

COUNCIL
28 SEPTEMBER 2023

SKERNINGHAM GARDEN VILLAGE DESIGN CODE
SUPPLEMENTARY PLANNING DOCUMENT (SPD)

Responsible Cabinet Member – Councillor Chris McEwan, Economy Portfolio

Responsible Director - Ian Williams, Chief Executive

SUMMARY REPORT

Purpose of the Report

1. To gain Council approval for the adoption of Skerningham Garden Village Design Code Draft SPD.

Summary

2. A requirement of the adopted Darlington Local Plan 2016 – 2036 (Darlington Local Plan) is for the Council to progress with the creation and adoption of Supplementary Planning Policy Documents (SPD) based on a Design Code for Skerningham Garden Village.
3. After decision of Cabinet of 13 December 2022, the Skerningham Garden Village Design Code Draft SPD has been additionally formally consulted upon between 16 December 2022 – 13 January 2023.
4. Darlington Borough Council received 102 comments from 94 contributing consultees on the Skerningham Garden Village Design Code Draft SPD. All comments received and suggested revisions are attached in **Appendix 1**.
5. After the Cabinet Meeting on 3 July, the Council received correspondence, which suggested the Design Code as previously recommended is in conflict with the Local Plan. After considering this further, officers have suggested further amendments to remove any perceived conflict. These amendments relate mainly to the Bishopton Lane character area and the potential use of the land. These amendments can be found in **Appendix 2**.
6. The two consultation processes ensures that all stakeholders have had the opportunity to comment on the draft SPD. The Council has welcomed the various responses to the draft SPD and given these extensive comments and observations it been requested that a refreshed document which demonstrates positively the differences that have been proposed in the Skerningham Garden Village Design Code. The Design Code has been amended based on the received comments and it is detailed in **Appendix 3**.
7. Having taken all recommended changes into account, together with amendments as detailed below, the Skerningham Garden Village Supplementary Planning Document was approved by Cabinet on 5 September 2023:

- (a) Change to the second Guiding Design Principle on page 45 to read: -
 “The road will be aligned to avoid existing wooded areas where possible and **shall** also be aligned to **avoid being** visible from the River Skerne where possible. Any loss of woodland will need an appropriate on-site mitigation which must result in net gain in community woodland on site.”
- (b) The deletion of the last sentence of the movement section on page 108 which stated: -
 -“There will not be any direct access to the Skerningham Local Distributor Road from within the development.”

Recommendations

- 8. It is recommended that Council:
 - (a) Consider and note the comments received from the consultation and the subsequent revisions that have been made to the Skerningham Garden Village Design Code SPD.
 - (b) Approve the adoption of the Skerningham Garden Village Design Code SPD (including the changes that were approved by Cabinet).

Reason

- 9. The recommendation for adoption of the document as Council Planning policy, have gone through an extended consultation process with the wider public and statutory consultees. The Document is fit and effective to be adopted as Council Policy complementing the Darlington Local Plan 2016-2036.

**Ian Williams
Chief Executive**

Background Papers

- (i) Skerningham Garden Village Design Code SPD
- (ii) Darlington Local Plan 2016 – 2036

Mark Ladyman: Extension 6306

S17 Crime and Disorder	The Design SPD has a role in reducing crime through the promotion of good design and location of development.
Health and Wellbeing	A key objective of the Design Code for Skerningham Garden Village SPD will be to improve people’s health and wellbeing by protecting and improving the economic, social and environmental conditions in the Borough.
Carbon Impact and Climate Change	A Sustainability Appraisal has been carried out on the strategic issues and options for this site. Achieving sustainable development will be a fundamental objective of this SPD.

