

## APPENDIX 1: Greater Faverdale (Burtree Garden Village) Design Code SPD – Consultation

**Greater Faverdale/Burtree Garden Village Design Code SPD Consultation – General Responses.**

Consultee Name	Relevant Part of Design Code	Summary of Comment	Officer Response	Suggested Change
Coal Authority	All	No specific comments to make.	Noted	None
Esh	All	Esh ask that where ‘must have’ or ‘shall’ or ‘adhere to’ are used, the wording is altered ‘where possible’. In order to prevent developers from being tied to requirements that may be unrealistic/undeliverable.	Noted	None
Hellens Land/Homes England		HLL & HE recognise the benefits of a Design Code for the Garden Village and are supportive of the majority of the content and the spatial design related objectives of the SPD. However, given the increased importance of Design Codes within NPPF and the weight that is placed on their content along with the increased weight to be afforded to the Design Code as an SPD, HLL&HE are concerned regarding a number of additional requirements akin to development management policies contained in what should be an aspirational document that works within the policy parameters established by the recently adopted Darlington Borough Local Plan. Furthermore, the content of parts of the document do not accord with Planning Practice Guidance and the National Model Design Code.	Acknowledged that an SPD cannot contain policy so we need to be mindful of detail.	None
Historic England	All	No comment to make on the draft document	Noted	None
National Highways	All	Consider the large majority of the Design Code to not be of particular relevance to National Highways. The SPD does not raise any issues, subject to the assessments and mitigation being delivered as set out in the Local Plan and IDP.  National Highways welcome a number of references in the Design Code to providing facilities and initiatives to encourage sustainable travel to and from the development.	Noted	None
Natural England	All	Consider that the Burtree Design Code is unlikely to have major effects on the natural environment.  Natural England therefore has not provided specific comments, but advise the following issues are considered:  1. Green Infrastructure: a. The SPD could consider make provisions for Green Infrastructure (GI) within the development to provide multi-function benefits.  2. Biodiversity Enhancement:	Noted  Green Infrastructure Strategy will be devised at application stage.  These are probably more detailed Masterplan/Application stage considerations.	None

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		<ul style="list-style-type: none"> <li>a. Consider incorporating features which are beneficial to wildlife within the development, in line with Paragraph 118 of the NPPF.</li> <li>b. Consider providing guidance on, for example, the level of bat roosts or bird box provision, or other measures to enhance biodiversity in the urban environment. Natural England suggest the Exeter Residential Design Guide SPD as an example of good practice.</li> </ul> <p>3. Landscape Enhancement</p> <ul style="list-style-type: none"> <li>a. The SPD may provide opportunities to enhance the character and local distinctiveness of the surrounding natural and built environment.</li> </ul> <p>4. Further Design Considerations</p> <ul style="list-style-type: none"> <li>a. The NPPF includes a number of design principles which could be considered, including the impacts of lighting on landscape and biodiversity.</li> </ul>		
North Yorkshire County Council	All	No comments to make on the consultation as there are no major anticipated impacts on North Yorkshire residents or services.	Noted	None
Mrs Jean Shearn	All	<p>Consider that the Burtree Design Code is well researched, detailed and relates topography, habitat, and the built environment to environmental and health concerns.</p> <p>Makes the following general comments:</p> <ul style="list-style-type: none"> <li>1) Design Code <ul style="list-style-type: none"> <li>o Praises the traffic light system stating the idea is simple, easy to comprehend, while being sufficiently vague to allow for variation.</li> </ul> </li> <li>2) The Plan <ul style="list-style-type: none"> <li>a. Believes quality housing built with sustainable materials, and using green energy, makes good sense but suggests the cost of finished products will be high. Questions what provision is being made for variable costs for houses within the project?</li> <li>b. Concerned that the overall plan does not appear to make provision for people with differing needs, such as the elderly or disabled persons. Notes that the plan does mention vulnerable accommodation to be located away from the flood plain but is</li> </ul> </li> </ul>	<p>The Design Code is intended to cover all forms of residential dwellings including those for the elderly/adaptable homes as per Policy H4.</p> <p>Electric vehicle charging in Policy IN4 and improved sustainable transport H11 need to be followed.</p>	None

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		<p>concerned vulnerable residents are to be isolated from other inhabitants rather than integrated amongst them.</p> <p>3) Travel</p> <p>a. Believes that the emphasis on travel without the car is desirable but overly optimistic. Observes that West Park was also to be a car-free settlement, but cars proliferate there. Provision ought to be made to house and park electric cars, bikes, and chairs.</p> <p>4) Building</p> <p>a. States that the standards are high, particularly in relation to environmental damage during the build. However, questions if builders will understand the value of soil, habitats, and roots. Observes that to protect the environment the project needs to be managed by knowledgeable professionals and that this oversight will be costly.</p> <p>5) Energy Provision</p> <p>a. Suggests there is an opportunity here to develop a community sourced energy supply system.</p> <p>6) Green Spaces</p> <p>a. Asks clarification regarding whether the green infrastructure around would be open to public access or be restricted to residents.</p>		
Sport England	All	<p>Sport England have reviewed the Design Code in relation to the following aspirations.</p> <ul style="list-style-type: none"> <li>• Sporting infrastructure keeps pace with housing growth.</li> <li>• Residents are encouraged to be more active be the layout and design of new development (Active Design).</li> </ul> <p>Sport England note that Darlington’s status as a Healthy New Town pilot, and Greater Faverdale’s identification as a Garden Village by DLUHC, mean that it must seek to adhere to the Building for a Healthy Life design toolkit. Sport England considers that a significant number of the toolkit’s 12 considerations are in synergy with Active Design’s 10 principles and are delighted that a traffic light system will</p>	Noted	None

