included appreciation of:

- The rural area;
- Access to the natural environment including the river;
- Green spaces;
- Tranquillity;
- Wildlife;
- Historic environment – traditional village feel;
- Views;
- Community spirit;
- Low crime levels;
- Access to services and facilities.

2.17 Early engagement also provided feedback on the main things that the local community disliked about the Neighbourhood Plan Area. Comments included:

- Risks from large scale new development;
- Drainage and flooding;
- Lack of a village hall and play area;
- Traffic and parking;
- Litter and dog fouling.

- 2.18 As part of the early engagement the local community were also asked to identify what things they felt should be protected or supported within the Parish:
- The existing village environment – a need to avoid estate type housing;
 - Protect the rural setting of the villages;
 - Conserve and enhance the historic environment;
 - Green spaces;
 - Wildlife;
 - Access to the countryside;
 - Hedgerows and trees.
- 2.19 As part of the early engagement people were also asked what kind of development they felt was needed in the Parish. Comments included:
- Housing to meet the needs of older and younger generations;
 - Small developments whose design is sympathetic to house style and village layouts;
 - Infill development;
 - Village shop;
 - Community venue/village hall;
 - More facilities for children;
 - Green energy;
 - Traffic free cycle routes.
- 2.20 These issues have all helped to inform the Vision and Objectives for the Neighbourhood Plan and the Planning Policies and Community Action which are set out in the remainder of the Plan.

3. Our Vision and Objectives for Low Coniscliffe and Merrybent

3.1 The Vision and Objectives for the Plan have developed following consideration of key issues raised by residents in the community engagement event which took place in May 2017. Consultation on the draft Vision and Objectives for the Plan took place during August 2017. There was support from the local community and stakeholders for the proposed Vision and Objectives⁴.

The Vision

3.2 The Vision sets out what the Low Coniscliffe and Merrybent Neighbourhood Plan intends to achieve over the plan period to 2036, it informs all of the policies and community actions contained in the Plan.

Vision
<i>Low Coniscliffe and Merrybent villages will maintain their individual identities as sustainable, thriving communities, accessible to people of all ages. The Parish will remain a gateway to Darlington, but visually distinct and separate from the conurbation. New development will be of a scale and design which respects the rural setting of the Parish, conserves and enhances its unique rural and riverside environment, open spaces and heritage, for the benefit of current and future generations</i>

The Objectives

3.3 To deliver the Vision, five Objectives have been developed. The Objectives clearly relate to the issues identified through early engagement (see section 2). The planning policies and community objectives included within the Plan have been identified to deliver the Objectives.

Objectives
Objective 1 – A Conserved and Enhanced Natural Environment <ul style="list-style-type: none">• Conserving and enhancing the peaceful, tranquil and beautiful nature of the natural environment of the Parish;
Objective 2 - A Rich Built Environment <ul style="list-style-type: none">• Ensuring that new development contributes positively to the built environment of the Parish by conserving and respecting the traditional character, scale, density and feel of buildings and places across the Parish;
Objective 3 – Vibrant and Thriving Communities <ul style="list-style-type: none">• Building on the strong sense of community across the Parish by: supporting the provision of housing to meet identified needs and retaining and enhancing important community facilities and services;
Objective 4 – A Strong and Diversified Economy <ul style="list-style-type: none">• Supporting existing and the creation of new sustainable economic development, particularly agricultural and tourism sectors;
Objective 5 – Movement and Connectivity <ul style="list-style-type: none">• Ensuring that the environmental quality of the Parish is protected by effectively managing traffic as well as supporting opportunities to improve sustainable travel.

⁴ Feedback is available online at www.lowconiscliffeandmerrybentneighbourhoodplan.org.uk/consultation/

- 3.4 The following section of the Plan sets out the draft planning policies which have been identified to deliver the objectives, with community actions identified in Annex 1.

4. Delivering the Vision and Objectives – Planning Policies

Introduction

- 4.1 This section of the Plan sets out the **planning policies**, which together will support and deliver the Plan’s Vision and Objectives. The policies are grouped under the topics that support the Objectives of the Plan:
- A conserved and enhanced natural environment;
 - A rich built environment;
 - Vibrant and thriving communities;
 - A strong and diversified economy; and
 - Movement and connectivity.
- 4.2 The Policies Map illustrates geographically the proposed policies in the Plan.

A conserved and enhanced natural environment

- 4.3 The natural environment of the Parish is enormously valued by the local community; this has been confirmed during early engagement on the Plan. There were significant levels of support from the local community for the need for the Plan to conserve and enhance the natural environment, landscape, tranquillity, habitats and local green spaces.
- 4.4 Plan Objective 1 recognises the importance of the natural environment of the Parish. It seeks to conserve and enhance the peaceful, tranquil and beautiful nature of the natural environment of the Parish, within its agricultural landscape setting.

Landscape

- 4.5 In addition to the landscape of the Parish being highly valued by the local community it is protected by the strategic policies of the Local Plan, primarily Core Strategy policy CS14 which seeks to ensure that the distinctive character of the Borough’s landscape is protected. One of the key elements of the policy which is relevant to the preparation of the Plan is the identified need to protect and enhance the separation and the intrinsic qualities of the openness between settlements and between the different neighbourhoods within the main urban area.
- 4.6 The European Landscape Convention⁵ recognises landscapes as an essential component of people’s surroundings. Paragraph 170 of the NPPF is clear that one of the ways the planning system can contribute to and enhance the natural and local environment is by protecting and enhancing valued landscapes.
- 4.7 The Darlington Landscape Character Assessment (LCA - 2015)⁶ provides a description and evaluation of the landscape of the Borough. The Darlington LCA identifies that the Parish lies within the Denton and Walworth Farmland; and Tees Valley character areas (see Appendix 1). Whilst it is acknowledged that the evidence which supports the emerging Darlington Local Plan may be updated, given the importance of landscape character to the local community, it was considered important to describe it in more detail within the Plan.

⁵ <http://www.coe.int/en/web/landscape/home>

⁶ <http://www.darlington.gov.uk/media/1082706/Darlington-Landscape-Character-Assessment.pdf>

- 4.8 For each of the landscape character types the LCA defines landscape and visual sensitivity to built development. For the Denton and Walworth Farmland character area, which covers the majority of the Plan area and is located to the north of the A67, the following are identified:
- Strongly rural character with little modern development;
 - Locally prominent low hills;
 - Frequency of woodland plantations and shelterbelts;
 - Historic character and form of small villages, including local building materials and styles;
 - Remains of medieval settlement, and surviving historic dwellings and farm buildings; and
 - Long views across the landscape to the North York Moors, Yorkshire Dales and Pennines.
- 4.9 The defined landscape and visual sensitivity to built development within the Tees Valley character area, which covers the southern part of the Plan area, to the south of the A67, is:
- Tranquil character along much of the riverside;
 - Traditional settlement pattern of nuclear villages related to the river;
 - Extensive riparian woodland forms a significant habitat resource;
 - Riparian meadow habitats contribute to important wildlife corridor;
 - Important historical sites and monuments along the river; and
 - Strategic recreational corridor, with the Teesdale Way running the length of the area.
- 4.10 Informed by the evidence contained within the Darlington LCA, Policy LCM1 therefore seeks to ensure that new development will maintain and where appropriate enhance important elements of the natural landscape of the Parish. This approach will support the delivery of Plan Objective 1 by ensuring that new development contributes positively to the natural environment of the Neighbourhood Plan Area.

