

Darlington Local Plan

2016-2036

Adopted February 2022



DARLINGTON
Borough Council

3 SUSTAINABLE DEVELOPMENT

3 SUSTAINABLE DEVELOPMENT

Presumption in Favour of Sustainable Development

- 3.1.1** The NPPF requires policies in local plans to follow the approach of the presumption in favour of sustainable development so that it is clear that development which is sustainable can be approved without delay.
- 3.1.2** Policy SD 1 will help to ensure that decisions are made in line with the presumption in favour of sustainable development.

Policy SD 1

Presumption in Favour of Sustainable Development (Strategic Policy)

A positive approach to considering development proposals will be taken that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. Where appropriate, the Council will work proactively with applicants to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the Darlington Borough.

Planning applications that accord with policies in the development plan⁽⁶⁾ will be approved without delay. Where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, the Council will grant planning permission unless the application of policies in the National Planning Policy Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed, or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

This policy will be implemented and monitored by making and reviewing decisions on planning applications.

⁶ the Darlington Borough development plan consists of the Local Plan, Tees Valley Joint Minerals and Waste Core Strategy Development Plan Document (DPD), Tees Valley Joint Minerals and Waste Policies and Sites DPD and made neighbourhood plans.

THE SETTLEMENT HIERARCHY 4

4 THE SETTLEMENT HIERARCHY

- 4.0.1** There is a need to make clear 'spatial' choices for the distribution of new development across the Local Plan area, thereby reflecting and supporting the specific roles and functions of different communities, helping “place-shaping” and ensuring that they are linked by sustainable patterns of transport. Failure to respect the scale and function of places can lead to inappropriate development and result in unsustainable patterns of transportation, loss of environmental quality and local character, reduced economic prosperity and be a barrier to social inclusion and the creation of balanced communities.

Policy SH 1

Settlement Hierarchy (Strategic Policy)

The broad distribution of development in the Local Plan area will be shaped by the role and function of places, based on the following hierarchy of settlements:

1. **Darlington Urban Area** - will remain the focus of future development within the Borough. As a single urban centre within the Borough it will aim to maintain its role as a leading sub-regional centre for transport connectivity, services, employment and retail and leisure. Sustainable and accessible locations will be selected to enable further development;
2. **Service Villages (Heighington, Hurworth and Middleton St George)** - will be maintained as villages that offer a range of facilities and services, where a level of development will meet local needs and facilitate the economic diversification of rural areas. Development should safeguard and reinforce the distinctive character of each settlement and not detract from their landscape setting;
3. **Rural Villages (Bishopton, Brafferton, High Coniscliffe, Low Coniscliffe, Merrybent, Neasham, Piercebridge, Sadberge)** - The character of the Rural Villages, including their relationship to and setting within the surrounding countryside, will be protected and where possible enhanced. Development in these villages will make efficient and sustainable use of existing buildings and infill opportunities. On the edges of Rural Villages, housing development will meet clearly identified local needs, recognising that an element of open market housing may be required to deliver essential affordable units.

In meeting the objectives for each level of the settlement hierarchy, development should not compromise the ability to meet the objectives for other tiers in the hierarchy.

Only those places with defined Development Limits are classified as settlements for the purposes of this Policy. All areas outside the Development Limits are to be regarded as ‘countryside’ unless specifically identified for other uses in the plan (including Policies E 1, E 2 and E 3). The Development Limits are defined on the Policies Map.

- 4.0.2** The Key Diagram shown overleaf identifies the key strategic locations for development.

THE SETTLEMENT HIERARCHY 4

Urban Area

- 4.0.3** Darlington has excellent national and international transport links, by rail (East Coast Main Line), road (A1M) and air (Teesside International Airport). Its 'gateway' location, accessibility and attractive environment make it perfectly placed within North East England and the Tees Valley to attract investment and economic activity that might not otherwise come to the region or sub-region. It is a key centre within the Tees Valley City Region, with potential to contribute significantly to regional economic growth across a range of sectors.
- 4.0.4** Darlington is an important location for employment development, a subregional centre for retail and leisure uses, and a strategic public transport hub. The town centre provides employment, shops and services for large parts of North Yorkshire and South and West Durham and the western part of the Tees Valley, and is rated third in North East England in terms of shopping venue quality⁽⁷⁾. The Borough provides housing to meet the needs of local people and many of those who work in the town, and also helps to meet some of the housing needs of a wider area, particularly those arising from those on higher incomes working across the Tees Valley.
- 4.0.5** New land will be required for the employment, services, infrastructure and new housing associated with population and economic growth. Priority will be given to land and buildings in accessible and sustainable locations, where these can accommodate the specific needs of the developments proposed, and where this does not prejudice heritage or nature conservation, or impinge on land protected for recreational purposes.
- 4.0.6** The town centre will continue to be the primary retail centre in the Borough. It will be enhanced and safeguarded as such, and will be expected to accommodate additional retailing for much of the plan period. The Council accepts that the face of retailing is changing and the roles of town centres need to change to reflect that, with a more flexible approach to uses within the high street including encouraging people to live in town centres. The town centre will also continue to be a key location and first priority for office development and other town centre uses, including an office-led scheme on previously developed land in the Beaumont Street/Feethams area.
- 4.0.7** New development and regeneration in the Town Centre Fringe will be key to delivering the vision for Darlington over the medium to longer term. The area is critical to improving links between the town centre, Central Park and the main railway station, which are all close by. It provides opportunities for new employment, leisure/cultural, recreation and housing in a highly accessible location, and for local pockets of deprivation, poor housing and environmental quality to be tackled comprehensively. Development will have to take into account constraints (such as flood risk) which will shape the eventual pattern of redevelopment there.
- 4.0.8** In selecting the broad locations for new housing development, the urban fringe has been identified as the most sustainable, suitable, available and developable, provided that appropriate community infrastructure and sustainable transport provision is made and potential adverse impacts of development there are mitigated.

Outside the Urban Area

- 4.0.9** The Borough's villages and countryside are an integral part of what makes Darlington an attractive place to live. Their vitality and viability need to be safeguarded and strengthened, whether it be by retaining services or supporting new development, such as affordable housing, that help to maintain sustainable communities. The larger villages Heighington, Hurworth/Hurworth Place and Middleton St George have a range of services which means they are well placed to accommodate some development which would also assist in providing for a range of sites within the Borough.
- 4.0.10** Service Villages are those that provide a core set of essential services for local communities. They must contain a school, village/community hall, and convenience store. It is also essential that they are well connected to higher service centres (towns) by public transport.

7 Venuescore 2016.

4 THE SETTLEMENT HIERARCHY

- 4.0.11** Given that the Service Villages are shown to contain essential facilities and services, they are considered to be locations where development opportunities may be acceptable. As centres for activity in the rural area, Service Villages can also play a role in providing small-scale employment opportunities outside of the traditional rural industries. Developments that enhance this role should be supported.
- 4.0.12** The Rural Villages are generally of a very small scale and offer limited, and in some cases, no service provision. Sustainable development opportunities within the defined Development Limits of these villages will be supported, including infill development and the conversion of existing buildings. New housing development on the edge of Rural Villages (outside the defined Development Limits) will be required to meet local and other functional needs, i.e. through the delivery of 'exception(s) sites' (affordable housing schemes), allowing for an element of open market housing where this helps the viability and deliverability of an exception(s) site as a whole. Housing development that meets a functional need includes that which provides essential accommodation for those involved in land management or other countryside activities. The development of new services will be supported, however, the growth of Rural Villages as a sole means of generating additional demand for services will not be supported where such growth would have an adverse impact on the character of the village, or on the viability of a service in a nearby village.

5 DESIGN, CLIMATE CHANGE AND CONSTRUCTION

Sustainable Design Principles and Climate Change

5.1.1 The National Planning Policy Framework (NPPF) states that “Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people”. One of the overarching aims of this Local Plan is to 'create great places' in which to live, work and invest - the key to achieving this is through promoting good design principles. New buildings and public spaces should reflect these principles and seek to enhance the local character and distinctiveness of the area, whilst also reducing energy consumption and carbon emissions. Development proposals should have regard to the principles in the National Design Guide and Darlington Design of New Development SPD in considering design. The Darlington Design of New Development SPD is to be updated in early 2022 to reflect latest national standards, until such time latest national guidance should take precedence.

Policy DC 1

Sustainable Design Principles and Climate Change (Strategic Policy)

Good design is required to create attractive and desirable places where people want to live, work and invest. Good design will help to reduce carbon emissions and increase the resilience of developments to the effects of climate change. All development will be required to have regard to the design principles in the Darlington Design of New Development SPD⁽⁸⁾ and National Design Guide (or successors) by demonstrating that:

a. An analysis of the constraints and opportunities of the site and the function of development has informed the principles of design, including;

i. that the proposal reflects the local environment and creates an individual sense of place with distinctive character;

ii. that the detailed design responds positively to the local context, in terms of its scale, form, height, layout, materials, colouring, fenestration and architectural detailing;

iii. that the proposal has taken account of the need to safeguard or enhance important views and vistas; and

iv. the layout of the development maximises opportunities for natural surveillance.

b. The layout, orientation and design of buildings (where these factors are not otherwise constrained) helps to reduce the need for energy consumption, how buildings have been made energy efficient and how measures have been implemented to reduce carbon emissions from development;

c. Energy efficiency measures and low carbon technologies will be supported, where this does not result in harm to the significance of a heritage asset;

d. Non-residential buildings of 1,000 sqm floorspace or more will be required to meet BREEAM 'Very Good' standard;

e. The proposal provides suitable and safe vehicular access and suitable servicing and parking arrangements in accordance with Policy IN 4;

f. The layout of the proposal, associated green infrastructure, and landscaping has been developed to complement and enhance both the ecological function of the local area and character of the built environment, retaining existing features of interest;

g. Any associated landscaping scheme has been developed to enhance both the natural and built environment, retaining existing features of interest;

h. Proposals for development on land affected by contamination will be permitted where the applicant can demonstrate that the site is suitable for the proposed use and development will not result in unacceptable risks to human health or the environment.

Design Fundamentals

5.1.2 Design is not just about the architecture or style of a building. It is also about the spaces in and around the development, the quality of the relationships between the development and surrounding areas and the appropriateness of the function of the building in its context. Darlington is experiencing ongoing change and good design will help to maintain a 'sense of place'. In turn this improves the quality of the built environment, its public spaces, its heritage and local distinctiveness, which all contribute to the community's quality of life.

5.1.3 Developers will be required to carry out contextual site surveys, which should be used to inform the design concept. Applicants should be able to demonstrate how good design principles and adopted design policy have been applied in terms of influencing the function, scale, detailing and character of development in addition to the materials used in construction and the quality of the public realm. This should include consideration of the Revised Design of New Development SPD(9). Innovative design solutions will be encouraged where appropriate within the context of the other policy provisions within this plan.

5.1.4 Housing developments have in recent decades been criticised for their uniform and standardised appearance. In order to avoid creating homogeneous and sterile neighbourhoods, developers will be required to incorporate a mix of property types of a varying scale, utilising a range of complementary materials wherever possible. Similarly, the layout of development should encourage integration with surrounding areas and not be inward facing.

5.1.5 Proposals for the extension or alteration of existing buildings should respect the character and scale of the original building, drawing reference from the materials and detailing used in the original building and ensuring that the original building remains the principal feature of development. However, it is recognised that the use of alternative materials and detailing in extensions and alterations can, in some cases, enhance the character of an existing building and / or the surrounding area. The Local Planning Authority will encourage contemporary and innovative design solutions that enhance local character. For extensions and alterations to residential properties, proposals will be required to accord with the appropriate design guidance.

5.1.6 Access and parking are dealt with elsewhere in the plan in Policy IN 2 and Policy IN 4, however they also have design considerations so these policies should be considered in tandem.

5.1.7 Physical Infrastructure, such as utilities and telecommunications including broadband provision, also need to be included in the design for new developments and are covered in the plan under the physical infrastructure section.

Energy Efficient Design and Climate Change

5.1.8 Minimising the impact of and increasing resilience to the effects of climate change is an objective of the 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. Mitigating climate change is about ensuring that the design and construction of new development (external fabric and structure) and the layout of internal and outdoor space minimises carbon emissions. Whereas, increasing resilience to climate change is about ensuring that buildings can still function effectively in the future when the climate is expected to be different. Mitigation and resilience measures are complementary, they should be integrated into the design of new development.

5.1.9 The layout, orientation and design of buildings can reduce the need for energy consumption by maximising the potential to secure the benefits energy provides, e.g. heating, lighting and cooling, through alternative means. Design features such as south facing windows can allow for heat and light from the sun to be captured passively, whilst roof overhangs can provide natural shading, thereby reducing the need for cooling systems. Where layout, orientation and design is not constrained or dictated by other factors, i.e. by the character of the surrounding area or the juxtaposition of adjacent buildings, applicants will be required to demonstrate how the design of the development has reduced the need for energy consumption.

5.1.10 A significant reduction in carbon emissions can be achieved by ensuring that buildings use energy more efficiently. By incorporating higher standards of insulation and using combined heat and power systems in buildings, occupiers can get more out of each unit of fuel that they use. Energy

efficiency is currently promoted by, and measured against, Part L of the Building Regulations. The regulations were amended in 2010 to reflect improved standards for carbon emission reduction that were the net within the Code for Sustainable Homes. Although the Code has been phased out as part of the Government's wider review of housing standards, and while the national target of 'net zero CO₂ emissions' from 2016 has been scrapped, energy efficiency standards will continue to be promoted through Building Regulations. These standards will be updated over the coming years to further improve the energy efficiency of new homes on an ongoing basis.

Public Realm

5.1.11 'Public realm' refers to the publicly accessible areas between buildings; the streets, paths, squares and parks that people use and move through on a day-to-day basis. Ensuring a high-quality, safe and accessible public realm is an essential part of creating environments that people want to live, work and invest in.

5.1.12 Developers will be required to demonstrate a clear and understandable relationship between the design of the public realm and the surrounding built and natural environment, building upon local character and distinctiveness and reinforcing the sense of place.

5.1.13 The public realm should be accessible to all members of the community and maximise opportunities for pedestrians and cycling within, to and from development. Within larger developments the public realm should also be considered as a wider network of publicly accessible spaces, which should be linked together in order to create sustainable and accessible neighbourhoods.

5.1.14 The design of the public realm can help to promote safe communities by limiting the opportunities for crime and anti-social behaviour to take place. To this end, where appropriate, new development proposals will be required to demonstrate the application of 'Crime Prevention through Environmental Design' and 'Secured by Design' principles, which look at the following aspects of development as a means of creating safe environments:

- environmental quality;
- natural surveillance;
- access and footpaths;
- green infrastructure provision; and
- lighting.

