

**SPECIAL CABINET
15 SEPTEMBER 2026**

**DARLINGTON BOROUGH LOCAL PLAN REVIEW
CONSULTATION ON DRAFT LOCAL PLAN 2025 – 2042
AND SUBMISSION TO SECRETARY OF STATE**

**Responsible Cabinet Member -
Councillor Chris McEwan, Economy Portfolio**

**Responsible Director -
Trevor Watson, Executive Director Economy and Public Protection**

SUMMARY REPORT

Purpose of the Report

1. This report presents the responses and recommended amendments to the Draft Local Plan 2025 – 2042, as a result of public consultation held between 6th March 2026 and 28th April 2026. These amendments will be included within the Pre-Submission Version of the Local Plan (Regulation 19 of The Town and Country Planning (Local Planning) (England) Regulations 2012) that will, subject to Council approval be published for a further consultation in September/October 2026 prior to submission to the Planning Inspectorate for examination in public by the government deadline of 31 December 2026.
2. It further seeks delegated authority for the Executive Director of Economy and Public Protection, in consultation with the Economy Portfolio Holder, to allow minor editorial amendments to the Draft Plan prior to consultation. Any comments received during this time, will be considered prior to the submission to the Secretary of State and further necessary changes agreed under delegated authority for the Executive Director of Economy and Public Protection in consultation with the Economy Portfolio Holder.

Summary

3. The Darlington Local Plan was adopted in February 2022 covering the period 2016 to 2036. The Local Plan is up to date and not due for review until it is five years old (before February 2027). Whilst the plan remains up to date, there are benefits to reviewing the plan early. It is worth noting that this review would only commence a year earlier than it would need to anyway to meet the five-year review requirement set by Government.
4. In March 2026, Cabinet agreed a draft of the Reviewed Local Plan for consultation. This consultation was undertaken between 6th March 2026 and 28th April 2026. All parties on the Local Plan consultation database, Parish Councils and Statutory Consultees were

notified. During this time, we received 100 responses which resulted in more than 650 comments to consider from individuals and organisations. A summary of the comments received, and the suggested amendments is included in **Appendix 3**.

5. The Local Plan provides a vision and a guide for the delivery of sustainable development over the next 15 years. It is about planning for our residents' future needs in terms of housing, and about how we protect and nurture our local environment whilst we provide these homes, the workplaces of the future, and our leisure.
6. The Executive Director of Economy and Public Protection will make arrangements for consultations on the updated plan, in line with the Council's Statement of Community Involvement. This will commence as soon as possible after Council resolution owing to the tight timescales being set by Government for submissions of Local Plans in the current system for Examination prior to 31 December 2026.
7. The plan review is being undertake under transitional arrangements put in place by the government for plans already in development. We will therefore avoid needing to produce a 'new style' local plan and any forthcoming national policy changes until our next plan review. Timescales for submission in this transitional arrangement are therefore tight and inflexible.

Recommendations

8. It is recommended that Cabinet note the content of this report and recommend to Full Council that :-
 - (a) The suggested amends to the local plan are applied
 - (b) Note the comments received during the first consultation;
 - (c) Council agree a further minimum six-week period of consultation in line with the requirements of Regulation 19.
 - (d) Authority is delegated to the Executive Director of Economy and Public Protection, in consultation with the Economy Portfolio Holder, to make any necessary changes to the documents referred to above before they are submitted to the Secretary of State for examination.

Reasons

9. The recommendations are supported by the following reasons: -
 - (a) Local Planning Authorities must prepare a Local Plan that sets out the local planning policies for their local planning authority area. Government guidance requires that Local Plans must be positively prepared, justified, effective and be consistent with national policy, in accordance with Section 20 of the Planning and Compulsory Purchase Act 2004 (as amended) and the National Planning Policy Framework (NPPF).

