

Darlington Local Plan Examination in Public**Response to Inspectors Matters, Issues and Questions****Made on Behalf of The Church Commissioners for England****Matter 1- Legal and Procedural Requirements and Other General Matters****Introduction**

- 1.1 This Hearing Statement is made on behalf of The Church Commissioners for England (our 'Client') in advance of making verbal representations at the Examination in Public of the Darlington Local Plan. Our Client has made comments throughout the Local Plan consultation process, including at the Pre-Submission Draft stage in December 2018.
- 1.2 This Hearing Statement represents our Client's view on the overarching policies and targets in the Plan. These comments have been made in the context of our Client's land interest at Hall Farm, Branksome (housing allocation reference 100). Measuring 22 hectares, the site is an allocated urban extension to the west of the main urban area with an indicative yield of 450 homes, including 270 which are estimated to be delivered during the plan period. Our client supports this allocation.
- 1.3 Our response to the relevant questions in Matter 1 is set out below. We have had specific regard to the tests of soundness outlined in the National Planning Policy Framework (NPPF); namely that the policies in the Local Plan must be justified, effective, positively planned and consistent with national policy in order to be found sound.

Matter 1- Legal and Procedural Requirements and other General Matters

Q1.14. Is the Plan informed by a proportionate and up to date assessment of viability that takes into account all relevant policies, and local and national standards?

- 1.4 We share the concerns of the HBF in that the plan is not informed by a proportionate, up to date assessment of viability that takes into account the relevant policies and applicable standards.
- 1.5 Crucially the Viability Assessment chooses to define high, medium and low value areas based on ward maps alone. This is not a sound approach, it is potentially an ineffective and unjustified one. Our Client considers that affordable housing areas should be based on evidence and the facts on the ground, taking into account Lower Super Output Areas, as is normal when preparing Viability Assessments, rather than using ward boundary lines. This is particularly pertinent in terms of the land at Hall Farm as the 2019 Indices of Multiple Deprivation (IMD) shows that the ward in which the site is situated has become more deprived since the last IMD study was taken in 2015. The ward (Brinkburn and Faverdale) has a minus 2 rating when comparing the two study years- the largest possible decrease.
- 1.6 Given the scale of the allocation (22ha), we believe that there is some merit in our Client's site being split in terms of value areas rather than having a blanket approach imposed.
- 1.7 In relation to M4 Standards, the Main Modifications to Policy H4 sets out that the proportion of dwellings that should meet M4(2) standards has been reduced from 80% to 47%. Although this is welcome, it is unclear as to why this specific figure has been selected and indeed why it has not been reduced further.
- 1.8 Our Client also notes that the current policy is based on a housing requirement of 422 dwellings per annum (dpa). Should the housing requirement range be removed and set at 492 dpa then the M4 standards also need revising and the requirement in policy will fall.
- 1.9 Furthermore, paragraph 4.7.1 of the SHMA sets out that there are a number of consented or built sites where there is not a requirement for M4(2) *"so the required adapted homes will have to be provided from sites without current planning permission"*. Our Client considers that this is not justified.
- 1.10 It is not reasonable or sound to set out that sites with no consent have to provide more M4 standard homes to make up a perceived shortfall, but then to also set out that this will have no material impact on their viability. This will lead to a detrimental impact on viability on allocations or windfall sites and will prejudice those sites where landowners have worked with the Council over a number of years to support and justify an allocation when they could have

applied for consent and not faced this extra cost. In light of the above, policy H4 needs to be amended in line with the evidence and taking the above into account.

- 1.11 The Viability Assessment also recognises (paragraph 5.7.20) that M4(3) standards are "*significantly higher*" than M4(2) and that this can be as much as £25,000 per unit. However, the following paragraph then states that these costs are taken into account and "*have no material impact on viability*". Our Client disagrees with this as M4(3) standards have a significant impact on viability, and much more so than M4(2) standards.
- 1.12 Our Client also considers that other costs should be factored into the viability assessment including electric vehicle charging points.
- 1.13 Some of the evidence behind other policies is also dated. For example, Policy DC1 (Sustainable Design Principle) makes specific reference to the 'Design of New Development SPD' which is now a decade old and includes for example specific, and detailed, policy on energy efficiency. Although our Client acknowledges the reason why this policy has been included, the means for addressing climate change has moved on significantly.

Q1.15. Does the viability evidence demonstrate that the policies in the Plan are realistic, and that the cumulative cost of all relevant policies will not undermine deliverability of the Plan?

- 1.14 The evidence does not demonstrate that the policies in the plan are realistic or that the cumulative cost will not undermine deliverability. This is not in accordance with the NPPF which states at paragraph 34 that policies should not undermine the deliverability of the plan. The concern over the impact on deliverability is also acknowledged in paragraph viii of the Viability Assessment.
- 1.15 We have set out above that the Viability Assessment does not consider specific policy requirements, which will, individually and cumulatively, impact the viability on housing sites across Darlington.
- 1.16 Our Client will also have to account for with a number of other policy requirements which have not been costed in the Local Plan Viability Appraisal, but which will unquestionably have an impact on the viability of sites across Darlington. These are set out in our response to Q1.14, and include:
- M4 standards over and above what is required in the SHMA;
 - Sites without consent making up the shortfall in M4 standard homes for those sites which didn't deliver accessible and adaptable homes;
 - Significant costs of up to £25,000 per dwelling to deliver M4(3) standards dwellings;
 - The energy requirements of Policy DC1;
 - Electric charging points for every home;

- Up to date biodiversity net gain contributions.

- 1.17 The viability evidence has not taken into account the above and therefore our Client considers that the plan is not justified. The cumulative effect of these policy requirements could have an impact on some housing sites across Darlington.
- 1.18 The effect on viability of a number of policies in the plan have not been adequately demonstrated and could detrimentally effect the viability of sites and potentially prevent the delivery of some, particularly those that are marginal. The cumulative impact of these policies will place further additional costs on developers and may undermine the delivery of homes. These costs must be factored into the Viability Appraisal to ensure a deliverable plan.
- 1.19 Chapter 6 of the Assessment is also clear the vast majority of medium value sites are not viable or are marginal based on the current appraisal. Our Client considers that when the additional costs identified are included, this will only exacerbate the situation which will ultimately undermine the deliverability of housing across Darlington.