

Comment

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Comment by	N/A Darlington Farmers Auction Mart N/A (1176262)
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Consultation Point	Policy E 3 Darlington Farmers Auction Mart Relocation (Strategic Policy) (View)
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Question 1a	
Do you consider that the Local Plan is Legally compliant?	Yes
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?	Yes
Question 2	

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

Darlington Farmers Auction Mart (DFAM) has been working with Darlington Borough Council (DBC) over many years to secure the delivery of a new regionally significant auction mart facility at Humbleton Farm, releasing the historic site close to Darlington Town Centre for alternative development uses. The new facility secures significant economic benefits for Darlington, being one of the largest auction mart facilities in the north of England and trading in livestock from the Scottish borders to Yorkshire and beyond.

Outline planning permission (LPA Ref: 08/01003/OUTE) was granted in March 2010 for the following description of development:

"Erection of an agricultural centre to include replacement livestock market and equine centre and ancillary uses"

The approved plans identify the location of the new mart building, surrounded by a series of additional building plots for associated uses within the boundaries of the allocation shown on the proposals map. Whilst the mart building is now on site, the outline planning permission has now time expired for the submission of further reserved matters, meaning any future applications will be considered in the context of the emerging Local Plan.

For the Humbleton site to realise its potential and become a regionally significant mart, it is essential that the facility is accompanied by appropriate uses commensurate with the regional significance of the mart. This aligns with the aims of the Local Plan to create 7,000 additional jobs and Aim 1 (e) to 'diversify the rural economy to support businesses and existing communities whilst also protecting the Borough's valued open countryside'.

Whilst DFAM support the principle of the allocation under Policy E3 in the Local Plan, as currently drafted the policy is not sufficiently flexible and places unnecessary restriction on the future ability of the mart site to serve the wider needs of the agriculture industry as part of a regionally significant location. To maximise the potential economic benefits to the Borough, it is essential the mart site can provide associated uses on site and compete with other similar facilities, such as those in Kendal and Aberdeen. In addition, whilst the use classes listed in policy E3 are symptomatic of the timing of publication, they do not reflect the most recent changes to the Use Class Order which came into effect on 1st September 2020.

Without changes to these aspects of the policy, it is neither 'justified' as it does not represent an appropriate strategy in consideration of 'reasonable alternatives' and is not 'effective' as it will not support the wider objectives of employment generation or the potential significance of the mart. As such it is not positively prepared or sound.

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.

Over the last three years DFAM has engaged in positive pre-application discussions with the Council around the mix of uses which would be appropriate at the Humbleton Farm site. This includes a range of uses which are related to the primary agricultural function of the facility, but is wider than the overly restrictive uses listed in draft policy E3.

Other uses which have been discussed and agreed to be suitable through pre-application discussions include the following (noting their designated use classes at the time of the discussion):

- . Veterinary practice (Use Class D1)
- . Agricultural merchants (Use Class A1)
- . Agricultural machinery dealerships (Use Class A1/Sui Generis)
- . Agricultural contractors (Sui Generis)
- . Petrol Filling Station

In order for the plan to remain sufficiently flexible and allow it to support the growth and significance of the mart, Paragraph 7.2.3 and Policy E3 must acknowledge the significance of the facility, the suitability of these additional uses, and also acknowledge that the list is not exhaustive, subject to consideration of alternative uses on a case by case basis.

In consideration of the above, we recommend the paragraph 7.2.3 and Policy E3 wording is updated as follows:

- . *“7.2.3 One of the key rural economic projects has been the relocation of the Darlington Farmers Auction Mart (DFAM) from the Town Centre to Humbleton Farm on the A68. This will deliver a regionally significant facility with have significant rural economic development impacts and outcomes that will benefit the Borough and surrounding areas of North Yorkshire, and County Durham, and beyond.”*

- . *“The Policies map shows the site where the Darlington Farmers Auction Mart is to be relocated and where ancillary and related uses for rural economic development, supporting the regional significance of the mart, will be allowed. Uses will fall primarily within Use Class E and Sui-Generis, including the following example operations:*

- . *Rural based retail*
- . *Small scale offices*
- . *Food and drink*
- . *Veterinary practice*
- . *Agricultural merchants*
- . *Agricultural machinery dealerships*
- . *Agricultural contractors*
- . *Petrol Filling Station*

The above uses do not represent an exhaustive list and alternative uses will be considered on their individual merits, aligned to their relationship with the primary purpose of the Humbleton site or based on other needs identified at the appropriate time.

1 *Use Class A1 – small scale retail (rural based);*

2 *Use Classes A2 / B1 – small scale office;*

3 *Use Class A3 – food and drink.*

- . *Other use classes would have to be defined and considered in the planning application process in relation to scale, dimension, rural impact and added value to the rural economy.”*

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?

In order to ensure the significant economic opportunities presented by the DFAM development are realised, aligned with the economic objectives of the plan.

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