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		<p>ensure that at each stage of the development will be anchored to the achievement of green lights against the toolkit’s 12 considerations.</p> <p>State that they find considerable evidence of putting health into place running as a ‘golden thread’ through the SPD and are therefore in overall support of the SPD. These include ensuring that new homes will have cycle storage and anticipating the changes needed to Burtree Lane to ensure that cycling and walking journeys are not thwarted at the development’s edge.</p> <p>However, Sport England do suggest that research shows there is a tipping point in people’s propensity to walk to destinations as opposed to using the car – and this figure is around 800m. Therefore, a mix of land uses such as homes, shops, jobs, relevant community facilities and open space should within this threshold. Ideally those land uses subject to linked trips (schools, shops, and community facilities such as GPs and libraries) should be co-located.</p>		
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**Greater Faverdale/Burtree Garden Village Design Code SPD Consultation – Specific Responses.**

Consultee Name	Relevant Part of Design Code	Summary of Comment	Officer Response	Suggested Change
Hellens Land/Homes England	Page 3, 8	<p>HLL &amp; HE state that Policy H11 does not require strict accordance with the Design Code and the reference to strategic design requirements in Policy H11, rather than additional policy requirements, also demonstrates the intended relationship between the development plan and the SPD. As such, the third paragraph on page 3 of the consultation document could also make this explicitly clear, as could the planning context on Page 8.</p> <p>On Page 3, they request the text be altered as follows:</p> <p><i>“This design code (DC) has been commissioned by Darlington Borough Council (DBC) to assist the Council in its statutory planning role to secure and maintain the highest standards of design for the proposed development of Greater Faverdale as identified in the adopted Local Plan.</i></p> <p><b><u>For the avoidance of doubt the Design Code is an aspirational document which seeks to guide the broad design strategy and will be viewed in the context of wider planning policies and material considerations”</u></b></p> <p>On Page 8, they request the text be altered as follows:</p>	<p>Acknowledged and suggested changes made.</p> <p>P.8 Leave as is as there is no need to repeat the wording already in Policy H11.</p>	<p>Pg 3: Last Para – suggested additional sentence</p> <p>‘The Design Code aims to set out the Council’s expectations in order to guide the broad design strategy and will be viewed in the context of wider planning policies and material considerations’.</p>

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		<p><i>Planning Context Following an Examination in Public during 2021 a Government Inspector found the Darlington Local Plan to be sound, saying it was justified, effective and consistent with national policy. The Local Plan was adopted by Darlington Borough Council in February 2022 and included a policy H11 below which identifies Greater Faverdale as a location to facilitate the delivery of a high-quality mixed-use community with education, employment, housing, and open space. This is intended to provide the right economic and environmental conditions to support a sustainable new community to the west of Darlington. As required in the final Inspectors report regarding Policy H11 Greater Faverdale Site Allocation this related Draft SPD Design Code is to be produced within 6 months from adoption of the Local Plan and also reflect the requirements of the NPPF 2021 and the National Model Design Code produced by DLUHC July 2021. <b><u>For clarity, Policy H11 requires forthcoming planning applications at Greater Faverdale to have regard to the strategic design requirements established in this SPD</u></b></i></p>		
Hellens Land/Homes England	Page 5	<p>It is noted that the introduction at page 5 references “Homes England working in partnership with Hellens Group and the local planning authority” whilst this is the case in practice, all parties are not aligned presently on the content of the document and its wording as such this should be referenced as a Council document.</p>	Agree with suggestion.	Remove reference to Hellens/Homes England.
Hellens Land/Homes England	Page 12	<p>Note that when clarifying the role of Design Code, Page 12 states:</p> <p><i>“The draft SPD DC will be further considered by the Council following a period of formal public consultation and related feedback. When finally <u>approved it will thereafter be used as a development management tool</u> to check that the proposals brought forward for the new garden village <u>meet the very high design quality thresholds before granting consent for the initial strategic masterplan and the subsequent detailed elements within it</u>. As the DC is intended to be used throughout the implementation period for the garden village it will be periodically reviewed and where appropriate updated.”</i></p> <p>Suggest that the underlined references above are at odds with Policy H11 which simply requires development proposals to have regard to strategic design requirements.</p> <p>Furthermore, HLL &amp; HE consider this references the approved document as a development management tool, which is noted, but when combined with some of the more</p>	Minor changes to wording to ensure consistency with Policy would be beneficial.	Change to: “are expected to meet the very high design quality thresholds before granting consent”

