

Comment

Consultee Mr David Clark (1169805)
Email Address [REDACTED]
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Event Name Local Plan 2016-2036 Proposed Modifications
Comment by Mr David Clark (1169805)
Comment ID DBLPMod9
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Files [Important River Skerne Green corridor](#)

Question 1

Which document/modification does this representation relate to? Main Modification Schedule *

* Please provide the reference number (where applicable), for example MM1, PM1, MIN1 MM132 paras 9.4.4 9.4.5 9.4.6

Question 2

What best describes the nature of your representation? Object

Question 4

Please give details of why you consider the Darlington Local Plan, incorporating the proposed Modifications to which your representation relates, is not legally compliant or is unsound. Please be as precise as possible. If you wish to support the Plan or comment on the Sustainability Appraisal Report Addendum/Habitats Regulations Screening please also use this box to set out your comments.

I welcome these green corridors including the important River Skerne corridors that MM132 paras 9.4.4 9.4.5 9.4.6 mention about should be protected, enhanced but no mention of the recommended width and what is and is not allowed within these?.

But I object to these corridors not being more defined and protected against further development.

Within Skerningham Garden Community application submitted to MHCLG in 2018 the developer states :

Skerningham Garden Community has the potential to expand northwards beyond the River Skerne. Dependent upon the outcome of the North Darlington Relief

Road a further significant phase of development could be delivered subject to statutory planning decisions. The two development components would be linked together with the River Skerne green corridor at the heart of the combined Garden Community

During the Draft Local Plan hearings I asked a question:

" Could roads be permitted to be built over these green Corridors as the developer of Skerningham have plans for a road out of the Garden Village to cross the river Skerne-corridor to link up with the Darlington Northern Link Road if built"

I did not receive an answer on that hearing from the Council to my question, they may now say but the DNLR is not part of the DLP but it was mentioned initially within statements for H10 Skerningham allocation but then swiftly removed before it went onto deposit for examination these green corridors along the river Skerne should be protected as they are important wildlife corridors rich in all sorts of biodiversity.

These green corridors are currently just defined as dotted lines on the PM maps so looking like they may not be protected against further development such as link roads?.

Question 5

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These green corridors need to be more defined , and fully protected against any development encroaching onto them this will positively go towards them still remaining as important green corridors for wildlife the Sir John Lawton review 2010 mentions how important it is to give wildlife a safe corridor to move around to different habitats.

With so much allocations of greenfield sites-wildlife corridors right around Darlington from Consicliffe, to Faverdale, to Burtree Lane, to Skerningham then across to Burdon hill with an inner ring road orbital roads linking these allocations up Darlington is about to loose a lot of important wildlife corridors to car dependent urban sprawl something the NPPF says we should not be planning for.

Lawton review 2010 Bigger , Better and Joined up:

Making Space for Nature – now widely known as the Lawton report - had immediate policy impact, shaping both the Natural Environment White Paper and the Biodiversity 2020 strategy. After a decade, many reports become outdated, but the main conclusions of the Lawton report have stood the test of time and been supported by recent research. Perhaps because of this, the report continues to inform government current policy, not least the 25 Year Environment Plan.

Add document

If you wish to attach supporting files please do so [Important River Skerne Green corridor](#) here.

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Address	[REDACTED] [REDACTED] [REDACTED]
Event Name	Local Plan 2016-2036 Proposed Modifications
Comment by	Mr David Clark (1169805)
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Question 1

Which document/modification does this representation relate to? Main Modification Schedule *

* Please provide the reference number (where applicable), for example MM1, PM1, MIN1 MM14 DC1 Para 5.1.8

Question 2

What best describes the nature of your representation? Object

Question 3 Legally Compliant and Sound

Do you consider the Plan, incorporating the proposed Modification is Legally Compliant? No

Do you consider the Plan, incorporating the proposed Modification is Sound? No

Question 4

Please give details of why you consider the Darlington Local Plan, incorporating the proposed Modifications to which your representation relates, is not legally compliant or is unsound. Please be as precise as possible. If you wish to support the Plan or comment on the Sustainability Appraisal Report Addendum/Habitats Regulations Screening please also use this box to set out your comments.

MM14 DC1 Para 5.1.8 - "Minimising the impact of and increasing resilience to the effects of climate change is an objective of Local Plan in order to contribute towards the achievement of the national commitment of net zero carbon and greenhouse gas emissions (100% reduction relative to 1990 Levels) by 2050-"

The above will NOT and cannot be achieved with DBC supporting the of felling thousands of healthy, Climate Change friendly trees in Skerningham Community Woodland to make way for the potential relocation of Darlington Golf Club this will not minimise the impact of Climate Change we need to be protecting and extending this woodland not cutting it down and then the allocation of thousands of hectares of surrounding greenfield sites right around Darlington from Consicliffe arcing around and over to Burdon Hill site the other side the A1150 to facilitate the building of an inner ring road -orbital road through and linking up these car dependent urban sprawl extension developments will not contribute towards the achievement of the national commitment of net zero carbon and reduction of greenhouse gas emissions by 2050.

Question 5

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The removal of many of the allocated greenfield sites and replace them with some brownfield sites our Draft Local Plan seems to lack the allocation of any brownfield sites. NPPF state brownfield sites should be included in Local Plans unless there are " exceptional circumstances" not to,if Darlington has exceptional circumstances not to allocate brownfield over greenfields sites please can the Draft Local Plan stipulate what these are.

NPPF states an authority must demonstrate that it has "examined all other reasonable options for meeting its identified need for development", including making use of brownfield land, increasing the density of existing settlements.

Allocating so much greenfield sites for low density housing with Skerningham being the largest site allocated is not effective use of land especially good food growing land.