Policy LCM 1: Landscape	
i)	Development proposals should maintain and where appropriate enhance positive elements of the landscape character of Low Coniscliffe and Merrybent Parish, as defined in the Darlington Landscape Character Assessment or other relevant documents.
ii)	Applicants will be required where appropriate to demonstrate how the development proposal: <ol style="list-style-type: none">a. Conserves and enhances the rural character and scale of Low Coniscliffe and Merrybent villages as well as its farmsteads;b. Has been informed by the context of the site and its surrounding landscape in terms of: height; scale; massing; orientation; and position;c. Seeks to conserve important local landscape features such as mature hedgerows and field walls. Mature and established trees should be protected and incorporated into the development wherever possible;d. Sits comfortably within the landscape, by taking account of the topography and natural features of the development site; ande. Conserves traditional farm buildings through continued and appropriate new uses.

Tranquillity

- 4.11 Tranquillity is defined as freedom from noise and visual disturbance; this was identified by the local community as one of the important elements of the Parish that the Plan should seek to

protect, particularly with regard to noise, traffic and light pollution. The Darlington LCA also identified the importance of tranquillity, particularly around the Tees Valley character area which includes riverside and riparian woodland walks. The NPPF⁷ highlights that planning policies can protect areas of tranquillity.

4.12 The nature of tranquillity means that it is not something that is easily measurable. However, for the purposes of identifying a methodology for defining, recording and mapping tranquillity, it has often been regarded as an environmental quality that can be assessed by reference to a series of indicators. In 2004, the Countryside Agency commissioned a consultation exercise to seek to understand people's perceptions, values and beliefs in relation to tranquillity⁸. This research highlighted a consistent response with regard to what was tranquil and what was not. Tranquillity was described as:

- Perceived links to nature and natural features – seeing, hearing and/or experiencing nature and natural features;
- Landscape – experiencing, particularly in visual terms, the landscape. Including, wild landscapes and rolling countryside as well as characteristics such as fields, moors, woodlands, flora and fauna, natural colours and open views and the sound of water;
- The importance of wildlife – seeing wildlife behaving naturally, hearing birdsong;
- Peace, quiet and calm – the absence of noise and the feeling of getting away from it all, including a need for solitude.

4.13 Similarly, when asked 'what is not tranquillity?' there was a high degree of consistency in the detractors that were listed:

- Presence of humans/too many people – certain behaviour/activities undertaken by people which created unwanted noise and disturbance;
- Negative impacts of various forms of transport, including vehicle noise;
- Negative impact of various forms of development including commercial and industrial development.

4.14 Whilst the Parish Council acknowledge that tranquillity is not something that is easily measurable, given the importance of the tranquillity of the Parish to the local community, Policy LCM 2 seeks to ensure that development proposals will not detrimentally affect the tranquillity of the Parish; this will support the delivery of Plan Objective 1. The purpose of the policy is not to restrict all development but to ensure that the impact of larger scale development, namely that which requires a Design and Access Statement⁹, is fully considered as part of the development management process.

Policy LCM 2: Tranquillity	
i)	Development which does not detrimentally affect the tranquillity of Low Coniscliffe and Merrybent Parish will be supported.
ii)	Where a Design and Access Statement is required this should demonstrate the impact of the proposed development on tranquillity, including noise, traffic and light levels.

⁷ Paragraph 180

⁸ Countryside Agency (2004) Countryside Quality Counts, Tracking Change in the English Countryside (CRN85)

⁹ <https://www.gov.uk/guidance/making-an-application#Design-and-Access-Statement>

Green Infrastructure

- 4.15 The NPPF defines green infrastructure as: ‘A network of multifunctional green space, urban and rural, which is capable of delivering a wide range of environmental and quality of life benefits for local communities’. It is not simply an alternative description for conventional open space. As a network it includes: parks, open spaces, playing fields, woodlands, street trees, allotments and private gardens. It can also include: streams, canals and other water bodies and features such as green roofs and walls. Green infrastructure plays an important role in creating ecological networks, providing open space, allowing for sustainable drainage, contributing to climate change adaptation, and providing attractive and safe environments for sustainable modes of transport.
- 4.16 The green infrastructure across the Plan area is varied and multifunctional. It consists of a number of different elements, including:
- Wildlife networks and corridors, such as: historic hedgerows, green frontages and woodlands; Merrybent community forest; footpaths and cycleways and other car free routes; the River Tees and Baydale Beck and other smaller watercourses; green frontages to residential properties and gardens; highway verges;
 - Open spaces, such as Merrybent Drive Green, Merrybent Green and Low Coniscliffe Green; and
 - Landscape corridors and linkages to the wider countryside.
- 4.17 Policy LCM 3 therefore seeks to protect and where practical improve and extend the green infrastructure network and provides a framework for the assessment of planning applications. This will assist with the delivery of Plan Objective 1 by seeking to ensure that new development contributes positively to the natural environment.

Policy LCM 3: Green Infrastructure

- i) Development proposals should seek to protect and where practical, improve and extend green infrastructure including using native species. When determining planning applications, consideration will be given to how development proposals:
- a. Protect and enhance green infrastructure assets, provide high quality links between existing assets and/or provide additional uses for multi-functionality;
 - b. Secure improved access to green infrastructure;
 - c. Create a sense of place by protecting and/or fully integrating high quality, green infrastructure into the proposed development to reflect the character of the Neighbourhood Plan area;
 - d. Integrate green infrastructure with sustainable drainage systems and the management of flood risk; and
 - e. Address the management and maintenance of new and existing green infrastructure throughout and beyond the plan period.
- ii) Proposals that would include the loss of part of the green infrastructure network should demonstrate that alternative provision, equivalent to or better than the green infrastructure proposed to be lost in terms of its quantity and quality, can be provided in equally accessible locations that maintain or create new green infrastructure connections.

Green approach

- 4.18 The green approach to Low Coniscliffe along Gate Lane, which is the only access to the village, is very important to the local community. It is defined by mature hedgerows, trees and shrubs planted in the verges by the local community, providing a distinctive tunnelled and rural entrance. The NPPF¹⁰ is clear that one of the ways the planning system can contribute to and enhance the natural and local environment is by protecting and enhancing valued landscapes.
- 4.19 Policy LCM 4 therefore seeks to support proposals within the green approach to Low Coniscliffe where they do not adversely affect character and amenity. This policy will support the delivery of Plan Objectives 1 and 2, by ensuring that new development contributes positively to the natural and built environment of the Plan area.

Policy LCM 4: Green Approach

Development proposals affecting the green approach to Low Coniscliffe, as identified on the Policies Map, will be supported where they do not significantly adversely affect the character and amenity created by the grass verges, trees and hedgerows.

Biodiversity

- 4.20 The Parish boasts a wide range of species and habitats¹¹. There are areas of: woodland priority habitat which is predominantly along the River Tees, areas of deciduous woodland, as well as other areas of woodland, including the designated Merrybent Community Forest. The Low Coniscliffe Tees Bank Local Wildlife site lies between the River Tees and Low Coniscliffe. The Baydale Beck is also an important habitat, which is adjacent to an important and significant population of great crested newts. In addition, there are frequent sightings of various species of wildlife including: otter, water vole, deer, hedgehog, fox, badger, stoat/mink, hare and other mammals. Also, there are regular sightings of kingfisher, heron, red kite, jay, sparrow hawk, buzzard, sky lark, sand marten, swift, swallow, house martin, mallard, goosander, dipper, wagtail, cormorant, meadow pipit, treecreeper, greenfinch, rook, jackdaw, cuckoo and a variety of species of bats throughout the Parish.
- 4.21 The NPPF¹² is clear that in order to contribute to the Government's commitment to halt the overall decline in biodiversity, the planning system should minimise impacts on biodiversity and provide net gains in biodiversity where possible. In accordance with the NPPF, the Plan seeks to: promote the preservation, restoration and re-creation of priority habitats, ecological networks and the protection and recovery of priority species populations.
- 4.22 Policy LCM 5 will deliver Plan Objective 1 by planning positively for the conservation and enhancement of the natural environment of the Parish.

