

Comment

Consultee Judith Murray (1164496)

Email Address [REDACTED]

Company / Organisation Whinfield Residents Association incorporating Friends of Beechwood

Address [REDACTED]
[REDACTED]
[REDACTED]

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

Comment by Whinfield Residents Association incorporating Friends of Beechwood (Judith Murray - 1164496)

Comment ID DBLPPS216

Response Date 15/09/20 17:18

Consultation Point Darlington Borough Local Plan 2016-2036 Proposed Submission Local Plan August 2020 ([View](#))

Status Processed

Submission Type Email

Version 0.11

Files [Whinfield Residents Association Local Plan Representation comments.doc](#)

Question 1b

Do you consider that the Local Plan sound? No

Question 2

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

Question 3a

Your Comments

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

In addition to the points raised above, Whinfield Residents Association would like to make the following comments with regards to the actual Plan preparation and how it has been conducted, which also raise questions with regards to the 'soundness' of the plan and any pre-judgements.

Whinfield Residents Association has been led to believe that before to the draft Local Plan consultation process in 2018, Darlington Borough Council Cabinet had already approved the building of 1,800 houses in the Skerningham Development on the 25th January 2018. There was no meaningful involvement or consultation with local residents before to this approval.

Whilst we cannot disagree with Policy IN8 regarding Broadband connectivity we would ask that the following be taken into consideration

- . BT Openreach has already commenced facilitating fibre broadband to the Skerningham Development without the plan having actually been approved – could this be construed as pre-judgement?
- . The lines providing this broadband connectivity run in front of the current dwellings on Barmpton Lane, yet a bypass has been installed so that residents of Barmpton lane will not be able to connect to the fibre broadband. With regards to the principles of the NPPF regarding detriment to existing residents this could be construed as detrimental even before the plan is approved?

We would also question why the Council has chosen to conduct its Representation period in the middle of a pandemic having regard to the fact that there are potentially a significant number of Darlington Residents who do not have internet access and will therefore be digitally excluded from this Representation. Despite the change in regulations regarding what the Local Authority has to do during this pandemic, in the interests of the NPPF and achieving fair and proportionate engagement we have tried to lobby the Council to postpone this Representation until it is fair to all. They have refused to do so despite our evidence on digital exclusion.

Overall, Whinfield Residents Association can only conclude that this plan fails to meet the tests of 'Soundness' in particular in relation to policies H1 and H10 as well as other factors in the NPPF guidance and apparent pre-judgement, and as such the Local Plan should be reconsidered. The Local Plan Representation has also been presented during the middle of a pandemic when fair and proportionate engagement with all residents is limited and, in our view should be postponed until fair engagement by all is possible.

Given that Whinfield Residents Association are seeking changes to the Local Plan we would consider it necessary for us to participate in the Examination Hearing.

We would also request to be notified of the following:

- When the submission of the Local Plan to the Secretary of State for Independent Examination under section 22(3) of the regulations has been made.

- . When the publication of the Inspectors recommendations/ report of the examination of the Local Plan is due.
- . When the adoption of the Local Plan will occur.

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?

We would consider it necessary as it is our Ward that will be most affected by the Local Plan and as such we, as residents of that Ward, should be given the opportunity to put forward our concerns to the Planning Inspector.

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 Judith Murray (1164496)

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

Comment by Whinfield Residents Association incorporating Friends of Beechwood (Judith Murray - 1164496)

Comment ID DBLPPS218

Response Date 15/09/20 17:18

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

Status Processed

Submission Type Email

Version 0.6

Question 1b

Do you consider that the Local Plan sound? No

Question 2

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

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.

Whinfield Residents Association objects to this on the following grounds:

In relation to Policy DC1, in particular, para 5.1.8, we do not believe that this plan will minimise the effect of climate change and has therefore not been positively prepared with this objective in mind.

