

Darlington Local Plan Examination in Public
Response to Inspectors Matters, Issues and Questions
Made on Behalf of The Church Commissioners for England

Matter 3- Vision, Aims, Objectives and Spatial Strategy

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 3 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.

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Q3.1 Subject to the Council's proposed modification, is policy SD1 consistent with national policy and would it be effective in helping decision makers know how to react to development proposals?

- 3.1 Policy SD1 is not consistent with national policy and it would not be effective in the decision-making process.
- 3.2 Policy SD1 is meant to reiterate the Presumption in Favour of Sustainable Development as set out in paragraph 11 of the NPPF. Paragraph 16(f) of the NPPF is clear that local plans should avoid duplicating policies including those in the NPPF.
- 3.3 Notwithstanding the above, the Council's proposed modification is not consistent with the NPPF and does not enable the delivery of sustainable development in Darlington and is therefore not sound. Although, the proposed modifications go some way to rectify the issue, the policy is still not consistent with the NPPF.
- 3.4 Policy SD1 includes several other additions to the policy over and above what is set out in national policy including text on neighbourhood plans and material considerations. It is also unclear as to why the Council have chosen to re-word the section on relevant policies being out of date.
- 3.5 The Council's response to policy PQ11, states that the intention behind the divergence from national policy *"was to assist in making local communities, developers and stakeholders more aware of the presumption and how it is applied"*. However, this has, and will continue to have, the opposite effect. Paragraph 11 is sufficiently clear and understood by developers and stakeholders and our Client considers that the differences will only confuse local communities and/or stakeholders who have less experience of the planning process.
- 3.6 Our Client considers that the policy is not required as it is an effort to duplicate the NPPF. If the Council consider that the policy is necessary, then it should be amended to reflect the wording in national policy precisely in order to make it sound and to ensure that no confusion arises. To reiterate the NPPF Presumption in Favour of Sustainable Development states:

"approving development proposals that accord with an up-to-date development plan without delay; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or**
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole"**