¹⁰ Paragraph 170

¹¹ Information obtained from: Natural England (Magic Map) and the Environmental Records Information Centre North East

¹² Paragraph 170

Policy LCM 5: Biodiversity

- i) Development should protect and enhance biodiversity by seeking to ensure no loss or significant harm to biodiversity sites, protected species or their habitats.
- ii) Where development would result in the loss or significant harm to biodiversity, applicants will be required to demonstrate that the adverse impacts will be adequately mitigated, or as a last resort compensated for.

Wildlife Corridors

4.23 The NPPF highlights that to minimise impacts on biodiversity, planning policies should identify and map components of local ecological networks, this includes wildlife corridors¹³. A wildlife corridor is an area of habitat that connects wildlife populations and interacts with the wider landscape. They can be many things, such as rivers and burns, railway lines, cycle ways, ancient and/or species rich hedgerows.

4.24 There are a number of important biodiversity networks across the Plan area, including:

- River Tees embankment – an unspoiled riparian woodland landscape which is a strategic green corridor, rich in a variety of wildlife;
- Northern and southern boundaries of Merrybent – traversing the length of the village, wooded area and pastoral land providing a wildlife corridor for fox, hare and badgers;
- Baydale Beck, western embankment – running along the eastern boundary of the Plan area, a strategic green corridor which is rich in varieties of wildlife including newts and otters;
- A67 verges and embankments – mature hedgerows, trees and shrubs which are home to many species of wildlife, including bats;
- A67, north – mature hedgerows and trees which are home to many species of wildlife and provide hibernation sites for a local colony of newts;
- Coniscliffe Moor, public rights of way – dating back hundreds of years the routes cross the rural landscape and contain mature hedging and trees which are home to many species of wildlife and provide hibernation sites for a local colony of newts;
- North of Low Coniscliffe – includes an unbroken stretch of medieval stone walling and grassed verge, an important part of the green infrastructure of the Plan area.

4.25 Further details regarding the important biodiversity within the Plan area is set out within the Biodiversity Background Paper¹⁴. Policy LCM 6 will deliver Plan Objective 1, by seeking to ensure that new development contributes positively to the natural environment.

Policy LCM 6: Wildlife Corridors

Development proposals affecting a wildlife corridor, as defined on the Policies Map, should protect and enhance its biodiversity quality and connectivity. All development proposals should demonstrate how existing wildlife corridors have been taken into account and incorporated into their design. Development proposals should seek opportunities to create new corridors and habitats to reconnect isolated sites and facilitate species movement, where appropriate.

¹³ Paragraph 170

¹⁴ <https://www.lowconiscliffeandmerrybentneighbourhoodplan.org.uk/>

Local Green Space

- 4.26 Green spaces are a vital part of a vibrant and healthy community and are of great importance to the character and identity of a place. They are valued for a wide range of reasons including, visual amenity, historic significance, recreational value, tranquillity or richness of wildlife. Uncontrolled changes to green spaces can irrevocably alter their special character or intrinsic value.
- 4.27 The NPPF¹⁵ enables the Plan to designate areas of Local Green Space (LGS) for special protection, thereby preventing inappropriate new development on these sites other than in very special circumstances. LGS does not need to be publicly accessible, although the designation must not be applied to an extensive tract of land and the site must be in reasonably close proximity to the community it serves. The land must be demonstrably special to a local community and hold a particular local significance.
- 4.28 The sites listed in Policy LCM 7 and shown on the Policies Map are proposed to be designated as LGS as they meet the respective criteria set out within national policy and guidance. A background paper has been prepared to outline the reasons why the sites are of particular importance to the character of the Plan area and explain the process that led to their proposed designation¹⁶.
- 4.29 The designation of LGS will assist with the delivery of Plan Objective 1 by seeking to plan positively for the creation, protection and enhancement of green infrastructure across the Plan area.

Policy LCM 7: Local Green Space	
i)	As shown on the Policies Map, the following areas are designated as Local Green Spaces due to their particular local significance or community value: <ul style="list-style-type: none">a. Merrybent Community Forest;b. Medieval Manor, Dovecot and Tower - Low Coniscliffe;c. Merrybent Drive Green;d. Merrybent Green; ande. Low Coniscliffe Green Space.
ii)	Inappropriate development on land designated as Local Green Space will only be permitted where very special circumstances can be demonstrated in accordance with national Green Belt policy.

A Rich Built Environment

- 4.30 The distinctiveness of the Parish gives local people a sense of belonging and identity and a feeling of pride of place. Engagement on the Plan has identified that the built environment of the Parish is hugely valued by the local community.

¹⁵ Paragraphs 99 to 101

¹⁶ www.lowconiscliffeandmerrybentneighbourhoodplan.org.uk/consultation/

- 4.31 Plan Objective 2 therefore seeks to ensure that new development maintains and enhances the many heritage assets of the Parish ensuring that it conserves and respects the traditional historic character, scale, density and feel of buildings and places.
- 4.32 The glossary of the NPPF defines the historic environment as:
'All aspects of the environment resulting from interaction between people and places through time, including all surviving physical remains of past human activity, whether visible, buried or submerged, and landscaped and planted or managed flora'.
- 4.33 The built environment policies seek to provide a positive policy framework for the conservation and enjoyment of the unique historic environment of the Parish.

Design

- 4.34 Good design is a key aspect of sustainable development. The NPPF¹⁷ attaches great importance to achieving high quality and inclusive design through the planning process, this approach has been strongly supported through engagement on the Plan. As part of the preparation of the Plan, AECOM developed a 'Design Principles Document' (February 2018)¹⁸ which aims to: improve the design quality and placemaking objectives of development schemes proposed in the Plan area; set out a series of urban design principles which should be taken into account by developers; and support the policies in the Plan.
- 4.35 Policy LCM 8 is cross cutting and will help to deliver all of the Plan Objectives. Good design is not only about creating visually attractive buildings that do not adversely impact on their neighbours, it is also about how people experience buildings and places. A well-designed building and place should be accessible to all potential users, where they should feel safe and secure. Embedding sustainable design is also important as it will improve energy efficiency; reducing both running costs and carbon emissions.

Policy LCM 8: Design	
i)	All new development in Low Coniscliffe and Merrybent Parish should conserve local distinctiveness by demonstrating high quality design which both respects the existing rural character and responds to the heritage and distinctive character of the area. Development will be supported where it: <ul style="list-style-type: none">a. Maintains and where possible enhances the character of the locality, paying particular attention to the appearance, size, scale and density of the proposal;b. Uses materials which complement those of adjoining and surrounding buildings;c. Conserves the significance of heritage assets and their setting;d. Takes account of the topography and natural features of the site and considers the impact of the development when viewed from surrounding areas of countryside;e. Respects established building lines and creates boundaries and roof lines that are in keeping with the existing street scene;f. Demonstrates a commitment to sustainable design to minimise energy use;

¹⁷ Section 12

¹⁸ www.lowconiscliffeandmerrybentneighbourhoodplan.org.uk/consultation/

- g. Provides adequate refuse and recycling storage, which is incorporated into the scheme to minimise visual impact;
 - h. Adopts the principles of sustainable drainage, where appropriate;
 - i. Ensures the development will not prejudice the amenity of its future occupiers or occupiers of adjacent properties in terms of overshadowing, loss of light, dominance, loss of privacy, noise or general disturbance;
 - j. Ensures the efficient and effective use of land, by encouraging the re-use of previously developed land and buildings where possible;
 - k. Ensures that lighting associated with the development will not have a significant effect on: dark skies, residential amenity or wildlife;
 - l. Will not result in unacceptable levels of noise, air or water pollution; and
 - m. Creates a safe, accessible and well-connected environment that meets the needs of its users.
- ii) Where a Design and Access Statement is required as part of a planning application, there should be a clear demonstration of how the proposal has responded to the above principles as an integral part of the design development process.