5.1.15 This policy will be implemented and monitored by making and reviewing decisions on planning applications taking into consideration the Local Authorities obligations as set out in Section 17 of the Crime and Disorder Act 1998.

Development on Brownfield sites and land which may be affected by contamination

5.1.16 Brownfield sites selected for redevelopment may be contaminated as a result of previous uses. It is desirable that such sites which are otherwise suitable for development are brought back into productive use, but it is essential that the health and wellbeing of construction workers or the end users of any development are not put at unacceptable risk. Therefore, proposals for development on land which is likely to be affected by contamination will be permitted only if the applicant can demonstrate that the site is or will be made safe for the proposed development and surroundings.

5.1.17 The Council will have regard to Government and other appropriate regional guidance when assessing land contamination reports submitted as part of the planning process. In considering outline applications, sufficient information will be required to enable the Council to be satisfied that the development can be carried out and used safely, and that any outstanding problems are capable of solution and can be dealt with as matters of detail.

Flood Risk and Water Management

Policy DC 2

Flood Risk & Water Management (Strategic Policy)

New development will be focused in areas of low flood risk (Flood Zone 1) as identified by the Borough's Strategic Flood Risk Assessment (2019) or most recent assessment. In considering development on sites in higher flood risk areas, the Sequential and Exception Tests must be passed and the sequential approach applied on site. Site specific flood risk assessments will be required in accordance with national policy.

All development proposals will be expected to be designed to mitigate and adapt to climate change. They will be designed to ensure:

- a. They will be safe over the lifetime of the development;
- b. Flood risk is not increased elsewhere and will, where possible, reduce flood risk overall;
- c. Opportunities are taken to mitigate flooding elsewhere;
- d. Full separation of foul and surface water flows;
- e. Sustainable Drainage Systems (SuDS) are prioritised; and
- f. SuDS have regard to the Tees Valley Authorities Local Standards for Sustainable Drainage (2015) and national standards.
- g. Opportunities for rainwater harvesting are utilised.

Where required, the incorporation of SuDS must be integral to the design process and integrated with green infrastructure. Priority should be given to natural drainage features. Where SuDS are provided arrangements must be made for their whole life management and maintenance.

Surface water run-off must be discharged to one or more of the following, listed in order of priority:

1. Discharged into the ground (infiltration); or where not reasonably practicable;
2. Discharged to a surface water body; or where not reasonably practicable;
3. Discharged to a surface water sewer, highway drain or another drainage system; or where not reasonably practicable;
4. Discharged to a combined sewer.

Disposal to combined sewers should be the last resort once all other methods have been investigated.

To ensure that growth can be accommodated sustainably by the sewerage infrastructure, this policy requires that in all locations surface water should be separated, with any surface water runoff entering the sewerage system being minimised and controlled. The priority is to avoid using public sewers wherever possible for the disposal of surface water. If a connection to the public sewerage network is the only option, there is a need for onsite attenuation to minimise and control the flows leaving the site.

For development proposals on previously developed land, the peak runoff rate from the development to any drain, sewer or surface water body for the 1-in-1 year rainfall event and the 1-in-100 year rainfall event should be as close as reasonably practicable to the greenfield runoff rate from the development for the same rainfall event, but should never exceed the rate of discharge from the development prior to redevelopment for that event. For developments on greenfield land, the peak runoff rate from the development to any highway drain, sewer or surface water body for the 1-in-1 year rainfall event and the 1-in-100 year rainfall event should never exceed the peak greenfield runoff rate for the same event.

Developers will be required to submit drainage details for consideration by the Council, in consultation with the Environment Agency and Northumbrian Water Ltd, to ensure adequate management of foul and surface water flows. Major developments (development of 10 or more dwellings and other developments with a floor space of 1,000m² or more) will be required to incorporate SuDS unless it can be demonstrated that it would be inappropriate.

The drainage system must be designed and constructed so surface water discharged does not adversely impact the water quality of receiving water bodies, both during construction and when operational. New development should seek to improve water quality where possible, as well as maintaining and enhancing the biodiversity and habitat of watercourses.

Within critical drainage areas or other areas identified as having particular flood risk issues the Council may:

h. Support reduced runoff rates.

i. Seek contributions, where appropriate, towards off-site enhancements directly related to flow paths from the development, to provide increased flood risk benefits to the site and surrounding areas.

New developments should make an assessment of and address via mitigation measures where required, any risks from the construction and proposed use of the site to underlying groundwater, watercourses and other surface waters, in order to protect these resources and prevent contamination.

5.2.1 The NPPF outlines that the planning system plays a key role in the mitigation and adaptation to climate change, including the management of water and flood risk. It goes on to state that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at high risk, but where development is necessary, making it safe without increasing flood risk elsewhere. Reducing and mitigating flood risk is an important issue for planning particularly as the effects of climate change are being realised. When addressing flood risk it is important to consider all sources of flooding which include fluvial, surface water, sewer and groundwater flooding.

5.2.2 As required by national policy, Local Plans should apply a sequential approach to the location of development to avoid where possible flood risk to people and property. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding. Any proposal that involves development within an area of risk would require the exception test to be applied and passed if appropriate. The proposal would have to demonstrate wider sustainability benefits which outweigh the flood risk and also demonstrate that the development will be safe for its lifetime without increasing flood risk elsewhere.

5.2.3 The Local Plan has been informed by the Darlington Strategic Flood Risk Assessment (2019) which is the basis for the sequential test and identifies areas at risk of flooding from all sources, now and in the future, taking into account the impacts of climate change. This assessment has informed the allocation of sites in the Local Plan and should be taken into account when considering future development proposals, along with catchment flood management plans, surface water management plans and related flood defence plans and strategies.

5.2.4 Policy DC 2 seeks to direct new development to areas at lowest risk of flooding in accordance with the sequential test. If it is not possible to direct development to low risk areas, then the exception test must be applied as outlined.

5.2.5 Flooding from surface water occurs during extreme rainfall, storms and when heavy snow melts, when the ground or rivers cannot absorb all the surface water or when rainwater rapidly flows into the public sewerage and drainage system, causing overloading and back-up of water to the surface. It is more of a risk in the older built up parts of the Borough with traditional drainage, such as the Town Centre Fringe, and low lying parts of the Borough.

5.2.6 Climate change and the significant amount of new development envisaged in the Local Plan could increase the risk, if the increase in impermeable surfaces is not adequately mitigated.

5.2.7 Sustainable Drainage Systems (SuDS) are now the preferred approach to managing surface water runoff from hard surfaces. The primary purpose of SuDS is to control surface water runoff close to where it falls and mimic the natural drainage of the site prior to development. They use a number of techniques generally based on natural drainage features to collect, treat, store and then release storm water slowly to the environment. There are many different SuDS features available to suit the

constraints of a site. SuDS schemes provide many benefits beyond just reducing flood risk, such as assisting in improving water quality, creating new habitats for wildlife and providing a valuable amenity asset. Further information and technical guidance can be found in the Tees Valley Authorities Local Standards for Sustainable Drainage (2015) and national non-statutory standards.

5.2.8 The Council as the Lead Local Flood Authority is responsible for preparing a local flood risk management strategy and maintaining a register of flood risk assets. The Local Flood Risk Management Strategy was published in May 2016. The Strategy sets out how the Council will manage flood risk from surface water runoff, groundwater and ordinary watercourses for which the Borough Council has a responsibility as Lead Local Flood Authority, and other types of flooding where local agents can play a supporting role to lead agencies. The strategy identifies opportunities to reduce and mitigate flood risk; information which can be utilised in the development management process.

5.2.9 Part 2 of the 2010 Strategic Flood Risk Assessment identified the Town Centre Fringe (area to the east of the river Skerne) as a Critical Drainage Area (CDA). CDAs are those areas identified from historical flood events and/or modelled data as having a significant risk from surface water flooding or subject to potential large changes in runoff due to development. In these areas and other areas with flood risk issues it may be beneficial to restrict runoff rates to a level to provide flood risk benefits. The Council may also seek contributions towards off-site enhancements directly related to flow paths from the development, to provide increased flood risk benefits to the site and surrounding areas.

5.2.10 Water resources are a particularly vulnerable aspect of the environment and it is important that groundwater, watercourses and other surface waters are protected from contamination. Darlington lies across a principal aquifer, Magnesian Limestone, a highly sensitive environmental receptor and an important source of water for a large number of public, private and industrial supplies. Pollutants can easily permeate soils and contaminate groundwater and development can also affect the hydrology of the area. Once contaminated, it is very difficult and costly, if not impossible, to clean ground water. In taking a precautionary approach to groundwater protection, the Environment Agency have advised that they may object to SUDs proposals which seek to include direct pathways to groundwater.

5.2.11 Where risks to controlled waters are identified as part of a development, appropriate remediation and the implementation of mitigation measures will be required to prevent contamination and to protect resources. If potentially polluting materials are to be used/stored either during construction works or as part of the new land use, sufficient prevention and maintenance measures should be incorporated into the development proposals. Gypsum, which is readily dissolved by flowing underground water, underlies parts of the Darlington area. Developers will need to satisfy themselves and the Local Planning Authority that their proposals for development will not be affected by this geological feature.

Health and Wellbeing

5.3.1 Helping to reduce health inequalities is a key local policy objective and providing accessible local healthcare facilities can improve the quality of life and wellbeing of residents in the Borough. Darlington's Sustainable Community Strategy⁽¹⁰⁾ has two key aims directly relating to health and wellbeing. Firstly, to encourage people to be more physically active to improve health; and encouraging people to feel part of their community. Secondly there is an aim to help older people to stay independent and in their own homes for as long as possible.

5.3.2 Darlington has a network of primary and community care facilities, such as GP surgeries and dentists, as well as mental health and acute hospital facilities at West Park and Darlington Memorial Hospital respectively; both of these latter two are expected to continue to offer accessible healthcare from their existing sites. There is also a private hospital at Morton Park, and a private mental health facility at the Teesside International Airport site.

5.3.3 Many factors influence our health, including the lifestyles we lead, the environment we live in and the opportunities we have to exercise and access health facilities. A wider sense of wellbeing is influenced by a variety of factors such as opportunities for work and recreation, attractive environments, personal relationships and feelings of safety and community.

5.3.4 The link between planning and health has been set out in the NPPF and NPPG. The government's public health strategy 'Healthy Lives, Healthy People',⁽¹¹⁾ explicitly recognises that "*health considerations are an important part of planning policy*". Health and wellbeing is a cross-cutting theme, policies on inclusive design, green space, transport and housing in other chapters will play a key role in reducing health inequalities and encouraging healthy lifestyle choices.

5.3.5 Healthy New Towns is an NHS England sponsored programme which is about building healthy communities. Darlington is one of 10 sites selected nationally to take part in this programme. Darlington's Healthy New Towns project has focused on an area including Red Hall, Burdon Hill and Lingfield Point - collectively known as the Eastern Growth Zone. It includes some new development and some refurbishment of existing homes.

5.3.6 The Eastern Growth Zone in Darlington was chosen due to the economic and housing development opportunities the area presented but along with some significant challenges in terms of health inequalities compared to the rest of Darlington. These include:

- a) High premature mortality rates;
- b) Higher worklessness than other areas of Darlington;
- c) Significantly high emergency hospital admissions;
- d) A significantly high number of residents with a life-limiting condition.

5.3.7 There are a number of cross-cutting aims from the Healthy New Towns project that would be supported through development during the plan period including:

- a) Building of homes that assist citizens to stay informed, live healthily and maintain independence;
- b) Use the built environment & public realm as a health improvement tool that:
- c) encourages healthier lifestyle choices and exercise;
- d) aids connections within and between communities, social cohesion and sense of community;
- e) harnesses natural benefits of green and blue space;
- f) improves access to employment opportunities and employability.

Policy DC 3

Health and Wellbeing

Development that supports improvements to health and wellbeing in Darlington will be supported. In order

to achieve this the council will:

- a. *Work with the NHS to reduce health inequalities in the areas with poorest health;*
- b. *Protect existing facilities, where possible, and support the provision of new or improved health facilities in sustainable locations;*
- c. *Support the integration of community facilities and services, i.e. health, education, cultural and leisure in multi-purpose buildings;*
- d. *Ensuring that new developments:*
 - i. *are age friendly, inclusive, safe and attractive, and easily accessible on foot or by bicycle. Where appropriate this should integrate dementia friendly design principles;*
 - ii. *have a strong sense of place which encourages social interaction;*
 - iii. *are designed to promote active travel and other physical activity through the arrangement of buildings and uses, access to open space and landscaping;*
 - iv. *through the arrangement of buildings and uses, promote access to open space and landscaping,*

and the provision of facilities to support walking.

e. Promote improvements and enhance accessibility to the Borough's green spaces and green infrastructure corridors;

f. All new development that may cause groundwater, surface water, air (including odour), noise or light pollution, either individually or cumulatively, will be required to incorporate measures to prevent and reduce their pollution so as not to cause unacceptable impacts on the living conditions of all existing and potential future occupants of land and buildings, the character and appearance of the surrounding area and the landscape;

g. Require, in the case of development of 150 or more homes and all other non-residential 'major' development, the submission of a Health Impact Assessment as part of the application to explain how health considerations have informed the design. Assessments should be proportionate to the scale of development proposed and undertaken in line with current government guidance.⁽¹²⁾ Comprehensive planning of land for development at strategic development sites of Skerningham, Greater Faverdale and Coniscliffe Park will be required to include for the possibility of new primary care as appropriate (see Policies H 10 and H 11).

5.3.8 Applicants will be expected to set out within their Design and Access Statement how the proposals have been designed to take account of the requirements of this policy. Applicants are also encouraged to utilise the design principles set out within Sport England's 'Active Design' guide⁽¹³⁾ when preparing a development scheme in order to promote active, healthy and stronger communities.

5.3.9 Population growth and an ageing population are placing pressure on primary healthcare facilities in Darlington. Population projections indicate an overall population increase of around 12,000 people between 2016 and 2036⁽¹⁴⁾, which is around 3000 extra patients in every five year period. However the over 65 population, which places a higher demand on services, is projected to increase from 21,000 in 2016 to 31,000 by 2026.

5.3.10 Types and levels of health issues vary considerably across Darlington and spatial planning has a role in meeting health needs throughout the Borough. The reasons for these variations are complex and are likely to include both disparities in health need and demand for health services. Health inequalities in Darlington are apparent with the most deprived areas tending to experience the poorest health.

