

Richard Cowen for Gillan Gibson

Representor number
1164350

**STATEMENT OF RICHARD COWEN TO THE EXAMINATION IN PUBLIC
INTO THE
DARLINGTON LOCAL PLAN**

RELATING TO MATTER 4

1.1 I do not propose to address all the questions asked by the Inspector in Matter 4 as I do not have sufficient knowledge and information for all the sites. However, as outlined in my statement relating to Matter 2, CPRE Durham is extremely concerned about the amount of housing land proposed to be allocated in this Plan and the impact it is likely to have on farmland and food production and biodiversity in the area.

1.2 As a result, the mere fact that CPRE has not commented on a particular site does not mean that we support its allocation in the Darlington Plan. It means we do not have sufficient knowledge in respect of that site and we propose to leave comment to others who have more knowledge.

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?

I have already outlined in my statement relating to Matter 2 that CPRE Durham considers the OAN proposed by Darlington Borough Council to be excessive. This is not by a small amount but over twice the figure proposed in the Standard Method. Indeed, if the “target” of 492 houses a year is reached, it will be approaching 3 times that number.

We have noted and support the statement by Jo Ellis on behalf of the Green Party, which makes (perhaps in greater detail) a similar point. I represent that this point needs to be carefully assessed when the soundness of the Plan is determined.

I note that this question relates to houses where sites have already been committed. The total number of 2652 houses equates almost exactly with the figure given by the Office of National Statistics for the number of households projected to be required in Darlington by 2041 (2629 households). That number of households may not mean

that number of houses, but I represent that it must reflect the broad number of houses projected to be required.

The Green Party has represented that the Council's arguments to say this figure is wrong (by a factor of at least 2 and maybe nearly 3) are unconvincing and ill founded. I agree with those representations. If that is correct, and the council wants to increase that number by a significant amount, i believe that there are reasonable grounds to say that the total of 2,652 houses will not be built before 2036. As Mrs Gibson has said in her representations to Policy H1,

“In addition CPRE also objects in the strongest possible terms to the second last paragraph (beginning “At any point in the Local Plan period...”) as it effectively renders useless all the policy in the Plan and the consultation process if there is no longer a demonstrable supply of sites to fully meet the five year land requirement. This is particularly pertinent as CPRE considers the housing figure the Council is proposing to use is vastly overinflated and the Council is effectively **“set up to fail”** (my emphasis)

Indeed, we understand that there is evidence that housebuilding has slowed in certain areas such as Middleton St George because developers are having difficulty selling their houses.

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?

Given the above, if that is a reasonable assessment of the situation, I believe it addresses this question and means that CPRE Durham does not think that these numbers can be achieved.

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

Even if I am wrong in the representations I have made in respect of the OAN, I represent that the Council has not approached the allocation of sites in a way that is justified and consistent with national policy and guidance. All the major site allocations proposed in the Plan are on greenfield land on the outskirts of the town. While there is no Green Belt around Darlington, these allocated sites will take a considerable amount of agricultural land out of production and have a detrimental impact on biodiversity in the area. Mrs Gibson has referred to this a number of times in her representations.

While the NPPF does not direct local planning authorities to use previously developed land, there is a considerable number of references in it to using such brownfield land as follows

- Paragraph 68a encourages the use of brownfield registers to identify smaller sites
- Paragraph 117 clearly encourages the use of as much brownfield land as possible
- Paragraph 118c also encourages the use of suitable brownfield land for homes and other needs
- Paragraph 119 takes a similar approach.

The Council does not appear to have used any of these tools and has instead identified numerous large sites on greenfield on the outskirts of the town. Many of these are in attractive countryside which support important species of wildlife (see my Statement on Matter 1 for Durham Bord Club).

Further two of these sites, Burtree (within the Great Faverdale allocation) and Skerningham, are proposed to be designated as Garden Villages (shown as sites 6 and 33 on the Garden Communities Programme October 2020 – see Appendix). Paragraph 5 of the MHCLG Prospectus for Garden Communities states

“These new garden communities should make a significant contribution to closing the housing supply gap. We will prioritise proposals for new Garden Towns (more than 10,000 homes), but will consider proposals for Garden Villages (1,500-10,000 homes) which are particularly strong in other aspects. **For instance, demonstrating exceptional quality or innovations, development on predominantly brownfield sites,** being in an area of particularly high housing demand, or ability to expand substantially further in the future” (My emphasis).