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		onerous, policy like, requirements, this reference further indicates that the SPD could be interpreted and used incorrectly in a similar manner to a DPD.		
Hellens Land/Homes England	Page 12	<p>Page 12 of the Design Code refers to a “traffic light system” for assessment of forthcoming planning applications. Page 16 references explicitly that “each phase of the garden village must achieve a minimum of 9 green lights (and no red lights)”.</p> <p>HLL &amp; HE do not object to the use of a “traffic light” system for considering proposals in the context of the aspirations of the SPD. However, they consider this sentence unnecessarily prescriptive, and that setting quantifiable targets, which can seemingly be assessed subjectively and without consideration for constraints for an individual application or plan viability could indirectly result in an adverse effect on delivery.</p> <p>If a future phase of development did not achieve 9 “green lights” but otherwise demonstrated having regard to the Design Code, and its objectives as required by Policy H11, it is unclear for the applicant and the decision maker, as to which target takes precedence in the context of the importance placed on the Design Code within NPPF.</p> <p>HLL and HE request that, in order to maintain the use of a traffic light system, the text on Page 16 is amended to state:  <b>“The aspiration will be for each phase of the garden village to aim to maximise the number of green lights (and avoid any red lights) where it is possible to do so”.</b></p> <p>HLL &amp; HE suggest that in the absence of a clear and agreed structure of assessment for green, amber, and red topics, this change of emphasis retains the means of seeking to enhance design as best as possible in the context of that particular phase or planning application. However, it removes the more explicit and untested policy like requirement for a specific number of “green lights” in order to be acceptable and ensures that Policy H11 remains the primary guide for decision making.</p>	This relates to the ‘Building for Healthy life rating’ only not to the “traffic light system” for assessment of .	“The expectation is that each phase of the garden village will aim to maximise the number of green lights (and also avoid any red lights) in order to achieve 9 green lights or more which is also considered the threshold for a BHL Commendation and thus eligible for separate formal accreditation.
Esh	Page 13	Request change of ‘ <i>retention of key landscape and ecological features</i> ’ alter to ‘ <i>retention of key landscape and ecological features <u>where possible</u></i> ’. State that certain veteran trees/hedgerows will have to be removed due to their condition.	Noted but not considered necessary. Will be dependent on details.	None
Hellens Land/Homes England	Page 15	Suggest that the reference to 20mph speed limits should be clarified to exclude the primary routes through the site in case 30mph is required on the bus route.	Is open to interpretation and would not necessarily restrict the spine road. Traffic Assessment will be able to consider in more details impacts on traffic flows.	Change ref to lower traffic speeds and  Change to 30 min

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		<p>Furthermore, HE &amp; HLL suggest references to a bus service every 20 minutes is at odds with agreements with Arriva for a bus service every 30 minutes. They note the service frequency has been discussed and agreed in principle with Council Officers.</p> <p>Additionally note that the requirement of all housing to be within 5 minutes' walk of a bus stop is a different means of measurement to that set out in Policy IN2 (80% of dwellings within 400m of a bus stop). Suggest that these references should be updated to reflect the Local Plan.</p>		Change to: The majority (80%) of houses to be within 400 m walking distance from a bus stop which equates ca 5min.
Esh	Page 15	Esh question whether the phrase “relatively small development” is appropriate in the context of circa 1500 proposed homes.		Pg 15: Para 4 ‘small’ development – perhaps needs expanding to include ‘in the context of the existing town’ –
Esh	Page 15	Note a reference to a frequent 20 mins local bus service. Seek clarification on whether this is to be confirmed by DBC Highways.	Plan in Policy IN2 defines frequent as every 30 minutes.	Change 20 minutes to 30 minutes for consistency.
Esh	Page 15	Note an inconsistency between the requirement for a 5-minute max walking distance to bus stops in the Design Code compared to Policy IN2 (80% of dwellings within 400m of a bus stop).	The 400m walking distance from a bus stop used in this assessment is derived from the Department of Environment Circular 82/73 (DOE, 1973) which gives 400 metres as the recommended maximum walking distance along the footpath system, this represents a 5-minute walk at about 5 kph (roughly the average walking speed in the National Travel Survey). Further detail on this is available in the ‘Transport Topic Paper’.	The majority (80%) of houses to be within 400 m walking distance from a bus stop which equates ca 5min.
Esh	Page 15	Esh suggest the mention of “low traffic speeds” conflicts with the current spine road which is designed to a 30mph – 40mph road, not a 20mph as referenced.	The spine road was modelled as a 30 or 40mph road.	Change to lower traffic speeds
Hellens Land/Homes England	Pages 19-20	<p>HLL &amp; HE do not object to the strategic guidance contained within these sections of the Consultation Document and share the aspirations of the document.</p> <p>However, they consider references stating that “<i>the project will have failed</i>” if it does not achieve some of the referenced goals to be unhelpful.</p> <p>To avoid such references being used in objection on subjective matters of design HLL &amp; HE request that the language is amended in a positive manner to state that “<b>proposals which meet these objectives will be considered favourably</b>” or similar.</p>	Read in context with the rest of the section there are not considered to be any issues.	Change to: failed to meet its full potential
Hellens Land/Homes England	Page 21	The Main Streets sub-section on Page 21 prescribes design requirements for the width of roads on key vehicular roads. HLL & HE do not object to this information being included	Confusing recommended road widths not what current adoption standards may be. What is being said in the code is not inconsistent with discussions that have taken place.	None.

