
Examination of the Darlington Local Plan

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INSPECTOR'S NOTE NO. 12: ACTION POINTS FOLLOWING WEEK THREE HEARINGS

Introduction

Further to the discussions at the week three hearing sessions, the following actions are required. I consider these to be necessary at this stage of the examination to inform my consideration of whether the Plan is sound and/or how it could be made sound by main modifications. I may decide in due course that other or different main modifications are required, including to the parts of the Plan that I refer to below.

Responses should be submitted to the Programme Officer by **midday on Friday 9 July 2021** unless otherwise specified.

M7: Economic development

Policies H11 and E2: Greater Faverdale allocation

AP31. Council to prepare further main modifications to policy H11 [in addition to those proposed in DBC2] to:

- Delete reference to "Mixed Use Development" in the first sentence and instead refer to "...a development of approximately 2,000 homes and approximately 200,000 square metres of employment space ...".
- Amend the proposed modification to policy H11 paragraph 3 [DBC2] to clarify the requirements relating to a design code and comprehensive masterplan, and any community consultation, including in terms of the sequencing of events and who is responsible (as appropriate).
- Amend part (a) to clarify the affordable housing requirement is 20%.
- Amend part (b) to read "Approximately 70 hectares (gross) / 49 hectares (net) of employment land for E(g), B2 and B8 use classes" (or similar).
- Amend part (c), relating to a proposed neighbourhood centre, as appropriate in accordance with AP39 and AP40.

- Amend part (g) to clarify what enhancements to Burtree Lane are required with regard to “connectivity over the Bishop (railway) Line to Harrowgate Hill”.
- Amend part (h) to ensure that it is effective in securing the provision of the necessary infrastructure to support the full development proposed, including the 1,250 dwellings that are expected to be delivered after 2036. Clarify how this requirement may relate to a future review of the Plan.
- Amend the proposed modification to the last part of policy H11 [DBC2] so that it reads “Conserves or enhances the setting of the Stockton and Darlington Railway and incorporates improved pedestrian access and interpretation alongside it” (or similar).
- Amend the masterplan framework (figure 6.2) to clarify that access from Burtree Lane is into the site, not to the agricultural land to the north.

AP32. Council to amend its proposed main modification to the suggested use for the Greater Faverdale site in policy E2 table 7.3 [DBC7] so that it refers to “E(g), B2 and B8”.

Policy E2 and Appendix B: Teesside Airport south employment allocation

AP33. Council to amend its proposed main modification to policy E2 table 7.3 [DBC2] so that it refers to “Airport-related and other B2, B8 and E(g) uses”.

Policy DC5: Skills and training

AP34. Council to consider whether policy DC5 could be modified, rather than deleted (as proposed in DBC2), to ensure that it is sound with regard to the expectations of developers relating to the provision of employment skills and training initiatives.

M8: Town centres and retail development

Policy TC1: Darlington town centre

AP35. Council to prepare a main modification to policy TC1 to amend the second sentence to read “Where main town centre uses are proposed outside the town centre boundary a sequential test should be applied in accordance with national policy”. Delete “using the following sequence of locational priorities” and the subsequent list.

Policy TC2: Primary shopping area

AP36. Council to prepare a main modification to policy TC2 to insert “and” after criteria (a), and delete criteria (c).

Policy TC4: District and local centres

AP37. Council to consider whether policy TC4 needs to be modified to include an additional sentence at the end to read “Where main town centre uses are proposed outside the district or local centre boundary a sequential test may be required in accordance with national policy”.

Policy TC5: Retail impact assessment threshold

AP38. Council to prepare a main modification to policy TC5 to clarify that it applies to proposals for new or additional floorspace outside the town centres defined in the Plan, and that the threshold of 500 sqm relates to individual retail units.

Proposed neighbourhood centres

AP39. Council to consider whether main modifications are required to parts (b) and (c) of policies H10 and H11 respectively to clarify the types and amounts of development expected in the proposed “neighbourhood centres”, including the “retail facilities” that may be appropriate (for example with reference to a convenience store and other types of shop).

