



Darlington Green Party (1250913)

Response to Inspector's Matters, Issues and Questions on the Darlington Local Plan

Blue Kayak Planning for Darlington Green Party

M1 Legal and Procedural Requirements and Other General Matters

Q 1.1

There is evidence of over-supply in the region, manifested in lack of house sales in the Coulby Newham area, which should have resulted in a strategic reassessment of housing need at a regional level. Also, there is a failure to plan for sustainable transport links between neighbouring local authorities.

Q1.3

While the limitations imposed by lockdown upon the consultation process were outside DBC's control, it did not provide an effective and easily negotiable virtual consultation process. The microsite on which the Plan was hosted provides two long lists of documents, one under "Local Plan Examination" and one under "Document Library". The uninformed citizen would find it hard to establish which, out of the many documents listed, was the Plan put forward for consultation. There is no executive summary of the Plan, and no attempt to present its proposals graphically. The Local Plan maps are supplied as a PDF in which different sections of the Borough are shown on different pages, with a legend on only one of them; there is no interactive map and no easy or obvious way of connecting the policies in the Plan with the areas shown on the PDF maps. The consultation process does not appear to have informed the Plan; consultation on the 2018 draft of the Plan presented the allocations and associated masterplans as a *fait accompli*.

Q1.4

A sustainability appraisal (SA) must identify, describe and evaluate the likely significant effects on the environment of: a) implementing the plan or programme; and b) reasonable alternatives. It must take into account, *inter alia*, current knowledge and methods of assessment.

The 2020 SA fails because:

A) It does not assess the Plan of 2020. It assesses the general principles of the Plan strategy, from an *earlier* stage of the Plan's development. In fact, on p35, following a discussion of broad locations for development in the Borough, it states, "It is not the purpose of the SA to make recommendations on which potential development sites should be allocated in the emerging Local Plan." It does not, therefore, assess policies including: H2, Housing Allocations; H10, Skertingham Strategic Allocation; H11, Faverdale Strategic Site Allocations; and E2, Promotion of New Employment Site Opportunities. Assessments of the Skertingham and Faverdale sites as stand-alone locations for development are carried out within the SA, but the detailed site development policies are not.

Even where specific policies are assessed within the SA, the policy version under discussion is sometimes from an earlier stage of development. For example, the assessment does not actually compare the Plan policy IN1 with several alternatives, but considers four different elements of policy: a) balancing in favour of sustainable transport and requiring new development to be well-connected to footpath and cycle routes b) supporting rail at Darlington Station; c) identifying sites required to deliver local highway links d) safeguarding the routes of highway links. The SA then concludes that the best policy would be a combination of a) – c).



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B) It fails to consider reasonable alternatives, as we show in our response to Q1.5.

C) It fails to take into account current knowledge, insofar as it makes the following claims that do not stand up to scrutiny and in some cases, uses out-of-date information:

- That the objectively assessed need for housing in Darlington is 446 dwellings per annum. This is untrue. The OAN for housing, according to the Government's methodology at the time the Plan was written, is 166 dwellings per annum. The figure of 446 dwellings per annum came from the 2015 SHMA. This should have been rendered obsolete by the release of the standard methodology for assessing housing need, in September 2017. However, a month later, DBC released another document - the SHMA Update 2017 (SHMAU) – which calculates a housing requirement of 389 dwellings p/a, but suggests that DBC “might like to” increase it to 459 or 492 dwellings. Both documents use a range of fallacious methods to arrive at an inflated figure, as we discuss elsewhere (see Appendix).
- That “the Borough has been underperforming against its housebuilding targets since the start of the recession”. This is partially true insofar as the numbers of houses built from 2008 – 2014 were lower than the targets used at that time: 525 p/a from 2008-2011 under the Core Strategy and 350 from 2012-15 under the Darlington Core Strategy. However, the target was exceeded very much in 2014/15; and after 2017, when the standard methodology was established, the OAN of 170 p/a was easily exceeded. The provenance of the target of 484 dwellings p/a suggested in the SA for 2016-18 is not given.
- That “Housing supply does not match demand. There is a need for more family sized housing” This does not accord with population statistics (the source is ORS's SHMA, which, as noted above, uses some very problematic methods to arrive at its conclusions). By the SA's admission, 69% of housing is 3 beds or above. Only 28.8% of households in Darlington in 2014 had any dependent children; nationally, a majority of households with children have only one. 59.46% of households in Darlington in 2014 contained either a single person, or a couple, and these categories are set to increase as the population ages.¹
- That “congestion and network capacity (are) leading to high levels of air pollution in parts of the Borough.” (p.13). This is highly likely to be untrue. Air pollution related to transport is a function of the number of vehicles on the road, and their capacity to emit pollutants. The implicit argument – that, since congestion can lead to inefficient driving and therefore higher levels of air pollution, pollution can be addressed by additional network capacity – has been repeatedly disproven; the well-established principle of induced traffic dictates that additional network capacity generally leads to an *increase* in pollution overall.
- That “over the past 10 years, Darlington has seen households grow by 10.3%.” The figure of 10.3% is in fact taken from a comparison of the census results for 2001 and 2011. (As the SHMAU admits, this is an inaccurate estimate of growth due to potential under-counting in 2001.)

