

## Comment

<b>Consultee</b>	Henry Cumbers (1245163)
<b>Email Address</b>	[REDACTED]
<b>Company / Organisation</b>	Historic England
<b>Address</b>	[REDACTED] [REDACTED] [REDACTED]
<b>Event Name</b>	Darlington Local Plan 2016-2036 (Regulation 19)
<b>Comment by</b>	Historic England ( Henry Cumbers - 1245163)
<b>Comment ID</b>	DBLPPS580
<b>Response Date</b>	17/09/20 16:00
<b>Consultation Point</b>	Overview of Darlington Borough ( <a href="#">View</a> )
<b>Status</b>	Processed
<b>Submission Type</b>	Email
<b>Version</b>	0.4
<b>Question 1a</b>	
<b>Do you consider that the Local Plan is Legally compliant?</b>	Yes
<b>Question 1b</b>	
<b>Do you consider that the Local Plan sound?</b>	Yes
<b>Question 1c</b>	
<b>Do you consider that the Local Plan complies with the Duty to Cooperate?</b>	Yes
<b>Question 2</b>	
<b>Do you consider that this part of the Local Plan is unsound because it is not: (tick all that apply)</b>	
<b>Question 3b</b>	
<b>Your Comments</b>	
<b>As you have supported this part of the plan do you wish to provide any additional comments?</b>	

Historic England supports the inclusion of the spatial portrait of Darlington and the narrative on the character and distinctiveness of the Borough's historic environment.

#### 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.**

No 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 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

<b>Consultee</b>	Henry Cumbers (1245163)
<b>Email Address</b>	[REDACTED]
<b>Company / Organisation</b>	Historic England
<b>Address</b>	[REDACTED] [REDACTED] [REDACTED]
<b>Event Name</b>	Darlington Local Plan 2016-2036 (Regulation 19)
<b>Comment by</b>	Historic England ( Henry Cumbers - 1245163)
<b>Comment ID</b>	DBLPPS581
<b>Response Date</b>	17/09/20 16:00
<b>Consultation Point</b>	Neighbourhood Planning ( <a href="#">View</a> )
<b>Status</b>	Processed
<b>Submission Type</b>	Email
<b>Version</b>	0.4
<b>Question 1a</b>	
<b>Do you consider that the Local Plan is Legally compliant?</b>	Yes
<b>Question 1b</b>	
<b>Do you consider that the Local Plan sound?</b>	Yes
<b>Question 1c</b>	
<b>Do you consider that the Local Plan complies with the Duty to Cooperate?</b>	Yes
<b>Question 2</b>	
<b>Do you consider that this part of the Local Plan is unsound because it is not: (tick all that apply)</b>	
<b>Question 3b</b>	
<b>Your Comments</b>	
<b>As you have supported this part of the plan do you wish to provide any additional comments?</b>	

Historic England supports the inclusion of this paragraph identifying where neighbourhood plans will need to be in conformity with certain policies of the local plan including ENV1 (Protecting, Enhancing and Promoting Darlington's historic environment) and ENV2 (Stockton and Darlington Railway).

#### Question 4

##### Changes Sought

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No changes

#### 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?**

Other policies

#### 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

<b>Consultee</b>	Henry Cumbers (1245163)
<b>Email Address</b>	[REDACTED]
<b>Company / Organisation</b>	Historic England
<b>Address</b>	[REDACTED] [REDACTED] [REDACTED]
<b>Event Name</b>	Darlington Local Plan 2016-2036 (Regulation 19)
<b>Comment by</b>	Historic England ( Henry Cumbers - 1245163)
<b>Comment ID</b>	DBLPPS586
<b>Response Date</b>	17/09/20 16:00
<b>Consultation Point</b>	Local Plan Vision ( <a href="#">View</a> )
<b>Status</b>	Processed
<b>Submission Type</b>	Email
<b>Version</b>	0.4
<b>Question 1a</b>	
<b>Do you consider that the Local Plan is Legally compliant?</b>	Yes
<b>Question 1b</b>	
<b>Do you consider that the Local Plan sound?</b>	Yes
<b>Question 1c</b>	
<b>Do you consider that the Local Plan complies with the Duty to Cooperate?</b>	Yes
<b>Question 2</b>	
<b>Do you consider that this part of the Local Plan is unsound because it is not: (tick all that apply)</b>	
<b>Question 3b</b>	
<b>Your Comments</b>	
<b>As you have supported this part of the plan do you wish to provide any additional comments?</b>	

Historic England supports inclusion of enhancing the historic environment within the vision.

#### Question 4

##### Changes Sought

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No 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

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Other policies

#### 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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<b>Company / Organisation</b>	Historic England
<b>Address</b>	[REDACTED] [REDACTED] [REDACTED]
<b>Event Name</b>	Darlington Local Plan 2016-2036 (Regulation 19)
<b>Comment by</b>	Historic England ( Henry Cumbers - 1245163)
<b>Comment ID</b>	DBLPPS595
<b>Response Date</b>	17/09/20 16:00
<b>Consultation Point</b>	Overarching Aims ( <a href="#">View</a> )
<b>Status</b>	Processed
<b>Submission Type</b>	Email
<b>Version</b>	0.4
<b>Question 1a</b>	
<b>Do you consider that the Local Plan is Legally compliant?</b>	Yes
<b>Question 1b</b>	
<b>Do you consider that the Local Plan sound?</b>	Yes
<b>Question 1c</b>	
<b>Do you consider that the Local Plan complies with the Duty to Cooperate?</b>	Yes
<b>Question 2</b>	
<b>Do you consider that this part of the Local Plan is unsound because it is not: (tick all that apply)</b>	
<b>Question 3b</b>	
<b>Your Comments</b>	
<b>As you have supported this part of the plan do you wish to provide any additional comments?</b>	

Historic England supports overarching the aim to protect and enhance the historic environment.

#### Question 4

##### Changes Sought

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No changes

#### 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?**

Other policies

#### 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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<b>Address</b>	[REDACTED] [REDACTED] [REDACTED]
<b>Event Name</b>	Darlington Local Plan 2016-2036 (Regulation 19)
<b>Comment by</b>	Historic England ( Henry Cumbers - 1245163)
<b>Comment ID</b>	DBLPPS596
<b>Response Date</b>	17/09/20 16:00
<b>Consultation Point</b>	Specific Aims and Objectives ( <a href="#">View</a> )
<b>Status</b>	Processed
<b>Submission Type</b>	Email
<b>Version</b>	0.5
<b>Question 1a</b>	
<b>Do you consider that the Local Plan is Legally compliant?</b>	Yes
<b>Question 1b</b>	
<b>Do you consider that the Local Plan sound?</b>	Yes
<b>Question 1c</b>	
<b>Do you consider that the Local Plan complies with the Duty to Cooperate?</b>	Yes
<b>Question 2</b>	
<b>Do you consider that this part of the Local Plan is unsound because it is not: (tick all that apply)</b>	
<b>Question 3b</b>	
<b>Your Comments</b>	
<b>As you have supported this part of the plan do you wish to provide any additional comments?</b>	

Aim 4 Historic England supports the amendment from the 2019 draft to include reference to protecting the historic environment as a whole.

