

# **Marion West Modified Neighbourhood Plan**

## **Supporting Paper**

### **Justification for designation of Newham Hall Parkland as Local Green Space (LGS)**

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The NPPF sets out in sections 99-100 the basis on which LGS can be designated, i.e.

99. The designation of land as Local Green Space through local and neighbourhood plans allows communities to identify and protect green areas of particular importance to them. Designating land as Local Green Space should be consistent with the local planning of sustainable development and complement investment in sufficient homes, jobs and other essential services. Local Green Spaces should only be designated when a plan is prepared or updated, and be capable of enduring beyond the end of the plan period.
100. The Local Green Space designation should only be used where the green space is:
  - a) in reasonably close proximity to the community it serves;
  - b) demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and
  - c) local in character and is not an extensive tract of land.

Marton West Neighbourhood Forum proposes to designate the parkland to the south of Newham Hall, in the De Brus Park area, as LGS. The evidence supporting this proposal is set out below dealing with each aspect in turn:

### **1. The LGS designation is in reasonably close proximity to the community it serves.**

- i. The proposed area is shown on the Neighbourhood Plan Proposals Map.
- ii. Whether the proximity of a green space is reasonably close to the community it serves will depend on local circumstances, including why the green area is seen as special e.g. if public access is a factor, then the site should be within easy walking distance. Accessible Natural Green Space Standards (ANGSt) produced by Natural England advises that green spaces of 2ha or less should be located within 300m which equates to roughly 5 minutes comfortable walking distance for a range of ages and abilities. The De Brus Parkland is situated immediately adjacent to the houses found at De Brus Park. The site is bordered by Brass Castle Lane to the south and the B1365 to the west. Approximately 5 minutes' walk from the residential area on De Brus Park is a public footpath, which leads directly in to the site from Brass Castle Lane. This footpath links up with others across the parkland leading beyond Newham Hall and farm towards the land allocated in the adopted local plan via policy H26 (Coulby Newham).
- iii. Local residents of the De Brus Park area enjoy easy and safe access to the countryside across the parkland and are able to access important vistas both towards the wider countryside and the National Park and towards the Grade II Listed Buildings.

**2. The LGS designation is demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife;**

- i. The assessment of whether a proposed site is demonstrably special and holds a particular local significance to the local community has been based on NPPF para 100, criterion b), including on a cumulative basis where one criterion can reinforce the demonstrable specialness and local significance of the space already indicated by another criterion. It should be noted that criterion b) uses the words “for example” and so the list of factors given in the NPPF is not exhaustive or mutually dependent.
- ii. The parkland is currently owned by Middlesbrough Council. This parkland forms the historic setting of the Grade II Listed Newham Hall Estate and is demonstrably special to the local community primarily due to its historic significance
- iii. In 1996 (decision letter dated February 1997 – appeal reference N/P/R0715/220/95/1), the parkland was subject to a Planning Appeal, whereby the Secretary of State for the Environment refused Middlesbrough Council planning permission for 40 dwellings stating that development of 40 dwellings (at that time) would fail to conserve the character or appearance of the setting of Newham Hall and the listed group around Newham Lodge. The Planning Inspector’s report detailed that the “parkland makes a significant contribution to the wider setting of Newham Hall.”
- iv. In June 2013, Durham University Archaeological Services undertook a Landscape and Heritage appraisal of Newham Hall. They assessed the hall and parkland as being of considerable regional importance, and indicated that the parkland was an integral part of the principal historical significance of the site
- v. In the currently adopted Local Development Framework (LDF) (2014), the Council has stipulated in its adopted policy associated with the Coulby Newham housing allocation, H26(e), that it requires the development to deliver a high quality scheme... *that preserves the character and appearance of the setting of the Grade II listed structures Newham Hall, Newham Hall Lodge and Newham Hall Gate*
- vi. In the adopted LDF Proposals map, the majority of the parkland is identified as “primary open space – proposed”, with a small proportion of the parkland remaining as “whiteland” or unallocated land between the open space and the housing on De Brus Park.
- vii. The Landscape and Heritage Assessment undertaken by LUC in (2016), which formed part of the Council’s evidence base for their draft Local Plan, further sets out the importance of the historic environment surrounding Newham Hall stating that the landscape represents an important and rare survival of a 19<sup>th</sup>

century industrialists mansion and farm complex going on to state that the “parkland is indivisible from the significance of the hall itself.” It goes on to state that the “significance of the asset group as a whole could be argued to be more than regional, given the rarity of survival of ironmasters houses in the region and more generally the intactness of house and landscape.”