5.3.11 Darlington Borough Council and Darlington Clinical Commissioning Group (CCG) work together to identify the key priorities of the borough's residents through Joint Strategic Needs Assessment (JSNA)⁽¹⁵⁾. The JSNA data highlights the health needs and current trends in the Borough in order to further understand and address the existing inequalities. Darlington CCG and its partners recognise the challenges facing the Borough in terms of addressing health inequalities and improving health outcomes.

5.3.12 The focus of future land and facility requirements will be on ensuring there is adequate primary care provision in the Borough to meet local needs. The council will support the provision of additional health facilities and will work with Darlington CCG and other service providers to ensure the Borough has a necessary supply and distribution of accessible premises to meet health care needs. Further information on health infrastructure will be set out in the Infrastructure Delivery Plan.

5.3.13 During the plan period a significant proportion of new housing is proposed in north, west and eastern fringes of Darlington. This development would generate additional needs for primary health care. Some GP practices near to these areas are already experiencing pressure on patient lists. Most general practices in Darlington encompass the entire township within their practice boundary and therefore patient choice will play a part in determining which practices have increases in patient numbers. Any additional capacity which is created in general practice will need to reflect patterns of patient choice.

5.3.14 Strategic sites include a requirement for land of appropriate configuration to accommodate community infrastructure to be reserved in a masterplan. These requirements will facilitate the delivery of additional health care provision, in accessible locations within housing growth areas, if funding is made available within the Plan period

Safeguarding Amenity

5.4.1 A core function of planning is to ensure a good standard of amenity for all existing and future occupants of all types of land and buildings, particularly residential properties. Without appropriate controls, new development could result in unacceptable living environments for its occupants, reduce the quality of life for the occupants of neighbouring buildings, and result in poor quality neighbourhoods overall. It is also an overarching aim of the Local Plan to improve the quality of life for those living in the Borough (Section 2 - Visions, Aims and Objectives), and to ensure that employment sites remain attractive, by not being unduly constrained by neighbouring uses.

Policy DC 4

Safeguarding Amenity

New development should be sited, designed and laid out to protect the amenity of existing users of neighbouring land and buildings and the amenity of the intended users of the new development. New development will be supported where it is suitably located and is acceptable in terms of:

Form of built development

- a. Privacy and overlooking;
- b. Access to sunlight and daylight;
- c. Visual dominance and overbearing effects of a development;
- d. The relationship of proposed and existing habitable rooms, windows and outdoor living spaces . Guidance on separation distances between residential developments is provided in the adopted Design of New Development SPD.

Use of land and buildings, including traffic movements and hours of operation

- e. Noise and disturbance;
- f. Artificial lighting;
- g. Vibration;
- h. Emissions from odour, fumes, smoke, dust, etc; and
- i. Commercial waste.

Where an otherwise acceptable development could change its character to a use that would have a greater impact on amenity without needing planning permission, conditions will be applied to control such changes.

5.4.2 The Local Plan aims to deliver significant new development, mostly within the existing urban area of Darlington. The mix, density and concentration of uses needs to be planned well at the detailed level to avoid conflicts between uses, where segregation is not provided by land allocations.

5.4.3 The aspects of amenity taken into consideration through the planning process are:

- Privacy and overlooking;
- Access to sunlight and daylight;
- Visual dominance and overbearing effects of a development;
- Noise and disturbance (including that caused by traffic);
- Artificial lighting;
- Vibration;
- Emissions of odour, fumes, smoke, dust, etc., and
- Commercial waste.

5.4.4 Conflicts between neighbouring developments can often be avoided by careful design, siting and orientation of buildings and spaces, paying particular attention to those aspects which are most likely to cause issues, e.g. roads and railways, bin stores and noisy equipment, plant and operations, and which are most sensitive to their effects, e.g. recreational areas, outdoor amenity spaces or habitable rooms. Planning conditions can also be used to mitigate and reduce to a minimum adverse impacts and to control, for example, hours of operation and delivery times, as well as to secure any required mitigation or preventing a development from changing its character in a detrimental way.

5.4.5 The visual impact and sustainability of any mitigation measures, for example, acoustic barriers should be considered by developers and applicants.

5.4.6 In terms of new housing developments affected by noise, justification of how the development has been designed to minimise noise intrusion from environmental sources should be provided, as should details of how required internal and external noise levels will be achieved.

5.4.7 This policy applies equally to amenity levels within new and existing residential developments. For instance, proposals should avoid locating living rooms, bathrooms and kitchens next to, above, or below neighbouring bedrooms of attached properties or any proposed.

5.4.8 Other policies in this document deal specifically with uses which often have particular amenity impacts including; new employment uses (Policy E 2), new housing (Policy H 2), rural employment (Policy E4) and the Town Centre (Policy TC 1) and these should be read in conjunction with this policy where they apply.

5.4.9 Certain development is permitted under national 'permitted development' rights' with the exception of prior approval. In such circumstances, impact on amenity is not a consideration as development of this scale is deemed to be minor in scale. Where there is clear justification to do so, permitted development rights may be removed to protect local amenity and minimise impacts on health and quality of life.

5.4.10 In assessing impacts on health and quality of life and in looking to ensure a good standard of amenity the Council will have regard to Government and other appropriate guidance on the assessment of matters which are material planning considerations.

ENVIRONMENT

Safeguarding the Historic Environment

9.1.1 National planning policy⁽³⁰⁾ requires Local Planning Authorities to set out in their Local Plan a positive strategy for the conservation and enjoyment of the historic environment. It emphasises the importance of sustaining and enhancing the significance of heritage assets and acknowledges the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring.

9.1.2 The historic environment includes areas and buildings, archaeological sites, historic streets and transport routes, historic landscapes, parks and other green spaces. It is a non-renewable, shared resource, and any loss or harm to it is usually irreversible. Understanding the significance of the historic environment and the contribution that the setting of historic assets makes to their significance is essential to guide good decisions about land use change and development affecting them.

9.1.3 As a group, Darlington's archaeology and historic buildings are of considerable significance not least because of its potentially significant railway, industrial and Quaker history. The Borough's designated heritage assets⁽³¹⁾ include:

- Over 550 Listed Buildings;
- 19 Scheduled Monuments;
- 17 Conservation Areas; and
- 3 Registered Parks and Gardens.

9.1.4 The Borough also contains a wealth of non-designated heritage and archaeological assets. Non-designated heritage assets can be summarised as parts of the historic environment including buildings, structures, areas and archaeology that are considered by the Local Planning Authority to be locally significant. They can be identified through strategic planning and development management, included on a Local List, and can sometimes be as significant as designated assets.

9.1.5 The origins of the town of Darlington first appeared in writing in 1003. The small Anglo-Saxon settlement experienced medieval growth as a result of Darlington's position in the Durham bishopric. The market flourished to serve an agricultural hinterland and those passing through the town on the Great North Road between London and Edinburgh. Around St Cuthbert's Church, a prominent Grade I listed town centre landmark, grew an ecclesiastical complex, with the Bishop's palace at its heart (1164 -1870). By the 1530s Darlington was described as the best market town in the bishopric outside of Durham. In 1585 a fire destroyed most of medieval Darlington. The town was rebuilt within the medieval streets and burgage plots and this pattern of central yards and wynds survives in the town centre today. There was little building beyond the confines of the medieval settlement, other than the mansions of the influential Quaker families on the fringes of the urban core, until growth was triggered by the arrival of the railway⁽³²⁾.

9.1.6 Opened in 1825, the Stockton and Darlington Railway was funded by Edward Pease a prominent Darlington Quaker as the world's first publicly financed passenger railway. This is covered by a standalone policy (see Policy ENV 2) due to its national significance.

9.1.7 Darlington has a particularly significant Quaker history and associated heritage assets. Darlington Quakers played an active part in the government, industry, commerce and development in the town during the eighteenth and nineteenth centuries. They were responsible for many of Darlington's landmark Victorian public buildings and manor houses, parks and cemeteries including South Park, the indoor market and clock tower, Crown Street Library, and the Friends Meeting House. The value and significance of these assets is recognised, for their contribution to the unique identity of the borough and their potential contribution to tourism. Non-designated heritage associated with the Quaker movement includes Elm Ridge Methodist Church and Carmel School.

9.1.8 Darlington has also played a significant role in the development of industry. It has a number of designated heritage assets of significance to industries like leather, tanning, textiles and steel. Designated assets include Tees Cottage Pumping Station and the Cummins building on Yarm Road, the latter being the most contemporary building – constructed in 1965 - to be listed.

9.1.9 'Experience Darlington' is an overarching concept promoting heritage assets as part of the Visitor Economy Strategy(33) that seeks to link and make the most of Darlington's locally distinct heritage as summarised above.

9.1.10 The vision for Darlington's Town Centre Fringe and its historic environment is set out in the Conservation Management Plan(34) and aims for the area to be transformed into a vibrant urban area with well-maintained historic buildings, exciting small scale modern development, a thriving tourism industry based on railway heritage and a healthy, accessible river.

9.1.11 The Borough contains a significant Roman settlement at Piercebridge and other characterful rural villages and hamlets. These villages are home to a high concentration of listed vernacular cottages and historic farm buildings and are generally designated as Conservation Areas. Several of the Conservation Area villages are located along the River Tees corridor and this relationship with the river setting is an integral part of their historic and aesthetic value. Walworth Castle is a prominent Grade I listed building in a picturesque rural setting within the Borough. The character of the Borough's rural historic environment and the heritage assets integral to it will be protected, enhanced and promoted.

9.1.12 The Council will support proposals which conserve and where appropriate enhance the historic environment of Darlington. Particular consideration will be given to ensure that the significance of those elements of the historic environment which contribute most to Darlington's distinctive identity and sense of place are not harmed. These include:

- The buildings, spaces, trackbed and other infrastructure associated with the Stockton and Darlington Railway.
- The medieval streets and burgage plots associated with medieval Darlington.
- Evidence of Roman activity such as the settlement at Piercebridge.
- The mix of buildings and spaces associated with the Quaker movement including Victorian public buildings, manor houses, parks and cemeteries.
- Remnants of Darlington's industrial heritage including leather, tanning, textiles and steel and its associated infrastructure.
- The historic farm buildings and rural villages and hamlets, including those along the River Tees.
- The range of its places of worship.
- Conservation areas and listed buildings across the Borough.
- Key cultural assets encompassing parklands, woodlands, landscapes, canals and riversides, museums, libraries, art galleries, public art, food and drink, customs and traditions.

Policy ENV 1

Protecting, Enhancing and Promoting Darlington's Historic Environment (Strategic Policy)

A) Designated Heritage Assets

When considering proposals affecting all designated heritage assets (Listed Buildings, Registered Parks and Gardens, Scheduled Monuments and Conservation Areas) or non-designated heritage assets of archaeological interest, demonstrably of equivalent significance to scheduled monuments, great weight will be given to the asset's conservation. Proposals should conserve those elements which contribute to such asset's significance, including any contribution made by their setting in a manner appropriate to their significance irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm. Proposals resulting in less than substantial harm to designated heritage assets will be permitted only where this harm is clearly justified and outweighed by the public benefits of the proposal. Proposals resulting in substantial harm to or total loss of the significance of a designated heritage asset (or an archaeological site of national importance) will only be permitted where this is necessary to achieve substantial public benefits that outweigh the harm or loss, or, all of the following apply:

- **the nature of the heritage assets prevents all reasonable uses of the site;**
- **no viable use of the heritage asset itself can be found in the medium term through appropriate**
- **marketing that will enable its conservation;**

- conservation by grant-funding or some form of not for profit, charitable or public ownership is
- demonstrably not possible; and
- the harm or loss is outweighed by the benefit of bringing the site back in to use

Development involving the alteration, extension or change of use of a listed building or construction of any structure within its curtilage must:

- i. protect its significance as a listed building; and
- ii. protect existing historic hard and soft landscaping features including trees, hedges, walls, fences and surfaces; and
- iii. protect historic plot boundaries and layouts; and
- iv. ensure the optimum viable use of the building, where appropriate.

Any development affecting the setting of a listed building will be permitted if the proposal conserves or enhances either its significance and/or the contribution its setting makes to its significance. Proposals involving the demolition of a listed building or structure within the curtilage of a listed building will not be permitted, except in exceptional circumstances as detailed in national policy.

Development will only be permitted in Parks and Gardens of National Interest where it cannot be accommodated elsewhere, is directly related to the conservation management of the park or garden, and does not harm those elements which contribute to its enjoyment, layout, design, character, appearance or setting (including key views from or towards the landscape).

B) Conservation Areas

In addition to the requirements in part A proposals affecting a conservation area, involving the alteration, extension or change of use of a building or construction of any structure should preserve and enhance those elements identified in any conservation area appraisal as making a positive contribution to the significance of that area. Special attention should be given to:

- i. existing architectural and historic character and associations by having regard to the positioning and grouping, form, scale, massing, detailing of development and the use of materials in its construction; and
- ii. existing hard and soft landscaping features including areas of open space, trees, hedges, walls, fences, watercourses and surfacing and the special character created by them; and
- iii. historic plot boundaries and layouts; and
- iv. the setting of the conservation area.

Development will not be permitted that would lead to the loss of public or private open spaces within or adjacent to conservation areas where the existing openness makes a positive contribution to the character or appearance of the area or its setting, including landscape and townscape and views into or from the area, unless the public benefit demonstrably outweighs the harm.

The demolition of buildings or structures in a conservation area will not be permitted if:

- v. the building makes a positive contribution to the character and appearance of the conservation area (as identified within the conservation area appraisal); and
- vi. the structural condition of the building is repairable; and
- vii. there are no approved detailed plans for the redevelopment of the site and a contract has not been entered into for the implementation of that redevelopment; and
- viii. there has been insufficient consideration of other options to re-use the building in its current form

C) Archaeological Sites

Proposals affecting archaeological sites of less than national importance should conserve those elements which contribute to their significance in line with the importance of the

remains. In those cases where development affecting such sites is acceptable in principle, mitigation of damage will be ensured through preservation of the remains in situ as a preferred solution. When in situ preservation is not justified, the developer will be required to make adequate provision for excavation and recording before or during development. Subsequent analysis, publication and dissemination of the findings will be required to be submitted to the Local Planning Authority and deposited with the Historic Environment Record. Development proposals involving ground disturbance in Areas of High Archaeological Potential (as identified in APPENDIX C), must be accompanied by an archaeological evaluation report. Householder development and extensions, and alterations to existing commercial premises of 40 metres squared or less, are exempt from this requirement unless the proposed development is likely to affect a Scheduled Monument.

