

Comment

Consultee Mr Roger Fitzpatrick-Odahamier (1164335)

Email Address [REDACTED]

Address [REDACTED]

Event Name Darlington Local Plan 2016-2036 (Regulation 19)

Comment by Mr Roger Fitzpatrick-Odahamier (1164335)

Comment ID DBLPPS280

Response Date 16/09/20 20:53

Consultation Point Policy DC 1 Sustainable Design Principles and Climate Change (Strategic Policy) ([View](#))

Status Processed

Submission Type Email

Version 0.12

Question 1b

Do you consider that the Local Plan sound? No

Question 2

Do you consider that this part of the Local Plan is unsound because it is not: (tick all that apply) . Positively prepared

Question 3a

Your Comments

Please give details of why you consider that this part of the Local Plan is not legally compliant or unsound or fails to comply with the Duty to Cooperate.

Darlington Borough Council declared a climate change emergency in 2018, this plan, however, does not offer any solution as to how they will mitigate that emergency, in fact the proposals to build 9,840 new dwellings, nearly half of which are in car reliant locations, will only exacerbate the climate change problem. Policy H10 proposes 4,500 new homes, yet this location is rural and by its nature promotes the use of cars to get to work or the centre of town. This particular policy is projected to increase car usage by over 180% on Barmpton Lane (a minor road) alone. When considered alongside Policy H10, Policy DC1 para 5.1.8 does not meet the objectives of minimising climate change or how this will be achieved.

The plan states that it will encourage the use of energy efficient measures and low carbon technologies, however, the Council have not encouraged recent housing developments within the Borough to adopt

energy efficient measures such as solar panels, the excuse being that these are too expensive or an added expense for developers to include on their property price. Technologies such as Ground Source Heat Pumps are not referenced in this plan despite the Government's commitment to banish the installation of gas boilers in new builds by 2025. One would assume that as that falls within this plan period reference would have been made to it under this policy? There is, in fact, no mention in the plan of what energy efficient measures need to be considered, and the sheer fact that these are just encouraged and not enforced ultimately means that developers will not adopt these principles and the objectives regarding climate change will never be met.

It is hard to see how the Skerningham Garden Village for instance, is able to support a low carbon future. Encouraging the reuse of existing resources such as brownfield sites and the conversion of existing buildings is surely the best way forward in order to achieve this aim and help reduce our carbon footprint.

Co2 Emissions and green house gas emissions are also a concern, which this development will increase because of its location and dependence on car journeys for its residents. Even the mention of a "Neighbourhood Centre" in this development would, for most not be in walking distance, and which would impact heavily on the elderly & disabled. This development will simply become a commuter development for potentially over 10,000 residents.

The Local Plan also states 'it will be expected to provide a mix of housing types, sizes and tenures etc'. There is no indication in this plan to support the fact the plan will meet these local needs. Considering the fact that Darlington has an ageing population one would think that they would require far smaller dwellings, possibly single level especially for those with health issues/disabilities. I have grave concerns that these types of dwellings will not be profitable enough for the developers to build. For instance we are seeing far fewer bungalows being built despite them being popular simply because of the space they take up. In essence these types of dwellings will just not be built unless there are cash incentives for the developer or a housing association that will step in.

Question 4

Changes Sought

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This policy be revisited to guarantee the use of energy efficient measures and compliance with Government initiatives.

Policy H10 be reviewed, given its over reliance on car journeys, to ensure that the objective of minimising climate change is met.

Question 5

Attendance at Examination Hearings

If your representation is seeking a change, do you consider it necessary to participate in the examination hearings? Yes, I wish to participate at the examination hearings

Question 5a

Participation at Examination Hearings

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If you wish to participate at the examination hearings, please outline why you consider it to be necessary?

As a resident of Whinfield, which is most affected by this Local Plan, and given the Representations I have made I would consider it necessary for me to participate in the Examination Hearing.

Question 6

Do you request to be notified that the Local Plan has been submitted to the Secretary of State for independent examination under section 22(3) of the regulations and to be notified of the adoption of the Local Plan?

Yes, I request to be notified

Comment

Consultee Mr Roger Fitzpatrick-Odahamier (1164335)

Email Address [REDACTED]

Address [REDACTED]

Event Name Darlington Local Plan 2016-2036 (Regulation 19)

Comment by Mr Roger Fitzpatrick-Odahamier (1164335)

Comment ID DBLPPS282

Response Date 16/09/20 20:53

Consultation Point Policy H 1 Housing Requirement (Strategic Policy) ([View](#))

Status Processed

Submission Type Email

Version 0.12

Question 1b

Do you consider that the Local Plan sound? No

Question 2

Do you consider that this part of the Local Plan is unsound because it is not: (tick all that apply)

- Positively prepared
- Justified
- Consistent with national policy

Question 3a

Your Comments

Please give details of why you consider that this part of the Local Plan is not legally compliant or unsound or fails to comply with the Duty to Cooperate.

The policy has deviated from the standard methodology for calculating housing need, as required by the NPPF, without providing any evidenced information or justifiable reason that exceptional circumstances exist to warrant the use of an alternative approach. The standard methodology for the plan period produces a yield of 3,476 new dwellings, housing commitments at present stand at 4, 974 more than sufficient to cover the plan period. There is therefore, no need to allocate any further land to cover Darlington's needs and the 9,840 quoted in the plan is not justified by any rigorous investigation.

The plan makes no apparent reference to the use of brownfield sites. The NPPF clearly state as much possible use should be made of previously developed of brownfield land but the sites listed in this plan, are in direct contravention with this policy.

