

## **EXECUTIVE MEMBER REPORT TO COUNCIL 2 September 2020**

### **Strategic:**

#### Brownfield Housing Fund

The Council has submitted applications to Tees Valley Combined Authority for a grant programme relating to Housing developments on brownfield sites. The application forms for each site needed an appraisal including suitability for development alongside costs, programme and any shortfall for the site development.

TVCA are looking at early access to the funding for this financial year with an intended grant of circa £15 per unit.

#### A66/A171 Cargo Fleet Junction Improvements – Update

Following the shutdown of the site on Tuesday 24<sup>th</sup> March due to the COVID-19 pandemic, works restarted on Monday 4<sup>th</sup> May on a phased basis, with working procedures modified in line with government guidance in order to take the requirements around social distancing into account. Subsequent progress has been good, with the new road layout due to open to traffic at the end of August and all works – including the introduction of high mast lighting on the A66 between Middlehaven Interchange and Cargo Fleet – currently programmed for completion by mid-September.

The post-lockdown change in traffic patterns across the road network has allowed daytime lane closures to be introduced on the A66, thereby expediting the delivery of the scheme. Regular camera enforcement of the temporary 30 mph speed limit will continue until the completion of works to ensure the safety of the site operatives and the travelling public.

Key stakeholder engagement is continuing, with all feedback received positive to date. The wider public engagement exercise around the scheme is also ongoing, with press and social media releases issued prior to each phase of works and a dedicated page on the Council website updated as and when required.

#### Middlesbrough Rail Station

Additional funding of £9.65m from Central Government means that there is now sufficient funding with the existing Transforming Cities Fund allocation to deliver the whole project. The station is constrained by its current capacity of just two platforms. This is compromising the ability to deliver existing franchise commitments, including a direct service to/from London, and future aspirations for increased services. As a result there is a need to address this constraint, refurbish the station and improve passenger facilities linking in with the wider redevelopment of Middlesbrough town centre.

The first phase of works will see the extension of an existing platform to ensure the station is able to accommodate services and redevelopment and construction of commercial floor space. This will ensure that the already well established partnership working between the Council, TVCA and Network Rail continues into the delivery phase of this long-term, strategic project that will realise additional transport improvements and further inward investment opportunities.

## **Performance:**

### Marion Avenue

Tenders were returned by 6 bidders with regard to the full Marion Avenue site. Following the marking of the submissions based upon a 70% Price and 30% quality mark, 3 developers stood out although each scheme would create issues for the planning approvals within our required timescales. WE have approached the top 3 to ask them to meet with planning, amend the scheme design and resubmit for a final marking by the end of August.

### Newham Hall

After a tender process to bring on board a consultant to look at a development programme for the full site at Newham Hall, Knight Frank have been appointed. The piece of work will seek to offer a report which will look at how the site will be developed and marketed including, phasing, infrastructure costs anticipated outlay costs, developer involvement, land value and potential capital receipt against phasing and infrastructure costs. This work will complete in September and assist in developing a strategy for the site. This work is separate to the Masterplan which was previously approved which covers the design code and tied in with the Planning team to ensure a quality development in line with the local plan.

### Housing Sales Trend

Through the Housing and Construction recovery group we are continuing to see a positive outlook from both local estate agents and current developers working within Middlesbrough and the wider Tees Valley. The obvious issue with regard to our housing figures affected by lockdown hasn't appeared to be as bad as feared. Taking into account the final update from last year none declared completions alongside this financial year completions we are currently 10 units below our 1<sup>st</sup> Quarter target. All signs remain positive for this to be clawed back with developers advising on alternative build methodology and the benefit of no stamp duty ensuring completions at this moment remain positive. Local agents are reporting a strong demand for quality apartment and houses for rent which looks also to continue as does a strong sales numbers for residential properties being reported by Michael Poole.

## **Decisions:**

### Eyesore Sites

Letters are in the process of being sent out to the owners of privately owned eyesore sites asking them to contact to discuss their intentions for the future of the sites they own. Some of the owners have started to contact in response to the letters sent and options are being explored.

We are working with internal and external partners to look at the long term future of the sites. An internal working group is also being created to ensure a co-ordinated response, particularly around enforcement by the Council's various enforcement teams when owners fail to respond to reasonable requests.

