

**Whinfield Residents Association
Representor Ref: 1164496**

Written Statement in response to the following:

Q10.1. Subject to the Council's proposed modification is policy DC1 consistent with national policy and will it be effective in helping to ensure that development in the Borough is of good design?

- Whilst Whinfield Residents Association welcome the proposed changes to para 5.1.8 we feel that the modification to para 1 contradicts the change to para 5.1.8 and is therefore not consistent with Nppf para's 148 & 149. The planning system should 'support' a transition to a low carbon future in a changing climate not just 'consider' it.

Q10.2. Is policy ENV3(A)(1), which seeks to retain the openness and green infrastructure functions of the rural gaps between Middleton St George and Middleton One Row; Middleton St George and Oak Tree; Hurworth on Tees and Hurworth Place; and Darlington and the villages of Great Burdon and Barmpton by restricting development to that which meets criteria (i) to (v), justified? If so, to be effective, should the policies map be changed to define the geographical areas to which the policy will apply?

- Whinfield Residents Association consider this policy to be justified in terms of retaining the openness and green infrastructure of the rural gap between Darlington and Barmpton as the aim of ENV3(A)(1) is to protect & improve the distinctiveness of the urban area and the rural area. Without this policy there is a real risk of urban sprawl.
- The Council have, through Policy ENV3 recognised the need to retain openness, however this cannot be effective if the policies map does not reflect how this openness is to be retained, how would one know how openness is to be retained?
- The Council have already supported a main modification in relation to Policy H10(i) to remove the inconsistency with policy ENV3, and to be effective the policies map should at the very least be changed to define the geographical areas to which this change will apply. if it does not then the main modification is not effective as it cannot be actively demonstrated or shown how openness will be retained and is therefore not 'worth the paper it is written on', this is not 'over-restrictive' but in line with the main modification change.

Q10.10. Subject to the Council's proposed modification, is policy ENV4 consistent with national policy? Is it necessary to identify other sites on the policies map in addition to those already included or that the Council proposes to add so that the geographical areas to which the policy will apply are defined?

- Para 96 of the NPPF refers to high quality open spaces and opportunities for sport & physical activity as important to health & well-being. Para 97 states that existing open space, sports & recreational land should not be built upon unless certain criteria are met. Policy ENV4 is therefore not consistent with national policy as it proposes to build upon land which provides an opportunity for sport & physical activity. The land in Policy H10 is already recognised as an important contribution to Darlington in providing opportunities for physical activity, even more so during the lockdown of 2020/21 where use of this land has increased by over 1000% due to its ability to offer such recreational facilities for walkers, runners and cyclists alike. Although the Council say that they have reviewed the plan in terms of the impact of Covid-19 they do not seem to have reviewed how policy ENV4 now applies around the Borough and how this may have changed from the original assumptions.

Q10.12. Is the designation of each of the ten sites listed in Table 9.1 as Local Green Space consistent with national policy and justified? Subject to the Council's proposed modification, is the wording of policy ENV6 consistent with national policy?

- Even subject to the Council's proposed modification, Whinfield Residents Association do not believe the wording of policy ENV6, in particular para 9.5.6 is consistent with national policy.
- NPPF para 99 states that Local Green Spaces designated should be 'capable of enduring beyond the end of the plan period'
- ENV6 para 9.5.6 suggests that the sites allocated as Local Green Spaces within the plan will be reviewed and reconsidered once there is more certainty over the layout of proposed developments and any necessary compensatory measures resulting from the planning application process. This is inconsistent with national policy.
- Whinfield Residents Association made an application to designate Springfield Park as a Local Green Space in 2018, our original application was refused as was our appeal – the reason given was that it was part of the Skertingham Masterplan which had not yet been finalised. This was reflected in the Draft Local Plan of June 2018 where Springfield Park was not listed as Local Green Space. Come 2020 and election campaigns promising to protect Springfield Park and a subsequent change in administration and Springfield Park is suddenly listed as Local Green Space in the Local Plan Reg 19 Consultation – however, the criteria for Local Green Space designation within the NPPF had not changed so why was this now designated as Local Green Space?
- The point is that para 9.5.6 gives the opportunity to change Local Green Space designation as the Council sees fit in order to progress developments, it is a 'get out clause'. The Council have already said that the likes of Policy H10 rely heavily on the planning application process – if para 9.5.6 is allowed to remain then the current Local Green Space designation for Springfield Park, although consistent with the NPPF could easily be removed.

- In order to be consistent with national policy para 9.5.6 should either be deleted or re-worded to include that any changes will only be as a result of special circumstances where the public benefit would outweigh the removal of this designation.