

Report of:	Richard Horniman - Director of Regeneration and Culture Councillor Ashley Waters - Executive Member for Regeneration
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Submitted to:	Executive - 22 December 2020
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Subject:	Stainsby Country Park (formally known as Stainsby/Stainsby Detailed Masterplan)
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Summary

Proposed decision(s)
That the Executive approves: a) the revised vision of the Stainsby scheme as set out within the detailed masterplan; and, b) the consultation process required with stakeholders and the public to allow the Council to adopt the detailed masterplan as Development Guidance.

Report for:	Key decision:	Confidential:	Is the report urgent?
Decision	Affects two or more wards	The report is not confidential	Non-urgent report

Contribution to delivery of the 2020-23 Strategic Plan		
People	Place	Business
The masterplan aims to enhance and extend existing habitats whilst creating a wide range of new habitats for the benefit of people and wildlife, in order to deliver a net gain in biodiversity, climate change resilience and ecosystem services to the wider environment. One Planet Living Principles are fully designed into the Stainsby Masterplan and these identified opportunities for each of the OPL principles, helping the town to become absolute leader on environmental issues.	The masterplan aims to provide high-quality new homes while increasing and enhancing green spaces by proposing a mixed and balanced community set within an outstanding and engaging landscape, that includes the creation of a new Green Flag country park.	The proposed new Country Park at Stainsby will be the 'jewel in the crown' of the new development and accessible to new and existing residents alike, creating positive perceptions of our town on a national basis. The scheme will help the Council underpin its Medium Term Financial Plan by the generation of Council Tax income.

The development of housing will contribute towards Middlesbrough's Housing Growth Programme and increase the quality and quantity of homes available to residents.		
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Ward(s) affected
<ul style="list-style-type: none"> a) Ayresome b) Trimdon c) Kader <p>Ward Members will be consulted throughout the stakeholder consultation process.</p>

What is the purpose of this report?

1. To set out the revised vision for the Stainsby scheme and to seek the approval to conduct consultation with the view of adopting the detailed masterplan as Design Guidance.
2. The development will provide:
 - a) over 40 hectares of additional green public open space with planting of 18,000 to 25,000 native trees and shrubs;
 - b) a commitment to the Council's One Plant Living principles;
 - c) a new Country Park;
 - d) community amenities including play and sports provision; and,
 - e) housing within a landscaped setting.

Why does this report require a Member decision?

3. The adoption of the masterplan as Design Guidance is a key decisions as it affects two or more wards.

Report Background

4. In order to facilitate the development of Middlesbrough as a vibrant, modern growing town, the Council aims to drive the development of high quality homes and create a place for all.
5. The development of new housing has a positive impact on the Council's strategic objectives. Income generated from Council Tax is central to the Medium Term Financial Plan and the ongoing support of core Council services. Housing development is also key to the physical regeneration of the town, creating places where people want to live and employment opportunities that will contribute towards social regeneration.
6. The Stainsby scheme situated in West Middlesbrough was allocated for housing in the Local Plan adopted in 2014. The 130 hectare site was designated for a minimum of 1,670 dwellings in a mixed and balanced residential community.
7. Stainsby North owned by Middlesbrough Council, known locally as Mandale Meadow forms part of the overall Stainsby scheme and was originally earmarked for circa 100 dwellings.

Local Plan 2014

8. Public consultation was undertaken on the draft Local Plan between January and March 2013. Following this consultation the Secretary of State appointed a Planning Inspector who found the plan to be sound and it was adopted by the Council in 2014.
9. With regards to Stainsby the Local Plan stated:
 - a) 130 ha of land allocated for mixed and balanced residential community;
 - b) minimum of 1670 dwellings;
 - c) 3 – 4 bed detached and semi-detached;
 - d) primary school and local centre within the development; and,
 - e) accessed from B1380 and A1130 creating a link road through development.

Highways & the Stainton Way Western Extension (SWWE)

10. The requirement for the SWWE is set out within the following strategic documents:
 - a) 2013 - Arup's Strategic Housing Sites Model Assessment Report;
 - b) 2014 - Tees Valley Strategic Infrastructure Plan;
 - c) 2015 - A66 & A689 Tees Valley Strategic Study; and,
 - d) 2018 - Middlesbrough Integrated Transport Strategy.
11. Other schemes identified within the aforementioned document have been or are in the process of being delivered including;
 - a) Dock Bridge (Priestman Road)
 - b) Dixons Bank
 - c) Cargo Fleet Lane/A66 Throughabout

12. The SWWE is the next key strategic highway scheme to be programmed.

Public Open Space and Land Appropriation

13. As part of the normal process of preparing the Stainsby North site for development, notice of intention to dispose of public space and notice of intention to appropriate open space for planning purposes was required.
14. When initially advertised the notices generated a number of responses including:
 - a) objections to the development of housing;
 - b) objections to the development of a spine road; and,
 - c) objections to the loss of green space.

