

Darlington Borough Council Hearing Statement

May 2021

Matter 9 - Transport and other infrastructure

Delivering a sustainable transport network (policy IN1)

Q9.1. Is the Council's proposed modification to policy IN1 part C(v) to delete reference to a northern link road necessary to make the Plan sound and, if so, would it be effective in so doing? Do the references in paragraph 10.5.9 to a northern link road need to be modified? Is the designation of a northern relief road on the key diagram (map 1) and the Skerningham masterplan framework (figure 6.1) justified?

Whilst the Northern Link Road is not required to deliver the quantum of development in the Local Plan it remains a key priority of both the Council and Tees Valley Combined Authority to keep advancing the scheme. Significant work is ongoing developing the business case for the northern link road (a project being led by the Tees Valley Combined Authority). Public engagement has been undertaken on the route in 2017 and again in 2020. Early development work considered three route options for the road which was narrowed down to one in 2017 and that is the approximate alignment shown on the Key Diagram. Whilst work is still underway on developing more refined design solutions the precise route cannot be established yet and it is not therefore considered justified at this time to try and safeguard access points to the potential Northern Link Road. A main modification has therefore been proposed to remove IN1 C(v).

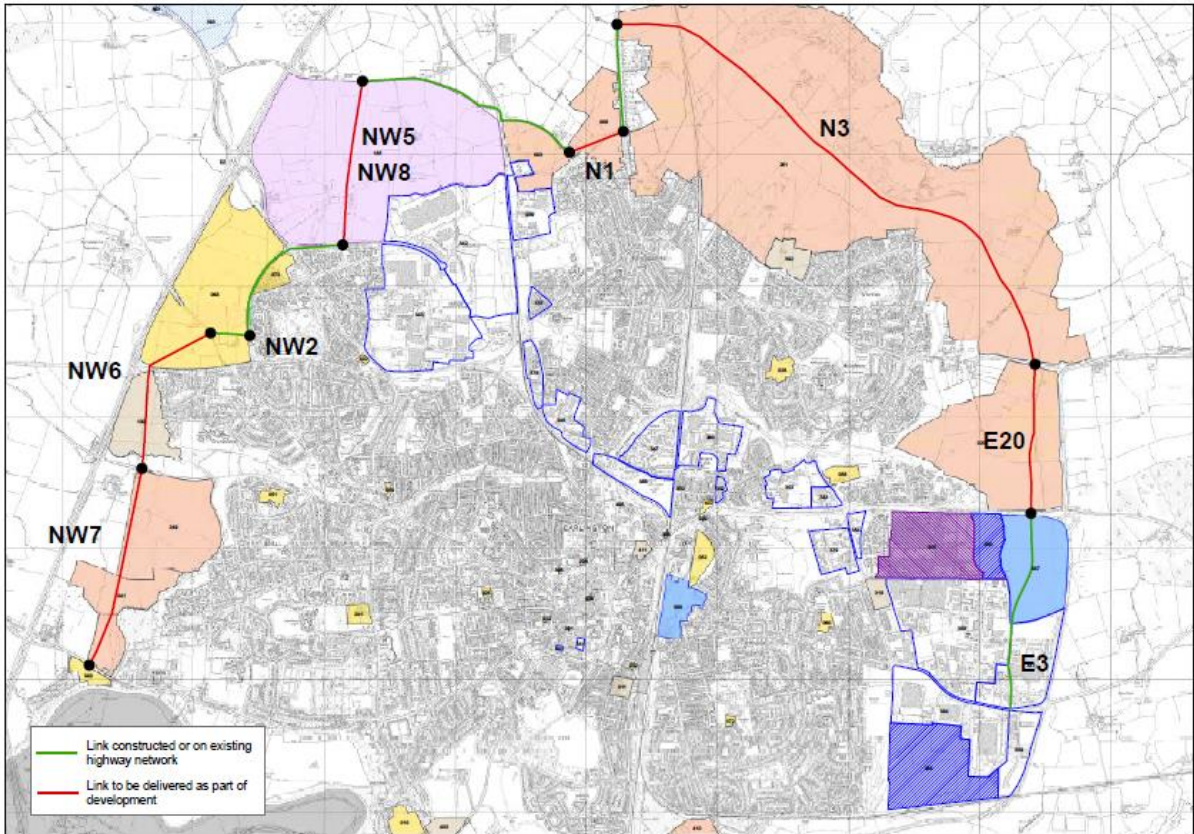
The modelling work undertaken to support the development of the local plan is based upon a build out of the Local Plan up to 2035. Beyond the plan period however it is predicted that further interventions will be required to accommodate the predicted growth subject to review throughout the current plan period. There is a possibility during the plan period the Northern Link Road could receive funding it is therefore considered appropriate to mention in the plan in the context of wider strategic priorities. Consultation has already been extensive so it's omission may look somewhat disingenuous. The status of the project will be kept under review at plan review points which may result in safeguarding being introduced should more certainty of it's delivery be secured.

