
Inspector's Matters Issues and Questions

Examination of the Darlington Local Plan

Part 2 Hearings (Matter 4)



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Introduction

We have been instructed on behalf of our client, Bussey & Armstrong Projects Limited, who are longstanding developers within the Borough, to submit a response to the Examination of the Darlington Local Plan: Inspector's Matters, Issues and Questions.

Our client's interest is in respect of the West Park Garden Village which is located north west of Darlington and is located within the jurisdiction of Darlington Borough Council.

This Statement should be read in conjunction with all previous representations made on behalf of Bussey & Armstrong Projects Limited.

These representations have been submitted to support the proposed residential allocation of land adjacent to the north of West Park Garden Village and to provide comments on the general approach and strategy of the plan relating to matters on housing requirement, allocations, Development Limits and others.

Our client is committed to ensuring the emerging Local Plan is prepared on a sound and robust basis. In particular, they wish to ensure that the correct provision of housing and housing allocations are provided throughout the plan period to meet the social and economic needs of the Borough.

Our comments therefore focus on the following Matters:

- Matter 2: Amount of development needed in the Borough
- Matter 3: Vision, aims, objectives and spatial strategy
- Matter 4: Housing development
- Matter 5: Meeting particular housing needs

This statement addresses a number of questions raised by the Inspector under Matter 4: Housing development.

Matter 4: Housing development

Commitments

Q4.1. Is there a reasonable prospect that a total of 2,652 dwellings will be built on the housing commitment sites listed in table 6.4 between 2020 and 2036?

As a significant housebuilder in the Borough, with an interest in existing housing commitments, it can be confirmed that the current commitments in which our client is involved (Site reference 068 West Park Garden Village) will be delivered between the plan period, with a significant amount of units already completed and listed for Council Tax.

We can therefore confirm that our client is working closely with the Council, with the Council regularly in touch regarding the Local Plan housing trajectory, to ensure that they have the necessary evidence as set out in the PPG to demonstrate their sites' deliverability and developability and to ensure that the sites under our clients control come forward as expected.

Q4.2. Is the assumption that a total of 2,102 dwellings will be built on the sites listed in table 6.4 between 2020 and 2025 justified? In particular, has the Council provided clear evidence for the assumption that 840 dwellings will be built on the sites of 10 or more dwellings with outline planning permission?

Please see our comments to question 4.2 above.

Furthermore, there is a schedule of planning permissions in Appendix A attached, which illustrates that the developed at Mount Pleasant Farm associated with West Park Garden Village will be delivered by 2025. Phases MP6 and MP4/5 will be starting on site imminently in addition to Phases MP1 and MP2/3 which are currently in progress.

Please see Appendix A for further detail on this matter.

Additionally, it would be considered beneficial for the Council to ensure that its 5 Year Housing Land Supply document and housing trajectory information in the Plan (particularly Table 6.4 in the Plan and Appendix A) are in line with each other to demonstrate that the evidence base documents align.

Methodology for selecting housing allocations

Q4.3. Was the approach to selecting the housing allocations in the Plan justified and consistent with national policy and guidance?

In addition to Site reference 068 West Park Garden Village, our Client also has land interest in at WPGV 'North' which has been previously assessed within the HELAA (2017) separately from the adjacent West Park and Faverdale garden villages. The Site is shown in figure 1 below (Site ref: 390).

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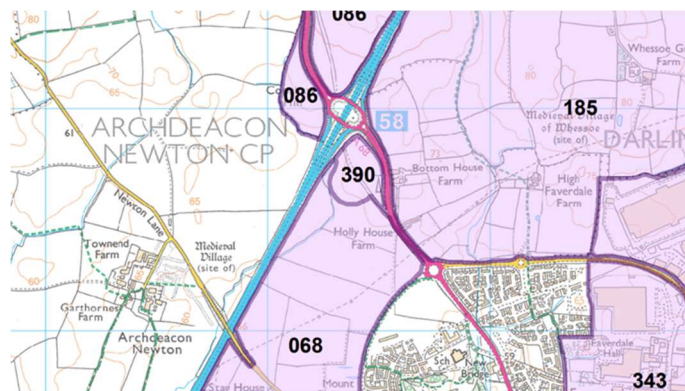


Figure 1

Whilst we have no objection to make to the approach to selecting the housing allocations in the Plan, it is considered that Site 390 should be allocated for consistency and clarity.

Our Clients site at WPGV 'North' (Site 390) appears as a topographical anomaly on the northern edge of the wider WPGV development and also appears as an area of infill between WPGV and the Greater Faverdale strategic allocation to the north of the A68. Please see our client's Site highlighted by the red circle below on an extract from the Proposed Submission Draft Policies Map.