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Event Name Local Plan 2016-2036 Proposed Modifications

Comment by Mr David Clark (1169805)

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Files Link to the Governments First Home Scheme.docx

Question 1

Which document/modification does this representation relate to? Main Modification Schedule *

*** Please provide the reference number (where applicable), for example MM1, PM1, MIN1** MM45 Policy H5 para 6.5.2

Question 2

What best describes the nature of your representation? Object

Question 4

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MM45 Policy H5 para 6.5.2 starts by stating- Darlington Borough does have a substantial need for affordable homes and detailed evidence is provided in the SHMA 2020.

I welcome table 6.5 in policy H5 showing 10% -20% and 30% affordable housing requirements in 3 different area's of the Borough of Darlington but object to DBC's reluctance NOT to and WANT to include the Governments new First Home Scheme launching in 2021 in our adopted plan ASAP for no valid reason.

I raised the question of the First Home Scheme during the Draft Local Plan hearings to be told because our Local Plan is in a Transitional Period while being examined the Council has no obligation and no intention of including this First Homes scheme in any of the allocated sites until further notice?.

I then went on to ask would this valuable First Time Buyer scheme be included into the Local Plan's at the first review once an adopted plan is in place if our Local Plan is dated remain dated and effective from 2016 to 2036 then it will be due its first 5 yearly review very soon after being adopted but I did not get a reply?

We have been told our Local Plan is based on 7,000 new net jobs being created for local people to remain living and working here in Darlington well if that's the case the First Homes scheme is designed and ideal for people who want to stay in the communities where they live or work, but are struggling to get on the housing ladder.

The First Homes scheme aims to make property more affordable to people on lower incomes, putting home ownership in reach of many more First Time Buyers.

The scheme is primarily aimed at key workers who provide an essential service.

This could include nurses, police officers, teachers, delivery drivers and supermarket staff, as well as serving members and veterans of the armed forces.

The First Homes scheme works by offering newly built homes to first time buyers with a discount of at least 30% compared to the market value of equivalent properties.

According to the government, homebuyers can save on average £70,000; making buying a home much more affordable.

Based on the above one would like to think our Council would be wanting to include the new First Home Scheme into our Local Plan from the earliest opportunity possible this will help thousands of First Time Buyers get access to a property at a minimum of 30% DBC can if they want to impose a higher discount of 40% or even 50% this could make the difference of many First Time Buyers being able to afford a new build property in the Borough of Darlington.

Not wanting to include these within our Local Plan without explaining the reason why disappoints First Time Buyers and leads many into presuming it is down to the tight financial viability of some of the allocated sites, if this is not the case could DBC please provide a reasonable explanation for their reluctance to have the First Home Scheme included in our adopted Local Plan 2016-2036 from the earliest opportunity other than they do not have to or intend to because of the transactional period with our Local Plan being submitted for examination before a cut off date the Government included in their First Homes ministerial paper released in June 2021.

The Government state the first 25% of any affordable housing allocation should be prioritised to the First Home Scheme before other affordable housing is delivered on a development.

Our Draft Local Plan states in para 6.5.2 233 affordable dwellings per annum over the plan period a total of 4,646 so if our Council embraced the First Home Scheme at an early opportunity that could result in at least 1,161 new builds being offer to local First Time Buyers at a minimum discounted price of 30% an example the average priced Skerningham Garden Village property of £220,000 could be bought by a qualifying First Time Buyer for £154,000 a saving of £66,000 of the list price.

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Having First Home Scheme in the Local Plan from the outset will send out a positive signal to local First Time Buyers that their council wants to help them afford their first home as soon as possible but failure to do so would rob thousands of First Time Buyers living in the Borough of Darlington especially key workers perhaps the opportunity to get onto the property ladder sooner than they may otherwise of done.

If its a no to First Home scheme from the Local Plan adoption stage then some First Time Buyers may not be able to afford a new build property i Darlington for many years to come this could result in some

looking to relocate out of the area to perhaps another town that is to have the governments First Home Scheme available a lot sooner than the Borough of Darlington which may defeat the whole objective of having an effective First Time Buyer friendly Local Plan for the residents of Darlington.

Add document

If you wish to attach supporting files please do so [Link to the Governments First Home Scheme.docx](#)
here.

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Consultee Mr David Clark (1169805)
Email Address [REDACTED]
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Event Name Local Plan 2016-2036 Proposed Modifications
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Question 1

Which document/modification does this representation relate to? Main Modification Schedule *

* Please provide the reference number (where applicable), for example MM1, PM1, MIN1 MM148 Policy ENV7 – Policy Wording - D (iii)

Question 2

What best describes the nature of your representation? Support

Question 4

Please give details of why you consider the Darlington Local Plan, incorporating the proposed Modifications to which your representation relates, is not legally compliant or is unsound. Please be as precise as possible. If you wish to support the Plan or comment on the Sustainability Appraisal Report Addendum/Habitats Regulations Screening please also use this box to set out your comments.

MM148 Policy ENV7 – Policy Wording - D (iii) States: iii. Community Woodlands and Ancient Woodland New development will be expected to retain existing woodlands. Development will not be permitted that would result in the loss of woodland unless the benefits clearly outweigh the loss and suitable replacement planting can be undertaken which provides woodland types matching those identified as Priority Habitats in the NERC List(Insert footnote) that are found locally.

Ancient woodlands, ancient and veteran trees are irreplaceable habitats and new development will not be permitted that would result in their loss, fragmentation, isolation or deterioration unless there are wholly exceptional reasons (as defined in national policy) and a suitable compensation strategy exists

Well if the above is to be a policy in our adopted Local Plan I support this - but object to the felling of Skerningham Community woodland trees to make way for relocation of a golf course for the following reasons :

Skerningham Woodlands are made up of 3 parts of very accessible Woodlands all very biodiversity rich.

Part 1.) Known locally as Skunny Woods which is an ancient Woodland the developers of the Garden Village are looking to put the Skerningham Link road straight through it.

