



Middleton St George Neighbourhood Plan – Summary of Regulation 16 Written Representations

Submission Publicity Period: 29th September 2021 to 11th November 2021

Regulation 16 Representations

Respondent	Organisation (if applicable)	Comments	Wish to be informed of decision under Regulation 19
Christopher Telford, Principal Development Manager	Coal Authority	<p>Thank you for consulting The Coal Authority on the above. Having reviewed your document, I confirm that we have no specific comments to make on it.</p> <p>Should you have any future enquiries please contact a member of Planning and Local Authority Liaison at The Coal Authority using the contact details above.</p>	Not stated.
Fiona McCall, Planning Policy Officer	Darlington Borough Council, Planning Policy	I have reviewed the Middleton St. George Neighbourhood Plan Submission Draft and the comments previously submitted to the Parish Council on the Pre Submission Draft in November 2020 largely still apply. It is acknowledged that a number of changes have been made to the Neighbourhood Plan which address some of the issues, however the concerns raised with regards to the conflict with the emerging Local Plan and Local Green Space designations still stand.	Not stated.

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		<p>In terms of the emerging Local Plan, it is appreciated that the Neighbourhood Plan should be prepared to be in accordance with strategic policies of the existing development plan and strategic issues are a matter for the Local Plan. It is considered that the Neighbourhood Plan could proceed to be made in its current form, nonetheless, it is anticipated that parts would become out of date quite quickly once the emerging Local Plan is adopted.</p> <p>Adoption of the Local Plan is anticipated by January 2022. The Council has recently gone out for consultation on main modifications which are required to make the plan sound, as indicated by the inspector carrying out the examination. The consultation ends on the 30th November 2021. No further hearing sessions have been scheduled, unless the inspector considers it essential to deal with substantial issues raised in representations about the proposed main modifications, or to ensure fairness.</p> <p>The main inconsistencies with the emerging Local Plan are the proposed housing allocation, site ref 99 Maxgate Farm, MSG and the proposed rural gap designation between Middleton St. George and Middleton One Row. The proposed housing allocation has not been included within the Submitted Neighbourhood Plan via the proposed development limits, although it is appreciated that this is still an emerging allocation. The Neighbourhood Plan also proposes a wider area as green wedge between the two settlements. Whereas the Local Plan proposes a more confined area designated as a rural gap which reflects the landscape area identified most sensitive in terms of retaining the existing settlement pattern, openness, landscape setting and separate distinctive identity of the settlements by avoiding coalescence and also avoiding designating extensive tracts of land. The Council only recently plotted the rural gaps on the policies maps through the process of the examination and therefore it was not possible for the Parish Council to consider this through the development of their plan. The difference in terminology could lead to some confusion between the two plans. The Council considers that rural gap is the more appropriate term given its main purpose (to retain the separation between the built areas).</p>	

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		<p>For clarification the associated policies (H2 Housing Allocations and ENV3 Local Landscape Character) are strategic policies in the emerging Local Plan. It is understood that any inconsistencies between the two plans can be resolved through the nature of the policies involved (whether or not they are strategic) and the date at which they became part of the development plan. The Council consider that if the conflict could be resolved this would prevent potential future confusion with regards to these policy areas but appreciate that it is not necessary to proceed with the Neighbourhood Plan in its current form. Any inconsistencies could also be addressed via a review of the Neighbourhood Plan at a later date.</p> <p>There are still concerns with a number of the sites proposed for designation as Local Green Space in policy MSG8 as the Council considers that they do not meet the criteria of the designation in the NPPF, in terms of being special to the local community and holding particular significance. Most of the sites also have protection from other designations.</p> <p>Four of the sites are proposed in the emerging Local Plan (site ref LGS01, LGS10, LGS16, LGS17) and an additional site is proposed at Tower Hill, The Front, Middleton One Row which makes up a small part of site LGS06 in the Neighbourhood Plan. A number of the sites proposed were submitted for consideration for inclusion in the emerging Local Plan but were rejected as they did not meet the criteria and were not considered to be demonstrably special in their nature. Their consideration is detailed in the latest assessment available on the Council's website at: https://www.darlington.gov.uk/media/12602/sd28-local-green-space-designation-report-2020-update.pdf</p> <p>Additional comments:</p> <ul style="list-style-type: none"> • A revised version of the NPPF was published in July 2021. This was following the submission of the Neighbourhood Plan in April 2021. Some minor amendments may 	

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		<p>need to be undertaken to the Neighbourhood Plan to ensure consistency with the revised version of the framework.</p> <ul style="list-style-type: none"> • Policy MSG1: Sustainable Development criteria h states, 'Ensure that all infrastructure necessary to make the development acceptable in planning terms is either in place or can be provided prior to the development being brought into use.' The wording of this criteria should potentially be amended as the implementation of infrastructure on major development schemes can be phased and not necessarily implemented prior to the development being brought into use. • In terms of policy MSG4: General Location of New Development, the word 'innovative' should be removed from criteria e to ensure consistency with paragraph 80 of the NPPF. It may also be required for the policy to place more emphasis on new build economic development beyond settlement limits to ensure the policy is in line with the NPPF. The framework states how well-designed new buildings can support the sustainable growth and expansion of all types of business in rural areas. Criteria C also suggests that some form of needs assessment is required for leisure development outside of the development limits. This is not considered to be consistent with the NPPF and therefore would recommend removal. • The final paragraph of MSG 5: Green Infrastructure Development does not seem appropriate for that designation. It would be more suitable for an open space designation. Areas of agricultural land are proposed for green infrastructure and if they were to be developed it would not be expected for this type of use to be provided. It is suggested that this final paragraph is removed. • With regards to policy MSG7: Biodiversity it is noted that the 10% requirement does go above and beyond the more general net gains prevailing in national policy by setting a specific percentage. Although 10% is the mandatory requirement proposed in the Environment Bill so it would be consistent with this developing legislation. The Local Plan viability testing was also undertaken on the basis of a 10% requirement which was identified to be viable. It may also be useful to add in a reference to the policy that calculations should be based on the DEFRA biodiversity metric. 	

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		<ul style="list-style-type: none"> • There appears to be a typing error in the first sentence of policy MSG11: Housing Mix. This should be resolved for clarity. • Concerns still stand with policy MSG12: Affordable Housing in that it does not set out a percentage requirement for affordable housing and is therefore unclear. Percentage requirements are set out in the emerging Local Plan policy H5: Affordable Housing. Also criteria b sets out that any affordable housing financial contributions will be paid to the local planning authority on the commencement of development. On major development schemes contributions can be paid in phases during construction. It is also stated in this criteria that contributions will be used to deliver affordable homes within the neighbourhood plan area. If there are no suitable sites available in the neighbourhood plan area, the Council may have to look to other parts of the borough to deliver the affordable homes. Criteria b should be reworded to address the issues above. • Policy MSG13: Community Facilities and the criteria relating to the potential loss of land or buildings which are in community use appear overly prescriptive when compared against paragraph 93 of the NPPF. The policy also uses the term ‘public use’ which is unclear with regards to its definition. The term ‘community facilities’ is used in the NPPF with clear examples given. Amendments are required to the policy to ensure consistency with the NPPF. • There appears to be a small discrepancy on policies map 2 where LGS17 Almora Hall field, off Middleton Lane referenced in policy MSG8: Local Green Space, is labelled incorrectly as LGS18 (should be LGS17). LGS17 also appears to be highlighted in the policy. Suggested that this is removed. • Some changes have been made to policy MSG19: Walking and Cycling Network which reflects advice from the Council’s Public Rights of Way Officer during the Pre Submission consultation. It is noted however that the policy title has not been amended to ‘Rights of Way’ as suggested which is a concern. Further comments have been provided by the Rights of Way Officer below. 	

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		<p>Public Rights of Way Officer Comments</p> <p>My comments on the Middleton St George Neighbourhood Plan are as follows:</p> <ol style="list-style-type: none"> 1. Paragraph 2.1 states "The Stockton and Darlington Railway... route is now a public footpath." This statement is false - only part of the S&DR route through Middleton St George is a Public Right of Way, and even then it is a Public Bridleway, not a Public Footpath. 2. Similarly, Paragraph 2.11 states "The plan area has a number of public footpaths, including one which follows the route of the original 1825 railway line" - Again, false. This should read "The plan area has a number of Public Rights of Way" since some are also Public Bridleways. 3. In titling paragraphs 7.4 and 7.5 "Walking and cycling network", any possible use by Horse Riders has been completely disregarded. As advised in the previous consultation by my predecessor Steve Petch, a much more apt title for these paragraphs would simply be "Rights of Way". 4. Further, as also mentioned by my predecessor in the previous consultation and disappointingly ignored, the statement in 7.4: " Routes can include established pathways and cycle routes, public rights of way, bridle paths..." confuses the use of the term 'Public Rights of Way' which already includes Bridle Paths (bridleways). In order for this statement to make sense, "public rights of way" should be replaced with "Public Footpaths", and "bridle paths" with "Public Bridleways". 5. An additional point raised by my predecessor and left unactioned - What are the 'established pathways' and 'paths of a more informal nature' referred to in Paragraph 	

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		<p>7.4? It is not clear what or where these are, and without explanation it is possible to question whether people even have a legal right to use them.</p> <p>6. Under Community action 15: Highway safety and traffic management - " ensuring action is taken against the parking of vehicles on double yellow lines and on footpaths." This has nothing to do with footpaths and should instead use the correct terminology of "Roadside Footways".</p> <p>7. Under Community action 17: Footpaths - "Work with Darlington Borough Council to deliver improvements to footpaths at Sadberge Road and Belle Vue allotments and also the creation of a new lit footpath from the entrance to the airport on the A67, parallel to The Whinnies Nature Reserve". This is completely misleading. None of these paths mentioned are Public Footpaths as the term "footpath" suggests. Instead these are permissive accesses, so should be referred to simply as paths, rendering the heading of "Footpaths" false.</p> <p>8. Under Community action 19: Accessibility enhancements. – "The parish council... will seek to ensure that development provides appropriate footpath and cycle path links from estate roads to the existing footpath and cycleway network". Creating a footpath is a long legal process, so the correct terminology here would just simply be path, to read "The parish council... will seek to ensure that development provides appropriate path and cycle way links from estate roads to the existing footpath and cycleway network".</p>	
Guy Metcalfe, Head of Property	Darlington Borough Council, Property Asset Management	As briefly discussed earlier the only site identified within the MSG Neighbourhood plan is the Haxby Road play area. I think it would be reasonable for the Council to seek for this not to be allocated as open space within the plan even though I recognise it is used as such at present and may not be required for an alternative use in the future. But at least it would provide the council with the flexibility going forward.	Not stated.