Diversity	An Equalities Impact Assessment has been part of the local plan preparation process.
Wards Affected	Harrowgate Hill; Heighington and Coniscliffe; Sadberge and Middleton St George and Whinfield.
Groups Affected	All
Budget and Policy Framework	The SPD will be prepared using existing budgets and will ultimately form part of the Council's Planning Policy Framework.
Key Decision	This a Key Decision
Urgent Decision	This is not an urgent decision
Council Plan	The SPD Design for Skerningham Garden Village SPD will represent the spatial implications and help achieve the economic growth aspirations of the Council Plan.
Efficiency	The consultation stage of the SPD represents the most efficient way to include public opinion on strategic design and will have regard to the legislative and engagement requirements.
Impact on Looked After Children and Care Leavers	This report has no impact on Looked After Children or Care Leavers

MAIN REPORT

Information and Analysis

11. The Skerningham Garden Village is a site allocation in the adopted Darlington Local Plan 2016- 2036. The inspector's report and its modifications detail the policy for the site in H10 and recommends that a Skerningham Design Code should be consulted upon and once agreed established as a Supplementary Planning Document Design Code for Skerningham Garden Village.
12. DesignNE have been commissioned by the Council to prepare the Skerningham Garden Village Design Code in line with policy H10 of the Local Plan with engagement of the local community.
13. The Draft SPD - Skerningham Garden Village Design Code was prepared in accordance with the NPPF July 2021 and the National Model Design Code and presented to Cabinet on 13 December 2022 which agreed an additional consultation exercise. The consulted document followed the remit and guidance of the second round of the Design Code Pathfinders developed by the office for Place and the Design Code Team in the Department for Levelling Up Housing and Communities.
14. The Draft SPD Skerningham Garden Village Design has been again out for official consultation as an SPD from 16 December 2022 – 13 January 2023 on the Darlington Borough Council Consultation Portal <https://darlington-consult.objective.co.uk/>
15. The consultation period closed on 13 January 2023 5 pm. The Council received 102 comments from 94 consultees on the document. The range of areas covered in these comments was focused and on a very different levels of detail. A great deal of the

comments related to the design code scoring sheet which has been modified, Skerningham Woods development and again on access arrangements of the initial phases of development. Appendix 1 shows the range of comments and how they have been progressed by Council Officers and show what changes to the document have been suggested.

16. Cabinet at its meeting of 3 July agreed two further amendments, which were:
 - (a) Change to the second Guiding Design Principle on page 45 to read: -
“The road will be aligned to avoid existing wooded areas as much as possible. The road **shall** be aligned to **avoid being** visible from the River Skerne as much as possible. Any loss of woodland will need an appropriate on-site mitigation which must result in net gain in community woodland on site.”
 - (b) The deletion of the last sentence of the movement section on page 108 which stated: -
“There will not be any direct access to the Skerningham Local Distributor Road from within the development.”
17. These have been incorporated in the further amendments as shown in Appendix 2.
18. After the Cabinet Meeting on 3 July, the Council received correspondence which suggested the Design Code as previously recommended is in conflict with the Local Plan. After considering this further, officers have suggested further amendments to remove any perceived conflict. These amendments relate mainly to the Bishopton Lane character area and the potential use of the land. These amendments can be found in Appendix 2.
19. In order to illustrate that comments have been taken on board by the Council, DesignNE were requested to produce an amended final document which can be found at Appendix 3. The document retains its revised format, however this amended document includes changes following the additional consultation exercise and minor alterations in the documents layout. Furthermore, the amended document includes changes suggested and approved by the Councils planning policy team based on Planning Policy and the National Model Design Code 2022.
20. Having taken all recommended changes into account, the Skerningham Garden Village Design Code was approved by Cabinet on 5 September 2023.
21. Following the approval of the Skerningham Garden Village Design Code SPD with amendments at Cabinet on 5 September 2023, it is now presented to full Council for adoption as a Supplementary Planning Document and as formal Council Planning Policy.

Financial Considerations

22. The SPD preparation and conversion will be funded by Garden Community Funding of Homes England.

Legal Implications

23. There are no direct legal implications arising from this report.