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Authority: Middlesbrough Council

Type of consultation: Planning Consultation

Full details of application/consultation: Stainsby Country Park and Masterplan

At land at: Stainsby

Type of response: Written Representation

Date of Submission: 26th February 2021

All responses or queries relating to this submission should be directed to the Secretary for the Trustees at the contact details shown above on this frontispiece.

All CPRE North Yorkshire comments are prepared by the charity using professional planners whose research and recommendations form the basis of this response in line with national CPRE policies.

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Comment

The North Yorkshire county branch of CPRE The Countryside Charity ('CPRENY') welcomes the opportunity to provide Middlesbrough Council ('MC' / 'The Council') with comments in response to the public consultation on the Stainsby Country Park and Masterplan. The document has been published on behalf of the Council. Whilst the site is located currently outside of CPRENY jurisdiction, a number of public requests have resulted in the county branch getting involved and providing this representation.

It is understood that this consultation is the latest in a series of consultations on this site. Furthermore, this is not a planning application, but a masterplan produced by the Council on behalf of several landowners including themselves, with the intention of retaining 'control' of the development and ongoing management of the proposed greenspace and country park.

Planning Context

The National Planning Policy Framework ('NPPF') was updated on 19 February 2019 and sets out the government's planning policies for England and how these are expected to be applied. The NPPF is, therefore, a material consideration which should be taken into account when plan-making and determining applications.

The planning system should contribute to achieving sustainable development. The NPPF aims to deliver sustainable development through the implementation of its policies. For plan-making this means that plans should positively seek opportunities to meet the development needs of their area and be sufficiently flexible to adapt to rapid change. Succinct and up to date plans should encourage a positive vision for the future of each area including housing and economic needs alongside social and environmental priorities. Plan-making is also about providing a '*platform for local people to shape their surroundings*' (para. 15, NPPF).

Regulation 10A of the Town and Country Planning (Local Planning) (England) Regulations 2012 places a legal requirement on Local Planning Authorities to review Local Plans at least every five years. Paragraph 33 of the NPPF sets out that '*reviews should be completed no later than five years from the adoption date of a plan and should take into account changing circumstances affecting the area, or any relevant changes in national policy.*'

It is understood that the Council are in the process of preparing a new Local Plan which will replace a number of existing adopted planning policy documents. The Local Plan was due to be submitted to the Secretary of State for examination in the summer of 2019, however, following the decision of the full Council in July 2019, the planning authority were directed to re-start the process of preparing a new Local Plan. The preferred options for which were due to be published for consultation in January 2012, however, there appears to be some slippage. As a result of the fact that the Council are at an early stage in plan preparation, no weight can be attributed to the new Local Plan in the planning process in accordance with guidance set out in the NPPF. Currently, therefore, the relevant Development Plan in force for Middlesbrough Council consists of a number of adopted documents, including:

- Housing Local Plan (adopted 2014);
- Core Strategy Development Plan Document (DPD) (adopted 2008);
- Regeneration DPD (adopted 2009);
- Tees Valley Minerals and Waste Core Strategy DPD (adopted 2011);
- Tees Valley Minerals and Waste Policies and Sites DPD (adopted 2011);
- Middlesbrough Local Plan 1999 (saved policies)
- Proposals Map.

The 130Ha site at Stainsby Hall Farm and Stainsby Hill Farm subject to this masterplan consultation was

allocated for a mixed development of 1670 dwellings, employment land, local retail centre and a primary school, within the 2014 Housing Local Plan (Policy H21 - Brookfield) and is shown on the relevant policies map. The adopted policy sets a number of criteria which must be achieved in order for any proposed developments on the site to be considered appropriate including (amongst other matters): the provision of a link road through the development; provision of affordable housing and off-site contributions; a mix of dwelling types and sizes; pedestrian and cycle links through the development linking with existing residential areas adjacent to the site; a country park; landscape screening of the A19; appropriate green corridors adjacent to existing Saffwood Beck and Blue Bell Beck; and, enhancement of the existing Local Wildlife Site to the north of the site.

It is further acknowledged that the site was retained in the publication version of the Local Plan which was due to be submitted to Government in 2019. As such, and given the Council are promoting this consultation, it is fully expected that the site allocation will be carried forward to a forthcoming version of the preferred option Local Plan due to be published for consultation in the future.