Part 2) The Hutton Plantation is also an ancient Woodland that also has plans for the Skerningham Link road to cut through it and if the DNLR is funded and built the developer had plans for an additional link road from the Garden Village to go through-next to Hutton Plantation to then link up with the DNLP yes this additional link was swiftly removed from the Draft Local Plan during the examination but still poses a threat to the Hutton Plantation.

Finally part 3) Skerningham Community Woodland with planting on this Skerningham Community Woodlands starting in the 2000's so the youngest part of the Woodland's but its starting to mature quite nicely and is very biodiversity rich.

There are any many rare Black poplar trees thriving in these woodlands the female Black poplar are extremely rare, these are Britain's most endangered native timber tree according to Forestry commission

On the subject of Change of Usage from a Community Woodland to a Golf Course:

The following are extracts from a County Durham Environmental Trust Ltd v Twizell & Anor High Court case August 26 2009:

link to High Court Case:

<https://www.casemine.com/judgement/uk/5a8ff74660d03e7f57eaab5a>

The Skerningham Community Woodland site was purchased in May 2004 for the purchase price was £77,719, of which £50,000 was provided by County Durham Environmental Trust (CDNET) under the terms of an Agreement. £20,000 was provided by Thompson of Prudoe Environmental Trust ('Thompson') – another registered distributive approved body under the **landfill Regulations**. The remainder of the purchase price was provided out of the Company (Groundwork Community Forests North East Developments Limited) funds.

It is common ground that the £50,000 provided by CDENT was properly applied at the time for the Approved Purposes. Skerningham Woods was duly developed as community woodland in accordance with the proposal [35] The letter made the point that the three pieces of land including Skerningham Woods had been purchased with **LCF moneys** 71] CDENT also refer me to **paragraph 1 of Schedule 4 which prevents a change of use of the site without its prior written consent**. There has, of course, been no breach of this clause. Any such breach will occur (if at all) after the sale of Skerningham Woodland.

So based on the above copied and pasted from the High Court case from August 2009 any change of usage of Skerningham Community Woodland such as from a current Community Woodland to a new Golf Course would be subject to Prior Written Consent and also there has been no proper public consultation for change of usage for the Community Woodland to a Golf Course place to date.

If the golf course cannot be relocated into the Skerningham Community Woodland for any reason such as refusal of change of land usage not being granted but the statement of the relocation of the Golf course into the community Woodland is to remain in the Local Plan then the Local Plan will become unsound before its even adopted will it not?.

These 3 parts of woodland are currently well connected to one another with well used public footpaths running through them so offers thousands of us who enjoy Skerningham each year safe walking and also a quiet safe haven and corridor for wildlife to move through but if link roads are going to cut through

these they would be fragmented with pockets of wildlife isolated between these new busy roads unable to move safely through this important North Darlington river Skerne green corridor.

Safe and accessible green space has always been important to peoples well being they are good for both our physical and mental well being this has been even more so during this pandemic, allowing parts of the woodlands to be felled for the relocation of Darlington Golf Club is wrong on so many levels including very important Change Change mitigation which the Draft Local Plan states it will adhere to and achieve, also allowing busy link roads to cut through these woodlands for thousands of vehicle to use daily would completely change the area forever affecting all the biodiversity currently thriving in these very accessible and tranquil North Darlington woodlands.

Biodiversity Net Gains:

The new amended Environmental bills now specifies a minimum biodiversity net gain of 10%.

I am not sure how this will be possible in Skerningham a large nature reserve (as described on DBC website) as many red listed animals currently call it home also if a large part of the Community Woodland is allowed to be felled the developer is stating they will plant whips (new trees) which will take many years to establish themselves to replace the felled trees, most of these are planned to be planted on the Skerningham Landfill site this maybe dangerous once opened up to the public due to the building rubble within this Landfill which includes Plaster Boards these will contain Gypsum.

DBC's SHLAA 2015 stated: High risk of contamination of part due to Barmpton landfill

Plasterboards have now been banned in Landfills due to potential toxic fumes and gases these can produce over time, the Landfill site in Skerningham has many gas pipes coming up above ground level to allow these fumes to be released from underground there was an underground fire within this landfill site in 2009 which took a number of days to get under control of this underground fire.

From Environmental Agency regarding the underground fire:

At 22:00 on 30th May 2004 we were alerted by Durham & Darlington Fire & Rescue Service (FRS) to a fire at the **Barmpton landfill** (operated by W&M Thompson). The fire was located within recently deposited waste at the site. To tackle the fire the site operator gradually dug into and removed burning material so it could be dampened down by the FRS. This process was undertaken slowly and carefully in order to prevent the fire from spreading. **It took several days in total with the fire being fully extinguished by the 5th June**

To allow good habitat for many red listed animals to be replaced with tarmac and thousands of homes , fell thousands of maturing established trees and replace them with small young trees taking years to establish themselves and on top of a landfill site that has many pipes above ground level to release the accumulation of underground gases is not going to give the public a safe biodiversity net gain of Community Woodlands as the Local Plan states it must.

Question 5

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Not allow any trees to be felled in Skerningham Woodlands to make way for development , these Woodlands should be protected , enhanced , expanded please remember our Council once described Skerningham as the Jewel in the Crown of accessible Countryside provision.

No written consent for change of usage from a Community Woodland to a Golf Course has so far been approved and there has been no proper public-community consultations for change of usage to a Golf Course could the council ask the communities that cherish Skerningham woodlands whether they would be happy to see it felled to allow a golf course to relocate in there.

Both Skunny and Hutton Plantations are listed as Priority Habitat inventory on Defra's magic map (see attached document).

DBC's Skerningham SHLAA 2015 stated : Skerningham Plantation SNCI (Site of Nature Conservation Interest) falls within site.

