

Comment

Agent	Mrs Jo Ellis (1246205)
Email Address	[REDACTED]
Company / Organisation	Blue Kayak
Address	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Consultee	Mrs Jo Ellis (1250913)
Email Address	[REDACTED]
Company / Organisation	Darlington Green Party
Address	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Event Name	Darlington Local Plan 2016-2036 (Regulation 19)
Comment by	Darlington Green Party (Mrs Jo Ellis - 1250913)
Comment ID	DBLPPS340
Response Date	17/09/20 12:20
Consultation Point	Local Plan Vision (View)
Status	Processed
Submission Type	Web
Version	0.3
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?	Yes

Question 2

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

- Positively prepared
- Effective
- 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.

While the Vision as it stands is in many ways innocuous, it fails to acknowledge the importance of environmental protection, both in terms of the local natural, built and historic environment, and in terms of the global climate. Indeed, it fails to mention climate change and the pressing need to reduce emissions and mitigate for or adapt to impacts, at all. It fails to put forward a positive vision of a lower-carbon society, simply proposing a future in which existing trends continue.

Question 4

Changes Sought

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We suggest the following alternative wording:

A New Green Vision for Darlington

'In 2036, Darlington Borough will have reduced inequalities and improved the health and social wellbeing of its population, while reconciling its economic needs with environmental sustainability. Its natural and historic environment will be enhanced, protected and celebrated. The high quality of life available in Darlington, with access to local education, work and leisure opportunities will make the Borough an attractive place for both residential and commercial investment. The Borough's need for housing, jobs and other development will be met by a new and improved, energy efficient and carbon neutral, built infrastructure, with ongoing access to open, bio-diverse, green spaces and community facilities. Together with sustainable national and regional connectivity, these characteristics will mean Darlington continues to thrive and be a great place to live, work and invest.'

Overarching Aims

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?

To fully explore and discuss our objections.

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

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Company / Organisation	Darlington Green Party
Address	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Event Name	Darlington Local Plan 2016-2036 (Regulation 19)
Comment by	Darlington Green Party (Mrs Jo Ellis - 1250913)
Comment ID	DBLPPS341
Response Date	17/09/20 12:22
Consultation Point	Overarching Aims (View)
Status	Processed
Submission Type	Web
Version	0.4
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?	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
. 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.

We do not object in principle to three of the Overarching Aims set out in Chapter 2 – although we would argue that they do not show sufficient recognition of the pressing need to reduce greenhouse gases and mitigate for or adapt to the impacts of climate change.

Deliver sustainable development to meet the Borough's needs through a cohesive plan which makes the best use of land and resources.

Protect and enhance the quality of Darlington's built, natural and historic environment, and to use it positively to create great places.

Contribute to the satisfaction, fulfilment, health and wellbeing of the population of the Borough.

However, we have significant concerns about the remaining Overarching Aim:

Deliver new development that is capable of facilitating local or strategic infrastructure.

This implies that the purpose of new development is to facilitate infrastructure. We do not, of course, object to the idea that new development should be supplied with the facilities and services that are needed for its residents, visitors and employees. Nor do we dispute the point that local authorities have a responsibility to identify requirements for strategic infrastructure – provided that that process considers the potential impact upon the local and global environment. However, we have concerns that a desire to generate development in order to fund infrastructure may, here as elsewhere, lead to an enthusiasm to permit development irrespective of its merits, and irrespective of its impact upon the local and global environment.

As we discuss elsewhere in our responses, we also have concerns about whether the policy contained within the plan is likely to deliver the Aims as described above. In particular, the Plan's greatly inflated housing requirement, and its allocation of large quantities of greenfield land for development, are contrary to the ideal of "making the best use of land and resources" and "protecting and enhancing the quality of Darlington's built, natural and historic environment".

Question 4

Changes Sought

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The item "deliver new development that is capable of facilitating local or strategic infrastructure" should be removed from the list of Overarching Aims.

We suggest the following alternative wording:

Deliver sustainable development to meet the Borough's needs and climate crisis objectives through a cohesive plan which makes the best use of land and resources.

Protect and enhance the quality of Darlington's built, natural and historic environment, reduce carbon emissions to zero and maintain and enhance biodiversity to ensure that the Borough is a great place to live and work.

Improve the existing infrastructure and deliver new development to ensure the economic, social and environmental sustainability of the Borough.

Work in harmony with the natural world while contributing to the satisfaction, fulfilment, health and wellbeing of the population of the Borough.

Question 5

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Question 5a

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To explore and discuss our reasons for objecting.

Question 6

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Event Name	Darlington Local Plan 2016-2036 (Regulation 19)
Comment by	Darlington Green Party (Mrs Jo Ellis - 1250913)
Comment ID	DBLPPS342
Response Date	17/09/20 13:23
Consultation Point	Specific Aims and Objectives (View)
Status	Processed
Submission Type	Web
Version	0.7
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?	Yes

Question 2

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Question 3a

Your Comments

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While the Objectives include mention of climate change mitigation, they do not give it the weight it deserves, given recent findings about the severity of climate change impacts at 2 degrees of warming, and local authorities' obligations under the Planning and Compulsory Purchase Act 2004, the Climate Change Act 2008, and the NPPF.

Objective 1, which aspires to "sustainable economic growth" fails to recognise the potential contradiction in that term. Permanent growth cannot be sustainable.

Objective 3 is too weak to meet government's ambitions for decarbonising the transport system, as set out in its consultation document, "Decarbonising Transport".ⁱ This document establishes the aspiration that "public transport and active travel will be the natural first choice for our daily activities. We will use our cars less and be able to rely on a convenient, cost-effective and coherent public transport network."

Objective 3a only requires new development to be "reasonably accessible by public transport, cycling and walking" Objective 3d states the intention "To improve the local highway network by managing our strategic highway demands", which implies a "predict and provide" approach to managing the highway network, prioritising (vehicular) demands over the cycle and pedestrian environment.

Objective 6 in particular understates the duties on local planning authorities in respect of carbon reduction, discussing carbon reduction in general, aspirational terms rather than in the concrete, objective terms required by national legislation and policy. Energy- and water-efficient design are to be "encouraged" rather than required; the impact of development location and design upon sustainable lifestyles, particularly with regard to transport, is not mentioned; and the carbon emissions associated with construction, both in terms of resource consumption and energy consumed in the construction process, are not mentioned either.

<https://tinyurl.com/y83pjaww> (Decarbonising Transport: Setting the Challenge)

Question 4

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The Plan should summarise the duties around carbon auditing and budgeting early and prominently within the plan, to set the context for the policies which follow. Objective 1 should recognise the potential conflict between growth and sustainability. It should determine the optimum population & economy size for the town, and deliver policies to make it a reality. Objective 3 should be rewritten to demonstrate

a change in approach with regard to transport planning; rather than primarily seeking to maintain capacity and minimise congestion it should seek to reduce emissions. Objective 6 should contain a commitment to reduce greenhouse gas emissions to zero by 2050. This commitment needs to influence all policies, and all policies should be assessed for compliance against this overarching objective.

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Question 6

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Document Change Required

No

Comment

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Company / Organisation	Darlington Green Party
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Event Name	Darlington Local Plan 2016-2036 (Regulation 19)
Comment by	Darlington Green Party (Mrs Jo Ellis - 1250913)
Comment ID	DBLPPS343
Response Date	17/09/20 12:25
Consultation Point	Policy SD 1 Presumption in Favour of Sustainable Development (Strategic Policy) (View)
Status	Processed
Submission Type	Web
Version	0.2
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? Yes

Question 2

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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.

We are pleased to see that the Plan expresses support for sustainable development; but we are sorry to see no discussion of what “sustainable” means in this context or of DBC’s legal requirements with regard to sustainability.

The legal framework for sustainability

The Planning and Compulsory Purchase Act 2004ⁱ, s.19 (1A) (as amended under the Planning Act 2008) states that “Development plan documents must (taken as a whole) include policies designed to secure that the development and use of land in the local planning authority’s area contribute to the mitigation of, and adaptation to, climate change.” It also states (s.39) that any person or body exercising any function over local development documents must do so “with the objective of contributing to the achievement of sustainable development.”

The Strategic Environmental Assessment Regulations (aka the Environmental Assessment of Plans and Programmes 2004) require an assessment of the environmental impacts of a Local Plan, and of its reasonable alternativesⁱⁱ. These requirements are met via sustainability appraisal – a process to “promote sustainable development by assessing the extent to which the emerging plan, when judged against reasonable alternatives, will help to achieve relevant environmental, economic and social objectives”ⁱⁱⁱ

This is backed up by the National Planning Policy Framework, which requires Local Plans to contain policies which “make sufficient provision for.. conservation and enhancement of the natural, built and historic environment, including landscapes and green infrastructure, and planning measures to address climate change mitigation and adaptation.” In section 148, it states, “Plans should take a proactive approach to mitigating and adapting to climate change, taking into account the long-term implications for flood risk, coastal change, water supply, biodiversity and landscapes, and the risk of overheating from rising temperatures.. in line with ..the Climate Change Act 2008”.

The Climate Change Act itself contains a commitment to reduce carbon emissions to zero by 2050 (the original Act established a target of 80% reduction against 1990 levels by 2050, but was amended in 2019).^{iv}

The National Adaptation Programme, “Making the country resilient to a changing climate (Defra, 2013) contains a requirement for “planning for the long term by reflecting climate risks and sustainable development in Local Plans.”

Darlington remains a signatory of the EU Covenant of Mayors for Climate & Energy, which, among other things, requires LAs to “ensure that the design and location of new development will minimise carbon emissions arising out of the development itself and from the ongoing use/occupation of the development” and requires LPs to

“provide a framework for encouraging, in appropriate locations, the development of commercial scale low carbon renewable energy developments.”

We agree with the interpretation given by TCPA and Client Earthy that LAs are required to carbon-audit their Local Plans and to seek an 100% reduction in carbon emissions by 2050, in order to comply with the above legislation and guidance. Local Plans must establish baseline emissions; robustly evaluate future emissions in a range of development scenarios, considering different emission sources; and adopt proactive strategies to mitigate carbon emissions. The evidence base should provide an overall carbon budget for the district to 2050, consistent with the updated Climate Change Act.

In our opinion, the plan is incompatible with relevant guidance, agreements and guidance, and therefore delivers unsustainable development, because:

it fails to specify a strict enough design code for buildings, hence not minimising carbon emissions arising from their construction and ongoing use or occupation.

It establishes patterns of development which will damage, rather than conserve, the natural environment through large incursions into the countryside, and fail to conserve the built and historic environment by diverting development away from regeneration areas.

It fails to adequately consider mitigation of and adaptation against the effects of climate change, such as heat, drought and flooding.

The low density and car dependent development to be delivered by the plan will **increase** the impact of transport, in terms of noise, air pollution, road traffic accidents and, above all, carbon emissions.

The low density and car dependent development to be delivered by the plan will **worsen** the living conditions of an ageing population

There is not sufficient robust policy to ensure that the proportion of renewable or low-carbon energy consumed in the Borough will increase as a result of the plan. It fails to identify any land for the development of commercial scale low carbon renewable energy developments.

In order to be sustainable, policies should aim to secure radical carbon reductions in line with a trajectory for the authority area that is consistent with the UK achieving full carbon neutrality by 2050. As far as possible, all new development should be zero carbon.

i <https://www.legislation.gov.uk/ukpga/2004/5/contents>

ii <https://ec.europa.eu/environment/eia/sea-legalcontext.htm>

iii <https://www.gov.uk/guidance/strategic-environmental-assessment-and-sustainability-appraisal>

iv <https://www.bbc.co.uk/news/science-environment-48596775>

v <https://www.rtpi.org.uk/media/1566/planningforclimatechangelawandpolicybriefing2019.pdf>

Question 4

Changes Sought

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The policy should state that development proposals must be robustly assessed to determine whether they are in line with the requirements of the relevant legislation and guidance. Proposals which do not accord with these requirements will not be permitted. In that case, this policy would conflict with policies elsewhere in the Plan allocating large areas of greenfield land for low-density housing development, failing to protect the natural, built and historic environment, planning for new roads, failing to provide a good active transport network, failing to identify land for renewable energy, and failing to establish

strong requirements for the environmental performance of buildings in construction and in use. These policies, therefore, should be amended or removed from the Plan.

Question 5

Attendance at Examination Hearings

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Question 5a

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To explore our reasons for objecting.

Question 6

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Address	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Event Name	Darlington Local Plan 2016-2036 (Regulation 19)
Comment by	Darlington Green Party (Mrs Jo Ellis - 1250913)
Comment ID	DBLPPS344
Response Date	17/09/20 12:26
Consultation Point	Policy SH 1 Settlement Hierarchy (Strategic Policy) (View)
Status	Processed
Submission Type	Web
Version	0.2
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? Yes

Question 2

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- . Positively prepared
- . Effective
- . Justified
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Question 3a

Your Comments

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We agree that new housing should be concentrated in and adjoining the urban area with a small amount in the service villages to meet local needs. However, we cannot find any assessment of local needs. The Plan does not calculate what the level should be other than to say “development should safeguard and reinforce the distinctive character of each settlement and not detract from their landscape setting.”