Paragraph 10.5.9 provides useful context to anyone questioning the relationship of the potential Northern Link Road to the Local Plan. It is not considered a modification to this paragraph is necessary at this time.

Q9.2. Is the creation of an orbital road and public transport route as indicated on the key diagram justified? If so, to be effective, does policy IN1 part C(vii) need to be modified to clarify that is one of the objectives that the seven schemes listed are expected to achieve?

As is shown on the plan below the 'orbital route' would be created through a combination of elements using existing highway network but also new routes as

part of some of the proposed allocations. This approach has had recent success in delivering routes at West Park (Site 68) and Link 66/Symmetry Park (Site 367). The highway modelling work has indicated the creation of these routes along with the other mitigation measures to be introduced creates greater route choice that alleviates congestion at key pinch points.



Map showing links required to deliver the 'orbital route' shown on the Local Plan Key Diagram. Labels relate to mitigation measures in local plan modelling and Infrastructure Delivery Plan.

Q9.3. To ensure that policy IN1 part A(ii) is effective and justified, should all of the "strategic priority corridors" be defined on the policies map?

Yes, all corridors should be added to ensure the policy is effective and justified. There has been some confusion around the 'key public transport corridors' focused on bus network and the 'key sustainable transport corridors' focused on cycling, walking and links to public transport. The policies map key describing them as key public transport routes rather than 'sustainable transport priority corridors' to be consistent with the Tees Valley Local Cycling and Walking Infrastructure Plan (LCWIP). If accepted as a modification this would also necessitate an update to paragraph 10.6.4 of the plan.

Key Sustainable Transport Corridors to be identified would be (* - indicates the corridors not previously included on the policies map):

- Harrogate Hill - North Road Station - Town Centre
- Faverdale - Haughton le Skerne - Lingfield *
- Red Hall - Town Centre

- A67 – Eastbourne – Darlington Station – Town Centre
- Hummersknott – Town Centre *
- Faverdale – Cockerton – Town Centre

Q9.4. Are any other modifications required to policy IN1 to ensure that it is sound?

The council has suggested one other main modification to policy IN1. Part A iii a modification is suggested to remove duplication and ambiguity around cycle parking requirements which is dealt with in policy IN4.

Improving access and accessibility (policies IN2 and IN3)

Q9.5. Subject to the Council's proposed modifications, is policy IN2 sound?

Yes, national policy (NPPF Para 91) makes it clear policies should aim to achieve healthy, inclusive and safe places. There is also a requirement on developers at application stage to demonstrate they have prioritised pedestrian and cycle movements and accessibility to public transport over other methods in their submission (NPPF Para 110). This policy establishes how this can be demonstrated at a local level and provides a mechanism to secure improvement where appropriate via financial contributions. It is therefore considered this policy provides greater clarity and certainty for applicants and decision makers.

Q9.6. Are the requirements for transport assessments and travel plans set out in policy IN3 consistent with national policy?

Yes, national policy (NPPF Para 111) indicates that all developments that generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed.

It is suggested that in order to make policy IN 3 fully consistent with National Policy that a main modification would be advisable for the LPA to 'require' rather than 'support' the preparation and implementation of Travel Plans and Transport Assessments.

Car and cycle parking requirements (policies IN1, IN2 and IN4)

Q9.7 Subject to the Council's proposed modification, are the requirements of policy IN4 relating to car and cycle parking, including reference to having regard to local circumstances and the standards set out in the *Tees Valley Highway Design Guide*, sound?

Yes, with proposed modifications it is considered policy IN4 is sound. There was some ambiguity around cycle parking requirements which would be resolved through proposed modifications. Use of the Tees Valley Highway Design Guide has proved effective. Whilst it is acknowledged it is not a policy or DPD and can therefore only be 'encouraged' it sets out a standard that both developers and

decision makers appreciate having. To write the level of detail in the design guide into a local plan policy would be onerous and would not allow the flexibility the guide does. It also helps having a joint approach across the Tees Valley authorities which ensures consistency and clarity for developers operating across the region.

Utilities, telecommunications and broadband infrastructure (policies IN6-IN8)

Q9.8 Do policies IN6 and IN8 set out a sound approach to the provision of utilities and broadband infrastructure in development?

Yes, the Council believes the Policies IN6 and IN8 to be sound as they follow the governments ambition and guidance under NPPG Paragraph 005 (Reference ID: 34-005-201403060 and NPPF Para 112 respectively.