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		<p>within a Design Code but seek adequate flexibility in these section of the text.</p> <p>As an example, HLL &amp; HE mention the reference on Page 21 to a consideration of a maximum street width of 5 metres rather than 6.7 metres. They suggest this does not take into account the conclusions of design discussions taking place between the Council's highways officers with HLL &amp; HE's highways consultants.</p> <p>They state that these discussions have established that the minimum width on these routes would be 5.5-6m to enable bus provision. HLL &amp; HE therefore request that a range of 5.5- 6.7m.</p>		
Esh	Page 21	<p>Note that a 20mph speed limit is mentioned again regarding main streets. Esh consider this fine for internal cell roads, but not the spine road.</p> <p>Additionally, Esh note that, if speed measures are to exceed 20mph, the roads will not be designed with physical measures to keep drivers to this limit.</p>	Noted as above.	None
Esh	Page 21, 22	<p>Esh observe that a 6.7m spine road is already agreed with DBC, and that 5m wide roads aren't adoptable standard. Suggest this needs to be changed to 5.5m.</p>	Noted	None
Esh	Page 22	<p>Seeks a change of wording so the Design Code seek to comply with Local Transport Note 1/20 Cycle Infrastructure Guidance '<u>where possible</u>'.</p>	Noted	Change : will be expected to adopt the guidance in Local Transport note 1/20
Hellens Land/Homes England	Page 23	<p>Page 23, Shared Surfaces (Village Centres), states that the area of the village centres must be designed to be shared between pedestrians and cyclists and includes specific carriageway widths.</p> <p>However, HLL &amp; HE state it is important to avoid potential conflicts with the central link road and its relationship with the village centre. They observe that shared surfaces are unlikely to be appropriate or acceptable here and the Design Code should enable sufficient flexibility or explicitly state this does not apply to the link road.</p>	There is not necessarily a conflict here and it does not need to apply to main junctions if inappropriate.	should instead of must
Esh	Page 23	<p>Esh observe that the spine road runs through part of village centre, and question whether this can't be shared with pedestrians.</p>	See above	Should instead of must
Esh	Page 23	<p>Suggest that the stated carriageway widths on Page 23, Shared surface village centre environments, are contrary to highways policy.</p>	See above	None
Esh	Page 23	<p>Esh observe that the Design Code states that pavements and cycleways will continue across side streets. Cycle ways</p>	Noted	None



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		are currently designed through designated routes, not following street infrastructure.		
Hellens Land/Homes England	Page 23	<p>Page 23, Walking, states that <i>“streets and paths must connect people to places and public transport services in the most direct way, making car-free travel more attractive, safe, and convenient.”</i></p> <p>Whilst there is no objection to this in principle, HLL&amp;HE support this principle but observe that to retain and protect natural features such as trees, root protection areas, and hedgerows that the most direct routes are not always possible or desirable and strictly requiring connections via the direct route could be counterproductive.</p> <p>HLL &amp; HE request the text is amended to state <i>“streets and paths must connect people to places and public transport services in the most direct way possible (taking into account environmental or other constraints)”</i></p>	Noted but common sense will be applied.	None
Hellens Land/Homes England	Page 24	Whilst the aspirations for public spaces are supported, it is intended to include courtyard parking and HLL & HE would be appreciated flexibility on this point.	This would not be in conflict with the possibility of courtyard parking. There is sufficient flexibility to allow this if appropriate.	None.
Esh	Page 24	Regarding existing landscape and ecological features, Esh request the use of ‘where possible’ as per their comment for Page 13.	As Above	None
Hellens Land/Homes England	Page 25	For Page 25, Landscape, Nature and Open Space, with regard to the design objective which states that <i>“new attenuation ponds and swale features designed also to include an element of permanent water for aesthetic function, and with gently shelved”</i> , HLL & HE request this should be removed or reworded mindful of potential objections associated with bird-strike that often result from permanent water and/or landscape planting associated with this kind of feature.	Noted and alternative wording suggested in line with Policy IN5	New attenuation ponds and swale features designed also to include an element of permanent water for aesthetic function, and with gently shelved margins capable of supporting marginal species to improve biodiversity mindful of designing out issues regarding possible bird strike risk in relation to the Tees Valley Airport located to the SE of Darlington.
Esh	Page 25	Esh state that ponds/swales (designed by Portland) are not designed to hold water as envisaged by the Design Code. Additionally, ponds not possible due to Tees Valley airport’s stance on bird strikes on flight paths.	As above	See above
Esh	Page 25	Esh state that the referenced <i>“overhead utility corridor”</i> will become an underground utility green corridor.	Noted	None
Hellens Land/Homes England	Page 26	Reference is made on Page 26, Homes and Buildings, to the retention of buildings. However, HLL & HE comment that, notwithstanding heritage requirements and considerations, it will be necessary to demolish most of the existing buildings on site. As such they request this reference is removed or amended to clarify this.	National policy to retain and reuse justification will needed to be provided with an applications as to why demolition is the only feasible option.	None