## Reform of the Planning System

The Government has published a White Paper entitled 'Planning for the Future' setting out radical proposals to reform the planning system in England. It aims to address the perceived issues of complexity, bureaucracy, inconsistency in decision making, time taken to prepare local plans, and delivering insufficient housing. New legislation and national planning policy will be required to deliver the reforms.

The proposed new system would introduce 'zoning' into local plans, with 3 categories of land designation: **Growth Areas** – where substantial development could take place, and automatic granting of outline planning permission; **Renewal Areas** – where smaller scale development is suitable, and would benefit from a statutory presumption in favour of development for specific types of development; and **Protected Areas** – where development would be more tightly controlled due to the environmental and/or cultural characteristics of land. Design Codes would be relied upon to ensure quality of development, with a strengthened enforcement process to address unauthorised development.

Proposals also include changes to the decision making process, with applications being subject to tighter time limits and more automated processes. The scope for making locally-based decisions would be significantly reduced, with most matters being dealt with through the local plan process and development management policies being set at the national level.

Infrastructure provision, which is currently achieved locally through Section 106 planning obligations, would be delivered through a revised Community Infrastructure Levy, which would see a fixed proportion of the development value being payable.

The White Paper is subject to consultation until 29<sup>th</sup> October 2020. The proposals and impacts on Middlesbrough Council will be considered in detail, ahead of the Executive agreeing its response.

## Neighbourhood Planning Update

### Marton West Modified Neighbourhood Plan

Marton West was the first Neighbourhood Area to prepare a Neighbourhood Plan in 2016. In 2018 the Council received a request to designate the De Brus Park area as a Neighbourhood Area, but determined (in January 2019) that it should be included into the Marton West Neighbourhood Area. Since then the Marton West Neighbourhood Forum has been updating its Neighbourhood Plan and reviewing a number of its planning policies. The Forum submitted its Modified Neighbourhood Plan to the Council on 19 July 2020. We are currently checking that everything has been correctly submitted, before we can progress to the next stage of the process, which is to undertake a (minimum) six week public consultation event, and appoint an independent examiner. We currently expect the consultation to commence in September 2020.

### Stainton & Thornton Neighbourhood Plan

The Parish Council is progressing its Plan but, due to lockdown measures, recent progress has been limited. The Parish Council, however, has indicated that it hopes to submit sometime in the autumn.

### Gresham Neighbourhood Plan

No further progress to report.

### Proposed Nunthorpe Neighbourhood Plan

Nunthorpe Parish Council has indicated that it intends to apply to the Council for Neighbourhood Area status. Whilst no application has yet been received, we expect one in the very near future.

## **Involvement and Promotion:**

### Natures World

Preparations are being undertaken to commence a consultation with immediate stakeholders followed by a consultation with the wider public regarding the site.

### Nunthorpe Consultation

There are a number of potential developments that are being proposed by different parties for the Nunthorpe Grange area. Some of these may happen soon, whilst others may take many years to come forward.

Although all of these proposed developments would need to go through the town planning system individually, we are keen to ensure that local people are engaged in a process to discuss them all together, and consider ways of mitigating any overall impacts on issues such as traffic or the environment. As part of this, we also need to take into account any recent development that has taken place in the area, and what impact that has had.

### Nunthorpe & Marton Playing Field Association

As part of the Consultation process for Nunthorpe Grange the Housing Growth team are engaging with Nunthorpe and Marton Playing Field Association (NMPFA). The role of the team is to help manage expectations and provide the association with a single point of contact who will liaise with internal teams and feedback relevant information and advice.

NMPFA aim to modernise and expand their current facilities to fill the growing needs and expectations of the communities of Nunthorpe, Marton and parts of Ormesby. A lot of their aspirations revolve around swapping bits of land, and other physical changes that have an impact on the Nunthorpe Grange housing site.

### Bikeability

Following a successful bid for grant funding earlier this year, the Council has secured a total of £36,095 for Bikeability cycle training in 2020/21.

For obvious reasons, delivery outcomes will be dependent on schools across the Borough being willing to participate in the cycle training programme during the Covid-19 pandemic.

Middlesbrough Environment City, which delivers the programme on the Council's behalf, has adopted national guidance to ensure that Bikeability training can be offered in a 'Covid-19 Secure' way.