#### Question 4

##### Changes Sought

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No changes

#### Question 5

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##### 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?**

Other policies

#### Question 6

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## Comment

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<b>Event Name</b>	Darlington Local Plan 2016-2036 (Regulation 19)
<b>Comment by</b>	Historic England ( Henry Cumbers - 1245163)
<b>Comment ID</b>	DBLPPS597
<b>Response Date</b>	17/09/20 16:00
<b>Consultation Point</b>	Policy SH 1 Settlement Hierarchy (Strategic Policy) ( <a href="#">View</a> )
<b>Status</b>	Processed
<b>Submission Type</b>	Email
<b>Version</b>	0.4
<b>Question 1a</b>	
<b>Do you consider that the Local Plan is Legally compliant?</b>	Yes
<b>Question 1b</b>	
<b>Do you consider that the Local Plan sound?</b>	Yes
<b>Question 1c</b>	
<b>Do you consider that the Local Plan complies with the Duty to Cooperate?</b>	Yes
<b>Question 2</b>	
<b>Do you consider that this part of the Local Plan is unsound because it is not: (tick all that apply)</b>	
<b>Question 3b</b>	
<b>Your Comments</b>	

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

Historic England supports the explanation of how growth will be distributed across the settlement hierarchy. Having studied the SA, the growth strategy as proposed is considered the most appropriate in conserving and enhancing the historic environment.

**Question 4**

**Changes Sought**

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No 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**

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Other policies

**Question 6**

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## Comment

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<b>Address</b>	[REDACTED] [REDACTED] [REDACTED]
<b>Event Name</b>	Darlington Local Plan 2016-2036 (Regulation 19)
<b>Comment by</b>	Historic England ( Henry Cumbers - 1245163)
<b>Comment ID</b>	DBLPPS598
<b>Response Date</b>	17/09/20 16:00
<b>Consultation Point</b>	Policy H 10 Skertingham - Strategic Site Allocation (Strategic Policy) ( <a href="#">View</a> )
<b>Status</b>	Processed
<b>Submission Type</b>	Email
<b>Version</b>	0.5
<b>Question 1a</b>	
<b>Do you consider that the Local Plan is Legally compliant?</b>	Yes
<b>Question 1b</b>	
<b>Do you consider that the Local Plan sound?</b>	No
<b>Question 1c</b>	
<b>Do you consider that the Local Plan complies with the Duty to Cooperate?</b>	Yes
<b>Question 2</b>	
<b>Do you consider that this part of the Local Plan is unsound because it is not: (tick all that apply)</b>	<input type="checkbox"/> Effective <input type="checkbox"/> Justified <input type="checkbox"/> Consistent with national policy
<b>Question 3a</b>	
<b>Your Comments</b>	

**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 requirement for the design and layout to conserve and enhance the designated heritage assets on and adjacent to the site. However, as identified within the Heritage Impact Assessment for this site alongside paragraphs 6.10.13-6.10.15 there are non-designated heritage assets on and adjacent to the site including archaeology which may be impacted development proposals. We would therefore advise that the policy also seeks to conserve and enhance non-designated heritage assets.

To provide clarity within the policy, our preference would be for the main headline outcomes of the HIA to be included within the policy rather than these only being in the reasoned justification. However, as a minimum the policy should provide for a requirement for proposals to be carried out in accordance with the Heritage Impact Assessment, ensuring that the recommendations to minimise and avoid harm and opportunities for enhancement are carried through to future development proposals.

The area identified as the Upper Skerne Valley Character area within the Darlington Landscape Character Assessment by LUC undertaken in 2015. This study recognises the important rural character that parts of the site offer including the:• Enclosed and often well-wooded character;• Intimate, tranquil valley landscape of small scale;• Historic features along the valley including buildings, bridges and quarries;

We welcome the green infrastructure elements of the policy which recognise the important landscape features of the site including the valley setting, retaining and enhances hedgerows and trees that contribute to landscape character and are also important to the historic environment within the site.

#### **Question 4**

##### **Changes Sought**

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Delete "The site design and layout will be required to conserve and enhance the designated heritage assets on and adjacent to the site, together with their settings, in accordance with Policy ENV 1."

Insert

"Proposals will be required to conserve, and where appropriate enhance designated and non-designated heritage assets within and in the vicinity of the site including their setting in accordance with policy ENV1.

Proposals should be carried out in accordance with the Darlington Local Plan Heritage Impact Assessment (Solstice Heritage LLP, September 2019) including through the provision of a design and layout which incorporates the findings and recommendations of the assessment through the avoiding and minimising harm and providing opportunities for enhancement where appropriate."

And may additionally include

Specifically this will include:

Protecting the listed Grade II Manor House and Low Skerningham including their setting; Protecting and where appropriate enhancing the setting of heritage assets in the surroundings of the site where development proposals may have an impact on their significance including Ketton Bridge Scheduled Monument and assets in and around the villages of Great Burdon and Barmpton; The investigation, recording and safeguarding of known and/or potential finds of archaeological significance (including Skerningham deserted medieval village); Maintaining historic landscape character including field boundaries where possible; Seeking to retain and incorporate the Second World War pillbox in the

south-west area of the site, as well as preserve some, if not all, of its original intended views within the landscape.”

#### Question 5

##### Attendance at Examination Hearings

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#### 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?**

Other policies

#### 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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<b>Address</b>	[REDACTED] [REDACTED] [REDACTED]
<b>Event Name</b>	Darlington Local Plan 2016-2036 (Regulation 19)
<b>Comment by</b>	Historic England ( Henry Cumbers - 1245163)
<b>Comment ID</b>	DBLPPS599
<b>Response Date</b>	17/09/20 16:00
<b>Consultation Point</b>	Policy H 11 Greater Faverdale - Strategic Site Allocation (Strategic Policy) ( <a href="#">View</a> )
<b>Status</b>	Processed
<b>Submission Type</b>	Email
<b>Version</b>	0.5
<b>Question 1a</b>	
<b>Do you consider that the Local Plan is Legally compliant?</b>	Yes
<b>Question 1b</b>	
<b>Do you consider that the Local Plan sound?</b>	No
<b>Question 1c</b>	
<b>Do you consider that the Local Plan complies with the Duty to Cooperate?</b>	Yes
<b>Question 2</b>	
<b>Do you consider that this part of the Local Plan is unsound because it is not: (tick all that apply)</b>	<input type="checkbox"/> Effective <input type="checkbox"/> Justified <input type="checkbox"/> Consistent with national policy
<b>Question 3a</b>	
<b>Your Comments</b>	



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

Whilst we support the inclusion within the policy of the requirement to conserve and enhance the historic Stockton & Darlington Railway, there is no protection within the policy of other relevant designated and non-designated heritage assets which may be impacted upon through development of the site.