Trevor Watson
Executive Director Economy and Public Protection

Background Papers

- (i) National Planning Policy Framework, DCLG December 2024
- (ii) Planning and Compulsory Purchase Act 2004
- (iii) Localism Act 2011

David Nelson : Extension 6291

Council Plan	The Local Plan and supporting documents are integral to the delivery of the Council Plan and its priorities (adopted by Council in July 2024). The priorities are: ECONOMY - building a strong sustainable economy and highly skilled workforce with opportunities for all. The Local Plan allocates land for employment sufficient to meet the future needs of the Borough. HOMES – affordable and secure homes that meet the current and future needs of residents. The Local Plan allocates sufficient land to meet the boroughs needs, sets affordable housing requirements and ensures new developments are well planned, safe and attractive. LIVING WELL – a healthier and better quality of life for longer, supporting those who need it most. The existing Local Plan encourages development to consider health and wellbeing with a requirement for larger developments to undertake a Health Impact Assessment (HIA). Allowance is also made for older people’s accommodation and sets a requirement for adaptable homes. The proposed updated plan goes a step further and includes a new mechanism to secure developer contributions towards health facilities and place greater restrictions on locations for hot food takeaways and gambling premises. CHILDREN AND YOUNG PEOPLE – supporting the best start in life, realising potential and raising aspirations. The Local Plan contains a mechanism to secure contributions to education provision and secure sites for new provision in key locations.
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	COMMUNITIES – working together for safer, healthier and more engaged communities. The Local Plan throughout has a focus on delivering cohesive communities rather than individual developments. LOCAL ENVIRONMENT – a well-connected, clean and sustainable borough. The Local Plan contains numerous policies to protect both the natural and built environment.
Addressing inequalities	An Equalities Impact Assessment will be part of the plan when submitted for examination.
Tackling Climate Change	Achieving sustainable development is a fundamental objective of the Local Plan. The early review of the existing Local Plan will enable the council to develop additional policy to tackle climate change matters, reflect updated national policy and improve existing policies where necessary. The reviewed plan will be supported by an updated Sustainability Appraisal which will consider impact of new and reviewed policies on climate change in greater detail.
Efficient and effective use of resources	The Council must have an up-to-date plan; this necessitates a review at least every five years. In commencing the review early (by less than a year). This will enable the life of the current plan to be extended to 2042 and remove the current uncertainty around ‘new style’ local plans. Some evidence will need updating, but not all. Producing a totally new plan would require significant investment in new evidence base documents. Most work on the review will be undertaken by the planning policy team but some specialist input will be required on topics like employment need, gypsy and traveller need, transport impact etc.
Health and Wellbeing	A key objective of Local Plan and supporting documents is to improve people’s health and wellbeing by protecting and improving the economic, social and environmental conditions in the Borough.
S17 Crime and Disorder	The Local Plan has a role in reducing crime through the design and location of development.
Wards Affected	All.
Groups Affected	All.
Budget and Policy Framework	The Local Plan will be prepared using existing budgets and will form part of the Council’s Planning Policy Framework.
Key Decision	Yes
Urgent Decision	No

Impact on Looked After Children and Care Leavers	This report has no impact on Looked After Children or Care Leavers
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MAIN REPORT