Q1.5

The SA fails to consider reasonable options in the following respects:

- 1) In the case of housing allocations, four predictions are put forward: a) assuming a growth of 7000 jobs; b) assuming a decline of -1300 jobs (following Oxford Economics's prediction); c)

¹ <https://www.gov.uk/government/statistical-data-sets/live-tables-on-household-projections>



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assuming a growth in 12,000 jobs (following the Tees Valley Strategic Economic Plan) d) adhering to the standard methodology.

Nowhere is it stated how these options differ in terms of number of dwellings. The implication is that the *only* reason for the difference between the standard methodology, and others, is in the number of jobs that each scenario would predict. In fact, the SHMAU, on which the Plan's calculation of need is based, employs various questionable methods to arrive at its conclusion, including inflated migration figures and double-counting. Having suggested a growth figure of 389 dwellings p/a, it then suggests that an additional 70 dwellings per annum should be added to this figure to take the jobs aspiration into consideration. If option a) were in fact "government methodology plus jobs", so to speak, it would amount to $166 + 70 = 236$ dwellings p/a, rather than the 446 cited elsewhere in the document. In this case, therefore, reasonable options were not assessed, since they were not adequately defined. Furthermore, as we say below, the implications of the different options were not properly assessed.

- 2) In the case of policy IN1, the SA also fails with regard to considering alternative options, since the options are not mutually exclusive and it concludes that several are required – so, in the end, only one option was put forward: a composite policy containing several elements, for none of which alternative options were considered.
- 3) In several other cases, the options given are, in effect "our policy" versus "no policy" (see, for example, pages 159, 191, and 194). So no alternative policies are actually considered.

The SA fails to carry out an adequate and rigorous assessment in (at least) the following respects:

- 1) It makes an assumption about the amount of new dwellings required, and considers different options as to where to locate them; but pays no attention to the amount of land required: a significant omission which fails to address one of the SA's own objectives – making the most efficient use of land. Because of this, and because it only considers the broad spatial strategy of the Plan, rather than specific allocations in the context of that strategy, it fails to acknowledge that the Plan's housing allocations would be excessive even if the predictions of household growth were correct, because of the extremely low density of many of the larger sites; and it fails to acknowledge the environmental impacts of very low-density development upon land-take, biodiversity, flooding, carbon emissions, etc.
- 2) In considering the potential conflicts between the SA objectives, it asserts that the only potential conflicts are between economic growth and landscape, and economic growth and air and water quality. It therefore fails to consider that there might be a conflict between economic growth and: climate change; efficient use of land and resources; noise, vibration, odour and light pollution; flooding; biodiversity; green infrastructure; landscape; and the historic environment. It also implicitly asserts that there is no potential conflict between housing development and *any* environmental objective.
- 3) In considering the potential conflicts between the objectives of the Plan and objectives of the SA (p140) it claims that there is no potential conflict between objectives covering:
 - a. Economic growth and flooding, biodiversity, green infrastructure, and the historic environment
 - b. Allocation of land for employment use, and *any* environmental consideration
 - c. Housing development and noise pollution, flooding, air and water pollution, biodiversity, green infrastructure and the historic environment



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- d. Transport policy and efficient use of land, flooding, biodiversity, green infrastructure, landscape and the historic environment.
- 4) In considering the calculation of housing need – on which subject, as we state above, the options themselves are highly questionable – the assessment assumes that there is no, or ambivalent, impacts of development upon promoting sustainable travel or on *any* environmental objective, including climate change. It assumes that all options, which presumably vary greatly in terms of the amount of development required, have *the same* impact upon all objectives apart from housing and economic growth (where the SA concludes, without explanation, that sticking to the standard methodology would have negative impacts).
- 5) The SA assumes that design has no impact upon the efficient use of land (p143). In fact, design is one of the most important factors that determine whether land is used efficiently. This is particularly true with regard to density of development, as discussed above, but also with regard to the proportion of space which ends up being used for valued uses, such as indoor residential space, gardens and functional public open spaces, rather than excessive amounts of space becoming parking or roads, or “dead” space between and around buildings.
- 6) It does not attempt to quantify the impact of Plan policies upon carbon emissions and whether they are adequate to meet the Climate Change Act targets as they apply to Darlington’s contribution to reducing greenhouse gas emissions.

In general, the SA plays down the impacts of the excessive amount of development proposed in the Plan. Mostly, this is done by implicitly arguing that development will have no impact at all, although sometimes it is done by stating that impacts can be mitigated.

In some cases, the proposed “mitigation” of impacts could actually make matters worse. So, for example, on p145 the SA claims that new housing could lead to “congestion and associated increase in greenhouse gas emissions” and that this could be mitigated by “ensuring that the transport infrastructure needed to support such growth.. is provided alongside such development”. The implication is that it is “congestion” that leads to greenhouse gas emissions, rather than fossil-fuelled vehicles, and that if only enough “transport infrastructure” were provided, the problem would go away. This is quite untrue, as we discuss above.