Definition of an SNCI:

“Site of Nature Conservation Interest (SNCI) is a designation given to sites that have substantive local nature conservation and geological value. SNCIs tend to be selected because of particular wildlife habitats or if they support scarce or rare species outside their natural habitats”.

Add document

If you wish to attach supporting files please do so here. Woodland.pdf

Comment

Consultee	Mr David Clark (1169805)
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] [REDACTED]
Event Name	Local Plan 2016-2036 Proposed Modifications
Comment by	Mr David Clark (1169805)
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Question 1

Which document/modification does this representation relate to? Main Modification Schedule *

* Please provide the reference number (where applicable), for example MM1, PM1, MIN1 MM6, MM8, MM25 , MM30 , MM37

Question 2

What best describes the nature of your representation? Object

Question 3 Legally Compliant and Sound

Do you consider the Plan, incorporating the proposed Modification is Legally Compliant? No

Do you consider the Plan, incorporating the proposed Modification is Sound? No

Question 4

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MM6, MM8, MM25 , MM30 , MM37

Modifications have been made on housing figures to make the Draft Local Plan's housing numbers look slightly more consistent throughout the plan term however MM30 states 14,836 but then different figures given elsewhere in the modifications total up to a different total delivered number?

The Draft Local Plan is to be dated 2016-2036 so therefore figures for housing delivery within the plan period of 20 years should include houses already constructed since 2016 should it not?.

MM6 Para 1.7.2 states an additional 5,440 already committed via existing planning permissions or completed over the first five years of the plan period but elsewhere this figure gets adjusted to a much lower number with no explanation as to why this is?.

Standard methodology for Darlington's housing needs were a lot lower based the Governments recommended OAN-ONS data but these have not been used by DBC when producing the Draft Local Plan.

Instead the high housing need figures are based on a commissioned report from Opinion Research Services Ltd using this paid for report the Council are stated ONS data for Darlington population figures are flawed but then go onto say in MM7 Para 1.7.3 : Our ambition to achieve 7000 net jobs between 2016-2036 - Footnote states based on net jobs NOMIS-Official Labour Market Statistics **from (Office of National Statistics in 2016 to 2036)** .

This seems to indicate to residents DBC seem to want to use some ONS data when it suits for likes of job predictions for the town but not for the Darlington population growth when it does not suit their predicted inflated about Government predicted housing needs ?

NPPF states the standard methodology for predicting housing needs for Plan making should be used unless there are "Exceptional Circumstances " at a full council meeting held on 20th February 2019 before a full Council vote on the Draft Local Plan was made by Local Councillor's I attended this meeting and I was kindly given the opportunity to ask the question is the Opinion Research services commissioned report Darlington's " Exceptional Circumstances" not to use the standard methodology their reply was "Yes" .

As inflation hits a 10 year high and we are all facing a rising cost of living crisis in the UK we witnessed developers during the Draft Local Plan hearings still predicting large volumes of house sales to then produce large expensive key infrastructure elements needed to make the larger developments such as Skerningham Garden Village work properly and not cause terrible increases of traffic congestion spilling out onto already congested local roads such as the A167 and A1150.

We were constantly told during these hearings "we will build and sell this many at such a point in time that will then fund and deliver this and that", well what happens if property sales start to slump on different parts of the Skerningham Garden Village build there seems to be NO Plan B for that happening just if we sell this many we can then fund this much infrastructure in this timescale.

Skerningham Garden Village is surplus to requirements plus It's a large scale jigsaw development that would require strict infrastructure master planning with continued house sales to keep funding the expensive jigsaw pieces (elements) of the development if one of the pieces in not in the right place at the right time it will not deliver a well and beautiful designed sustainable, self-sufficient, financially viable Garden Village as the developers and the Council are promising to concerned about worse than ever traffic congestion coming our way local communities surrounding Skerningham.

Skerningham site 251 is set to produce some 1,650 new dwellings during the plan period but needs a £38.1 million link road (including the railway bridge at £20 million) calculations and figures point towards this site could be removed from the Draft Local plan its surplus to requirements and seem to have no official purpose other than deliver part of the inner ring- orbital road which will then be used by thousands of vehicles heading to Teesside to come off the A167 to cut across Country to meet up with the A1150 near to Great Burdon so be used as a mini bypass in case the Darlington Northern Link Road never gets funding and built, looking at current build rates since 2016 in Darlington the Local Plan.

Without Skerningham Darlington's 3rd Garden Village the Council could still hit its target of new dwellings figure of 9,840 over the plan period this would save a Climate Change friendly much cherished

Community Woodland and a massive amount of lost biodiversity in North Darlington and stop more traffic congestion during School term time in this part of Darlington.

Mortgage affordability is a real concern:

Speaking from 25 years' experience helping clients arrange their mortgages I would like to say this about lenders modern day affordability calculations many clients struggle to get onto the housing ladder due to unaffordable house prices and lenders stricter than ever affordability calculations.

Lenders no longer offer income multipliers when determining mortgage affordability and amounts to lend applicants, no they all now use strict online affordability calculators some lenders are more generous than others with these lending calculations, they all take applicants cost of living and existing personal financial commitments into account.

When the cost of living increases as it is currently with no clear sign of it stabilizing any time soon mortgage lenders tweak their affordability calculators to take into account the higher cost of living expenses these determine the amount available to borrow for applicants, also with inflation over 4% the Bank Of England are about to start to increase the Bank Base Rate which will increase interest rates on mortgage products which again will make lenders mortgage affordability calculators be tweaked some more which will reduce maximum borrowing amounts for borrows.

All lenders now stress test applicants mortgage affordability by at least a 3% interest rate increase to make sure applicants can afford their mortgage payments when interest rates rise, an example would be if the lender is offering an introductory say 2% interest their affordability calculator will check to see if the applicants could afford to pay their mortgage payments at a stress tested 5% interest rate, if the affordability calculator says No the computer says No to that amount to borrow, hence the need for more affordable housing needed in North East towns like Darlington.

