

Richard Cowen for
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Representor number
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**STATEMENT OF RICHARD COWEN TO THE EXAMINATION IN PUBLIC
INTO THE
DARLINGTON LOCAL PLAN**

RELATING TO MATTER 4

In my representations to the Council, I included, in respect of Policy ENV7, a section commenting on the impact of other Policies. I also referred to my letters in respect of the Coniscliffe proposals and attached copies of those letters.

As far as the Inspector's questions in relation to Matter 4 are concerned, I wish to make the following representations.

Q4.5. Is the proposal in policy H10 for the development of up to 4,500 dwellings; a neighbourhood centre; two primary schools, a secondary school, and other community facilities; roads and other transport infrastructure; and a network of green and blue infrastructure on 487 hectares at Skerningham justified? In particular:

a) Would the development be suitably located in the context of policy SH1?

While the Club welcomes the creation of green and blue infrastructure as part of this proposed development, I represent that it is vital to consider the present nature of the habitat and the potential impact on biodiversity if that is lost. As far as birds are concerned, this is attractive farmland where a number of farmland species can currently be found – I refer to my representations in my Statement in relation to Matter 1 on this point. The simple fact is that if this development goes ahead, the habitat for the species I have mentioned in my previous statement will be lost. Any green or blue infrastructure provided will not be an “onsite” replacement that will be suitable for these species.

The need for mitigation or compensation under Paragraph 32 of the NPPF and enhancing biodiversity under Paragraph 170d needs to be addressed. There is also the need to address mitigation or compensation when applications are considered under Paragraph 175a. This of course at present is guidance rather than law, but the

proposals in the Environment Bill for Biodiversity Net Gain, when they are enacted, will be law.

I therefore represent that this issue requires full consideration and the Council establish how, if all of the proposed development (at Skerningham and elsewhere) goes ahead, there will be a Biodiversity Net Gain, as will be required when the Environment Bill becomes law, that takes these species into account. As I have stated in my previous statement, many of these species are red listed as birds of conservation concern.

In this respect, it is perhaps appropriate also to consider the impact of proposed Policy SH1. This makes it clear that the urban area will remain the focus of future development within the Borough. The Policies Map shows the Urban Area – and it is the current area of development. Skerningham is not within the Urban Area but is a major development, ultimately comprising some 4500 houses and some other development. There is nothing in Policy SH1 to say that it is subject to alteration as a result of any allocations in the Plan.

I represent that the Skerningham proposal is likely to have a major impact on Ketton Country, a particularly rural and attractive part of the Borough where many farmland birds can be found. While there may be no site of specific interest to the Club in this area, it remains important for these species which would be significantly affected if the developments do proceed.

I therefore represent that, as the Plan is currently worded, this development is not suitably located in the context of Policy SH1 and indeed, development of this type is fundamentally contrary to that Policy. It is outside the Urban Area and, as far as the Club is concerned, is likely to have a major detrimental impact on biodiversity, particularly farmland birds, in the area.

Q4.7. Is the proposal in policy H11 for a mixed use development including approximately 2,000 homes; 200,000 sqm of employment space; a neighbourhood centre; a primary school and other community facilities; roads and other transport infrastructure; and a network of green and blue infrastructure on 178 hectares at Greater Faverdale justified? In particular:

a) Would the development be suitably located in the context of policy SH1?

While it is acknowledged that a large part of this site was already allocated for development under the existing Darlington Local Plan Policies, including the area now proposed to be allocated for housing, I represent that the same considerations apply to this question as above. These are new proposals and so the Environment Bill provisions are likely to be relevant as and when the site may be developed.

Q4.10. Are the proposed Coniscliffe Park South and Coniscliffe Park North housing allocations, with total capacity for around 1,520 dwellings³⁸ and respective indicative yields of 420 and 630 dwellings during the plan period, justified? In particular:

a) Would the development be suitably located in the context of policy SH1?

Again, I represent that the same considerations apply to this question. However, I also represent that it is important to note the current importance of this site and the previous proposals of the Council in respect of this area. I have addressed this fully in the letters mentioned above.

This area does not just have farmland birds but others that are associated with the Baydale Beck as well. Indeed, the Community Woodland is likely to attract further species that may well not be tolerant of human habitation

My letters did not object to the Coniscliffe proposals but did represent that these issues had to be addressed. However, that is taking the Coniscliffe proposals in isolation. When so much land is potentially to be lost to development, land that virtually extends all the way from the Tees to the west of the Urban Area around the whole of the north of Darlington to the A66, it perhaps takes on a different aspect and the potential loss to biodiversity in general and birds in particular is substantial. Many species likely to be lost are of conservation concern and it is unlikely that suitable habitat can be provided to replace that loss.

There may therefore be greater grounds for saying that the proposed allocations in relation to Coniscliffe are even less suitably located in the context of Policy SH1.

Other proposed allocations

Skerningham, Faverdale and Coniscliffe are the largest sites proposed in the Plan and I represent that they particularly show these concerns. However, similar concerns apply to other sites proposed to be allocated, particularly around the Urban Area of Darlington. It appears that, as a result, certain areas of biodiversity interest will become “islands” surrounded by development – see Drinkfield Marsh Nature Reserve, shown on the OS Explorer Map at reference NZ286175 or the local wildlife site adjoining Baydale Beck at Coniscliffe. This means that wildlife in such areas is at risk of stagnating as a result of fragmentation. I represent that this is not consistent with Paragraph 170d of the NPPF which states

“Planning policies and decisions should contribute to and enhance the natural and local environment by:

.....

d. minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures”

State of Nature Report 2019

Finally, in respect of all the proposed allocations on the outskirts of Darlington, the provisions of the State of Nature Report of 2019 are perhaps relevant where grave concern is expressed about the decline in numbers of many species. Specific reference is made to the decline in farmland birds.

While the Report addresses farming practices as being a reason for the decline, the loss of so much agricultural land around Darlington, where many of these species do still exist, cannot help that decline. In view of this, I represent that the provisions of the Environment Bill, being introduced as I understand it to help stem this loss and, indeed, reverse it, will be even more relevant.

I also mentioned in my representations that, if these proposals are adopted, consideration needs to be given to helping other species such as Swifts and hirundines (Swallows and Martins). Swift numbers have declined considerably recently and a simple method to help them is to provide things like Swift bricks. This is mentioned on page 86 of the Report and doing this would not only help biodiversity but also, as stated in the Report, help connect people with it. Footnote 14 is addressed on page 103 and refers to "Roberts S (2017). The Attitudes of Housing Occupants to Integral Bird and Bat boxes. University of Gloucestershire."

If Biodiversity Net Gain is to mean anything, things like this must now come into the Planning agenda and serious consideration needs to be given to it. Providing things like Swift bricks is reasonably cheap, connects people with nature and evidence suggests it helps people's well-being with the consequent advantages for the NHS.

Conclusion

In view of the proposed scale of all this development and therefore the potential loss of habitat, it is difficult from a "Biodiversity Net Gain" viewpoint to know what to suggest other than deleting or massively scaling back these proposed developments. The Club however would be willing to consider any suitable mitigation or compensation proposed, but the emphasis there must be on the word "suitable".