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Esh	Page 26	Consider reference on Page 26 of <i>‘existing buildings on site to be retained and reused as much as possible’</i> to be incorrect since only a farmhouse on Darlington Borough Council land and listed walls are to remain.	As above.	None
Hellens Land/Homes England	Page 27	HLL & HE are supportive of the design aspirations in the Design Code for employment areas. However, they observe that Page 27, Employment Areas, includes ten bullet points which state development will be “required” to achieve.  To ensure that the wording of the document reflects its role as a strategic design guide, HLL & HE would like this amended to state that <b>“designs should aim to achieve the following objectives”</b> or <b>“applications which are able to comply with a number of the following objectives would be viewed favourably”</b> . They consider this would assist in avoiding a scenario where the bullet points could be considered a fixed development management requirement.	Noted and alternative wording suggested.	Change ‘Required’ – ‘ to is expected to be considered
Esh	Page 28	Esh note that the Design Code mentions employment areas having grey water harvesting and wind turbines, which are not proposed.	Noted but could be included in the future.	None.
Hellens Land/Homes England	Page 35-41	Regarding the different identified Character Areas, Pages 35-41, HLL & HE state that whilst the broad character areas are supported, there are specific design references within the Design Code which require further consideration to avoid conflict with the emerging designs for:  1) Southern Boundary: tree alignment and landscape 2) Faverdale North Extension: Multi Modal Access into the Garden Village 3) Whessoe Grange North: Design solutions for Boulevards 4) Whessoe Grange Park: should be recognised that a District Licence is in place with Natural England regarding Great Crested Newts. 5) Burtree Dene Beck, strength of reference to allotments providing a buffer to the motorway 6) High Faverdale: Site feature Built and Natural Environment retention incl. retaining walls	Many of these are detailed design comments not for consideration at the Strategic Design Code level and will be picked up in the planning application process.	Point 4: Pg 38 Whessoe Grange Park: re Great crested newts - Natural England District Newt Licence to be added  Point 5: Pg 39 Burtree Dene Beck: Allotments – ‘could’ instead of ‘would’ ... could also be an appropriate further buffer next to the motorway
Esh	Page 34	Esh state that there are no proposals for the use of a spire/tower, which is mentioned on Page 34, Wider Settlement Character.	The principle of a ‘focal point’ to provide a sense of place is supported. Darlington is traditionally defined by spires and towers. It is not a mandatory requirement.	None.
Esh	Page 35, 48	Page 35, Northern Boundary, endeavours to keep the road and setting as is for access to a rural village. However, Esh	Not sure a roundabout solution is necessarily incompatible.	None.

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		note a new roundabout is to be constructed as instructed by DBC highways		
Esh	Page 35	Page 35, Southern Boundary, states “to provide gateway with plot frontage”. Esh comment this should be adjusted to ‘where possible’ since veteran trees block the views in certain instances.	Not every house will need to front onto the highway and this needn’t result in removal of veteran trees.	None.
Esh	Page 36	Esh believe Page 36, Section 3.4, Bullet-point 2 to be in conflict with DBC Highways Policy.	Noted	None
Esh	Page 37	Section 3.5, Landscape Character, references an “opportunity to boulevard”. Esh comment that the street scene design was pulled tighter to omit tree planted verges as DBC want to avoid maintenance issues with trees in close proximity to roads.	Noted	None
Esh	Page 38	Regarding Section 3.6, Esh note that Whessoe Grange Medieval Village remnants are beneath ground and won’t be uncovered as this area has been deliberately located into open space.	Noted	None
Esh	Page 38	Esh question Section 3.6 requirement for a deliverable link to Argos. They note Argos is enclosed in by a fence and suggest that pedestrians/cyclists travelling through a commercial area would be deemed to be unsafe.	Noted	None
Esh	Page 38	Regarding Section 3.6 newt references, Esh comment that a district level license is in place with Natural England.	Is being done.	None
Esh	Page 38	The Design Code, Page 38 mentions providing space for functions/events areas. Esh observes this is not currently allowed for.		None
Esh	Page 39	Esh observe that the allotments were previously requested to be central, but the Design Code now requests the to be near the A1. Esh seek a decision on the allotment’s location.	Detailed Design Comment for later in process.	None
Esh	Page 40	Esh state that Highways to be consulted with regarding lowered localised speed limit to Burtree Lane.	Noted	None
Esh	Page 41	The Design Code states that local topography should be adhered to, not flattened off. Esh suggest this will produce a lot of retaining walls, and comment that this wasn’t the intention at the design stage.	Detailed Design Comment for later in process.	None
Esh	Page 41	The Design Code references “pedestrian and cyclist priority”. Esh observe that the designs aren’t allowing for this currently. Furthermore, they suggest the Spine road goes against this requirement, and giving priority to pedestrians/cyclists on the Spine road will go against policy.	Is requirement of national policy.	None
Esh	Page 41	Esh observe that the Design Code seeks “parking standards to be kept to a minimum and off-street frontages”. They	Parking addressed above.	None