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Asset Management			
Louise Tate, Planning Advisor	Environment Agency	<p>Thank you for consulting us on the above Neighbourhood Plan.</p> <p>Based on the environmental constraints within the area, we have no detailed comments to make in relation to the plan. However together with Natural England, English Heritage and Forestry Commission we have published joint advice on neighbourhood planning, which sets out sources of environmental information and ideas on incorporating the environment into plans. This is available at: http://publications.environment-agency.gov.uk/PDF/GEHO0212BWAZ-E-E.pdf</p> <p>We will continue to work with partners to influence the Development Plan Documents in your area.</p> <p>Strategic Environmental Assessment (SEA) In relation to those matters within our remit, we do not think that there are any environmental impacts which will be so significant to require an SEA.</p>	Not stated.
Josh Plant, Assistant Planner	Gladman	<p>INTRODUCTION</p> <p>Context</p> <p>These representations provide Gladman’s response to the Middleton St George Neighbourhood Plan (MSGNP) under Regulation 16 of the Neighbourhood Plan (General) Regulations 2012.</p> <p>Gladman Developments Ltd specialise in the promotion of strategic land for residential development and associated community infrastructure and have considerable experience in contributing to the Development Plan preparation process having made representations on</p>	Not stated.

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		<p>numerous planning documents throughout the UK alongside participating in many Local Plan and Neighbourhood Plan examinations.</p> <p>Through these representations, Gladman provides an analysis of the MSGNP, and the policy choices promoted within the draft Plan. Comments made by Gladman through these representations are provided in consideration of the MSGNP's suite of policies and its ability to fulfil the Neighbourhood Plan Basic Conditions as established by paragraph 8(2) of Schedule 4b of the Town and Country Planning Act 1990 (as amended) and supported by the Neighbourhood Plan chapter of the PPG.</p> <p>LEGAL REQUIREMENTS, NATIONAL POLICY & GUIDANCE</p> <p>Legal Requirements</p> <p>Before a neighbourhood plan can proceed to referendum it must be tested against a set of basic conditions set out in paragraph 8(2) of Schedule 4b of the Town and Country Planning Act 1990 (as amended). The basic conditions that the MSGNP must meet are as follows:</p> <p>“(a) Having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the order. (d) The making of the order contributes to the achievement of sustainable development. (e) The making of the order is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area). (f) The making of the order does not breach, and is otherwise compatible with, EU obligations. (g) Prescribed conditions are met in relation to the Order (or plan) and prescribed matters have been complied with in connection with the proposal for the order (or neighbourhood plan).”</p>	

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		<p>National Planning Policy Framework</p> <p>The National Planning Policy Framework (the Framework) sets out the Government’s planning policies for England and how these are expected to be applied. In doing so it sets out the requirements for the preparation of neighbourhood plans to be in conformity with the strategic priorities for the wider area and the role they play in delivering sustainable development to meet development needs.</p> <p>At the heart of the Framework is a presumption in favour of sustainable development, which should be seen as a golden thread through plan-making and decision-taking. This means that plan makers should positively seek opportunities to meet the development needs of their area and Local Plans should meet objectively assessed housing needs, with sufficient flexibility to adapt to rapid change. This requirement is applicable to neighbourhood plans.</p> <p>The recent Planning Practice Guidance (PPG) updates make clear that neighbourhood plans should conform to national policy requirements and take account of the most up-to-date evidence. This is so that Middleton St George Parish council can assist Darlington Borough Council (DBC) in delivering sustainable development and be in accordance with basic condition (d).</p> <p>The application of the presumption in favour of sustainable development will have implications for how communities engage with neighbourhood planning. Paragraph 13 of the Framework makes clear that Qualifying Bodies preparing neighbourhood plans should develop plans that support strategic development needs set out in Local Plans, including policies for housing development and plan positively to support local development.</p> <p>Paragraph 15 further makes clear that neighbourhood plans should set out a succinct and positive vision for the future of the area. A neighbourhood plan should provide a practical framework within which decisions on planning applications can be made with a high degree</p>	

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		<p>of predictability and efficiency. Neighbourhood plans should seek to proactively drive and support sustainable economic development to deliver the homes, jobs and thriving local places that the country needs, whilst responding positively to the wider opportunities for growth.</p> <p>Paragraph 29 of the Framework makes clear that a neighbourhood plan must be aligned with the strategic needs and priorities of the wider area and plan positively to support the delivery of sustainable growth opportunities.</p> <p>National Planning Policy Consultations</p> <p>On 6th August 2020, Government published the Planning for the Future White Paper setting out proposals for how it is seeking to ‘radically reform’ the planning system. The proposals are seeking to streamline and modernise the planning process.</p> <p>In her speech at the State Opening of Parliament in May 2021, the Queen announced that the Government will introduce “laws to modernise the planning system, so that more homes can be built, will be brought forward...”. Notes accompanying the speech confirm that a future Planning Bill will seek to create a simpler, faster, and more modern planning system that ensures homes and infrastructure can be delivered more quickly across England. Timings on the publication of the draft Planning Bill remain uncertain, however, subject to the outcomes of this process, the Government has signalled its intent to make rapid progress toward this new planning system through the swift introduction of new legislation to implement the changes.</p> <p>The Parish Council should be mindful of these changes and the potential impact to the MSGNP and the need to undertake a review of the neighbourhood plan following the Plan’s adoption.</p>	

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		<p>RELATIONSHIP TO LOCAL PLANS</p> <p>Adopted Development Plan</p> <p>To meet the requirements of the Framework and the Neighbourhood Plan Basic Conditions, neighbourhood plans should be prepared to conform to the strategic policy requirements set out in the adopted Development Plan.</p> <p>Middleton St George falls within the administrative boundary of Darlington Borough Council (DBC). DBC formally adopted its Core Strategy Development Plan Document (DPD) on 6 May 2011. The Core Strategy DPD sets out how the Borough will develop over the 15-year period 2011-2026 and forms part of the Local Development Framework for the Borough. The policies in the Core Strategy replaced several policies in the Borough of Darlington Local Plan (1997) that were 'saved' under the provisions of Section 38 of the Planning and Compulsory Purchase Act 2004.</p> <p>Darlington Borough Council are progressing towards a new Darlington Borough Local Plan (DBLP) which will guide development to 2036. Examination in Public has now concluded with the Council currently consulting on Main Modifications to the Local Plan.</p> <p>The Middleton St George Neighbourhood Plan should be sufficiently aligned and drafted with flexibility to ensure that conflicts are minimised with the strategic policies of the emerging Local Plan, to avoid risk of the MSGNP failing at examination. Additionally, this will ensure that the MSGNP is capable of being effective over the duration of its plan period and not ultimately superseded by s38(5) of the Planning and Compulsory Purchase Act 2004.</p> <p>MIDDLETON ST GEORGE NEIGHBOURHOOD PLAN</p> <p>This section is in response to the DMNP consultation document and its supporting evidence base.</p>	

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		<p>Policy MSG2: Design</p> <p>This policy sets out a range of design principles which development proposals should seek to meet. While the government has shown support for development to incorporate good design principles, Gladman would note that the Framework also states:</p> <p>To provide maximum clarity about design expectations at an early stage, all local planning authorities should prepare design guides or codes consistent with the principles set out in the National Design Guide and National Model Design Code, and which reflect local character and design preferences. Design guides and codes provide a local framework for creating beautiful and distinctive places with a consistent and high-quality standard of design. Their geographic coverage, level of detail and degree of prescription should be tailored to the circumstances and scale of change in each place and should allow a suitable degree of variety.” 1 1 NPPF (2021) – Paragraph 128</p> <p>Whilst Gladman recognise the importance of high-quality design, in accordance with the requirements of the Framework, design principles should be set out through appropriate frameworks and design guides rather than an overly prescriptive list within the Plan.</p> <p>Policies require some flexibility in order for schemes to respond to site specifics and the character of the local area. In essence, there will not be a ‘one size fits all’ solution in relation to design and sites should be considered on a site-by-site basis with consideration given to various design principles.</p> <p>Policy MSG3: Embedding energy efficiency and renewable energy</p>	

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		<p>The Qualifying Body should review this policy in detail to make sure its requirements are not already covered by other legislation such as Building Regulations and/or policies already in the Local Plan.</p> <p>In many instances there are no 'baseline' figures to measure against in this policy and as such, and noted above, much of this is already covered in Building Regulations requirements, principally in Part G and Part L.</p> <p>Policy MSG4: General location of new development</p> <p>Policy MSG4 supports the focus of new development within the settlement boundaries of Middleton St George, Middleton One Row and Oak Tree. Several scenarios are listed whereby new development will be supported outside the defined settlement boundaries; however, this fails to account for new major residential developments.</p> <p>Gladman object to the wording of this policy and use of settlement boundaries as an appropriate planning tool where they would preclude otherwise sustainable development from coming forward. Indeed, the use of development limits which arbitrarily restrict suitable development on the edge of settlements does not accord with the positive approach to growth required by the Framework which is clear that development which is considered sustainable should go ahead without delay in accordance with the presumption in favour of sustainable development. As a result, this approach is also contrary to basic condition (a).</p> <p>Gladman contend that this policy should be worded more flexibly in accordance with Paragraphs 11 and 16(b) of the NPPF (2021) and the requirement for policies to be sufficiently flexible to adapt to rapid change and prepared positively.</p> <p>It is suggested that Policy MSG4 should support development proposals adjacent to the settlement boundaries provided that any adverse impacts do not significantly and</p>	

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		<p>demonstrably outweigh the benefits of development alongside according with other policies of the MSGNP and other development plan policies.</p> <p>Indeed, a flexible policy approach for developments adjacent to a settlement boundary was taken in the examination of the Godmanchester Neighbourhood Plan. Paragraph 4.12 of the Examiner's Report (August 2017) states2 : 2 https://www.huntingdonshire.gov.uk/media/2780/godmanchester-neighbourhood-plan-examiner-final-report.pdf</p> <p>"...Policy GMC1 should be modified to state that "Development ...shall be focused within or adjoining the settlement boundary as identified in the plan." It should be made clear that any new development should be either infill or of a minor or moderate scale, so that the local distinctiveness of the settlement is not compromised. PM2 should be made to achieve this flexibility and ensure regard is had to the NPPF and the promotion of sustainable development. PM2 is also needed to ensure that the GNP will be in general conformity with the aims for new housing development in the Core Strategy and align with similar aims in the emerging Local Plan."</p> <p>Gladman would suggest this policy is going to prevent sustainable development from coming forward and not allow appropriate flexibility to ensure an appropriate level of housing is delivered for the neighbourhood plan area in supporting the (emerging) Darlington Borough Local Plan.</p> <p>Policy MSG5: Green Infrastructure</p> <p>Gladman support the delivery and retention of Green Infrastructure. New developments are well placed to provide new and improved areas of Green Infrastructure. This should be recognised in the policy and supported through the other policies in the Neighbourhood Plan.</p>	