Local or community-led renewable energy generation

- 4.36 Many forms of renewable energy generation can currently be installed on existing properties under permitted development rights. Local or community-led renewable energy generation is small scale generation of heat and electric power by individuals, small businesses and communities, to meet their own needs. In accordance with the NPPF, the Plan supports local or community-led renewable energy generation whilst ensuring that any adverse impacts are addressed satisfactorily, including cumulative landscape and visual impacts.
- 4.37 Policy LCM 9 will support the delivery of Plan Objectives 1, 2 and 3 by ensuring new development conserves and enhances the natural and built environment of the Plan area and also supports vibrant and thriving communities.

Policy LCM 9: Local or Community-led Energy Generation

Local or community-led renewable energy generation proposals will be supported provided there are no significant adverse impact from the proposed development, either individually or cumulatively with existing development, on:

- a. Landscape character and sensitivity;
- b. Protected habitats and species;
- c. Designated and undesignated heritage assets and their settings; and
- d. Amenity due to noise, odour, dust, vibration or visual impact.

Heritage Assets

- 4.38 Heritage assets can either be designated or non-designated. Designated assets have statutory status within the Parish and include Scheduled Monuments, Listed Buildings and Conservation Areas. A non-designated asset is a building, monument, site, place, area or landscape of lesser significance.

- 4.39 The glossary of the NPPF defines a heritage asset as:

'A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. Heritage asset includes designated heritage assets and assets identified by the local planning authority (including local listing).'

- 4.40 The NPPF is clear that heritage assets are an irreplaceable resource and they should be conserved in a manner appropriate to their significance¹⁹. Planning decisions affecting a heritage asset are required to be based on a sound understanding of the significance of the asset and the impact of the proposal on that significance²⁰.
- 4.41 The Parish has a diverse heritage, incorporating three individual assets afforded protection through Grade II Listed Building status: Wellbank House, 55 and 57 Low Coniscliffe and a mile post at Merrybent. These heritage assets are important to both the character and appearance of the Plan Area and its community. The Heritage Assets Background Paper²¹ provides details of the many undesigned heritage assets within the Parish including: The Baydale Beck Inn; the site of the Manor House; possible Burial Mound to the East of Gate Lane; Merrybent Railway; Squirrel Oaks; 1A Low Coniscliffe; Sunnyside; 7 Low Coniscliffe; The School House; The Old School; Durmast; The Barn on Gate Lane; The Cottage; Teesdale House; West Farm; Clove Cottage; Appletree Cottage; 27A Low Coniscliffe; Britton House; Orchard House; 31 Low Coniscliffe; 34-40 Low Coniscliffe; Old Mill Cottage; Hinde Cottage; Wood Lane; as well as riverstone walls, gateways and street furniture.
- 4.42 Engagement on the Plan identified strong support to ensuring the protection and enhancement of heritage assets across the Parish. Policy LCM 10 will therefore assist in the delivery of Plan Objective 2 by ensuring that new development conserves and respects the traditional historic character, scale, density and feel of buildings and places across the Parish.

Policy LCM 10: Heritage Assets	
i)	Where a development may impact on a heritage asset, applicants should provide information that describes the significance of any heritage assets affected by the proposed development, including any contribution made by their setting.
ii)	In the determination of development proposals: <ol style="list-style-type: none">Great weight will be given to the conservation of a designated heritage asset and any harm or loss to its significance will require clear and convincing justification in accordance with national policy; andA balanced judgment will be required to fully consider the effects of any development proposals affecting a non-designated heritage asset, having regard to the scale of any harm or loss and the significance of the heritage asset.

Vibrant and Thriving Communities

- 4.43 The term 'community spirit' was a key feature of the feedback from the early engagement on the Plan as was the need to protect and enhance existing access to community facilities. The

¹⁹ NPPF - paragraph 189 - 192

²⁰ NPPF – paragraph 192

²¹ www.lowconiscliffeandmerrybentneighbourhoodplan.org.uk/consultation/

NPPF identifies that the planning system has an important role to play in creating healthy, inclusive communities. NPPG defines a healthy community as a good place to grow up and grow old in, a community which supports healthy behaviours and supports reductions in health inequalities.

- 4.44 Plan Objective 3 seeks to build on the strong sense of community across the Parish, in particular by: supporting the provision of small scale housing development to meet identified needs and retaining and enhancing important community facilities and services.

General location of new development

- 4.45 Policy LCM 11 defines settlement boundaries around the villages of Low Coniscliffe and Merrybent. These are the main centres of population in the Parish and where the focus of development will be over the plan period. A settlement boundary is the dividing line, or boundary between areas of built development and the open countryside. The purpose of settlement boundaries is to ensure the separate character of settlements is maintained, managing their expansion and controlling sporadic development in the open countryside. The approach of defining settlement boundaries is supported in the NPPF.
- 4.46 The Darlington Local Plan defines settlement boundaries around Low Coniscliffe and Merrybent villages and these have been reviewed through the preparation of this Plan.
- 4.47 The settlement boundaries, shown on the Policies Map, have been drawn to support the sustainable growth of Low Coniscliffe and Merrybent villages, they take into account extant planning permissions and establish a logical shape to the edges of the villages, whilst supporting an appropriate level of new development. Irregular incursions into the open countryside have been avoided and the boundary has been drawn along features which are easily identified on the ground. Further details are set out within the Settlement Boundary Background Paper²².
- 4.48 The NPPF identifies that isolated new development in the countryside should be avoided, unless there are special circumstances²³. Paragraph 78 of NPPF is clear that to promote sustainable development in rural areas, housing should be located where it will maintain or enhance the vitality of rural communities. The NPPF also identifies that planning policies should support economic growth in rural areas by taking a positive approach to sustainable new development.
- 4.49 Policy LCM 11 describes acceptable development in the open countryside, having regard to the principles established in national policy and guidance. Policy LCM 11 will support the delivery of Plan Objectives 1, 2, 3 and 4.

Policy LCM 11: General location of new development	
i)	To promote sustainable development, the focus of development across the Parish should be within settlement boundaries of the villages of Low Coniscliffe and Merrybent, as defined on the Policies Map.
ii)	New development outside the defined settlement boundaries as shown on the Policies Map will be supported where it: a. Is directly related to the business and operational needs of agriculture, forestry or other rural industries;

²² www.lowconiscliffeandmerrybentneighbourhoodplan.org.uk/consultation/

²³ NPPF paragraph 79

- b. Is a sustainable visitor attraction that is related to the experience or interpretation of the countryside, or a sustainable leisure development which respects the character of the countryside, only where identified needs are not met by existing facilities within the settlement boundary;
- c. Will provide local services or community facilities which support the rural community;
- d. Is a house, the design of which:
 - i. Is truly outstanding or innovative and of the highest standard, helping to raise standards of design more generally in rural areas;
 - ii. Reflects the highest standards in architecture;
 - iii. Significantly enhances its immediate setting; and
 - iv. Is sensitive to the defining characteristics of the local area;
- e. Comprises an appropriately designed extension to an existing building or buildings. The extension should be subservient to and respect the scale and appearance of the host building; or
- f. Involves the conversion of redundant rural buildings, the building should be structurally sound and its conversion achievable without significant extension to the original structure. The conversion should be in keeping with the character and appearance of the building and its setting.