We dispute the classification of Middleton St George as a service village. It fails two of DBC “sustainability factors”; poor bus service (hourly service only til 6pm Mon-Sat, with no Sunday Service), and the GP Surgery has now relocated to the edge of the village, more than 1km from the centre, making it less accessible to many residents. The village is capable of village-centred small scale enterprises only. It is not a suitable location for large amounts of housing development; permitting this runs the risk of making it into a dormitory village.

In any case, the very large allocation of housing in Middleton St George – a total of 1244 dwellings, consisting of 697 committed dwellings, 216 completed since 2016 and 260 allocated on site 99, Maxgate Farm -, runs contrary to the Plan proposal that development in service villages should be “to meet local needs”. This is 36% of the objectively assessed need of 3,476 dwellings and even amounts to 7.4% of the vastly inflated Plan total of 16718; Middleton St George’s population at present is 4.1% of the Borough’s total.

There is no justification or explanation in the Plan for why this quantity of housing is needed in Middleton St George but not in other “service villages”.

The Plan does not make it clear whether Middleton One Row is to be considered to be part of Middleton St George, or a separate Rural Village.

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Stronger justification is needed for the classification of Middleton St George, Hurworth and Heighington as “Service Villages”.

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To explore our reasons for objecting to the proposals.

Question 6

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Event Name	Darlington Local Plan 2016-2036 (Regulation 19)
Comment by	Darlington Green Party (Mrs Jo Ellis - 1250913)
Comment ID	DBLPPS345
Response Date	17/09/20 13:28
Consultation Point	Policy DC 1 Sustainable Design Principles and Climate Change (Strategic Policy) (View)
Status	Processed
Submission Type	Web
Version	0.6
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? Yes

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Question 3a

Your Comments

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We are pleased to see that this policy recognises the link between design and the mitigation of climate change. However, as it stands it is not strong enough to mandate sustainable design. For example, it still includes no objective benchmark for case officers to target or any requirement for developments to predict carbon emissions from new development. Recent housing developments within the Borough have not included renewable energy measures such as solar panels and ground source heat pumps - despite the Committee on Climate Change's recommendation that installation of gas boilers in new builds should be ended by 2025. Without stronger policy requiring energy efficiency and renewable energy measures in new development, the risk is that developers will always claim it is too expensive. The policy is setting case officers up to fail, and the discussion of building regulations in paragraph 5.1.10 further undermines the intent of the policy. If the policy proposed is adopted as written, the likelihood is that new development will just comply with minimum standards in building regulations, with minimal changes to the layout and orientation of new development.

As we state above, development plan documents are required to seek sustainable development, the mitigation of and adaptation to climate change, and compliance with the net zero carbon emissions target set out in the Climate Change Act 2008 (as amended.) Local authorities have powers under the Planning and Energy Act 2008 to introduce energy performance standards beyond building regulations and requirements for on-site or locally-generated renewable or low-carbon energy generation. The Government has consulted on revisions to Part L of the Building Regulations which would ratchet up energy efficiency requirements ; however ,the response to the consultation from the majority of commentators was that this would not achieve carbon emission reductions at the rate required to meet our climate commitments. Therefore, we argue that in order to be in compliance with the law, the LP should include robust and measurable energy efficiency and renewable/ low carbon energy standards which would support the aspirations of the Climate Change Act.

We are pleased to see that the Darlington Design of New Development SPD is invoked in this policy, and to see that all new development will be required to follow it.

However, in order for its requirements to be given more weight, these should be translated into adopted Local Plan policy. This is particularly pertinent given that the SPD refers to the Code for Sustainable Homes, which was effectively abolished in 2015.

We are pleased to see that clause c supports energy efficiency improvements to heritage assets . However, the policy is worded too negatively, requiring that energy efficiency measures should not have any impact on significance.

We also note that the requirements of the SPD – including its demand for moderately high densities and a zoned approach to building design – are not compatible with the allocation of large amounts of development land in the open countryside. Firstly, the densities of the proposed developments are much lower than those required in the SPD. Secondly, they fall outside the zones as determined by the SPD, rendering at least some of its requirements inapplicable.

<https://tinyurl.com/y3pbg93y> (The Future Home standard 2019)

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Specific requirements on design and layout for sustainable settlements, energy efficiency and renewable energy provision, taken from the Design of New Development SPD, should be incorporated within the policy itself.

The Design of New Development SPD itself should be updated to reflect regulatory changes since its production.

Clause c should be reworded to give more weight to the benefits of energy efficiency in historic buildings.

Policy DC1 would benefit from being sub-divided into several different policies, covering different aspects of climate mitigation and adaptation in greater detail. Our experience suggests that it is not possible to cover these issues in sufficient depth through one policy alone. Sub-policies might include:

Zero carbon development – as in the London Plan, this might comprise energy performance / energy efficiency policy, minimum energy efficiency levels beyond building regulations, binding requirements for on-site renewable energy and payments into a carbon offset fund to achieve overall carbon neutrality.

Sustainable design – as in the Bristol Local Plan (under review) this might include resource efficiency in construction and use, forms of building that support active and public transport, green infrastructure in new development, and water efficiency

Climate Change Adaptation – to ensure that development is resilient to climate change impacts; there could also be a separate policy on overheating

The very large allocations of greenfield land, described elsewhere in the Plan, should be removed.

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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?

To discuss our reasons for the suggested changes.

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

Document Change Required

Yes

Action/Change to be made

Design SPD Update.

Comment

Agent	Mrs Jo Ellis (1246205)
Email Address	[REDACTED]
Company / Organisation	Blue Kayak
Address	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Consultee	Mrs Jo Ellis (1250913)
Email Address	[REDACTED]
Company / Organisation	Darlington Green Party
Address	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Event Name	Darlington Local Plan 2016-2036 (Regulation 19)
Comment by	Darlington Green Party (Mrs Jo Ellis - 1250913)
Comment ID	DBLPPS346
Response Date	17/09/20 12:29
Consultation Point	Policy DC 2 Flood Risk & Water Management (Strategic Policy) (View)
Status	Processed
Submission Type	Web
Version	0.2
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)

- . Positively prepared
- . Effective
- . 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.

We are aware that flood risk, both fluvial and surface water, is present across many areas of the Borough, including all of the major housing allocation sites. This is likely to increase in future years due to climate change; the very significant level of new greenfield development is also likely to have a detrimental effect on the ability of natural systems to deal with run-off.

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.

Allocations of housing land upon land significantly affected by fluvial or surface water flooding should not be retained.

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?

To discuss our rationale for objecting.

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

Agent	Mrs Jo Ellis (1246205)
Email Address	[REDACTED]
Company / Organisation	Blue Kayak
Address	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Consultee	Mrs Jo Ellis (1250913)
Email Address	[REDACTED]
Company / Organisation	Darlington Green Party
Address	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Event Name	Darlington Local Plan 2016-2036 (Regulation 19)
Comment by	Darlington Green Party (Mrs Jo Ellis - 1250913)
Comment ID	DBLPPS348
Response Date	17/09/20 13:30
Consultation Point	Policy DC 3 Health and Wellbeing (View)
Status	Processed
Submission Type	Web
Version	0.7
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?	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
. 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.

We are pleased to see that this policy acknowledges the inter-relationship between spatial planning and health and wellbeing. This relationship, which is particularly pertinent with regard to walking and active travel, decent homes, access to good-quality food, green infrastructure and open space, is specifically invoked in the NPPFⁱⁱ, which acknowledges the role of planning in “promoting healthy and safe communities”.

However, we do not believe that the policy as it stands goes far enough to ensure that the natural and built environment of Darlington supports the health and wellbeing of its citizens. We note that, although the “Healthy New Towns” programmeⁱⁱⁱ is invoked within the supporting text, its requirements are not replicated within the policy: it does not mention the sustainable transport hierarchy and the importance of road safety in making walking and cycling accessible to all; it does not discuss the health implications of green infrastructure within new and existing developments; it does not mention healthy food environments or discuss placemaking; and it only mentions social infrastructure in the context of the co-location of facilities.

There is a need to appreciate the health and wellbeing implications of removing or damaging green spaces. This will be the case within the Local Plan proposals in which Skertingham Community Woodlands will be lost to a private golf course.

We can also predict that development at the level planned/proposed will increase pollution by substantially increasing car journeys while limiting the opportunities/desire for safe, active travel as a result of the increased traffic numbers, especially at peak times. Pedestrians and cyclists will be discouraged and endangered by increased traffic levels.

<https://tinyurl.com/y9zv6fsg> (Spatial Planning for Health)

<https://tinyurl.com/y6jjhnu> (National Planning Policy Framework) <https://tinyurl.com/yygloc15>
(Healthy New Towns Darlington)

Question 4

Changes Sought

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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.

The large allocations of greenfield land for housing should be removed from the Plan.

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?

To discuss the rationale for our objections.

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

Document Change Required

No

Comment

Agent	Mrs Jo Ellis (1246205)
Email Address	[REDACTED]
Company / Organisation	Blue Kayak
Address	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Consultee	Mrs Jo Ellis (1250913)
Email Address	[REDACTED]
Company / Organisation	Darlington Green Party
Address	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Event Name	Darlington Local Plan 2016-2036 (Regulation 19)
Comment by	Darlington Green Party (Mrs Jo Ellis - 1250913)
Comment ID	DBLPPS349
Response Date	17/09/20 13:33
Consultation Point	Policy H 1 Housing Requirement (Strategic Policy) (View)
Status	Processed
Submission Type	Web
Version	0.11
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)

- Positively prepared
- Effective
- 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.

Following the standard methodology set out in governmental guidance, the total number of new dwellings required in Darlington in the period from 2016-2036 is 3,476 (predicted increase in households, 3,310; multiplied by an affordability adjustment figure of 1.0825).

The draft Local Plan proposes a very much greater figure of 9,840 dwellings over the Plan period, or 422 per annum. It then goes on to allocate land for several thousand more dwellings to be constructed outside the Plan period. When commitments and completions are taken into account, the total number of dwellings planned for 2016-2036 is 16718 dwellings – 13242 more than necessary.

The recent White Paper, "Planning for the Future" proposes much higher housing targets than are derived from the current standard method for housing delivery. But even the target derived by the White Paper methodology, at 253 dwellings per annum (or 5,060 over 20 years) is far below the target proposed in the Local Plan.

The revised housing target is taken from the 2017 Update to the SHMAⁱⁱ (henceforth, the ORS Update 2017). The use of a non-standard methodology requires some explanation; governmental guidanceⁱⁱⁱ states that, while the use of the standard method is not mandatory, "there is an expectation that the standard method will be used and that any other method will be used only in exceptional circumstances." We do not accept that exceptional circumstances exist in this case. Even the SHMA itself stated that on the whole market signals do not indicate any need for housing adjustment. Darlington does not have a housing shortage and the market currently reflects this in terms of availability and pricing. No exceptional circumstances therefore exist in terms of market signals which would justify the need to increase the housing.

In fact the sequence of events makes the ORS Update 2017 look less like an impartial piece of research than an attempt to justify previous findings. In November 2015, ORS produced a Strategic Housing Market Assessment (SHMA), which proposed a need for 1,160 dwellings over the 25-year period 2011-36, or 442 dwellings per annum. In September 2017, the Government published its standard methodology for calculating OAN, which should have rendered this calculation unnecessary. A month later, ORS produced the ORS Update 2017, which repeats many of the assertions within the SHMA and, like it, proposes an annual housing requirement far in excess of the OAN.

ORS employ a number of arguments to support their case that the Government's OAN is inadequate. We reject all of these arguments, which we list below.

a) Straightforward disbelief. ORS simply argue that the ONS's Mid-Year Estimates on which the housing projections are based, must be incorrect. They argue that, since the population grew at a rate of approximately 770 people p/a in between 2001 and 2011, it can't possibly be the case that it increased by only 60 people in between 2011 and 2016.

In fact the likely answers to this conundrum lie within the ORS Update 2017 itself. As they state, between 1991 and 2001 the population declined by 1,100 while in between 2001 and 2011 it increased by 7,700. However, as they admit, "the indications are that the 2001 Census under-estimated the number of households and population of Darlington. This would imply that using data trended between the official 2001 and 2011 Census figures would over-estimated (sic) the projected growth in population." (p.12)

Furthermore, the ONS projections for Darlington are far from aberrant in the region or nationally. The ONS predict that Darlington's population will increase by 1.84% in between 2014 and 2039. This puts it in between nearby Redcar and Cleveland, set to decline by 0.87% and Hartlepool, set to increase by 3.5. Those local authorities in the region where increases are expected – Stockton (9.83%) , Middlesbrough (7.66%) and County Durham (8.86%) – are all areas where the student population is expected to rise considerably over this period (most significantly in Middlesbrough where households of type “other” - that is, not families, couples or single people – are expected to rise by 39%). ORS themselves use Pendle as a comparator; the projected increase in Pendle is 1.67%.

b) Studious disregard for the obvious explanation. As ORS explain (p.14) the number of people moving into the town has been highly variable over recent decades. In the relatively prosperous first decade of the millennium in-migration levels were quite high, averaging 600 persons p/a (with the caveat, as discussed in the previous paragraph, that this may not be accurate). Numbers of migrants may have increased as a consequence of the EU expansion in 2004 and 2007, when citizens of Eastern European countries gained free movement. The number of in-migrants declined in 2007/8, the year of the credit crunch, and were strongly outnumbered by people leaving the town in the period 2011 – 2015. This is consistent with national findings showing significant declines in business activity in many less-prosperous local authorities, including all north-eastern local authorities. In this context, we would expect the balance of in- and out-migration to shift towards the latter.