If larger urban extensions like Skerningham are started with different parts of the large Garden Village site being started at different times to deliver different key elements of infrastructure such as the £20 million railway road bridge, the remaining parts of the Skerningham link road , expensive to build new schools etc, etc and for whatever reason property sales start to slump like we have seen on other housing developments around the region then some key elements of infrastructure such as the expensive bridge may not get delivered this will cause traffic chaos in the likes of North Darlington for many years to come, we could be left with a large piecemeal unfinished development rather than a well and beautifully designed Garden Village urban extension as initially promised.

What I am saying above I do not believe this many new homes are needed and will be sold within the Local Plan period unless the Plan delivers more affordable housing.

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The housing need figure in our Local Plan should be more based on the true housing need for Darlington and should include much more affordable housing yet DBC are not wanting to include the Governments First Home Scheme offering First Time Buyers a minimum of 30% discounted purchase prices from the builders in our adopted plan?

Housing figures should not be based on development pressure for council tax revenue rather than true needs, no one is saying we do not need new housing in Darlington we are saying it should be, the right amount, built at the right time, in the right places the housing figures should be more in line with Government OAN-ONS data rather than as paid for report from ORS ltd.

It would also be nice to see some smaller brownfield sites allocated that could provide much needed affordable housing rather than purely larger greenfield sites allocated that will just produce low density

more expensive premium priced larger family homes than will produce large car dependent urban sprawl developments that circle the town we should be building more with the existing town's boundaries first before adding so many urban extensions in the surrounding food growing fields of Darlington

Comment

Consultee Mr David Clark (1169805)
Email Address [REDACTED]
Address [REDACTED]
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Comment by Mr David Clark (1169805)
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Question 1

Which document/modification does this representation relate to? Main Modification Schedule *

*** Please provide the reference number (where applicable), for example MM1, PM1, MIN1** MM31

Question 2

What best describes the nature of your representation? Object

Question 3 Legally Compliant and Sound

Do you consider the Plan, incorporating the proposed Modification is Legally Compliant? No

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MM31 states:- Small sites allowance of 25 dpa has been included within the housing supply and is set out within the housing trajectory (appendix A)

Small sites which are also called windfall sites were discussed along with the number of homes that have been built on these since 2016 during the public hearings.

On average 149 have been built on windfall sites and that's just over the last 3 years alone so 25 dwellings each each under MM31 is far too low a figure to have in the Local Plan

Question 5

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Increase small (windfall) sites allowance within the Draft Local Plan to a higher figure based on previous achieved numbers of around 149 this will go towards taking some pressure of other allocated sites within the plan with a view to some sites even being removed if so the Council could still achieve its target figure of 9,840 especially if they readjust their committed-approved sites dwelling number to start from 2016 as our Local Plan is starting from 2016 to run to 2036.

Comment

Consultee	Mr David Clark (1169805)
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] [REDACTED]
Event Name	Local Plan 2016-2036 Proposed Modifications
Comment by	Mr David Clark (1169805)
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Question 1	
Which document/modification does this representation relate to?	Main Modification Schedule *
* Please provide the reference number (where applicable), for example MM1, PM1, MIN1	MM54 Policy H10 – para 1 , MM55 Policy H10 – para 3 , MM62 Policy H10 – part g
Question 2	
What best describes the nature of your representation?	Support
Question 3 Legally Compliant and Sound	
Do you consider the Plan, incorporating the proposed Modification is Legally Compliant?	No
Do you consider the Plan, incorporating the proposed Modification is Sound?	No
Question 4	

Please give details of why you consider the Darlington Local Plan, incorporating the proposed Modifications to which your representation relates, is not legally compliant or is unsound. Please be as precise as possible. If you wish to support the Plan or comment on the Sustainability Appraisal Report Addendum/Habitats Regulations Screening please also use this box to set out your comments.

I **support the need for a comprehensive masterplan including a phasing plan for infrastructure** for H10 but **object** to the different developers of this site not wanting to 100% agree-adhere to delivering these expensive but very important key elements of infrastructure such as the whole of Skerningham link road including the rail bridge in order for them to get planning permissions granted for their different parts of this site there must be water tight obligations and agreements to deliver all the infrastructure that will be needed to make this large housing development work before approval of any planning application can be given if the Skerningham allocation is to remain in an adopted Local Plan and that LP be a sound one.

These requirements need to be properly and clearly worded to avoid any doubts or misunderstanding as to who needs to deliver what and when and to be adhered to by all developers and new home builders wanting to deliver dwellings anywhere on this site if a beautifully designed large urban extension Garden Village is to be delivered in Skerningham that does not impact on the lives and well being of resident living in the existing urban developments that surround Skerningham.

MM54 Policy H10 – para 1 of which 600 dwellings are to be delivered on land adjacent to the A167 and west of the East Coast Mainline on the eastern part of the allocation.

This is the Banks Group Beaumont Hill Development which is part of the Skerningham Garden Village Development as discussed on the examination hearings that needs to adhere to the Skerningham comprehensive infrastructure masterplan and the Garden Village design code or that is what the public have been told during the Draft Local Plan hearings.

MM55 Policy H10 – para 3 - A comprehensive masterplan including an **infrastructure phasing plan shall be prepared in consultation with the community prior to the submission of must be submitted to accompany any planning application relating to this site** - the Council will **only approve planning applications that adhere with the comprehensive masterplan and the Council's design code and deliver the necessary local and strategic infrastructure** including social and community facilities at the appropriate phase of the development identified in the infrastructure phasing plan to support the coordinated provision of infrastructure and housing development.