Outside Areas of High Archaeological Potential, planning applications on sites of more than 1 hectare must be accompanied by an archaeological evaluation report, unless the area is already known to have been archaeologically sterilised by previous development (such as mineral extraction).

D) Non-Designated Heritage Assets

Proposals which would remove or harm the significance of a non-designated heritage asset will only be permitted where the benefits are considered to outweigh the harm. Proposals should seek to avoid harm to those features, including setting, which contribute to the significance of a non-designated heritage asset, through measures such as good design.

E) Heritage at Risk

Proposals that would help to safeguard the significance of and secure a sustainable future for Darlington's heritage assets, especially those identified as being at greatest risk of loss or decay, will be supported.

F) Securing the optimum viable use

If the existing or original use of a heritage asset is no longer viable development proposals will be required to secure the optimum viable alternative use consistent with its conservation.

9.1.13 The Council has a statutory duty to protect listed buildings and scheduled ancient monuments. Great weight will be given to the conservation of heritage assets in line with national planning policy⁽³⁵⁾.

9.1.14 In addition to the Council's statutory obligations regarding the historic environment⁽³⁶⁾, the Council will:

- a. Seek to identify, protect and enhance local heritage assets;
- b. Promote heritage-led regeneration, including in relation to development opportunities in Darlington's Town Centre Fringe and proposals in relation to the Stockton & Darlington Railway Heritage Action zone;
- c. Produce conservation area appraisals and management plans;
- d. Maintain its positive approach to safeguard the future of heritage assets at risk.
- e. Adopt a proactive approach utilising development opportunities to increase the promotion and understanding of the area's archaeology.

9.1.15 The Council will encourage developments promoting the educational, recreational and/or tourism potential of the locally distinct heritage, landmarks and historic villages of the Borough through sensitive management, enhancement and interpretation of these heritage assets as set out in the Visitor Economy strategy.

9.1.16 The Council will also seek to deliver the vision for Darlington's Town Centre Fringe over the plan period, to be transformed into a vibrant urban area with well-maintained historic buildings, exciting small scale modern development, a thriving tourism industry based on railway heritage and a healthy, accessible river, as set out in the Town Centre Fringe Conservation Management Plan.

9.1.17 A Heritage Impact Assessment has been produced to inform the Local Plan that assesses the suitability of a number of allocation sites from an historic environment perspective. Design and

mitigation measures recommended by the assessment have been incorporated into the development criteria contained in APPENDIX B HOUSING AND EMPLOYMENT ALLOCATION STATEMENTS and the policies for the Skerningham and Greater Faverdale strategic allocations.

Conservation Areas

9.1.18 In Conservation Areas particular attention must be given in all planning decisions to the desirability of conserving and enhancing a conservation area's significance. The Council will consider introducing Article 4 Directions where a conservation area is identified as 'At Risk' when annually surveyed by the Local Authority in conjunction with Historic England.

9.1.19 As part of the Council's positive strategy for the historic environment, it will prepare and review Conservation Area Character Appraisals and Management Plans for each conservation area, including any proposed new or extended areas, as the basis for determining proposals within or where it would affect the setting of conservation areas.

Listed Buildings

9.1.20 The Borough of Darlington is fortunate in having a large stock of important listed buildings within its boundary, including those associated with the early railways. A listed building can be any kind of structure, such as a signpost, postbox, bridge, or telephone kiosk, for example, and not necessarily a building.

9.1.21 Any changes affecting the character or appearance of a listed building are likely to require Listed Building Consent. For example historic fabric such as doors, windows, fireplaces and so on are important to the character of the building and consent is likely to be required for their alteration, removal or replacement. Applications for Listed Building Consent are dealt with by the Council's Planning Team, alongside applications for Planning Permission and other planning-related applications (e.g. proposals for a change of use, extension or other alteration to the envelope of the building, or development within its curtilage). It is always advisable to consult the Borough Council's Planning Services section before proceeding with any changes.

Archaeological Sites and Scheduled Monuments

9.1.22 Significant archaeology (designated and non-designated) in the Borough include those from the Iron Age, Roman and Medieval periods. New archaeological investigations and finds continue to be added to the Historic Environment Record (HER) allowing greater understanding of this element of the historic environment. Survey and recording prior to development is an important way of adding to the record, particularly in areas of known local historical interest, such as within designated Conservation Areas, and Areas of High Archaeological Potential (see APPENDIX C), where archaeological finds are more likely unless the area has already been archaeologically sterilised by an activity such as mineral extraction.

9.1.23 In line with national planning policy⁽³⁷⁾, applications for development involving ground disturbance within Areas of High Archaeological Potential will require the submission of an appropriate desk-based assessment and, where necessary, a field evaluation. Where archaeology is found to be present the Council will require a mitigation strategy involving either preservation in situ, or excavation, analysis and reporting, or a combination of the two. Proposals affecting archaeological sites or monuments will only be approved where satisfactory mitigation measures can be implemented. Exemptions are made in Policy ENV 1 for small scale householder and commercial development that are unlikely to affect a Scheduled Monument.

9.1.24 Outside of the identified Areas of High Archaeological Potential, Durham County Council take the approach that desk-based assessment and, field evaluation (consisting of geophysical survey followed up by targeted trial-trenching) is required for all development proposals affecting an area of 1 hectare or more, unless it is already known to have been archaeologically sterilised by previous development such as mineral extraction. The reasoning underpinning this is that archaeological investigation and research in recent decades has shown right across the country that the number and geospatial density of archaeological sites is far higher than previously imagined and so the likelihood of encountering archaeology on a site of this size or larger has increased.

Historic Parks and Gardens

9.1.25 A Register of Parks and Gardens of "Special Historic Interest" is maintained by Historic England to encourage their protection and conservation but has no associated statutory controls. The two registered sites within Darlington Borough are both Grade II, and both publicly owned: South Park and West Cemetery.

Non-designated Heritage Assets

9.1.26 The significance, character and setting of heritage assets of local interest will be identified using the criteria provided at APPENDIX C and protected through the development management process (including pre-applications), through plan making (including neighbourhood plans), the production of Conservation Area Character Appraisals and Management Plans, and other Council activities.

Heritage at Risk

9.1.27 Heritage at Risk includes buildings, structures and sites whose preservation is threatened, often by vacancy or lack of regular repair and maintenance. Darlington Borough Council maintains a register of Grade II Listed Buildings at Risk (available online and on request). The ultimate responsibility for a historic building lies with its owner. However, the Council has the authority to issue enforcement notices to require necessary works to ensure a heritage asset is no longer at risk. These powers are used sparingly; it is in the best interests of all parties if work is carried out voluntarily and before emergency work is required. The Council adopts a proactive approach to heritage at risk by actively engaging in advice for proposals to enhance Heritage at Risk resulting in sustainable uses. Proposals that either secure the future of heritage at risk or prevent assets from becoming 'at risk' in the first place will be encouraged where the significance of the asset can be adequately protected.

Securing the Optimum Viable Use

9.1.28 For statutorily protected buildings, those within conservation areas and non-designated heritage assets, the Council will seek to secure the optimum viable use. Keeping a building in its original use is preferred, as it generally has the least impact on its character or appearance. It may be converted to a new use, if it can be demonstrated that it will be consistent with its conservation and compatible with the significance and the setting of the historic building, and not detract from other evidential, historic, aesthetic or communal heritage values, or unless there are public benefits which outweigh the harm.

Assessment of Heritage Significance

9.1.29 The Council has a responsibility to consider whether a building or structure is a heritage asset, either designated or non-designated, when exercising its planning powers. In Darlington many heritage assets will be related to the railways, Quaker's and industry but there are assets that have other local significance. The Council intends to produce a Local List, with community involvement and support, that would also include the relevant content of adopted neighbourhood plans. In the meantime, the Council has published a Criteria for Assessing Non-Designated Heritage Assets, based on Historic England guidance. This will enable the identification of non-designated heritage assets as they are brought to the Council's attention, particularly when proposals to alter them are received. Developing community skills and building capacity to identify non-designated heritage assets will help the Council to proactively meet its statutory duties in this regard. The Council is looking at options to set up an interactive way for people to nominate local heritage as well as comment on those put forward by the Council.

9.1.30 National planning policy⁽³⁸⁾ requires applicants to assess the significance of heritage assets likely to be affected by a proposal including any contribution made by its setting⁽³⁹⁾ and the impact of development on them. Further information is available on the Council's website to assist in compiling an assessment of significance. This should be submitted in a Heritage Statement or Heritage Impact Assessment. Potential developers are advised to contact the Council in advance to find out what level of detail will be required, as this will vary for the type and size of proposal, and the number and significance of heritage assets likely to be affected. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance.

Planning Applications

9.1.31 Permission will not be granted for applications which are not fully justified and accompanied by the information necessary to fully assess the impact of the proposal on the significance of a

designated or non-designated heritage asset or assets. Proposals that affect heritage assets should be accompanied a Heritage Impact Assessment to demonstrate that the architectural and historic interest of the structure has been understood and accounted for in any proposals. Proposals that affect assets of the highest significance should also be accompanied by a Statement of Significance(40), which may form part of a Design and Access Statement.

9.1.32 Where permission is granted for a development which would result in the total or partial loss of a designated heritage asset, approval will be conditional upon the asset being fully recorded and the record and commentary deposited with the Local Planning Authority and the Historic Environment Record.

Local Landscape Character

9.3.1 The National Planning Policy Framework (NPPF) indicates that valued landscapes should be protected and enhanced. The Darlington Local Plan protects and seeks to appropriately enhance the distinctive character of the Borough's natural and historic townscapes and landscapes, including unique features like rural gaps, green wedges, green corridors, historic routes and parklands. However, there are some parts of the inner urban area where landscape or townscape quality could be improved, in particular to better promote Darlington's railway heritage (see Policy ENV 2).

9.3.2 All perform an important role in helping to the keep the permanence of the landscape over the plan period particularly by protecting the Borough's settlement pattern and maintaining the openness between different neighbourhoods, so that each keeps their unique identity. As the Borough continues to grow each feature will in different ways help safeguard the identity of communities, particularly in areas that face growth pressures.

Policy ENV 3

Local Landscape Character (Strategic Policy)

The character and local distinctiveness of the urban area, villages and rural area will be protected and improved by:

A) Retaining the openness and green infrastructure functions of:

- 1. The rural gaps, between Middleton St George and Middleton One Row, Middleton St George and Oak Tree, Hurworth on Tees and Hurworth Place, and between Darlington and the villages of Great Burdon and Barmpton; and**
- 2. The green wedges of Cocker Beck/Mowden, Blackwell/Skerne Park and Haughton/Red Hall.**

Within these areas, development will only be permitted where it:

- i. Protects and enhances the landscape character, setting and identity of the area;**
- ii. Enhances biodiversity value by promoting protected and priority habitats and species;**
- iii. Retains connectivity within the green infrastructure network; and**
- iv. Is ancillary to a green infrastructure use.**

or:

- v. The development proposed is for limited infilling on previously developed land, which would not have greater impact on the openness of the landscape than the existing development.**

B) Retaining and enhancing the length, continuity, biodiversity, amenity and heritage value of:

- 1. The existing green corridors in line with Policy ENV 4; and**
- 2. The historic routes of the Darlington/Middleton St George/A66/A67/ Stockton Corridor, the Former Barnard Castle Trackbed, Salters Lane, Honey Pot Lane, Nunnery Lane and Cemetery Lane.**

Development that adjoins these corridors and routes should:

- i. Positively respond to the landscape setting;**
- ii. Conserve and enhance traditional landscape features including ancient and semi-natural woodland and hedgerows;**
- iii. Retain and support their connectivity for people, habitats and wildlife;**
- iv. Protect and enhance their ecological and heritage value in accordance with Policies ENV 1, ENV 2, and ENV 7; and**
- v. Incorporate appropriate interpretation for ecological and heritage features.**

C) Retaining and improving the special landscape, heritage and ecological qualities of urban and rural parklands at South Park, North Lodge Park, West Cemetery, Blackwell Grange, Rockcliffe Park, Middleton Hall, Walworth Castle, Redworth Hall, Hall Garth, Newbus Grange and Neasham Hall.

D) Protecting and enhancing the natural quality of the rural landscape, where appropriate, reinstating traditional natural and built features.

E) Seeking high quality design in areas of low landscape quality in the urban area, to strengthen local character and distinctiveness, having regard to the Darlington Characterisation Study, Darlington Landscape Character Assessment and the Revised Design of New Development SPD, or their subsequent replace

9.3.3 Rural gaps have allowed more than one village to develop separately but nearby over time, for many years. Today these relatively small gaps remain important to the rural settlement pattern, to the character of the rural area and to its residents. This policy together with Policy H 7, will protect the rural gaps, conserving the character, openness and links to the wider landscape in order to maintain the attractiveness of the Borough's settlements and their settings.

9.3.4 The three green wedges, identified in the Darlington's Green Infrastructure Strategy, extend to the proposed development limit of the main urban area to ensure that their land uses, landscape components, openness, topography, nature of their urban edges and their relationship and importance to the character of Darlington is protected and appropriately enhanced.

9.3.5 The existing green corridors identified in Darlington's Green Infrastructure Strategy have a unique character that contributes to the identity and setting of adjoining neighbourhoods, such as the River Tees and the former Darlington and Stockton Railway corridor. Their length, distinctiveness and width vary (see Policy ENV 7). A number are also historic routes, that have historically connected nearby towns, villages, hamlets and scattered farms to the market town of Darlington, and provide insights into the past. Some, like Cemetery Lane, have kept much of their original width and features including walls and gateposts, others like Salters Lane have original hedgerows, ditches and banks in places.

9.3.6 Within and adjacent to these routes development should reflect variations in the local landscape character by enhancing local distinctiveness, guided by the Revised Design of New Development SPD and Darlington's Green Infrastructure Strategy, or their replacement. The use of interpretation and public art to provide greater understanding of ecological and heritage features will be supported.

9.3.7 The Borough has eleven historic ornamental parklands. The Local Plan seeks to protect and enhance the integrity and landscape quality of the seven rural parks and four urban parks. Any national and local designated features within their boundaries will be protected through national legislation and national planning guidance (see Policy ENV 1).

9.3.8 The rural landscape is characterised by mostly open, arable farmland with a mix of unique landforms, including ditches and cuts, village greens and in places traditional field patterns, hedgerows and wetlands. All help distinguish the rural area from the rest of the Borough, and so will be protected through this policy.