As set out under paragraph 6.11.9 the Heritage Impact Assessment for this site identified a number of important measures to avoid and minimise harm and provide enhancement. The policy should therefore be amended to reflect the need to conserve and enhance those designated heritage assets on and adjacent to the site, together with their settings.

To provide clarity within the policy, our preference would be for the main headline outcomes of the HIA to be included within the policy rather than these only being in the reasoned justification. However, as a minimum the policy should provide for a requirement for proposals to be carried out in accordance with the Heritage Impact Assessment, ensuring that the recommendations to minimise and avoid harm and opportunities for enhancement are carried through to future development proposals.

#### **Question 4**

##### **Changes Sought**

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Insert

"Proposals will be required to conserve, and where appropriate enhance those designated and non-designated heritage assets within and in the vicinity of the site including their setting in accordance with policy ENV1.

Proposals should be carried out in accordance with the Darlington Local Plan Heritage Impact Assessment (Solstice Heritage LLP, September 2019) including through the provision of a design and layout which incorporates the findings and recommendations of the assessment through the avoidance and minimisation of harm and providing opportunities for enhancement where appropriate."

And may additionally include

Specifically this will include:

- Protecting the listed Manor house ruins and wall, 70 metres south east of Whessoe Grange farmhouse including its setting;
- The investigation, recording and safeguarding of known and/or potential finds of archaeological significance (including Whessoe Deserted Medieval Village, Roman Faverdale site and the Stockton and Darlington Railway);
- Protect any remaining early infrastructure of the Stockton and Darlington Railway located to the site's eastern extent;
- Avoiding areas of dense development to the immediate south and east of High Faverdale Farm to minimise impact on significance resulting from substantially altered views.

#### **Question 5**

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**Question 5a**

**Participation at Examination Hearings**

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Other policies

**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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<b>Email Address</b>	[REDACTED]
<b>Company / Organisation</b>	Historic England
<b>Address</b>	[REDACTED] [REDACTED] [REDACTED]
<b>Event Name</b>	Darlington Local Plan 2016-2036 (Regulation 19)
<b>Comment by</b>	Historic England ( Henry Cumbers - 1245163)
<b>Comment ID</b>	DBLPPS600
<b>Response Date</b>	17/09/20 16:00
<b>Consultation Point</b>	Policy E 4 Economic Development in the Open Countryside (Strategic Policy) ( <a href="#">View</a> )
<b>Status</b>	Processed
<b>Submission Type</b>	Email
<b>Version</b>	0.4
<b>Question 1a</b>	
<b>Do you consider that the Local Plan is Legally compliant?</b>	Yes
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<b>Question 2</b>	
<b>Do you consider that this part of the Local Plan is unsound because it is not: (tick all that apply)</b>	<input type="checkbox"/> Effective <input type="checkbox"/> Justified <input type="checkbox"/> Consistent with national policy
<b>Question 3a</b>	
<b>Your Comments</b>	

**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.**

At the Regulation stage consultation of the Local plan in 2018, we commented that this policy suggested that where it is possible and appropriate, proposals for the re-use of a heritage asset will be approved. As stated this does not accord with the NPPF which requires proposals to conserve and enhance heritage assets and their setting and sustain elements that contribute to significance.

Unfortunately the policy as amended in the submission draft does not reflect our previous comments and does not accord with the NPPF as it does not offer the same level of protection and will not safeguard Darlington's heritage assets.

We consider that there are adequate provisions in policy ENV1 to provide protection of heritage assets including those which may be subject to economic development proposals within the open countryside. We therefore would advise removal of this wording from the policy.

**Question 4**

**Changes Sought**

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Delete the following sentence from policy E4:

'Where possible and appropriate, existing buildings including designated or non-designated heritage assets shall be retained and re-used.'

**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?**

other policies

**Question 6**

**Do you request to be notified that the Local Plan has been submitted to the Secretary of State for**

Yes, I request to be notified

**independent examination under section 22(3) of the regulations and to be notified of the adoption of the Local Plan?**

## Comment

<b>Consultee</b>	Henry Cumbers (1245163)
<b>Email Address</b>	[REDACTED]
<b>Company / Organisation</b>	Historic England
<b>Address</b>	[REDACTED] [REDACTED] [REDACTED]
<b>Event Name</b>	Darlington Local Plan 2016-2036 (Regulation 19)
<b>Comment by</b>	Historic England ( Henry Cumbers - 1245163)
<b>Comment ID</b>	DBLPPS601
<b>Response Date</b>	17/09/20 16:00
<b>Consultation Point</b>	Policy TC 3 Additional Site for Town Centre Uses ( <a href="#">View</a> )
<b>Status</b>	Processed
<b>Submission Type</b>	Email
<b>Version</b>	0.5
<b>Question 1a</b>	
<b>Do you consider that the Local Plan is Legally compliant?</b>	Yes
<b>Question 1b</b>	
<b>Do you consider that the Local Plan sound?</b>	No
<b>Question 1c</b>	
<b>Do you consider that the Local Plan complies with the Duty to Cooperate?</b>	Yes
<b>Question 2</b>	
<b>Do you consider that this part of the Local Plan is unsound because it is not: (tick all that apply)</b>	<input type="checkbox"/> Effective <input type="checkbox"/> Justified <input type="checkbox"/> Consistent with national policy
<b>Question 3a</b>	
<b>Your Comments</b>	

**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 Heritage Impact Assessment for the Commercial / Kendrew Street site sets out several recommendations which will help to manage change in a manner which conserves and enhances the historic environment within this area.

The policy as worded currently does not fully reflect the outcomes of the findings and seeks only where possible to incorporate the existing historic fabric and retaining buildings that are of historic importance.

Whilst we understand that paragraph 8.1.16 reflects the outcomes of the Heritage Impact Assessment, to provide clarity within the policy it would be our preference for the policy to include in headline form the key recommendations of the HIA for this site. However, as a minimum the policy should set a requirement for this site to be developed in accordance with the outcomes in order that proposals avoid and minimise harm and maximise enhancement opportunities where appropriate.