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		suggest this contradicts parking policy and that rear/courtyard parking isn't wanted either.		
Esh	Page 41	The Design Code states that <i>“innovation should be encouraged and some development pockets within this area will be set aside for innovative and exemplar housing”</i> . Esh comment they have ‘provided standard range with enhanced materials to meet design code only...’		None
Esh	Page 42	The Design Code referenced Passive Design. Esh comment that this is against policy, and there is no need for passive design standards to achieve sustainable, reliable and a good quality of life through design.	Work towards Passive house or whatever new standards come in.	None
Hellens Land/Homes England	Page 44	<p>Page 44, Internal Layout. Space Standards, states <i>“All dwellings in the Garden village will have and exceed a minimum space standard. As a base level these will be in line current national space standards, and should those standards change, be updated to reflect the new national requirements. Internal volume is also important as well as floor area and the floor to ceiling height are to be a minimum of 2.4m but ideally 2.5/2.6m particularly on the principal floor”</i>.</p> <p>HLL &amp; HE consider that this is drafted as a development management policy beyond the scope of an SPD and in direct conflict with the adopted development plan and Policy H4, which establishes requirements for housing type, size, and tenure.</p> <p>HLL &amp; HE comment that there is no requirement within the development plan for housing to meet national space standards, and this SPD could be deemed to require developers to go even further and exceed such standards, whereas this would not be a requirement for other allocated housing sites.</p> <p>They comment that this has not been accounted for in Local Plan viability and as such this reference should be removed and floor to ceiling heights should not be specified. Alternative HLL &amp; HE suggest they could be explicitly referenced as aspirational where it is possible and viable to achieve.</p> <p>Furthermore, they note, it is also stated in the Design Code that:</p> <p><i>“At least 90% of homes are to meet building regulation M4(2), ‘accessible and adaptable dwellings’, and at least 10% of new housing will meet building regulation M4(3), ‘wheelchair user dwellings’. As a minimum, the new Garden village is to meet this benchmark”</i>.</p>	Noted and alternative wording suggested and figures updated.	<p>Omit height specifics for ceiling heights whilst maintaining the reference –</p> <p>Space standards ‘expected’ as opposed to ‘required’.</p> <p>Correct Local Plan % reference for accessible homes M4(2) &amp; M4(3) – 45% &amp; 9% replacing 90% &amp; 10%</p>

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		<p>HLL &amp; HE suggest that as currently worded this could also be interpreted as a policy requirement whereas adopted Policy H4 of the Darlington Borough Local Plan only requires 45% of dwellings to meet M4(2) standards and 9% of dwellings to meet M4(3) standards. This would require twice as many dwellings at Burtree Garden Village to meet M(4)2 standards and a 1% increase in M4(3) category dwellings than elsewhere in the Borough without the evidence or consideration of impacts upon Local Plan viability.</p> <p>HLL &amp; HE request that these requirements should be removed to avoid conflicts with the Local Plan or simply reflect the Local Plan as follows:</p> <p><i>‘At least 45% of homes are to meet building regulation M4(2), ‘accessible and adaptable dwellings’, and at least 9% of new housing will meet building regulation M4(3), ‘wheelchair user dwellings. As a minimum, the new Garden village is to meet this benchmark’.</i></p>		
Esh	Page 44, 46	Esh note that Pages 44, 46, of the Design Code request NDSS standards, which isn’t policy.	See above	See Above
Esh	Page 44	Esh comment that floor to ceiling heights internally are to be 2.5m to 2.6m. The standard is 2.4m and to building regs. M4(2)/M4(3) or NDSS do not overrule this.	Noted	None
Esh	Page 44	Esh comment that the M4(2) & M4(3) figures in the Design Code do not align with Policy H4 of the Local Plan.	Noted and will be amended.	Correct Local Plan % reference for accessible homes M4(2) & M4(3) – 45% & 9% replacing 90% & 10%
Hellens Land/Homes England, Esh	Page 45	<p>Page 45, Materials and Detailing, discourages the use of UPVC. HLL &amp; HE comment that viability needs to be considered here as it would not be viable to include timber alternatives across the entire site. They suggest including text such as “<b>notwithstanding viability considerations</b>” to provide context here would be welcome.</p> <p>Esh also comment that timber and aluminium are unviable alternatives to UPVC.</p>	<p>UPVC not considered a sustainable material so we will not actively encourage its use.</p> <p>Viability comes into the overall development calculations.</p>	None
Hellens Land/Homes England, Esh	Page 45	<p>Page 45, Daylight and Windows, sets out specific targets for daylight within rooms. HLL &amp; HE do not expect it to be onerous to achieve these adequate levels of daylight but consider that that this prescriptive development management style requirement could result in the need for daylight and sunlight assessments at Burtree Garden Village that would not be required on the majority of sites elsewhere in Darlington.</p> <p>We observe that Darlington Local Plan Policy DC4 requires development to ensure that it provides adequate access to sunlight and daylight but does not specify percentage targets for kitchens, living rooms or the working plane. The</p>	Noted and emphasis will be reduced.	Omit percentage details and simply leave ref. to according to the BS 8206-2:2008 Lighting for Buildings – Part 2: Code of practice for daylighting