9.3.9 There are landscapes and townscapes in the Borough which detract from or do little to positively contribute to the Borough's attractive and distinctive character. If not addressed, these areas can adversely affect the image of the Borough and its attractiveness to businesses and investors. Development in these areas should include environmental quality improvements to restore or enhance the local landscape or townscape and help attract investment to the Borough, informed by the Darlington Characterisation Study, Landscape Character Assessment and the Revised Design of New Development SPD, or their replacement. Within the rural area, natural features such as hedgerows, field margins and wetlands should be re-created where appropriate.

9.3.10 As Darlington's unique environment contributes much to its distinctiveness, and that this is an objective of the Local Plan, the following policy identifies the key elements of the existing townscape and landscape that will be prioritised for protection and enhancement to help safeguard the distinctive environment of the Borough. Together with more specific detailed documents such as the Town Centre Fringe Masterplan, it will also help attract public sector funding and other investment to the Borough.

9 ENVIRONMENT

and improve access for people and wildlife; a key priority in One Darlington: Perfectly Placed. In addition, development of the Skertingham Strategic Allocation (see Policy H 10) will include enhancements of the river corridor to the north of the town.

- 9.4.8** Policy ENV 4 protects green corridors as well as a range of green spaces in the urban area and the villages, sports facilities (see also Policy ENV 9) and the diverse landscapes they connect for recreation, play, nature, movement and amenity⁽⁴⁴⁾. The policy applies equally to land currently in use or last used for these purposes, including land that has been neglected for an extended period of time but is capable of being brought back into active use with reasonable endeavours. The decision on whether development proposals are assessed as involving the loss of green infrastructure will be determined on a case by case basis in line with this policy.
- 9.4.9** Most people have easy access to good quality parks and other green spaces for formal and informal recreation and play, while Darlington's impressive play offer means that most children have easy access to adventurous play, for example at West Park and Broken Scar. Wildlife friendly spaces, including Local Nature Reserves and Local Wildlife Sites, provide most people with access to a quality natural environment (see Policy ENV 7), and a complementary network of smaller spaces provide for informal recreation (e.g. walking, jogging) close to homes and work.
- 9.4.10** However, quantity, quality and access to different types of open space varies between localities within the Borough. Unmet needs will remain unless existing spaces are put to new uses and/or new spaces are provided. Projects such as the Salters Lane Community Garden have increased the use of existing spaces to meet the needs of residents, and other similar projects are underway, where community groups have got funding from organisations like the National Lottery for the works. Elsewhere planning obligations, secured with new development, may also be used to secure enhancements to existing open spaces and the provision of new spaces to meet the needs of new residents.
- 9.4.11** The EU Water Framework Directive became part of UK law in 2003⁽⁴⁵⁾ with the primary objectives of achieving good ecological status in water bodies, and providing protection for drinking water sources and protected sites (Natura 2000 sites and Sites of Special Scientific Interest). These requirements are reflected in the Environment Agency's Northumbria River Basin Management Plan which covers the Darlington Borough. In making decisions on spatial plans and planning applications, the Council has a duty to have regard to the Northumbrian River Basin Management Plan to ensure the protection and improvement of water quality. Changes to the design of development proposals will often avoid harm to water bodies. Development that would adversely affect the quality or quantity of surface or groundwater, flow of groundwater or ability to abstract water will not be permitted unless it can be demonstrated that no significant adverse impact would occur or mitigation can be put in place to minimise this impact within acceptable levels.
- 9.4.12** Applicants seeking to justify the loss of an existing green space on the grounds that there is a surplus of that type of green space in the area (under Policy ENV 4 criterion f. i.) will also need to demonstrate that its loss would not have an adverse affect on the wider recreational needs of residents. This consideration will include whether the land could be redesigned to serve an alternative green space function that would help to meet local shortfalls in a particular type of green space.

Policy ENV 5

Green Infrastructure Standards

Developments including 20 dwellings (or 0.2 hectares) or more, or non-residential developments of 1,000m gross floorspace or more, will, subject to the quantity, quality and accessibility of existing provision, be expected to deliver new green infrastructure, to meet the additional need generated calculated using the

44 Individual green spaces have not been identified on the policies map but can be viewed on the online mapping resource on the Council's Planning Policy website.

45 Water Environment (Water Framework Directive) Regulations 2003.

ENVIRONMENT 9

formula set out in paragraph 9.4.15 and having regard to the standards and costs contained in the adopted Planning Obligations SPD, or its replacement. Proposals should also ensure arrangements are in place for the maintenance of new green infrastructure provided in the longer term..

Green infrastructure should be delivered on-site and designed as multi-functional blue-green space to perform a range of green infrastructure functions where possible. Provision should be prioritised subject to need and having regard to the types and quantities of existing green infrastructure in the area as identified in the Darlington Green Infrastructure and Open Space Strategies and/or Planning Obligations SPD (as relevant) along with any other relevant evidence.

In areas of open space deficiency (identified in the Planning Obligations SPD or equivalent), schemes of between 11 and 19 dwellings (or 0.1 to 0.2 ha), or non-residential development of 500sqm to 1000sqm gross floorspace, will be required to make a financial contribution towards the improvement of off-site green infrastructure in the local area, calculated using the formula set out in paragraph 9.4.15. This should be equivalent to the additional need generated by the development and where this would deliver greater benefits to the wider community than on-site provision.

- 9.4.13** The requirements in Policy ENV 5 will be used to ensure that there is enough accessible green infrastructure overall to meet the needs of development with priority given to the provision of wildlife friendly green space and features associated with water and flood management systems. Spaces must also be of the appropriate quality and within a reasonable walking distance of most people's homes to ensure they are used positively. The policy will also help support efforts to attract external funding for improvements, prioritise initiatives for planning obligations and where appropriate the Community Infrastructure Levy (CIL) or any successor, and help guide the Council's investment decisions. Guidance on integrating green infrastructure into new development is available in the Revised Design of New Development SPD, or its replacement.
- 9.4.14** As the Borough is relatively rich in the amount of open space it contains, new space will only be sought as part of major new development⁽⁴⁶⁾ where the amount and mix of development proposed requires substantial green infrastructure to deliver a sustainable new neighbourhood, or to create an appropriate business or leisure environment. The Council recognises it is not always possible to achieve this all on-site; in those cases, equivalent off-site provision will be sought. Also, for certain types of green infrastructure such as playing pitches it may be impractical to deliver as a standalone pitch and more beneficial to contribute to the enhancement of an existing off-site facility. For smaller developments in areas of open space deficiency a contribution towards improving the quality and functionality of existing open space may be required to ensure that the space is able to meet the needs of additional residents. This approach will also ensure that the network can continue to provide for other functions that green infrastructure is needed to perform.
- 9.4.15** Proposals where it has been identified green infrastructure provision is required should use the following formula to establish the amount of green infrastructure type to be provided by each new home and the financial contribution required in circumstances where an off-site financial contribution is required. Where proposals are providing a contribution towards quality improvement costs only this will be 50% less of the standard charge for quantitative provision. The same formula below will be applied to proposals for non-residential development where green infrastructure provision is required by replacing the dwelling occupancy with the employee occupancy of the proposal and applying a lower green infrastructure type standard per employee reflecting the lower level of usage. Further information on the inputs to the formula is available in the Planning Obligations SPD or its replacement.
- **Step 1 – Establish quantity required - Dwelling Occupancy multiplied by (x) green infrastructure type standard per resident equals (=) amount of green infrastructure type required per proposed dwelling**

46 Major new development: 20 or more dwellings or 1,000 metres gross non-residential floorspace.

9 ENVIRONMENT

- **Step 2 – Determine financial contribution required for off-site provision - Amount of green infrastructure required per proposed dwelling multiplied by (x) cost of provision equals (=) standard charge per proposed dwelling**
- **Step 3 – Determine financial contribution required for off-site quality improvement costs - Standard charge per proposed dwelling divided (/) by 2 equals (=) quality improvement costs per proposed dwelling**

9.4.16 In exceptional cases where these requirements cannot be delivered a comprehensive, open book viability assessment should be submitted with the planning application to show why a development cannot achieve these requirements.

9.4.17 Provision should also be made for the maintenance of green spaces to ensure quality remains in the long term. For new large greenspaces, particularly those in the strategic locations, a maintenance levy⁽⁴⁷⁾ will typically be applied to each household and/or business, to ensure long term maintenance by a management company. Elsewhere, a one off maintenance contribution may be sought so that maintenance can be undertaken by the Council and in these circumstances the formula below should be used to calculate a contribution equivalent to 10 years maintenance. Where the maintenance sum is for off-site quality improvements costs the amount will be reduced by 50%. The same formula below will be applied to proposals for non-residential development where green infrastructure provision is required by replacing the dwelling occupancy with the employee occupancy of the proposal. Further details on the approach to implementation can be found in the Planning Obligations SPD or its replacement.

- **Step 1 – Establishing maintenance sum required - Dwelling occupancy multiplied by (x) average maintenance cost equals (=) maintenance cost per dwelling multiplied by (x) 10 = one off maintenance sum**
- **Step 2 – Determining maintenance sum for off-site quality improvement costs - One off maintenance sum divided by (/) 2 equals (=) quality improvement maintenance sum**

Local Green Spaces

9.5.1 Local Green Spaces are a relatively new type of designation enabling local communities to identify green areas of particular importance to them for special protection through either a local or neighbourhood plan.

9.5.2 The National Planning Policy Framework makes it clear that Local Green Space designation will not be appropriate for most green areas or open spaces, and sets out that designation should only be used:

- where the green space is in reasonably close proximity to the community it serves;
- where the green area is demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing pitch), tranquility or richness of its wildlife; and
- where the green area concerned is local in character and is not an extensive tract of land.

⁴⁷ Maintenance levy: annual sum paid by the houseowner or property owner to an independent body or management company to enable the long term maintenance of green space.

Protecting and Enhancing Biodiversity and Geodiversity

9.6.1 The Government published 'A Green Future: Our 25 Year Plan to Improve the Environment in 2018' that seeks to, amongst other measures, embed an 'environmental net gain' principle for development and promotes taking a natural capital approach to conserving and improving the natural world. This policy aims to protect and enhance biodiversity and geodiversity within the Borough, in particular, the effect of new development on biodiversity and geodiversity assets. It provides detail on how potential impacts will be considered, to give more certainty to applicants and decision makers. Some practical design advice is also provided in the Council's Revised Design of New Development SPD.

9.6.2 Darlington Borough currently has 42 nationally and locally designated wildlife sites(48), providing different levels of protection for a growing range of protected and priority habitats and species, including Skylark, Grey Partridge, Lapwing, Noctule Bat and Daubentons's Bat(49). Nationally protected sites (Neasham Fen, Hells Kettles, Newton Ketton Meadows and Redcar Field SSSIs) will continue to be protected and enhanced, consistent with national legislation(50) and the objectives in their management plans, whilst Local Nature Reserves (such as The Whinnies and Drinkfield Marsh), Local Wildlife Sites and Community Woodlands have local protection. There are also three Local Geological Sites that protect areas of geological value in the Borough.

9.6.3 The Council intend to designate new Local Nature Reserves at Red Hall, Cocker Beck, and Mill Lane, and extend the Brinkburn and Maidendale LNRs to provide greater protection for the protected and priority habitats and species that live there. Other Local Nature Reserves may come forward through site development and involvement with communities. This will help the Borough meet the national standard for Local Nature Reserves.

9.6.4 In comparison to neighbouring authorities, Darlington does not have much designated land of a European or National standard, so the 300 hectares of other local wildlife friendly greenspaces, for example, Cocker Beck and Baydale Meadows, are therefore of high importance within the Borough. They allow wildlife, including protected Water Voles and Great Crested Newts to move between designated spaces for feeding, mating and migrating, so helping to ensure biodiversity remains viable in the long term.

9.6.5 'More, better, bigger and connected sites'(51) across the Borough, linked by wildlife corridors, smaller wildlife rich 'stepping stones' and 'buffer zones', such as along the existing and proposed strategic green corridors, will help establish healthy ecological networks for all species(52), including the Brown Trout, Little Grebe and Grey Wagtail, and allow ecosystems to be sustained, with attendant benefits(53). The alternative, managing spaces in isolation, could lead to a decline in their number, quality and mix, potentially resulting in habitats being lost and the beneficial functions of ecosystems being reduced.

Policy ENV 7

Biodiversity and Geodiversity and Development (Strategic Policy)

The Council will ensure that sites and features of biodiversity and geodiversity importance are given full and appropriate recognition and protection. The Council will also permit proposals where the primary objective is to conserve or enhance biodiversity where they accord with other relevant policies in the Plan.

Development will be refused if significant adverse effects to biodiversity or geodiversity, either alone or in combination, cannot in the first instance be avoided, adequately mitigated, or, as a last resort, compensated for.

Development will be expected to minimise the impact on and provide net gains for biodiversity, including establishing coherent and resilient ecological networks, by:

- a. Avoiding or mitigating adverse impacts upon BAP priority or protected species. Any potential adverse impact upon the ability of protected species to survive, reproduce and maintain or expand their current distribution will be monitored through application of the derogation tests detailed in the Habitats Regulations, and;**
- b. Significantly and demonstrably enhancing the quality, extent and mix of priority and protected habitats and species identified in the NERC list(54) through:**

- i. Incorporating native habitats, or habitat opportunities, within or around the site and/or as part of building design; and/or**
- ii. Creating, improving or extending ecological networks; and/or**
- iii. Contributing to the implementation of the management plans of the Tees Valley Nature Partnership within the Borough.**

Enhancement measures must be compatible with existing biodiversity and ecosystems. In circumstances where the enhancement of biodiversity would place the viability of the development in question, the developer will be required to demonstrate their case to the Council's satisfaction.

Development proposals located within the areas listed below are encouraged, where relevant, to support the achievement of these specific actions as follows:

A) River Tees Existing Green Corridor

Encourage the protection and enhancement of connections between different parts of the ecological network through:

- i. Creating quality riverside habitat in buffer zones (see Policies ENV 4 and ENV 5);**
- ii. Managing agriculture less intensively;**
- iii. Planting native trees and ground plants;**
- iv. Diversifying the mix of wetland and wet woodland habitats;**
- v. Management of invasive species; and**
- vi. Creating artificial habitats such as otter holts and bird boxes.**

B) River Skerne Proposed Green Corridor

Encourage improvements to the value and ecological mix to:

- i. Provide quality priority habitats and species in the buffer zone;**
- ii. Restore the natural river course, systems and character, e.g. meanders and earth bank sides;**
- iii. Retain the natural floodplains;**
- iv. Incorporate sustainable drainage systems;**
- v. Plant more native broadleaved trees, grassland and wetlands to accommodate a range of protected and priority habitats and species;**
- vi. Incorporate green features, such as green roofs and green walls; and**
- vii. Manage invasive species.**

C) Rural area

Promote the reinstatement of traditional species rich field margins, hedgerows and trees, along with new opportunities for mixed habitats, including meadows, woodland and wetlands, to provide greater connectivity for wildlife (see Policies H 3, H 7 and E 4).