Considering recent events (the Covid-19 pandemic) and the changing emphasis of national government in respect of Climate Change, CPRENY fundamentally object to the principle of continuing the allocation of such a large green field location. Further, it is noted that despite it having been allocated in the 2014 Local Plan and withdrawn Publication Local Plan (October 2018) which was consulted on between 9 November and 21 December 2018 (having already been through the preferred options stage), many members of the public and local community interest groups are voicing their concerns about development at this proposed location, one of the few remaining areas of 'major open space' as shown on the local development framework core strategy key diagram. However, this entire area is shown as 'allocated' on the 2014 Housing Local Plan Allocations Plan and it is acknowledged that some of this area has been built out.

The Council are continuing in their work towards a new Local Plan and published in January 2021 their most up to date Local Housing Needs Assessment, prepared on their behalf by Opinion Research Services ('ORS'), stating a 7,200 dwellings (400 per annum) local housing need. However, there is no mention within this document of the impact on housing need resulting from the Covid-19 pandemic or indeed changing live/work lifestyles as a result of the pandemic, which broadly supports the figure allocated in the Housing Local Plan ('HLP').

Furthermore, the Council's most recent 'five year housing land supply assessment 2020-2025' published April 2020, highlights that the Council has a 9.99 year housing land supply across the district. Helpfully, this assessment sets out that a number of allocated sites for residential development in the adopted HLP, did not have planning permission on 1 April 2020. The NPPF requires that these sites should only be assessed as deliverable where there is clear evidence that housing will be delivered within five years. Whilst the Council own some of the land within the area subject to this response, other parts of the wider site are in the control of different landowners and the Council are still some way off receiving formal planning applications. As such, there is no clear evidence that this site will be delivered within five years, therefore, it was correctly excluded by the Council's policy officers in their assessment of whether the sites will be deliverable in the next five-year period. The Council has thus projected a deliverable supply from other allocated sites as being 590 dwellings. When that figure is considered in the round with other available sources of housing supply, the Council projects a total supply of 2,686 dwellings over the next five-year period. This exceeds the minimum housing requirement of 1,344 dwellings by 1,342 dwellings. Whilst the assessment acknowledges that there has been a slower than usual rate of construction because of COVID-19, it also does not take account of any revisions to projected housing numbers which may occur as a result of the pandemic, which may still be unknown.

Given the likely impact the pandemic has had, CPRENY are of the opinion that whilst the Council are at such an early stage of plan-making, now is the time to commission an addendum to the ORS report to fully address

this matter, to ensure that the correct level of housing is planned for which may prove that not all proposed green-space is required. Simply because an allocation was made in 2014, is not sufficient justification to continue with it, *providing* the evidence suggests otherwise. As set out above, the NPPF expects Local Plans to be reviewed regularly and be updated to reflect up to date evidence and be able to respond to rapid change. It would be perfectly reasonable for the Council to effectively 'de-allocate' the site in the emerging Local Plan should the Council have the appropriate evidence to justify this route.

It is understood that the HLP was assessed via independent examination and the Plan found sound at that time, however, since 2014 the NPPF has been revised, the Government (and MC) have declared a Climate Emergency and we are living through a global pandemic which is having a catastrophic impact on lives and livelihoods. As such, CPRENY would urge the Council to take a more considered approach to developing on such a substantial site and listen to local residents who fervently oppose this allocation as they value the open agricultural views afforded to them from Mandale Meadows and from Bluebell and Saffwood Becks.

The pandemic has enabled residents to enjoy the countryside for its own sake and brought into sharp appreciation how valued and beneficial open views, fresh air and green space is in terms of impacts on both physical and mental health. The entire housing allocation is adjacent to land allocated as 'Green Wedge' under saved policy E2 of the 1999 Middlesbrough Local Plan. Policy E3, was also saved, and deals specifically with development adjoining green wedges. The supporting text to both policies sets out that the Cleveland Structure Plan identified green wedges at the Stainsby Beck Valley including the Bluebell Beck Valley extension and goes on to state that '*development adjoining Green Wedges can have a significant impact upon the perceived character of the Green Wedge.*'