Rather than admitting that economic forces may have affected migration – as they normally do – ORS conclude that “the migration data from 2011-12 in particular appears to be highly implausible, given the figures from previous years.” (p.14)

In fact, we might well expect economic growth, and migration, to decrease in coming years, given the dual effect of Brexit and Covid-19 upon trade, migration and the economy.

c) Selective use of data to indicate a misleading trend.

Having rejected the ONS's migration predictions, ORS establish three alternative migration scenarios. One is based on average migration rates over the two decades from 1991 to 2011. The second is based only on the period of high in-migration within that, from 2001 to 2011. The third is “based on changes to average household size”. The methodology for this third scenario isn't given, so it isn't possible to critique its validity. However, on the basis that the second (high in-migration) and third “household size” scenario arrive at similar figures, ORS conclude that the second is likely to be accurate.

All good researchers know that to select only part of a dataset and to use that as a basis for a trajectory is an invalid course of action. This is sometimes done inadvertently where only part of a dataset is available when the trajectory is calculated. In this case, the researchers select a part of a larger dataset that gives the impression of high, and sustained, levels of in-migration, while fully aware, firstly, that other parts of the dataset give the contrary result, and, secondly, that the whole dataset is highly variable so that consistency is the exception rather than the rule.

d) Treating an aspiration as a prediction.

ORS state that the Local Plan sets a target of 7,034 new jobs. “Given that this is an aspirational figure,” they state, “it does not directly impact upon the OAN for Darlington.” Some of the hoped-for extra jobs will already have been taken into account in the ONS-based figures as part of normal changes in the town, and therefore there should be no need to count them again. However, they do it anyway – stating that another 1400 dwellings, or 70 dwellings per annum, will be needed in connection with these hoped-for jobs.

It is possible to argue that this might be justified - although it would be a departure from the Government's methodology – if there were a robust indication that the aspirations behind the jobs target were supported by current proposals for economic development. However, the Local Plan's strategy for economic growth is, essentially, to allocate some more industrial land. Given that nearly 30% of Darlington's existing industrial land is vacant at present (173.48 ha of 607.25 ha) we do not agree with the suggestion that to allocate more land for industry will necessarily lead to a surge in employment. (Furthermore, we do not believe that the urbanisation of another 76.52 ha of greenfield land is justified in this context.)

Although the recent arrival of Amazon in the town has created new jobs, we do not view this as evidence of a general upsurge in job creation. Firstly, the jobs created by Amazon have only served to partially offset the many jobs lost in the past few years. Secondly, the rise of automation and robot technology – in which Amazon takes a constant interest – may well render many of their own jobs obsolete.

The predicted increase in jobs contradicts with the the economic projections Darlington purchased from Oxford Economics, which actually forecast negative growth for the period 2016-2036. The SHMA itself refers to the projected 7,000 jobs as aspirational and states that this figure includes full and part time workers.

e) Disregard for the inter-relationship between trends.

ORS state that the hoped-for 7034 new jobs would employ 6763 people – assuming that some might be part-time. They assume – given their already inflated population predictions – that over the Plan period there will be an additional 3482 people of working age.

However, given that at present 31.1% of workers resident in Darlington commute out of the town, they decrease this figure by 31.1% to 2399.

ORS acknowledge the potential for out-commuting to be matched by in-commuting. However, since they note that at present 35.3% of jobs in Darlington are filled by in-commuters, they assume that that proportion will remain constant – i.e. that no more than 35.3% of the 6763 “new” jobs will be filled by in-commuters – 2385 jobs.

Therefore, the total number of available “new” employees is 4785, leaving a shortfall of 1979 workers . There is a small decrease of 171 for formerly unemployed people, although ORS claim “Whilst it is possible that further jobs growth will also further reduce unemployment, we have not made any allowance for this and have assumed that unemployment does not fall from the level recorded in 2017.” Therefore, ORS claim that to accommodate the required 1808 workers, an additional 1400 dwellings will be needed.

Of course, all this is absolutely disingenuous. Should Darlington really see a very large increase in the number of jobs, we would expect to see reduced levels of out-commuting, increased levels of in-commuting, and reduced levels of unemployment.¹

f) Conflation of datasets.

ORS state that by the end of the Plan period, 772 extra people will be in residential institutions. They therefore argue that “household needs based on the household projections would be 657 dwellings higher if the additional bedspaces were not met.” Therefore, they suggest that 30 more dwellings per annum should be added to the total housing requirement and add “bedspaces in care homes would then be able to be counted towards the housing requirement. “

We do not accept that it is reasonable to conflate a requirement for institutional care (class C2) with a requirement for dwellings (class C3).

Firstly, because it constitutes double-counting. When older people move into an institution, many will have spouses, or other family members, who continue to live in the family home. The household projections will continue to count the remaining family members as a household; considering the person in an institution as another, separate household is a misrepresentation of the case.

Secondly, because it draws an unreasonable equivalence between two different things. The implication seems to be that if the additional bedspaces are not provided, older people in need of residential care may as well be accommodated in their own homes. This not only inflates the housing requirement unjustifiably, but shows a cavalier disregard for the needs of vulnerable older people.

g) Use of (apparently) unfounded estimates.

Two more additions are made to the total: an allowance of 16 dwellings p/a for “vacancy and second homes” and an allowance of 108 dwellings over the Plan period for “concealed households”. It is not made clear how these figures are calculated.

With regard to concealed households, ORS refer to their own 2015 SHMA, but both documents simply make the same assertion: “there has been a clear increase in concealed families over the period 2001-11, especially families aged 25-35..We have increased the growth in concealed households between 2001 and 2011 by a further 50% to reflect the potential growth until the start of the new plan period in 2016.”

We accept and support the need to provide decent and appropriate accommodation for all citizens, particularly those in greatest need. However, we do not accept that the vague assertions in the ORS Update 2017 constitute a robust calculation of the level of need. Furthermore, we do not believe that

DBC's approach to housing delivery is likely to provide accommodation suitable for, or accessible to, the most vulnerable families.

On a related point, it is not clear how local administrative data such as NHS patient registers, the amount of school children and those aged over 65 has been used to justify an addition to the housing requirement. The document implies that the estimate of growth has been revised on the basis of this data, but does not specify exactly how.

Specific issues in Service Villages

We have particular concerns with regard to table 6.1, which allocates specific housing need figures to the Service Villages. The methodology for determining these figures is not given, but they are larger than would be expected as an appropriate proportion of the Borough's total housing requirement: as we state above, an appropriate level for Middleton St George, with 4.1% of the Borough's population should be 1.4% of 3476, or 142 dwellings.³²

As well as this, the figures do not take account of existing commitments and recent completions. The LP lists 697 committed dwellings in the village; there have also been 216 completed in recent years. Together with another 260 dwellings allocated on site 99, Maxgate Farm, this makes a total of 1244 dwellings.

1 Indeed, these are all reasons why a local authority might wish to see an increase in jobs in the area. If DBC truly believe that – exceptionally – creating new jobs in the town will have no such impact, it rather begs the question of why job creation would be desirable.

2 MSG Parish Council's calculation in their recent Neighbourhood Plan documentation was 136 dwellings, but between 2019 and 2036.

3 <https://tinyurl.com/y5dywham> (How many homes? The New Standard Method)

4 <https://tinyurl.com/y3lfowfm> (Darlington Strategic Housing Market Assessment)

5 <https://tinyurl.com/y22wnwpc> (Housing & Economic Needs Assessment)

6 <https://tinyurl.com/y4e77u5y> (National Non Domestic Rates Collected by Councils in England)

Question 4

Changes Sought

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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.

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

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?

To present and discuss the rationale for our objections.

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

Document Change Required

Yes

Action/Change to be made

No document change - review and rebut detailed comments on OAN. May require assistance from ORS.

Comment

Agent	Mrs Jo Ellis (1246205)
Email Address	[REDACTED]
Company / Organisation	Blue Kayak
Address	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Consultee	Mrs Jo Ellis (1250913)
Email Address	[REDACTED]
Company / Organisation	Darlington Green Party
Address	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Event Name	Darlington Local Plan 2016-2036 (Regulation 19)
Comment by	Darlington Green Party (Mrs Jo Ellis - 1250913)
Comment ID	DBLPPS350
Response Date	17/09/20 13:36
Consultation Point	Policy H 2 Housing Allocations (Strategic Policy) (View)
Status	Processed
Submission Type	Web
Version	0.9
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)

- Positively prepared
- Effective
- 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.

As we state above, the Government's standard methodology yields a housing delivery target of 3,476 dwellings over the Plan period. Housing commitments at present, and completions since 2016, total 4974 dwellings.

We do not, therefore, concur that any further allocation of housing land is necessary to meet Darlington's needs. Indeed, the existing over-commitment of land for development runs the risk of encouraging low-density sprawl and discouraging the regeneration of the town centre. The vast quantity of new dwellings over the Plan period and beyond (including commitments and completions, 16718 dwellings – 13242 more than necessary) is not justified by any rigorous investigation of housing need.

If housing allocations were necessary, a rigorous process should have been followed to determine how much land was required, to assess the suitability for development of the available land, and to choose the best locations for development on the basis of that assessment. Notwithstanding the importance of good design, a well-designed development on an inappropriate site is still a failure of planning.

The Government's guidance on site allocations states that, when allocating sites, LAs should consider: physical limitations or problems such as access, infrastructure, ground conditions, flood risk, hazardous risks, pollution or contamination;

potential impacts including the effect upon landscapes including landscape features, nature and heritage conservation;

appropriateness and likely market attractiveness for the type of development proposed;

contribution to regeneration priority areas;

environmental/amenity impacts experienced by would be occupiers and neighbouring areas.

We would argue that this list is disgracefully weak in terms of environmental impact. Most importantly, it fails to consider the impact of site selection on non-site-specific environmental issues, in particular, climate change mitigation and adaptation, traffic and air pollution.

This consideration is covered – to some extent - in the National Planning Policy Framework (NPPF)ii which states that “The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.”

Rather than allocating sites with reference to the impact upon the national and global environment, however, Darlington's Local Plan simply appears to allocate everything that is available at present – and then some more. A rather cursory assessment of each of the housing sites put forward has been carried out. If the site is up for sale, if there are no reasons why development upon it might not be feasible – lack of sewerage, water or highways, high flood risk – and if there are no known “environmental constraints” upon it – i.e. protected species or archaeological sites – the site is deemed to be “suitable”.

We also have concerns about the statement in policy H1 that “At any point in the Local Plan period where there is no longer a demonstrable supply of sites to fully meet the five year land requirement, sustainable housing sites located beyond development limits..will be supported.” Given the very large allocations made in the Plan, it might seem unlikely that this would be the case; but the vastly overinflated housing figure in the Plan makes it likely that housing targets will not be met. In that case, if developers or landowners were to argue that one or more of the very large greenfield allocation sites were non-viable, this could lead to the permission of unsustainable development elsewhere.

Specific failures in the housing allocation methodology

a) Low-density development.

There is no standard figure for how many dwellings can be accommodated within a hectare of development land. The Government’s advice on HELAAs states, “The estimation of the development potential of each identified site should be guided by the existing or emerging plan policy including locally determined policies on density.” It does not specify what these densities should be.

Theoretically “ideal” densities vary wildly: Welwyn Garden City was built at 25 dwellings per hectare (dph) as a reaction against the overcrowding of the industrial slum, whereas Jane Jacobs, the great twentieth-century urbanist, argued that, in cities at least, 100 dwellings per acre - or 247 dph – would be too low .iii The current draft of the London Plan proposes a range of different densities for different settings and dwelling sizes, ranging from 35 dph to 405 dphiv.

While very high densities are not suitable in all settings, in general, higher densities help to minimise environmental impact. Firstly, higher densities limit the requirement for building land. Secondly, higher-density development has been shown to consume less energy in use. Thirdly, higher-density development limits the need to travel because destinations (such as schools and employment sites) are closer to people’s homes. Fourthly, it is easier to service higher-density development by public transport – and thus decrease the need for the private car – because a greater number of people live within walking distance of each bus stop. Transport fuel savings can be anything up to 30%.v It’s worth noting that the same applies to shops, restaurants and other businesses: where more people are gathered together, these businesses are more likely to survive.

The Draft Local Plan recognises these points, to some extent. It states:

“Proposals for housing development will be expected to have regard to the Council’s Design of New Development SPD (2011).. and should achieve an appropriate density; promoting the sustainable use of land for development .. Higher densities will be supported within areas with a particularly high level of public transport accessibility.”

The Design of New Development SPD itself is more specific. It states: “New housing development should provide for an average density of 30-50 dwellings per hectare... Higher densities are encouraged within and on the fringe of the town centre, near to strategic and local public transport hubs..., around district and local centres and along key public transport corridors.”