Policies relating to housing requirements should, according to the NPPF, be clearly written and unambiguous; however, when reading the evidence put forward in this plan to justify that exceptional circumstances exist, it is certainly not clear to a lay person why the Council needs to increase their housing requirement by over 100%. The Strategic Housing Market Assessment 2017, upon which the housing requirement in the Plan is based, uses local administrative data such as NHS GP patient data, the amount of school children and those aged over 65 to suggest that the standard methodology is wrong and exceptional circumstances exist – however one cannot clearly ascertain why an uplift is needed, there are no evidence backed figures which say this is the standard methodology and this is the increase our local administrative data provides.

Economic growth is also a factor in calculating housing requirement and for demonstrating exceptional circumstances. The economic growth in the Plan is 7,000 full time additional jobs. The arrival of Amazon may have created new jobs but this is not evidence that 7,000 new jobs will be created over the plan period, this is a one off. Job creation the size of Amazon has not been seen for some time in Darlington, in fact the jobs created by Amazon will only partially offset the many jobs lost in Darlington over the past few years. Darlington Borough Council alone has seen over 2000 job loses in recent years. Amazon are also continually looking to use automation to replace it's workforce, as are many other firms, and one would question just how many of these jobs will actually still exist in a few years time?

The SHMA 2017 itself refers to the projected additional 7,000 jobs as aspirational but states that these are both part time and full time, whereas the plan states these are all full time. The SHMA 2017 therefore does not support the 7,000 additional jobs and cannot be used as evidence in this instance.

Let us also not forget that a similar approach was adopted in the Republic of Ireland where large swathes of housing developments were given the go ahead both in towns and in rural locations. The banking crisis in 2008 led to literally thousands of these developments being left unfinished and abandoned and remain so to this day. Being also advised by the majority of MPs that Brexit would also have a detrimental affect to the economy going forward and with the crisis of COVID-19 still ongoing, I feel it would not be unreasonable to suggest that these events should be taken in to account when assessing Darlington's own population and economic growth as I see no reason why Darlington economy would be protected by these two scenarios. It is my understanding that Darlington Borough Council have not factored in either of these events in any way whatsoever.

Further more I have grave concerns over the council's population forecasts which I believe do not take into account a fall in recent times of net migration. We have seen a significant reduction in migrants coming from the European Union (particularly Poland) to Darlington since the credit crunch in 2008, the drop in the value of the pound and of course Brexit. I see no reason at this moment in time that this is likely to change. We have also been a position to take a share of refugee families in recent times that have settled here in Darlington (with cash incentives from the government), which may also inflate our population numbers if only minimally.

Darlington have been with out a Local Plan for many years now following the abandoned 'Making and Places' plan which was scrapped by the authority officially in 2016. However since then the council have either approved or granted a significant number of new dwellings and one would question the need to allocate any further land for housing if you except that there is no justification for the greatly inflated housing need figure adopted by this authority. The Skerningham Strategic Allocation should on these grounds be removed from the plan.

Question 4

Changes Sought

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The inflated housing requirement should be abandoned and the standard methodology used. No exceptional circumstances exist in which the Plan's predictions are justified.

The impacts of Brexit and Covid-19 should also be included in reviewing the actual housing requirement and impact on the economy.

Question 5

Attendance at Examination Hearings

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Question 5a

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Question 6

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Email Address [REDACTED]

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Event Name Darlington Local Plan 2016-2036 (Regulation 19)

Comment by Mr Roger Fitzpatrick-Odahamier (1164335)

Comment ID DBLPPS285

Response Date 16/09/20 20:53

Consultation Point Policy E 2 Employment Allocations (Strategic Policy)
([View](#))

Status Processed

Submission Type Email

Version 0.9

Question 1b

Do you consider that the Local Plan sound? No

Question 2

Do you consider that this part of the Local Plan is unsound because it is not: (tick all that apply)

Question 3a

Your Comments

Please give details of why you consider that this part of the Local Plan is not legally compliant or unsound or fails to comply with the Duty to Cooperate.

I have grave concerns that providing additional land for industrial purposes does not necessarily mean a growth in industries and employment. The reason for this is that currently Darlington has nearly 30% of industrial land vacant, which amounts to approx 173.4 ha. Allocating a further 76 ha on Greenfield is not therefore needed. Covid has also changed the way many companies are now operating with many employees working remotely and continuing to do so. I would suggest that this may be a new way of working for many companies going forward. If this is the case a considerable amount of office space will become vacant and we should now factor this in to any Local Plan. Some of this office space and especially those situated in or around the town centre could in future be used for housing. This in turn would ensure our town centre is vibrant and will go along way in supporting our existing

shops and shopping mall. Darlington has not escaped the trend that internet shopping continues to increase which has had dramatic effect on footfall in our town centre.

Question 4

Changes Sought

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We should be extremely careful when selecting employment land for development ensuring at all times that it is objectively assessed. We should factor in employment trends such as remote working which I believe in this Representation has not been factored in at all. Our town centre and how it is being used is changing rapidly which in turn will ultimately affect employment opportunities. We should also be very careful when we talk about predictions (as this representation alludes to frequently) as being facts rather than they being merely being an aspiration of the council.