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		<p>Gladman further remind the Qualifying Body that it is not the responsibility of the Neighbourhood Plan to determine planning applications and recommend that the Policy Wording is amended to state:</p> <p>“Development proposals which provide the following measures will be supported...”</p> <p>Policy MSG6: Green Wedge</p> <p>The emerging Darlington Borough Local Plan, which is currently consulting on Main Modifications following Examination in Public, does not propose a strategic settlement gap for Middleton St George.</p> <p>As highlighted in the PPG, a draft Neighbourhood Plan must be in general conformity with the strategic policies of the development plan in force if it is to meet the basic conditions^{3 3} Planning Practice Guidance Paragraph: 009 Reference ID: 41-009-20190509. It is also clear the above Policy is drafted to avoid coalescence between Middleton St George and Middleton One Row, Gladman consider that this is a strategic issue that should only be considered through the Local Plan process</p> <p>Furthermore, if the Neighbourhood Plan is to proceed with Policy MSG6 then it must be supported by robust evidence, as set out in the PPG, allowing for flexibility to assess any harm to the visual and functional separation of settlements against the benefits of a development proposal:</p> <p>“A wide range of settlements can play a role in delivering sustainable development in rural areas, so blanket policies restricting housing development in some types of settlement will need to be supported by robust evidence of their appropriateness.”^{4 4} Planning Practice Guidance: Paragraph: 009 Reference ID: 67-009-20190722</p>	

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		<p>The Council have referred to the 2010 Middleton One Row Conservation Area Character Appraisal, before listing two planning applications as evidence to justify Policy MSG6. Firstly, Gladman contend that the Conservation Area Character Appraisal is dated and does not provide robust or up-to-date evidence in which to form the basis of a policy. Furthermore, the justification listed within this document propose the area provides 'key views', yet Gladman propose that this is a subjective issue and is little beyond a 'nice view of the countryside'.</p> <p>Secondly, Gladman refer to the two planning applications; 18/01108/FUL and 18/00275/OUT, detailed by the Parish Council as justification for the Policy. While the Inspector for the Appeal relating to Land east of Middleton Lane, Middleton Lane highlighted the local character and appearance of the local areas as attracting weight within the decision, these were not determinative issues when regarding plan making.</p> <p>While the Council have presented analysis behind Policy MSG6, Gladman contend that the Parish Council have not provided robust evidence supporting the approach taken. Indeed, the policy applies a blanket approach to restricting housing development where a development proposal may be designed in a manner that is able to mitigate against harm to the character and local appearance.</p> <p>Policy MSG8: Local Green Space Policy</p> <p>MSG8 seeks to designate 17 areas as Local Green Spaces (LGS) and therefore protecting them from development due to their local significance or community value.</p> <p>In order to designate land as LGS the Parish Council must be able to demonstrate robust evidence to meet national policy requirements as set out in the Framework. The Framework</p>	

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		<p>makes clear at §101 that the role of local communities seeking to designate land as LGS should be consistent with the local planning of sustainable development</p> <p>“The designation of land as Local Green Space through local and neighbourhood plans allows communities to identify and protect green areas of particular importance to them. Designating land as Local Green Space should be consistent with the local planning of sustainable development and complement investment in sufficient homes, jobs and other essential services. Local Green Spaces should only be designated when a plan is prepared or updated and be capable of enduring beyond the end of the plan period.”</p> <p>Further guidance is provided at §102 of the Framework which sets out three tests that must be met for the designation LGS, stating:</p> <p>The Local Green Space designation should only be used where the green space is:</p> <p>a) in reasonably close proximity to the community it serves; b) 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 field), tranquillity or richness of its wildlife; and c) local in character and is not an extensive tract of land.</p> <p>Gladman contend that the Local Green Space and Protected Open Space – Background Paper does not provide proportionate or robust evidence as required by the PPG to designate such land. Failure to demonstrate how each designation meets the tests set out in §102 is contrary to the requirements of national policy and guidance and is therefore inconsistent with basic condition (a).</p>	

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		<p>The Parish Council is aware that Gladman Developments Ltd. has interests in the site proposed (in this Regulation 16 plan) as of 'LGS11 The Fields Behind The Greenway and north of the railway line'</p> <p>The assessment of LGS 11 is located on page 48 of the 'Local Green Space and Protected Open Space Background Paper' (January 2021). It is considered that the context of the site is ignored during the assessment of the site, particularly when at the time of the assessment there was a planning application awaiting determination and that the site was previously proposed for allocation within the Darlington Local Plan. Indeed, evidence supporting the designation of 'LGS11 The Fields Behind The Greenway and north of the railway line' in the Background Paper provides limited justification for designating the site as LGS. Part 1 of the Background Paper states that the site is of particular local significance as it is 'well used by the local community' and has 'a number of public rights of way cross the site linking to the wider countryside'</p> <p>It is acknowledged that the site has public rights of way (PRoW) crossing it. However, in the illustrative Development Framework Plan submitted in support of application 19/00231/OUT (see Appendix 1) demonstrates that all PRoWs can be accommodated on-site without interruption or diversion. No further supporting evidence or documents demonstrating how the land is used by the community has been provided.</p> <p>Simply because a site has PRoW(s) crossing it or within its 'boundaries', does not mean it meets the requirements for a LGS and nor that development should be refused for this reason. Indeed, on the site immediately north of (proposed) LGS11, there is an outline planning permission for 198 dwellings (15/00976/OUT) and this site has the same (continuation) footpaths crossing it as on LGS11.</p> <p>Additionally, the NPPF makes it clear that LGS designations should not be an extensive tract of land⁵. While there is no set figure for what constitutes an extensive tract of land</p>	

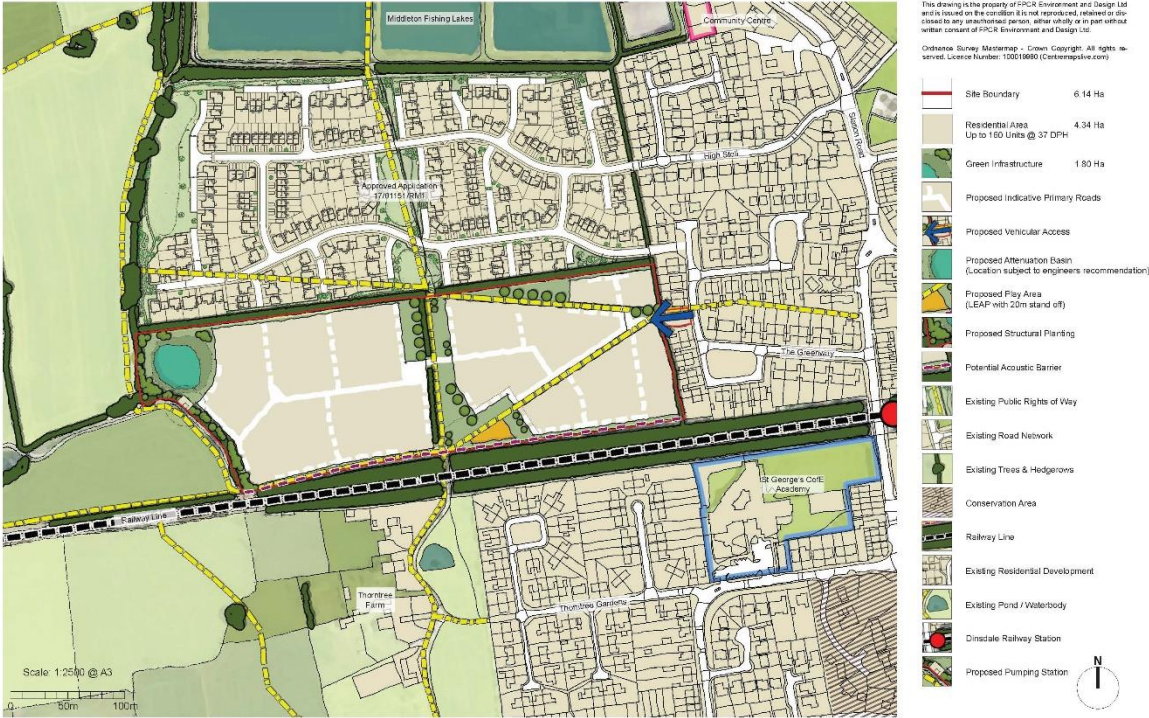
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		<p>there are numerous Examiner’s reports from across the country which hold a consensus that anything greater than 2 hectares fails this test.</p> <p>The Examiner of Backwell Neighbourhood Plan found two proposed LGSs at Farleigh Fields and Moor Lane Field to constitute extensive tracts of land given their respective sizes of 19 and 32 hectares. Accordingly, the Examiner concluded that their proposed LGS designations had failed to show regard to national planning policy and required their removal.</p> <p>Indeed, the following Examiner’s Reports make similar points:</p> <ul style="list-style-type: none"> • The Oakley and Deane NP (Examiner’s Report dated December 2015) – the Examiner concluded that a proposed LGS designation on a site of just over 5 hectares to be contrary to national planning policy. • The Wivelsfield NP (Examiner’s Report dated August 2016) – the Examiner concluded that proposed LGS allocations on sites of 3.6 hectares and 8.6 hectares. The Inspector pointed to PPG paragraph 13 which listed “sports pavilions, boating lakes or structures such as war memorials are located, allotments, or urban spaces that provide a tranquil oasis” as potential LGS allocations. The Inspector stated the areas suggested are notably smaller than the fields promoted in the NP. • The Faringdon NP (Examiner Report dated August 2016) – the Examiner concluded that Humpty Hill at 5.6 hectares on the edge of the town was an extensive tract of land and it was subsequently deleted as a LGS allocation <p>The land proposed to be designated as LGS11 amounts to an overall size of approximately 15 acres, an area significantly greater than figures referred to previously and clearly an extensive tract of land. This proposed designation also would apply a blanket designation of open countryside adjacent to the existing settlement boundary and an approved residential application (15/00976/OUT).</p>	