Housing

- 4.50 The NPPF states that Neighbourhood Plans should positively support the strategic policies for the area and should not promote less development than is required by the Local Plan²⁴. As the Darlington Core Strategy covered the period to 2026 the policies on housing provision are largely out of date. Whilst the emerging Darlington Local Plan is currently being prepared, it has not reached an advance stage. Therefore, there is no up to date defined housing requirement for the Neighbourhood Plan Area.
- 4.51 A key role of the Plan is therefore to provide a policy framework that will support the provision of a level and mix of new homes that will seek to meet the needs of residents across the Plan area. In order to inform this, as part of the Neighbourhood Planning Technical Support Package AECOM prepared a Housing Needs Assessment (HNA)²⁵. The HNA estimated the quantity of housing needed across the Plan area by considering five different sources:
- **The adopted Local Plan requirement (2011 Core Strategy)** – identifies a housing requirement of 8,675 homes for Darlington as a whole over the plan period 2004 to 2026. The proportional share for the Plan area equates to **50 dwellings between 2017 to 2036**;
 - **The emerging Local Plan (Strategic Housing Market Assessment)** – identifies an objectively assessed need for Darlington of 11,160 homes between 2011 and 2036. The proportional share for the Plan area equates to **65 dwellings between 2017 to 2036**;
 - **National household projections (2014 based)** – identifies the total number of households for Darlington as 283 from 2011 to 2031, which would equate to **19 new dwellings between 2017 and 2036**;
 - **Past dwelling completion rates (2001 to 2011 and 2011+)** - between 2001 and 2011 there was an increase of 79 homes in the Plan area, an annual increase of 8 homes. Between 2011 and 31 March 2016, no new dwellings were completed. Taking an average over the period 2001 and 2017 provides a figure of 4 dwellings per annum, equating to **76 new dwellings between 2017 and 2036**; and

²⁴ NPPF – paragraph 29.

²⁵ www.lowconiscliffeandmerrybentneighbourhoodplan.org.uk/consultation/

- **Draft standard national methodology (2017)** – based on the proposed approach the annual requirement would equate to 1 new dwelling per annum, **19 new dwellings between 2017 and 2036.**

- 4.52 The HNA therefore provided a range of scenarios to assist with the identification of a housing requirement for the Plan. The provision of the right type and mix of housing is critical to the continuation of most communities as viable settlements. In order to understand future needs, the HNA considers household tenure in the current stock as well as the population profile of the Plan area.
- 4.53 The Parish has a population of 716, with approximately 59% aged 16-64, 26% aged 0-15yrs and 16% aged 65 or over. Almost all of the housing stock, 283 dwellings, is either ‘whole house’ or ‘bungalow’, almost 80% are owned outright or with a mortgage and 20% rented, the largest majority from the private sector. With regard to household composition, the Plan area has a higher percentage of family households with dependent children (34%) than both Darlington (27%) and nationally (26%). In addition, a much lower percentage (20%) of one-person households than Darlington (32%) or nationally (30%)
- 4.54 The HNA identifies that the Plan area has an age structure that has undergone significant change in the period between the two censuses, with a strong orientation towards young families; those aged 44 and below are prominent. It also identifies that no households within the Plan area are on the housing waiting list.
- 4.55 In accordance with the NPPF, a key role of the Plan is to include a policy framework that will support the provision of a mix of new homes that will contribute towards meeting the defined needs of residents across the Neighbourhood Plan Area. Plan Objective 3 seeks to support the provision of affordable housing to meet identified needs.
- 4.56 In order to fully understand the capacity of the Plan area to deliver housing to meet needs whilst protecting the important natural and built environment of the area, the Steering Group developed a housing site assessment methodology. This considered all of the sites included within the Darlington Strategic Housing Land Availability Assessment (2017)²⁶ and identified other potential new sites. This work has identified the potential for three small housing sites to be allocated in the Plan. The allocation of these sites will ensure that the Plan supports the sustainable growth of Low Coniscliffe and Merrybent as the main settlements within the Plan area; delivering around 25 new homes and allowing an 8% increase in the number of properties within the Plan area.
- 4.57 The NPPF is clear that Local Planning Authorities should plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community, including housing for older people and vulnerable groups. Policy LCM 12 therefore aims to help create and maintain a balanced and sustainable community across the Parish. The Policy recognises that housing needs may change over time and therefore provides a positive and flexible policy framework to ensure updated evidence to be considered as part of the determination of planning applications.

²⁶ www.lowconiscliffeandmerrybentneighbourhoodplan.org.uk/consultation/

Policy LCM 12: Housing

- i) The following sites (with indicative capacities) are allocated for housing development as:
 - 1. North West Merrybent (12 dwellings);
 - 2. South East Merrybent (10 dwellings); and
 - 3. Central Low Coniscliffe (3 dwellings).

- ii) Proposals for new housing development within the settlement boundaries will be supported where:
 - a. It delivers house types, sizes and tenures to meet identified needs;
 - b. It is a high-quality design that respects local character and reinforces local distinctiveness;
 - c. The scale and design of the development is appropriate, respecting the character of the local area;
 - d. It provides private garden and amenity space proportionate to the size of the dwelling(s) and existing provision in the local area, where appropriate; and
 - e. It provides an appropriate level of off-street parking as part of the development.

Rural exception sites

4.58 The NPPF identifies that in rural areas, the planning system should be responsive to local circumstances and that housing development should be planned to reflect local needs, particularly for affordable housing through rural exception sites, where appropriate²⁷. The glossary in the NPPF defines rural exception sites as:

‘Small sites used for affordable housing in perpetuity where sites would not normally be used for housing. Rural exception sites seek to address the needs of the local community by accommodating households who are either current residents or have an existing family or employment connection. Small numbers of market homes may be allowed at the local authority’s discretion, for example where essential to enable the delivery of affordable units without grant funding’

4.59 Where there is a pressing need for affordable housing, which cannot be met in other ways, the provisions of homes through exception sites is a means of delivering the housing needs of the area. Such housing will be required to be affordable in perpetuity.

4.60 Policy LCM 13 therefore provides a positive framework to support the provision of affordable housing on small sites that would not normally be used for housing. However, there must be clear evidence of need for the affordable housing in the local community. The development would be required to remain affordable and available for local people, identified as being in local housing need. The criteria for allocating dwellings according to need under Policy LCM13 are provided by Compass (<https://www.compasscbl.org.uk>).

²⁷ NPPF – paragraph 77.

Policy LCM 13: Rural exceptions sites

- i) The development of small scale rural exception sites for affordable homes will be supported where there is evidence of identified need in an up to date and robust housing needs study. The development should be:
 - a. Available to meet the needs of the local community identified as being in local housing need, who meet the allocation criteria set out within the Compass Allocations Policy;
 - b. Affordable in perpetuity;
 - c. Adjacent or well related to an existing settlement; and
 - d. An appropriate scale and in keeping with the form, character and landscape setting of the area in which the development takes place and does not significantly adversely impact on the natural or built environment.
- ii) The inclusion of market housing will only be permitted where it would facilitate the provision of significant additional affordable housing to meet local needs.

Community services and facilities

- 4.61 Community infrastructure provides for the health and wellbeing, social, educational, spiritual, recreational, leisure and cultural needs of the community provided through a wide range of venues. Community infrastructure could include places of worship, schools, heritage venues, libraries, museums, cinemas, shopping centres, pubs and cafés, town squares, industrial and business premises, community centres (including health centres and hospitals), parks and open spaces, and other public venues.
- 4.62 Whilst the level of community facilities across the Parish are limited, they make an important contribution to the vitality and viability of the Parish, particularly the local public house – the Baydale Beck, the Low Coniscliffe Village Library and book exchange. Through early engagement on the Plan there was strong support expressed for the need to include a positive policy framework to support the development of new community infrastructure and protect existing facilities of benefit to the local community.
- 4.63 The NPPF is clear that the planning system should support the development of new community facilities and that valued community facilities should be retained where appropriate. However, planning permission is not always required to change the use of a building or land and this restricts the opportunity to examine the possibility of securing the continued use of a facility threatened with closure. Notwithstanding this, Policy LCM 14 will contribute towards the delivery of Plan Objective 3 which seeks to retain and enhance important community facilities.