A number of local residents including myself attended Banks Group design workshop held Monday 8th and Wednesday 10th November, at these workshops attendees were told by Banks staff that the Garden Village had nothing to do with their proposal they would be treated as a separate urban extension proposal and they do not have to deliver the part the link road up to the railway?.

One resident has been informed by Banks Group after the workshop and I quote :-

“ We are of course part of the same **draft allocation** in the emerging Darlington Local Plan but that is the **extent of the “relationship”**. Our Beaumont Hill proposals are **able to come forward separate to the wider Skerningham Garden Village** as we are not dependent on the same access requirements as they are and **can be brought forward as part of an urban extension** . Crossing the **East Coast mainline is a fundamental part of the Skerningham Garden Village** and will take a **considerate amount of time to identify, agree and deliver a solution to that.**”

Based on this statement sent out by Banks after the resident attended the workshop they are saying are they are to be treated separate to the Skerningham Garden Village allocation, being classed as an urban extension and the EC mainline crossing is going to take a considerate amount of time to identify, to agree and deliver?

Yet on the hearings we were told their site would form part of the Garden Village as **MM54 H10 para 1** 600 dwelling statement above indicates, and their site would be part of the comprehensive masterplan-infrastructure phasing plan and the council will only approve any application that adheres to the comprehensive masterplan and council's design code to deliver the necessary local and strategic infrastructure as **MM55 policy H10 para 3** above indicates.

I have been informed after attending the workshop which was basically a blank map of their site on the Western side of the railway up the A167 with the public being asked what would you like to see on this site and where Banks staff stated to me after the workshop via an email:-

“ the plans used at the design workshop showed land reserved for a **future crossing of the railway line**. It is **yet to be established exactly when a bridge will be delivered** and it **will not form part**

of our planning application. The majority of the link road that will run through our site was clearly identified on the plans we provided”

The Sustainability Appraisal Report Addendum Main Modification Screening & Appraisal states main modification which I support-

MM62 Policy H10 – part g

- Prior to the occupation of the **first dwelling** on land on the **western part of the allocation** (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.
- Prior to the completion of the development on the **western part** of the allocation (between the A167 and East Coast Mainline) **the remaining section of the local distributor road to the East Coast Mainline shall be delivered.**
- Development of the initial phases of development on the eastern part of the allocation will be accessed via Barmpton Lane and/or Bishopton Lane. Prior to the occupation of between the 200th and 450th dwelling on the eastern part of the allocation the section of the local distributor road between Barmpton Lane and Bishopton Lane shall be delivered.
- Prior to the occupation of **between the 900th and 1500th dwelling the local distributor road between the A167 and the A1150 (including the bridge crossing of the East Coast Mainline)** shall be completed in its entirety.

Precise details of the road and development access points, together 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;

But to be then told by Banks group staff they want their site to come forward quickly and be treated separately with no obligation to deliver the Western side of the Link road with its embankment you can see now why the local communities are getting worried about thousands of additional vehicles that will come off the Western and Eastern parts of Skerningham Garden Village onto the already congested A167 and A1150 plus all the other local smaller busy side roads in North Darlington especially when we see evidence of two of the Garden Village developers already bickering as to who will supply what and when or not supply these at all.

This gives surrounding local communities who will be affected by this Garden Village no confidence at all the Skerningham distributor road including a rail crossing bridge will actually get delivered in a reasonable time and all link up ,with the council officers saying we will discuss access points with local communities at application stages well that's far too late these problems and access points need to be established for Skerningham Garden Village to be classed as a financial viable and fully sustainable large urban extension for it to remain an adopted for it to be a sound Local Plan .

The council officers have even discussed and talked about having access points onto Whitebridge Drive- Berriedale and Beaully Drive onto the Ashbrooke estate next to Springfield Park if the Springfield Park link road is not delivered that Park link road is now not being delivered as has now been removed from the Draft Local Plan and Springfield Park has been given local green space status which awards it some protection from a road going cross it, these potential and discussed access points onto the Ashbrooke estate which has narrow roads and the bend at the top of Berriedale drive not being wide enough for 2 cars to pass at the same time and the estate only having one access on and off onto which is onto the congested A1150 makes these completely and totally unsuitable to consider sending thousands of additional vehicles onto day and night.

Sparrow Hall Drive , Whinbush Way and Barmpton Lane are all totally unsuitable for sending thousands more addition vehicles onto each day and night but these totally unsuitable access points would be the only access points for this large Garden Village if the Skerningham link road with its £20 million rail crossing bridge is not delivered within an early part of the development.

Should the full Skerningham link road not be in place at the right time then all the traffic from Skerningham Garden Village will spill out onto already congested local roads, we hear TVCA, Our MP and DBC saying that a Darlington Northern Link Road costing hundreds of millions needs to be funded and built to take traffic off the congested A167 and A1150 which are currently handling traffic above a safe capacity they were designed to handle, traffic noise and pollution are being mentioned but here they all are supporting a large Garden Village that will add thousands more vehicle journeys onto the A167 – A1150?

Question 5

Please set out what changes you consider necessary to make the Plan legally compliant or sound and why, thinking about what you identified in Question 4. It will be helpful if you are able to put forward your suggested revised wording or any policy or text. Please be as precise as possible.

The comprehensive masterplan including infrastructure phasing plan for all parts of the Skerningham development needs to be wording clearly which parts of the development so that both West and East of the railway are responsible to deliver which parts of the infrastructure and when in order for a well and beautifully designed Skerningham Garden Village to be delivered that does not impact on the surrounding local communities.

The Link road up to the railway and the Western side of the embankment should be agreed to be delivered by the 600 dwellings site at Beaumont Hill before a planning application is approved that way the worried local communities will know the railway crossing may be delivered as part of any Skerningham Garden Village planning application within a reasonable timescale to try to avoid traffic chaos on both the A167 - A1150 otherwise without a water tight infrastructure phasing plan any development of Skerningham could turn into a piecemeal, ad-hoc, free for all large development without key infrastructure elements being put in place.