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Comment

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Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] [REDACTED]
Event Name	Darlington Local Plan 2016-2036 (Regulation 19)
Comment by	Mr Roger Fitzpatrick-Odahamier (1164335)
Comment ID	DBLPPS286
Response Date	16/09/20 20:53
Consultation Point	Policy H 3 Development Limits (Strategic Policy) (View)
Status	Processed
Submission Type	Email
Version	0.8
Question 1b	
Do you consider that the Local Plan sound?	No

Question 2

Do you consider that this part of the Local Plan is unsound because it is not: (tick all that apply)

Question 3a

Your Comments

Please give details of why you consider that this part of the Local Plan is not legally compliant or unsound or fails to comply with the Duty to Cooperate.

I believe this Local Plan focuses too much on using green land extending to large areas of the towns county-side. Ultimately the plan represents a large unnecessary increase in development limits into the countryside. This will ultimately have a huge effect on the town; both environmentally and for its residents and will irretrievably change the character and appearance of the land

Question 4

Changes Sought

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The development limits should be removed in their entirety to include within them existing developed land and committed sites only.

Question 5

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Question 5a

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Email Address [REDACTED]

Address [REDACTED]
[REDACTED]
[REDACTED]

Event Name Darlington Local Plan 2016-2036 (Regulation 19)

Comment by Mr Roger Fitzpatrick-Odahamier (1164335)

Comment ID DBLPPS287

Response Date 16/09/20 20:53

Consultation Point Policy H 10 Skerningham - Strategic Site Allocation (Strategic Policy) ([View](#))

Status Processed

Submission Type Email

Version 0.6

Question 1b

Do you consider that the Local Plan sound? No

Question 2

Do you consider that this part of the Local Plan is unsound because it is not: (tick all that apply)

- Justified
- Consistent with national policy

Question 3a

Your Comments

Please give details of why you consider that this part of the Local Plan is not legally compliant or unsound or fails to comply with the Duty to Cooperate.

Given that there is no justification for the significantly inflated housing requirement and that a large number of dwellings have either already been completed or granted permission since 2016 there is no actual need for this Policy in the Plan at all.

Notwithstanding this Policy H10 conflicts with Policy ENV4, point G. The loss of green space caused by this development would cause significant harm to the character and appearance of the area. The Darlington Landscape Character Assessment 2015 states that the landscape in this area is unlikely to accommodate further development without altering its character. The development also potentially sits on land which was identified by Darlington Borough Council themselves as a 'Jewel in the Crown' in the Rights of Way Improvement Plan, with access to very high grade 'quality countryside'. This particular area of countryside has been extensively used by many residents for recreational purposes

and even more so during lockdown and development would no doubt adversely affect the recreational needs of all.

Although the Skerningham development has been given 'Garden Village' status, the area of Whinfield would also change considerably from being a ward surrounded by countryside to an area surrounded in affect by a large-scale housing development.

This development would also have catastrophic impact on the existing wildlife and habitat, where there is abundance in this location.

An increase in car usage would be hard to mitigate simply because of the location of the proposed development and distance from the town centre, employment hubs & hospital to name but a few. In fact considering the size of this development I see no mention of employment provision which I believe is a major concern.

It must also be pointed out that the land proposed for this development serves a very important function. It is good agricultural land which produces much needed crops at a time when the UK produces less than 60% of the food we consume. This is likely to only increase as the population grows.

The allocation of the Skerningham site conflicts with policy IN1. Firstly, the development will result in the loss of existing footpaths and impair their functioning for recreational purposes.

Secondly, because of its remoteness to the town centre, it does not demonstrate connectivity for pedestrians and cyclists to make cycling and walking the first choice for short journeys.

Policy H10 is not a sustainable policy, as required by the NPPF, as the Council have not been able to clearly demonstrate in the Plan how the already overloaded road infrastructure in Whinfield and the surrounding area will cope with increased traffic levels of 180% of current volumes. This is based only on 1,800 new homes being developed not the full 4,500, which will obviously increase traffic by many times greater than 180%.

In the Draft Local Plan Consultation 2018, Highways England expressed their concerns with regards to the impact Policy H10 will have on the local Strategic Road Network. This plan has not been changed to accommodate those concerns, which is a serious consideration to the sustainability of Policy 10.

The council have already concluded in recent times the fact there is an issue with increased traffic in areas such as Whinfield & Haughton and predominately to the north of the town; the very areas that will surround this development. The council have not said how they are going to mitigate this and the plans for a Darlington Northern link road have not been forth coming.

The relocation of the Darlington Golf Course in this plan would if nothing else significantly harm the biodiversity of this area and for those reasons alone and as mentioned in para.175 of the NPPF, this allocation should be refused.

Question 4

Changes Sought

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Policy H10 should be removed from the Local Plan **in its entirety**.

Question 5

Attendance at Examination Hearings

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Question 5a

Participation at Examination Hearings

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Question 6

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Comment

Consultee Mr Roger Fitzpatrick-Odahamier (1164335)

Email Address [REDACTED]

Address [REDACTED]
[REDACTED]
[REDACTED]

Event Name Darlington Local Plan 2016-2036 (Regulation 19)

Comment by Mr Roger Fitzpatrick-Odahamier (1164335)

Comment ID DBLPPS289

Response Date 16/09/20 20:53

Consultation Point Policy ENV 3 Local Landscape Character (Strategic Policy) ([View](#))

Status Processed

Submission Type Email

Version 0.9

Question 1b

Do you consider that the Local Plan sound? No

Question 2

Do you consider that this part of the Local Plan is unsound because it is not: (tick all that apply) . Justified

Question 3a

Your Comments

Please give details of why you consider that this part of the Local Plan is not legally compliant or unsound or fails to comply with the Duty to Cooperate.