15. This process was not formally implemented and the land remains held as statutory open space.

Executive Report – September 2018

16. In response to the objections to the Public Open Space and Land Appropriation Notices, a report was presented to Executive in September 2018. The report outlined the Council's vision for the site and requested that, in consultation with the public, a draft masterplan was to be produced.

Draft Masterplan Development

17. To ensure that the local community were able to play a part in the preparation of the draft masterplan, consultation events took place around the overall Stainsby scheme.
18. Over a 12 week period, the Council and its appointed architects held three workshops, one at Acklam Library and two at the Acklam Green Centre. The Council encouraged participation in the development of the masterplan by seeking views relating to the location, design and specification of the green spaces, the Country Park and any other proposed amenities on the site, through a number of questionnaires.
19. The consultation assumed that housing would be developed on Stainsby North and that the SWWE would run through the site as set by the Local Plan 2014. The consultation was focussed on shaping the development around these fixed parameters.

2018 Public Event 1

20. The first consultation event took place on the 27th September 2018 at the Acklam Green Centre. The design presented was the same as that featured in the 2014 Local Plan and was used as a basis for discussion.

2018 Public Event 2

21. The second consultation event took place on the 18th October 2018 at the Acklam Library. Taking into account the feedback from both the event and questions at Stage 1, the proposed masterplan was amended, including the following examples:
 - a) realignment of the SWWE so that it no longer creates a continuous boundary between the new housing and the new Country Park, minimises its impact on Stainsby North and minimise potential impact on existing houses; and,
 - b) reduced developable area at Stainsby North and developable area moved away from Heythrop Drive to retain the majority of Stainsby North.

2018 Public Event 3

22. The final consultation event took place on the 29th November 2018 at the Acklam Green Centre. Again taking into account the feedback from both previous events and feedback from completed questionnaire, the proposed masterplan was amended.

Executive Approval of Draft Masterplan

23. Following the consultation process with the public, Executive approval was given in January 2019 to:
 - a) develop a detailed masterplan;
 - b) conduct site investigations;
 - c) re-advertise Public Open Space and Land Appropriation notices; and,
 - d) submit a planning application for SWWE.

Review of the Stainton Way Western Extension (SWWE)

24. Following the May 2019 Local Elections and change in political leadership, consideration was given on how to progress the Stainsby Scheme, particularly in regards to SWWE and housing development at Stainsby North.
25. The Council commissioned a piece of work to assess the options for the alignment of the SWWE. The commission focussed on stage 1 of the Transport Appraisal Process. Stage 1 seeks to identify the need for intervention and develops the options to address a clear set of locally developed objectives which express desired outcomes. These are then sifted for the better performing options to be taken on to further detailed appraisal in Stage 2.
26. Based on a two stage option assessment process in line with DfT guidance and recent good practice, it was clear that there are two options worthy of further investigation. These are:
 - a) Option 2: Link Road (Inner) – a new link road between the existing termination point of Jack Simon Way and the A1130, to the west of the existing housing development; and,
 - b) Option 3: Link Road (Outer) – a new link road between the existing termination point of Jack Simon Way and the A1130, just to the east of the A19.
27. Of these two options, the EAST analysis indicates that the former has the best balance of benefits and impacts at this stage and clearly has the least impact on local residents. The more bespoke alternative assessment also shows that Option 3 performs best against the scheme-specific objectives developed and would appear to have lower social and environmental impacts.
28. The Council have also commissioned a consultant to construct a strategic Aimsun model for the whole of the Authority's highway network. The model has been developed in accordance with national guidance and has been validated independently by third party consultants to ensure it is robust. Work with key stakeholders including Highways England and the Tees Valley Combined Authority (TVCA) has been undertaken to ensure that they also have confidence in the model.
29. The model will enable the cumulative impact of development activities to be fully understood across the whole of the Authority's network and appropriate mitigation sought. The model can also be used to test highway schemes to fully understand the benefits derived and will be used to support any subsequent SWWE planning application.

Review of the Detailed Masterplan Commission

30. In January 2019 the Council conducted a tender exercise to appoint a masterplanning consultant for the Stainsby site. The scope of the commission was to encapsulate, and enhance where required, all work and documents produced within the draft masterplan. The commission looked to produce a masterplan that would be adopted as Design Guidance and used in negotiations with developers to ensure they deliver the key design objectives set for the development. Submissions were evaluated and the winning organisation was appointed in April 2019.
31. Following elections in May, a decision was made to put the commission on hold until the review of all Greenfield developments, including the Stainsby scheme was conducted.