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		<p>believe the percentages listed in Design Code would not result in a higher level of design but would result in inconsistency between the development plan and the SPD and unnecessary additional requirements for planning applications.</p> <p>To resolve this, they suggest the Design Code could remove the specific targets and match the requirement of the Local Plan, potentially retaining the reference to BS: 8206-2:2008 Lighting for Buildings – Part 2: Code of Practice for daylighting as an aspirational guide which would bring the content of the SPD closer to Policy DC4.</p> <p>Esh also comment that having all properties to undergo daylighting calculations massively onerous and the requirements are way above building regs compliance.</p>		
<p>Hellens Land/Homes England, Esh</p>	<p>Page 45, 46</p>	<p>Page 45 and 46, Designing for Climate Resilience, states “<i>All dwellings should strive to be substantially better than present building regulations. To only aim for current building regulations means that the dwellings are only just legally acceptable. This is not good enough for this aspirational development</i>”.</p> <p>HLL &amp; HE recognise this aspiration but consider the viability implications of requiring higher building standards than on other development sites in Darlington are unevidenced and this reference should be removed. Esh considers that the requirement to be contrary to existing policy.</p> <p>The Design Code also states that “<i>As a minimum the development will adhere to the RIBA Climate Challenge 2030 and the local Darlington Climate Emergency targets corresponding to the years 2025 and 2030 whilst also anticipating the prospective 2025 Future Homes and Building Standard</i>”.</p> <p>HLL &amp; HE observe that the RIBA Climate Challenge 2030 includes challenging targets in relation to operational energy, embodied carbon and water use. Whilst they consider this a positive objective, there is no national or local policy basis for a minimum threshold of compliance to be imposed, and as with other requirements of the SPD consider that the implications of this have not been tested in Local Plan viability. Esh additionally consider the requirement to be far beyond policy compliance.</p> <p>HLL &amp; HE consider this should be framed as an aspiration but not a development management requirement so as to avoid conflict with Policy DC1.</p>	<p>Amended wording suggested.</p>	<p>Introducing ‘work towards meeting’ as in ‘As a minimum the development will work towards meeting the RIBA Climate Challenge 2030 and the local Darlington Climate Emergency targets corresponding to the years 2025 and 2030 whilst also anticipating the prospective 2025 Future Homes and Buildings Standard.</p>

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		<p>HE &amp; HLL, and Esh, also draw attention to the Design Code requiring an unspecified percentage of dwellings to meet “Certified Passivhaus standards”. Esh, HLL &amp; HE recognise that this is a positive objective, and that an unspecified percentage target enables some flexibility, but consider there is no policy basis for this requirement. They request this reference be removed, or as a minimum replaced with words to the effect of “<b>The use of low energy standard certifications such as Passivhaus should be considered where deliverability considerations allow</b>”.</p> <p>HE &amp; HLL also suggest, In the context of the requested changes, that the checklist of questions and requirements for the developer and decision maker on Page 46 should also be removed to avoid conflict with the development plan.</p>		
Esh	Page 45	Esh consider the embodied carbon calculation to be an onerous requirement to calculate and provide data on all materials. Not building regs related?	See above	See above.
Esh	Page 45	The Design Code states that Modern Methods of Construction are to be used. Esh requests that “where possible” is added to this statement.	Noted but not considered necessary. Is the concern for work to heritage assets which may require ‘traditional methods’?	None
Esh	Page 46	Esh suggest that the Design Code hints at cycle storage in the form of sheds on Page 45. They question if this is a requirement across all phases, not currently allowed for in designs. They also note this is something previous sites in the Borough haven’t had to provide.	Local Plan Policy IN4 encourages the provision of safe cycle storage across all developments. This does not necessarily have to be in the form of sheds.	None
Esh	Page 46	Esh comment that the Design Code requirement that visitor spaces must be provided separately is not compliant with DBC highways policy if houses meet parking spaces in curtilage.	Noted and amended wording suggested.	Remove the ‘provided separately’ from cycle parking.
Esh	Page 47,48	The Design Code states, “there will be active and passive E.V chargers”. Esh comment that subject to building regs compliance, they will meet building regs requirements.	Noted.	Reference to Policy IN4 for 100% new dwellings to have socket provision and commercial charging for 50+ vehicle parking areas or any subsequent requirement imposed nationally.
Hellens Land/Homes England	Page 47	<p>Page 47, Vehicular Parking – Standards and Design Requirements, establishes a set of parking “restrictions”, which include references to garages whereby “<i>Garages will not be relied on for everyday car parking</i>” and to Electric Vehicles whereby a mix of active and passive charging points will be included in the design.</p> <p>HLL &amp; HE comment that, with regard to the restriction on the use of garages, this approach is contrary to the Tees Valley Highway Design Guide which considers garages to</p>	Alternative wording suggested in order to avoid conflict with LP Policy INF4 and present Tees Valley Highway Design Guide (the latter however is likely to require updating/amending in response to the anticipated Manual for Streets 2022 due for publication later this year.	‘Garages will not be relied on for everyday car parking.’ amended to <b><i>‘For garages to be considered as counting towards everyday parking provision they should meet a minimum dimension of at least 6m by 3.5m which also enables sufficient space for secure bicycle storage’</i></b>

