

EXAMINATION OF DARLINGTON LOCAL PLAN
BANKS PROPERTY RESPONSES TO INSPECTOR'S NOTE 13:
FURTHER SUPPLEMENTARY QUESTIONS RELATING TO THE
COUNCIL'S RESPONSES TO ACTION POINTS

FILE NOTE

LP/NE/3915/PL-2

Policy H10 Skerningham housing allocation

APFSQ2. *Would the Council's proposed main modifications to policy H10, reasoned justification and masterplan framework (figure 6.1), along with the proposed changes to the policies map, ensure that the Plan is sound with regard to the development of the Skerningham housing allocation?*

- a) *The key principles set out in policy H10 and proposed approach to the preparation of a design code and comprehensive masterplan, along with associated community consultation, would be effective in securing high quality development that reflects local aspirations in accordance with national policy relating to good design2.*
- b) *Policy H10 (including the requirements relating to an infrastructure phasing plan; review mechanism prior to the occupation of the 1,650th dwelling; schools and other community facilities (parts b and d); offsite highway works (part f); local distributor road (part g); and green infrastructure (part j)) would be effective in securing the provision of all necessary infrastructure in a timely manner that is appropriately coordinated with the housing development up to and after 2036.*
- c) *The proposal for up to 4,500 dwellings and associated transport, community and green infrastructure could be viably delivered without the relocation of the golf course. If necessary, the viability evidence provided by the Council and Skerningham Estates Limited should be updated to inform consideration of this question.*

We broadly support the proposed modifications which provide clarity and certainty on how the development will be delivered. In particular we support the first paragraph which sets out the number of dwellings anticipated to be delivered within the plan period on the different parts of the site.

- a) As set out in our previous hearing statements, Banks Property supports Policy H10 which identifies Skerningham as a strategic allocation for up to 4,500 dwellings. The site will have a key role in delivering sustainable growth in the Borough and wider Tees Valley in the short, medium and long term making valuable contributions to the housing land supply as well as direct and indirect economic benefits.

Following previous hearing sessions on Skerningham, Banks Property have worked collaboratively with Darlington Borough Council and Skerningham Estates Ltd regarding proposed modifications to the wording of Policy H10 taking into account questions raised by the Inspector. We broadly support the proposed modifications but would suggest the following additional amendments.

At the beginning of the third paragraph we would suggest '**Comprehensive masterplans**' as opposed to '**A comprehensive masterplan**' to reflect the fact that two planning applications are likely to be submitted on different parts of the site. The detailed policy wording of policy H10 and accompanying masterplan framework (figure 6.1) provides a strong framework to guide the masterplanning process for the two distinct parts of the site. Whilst the relationship with the wider scheme will need to be demonstrated, this does not necessarily require masterplanning of the whole site through one planning application.

Paragraph 129 of the recently updated NPPF (July 2021) states that landowners and developers may choose to prepare design codes in support of a planning application for sites they wish to develop. There are no timescales for the preparation of the council's Design Code and planning applications should not be delayed in their absence. We would therefore suggest a further amendment to the third paragraph to highlight that the applicant may choose to prepare a design code to be reviewed by the council as part of the consideration of any planning application. We would suggest;

*The masterplan shall be led by the applicant(s) and should be based on the design approach and principles established in the **developers Design Code** and/or the Council's Design Code, a strong understanding of the characteristics of the site, and its surrounds and adopt the Healthy New Town approach to site design incorporate the key principles for the development as set out in points a to j below. To ensure that a cohesive development is delivered at Skerningham, the Council will only approve planning applications that adhere with the comprehensive masterplan, **and a design code** ~~the Council's design code~~ and deliver the necessary local and strategic infrastructure at the appropriate phase of the development identified in the infrastructure phasing plan to support the coordinated provision of infrastructure and housing development.*

b) As set out in paragraph one of Policy H10, Banks Property will deliver 600 dwellings on land adjacent to the A167 and west of the East Coast Mainline within the local plan period. Therefore, we believe that the review of all associated infrastructure requirements prior to the occupation of the 1,650th dwelling for subsequent phases of the development relates to the land to the east of the East Coast Mainline.

Careful consideration needs to be given to the requirements for the delivery of the local distributor road set out in criterion g.

In criterion g) ii) we would suggest amended wording;

*ii. Prior to the completion of the development to the west of the allocation boundary (between the A167 and East Coast Mainline) the remaining section of the local distributor road to the East Coast Mainline shall be **safeguarded delivered**.*

Banks Property are aware of the importance of the local distributor road as a key piece of infrastructure crossing through the Skerningham development from the A167 to the A1150. Considerable design work has been undertaken with the council's highways team and Network Rail to demonstrate how the first section of the local distributor road between the A167 and the East Coast Railway Line could be delivered for example, minimum

clearance levels for a bridge over the railway line and the gradients of embankments for roads leading up to the crossing.

The proposed embankment height adjacent to the bridge abutment is approximately 6m at the railway boundary. It should however be noted that the land at railway boundary is generally c. 5m higher than the site and therefore the embankment will appear significantly larger from an adjacent visual perspective. Due to the height required, the total embankment width at the railway boundary will be approximately 80m, tapering down to the standard road width over a length of 140m. From a landscape and visual perspective, we believe that the embankment should only be provided at the time of the bridge structure as opposed to a large embankment being constructed in isolation.

From a design and construction perspective, until such time as the bridge crossing is programmed for delivery, we do not believe that the last section of embankment and road should be delivered on the western side of the railway line. The building of the last part of the road and full embankment should be built concurrently with the bridge structure. By building up to the primary development access point, a degree of 'flex' is provided for the last part of the road which can be fixed upon the detailed bridge design being finalised. This would not be the case if it was built in its entirety. As the embankment will also tie in with the bridge structure, through the integrated design of the bridge abutment and vehicle restraint systems on approach to the structure itself, caution should be made as to how far the embankment is progressed at an early stage to ensure no abortive works are undertaken in the construction of the embankment.

The proposed amendment to 'safeguarding' provides certainty that the road infrastructure leading to the bridge will be delivered at the correct time to tie in with the detailed design and construction of the bridge structure.

J Seabury
13 August 2021