The plan will encourage the use of energy efficient measures and low carbon technologies but will not enforce them. Recent housing developments within the Borough have not encouraged energy efficient measures such as solar panels as these have been deemed too expensive or and added expense for

developers to include on new properties. Other technologies such as Ground Source Heat Pumps are also not being installed despite the government's commitment to banish the installation of gas boilers in new builds by 2025 (Committee on Climate Change report). Again one can only conclude that developers consider the installation of such technologies too expensive. There is no mention of any of these in the plan or of what energy efficient measures will be encouraged and how these will be enforced as part of the aim to minimise the effects of climate change.

In 2018 Darlington Borough Council declared a climate change emergency. This plan shows no evidence in trying to mitigate that emergency; in fact Policy H10 only goes to exacerbate it with its rural location and reliance on car journeys to get to the centre of town or to work. Given the extent of the development at Policy H10, this plan will not minimise the impact of climate change and will only go to increase its effects further.

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.

We would advocate that the plan enforces the use of energy efficient measures and low carbon technologies on all new developments.

Policy H10 is also reviewed given the detrimental effect its increased car journeys will have on the climate and the objective of minimising the effects 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

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

Given that Whinfield Residents Association are seeking changes to the Local Plan we would consider it necessary for us to participate in the Examination Hearing. We would consider it necessary as it is our Ward that will be most affected by the Local Plan and as such we, as residents of that Ward, should be given the opportunity to put forward our concerns to the Planning Inspector.

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Yes, I request to be notified

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[REDACTED]

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

Comment by Whinfield Residents Association incorporating Friends of Beechwood (Judith Murray - 1164496)

Comment ID DBLPPS219

Response Date 15/09/20 17:18

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

Status Processed

Submission Type Email

Version 0.5

Question 1b

Do you consider that the Local Plan sound? No

Question 2

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

- Positively prepared
- Justified
- Consistent with national policy

Question 3a

Your Comments

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

Whinfield Residents Association objects on the following grounds:

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

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

The calculation of housing need does not follow the standard method as required by the NPPF, nor does it clearly demonstrate, using well evidenced and justifiable methods, that there are exceptional circumstances that exist which would justify an alternative approach. Using the standard methodology a housing yield of 3.476 new dwelling will be required over the plan period, given that the current housing commitments for Darlington are 4,974, this is more than sufficient to cover the plan period, so in essence, following the standard methodology, there is no need to allocate any further land to cover Darlington's needs. The 9,840 quoted in the plan is not justified by any amount of investigation.

We have also noted that there is no apparent analysis of the availability of brownfield sites or empty properties within the Borough. The NPPF clearly states that as much use as possible should be made of previously developed or brownfield land, this Plan is therefore a direct contravention of the NPPF.

The housing requirement is based upon the Darlington Strategic Housing Market Assessment (SHMA) 2017, which states that the document should not be considered in isolation, and also that much of the Darlington SHMA 2015 remains as the most recent evidence base. The National Planning Policy Framework advises that exceptional circumstances reflect current and future demographic trends and market signals, yet this report appears to mainly be based on 2015 evidence.

The NPPF also states that policies should be clearly written and unambiguous; however, this does not seem to be the case with the Housing Requirement calculation. How local administrative data such as NHS patient registers, the number of school children and those aged over 65 is used to justify that exceptional circumstances exist to deviate from the standard methodology is not clear. Administrative data is also subject to flaws as in the period 2011-2016 there was an influx of EU workers into the area, many of whom have now left.

Furthermore NPPF suggests that exceptional circumstances may also exist where current market signals indicate such a deviation to be exceptional. The SHMA 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 requirement.

The plan includes several assumptions which have been made but does not evidence what these assumptions are and how exactly they have increased the number of dwellings by over 100% above the standard methodology calculation.

The housing requirement makes an allowance for economic growth and 7,000 full time additional jobs over the plan period but there is no evidence to support this. The recent arrival of Amazon may have created new jobs, but this should not be taken as evidence that 7,000 full time additional jobs will be created in Darlington over the plan term. Amazon is a one off, and job creation like that has not been seen for some time in Darlington. In fact the jobs created by Amazon have only served to partially offset the many jobs lost in the past few years. When you also consider that Amazon is continually looking to use automation with robot technology to replace its workforce, one wonders just how many of these jobs will exist in a few years time.