D) Nationally and locally designated wildlife sites

Protect, maintain and where appropriate manage (as it depends upon ownership) and extend, in accordance with their management plans. Sites will be protected as follows:

i. Sites of Special Scientific Interest (SSSIs)

Development likely to have an adverse effect on any of the Borough's or neighbouring SSSI's either individually or in combination with other developments, will not normally be permitted unless it can be demonstrated that the benefits of the proposed development in that particular location, clearly outweigh its likely impact on the features of the site that make it of special scientific interest and any broader impacts on the network of sites.

ii. Local Nature Reserves and Local Wildlife Sites

Development likely to result in significant harm to any of the Borough's Local Nature Reserves or Local Wildlife Sites should be avoided by being relocated to an alternative site of less harmful impacts. Where this is not possible, and it is demonstrated development is required in that location it will only be permitted if the significant harm can be overcome by adequate mitigation or as a last resort appropriate compensation measures.

Designate new Local Nature Reserves which meet the Natural England Criteria to ensure the protection of land and species, including Red Hall Wetland, Mill Lane (spanning the Skerne) and Cocker Beck.

Local Wildlife Sites are identified and selected for their local nature conservation value. They protect threatened species and habitats acting as buffers, stepping stones and corridors between nationally-designated wildlife sites. Darlington has sites such as Blackwell Meadows, Coatham Grange and West Cemetery.

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 (55) 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.

E) Local Geological Sites (LGSs)

Protect the existing sites at Killerby (North Lane Quarry), Houghton-le-Side (Disused Quarry, Side Hill) and High Coniscliffe Quarries (Disused) and designate new sites, as appropriate.

F) Wildlife friendly green spaces, parks and parklands

Protect and improve the wildlife value of green spaces, parks and parklands.

Policy ENV 8

Assessing a Development's Impact on Biodiversity

Development proposals will be required to provide net gains in biodiversity (prevailing in national policy) and demonstrate achievement of this using the Defra Biodiversity Metric. Development proposals that are situated within or adjacent to sites of biodiversity importance as identified in Policy ENV 7, or that are likely to have an adverse impact upon such sites⁽⁵⁶⁾ or upon sites that have a reasonable likelihood of hosting protected and/or priority species, will need to follow the sequence of actions set out below to identify how harm to biodiversity has been avoided, or failing that, adequately mitigated. Applicants should submit evidence that this process has been followed with any planning application:

1. Undertake a Phase 1 Habitat Survey to establish the type and mix of habitats and species present and any likely impacts;
2. For any habitats or species adversely affected, undertake an extended Phase 1 Habitat Survey and identify appropriate mitigation if possible;
3. Where protected species are present (including species protected under the Conservation & Habitats Regulations, and Wildlife and Countryside Act), further survey work will be required to comply with Habitats Regulations including fulfilling the three derogation tests; and
4. Take account of, and reflect the detailed advice set out in, Darlington's Green Infrastructure Strategy and the revised Design of New Development SPD or successor documents.
5. Provide a masterplan, management and maintenance plan for applications of 100 dwellings or more where relevant showing how the quality of biodiversity features will be maintained in the long term. Maintenance contributions where required will be secured via a Section 106 agreement.

Where a development proposal cannot avoid significant harm to biodiversity following the consideration of avoidance measures and mitigation, as a last resort, suitable compensatory measures must be incorporated, including the creation of priority habitats ⁽⁵⁷⁾, with the first priority being on-site provision. Only with adequate reasoned justification will any off-site compensatory measures be permitted, with any such provision, agreed to be adequate and appropriate, secured by Section 106 contribution or Community Infrastructure Levy (or any other future delivery mechanism).

Where adequate compensation measures cannot be provided, and significant harm avoided, planning permission will be refused.

Where developers identify the presence of non-native invasive species on-site, measures will be required to contain the species and ensure it is effectively managed, or where possible, eradicated during development.

9.6.6 The NPPF ⁽⁵⁸⁾states that planning policies and decisions should contribute to and enhance the natural and local environment by, amongst other measures, minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures. Net gain is an approach to development that aims to leave the natural environment in a measurably better state than beforehand. The Government intends to enshrine the requirement to deliver biodiversity net gains in law as part of the forthcoming Environment Bill. The Council will consider the need to develop local guidance on its approach to delivering net gains (including a strategy for using offsetting), potentially as Supplementary Planning Guidance, and will explore the benefits of agreeing a joint approach at the sub-regional level with the Tees Valley Nature Partnership.

9.6.7 Connectivity will be improved along watercourses, including the strategic River Tees and River Skerne, public rights of way, railway lines and along field margins in the rural area, to ensure species can move easily across and beyond the Borough. Improving the wildlife value of lower quality urban greenspaces will provide valuable habitats for species, including the Dingy Skipper and Holly Blue butterfly, and nesting birds like the Song Thrush and Spotted Flycatcher, which are in serious decline.

9.6.8 Darlington's Green Infrastructure Strategy includes a number of measures to improve the environmental and recreational value of the Borough's green corridors, and should be read alongside this policy when considering development proposals affecting a green corridor.

9.6.9 There are also big opportunities to increase the stock of protected and priority habitats and species through well-designed new developments⁽⁵⁹⁾, especially in the strategic locations. In addition, development in the Town Centre Fringe (see Policy TC 6) will provide opportunities to greatly enrich local biodiversity.

9.6.10 Biodiversity varies according to location and the presence of protected and priority habitats and species. The type and level of assessments required alongside new development proposals will reflect biodiversity value, and a Phase 1 Habitat Survey (Extended)⁽⁶⁰⁾, tree surveys and/or detailed species surveys may be required if protected or priority habitats and species are likely to be present. Through an Ecological Masterplan and/or the Design, Access and Sustainability Statement, the design and layout of new development should be informed by, and respond positively to, the ecological value of the site and the immediate environment and show how this will be protected and enhanced. Even where little biodiversity exists, functional ecological networks should be created; landscaping schemes and green roofs and walls can provide nesting sites, roosting sites and shelter for birds, bats and amphibians. Provision in or adjacent to a green corridor or a designated site, should be informed by the strategic aims of the corridor⁽⁶¹⁾ and in the site's management plan.

9.6.11 It should be noted that the presence of protected species or habitats is not limited to the designated sites described above. Where internationally and nationally protected species, such as the otter and water vole are identified, development should protect them and their breeding and resting places from disturbance or injury. This will be monitored through application of the derogation tests set out in national legislation⁽⁶²⁾.

9.6.12 With the exception of protected species where a licence may need to be sought from Natural England, impacts which are unavoidable should be fully mitigated for within the locality. Appropriate enhancements can include maintaining existing priority habitats, creating new habitats, providing sustainable drainage schemes with wetlands and reedbeds (see Policy DC 4), new native woodland and street trees and the protection of existing trees⁽⁶³⁾ (including ancient woodland and veteran trees) on or off-site, particularly in the strategic locations. Planning conditions and/or planning obligations may be used to secure mitigation.

9.6.13 Off-site mitigation measures will only be considered where there are justifiable ecological reasons that would result in a more appropriate solution to potential impacts on biodiversity as a result of development. This may include the relocation of a species or habitat to a more favourable location owing to existing circumstances or the creation of new habitats in an area nearby that will have a greater gain in biodiversity than that which can be provided on-site. Such provision would be an exception from the normally accepted choice of protecting species and habitats on-site, or providing alternative on-site mitigation measures and will therefore be expected to clearly set out in the supporting ecological study why off-site provision would be an acceptable solution. It is not considered that geological mitigation could be provided off-site and satisfactory on-site solutions should be found if planning permission is to be granted.

9.6.14 The Council are exploring the potential to identify a number of biodiversity offsetting sites within the Plan to help compensate for the impact of developments on biodiversity in the Borough where provision cannot be made on-site in line with Policy ENV 7 and ENV 8. There is also a potential need to identify an appropriate offset site for Great Crested Newts. Examples where this offsetting approach has been successful in the past include the creation of a large wildflower meadow at Baydale Farm on the Teesdale Way and a mosaic of wetland habitats off Staindrop Road, Cocker Beck.

9.6.15 To ensure suitable schemes are brought forward and that the long term quality of all biodiversity features proposed is maintained, a masterplan, showing how the features will be designed should be submitted with any planning application for 100 dwellings or more, together with a management and maintenance plan, showing how the features will be maintained in the long term, and this should be submitted with any planning application. A maintenance contribution secured via a Section 106 agreement may be required.

9.6.16 The Council will continue to maintain access to up-to-date environmental and other relevant data, including Natural Network Mapping, and will continue to work closely with the Tees Valley Nature

Partnership in implementing and monitoring policies and proposals affecting the natural environment

Delivering a Sustainable Transport Network

10.1.1 It is vital that the Borough is accessible by a choice of transport modes and that improvements to the transport infrastructure and services encourage sustainable travel. This is important to unlock the economic growth opportunities within the Borough, and to connect to neighbouring regional centres and strategic national and international gateways such as Teesside International Airport, Teesport and the East Coast Mainline. Owing to its location and existing infrastructure, Darlington Borough also has a key role to play in delivering the wider vision for sustainable transport across the Tees Valley and beyond. The transport and travel needs of those with specific requirements (such as disabled and elderly people, parents with small children and wheelchair users) is also integral to this agenda.

Policy IN 1

Delivering a Sustainable Transport Network (Strategic Policy)

The Council is committed to delivering an efficient transport system with a focus on the provision of

infrastructure improvements, to encourage greater use of sustainable modes, leading to less reliance on single occupancy vehicle journeys. We will work with partners and developers to make the best use of and improve existing transport infrastructure, where appropriate, using developer contributions to manage the impact of development on the transport network.

To achieve this, the following priorities and actions have been identified:

A) For cycling, walking and other sustainable transport:

- i. Protecting existing footpaths, cycle routes and bridleways from development which would impair their functioning for recreation or as alternatives to the private car for accessing employment opportunities, shops and other community facilities;**
- ii. Supporting the development of the key sustainable transport corridors identified within the Tees Valley Local Cycling and Walking Infrastructure Plan and ‘Local Green Corridors’ identified in the Darlington Green Infrastructure Strategy and safeguarding their routes from development which would impair their functioning for recreation or as routes for pedestrians and cyclists to access employment opportunities, schools, shops and other community facilities;**
- iii. All new developments will provide permeability and connectivity for pedestrians and cyclists to make walking and cycling the first choice for short journeys;**
- iv. Improving local connections across busy transport corridors which act as a barrier to local access. This will include working with Highways England and Network Rail to ensure the permeability of the A66 and rail networks respectively;**
- v. Protecting and enhancing public rights of way as set out in the Rights of Way Improvement Plan, ‘Local Green Corridors’ identified in the Darlington Green Infrastructure Strategy and links to long distance route paths such as the Teesdale Way and NCN 14;**
- vi. Identification and creation of a route that mirrors the original Stockton and Darlington Railway line as close as practicable in advance of the 2025 bicentenary (See also Policy ENV 2);**
- vii. Support the creation of routes that allow residents in outlying villages to access Darlington, particularly by bicycle.**

B) For rail-based transport network:

- i. Improving inter and sub-regional links to neighbouring centres by ensuring that the Borough is served by high quality rail and bus links;**
- ii. Improving connectivity between other forms of sustainable travel and the rail network mainly by providing improved interchange facilities;**

Specific priorities for the rail network:

- iii. Supporting the improvement of Darlington Station. Informed by a masterplan, work will be undertaken to improve interchange facilities and improvements to the mainline, local and inter-regional routes, potential high speed rail services and sustainable access to the station including bus, walking and cycling.**

C) For road-based transport network:

- i. Mitigating the impact of development at key junctions, on main arterial routes that form the towns Key Road Network and other important links that contribute to the effective movement of traffic to limit congestion.**
- ii. Working with Highways England and adjoining authorities to ensure the safe and efficient operation of the strategic and main road networks;**
- iii. Providing new local access roads and key road links to open up the locations for development identified in the Local Plan. Such works will be linked to development phasing and secured by legal agreement.**
- iv. Maintaining an efficient bus network by ensuring new developments accommodate the needs of bus users, facilitate new bus routes and stops where appropriate and mitigate the impact of development trips on bus journey times through the provision of bus priority measures.**

Specific priorities for the road network:

v. Working with Highways England to ensure the existing route of the A1 and A66 is maintained and improved in order to maintain it's strategic function and enables residents and businesses to continue to benefit from good links to the strategic road network, with contributions sought from developers to a programme of highway improvements where applicable.

vi. Provision of key routes as part of some development proposals within the plan, in conjunction with existing infrastructure, provide additional road, public transport and high quality cycle and footpath links to create an orbital route of the northern urban area of Darlington. These routes are:

- **Coniscliffe Park - link road connecting A67 to Staindrop Road;**
- **Stag House Farm - link road connecting Newton Lane to Staindrop Road;**
- **West Park Garden Village - link road connecting Edward Pease Way to Newton Lane;**
- **Faverdale link road - connecting Rotary Way to Burtree Lane;**
- **Berrymede Farm - connecting Burtree Lane to the A167;**
- **Skerningham access roads – including local distributor road between the A167 and A1150**
- **close to the Little Burdon roundabout in the broad location identified in the Skerningham**
- **Masterplan Framework;**
- **Burdon Hill - link road connecting A1150 to B6279 Tornado Way and new link road to Red Hall;**
- **and**
- **Link 66 / Symmetry Park - link road connecting the B6279 Tornado Way to B6280 Yarm Road.**

Improving Access and Accessibility

10.6.1 Development that offers better access to all forms of travel will help the Borough to become more sustainable, healthy, green and prosperous. Sustainable modes of travel such as walking, cycling, public transport and facilities for alternative fuel vehicles will be promoted through travel planning as well as good design.

Policy IN 2

Improving Access and Accessibility (Strategic Policy)

The Council expects development to promote accessibility and permeability by creating places that are well connected with each other and with existing transport networks. The needs of pedestrians, cyclists, bus and rail users, as well as those with specific needs should be prioritised to reduce the need for travel by private vehicle.

Development will be appropriately located to reduce the need to travel by car and the number and length of car trips made to access local amenities.