32. In respect to the Council owned land at Stainsby North, it is proposed that this area will not be developed for housing. As a consequence the Council removed the capital receipt expected through the sale of the developable land from the medium term financial plan.
33. Once the review was completed, the Council reengaged with the appointed consultants to proceed with the development of the detailed masterplan, to reflect the new revised vision. A final draft of the masterplan was complete in November 2020 and is attached as Appendix 1.

Summary of the Review and Masterplan Amendments

34. Taking into account both the public and political views in relation to the scheme, it is proposed that the SWWE must proceed but the allocated housing at Stainsby North does not.
35. This review will protect the vast majority of the Council owned open green space and the Council will commit to work with the community to identify how will be best to protect this area from future developments.

Country Park

36. The new masterplan seeks to provide a vision of a sustainable, mixed and balanced community set within an outstanding and engaging landscape, that includes the creation of a new Green Flag country park including the following feature:
- a) 16ha of new native woodland creation;
 - b) planting c.18,000-25,000 native trees and shrubs;
 - c) 1.6km of new species rich/native hedgerow;
 - d) planting c.16,000-24,000 hedging plants;
 - e) planting 100+ hedgerow trees;
 - f) planting c.800 ornamental street trees and parkland trees; and,
 - g) planting c.300 fruit trees as part of public orchards.
37. The proposed new Country Park at Stainsby will be the 'jewel in the crown' of the new development and accessible to new and existing residents alike.
38. The masterplan enhances and extends existing habitats such as Blue Bell Beck, Mandale Meadow and West Plantation and creates a wide range of new habitats. These will interact and flow throughout the development providing a seamless transition between the built environment and the countryside, facilitating the movement of wildlife and people.
39. The review provides a comprehensive network of play and recreation facilities ensures that residents have easy access to a natural, stimulating, and safe environment for recreation and healthy living activities for all ages and abilities. These will be incorporated into the green open space network where appropriate.
40. One Planet Living Principles are fully designed into the Stainsby Masterplan and opportunities have been identified for each of these principles.
41. To protect the Country Park from future development it is Middlesbrough Council's intention for the park to be adopted and accredited by Natural England. Appendix 2 outlines the essential and desirable criteria that must be achieved within the Country Park.

What decision(s) are being asked for?

42. That the Executive approves:

- a) the revised vision of the Stainsby scheme as set out within the detailed masterplan; and,
- b) the consultation process required with stakeholders and the public to allow the Council to adopt the detailed masterplan as Design Guidance.

Why is this being recommended?

Design Guidance

43. Local Plans are prepared by planning authorities, setting out a framework for the future development of an area on a 15-year horizon. They define the priorities for an area, strategic policies, the framework for neighbourhood plans, land allocations, infrastructure requirements, housing needs, requirements for safeguarding the environment, measures for adapting to climate change and so on. Local Plans are also the starting-point for considering whether planning applications should be approved.

44. Design Guidance build upon and provide more detailed guidance about policies in the Local Plan. Legally, they do not form part of the Local Plan itself and they are not subject to independent examination, but they are material considerations in determining planning applications.

45. It was deemed necessary to create and adopt a masterplan as Design Guidance for the Stainsby scheme to protect the vision of a landscape led development. A Design Guide would set out a number of principles for the scheme, including those in relation to the identified proposed Country Park and green open space, protecting against future developments.

Public Consultation

46. To adopt the masterplan as Design Guidance, the Council will be required to conduct public consultation. The consultation will be carried out in line with the Council's Statement of Community Involvement.

47. The Statement of Community Involvement sets out the Council's engagement framework on how and when the community will be consulted on local planning policy documents.

Other potential decisions and why these have not been recommended

48. As the largest single housing allocation in the town, not taking forward the development, especially the SWWE, would have a catastrophic impact on the town's overall housing growth plans, and have economic consequences for both the town and the Council's Medium Term Financial Plan.

49. Should the site not come forward, the Council will be at risk at not being able to maintain a 5 year housing land supply, opening the Council up to challenge and potentially loose control over where and how housing is delivered.