But this (still really rather low) density is barely ever seen in new development in Darlington. Higher-density development of 30-50 dwellings has been seen on some small sites found in the 5YPS, but in general larger sites are developed at much lower densities – the most significant example being West Park Garden Village, with 1200 dwellings on 79.32 ha – a density of 15.12 dph.

Recent approvals have continued this pattern, and the extremely large allocated sites of Greater Faverdale, Skerningham and Great Burdon have densities of 11.2, 9.1 and 14.1 dph respectively.

b) Disregard for demographics

The modest increase in households over the Plan period is predicted to be almost entirely due to an increase in smaller households. Life expectancy is increasing slightly, which means, firstly, that, all other things being equal, the total population will rise slightly (by about 1.5 % in between 2016 and 2036); secondly, that a greater proportion of households will be couples or single people whose children, if any, have left the parental home.

The number of families with dependent children over the Plan period is actually set to decline slightly (by 1.6% between 2014 and 2039).

Without specific guidance to the contrary, the very low-density development proposed for the site seems likely to consist of larger family houses, rather than housing suited to smaller households and older people. This might be justifiable if there were an existing imbalance in the housing market –

perhaps a shortage of family houses. But the statistics say otherwise. The vast majority (86.6%) of dwellings in Darlington at present are houses – 17.5% detached, 38.2% semi-detached, 30.8% terraced. The majority of all dwellings have 3 or more bedrooms. vi DBC is planning for a need that doesn't exist, and therefore ignoring a need that does.

c) Failure to consider existing environmental assets.

Since the site assessment entails no site investigations, there is no way of telling what habitats and species are found upon site. (We know from the Government's Priority Habitats Inventory that there are pockets of broadleaved woodland on the Skerningham site, and we know – as the HELAA admits – that there are great crested newt populations in the vicinity. Local nature photographers have also captured shots of red- and amber-listed species in the Skerningham area. But we simply do not have a comprehensive understanding of what habitats and species are likely to be lost if development goes ahead, and nor do DBC.

d) Failure to consider the impact of development upon flood risk to new and existing residents.

All of the large housing allocations include areas of surface or fluvial flood risk. Without careful engineering, an increase in development means an increase in surface water run-off, which has the potential to increase flood risk further downstream from a developed site - in this case, affecting Darlington town centre and riverside suburbs.

e) Failure to consider the availability of brownfield sites

No analysis seems to have been provided of the availability of brownfield sites or empty properties within the Borough. This is in contravention of the NPPF, which states, "Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in away that makes as much use as possible of previously- developed or 'brownfield' land."

f) Failure to consider the contribution of windfall sites

The LP makes no allowance for windfall sites – that is, non-allocated sites; these tend to provide a small but significant contribution to an area's total housing supply. For example, in County Durham ^{vii}, where the total housing requirement is 1,373 dwellings per annum, windfall sites supplied an average of 125 dwellings per annum in between 2011 and 2019 – meeting 9% or so of the total requirement. If this pattern were replicated in Darlington, we might expect to see 386 dwellings (9% of 3476) delivered on windfall sites over the Plan period, or 19 every year. In fact, recent windfall development has contributed rather more than that: permission was granted on 07/2/2020 for 46 dwellings at Darlington Road Sadberge, and, at the time of writing, 24 apartments are recommended for approval on 182 Northgate.

Consequences of over-allocation

DBC have allocated a number of very large greenfield sites for housing development, apparently without proper ecological or archaeological assessment.

This seems likely to have the following adverse effects:

Local environmental impact

This is a greedy use of the countryside, not only consuming it for unnecessary houses, but also doing so in a wantonly wasteful way. The proposed development involves the loss of, mainly good, agricultural land. As we discuss elsewhere in our submissions, there are concerns about the impact upon:

Landscape character: the proposals would entail urbanisation of large areas of countryside and cause the convergence of suburbs and villages which are currently separated by undeveloped land.

Habitats and biodiversity: the farmland around Darlington is known to contain broadleaved woodland and other habitats, inhabited by great crested newts and other red- and amber-listed species in the Skerningham area. The Black Poplars on the Skerningham site are examples of the most endangered timber tree in the UK.

Local recreational facilities: the countryside around Darlington, particularly Skerningham Community Woodlands, are highly valued, extensively used and easily reached by local residents for informal healthy recreation by walking, riding and cycling. The woodlands themselves were created in the early 2000s with the help of local schoolchildren and the late David Bellamy, and are the only publicly accessible community woodland to the north of Darlington.

CO2 emissions in construction

Development is a massive source of carbon emissions in itself. The construction of a masonry house entails the emission of about 52.5 tonnes of CO₂^{viii}. The carbon footprint of the additional dwellings is, therefore, some 860,738 tonnes of CO₂ – equivalent to the annual emissions, in total, of a small city of some 170,000 people (assuming that each person has a carbon footprint of 5 tonnes per annum). Depending on the land conditions prior to development, urbanisation may entail the removal of carbon-sequestering vegetation.

CO2 emissions in use

Low-density, car-oriented sprawl generates a particularly high amount of CO₂ in use, from heating, lighting and other domestic sources, and from the increased car journeys that its dispersed nature makes obligatory. Most of the sites in the LP are separated from facilities and services in the town by main roads, railways, natural features or blocking development, so that walking or cycling the relatively short distance to the town centre would in most cases be lengthy and unpleasant. Most have no provision for on-site facilities and services; the exceptions are the absolutely vast Skertingham and Greater Faverdale sites, each of which, theoretically, is supposed to contain a “neighbourhood centre” but both of which are too big for any single centre to be within walking distance of more than a small proportion of new residents.

Failure to cater for the needs of the population

The Local Plan states that development “will be expected to provide an appropriate mix of housing types, sizes and tenures which meet local needs”. But there is actually no indication that the housing allocations made in this Plan will meet local needs. Older people in smaller households require smaller dwellings, particularly if they have low incomes or mobility problems. Particularly for older people without access to a car (which includes 61% of single people over 65 in Darlington) there is a need for easy access to shops and recreational, social and health facilities.

Failure to support regeneration efforts in the town centre

The proposals are likely to undermine efforts to regenerate brownfield sites within the urban area; brownfield sites are more costly and complex to develop than greenfield sites and the ready availability of the latter means that there is little incentive to develop the former.

This could have a particular impact on some of the communities most in need of regeneration: Darlington contains some of the most deprived areas of the UK. Approximately a third of the population of Darlington live in the 20% most deprived areas in the country (32.3% of LSOAs), and these more deprived areas tend to be towards the town centre. Under the Plan’s proposals, these communities will be neglected in favour of building unnecessary housing on the very edge of town.

Impact upon health and wellbeing

The Local Plan will be a disaster in terms of the loss of green open space, which is important to health. Loss of public rights of way, fields and woodland reduce opportunities for recreation and exercise, which is essential to good health. It is particularly important that children have easy access to such amenities, as exercise is crucial to healthy development – lack of exercise, such as that which can be easily facilitated by open green space, can have life-long health impacts. Easy access to universally accessible green amenities benefits the health of communities.

Communities surrounding these superfluous developments are likely to have their access to amenities and open green space negatively impacted. Neglected communities, a failure to meet pressing regeneration needs in the Town Centre, failure to provide the right mix of housing and removal of open green space are all likely to contribute to the increasing prevalence of mental ill-health. Thriving, connected communities are necessary to promote wellbeing.

Over-development in Middleton St George

There are particular concerns with regard to allocations in Middleton St George, where, as well as 984 dwellings which have already been constructed or granted permission since 2016, the Local Plan allocates site 99, Maxgate Farm, for 260 dwellings. This is in the context of a settlement containing 4.1% of the Borough’s population, where an appropriate allocation of dwellings over the Plan period might be in the region of 142 dwellings, or 4.1 % of the total requirement of 3476 – as discussed in the village’s Draft Neighbourhood Plan, which recommended a minimum of 136 dwellings from 2019

to 2036, or 8 per year. (The population of Middleton St George at the 2011 census was 4,337; that of Darlington was 105,564.)

i <https://tinyurl.com/y8w7rg2f> (Housing & Economic Land Availability Assessment)

ii <https://tinyurl.com/y6jjhnu> (National Planning Policy Framework)

iii Hall, Peter (2002, 3rd ed.) *Cities of Tomorrow: an intellectual history of urban planning and design in the twentieth century*. Wiley Blackwell.

iv <https://tinyurl.com/n7yxdw3> (Optimising Housing Potential)

v Bongardt, Daniel; Creutzig, Felix; Huing, Hanna; Sakamoto, Ko; Bakker, Stefan; Gota, Sudhir; Bohler-Baedeker, Susanne (2013), *Low-carbon land transport policy handbook*. Earthscan, Oxon.

vi NOMIS (2019) Census data. Accessed via <https://www.nomisweb.co.uk/>

vii <https://tinyurl.com/y56256hr> (Five Year Housing Land Supply Position Statement)

viii <https://tinyurl.com/y2b26sqp> (Science for Environment Policy)

ix <https://tinyurl.com/y2mwm598> (WHO Urban Green Space & Health)

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.

There is no need for any further land to be allocated for housing in the Borough. New allocations of housing should be removed from the Plan. The Plan should acknowledge that enough housing has already been granted permission to meet the Borough's needs over the Plan period. It should acknowledge the likely contribution of windfall sites. Policy on development location should state that, should any of the already permitted developments not be built, development will be prioritised on brownfield sites, particularly those in the town centre fringe.

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?

To discuss the rationale for our objections

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

Document Change Required

No

Comment

Agent	Mrs Jo Ellis (1246205)
Email Address	[REDACTED]
Company / Organisation	Blue Kayak
Address	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Consultee	Mrs Jo Ellis (1250913)
Email Address	[REDACTED]
Company / Organisation	Darlington Green Party
Address	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Event Name	Darlington Local Plan 2016-2036 (Regulation 19)
Comment by	Darlington Green Party (Mrs Jo Ellis - 1250913)
Comment ID	DBLPPS351
Response Date	17/09/20 12:37
Consultation Point	Table 6.4 Housing Commitments (View)
Status	Processed
Submission Type	Web
Version	0.5
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 . Positively prepared
unsound because it is not: (tick all that apply) . Effective
. 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.

We concur that existing housing commitments should be taken into account in the calculation of housing need.

We note that the list of commitments does not include the proposal for 46 dwellings at the former reservoir in Sadberge which has recently been granted permission (ref. 19/00339/OUT).

More importantly, the figure for “commitments” does not include dwellings which have already been constructed within the Plan period and which, therefore, must count towards delivery against the established targets. The Government’s own figures (in the Housing Delivery Test) show that 1,303 dwellings were constructed in Darlington in 2016-17 – 2018/19.

We do not know how many dwellings were constructed in 2019/20. However, a comparison of the 5-year housing land supply document from February 2019 with the “commitments” figures in April 2020 provides an indicative figure. Sites where there are fewer dwellings left to be completed in 2020 than in 2019 indicate that the others have been completed in the interim. Sites where development had not commenced in 2019 and which are not listed as “commitments” in the 2020 LP may be ones on which permission has lapsed; therefore we only include such sites where we know they have been built out.

Using this methodology, we calculate that 509 dwellings were completed between February 2019 and April 2020.¹

Therefore, completions since 2016 equal at least 1,812.

Commitments (3,116+46) and completions (1,812) therefore total 4974 dwellings – 1,498 more than required under the standard methodology. Furthermore, there is no allowance made for windfall sites. Unusually, therefore, there is no need to allocate any more land for housing in Darlington. Indeed, should any of the permissions lapse, it would be good practice to resist further proposals for development on these sites, so as to avoid unnecessary urbanisation.

1(This may include some dwellings, built in February or March 2019, which are also listed in the Government’s figures for 2018/19; it may *exclude* some dwellings on sites like no. 17, St. George’s Way, where we do not know whether they have lapsed or been built out. In sum, this uncertainty bears witness to the opacity of the system.)

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.

The Plan should recognise the large quantity of dwellings which have already been completed within the Plan period, and should acknowledge that completions and commitments alone are sufficient to supply the needs of the Borough throughout the Plan period.

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?

To present and discuss the rationale for our objections.

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

Agent	Mrs Jo Ellis (1246205)
Email Address	[REDACTED]
Company / Organisation	Blue Kayak
Address	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Consultee	Mrs Jo Ellis (1250913)
Email Address	[REDACTED]
Company / Organisation	Darlington Green Party
Address	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Event Name	Darlington Local Plan 2016-2036 (Regulation 19)
Comment by	Darlington Green Party (Mrs Jo Ellis - 1250913)
Comment ID	DBLPPS352
Response Date	17/09/20 12:38
Consultation Point	Policy H 3 Development Limits (Strategic Policy) (View)
Status	Processed
Submission Type	Web
Version	0.5
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? Yes

Question 2

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

- . Positively prepared
- . Effective
- . 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.

While we support this policy in principle, its application is deeply flawed; it entails the extension of development limits into broad areas of the countryside, with consequent impacts for the environment and society.

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.

The Development Limits should be withdrawn to include within them existing developed land and committed sites only; no further allocations are necessary within the Plan period.