Comment

Consultee Mr David Clark (1169805)

Email Address [REDACTED]

Address [REDACTED]
[REDACTED]
[REDACTED]

Event Name Local Plan 2016-2036 Proposed Modifications

Comment by Mr David Clark (1169805)

Comment ID DBLPMod353

Response Date 24/11/21 16:54

Status Processed

Submission Type Web

Version 0.4

Files [Attachment for the above representation with a number of items in it I refer to above](#)

Question 1

Which document/modification does this representation relate to? Main Modification Schedule *

* Please provide the reference number (where applicable), for example MM1, PM1, MIN1 MM61, MM63, MM65, MM66, MM67, MM82

Question 2

What best describes the nature of your representation? Object

Question 4

Please give details of why you consider the Darlington Local Plan, incorporating the proposed Modifications to which your representation relates, is not legally compliant or is unsound. Please be as precise as possible. If you wish to support the Plan or comment on the Sustainability Appraisal Report Addendum/Habitats Regulations Screening please also use this box to set out your comments.

MM61 Policy H10 Part F Principal vehicular access points from A167, A1150 and A1150:

These 2 roads are already heavily congested in fact the Council, our MP and TVCA are saying we need funding of hundreds of millions to build a new Darlington Northern Link Road because of the amount of traffic currently on these 2 busy roads they have even discussing traffic pollution for existing residents for the need for the Northern Link road to be funded and built but here they are supporting

thousands of additional vehicles to spill off onto these 2 roads from the large Skerningham Garden Village.

MM63 Policy H10 part I A Network of Green and blue infrastructure:

The draft local plan states 45% of Skerningham will remain as green infrastructure with this in mind the Council's Appendix B Skerningham Masterplan with Golf Club in Situ, shows a green road shaped strip of land this is currently part of Darlington Golf Club land this strip of land leads to the Council's owned Green strip of land that then leads onto Whinbush Way (please see my attachment I have circled this green strip in Yellow).

But then in an earlier Skerningham Masterplan figure 2 in my attachment which was for DBC funding bid for Housing Infrastructure Fund which I downloaded this from DBC's website clearly shows this green strip of land as an access road (please see attachment showing figure 2 photo from DBC website) also the traffic modelling reports carried out to date stated that most of the traffic in the early stages of the Eastern side of the Garden Village development of 1.050 dwellings will use Whinbush Way rather than Barmpton lane this was also reiterated by David Casey from the Council during the DLP online hearings.

I have been reliably informed that Darlington Golf Club have been in talks with a large house builder to sell this part of the golf club land to them If this is the case would this not be for an access point off Whinbush way into Skerningham Garden Village if so why show it as green infrastructure just be truthful to the public.

MM65 Policy H10 Part I iii delivers a net gain in the area of publicly accessible community woodland on site:

The Council and developers' plans are showing Darlington Golf Club to be relocated into Skerningham Community woodland if relocated into there this would mean the removal of thousands of healthy trees and then stop that area being accessible to the public, we are being told by the developers a new biodiversity creation will be planted to the East of the Hutton plantation but this is on top of the landfill site that has many above the ground breather pipes to allow the gases to be released from underground.

This landfill was filled with building trade waste so will include plaster boards than contain gypsum these are now banned from landfills dues to harmful toxic fumes they can give off so would this net gain of publicly accessible woodland really offer the public a safe environment bearing in mind there was an underground fire in the landfill site in 2007 that took several days to get under control this newly planted accessible woodland on top of a landfill site would not offer a very nice, fair and safe net gain of community woodland for both humans and wildlife, also if the Darlington Northern link Road (DNLR) is funded and built the developer has plans to put a link road through his new biodiversity creation- newly planted community woodland to link up with DNLR so it would become even less safe of attractive to wildlife and humans.

The current accessible Community Woodland does not have any busy link roads running past or through it so a safe environment for walkers and all biodiversity.

MM66 Policy H10 part i iii provides a pattern of well-integrated and interconnected green spaces (along with provision for long term maintenance) :

Provision for long term maintenance:- these pattern of well-integrated green spaces within Skerningham Garden Village its being stated that 45% of the site will remain as Green space that's a lot of maintenance costs over the long term therefore DBC will not want to adopt and maintain these large green spaces so the developer or new home builders buying the land will retain them and them give the long term maintenance contract to a private maintenance company that all the new Garden Village residents will have to pay an annual maintenance charge to.

These maintenance contracts are often unregulated and the annual fees that can be charged by them are uncapped these unadopted green spaces-private company maintenance contracts are causing misery to thousands if not millions of new home owners in the UK they have in fact been labelled "Fleecehold" agreements a quick google search of "Fleecehold" will show you many articles about the problems home owners are currently having with them.

MM67 Policy H10 part I vii provides for the potential relocation of Darlington Golf Club to a suitable location within the allocation boundary:

Currently the suitable location the developer and Council are discussing with the public is the Community Woodland which I object to and how is that a suitable site?

Especially as it contradicts **MM148 Policy ENV7 D (iii)** “ New development will be expected to retain existing woodlands” I support that policy and I am sure every other member of public in Darlington will support that policy as well compared to other towns Darlington has low tree cover so should be encouraged to retain and extend the low tree cover it currently has the Darlington Forest Project are looking to plant thousands more they achieved over 7,000 last year with help from the council but the loss of a community woodland in the town and all their hard work over the last couple of years would be wiped out.

We are being told there will be a net gain of accessible community woodland with newly planted whips (young trees) but this is being proposed to be on top of a landfill site that may have harmful gases coming up from underground plus this newly planted community woodland would take many years to establish itself to the same benefit level of the large part of the community woodland area being lost to the relocation of a golf course.