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		<p>This is compounded by the fact that the site (Reference: 375 'Land south of High Stell') was considered suitable, available and achievable for residential development in the Darlington Borough Council Housing and Employment Land Availability Assessment (HELAA 2017) published in 2018.</p> <p>Additionally, in the Regulation 18 Darlington Local Plan (June 2018) the site was proposed for residential development with an indicative yield of 100 dwellings.</p> <p>While, the site allocation is no longer included within the Local Plan, there is no further evidence which changes the assessment of the site and therefore can still be considered suitable for residential development. Indeed, the emerging Local Plan process has not considered, nor assessed the site for LGS purposes further demonstrating inconsistencies with Basic Condition (e).</p> <p>Furthermore, the Darlington Borough Council's Planning Policy Consultation Response stated that,</p> <p>"It is considered that residential development on this site would not have a significant impact on the character and appearance of the countryside."6 6 19/00231/OUT CONSULTATION RESPONSE - PLANNING POLICY OFFICER: https://publicaccess.darlington.gov.uk/online-applications/files/AE9DD1748D34B7C724834FF0086E00EA/19_00231_OUTCONSULTATION_RESPONSE_-_PLANNING_POLICY_OFFICER-1596544.docx</p> <p>Finally, the Middleton St George Neighbourhood Plan: Settlement Boundary Background Paper states:</p> <p>"Previous parish council responses to the pending application for the development of site 375 illustrate that there are significant access and highway infrastructure capacity issues.</p>	

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		<p>The proposed access to the site is not within the same ownership and would only be able to be provided at this point if number 20A The Greenway was purchased and demolished. It is also considered that the proposed access route does not and could not meet the council's highway standards in terms of width of road to be provided and the provision of the required footpaths. Traffic survey data illustrates that the development of the site could cause result in significant highway safety issues."</p> <p>At the time of the assessment, which was published alongside the Regulation 14 consultation, Gladman's planning application to Darlington Borough Council, registered under reference 19/00231/OUT, did not have any highways objections relating to highways infrastructure or capacity. It is considered that the Parish Council predetermined the outcome of the planning application and development management process.</p> <p>The decision notice and delegated report highlight that the Tees Valley Highway Design Guidance specifies a carriageway width of 5.5m would be suitable to serve up to 300 dwellings. However, despite the existing internal highways of Grendon Gardens/The Greenway being only 5.4m it was considered that this makes little material difference in terms of highways safety. This contradicts comments highlighted in the Middleton St George Neighbourhood Plan: Settlement Boundary Background Paper.</p> <p>Therefore, Gladman assert that no robust or proportionate evidence has been provided alongside the draft Neighbourhood Plan which justifies the designation of LGS11 or any of the proposed LGS designations. Middleton St. George Neighbourhood Plan is consequently inconsistent with basic condition (a).</p> <p>Policy MSG10: Heritage Assets</p>	

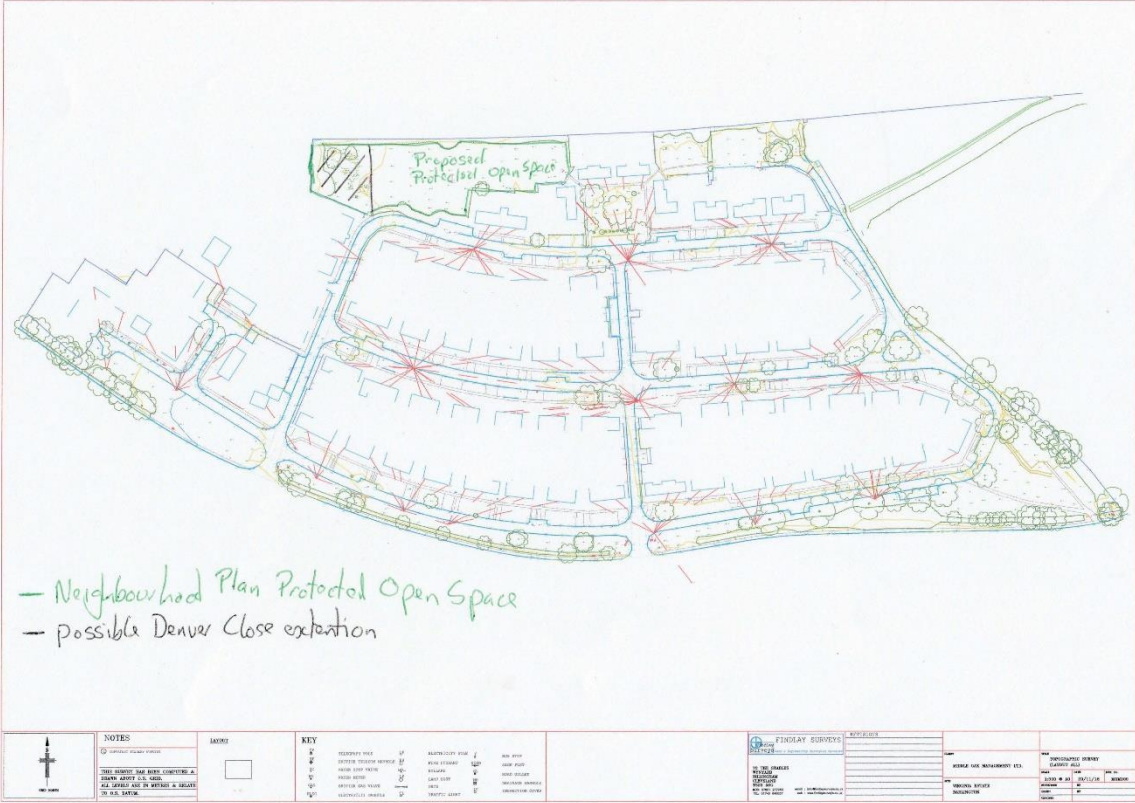
Respondent	Organisation (if applicable)	Comments	Wish to be informed of decision under Regulation 19
		<p>Gladman highlight that it is the sole responsibility of the Local Planning Authority to determine planning applications. Therefore, it is advised that the policy is deleted or that policy wording is amended to provide more suitable terminology.</p> <p>Policy MSG11: Housing Mix</p> <p>Gladman are supportive of the flexibility contained within Policy MSG11 to ensure that the policy can remain up to date throughout the plan period.</p> <p>Policy MSG11 has regard to the Middleton St George Housing Needs Assessment (2020) and the Darlington Strategic Housing Market Assessment (2017) and any subsequent updates. However, Gladman recommend that reference is also given to the adopted development plan.</p> <p>Policy MSG12: Affordable Housing</p> <p>The above attempts to support the provision of affordable housing in Middleton St George and states that,</p> <p>“All new residential development that contain ten or more open market residential dwellings or are on sites of 0.5 hectares or more, will be required to contribute to the provision of affordable housing.”</p> <p>Gladman assert that as currently drafted the policy is more restrictive than the emerging Darlington Borough Local Plan which concluded the Regulation 19 consultation in September 2020. Policy H5 of the Darlington Local Plan Regulation 19 version states, “...the provision of affordable housing will be expected in residential development schemes of 10 or more dwellings...”.</p>	

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		<p>Gladman recommend that the policies within the MSGNP are sufficiently aligned with the strategic policies of the emerging Local Plan, to avoid risk of the MSGNP failing at examination or ultimately superseded by s38(5) of the Planning and Compulsory Purchase Act 2004.</p> <p>CONCLUSIONS</p> <p>Summary</p> <p>Gladman welcomes the opportunity to comment on the Middleton St George Neighbourhood Plan Regulation 16 consultation. These representations have been drafted with reference to the revised National Planning Policy Framework (NPPF2019) and the associated updates that were made to Planning Practice Guidance.</p> <p>Gladman have provided comments on a number of the issues that have been identified in the Council’s consultation material and recommend that the matters raised are carefully explored during the process of undertaking the Neighbourhood Plan development. It is considered that the Steering Group have failed to acknowledge the concerns and issues highlighted through previous consultation periods and that at present the Middleton St George Neighbourhood Plan Regulation 16 version fails to meet the basic conditions. Gladman have highlighted a number of concerns within this representation which must be considered and addressed prior to the Plan being submitted to Darlington Borough Council ahead of Independent Examination.</p> <p>We hope you have found these representations informative and useful towards the preparation of the Neighbourhood Plan and Gladman welcome any future engagement with the Council to discuss the considerations within forwarded documents.</p> <p>APPENDICES</p>	

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		<p>Appendix 1: Development Framework Plan for application 19/00231/OUT</p>  <p>Scale: 1:2500 @ A3</p> <p>0 50m 100m</p> <p>© Crown Copyright. All rights reserved. Licence Number: 100018060 (Ordnance Survey)</p> <p>This drawing is the property of PPCR Environment and Design Ltd and is issued on the condition it is not reproduced, stored or disclosed to any unauthorised person, either wholly or in part without written consent of PPCR Environment and Design Ltd.</p> <p>Ordnance Survey Mastermap - Crown Copyright. All rights reserved. Licence Number: 100018060 (Ordnance Survey)</p> <p>Site Boundary 6.14 Ha Residential Areas Up to 160 Units @ 37 DPH 4.34 Ha Green Infrastructure 1.80 Ha Proposed Indicative Primary Roads Proposed Vehicular Access Proposed Attenuation Basin (Location subject to engineers recommendation) Proposed Play Area (LEAP with 20m stand off) Proposed Structural Planting Potential Acoustic Barrier Existing Public Rights of Way Existing Road Network Existing Trees & Hedgerows Conservation Area Railway Line Existing Residential Development Existing Pond / Waterbody Dinsdale Railway Station Proposed Pumping Station</p> <p>Gladman Developments Land West of The Greenway Middleton St George</p> <p>DEVELOPMENT FRAMEWORK</p> <p>16 November 2019 10:00 AM 8242-L-03 - F</p>	

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Henry Cumbers, Historic Environment Planning Advisor	Historic England	<p>Neighbourhood Planning (General) Regulations 2012: Regulation 16 Middleton St George Neighbourhood Plan: Publication Draft, September 2021</p> <p>Thank you for consulting Historic England on the publication draft of the above neighbourhood plan. As the public body that advises on England’s historic environment, we are pleased to offer our comments.</p> <p>Historic England made a number of comments in relation to the pre-submission draft plan, in November 2020. We are pleased that these have been taken into account and we have no further comments to make.</p> <p>Thank you once again for the opportunity to comment. I hope our comments will be useful. Please contact me should you require any clarification.</p>	Not stated.
Bill Pike	Middle Oak Management	<p>We welcome the revision of the Virginia Estate designation from all existing area of open space being Local Green Space to a Protected Area designation for the planning field. However, we would like to see the area covered reduced to the levelled, grassed and maintained area, thus enabling the extension of Denver Close with additional accessible bungalows in the future.</p> <p>Throughout the Neighbourhood Plan process the problem for MOM Ltd has been the lack of engagement from the Parish Council’s Consultant or the Parish Council itself. Again, the above amendments and adding “Working with Middle Oak Management Lt to identify community wildlife projects” on a community circulated document appeared with no contact from the Parish Council’s Consultant or the Parish Council itself. What the thinking behind this?</p> <p>Had there been an approach the many mistakes and lack of awareness in the original document could have been avoided and a protected area of the playing field agreed.</p>	Not stated.