It is hoped that schools will engage with the delivery programme, as the training provides valuable training that will allow children to become safe cyclists into the future. This is in line with the Prime Minister's vision for "free cycling training for everyone who wants it," as detailed in the Department for Transport's Vision for Cycling and Walking.

### Emergency Active Travel Fund

The Council received just under £100,000 from the Department for Transport's (DfT) Emergency Active Travel Fund (EATF), to deal with the ongoing challenges associated with the Covid-19 pandemic and what measures would need to be rolled out to assist with getting the economy moving again, safely and in line with Government guidance.

The Council worked with all Tees Valley neighbouring authorities to provide a fit for purpose, cohesive package of measures to ensure the public were able to safely return to the town centre for work, retail and leisure opportunities.

The list of proposals the Council implemented were; road Closures, VMS electronic messaging systems, public transport information, temporary footways along the key pedestrian corridors within the town centre, additional cycle parking and the rollout of a national e-scooter trial to expand the number of sustainable transport choices for residents and visitors to the town centre.

Via TVCA, the Council has submitted an ambitious new cycle way proposal worth approximately £1.5m through the second tranche of the EATF. The results of the second tranche are expected to be announced by DfT in the Autumn.

### Consultation on Development Briefs for Hemlington North and Hemlington Grange South

Six week consultation currently underway (29th June to 10th August) on the briefs for the housing sites at Hemlington, which has been delayed from April due to COVID. The comments received during the consultation will be taken into account in finalising the briefs ahead of their adoption by the Executive.

### Changes to the Local Development Scheme (Local Plan Timetable)

In order to take into account the impact of COVID-19, and the associated lockdown on the practicalities of preparing the Local Plan, it was agreed that the timetable for preparing the local plan, set out in the Local Development Scheme, be amended as follows:

- Preferred Options – January 2021
- Publication – July 2021
- Submission – October 2021
- Adoption – March 2022

### Changes to the Use Classes Order and Permitted Development Rights

The Use Classes Order (UCO) is a statutory instrument that defines specific planning use classes for buildings, and makes provision for certain changes between the uses to be made without the need for a planning application. The Government has announced changes to the UCO, which come into effect on 1<sup>st</sup> September 2020, and key changes are summarised below:

Existing Use Classes **A1** (shops), **A2** (financial/professional services), **A3** (cafés/restaurants), **D1 (part)** (medical health facilities, crèche/nurseries), **D2 (part)** (indoor sports/fitness), and **B1** office/business uses will be subsumed into a new single **Use Class E**.

Existing Use Classes **A4** (pubs/bars) and **A5** (hot foot takeaways) will become *sui generis* (a class of their own) with no permitted development changes.

Parts of existing Use Class **D2** (Cinemas, concert halls, bingo halls and dance halls) will become *sui generis* (a class of their own) with no permitted development changes.

New **Use Class F.1** will replace the parts of existing use class D1 that are not include in new Use Class E, and cover Schools, non-residential education and training centres, museums, public libraries, public halls, exhibition halls, places of worship and law courts.

New **Use Class F.2** will replace the remaining parts of existing use class D2 that are neither included in new Use Class E nor becoming *sui generis*, and cover community halls, indoor or outdoor swimming baths, skating rinks, and outdoor sports or recreations not involving motorised vehicles or firearms.

The main consequence of these changes will be the consolidation of town centre uses into new Use Class E. Whilst this will introduce new flexibilities that will allow town centre changes to take place without planning permission, it will also mean that existing out of centre buildings can also make these changes, which may have an impact on the Town Centre. For example, some of the existing uses at Teesside Leisure Park, and out of centre offices at Teesdale and Wynyard, will now be able to become out of centre retail. This is likely to have a significant impact on the Town Centre, and will be considered in the emerging Local Plan.

In addition, further changes to permitted development rights will allow the following developments to take place without the need for a planning application:

The demolition of certain detached purpose-built blocks of flats or detached Class B1 (office, research and development or light industrial buildings), and the subsequent construction of either a detached purpose-built blocks of flats or a single detached dwellinghouse.

The extension of existing dwellings through the development of additional storeys (up to 2), including the creation of new, separate dwellings above existing houses.