**Question 4**

**Changes Sought**

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Delete criteria point a and add additional criteria to read:

a)• Ensuring that the design and layout of new development responds to the context and setting of neighbouring conservation areas of Northgate and Town Centre;b)• Taking design cues from the diverse and rich character of the surrounding buildings and townscape;c) • Respecting the historic grain of development in terms of scale, design, and density to avoid overshadowing surrounding historic buildings.d)• The investigation, recording and safeguarding of known and/or potential finds of archaeological significance (including 19th century market garden as well as footings for the now demolished buildings).

**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?**

Other policies

**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

<b>Consultee</b>	Henry Cumbers (1245163)
<b>Email Address</b>	[REDACTED]
<b>Company / Organisation</b>	Historic England
<b>Address</b>	[REDACTED] [REDACTED] [REDACTED]
<b>Event Name</b>	Darlington Local Plan 2016-2036 (Regulation 19)
<b>Comment by</b>	Historic England ( Henry Cumbers - 1245163)
<b>Comment ID</b>	DBLPPS603
<b>Response Date</b>	17/09/20 16:00
<b>Consultation Point</b>	Policy TC 6 Darlington - Town Centre Fringe ( <a href="#">View</a> )
<b>Status</b>	Processed
<b>Submission Type</b>	Email
<b>Version</b>	0.7
<b>Question 1a</b>	
<b>Do you consider that the Local Plan is Legally compliant?</b>	Yes
<b>Question 1b</b>	
<b>Do you consider that the Local Plan sound?</b>	No
<b>Question 1c</b>	
<b>Do you consider that the Local Plan complies with the Duty to Cooperate?</b>	Yes
<b>Question 2</b>	
<b>Do you consider that this part of the Local Plan is unsound because it is not: (tick all that apply)</b>	<input type="checkbox"/> Effective <input type="checkbox"/> Consistent with national policy
<b>Question 3a</b>	
<b>Your Comments</b>	

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

Whilst we support the intention of the policy under criteria point b. to conserve historic buildings within the area, there are other assets such as archaeology, conservation areas etc, which should also be conserved and enhanced. As an overarching term it would be better to express the intention of conserving the historic environment of the town centre fringe.

#### **Question 4**

##### **Changes Sought**

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Rephrase criteria point b.

“Conserve and where appropriate enhance the historic environment in the area, with an emphasis on creating opportunities for the celebration of Darlington’s heritage.”

#### **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?**

Other policies

#### **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

<b>Consultee</b>	Henry Cumbers (1245163)
<b>Email Address</b>	[REDACTED]
<b>Company / Organisation</b>	Historic England
<b>Address</b>	[REDACTED] [REDACTED] [REDACTED]
<b>Event Name</b>	Darlington Local Plan 2016-2036 (Regulation 19)
<b>Comment by</b>	Historic England ( Henry Cumbers - 1245163)
<b>Comment ID</b>	DBLPPS604
<b>Response Date</b>	17/09/20 16:00
<b>Consultation Point</b>	Policy ENV 1 Protecting, Enhancing and Promoting Darlington's Historic Environment (Strategic Policy) ( <a href="#">View</a> )
<b>Status</b>	Processed
<b>Submission Type</b>	Email
<b>Version</b>	0.6
<b>Question 1a</b>	
<b>Do you consider that the Local Plan is Legally compliant?</b>	Yes
<b>Question 1b</b>	
<b>Do you consider that the Local Plan sound?</b>	Yes
<b>Question 1c</b>	
<b>Do you consider that the Local Plan complies with the Duty to Cooperate?</b>	Yes
<b>Question 2</b>	
<b>Do you consider that this part of the Local Plan is unsound because it is not: (tick all that apply)</b>	
<b>Question 3b</b>	
<b>Your Comments</b>	

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

Since the consultation in 2018, Historic England has worked with the Council to amend the draft policy on the historic environment. We are generally content with the wording of the policy as proposed which reflects our informal dialogue.

However, we note that the brackets in the first sentence are misplaced and need amending to take account of footnote 63 of the NPPF “non-designated archaeological heritage assets of archaeological interest, which are demonstrably of equivalent significance to scheduled monuments, should be considered subject to the policies for designated heritage assets.” At present the way that the policy is worded appears to consider such assets as designated heritage assets, whereas this is not the case.

### Question 4

#### Changes Sought

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Re-word first sentence, Proposals affecting a designated heritage asset (Listed Buildings, Historic Parks and Gardens, Scheduled Monuments), or a non-designated heritage asset of archaeological interest, demonstrably of equivalent significance to scheduled monuments, should conserve those elements which contribute to its significance, including any contribution made by its setting.

### 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?**

Other policies

### 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** Yes, I request to be notified

**regulations and to be notified of the adoption of the  
Local Plan?**

## Comment

<b>Consultee</b>	Henry Cumbers (1245163)
<b>Email Address</b>	[REDACTED]
<b>Company / Organisation</b>	Historic England
<b>Address</b>	[REDACTED] [REDACTED] [REDACTED]
<b>Event Name</b>	Darlington Local Plan 2016-2036 (Regulation 19)
<b>Comment by</b>	Historic England ( Henry Cumbers - 1245163)
<b>Comment ID</b>	DBLPPS605
<b>Response Date</b>	17/09/20 16:00
<b>Consultation Point</b>	Policy IN 9 Renewable Energy Infrastructure (Strategic Policy) ( <a href="#">View</a> )
<b>Status</b>	Processed
<b>Submission Type</b>	Letter
<b>Version</b>	0.6
<b>Question 1a</b>	
<b>Do you consider that the Local Plan is Legally compliant?</b>	Yes
<b>Question 1b</b>	
<b>Do you consider that the Local Plan sound?</b>	No
<b>Question 1c</b>	
<b>Do you consider that the Local Plan complies with the Duty to Cooperate?</b>	Yes
<b>Question 2</b>	
<b>Do you consider that this part of the Local Plan is unsound because it is not: (tick all that apply)</b>	<input type="checkbox"/> Effective <input type="checkbox"/> Justified <input type="checkbox"/> Consistent with national policy
<b>Question 3a</b>	
<b>Your Comments</b>	

**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 the potential for development of wind turbines to have an impact on historic landscape character, we consider that criteria point v. would be better worded to include the historic environment in order that it provides for a broader definition including historic landscape character, heritage assets and their settings.