Policy LCM 14: Community services and facilities

- i) Development proposals to enhance the provision of community services and facilities will be supported subject to the following criteria:
 - a. The proposal will not generate unacceptable noise, fumes, smell or other disturbance to adjoining properties;
 - b. The proposal will not have an adverse impact on highway safety; and

- c. Access arrangements and sufficient off-street parking can be satisfactorily

Infrastructure

- 4.64 New development can bring significant benefits to the local community, including new homes and jobs. However, it can also have negative impacts, most notably where additional demand is placed on facilities and services which are already at or near capacity. Planning obligations, known as Section 106 agreements, may be used to secure infrastructure or funding from a developer. For example, a planning obligation may be used to secure a financial contribution towards improving existing recreational facilities. Whilst the infrastructure requirements created by new development will vary depending on the characteristics of each development, potential infrastructure that could be required or added to include: open space; public transport; medical facilities; and highway works beyond the application site.

Policy LCM 15: Infrastructure

New developments will be required to provide or contribute to the infrastructure requirements that are related to them. The necessary infrastructure, including improvements to existing infrastructure, should be made available to serve the development within an agreed timescale.

A Strong and Diversified Economy

- 4.65 The NPPF is clear that planning policies should support economic growth in rural areas by taking a positive approach to sustainable new development by:
- Supporting the sustainable growth and expansion of all types of businesses and enterprise in rural areas, both through conversion of existing buildings and well-designed new buildings;
 - Promoting the development and diversification of agricultural and other land based rural businesses;
 - Supporting sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside. This should include supporting the provision and expansion of tourist and visitor facilities in appropriate locations where identified needs are not met by existing facilities in rural service centres; and
 - Promoting the retention and development of local services and community facilities in villages, such as shops, meeting places, sports venues, cultural buildings, public houses and places of worship.

4.66 Plan Objective 4 therefore seeks to support the creation of new and existing sustainable economic development, particularly in the agricultural and tourism sectors.

Agriculture

4.67 Large parts of the Parish are in agricultural use, mainly arable farming with some grazing of sheep and cattle. There are three individual farmsteads across the area; Coniscliffe Grange, Prospect Farm and Lark House.

4.68 The NPPF²⁸ states that planning policies should support economic growth in rural areas, including the need to promote the development and diversification of agricultural and other land based rural businesses.

4.69 Feedback from early engagement on the Plan identified the importance of the farming community to the maintenance of the natural environment. Policy LCM 16 will support the delivery of Plan Objectives 1 and 3, as it will help to conserve and enhance the natural environment of the Parish and also support the agricultural industry.

Policy LCM 16: Agriculture

Proposals that will support the agricultural industry, including farm diversification schemes, will be supported within Low Coniscliffe and Merrybent Parish where they will not have an unacceptable adverse impact on landscape character, heritage assets, the environment, infrastructure or residential amenity. The redevelopment, alteration or extension of historic farmsteads and agricultural buildings within the Parish should be sensitive to their distinctive character, materials and form.

Tourism and leisure

4.70 The NPPF requires planning policies to support sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside.

4.71 Despite the historic and natural assets of the Parish, there is little tourism development. However, given the important natural environment, the Parish is very popular with walkers, day-trippers and for fishing. Policy LCM 12 therefore seeks to support appropriate facilities and accommodation for tourism and leisure across the Parish, whilst balancing this against the requirement to protect and enhance the distinctive and valued environment. The focus of new development should be within existing settlements; however, the policy acknowledges that given the nature of the tourism and leisure industry it may not always be possible to locate development within existing settlements. Policy LCM 17 will assist with the delivery of Plan Objective 4 as it will support new and existing tourism businesses.

Policy LCM 17: Tourism and leisure

- i) The development of new visitor attractions, leisure facilities and tourist accommodation, including the expansion of existing tourism and leisure businesses should be focused in existing settlements across Low Coniscliffe and Merrybent Parish and will be supported where:

²⁸ Paragraphs 83 - 84

- a. The siting, scale, materials and design respect the character of the surrounding area, including any historic and natural assets;
 - b. The proposal does not have an unacceptable adverse impact on amenity of adjacent uses; and
 - c. The proposal is acceptable in terms of highway safety.
- ii) In the open countryside, away from existing settlements and development, tourist attractions, leisure facilities and permanent tourism accommodation will be supported where it can be demonstrated that the proposed location is required to meet the needs of the business.
- iii) Tourism development proposed as part of a farm diversification scheme should ensure that the primary agricultural function of the farm is retained.

Movement and Connectivity

4.72 The private car provides the principal mode of transport for residents of the Neighbourhood Plan Area, with 58%²⁹ of the working population travelling by car. The NPPF encourages a reduction in congestion and greenhouse gas emissions through the introduction of measures which promote a reduction in the number of journeys made by car. Whilst the preparation of transport policy at a local level is primarily a matter for the local planning authority, there are a wide range of areas where the Plan can have an influence on transport and movement: new development; public rights of way and access; parking and public transport.

4.73 As part of the early engagement on the Plan, local communities identified concerns over highway safety. Plan Objective 5 therefore seeks to ensure that the environmental quality of the Parish is protected by effectively managing traffic as well as supporting opportunities to improve sustainable travel.

Transport and New Developments

4.74 The NPPF identifies that planning policies should support a range of transport modes, with priority given to walking, cycling and public transport as well as consideration of disabled access.

4.75 Policy LCM 18 therefore identifies the key considerations for development proposals across the Neighbourhood Plan Area which reflects the feedback obtained through early engagement on the Plan. The policy will assist in the delivery of Plan Objective 5.

Policy LCM 18: Transport and New Developments

Proposals will be supported where it can be demonstrated that the development:

- a. Will provide safe vehicular, cyclist and pedestrian access;
- b. Will not significantly impact on traffic flows on the highway network or that appropriate mitigation measures can be secured and are undertaken; and
- c. Makes satisfactory off-road parking provision.

Public Rights of Way

4.76 Public Rights of Way include footpaths, used by pedestrians only, and bridleways available to pedestrians, cyclists and horse-riders. The Teesdale Way crosses the Parish along with

²⁹ 2011 Census

numerous Public Rights of Way which are used by the local community, dog walkers, ramblers, anglers and other visitors.

