

## Response to action points following week 2 hearing sessions

2<sup>nd</sup> July 2021

### M4: Housing development

#### Policy H1: Housing requirement

##### AP9/AP10

Further main modification to policy H1 to delete paragraph two.

The neighbourhood area requirement for Sadberge has also been updated to reflect the additional housing commitment recently added into the housing trajectory (Site 422 - Reservoir (Disused) Darlington Road, Sadberge).

Alterations have also been made to the second last paragraph of the policy and para 6.26 as suggested in relation to a sites relationship with the built up area and clarification on the meaning of making a positive contribution to the five year supply.

The second last paragraph of the policy has also been altered to remove the criteria that sites should be sustainable as it is considered that this would be difficult to clearly define within the policy. It is important to note that the last sentence ensures that sites should be consistent with relevant national and local policies, therefore capturing principles of sustainable development and ensuring that they are a consideration of a planning application. It is considered that this results in a clearer and more effective policy approach.

##### *Policy H 1*

##### *Housing Requirement (Strategic Policy)*

*Housing will be delivered to meet a minimum requirement of 422492 net additional dwellings per annum over the plan period from 2016 to 2036. This results in a total net minimum requirement of 8,4409,840 dwellings.*

*~~The minimum requirement will be met through: completions already achieved since April 2016, sites with planning permission (commitments), housing land allocations and mixed use allocations set out in Policy H 2.~~*

*~~The Local Planning Authority also has a Local Plan housing target of 492 net additional dwellings per annum over the plan period from 2016 to 2036. This results in a total net target of 9,840 dwellings over the plan period. The housing target makes an allowance for economic growth and 7,000 full time equivalent additional jobs over the plan period. The increased housing target reflects the additional new homes required to meet the need of additional workers. The housing target will also be met by the sites outlined above.~~*

*~~The above approach has been taken to provide a housing requirement range rather than a single figure. The housing target is not a restrictive maximum figure.~~*

*It is anticipated that the sites will be delivered in accordance with the housing trajectory in APPENDIX A which indicates that a continuous five year supply of housing will be maintained throughout the plan period. The trajectory is an approximation of delivery and does not place any phasing restrictions on the sites.*

At any point in the Local Plan period where there is no longer a demonstrable supply of sites to fully meet the five year land requirement, ~~sustainable~~ housing sites located beyond development limits, that would make both a positive contribution to the five year supply of housing land and be well related to the ~~development limits~~ built form of the main urban area or service villages (as defined in Policy SH 1) will be supported. Such proposals should ~~comprise of sustainable development and~~ be consistent with relevant national and Local Plan policies.

The NPPF states that strategic policies should also set out a housing requirement for designated neighbourhood areas which reflects the overall strategy for the pattern and scale of development and any relevant allocations. The table below outlines the minimum housing requirement for the neighbourhood areas in the Borough, following the above approach.

Table 6.1 Neighbourhood Area Housing Requirements

Low Coniscliffe & Merrybent	<u>1520962</u>
Blackwell	<u>045</u>
Hurworth	<u>625816</u>
Middleton St George	<u>260860</u>
Sadberge	<u>071</u>

Para 6.2.6

In the above circumstance, proposals will not be required to accord with Policy H 7 Residential Development in the Countryside but will have to demonstrate that they will be deliverable in the short term, therefore contributing to the five year supply. The Local Planning Authority may reduce implementation or submission of reserved matters timescales to ensure delivery takes place within the five year period and to ensure the site makes a positive contribution to the five year supply. It is important to note that small sites can make a positive contribution to the housing land supply. If an application is granted under this situation and subsequently expires, it will not necessarily be renewed automatically if permission is sought again.

**Policy H2: Housing supply**

**AP11**

References deleted to housing allocations being labelled as “strategic” and “non-strategic” in policy H2. Please see the table below. Other references to “strategic” and “non-strategic” sites within the plan also to be deleted as necessary to ensure a consistent approach (e.g. within policies H10, H11, E1, E2). The policies map and associated key are also to be updated accordingly.

Location	Site ref	Site name	Site area (ha)	Indicative site yield (by 2036)	Indicative site yield( after 2036)
Urban Extensions	20	Great Burdon <del>(strategic)</del>	88.39	500	750
	41	South Coniscliffe Park <del>(strategic)</del>	28.32	420	115
	100	Hall Farm, Branksome <del>(non-strategic)</del>	21.89	270	180

	185	Greater Faverdale (strategic mixed use)	178.48	750	1250
	249	Coniscliffe Park North (strategic)	50.08	516	469
	251	Skerningham (strategic)	492.19	1650	2850
	392	Elm Tree Farm (non-strategic)	7.1	150	
	410	Snipe Lane, Hurworth Moor (strategic)	34.47	700	
Urban Area	11	Cattle Mart (non-strategic)	2.16	76	
	355	Lingfield Point (strategic mixed use)	33.6	331	
	403	Blackwell Grange East (non-strategic)	5.26	72	
	411	Chesnut Street Car Park (non-strategic)	1.37	34	
	412	12-18 Skinnergate (non-strategic)	0.22	15	
Villages	95	Beech Crescent East, Heighington (non-strategic)	1.53	20	
	99	Maxgate Farm, MSG (non-strategic)	13.71	260	
		<b>Total</b>		<b>5764</b>	<b>5614</b>

**AP12**

Main modification to the reasoned justification for policy H2 to include a summary of the overall housing supply expected in the plan period. Para 6.2.15 to be deleted to avoid duplication.