- viii. This evidence underpinned the original open space designation and, as the land remains the same, must thereby retain its significance today. The LUC report suggests that “There do exist access links across the site that could be enhanced or extended, creating circular routes from the new housing at Coulby Newham into the countryside, and onward links to the Marton West Beck Trail. This would enable a wider appreciation of this regionally significant designed landscape. The parcel has substantial tree belts and lines of mature trees that should be maintained and replaced over time.” The Neighbourhood Forum has identified numerous notable and veteran trees across the site which have been accepted by the Ancient Tree Register and therefore are worthy of protection.
- ix. The proposal is to change the entirety of this parkland to LGS including the area previously referred to as “whiteland” above, in order to allow the local community and those who will come to reside locally the opportunity to continue to enjoy this special area of open space.
- x. Historic England assessed the parkland for ‘registration’ purposes in October 2019. Their report sets out the special interest between the landscape and the Grade II Listed hall stating that it appears that the hall was carefully designed and orientated to provide “a framed view northwards to Ayresome Ironworks with the principal rooms enjoying views across the gardens, parks and out to the North York Moors and Roseberry Topping.” It goes on to set out how the gardens provide view back towards the hall and thus “very significantly contribute to the special interest of the Grade II Listed building. The wider parkland is also a key aspect to the setting of the hall and significantly contributes to the interest of the listed building, providing essential meaning to two further listings, the lodge and associated gateway...” It concludes that “the Newham Hall landscape is thought to be the most complete and best surviving example (of a country house estate) in the area”
- xi. Furthermore, in the Council’s own application (M/OUT/0554/14/P) to develop 5 detached dwellings at De Brus Park (now built) the Statement of Significance set out that the “parkland setting is extremely important to the significance of Newham Hall.”
- xii. It is considered that the historic significance of the site and the important designed vistas both towards and outwards from the parkland are so special to the community that it attracts the community to the public footpath network within it for recreational purposes. The fact that the community can access this land and enjoy safe and peaceful access to the countryside on the fringe of the large urban area of Middlesbrough is extremely valuable. Furthermore, opportunities to expand this provision was acknowledged by the Council’s consultants LUC as set out in paragraph (viii) above.

### **3. The LGS designation is local in character and is not an extensive tract of land.**

- i. There is no clear guidance as to what constitutes an 'extensive tract of land'. Whether a site is an 'extensive tract of land' was a judgement based on the extent and setting of each site considered.
- ii. It is evident that the site is 'local in character' due to the fact it is 'indivisible' from Newham Hall. Whilst the site is acknowledged to be relatively large in area, it is not considered 'extensive' due to the important fact that clear boundaries are visible via the field boundaries associated with the local road network of Brass Castle Lane to the south; the B1365 to the west; the De Brus Park residential area to the east; and Newham Hall site to the north leading to the allocated land of policy H26 in the Middlesbrough Local Plan.

For the reasons set out above, the Marton West Neighbourhood Forum believe that the proposed LGS designation at De Brus Park is consistent with paragraph 100 of the NPPF (2019).

Further evidence in support of the proposed designation is the fact that the site is located beyond the Limits to Development as identified in the adopted LDF Proposals Map. Policies E20 (Limits to Development) and E22 (New Housing in Countryside beyond the Limits to Development) are applicable. Policy E20 advises that in the interests of protecting the open countryside, development beyond the limits to development will be strictly controlled. Housing will only be allowed where it accords with Policy E22, being for agricultural or forestry workers.

Therefore, any proposals for development would be within the open countryside and not supported unless for very specific circumstances requiring a rural location and could be achieved without inflicting detrimental harm to the listed buildings.

Middlesbrough Council has waived these policies in recent years, due to the Council not having a five-year supply of housing. However, the latest 5 year housing land supply assessment, undertaken for the period 1<sup>st</sup> April 2019 to 31<sup>st</sup> March 2024, indicates that Middlesbrough has a demonstrable deliverable housing land supply of 7.59 years, which indicates that the Council has the ability to be flexible if required during the plan period.

Substantial land elsewhere in the Marton West ward has been allocated in the adopted Housing Local Plan for housing development at Ford Riding School, i.e. 50 dwellings.

Subsequently, in 2014 and 2016, 10 Executive dwellings were approved at De Brus Park (5) and Green Willows, Brass Castle Lane (5) as a result of windfall developments when the Council did not have a demonstrable 5-year housing land supply.

More recently, the Council has approved an application from David Wilson Homes, to vary an existing planning application for 60 dwellings and build a further 42 dwellings 2-3 bed dwellings on the boundary of Brass Castle Lane and Stokesley Road, i.e. totalling 102 dwellings, in order to provide smaller dwellings as large executive style homes were not required, in line with the Council's findings.

Given the scale of Middlesbrough Council's housing supply and potential housing development elsewhere in the Marton West ward as highlighted above, the proposal for LGS is consistent with the s99 NPPF requirement for sustainable development and complements investment in sufficient homes, jobs and other essential services in the ward.

### **Conclusion**

In conclusion, the Marton West Neighbourhood Forum considers that the site is in conformity with the requirements of the NPPF and as such would benefit from LGS designation via the Neighbourhood Plan review.