

Comment

Consultee	Mr Richard Cowen (1198724)
Email Address	[REDACTED]
Company / Organisation	Campaign to Protect Rural England
Address	[REDACTED] [REDACTED] [REDACTED]
Event Name	Local Plan 2016-2036 Proposed Modifications
Comment by	Campaign to Protect Rural England (Mr Richard Cowen - 1198724)
Comment ID	DBLPMod855
Response Date	29/11/21 10:05
Status	Processed
Submission Type	Email
Version	0.7
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	MM23-25, MM28, MM35, MM54-71, MM83-95
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.

I refer to the proposed main modifications and wish to make the following representations on behalf of CPRE Durham. In making these representations, I will incorporate comments I have made in relation to Bishop Auckland Cycling Club and Durham Bird Club.

We propose to consider modifications that relate to Policies where representations have been made on behalf of the above organisations rather than address all of them. The following comment on the Council's website is noted

"A schedule of proposed Main Modifications has been prepared which is to be the subject of consultation. The Main Modifications are proposed without prejudice to the Inspectors' final conclusions on the plan, which will take into account all of the representations submitted in response to this consultation."As a result we will seek to assess whether in our opinion the proposed Main Modifications make the Plan sound.Housing

When making representations to the Pre-submission draft of the Plan, CPRE (through Gillan Gibson) represented that the number of houses and amount of land allocated for housing was excessive bearing in mind the government's Standard Method for calculating the objectively assessed housing need for Darlington. Those representations remain in my view valid. The issue is whether the proposed Main Modifications address those representations.

A number of Main Modifications (MM) are proposed in respect of Policies for housing allocation in the Plan, ie

- MM 23 to MM 25 - Policy H1
- MM 28 - Table 6 2 in relation to Policy H2
- MM 35 - Table 6.3
- MM 54 to MM 71 - Policy H10 (Skerningham)
- MM 83 to MM 95 - Policy H11 (Great Faverdale, including a large area of employment land)

CPRE Durham accepts that, if the proposed allocations in the Plan are found to be sound, these modifications do make the Plan clearer and more consistent. Indeed, proposals to ensure matters like proposed walking and cycling routes are constructed in accordance with infrastructure requirements are welcome – see eg MM 60 and MM 91.

However, we represent that the principal issue raised by CPRE Durham during the whole of this Plan process remains unaddressed. That is that the objectively assessed need for housing does not accord with the Government's Standard Method for calculating it and that the amount of land allocated for housing (and, in the case of Policy H10 relating to Great Faverdale, employment) is grossly excessive. Therefore we must continue with our representations that the proposed Plan is not sound because of this excessive allocation and the proposed Main Modifications do nothing to address that.

In this respect, we represent that the concerns I have expressed on behalf of Durham Bird Club in relation to the loss of biodiversity resulting from this amount of proposed development remains unaddressed. As a result we represent that the environmental aspect of the NPPF remains unmet if the Plan continues to contain this amount of housing and employment allocation. Although these representations were made in respect of Policy ENV 7, these proposals have a significant impact upon them.

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.

While we welcome some of the proposed Major Modifications, we represent that our principal concerns about the Submission Draft of the Darlington Borough Plan have not been addressed and therefore that it remains unsound for reasons we have previously given.

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Address	[REDACTED] [REDACTED] [REDACTED]
Event Name	Local Plan 2016-2036 Proposed Modifications
Comment by	Campaign to Protect Rural England (Mr Richard Cowen - 1198724)
Comment ID	DBLPMod856
Response Date	29/11/21 10:06
Status	Processed
Submission Type	Email
Version	0.7
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	MM105 & MM108
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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We note the modifications proposed to Policies E1 and E2 (MM 105 and MM 108) which address changes to the Use Classes Order but our representations relating to Teesside Airport have not been addressed. We therefore represent that the Plan remains unsound in this respect for reasons previously given.