*Para 6.2.11*

*The policy above indicates that the allocations are capable of accommodating around ~~6,709~~5,764 homes in the Borough throughout the plan period. An ~~additional 5,545~~ homes are anticipated to be delivered post 2036. The housing requirement will also be met by existing commitments (table 6.5), some of which are currently being built out, net completions since 1<sup>st</sup> April 2016 and a small sites allowance of 25 dwellings per annum. The table below provides a summary of the overall housing supply expected in the period 2016 to 2036, highlighting that the total supply ensures that the housing requirement will be met and exceeded. It is important to note that extra capacity exists on a number of sites and they are assumed to be delivered after 2036. This includes site 68 West Park*

Garden Village a housing commitment and six of the housing allocations, which total 5,614 beyond 2036.

Table [insert] Overall housing supply 2016 - 36

<u>Net Completions 1 April 2016 to 31 March 2021</u>	<u>2321</u>
<u>Commitments 1 April 2021 to 31 March 2036</u>	<u>3119</u>
<u>Allocations 1 April 2021 to 31 March 2036</u>	<u>5764</u>
<u>Small sites allowance 1 April 2021 to 31 March 2036</u>	<u>375*</u>
<u>Total</u>	<u>11579</u>

\*Remaining 15 years multiplied by small sites allowance of 25 dwellings per annum (15x25=375).

**Para 6.2.15**

*The allocations are in addition to the supply of dwellings from existing commitments, some of which are currently being built out. These sites are shown in the Table 6.4 below. It is important to note that the total number of dwellings set out in Policy H 2 above, up to 2036, is not the same as the housing target. This is because the policy does not include the commitments which already have planning permission, some of which are already being developed. These sites will also contribute to meeting the housing target and taken with the allocations will surpass the target of 9,840 dwellings. Some of the allocations and commitments are also likely to deliver dwellings beyond the plan period (post 2036)*

**AP13.**

Main modification to the reasoned justification for policy H2 to include the five year requirement and five year supply on 1<sup>st</sup> April 2021.

**Para 6.2.5**

*There is a requirement to continually monitor delivery and the supply of housing sites to ensure a rolling five year supply throughout the plan period. The Local Planning Authority will produce a housing position statement at the beginning of each financial year to set out the current five year housing land supply. The five year requirement on 1 April 2021 based on the target of delivering 9,840 net additional dwellings between 2016 and 2036 (492 dwellings per year) was 546 dwellings per annum which includes a 5% buffer. Table [insert figure] below sets out how the figure was arrived at.*

Table [insert] Five year requirement on 1<sup>st</sup> April 2021

<u>Local Plan Housing Requirement</u>	<u>9840 (492 dwellings per annum)</u>
<u>Requirement 2016/17 – 2020/21</u>	<u>2,460 (492 x 5)</u>
<u>Net Completions 2016/17 – 2020/21</u>	<u>2,321</u>
<u>Shortfall 2016/17 – 2020/21</u>	<u>139 (2,460 – 2,321)</u>

<u>Requirement 2021/22 – 2025/26</u>	<u>2,599 (2,460 + 139)</u>
<u>Requirement 2021/22 – 2025/26 plus 5% buffer</u>	<u>2,729 (2,599 x 1.05)</u>
<u>Annual requirement plus 5% buffer</u>	<u>546</u>

The five year housing land supply on 1<sup>st</sup> April 2021 was 2920 dwellings. Table [insert] below provides a break down of the categories of sites in the five year supply. At this point in time the Council could demonstrate a 5.3 year housing land supply.

Table [insert] Summary of five year housing land supply on 1<sup>st</sup> April 2021

	<u>Total expected completions 2021/22-2025/26</u>
A. <u>Sites of &lt;10 dwellings with outline or full planning permission</u>	<u>0</u>
B. <u>Sites of 10 or more dwellings with detailed planning permission</u>	<u>910</u>
C. <u>Sites of 10 or more dwellings with outline planning permission</u>	<u>760</u>
D. <u>Sites with a grant of planning permission in principle</u>	<u>0</u>
E. <u>Allocations without planning permission</u>	<u>1125</u>
F. <u>Small sites allowance</u>	<u>125</u>
<b><u>Total</u></b>	<b><u>2920</u></b>

Create new para for existing text below including amendments.

*If the situation arose where the Local Planning Authority were unable to demonstrate a five year supply of deliverable housing sites, there is a fall-back position within Policy H 1. The policy states, in this situation sites which are not allocated, are located beyond development limits but are well related to the ~~limits~~ built form of the main urban area or service villages will be supported. This is providing they ~~comprise of sustainable development and~~ are consistent with relevant national and Local Plan policies.*

#### **AP14**

The figures below set out the number of planning permissions which have been granted and expired over the last five years. The percentage of expired in relation to granted gives an indication of a lapse rate. Other than the year 2016/17 the figures are generally low. The percentage for the overall period is 13.9% which does not raise significant concerns in terms of the amount of permissions expiring.

Generally major housing schemes in Darlington do tend to get built out. There are very few which expire which is evidenced by the figures below. The three major schemes which expired over the period include the former Corus Works Whessoe Road, Forsyth Business Centre Woodlands Road and land at Teesside International Airport. These sites had particular reasons for development not being pursued. The Corus Works site is brownfield land and therefore it was thought that there may have been issues which affected the deliverability and viability of the scheme. Forsyth Business Centre was a prior approval application for office to residential. Records indicate the building returned to office use in July 2017 and it is therefore assumed that housing development is no longer being pursued. Finally, the new owners of the Teesside International Airport (Tees Valley Combined Authority) did not wish to pursue housing development on the site.

