

Comment

Consultee	Mr James Seabury (1164573)
Email Address	[REDACTED]
Company / Organisation	Banks Property Ltd
Address	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Event Name	Local Plan 2016-2036 Proposed Modifications
Comment by	Banks Property Ltd (Mr James Seabury - 1164573)
Comment ID	DBLPMod687
Response Date	30/11/21 16:18
Status	Processed
Submission Type	Web
Version	0.2
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	MM19
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?	Yes
Do you consider the Plan, incorporating the proposed Modification is Sound?	Yes
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.

Banks property support proposed modification MM19 to delete the sentence regarding excessive movements of heavy goods vehicles from policy DC4. The proposed modification ensures that the policy sets out a sound approach to safeguarding amenity and is positively prepared.

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.

N/A

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Event Name	Local Plan 2016-2036 Proposed Modifications
Comment by	Banks Property Ltd (Mr James Seabury - 1164573)
Comment ID	DBLPMod688
Response Date	30/11/21 16:18
Status	Processed
Submission Type	Web
Version	0.4
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	MM25
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?	Yes
Do you consider the Plan, incorporating the proposed Modification is Sound?	Yes
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.

Banks Property support proposed modification MM25 which removes ambiguity regarding the minimum housing requirement which as modified is confirmed as 492 net dwellings per annum.

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.

N/A

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Event Name	Local Plan 2016-2036 Proposed Modifications
Comment by	Banks Property Ltd (Mr James Seabury - 1164573)
Comment ID	DBLPMod689
Response Date	30/11/21 16:18
Status	Processed
Submission Type	Web
Version	0.2
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	MM119
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?	Yes
Do you consider the Plan, incorporating the proposed Modification is Sound?	Yes
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.

Banks Property supports MM119 which clarifies that impact assessments are not required to be undertaken for Skerningham and Greater Faverdale.

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.

N/A

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Event Name	Local Plan 2016-2036 Proposed Modifications
Comment by	Banks Property Ltd (Mr James Seabury - 1164573)
Comment ID	DBLPMod691
Response Date	30/11/21 16:19
Status	Processed
Submission Type	Web
Version	0.2
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	MM156
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?	Yes
Do you consider the Plan, incorporating the proposed Modification is Sound?	Yes
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.

Banks Property supports MM156 which removes reference to the delivery of a Northern Link Road between the A1 and A66(M).

Question 5

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N/A

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Event Name	Local Plan 2016-2036 Proposed Modifications
Comment by	Banks Property Ltd (Mr James Seabury - 1164573)
Comment ID	DBLPMod692
Response Date	30/11/21 16:20
Status	Processed
Submission Type	Web
Version	0.3
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	MM158
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?	Yes
Do you consider the Plan, incorporating the proposed Modification is Sound?	Yes
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.

Banks Property support MM158 which provides explanatory text on the location of 'Skerningham access roads' which ensures the policy is effective in clearly identifying the provision of the key route.

Question 5

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N/A

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Event Name	Local Plan 2016-2036 Proposed Modifications
Comment by	Banks Property Ltd (Mr James Seabury - 1164573)
Comment ID	DBLPMod693
Response Date	30/11/21 16:20
Status	Processed
Submission Type	Web
Version	0.3
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	MM164
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?	Yes
Do you consider the Plan, incorporating the proposed Modification is Sound?	Yes
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.

Banks Property supports MM164 which identifies other material considerations to be taken into account regarding a sites proximity to existing bus services rather than solely walking distances.

Question 5

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N/A

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Comment by	Banks Property Ltd (Mr James Seabury - 1164573)
Comment ID	DBLPMod694
Response Date	30/11/21 16:20
Status	Processed
Submission Type	Web
Version	0.3
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
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?	Yes
Do you consider the Plan, incorporating the proposed Modification is Sound?	Yes
Question 4	

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Banks Property support MM54 which provides clarity and ensures the policy is positively prepared by establishing the quantum of housing to be delivered to the west of the East Coast Mainline and East of the East Coast Mainline.

Question 5

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N/A

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Event Name	Local Plan 2016-2036 Proposed Modifications
Comment by	Banks Property Ltd (Mr James Seabury - 1164573)
Comment ID	DBLPMod695
Response Date	30/11/21 16:21
Status	Processed
Submission Type	Web
Version	0.2
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	MM55
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?	Yes
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.

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. 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.*

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See suggested track changes to question 4

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Comment by	Banks Property Ltd (Mr James Seabury - 1164573)
Comment ID	DBLPMod696
Response Date	30/11/21 16:21
Status	Processed
Submission Type	Web
Version	0.3
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	MM62
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?	Yes
Do you consider the Plan, incorporating the proposed Modification is Sound?	No
Question 4	

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Banks Property are aware of the importance of the local distributor road as a key piece of infrastructure crossing through the Skertingham 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.

Question 5

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

- 1 *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.*