**Question 4**

**Changes Sought**

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Rephrase criteria v. v. the historic environment, including heritage assets and their settings;

**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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Other policies

**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

<b>Consultee</b>	Henry Cumbers (1245163)
<b>Email Address</b>	[REDACTED]
<b>Company / Organisation</b>	Historic England
<b>Address</b>	[REDACTED] [REDACTED] [REDACTED]
<b>Event Name</b>	Darlington Local Plan 2016-2036 (Regulation 19)
<b>Comment by</b>	Historic England ( Henry Cumbers - 1245163)
<b>Comment ID</b>	DBLPPS606
<b>Response Date</b>	17/09/20 16:00
<b>Consultation Point</b>	11 MONITORING FRAMEWORK ( <a href="#">View</a> )
<b>Status</b>	Processed
<b>Submission Type</b>	Email
<b>Version</b>	0.4
<b>Question 1a</b>	
<b>Do you consider that the Local Plan is Legally compliant?</b>	Yes
<b>Question 1b</b>	
<b>Do you consider that the Local Plan sound?</b>	No
<b>Question 1c</b>	
<b>Do you consider that the Local Plan complies with the Duty to Cooperate?</b>	Yes
<b>Question 2</b>	
<b>Do you consider that this part of the Local Plan is unsound because it is not: (tick all that apply)</b>	<input type="checkbox"/> Effective
<b>Question 3a</b>	
<b>Your Comments</b>	



**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 inclusion of an indicator on the number of planning applications granted permission contrary to Historic England advice on the grounds of impact on locally, regionally or nationally designated sites, with a target of no applications being granted contrary to Historic England advice. However, there are other indicators which may prove more valuable in setting a positive strategy for the historic environment such as:• reduction in the number of assets that are classified as heritage at risk• preparation of a local list• completion of conservation area action plans and management plans where one has not been produced and review others where necessary.

**Question 4**

**Changes Sought**

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Minor ModificationAdd additional indicators:• reduction in the number of assets that are classified as heritage at risk• preparation of a local list• completion of conservation area action plans and management plans where one has not been produced and review others where necessary

**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?**

Other policies

**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

<b>Consultee</b>	Henry Cumbers (1245163)
<b>Email Address</b>	[REDACTED]
<b>Company / Organisation</b>	Historic England
<b>Address</b>	[REDACTED] [REDACTED] [REDACTED]
<b>Event Name</b>	Darlington Local Plan 2016-2036 (Regulation 19)
<b>Comment by</b>	Historic England ( Henry Cumbers - 1245163)
<b>Comment ID</b>	DBLPPS607
<b>Response Date</b>	17/09/20 16:00
<b>Consultation Point</b>	Policy H 4 Housing Mix ( <a href="#">View</a> )
<b>Status</b>	Processed
<b>Submission Type</b>	Email
<b>Version</b>	0.7
<b>Question 1a</b>	
<b>Do you consider that the Local Plan is Legally compliant?</b>	Yes
<b>Question 1b</b>	
<b>Do you consider that the Local Plan sound?</b>	Yes
<b>Question 1c</b>	
<b>Do you consider that the Local Plan complies with the Duty to Cooperate?</b>	Yes
<b>Question 2</b>	
<b>Do you consider that this part of the Local Plan is unsound because it is not: (tick all that apply)</b>	
<b>Question 3b</b>	
<b>Your Comments</b>	
<b>As you have supported this part of the plan do you wish to provide any additional comments?</b>	

In identifying a suitable housing mix, Historic England supports the consideration of location, physical constraint and context but also considers that character is an important factor, in some locations for example where there is a tight grain of historic development it may be suitable to provide a higher density of development.

#### Question 4

##### Changes Sought

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A suitable housing mix should also give consideration to a site's location, physical constraints, character and surrounding context.

#### Question 5

##### Attendance at Examination Hearings

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##### 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?**

Other policies

#### Question 6

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## Comment

<b>Consultee</b>	Henry Cumbers (1245163)
<b>Email Address</b>	[REDACTED]
<b>Company / Organisation</b>	Historic England
<b>Address</b>	[REDACTED] [REDACTED] [REDACTED]
<b>Event Name</b>	Darlington Local Plan 2016-2036 (Regulation 19)
<b>Comment by</b>	Historic England ( Henry Cumbers - 1245163)
<b>Comment ID</b>	DBLPPS608
<b>Response Date</b>	17/09/20 16:00
<b>Consultation Point</b>	12 GLOSSARY ( <a href="#">View</a> )
<b>Status</b>	Processed
<b>Submission Type</b>	Email
<b>Version</b>	0.6
<b>Question 1a</b>	
<b>Do you consider that the Local Plan is Legally compliant?</b>	Yes
<b>Question 1b</b>	
<b>Do you consider that the Local Plan sound?</b>	No
<b>Question 1c</b>	
<b>Do you consider that the Local Plan complies with the Duty to Cooperate?</b>	Yes
<b>Question 2</b>	
<b>Do you consider that this part of the Local Plan is unsound because it is not: (tick all that apply)</b>	<input type="checkbox"/> Effective <input type="checkbox"/> Justified <input type="checkbox"/> Consistent with national policy
<b>Question 3a</b>	
<b>Your Comments</b>	

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

Whilst we support the inclusion of a definition of a non-designated heritage asset, we consider a slight amendment to this definition would be helpful to provide clarity on the differentiation with designated heritage assets. This could align precisely with the wording of the Planning Practice Guidance Paragraph 039 or seek to maintain similar wording to that currently proposed with the addition of wording that whilst of local significance they do not meet the criteria for designate heritage assets.

**Question 4**

**Changes Sought**

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Replace current definition with 'Non-designated heritage assets are buildings, monuments, sites, places, areas or landscapes identified by the Local Planning Authority as having a degree of heritage significance meriting consideration in planning decisions but which do not meet the criteria for designated heritage assets.'

**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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Other policies

**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

<b>Consultee</b>	Henry Cumbers (1245163)
<b>Email Address</b>	[REDACTED]
<b>Company / Organisation</b>	Historic England
<b>Address</b>	[REDACTED] [REDACTED] [REDACTED]
<b>Event Name</b>	Darlington Local Plan 2016-2036 (Regulation 19)
<b>Comment by</b>	Historic England ( Henry Cumbers - 1245163)
<b>Comment ID</b>	DBLPPS609
<b>Response Date</b>	17/09/20 16:00
<b>Consultation Point</b>	APPENDIX C DARLINGTON'S HERITAGE ASSETS ( <a href="#">View</a> )
<b>Status</b>	Processed
<b>Submission Type</b>	Email
<b>Version</b>	0.6
<b>Question 1a</b>	
<b>Do you consider that the Local Plan is Legally compliant?</b>	Yes
<b>Question 1b</b>	
<b>Do you consider that the Local Plan sound?</b>	Yes
<b>Question 1c</b>	
<b>Do you consider that the Local Plan complies with the Duty to Cooperate?</b>	Yes
<b>Question 2</b>	
<b>Do you consider that this part of the Local Plan is unsound because it is not: (tick all that apply)</b>	
<b>Question 3b</b>	
<b>Your Comments</b>	

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

The recent inclusion of Landscape at Cummins Engine Factory, Darlington as a Grade II Park and Garden ID 1467759 should be included here.