There is also a housing land supply buffer in the plan of 17.7% which provides flexibility and will assist in mitigating the impacts if permissions were to lapse.

<b>2016/17</b>	Number of dwellings
<b>Expired</b>	
Small sites (less than 10 dwellings)	17
Major schemes	250
Total	267
<b>Granted</b>	
Small sites (less than 10 dwellings)	65
Major schemes	457
Total	522
<b>Expired as a % of granted</b>	<b>51.1%</b>

<b>2017/18</b>	Number of dwellings
<b>Expired</b>	
Small sites (less than 10 dwellings)	27
Major schemes	0
Total	27
<b>Granted</b>	
Small sites (less than 10 dwellings)	65
Major schemes	1149
Total	1214
<b>Expired as a % of granted</b>	<b>2.2%</b>

<b>2018/19</b>	Number of dwellings
<b>Expired</b>	
Small sites (less than 10 dwellings)	41
Major schemes	350
Total	391
<b>Granted</b>	
Small sites (less than 10 dwellings)	66
Major schemes	2158
Total	2224
<b>Expired as a % of granted</b>	<b>17.6%</b>

<b>2019/20</b>	Number of dwellings
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<b>Expired</b>	
Small sites (less than 10 dwellings)	36
Major schemes	18
Total	54
<b>Granted</b>	
Small sites (less than 10 dwellings)	63
Major schemes	544
Total	607
<b>Expired as a % of granted</b>	<b>8.9%</b>

<b>2020/21</b>	Total number of dwellings expired
<b>Expired</b>	
Small sites (less than 10 dwellings)	14
Major schemes	0
Total	14
<b>Granted</b>	
Small sites (less than 10 dwellings)	56
Major schemes	795
Total	851
<b>Expired as a % of granted</b>	<b>1.6%</b>

<b>Summary table 2016/17 – 2020/21</b>	
Number of dwellings expired	753
Number of dwellings granted	5418
<b>Expired as a % of granted</b>	<b>13.9%</b>

### **AP15**

The tables below provide information to clarify the number of dwellings that will be provided on small sites (less than one hectare) over the plan period, 2016 – 2036. The summary table provides the overall total of dwellings on these sites and the percentage that this represents of the housing requirement of 9,840 dwellings for that period.

<b>Allocations</b>			
Site ref	Site name	Site area (ha)	Indicative site yield (by 2036)
412	12-18 Skinnergate (non-strategic)	0.22	15
<b>Total</b>			<b>15</b>

<b>Commitments</b>			
Site number	Site name	Site area (ha)	Site yield
25	Former Arts Centre, Vane Terrace	0.47	38

78	East of Middleton Road, Sadberge	0.75	25
228	Northgate House, Town Centre	0.14	96
386	Land between Yarm Road and railway line East, MSG	0.64	20
391	Chancery House, 4 - 6 Horsemarket	0.04	11
395	Dr Piper House, King Street	0.13	30
406	Northern Echo Building	0.15	52
420	Former Nu-Interiors, Leadenhall Street	0.1	30
421	Elegant House, Whessoe Road	0.18	22
423	213 - 217 Houghton Road	0.2	12
424	182 Northgate	0.1	24
425	Former Rise Carr Club, Eldon Place	0.05	18
<b>Total</b>			<b>378</b>

<b>Completed Sites</b>		
<b>Site ref</b>	<b>Site area (ha)</b>	<b>Site yield</b>
Land North of Badminton Close	0.39	12
West of Hammond Drive	0.62	18
Lime Avenue	0.48	16
Fenby Avenue	0.65	28
Sugar Hill Grove, Alderman Leach	0.8	34
West of Aintree Court, Anfield Court	0.48	21
Land South of Sherbourne Close	0.68	18
St. James Court	0.11	12



Blanche Pease Annexe, Arts Centre	0.28	34
Neasham Nursery	0.64	10
Rear of Cockerton Club	0.39	20
Alviston House, Haughton Road	0.08	13
Coachman Hotel, Victoria Road	0.12	39
Former Nestfield Club	0.08	15
Fenby Avenue (phase 2)	0.49	14
Oak Tree, MSG	0.37	12
West Park Flats	0.42	40
Land west of 153 East Mount Road	0.04	12
Barton Street	0.67	16
<b>Total</b>		<b>384</b>

<b>Brownfield Land Register</b>			
<b>Site ref</b>	<b>Site name</b>	<b>Site area (ha)</b>	<b>Site yield</b>
172	Site East off Dumfries Street	0.86	23
369	Former Gasometer	0.62	20
416	Garden Street Car Park	0.21	15
417	Former Building Society Skinnergate	0.05	15
<b>Total</b>			<b>73</b>

<b>Summary table</b>	
	<b>Number of dwellings</b>
Allocations	15

Commitments	378
Completed sites	384
Brownfield Land Register	73
Small site allowance	375
Small sites completions since 2016	136
<b>Total</b>	<b>1361</b>
<b>Percentage of housing requirement (1361/9840*100)</b>	<b>14%</b>

#### **AP16 - Site 41 Coniscliffe Park South**

Main modifications proposed to the housing allocation statement for site 41 Coniscliffe Park South as suggested. Changes relate to site context, landscaping and clarification on public rights of way requirements.