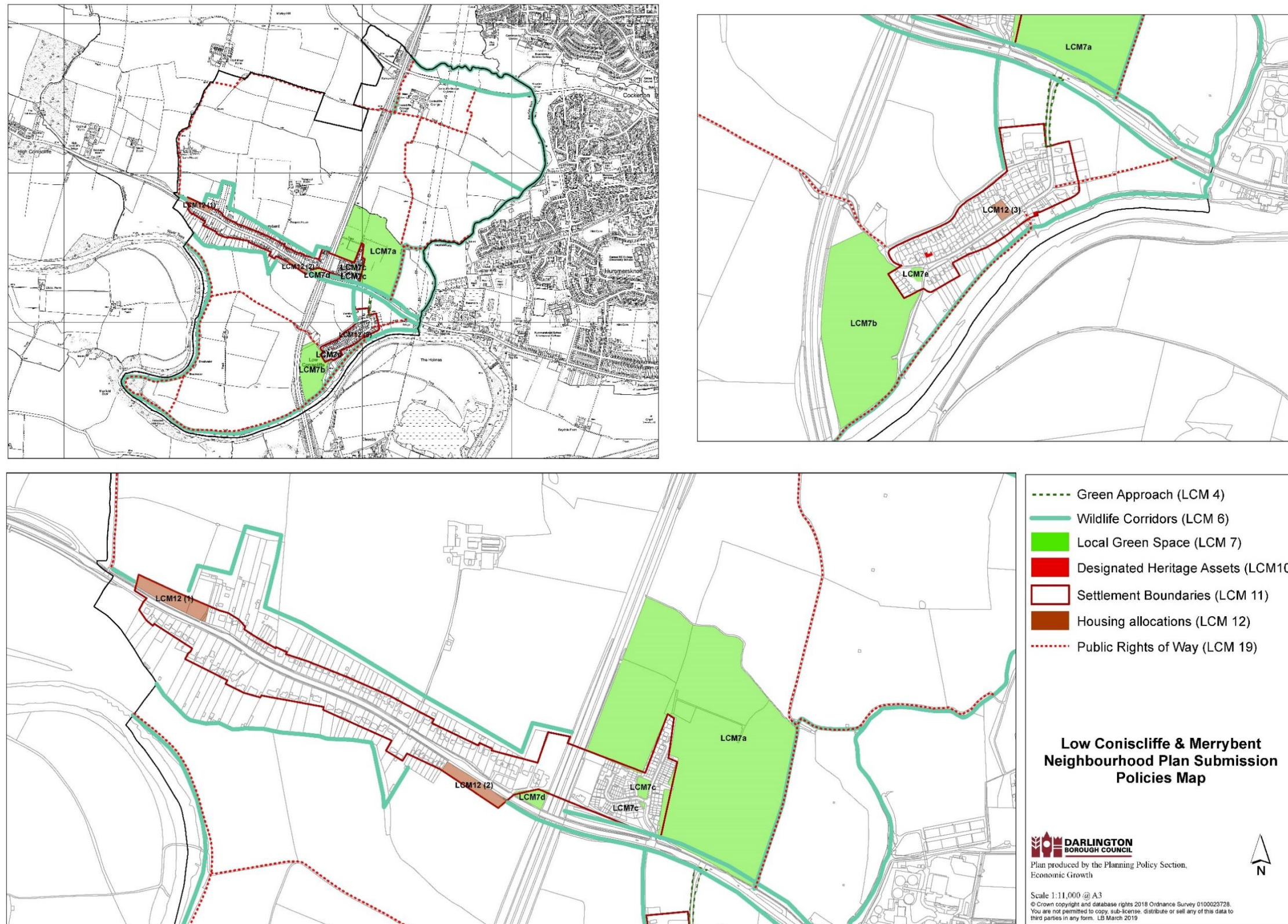
- 4.77 Policy LCM 19 therefore seeks to support proposals to improve and extend existing public rights of way as well as protecting existing routes. The policy will support the delivery of Plan Objective 5 which seeks to support opportunities to improve sustainable travel.

Policy LCM 19: Public Rights of Way

Proposals to create new or improve existing public rights of way, as identified on the Policies Map, will be supported. Proposals resulting in the loss of all or part of a public right of way, as defined on the Policies Map, will need to demonstrate:

- a. There is a clear and demonstrable justification for the loss of the route; and
- b. A suitable alternative route will be provided within an agreed timescale.

Annex 1: Policies Map



Annex 2: Delivering the vision and objectives – Community Actions

A1.1 During the preparation of the Neighbourhood Plan, some areas of community concerns were identified that cannot be addressed through the planning system. However, as part of the Neighbourhood Planning process they can become ‘Community Actions’, which are supported by Low Coniscliffe and Merrybent Parish Council. These proposals can be delivered in conjunction with other local organisations. Six Community Actions have been identified as part of the preparation of the Plan, these are described below.

Community Actions

Coniscliffe Forest and Nature Reserve

Community Action 1: Coniscliffe Forest and Nature Reserve

To work with the Forestry Commission, Natural England, Darlington Wildlife Trust, Darlington Borough Council and local landowners to explore options to create Coniscliffe Forest and Nature Reserve.

A1.2 Given the wildlife value and community importance of the existing Merrybent Community Forest, the Steering Group have begun the process of developing a proposal to extend the existing forest and create a new local nature reserve. It is envisaged that the area will support a variety of wildlife and will provide a legacy for future generations.

Local History

Community Action 2: Local History Interpretation

To develop a programme to deliver a series of interpretation panels across the Plan to provide information to local residents and visitors on the many historic assets.

A1.3 The Plan area contains a wealth of designated and undesignated historic assets. To enhance understanding of these assets amongst both local residents and visitors a need has been identified to deliver a series of interpretation panels for installation across the Plan area.

Allotments



A1.4 The local community have expressed a need for the development of allotment sites within the Plan area.

Highway Safety and Traffic Management

Community Action 4: Highway Safety and Traffic Management

To work with Darlington Borough Council to implement measures which improve the safety of the highway network across the Plan area.

- A1.5 Through the preparation of the Plan the local community expressed concern over highway safety. The Parish Council consider there are opportunities to implement effective traffic management measures which will improve highway safety, particularly linked to the growing volume and speed of traffic, for example in 2016 the Parish Council purchased two visors as traffic calming measures.

Public Transport

Community Action 5: Public Transport

To work with Darlington Borough Council, transport providers and other stakeholder to seek to develop innovative schemes which improve accessibility to key services and facilities.

- A1.6 The local community have raised concerns with regard to the access to public transport facilities to enable access to key services and facilities. Across the country there are many examples of innovative solutions which enhance rural community access to services and facilities. Options for the development of innovative rural transport schemes will be considered and discussed with Darlington Borough Council and where feasible will be delivered.

Village Hall

Community Action 6: Village Hall

To work with local landowners and other stakeholders to research the feasibility of the development of a village hall within the Plan area.

- A1.7 The lack of local facilities has been raised by the local community as a negative element of living in the Plan area. The potential for a village hall to be developed has been identified as something which could be an important focal point for the local community.

Glossary

Affordable housing:

Social rented, affordable rented and intermediate housing, provided to eligible households whose needs are not met by the market. Eligibility is determined with regard to local incomes and local house prices. Affordable housing should include provisions to remain at an affordable price for future eligible households or for the subsidy to be recycled for alternative affordable housing provision.

Amenity:

A positive element or elements that contribute to the positive character of an area, such as lack of noise and disturbance, openness, landscape, townscape, opportunities for recreation etc.

Asset of Community Value:

A local authority maintained list of land in its area that is land of community value. A building or other land would be of community value if in the Council's opinion, its main use contributes to the social wellbeing or social interests of the local community, and it is realistic for this to continue, (possibly involving a different community use of equal value). This is set out in section 87 of the Localism Act 2011.

Biodiversity:

The degree of variation of life forms within a particular ecosystem. Biodiversity is a measure of the health of an ecosystem. Human activity generally tends to reduce biodiversity, so special measures often need to be taken to offset the impact of development on natural habitats.

Conditions (or 'Planning Conditions'):

Requirements attached to a planning permission to limit or direct the manner in which a development is carried out.

Conservation Area:

Areas of special architectural or historic interest, the character, appearance or setting of which it is desirable to preserve or enhance.

Design and access statement:

A concise report accompanying certain applications for planning permission and applications for listed building consent. Design and Access Statements can aid decision-making by enabling local planning authorities and third parties to better understand the analysis that has underpinned the design of a development proposal. Design and access statements are required for the following:

- Applications for major development (minerals, waste, 10 or more houses or housing sites more than 0.5ha, new building(s) greater than 1,000 square metres and sites of 1ha or more);
- Applications for development in a designated area (National Park, Conservation Area, World Heritage Site) where the proposed development consists of: one or more dwellings; or a building(s) with floorspace of 100 square metres or more;
- Applications for listed building consent

Development:

Defined under the 1990 Town and Country Planning Act as "the carrying out of building, engineering, mining or other operation in, on, over or under land, or the making of any material change in the use of any building or other land." Most forms of development require planning permission

Development management:

The process through which a local planning authority considers a planning application and whether it should be given permission.

Greenfield land or site:

Land which has never been built on before or where the remains of any structure or activity have blended into the landscape over time.

Heritage Asset:

A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. Heritage asset includes designated heritage assets and assets identified by the local planning authority (including local listing).