We would also recommend that the names of the assets align with the National Heritage List for England for the purposes of clarity.

We consider that these assets should be identified on the Policies Map.

**Question 4**

**Changes Sought**

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Heritage Assets

List of Scheduled Monuments to align with names on National Heritage List for England found here <https://historicengland.org.uk/listing/the-list/>

Include Cummins Engine Factory, Darlington as a Grade II Park and Garden

**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?**

Other policies

**Question 6**

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

## Comment

Consultee	Henry Cumbers (1245163)
Email Address	[REDACTED]
Company / Organisation	Historic England
Address	[REDACTED] [REDACTED] [REDACTED]
Event Name	Darlington Local Plan 2016-2036 (Regulation 19)
Comment by	Historic England ( Henry Cumbers - 1245163)
Comment ID	DBLPPS610
Response Date	17/09/20 16:00
Consultation Point	Policy ENV 1 Protecting, Enhancing and Promoting Darlington's Historic Environment (Strategic Policy) ( <a href="#">View</a> )
Status	Processed
Submission Type	Email
Version	0.7
Question 2	

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

**Question 3a**

**Your Comments**

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

Whilst the Local Plan regulations do not stipulate that designations must be shown on the policies map we do consider it an omission that there are no heritage designations on the map. We would prefer as a minimum to see the following designations on the Policies Map: Scheduled Monuments Historic Parks and Gardens Conservation Areas These designations are important to the implementation of policies within the Local Plan, and in particular policy ENV1.

**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.**

Show Scheduled Monuments, Historic Parks and Gardens and Conservation Areas on the Policies 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

*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?**

Other policies

#### 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

<b>Consultee</b>	Henry Cumbers (1245163)
<b>Email Address</b>	[REDACTED]
<b>Company / Organisation</b>	Historic England
<b>Address</b>	[REDACTED] [REDACTED] [REDACTED]
<b>Event Name</b>	Darlington Local Plan 2016-2036 (Regulation 19)
<b>Comment by</b>	Historic England ( Henry Cumbers - 1245163)
<b>Comment ID</b>	DBLPPS611
<b>Response Date</b>	17/09/20 16:00
<b>Consultation Point</b>	Site 20 - Great Burdon ( <a href="#">View</a> )
<b>Status</b>	Processed
<b>Submission Type</b>	Email
<b>Version</b>	0.5
<b>Question 1a</b>	
<b>Do you consider that the Local Plan is Legally compliant?</b>	Yes
<b>Question 1b</b>	
<b>Do you consider that the Local Plan sound?</b>	Yes
<b>Question 1c</b>	
<b>Do you consider that the Local Plan complies with the Duty to Cooperate?</b>	Yes
<b>Question 2</b>	
<b>Do you consider that this part of the Local Plan is unsound because it is not: (tick all that apply)</b>	
<b>Question 3b</b>	
<b>Your Comments</b>	
<b>As you have supported this part of the plan do you wish to provide any additional comments?</b>	

We support the provisions within this policy to protect the heritage assets in and around the site.

#### Question 4

##### Changes Sought

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No 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?**

No change

#### 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

<b>Consultee</b>	Henry Cumbers (1245163)
<b>Email Address</b>	[REDACTED]
<b>Company / Organisation</b>	Historic England
<b>Address</b>	[REDACTED] [REDACTED] [REDACTED]
<b>Event Name</b>	Darlington Local Plan 2016-2036 (Regulation 19)
<b>Comment by</b>	Historic England ( Henry Cumbers - 1245163)
<b>Comment ID</b>	DBLPPS612
<b>Response Date</b>	17/09/20 16:00
<b>Consultation Point</b>	Site 11 - Cattle Mart ( <a href="#">View</a> )
<b>Status</b>	Processed
<b>Submission Type</b>	Email
<b>Version</b>	0.4
<b>Question 1a</b>	
<b>Do you consider that the Local Plan is Legally compliant?</b>	Yes
<b>Question 1b</b>	
<b>Do you consider that the Local Plan sound?</b>	Yes
<b>Question 1c</b>	
<b>Do you consider that the Local Plan complies with the Duty to Cooperate?</b>	Yes
<b>Question 2</b>	
<b>Do you consider that this part of the Local Plan is unsound because it is not: (tick all that apply)</b>	
<b>Question 3b</b>	
<b>Your Comments</b>	
<b>As you have supported this part of the plan do you wish to provide any additional comments?</b>	

We support the inclusion of wording within the allocation to enhance the setting of the Grade II\* Bank Top Station lying to the north east.

We also support criteria points f and g, which will help to protecting the non-designated heritage assets on the site identified as being important within the HIA.

#### Question 4

##### Changes Sought

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No 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?**

Other policies

#### 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

<b>Consultee</b>	Henry Cumbers (1245163)
<b>Email Address</b>	[REDACTED]
<b>Company / Organisation</b>	Historic England
<b>Address</b>	[REDACTED] [REDACTED] [REDACTED]
<b>Event Name</b>	Darlington Local Plan 2016-2036 (Regulation 19)
<b>Comment by</b>	Historic England ( Henry Cumbers - 1245163)
<b>Comment ID</b>	DBLPPS613
<b>Response Date</b>	17/09/20 16:00
<b>Consultation Point</b>	Site 403 - Blackwell Grange East ( <a href="#">View</a> )
<b>Status</b>	Processed
<b>Submission Type</b>	Email
<b>Version</b>	0.4
<b>Question 1a</b>	
<b>Do you consider that the Local Plan is Legally compliant?</b>	Yes
<b>Question 1b</b>	
<b>Do you consider that the Local Plan sound?</b>	No
<b>Question 1c</b>	
<b>Do you consider that the Local Plan complies with the Duty to Cooperate?</b>	Yes
<b>Question 2</b>	
<b>Do you consider that this part of the Local Plan is unsound because it is not: (tick all that apply)</b>	<ul style="list-style-type: none"><li>. Positively prepared</li><li>. Effective</li><li>. Justified</li><li>. Consistent with national policy</li></ul>
<b>Question 3a</b>	
<b>Your Comments</b>	

**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 site forms the grounds of the Grade II\* Grade II\* listed Blackwell Grange Hotel (and Grade II listed outbuildings). We are not aware of a Heritage Impact Assessment having been undertaken for this site as part of the evidence base for the Local Plan.