AP40. Council to prepare main modifications to policies H10 and H11 and/or their reasoned justification to clarify that policies TC1 and TC5 will not apply to proposals that are in accordance with parts (b) and (c) of policies H10 and H11 respectively relating to the provision of neighbourhood centres (including local retail facilities) on the Skertingham and Greater Faverdale allocations.

M9: Transport and other infrastructure

Policy IN1: Delivering a sustainable transport network

AP41. Council to prepare a main modification to the reasoned justification for policy IN1 to include a map indicating the sections of the proposed orbital route similar to that included in response to Q9.2. Reference numbers on the plan to be related to the schemes listed in policy IN1 part C(vii). Include additional text in the reasoned justification to explain the map, how it relates to policy IN1 part C(vii), and the purposes that the orbital route would serve.

AP42. Council to prepare a main modification to policy IN1 part C(vii) to include reference to a link road across housing site 08 Berrymead Farm.

AP43. Council to prepare a main modification to the key diagram (map 1) to ensure consistency with policy IN1 (as modified) in relation to the proposed orbital route, including the section between the Skerningham and Greater Faverdale allocations.

AP44. Council to prepare a main modification to the key diagram (map 1) to delete reference to a potential route for a northern link road.

Policy IN2: Improving access and accessibility

AP45. Council to prepare main modification(s) to policies IN1A(iii), IN2(b) and/or IN2(c) to ensure that they are effective in securing the provision of high quality infrastructure for pedestrians and cyclists on development sites.

AP46. Council to amend its proposed modification to policy IN2 part (d) [DBC2] to ensure that it is clear that planning obligations to secure the provision of bus stop infrastructure and financial support for bus services for up to 5 years would only be required “where appropriate” (or similar). Consider whether the reasoned justification should clarify the types of circumstances where such provision may not be required, for example due to the location of existing high frequency bus services and/or existing shops and other facilities, or the particular characteristics of the site or type of development proposed.

Policy IN3: Transport assessments and travel plans

AP47. Council to prepare a main modification to policy IN3 to clarify what is meant by travel plans being “iterative documents” and “a robust management strategy must be in place”, to ensure that the policy is effective in securing the monitoring and implementation of travel plans.

Policy IN4: Cycle storage

AP48. Council to amend its proposed main modification to policy IN4 paragraph 3 to ensure that it is effective in securing the provision of well-designed and located cycle storage facilities in residential and non-residential development, along with associated changing and showering facilities in the latter (with reference to the types of non-residential use that the requirement applies to). Consideration should be given to either indicating in the Plan the numbers of cycle storage spaces expected, or referring to a supplementary planning document that will be produced to provide that detail along with any existing guidance that may be relevant in the interim.

Policy IN9: Renewable energy

AP49. Council to prepare a main modification to the reasoned justification to policy IN9 to clarify that the whole of the Borough is an area identified as suitable for wind energy development¹ provided that the relevant criteria in policy IN9 are complied with.

M10: Other strategic and development management policies

Policy ENV1: Historic environment

AP50. Council to prepare a main modification to policy ENV1 to:

- Amend the first sentence of part A so that it accurately reflects the definition of “designated heritage asset” in the NPPF.
- Amend the first sentence of part B relating to conservation areas so that it is clear that the requirements are additional to those set out in part A.
- Amend the third paragraph of part B so that it reads “Development will not be permitted that would lead to the loss of public or private open spaces within or adjacent to conservation areas where the existing openness makes a positive contribution to the character or appearance of the area or its setting, including landscape and townscape and views into or from the area, unless the public benefit demonstrably outweighs the harm” (or similar).

Policy ENV2: Stockton and Darlington Railway

AP51. Council to prepare a main modification to policy ENV2 so that it clearly reflects the aims set out in paragraph 9.2.5 of opening up the route of the Stockton and Darlington Railway for leisure and tourist visits and creating a walking and cycling route along the railway.