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.

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Address	[REDACTED] [REDACTED] [REDACTED]
Event Name	Local Plan 2016-2036 Proposed Modifications
Comment by	Campaign to Protect Rural England (Mr Richard Cowen - 1198724)
Comment ID	DBLPMod857
Response Date	29/11/21 10:13
Status	Processed
Submission Type	Email
Version	0.10
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	MM116
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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Again, modifications are proposed to Policy TC4 (MM116) to reflect the new Use Classes Order but there is nothing to reflect the representations CPRE Durham made about District and Local Centres.

In view of this we represent that the Plan remains unsound for reasons we have previously given.

Question 5

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Address	[REDACTED] [REDACTED] [REDACTED]
Event Name	Local Plan 2016-2036 Proposed Modifications
Comment by	Campaign to Protect Rural England (Mr Richard Cowen - 1198724)
Comment ID	DBLPMod858
Response Date	29/11/21 10:16
Status	Processed
Submission Type	Email
Version	0.8
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	MM117
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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We note proposed modification MM117 to add a sequential test if development is proposed outside such centres. While we accept this modification for its intended purpose, it does not reflect the important point that a number of centres which should qualify as District or Local Centres are not included.

In view of this we represent that the Plan remains unsound for reasons we have previously given.

Question 5

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While we welcome some of the proposed Major Modifications, we represent that our principal concerns about the Submission Draft of the Darlington Borough Plan have not been addressed and therefore that it remains unsound for reasons we have previously given.

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Address	[REDACTED] [REDACTED] [REDACTED]
Event Name	Local Plan 2016-2036 Proposed Modifications
Comment by	Campaign to Protect Rural England (Mr Richard Cowen - 1198724)
Comment ID	DBLPMod859
Response Date	29/11/21 10:20
Status	Processed
Submission Type	Email
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	MM123
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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We welcome MM 123 which addresses the point made by Mrs Gibson about the number of heritage sites in Darlington. However, we note it still does not reflect the statutory duty imposed by the Planning (Listed Building and Conservation Areas) Act 1990. The NPPF of course has to be read to accord with this statutory duty.

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.

While we welcome some of the proposed Major Modifications, we represent that our principal concerns about the Submission Draft of the Darlington Borough Plan have not been addressed and therefore that it remains unsound for reasons we have previously given.

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Address	[REDACTED] [REDACTED] [REDACTED]
Event Name	Local Plan 2016-2036 Proposed Modifications
Comment by	Campaign to Protect Rural England (Mr Richard Cowen - 1198724)
Comment ID	DBLPMod860
Response Date	29/11/21 10:22
Status	Processed
Submission Type	Email
Version	0.7
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	MM130-MM132, PM2
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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We remain concerned to note that there is no modification to Policy ENV3 to reflect the representations we made about a rural gap by Low Conniscliffe (see MM 130 to MM 132) and we represent this is a major omission in the Plan that is not addressed by the proposed Modifications. (We assume that this Rural Gap will not be shown on the revised Policies Map in accordance with Proposed Modification PM 2).

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.

While we welcome some of the proposed Major Modifications, we represent that our principal concerns about the Submission Draft of the Darlington Borough Plan have not been addressed and therefore that it remains unsound for reasons we have previously given.

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Address	[REDACTED] [REDACTED] [REDACTED]
Event Name	Local Plan 2016-2036 Proposed Modifications
Comment by	Campaign to Protect Rural England (Mr Richard Cowen - 1198724)
Comment ID	DBLPMod861
Response Date	29/11/21 10:25
Status	Processed
Submission Type	Email
Version	0.7
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	MM146/PM2
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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In addition, while we note MM 146 in relation to Sites of Special Scientific Interest, we still cannot find any reference to them on the Policies Map.

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.

While we welcome some of the proposed Major Modifications, we represent that our principal concerns about the Submission Draft of the Darlington Borough Plan have not been addressed and therefore that it remains unsound for reasons we have previously given.