In relation to Policy ENV3 I do not believe that the plan is justified when taken into consideration with Policy H10 above.

Policy H10 is contrary to the statement (in 9.3.1) that valued landscapes maintain the openness between communities. Under the Plan proposals, suburbs and villages such as Whinfield, Harrowgate Hill, Beaumont Hill, Barmpton, and Great Burdon would be merged and would lose their separate identity.

Although policy ENV3 states that "character and local distinctiveness" will be protected by "retaining and improving the special landscape, heritage and ecological qualities" of historic parks, it does not actually make this a condition of development which might affect these sites.

Question 4

Changes Sought

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The policy should commit to preserving the rural gaps between existing settlements, especially those between the Darlington suburbs of Whinfield, Harrowgate Hill and Beaumont Hill and the villages of Great Burdon and Barmpton.

Given that Policy H10 does not fulfil the principles of ENV3 it should be removed from the Local Plan.

Question 5

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Question 5a

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[REDACTED]

Event Name Darlington Local Plan 2016-2036 (Regulation 19)

Comment by Mr Roger Fitzpatrick-Odahamier (1164335)

Comment ID DBLPPS293

Response Date 16/09/20 20:53

Consultation Point Policy ENV 7 Biodiversity and Geodiversity and Development (Strategic Policy) ([View](#))

Status Processed

Submission Type Email

Version 0.5

Question 1b

Do you consider that the Local Plan sound? No

Question 2

Do you consider that this part of the Local Plan is unsound because it is not: (tick all that apply) . Justified

Question 3a

Your Comments

Please give details of why you consider that this part of the Local Plan is not legally compliant or unsound or fails to comply with the Duty to Cooperate.

In relation to Policy ENV7 I do not believe that the plan is justified when taken into consideration with Policy H10 above.

Policy H10 is in direct conflict with policy ENV7 point F as it will destroy many wildlife friendly green spaces and there is no mention in the plan in Policy H10 how these wildlife friendly green spaces will be protected. Policy H10 contains community woodland which is known to contain many wildlife species as well as Black poplars which is one of the most endangered timber trees in the UK. This area is also habitat to red-and –amber listed species. Loss of biodiversity and habitats will be inevitable when building on this site.

This site is also highly valued by the community, extensively used and easily accessible by its residents for informal pursuits such as walking, horse riding and cycling.

Question 4

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Given the potential large scale impact on biodiversity and geodiversity of Policy H10 unless these can sufficiently be demonstrated to be mitigated or compensated for, Policy H10 should be removed from the Local Plan.

Question 5

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Question 5a

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Address [REDACTED]
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[REDACTED]

Event Name Darlington Local Plan 2016-2036 (Regulation 19)

Comment by Mr Roger Fitzpatrick-Odahamier (1164335)

Comment ID DBLPPS296

Response Date 16/09/20 20:53

Consultation Point Policy IN 1 Delivering a Sustainable Transport Network (Strategic Policy) ([View](#))

Status Processed

Submission Type Email

Version 0.5

Question 1b

Do you consider that the Local Plan sound? No

Question 2

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Question 3a

Your Comments

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The very large allocation of open green space land for low-density housing development, without a coherent strategy for ensuring the contrary, as in Policy H10 are very likely to become car-dependent suburbs in which all journeys must be taken by car because of the lack of feasible alternatives. This does not demonstrate the objectives of Policy IN1 and is in fact contradictory of those principles.

Policy H10 as it stands also contradicts DBC's own "Healthy New Towns" document, which contains a commitment to the sustainable transport hierarchy, prioritising walking and cycling, then public transport, and downgrading the prominence of the private car. This has not been demonstrated in Policy H10.

Question 4

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In relation to Policy H10 the plan should demonstrate how a sustainable transport network, in terms of prioritising walking, cycling and the use of public transport, will be implemented and how car usage will be minimised.

Question 5

Attendance at Examination Hearings

If your representation is seeking a change, do you consider it necessary to participate in the examination hearings? Yes, I wish to participate at the examination hearings

Question 5a

Participation at Examination Hearings

Please note the inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the examination hearings.

If you wish to participate at the examination hearings, please outline why you consider it to be necessary?

As a resident of Whinfield, which is most affected by this Local Plan, and given the Representations I have made I would consider it necessary for me to participate in the Examination Hearing.

Question 6

Do you request to be notified that the Local Plan has been submitted to the Secretary of State for independent examination under section 22(3) of the regulations and to be notified of the adoption of the Local Plan? Yes, I request to be notified

Comment

Consultee	Mr Roger Fitzpatrick-Odahamier (1164335)
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] [REDACTED]
Event Name	Darlington Local Plan 2016-2036 (Regulation 19)
Comment by	Mr Roger Fitzpatrick-Odahamier (1164335)
Comment ID	DBLPPS300
Response Date	16/09/20 20:53
Consultation Point	Policy IN 8 Broadband Infrastructure (View)
Status	Processed
Submission Type	Email
Version	0.6

Question 2

Do you consider that this part of the Local Plan is unsound because it is not: (tick all that apply)

Question 3a

Your Comments

Please give details of why you consider that this part of the Local Plan is not legally compliant or unsound or fails to comply with the Duty to Cooperate.