Whilst it is recognised that the Masterplan seeks to retain existing green corridors and create an essence of 'country park living,' CPRENY believe that the proposed development as set out in the masterplan would totally alter the character of the green wedges at this location, removing the openness and long-range agricultural views entirely. Furthermore, CPRENY consider that the proposal is wholly unnecessary given the large supply of deliverable sites elsewhere in the Council's area including existing brownfield sites, which the district has in abundance (according to their Brownfield Register). We, therefore, urge the Council to support regeneration schemes at Middlehaven, Grove Hill and Newport. Favouring a brownfield first approach is entirely in line with national policy and would enable these areas to be redeveloped with a green, low-carbon emphasis – bringing the benefits of biodiversity into the urban environment and appealing aesthetics through careful design. At CPRE, both nationally and locally, we recognise the urgent need for more affordable homes and argue that the way to do this is to make best use of brownfield land before even considering development on the greenfield sites. A CPRE poll of adults across the country shows that two-thirds of adults think that protecting and enhancing our green spaces should be a higher priority after lockdown. This shows just how much communities would suffer if these local patches of green are lost.

The Council declared a climate emergency in 2019 and according to a statement by the Mayor on the MC website, the Council has '*ambitious targets to be carbon neutral by 2029 as an organisation,*' and goes on to state that the '*goal is for the whole town to be carbon neutral ten years later, well ahead of the government's 2050 target.*' The Council is currently preparing a Green Strategy which will set out how they intend to achieve this. CPRENY would argue that the provision of such a large housing allocation on one of the only remaining large green field sites in the district will not help achieve this due to the sheer scale and landtake involved in the proposals. CPRE believe that we should be encouraging agricultural practises to tackle climate change to enable nature recovery, provide food needed to sustain the country and provide clean air.

The Masterplan subject to this consultation sets out that the site is 140Ha, which is an increase of 10Ha over and above that allocated in the HLP. Further, the masterplan sets out the positioning of the new primary road through the site connecting new development at the south of the site through to the existing farm area to

the north. It goes on to say a further connection will be created through an enhanced roundabout entrance at Mandale Road – passing over Blue Bell Beck. CPRENY has significant concerns that this will cause significant detrimental impacts to the existing local wildlife site at this location. Whilst compensatory measures are a criterion of Policy H21 of the HLP, the level of construction work which will occur because of the development of the wider site and the timescales involved will likely mean habitats will be disturbed and are unlikely to recover. CPRENY has recently seen evidence of newts on site and urge the Council to consider the implications for protected species.

It is further understood that the HLP was partly based upon the March 2014 Infrastructure Delivery Plan, which assumed the delivery of housing allocations in Brookfield, Hemlington Grange, Coulby Newham, Stainton, Nunthorpe Grande and Low Gill. The MC five-year housing land supply document sets out that no housing is planned at Coulby Newham or Nunthorpe Grange in the next five years in the same way as at Stainsby. As such, the new road is not required to deliver development.

The Council should carefully consider how they wish to develop Middlesbrough in line with their climate declaration and ambition to ‘protect green spaces’. Up to date evidence allows the Council to deliver new policies and not be bound by those made in the past. Therefore, CPRENY urge the Council to ensure that evidence in relation to exiting housing land supply, the current static population in Middlesbrough and the fact that the ONS population figures indicate a reduction over the next 10 years of circa 1000 people from the district, alongside the effects of the pandemic, is considered when plan-making. Of the downwards projection from the ONS on population figures, they also predict a reduction in the number of children and working age adults and increases in older populations. This alongside the fact that the pandemic has had a significant effect on the economy with more people working from home and unlikely to return to pre-COVID levels of commuting, will have a significant impact on traffic flows, particularly at peak times. The Council should therefore consider all these elements when creating a revised infrastructure delivery plan which should in turn impact the Local Plan. It is therefore the opinion of CPRENY that the Stainton Way Western Extension would not be critical to the towns infrastructure and Highways England would not be concerned about capacity of existing roads.

Given the Government’s recent commitments to tackling climate change and the Council’s own recent commitments to the ‘Climate Emergency’ and ‘One Planet Living’ and evidence which has come to light since 2014, the Council has the evidence to justify a change in direction so should not fear legal challenge as a reason to not halt the development in these areas.