Skerningham is on a purely green field site. While Burtree is also on a greenfield site, I acknowledge that the site has been allocated for employment for some considerable time, even if that development has never in fact materialised (which may of course raise questions as to whether so much employment land is also needed in the Plan but that is addressed in Matter 2).

The inclusion of these two sites in the October Programme has been very controversial but I represent that, however it came about, allocation of so much land for housing is not justified and the sites, in particular the two proposed Garden Villages, have not been selected in a way that is consistent with national policy and guidance.

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?

b) Is there a reasonable prospect that the site will be available and could be viably developed at the point envisaged?

c) Subject to the modifications proposed by the Council, would the requirements of policy H10, along with other relevant policies in the Plan, be effective in achieving sustainable development on the site having regard to NPPF 72?

d) Does paragraph 6.10.10 need to be modified with regard to reference to a northern link road? Is the designation of a northern link road on the key diagram (map 1) and the Skerningham masterplan framework (figure 6.1) justified?

For the reasons above and those of Mrs Gibson in her representations on Policy H10, I represent that this proposal is not justified. On its own, this site represents some 175% of the total household projection in the latest ONS figures mentioned in my statement on Matter 2 and I represent that this is relevant even if only 1650 houses are to be built in the Plan period.

Mrs Gibson has also referred to employment opportunities in this area and therefore, even if the above is not agreed, I represent that this site, on the edge of Darlington, is not sustainably located within Policy SH1. The reference to employment opportunities in Policy H10 is vague and I represent that, if the area is to be a sustainable community, much more detail needs to be given. While Paragraph 72b of the NPPF does state that there should not be an unrealistic level of self-containment, it has to be borne in mind that there is no such thing as an implied condition in Planning so if something is not specifically stated, it cannot be implied.

In their response to PQ39, the Council state that employment uses will need to be considered in a future plan. That does not appear to address the sustainability of the site before that Plan is prepared. None of the proposed modifications appear to address this issue.

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?

b) Is there a reasonable prospect that the site will be available and could be viably developed at the point envisaged?

c) Subject to the modifications proposed by the Council, would the requirements of policy H11, along with other relevant policies in the Plan, be effective in achieving sustainable development on the site having regard to NPPF 72?

I represent that, from a housing point of view, similar issues apply to Greater Faverdale as apply to Skerningham and so do not propose to repeat them here. Again, I refer to Mrs Gibson's representations on Policy H11.

As far as employment issues are concerned, again I represent that Mrs Gibson's representations are sound and should be taken into account. It appears illogical to re-allocate an existing employment site for housing and then make more land available for employment. When Darlington is using housing figures far in excess of those put forward by the Government, this is perhaps even more illogical

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?

b) Subject to the Council's proposed modifications, would the requirements of appendix B, along with relevant policies in the Plan, be effective in achieving sustainable development on the site?

c) Are the assumptions in the housing trajectory (appendix A) about the sites justified, including that a total of 1,050 dwellings will be completed on the two sites by 2036? Has the Council provided clear evidence that development will begin in 2022 and that 170 dwellings will be completed on the two sites by 2025?

Coniscliffe does not have a separate Policy but is included within Policy H2 as a strategic housing allocation. Although Mrs Gibson has not dealt with this site at length in her representations to Policy H2, she has represented that it should not proceed and wrote a lengthy letter of objection to this site's inclusion.

Again, this site is on the outskirts of the present urban area and would bring development right up to Low Coniscliffe, included in Policy SH1 as a rural village. This is perhaps important as the development would be on the other side of the current urban area of the Baydale Beck, an area previously proposed for biodiversity improvements as mentioned in her letter, a copy of which can be supplied if required. I represent that those proposals were sound and should be pursued and that the

Baydale Beck (rather than the motorway) should be the boundary in respect of any significant development to the west of the urban area of Darlington.

For these reasons I represent that this development is not suitably located in the context of Policy SH1.

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?