Policy ENV3(A): Rural gaps

AP52. Council to amend the policies map to show the rural gaps as defined on the plans submitted in its response to SQ16, subject to the further change to the rural gap and green wedge shown on the plan submitted in response to AP30.

AP53. Council to prepare a main modification to the housing allocation statement for site 20 Great Burdon so that it is effective in securing an appropriately landscaped boundary with the rural gap, and clarifies whether there are any requirements relating to the green wedge. Council

¹ PPG ID:5-033-150618.

to amend the policies map if necessary to reflect those requirements and the amended boundary of the adjoining rural gap and green wedge.

Policy ENV3(C): Urban and rural parklands

AP54. Council to amend the policies map so that housing allocation 403 is excluded from the parkland designation.

Policies ENV3(B) and ENV4(a) and (b): Green corridors

AP55. Council to prepare main modifications to policies ENV3 and ENV4 (and other parts of the Plan as necessary) to:

- Refer to "green corridors", and delete references to some being "local" and others "strategic".
- Delete references to "their buffers".
- Ensure the requirements relating to green corridors reflect the variations in their character and qualities. For example, policy ENV4 part (a) could refer to "Development within or adjacent to an existing green corridor should conserve and enhance its function, setting, biodiversity, landscape, access and recreational value in that particular location" (or similar). Part (b) could refer to "Development that is crossed by an existing or proposed green corridor should incorporate it into the site's layout and design having regard to green infrastructure functions appropriate to that location" (or similar).
- Delete references in policy ENV4 parts (a) and (b) to the Darlington Green Infrastructure Strategy and insert "as defined on the policies map".

AP56. Council to amend the policies map to indicate the existing and proposed green corridors with a single line symbol (similar to that used to indicate the historic routes), rather than with a defined width of 15m or 30m. Council to prepare a main modification to the reasoned justification to explain that the widths of the green corridors are not defined on the policies map as they will vary along the length of each corridor depending on its qualities and surroundings in any particular location (or similar).

Policy ENV5: Green infrastructure standards

AP57. Council to amend the main modifications to policy ENV5 proposed in DBC2 and DBC7 to clarify that the last part relates to developments of 11-19 dwellings (or 0.1ha to 0.2ha) and non-residential developments of 500 sqm to 1,000 sqm gross floorspace. Consideration should be given to whether the parts of policy ENV5 between the first and last paragraphs should be altered to delete the priority list and replace it with a requirement to have regard to the types and quantities of existing green infrastructure in the area as identified in the Darlington Green

Infrastructure Strategy and/or Planning Obligations SPD (as relevant), and other relevant evidence.

Policy DC1: Sustainable design

AP58. Council to consider whether policy DC1 needs to be modified to ensure that it is effective in setting out relevant design principles having regard to current national policy and guidance, including the National Design Guide (MHCLG 2019), and relevant parts of the 2011 SPD. The second sentence of policy DC1 should be modified to read "All development will be required to demonstrate that:" (or similar). The reasoned justification should be modified to state that the Council will prepare a supplementary planning document to provide further details of sustainable design to those set out in policy DC1. This should give an indication of when the supplementary planning document will be produced, and could explain that in the meantime regard should be had to the 2011 Design SPD in so far as it is consistent with current national policy and relevant policies in this Plan.

Policy DC3: Health and wellbeing

AP59. Council to prepare a main modification to policy DC3 to clarify that health impact assessments should be proportionate to the nature and scale of development, and to amend the threshold to 150 dwellings. Footnote 10 should be modified to refer to current national guidance.

M11: Other issues

AP60. Council to prepare main modifications to paragraph 8.1.5 so that it accurately defines "main town centre uses" as set out in NPPF Annex 2, and to the Glossary in section 12 of the Plan to also include that definition.

William Fieldhouse

25 June 2021