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?

To discuss the rationale for our objections

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

Agent	Mrs Jo Ellis (1246205)
Email Address	[REDACTED]
Company / Organisation	Blue Kayak
Address	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Consultee	Mrs Jo Ellis (1250913)
Email Address	[REDACTED]
Company / Organisation	Darlington Green Party
Address	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Event Name	Darlington Local Plan 2016-2036 (Regulation 19)
Comment by	Darlington Green Party (Mrs Jo Ellis - 1250913)
Comment ID	DBLPPS353
Response Date	17/09/20 12:39
Consultation Point	Policy H 5 Affordable Housing (Strategic Policy) (View)
Status	Processed
Submission Type	Web
Version	0.2
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) . 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.

We support this policy. However, we are concerned that the Local Plan's focus on obtaining developer contributions for infrastructure may undermine the supply of affordable housing over the Plan period. There is a need to ensure that the types of dwellings delivered, in terms of tenure, type and size, match the requirements of the current and future population.

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?

To present and discuss the rationale for our objections

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

Agent	Mrs Jo Ellis (1246205)
Email Address	[REDACTED]
Company / Organisation	Blue Kayak
Address	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Consultee	Mrs Jo Ellis (1250913)
Email Address	[REDACTED]
Company / Organisation	Darlington Green Party
Address	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Event Name	Darlington Local Plan 2016-2036 (Regulation 19)
Comment by	Darlington Green Party (Mrs Jo Ellis - 1250913)
Comment ID	DBLPPS354
Response Date	17/09/20 12:41
Consultation Point	Policy H 10 Skertingham - Strategic Site Allocation (Strategic Policy) (View)
Status	Processed
Submission Type	Web
Version	0.3
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)

- Positively prepared
- Effective
- 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.

As we discuss above, there is no justification for the greatly inflated housing need figure, and, given the large quantity of dwellings which have already been either completed or granted permission since 2016, no need to allocate any land for housing at all. There is therefore no justification whatsoever for the immense Skerningham Strategic Allocation.

The proposed allocation would:

represent a large unnecessary increase in development limits into the countryside.

irretrievably change the character and appearance of the land. Whinfield would

change from being a ward bounded by countryside to being a suburb, surrounded by large-scale housing development, with considerable loss of amenity for the residents.

mean the loss of community woodland and public access which are highly valued, extensively used and easily reached by local residents for informal healthy recreation by walking, riding and cycling.

entail the loss of wildlife, especially in Skerningham Woods

create a highly car-dependent, low-density suburb with few facilities and services, which would generate a large amount of car mileage and therefore undermine efforts to reduce greenhouse gas emissions

create a large increase in traffic upon already busy roads to the north of the town

Part of the current plan for the Skerningham site is the relocation of Darlington Golf Course into Skerningham Countryside Park. This woodland was created in the early 2000s with money from the Landfill Communities Fund and is the only publicly accessible community woodland to the north of Darlington. Currently it is estimated to contain 12,000 trees including some Black Poplars. These were grown from cuttings from rare Mature Black Poplars in the surrounding countryside with the help of the late David Bellamy and local school children. According to the Woodland Trust, "According to the Forestry Commission, black poplar is the most endangered native timber tree in Britain. In fact, there are so few wild black poplars left that it is unlikely they will pollinate each other. Instead, the large numbers of cultivated trees pollinate them resulting in no regeneration of true, wild black poplars."¹

The destruction of this woodland is totally contrary to the Plan's proposal to support community woodland. Indeed, it renders its aspiration to produce a net increase in community woodland completely unrealistic and unachievable during the life of the Plan. Destroying areas of long-established woodland and replacing it with a golf course, which is of benefit to only a small minority of the population, is just one example of the kind of loss to the community that would be inflicted by this plan. The woodlands proposed as a replacement would take decades to establish themselves.

We note that masterplans for the site include housing on only parts thereof. Even if the allocations were necessary to some extent, drawing the boundaries so that they include large areas beyond those determined for housing is a risky strategy: it makes it harder to resist planning applications for built development within the boundaries of the site, but upon areas which are reserved for green space within the masterplans.

We also have concerns about the lack of employment provision on site, considering the very large size of the development; it seems set to become a commuter development, or dormitory suburb, for up to 10,000 residents.

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. Thirdly it will put pressure upon local roads in and around Whinfield and the north of Darlington, and – as noted by Highways England in its response to the draft Local Plan in 2018 – will have an impact upon the Strategic Road Network of Policy H10.

The allocation also conflicts with policy ENV4 because of its significant impact upon the local landscape to the north of Darlington.

Further, its allocation, and the relocation of Darlington Golf Course within it, contradicts the “mitigation hierarchy” as established at paragraph 175 of the NPPF. This states that “if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.” This process cannot have been followed with regard to the allocation of the Skerningham site, since different options for development (including the option of not allocating any large site at all) do not seem to have been considered; and if the development as finally designed were to accord with that in the masterplan, it would also fail to accord with the mitigation hierarchy, since options other than destroying the woodland to make way for the golf course do not seem to have been suggested.

<https://www.woodlandtrust.org.uk/trees-woods-and-wildlife/british-trees/a-z-of-british-trees/black-poplar/>

Question 4

Changes Sought

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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.

The Skerningham allocation should be removed from the Plan.

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?

To present the rationale for objecting.

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

Agent	Mrs Jo Ellis (1246205)
Email Address	[REDACTED]
Company / Organisation	Blue Kayak
Address	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Consultee	Mrs Jo Ellis (1250913)
Email Address	[REDACTED]
Company / Organisation	Darlington Green Party
Address	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Event Name	Darlington Local Plan 2016-2036 (Regulation 19)
Comment by	Darlington Green Party (Mrs Jo Ellis - 1250913)
Comment ID	DBLPPS355
Response Date	17/09/20 12:42
Consultation Point	Policy H 11 Greater Faverdale - Strategic Site Allocation (Strategic Policy) (View)
Status	Processed
Submission Type	Web
Version	0.2
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)

- Positively prepared
- Effective
- 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.

As we discuss above, there is no justification for the greatly inflated housing need figure, and, given the large quantity of dwellings which have already been either completed or granted permission since 2016, no need to allocate any land for housing at all. There is therefore no justification whatsoever for the immense Skertingham Strategic Allocation.

The proposed allocation would:

represent a large unnecessary increase in development limits into the countryside.

irretrievably change the character and appearance of the land

entail the loss of wildlife

create a highly car-dependent, low-density suburb with few facilities and services, which would generate a large amount of car mileage and therefore undermine efforts to reduce greenhouse gas emissions

create a large increase in traffic upon already busy roads to the north of the town.

We note that in the 2001 Darlington Local Plan, land north of Faverdale was reserved specifically for large industrial users (the Faverdale Reserve Employment Site, Policy EP8). At the time, this site was considered to be one of only four sites in the whole of the North East capable of taking a very large single-use employment development – such as Hitachi at Newton Aycliffe or Nissan at Sunderland. Given the scarcity of this type of site, it is inappropriate for it to be allocated for housing, or non-specific employment use.

The allocation of the Faverdale 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. Thirdly it will put pressure upon local roads in and around the north of Darlington, and upon the Strategic Road Network of Policy H10.

The allocation also conflicts with policy ENV4 because of its significant impact upon the local landscape to the north of Darlington.

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.

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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.

The Faverdale allocation should be removed from the Plan, unless a specific need for a very large single-use employment site is identified; in that case, its use should be tightly restricted to prevent it being used for non-specific employment purposes.

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?

To present and discuss the rationale for our objections.

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

Agent	Mrs Jo Ellis (1246205)
Email Address	[REDACTED]
Company / Organisation	Blue Kayak
Address	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Consultee	Mrs Jo Ellis (1250913)
Email Address	[REDACTED]
Company / Organisation	Darlington Green Party
Address	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Event Name	Darlington Local Plan 2016-2036 (Regulation 19)
Comment by	Darlington Green Party (Mrs Jo Ellis - 1250913)
Comment ID	DBLPPS356
Response Date	17/09/20 12:44
Consultation Point	Policy E 2 Employment Allocations (Strategic Policy) (View)
Status	Processed
Submission Type	Web
Version	0.3
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)

- . Positively prepared
- . Effective
- . 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 nearly 30% of Darlington's existing industrial land is vacant at present (173.48 ha of 607.25 ha) we do not agree with the suggestion that to allocate more land for industry will necessarily lead to a surge in employment. We do not believe that the urbanisation of another 76.52 ha of greenfield land is justified in this context.

The policy may not be effective in limiting use of the site to only airport related uses only; it permits both B2 uses and "airport related uses". The land has a particular significance and it should not be used by businesses which do not requiring an airport location, and could be located on other employment areas.

Question 4

Changes Sought

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The need for employment land should be objectively assessed, taking into account independent predictions of employment growth in the area and the current level of vacancy. Employment land allocations should be revised accordingly. Land at the Airport should be reserved for airport-related uses only.

Question 5

Attendance at Examination Hearings

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Question 5a

Participation at Examination Hearings

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To present and discuss the rationale for our objections

Question 6

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Yes, I request to be notified

Comment

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Consultee	Mrs Jo Ellis (1250913)
Email Address	[REDACTED]
Company / Organisation	Darlington Green Party
Address	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Event Name	Darlington Local Plan 2016-2036 (Regulation 19)
Comment by	Darlington Green Party (Mrs Jo Ellis - 1250913)
Comment ID	DBLPPS357
Response Date	17/09/20 12:46
Consultation Point	Policy TC 4 District and Local Centres (View)
Status	Processed
Submission Type	Web
Version	0.2
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)

- Positively prepared
- Effective
- 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.

We note that only Cockerton and Mowden are listed as District and Local Centres. Although reference is made to the Policies Map, this Map does not make clear the names and boundaries of all Local Centres.

The policy does not recognise that a wider range of uses can be appropriate in District and Local Centres, such as pubs, primary schools, creches, surgeries, repair workshops, residential and care homes. The wider the range of uses, the stronger the centre and the more likelihood of the services flourishing.

The Plan should consider whether people are within easy walking distance of outlets that sell healthy, affordable food. Increased urban sprawl brings with it the attendant risk of creating 'food deserts' reliant on car travel and supermarkets.

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.

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All Local Centres should be listed in the Plan. The Policy should express support for a range of uses in Local Centres. The Plan should establish the principle that no resident within the urban area should live outside walking distance of outlets that sell healthy and affordable food.

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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To present and discuss the rationale for our objections.

Question 6

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Yes, I request to be notified

Comment

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Consultee	Mrs Jo Ellis (1250913)
Email Address	[REDACTED]
Company / Organisation	Darlington Green Party
Address	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Event Name	Darlington Local Plan 2016-2036 (Regulation 19)
Comment by	Darlington Green Party (Mrs Jo Ellis - 1250913)
Comment ID	DBLPPS358
Response Date	17/09/20 12:47
Consultation Point	Policy TC 5 Retail Impact Assessment Threshold (View)
Status	Processed
Submission Type	Web
Version	0.5
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 unsound because it is not: (tick all that apply) . Effective

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 should be clear that it applies not only to expanded businesses with "additional" floorspace, but to totally new developments.

Question 3b

Your Comments

As you have supported this part of the plan do you wish to provide any additional comments?

The policy should be clear that it applies not only to expanded businesses with "additional" floorspace, but to totally new developments.

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?

To present and discuss the rationale for our objections.

Comment

Agent	Mrs Jo Ellis (1246205)
Email Address	[REDACTED]
Company / Organisation	Blue Kayak
Address	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Consultee	Mrs Jo Ellis (1250913)
Email Address	[REDACTED]
Company / Organisation	Darlington Green Party
Address	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Event Name	Darlington Local Plan 2016-2036 (Regulation 19)
Comment by	Darlington Green Party (Mrs Jo Ellis - 1250913)
Comment ID	DBLPPS359
Response Date	17/09/20 12:48
Consultation Point	Policy TC 6 Darlington - Town Centre Fringe (View)
Status	Processed
Submission Type	Web
Version	0.4
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 . 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.

There is one extremely significant omission from the list of housing sites: the Town Centre Fringe. This site – identified in the Plan itself as “over 70ha of land, buildings and roads, much of which is underused” should be the Plan’s absolute priority. It has the potential to bring more residents into the town centre and thus support existing and new businesses. A regenerated Town Centre Fringe, as the Plan identifies, could be a sustainable mixed-use community with housing, retail, leisure and other employment uses provided close to one another, minimising the need to travel for new and existing residents, and helping to develop a network of safe cycling and walking routes. (Addressing car dominance as part of an overall strategy could contribute towards this process by enabling the re-use of the large areas of car-parking around the town centre, which, in themselves, are currently economically and socially inactive, as well as being visually unappealing.)

But brownfield sites are more complex and costly to develop than greenfield sites and developers naturally prefer to develop the latter. In the context of a Plan like Darlington’s, where there is an absolute superfluity of pristine, flat, greenfield sites, it seems relatively unlikely that any developer would choose to invest in the Town Centre Fringe. It looks set to remain as it is – a smaller version of the well-known “doughnut of deprivation” phenomenon found in many of our cities, where investment is focused either on the centre or on newer suburbs on the outskirts. In this case, however, where, as in many smaller provincial towns, the town centre is struggling, there is a need for intervention to bring more residents within walking distance of the centre, support new local businesses and regenerate run-down areas. A lack of investment in the Town Centre Fringe looks set to undermine the Town Centre itself.