In order to demonstrate that the allocation of this area is not incompatible with the requirements of the NPPF, as part of the Evidence Base underpinning the Plan there needs to be an assessment of what contribution this currently-undeveloped area makes to those elements which contribute to the significance of this Listed Building and what effect the loss of this site and its subsequent development might have upon its significance.

In addition, there is a requirement in the 1990 Act that "special regard" should be had to the desirability of preserving Listed Buildings or their setting or any features of special architectural or historic interest which they possess. Although this requirement only relates to the determination of planning applications, failure to take account of this requirement at this stage may mean that, when a Planning Application is submitted, even though a site is allocated for development in the Local Plan, the need to pay special regard to the desirability of preserving a Listed Building or its setting may mean that either, the site cannot actually be developed or the anticipated quantum of development is undeliverable.

**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.**

Before allocating this site for development:-

An assessment needs to be undertaken of the contribution which this site makes to those elements which contribute towards the significance of this Listed Building and what impact the loss of this undeveloped site and its subsequent development might have upon its significance.

If it is considered that the development of this site would harm elements which contribute to the significance of this building, then the Plan needs to set out the measures by which that harm might be removed or reduced.

If, at the end of the process, it is concluded that the development would still be likely to harm elements which contribute to the significance of this building, then this site should not be allocated unless there are clear public benefits that outweigh the harm (as is required by NPPF, Paragraph 195 or 196).

**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?**

Should it be needed to explain our position regarding allocations.

**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

<b>Consultee</b>	Henry Cumbers (1245163)
<b>Email Address</b>	[REDACTED]
<b>Company / Organisation</b>	Historic England
<b>Address</b>	[REDACTED] [REDACTED] [REDACTED]
<b>Event Name</b>	Darlington Local Plan 2016-2036 (Regulation 19)
<b>Comment by</b>	Historic England ( Henry Cumbers - 1245163)
<b>Comment ID</b>	DBLPPS614
<b>Response Date</b>	17/09/20 16:00
<b>Consultation Point</b>	Site 95 - Beech Crescent East, Heighington ( <a href="#">View</a> )
<b>Status</b>	Processed
<b>Submission Type</b>	Email
<b>Version</b>	0.6
<b>Question 1a</b>	
<b>Do you consider that the Local Plan is Legally compliant?</b>	Yes
<b>Question 1b</b>	
<b>Do you consider that the Local Plan sound?</b>	No
<b>Question 1c</b>	
<b>Do you consider that the Local Plan complies with the Duty to Cooperate?</b>	Yes
<b>Question 2</b>	
<b>Do you consider that this part of the Local Plan is unsound because it is not: (tick all that apply)</b>	<ul style="list-style-type: none"><li>. Positively prepared</li><li>. Effective</li><li>. Justified</li><li>. Consistent with national policy</li></ul>
<b>Question 3a</b>	
<b>Your Comments</b>	

**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 site lies within Heighington Conservation Area. We are not aware of a Heritage Impact Assessment having been undertaken for this site as part of the evidence base for the Local Plan.

In order to demonstrate that the allocation of this area is not incompatible with the requirements of the NPPF, as part of the Evidence Base underpinning the Plan there needs to be an assessment of what contribution this currently-undeveloped area makes to those elements which contribute to the character or appearance of the Conservation Area and what effect the loss of this site and its subsequent development might have upon the designated area.

In addition, there is a requirement in the 1990 Act that "special regard" should be had to the desirability of preserving Listed Buildings or their setting or any features of special architectural or historic interest which they possess. Although this requirement only relates to the determination of planning applications, failure to take account of this requirement at this stage may mean that, when a Planning Application is submitted, even though a site is allocated for development in the Local Plan, the need to pay special regard to the desirability of preserving a Listed Building or its setting may mean that either, the site cannot actually be developed or the anticipated quantum of development is undeliverable.

**Question 4**

**Changes Sought**

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Before allocating this site for development:-• An assessment needs to be undertaken of the contribution which this site makes to the elements which contribute towards the significance of the Conservation Area and what impact the loss of this undeveloped site and its subsequent development might have upon them. • If it is considered that the development of this site would harm elements which contribute to the significance of the Conservation Area, then the Plan needs to set out the measures by which that harm might be removed or reduced. • If, at the end of the process, it is concluded that the development would still be likely to harm elements which contribute to the significance of the Conservation Area, then this site should not be allocated unless there are clear public benefits that outweigh the harm (as is required by NPPF, Paragraph 195 or 196)

**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?**

Should it be needed to explain our position regarding allocations.

**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

<b>Consultee</b>	Henry Cumbers (1245163)
<b>Email Address</b>	[REDACTED]
<b>Company / Organisation</b>	Historic England
<b>Address</b>	[REDACTED] [REDACTED] [REDACTED]
<b>Event Name</b>	Darlington Local Plan 2016-2036 (Regulation 19)
<b>Comment by</b>	Historic England ( Henry Cumbers - 1245163)
<b>Comment ID</b>	DBLPPS615
<b>Response Date</b>	17/09/20 16:00
<b>Consultation Point</b>	Site 412 - 12 to 18 Skinnergate ( <a href="#">View</a> )
<b>Status</b>	Processed
<b>Submission Type</b>	Email
<b>Version</b>	0.6
<b>Question 1a</b>	
<b>Do you consider that the Local Plan is Legally compliant?</b>	Yes
<b>Question 1b</b>	
<b>Do you consider that the Local Plan sound?</b>	No
<b>Question 1c</b>	
<b>Do you consider that the Local Plan complies with the Duty to Cooperate?</b>	Yes
<b>Question 2</b>	
<b>Do you consider that this part of the Local Plan is unsound because it is not: (tick all that apply)</b>	<ul style="list-style-type: none"><li>. Positively prepared</li><li>. Effective</li><li>. Justified</li><li>. Consistent with national policy</li></ul>
<b>Question 3a</b>	
<b>Your Comments</b>	

**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.**

12 Skinnergate is a Grade II listed building. However, we are not aware of any Heritage Impact Assessment that has been carried out for this site.

In order to demonstrate that the allocation of this area is not incompatible with the requirements of the NPPF, as part of the Evidence Base underpinning the Plan there needs to be an assessment of what contribution this currently-undeveloped area makes to those elements which contribute to the significance of these Listed Buildings and what effect the loss of this site and its subsequent development might have upon their significance.