Mrs Gibson commented on windfall sites in her representations to Policy H2. Mr Chisholm has considered this issue fully and makes the following assessment

Note of Ross Chisholm for CPRE

Large sites (i.e. 10 or more dwellings)

The 1997 Plan established a development boundary for the main urban area and this boundary continues to be given weight in determining planning applications. A number of windfall sites were developed after the adoption of the 1997 plan including those made available after sports clubs, colleges and schools relocated to sites elsewhere. It has produced a steady supply of large windfall sites and the evidence is that this will continue throughout the period of the new plan.

The Housing Trajectory (Appendix A1) includes completions and commitments on 38 former large windfall sites (1885 dwellings). On these sites, 163 dwellings were completed before the period of the plan, 1083 were completed during the first four years of the plan (an average of 270 per year) and 639 dwellings will be provided in the remaining years of the plan.

Evidence of recent large site windfalls can be gained by comparing the 2018 Consultation Draft with the 2020 Submission Draft. The 2018 draft did not foresee the emergence of 9 sites which have been included in the 2020 draft. 7 sites (280 dwellings) received planning permission (commitments) during that period and 2 sites (49 dwellings) within the 1997 boundary have been added as proposed allocations. These sites provide an additional 329 windfalls to the Consultation Draft, but no corresponding reduction in allocations was made in the Submission Draft.

Similarly, the 2020 Submission Draft did not foresee the emergence of 5 additional sites (122 dwellings) which have received planning permission since its preparation and should be added as commitments to the Housing Trajectory in the Adopted Plan. This figure may increase if planning permission is granted for two currently outstanding applications for 34 dwellings.

To summarise the above, 451 windfall dwelling units have appeared in the three years since the Consultation Draft was produced, an average of 150 per year.

National and Local Plan policies and the Council's strategies to regenerate the Town Centre and the area around it will produce sites for additional housing development within the plan period. Unused and underused land and buildings exist and it is understood that the Council is assembling development land for uses including residential. Additional opportunities will exist from the result of the Covid Pandemic where business unfortunately close and leave behind vacant accommodation.

Consideration should be given to agreeing an estimate of the contribution large windfalls will make.

At least 75 per annum can be justified on the basis of past performance and future opportunities. It would take two years for new sites to produce completions so the contribution for the remaining years of the plan would be $13 \times 75 = 975$ dwellings.

Small sites (i.e. under 10 dwellings)

The Council allows small sites to contribute 25 dwellings per annum for the remaining 16 years of the Plan (400 dwellings) based on the average completion rate for the first four years. The Inspector is asking if this could be increased to 37 per annum (600 dwellings) based on the average completion rate since 2010.

The higher figure is justified taking into account the opportunities in and around the Town Centre identified above for large sites.

In view of this, I represent that it is appropriate to modify the Plan as suggested.

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?

As I have represented a number of times, CPRE considers the figure of 9840 houses to be excessive by some considerable margin. While, if all these allocations are in fact adopted, we consider that sufficient land has been allocated for at least 9840 dwellings (and it is our experienced that developers not infrequently try to add houses after a planning permission has been granted), we remain of the view that, given all the evidence and predictions for Darlington, the figure is far more than is needed. The issue is not whether there is enough land but whether, because of oversupply, they will all be built.

Q4.18. Would basing the five year requirement on 422 dwellings per year be effective in helping to ensure that identified needs, and the target of 492 dwellings per year, can be met?

Bearing in my all my comments, I represent that a 5 year supply based on the Standard Method is already allowed for. Indeed, the figure would allow for an

increase in line with Paragraph 39 of the NPPF. Therefore I represent that a figure of 422 houses per year is not required, let alone one of 492.

Q4.21. Is the approach set out in policy H1 to allowing development outside development limits if there is no longer a demonstrable supply of sites to fully meet the five year requirement justified and consistent with national policy?

Given our representations in respect of the OAN adopted by the Council, it is inconceivable that there will never be a 5 year supply of land. Such development would be an incursion into the countryside that is already under attack. There is no definition of “well related” in Policy H1 and CPRE fears this, without qualification, would be open to abuse.

APPENDIX

See attachment “Garden Communities Programme – October 2020”