Information and Analysis

10. Local Planning Authorities must prepare a Local Plan that sets out the local planning policies for their local planning authority area. These policies are very important material considerations when deciding planning applications, as all decisions must be made in accordance with the policies unless there are very strong reasons not to do so. Government guidance requires that Local Plans must be positively prepared, justified, effective and be consistent with national policy, in accordance with Section 20 of the Planning and Compulsory Purchase Act 2004 (as amended) and the National Planning Policy Framework (NPPF). The NPPF states that every local planning authority in England should seek to have in place a clear, up to date Local Plan that conforms to the Framework, meets local development needs and reflects local people's views about how they wish their community to develop. The plan preparation process should fully involve everyone with an interest in the document or area, and they should have had the chance to comment.
11. In accordance with Regulation 10A of the Town and Country Planning (Local Planning) (England) Regulations 2012, and paragraph 34 of the revised NPPF (December 2024) a further review of the Adopted Darlington Local Plan 2016 - 2036 needs to be carried out by February 2027 at the latest. Paragraph 34 states that *"Policies in local plans and spatial development strategies should be reviewed to assess whether they need updating at least once every five years"* and *"should take into account changing circumstances affecting the area, or any relevant changes in national policy"*. Failure to do this could result in the plan being deemed 'not up to date' and national policy being applied.
12. In March 2026 Cabinet approved a draft update of the plan for consultation. Key amendments proposed in this draft included:
 - (a) Extending Plan Period to 2025 – 2042;
 - (b) No significant additional housing allocations outside development limits were required;
 - (c) Additional employment land needed to be allocated;
 - (d) Some policies required minor wording changes, including some to reflect changes in national policy since adoption of the plan in 2022 (including Biodiversity Net Gain);
 - (e) New policies were proposed for additional control of Hot Food Takeaways and Gambling Premises within a new 'Healthy Communities' chapter;
 - (f) New policies were also proposed for climate change, protecting trees and protecting watercourses.

13. The following table provides a summary of the key amendments proposed to be made to the Draft Local Plan 2025-2042 to address relevant comments received during the public consultation held earlier in 2026. These amendments will be included within the Pre-Submission (Regulation 19) Version of the Local Plan that will, subject to Council approval be published for a further consultation in September/October 2026 prior to submission to the Planning Inspectorate for examination in public by the government deadline of 31 December 2026.
14. A range of other minor changes will also be included in the Regulation 19 Pre-Submission Plan that are not listed here. These include providing clarity in supporting text, amending wording to be consistent with national policy, address typos, update references to documents, evidence, policy and legislation etc. Provision to approve these minor changes under delegated powers is set out in the recommendation of this report.

Policy	Proposed Change	Reason for Change
DC1 – Sustainable Design Principles	Remove requirement for Building for Healthy Life Assessment	The plan already contains a requirement for a Health Impact Assessment to be undertaken on larger schemes. The council is already developing design guidance with a view to adopting this as a supplementary plan in due course. Both Skerningham and Burtree allocations already have an assessment process in place which incorporates BFHL. It is not therefore considered necessary at the present time to include a further standalone BFHL assessment requirement in policy, which will also require additional resources to implement.
H1 – Housing Requirement	Amend proposed housing requirement from 446 to 490 dwellings per annum	This change is to ensure that, in accordance with the NPPF that the housing requirement aligns with the level of jobs growth proposed of 350 jobs per annum and the continuation of the Council's economic growth aspirations. The requirement will remain effectively the same as the adopted Local Plan housing

		requirement of 492 dwellings per annum. No additional allocations are required to those identified in the Regulation 18 Draft Local Plan due to the buffer in supply already included.
H1 – Housing Requirement	Amend Neighbourhood Housing Area Requirements	Requirements amended to reflect updated housing requirement and updated housing trajectory as completions data for 25/26 now available.
H3 – Housing Mix	Amendments to M4(2) and M4(3) adaptable and accessible homes requirements	Requirements amended slightly to reflect the latest evidence in the updated Local Housing Needs Assessment to reflect the latest household projections data. M4(2) likely to be 59% instead of 57% and M4(3) 7% instead of 8%.
H4 – Self-Build and Custom Build Housing	Increase threshold of requirement of 1% custom and self-build plots from proposals of 150 dwellings to 500 dwellings.	The current threshold would potentially result in the delivery of very small number of plots which is not practicable. A cluster of a minimum of 5 plots is considered appropriate. Most allocated sites are over 500 dwellings or below the existing 150 unit threshold so this change is unlikely to reduce the number of sites this would apply to in any case.
H5 – Affordable Housing	Amendments to the value areas wards are included within, potential changes to the affordable housing requirement and tenure split.	Updates required to reflected updated evidence in the Local Housing Needs Assessment and the Local Plan Viability Assessment currently still being finalised.
H8 – Housing Intensification	Inclusion of additional HMO policy	An additional policy on HMO's is to be included to provide further policy and guidance as an SPD was unable to be adopted prior to the deadline.