Impact(s) of recommended decision(s)

Legal

50. The Local Plan provides the legal framework within which the development would be taken forward. The public consultation around the Design Guidance adoption would not alter this legal position, but would be able to steer the overall look of the scheme prior to obtaining a formal planning decision.
51. The Public Open Space Disposal and Land Appropriation process previously conducted for the Council land at Stainsby North was not formally implemented after advertisement and the land remains held as statutory open space under the Open Spaces Act 1906.
52. To facilitate the development of the SWWE, the Council owned public open space required for the road corridor will need to be appropriated under S122 (1) of the Local Government Act 1972. As such this will firstly require advertisement under S122 (2A) of the Local Government Act 1972 and then consideration of objections received prior to any appropriation being implemented by the Council. As the Council will not be looking to dispose of any land, the Public Open Space Disposal process under S123 of the Local Government Act 1972 will not be required.

Financial

53. The original plans for the Stainsby North site would have achieved a capital receipt of £3,100,000, as per an independent valuation of September 2018. In addition, assuming an average of band D for the 100 properties the Council would have achieved £205,000 per annum in Council Tax receipts.
54. As the Council wanted to ensure community engagement on any future developments within the site, assumptions regarding capital receipts and revenue income arising from Council Tax were removed from the medium term financial plan and as such there are no financial implications in that respect.
55. The creation of the Country Park is expected to be funded by the Private Developers of Stainsby through contributions such as Section 106. As the park will become a strategic asset for the Council, contributions will also be sought from other developments such as Newham Hall.
56. Further work is required in consultation with the community with regards to protecting Stainsby North from future development. If this identifies the need for any additional capital costs associated with the country park, namely the acquisition and planting of trees and shrubs, the Council will seek grant funding to match the expenditure.
57. To protect the Country Park from future development, it is Middlesbrough Council's intention for the park to be adopted and accredited by Natural England. To achieve this, essential criteria must be achieved within the Country Park as well as the potential integration of the desirable criteria. This will mean the park would be maintained like Stewart Park by the Council with facilities such as toilets, but also the creation of a new community hub / visitors centre as a minimum.
58. Although the creation of these facilities will be funded by housing developers as mentioned above, the revenue costs will fall to the Council for ongoing staffing and maintenance. Further consideration will be required to how these costs will be met.

Policy Framework

59. The decision will not amend the Council's policy framework.
60. The decision is also aligned to the Local Development Plan (Local Development Framework/Local Plan).

Equality and Diversity

61. An impact assessment was completed for report dated 22nd January 2019. The assessment has concluded that the decisions would not have any disproportionately negative impacts.

Risk

62. Should the scheme not be approved, it could create a pressure on the 5 year land supply, and lead to unallocated sites outside of the Local Plan being developed.
63. If poor economic growth occurs, then this will reduce public and private sector investment in the town and the development of Stainsby will be at risk (Risk: 01-005).
64. It is proposed in the Local Plan that Stainsby will deliver a mix of dwelling types including 3-4 bed detached and semi detached dwellings, aiming to deliver housing to help retain its economically active population. If insufficient Council Tax Band D+ properties are built this may result in further population decline which will impact upon the Medium Term Financial Plan (Risk: 01-029).
65. Stainsby is included in the new housing programme and if this scheme is not delivered, projected targets will not be achieved which will have a negative impact on the assumptions within the Medium Term Financial Plan (Risk: 01-045).
66. The high level risks mentioned above, which are identified in the Strategic and Directorate Risk Registers, will be reduced as a consequence of approving the recommended decisions

Actions to be taken to implement the decision(s)

67. A key event and timescale schedule has been produced to ensure that the recommended decisions are implemented. The timetable may be subject to change depending upon Local Plan process. The headline dates are as follows:

January 2021	–	Public Consultation
February 2021	-	Adoption of Masterplan as Design Guidance

Appendices

Appendix 1 – Stainsby Detailed Masterplan

Appendix 2 – Accredited Country Park Criteria

Appendix 3 – Impact Assessment

Background papers

Body	Report title	Date
Executive	Stainsby Masterplan (including Stainsby North)	4 th September 2018
Executive	Stainsby Draft Masterplan and Next Steps	22 nd January 2019