We understand that sites in the Town Centre have not been allocated due to concerns about their viability for development. However, since 2018, there have been a number of new permissions granted for town centre, brownfield development; and further sites have been identified as suitable for development by local housebuilders. The assertion that they are not viable enough to be included in the Plan seems to be extremely badly evidenced.

Further, the Plan lacks concrete proposals for addressing the economic weakness of the Town Centre Fringe. There is no thought given to the trend towards closure of retail outlets, which may necessitate a move towards mixed use regeneration. The Commercial Street/ Kendrew Street car park site is put forward for redevelopment for retail, which in the current economic climate seems highly unlikely.

Living in a neglected community in economic decline, possibly in substandard housing, has a negative impact on health, as a wide range of research shows. An unequal town is an unhealthy town – for everybody; inequality is recognized by world-leading experts as a cause in itself of ill health.ⁱ Employment, conversely, is a major determinant of healthⁱⁱ. Thriving, connected communities are necessary for good health. ⁱⁱⁱ

In addition, if the Town Centre becomes a less attractive place to visit, car-dependent residents living in the new developments to the north and north-east of Darlington are likely to drive to other urban centres, precipitating further social and economic decline in the Town Centre.

While we agree that the Local Plan should stimulate economic development, the evidence to suggest that it will actually do so is weak. More coherent and active policies are needed to regenerate this most important area of the Borough.

i <https://www.bloomsbury.com/us/the-spirit-level-9781608191703/>

ii <https://www.gov.uk/government/publications/health-profile-for-england/chapter-6-social-determinants-of-health>

iii <http://www.instituteofhealthequity.org/resources-reports/fair-society-healthy-lives-the-marmot-review>

Question 4

Changes Sought

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The Local Plan's strategy needs to be turned on its head. Rather than allocating large areas for development on the outskirts of the town, it should establish a "town centre first" approach, not only to retail development, but to all reasonable kinds of housing, employment and recreational development.

Question 5

Attendance at Examination Hearings

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Question 5a

Participation at Examination Hearings

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To discuss the rationale for our objections.

Question 6

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Comment

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Company / Organisation	Blue Kayak
Address	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Consultee	Mrs Jo Ellis (1250913)
Email Address	[REDACTED]
Company / Organisation	Darlington Green Party
Address	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Event Name	Darlington Local Plan 2016-2036 (Regulation 19)
Comment by	Darlington Green Party (Mrs Jo Ellis - 1250913)
Comment ID	DBLPPS360
Response Date	17/09/20 12:50
Consultation Point	Policy ENV 1 Protecting, Enhancing and Promoting Darlington's Historic Environment (Strategic Policy) (View)
Status	Processed
Submission Type	Web
Version	0.2
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? Yes

Question 2

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

- . Positively prepared
- . Effective
- . 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 failure to provide a local list of non-designated heritage assets - "something which the Borough Council are working towards" undermines its ability to protect its heritage. This is relevant to the protection of all buildings, landscapes or spaces which are of high heritage value but which are not listed or registered by Historic England.

Appendix C argues that in the absence of a Local List, a "criteria based approach" is a reasonable alternative; it states that criteria such as rarity and architectural interest will be used to identify heritage assets "through the development management process (including pre-applications), through plan making (including neighbourhood plans), the production of Conservation Area Character Appraisals and Management Plans, and other Council activities." It is not clear from this paragraph whether the goal of this approach is to establish a list of heritage assets, or to make ad hoc decisions about the preservation or otherwise of assets at risk from development. If the former, the process is piecemeal and lacks rigour, and in any case should have been completed prior to the establishment of the Plan. If the latter, it is not clear what level of rarity, interest, etc., will be required to secure an asset's preservation. There is no way of finding out which historic assets have been identified so far and determining which have been deemed unworthy of protection. We suggest that, without a Local List which has been consulted upon, protection for non-listed heritage assets is weak.

One site which is particularly at risk is the historic parkland at Blackwell. This was one of seven "parks and gardens of landscape or historic interest" listed in the 2001 Local Plan. (namely: South Park, North Lodge Park, Blackwell Grange, Rockliffe Park, Middleton Hall, Walworth Castle and Redworth Hall.) This Plan stated (policy E9) that development affecting these sites "will not be permitted where it detracts from their character or appearance or prejudices either the survival or reinstatement of historic features, including designed plantations." Blackwell Grange and its grounds were also noted for their historic value in an Archaeological Survey and report of 2012.

Despite this, the Local Plan draft of 2018 allocated a portion of the Blackwell Grange parkland for 43 dwellings (site 9). This allocation was hotly contested and does not feature in the current Plan. However, permission has already been granted for 59 dwellings on another former parkland to the west of this site (listed in the Plan as site 10, Blackwell Grange West; actually the former grounds of Blackwell Hall).

We note that the historic parklands mentioned above are also listed in policy ENV3 of the LP, which states that "character and local distinctiveness" will be protected by "retaining and improving the special landscape, heritage and ecological qualities" of the listed parks. However, this policy does not actually make this a condition of development which might affect these sites.

Without specific protection in the Plan, it will be harder for DBC to resist subsequent applications for development upon the remainder of the Blackwell Grange parkland and its future remains at risk.

Policy ENV1 is narrow in scope. It does not mention trees, with or without Tree Protection Orders – thus excluding the rare and mature Black Poplars at Skerningham - landscapes, or parks and green spaces. It also fails to consider heritage assets which may be discovered in future and makes no provision for archaeological investigation of sites not known to contain heritage assets.

Question 4

Changes Sought

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Darlington Borough Council should produce a Local List of non-designated heritage assets and produce a policy seeking to protect items upon it.

On a small point of wording, the policy should refer to "proposals affecting one or more heritage assets" rather than "a heritage asset".

Question 5

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Question 5a

Participation at Examination Hearings

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To discuss the reasons for our objections.

Comment

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Consultee	Mrs Jo Ellis (1250913)
Email Address	[REDACTED]
Company / Organisation	Darlington Green Party
Address	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Event Name	Darlington Local Plan 2016-2036 (Regulation 19)
Comment by	Darlington Green Party (Mrs Jo Ellis - 1250913)
Comment ID	DBLP361
Response Date	17/09/20 12:52
Consultation Point	Policy ENV 2 Stockton and Darlington Railway (S&DR) (Strategic Policy) (View)
Status	Processed
Submission Type	Web
Version	0.3
Question 1a	
Do you consider that the Local Plan is Legally compliant?	Yes
Question 1b	
Do you consider that the Local Plan sound?	Yes
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 unsound because it is not: (tick all that apply)

Question 3b

Your Comments

As you have supported this part of the plan do you wish to provide any additional comments?

We are pleased to see the recognition of this important artefact.

There is an active plan, involving Middleton St George Parish Council and other communities along the path of the Stockton and Darlington Railway, to create a long distance walkway following the path of the railway and it will become a visitor attraction, with Middleton St George being a key point.

Question 4

Changes Sought

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As well as committing to preserving the railway, the Plan should commit to preserving the new walkway and the Nature Reserve along its route.

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

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Email Address	[REDACTED]
Company / Organisation	Darlington Green Party
Address	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Event Name	Darlington Local Plan 2016-2036 (Regulation 19)
Comment by	Darlington Green Party (Mrs Jo Ellis - 1250913)
Comment ID	DBLPPS362
Response Date	17/09/20 12:53
Consultation Point	Policy ENV 3 Local Landscape Character (Strategic Policy) (View)
Status	Processed
Submission Type	Web
Version	0.2
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)

- . Positively prepared
- . Effective
- . 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.

We agree that valued landscapes should be protected and enhanced, and support the statement in 9.3.9 that “the rural landscape is characterised by mostly open, arable farmland with a mix of unique landforms, including ditches and cuts, village greens and in places traditional field patterns, hedgerows and wetlands. All help distinguish the rural area from the rest of the Borough, and so will be protected through this policy.” However, the allocation of very large greenfield sites for housing runs contrary to this aspiration.

It also runs 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, Springfield, 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. In this respect, the policy is weak; this is relevant, considering the recent incursions, or planned incursions, upon parkland at Blackwell Grange.

The definition of valued townscape could be made more specific; the morphology of a historic market town set in agricultural land with its satellite villages, and the assets that result from the town’s history, such as retail shops with family accommodation above, Quaker historic buildings, and the horse stable in Blackhouse Yard.

Question 4

Changes Sought

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The policy should state that development will be refused which does not support the retention and improvement of landscape quality . The policy should commit to preserving the rural gaps between existing settlements, especially those between Middleton St George and Middleton One Row, Middleton St George and Oak Tree, Hurworth on Tees and Hurworth Place, and between Darlington and the villages of Whinfield, Springfield, Harrowgate Hill, Beaumont Hill, Great Burdon, Barmpton and Low Coniscliffe.”

Question 5

Attendance at Examination Hearings

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Question 5a

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Company / Organisation	Darlington Green Party
Address	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Event Name	Darlington Local Plan 2016-2036 (Regulation 19)
Comment by	Darlington Green Party (Mrs Jo Ellis - 1250913)
Comment ID	DBLPPS363
Response Date	17/09/20 12:55
Consultation Point	Policy ENV 4 Green and Blue Infrastructure (Strategic Policy) (View)
Status	Processed
Submission Type	Web
Version	0.3
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? Yes

Question 2

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- . Effective
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- . 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.

We agree that green spaces and green infrastructure in and around settlements should be preserved and enhanced.

Policy ENV4 states that planning permission should be refused for development that results in a loss of existing green space unless it can be proved that the loss of the space would not cause significant harm to the character and appearance of the area or to local biodiversity, and there is a surplus of green space of that type in the area. This is at odds with the development of the Skerningham Strategic Allocation, which would entail the loss of the Skerningham Community Woodland. This is listed as part of the GI Network in Darlington's Green Infrastructure Strategy 2013 – 2026, which includes (p.17) a detailed plan of how it is expected to be improved, ie, extending the woodland, creating wildlife friendly landscape, extending the rights of way and improving the visitor experience. It is also shown as a Designated Wildlife Area in the Map within the Local Plan (Figure 9.1)

Its loss will not only cause a loss of biodiversity, but will also deeply affect the recreational needs of residents in the area. The woodland is well-used, and has been particularly valued during the pandemic. Its replacement with a golf course will mean that an asset open to all will be replaced by one which is only available to a small number of residents. As we state above, the loss of green space will have a significant impact upon physical and mental wellbeing.

We note that the Plan barely mentions the allocation of land for allotments and community growing schemes, which can have a positive impact on health by increasing opportunities for exercise, community organisation and sustainable food production.

The statement that “where these requirements cannot be delivered a ..viability assessment should be submitted to show why” signposts developers towards a way of avoiding the expense of complying with requirements.

Question 4

Changes Sought

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The Skerningham Strategic Allocation should be removed from the Plan. The policy should be made more stringent to make it clear that green infrastructure requirements will generally be a condition of development; it should specify, tightly, the “exceptional cases” in which this may not apply.

The policy should specifically mention the provision of land for allotments and food growing schemes. It should also reference the key role of green and blue infrastructure in ameliorating and adapting to the impacts of climate change.

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?

To discuss the rationale for our comments.

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

Agent	Mrs Jo Ellis (1246205)
Email Address	[REDACTED]
Company / Organisation	Blue Kayak
Address	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Consultee	Mrs Jo Ellis (1250913)
Email Address	[REDACTED]
Company / Organisation	Darlington Green Party
Address	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Event Name	Darlington Local Plan 2016-2036 (Regulation 19)
Comment by	Darlington Green Party (Mrs Jo Ellis - 1250913)
Comment ID	DBLPPS364
Response Date	17/09/20 12:56
Consultation Point	Policy ENV 6 Local Green Space (View)
Status	Processed
Submission Type	Web
Version	0.2
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?	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
. 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.

We are sorry to see that Skerningham Community Woodland is not listed as a Local Green Space. This area would appear to clearly meet the criteria for LGS designation. In fact, Merrybent Community Woodland, which was planted at around the same time, and is actually the smaller of the two, is listed as a LGS while Skerningham is not. The implication is that Skerningham Community Woodland has been rejected as a LGS because of the Skerningham Strategic Allocation masterplan which has to take precedence is not good enough. This is planning in the wrong order: LGSs should be defined on their merits, and then the planning of development should adapt to what is already there.

Blackwell Grange Parkland should also be listed as a Local Green Space. Designation as such would add status and protection to the heritage assets of the historic curtilage, the Grade II listed Grange and the naturalistic parkland, gardens and landscape laid out in the style of Capability Brown. This year, 2020, sees the 200th anniversary of the Georgian Pleasure Park, which appeared for the first time on Greenwood's Map of 1820. This is particularly pertinent given that part of the site – Site 9 - was allocated for housing in the 2018 Plan; a historic avenue of trees that leads from this site has already been damaged by development on an adjacent site where 200 trees and other habitats were lost. Without strong policies to protect it from development, this parkland remains at risk.