Insofar as the SA makes any recommendations at all, it does not appear to have informed the Plan. For example, on policy IN.1, the SA recommends a policy “balanced in favour of sustainable transport modes and requires development to be well connected to footpath and cycle routes and necessary improvements made.” The final policy in the 2020 Plan is not balanced at all; it contains proposals for eight new roads and contains no provision for improving cycling and walking infrastructure within the existing built-up area, apart from better crossings over busy transport routes.

Similarly, on p.145, the SA claims that the impact of new transport infrastructure and new housing development could be offset by locating new development close to services, facilities and job opportunities; but the Plan itself allocates large greenfield sites, severed from the existing urban fabric, for low-density housing development with inadequate facilities.

Q1.8

Under the Planning and Compulsory Purchase Act 2004, Local Plans must “contribute to the mitigation of, and adaptation to, climate change” and must be written “with the objective of ..sustainable development.” This is backed up by the NPPF, which states, inter alia, “Plans should



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take a proactive approach to mitigating and adapting to climate change.. in line with ..the Climate Change Act 2008". The Climate Change Act itself contains a commitment to reduce carbon emissions to zero by 2050, and by 78% by 2035. The Committee on Climate Change argued in June 2020 that its five priorities for the coming months should be: low-carbon retrofits and new building; tree planting, peatland restoration, and green infrastructure; energy networks; active travel and digital infrastructure; and the circular economy.

In February 2021 – so, after five years of Plan formulation – DBC produced a short “Climate Change Topic Paper” (CCTP) purporting to demonstrate that the Plan contributes to the mitigation of and adaptation to climate change.

It asserts that the Plan does so because one of its stated aims is “responding to climate change and reducing energy consumption” and because certain other aims and objectives have some relevance to climate or environment. It then claims that the Plan’s sustainability has been ensured through the SA process; then lists relevant policies and other actions in the Plan.

We do not find this convincing, for the following reasons:

- The aims in the CCTP themselves are lacking. Under “responding to climate change” the only sub-headings are: managing flood risk, maximising renewable energy, encouraging energy and water-efficient design, and locating development in areas of low flood risk. It ignores the relationship between carbon emission and matters such as the location, type, density and quantity of development, or the amount and type of transport. Nor does it cover impacts of climate change other than flooding.
- As we discuss above, the SA is extremely weak with regard to the impact of development and transport policy on climate change and the environment.
- Certain assertions about the Plan’s strategy in the CCTP are simply untrue. Most significantly, it is claimed that “sites proposed for allocation contribute to addressing, mitigating and adapting to climate change by being located in the most sustainable locations with good access to the full range of services.” In fact, many of them – particularly the largest ones, Greater Faverdale and Skerningham – are greenfield sites, planned to be developed at an extremely low density, and with poor connectivity to the existing built-up area.
- Only certain Plan policies are mentioned as having relevance to climate change: the settlement hierarchy; sustainable design; health and wellbeing; and policies relevant to flooding, the natural environment and infrastructure. The CCTP does not consider the relevance of quantity of new development or of specific housing and employment allocations to climate change. (As we discuss above, and disgracefully, nor does the SA.)
- The policies discussed within the CCTP are themselves weak or otherwise lacking, as we discuss below.

In general, the CCTP, like the SA, is a mere retrospective “greenwash” of a Plan that has been written without any more than lip-service to climate change.

Specific failings within the Plan with regard to climate change are as follows:

- Policy DC1, Sustainable Design, is weak, being expressed in general terms – “good design will be expected..to reduce carbon emissions” rather than setting specific targets for energy efficiency or renewable energy usage.



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- DC1 and the Plan in general fail to consider the importance of density and legibility upon climate change with regard to efficient use of land, building efficiency, and fostering sustainable transport.
- Policy H1, Housing Requirement, uses a vastly inflated calculation of housing need, which is later used to justify extremely high amounts of land-take for development, and does not account for the embedded and ongoing carbon emissions each home represents.
- Policy H2, Housing Allocations, Policy H10, Skerningham, and Policy H11, Faverdale, allocate very large amounts of greenfield land for development at very low densities, with consequent impacts upon car dependency and emissions from transport, flooding and destruction of vegetation. Faverdale, Skerningham and certain other sites are poorly-connected to the existing built up area, facilities and services.
- Policy IN1, supported by Policy H10, proposes the construction of eight new roads. Very little justification is provided for this.
- Policy IN1, Sustainable Transport, contains almost no provision for improving cycling and walking infrastructure within the existing built-up area.
- The Plan does not support the retrofitting of existing buildings. Indeed, because new greenfield allocations are prioritised over regeneration of the Town Centre Fringe, it may discourage them.

The Transport Topic Paper, produced in February 2021, mentions climate change only in the preamble. It comments that “the Local Plan will not have a severe impact on the highway network” but that any impact will be mitigated by “improvements at key junctions and new link roads.” At no point does it consider the climate implications of these roads or any other aspect of transport policy.