Impact Assessment Level 1: Initial screening assessment

Subject of assessment:	Stainsby Draft Masterplan and Next Steps (including Stainsby North)			
Coverage:	Crosscutting			
This is a decision relating to:	<input type="checkbox"/> Strategy	<input type="checkbox"/> Policy	<input type="checkbox"/> Service	<input type="checkbox"/> Function
	<input checked="" type="checkbox"/> Process/procedure	<input type="checkbox"/> Programme	<input checked="" type="checkbox"/> Project	<input type="checkbox"/> Review
	<input type="checkbox"/> Organisational change	<input type="checkbox"/> Other (please state)		
It is a:	New approach:	<input type="checkbox"/>	Revision of an existing approach:	<input checked="" type="checkbox"/>
It is driven by:	Legislation:	<input type="checkbox"/>	Local or corporate requirements:	<input checked="" type="checkbox"/>
Description:	<p>Key aims, objectives and activities</p> <p>To assess the impact of proceeding with the Housing Growth process for Stainsby (including Stainsby North)</p> <p>Statutory drivers</p> <p>The Stainsby scheme situated in West Middlesbrough was allocated for housing in the Local Plan adopted in 2014. The Council must prepare Local Plans and associated planning documents, under the Planning and Compulsory Purchase Act 2004, and the National Planning Policy Framework (NPPF).</p> <p>Differences from any previous approach</p> <p>The scheme is part of the Housing Growth processes following the sites allocation within the 2014 Local Plan. As part of the normal process of preparing a site for development, a public space notice was displayed on the site of Stainsby North, highlighting the intention to dispose of the public open space. The publication of this notice provoked 904 response from the local community, and further afield. In response to the objections to the Public Open Space and Land Appropriation Notices, a report was presented to Executive on September 4th 2018. The report outlined the Councils vision for the site and requested that, in consultation with the public, a draft masterplan was to be produced.</p>			

	<p>Key stakeholders and intended beneficiaries (internal and external as appropriate)</p> <p>The key stakeholders are: the Council; Local Community; and, Private Landowners.</p> <p>Intended outcomes.</p> <p>To seek the approvals required to proceed to the next stage of the Housing Growth Process following development of a Draft Masterplan for Stainsby.</p>			
Live date:	The Executive will consider the Stainsby Draft Masterplan and Next Steps (including Stainsby North) report on the TBC.			
Lifespan:	Until the site is developed or the site allocation in the Housing Local Plan is removed/changed.			
Date of next review:	Not applicable			
Screening questions	Response			Evidence
	No	Yes	Uncertain	
<p>Human Rights</p> <p>Could the decision impact negatively on individual Human Rights as enshrined in UK legislation?</p>	☒	☐	☐	<p>Stainsby site is already allocated for residential use in the Council’s adopted Housing Local Plan, which underwent several rounds of public consultation – in full accordance with the Middlesbrough SCI – and a stringent Public Examination by an Independent Planning Inspector, who declared the Plan sound. As such, the principle of residential development in this location has already been established as being suitable.</p> <p>The draft masterplan looked to create a satisfactory development for residential purposes in consultation with the public. Consultation on a detailed masterplan will be undertaken in full accordance with the Council’s adopted Statement of Community Involvement (SCI).</p> <p>In light of the above, it is not considered that the report will have an adverse impact on individual human rights.</p>

<p>Equality</p> <p>Could the decision result in adverse differential impacts on groups or individuals with characteristics protected in UK equality law? Could the decision impact differently on other commonly disadvantaged groups?*</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>Stainsby site is already allocated for residential use in the Council’s adopted Housing Local Plan, which underwent several rounds of public consultation – in full accordance with the Middlesbrough SCI – and a stringent Public Examination by an Independent Planning Inspector, who declared the Plan sound. As such, the principle of residential development in this location has already been established as being suitable.</p> <p>The draft masterplan looked to create a satisfactory development for residential purposes in consultation with the public. Consultation on a detailed masterplan will be undertaken in full accordance with the Council’s adopted Statement of Community Involvement (SCI).</p> <p>In light of the above, it is not considered that the report will have an adverse impact on different groups or individuals in terms of equality.</p>
<p>Community cohesion</p> <p>Could the decision impact negatively on relationships between different groups, communities of interest or neighbourhoods within the town?*</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>Stainsby site is already allocated for residential use in the Council’s adopted Housing Local Plan, which underwent several rounds of public consultation – in full accordance with the Middlesbrough SCI – and a stringent Public Examination by an Independent Planning Inspector, who declared the Plan sound. As such, the principle of residential development in this location has already been established as being suitable.</p> <p>The draft masterplan looked to create a satisfactory development for residential purposes in consultation with the public. Consultation on a detailed masterplan will be undertaken in full accordance with the Council’s adopted Statement of Community Involvement (SCI).</p> <p>In light of the above, it is not considered that the report will impact negatively on relationships between different groups, communities of interest or neighbourhoods within the town.</p>

Next steps:

- If the answer to all of the above screening questions is No then the process is completed.
- If the answer of any of the questions is Yes or Uncertain, then a Level 2 Full Impact Assessment must be completed.

Assessment completed by:	Peter Brewer	Head of Service:	Steve Fletcher
Date:	11/12/2018	Date:	11/12/2018