*Site 41 - Coniscliffe Park, South The site is an urban extension to the south west of the main urban area. It is bound by Coniscliffe Road to the south and the A1(M) to the west. The site is greenfield land in agricultural use and is proposed for allocation for residential development with an indicative yield of 535 dwellings, 420 of which are estimated to be delivered during the plan period.*

#### *Issues and requirements*

- a. Vehicle access is to be taken from Coniscliffe Road.*
- b. Allowance should be made in the site layout for a distributor road which would run north south through the site. This should link to site 249 (Coniscliffe Park, North) to the north.*
- c. A small part of the site on the eastern edge adjacent to Baydale Beck valley is within flood zone 2 and 3. This should be reflected in the site layout and development directed away from this area in line with the sequential approach. No development should be within FZ3b (with exception to essential infrastructure or water compatible development).*
- d. A development scheme should give adequate buffering and protection to Baydale Beck. There is also the opportunity to enhance the green infrastructure network along this existing corridor and create new linkages to it.*
- e. A public right of way crosses the site north south and across the centre of the site. This should be considered in site layout. The development will also provide convenient and safe pedestrian and cycle connections into the existing urban area crossing Baydale Beck.*
- f. Eastern edge of site is within an area of interest with regards to Great Crested Newts. An ecological survey would be required to support a planning application.*

*g. The site is adjacent to Broken Scar Local Wildlife Site. There is the opportunity to create enhanced habitat links to this site.*

*h. Waste water treatment works are located to the east of the site and should be given consideration in layout.*

*i. ~~The development will provide convenient and safe pedestrian and cycle connections into the existing urban area crossing Baydale Beck.~~ Appropriate landscaping should be provided as part of a development scheme on the western boundary with the adjoining Local Green Space (ref LGS14 Merrybent Community Woodland) and with the agricultural land to the north.*

*j. The frontage to the A67 should be carefully designed in order to mitigate landscape and visual impacts. Development should be set back from the A67 with appropriate landscaping on the southern part of the site.*

### **AP17 - Site 249 Coniscliffe Park North**

Modifications are proposed to the housing allocation statement (Appendix B) for site 249 Coniscliffe Park North. The changes relate to site context and the landscaping requirements on the western edge of the site. The estimate of the number of dwellings to be completed during the plan period has also been altered to reflect the latest housing trajectory.

#### *Site 249 - Coniscliffe Park, North*

*The site is an urban extension to the south west of the main urban area. It is bound by ~~the A1(M) to the west~~ and Staindrop Road (B6279) to the north. It is greenfield land in agricultural use and is proposed for allocation for residential development with an indicative yield of 985 dwellings; ~~630~~516 are estimated to be delivered during the plan period.*

#### *Issues and requirements*

*a. Vehicle access is to be taken from Staindrop Road.*

*b. Land is to be reserved on the site for 1 primary school.*

*c. Allowance should be made in the site layout for a distributor road which would run north south through the site, linking to site 41 to the south (Coniscliffe Park, South).*

*d. Electricity pylons cross the site; appropriate easement should be provided.*

*e. The A1(M) lies to the west of the site; a suitable landscape buffer should be provided. A robust boundary would also be required along the western edge of the site to distinguish between the main urban area and surrounding countryside.*

*f. A small area of the site along the eastern edge is within flood zone 2 and 3. Development should be directed away from this area in line with the sequential approach. No development should be within FZ3b (with exception to essential infrastructure or water compatible development).*

*g. Baydale Beck and wildlife friendly open space runs along the eastern boundary of the site. This part of the green infrastructure network should be protected and enhanced. There is also the opportunity to create improved connectivity with the Cocker beck corridor and the river Tees.*

- h. There has been recent record of Great Crested Newts on the site. An ecological survey should support a planning application.*
- i. Public rights of way cross the site in a number of areas. These should be accommodated in site layout.*
- j. The development will provide convenient and safe pedestrian and cycle connections into the existing urban area crossing Baydale Beck.*
- k. The frontage to the B6279 should maintain the openness of the approach into Darlington.*
- ~~*l. A robust boundary would be required along the western edge of the site to distinguish between the main urban area and surrounding countryside.*~~

### **AP18 - Site 392 Elm Tree Farm**

Main modifications proposed to the housing allocation statement (Appendix B) for site ref 392 Elm Tree Farm. The changes relate to removing a number of requirements (retaining farm buildings, landscape sensitivity, reference to Skerningham masterplan area) and an amendment to the requirement relating to the Green Lane historic track to clarify that it lies outside of the site boundary.

#### *Site 392 - Elm Tree Farm*

~~The site is within the Skerningham Masterplan area which is a strategic extension~~ an urban extension to the north east of the main urban area ~~(see policy H 10)~~. The site is to the north of Sparrow Hall Drive. It is a greenfield site which is largely in agricultural use and is proposed for allocation for residential development with an indicative yield of 150 dwellings.