Whilst Policy IN8 regarding Broadband connectivity is a welcome point of the Plan I would ask that the following be taken into consideration also

- . BT Openreach have already commenced a fibre broadband connection facility to the Skerningham Development without it actually being approved yet. I know this because the connection runs outside my property and I questioned what BT workers were doing there at 11.30pm at night. Is this not pre-judgemental?
- . The lines providing fibre broadband run in front of my property on Barmpton Lane, yet a bypass has been installed so that I and other residents of Barmpton Lane cannot access it, despite us currently having poor broadband connectivity running on old **BT** The NPPF suggests that existing residents should not be at a detriment to any new development yet here we are being deprived of this facility.

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Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] [REDACTED]
Event Name	Darlington Local Plan 2016-2036 (Regulation 19)
Comment by	Mr Roger Fitzpatrick-Odahamier (1164335)
Comment ID	DBLPPS309
Response Date	16/09/20 20:53
Consultation Point	Darlington Borough Local Plan 2016-2036 Proposed Submission Local Plan August 2020 (View)
Status	Processed
Submission Type	Email
Version	0.4
Files	Fitzpatrick Odahamier.doc

Question 2

Do you consider that this part of the Local Plan is unsound because it is not: (tick all that apply)

Question 3a

Your Comments

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I also want to question why the Council have conducted a Representation period in the middle of a pandemic, given that there are a potentially significant number of Darlington residents who do not have internet access or are digitally excluded. The council are aware of this issue as it was pointed out to them by Whinfield Residents Association. Not only that, but our own MP Peter Gibson has written a report regarding digital exclusion, much of which can be related to Darlington's own circumstances regarding social deprivation, those on low incomes, and the elderly, and how Covid-19 has in fact has gone to increase and expose digital exclusion. Although I appreciate regulations have changed which have allowed DBC the advantageous opportunity to push through this Representation whilst being aware of the extent of digital exclusion within the Borough, in the interests of the NPPF and achieving fair and proportionate engagement with all residents of the Borough, now was not the time to conduct this Representation.

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Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] [REDACTED]
Event Name	Darlington Local Plan 2016-2036 (Regulation 19)
Comment by	Mr Roger Fitzpatrick-Odahamier (1164335)
Comment ID	DBLPPS311
Response Date	16/09/20 20:53
Consultation Point	Darlington Borough Local Plan 2016-2036 Proposed Submission Local Plan August 2020 (View)
Status	Processed
Submission Type	Email
Version	0.5
Files	Fitzpatrick Odahamier.doc

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I would also like to bring to the Inspector's attention a query I have in relation to procedure. The Making and Growing Places Plan 2014 was the predecessor in many parts to this Local Plan (although this Local Plan has a far greater housing requirement than the 2014 plan despite it covering the majority of the same period, one would ask what changed significantly between 2014 and 2016?). A significant number of community organisations invested a lot of time and valuable resources into the Making and Growing Places consultation, so when it was scrapped in 2016 the question was asked what would happen to all those comments made in the consultation. DBC said, at the time, that these comments would be used to inform the new Local Plan (which this Representation is based upon) and that the comments would be retained to pass to the Inspector as part of the new Local Plan process. Enquiries have subsequently been made with the new Head of Planning at DBC, Mr David Hand, to check that this was in fact still the case. The response received was that comments received in 2014 did not form part of this Local Plan and that comments received during the consultation in 2018 on the new Local Plan would be summarised by the Council and forwarded to the Inspector. In the interests of

public scrutiny a request has been made to ask what this summary was, but prior to the close of this Representation, this question has not been answered by Mr Hand. If one had known what questions and responses were to be submitted from the draft consultation, one may have been better prepared to comment on this Representation.

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Proposed Submission Local Plan 2016-2036

Representation

Name: Roger Fitzpatrick-Odahamier

Address:

[REDACTED]

Tel No:

Email:

[REDACTED]

Dear Sir/Madam

I wish to make the following Representation comments with regards to the Proposed Submission Local Plan 2016-2036

I do not consider the plan to be sound and the policies listed below are either, in my opinion, not positively prepared, justified, or consistent with national policy.

I have listed below the specific policies which I consider to be unsound and my reasons why I consider them to be so as follows;

Policy DC1 – Sustainable Design Principles and Climate Change (Strategic Policy)

I object to this on the following grounds:

In relation to Policy DC1, in particular, para 5.1.8, I do not believe that this plan has been positively prepared as it will not minimise the effect of climate change and does not appear to have this as an objective.

I consider Policy DC1 para 5.1.8 to be unsound for the following reasons.

Darlington Borough Council declared a climate change emergency in 2018, this plan, however, does not offer any solution as to how they will mitigate that emergency, in fact the proposals to build 9,840 new dwellings, nearly half of which are in car reliant locations, will only exacerbate the climate change problem. Policy H10 proposes 4,500 new homes, yet this location is rural and by its nature promotes the use of cars to get to work or the centre of town. This particular policy is projected to increase car usage by over 180% on Barmpton Lane (a minor road) alone. When considered alongside Policy H10, Policy DC1 para 5.1.8 does not meet the objectives of minimising climate change or how this will be achieved.

The plan states that it will encourage the use of energy efficient measures and low carbon technologies, however, the Council have not encouraged recent housing developments within the Borough to adopt energy efficient measures such as solar panels, the excuse being that

these are too expensive or an added expense for developers to include on their property price. Technologies such as Ground Source Heat Pumps are not referenced in this plan despite the Government's commitment to banish the installation of gas boilers in new builds by 2025. One would assume that as that falls within this plan period reference would have been made to it under this policy? There is, in fact, no mention in the plan of what energy efficient measures need to be considered, and the sheer fact that these are just encouraged and not enforce ultimately means that developers will not adopt these principles and the objectives regarding climate change will never be met.