H10 - Skerningham	Skerningham will be identified as a mixed use development.	For clarity and to reflect masterplan.
H11 – Burtree Garden Village	Burtree will be identified as a mixed use development.	For clarity and to reflect masterplan.
ENV2 – Stockton & Darlington Railway	Enable rather than support the creation of a walking and cycling route along the S&DR Route.	Address comments from Historic England and the Friends of S&DR to put more emphasis on the creation of the route.
ENV5 – Green Infrastructure Standards	Amend requirement standards to include Natural England Urban Greening Factor and Accessible Natural Greenspace Standard	The Councils current Opens Spaces Assessment and Green Infrastructure (GI) Strategy is out of date and the use of these standards would ensure a more robust and up to date policy ensuring the Council can continue to seek GI provision and contributions.
ENV10 – Trees & Hedges	Re-order policy and inclusion of wherever possible in relation to retention of Trees and Hedges	Amendments required to ensure policy wording is consistent with National Planning Policy.
IN9 – Renewable Energy	Inclusion of policy on Battery Energy Storage Systems	To ensure local policy requirements are included within Local Plan
Appendix A	Housing trajectory will be updated to reflect most up to date position.	To reflect latest available information.
Appendix B	Some updates to Housing and Employment Allocation Statements will be required.	To reflect latest available information.
Appendix E	The affordable housing requirement map will be updated as some of the medium value areas will now become high value areas based on the updated viability assessment work	To reflect updated evidence.

15. A ‘track change’ version of the updated draft plan is included in **Appendix 1**.

16. **Appendix 2** includes an updated version of the Local Plan Policies Maps to reflect the latest draft plan.

17. **Appendix 3** includes a summary of all comments received during the Regulation 18 consultation, officer responses and changes proposed as a result.

Financial Implications

18. Consultation is an integral part of Local Plan preparation and allowances are made within the existing Local Plan Budget to facilitate consultation.
19. The Local Plan is, and will continue to be, key to delivering housing, employment and infrastructure development and is a vital determinant of the future economy of Darlington.

Legal Implications

20. There are no direct legal implications arising from this report. However, it is important the consultation under Regulation 18 is effective and allows stakeholders and local people opportunities to engage in plan preparation.

Carbon Impact and Climate Change

21. Achieving sustainable development is a fundamental objective of the Local Plan. The early review of the existing Local Plan will enable the council to develop additional policy to tackle climate change matters, reflect updated national policy and improve existing policies where necessary.
22. The reviewed plan will be supported by an updated Sustainability Appraisal which will consider impact of new and reviewed policies on climate change in greater detail.

Equalities considerations

23. The Local Plan itself will have regard to equalities considerations. An updated Equalities Impact Assessment will be produced on updated aspects of the plan prior to submission.

Consultation

24. This Consultation under Regulation 19 will allow stakeholders and local people to comment on the legal compliance and soundness of the proposed submission plan before examination by a Planning Inspector.

Outcome of Consultation

25. Once Regulation 19 is complete, an updated draft Local Plan is then submitted to the Secretary of State for the Department for Communities and Local Government. They will then appoint an independent Planning Inspector to undertake a 'public examination' of the draft Local Plan and is likely to make recommendations to further improve it. Comments received during the Regulation 19 consultation are also passed to the inspector for consideration.

26. During the examination process, the Secretary of State and the independent Planning Inspector will use the National Planning Policy Framework and comments submitted during the Regulation 19 consultation to determine whether a Local Plan is sound and legally compliant.