It is not clear whether or not these 7,000 additional jobs are in fact, only replacing the jobs lost over the last number of years, and if they are, this would not be evidence to support an increase in the housing requirement. Interestingly the economic projections Darlington purchased from Oxford Economics to predict future growth actually forecast for the period 2016-2036 negative growth. Darlington chose to ignore this and relied instead on the SHMA data. The SHMA itself refers to the projected 7,000 jobs as aspirational and states that this figure includes full and part time workers. The SHMA 2017 contradicts and does not support the 7,000 full time equivalent additional jobs quoted in the plan.

Support for economic growth in itself is not evidence that it will actually materialise and in this plan there is no evidence founded on facts to support that it will. Aspirational figures are not 'exceptional circumstances that exist' which justify an alternative approach to the standard method of calculation.

Brexit is likely to have a substantial effect on the economy yet there is no mention of the potential impact that it will have on these estimates. This is yet another demonstration that the 'exceptional' circumstances leading to the deviation from the standard methodology do not reflect current circumstances.

Notwithstanding the above, Covid-19 has had a significant effect on economic growth with many businesses cutting back on jobs and plans to expand. To not re-examine the housing allocation, or

the estimate of 7,000 new jobs in the light of the current and future effects of the Covid-19 virus is not, in our opinion, being honest or realistic. This only goes further to support the fact that the evidence supporting the housing allocation is not justifiable given current circumstances and that the evidence the plan purports to use is not founded by facts.

Overall the exceptional circumstances upon which Darlington Council have based their deviation from the standard methodology are assumptions, estimates and guesswork, none of which is current, justifiable or evidenced on facts.

Question 4

Changes Sought

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We would advocate that a transparent and justifiable method of demonstrating that the 492 dwellings quoted in the plan are required is used and that this is broken down into a calculation which identifies what the standard methodology is and how each of the categories in the 'local administrative' data used contributes to the deviation and exactly how they are exceptional.

We would ask that the estimates included in the plan with regards to the housing requirement and economic growth are reviewed in the light of the existing and future impacts of Covid-19 and the potential impacts of Brexit.

We would ask Darlington Borough Council for a clear explanation of how it has taken account of market signals in their housing requirement calculation.

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?

Given that Whinfield Residents Association are seeking changes to the Local Plan we would consider it necessary for us to participate in the Examination Hearing. We would consider it necessary as it is our Ward that will be most affected by the Local Plan and as such we, as residents of that Ward, should be given the opportunity to put forward our concerns to the Planning Inspector.

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 Judith Murray (1164496)

Email Address [REDACTED]

Company / Organisation Whinfield Residents Association incorporating Friends of Beechwood

Address [REDACTED]
[REDACTED]
[REDACTED]

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

Comment by Whinfield Residents Association incorporating Friends of Beechwood (Judith Murray - 1164496)

Comment ID DBLPPS222

Response Date 15/09/20 17:18

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

Status Processed

Submission Type Email

Version 0.6

Question 1b

Do you consider that the Local Plan sound? No

Question 2

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

- Justified
- Consistent with national policy

Question 3a

Your Comments

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

We believe that the proposal to allow the loss of green space in the Skerningham Strategic Allocation directly conflicts with Policy ENV4, in particular point G as it can be demonstrated that this loss of space would cause significant harm to the character and appearance of the area. According to the Darlington Landscape Character Assessment 2015 the landscape in this area is unlikely to accommodate further development without altering its character. This proposed development could potentially sit on land that was identified by Darlington Borough Council as a 'Jewel in the Crown' in their 'Rights of Way Improvement Plan' with access to very high grade 'quality' countryside', countryside

which has been used extensively by residents during lock-down. It would therefore adversely affect the recreational needs of all residents of the Borough.

Policy H10 also directly conflicts with policy IN1 in so far as it will result in the loss of existing footpaths and impair their functioning for recreational purposes.

Policy H10 does not demonstrate other principles contained in Policy IN1 as, 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.

The NPPF states that plans should be sustainable. We believe that Policy H10 is not sustainable as the Council have not been able to demonstrate that the already overloaded road infrastructure in and around Whinfield will be able to cope with an increase of traffic up to 180% of its current volume. This is based only on 1,800 houses and not the full 4,500 homes envisaged in this plan.