It is hard to see how the Skerningham Garden Village for instance, is able to support a low carbon future. Encouraging the reuse of existing resources such as brownfield sites and the conversion of existing buildings is surely the best way forward in order to achieve this aim and help reduce our carbon footprint.

Co2 Emissions and green house gas emissions are also a concern, which this development will increase because of its location and dependence on car journeys for its residents. Even the mention of a "Neighbourhood Centre" in this development would, for most not be in walking distance, and which would impact heavily on the elderly & disabled. This development will simply become a commuter development for potentially over 10,000 residents.

The Local Plan also states 'it will be expected to provide a mix of housing types, sizes and tenures etc'. There is no indication in this plan to support the fact the plan will meet these local needs. Considering the fact that Darlington has an ageing population one would think that they would require far smaller dwellings, possibly single level especially for those with health issues/disabilities. I have grave concerns that these types of dwellings will not be profitable enough for the developers to build. For instance we are seeing far fewer bungalows being built despite them being popular simply because of the space they take up. In essence these types of dwellings will just not be built unless there are cash incentives for the developer or a housing association that will step in.

To make this plan sound

This policy be revisited to guarantee the use of energy efficient measures and compliance with Government initiatives.

Policy H10 be reviewed, given its over reliance on car journeys, to ensure that the objective of minimising climate change is met.

Policy H1 – Housing Requirement

I object on the following grounds:

In relation to Policy H1 I do not believe that the plan has been positively prepared, is justified or is consistent with the National Planning policy Framework (NPPF).

I consider Policy H1 to be unsound for the following reasons.

The policy has deviated from the standard methodology for calculating housing need, as required by the NPPF, without providing any evidenced information or justifiable reason that exceptional circumstances exist to warrant the use of an alternative approach. The standard

methodology for the plan period produces a yield of 3,476 new dwellings, housing commitments at present stand at 4,974 more than sufficient to cover the plan period. There is therefore, no need to allocate any further land to cover Darlington's needs and the 9,840 quoted in the plan is not justified by any rigorous investigation.

The plan makes no apparent reference to the use of brownfield sites. The NPPF clearly state as much possible use should be made of previously developed or brownfield land but the sites listed in this plan, are in direct contravention with this policy.

Policies relating to housing requirements should, according to the NPPF, be clearly written and unambiguous; however, when reading the evidence put forward in this plan to justify that exceptional circumstances exist, it is certainly not clear to a lay person why the Council needs to increase their housing requirement by over 100%. The Strategic Housing Market Assessment 2017, upon which the housing requirement in the Plan is based, uses local administrative data such as NHS GP patient data, the amount of school children and those aged over 65 to suggest that the standard methodology is wrong and exceptional circumstances exist – however one cannot clearly ascertain why an uplift is needed, there are no evidence backed figures which say this is the standard methodology and this is the increase our local administrative data provides.

Economic growth is also a factor in calculating housing requirement and for demonstrating exceptional circumstances. The economic growth in the Plan is 7,000 full time additional jobs. The arrival of Amazon may have created new jobs but this is not evidence that 7,000 new jobs will be created over the plan period, this is a one off. Job creation the size of Amazon has not been seen for some time in Darlington, in fact the jobs created by Amazon will only partially offset the many jobs lost in Darlington over the past few years. Darlington Borough Council alone has seen over 2000 job losses in recent years. Amazon are also continually looking to use automation to replace its workforce, as are many other firms, and one would question just how many of these jobs will actually still exist in a few years time?

The SHMA 2017 itself refers to the projected additional 7,000 jobs as aspirational but states that these are both part time and full time, whereas the plan states these are all full time. The SHMA 2017 therefore does not support the 7,000 additional jobs and cannot be used as evidence in this instance.

Let us also not forget that a similar approach was adopted in the Republic of Ireland where large swathes of housing developments were given the go ahead both in towns and in rural locations. The banking crisis in 2008 led to literally thousands of these developments being left unfinished and abandoned and remain so to this day. Being also advised by the majority of MPs that Brexit would also have a detrimental affect to the economy going forward and with the crisis of COVID-19 still ongoing, I feel it would not be unreasonable to suggest that these events should be taken in to account when assessing Darlington's own population and economic growth as I see no reason why Darlington economy would be protected by these two scenarios. It is my understanding that Darlington Borough Council have not factored in either of these events in any way whatsoever.

Further more I have grave concerns over the council's population forecasts which I believe do not take into account a fall in recent times of net migration. We have seen a significant reduction in migrants coming from the European Union (particularly Poland) to Darlington since the credit crunch in 2008, the drop in the value of the pound and of course Brexit. I see no

reason at this moment in time that this is likely to change. We have also been a position to take a share of refugee families in recent times that have settled here in Darlington (with cash incentives from the government), which may also inflate our population numbers if only minimally.

Darlington have been with out a Local Plan for many years now following the abandoned 'Making and Places' plan which was scrapped by the authority officially in 2016. However since then the council have either approved or granted a significant number of new dwellings and one would question the need to allocate any further land for housing if you except that there is no justification for the greatly inflated housing need figure adopted by this authority. The Skerningham Strategic Allocation should on these grounds be removed from the plan.

To make this plan sound

The inflated housing requirement should be abandoned and the standard methodology used. No exceptional circumstances exist in which the Plan's predictions are justified.

The impacts of Brexit and Covid-19 should also be included in reviewing the actual housing requirement and impact on the economy.