We are pleased to see that Springfield Park, an Asset of Community Value and the only park in this part of Darlington, has been removed from the Skerningham Allocation in the 2020 version of the Plan and is to be designated as a Local Green Space (LGS02). However, the Skerningham allocation makes it vulnerable to development and damage from access roads.

Question 4

Changes Sought

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Blackwell Grange Parkland and Skerningham Community Woodland should be listed as Local Green Spaces.

Question 5

Attendance at Examination Hearings

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Question 5a

Participation at Examination Hearings

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To discuss the rationale for our comments.

Question 6

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Comment

Agent	Mrs Jo Ellis (1246205)
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Company / Organisation	Blue Kayak
Address	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Consultee	Mrs Jo Ellis (1250913)
Email Address	[REDACTED]
Company / Organisation	Darlington Green Party
Address	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Event Name	Darlington Local Plan 2016-2036 (Regulation 19)
Comment by	Darlington Green Party (Mrs Jo Ellis - 1250913)
Comment ID	DBLPPS365
Response Date	17/09/20 12:57
Consultation Point	Policy ENV 7 Biodiversity and Geodiversity and Development (Strategic Policy) (View)
Status	Processed
Submission Type	Web
Version	0.2
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)

- Positively prepared
- Effective
- 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.

We are pleased to see this policy's commitment to preserving sites of biodiversity and geodiversity interest, and its statement that development will be refused if significant adverse effects to geodiversity and biodiversity cannot be avoided, mitigated or, as a last resort, compensated for.

However, this is contradicted by policies H2, H10, and H11, which allocate large areas of greenfield land for development, including community woodlands, areas known to contain protected species, and areas whose biodiversity and geodiversity has not been properly assessed. Loss of biodiversity and habitats is inevitable when building on these sites.

We welcome the proposed designation of new nature reserves and would welcome a date for their completion. However, we have concerns about the boundaries of the Maidendale site, which does not include the most species-rich areas of the original site. We also comment that certain species-rich sites have been developed in recent years, including the parkland at Blackwell Grange West.

Loss of natural habitats and biodiversity is also a recognized threat to the health of populations. For example, the food chain depends on a wide variety of pollinators, such as bees. The destruction of natural habitats and biodiversity inherent in this plan is inimical to food security and good health.

As well as being undermined by the allocation of large greenfield sites for housing, policy ENV 7 as it stands is not stringent enough.

Firstly, it retains the possibility that a development which has significant adverse effects upon biodiversity or geodiversity may yet be permitted, provided the damage can be mitigated or compensated for. Secondly, it does not require new developments to incorporate biodiversity within them. Thirdly, it does not mention net biodiversity or climate change. This is despite the fact that "net gain" for biodiversity is likely to become mandatory via the Environment Bill 2020, currently making its way through the legislative process.ⁱ It also fails to mention the Government's biodiversity calculator, otherwise known as the "Defra metric" where biodiversity net gain is calculated by deducting "pre-development biodiversity value" from the estimated "post-development biodiversity value". This has been used elsewhere in the country to create developments with a genuinely positive outcome for biodiversity.ⁱⁱ

We are concerned about the fact that SSSIs do not appear on the Proposals Map.

ⁱ<https://www.gov.uk/government/publications/environment-bill-2020>

ⁱⁱ<https://cieem.net/wp-content/uploads/2019/02/C776b-Case-studies.pdf>

Question 4

Changes Sought

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The policy must be amended to make it clear that all new developments should provide a net gain for biodiversity. It should be clear that some adverse impacts upon biodiversity and geodiversity are so great that they cannot be mitigated or compensated for, and that, in these cases, development proposals will be refused. Policy H2 should be amended to remove large greenfield housing allocations, particularly Skerningham and Faverdale. SSSIs should be mapped on the Proposals Map.

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?

To discuss the rationale for our comments.

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

Agent	Mrs Jo Ellis (1246205)
Email Address	[REDACTED]
Company / Organisation	Blue Kayak
Address	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Consultee	Mrs Jo Ellis (1250913)
Email Address	[REDACTED]
Company / Organisation	Darlington Green Party
Address	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Event Name	Darlington Local Plan 2016-2036 (Regulation 19)
Comment by	Darlington Green Party (Mrs Jo Ellis - 1250913)
Comment ID	DBLPPS367
Response Date	17/09/20 13:01
Consultation Point	Policy ENV 8 Assessing a Development's Impact on Biodiversity (View)
Status	Processed
Submission Type	Web
Version	0.2
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? Yes

Question 2

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

- . Positively prepared
- . Effective
- . 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.

We support the establishment of a process for determining the impact of development upon biodiversity. However, we have concerns about the process for mitigation and compensation of development impacts; it implies that a development which may have permanent and significant effects upon biodiversity may yet be permitted, so long as some compensatory measures can be implemented elsewhere. We need to find a way where nature does not come last. Moving species to a different location is not acceptable; many vulnerable species are dependent upon specific conditions that cannot easily be replicated on another site.

Question 4

Changes Sought

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The policy should not accept compensatory measures in recompense for unacceptable impacts upon biodiversity.

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?

To discuss the rationale for our comments.

Question 6

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Yes, I request to be notified

Comment

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Company / Organisation	Darlington Green Party
Address	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Event Name	Darlington Local Plan 2016-2036 (Regulation 19)
Comment by	Darlington Green Party (Mrs Jo Ellis - 1250913)
Comment ID	DBLPPS368
Response Date	17/09/20 14:02
Consultation Point	Policy IN 1 Delivering a Sustainable Transport Network (Strategic Policy) (View)
Status	Processed
Submission Type	Web
Version	0.14
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)

- Positively prepared
- Effective
- 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.

Active and sustainable transport

We support the Policy's assertion that it seeks to increase use of sustainable modes. However, its wording is weak. Rather than setting specific targets or actions, it only has general objectives for a "more" efficiency transport system with "greater" use of sustainable transport modes and "less" reliance single occupancy vehicle journeys. We know from work done elsewhere that the level of modal shift required to achieve net zero carbon emissions is significant; in Bristol, "a nearly 50% reduction in car miles and 40% reduction in van and lorry miles travelled in the city is necessary, returning them to levels seen in the mid 1980s. This would be driven by a significant effort to shift travel to public transport, cycling, walking (to a modal split more like Amsterdam) and to reduce demand for vehicle use through behaviour and system change, including freight consolidation and use of cargo and e-bikes, car-clubs and 'mobility as a service' initiatives."i. Strong and specific policies are needed to make this happen.

The policy as it stands, with regard to cycling, fails to take account of the fact that in order to support modal shift from driving to cycling, local authorities must provide a comprehensive network of safe and direct cycle routes which are not shared either with motorised vehicles or with pedestriansii. The cities with the highest cycling levels, and those that have successfully grown cycling levels over relatively short periods, generally afford cycling good physical protection or effective spatial separation from motor traffic, unless traffic speeds and volumes are low.iii

This policy fails to mandate this in Darlington; the only specific project mentioned is the creation of 2.6 km of cycleway along the A167. This is despite the fact that it is a small town on relatively flat terrain in which perhaps most journeys could potentially be made by bicycle.1 There are no concrete proposals for strategic improvements to cycling infrastructure, in contrast with the 7 specific proposals for new roads, and no commitment to or proposals for safe, segregated cycle lanes. Darlington's Healthy New Towns plan states that planning **must** prioritise walking and cycling over all other forms of transport. The Local Plan very clearly does not do this.

This failure is demonstrated again in clause b of the policy which argues that cycling and walking can be fostered by supporting the development of the "Strategic" and "Local" Green Corridors identified in the Darlington Green Infrastructure strategy. These corridors, pleasant as they are for recreational and habitat purposes, are not specifically located so as to provide links between origins (where people live) and destinations (where they want to go). Except where they happen to do so, they are an irrelevance to strategic transport policy. In order to increase the number of journeys made by bike, it is not sufficient to provide more leisure routes: the infrastructure must exist between places between which people want to travel, or car journeys are unlikely to decrease.

As we state above, the very large allocations of greenfield land for low-density housing development, without a coherent strategy for ensuring the contrary, 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 is also true of developments located in and around settlements where public transport links are currently patchy or inadequate. The Plan's allocations policy as it stands 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. New

developments should be designed and located to make active and public transport the most convenient, quickest, safest and pleasantest way to travel around the town.

This is important because modal shift can help to reduce congestion, air pollution and greenhouse gas emissions.^{iv} At the same time, active travel is associated with considerable health benefits; it can help us stay healthy by decreasing the likelihood of obesity and improving cardiovascular fitness^v, reducing the risk of type II diabetes and cardiovascular diseases such as heart attack and stroke.^{vi} What is more, while traffic decreases the potential for interaction and communication between people, active travel increases it – with consequent benefits for psychological wellbeing. Increasing accessibility to town centres by sustainable modes has considerable benefits for local economies: residents are more likely to shop locally, have more money to spend if they save money on driving, and have more investment in their local community^{vii}. Transport planning should focus, not on moving cars, but on moving people. The overall objective of transport policy should be to reduce the environmental impact of transport while ensuring that people have access to facilities and services.

On a point of wording, we note that IN1 refers to “single occupancy vehicle journeys.” The underlying assumption is that a “vehicle” is generally a car. The policy wording bears witness to a failure to consider that a bicycle can be a “vehicle”.

The aspirations for “Healthy New Towns” should be extended to the existing town as well. Rather than relegating active travel to the spaces and routes which are not currently wanted by motorists, it should be reallocating highway space from private cars to walkers, cyclists and buses. Creating a town-wide network of safe and segregated walking and cycling routes, and decent public transport services, which offer all citizens a genuine choice of transport modes. It should aspire towards the return of efficient transit, like trams or guided buses, in the town. The overall aim should be to increase the spatial and energy efficiency of transport.

The Government has recently announced new measures to help us all get cycling, but without improving infrastructure, this is unlikely to happen and an opportunity to improve the health of people in Darlington will be missed, with all the attendant impacts on health.

Road network

The Local Plan asserts (policy IN1) that the Council are committed to “delivering an efficient transport system with a focus on the provision of infrastructure improvements to encourage greater use of sustainable modes”. We welcome that assertion, but we do not feel that it is borne out by subsequent policy.

Policy IN1 expresses a desire to build at least seven new roads, perhaps more:

West Park Garden Village - link road connecting Edward Pease Way to Newton Lane;

Stag House Farm - link road connecting Newton Lane to Staindrop Road;

Coniscliffe Park - link road connecting A67 to Staindrop Road;

Link 66 / Symmetry Park - link road connecting the B6279 Tornado Way to B6280 Yarm Road;

Burdon Hill - link road connecting A1150 to B6279 Tornado Way and new link road to Red Hall;

Skerningham access roads;

Faverdale link.

Policy H10 additionally refers to “Safeguarded corridors sufficient to enable the provision of the inner Northern Link Road route option or a local distributor road between the A167 and A66 Little Burdon roundabout, or/and, a connection to the outer Northern Relief Road route option across the River Skerne as required”.

It is difficult to critique these proposals, since so little information is provided upon them. The Plan makes reference to transport modelling which has been carried out on the basis of the Local Plan housing and employment allocations, which finds that there would be additional traffic at certain points should these sites be developed; but it provides no detail on how the roads proposals were developed, nor whether alternative measures were considered. Nor does the Document Library provide any supporting information.

The Plan asserts that additional capacity on the road network is needed because, without it, “the strategic and local highway networks.. will become more congested and unsafe.. deterring or restraining

development.” It admits, however, that congestion is low in Darlington in comparison with other locations in the country.

Are these road proposals the “local or strategic infrastructure” that new development is expected to “facilitate”? Have the immense allocations of housing land been made not to fulfil a need for housing, but to fund road-building?

If so, we would urge DBC to think again, for the following reasons:

Firstly, increasing capacity is an extremely inefficient way of dealing with congestion. Typically, traffic volumes within a highway network increase by 20% in the immediate aftermath of a new piece of highway infrastructure being provided. In subsequent years, they may increase by anything up to 178%, so that typically, congestion levels return to their earlier position. ^{viii}

Secondly, there is no evidence to suggest that road-building has any effect upon economic growth at all – or, to put it the other way, no evidence to suggest that congestion has a negative effect upon economic growth.^{ix} In fact, some of the most congested places are the most economically vibrant; and roads justified on the grounds that they would increase growth have typically not succeeded in doing so. Figures stating that there is a “cost” to congestion generally work by putting a value on drivers’ time^x; we do not believe that it is reasonable to make an equation between private inconvenience, and public cost.

Thirdly, roads have a massive environmental impact in the local area. They invariably cause the destruction of everything along their route. As discussed earlier, we have very little information about the habitats, species, landscapes and archaeological artefacts which may be affected by the Plan; this is true of roads as it is of housing.

Fourthly, roads in use cause noise, light and air pollution and, especially in the vicinity of residential areas or recreational facilities, generate a risk of road accidents to pedestrians and drivers. Currently, 83% of air quality reporting zones in the UK have illegal levels of air pollution^{xi}. Air pollution leads to an increased risk of death and respiratory disease, amongst many other deleterious health effects.^{xii} This is not an area of policy that we can be complacent about, by creating developments that allow it to deteriorate further.