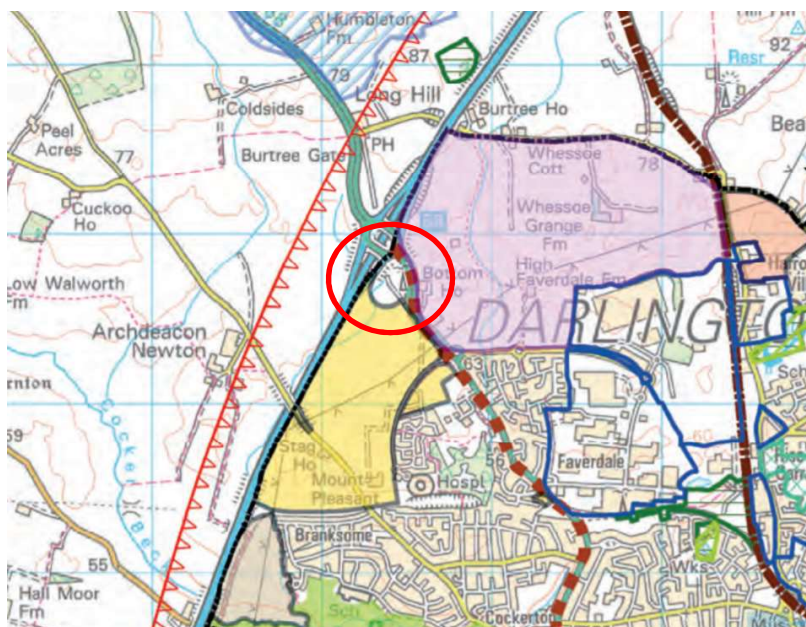


Figure 2 Extract from the Proposed Submission Draft Policies Map

Inspector's Matters Issues and Questions

Bussey & Armstrong Projects Limited



This site creates an island of white land within the development limits of North West Darlington and, whilst we support the site being within the development limits, as it follows a logical physical line of development, it is considered that the site should be allocated for development for clarity and certainty whilst also providing another residential development site that would be brought forward over the plan period ensuring that deliverable and developable sites of a range of sizes are allocated for development over the Plan period.

The Site lies on the north western edge of Darlington and is adjacent to the northern edge of the wider West Park Garden Village development and is approximately 4 hectares in size and capable of accommodating approximately 120 dwellings.

The Site comprises open agricultural land and contains no physical features or structures with the exception of some boundary vegetation and trees. The Site is bound by the A1(M) to the north-west and the A68 West Auckland Road to the north-east. The Site can be accessed via estate roads within West Park Garden Village to the south and there are a number of bus services operating throughout the wider development, with the nearest approximately 450m from the Site on Edward Pease Way. The Site also has strong pedestrian and cycle path connections to the surrounding area.

Development within the adjacent West Park Garden Village is well progressed, with further phases of development under construction. The existing development also contains a number of services and facilities which include supermarkets (The Co-operative Food, M&S Food and Aldi), a pharmacy, public house (The White Heifer), other retail units, a primary school, West Park Hospital and West Park Nature Reserve. The Site also benefits from good accessibility to the highway network providing access to Darlington town centre, key employment locations and the wider Tees Valley area.

Site 390 was only removed from the WPGV masterplan in 2015 due to Highways England having concerns with the A1M / A68 junction which have since been addressed.

Following addressing this concern from highways England, Site 390 was subject to an outline planning application (Application Reference 19/00767/OUT) which was submitted in August 2019 and subsequently withdrawn in November 2019 due to the Council stating that, at the time of submission, it was too premature in the emerging Plan making process for them to support the application, and based on existing plan policy it was advised to be withdrawn.

Application Reference	Description of Proposals	Decision Date
19/00767/OUT	Outline application for residential development comprising 107 dwellings with all matters reserved	Withdrawn Nov 2019

Notwithstanding this, the application had been considered by the statutory consultees, with no in principle objections raised (see further details at section 3 of our Representations to the Darlington Proposed Submission Local Plan- Appendix A). For ease, however, Highways England had no objection subject to monitoring and the Section 106 agreement.

It is considered that the allocation of Site 390 at WPGV 'North' would provide greater flexibility, ensuring that the total net minimum requirement of 8,440 dwellings is met helping meet the ambition of the housing target of 9,840 dwellings over the plan period and thereby further supporting the soundness of Policy H2.