Policy E2 – Employment Allocations

I have grave concerns that providing additional land for industrial purposes does not necessarily mean a growth in industries and employment. The reason for this is that currently Darlington has nearly 30% of industrial land vacant, which amounts to approx 173.4 ha. Allocating a further 76 ha on Greenfield is not therefore needed. Covid has also changed the way many companies are now operating with many employees working remotely and continuing to do so. I would suggest that this may be a new way of working for many companies going forward. If this is the case a considerable amount of office space will become vacant and we should now factor this in to any Local Plan. Some of this office space and especially those situated in or around the town centre could in future be used for housing. This in turn would ensure our town centre is vibrant and will go along way in supporting our existing shops and shopping mall. Darlington has not escaped the trend that internet shopping continues to increase which has had dramatic effect on footfall in our town centre.

I consider policy E2 to be unsound for the falling reasons.

We should be extremely careful when selecting employment land for development ensuring at all times that it is objectively assessed. We should factor in employment trends such as remote working which I believe in this Representation has not been factored in at all. Our town centre and how it is being used is changing rapidly which in turn will ultimately affect employment opportunities. We should also be very careful when we talk about predictions (as this representation alludes to frequently) as being facts rather than they being merely being an aspiration of the council.

Policy H3 – Development Limits

I believe this Local Plan focuses too much on using green land extending to large areas of the towns county-side. Ultimately the plan represents a large unnecessary increase in development limits into the countryside. This will ultimately have a huge effect on the town; both

environmentally and for its residents and will irretrievably change the character and appearance of the land

To make this plan sound.

The development limits should be removed in their entirety to include within them existing developed land and committed sites only.

Policy H10 – Skerningham Strategic Allocation

I object on the following grounds:

In relation to Policy H10 I do not believe that the plan is justified or consistent with the NPPF.

I consider policy H10 to be unsound for the following reasons.

Given that there is no justification for the significantly inflated housing requirement and that a large number of dwellings have either already been completed or granted permission since 2016 there is no actual need for this Policy in the Plan at all.

Notwithstanding this Policy H10 conflicts with Policy ENV4, point G. The loss of green space caused by this development would cause significant harm to the character and appearance of the area. The Darlington Landscape Character Assessment 2015 states that the landscape in this area is unlikely to accommodate further development without altering its character. The development also potentially sits on land which was identified by Darlington Borough Council themselves as a 'Jewel in the Crown' in the Rights of Way Improvement Plan, with access to very high grade 'quality countryside'. This particular area of countryside has been extensively used by many residents for recreational purposes **and even more so** during lockdown and development would no doubt adversely affect the recreational needs of all.

Although the Skerningham development has been given 'Garden Village' status, the area of Whinfield would also change considerably from being a ward surrounded by countryside to an area surrounded in affect by a large-scale housing development.

This development would also have catastrophic impact on the existing wildlife and habitat, where there is abundance in this location.

An increase in car usage would be hard to mitigate simply because of the location of the proposed development and distance from the town centre, employment hubs & hospital to name but a few. In fact considering the size of this development I see no mention of employment provision which I believe is a major concern.

It must also be pointed out that the land proposed for this development serves a very important function. It is good agricultural land which produces much needed crops at a time when the UK produces less than 60% of the food we consume. This is likely to only increase as the population grows.

The allocation of the Skerningham site conflicts with policy IN1. Firstly, the development will result in the loss of existing footpaths and impair their functioning for recreational purposes.

Secondly, because of its remoteness to the town centre, it does not demonstrate connectivity for pedestrians and cyclists to make cycling and walking the first choice for short journeys.

Policy H10 is not a sustainable policy, as required by the NPPF, as the Council have not been able to clearly demonstrate in the Plan how the already overloaded road infrastructure in Whinfield and the surrounding area will cope with increased traffic levels of 180% of current volumes. This is based only on 1,800 new homes being developed not the full 4,500, which will obviously increase traffic by many times greater than 180%.

In the Draft Local Plan Consultation 2018, Highways England expressed their concerns with regards to the impact Policy H10 will have on the local Strategic Road Network. This plan has not been changed to accommodate those concerns, which is a serious consideration to the sustainability of Policy 10.

The council have already concluded in recent times the fact there is an issue with increased traffic in areas such as Whinfield & Haughton and predominately to the north of the town; the very areas that will surround this development. The council have not said how they are going to mitigate this and the plans for a Darlington Northern link road have not been forthcoming.

The relocation of the Darlington Golf Course in this plan would if nothing else significantly harm the biodiversity of this area and for those reasons alone and as mentioned in para.175 of the NPPF, this allocation should be refused.

To make this plan sound

Policy H10 should be removed from the Local Plan in its entirety.

Policy ENV3 – Local Landscape Character

I object on the following grounds:

In relation to Policy ENV3 I do not believe that the plan is justified when taken into consideration with Policy H10 above.

I consider policy ENV3 to be unsound for the following reasons.

Policy H10 is contrary to the statement (in 9.3.1) that valued landscapes maintain the openness between communities. Under the Plan proposals, suburbs and villages such as Whinfield, Harrowgate Hill, Beaumont Hill, Barmpton, and Great Burdon would be merged and would lose their separate identity.

Although policy ENV3 states that “character and local distinctiveness” will be protected by “retaining and improving the special landscape, heritage and ecological qualities” of historic parks, it does not actually make this a condition of development which might affect these sites.

To make this plan sound

The policy should commit to preserving the rural gaps between existing settlements, especially those between the Darlington suburbs of Whinfield, Harrowgate Hill and Beaumont Hill and the villages of Great Burdon and Barmpton.

