

Comment

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Event Name	Darlington Local Plan 2016-2036 (Regulation 19)
Comment by	Mrs Irene Ord (1164510)
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Response Date	17/09/20 14:53
Consultation Point	Safeguarding the Historic Environment (View)
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Question 1a	
Do you consider that the Local Plan is Legally compliant?	No
Question 1b	
Do you consider that the Local Plan sound?	No
Question 1c	
Do you consider that the Local Plan complies with the Duty to Cooperate?	No
Question 2	
Do you consider that this part of the Local Plan is unsound because it is not: (tick all that apply)	<input type="checkbox"/> Effective <input type="checkbox"/> 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.

Darlington does not possess up-to-date, complete or robust local records to assess/evaluate the risks to vulnerable assets and their settings. Heritage protection officers do not have the ability to scrutinise or dismiss un-evidenced statements from devious developers who are prepared to undermine local character and distinctiveness or play down its significance for capital gain. Historic assets and their settings are an irreplaceable and diminishing cultural/environmental resource that should receive greater respect and understanding in Darlington. Harm - directly or indirectly if permitted against all Grade II assets and their settings can never be un-done. DBC officers/Council do not fully understand and adhere to the principles of heritage protection set out in National Policy and Historic England's expert guidance. Significant assets are being eroded and then dismissed without full records being in place for the benefit and education of future generations - cultural loss. Poor quality new designs that fail to respond to and protect/enhance significant features left standing in forcibly reduced/over-bearing settings is not sustainable development in NPPF terms.

Question 4

Changes Sought

Please Note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage. There is the opportunity to attach Word or PDF files before submitting your comment.

After this stage, further submissions will only be at the request of the Inspector, based on the matters and issues identified for examination.

Please set out what change(s) to the Local Plan you consider necessary to make it legally compliant or sound. You will need to say why this change will make the Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording for any policy or text.

Planning conditions to mitigate curtilage harm should not be discharged in the early stages of the planning process as the Historic-Environment Record may at that early stage be incomplete. Desk based researches and anecdotal information should be obtained from reliable independent sources. Recorders need to evidence their qualifications, interests and relevant experience. Public records (legal documents) should be factually accurate and worthy of public trust. Uncorroborated casual conversations and allegations should not be used. There must be substantial evidence from independent sources overseen by a qualified designated heritage protection officer before discharge of heritage protection (legal) conditions because a false allegation/inaccurate information is not only misleading the public interest but it may indirectly harm as a consequence of being corporately endorsed. Related assets are indirectly weakened forever if their protective settings are misunderstood, misrepresented, unjustly challenged, lost. (Public wasting of assets that can never be re-placed.)

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?

The Grade II listed building of which I am the guardian/owner (1393710) has had its original walled garden setting demolished and its historic/environmental significance demeaned due to false representations deposited in local records from a developer's agent being accepted and endorsed by DBC in supposed legal mitigation for the demolition (an original curtilage out-building to a pair of bespoke estate cottages and walls that compromised the economic viability of a back land housing development. Sufficient independent evidence to dismiss the inaccuracy of the developer's recording was available but was not allowed to be seen or heard through DBC. One piece of contradictory evidence (an independent survey and recording from a heritage charity - NEVAG) sits below the developer's recorder's statements as if it were a source for his research. The other evidence against the developer's recording is a number of archived committee minute records regarding the site's development history over time - which DBC and the developer's agent failed to explore and understand but both were presented to and accepted by the Durham Historic Environmental Recording Officer during the planning case in July 2016. The historic environment records (legal documents) do not support any part of his design.

One environmentally impacted and unjustly misrepresented Grade II cottage now has no supportive side or rear garden due to the unjust appropriation of its setting for an open street and service infrastructure that commenced 2017. It has not seen any environmental or historic asset mitigation (accurate descriptive recording or representation of place) from the developer or DBC.

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