#### *Issues and requirements*

- a. Vehicle access is to be taken from Sparrow Hall Drive.*
- ~~*b. Older farm buildings should be retained and converted where possible.*~~
- ~~*eb. The Green Lane historic track runs adjacent to the site and. This should be protected and accommodated in an appropriate site layout.*~~
- ~~*d. The site is within an area of high landscape sensitivity, a development scheme will require suitable mitigation in terms of design and layout.*~~
- ec. Old farm buildings on site could contain biodiversity interest. An ecological survey may be required to support a planning application.*
- ~~*f. Development should be in broad alignment with the Skerningham Masterplan Framework (Figure 6.1) and the development principles contained in Policy H 10: Skerningham Strategic Allocation.*~~
- gd. There is opportunity for reinforcement of local recreational and green infrastructure links particularly west towards Springfield Park and north towards the River Skerne.*

## **Site 403 Blackwell Grange**

### **AP19**

It is suggested that the modification to Appendix B: Site 403 – Blackwell Grange East set out in document DBC7 be further amended to read:

- a. *The site forms part of the grounds to the Grade II\* listed Blackwell Grange Hotel (and Grade II listed outbuildings). Development ~~will affect~~ should protect the setting of the Grade II\* listed Blackwell Grange and its parkland curtilage. ~~Significant mitigation and public benefit are required to offset the harm caused.~~ Proposals should be informed by the recommendations of the Heritage Impact Assessment (2020). There is potential to better reveal the approach to Blackwell Grange along the historic drive from Grange Road.*
- b. *A development scheme would need to restore the remaining parkland area to the Grade II\* Listed Building, undertake an ecological survey and propose adequate mitigation for any impact on the adjacent Local Wildlife Site.*
- c. *Any development will be required to be of the highest quality, ensuring it is low lying, wooded in character including the planting of a perimeter tree canopy and creative and innovative in design.*

~~— c.d. The site is designated a Local Wildlife site contains biodiversity habitat and any development should provide mitigation. Habitat improvements required on parkland area designated as Local Wildlife Site to the north.~~

### **AP20**

An updated policies map will be provided covering all week 2 and 3 action points for the 9<sup>th</sup> July 2021 deadline.

### **Policy H3: Development limits**

#### **AP21**

An updated policies map will be provided covering all week 2 and 3 action points for the 9<sup>th</sup> July 2021 deadline.

### **Policy H10: Skerningham strategic site allocation**

#### **AP22**

**Council to prepare main modifications to the Plan to take account of the discussions about the Skerningham strategic allocation on 15 and 17 June and the amendments proposed to policy H10 in DBC2 and DBC13.**

The main modifications proposed to policy H10 are set out in full at appendix A.

**Clarifying the expected phasing of housing development on different parts of the site and how this is coordinated with the provision of transport, community and green infrastructure, up to and after 2036.**

The Council proposes a main modification to the end of paragraph one of policy H10 to make reference to the fact that of the 1,650 dwellings expected to be delivered in the plan period 600 will be on the western part of the site beyond the east coast mainline and the remaining 1,050 to be delivered on the eastern part of the site, the initial phases of which will be located on the land adjoining Barmpton Lane.

The Council also fully acknowledges the importance of ensuring that the delivery and phasing of the housing development is coordinated with the provision of transport, community and green infrastructure. A main modification is therefore proposed to the first sentence of paragraph three of Policy H10 to make clear that the comprehensive masterplan should include an infrastructure phasing plan which will be required to be submitted to the Council prior to any planning application(s) submitted on the site and to also include reference to the provision of local and strategic infrastructure in this part of the policy. The infrastructure phasing plan like the comprehensive masterplan would require the agreement of the Council and any relevant technical consultees. A further modification is also proposed to the third sentence of paragraph three to make it clearer that the Council will only approve planning applications which deliver the necessary local and strategic infrastructure at the appropriate phase of the development identified in the agreed infrastructure phasing plan to support the coordinated provision of infrastructure and housing development. Further main modifications are proposed to parts d and g to make clearer in the policy the phases of the development the distributor road and education facilities will be required. A modification is also proposed to part j to make clear that the phasing of the green infrastructure provision will need to be agreed with the Council through the infrastructure phasing plan.

The approach proposed will ensure the policy is sufficiently robust and effective in ensuring the phasing of housing development is coordinated with the provision of transport, community and green infrastructure which can be further specified and agreed through the comprehensive masterplan and infrastructure phasing plan prior to the submission of planning applications as required by the policy. Identifying more specific phasing at this stage would be an estimation and could lead to an ineffective policy. A modification is also proposed to the Councils suggested review mechanism to make reference to an update to the infrastructure phasing plan prior to the occupation of 1,650<sup>th</sup> dwelling the number of dwellings the policy establishes is expected for the plan period. This will ensure that the delivery of the housing development and infrastructure remains coordinated beyond the plan period or beyond the number of dwellings anticipated in the plan period if more are delivered sooner.

**Clarifying the approach proposed in the third paragraph relating to the preparation of a comprehensive masterplan and design code following community consultation, including in terms of the sequencing of events and who is responsible.**

A main modification is proposed to the first two sentences of paragraph three of Policy H10 which is considered to clarify the sequencing of the preparation of the comprehensive masterplan and design code and also who is responsible. It is now considered to make clear that the comprehensive masterplan including an infrastructure phasing plan along with the design code should be prepared in consultation with the community prior to the submission of any planning application and the comprehensive masterplan should be prepared principally by the applicants and be in accordance with the design code which would be prepared on behalf of the Council.