In addition, there is a requirement in the 1990 Act that “special regard” should be had to the desirability of preserving Listed Buildings or their setting or any features of special architectural or historic interest which they possess. Although this requirement only relates to the determination of planning applications, failure to take account of this requirement at this stage may mean that, when a Planning Application is submitted, even though a site is allocated for development in the Local Plan, the need to pay special regard to the desirability of preserving a Listed Building or its setting may mean that either, the site cannot actually be developed or the anticipated quantum of development is undeliverable.

**Question 4**

**Changes Sought**

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An assessment needs to be undertaken of the contribution which this site makes to those elements which contribute towards the significance of the Listed Buildings in its vicinity and what impact the loss of this undeveloped site and its subsequent development might have upon their significance.

If it is considered that the development of this site would harm elements which contribute to the significance of these buildings, then the Plan needs to set out the measures by which that harm might be removed or reduced.

If, at the end of the process, it is concluded that the development would still be likely to harm elements which contribute to the significance of any of these Listed Buildings, then this site should not be allocated unless there are clear public benefits that outweigh the harm (as is required by NPPF, Paragraph 195 or 196).

**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?**

Should it be needed to explain our position regarding allocations.

**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

<b>Consultee</b>	Henry Cumbers (1245163)
<b>Email Address</b>	[REDACTED]
<b>Company / Organisation</b>	Historic England
<b>Address</b>	[REDACTED] [REDACTED] [REDACTED]
<b>Event Name</b>	Darlington Local Plan 2016-2036 (Regulation 19)
<b>Comment by</b>	Historic England ( Henry Cumbers - 1245163)
<b>Comment ID</b>	DBLPPS616
<b>Response Date</b>	17/09/20 16:00
<b>Consultation Point</b>	Site 356 - Ingenium Parc ( <a href="#">View</a> )
<b>Status</b>	Processed
<b>Submission Type</b>	Email
<b>Version</b>	0.4
<b>Question 1a</b>	
<b>Do you consider that the Local Plan is Legally compliant?</b>	Yes
<b>Question 1b</b>	
<b>Do you consider that the Local Plan sound?</b>	No
<b>Question 1c</b>	
<b>Do you consider that the Local Plan complies with the Duty to Cooperate?</b>	Yes
<b>Question 2</b>	
<b>Do you consider that this part of the Local Plan is unsound because it is not: (tick all that apply)</b>	<ul style="list-style-type: none"><li>. Positively prepared</li><li>. Effective</li><li>. Justified</li><li>. Consistent with national policy</li></ul>
<b>Question 3a</b>	
<b>Your Comments</b>	

**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 allocation of this site which lies to the south of Cummins Engine Factory a Grade II\* listed asset, and security fence at cummins engine factory also Grade II\*. Alongside the recently designated Grade II park and garden (Landscape at Cummins Engine Factory, Darlington).

The form and profile of the Engine Factory building within its open, simple landscape is an important contribution to its significance. The simplicity of the design and its horizontal form punctuated by the single tall chimney are enhanced and complemented by the openness of the landscape – both the surrounding designed landscape and the extensive lowland landscape of the Tees Lowlands.

It is therefore important that any design is restricted in height to protect this setting so as any new development does not protrude over the ridge line of the engine factory.

There should also be consideration given to important sight-lines to the building. Although not designed with a formal 'vista' there are two principal points from where the building in its setting is best appreciated.

We have concerns over the masterplan for Ingenium Parc as available on the Council's website. This is because we consider that it would likely result in three elements of harm as follows;

The proposed buildings are not orientated on the same axis as the Cummins building and landscape. This would result in a discordant relationship between the existing and proposed. The proposed buildings are too close to the southern boundary of the designed landscape, and are in too close proximity to the principal building, resulting in a negative impact on the setting of the two heritage assets (they will no longer be appreciated in an open, lowland landscape). Without a limit on the height of any building behind the Cummins building, its form and profile would be lost and compromised, which could be further exacerbated should the building take a traditional pitched-roof form as hinted at on the masterplan drawing).

We would therefore request that the Masterplan is reviewed consultation with Historic England in order that it conserves and enhances the important designated assets of Cummins Engine Factory.

#### **Question 4**

##### **Changes Sought**

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Rephrase the first paragraph to read

The 40.8 hectare Ingenium Parc site is a prime industrial and commercial development site south of the Grade II\* listed Cummins Engine Factory on Yarm Road and its designated landscape. The site is East of Maidendale Local Nature Reserve and North of the Darlington to Middlesbrough railway line. To the east of the site is the Cleveland Bridge building and Morton Palms Business Park. A masterplan for Ingenium Parc will be reviewed to set out design principles and requirements for the sites development that conserves and enhances the setting of the designated heritage assets of Cummins Engine Factory.

Delete criteria e and replace with:

"A high quality of design and layout will be required to conserve and enhance the setting of Cummins Engine Factory, which ensures the following: The height of any new buildings are restricted in order to protect the setting of the building including its form and profile; that the orientation of any new buildings are in alignment with the axis of Cummins Engine Factory to ensure harmony between the existing



and proposed buildings; and that development is set back from the southern boundary of the Grade II park and Garden to reflect the original designed landscape setting of the Cummins Engine Factory.”

#### 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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Should it be needed to explain our position regarding allocations.

#### 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

<b>Consultee</b>	Henry Cumbers (1245163)
<b>Email Address</b>	[REDACTED]
<b>Company / Organisation</b>	Historic England
<b>Address</b>	[REDACTED] [REDACTED] [REDACTED]
<b>Event Name</b>	Darlington Local Plan 2016-2036 (Regulation 19)
<b>Comment by</b>	Historic England ( Henry Cumbers - 1245163)
<b>Comment ID</b>	DBLPPS617
<b>Response Date</b>	17/09/20 16:00
<b>Consultation Point</b>	Site 362 - Teesside International Airport South ( <a href="#">View</a> )
<b>Status</b>	Processed
<b>Submission Type</b>	Email
<b>Version</b>	0.6
<b>Question 1a</b>	
<b>Do you consider that the Local Plan is Legally compliant?</b>	Yes
<b>Question 1b</b>	
<b>Do you consider that the Local Plan sound?</b>	Yes
<b>Question 1c</b>	
<b>Do you consider that the Local Plan complies with the Duty to Cooperate?</b>	Yes
<b>Question 2</b>	
<b>Do you consider that this part of the Local Plan is unsound because it is not: (tick all that apply)</b>	
<b>Question 3b</b>	
<b>Your Comments</b>	

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

There has been informal dialogue between Historic England and the Council on the proposed allocation of this site for employment uses. The allocated as drafted accords with the dialogue and will help conserve and where appropriate enhance those heritage assets identified as potentially bring impacted through development on the site. We therefore support this allocation.

**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.**

No 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?**

Should it be needed to explain our position regarding allocations.

**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