Fourthly, and perhaps most importantly at this time of accelerating global heating, increasing the capacity of a road network typically increases associated greenhouse gas emissions in proportion with the increase in traffic. We do not believe that a decision to emit more carbon should ever be taken lightly. These developments are irresponsible at a time when we must limit carbon emissions as much as is possible in order to mitigate climate change, which presents a threat to health, and indeed to all life on earth.

Fifthly, prioritising road construction inevitably means that funding and action on more sustainable options, such as good walking and cycling networks and public transport improvements, are not funded. This directly contradicts DBC’s own excellent “Healthy New Towns” document, which establishes a commitment to the sustainable transport hierarchy, which prioritises walking and cycling, then public transport, and only then considers the needs of the private car. The Plan does not specify the cost of the roads, nor whether more sustainable alternatives have been considered.

In conclusion, we have very little information to make us think that these road proposals are necessary, or that the alternatives have been properly considered. This, in fact, is in contravention of the NPPF, s. 102, which states “d) the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account – including appropriate opportunities for avoiding and mitigating any adverse effects” What we do know is that road-building is always expensive, always leads to the destruction of everything upon the route of the road, typically leads to an increase in traffic, air pollution and greenhouse gas emissions, typically does nothing to address congestion, and typically has no impact upon economic growth. It ‘bakes-in’ car dependence for future generations.

In this specific case, concerns have been expressed that the Northern Relief Road, once constructed, might become the de facto settlement boundary – thus leading to yet more development in the open countryside.

We note that public transport, apart from rail, is barely mentioned in policy IN1. However, we know that bus provision in certain parts of the Borough, particularly in satellite villages, is very poor, being expensive, infrequent and slow. The Plan’s failure to suggest ways in which this situation could be ameliorated bears witness to a lack of political will to do so.

1 For example, there is currently no safe way to cycle to Teesside International Airport from Darlington. For someone travelling for business cycling could be a viable sustainable transport method that is not open to them. Without the need for too much luggage a bicycle could quite easily accommodate all that is required for an overnight business meeting.

i <https://tinyurl.com/r8emjr9> (Bristol net Zero by 2030)

ii <https://tinyurl.com/y2fda5sr> (Factors Affecting Bicycling Demand)

iii <https://tinyurl.com/jlx3xm6> (International cycling Infrastructure Best Practice Study)

iv <https://tinyurl.com/y3gonv9q> (ECF Walking & Cycling Reduce Congestion)

v <https://tinyurl.com/t4px45j> (Exercise & Cardiovascular Health)

vi <https://tinyurl.com/yysuu8og> (British Medical Journal)

vii Blue, Elly: (2016) Bikenomics: How Bicycling Can Save The Economy (2nd ed.). Microcosm Publishing, Portland, Oregon.

viii <https://tinyurl.com/ybh24yzb> (New Road Create New Traffic)

ix <https://tinyurl.com/y7dbnkk1> (Does Road Building Improve Economy?)

x <https://tinyurl.com/y6q7h8aq> (Traffic Congestion Costs)

xi <https://tinyurl.com/y2oxvnvl> (UK Air Pollution-How Clean Is The Air You Breath)

xii <https://tinyurl.com/y3n2tdhd> (WHO-Effects On Health Of Transport Related Car Pollution)

Question 4

Changes Sought

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The policy wording should be strengthened to make it clear that the Council wishes to see a significant modal shift away from the private car and towards active and public transport. It should explicitly recognise the interrelationship between the location of trip generating uses and the length and mode of journeys; accordingly, it should seek to direct high trip-generating uses towards the town centre and the most accessible locations along main public transport corridors.

Policy IN1 should contain a commitment to develop a comprehensive network of safe, protected and direct cycle routes, linking residential areas to jobs, shops and other destinations, throughout the town. It should go beyond provision of infrastructure to talk shaping places and streets for the needs of pedestrians and cyclists.

The roads proposals should be removed from the Plan. Any roads proposals which are put forward by DBC, in this Plan or in any other strategy, should be subject to a rigorous assessment of costs and benefits, including consideration of direct environmental impact in construction and use, and increased greenhouse gas emissions, and consideration of alternatives, including a null option and a programme of traffic reduction and fostering alternatives to the private car.

Question 5

Attendance at Examination Hearings

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Question 5a

Participation at Examination Hearings

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To discuss the rationale for our comments.

Question 6

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Document Change Required

Yes

Action/Change to be made

Potential conflict with Healthy new towns principles. Road schemes not environmentally justified.

Comment

Agent	Mrs Jo Ellis (1246205)
Email Address	[REDACTED]
Company / Organisation	Blue Kayak
Address	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Consultee	Mrs Jo Ellis (1250913)
Email Address	[REDACTED]
Company / Organisation	Darlington Green Party
Address	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Event Name	Darlington Local Plan 2016-2036 (Regulation 19)
Comment by	Darlington Green Party (Mrs Jo Ellis - 1250913)
Comment ID	DBLPPS369
Response Date	17/09/20 13:04
Consultation Point	Policy IN 2 Improving Access and Accessibility (Strategic Policy) (View)
Status	Processed
Submission Type	Web
Version	0.3
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? Yes

Question 2

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

- . Positively prepared
- . Effective
- . 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.

Again, we welcome the expression of support for sustainable transport choices, but the specific policy does not mandate decisive action to encourage modal shift to public transport, cycling and walking. In Policy IN 2 there is no mention of asking developers to provide new cycling and walking infrastructure, just cycling storage facilities.

The supporting text in paragraph 10.6.2 is rather complacent in terms of the cycle network in Darlington, stating that it has a "well-developed" cycle network. Yet this network is described as "over 40km" of off-road cycle tracks along seven routes; this is far from the comprehensive network of protected cycle lanes that might be expected in the Netherlands. Furthermore, there is no indication of the standard of these routes.

Question 4

Changes Sought

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The policy should contain a requirement for all new development to provide safe routes for pedestrians and cyclists throughout its layout, linked to strategic cycle routes and to nearby destinations, and having regard to accessibility, safety, convenience and directness of movement. New and improved cycle infrastructure should be designed to the standards set out in Local Transport Note 1/20.

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?

To discuss the rationale for our comments.

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

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Email Address	[REDACTED]
Company / Organisation	Blue Kayak
Address	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Consultee	Mrs Jo Ellis (1250913)
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Company / Organisation	Darlington Green Party
Address	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Event Name	Darlington Local Plan 2016-2036 (Regulation 19)
Comment by	Darlington Green Party (Mrs Jo Ellis - 1250913)
Comment ID	DBLPPS370
Response Date	17/09/20 13:06
Consultation Point	Policy IN 4 Parking Provision including Electric Vehicle Charging (View)
Status	Processed
Submission Type	Web
Version	0.2
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)

- Positively prepared
- Effective
- 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.

This policy states that “the Council will continue to ensure that there is an adequate supply of safe, secure and convenient public parking.. New development will be required to provide safe and secure space for parking.” This insistence that all development must provide for the needs of drivers is absolutely contrary to the assertion in policy IN1 that DBC seeks to bring about modal shift. Allocation of public land for parking (particularly at no or little cost) is, in effect, a subsidy to drivers; rather than prioritising one group of travellers, DBC should be trying to ensure that the money they spend, in funds or in kind, on users of all modes is equitably spent, and that, in new development, the requirements of all road users are equitably considered. That by no means signifies that DBC should provide no public parking. It does, however, mean that DBC should carefully consider the overall economic value of land allocated for this purpose, and it also means that DBC should not look unfavourably upon development if the developer believes that it has no need for dedicated parking.

Furthermore, DBC should consider the economic value, environmental impact and social justice of providing free or discounted parking. Ideally, drivers should be expected to pay the full cost of parking and the money recouped by the Council to fund sustainable transport improvements.

Regarding cycle parking, we note that no standards are provided.

Question 4

Changes Sought

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The requirement that new development should provide space for parking should be removed. Development should not be rejected on the grounds that it has inadequate car parking.

The policy should set out standards for cycle parking. Where it is provided, cycle storage should be fully integrated into proposals from the initial design stage, accessible, attractive, secure and safe to use. In buildings, it should be directly and conveniently accessed from outside; in residential developments, it should be provided either in individual lockers, or in stores shared by groups of immediate neighbours.

Question 5

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Question 5a

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To discuss the rationale for our comments.

Question 6

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Company / Organisation	Darlington Green Party
Address	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Event Name	Darlington Local Plan 2016-2036 (Regulation 19)
Comment by	Darlington Green Party (Mrs Jo Ellis - 1250913)
Comment ID	DBLPPS371
Response Date	17/09/20 13:07
Consultation Point	Policy IN 9 Renewable Energy Infrastructure (Strategic Policy) (View)
Status	Processed
Submission Type	Web
Version	0.2
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)

- Positively prepared
- Effective
- 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.

We do not object to this policy as far as it goes. However, we do not think that it is robust enough to genuinely support and deliver increased renewable energy. The Climate Change Act means that we must entirely phase out fossil fuel energy entirely within the next 30 years if not sooner. As a result of this and the need to also decarbonise (and therefore electrify) heat and transport, renewable electricity generation must quadruple from current levels to meet these demands.

There is no requirement for renewable energy generation in new development. Large commercial sites, with a high, mainly daytime, energy demand should have a requirement for rooftop solar and green roofs, and possibly also other on-site renewables such as wind and/or ground-source heat pumps. Likewise, as installations of gas boilers shortly won't be allowed in new homes, developments should also be required to incorporate renewable energy measures such as ground source heat pumps and solar panels; larger developments should be required to install development-scale ground source heat pumps. The quantity of renewable energy generation required within a development should take account of the potential for increased energy demand as electric vehicles become more widely used. We note that, elsewhere, it is common practice to have a stipulation for an Energy Statement and Sustainability Statement for major developments. Ideally these are criteria-based and backed up by an SPD (either stand-alone or integrated with an updated Design SPD).ⁱ

The policy fails to clearly identify and map suitable areas for onshore wind. The NPPF still contains the footnote, "Except for applications for the repowering of existing wind turbines, a proposed wind energy development involving one or more turbines should not be considered acceptable unless it is in an area identified as suitable for wind energy development in the development plan; and, following consultation, it can be demonstrated that the planning impacts identified by the affected local community have been fully addressed and the proposal has their backing" This means that, unless neighbourhood plans designate areas for this purpose, onshore wind will be undevelopable within Darlington. NDP groups are ill-suited to this task and the local planning authority would be better placed to carry it out.

High level mapping of wind speedsⁱⁱ suggests that the area might have a deployable wind resource (as a rule of thumb, wind speeds of over 5 M/S are potentially developable).

Whilst there might be potential conflicts due to aviation issues with Teeside airport, there appear to be no major landscape designations which would prevent onshore wind from being developed.

Clause d of policy IN 9 requires developments of over 300 houses to be enabled for district heating energy connection. The wording is not particularly clear, and could be interpreted to mean that development should be designed to enable them to be connected to district heating systems in the future, putting the substantial costs of de-carbonising their heat supply to the public purse, rather than requiring developments of this scale to incorporate and be planned around district heating systems now. We note that the NPPF states (para 151) that plans should identify opportunities for development to draw its energy supply from decentralised, renewable or low carbon energy supply systems.

ⁱhttps://www.london.gov.uk/sites/default/files/energy_assessment_guidance_2018_-_update.pdf

ⁱⁱ<https://www.rensmart.com/Maps>

Question 4

Changes Sought

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The policy should establish specific requirements for renewable energy in new development, as described above.

The policy must specifically identify areas suitable for wind energy so as not to effectively ban it in the Borough. Ideally, the policy should also identify key developable renewable energy assets, including sites for micro-hydro and solar. The policy could also do more to reference the key role of renewable energy in decarbonising grid electricity.

The wording of clause should be strengthened to require developers to install district heating from the start where it is feasible and viable. Instead of using a (somewhat arbitrary) size threshold of 300 houses, the evidence base should identify areas where the heat density would support feasible district heating networks, as the basis for defining district heating priority areas.

Question 5

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Event Name	Darlington Local Plan 2016-2036 (Regulation 19)
Comment by	Darlington Green Party (Mrs Jo Ellis - 1250913)
Comment ID	DBLPPS372
Response Date	17/09/20 13:09
Consultation Point	Policy IN 10 Supporting the Delivery of Community and Social Infrastructure (Strategic Policy) (View)
Status	Processed
Submission Type	Web
Version	0.2
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? Yes

Question 2

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- . Justified
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Question 3a

Your Comments

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We are concerned that certain sites, in particular site 146, have been allocated and granted permission for large numbers of dwellings plus "space" for a school. This implies that provision of schools and other social infrastructure is not guaranteed. Planned development without adequate schools could lead to a big increase in travel to and from newly-developed areas as children and young people are forced to travel to access education. Without a strategy for supporting active travel and public transport, this is likely to mean a large increase in car journeys during term-time.

Question 4

Changes Sought

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Where it is known that there is a requirement for large pieces of social infrastructure alongside new development, the policy should state that this must be guaranteed before the development is granted permission.

Question 5

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