**Ensuring that the policy reflects, rather than refers to, the “Garden Community Principles” and “Healthy New Town approach”.**

A main modification is proposed to delete reference in paragraph three to the “Healthy New Town approach” and no longer refer to the “Garden Community Principles” as previously suggested in the proposed amendments in DBC13. Policy H10 has been reviewed against both sets of principles as set out in the table at appendix B and is considered to reflect both the garden community principles and healthy new town approach which will be further enhanced by the suggested further main modifications to part b to exclude hot food takeaways from the food and drink facilities provided; adding reference to the provision of allotments in part J iv; and; adding reference to publicly accessible community woodland in part J iii. Reference will continue to be made to the healthy new town principles in the supporting policy justification.

**Whether part (b) should refer to “food and drink” facilities (rather than “leisure”).**

It is agreed that a more specific reference should be made to “food and drink” facilities rather than the broader leisure reference to make it clearer and the policy more effective that this is what is intended. So, a main modification is proposed on this basis with the additional caveat in brackets that this would exclude hot food takeaways in the neighbourhood centre reflecting the healthy new town design principles set out in figure 1.3 and the fact that any hot food takeaways provided in the neighbourhood centre would potentially be close to schools. This would not prevent hot food takeaways being located in the other areas of the site referred to in part c of the policy and identified as potential locations for community facilities on the figure 6.1 Skerningham Masterplan Framework.

**Whether part (d) should provide greater clarity on when new schools are expected to be required (related to the number of new homes completed).**

A main modification is proposed to part d of policy H10 to provide greater clarity that the first primary school should be delivered on the site before the occupation of the 450<sup>th</sup> dwelling on the part of the site to the east of the railway line which it is when it is anticipated to be required. This is caveated as subject to the capacity of existing local schools and the phasing requirements established in the infrastructure phasing plan to reflect the fluctuating nature of school rolls and circumstances where there may be available capacity within existing schools which means the primary school is not required until later or where it may be required sooner. It specifically refers to the area to the east of the railway line reflecting the potential for the need generated on the area to the west to be accommodated within the primary school to be included on the nearby commitment site 008 Berrymead Farm.

A further modification is proposed to set out that the timescales for the delivery of the additional primary school and secondary school would be identified in the infrastructure phasing plan and/or considered through the review of infrastructure requirements prior to the occupation of the 1,650 dwelling taking account of the education requirements and capacity levels at this time.

The Council considers this to be as detailed as the policy can be regarding the provision of new schools relative to the phasing of housing development reflecting the fluctuating nature of need for school places and the potential variation in capacity of existing schools from those currently to when planning application(s) are submitted. Should the policy be more specific it would be inflexible and potentially be ineffective.

**Whether part (g) needs to provide greater clarity on when construction of parts of the local distributor road should start and when that road needs to be completed (related to the number of new homes completed).**

It is acknowledged that greater clarity could be provided as to when construction of parts of the local distributor road should be started so a main modification is proposed to part g to specify that prior to the occupation of the first dwelling on land to the west of the allocation boundary (between the A167 and the East Coast Mainline) the section of the local distributor road between the A167 and the primary development access point shall be delivered and the remaining section from the primary development access point to the east coast mainline shall be delivered prior to the completion of the development on the western part of the site to the west of the East Coast mainline. It is also proposed to state that prior to the occupation of between the 200<sup>th</sup> and 450<sup>th</sup> dwelling on land to the east of the allocation boundary the section of the local distributor road between Barmpton Lane and Bishopton Lane shall be delivered.

It is proposed to retain the modification previously proposed to part g to state that the local distributor road should be fully completed and operational (including the bridge crossing of the East Coast Mainline) prior to the occupation of between the 900<sup>th</sup> and 1500<sup>th</sup> dwelling with the overall caveat that the precise details along with a timetable for its implementation shall be agreed with the Council as part of the comprehensive masterplan, infrastructure phasing plan and any future planning applications for the site. This is considered to balance providing sufficient clarity with sufficient flexibility based on the modelling undertaken to date to ensure the policy is effective at the application stage and enabling agreement to be reached on the exact phasing requirements and access arrangements through the comprehensive masterplan and infrastructure phasing plan.

**Whether greater clarity should be provided about the access arrangements for the homes that are proposed to be built before they are served by the proposed local distributor road.**

It is agreed greater clarity could be provided on this and main modifications are proposed to part g to ensure greater clarity in policy H10 relating to the access arrangements for the homes built before the proposed local distributor road is fully complete and operational. It is proposed to state that development of the initial phases of development at the eastern side of the allocation boundary will be accessed via Barmpton Lane and/or Bishopton Lane and prior to the occupation of between the 200<sup>th</sup> and 450<sup>th</sup> dwelling on land to the east of the allocation boundary the section of the local distributor road between Barmpton Lane and Bishopton Lane shall be delivered. It is also proposed to state that prior to the occupation of the first dwelling on land to the west of the allocation boundary (between the A167 and the East Coast Mainline) the section of the local distributor road between the A167 and the primary development access point shall be delivered. This would provide access from the western part of the site to the existing road network via the A167.

**The approach to the provision and protection of green infrastructure and the “rural gaps” between the proposed development and villages of Barmpton and Great Burdon.**

The Council considers that the approach proposed to the provision and protection of green infrastructure including the rural gaps within part j along with the proposed additional part i criterion regarding retaining the openness and separation of the rural gaps between the proposed development and the villages of Barmpton and Great Burdon is compatible and justified, effective and consistent with national policy.