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		<p>How should we approach seek to reduce the protected open space area to just the levelled grassed part?</p> <p>Sorry, this is a bit last minute. Attached estate drawing showing proposed protected space and the area we would like excluded to enable extension of Denver Drive bungalows in the future. We will accept either the current or amended proposals.</p>	

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		 <p>Proposed Protected Open Space</p> <p>— Neighbourhood Plan Protected Open Space — possible Denver Close extension</p>	
Matt Verlander, Director	National Grid (Avison Young)	Middleton St George Neighbourhood Plan Neighbourhood Plan Regulation 16 Consultation September – November 2021 Representations on behalf of National Grid	Not stated.

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		<p>National Grid has appointed Avison Young to review and respond to Neighbourhood Plan consultations on its behalf. We are instructed by our client to submit the following representation with regard to the current consultation on the above document.</p> <p>About National Grid National Grid Electricity Transmission plc (NGET) owns and maintains the electricity transmission system in England and Wales. The energy is then distributed to the electricity distribution network operators across England, Wales and Scotland.</p> <p>National Grid Gas plc (NGG) owns and operates the high-pressure gas transmission system across the UK. In the UK, gas leaves the transmission system and enters the UK's four gas distribution networks where pressure is reduced for public use.</p> <p>National Grid Ventures (NGV) is separate from National Grid's core regulated businesses. NGV develop, operate and invest in energy projects, technologies, and partnerships to help accelerate the development of a clean energy future for consumers across the UK, Europe and the United States.</p> <p>Proposed development sites crossed or in close proximity to National Grid assets: An assessment has been carried out with respect to National Grid's electricity and gas transmission assets which include high voltage electricity assets and high-pressure gas pipelines.</p> <p>National Grid has identified that it has no record of such assets within the Neighbourhood Plan area.</p> <p>National Grid provides information in relation to its assets at the website below.</p> <ul style="list-style-type: none"> • www2.nationalgrid.com/uk/services/land-and-development/planning-authority/shape-files 	

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		<p>Please also see attached information outlining guidance on development close to National Grid infrastructure.</p> <p>Distribution Networks Information regarding the electricity distribution network is available at the website below: www.energynetworks.org.uk</p> <p>Information regarding the gas distribution network is available by contacting: plantprotection@cadentgas.com</p> <p>Further Advice Please remember to consult National Grid on any Neighbourhood Plan Documents or site-specific proposals that could affect our assets. We would be grateful if you could add our details shown below to your consultation database, if not already included:</p> <p>Matt Verlander, Director nationalgrid.uk@avisonyoung.com Avison Young Central Square South Orchard Street Newcastle upon Tyne NE1 3AZ</p> <p>Spencer Jefferies, Town Planner box.landandacquisitions@nationalgrid.com National Grid National Grid House Warwick Technology Park</p>	

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		<p>Gallows Hill Warwick, CV34 6DA</p> <p>If you require any further information in respect of this letter, then please contact us.</p> <p>Guidance on development near National Grid assets National Grid is able to provide advice and guidance to the Council concerning their networks and encourages high quality and well-planned development in the vicinity of its assets.</p> <p>Electricity assets Developers of sites crossed or in close proximity to National Grid assets should be aware that it is National Grid policy to retain existing overhead lines in-situ, though it recognises that there may be exceptional circumstances that would justify the request where, for example, the proposal is of regional or national importance.</p> <p>National Grid's 'Guidelines for Development near pylons and high voltage overhead power lines' promote the successful development of sites crossed by existing overhead lines and the creation of well-designed places. The guidelines demonstrate that a creative design approach can minimise the impact of overhead lines whilst promoting a quality environment. The guidelines can be downloaded here: https://www.nationalgridet.com/document/130626/download</p> <p>The statutory safety clearances between overhead lines, the ground, and built structures must not be infringed. Where changes are proposed to ground levels beneath an existing line then it is important that changes in ground levels do not result in safety clearances being infringed. National Grid can, on request, provide to developers detailed line profile drawings that detail the height of conductors, above ordnance datum, at a specific site.</p>	

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		<p>National Grid's statutory safety clearances are detailed in their 'Guidelines when working near National Grid Electricity Transmission assets', which can be downloaded here: www.nationalgridet.com/network-and-assets/working-near-our-assets</p> <p>Gas assets High-Pressure Gas Pipelines form an essential part of the national gas transmission system and National Grid's approach is always to seek to leave their existing transmission pipelines in situ. Contact should be made with the Health and Safety Executive (HSE) in respect of sites affected by High-Pressure Gas Pipelines.</p> <p>National Grid have land rights for each asset which prevents the erection of permanent/ temporary buildings, or structures, changes to existing ground levels, storage of materials etc. Additionally, written permission will be required before any works commence within the National Grid's 12.2m building proximity distance, and a deed of consent is required for any crossing of the easement.</p> <p>National Grid's 'Guidelines when working near National Grid Gas assets' can be downloaded here: www.nationalgridgas.com/land-and-assets/working-near-our-assets</p> <p>How to contact National Grid If you require any further information in relation to the above and/or if you would like to check if National Grid's transmission networks may be affected by a proposed development, please contact:</p> <p>National Grid's Plant Protection team: plantprotection@nationalgrid.com</p> <p>Cadent Plant Protection Team Block 1 Brick Kiln Street</p>	

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		<p>Hinckley LE10 0NA 0800 688 588</p> <p>or visit the website: https://www.beforeyoudig.cadentgas.com/login.aspx</p>	
Cameron Chandler	Natural England	<p>Middleton St. George Neighbourhood Plan Submission Draft: Regulation 16 consultation</p> <p>Thank you for your consultation on the above dated 29 September 2021 .</p> <p>Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.</p> <p>Natural England is a statutory consultee in neighbourhood planning and must be consulted on draft neighbourhood development plans by the Parish/Town Councils or Neighbourhood Forums where they consider our interests would be affected by the proposals made.</p> <p>Natural England do not have any objections to the Middleton St. George Neighbourhood Development Plan, and generally welcome and support its environmental aspirations.</p> <p>Policy MSG7: Biodiversity – In our previous consultation response to the Middleton St. George Neighbourhood Plan, dated 15th October 2020, we provided comments in regards to Policy MSG7:Biodiversity. Since then, we welcome that these comments have been incorporated into the submission draft of the plan, with the specific reference which outlines how proposals should ‘demonstrate how a minimum of 10% biodiversity net gains will be achieved’.</p>	Not stated.

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		<p>Natural England does not have any further specific comments on this draft neighbourhood plan.</p> <p>The lack of further comment from Natural England should not be interpreted as a statement that there are no impacts on the natural environment. Other bodies and individuals may wish to make comments that might help the Local Planning Authority (LPA) to fully take account of any environmental risks and opportunities relating to this document.</p> <p>If you disagree with our assessment of this proposal as low risk, or should the proposal be amended in a way which significantly affects its impact on the natural environment, then in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, please consult Natural England again.</p> <p>However, we refer you to the attached annex which covers the issues and opportunities that should be considered when preparing a Neighbourhood Plan.</p> <p>For any further consultations on your plan, please contact: consultations@naturalengland.org.uk.</p> <p>Annex 1 - Neighbourhood planning and the natural environment: information, issues and opportunities</p> <p>Natural environment information sources</p> <p>The Magic1 1 http://magic.defra.gov.uk/ website will provide you with much of the nationally held natural environment data for your plan area. The most relevant layers for you to consider are: Agricultural Land Classification, Ancient Woodland, Areas of Outstanding Natural Beauty, Local Nature Reserves, National Parks (England), National Trails, Priority Habitat Inventory, public rights of way (on the Ordnance Survey base map) and Sites of</p>	

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		<p>Special Scientific Interest (including their impact risk zones). Local environmental record centres may hold a range of additional information on the natural environment. A list of local record centres is available here²² http://www.nbn-nfbr.org.uk/nfbr.php</p> <p>Priority habitats are those habitats of particular importance for nature conservation, and the list of them can be found here³³ http://webarchive.nationalarchives.gov.uk/20140711133551/http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habsandspeciesimportance.aspx. Most of these will be mapped either as Sites of Special Scientific Interest, on the Magic website or as Local Wildlife Sites. Your local planning authority should be able to supply you with the locations of Local Wildlife Sites.</p> <p>National Character Areas (NCAs) divide England into 159 distinct natural areas. Each character area is defined by a unique combination of landscape, biodiversity, geodiversity and cultural and economic activity. NCA profiles contain descriptions of the area and statements of environmental opportunity, which may be useful to inform proposals in your plan. NCA information can be found here⁴⁴ https://www.gov.uk/government/publications/national-character-area-profiles-data-for-local-decision-making</p> <p>There may also be a local landscape character assessment covering your area. This is a tool to help understand the character and local distinctiveness of the landscape and identify the features that give it a sense of place. It can help to inform, plan and manage change in the area. Your local planning authority should be able to help you access these if you can't find them online.</p> <p>If your neighbourhood planning area is within or adjacent to a National Park or Area of Outstanding Natural Beauty (AONB), the relevant National Park/AONB Management Plan for the area will set out useful information about the protected landscape. You can access</p>	

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		<p>the plans on from the relevant National Park Authority or Area of Outstanding Natural Beauty website.</p> <p>General mapped information on soil types and Agricultural Land Classification is available (under 'landscape') on the Magic5 5 http://magic.defra.gov.uk/ website and also from the LandIS website6 6 http://www.landis.org.uk/index.cfm , which contains more information about obtaining soil data.</p> <p>Natural environment issues to consider The National Planning Policy Framework7 7 https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/807247/NPPF_Feb_2019_revised.pdf sets out national planning policy on protecting and enhancing the natural environment. Planning Practice Guidance8 8 http://planningguidance.planningportal.gov.uk/blog/guidance/natural-environment/ sets out supporting guidance. Your local planning authority should be able to provide you with further advice on the potential impacts of your plan or order on the natural environment and the need for any environmental assessments.</p> <p>Landscape Your plans or orders may present opportunities to protect and enhance locally valued landscapes. You may want to consider identifying distinctive local landscape features or characteristics such as ponds, woodland or dry stone walls and think about how any new development proposals can respect and enhance local landscape character and distinctiveness.</p> <p>If you are proposing development within or close to a protected landscape (National Park or Area of Outstanding Natural Beauty) or other sensitive location, we recommend that you carry out a landscape assessment of the proposal. Landscape assessments can help you to choose the most appropriate sites for development and help to avoid or minimise impacts of development on the landscape through careful siting, design and landscaping.</p>	