Renewable energy (policy IN9)

Q9.9. Subject to the Council's proposed modification, is policy IN9 consistent with national policy relating to renewable energy infrastructure? In particular:

- a) the criteria for wind energy development in part (a).
- b) the criteria for solar power development in part (b).
- c) the requirement for developments of over 300 houses to be enabled for district energy connection unless demonstrated not to be feasible or viable.

Further to the Council's response to PQ85 it is considered that, subject to the main modifications proposed, policy IN9 is consistent with national policy relating to renewable energy infrastructure as it provides, as required by paragraph 151a of the NPPF (2019), a positive strategy for energy from renewable and low carbon sources while ensuring that adverse impacts are addressed satisfactorily by setting out that renewable and low carbon energy development will be supported across the Borough where proposals are in accordance with a range of criteria relating to avoiding adverse impacts specific to the differing renewable energy sources both individually and cumulatively such as landscape character, visual dominance, historic environment, shadow flicker and so on.

Policy IN9 is also consistent with paragraph 151(b) of the NPPF (2019) as the Council did consider identifying suitable areas for renewable and low carbon energy development during the preparation of the plan. A range of factors and specific characteristics were considered in reaching a conclusion as whether to identify them or not including: the predominantly urban nature of the Borough with a small rural hinterland; lack of internationally or nationally designated landscapes; overall sensitivity of the landscape and availability of the Landscape Character Assessment to potential applicants; clear policy approach set out to airport safety in IN5; and; evidence of developer-led renewable energy developments being developed in the Borough in recent years.

Taking all these factors in to account, within the context of paragraph 151(b) of the NPPF which sets out that the identification of suitable areas should be considered where this would help secure their development it was concluded

that the identification of suitable areas for renewable and low carbon energy is not necessary to secure their development and the policy approach providing in principle support subject to the achievement of a range of criterion is sufficient in the specific context of Darlington Borough to achieve the overall requirement of paragraph 151 of the NPPF to help increase the use and supply of renewable and low carbon energy given its general overall suitability.

Policy IN9 is also consistent with paragraph 151c of the NPPF (2019), which states opportunities for developments to draw their energy supply from decentralised, renewable or low carbon energy systems and for co-locating potential heat customers and suppliers to be identified, as it does require proposals for over 300 homes to be enabled for district energy connection unless it can be demonstrated to not be feasible or viable. Further explanation is provided on this in response to Q9.9c below.

Policy IN9, subject to the inclusion of the proposed modification, is also consistent with paragraph 152 of the NPPF (2019), which requires local planning authorities to support community-led initiatives for renewable and low carbon energy, as it supports community-led initiatives across the Borough which meet the established criteria.

Q9.9a – The Council considers that, the criteria for wind energy development set out in Policy IN9 part (a) including the proposed modifications is consistent with national policy and guidance as it provides a positive strategy as required by paragraph 151(a) of the NPPF (2019) by identifying the whole of the Borough as suitable it then quantifies this in accordance with footnote 49 of the NPPF(2019) that applicants will need to demonstrate that the planning impacts identified by the affected local community have been fully addressed and the proposal has their backing. It also sets out as required by paragraph 151(a) of the NPPF (2019) a range of criteria to ensure adverse impacts, either individually or cumulatively, are avoided. These criteria are consistent with those identified within NPPG relating to wind turbines. The only potential impact identified in NPPG not included in Policy IN9 is noise impact but this can be sufficiently considered through the application of Policy DC4: Safeguarding Amenity.

Q9.9b – The Council considers that, the criteria for solar power development set out in Policy IN9 part (b) including the proposed modifications is consistent with national policy and guidance as it provides a positive strategy as required by paragraph 151(a) of the NPPF (2019) by identifying the whole of the Borough as suitable it then quantifies this by setting out a range of considerations proposals need to take account of. These considerations are consistent with those set out in NPPG (5-012-20140306 and 5-013-20150327).

Q9.9c – The Council considers that the requirement for developments of over 300 houses to be enabled for district energy connection unless demonstrated not to be feasible or viable within part (d) of IN9 to be consistent with national policy and specifically, as explained above, with paragraph 151c of the NPPF (2019), which requires opportunities for developments to draw their energy supply from decentralised, renewable or low carbon energy systems and for co-locating potential heat customers and suppliers to be identified. It is considered that it will generally be feasible for developments of this scale and above to provide a district energy connection. This requirement is also consistent with

paragraph 153 (b) by making the allowance for the feasibility and viability of providing the District Energy connection to be considered at the application stage.

Community and social infrastructure (policy IN10)

Q9.10. Subject to the Council's proposed modifications, is policy IN10 sound?

Yes, Policy IN10 is considered to be sound, subject to the Councils proposed modifications which will remove ambiguity in part A ensuring it is effective. The modifications to re-order and re-word elements of part C will ensure it is consistent with national policy and effective when in operation.