The area designated as rural gaps does differ and is smaller than the area of green infrastructure because as set out in the Councils rural gap methodology note (DBC9) the areas identified as rural



gap are based on an analysis of the landscape within each identified gap area and its immediate environs which assessed the function or role that the openness and nature of the landscape forming the gap plays in contributing to the setting and separate distinctive identity of the settlements taking in to account the following criteria: Landscape context; Topography; Vegetation; Land uses; Access and movement; Visual characteristics (including inter-visibility and intra-visibility); and; Sense of leaving from/arrival to a settlement. Therefore, the assessment concluded that not all of the area identified as green infrastructure in the Skerningham masterplan framework, whilst forming part of the perceived gap, merits formal designation as rural gap and being essential to the setting and separate distinctive identity of the settlements of Great Burdon and Barmpton respectively.

The Council has however reviewed the Barmpton rural gap in light of the discussions at the examination hearings and does propose to extend the rural gap down either side of Barmpton Lane to the properties at Elly Hill to reflect the openness character this area contributes to the sense of leaving from and arriving in to Barmpton which is consistent with the methodology. The amendments proposed to the Barmpton Rural Gap are shown at appendix C.

The wider green infrastructure area is expected to perform a range of other functions and is proposed to be made up of a variety of types of green infrastructure and part j of policy H10 subject to the proposed modifications along with the other policies (ENV3-8) relating to green infrastructure in the plan are considered to be effective in ensuring its provision and protection both now and in the future.

**Clarify the relationship between the proposal for a review of infrastructure requirements prior to the occupation of the 1,650<sup>th</sup> dwelling and the need to review and potentially update the Plan.**

The review referred in the proposed policy H10 is different to the review of the Local Plan and would be specific to the Skerningham site allocation prior to the occupation of the 1,650<sup>th</sup> dwelling on the site to reflect the fact that the allocation is for 1,650 dwellings in the plan period and whilst the plan doesn't preclude more homes beyond that being brought forward during the plan period they would need to be a review of the infrastructure requirements to ensure adequate infrastructure can be provided to accommodate development over and above 1,650 dwellings currently accommodated by the Councils evidence base during the plan period.

Clearly given the anticipated build out rates the Council will need to undertake a review of its Local Plan prior to 1,650 dwellings being developed where it may be necessary to amend or update this policy. Equally, however they may not be a need to amend this policy and allocation therefore it is considered to be justified and effective for this proposed modification of the policy to not refer to the Local Plan review and remain specific to the site whilst not precluding the potential for the policy to be amended and updated as part of the Local Plan review undertaken within five years of its adoption.

**AP23**

An indicative plan is enclosed at appendix D of this document which has been prepared by Skerningham Estates Ltd and illustrates how the site could be developed if the golf club was to remain in its current location. An updated version of the indicative plan previously provided by Skerningham Estates with the golf club shown as relocated is also provided at appendix E where the proposed development cells relating to the potential employment development located to the south east corner of the allocation boundary have been revised to ensure consistency with the rural gap between Darlington and Great Burdon and the masterplan framework area has been updated to

exclude the Elm Tree Farm (Site 392) allocation. This ensures that when comparing the only differences between the two plans is those related to the relocation or not of the golf course.

The retention of the golf course in its current location would result in the site being capable of delivering approximately 3,700 dwellings rather than 4,500 dwellings equating to a reduction of 800 dwellings which is the approximate capacity of the existing golf club land. The requirement in Policy H10 is for up to rather than a total of 4,500 dwellings and also Policy H10 and the Local Plan trajectory are based up the delivery of 1,650 dwellings during the plan period so if the golf course were to remain in situ the Council considers this would not create any conflict with the Local Plan policies which would remain effective in this regard.

Other changes that would be required include the relocation of the neighbourhood centre and primary school (referenced in Policy H 10 subpoints b and d) which are shown to be located on land within the existing golf course area on the Skerningham estates indicative plan incorporating the relocation of the golf course at Appendix E. The indicative plan at Appendix D illustrates that the neighbourhood centre and primary school could be relocated further to the north and whilst the indicative design of neighbourhood centre and primary school has been reconfigured, the area of land in terms of size for these uses is consistent on either version of the masterplan. This is illustrative at this stage and the exact location would be finalised through the comprehensive masterplanning exercise, however this illustrates that the policy requirements in part b and d would still be justified and effective and could still be achieved to provide a centrally located and well-connected neighbourhood centre should the golf course not relocate. The neighbourhood centre would still retain pedestrian route to it from the main urban area via the existing public access route across the golf course.

The retention of the golf course in its current location would potentially prevent the creation of the proposed pedestrian route on the Councils proposed illustrative masterplan framework at figure 6.1 that would effectively follow the existing access track to the golf course. However, this would predominantly serve the development that would take place on the golf course area and as illustrated on the indicative plan at appendix D public access routes along the north western boundary of the golf course could still be provided and the existing public access route across the eastern part of the golf course retained which the Council considers would ensure the proposal could still satisfy the policy requirements in parts e and i relating to sustainable transport provision and connectivity.

If the golf club were to remain in situ this would lead to an increase in the level of green infrastructure provision on the masterplan area and still enable other infrastructure and community facilities such as the distributor road and education facilities to be provided and located as required by policy H10 and illustrated on the masterplan framework (figure 6.1).

Overall the Council considers that as set out above and illustrated in the indicative plan provided by Skerningham Estates at appendix D that the proposed Skerningham site allocation could still be developed in accordance with the policy requirements of Policy H10 and the wider policies of the Local Plan even if the golf course were not to be relocated as envisaged and indeed the deliverability of the site is not dependent on the golf course being relocated.

