

# MIDDLESBROUGH COUNCIL

## EXECUTIVE REPORT

**Former Lingfield Countryside Centre and surrounding land**

**Deputy Mayor and Executive Member for Resources**

**Executive Director of Regeneration**

**9 July 2012**

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### PURPOSE OF THE REPORT

1. To advise Executive Land and Property Sub-Committee on potential options for the future use of the former Lingfield Farm Countryside Centre and surrounding site, and to seek agreement on the recommended option outlined at para 16-19 (option 2).

### SUMMARY OF RECOMMENDATIONS

2. That Executive Land and Property Sub-Committee notes the potential options for the future use of the former Lingfield Farm Countryside Centre and surrounding site.
3. That a decision on the future of the wider site only be taken following an appraisal of the overall area, taking into account the wider housing needs and opportunities in the town and the ambitions for the area.
4. That the community buildings on the site of the former Countryside Centre be listed as potentially available for community asset transfer as outlined at para 16-19 (option 2).
5. That if a viable option for transfer not be forthcoming, that the site of the buildings be developed into a small-scale residential scheme as outlined at para 20-23 (option 3).

### IF THIS IS A KEY DECISION WHICH KEY DECISION TEST APPLIES?

It is over the financial threshold (£150,000)

X
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It has a significant impact on 2 or more wards

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Non Key

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### DECISION IMPLEMENTATION DEADLINE

For the purposes of the scrutiny call in procedure this report is:

Non-urgent

X
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Urgent report

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## **BACKGROUND AND EXTERNAL CONSULTATION**

### **Background**

6. Lingfield Farm and the surrounding land is 7.75ha (18.67 acres) in size and is situated within Coulby Newham in south Middlesbrough. It has not been an agricultural concern for some time, but retains a farm building and extensions that were last used as the Lingfield Countryside Centre (2000-2010).
7. Since the closure of the Countryside Centre in November 2010, the buildings have been largely unused. They have been marketed for internal use on several occasions without success, and as part of the 2012/13 budgeting process it was confirmed that the buildings would no longer be required for service delivery purposes. The Council now needs to consider options for the future of these buildings.
8. Any discussion on the future of the buildings must take account of the site context. The buildings are surrounded by green open space to the north and east, currently used as general open space and recreational/ landscaping area, and are bounded by a cycle path to the south. To the west are a play area, pond and allotments. While it has been difficult to establish a sustainable community building in the area, parts of the open space are well used by the local community.
9. Given that much of the land is surplus to the Council's requirements, consideration need to be given as to what use it can be put to. At the moment, two options stand out: retain the site as some form of public open space, or allocate it for new housing development.
10. The National Planning Policy Framework (NPPF) requires a local planning authority to identify sufficient developable land to meet the housing needs of the borough over a 15-year period. The Strategic Housing Land Availability Assessment (SHLAA) is prepared as part of the evidence base to support the allocation of housing sites within the Local Development Framework.
11. The SHLAA identifies a number of sites within the Coulby Newham area as having the potential to deliver housing; however this is not to say that all sites within the SHLAA will be allocated for housing. Lingfield Farm has been identified within the SHLAA as having the potential to deliver 176 housing units (further work has been carried out which reduces this figure to a minimum of 140 units as in para 24). The land to the east of Lingfield Farm (L/A Newham Hall Farm) is also identified within the SHLAA as having the potential to deliver over 1000 housing units, it is therefore essential that prior to any decision to develop Lingfield Farm a detailed appraisal considers the impact this will have upon all of the future housing sites coming forward in the Coulby Newham.
12. There has been local community concerns regarding the possible development of the entire site for housing and the loss of the community facility.

### **IMPACT ASSESSMENT**

13. A Stage 1 Impact Assessment has been completed and found that there was sufficient evidence to assess the likely impact and that, using that evidence, no concerns were identified that groups or individuals could be subject to disproportionate adverse impacts as a result of the recommendations.

## **OPTION APPRAISAL/RISK ASSESSMENT**

### **Option 1: Do nothing**

14. This option would result in the current community buildings at Lingfield Farm being left vacant and the surrounding land being undeveloped. This option would not provide any short-term capital receipt to the Council. The Council would also be responsible for the ongoing maintenance and liability of a vacant building.
15. As the buildings would not be available for community asset transfer, there would be no continued community use from the building. The Council would therefore potentially be liable for clawback from the original funding partners of the Countryside Centre.