MM82 Policy H10 para 6.10.12 The site is expected to deliver an increase in the area of Woodland adjacent to the river to offset any loss resulting from the potential relocation of Darlington Golf Club:

As above -also adjacent to the river already has accessible woodland most of the current community woodland is adjacent to the river Skerne so this para 6.10.12 needs more clarification as to where adjacent to the river it is referring to.

Question 5

Please set out what changes you consider necessary to make the Plan legally compliant or sound and why, thinking about what you identified in Question 4. It will be helpful if you are able to put forward your suggested revised wording or any policy or text. Please be as precise as possible.

The above Modifications are being contradicted with some of planned parts of Skerningham Garden Village such as the potential relocation of Darlington Golf Club in the existing accessible community woodland with either the golf course relocating or staying in situ these plans will not deliver a beautifully designed, sustainable and viable Garden Village-community or 10% biodiversity net gains which the revised NPPF and Environmental bill state it should offer.

Its not a climate Change mitigation friendly large housing development it is nothing but a large car dependent urban extension.

The Draft Local Plan target for dwellings of 9,840 can be achieved without it based on completion's and commitments since 2016 so it should be removed from the Draft Local Plan the local communities this large development will affect have not be properly consulted with from an early stage we have not been able to have a meaningful say over its design and impact to the local environment as the MHCLG prospectus for these developments clearly state should of happened from a very early stage for us to first hear about this Garden Village in a 2017 newspaper article, then a number of grass roots campaign group apposed to it and Darlington Golf Club not being part of the DLP hearing when they are land owners in Skerningham speaks volumes of the opposition against this large development that will force thousands more vehicles onto already congested roads in North Darlington.

Add document

If you wish to attach supporting files please do so here.

[Attachment for the above representation with a number of items in it I refer to above](#)

Comment

Consultee	Mr David Clark (1169805)
Email Address	[REDACTED]
Address	[REDACTED] [REDACTED] [REDACTED]
Event Name	Local Plan 2016-2036 Proposed Modifications
Comment by	Mr David Clark (1169805)
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Question 1

Which document/modification does this representation relate to? Main Modification Schedule *

* Please provide the reference number (where applicable), for example MM1, PM1, MIN1 MM136 , MM148

Question 2

What best describes the nature of your representation? Support

Question 3 Legally Compliant and Sound

Do you consider the Plan, incorporating the proposed Modification is Legally Compliant? No

Do you consider the Plan, incorporating the proposed Modification is Sound? No

Question 4

Please give details of why you consider the Darlington Local Plan, incorporating the proposed Modifications to which your representation relates, is not legally compliant or is unsound. Please be as precise as possible. If you wish to support the Plan or comment on the Sustainability Appraisal Report Addendum/Habitats Regulations Screening please also use this box to set out your comments.

I fully support MM136 , MM148 plus many other modifications that look to retain and habitat and biodiversity but object to no clear policy within our Draft Local Plan for existing important hedgerows.

The Draft Local Plan (DLP) seems extremely weak when it comes to the protection of existing hedgerows on Greenfield sites allocated within it, many of these will meet the Governments criteria for protection of hedgerows.

A sound plan should embrace all possible carbon storing, flood defence and Climate Change mitigation measures, but Darlington's DLP seems to have very little regard to these or any stringent requirements for them within our proposed new Local Plan.

It would be encouraging to see many hedgerows being retained and incorporated into most if not all land allocation's that contain hedgerows over 30 years of age, being at least 20 meters in length and those also that contain a specified number of woody species I believe the number required to obtain this sort of hedgerow protection is reduced by one in the Borough of Darlington along with a small number of other towns- area's in the UK which either indicates the importance of the good hedgerows we have in Darlington or the lack of them compared to other parts of the Country.

It would be great to see hedgerows being incorporated within new housing develops around the Borough of Darlington especially the larger allocations such as H10 and H11 as this may help towards the revised NPPF statement of let's build more beautiful and tree lined, designed, biodiversity friendly developments.

Many hedgerows have veteran trees along them these veteran trees are a haven for biodiversity as they provide excellent habit for many species.

1 in 9 endangered species rely of hedgerows for habitat and survival so we should treat them as important nature reserves within these new developments.

A Hedgerow protection order within our Draft Local Plan for existing hedgerows that qualify for protection would be a positive step in the right direction for our council to demonstrate they are fully committed to their net zero carbon and Climate Change emergency pledges.

The CPRE are asking for more to be done to protect our important for biodiversity, flood defence, carbon storing, Climate Change, friendly existing and established Hedgerows.

CPRE are "calling on ministers to set a target to increase the hedgerow network by 40% by 2050 with improved protection for existing hedgerows. This would be seen as a bold step by the UK government in the lead up to hosting the international climate summit to support nature's recovery, help grow us out of the economic downturn and tackle the climate emergency head-on"

Many of the government's nature-based solutions to the climate emergency to date have focused on trees, but hedgerows are also crucial in soaking up carbon, protecting against flooding and aiding nature's recovery.

They capture carbon and store it in their woody plants above ground and their roots in the soil below. This huge carbon lock-up potential can be increased by allowing our hedgerows to become wider and taller.

These innocuous, familiar features of our landscapes also teem with life. They're essential for biodiversity, with one in nine of the UK's most vulnerable species significantly associated with hedgerows

Question 5

Please set out what changes you consider necessary to make the Plan legally compliant or sound and why, thinking about what you identified in Question 4. It will be helpful if you are able to put forward your suggested revised wording or any policy or text. Please be as precise as possible.

Give the Borough of Darlington's Draft Local Plan a good Hedgerow Preservation order modification for all existing hedgerows that meet the Governments criteria for protection.

More information from the CPRE can be found here:

<https://www.cpre.org.uk/news/cpres-groundbreaking-hedgerow-research/>