Paying specific attention to the design principles set out in the Masterplan document, CPRENY, welcomes the Council’s attention to the inclusion of biodiversity and provision of pedestrian and cycle routes across the whole site. The document proposed that 53% of the total site be retained as green space which is encouraged. The inclusion of a specific landscape strategy as central to the masterplan is considered good planning. The provision of a country park and facilities, green connectivity and green fingers across the site, the creation of SuDs, recreational and circular routes, public art within the development, trim trails and dog walking areas, formal sport pitches and play areas, new woodland habitat, a green commercial and community hub, food growing areas including public orchards and quiet areas for solitude and wildlife-watching are all assets to be welcomed and encouraged. The summary of landscape strategy plan (pg 48) shows proposed locations for all potential facilities and ‘areas’, however, CPRENY are aware that this is not a planning application and has not been put forward by developers as a specific proposal so are concerned that much of this could be considered aspirational and unviable. It is hoped that MC would seek to ensure that these concepts are delivered in actuality across the whole site which is not entirely within Council control through the use of legal agreements etc.

CPRENY would support the Council in transferring the concept of this proposal to any of the brownfield sites

within Middlesbrough as a general concept to ensure the green regeneration of urban derelict sites. In essence, if these principles were adopted as standard by MC across all developments within the district, CPRENY would be supporting of them. It is hoped that the emerging Local Plan will reflect this concept in its design policies. In the case of Stainsby, the site location is simply not appropriate or necessary for development in our opinion despite the landscape first concept.

It is considered that the parking sections within section 6 and 7 of the 'Urban Strategy' chapters should include reference to the provision of electric vehicle charge points. Not all houses will have garages with suitable charge points, therefore, given the Government's commitment to electric vehicles it is considered that thought should be given to how owners should charge vehicles, especially in those areas where frontage parking is being discouraged and landscape and boundary treatments are being proposed at a detailed level.

The Masterplan concentrates on landscape, open space and infrastructure provision for the site and thus presumably leaves the details of housing to any future developer bar giving an indication of the types of housing the Council would consider appropriate in broad locations, i.e. higher density towards the central areas of each neighbourhood zone. CPRENY were disappointed that an indication of what the Council would expect to see delivered, as a minimum, has not been included in the Masterplan in terms of providing net-zero / low-carbon dwellings, for example, through the use of sustainable building materials, or the provision of individual or district-wide renewable energy infrastructure. Whilst this is perhaps a detail which could be left to a planning application, given the amount of detail the Council has prepared on green elements, it is thought that this would support the Council's ambition of reaching net zero by 2039.

Conclusion

CPRENY welcomes the opportunity to provide MC with a written representation on the Stainsby Country Park and Masterplan consultation.

CPRENY are of the opinion that given the Council's 9.99 year supply of available housing land supply alongside specific changes to policies and circumstances at both national and local levels, the allocated site in HLP Policy 21 is no longer required and the Council would be justified in de-allocating this site from the emerging Local Plan.

Given the Council are in the process of preparing a new Local Plan and are reviewing the evidence base, CPRENY urge the Council to take on board the arguments set out above and consider the impacts of the global pandemic and future population forecasts from the ONS on their estimated housing need prior to the publication of their Preferred Options Local Plan. Alongside this, the Council's commitment to the Climate Emergency should be central to any planning decisions. This approach is entirely in conformity with paragraph 33 of the NPPF which instructs Local Plan reviews to '*take into account changing circumstances affecting the area, or any relevant changes in national policy*'.

Further, it is considered that these change in circumstances render the proposed Stainton Way Western Extension road unnecessary.

CPRENY would, however, support the Council's landscape-first approach to the design of the development and would support them in transferring this principle to a brownfield-first objective ensuring that all derelict sites are transformed by green-regeneration schemes.

CPRENY support the numerous residents who have contacted us expressing concerns about the proposals at this location in terms of imposing a detrimental impact on the character and openness of the agricultural landscape and loss of visual amenity at this location, especially considering the frequency of use of these areas in light of the recent pandemic and endorse their objections.

CPRENY reserve the right to comment further should additional information be consulted upon in support of the development in this location.