### **Option 2: Retain current use of wider site and explore asset transfer of farm buildings**

16. Under this option, the use of the open space would remain and the farm buildings would be listed as potentially available for asset transfer to community groups, in line with the Council's agreed policy.
17. To be successful, any interested party would have to demonstrate the skills and resources to operate the centre successfully in the medium to long-term, covering all running costs and repairs and maintenance.
18. It is clear that this option would receive local support, and if asset transfer proved to be successful, offer some social value to the area. Critically, this option would not prejudice residential development in the wider Coulby Newham area in the longer-term. Indeed, the development of the wider area may encourage use of the building as a community resource.
19. However, it is clear that this option would provide little economic return in comparison with some of the alternative options available to the Council.

### **Option 3: Retain current use of wider site and develop on the site of farm buildings**

20. Under this option, the use of the open space would remain, and the site of the farm buildings be used for a small development of larger family housing, similar to those on the adjacent estate at Comfrey Manor.
21. The site of the existing buildings is 0.76ha (1.88acres) as appendix 2. Within it sits the original farm building and an extension. The farm building is not listed or on the Council's local list, but holds architectural merit. Every effort would be made to retain and convert the original farm building as part of the development. The extensions would be demolished.
22. At a density of 35 dwellings per hectare the site has the potential to accommodate 23 housing units, though given the size and location of the original farm building a lower density may be considered more appropriate. Given the potential numbers that the site can deliver, it is not anticipated that there would be any issues with the Highways Agency.
23. Due to its desirable location, the site has the potential to deliver a significant capital receipt to the Council – estimated in the region of £600-£775,000 after costs. In addition to the capital receipt, this option would expand the Council Tax base and deliver New Homes Bonus as a result of the increase in housing units developed. However, it is likely that this option would require the Council to pay back an element of the original grant funding for the Countryside Centre.

#### **Option 4: Develop the entire Lingfield Farm site (excl. play area, pond and allotments)**

24. Under this option, the whole of the site would be developed for housing. The area measures 6.19ha (15.29acres). In keeping with the surrounding area it has the potential to accommodate 35 dwellings per hectare and so a minimum of 140 units would be delivered.
25. This option would maximise the financial return on the site, delivering a capital receipt in the region of £6,000,000 before any abnormal costs and fees.
26. There are however significant drawbacks with this option; it is likely that there would be significant resident resistance to the whole of the Lingfield Farm site being developed for housing. The development of a significant number of housing units in this location has the potential of an inducing article 14 holding notice from the Highways Agency due to the road network capacity.
27. Developing the wider Lingfield Farm or part of the site at this stage may have a detrimental affect on the wider Coulby Newham area. As mentioned in para 10, the site may be best left undeveloped until a full area appraisal has been carried out and the LDF Review is completed. The site can come forward as part of a wider scheme including the land at Newham Hall Farm. Any highways issue or resident objections for the wider area could be addressed through the LDF review.
28. The open space to the immediate north of the existing Lingfield Farm site is regularly used for informal and formal sporting activities such as football training and matches. As a result, the development of this land would interest Sport England. Any lost sporting provision would have to be re provided elsewhere.
29. The first housing development in the immediate locality was 1987. The development of part of the open space within the site has the potential to raise village green issues. It may be demonstrable that the land has been used for legal sports and pastimes as a perceived right for a period of 20 years.

#### **FINANCIAL, LEGAL AND WARD IMPLICATIONS**

30. **Financial implications** – Any capital monies accrued from this process would be used by the Council to repay or avoid capital borrowing and so improve the Council's revenue position by avoiding interest payments.
31. The Countryside Centre was jointly funded by the Council £100,000, the Countryside Agency £100,000 and the European Regional Development Fund (ERDF) £144,000 (as part of the 1996-99 programme). It is uncertain at this point if there is still a body that would claim any ERDF clawback. However, funding clawback would apply if the building would cease being used for its original use. Funding clawback would apply at one twentieth per every year remaining over a twenty-year period.
32. In addition, asset transfer of the buildings would avoid significant demolition costs.
33. **Legal implications** – If the site were to be developed for housing there would be funding clawback implications as discussed in para 31. There is also the potential of the submission of a village green application if the entire site were to be developed.
34. **Ward Implications** – The potential Community Asset Transfer of the Countryside Centre would be of benefit to the Coulby Newham ward.