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		<p>Wildlife habitats Some proposals can have adverse impacts on designated wildlife sites or other priority habitats (listed here⁹ http://webarchive.nationalarchives.gov.uk/20140711133551/http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habsandspeciesimportance.aspx), such as Sites of Special Scientific Interest or Ancient woodland¹⁰ https://www.gov.uk/guidance/ancient-woodland-and-veteran-trees-protection-surveys-licences. If there are likely to be any adverse impacts you'll need to think about how such impacts can be avoided, mitigated or, as a last resort, compensated for.</p> <p>Priority and protected species You'll also want to consider whether any proposals might affect priority species (listed here¹¹ http://webarchive.nationalarchives.gov.uk/20140711133551/http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habsandspeciesimportance.aspx) or protected species. To help you do this, Natural England has produced advice here¹² https://www.gov.uk/protected-species-and-sites-how-to-review-planning-proposals to help understand the impact of particular developments on protected species.</p> <p>Best and Most Versatile Agricultural Land Soil is a finite resource that fulfils many important functions and services for society. It is a growing medium for food, timber and other crops, a store for carbon and water, a reservoir of biodiversity and a buffer against pollution. If you are proposing development, you should seek to use areas of poorer quality agricultural land in preference to that of a higher quality in line with National Planning Policy Framework para 171. For more information, see our publication Agricultural Land Classification: protecting the best and most versatile agricultural land¹³ http://publications.naturalengland.org.uk/publication/35012.</p> <p>Improving your natural environment</p>	

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		<p>Your plan or order can offer exciting opportunities to enhance your local environment. If you are setting out policies on new development or proposing sites for development, you may wish to consider identifying what environmental features you want to be retained or enhanced or new features you would like to see created as part of any new development. Examples might include:</p> <ul style="list-style-type: none"> • Providing a new footpath through the new development to link into existing rights of way. • Restoring a neglected hedgerow. • Creating a new pond as an attractive feature on the site. • Planting trees characteristic to the local area to make a positive contribution to the local landscape. • Using native plants in landscaping schemes for better nectar and seed sources for bees and birds. • Incorporating swift boxes or bat boxes into the design of new buildings. • Think about how lighting can be best managed to encourage wildlife. • Adding a green roof to new buildings. <p>You may also want to consider enhancing your local area in other ways, for example by:</p> <ul style="list-style-type: none"> • Setting out in your plan how you would like to implement elements of a wider Green Infrastructure Strategy (if one exists) in your community. • Assessing needs for accessible greenspace and setting out proposals to address any deficiencies or enhance provision. • Identifying green areas of particular importance for special protection through Local Green Space designation (see Planning Practice Guidance on this 14 14 http://planningguidance.planningportal.gov.uk/blog/guidance/open-space-sports-and-recreation-facilities-public-rights-ofway-and-local-green-space/local-green-space-designation). • Managing existing (and new) public spaces to be more wildlife friendly (e.g. by sowing wild flower strips in less used parts of parks, changing hedge cutting timings and frequency). 	

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		<ul style="list-style-type: none"> • Planting additional street trees. • Identifying any improvements to the existing public right of way network, e.g. cutting back hedges, improving the surface, clearing litter or installing kissing gates) or extending the network to create missing links. • Restoring neglected environmental features (e.g. coppicing a prominent hedge that is in poor condition, or clearing away an eyesore). 	
Michelle Saunders, Senior Policy Officer	North Yorkshire County Council	<p>Thank you for consulting North Yorkshire County Council (NYCC) on the Draft Middleton St. George Neighbourhood Plan.</p> <p>NYCC is and an adjoining authority and its principle interest relate to cross-boundary strategic issues. I can confirm that NYCC internal service areas have reviewed the consultation and have no observations to make on the Plan.</p>	Not stated.
Alan Pallister		<p>Thank you for the information on the plan documents. I was born in Middleton St. George (Station Road) nearly 90 years ago, but don't hold that out as giving me any precedence in present day planning!</p> <p>However, looking at the current neighbourhood plan, one potential area which is relevant to Station Road, does cause me concern.</p> <p>All of the land to the east of Station Road has had its former industrial landscape replaced with good effect by modern day development. The situation on the west is different, where agricultural land provides a break between the houses emanating from the industrial era and the water park, which is itself a prominent feature.</p> <p>It also provides a pleasant gateway to further afield walking routes, much appreciated by those accompanied by children, dogs or any old legs like mine!</p> <p>Not least is the fact that the Roman Road runs parallel with Station Road beneath the grassland separating it from the water park.</p>	Not stated.

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		If approval is being sought for large scale development of the area, I would on the foregoing grounds recommend that it be refused.	
Mark Stratford		<p>Please find my comments concerning the above draft plan.</p> <p>I agree with the Plan In particular, the settlement boundary and the proposed designated Local Green Spaces (LGS) and Protected Open Spaces (POS). A couple of areas that need to be classified please are as follows.</p> <ol style="list-style-type: none"> 1. Field at the back of Almora hall that goes west across to Roman road field path, bordered by new housing to the north 2. Field to the south of this one above that is accessed by an alleyway off Church lane and bordered by Almora hall, houses on Hunters green and continuation of Roman road on to Church lane. 3. <p>I believe both of the above fields should be classified as POS as they provide a valuable amenity, have foot paths and most importantly continue the east west green split between Middleton st George and Middleton one row</p> <p>Please review the above comments and let me have any response.</p>	Not stated.
Hannah Richins, Strategic Planner	Story Homes	<p>Introduction</p> <p>The following representations have been made by Story Homes in relation to the Middleton St George Neighbourhood Plan Submission draft ('the Neighbourhood Plan').</p>	Not stated.

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		<p>These representations are made in the context of Story Homes' land interests in Middleton St George, Land at Station Road, which extends to approximately 13.9 hectares. The Middleton St George Parish Council should be aware of Story Homes interests within the settlement given our involvement with the development at Paddocks View and also the live planning application relating to Land at Station Road (application reference: 21/00529/FUL).</p> <p>Story Homes have previously been involved in the preparation of the Middleton St George Neighbourhood Plan and have submitted representations to the Pre-Submission Version Neighborhood Plan consultation held in November 2020. Story Homes are committed to active engagement in the plan making process wherever it is suitable and relevant to do so. It is noted that involvement at this stage is of importance given that the emerging Darlington Local Plan has now been submitted to the Secretary of State, the Examination hearings have now taken place and the Main Modifications consultation is currently underway. As such, this Neighbourhood Plan should be made in accordance with said emerging Local Plan and should not be made prematurely.</p> <p>Story Homes is generally supportive of the proposals set out in the Submission draft Neighbourhood Plan, we do, however, have some concerns relating to the content of the Neighbourhood Plan and supporting documents. These representations seek to clearly outline said concerns and recommendations to align the Neighbourhood Plan with adopted National policy. Story Homes would also like to ensure that the Neighbourhood Plan is produced in an appropriate manner which aligns with the emerging Darlington Local Plan given the stage the plan preparation is at (Main Modifications).</p> <p>It should be noted that for a Neighbourhood Plan to be put to a referendum, and subsequently made, it needs to meet all of the basic conditions set out in paragraph 8(2) of Schedule 4b of the Town and Country Planning Act 1990, this is then applied to Neighbourhood Plans through section 38(a) of the Planning and Compulsory Purchase Act 2004. These basic conditions are set out below:</p>	

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		<p>a) having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the order,</p> <p>b) having special regard to the desirability of preserving any listed building or its setting or any features of special architectural or historic interest that it possesses, it is appropriate to make the order,</p> <p>c) having special regard to the desirability of preserving or enhancing the character or appearance of any conservation area, it is appropriate to make the order,</p> <p>d) the making of the order contributes to the achievement of sustainable development,</p> <p>e) the making of the order is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area),</p> <p>f) the making of the order does not breach, and is otherwise compatible with, EU obligations, and</p> <p>g) prescribed conditions are met in relation to the order and prescribed matters have been complied with in connection with the proposal for the order.</p> <p>These representations will frame our concerns around the basic conditions set out above, making recommendations for improvements or deletions where deemed necessary.</p> <p>Story Homes appreciated the opportunity to provide representations to this consultation and reserves the right to comment on any additional versions of the Middleton St George Neighbourhood Plan and evidence base documents.</p> <p>Draft Policy MSG2:Design Story Homes have previously made comments on Policy MSG2: Design relating to the potential duplication of guidance between the draft Neighbourhood Plan and the adopted Design of New Development Supplementary Planning Document (July 2011). Whilst Story Homes are pleased to see that some small amendments have been made to this policy to</p>	