Housing Needs Survey:

A survey of households which assesses affordable housing needs across a defined area, looking at criteria such as housing conditions, overcrowding and household incomes and comparing these with housing costs and availability.

Infill development:

Building on a small site between existing buildings.

Infrastructure:

The physical entities (for example roads, railways, sewers, pipes, telecommunications lines) that are necessary for communities to function and move around.

Landscape Character:

The distinct and recognisable pattern of elements that occur consistently in a particular type of landscape. It reflects particular combinations of geology, landform, soils, vegetation, land use and human settlement.

Landscape sensitivity:

Normally refers to the ability of the landscape to absorb development, in relation to valued aspects of its character.

Limited infilling:

Infill development which is particularly small in scale, occupying a small gap between buildings – on the scale of one or two, rather than several dwellings/buildings.

Listed building:

A building of special architectural or historic interest. Graded I (highest quality), II* or II.

Material consideration:

A matter that should be taken into account in making a planning decision such as sustainability, impact on residential amenity, design and traffic impacts.

Open market residential development:

Housing for sale or rent on the open market, without any restrictions regarding occupation or price.

Planning obligation:

Planning obligation under Section 106 of the Town and Country Planning Act 1990, secured by a local planning authority through negotiations with a developer to offset the public cost of permitting a

development proposal. Sometimes developers can self-impose obligations to pre-empt objections to planning permission being granted. They cover things like highway improvements or open space provision.

Previously Developed Land (PDL) or 'Brownfield' Land:

Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or has been occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill purposes where provision for restoration has been made through development control procedures; land in built-up areas such as private residential gardens, parks, recreation grounds and allotments; and land that was previously-developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape in the process of time.

Principal residence:

Those occupied as the residents' sole or main residence, where the residents spend the majority of their time when not working away from home.

Setting:

The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.

Strategic Housing Land Availability Assessment (SHLAA):

An assessment of sites put forward as having potential for new housing, examining their constraints, marketability etc. and arriving at a possible yield of new houses (if any), with a view to achieving a five year supply of deliverable housing land.

Appendix 1 Landscape Character information

Character Area	Key characteristics	Sensitivity
<p>Denton and Walworth Farmland</p>	<ul style="list-style-type: none"> • The area slopes from around 130m – 140m at its northern edge to between 70m – 50m along the A67; • Natural habitats are largely confined to woodlands, hedges and watercourses. There is very little development which is entirely non-rural in character; • The area is drained by a series of small becks which rise on Houghton Bank and flow either south into the Tees e.g. Piercebridge Beck, or south-east to join with the Cocker Beck that flows through Darlington to join the Skerne. The natural drainage pattern has been augmented in the past with ditches cut to drain the wetter carrs that form between higher ground; • There is a mix of arable and pastoral landholdings, generally divided into large fields which are more or less rectilinear. The winding courses of becks often define field boundaries, introducing irregularity to some areas; • Hedges of blackthorn and hawthorn are the dominant boundary type, though they vary in character. Often, they are continuous and clipped low, though some hedges are gappy and many have been removed altogether. In more intensive arable areas hedges have been replaced by wire fences; • More natural woodland, with frequent willow, occurs along the many becks in the area; • The many field boundary trees include oak and sycamore alongside the more common ash, though there are some areas where trees are notably absent, possibly reflecting different approaches to hedgerow management across landholdings; • Local wildlife sites include Denton Quarry in Limekiln Wood, and Ulnaby Beck; • Natural habitats are largely confined to woodlands, hedges and watercourses; 	<ul style="list-style-type: none"> • Strongly rural character with little modern development; • Locally prominent low hills; • Frequency of woodland plantations and shelterbelts; • Historic character and form of small villages, including local building materials and styles; • Remains of medieval settlement, and surviving historic dwellings and farm buildings; and • Long views across the landscape to the North York Moors, Yorkshire Dales and Pennines.

Character Area	Key characteristics	Sensitivity
	<ul style="list-style-type: none"> • The present villages in the area retain this strongly rural character, with many being constructed of locally quarried limestone; • Farmsteads are spaced across the area, retaining much local character alongside more functional buildings; • There is very little development which is entirely non-rural in character, though there is the suburban style ribbon settlement of Merrybent along the A67; • The A1, A67 and A68 are the major transport corridors in the area, but skirt this landscape leaving a network of smaller roads connecting the villages; • Merrybent and Darlington railway was built as a branch line of the Barnard Castle railway carrying stone from various quarries. It was closed in 1878. The A1M was built following the old track bed; • The Barnard Castle railway once passed through the area, its trackbed still in evidence; • A number of public footpaths and bridleways link the villages, and there is a long-term plan to reuse the railway line to provide access; • Locally, views are limited by topography and some areas are visually contained despite the low profiles of the gentle hills. Woodland contributes to this sense of enclosure, and where there are fewer trees the openness of the landscape is notable; • The landscape has a strongly rural character with a clear impression of the long use of the land for agriculture; • Though fringed by major roads, with the A1 having the most pervasive influence, the majority of this area is quiet and rural. There is very little overt modern development, and the sheltered valleys and woodlands provide tranquil sites within the intensively farmed landscape. 	
Tees Valley	<ul style="list-style-type: none"> • This character area comprises the flat or gently sloping floodplain on the north bank of the River Tees and occasionally steeper incised valley sides, as it passes to the south of Darlington; 	<ul style="list-style-type: none"> • Tranquil character along much of the riverside; • Traditional settlement pattern of nuclear villages related to the river;

Character Area	Key characteristics	Sensitivity
	<ul style="list-style-type: none"> • The area is contained to the north by the A67 and A167, and further east is marked by the riverside settlements and then by the edge of the increasingly incised valley; • The land generally slopes very gently down from west to east, with the flow of the river. Several tributaries run through the area into the River Tees, including the River Skerne and smaller becks; • The area comprises enclosed farmland, under a mix of arable and pastoral cultivation. Field boundaries are generally hedges, though there are areas where only fences remain due to field amalgamation; • Hedges are predominantly of hawthorn, and while many are intact there are areas where substantial gaps appear in hedgerows. Ash and sycamore are the principal field boundary trees; • Field boundaries show the fossilised evidence of changes in the course of the Tees, clearly visible to the south of High Coniscliffe for example; • The river is lined with riparian woodland along most of its banks, forming the most significant area of woodland in the Borough; • There are multiple historic sites in this character area, linked to the reliable fertility of the floodplain and the strategic importance of the Tees; • This character area includes the small settlements of Piercebridge, High Coniscliffe, Merrybent, Low Coniscliffe, Hurworth Place, Hurworth-on-Tees, Neasham and Middleton One Row, each of which has its own distinctive character; • Buildings are generally constructed from limestone in the west, and from brick in the east; • In terms of semi-natural habitats, the River Tees and its wooded banks provides a rich series of habitats, with many sections protected as local wildlife sites. The area is an important green corridor for wildlife species. Riparian meadows also provide habitat, such as Janet’s Meadow local wildlife site at High Coniscliffe; 	<ul style="list-style-type: none"> • Extensive riparian woodland forms a significant habitat resource; • Riparian meadow habitats contribute to important wildlife corridor; • Important historical sites and monuments along the river; and • Strategic recreational corridor, with the Teesdale Way running the length of the area.

Character Area	Key characteristics	Sensitivity
	<ul style="list-style-type: none"> • The Teesdale Way follows the north side of the river, linking villages and making use of several footbridges; • Several roads run parallel to the river Tees, generally being A-roads in the west and minor roads in the east. The A1(M) crosses the river just to the west of Low Coniscliffe: this and other main road bridges contribute noise of traffic to these localities. However, along much of the river there is very little development, and there are many intimate and secluded sections of the river banks which have a highly tranquil character. 	