## RECOMMENDATIONS

35. That Executive Land and Property Sub-Committee notes the potential options for the future use of the former Lingfield Farm Countryside Centre and surrounding site.
36. That a decision on the future of the wider site only be taken following an appraisal of the overall area, taking into account the wider housing needs and opportunities in the town and the ambitions for the area.
37. That the community buildings on the site of the former Countryside Centre be listed as potentially available for community asset transfer as outlined at para 16-19 (option 2).
38. That if a viable option for transfer not be forthcoming, that the site of the buildings be developed into a small-scale residential scheme as outlined at para 20-23 (option 3).

## REASONS

39. To ensure that the Council drives the maximum financial and social value from its asset portfolio.
40. If, no viable business case is presented for the retention of the Lingfield Farm Countryside Centre, a small residential development scheme, as set out in option 3 should be pursued, as this would provide high quality family housing for the town in line with the Council's wider regeneration aims.

**AUTHOR:** Michael Canavan, Urban Regeneration Officer

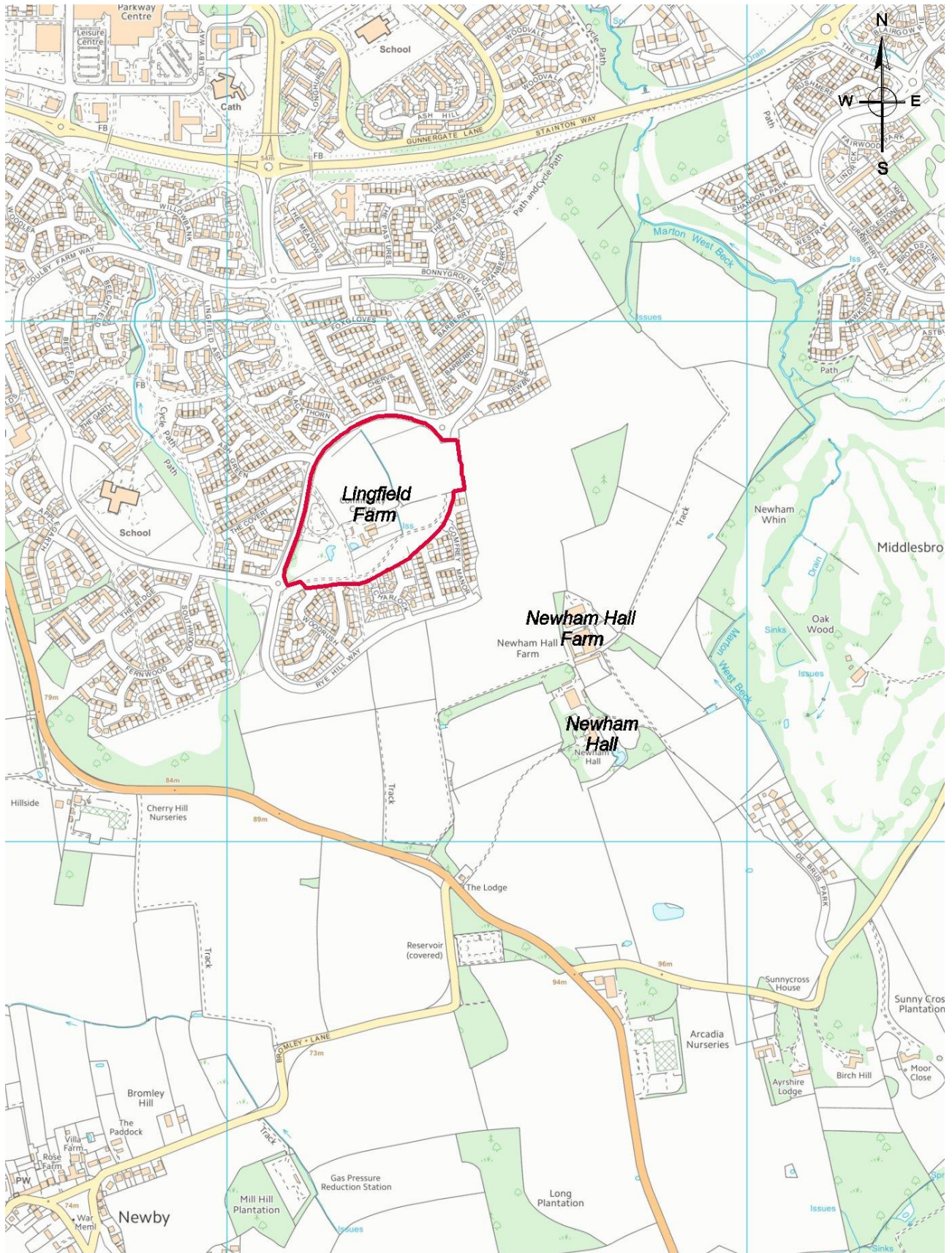
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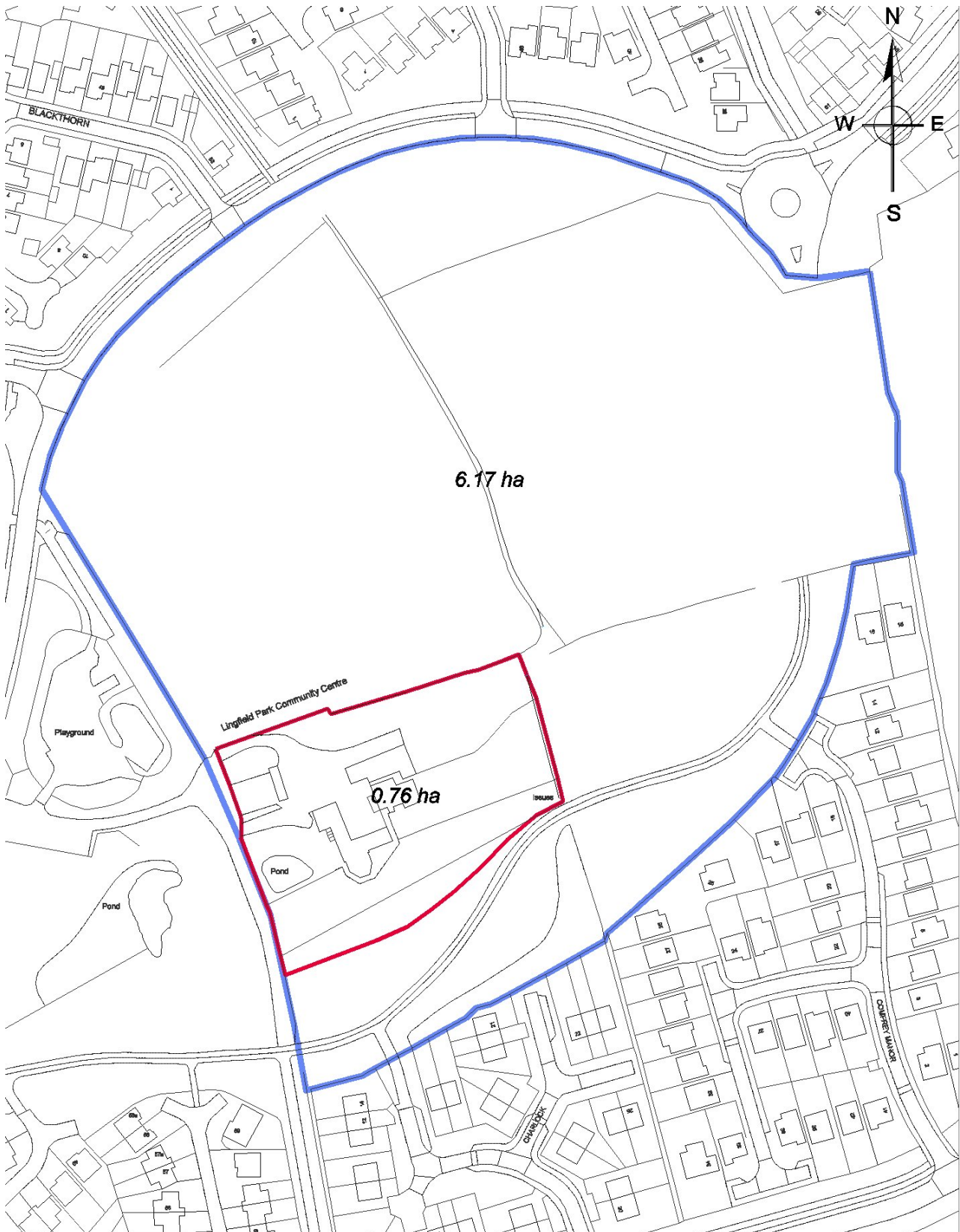
Address: Civic Centre, Middlesbrough, TS1 2QQ