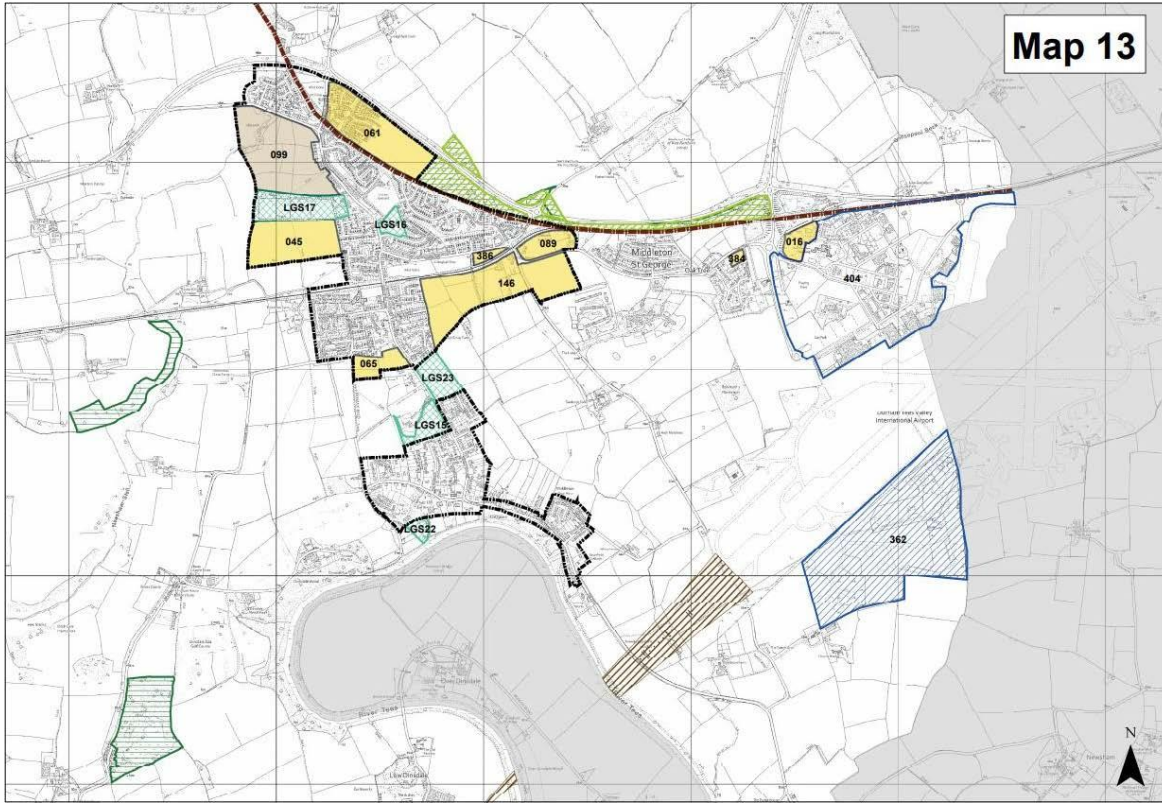
Respondent	Organisation (if applicable)	Comments	Wish to be informed of decision under Regulation 19
		<p>allow for greater flexibility when bringing forward high-quality new development, it is frustrating to see that our comments have not been incorporated.</p> <p>As a starting point, and as noted in our previous representations, Story Homes aligns with the Neighbourhood Plan in its suggestion that future development should priorities high-quality design which respects and enhances local character and identity. Story Homes shares these values and seeks to incorporate visual distinctiveness and local character where possible and where appropriate. Which can be seen at our Paddocks View development.</p> <p>Story Homes reiterates its concerns over the inclusion of a Design Code within the Neighbourhood Plan as an appendix to the document. As noted in our previous representation, Darlington Borough Council currently have an adopted Design SPD; Design of New Development Supplementary Planning Document (adopted July 2011). At the time of submission of these representation, November 2020, it was considered that the Borough Council would be updating this SPD with the view to releasing an updated version Summer 2021. An updated version of this document has not yet been released, due to the impacts of COVID-19 on the SPD's preparation.</p> <p>Notwithstanding this, Story Homes overarching concerns as to the potential duplication of designrelated guidance remains. In the opinion of Story Homes, the adopted Design SPD sufficiently provides guidance as to the design characteristics of Middleton St George and the ways in which it is to be respected and enhanced through future development. Story Homes considers it unnecessary for the two sets of design guidance to exist and notes that it will cause confusion and unduly delay within the decision-making process for any future planning applications made in Middleton St George.</p> <p>Story Homes is of the view that the Neighbourhood Plan should reference the Darlington Council Design of New Development SPD, as opposed to the Design Code attached to the</p>	

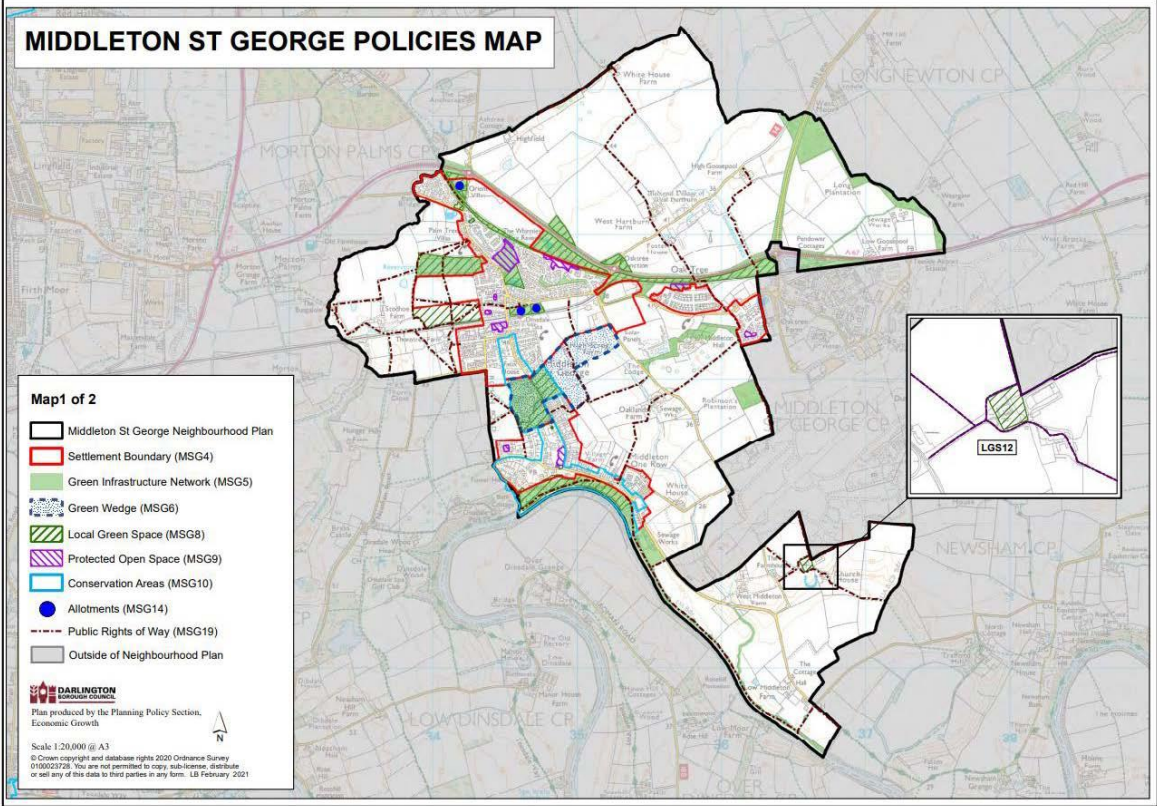
Respondent	Organisation (if applicable)	Comments	Wish to be informed of decision under Regulation 19
		<p>Neighbourhood Plan. However, there remains the issue of timescales even if the Councils SPD is referenced. Given that the Neighbourhood Plan is at an advanced stage and the review of the SPD is yet to take place, there is a risk that the Neighbourhood Plan could be considered out-of-date when this SPD is updated. Story Homes would encourage the Neighbourhood Plan Group to align more closely with the Councils Local Plan and Supplementary Planning Documents preparation in order to avoid this risk.</p> <p>Basic Conditions Test:</p> <p>Story Homes considers that the Neighbourhood Plan fails to meet the basic conditions test because:</p> <p>d) the making of the order contributes to the achievement of sustainable development: The Design Code appended to the Neighbourhood Plan does not provide any substantial additional guidance which is not already included within both the Neighbourhood Plan and the adopted Design of New Development Design SPD (July 2011). The Design Guide, in its current form, does not meet basic conditions test, it will not enable a more sustainable form of development which responds to local character to come forward, than would have been brought forward under adopted policy.</p> <p>Recommendation: It is considered preferable for the Design Code to be omitted from the Neighbourhood Plan, however, if the Parish Council think it necessary to retain there should be a deletion of repetitive policies across both the Neighbourhood Plan and the Design Code. There should also be more detailed consideration given to the matters dealt with in the already adopted Design SPD to ensure repetition is avoided. Any detailed design policies included within the Neighbourhood Plan Design Code should be suitably evidenced so as to not compromise the effectiveness of the Neighbourhood Plan.</p> <p>Draft Policy MSG3: Embedding Energy Efficiency and Renewable Energy</p>	

Respondent	Organisation (if applicable)	Comments	Wish to be informed of decision under Regulation 19
		<p>As noted within the previous representations, Story Homes supports the Parish Council in their focus upon sustainable development and renewable technologies. The importance of sustainability was a key theme at the Darlington Local Plan Examination, and it is clear that this should be threaded into Neighbourhood Plans where possible.</p> <p>Story Homes welcomes the amendments made by the Neighbourhood Plan Group in amending the wording in subsection d:</p> <p>“Aims to meet the Building Research Establishment BREEAM building standard ‘excellent’ or equivalent standard, where the proposal is for non-residential development <u>appropriate technical standards;</u>”</p> <p>The amendments to Policy MSG3 reflect the concerns raised in our previous representations regarding the potential duplication and misalignment between the requirements of Building regulations and that contained within the Neighbourhood Plan.</p> <p>Story Homes ensure that all development is not only compliant with Building Regulation standards on energy efficiency but seeks to exceed this where possible. We seek to enhance and protect the environment through the efficient use of materials, energy and water. In addition, we also ensure a reduction in waste and can demonstrate high percentages of construction material being diverted from landfill.</p> <p>Recommendation: Story Homes supports the amendment to Policy MSG3.</p> <p>Draft Policy MSG4: General Location of New Development</p>	

Respondent	Organisation (if applicable)	Comments	Wish to be informed of decision under Regulation 19
		<p>Story Homes have previously raised concern with Policy MSG4 and the fact that the Neighbourhood Plan does not align or accord with the proposed allocations and disaggregation of growth made in the emerging Darlington Local Plan.</p> <p>At the time of submitting our previous representations to the pre-Submission Draft Neighbourhood Plan, the Darlington Local Plan was due to be submitted for independent examination to the Secretary of State. The Local Plan has now been submitted and the Examination Hearings have been held. The Local Plan is currently out for Main Modifications consultation until the end of November 2021. Story Homes considers that the weight to be afforded the emerging Local Plan is arguably more significant from when the pre-Submission draft Neighbourhood Plan was released 12 months ago. As such, the proposed allocations for Middleton St George should be reflected within the Neighbourhood Plan.</p> <p>It is concerning that the Neighbourhood Plan, nor the associated Policies Map, depicts the draft allocations which have been suggested through the emerging Local Plan. Given the Darlington Local Plan is currently at Main Modifications stage and participants have had the benefit of an Interim Position letter from the Inspector (made publicly available), Story Homes considers it appropriate for these sites to be included within the Neighbourhood Plan in order to align with the wider Development Plan. As seen within the Local Plan Inspectors Interim Note, there are no proposed modifications to the draft allocations in Middleton St George, nor the settlement boundary itself. As such Story Homes encourages the Neighbourhood Plan Group to align as close as possible to the emerging Darlington Local Plan.</p> <p>As noted within our previous submissions and remains true in the Submission Version of the Neighbourhood Plan, the Development Limits shown on both the Neighbourhood Plan Policy Map and the emerging Local Plan Policy map do not align. It is concerning that within the Neighbourhood Plan the Development Limit follows the pattern of built development</p>	