Whinfield Residents Association note and support the comments made by Highways England in response to the draft Local Plan Consultation in 2018, namely their concerns regarding the potential impact of the Strategic Road Network of Policy H10. none of these concerns appear to have been addressed in this Local Plan submission.

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.

We would expect that there be no conflict with policy ENV4, the Darlington Landscape Assessment or policy IN1. We would also expect a clear explanation of how the Council intends to mitigate the increase in the volume of traffic on already full to capacity local roads, which to date they have not. If Policy H10 is unsustainable and, if these conflicts cannot be removed or explanations provided then Policy H10 should be removed from the Local Plan.

Question 5

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Question 5a

Participation at Examination Hearings

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Given that Whinfield Residents Association are seeking changes to the Local Plan we would consider it necessary for us to participate in the Examination Hearing. We would consider it necessary as it is

our Ward that will be most affected by the Local Plan and as such we, as residents of that Ward, should be given the opportunity to put forward our concerns to the Planning Inspector.

Question 6

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Consultee Judith Murray (1164496)

Email Address [REDACTED]

Company / Organisation Whinfield Residents Association incorporating Friends of Beechwood

Address [REDACTED]
[REDACTED]
[REDACTED]

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

Comment by Whinfield Residents Association incorporating Friends of Beechwood (Judith Murray - 1164496)

Comment ID DBLPPS223

Response Date 15/09/20 17:18

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

Status Processed

Submission Type Email

Version 0.5

Question 1b

Do you consider that the Local Plan sound? No

Question 2

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

Question 3a

Your Comments

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

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

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

Policy ENV3 is contradicted by Policy H10 as Policy H10 involves development in the area between Darlington and Barmpton Village which Policy ENV3 states should be retained.

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.

We would expect that the Council revisit Policy H10 so that it is in line with other policies in the Local 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

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Given that Whinfield Residents Association are seeking changes to the Local Plan we would consider it necessary for us to participate in the Examination Hearing. We would consider it necessary as it is our Ward that will be most affected by the Local Plan and as such we, as residents of that Ward, should be given the opportunity to put forward our concerns to the Planning Inspector.

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 Judith Murray (1164496)

Email Address [REDACTED]

Company / Organisation Whinfield Residents Association incorporating Friends of Beechwood

Address [REDACTED]
[REDACTED]
[REDACTED]

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

Comment by Whinfield Residents Association incorporating Friends of Beechwood (Judith Murray - 1164496)

Comment ID DBLPPS224

Response Date 15/09/20 17:18

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

Status Processed

Submission Type Email

Version 0.4

Question 1b

Do you consider that the Local Plan sound? No

Question 2

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

Question 3a

Your Comments

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

Point F of policy ENV7 refers to wildlife friendly green spaces, parks and parklands, in particular to protect and improve the wildlife value of green spaces, parks and parklands. Given that Policy H10 intends to build directly on these green spaces currently inhabited by wildlife policy ENV7 directly conflicts with Policy H10.

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.

We would expect that the Council either remove Policy H10 from the Local Plan or amend it so that it does not conflict with the other policies within the Local Plan.

Question 5

Attendance at Examination Hearings

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Question 5a

Participation at Examination Hearings

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Consultee	Judith Murray (1164496)
Email Address	[REDACTED]
Company / Organisation	Whinfield Residents Association incorporating Friends of Beechwood
Address	[REDACTED] [REDACTED] [REDACTED]
Event Name	Darlington Local Plan 2016-2036 (Regulation 19)
Comment by	Whinfield Residents Association incorporating Friends of Beechwood (Judith Murray - 1164496)
Comment ID	DBLPPS225
Response Date	15/09/20 17:18
Consultation Point	Policy IN 1 Delivering a Sustainable Transport Network (Strategic Policy) (View)
Status	Processed
Submission Type	Email
Version	0.5
Question 1b	
Do you consider that the Local Plan sound?	No

Question 2

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

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

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

There is a conflict of interest between the principles of Policy IN1 and the delivery of Policy H10.