Website: <http://www.middlesbrough.gov.uk>

# Appendix 1 – Location plan



**Appendix 2 - Retain current use of wider site and develop on the site of farm buildings**



**Appendix 3 - Develop the entire Lingfield Farm site (excluding play area, pond and allotments)**





## Impact Assessment Level 1: Initial screening assessment

<b>Subject of assessment:</b>	Future use of the Former Lingfield Countryside Centre and surrounding land			
<b>Coverage:</b>	Service specific			
<b>This is a decision relating to:</b>	<input type="checkbox"/> <b>Strategy</b>	<input type="checkbox"/> <b>Policy</b>	<input type="checkbox"/> <b>Service</b>	<input type="checkbox"/> <b>Function</b>
	<input type="checkbox"/> <b>Process/procedure</b>	<input type="checkbox"/> <b>Programme</b>	<input type="checkbox"/> <b>Project</b>	<input checked="" type="checkbox"/> <b>Review</b>
	<input type="checkbox"/> <b>Organisational change</b>	<input type="checkbox"/> <b>Other (please state)</b>		
<b>It is a:</b>	<b>New approach:</b>	<input type="checkbox"/>	<b>Revision of an existing approach:</b>	<input checked="" type="checkbox"/>
<b>It is driven by:</b>	<b>Legislation:</b>	<input type="checkbox"/>	<b>Local or corporate requirements:</b>	<input checked="" type="checkbox"/>
<b>Description:</b>	<p>Insert short description, using the following as sub-headings:</p> <ul style="list-style-type: none"> <li>• <b>Key aims, objectives and activities</b></li> </ul> <p>To assess the impact of the proposal to list the site buildings for potential Community Asset Transfer (CAT) and to pursue use of the site for residential development if no acceptable proposals for CAT are forthcoming.</p> <p><b>Statutory drivers (set out exact reference)</b></p> <p>There is no statutory function to consider in terms of impact upon services, the site is not in use. The process for CAT is inline with forthcoming rights under the Community Right to Bid elements of the Localism Act 2011.</p> <ul style="list-style-type: none"> <li>• <b>Differences from any previous approach</b></li> </ul> <p>Currently the site is vacant and there is a risk that the empty buildings could be targeted for vandalism and that they will fall into a greater state of repair if they are not transferred or demolished..</p> <ul style="list-style-type: none"> <li>• <b>Key stakeholders and intended beneficiaries (internal and external as appropriate)</b></li> </ul> <p>Local residents.</p> <ul style="list-style-type: none"> <li>• <b>Intended outcomes.</b></li> </ul> <p>To enable a direction to be agreed which will see use of the site that aligns with needs.</p>			
<b>Live date:</b>	July 2012			
<b>Lifespan:</b>	The CAT process to identify any interest will operate in line with the Council's policy. If no viable options are forthcoming, work to pursue the residential scheme will then commence.			
<b>Date of next review:</b>	N/a			

Screening questions	Response			Evidence
	No	Yes	Uncertain	
<b>Human Rights</b> Could the decision impact negatively on individual Human Rights as enshrined in UK legislation?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The proposed changes will not affect arrangements in place for human rights as the proposal relates to management of an asset which is not currently in use and any future plans for this asset will be shaped by the Community Asset Transfer policy or planning processes, both of which take into account human rights where relevant.
<b>Equality</b> 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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Current users of the green space will be unaffected as the building is not normally accessible for general use. It is planned that General users of the green space around the building should be unaffected by proposals regardless of the direction. The Council has a duty to consider the impact of its decisions to ensure that it has due regard to the public sector equality duty. The proposal will not result in reduced access to the outdoor provision which is unaffected by the proposal. Given the above it is not anticipated that there could be a disproportionate impact on any group because they hold a protected characteristic. Evidence used to inform this assessment includes analysis of users of the green space and SHLAA content.
<b>Community cohesion</b> Could the decision impact negatively on relationships between different groups, communities of interest or neighbourhoods within the town?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	There are no concerns that the proposals could have an adverse impact on community cohesion.  Evidence used to inform this assessment includes analysis of users of the green space and SHLAA content.
<b>Sustainable Community Strategy objectives</b> Could the decision impact negatively on the achievement of the vision for Middlesbrough? Does the decision impact on statutory duties associated with these key objectives?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The continued provision of the green space in the area will support the health and well-being and children and young people's themes by maintaining access to green space. Evidence used to inform this assessment includes analysis of users of the green space and SHLAA content.
<b>Organisational management / transformation</b> Could the decision impact negatively on organisational management or the transformation of the Council's services as set out in its transformation programme?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	This proposal fits in with the transformation agenda – which has agreed that property that is surplus to council requirements should asset transferred or disposed of in a way that best meets the Council's needs.

<b>Assessment completed by:</b>	Michael Canavan	<b>Head of Service:</b>	Sharon Thomas
<b>Date:</b>	28 June 2012	<b>Date:</b>	28 June 2012