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		<p>around the settlement, with an inclusion of permitted development. Whereas the emerging Local Plan includes the emerging allocations within the Development Limit. Story Homes considers that the two documents should align, with the Neighbourhood Plan taking lead from the emerging Local Plan.</p> <p>It should also be noted that through the Middleton St George Neighbourhood Plan Settlement Boundary Background Paper (January 2021) the site within Story Homes control, Land at Station Road (ref: site 99) is still stated as being constrained by flood risk, access, infrastructure and heritage (paragraph 4.10).</p> <p>Story Homes have previously disagreed with this assessment and continue to reiterate this point. The assumptions made within the Settlement Boundary Background Paper does not reflect the technical work undertaken by Story Homes nor does it reflect the conclusions reached by Darlington Borough Council in assessing the site for residential development. Land at Station Road is being brought forward as a draft allocation through the emerging Darlington Local Plan and is considered to be suitable, sustainable and deliverable for residential development. The Settlement Boundary Background Paper is clearly incorrect in its conclusions and as such cannot be relied upon as part of the evidence base documents for the Submission Version Neighbourhood Plan. Once again, Story Homes considers that the evidence base presented by the Neighbourhood Plan Group is flawed and inconsistent with that produced by Darlington Borough Council. Story Homes encourages the Neighbourhood Plan to align with the emerging Local Plan on its assessment of spatial disaggregation and suitability of allocated sites.</p>	

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		<p>Figure 1.1 Darlington Local Plan Submission Draft Policies Map p.14</p> 	

Respondent	Organisation (if applicable)	Comments	Wish to be informed of decision under Regulation 19
		<p>Figure 1.2 Middleton St George Neighbourhood Plan Pre-Submission Draft Policy Map 2</p> 	

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		<p>There remains a clear discord between the Submission Version Neighbourhood Plan and the emerging Darlington Local Plan. Either the Neighbourhood Plan is based upon a previous version of the emerging Local Plan, or the Neighbourhood Plan do not wish to acknowledge the emerging allocations made within the settlement. Both of these indicate that the Neighbourhood Plan fails to meet basic condition (e) and guidance contained within the Planning Practice guidance (PPG) at paragraph 74 (Reference ID: 41-074-20140306). This is set out clearly below.</p> <p>There is a clear risk to the Neighbourhood plan that in refusing to align with the emerging Darlington Local Plan that the Neighbourhood Plan will be rendered obsolete at the time of adoption of the Darlington Local Plan. This will significantly limit the weight which can be attributed to the Neighbourhood Plan in decision making. In order to avoid this, Story Homes encourages the Neighbourhood Plan Group to align with the emerging Darlington Local Plan both in content and production timescales.</p> <p>Basic Conditions Test: Story Homes considers that the Neighbourhood Plan fails to meet the basic conditions test because:</p> <p>e) the making of the order is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area):</p> <p>The Policies map could undermine the effectiveness of housing allocations as made in the emerging Darlington Local Plan, this may then have a negative effect on housing delivery within the settlement and Borough.</p> <p>Recommendation: In order to ensure that the Neighbourhood Plan can continue to referendum, and aligns with the basic conditions, it should be updated to reflect the policies made in the Submission draft Darlington Local Plan. This includes the methodology and</p>	

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		<p>analysis of allocations made in the settlement. Land at Station Road is considered suitable, sustainable and deliverable as proven through its draft allocation within the emerging Darlington Local Plan.</p> <p>In addition to this, Story Homes also implore the Neighbourhood Plan Group to ensure that guidance and evidence base documents reference the most up-to-date version of the emerging Darlington Local Plan. It is critical that the Neighbourhood Plan aligns with the most up-to-date version of the emerging Local Plan in order to be considered robust and effective. This includes making amendments to the Polices Map in order to show the Development Limits in the correct location which considers the emerging housing allocations and committed development parcels.</p> <p>Draft Policy MSG8: Local Green Space</p> <p>Story Homes continue to provide support to Policy MSG8 and recognize that land under our control at Station Road, subject to a detailed application (reference: 21/00529/FUL), bounds Local Green Space 01 Water Park, Station Road. It should be noted that through our layout and technical arrangements as presented in our detailed application, this Local Green Space is respected.</p> <p>Our proposed layout for the site at Station Road seeks to enhance accessibility to Local Green Spaces within the settlement, as recognised within the policy, by providing and enhancing pedestrian links from the scheme through to the Water Park. In addition, our boundary treatments will respect the interface between the activities undertaken at the waterpark and the neighbouring residential use. The orientation of plots along this boundary will seek to face the water park in order to create a green corridor and a degree of natural surveillance but also ensure that the amenities of prospective residents is respected.</p> <p>Recommendation: Story Homes supports the amendment to Policy MSG3.</p>	

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		<p>Draft Policy MSG11: Housing Mix</p> <p>Story Homes supports the Neighbourhood Plan Groups amendments to policy MSG11 and the inclusion of text which clearly aligns the Neighbourhood Plan policy with the emerging Darlington Local Plan. Specifically, the updated reference to the Darlington Strategic Housing Market Assessment (2020) which has been updated from the 2017 version.</p> <p>Story Homes would like to encourage the Neighbourhood Plan Group to align more closely with the emerging Darlington Local Plan as it has done so here so as to avoid issues surrounding the basic conditions test. However, Policy H4 within the emerging Local Plan will frame the basis for development coming forward in Middleton St George, with regard being had to the Neighbourhood Plan given that the emerging Local Plan sets a defined mix and expectations.</p> <p>It is considered that Policy H4 in the emerging Darlington Local Plan provides a sufficient framework with which the type and amount of residential development should be brought forward against. It is unclear if policy MSG11 in the Neighbourhood Plan adds a sufficient amount of detail to be considered effective and non-repetitive.</p> <p>Basic Conditions Test: Story Homes considers that the Neighbourhood Plan fails to meet the basic conditions test because:</p> <p>e) the making of the order is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area):</p>	

Respondent	Organisation (if applicable)	Comments	Wish to be informed of decision under Regulation 19
		<p>Policy MSG11 does not provide any substantial additional guidance which is not already dealt with through Policy H4 in the emerging Local Plan. The emerging policy suggests an indicative housing mix, which the Neighbourhood Plan does not have regard to.</p> <p>Recommendation: It is suggested that the Policy MSG11 refer to emerging Policy H4 within the policy wording so as to align with the emerging Local Plan specifically. Regard can still be made to the Middleton St George Housing Needs Assessment (2020) and the Neighbourhood Plan should be updated to reflect any changes or reviews of the Darlington Borough Council SHMA (2020). In order to be considered effective and robust, MSG11 should provide clear and evidenced policy as opposed to the vague and nondescript guidance currently put forward. Story Homes suggests that the Neighbourhood Plan Group evidence this policy with a viability assessment in order to fully assess any implications for deliverability.</p> <p>Draft Policy MSG12: Affordable Housing</p> <p>Story Homes wishes to reiterate the concerns raised regarding Policy MSG12 within the Submission version Neighbourhood Plan. This policy does not provide additional guidance or detail which is not sufficiently covered by the emerging Darlington Local Plan. Whilst Story Homes supports the Neighbourhood Plan Groups commitment to ensuring affordable housing is delivered within the settlement, this policy should be supported by clear evidence.</p> <p>Once again, Story Homes supports the ambitions of this policy however would encourage that specific reference is made to emerging Policy H5 – Affordable Housing in the emerging Local Plan. For Middleton St George, the emerging policy requirement is set at 20%, which has been carried forward into the Main Modifications consultation and is likely to be adopted as such.</p>	

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		<p>It is considered that Policy H5 in the emerging Darlington Local Plan provides a sufficient framework with which the type and amount of affordable housing should be brought forward against. It is unclear if policy MSG12 in the Neighbourhood Plan adds a sufficient amount of detail to be considered effective and non-repetitive.</p> <p>Basic Conditions Test:</p> <p>Story Homes considers that the Neighbourhood Plan fails to meet the basic conditions test because:</p> <p>e) the making of the order is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area):</p> <p>Policy MSG12 does not provide any substantial additional guidance which is not already dealt with through Policy H5 in the emerging Local Plan. The emerging Local Plan policy suggests an affordable housing requirement, which the Neighbourhood Plan does not have regard to.</p> <p>Recommendation: It is suggested that the Policy MSG12 refer to emerging Local Plan Policy H5 within the policy wording so as to align with the emerging Local Plan. In order to be considered effective and robust, MSG12 should provide clear and evidenced policy as opposed to the vague and nondescript guidance currently put forward. Story Homes welcomes the reference to a viability assessment but suggests that this be investigated further by the Neighbourhood Plan Group in order to fully test the deliverability of said policy.</p> <p>Conclusion</p> <p>Story Homes appreciates the opportunity to provide further representations to the Submission draft Middleton St George Neighbourhood Plan. Our representations note that</p>	

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		<p>whilst Story Homes are generally supportive of the principles set out in the Neighbourhood Plan and are welcoming of the amendments made to the Neighbourhood Plan, there remain some concerns over the content of said Plan.</p> <p>Above all else, Story Homes considers that the Neighbourhood Plan, in its current form, does not align with the emerging Darlington Local Plan and as such cannot be considered in accordance. As a result, the Neighbourhood Plan fails to meet the basic conditions set out paragraph 8(2) of Schedule 4b of the Town and Country Planning Act 1990, this is then applied to Neighbourhood Plans through section 38(a) of the Planning and Compulsory Purchase Act 2004.</p> <p>Throughout our representations, recommendations have been made which, if implemented, should align the Neighbourhood Plan more closely with these basic conditions. In addition, Story Homes seeks removal of the Middleton St George Neighbourhood Plan Settlement Background Paper from the evidence base given its flawed nature. Land at Station Road is not constrained by flood risk, infrastructure, accessibility or heritage as proven in our submission documents to the Darlington Local Plan and also our Detailed Application (reference: 21/00529/FUL).</p> <p>Story Homes welcomes any future opportunities to make comments on the Middleton St George Neighborhood Plan and looks forward to engaging further with the Parish Council.</p>	