In order to improve access and accessibility during the plan period:

a. Proposals for new buildings or the change of use or alteration of existing buildings to which the general public and employees have access will be required to provide suitable access and facilities, particularly for people with mobility issues.

b. Ensure that all new neighbourhoods are permeable by providing high quality, safe and easily accessible walking and cycling routes to important local services such as shops, particularly those selling fresh food, schools, primary health care, leisure and employment opportunities.

c. All developments should provide safe access to the Borough-wide cycling and walking network including links to the Public Rights of Way network and leisure routes.

d. All new major development should be accessible by public transport. It is therefore expected that 80% or more of dwellings on a site will be within a 400 metre walking distance of a bus stop served by a regular daytime service (at least every 30 minutes). Where appropriate, financial contributions to provide a supported or extended bus service for up to 5 years, and bus stop infrastructure will be sought where sites are not currently served by regular services.

e. Contributions will be sought from all developments, where considered appropriate, for the following sustainable travel measures:

- **Provision of regular bus services and infrastructure in locations that are currently poorly served by**
- **public transport;**
- **Safer Routes to School;**
- **Measures to support the Travel Plan;**
- **Public Rights of Way improvements.**

10.6.2 Darlington has a well-developed cycle network including over 40 kilometres of dedicated off road cycle routes based around seven radial routes which start in the town centre and end in various locations on the edge of the urban area. These routes link major employment sites to the main residential areas within the town. The routes are signed using specially approved cycle signs which show typical cycle times rather than distances and are colour coded depending on the route. There is also a circular route which connects the main radial routes to each other and provides a longer leisure route for cyclists. Work in recent years has focussed on connecting rural communities to the urban area of Darlington, and also connecting to County Durham in the north where a significant number of commuter journeys begin or end. The Borough already has an extensive network of cycle routes, but more needs to be done to make cycling a more attractive option compared to the private car. Larger employers, particularly within the urban area, will therefore be encouraged to provide facilities such as secure cycle parking, changing and showering facilities, where practicable.

10.6.3 Whilst most roads have a footpath along side and the Rights Of Way network(72) provides a comprehensive network of footpaths and bridleways in both the urban and rural areas, there are still gaps in the walking network for some, meaning it is difficult to connect to other modes of transport such as rail or bus. During the plan period, the Council will seek to improve these connections particularly where they are poor, near to proposed development. New development should provide

walking links into existing residential, leisure, retail and commercial developments to improve connectivity and permeability.

10.6.4 Physical infrastructure interventions, such as cycle routes and bus stops, will be combined with travel information and marketing measures to encourage walking, cycling and the use of public transport wherever possible, particularly on or near Key Sustainable Transport Corridors (as identified on the Policies Map). Travel plans (Policy IN 3) and developers planning obligations identified in Policy IN 2 will be the main tools used to embed sustainable travel choices and behavior into new developments from the outset.

10.6.5 Access to sustainable transport should also be integrated into the design of new developments from the outset, and guidance is provided within the Design of New Development SPD as to how this may be achieved.

10.6.6 Developments that are not within a reasonable walking distance of existing bus services will be expected to contribute to provide a supported bus service for 5 years. A reasonable walking distance is considered to be 400m but other material considerations will be taken into account at the planning application stage including the distance to local services on foot, the frequency of existing bus services on routes further than 400m away and the likelihood, or otherwise, that a supported service will become commercially viable.

10.6.7 The creation of safe and convenient access to all buildings and public spaces is also a priority to help ensure that everyone can help create and benefit from a more prosperous Darlington(73).

10.6.8 The town is well served by a commercial bus network. It comprises of a number of key routes which typically have between 4 and 6 buses per hour with a number of secondary routes providing half hour services, though some are less frequent.

10.6.9 Darlington has good rail connections to national and sub-regional services utilising East Coast Mainline and trans-pennine routes. There are limited communities that are directly served by train services for local trips. Opportunities do exist for growth in local train journeys, particularly at Dinsdale Station which serves Middleton St George but also at North Road Station.

10 TRANSPORT AND INFRASTRUCTURE

application stage including the distance to local services on foot, the frequency of existing bus services on routes further than 400m away and the likelihood, or otherwise, that a supported service will become commercially viable.

- 10.6.7** The creation of safe and convenient access to all buildings and public spaces is also a priority to help ensure that everyone can help create and benefit from a more prosperous Darlington⁽⁷³⁾.
- 10.6.8** The town is well served by a commercial bus network. It comprises of a number of key routes which typically have between 4 and 6 buses per hour with a number of secondary routes providing half hour services, though some are less frequent.
- 10.6.9** Darlington has good rail connections to national and sub-regional services utilising East Coast Mainline and trans-pennine routes. There are limited communities that are directly served by train services for local trips. Opportunities do exist for growth in local train journeys, particularly at Dinsdale Station which serves Middleton St George but also at North Road Station.

Transport Assessments and Travel Plans

- 10.7.1** In accordance with National Policy development proposals that are likely to generate significant additional journeys should be accompanied by a Transport Assessment and a Travel Plan whilst smaller developments may require Transport Statements.

Policy IN 3

Transport Assessments and Travel Plans

The Local Planning Authority will require the preparation and implementation of Travel Plans, Transport Assessments and other schemes and agreements to promote the use of sustainable transport for journeys to work, training and education. Proposals that have potential significant impacts should be accompanied by a Travel Plan where appropriate.

Major developments will be required to engage in the Travel Planning process and produce a Transport Assessment. Proposals will be supported that:

- a. Improve transport choice through the provision of information and encouragement to maximise opportunities to travel sustainably;
- b. Minimise the number of single occupancy vehicle trips generated by the development;
- c. Contribute positively to managing congestion, reducing environmental impact and maintaining safety.

Travel Plans must be iterative documents which must be site specific and guided by a framework of common principles and components.

A framework Travel Plan will be appropriate where there is no identified end user or there will be multi-occupancy of a site. Each organisation within a development will be expected to produce a site specific Travel Plan.

Travel Plans should identify the specific required outcomes, targets and measures, and set out clear future monitoring and management arrangements all of which should be proportionate. They should also consider what additional measures may be required to offset unacceptable impacts if the targets should not be met. A travel plan co-ordinator should be appointed to identify opportunities for the effective promotion and

73 One Darlington: Perfectly Placed Community Strategy 2008 - 2026, Revised May 2014.

TRANSPORT AND INFRASTRUCTURE 10

delivery of sustainable transport initiatives and to fulfil the management and monitoring requirements. The Council will work with businesses and specifically the travel plan co-ordinators to ensure the travel plans are being developed, maintained and monitored.

- 10.7.2** The Borough has effective sustainable transport networks and the council are committed to improve this network as part of development proposals. The promotion of Travel Plans is essential to encourage residents and employees to use these networks and to inform them of the travel choices available. Key elements include the marketing of public transport, cycling, walking and the provision of charging points for electric cars and the promotion of car sharing in trying to influence travel behaviour.
- 10.7.3** Complementary public transport, cycling and pedestrian initiatives to larger scale developments should be delivered through Travel Assessment/Travel Plan agreements between operators, developers, planning and transport authorities.

Parking Provision including Electric Vehicle Charging

- 10.8.1** The provision of high quality parking for motorised vehicles throughout the Borough is seen as crucial in keeping Darlington as a competitive place to do business, whilst maintaining the environment that makes for its high quality of life.
- 10.8.2** National policy⁽⁷⁴⁾ requires local authorities to consider setting local parking standards for new development and to ensure there is an improved quality of parking in town centres that is convenient, safe and secure.

Policy IN 4

Parking Provision including Electric Vehicle Charging

In addition to supporting and facilitating the use of sustainable transport modes, the Council will continue to ensure there is an adequate supply of safe, secure and convenient public parking for vehicles within and adjacent to the town centre.

Throughout the Borough, new development (including change of use) will be required to provide safe and secure space for vehicle parking and servicing within the site. Provision should be made for residents, employees, customers, deliveries, visitors and others who may visit the premises, including people with disabilities. The number of spaces provided and the nature of the provision (including provision for motor cycle parking) will have regard to local circumstances and the standards set out in the Tees Valley Highway Design Guide or any successor.

Safe, secure and appropriate provision for cycle parking storage, and where appropriate changing and showering facilities will be encouraged, having regard to standards set out in the Tees Valley Highway Design Guide or any successor within all new developments including shared facilities within flats.

Every new residential property which has a garage or dedicated marked out residential car parking space within its curtilage should include an electrical socket suitable for charging electric vehicles.⁽⁷⁵⁾ An exemption would be made for residential apartments and residential care homes with communal parking areas.

Non-Residential development creating over 50 parking spaces are required to provide at least one double electric vehicle charge point (2 spaces). For each additional 50 parking spaces at least one double charging point will be required.

74 NPPF Paragraphs 107 and 108 (July 2021).

75 The minimum requirement would be a single phase 13 amp socket.

Parking Provision including Electric Vehicle Charging

10.8.1 The provision of high quality parking for motorised vehicles throughout the Borough is seen as crucial in keeping Darlington as a competitive place to do business, whilst maintaining the environment that makes for its high quality of life.

10.8.2 National policy⁽⁷⁴⁾ requires local authorities to consider setting local parking standards for new development and to ensure there is an improved quality of parking in town centres that is convenient, safe and secure.

Policy IN 4

Parking Provision including Electric Vehicle Charging

In addition to supporting and facilitating the use of sustainable transport modes, the Council will continue to ensure there is an adequate supply of safe, secure and convenient public parking for vehicles within and adjacent to the town centre.

Throughout the Borough, new development (including change of use) will be required to provide safe and secure space for vehicle parking and servicing within the site. Provision should be made for residents, employees, customers, deliveries, visitors and others who may visit the premises, including people with disabilities. The number of spaces provided and the nature of the provision (including provision for motor cycle parking) will have regard to local circumstances and the standards set out in the Tees Valley Highway Design Guide or any successor.

Safe, secure and appropriate provision for cycle parking storage, and where appropriate changing and showering facilities will be encouraged, having regard to standards set out in the Tees Valley Highway Design Guide or any successor within all new developments including shared facilities within flats.

Every new residential property which has a garage or dedicated marked out residential car parking space within its curtilage should include an electrical socket suitable for charging electric vehicles.⁽⁷⁵⁾ An exemption would be made for residential apartments and residential care homes with communal parking areas.

Non-Residential development creating over 50 parking spaces are required to provide at least one double electric vehicle charge point (2 spaces). For each additional 50 parking spaces at least one double charging point will be required.

10.8.3 Local parking standards for new development and changes of use will be set out in the Tees Valley Highway Design Guide (due to be updated 2021/22), in the meantime nationally defined parking standards will be applied in the Borough.

10.8.4 The adopted Parking Strategy proposes a zonal approach to provide enough convenient parking options to support the vitality and viability of the Town Centre. There will be a small number of time limited short stay parking spaces in central locations with wider short stay provision within the Inner Ring Road (area identified as 'Town Centre' on the Policies Map). Outside of the ring road existing parking provision will generally be protected for long stay parking and Residents Parking Zones, unless part of a wider regeneration scheme.

10.8.5 The Council will continue to support and facilitate sustainable development of businesses in the town centre by offering contract parking for operational needs to businesses with more than 5 employees who have an employee travel plan in place. This initiative recognises that businesses located in the town centre can be more sustainable in terms of the transport movements that they generate, yet need convenient parking for operational purposes to keep commercially competitive.

10.8.6 National Policy⁽⁷⁶⁾ also requires plans to exploit opportunities for the use of sustainable transport modes including incorporating facilities for plug-in and other ultra-low emission vehicles. To encourage the use of electric vehicles it is proposed that new development during the plan period should support the delivery of appropriate infrastructure where this does not affect its overall viability.

10.8.7 It is recognised that for development of residential apartment blocks or communal parking areas it may not always be suitable or feasible to require charging points.

TRANSPORT AND INFRASTRUCTURE 10

Policy IN 5**Airport Safety**

Within the established 13km (bird strike hazard area) and the 15km (radius of critical airspace) safeguarding areas surrounding the airport, as identified on the policies map, relevant development proposals will require consultation with the operator of the airport, and must consider the operational integrity of the airport, its surveillance systems, and the safety of air traffic services, in accordance with Government Circular 1/2003, or any successor guidance.

Within the Public Safety Zones adjacent to the airport runway, as identified on the policies map, there is a general presumption against new development, unless the proposal accords with guidance in Government circular 1/2010 or any successor guidance.

TRANSPORT AND INFRASTRUCTURE 10

- Hydro Power
- District Energy networks

10.10.21 One of the key aims of the Local Plan is to reduce energy use and carbon emissions. Appliances like industrial and new domestic scale renewable installations feeding into the electricity grid through existing connections, electric vehicles and heat pumps are anticipated to impact on supporting renewable or efficient energy solutions and reducing carbon emissions.

Policy IN 9

Renewable Energy Infrastructure (Strategic Policy)

Renewable and low carbon energy development including community-led initiatives will be supported across the Borough, where proposals are in accordance with the following relevant criteria. In determining planning applications for such projects significant weight will be given to the achievement of wider social, environmental and economic benefits.

- a. Wind energy development will be granted planning permission if the applicant can demonstrate that, following consultation, the planning impacts identified by the affected local community have been fully addressed and the proposal has their backing, and the proposal will not have unacceptable impact, either individually or cumulatively upon:
 - i. shadow flicker;
 - ii. visual dominance;
 - iii. protected species and habitats;
 - iv. landscape character and fabric;
 - v. the historic environment, including heritage assets and their settings;
 - vi. communication links; and
 - vii. aviation and radar.

- b. Solar Power developments will be granted planning permission if the applicant can demonstrate that the following considerations have been taken into account:
 - i. the importance of siting systems in situations where they can collect the most energy from the sun;
 - ii. need for sufficient area of solar modules to produce the required energy output from the system;
 - iii. the colour and appearance of the modules;
 - iv. demonstrate effective use of land by focussing large scale solar farms on previously developed and non agricultural land;
 - v. where a proposal involves agricultural land it has been demonstrated that:

10 TRANSPORT AND INFRASTRUCTURE

1. the land has been shown to be poorer quality land in preference to higher quality agricultural land; and
 2. the proposal allows for continued agricultural use where applicable and/or encourages biodiversity improvements around solar arrays;
- vi. the proposal has adequately mitigated the visual impact on the landscape and the effect of glint and glare on neighbouring uses and aircraft safety.
- c. Hydro Power: Applications for hydropower will need to be accompanied by a detailed Flood Risk Assessment. Early engagement should take place with the local planning authority and the Environment Agency.
- d. District Heating: Required in major development over 300 houses to be enabled for district energy connection unless demonstrated not to be feasible or financially viable to do so.