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		<p>represent usable parking spaces (and is the document which IN4 requires planning applications to consider).</p> <p>HLL &amp; HE suggest this reference should be removed for this reason and more generally, the reference to “parking restrictions” to be applied should be re-worded as parking guidelines with reference back to the Tees Valley Highway Design Guide as the primary document.</p>		
Esh, Hellens Land/Homes England	Page 48	<p>Page 48, Waste, Recycling and Utilities, requires the delivery of “<i>High speed (Ultrafast gigabyte) broadband connectivity must be a feature of the development to encourage a ‘live/work’ balance. All homes must have access</i>”.</p> <p>HLL &amp; HE consider that this goes beyond the requirements of Policy IN4 which requires delivery of a lower specification at “superfast”. Esh, HLL &amp; HE suggest they aspire to provide homes with the best broadband speeds available, but that this is dependent on the communication network providers. They request the reference be amended to align with Policy IN4.</p>	This is now national policy.	So should reference ‘gigabyte enabled’ for new residential and industrial areas, or subsequent national requirement.
Hellens Land/Homes England	Page 48	<p>HLL &amp; HE suggest that the Design Code reference to Electric Vehicle Charging points goes beyond the scope of Policy INF4 and the requirement for each property to have a 13-amp socket at a minimum.</p> <p>The Design Code currently requires: <i>Active: 20% charge point provision for residential parking bays Passive: 40% of parking bays Definition of “active” and “passive” provision of charge points: Active - A socket connected to the electrical supply system that vehicle owners can plug their vehicle into. Passive - The network of cables and power supply necessary so that at a future date a socket can be added easily</i>”.</p> <p>They suggest this should be amended to clarify the requirement of INF4 and set the 20% and 40% targets as aspirational whilst recognising policy compliance via a 13amp socket as this is the design requirement that has been considered in evidence and Local Plan viability.</p>	Amended wording required.	Reference to Policy IN4 for 100% new dwellings to have socket provision and commercial charging for 50+ vehicle parking areas or any subsequent requirement imposed nationally.
Hellens Land/Homes England	Page 48	<p>On Page 48, Hard Landscaping, one aspiration references a need to “<i>avoid over-engineered or urbanised solutions at the northern boundary; with the new entrances designed to retain rural character</i>”. HLL &amp; HE request that this is amended to include reference to the creation of a new roundabout on the northern boundary as this is a Council requirement.</p>	Highways requirements and needs will be looked at as a material consideration in the Planning Application process.	None
Esh	Page 49	<p>Esh note the provision of newt ponds is not currently proposed.</p>	As part of district newt licence will be required on the overall site.	None



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Hellens Land/Homes England	Page 50	<p>HLL &amp; HE state they have considered the need for allotment space and/or community gardens within the masterplan for the Garden Village and are supportive of this feature of the Design Code.</p> <p>Nonetheless, the SPD adds a requirement to show consideration of the Town and Country Planning Association's Guide 10 to Edible Garden Cities and includes an extract of this which identifies a need for 50% of a Garden Village as open space, half of which is to be public.</p> <p>Whilst the Burtree Garden Village will be landscape led and provide a greater amount of green space than a standard urban extension, HLL &amp; HE believe some caution is required regarding citing percentages of land take for open space which could be interpreted as a fixed target rather than an aspiration.</p>	Noted	Omit ref. to Extract from TCPA Guide 10 Edible Garden Cities recommending '... at least 50% of a new Garden City's total area will be allocated to green infrastructure (of which at least half is to be public), ...'
Esh	Page 52	Esh consider reference on Page 52 to securing capital and revenue funding through S.106 agreement for new communities to be very vague.	Lack of clarity noted and wording and link to Policy ENV5 to be made.	Change to 'Consider funding through S106 for new communities green infrastructure provision'
Esh	Page 53	Esh consider that the wording of the section on Page 52 regarding veteran and rare tree requirements differs from that of policy.	Observation not correct.	None
Esh	Page 54	Esh comment that the SUDs Pond designs techniques requested by the Design Code go against NWL requirements. Headwalls must be concrete or brick, gabion basket headwalls would allow filtration to embankments and over spillages, plus go against The Suds Manual C753 CIRIA guidance.	Only a requirement if Suds are to be adopted.	None
Esh	Page 55	Esh comment that nothing has been allowed currently by HBE for the Design Code artwork requirement.	It is only a consideration or an encouragement.	None
Esh	Page 56	Esh suggest that the photo shown suggest SUDs to be ponds – comments mimic Page 25 comments	Not considered necessary.	None