Question 4

Changes Sought

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We would expect that the Council should either be remove Policy H10 from the Local Plan or amend it so it does not conflict with other policies in the Plan

Question 5

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Proposed Submission Local Plan 2016-2036

Representation

Name: Whinfield Residents Association

Address:

Tel No:

Email:

Dear Sir/Madam

I am sending this response on behalf of Whinfield Residents Association and it is their Representation regarding the local Plan.

Whinfield Residents Association has over 90 members.

Whinfield Residents Association has listed below those specific policies within the Local Plan which we consider not to be 'sound' and our reasons for this. After each policy we have also listed the changes sought which we feel would make the plan 'sound'.

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

Whinfield Residents Association objects to this on the following grounds:

In relation to Policy DC1, in particular, para 5.1.8, we do not believe that this plan will minimise the effect of climate change and has therefore not been positively prepared with this objective in mind.

The plan will encourage the use of energy efficient measures and low carbon technologies but will not enforce them. Recent housing developments within the Borough have not encouraged energy efficient measures such as solar panels as these have been deemed too expensive or and added expense for developers to include on new properties. Other technologies such as Ground Source Heat Pumps are also not being installed despite the government's commitment to banish the installation of gas boilers in new builds by 2025 (Committee on Climate Change report). Again one can only conclude that developers consider the installation of such technologies too expensive. There is no mention of any of these in the plan or of what energy efficient measures will be encouraged and how these will be enforced as part of the aim to minimise the effects of climate change.

In 2018 Darlington Borough Council declared a climate change emergency. This plan shows no evidence in trying to mitigate that emergency; in fact Policy H10 only goes to exacerbate it with its rural location and reliance on car journeys to get to the centre of town or to work. Given the extent of the development at Policy H10, this plan will

not minimise the impact of climate change and will only go to increase its effects further.

To make this plan sound

We would advocate that the plan enforces the use of energy efficient measures and low carbon technologies on all new developments.

Policy H10 is also reviewed given the detrimental effect its increased car journeys will have on the climate and the objective of minimising the effects of climate change.

Policy H1 – Housing Requirement

Whinfield Residents Association objects on the following grounds:

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

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

The calculation of housing need does not follow the standard method as required by the NPPF, nor does it clearly demonstrate, using well evidenced and justifiable methods, that there are exceptional circumstances that exist which would justify an alternative approach. Using the standard methodology a housing yield of 3.476 new dwelling will be required over the plan period, given that the current housing commitments for Darlington are 4,974, this is more than sufficient to cover the plan period, so in essence, following the standard methodology, there is no need to allocate any further land to cover Darlington's needs. The 9,840 quoted in the plan is not justified by any amount of investigation.

We have also noted that there is no apparent analysis of the availability of brownfield sites or empty properties within the Borough. The NPPF clearly states that as much use as possible should be made of previously developed or brownfield land, this Plan is therefore a direct contravention of the NPPF.

The housing requirement is based upon the Darlington Strategic Housing Market Assessment (SHMA) 2017, which states that the document should not be considered in isolation, and also that much of the Darlington SHMA 2015 remains as the most recent evidence base. The National Planning Policy Framework advises that exceptional circumstances reflect current and future demographic trends and market signals, yet this report appears to mainly be based on 2015 evidence.

The NPPF also states that policies should be clearly written and unambiguous; however, this does not seem to be the case with the Housing Requirement calculation. How local administrative data such as NHS patient registers, the number of school children and those aged over 65 is used to justify that exceptional circumstances exist to deviate from the standard methodology is not clear. Administrative data is also subject to flaws as in the period 2011-2016 there was an influx of EU workers into the area, many of whom have now left.

Furthermore NPPF suggests that exceptional circumstances may also exist where current market signals indicate such a deviation to be exceptional. The SHMA 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 requirement.

The plan includes several assumptions which have been made but does not evidence what these assumptions are and how exactly they have increased the number of dwellings by over 100% above the standard methodology calculation.