Given that Policy H10 does not fulfil the principles of ENV3 it should be removed from the Local Plan.

Policy ENV7 – Biodiversity and Geodiversity and Development

I object on the following grounds:

In relation to Policy ENV7 I do not believe that the plan is justified when taken into consideration with Policy H10 above.

I consider policy ENV7 to be unsound for the following reasons.

Policy H10 is in direct conflict with policy ENV7 point F as it will destroy many wildlife friendly green spaces and there is no mention in the plan in Policy H10 how these wildlife friendly green spaces will be protected. Policy H10 contains community woodland which is known to contain many wildlife species as well as Black poplars which is one of the most endangered timber trees in the UK. This area is also habitat to red-and –amber listed species. Loss of biodiversity and habitats will be inevitable when building on this site.

This site is also highly valued by the community, extensively used and easily accessible by its residents for informal pursuits such as walking, horse riding and cycling.

To make this plan sound

Given the potential large scale impact on biodiversity and geodiversity of Policy H10 unless these can sufficiently be demonstrated to be mitigated or compensated for, Policy H10 should be removed from the Local Plan.

Policy IN1 – Delivering a Sustainable Transport Network (Strategic Policy)

I object on the following grounds:

In relation to Policy IN1 I do not believe that the plan is consistent with the NPPF requirements of sustainability.

I consider policy IN1 to be unsound for the following reasons.

The very large allocation of open green space land for low-density housing development, without a coherent strategy for ensuring the contrary, as in Policy H10 are very likely to become car-dependent suburbs in which all journeys must be taken by car because of the lack of feasible alternatives. This does not demonstrate the objectives of Policy IN1 and is in fact contradictory of those principles.

Policy H10 as it stands also contradicts DBC's own "Healthy New Towns" document, which contains a commitment to the sustainable transport hierarchy, prioritising walking and cycling, then public transport, and downgrading the prominence of the private car. This has not been demonstrated in Policy H10.

To make this plan sound

In relation to Policy H10 the plan should demonstrate how a sustainable transport network, in terms of prioritising walking, cycling and the use of public transport, will be implemented and how car usage will be minimised.

In addition to the above I would like to make the following comments with regards to the actual Plan preparation and how it has been conducted. In my opinion this raises questions with regards to the 'soundness' of the plan and any pre-judgements.

Whilst Policy IN8 regarding Broadband connectivity is a welcome point of the Plan I would ask that the following be taken into consideration also

- BT Openreach have already commenced a fibre broadband connection facility to the Skertingham Development without it actually being approved yet. I know this because the connection runs outside my property and I questioned what BT workers were doing there at 11.30pm at night. Is this not pre-judgemental?
- The lines providing fibre broadband run in front of my property on Barmpton Lane, yet a bypass has been installed so that I and other residents of Barmpton Lane cannot access it, despite us currently having poor broadband connectivity running on old BT cables. The NPPF suggests that existing residents should not be at a detriment to any new development yet here we are being deprived of this facility.

I also want to question why the Council have conducted a Representation period in the middle of a pandemic, given that there are a potentially significant number of Darlington residents who do not have internet access or are digitally excluded. The council are aware of this issue as it was pointed out to them by Whinfield Residents Association. Not only that, but our own MP Peter Gibson has written a report regarding digital exclusion, much of which can be related to Darlington's own circumstances regarding social deprivation, those on low incomes, and the elderly, and how Covid-19 has in fact gone to increase and expose digital exclusion. Although I appreciate regulations have changed which have allowed DBC the advantageous opportunity to push through this Representation whilst being aware of the extent of digital exclusion within the Borough, in the interests of the NPPF and achieving fair and proportionate engagement with all residents of the Borough, now was not the time to conduct this Representation.

I would also like to bring to the Inspector's attention a query I have in relation to procedure. The Making and Growing Places Plan 2014 was the predecessor in many parts to this Local Plan (although this Local Plan has a far greater housing requirement than the 2014 plan despite it covering the majority of the same period, one would ask what changed significantly between 2014 and 2016?). A significant number of community organisations invested a lot of time and valuable resources into the Making and Growing Places consultation, so when it was scrapped in 2016 the question was asked what would happen to all those comments made in the consultation. DBC said, at the time, that these comments would be used to inform the new Local Plan (which this Representation is based upon) and that the comments would be retained to pass to the Inspector as part of the new Local Plan process. Enquiries have subsequently been made with the new Head of Planning at DBC, Mr David Hand, to check that this was in fact still the case. The response received was that comments received in 2014 did not form part of this Local Plan and that comments received during the consultation in 2018 on the new Local Plan would be summarised by the Council and forwarded to the Inspector. In the interests of public scrutiny a request has been made to ask what this summary was, but prior to the close of this Representation, this question has not been answered by Mr Hand. If one had

known what questions and responses were to be submitted from the draft consultation, one may have been better prepared to comment on this Representation.

This plan, overall, fails to meet the tests of 'Soundness' in particular with regards to Policy H1 and H10, and as such these policies should be reconsidered or removed altogether from the plan to make it sound.

As a resident of Whinfield, which is most affected by this Local Plan, and given the Representations I have made I would consider it necessary for me to participate in the Examination Hearing.

I also request to be notified of the following:

- The submission of the Local Plan to the Secretary of State for Independent Examination under section 22(3) of the regulations.
- The publication of the Inspectors recommendations/ report of the examination of the Local Plan
- The adoption of the Local Plan.

Kind Regards

Roger Fitzpatrick-Odahamier