#### **AP24**

The revised Skerningham masterplan framework (figure 6.1) is provided at appendix F. This has been amended to delete reference to the proposed northern link road route and the potential link road route connection.

In addition, it has also been amended to reflect the further information that has come to light during the examination process and more detailed work undertaken since it was originally drafted. These changes include:

- Slight realignment of the proposed local distributor road route to match with that illustrated on the indicative plan provided at appendix E which is informed by more detailed analysis of the route and discussions with Network Rail regarding the location of the bridge over the East Coast Main Railway Line;
- Amendment of the development cells in the north western corner of the site to reflect the amendment to the proposed local distributor road route referred to above;
- Movement of the indicative golf club location to better align with the potential club house location illustrated on the indicative plan at appendix D;
- Remove the development cell to the north of the local distributor road route to match with the indicative plan at appendix E; and;
- Relocation of the potential secondary school location to match with the indicative plan at appendix E.

#### **H4: Housing mix**

##### **AP25**

Modification to include reference to other relevant evidence rather than evidence submitted in support of a planning application.

*Proposals for housing development will be ~~expected~~ encouraged to provide an appropriate mix of housing types, sizes and tenures which meet local needs as identified within the most up to date Strategic Housing Market Assessment and other relevant evidence ~~or by other evidence submitted in support of a planning application~~. A suitable housing mix should also give consideration to a site's location, physical constraints, character and surrounding context.*

#### **Policy H5: Affordable housing**

##### **AP26**

The Council considers that the tenure split of affordable housing set out in its proposed main modification to policy H5 does not significantly prejudice the ability to meet the identified affordable housing need of specific groups.

The split proposed in the different value areas ensures that the NPPF requirement that all major housing developments should expect at least 10% of the homes available are for affordable home ownership. The SHMA (2020) does set out a need of a tenure split of 70:30 (affordable rent: affordable home ownership) which can only be reflected in the high value areas with a 65:35 split.

The evidence from the SHMA with regards to tenure split is mainly not addressed in the low value area where 100% affordable home ownership is required. It is important to note that there is not a large proportion of housing allocations in the low value areas and they are mainly in Council control. It is expected that they will mainly come forward for development as exclusively affordable housing, most likely rented, and therefore would address this sector where there is a greater level of need identified. Such proposals for purely affordable development would also be exempt from the specific requirements of policy H5 and the affordable homeownership requirement in paragraph 64 of the NPPF.

The proposed tenure split in the medium and high value areas are more closely aligned with the evidenced split in the SHMA (2020). The largest proportion of housing growth is within the medium value areas. The Local Plan Viability Assessment also sets out that over a range of typologies development would be unviable and affordable housing could not be provided in the low value areas. The assessment provides a worst-case scenario but demonstrates that it would be difficult to provide a greater proportion of affordable rent in the low value area.

In summary, given the context set out above it is considered that the proposed tenure split in the Council's main modifications will not significantly prejudice the ability to meet identified affordable housing needs.

#### **AP27**

Main modification proposed to policy H5 to delete part (a) and to amend part (d) to ensure such an approach would contribute to the objective of creating mixed and balanced communities.

##### *Policy H5*

*Affordable housing will normally be provided on-site alongside market housing to create balanced communities. As such, the affordable housing should be distributed across sites in small clusters of dwellings. Exceptions to the requirement for on-site provision will be:*

*~~a. Executive housing schemes;~~*

*~~ba. Schemes which involve the conversion of a building which is not able to physically accommodate units of the size and type of affordable housing which is required within that locality;~~*

*~~eb. Specialist accommodation where the management of the building(s) would make it difficult to provide affordable housing on-site (such as sheltered accommodation); and~~*

*~~ec. Any other circumstances where the Council considers off-site provision to be preferable to on-site provision; for example where a contribution would result in the delivery of more affordable homes off-site or in a more suitable location when compared to the policy requirement for on-site provision. Such an approach would be required to contribute to the objective of creating mixed and balanced communities.~~*

#### **M6: Gypsy and traveller accommodation**

#### **AP28**

A main modification is proposed to Policy H9 to specify the existing sites proposed for extension as follows:

*b. Safeguarding of private dedicated smaller Gypsy and Travellers sites, ~~and~~;*

*c. The extension to existing Council sites at Honeypot Lane (8 anticipated pitches) and an extension to the Rowan West / East complex site (25 anticipated pitches) off Neasham Road, and;*

*~~e. d.~~ Allowing new sites to provide accommodation for Gypsies, Travellers and/or Travelling Showpeople where:*

The following main modifications are also proposed to paragraphs 6.9.5 and 6.9.6 of the reasoned justification:

6.9.5 The most recent Gypsy and Traveller Site Needs Assessment (GTAA 2017) (20) came to the conclusion that Darlington Borough is well catered for in terms of supply for Gypsy and Traveller pitches. An annual need of 1 pitch per 5 years was identified from 2017-2022. ~~The need could be met by extending Honeypot Lane by adding neighbouring unused allotment land to the south of the site.~~

6.9.6 Further need arises for residential pitches in the period of 2022-2037 which has been calculated on a projection basis of 46 pitches, an annualised need of 3 pitches. A need for 6-8 plots for Travelling Showpeople has been identified in the Local Plan Period until 2037.

#### **AP29**

An updated policies map will be provided covering all week 2 and 3 action points for the 9<sup>th</sup> July 2021 deadline.