The housing requirement makes an allowance for economic growth and 7,000 full time additional jobs over the plan period but there is no evidence to support this. The recent arrival of Amazon may have created new jobs, but this should not be taken as evidence that 7,000 full time additional jobs will be created in Darlington over the plan term. Amazon is a one off, and job creation like that has not been seen for some time in Darlington. In fact the jobs created by Amazon have only served to partially offset the many jobs lost in the past few years. When you also consider that Amazon is continually looking to use automation with robot technology to replace its workforce, one wonders just how many of these jobs will exist in a few years time.

It is not clear whether or not these 7,000 additional jobs are in fact, only replacing the jobs lost over the last number of years, and if they are, this would not be evidence to support an increase in the housing requirement. Interestingly the economic projections Darlington purchased from Oxford Economics to predict future growth actually forecast for the period 2016-2036 negative growth. Darlington chose to ignore this and relied instead on the SHMA data. The SHMA itself refers to the projected 7,000 jobs as aspirational and states that this figure includes full and part time workers. The SHMA 2017 contradicts and does not support the 7,000 full time equivalent additional jobs quoted in the plan.

Support for economic growth in itself is not evidence that it will actually materialise and in this plan there is no evidence founded on facts to support that it will. Aspirational figures are not 'exceptional circumstances that exist' which justify an alternative approach to the standard method of calculation.

Brexit is likely to have a substantial effect on the economy yet there is no mention of the potential impact that it will have on these estimates. This is yet another demonstration that the 'exceptional' circumstances leading to the deviation from the standard methodology do not reflect current circumstances.

Notwithstanding the above, Covid-19 has had a significant effect on economic growth with many businesses cutting back on jobs and plans to expand. To not re-examine the housing allocation, or the estimate of 7,000 new jobs in the light of the current and future effects of the Covid-19 virus is not, in our opinion, being honest or realistic. This only goes further to support the fact that the evidence supporting the housing allocation is not justifiable given current circumstances and that the evidence the plan purports to use is not founded by facts.

Overall the exceptional circumstances upon which Darlington Council have based their deviation from the standard methodology are assumptions, estimates and guesswork, none of which is current, justifiable or evidenced on facts.

To make this plan sound

We would advocate that a transparent and justifiable method of demonstrating that the 492 dwellings quoted in the plan are required is used and that this is broken down into a calculation which identifies what the standard methodology is and how each of the categories in the 'local administrative' data used contributes to the deviation and exactly how they are exceptional.

We would ask that the estimates included in the plan with regards to the housing requirement and economic growth are reviewed in the light of the existing and future impacts of Covid-19 and the potential impacts of Brexit.

We would ask Darlington Borough Council for a clear explanation of how it has taken account of market signals in their housing requirement calculation.

Policy H10 – Skerningham Strategic Allocation

Whinfield Residents Association objects on the following grounds:

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

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

We believe that the proposal to allow the loss of green space in the Skerningham Strategic Allocation directly conflicts with Policy ENV4, in particular point G as it can be demonstrated that this loss of space would cause significant harm to the character and appearance of the area. According to the Darlington Landscape Character Assessment 2015 the landscape in this area is unlikely to accommodate further development without altering its character. This proposed development could potentially sit on land that was identified by Darlington Borough Council as a 'Jewel in the Crown' in their 'Rights of Way Improvement Plan' with access to very high grade 'quality' countryside, countryside which has been used extensively by residents during lock-down. It would therefore adversely affect the recreational needs of all residents of the Borough.

Policy H10 also directly conflicts with policy IN1 in so far as it will result in the loss of existing footpaths and impair their functioning for recreational purposes.

Policy H10 does not demonstrate other principles contained in Policy IN1 as, 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.

The NPPF states that plans should be sustainable. We believe that Policy H10 is not sustainable as the Council have not been able to demonstrate that the already overloaded road infrastructure in and around Whinfield will be able to cope with an increase of traffic up to 180% of its current volume. This is based only on 1,800 houses and not the full 4,500 homes envisaged in this plan.

Whinfield Residents Association note and support the comments made by Highways England in response to the draft Local Plan Consultation in 2018, namely their concerns regarding the potential impact of the Strategic Road Network of Policy H10. none of these concerns appear to have been addressed in this Local Plan submission.