Where relevant, planning applications will also need to include a satisfactory scheme to restore the site to a quality of at least its original condition once operations have ceased.

10.10.22 The Council will ensure that future development makes the fullest contribution to minimising carbon emissions in accordance with the "use less energy, supply energy efficiently and use renewable energy" assumption to assist in meeting local, Tees Valley and national CO₂ reduction targets. The Council will promote the development of district energy networks on larger strategic sites where opportunities exist due to high heat density or an increase in heat density brought about by new development.

10.10.23 The whole of Darlington Borough is identified as suitable for wind energy development subject to proposals complying with the relevant criteria set out in Policy IN9 including demonstrating in accordance with footnote 54 of the NPPF (July 2021) that, following consultation, the planning impacts identified by the affected local community have been fully addressed and the proposal has their backing. Whether the proposal has the backing of the affected local community will be a judgement at the planning application determination stage⁽⁸³⁾.

Community and Social Infrastructure

10.11.1 Access to a wide range of good quality community facilities is identified as a key contributor to the health and well-being of people who live and work in the Borough and is one of the key objectives of the Draft Local Plan vision, aims and objectives (Section 2). The timely provision and upgrading of facilities is required to ensure Darlington's future growth brings more prosperity, safety, sustainability and inclusiveness and maintains and improves health and well-being.

Policy IN 10

Supporting the Delivery of Community and Social Infrastructure (Strategic Policy)

A) Education

If need is demonstrated⁽⁸⁴⁾ then a planning obligation will be sought based on a calculation of:

83 NPPG (5-033-150618)

84 The nearest school or another school, within 2 miles for primary schools and 3 miles for secondary schools, is operating within 5% of its capacity.

10 TRANSPORT AND INFRASTRUCTURE

1. the land has been shown to be poorer quality land in preference to higher quality agricultural land; and
 2. the proposal allows for continued agricultural use where applicable and/or encourages biodiversity improvements around solar arrays;
- vi. the proposal has adequately mitigated the visual impact on the landscape and the effect of glint and glare on neighbouring uses and aircraft safety.
- c. Hydro Power: Applications for hydropower will need to be accompanied by a detailed Flood Risk Assessment. Early engagement should take place with the local planning authority and the Environment Agency.
- d. District Heating: Required in major development over 300 houses to be enabled for district energy connection unless demonstrated not to be feasible or financially viable to do so.

Where relevant, planning applications will also need to include a satisfactory scheme to restore the site to a quality of at least its original condition once operations have ceased.

10.10.22 The Council will ensure that future development makes the fullest contribution to minimising carbon emissions in accordance with the "use less energy, supply energy efficiently and use renewable energy" assumption to assist in meeting local, Tees Valley and national CO₂ reduction targets. The Council will promote the development of district energy networks on larger strategic sites where opportunities exist due to high heat density or an increase in heat density brought about by new development.

10.10.23 The whole of Darlington Borough is identified as suitable for wind energy development subject to proposals complying with the relevant criteria set out in Policy IN9 including demonstrating in accordance with footnote 54 of the NPPF (July 2021) that, following consultation, the planning impacts identified by the affected local community have been fully addressed and the proposal has their backing. Whether the proposal has the backing of the affected local community will be a judgement at the planning application determination stage⁽⁸³⁾.

Community and Social Infrastructure

10.11.1 Access to a wide range of good quality community facilities is identified as a key contributor to the health and well-being of people who live and work in the Borough and is one of the key objectives of the Draft Local Plan vision, aims and objectives (Section 2). The timely provision and upgrading of facilities is required to ensure Darlington's future growth brings more prosperity, safety, sustainability and inclusiveness and maintains and improves health and well-being.

Policy IN 10

Supporting the Delivery of Community and Social Infrastructure (Strategic Policy)

A) Education

If need is demonstrated⁽⁸⁴⁾ then a planning obligation will be sought based on a calculation of:

83 NPPG (5-033-150618)

84 The nearest school or another school, within 2 miles for primary schools and 3 miles for secondary schools, is operating within 5% of its capacity.

TRANSPORT AND INFRASTRUCTURE 10

- (Pupil place generation per family dwelling)⁽⁸⁵⁾ – (existing spare capacity in local schools) x (Department for Education (DfE) standard cost per place);⁽⁸⁶⁾

Planning obligations for education provision will not be sought for:

- residential developments of 9 units or less;
- non-residential development;
- affordable housing schemes;
- single bed properties;
- specialist housing for the elderly (Use Class C2);
- student accommodation (unless it specifically includes provision for families);
- purpose built hostel or holiday accommodation which are incapable of occupation for general residential purposes because of their layout, ownership, management or occupancy restrictions.

Land will be reserved for education uses within the following sites:

- South of Yarm Road in Middleton St George (site 247)
- Land at Berrymede Farm (site 008)
- West Park Garden Village (site 068)
- Coniscliffe Park North (site 249)
- Provision on strategic sites of Skerningham and Greater Faverdale are dealt with in Policies H 10 and H 11.

Such land will be reserved until an agreed trigger point linked to phasing, to be stipulated in a legal agreement prior to the granting of planning permission. If there are no firm plans for the school at that time, the land may be made available for alternative community uses. If none of these can be delivered within a reasonable time (to be agreed in advance), the land may be considered for additional new housing.

B) Protection of Existing Community Facilities

The loss of any community facilities will only be permitted if it can be demonstrated that:

- there are sufficient other suitable alternative community facilities either within the neighbourhood or accessible nearby; or
- the community facility is no longer needed; or
- there is no management and funding resources existing or that could be generated within the local community that could secure and sustain a facility that meets identified local needs; or
- the community facility cannot be secured or sustained through the partial redevelopment of the site.

85 Latest TVCA Pupil Projection report.

86 DfE place generation settlement figure (currently £13,115 per primary place and £17,050 per secondary place).

10 TRANSPORT AND INFRASTRUCTURE

C) Provision of new community facilities

Proposals for new and expanded community services and facilities will be supported in accessible locations, providing that the scale of development is appropriate to the area in which it is proposed.

For new indoor sports provision and arts and cultural facilities, priority will be given to new proposals according to the settlement hierarchy set out in the plan. Proposals will be permitted elsewhere if it is demonstrated that:

- i. there is a need for it in the location proposed; and
- ii. it will be easily accessible by a choice of means of transport; and
- iii. for arts and cultural facilities that, through market research and/or an impact assessment, it can be shown that there would not be any damaging impact on the vitality and viability of the Town Centre, including the evening economy.

Secure community access, outside of core school hours, will be required for any new provision on educational sites.

2.4 hectares of land (as identified on the Policies Map) will be reserved at West Cemetery for future burial space.

Education

- 10.11.2** Access to good schools is critical to the quality of life of residents, and improving it is a key ambition within the Council's Sustainable Community Strategy.⁽⁸⁷⁾ The Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities⁽⁸⁸⁾.
- 10.11.3** The Council has to assess the local need for school places and ensure that every child resident in the Borough can have a place in a state funded school in Darlington.⁽⁸⁹⁾ It works with a wide range of education providers, such as Academies⁽⁹⁰⁾ and Free Schools⁽⁹¹⁾ to ensure this.
- 10.11.4** The main planning issue is how to meet any need for additional school places arising from planned housing growth and population change.⁽⁹²⁾ However, uncertainty around future projections, due to changes in birth rate and fluctuations in build rate of housing developments means that predicting the school place requirement over the entire Plan period is difficult.
- 10.11.5** Expansions have recently taken place at Heathfield Primary School and St George's Primary School that have created additional capacities.
- 10.11.6** It is envisaged that an additional need for school places is likely to arise in the medium to long term where significant new housing is proposed, particularly in the north, north-west and east of the Borough. Following the same strategy of supporting existing schools, expansion of existing school facilities to accommodate additional demand will be considered in the first instance. An updated SOP is currently under preparation that will identify existing schools that will be expanded next.

87 One Darlington: Perfectly Placed 2008 -2026 (Revised May 2014), DBC.

88 NPPF paragraph 95 (July 2021).

89 A High Quality Place for Every Child, School Organisation Plan (SOP) 2013-17, DBC.

90 State funded schools directly funded by central Government and independent of the Local Authority.

91 State funded independent schools.

92 Every 100 new houses is expected, on average, to produce between 18 and 20 primary school age children and 13-15 pupils of secondary age.

TRANSPORT AND INFRASTRUCTURE 10

10.11.7 To ensure new schools can be delivered close to the strategic housing growth areas if they are required, the Skertingham and Greater Faverdale Strategic Allocations (Policy H 10 and H 11) will safeguard land for future education provision. In addition land will be safeguarded at Berrymead Farm (site 008), South of Yarm Road in Middleton St George (site 247), Coniscliffe Park North (site 249) and West Park Garden Village (site 068).

Community facilities

10.11.8 Policy IN 10 seeks to safeguard local services and facilities that meet people's day to day needs. Local shops and other retail outlets are also covered within the policy. This policy covers community centres, village halls, social clubs, children's centres, churches, mosques and other community resources, such as libraries, which are important for socialising and other community activities. Public houses are also important venues for community engagement and venues to host community activities, and are covered in the policy as a community facility.

10.11.9 Many community facilities are experiencing reduced income, arising from either reduced use or reduced public sector or other external funding. Under the Localism Act 2011, the Council is required to maintain a list of community assets⁽⁹³⁾. This provides certain community groups with an opportunity to protect and preserve local assets of community value. If these assets are put up for sale, in the first instance community groups have the 'right to bid' for them in an attempt to retain the facility⁽⁹⁴⁾.

10.11.10 The loss of a community facility will be resisted where it is the only remaining facility in a community, where there is an identified need for it, and where a source of funding for ongoing management and maintenance could support the facility. Evidence in support of retaining the last community building must show there is no accessible alternative suitable facility. A 'lack of need' argument would need to be backed up by evidence, e.g. by surveying all community groups in the area, and a 'lack of funding' argument would need evidence that no other community group in the neighbourhood would be prepared to take over the facility.

Indoor Sports Facilities

10.11.11 Indoor sports facilities include swimming pools, sports halls, health and fitness facilities and dance studios, and other specialist provision such as indoor bowls, squash courts, gymnastics centres, boxing gyms and indoor tennis⁽⁹⁵⁾. These facilities can be provided by academies, schools and colleges, private sports clubs, parish councils and at community and village halls.

10.11.12 The policy seeks to protect and where appropriate, enhance a range of - quality, accessible and safe facilities, to support more participation in indoor sports and promote healthier lifestyles. In recent years, access to sports facilities at educational sites has improved, as several schools have successfully converted to Academy status and new and improved facilities have been provided, e.g. at Longfield Academy, which has provided a third strategic 'hub' site for indoor sports provision in addition to the Eastbourne Sports Complex and the Dolphin Centre. Improvements to facilities at other key education sites will provide a network of complementary satellite sites for indoor sports provision.

10.11.13 However, access to and quality of existing facilities can be improved further. A key priority⁽⁹⁶⁾ is to ensure sport and physical activity facilities and spaces (including schools) are available for community use. Although an indoor BMX and skate park has been provided at Faverdale, there is evidence to suggest that not enough specialist sports provision, specifically indoor tennis courts and indoor active play facilities are available in the Borough.

10.11.14 As most indoor sports provision is market led or otherwise outside Local Authority control, quality and access improvements can only be secured through the planning system by attaching conditions to planning permission for extensions, alterations or for new facilities. The policy requires community use to be secured for new provision on educational sites in priority locations.

93 Community assets can be land or buildings in public or private ownership.

94 Darlington Borough Council Policy on The Community Right to Bid for Assets of Community Value.

95 as defined in Darlington's Sport and Recreation Facilities Strategy.

96 Darlington Draft Sport and Physical Activity Strategy 2013-2018, April 2013 (Priority Action 9).

10 TRANSPORT AND INFRASTRUCTURE

Arts and Cultural Facilities

- 10.11.15** There are aspirations in the Council's Sustainable Community Strategy⁽⁹⁷⁾ to promote and enhance arts and culture in the Borough. The Creative Darlington vision identifies arts and culture as being central to Darlington's future identity and economic success. Through bringing people together, the arts have a key role to play in promoting and enabling social inclusion and cohesion. The Town Centre remains a focus for cultural heritage and an ideal setting for cultural activity and events.
- 10.11.16** Darlington Hippodrome (formerly the Civic Theatre) has reopened after a £13.7m restoration and upgrade that has seen the creation of Theatre Hullabaloo for children. Funding has been provided by Heritage Lottery and Arts Council funding to facilitate these projects.
- 10.11.17** The Head of Steam, Darlington's Railway Museum, is another successful facility which promotes the town's distinct heritage. It is also a focus for social and cultural events and activities and is likely to have a key role to play in celebrations for the 200 year anniversary of the launch of the Stockton and Darlington Railway. The Crown Street Art Gallery and The Bridge, a community arts venue, are other key venues managed by Creative Darlington, an organisation who encourage the development of arts in the Borough.
- 10.11.18** Cultural and arts facilities are facing new challenges as income sources, including public sector funding, are increasingly under pressure. It is likely that not all arts and cultural facilities can be sustained through the Plan period, and any new facilities will need to be largely privately provided and supported. It may be possible to sustain some existing provision or to deliver new facilities, by sharing facilities and/or support with other community uses. As recognised within the Creative Darlington vision, the sustained development of the sector will depend on the support, co-ordination and prioritisation across arts organisations.

Cemeteries

- 10.11.19** The Council is responsible for managing and maintaining three cemeteries, West Cemetery on Carmel Road North (the largest), North Cemetery on North Road and East Cemetery on Geneva Road.
- 10.11.20** North and East Cemeteries are likely to have enough space during the Plan period (to 2036)⁽⁹⁸⁾. However, in order for the Council to continue to meet the burial needs of the Borough there is a significant need for new burial space at West Cemetery, the existing space for graves is likely to be used by 2020/21⁽⁹⁹⁾.
- 10.11.21** The cemetery has been extended four times since it opened in 1858, with the latest extension in 1997, the area now covers 15.3 ha.
- 10.11.22** At West Cemetery 2.4 ha of land adjoining the existing cemetery site is allocated and reserved for further burials to meet the need for the remainder of the plan period.

97 One Darlington Perfectly Placed: A Vision for Darlington 2008-2021, Revised May 2014, DBC.

98 North Cemetery has an average of 25 burials per annum with approx 700 grave places remaining and East Cemetery having an average of 12 burials per annum with 400 grave places remaining.

99 There are on average 65 burials per annum using new graves in the West Cemetery and there are currently 200 new grave spaces remaining.