As a result of the Sites' location at the northern edge of WPGV, its lack of direct access to the A68/A1(M) and its proximity and setting adjacent to approved residential development, it is considered that the Site would not be suitable for mixed use or employment/commercial development as assessed in the Local Plan evidence base (HELAA 2017). The site would be suitable for residential development only. Yet, despite the Site being identified as suitable, available and achievable for mixed use development, it has not been identified as either a residential or employment allocation.

Our detailed submission to the Proposed Submission draft set out that the Site would form a logical 'rounding off' or infill to the wider WPGV and that it is suitable for residential development as opposed to employment or commercial uses.

Furthermore, loss of this 'missing piece' of land as part of the wider West Park Garden Village will reduce the pedestrian and cycle links around the whole development using the abandoned section of West Auckland Road.

Our previous submissions, which are with the Inspector for consideration (see Appendix A also), sought to demonstrate how the minor negative assessment scores within the HELAA are either no longer applicable or could be appropriately addressed/mitigated as a result of supporting technical information and comments received on the now withdrawn outline planning application which sought consent for the delivery of 107 dwellings on the Site. Our Client considers that the HELAA assessment should be revisited in light of these comments and the technical information provided and therefore lead to the land being allocated as part of the Plan.

Our Client's site (Site 390) is well related to existing/sustainable residential areas and offers the opportunity to deliver high quality market and affordable housing that would contribute towards achieving the net minimum housing requirement and should be included as a housing allocation under policy H2 with an indicative yield of 120 homes.

Total supply from housing allocations (policy 2)

Q4.14. Is the assumption that a total of 6,709 dwellings will be built on the allocated sites between 2020 and 2036 justified?

Whilst we do not wish to comment on other allocated sites, we can confirm that in respect of Site 68 'West Park Garden Village', our client can confirm that the remaining commitment plots will be delivered during the plan period.

In terms of allocations, if Site 390 was allocated, it can be confirmed that this site would be built out within the Plan period, helping to meet the net minimum requirement of 8,440 dwellings and meet the housing target of 9,840 dwellings over the plan period.

Windfalls

Q4.16. Is it reasonable to assume that, in addition to the supply identified in the Plan, around 600 dwellings are likely to be built on windfall sites during the Plan period? If so, is it necessary to modify the Plan to refer to such an assumption?

It is highly likely that windfall development will continue to occur once the Local Plan adopted and we support the council on this approach.

Paragraph 70 of the NPPF is clear that where an allowance is to be made for windfall sites.

The Councils response to PQ27 identifies completions on developments of sites of less than 10 dwellings in lieu of windfall developments, this shows an average of 37 dpa over the period 2009/10 to 2019/20. Appendix A of the Local Plan sets out the Councils Housing Trajectory, this includes a small sites allowance of 25 dwellings each year.

However, there is likely to be larger windfall sites come forward over the Plan period also.

As our clients land, (Site 390 in the HELAA), is not currently allocated, albeit, throughout these representations we consider that it should be for clarity and certainly in respect of the surrounding allocations and commitments in the North West of the town, it can be confirmed that our client has an application ready to submit for 120 dwellings that once approved would be delivered over the plan period. As such, the windfall assumption could be higher based on sites such as these.

Overall housing supply for the plan period (appendix A)

Q4.17. Will the Plan be effective in ensuring that sufficient land will be available to allow at least 9,840 net additional dwellings to be completed in the Borough between 2016 and 2036?

The Housing Trajectory within Appendix A of the Local Plan identifies 11,540 dwellings to be delivered within the Plan period.

Whilst we do not intend to comment on other sites, we can confirm that in terms of the remaining commitment plots for Site 68, these will be delivered within the next 5 years and our client is in regular contact with the Council in terms of deliverability timescales.

We note that this includes a buffer in terms of the housing land supply and whilst we support this, it is vital that the other sites are monitored, like our clients, to ensure that there isn't a significant shortfall in the future.

Notwithstanding this, our client has land at Site 390 which is considered to be a deliverable site in the short term and therefore, following confirmation of its availability and delivery, this site should also be included within the supply to provide clarity for both our client, the developer, the landowner, the Council and residents.

Five year housing land requirement and supply (policy H1)

Q4.19. Is the Council's proposed modification to paragraph 6.0.2 to refer to a 5% buffer necessary to make the Plan sound and, if so, would it be effective in so doing? To be effective, does the Plan need to be modified to set out how the five year requirement will be calculated throughout the plan period? If so, which of the approaches described by the Council in its response to PQ23 should be included, having regard to national policy and guidance?

The Council should make it clear that the supply of specific deliverable sites should, in addition, include a buffer. But also, that the buffer may not always be 5%, for example the Council may be required to incorporate a 20% buffer in the future in line with paragraph 73 of the NPPF.



Appendix A