To make this plan sound

We would expect that there be no conflict with policy ENV4, the Darlington Landscape Assessment or policy IN1. We would also expect a clear explanation of how the Council intends to mitigate the increase in the volume of traffic on already full to capacity local roads, which to date they have not. If Policy H10 is unsustainable and, if these conflicts cannot be removed or explanations provided then Policy H10 should be removed from the Local Plan.

Policy ENV3 – Local Landscape Character

Whinfield Residents Association objects on the following grounds:

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

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

Policy ENV3 is contradicted by Policy H10 as Policy H10 involves development in the area between Darlington and Barmpton Village which Policy ENV3 states should be retained.

To make this plan sound

We would expect that the Council revisit Policy H10 so that it is in line with other policies in the Local Plan.

Policy ENV7 – Biodiversity and Geodiversity and Development

Whinfield Residents Association objects on the following grounds:

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

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

Point F of policy ENV7 refers to wildlife friendly green spaces, parks and parklands, in particular to protect and improve the wildlife value of green spaces, parks and

parklands. Given that Policy H10 intends to build directly on these green spaces currently inhabited by wildlife policy ENV7 directly conflicts with Policy H10.

To make this plan sound

We would expect that the Council either remove Policy H10 from the Local Plan or amend it so that it does not conflict with the other policies within the Local Plan.

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

Whinfield Residents Association objects on the following grounds:

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

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

There is a conflict of interest between the principles of Policy IN1 and the delivery of Policy H10.

To make this plan sound

We would expect that the Council should either be remove Policy H10 from the Local Plan or amend it so it does not conflict with other policies in the Plan

In addition to the points raised above, Whinfield Residents Association would like to make the following comments with regards to the actual Plan preparation and how it has been conducted, which also raise questions with regards to the ‘soundness’ of the plan and any pre-judgements.

Whinfield Residents Association has been led to believe that before to the draft Local Plan consultation process in 2018, Darlington Borough Council Cabinet had already approved the building of 1,800 houses in the Skerningham Development on the 25th January 2018. There was no meaningful involvement or consultation with local residents before to this approval.

Whilst we cannot disagree with Policy IN8 regarding Broadband connectivity we would ask that the following be taken into consideration

- BT Openreach has already commenced facilitating fibre broadband to the Skerningham Development without the plan having actually been approved – could this be construed as pre-judgement?
- The lines providing this broadband connectivity run in front of the current dwellings on Barmpton Lane, yet a bypass has been installed so that residents of Barmpton lane will not be able to connect to the fibre broadband. With regards to the principles of the NPPF regarding detriment to existing residents this could be construed as detrimental even before the plan is approved?

We would also question why the Council has chosen to conduct its Representation period in the middle of a pandemic having regard to the fact that there are potentially a significant number of Darlington Residents who do not have internet access and will

therefore be digitally excluded from this Representation. Despite the change in regulations regarding what the Local Authority has to do during this pandemic, in the interests of the NPPF and achieving fair and proportionate engagement we have tried to lobby the Council to postpone this Representation until it is fair to all. They have refused to do so despite our evidence on digital exclusion.

Overall, Whinfield Residents Association can only conclude that this plan fails to meet the tests of 'Soundness' in particular in relation to policies H1 and H10 as well as other factors in the NPPF guidance and apparent pre-judgement, and as such the Local Plan should be reconsidered. The Local Plan Representation has also been presented during the middle of a pandemic when fair and proportionate engagement with all residents is limited and, in our view should be postponed until fair engagement by all is possible.

Given that Whinfield Residents Association are seeking changes to the Local Plan we would consider it necessary for us to participate in the Examination Hearing. We would consider it necessary as it is our Ward that will be most affected by the Local Plan and as such we, as residents of that Ward, should be given the opportunity to put forward our concerns to the Planning Inspector.

We would also request to be notified of the following:

- When the submission of the Local Plan to the Secretary of State for Independent Examination under section 22(3) of the regulations has been made.
- When the publication of the Inspectors recommendations/ report of the examination of the Local Plan is due.
- When the adoption of the Local Plan will occur.

Kind Regards

Judith Murray
Secretary

**Whinfield Residents Association
Inc. Friends of Beech Wood**