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Address	[REDACTED] [REDACTED] [REDACTED]
Event Name	Local Plan 2016-2036 Proposed Modifications
Comment by	Campaign to Protect Rural England (Mr Richard Cowen - 1198724)
Comment ID	DBLPMod862
Response Date	29/11/21 10:26
Status	Processed
Submission Type	Email
Version	0.6
Question 1	

Which document/modification does this representation relate to?	Main Modification Schedule *
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* Please provide the reference number (where applicable), for example MM1, PM1, MIN1	MM156
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Question 2

What best describes the nature of your representation?	Support
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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.

We welcome MM 156 which deletes reference to the northern Link Road from the Plan.

Question 5

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N/A

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Email Address	[REDACTED]
Company / Organisation	Campaign to Protect Rural England
Address	[REDACTED] [REDACTED] [REDACTED]
Event Name	Local Plan 2016-2036 Proposed Modifications
Comment by	Campaign to Protect Rural England (Mr Richard Cowen - 1198724)
Comment ID	DBLPMod863
Response Date	29/11/21 10:27
Status	Processed
Submission Type	Email
Version	0.5
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	MM159
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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As far as MM 159 is concerned relating to other roads that would effectively form an Orbital Road to serve the housing allocations mentioned above, we represent that the whole concept remains unsound on the basis that the proposed housing in the Plan is excessive. If the housing allocations are not deemed to be sound, then this Policy must also be unsound.

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While we welcome some of the proposed Major Modifications, we represent that our principal concerns about the Submission Draft of the Darlington Borough Plan have not been addressed and therefore that it remains unsound for reasons we have previously given.

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Email Address [REDACTED]

Company / Organisation Campaign to Protect Rural England

Address [REDACTED]
[REDACTED]
[REDACTED]

Event Name Local Plan 2016-2036 Proposed Modifications

Comment by Campaign to Protect Rural England (Mr Richard Cowen - 1198724)

Comment ID DBLPMod864

Response Date 29/11/21 10:29

Status Processed

Submission Type Email

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** MM160 & MM167

Question 2

What best describes the nature of your representation? Support

Question 4

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We welcome the proposals outlined in

- MM160 relating to high quality, safe walking and cycling routes
 - MM 167 relating to the encouragement of cycle parking and showering facilities etc
- as outlined in my representations on behalf of Bishop Auckland Cycling Club.

Question 5

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N/A

Comment

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Email Address	[REDACTED]
Company / Organisation	Campaign to Protect Rural England
Address	[REDACTED] [REDACTED] [REDACTED]
Event Name	Local Plan 2016-2036 Proposed Modifications
Comment by	Campaign to Protect Rural England (Mr Richard Cowen - 1198724)
Comment ID	DBLPMod865
Response Date	29/11/21 10:30
Status	Processed
Submission Type	Email
Version	0.5
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	MM169 & MM170
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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With respect to MM 170, we are very concerned about the whole of the Borough being identified as suitable for wind energy. We represent that there are clearly areas of the Borough which cannot be suitable for this sort of development. We therefore represent that this proposed modification is not sound.

If this Modification is found to be sound, then we represent that there must be a further amendment to MM 169. Policy IN 9 includes a number of criteria and refers to shadow flicker and visual dominance. We represent that consideration must now be

given to noise as well and the Policy should be amended to reflect the following as criteria

- Residential amenity, including noise, shadow flicker and overwhelming living conditions
- visual dominance, both from residential properties and public locations

as well as the other criteria listed

We are also concerned that this proposed modification does not reflect our representations in relation to solar arrays being on roofs, especially of large commercial buildings.

Question 5

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While we welcome some of the proposed Major Modifications, we represent that our principal concerns about the Submission Draft of the Darlington Borough Plan have not been addressed and therefore that it remains unsound for reasons we have previously given.