

MIDDLESBROUGH DRAFT LOCAL PLAN

REPORT TO THE FRIENDS OF THE S&DR; 7 MARCH 2024

The Friends have been notified of the draft Middlesbrough Local Plan and the consultation period ends on 15th March.

Members may recall that we submitted comments on the Local Plan Scoping Report in January 2023. We requested that the Plan include a policy specific to the S&DR, to achieve consistency with similar policies in the Local Plans for Durham, Darlington and Stockton. The draft plan contains no such policy.

It is recommended that:-

i the response below be submitted to Middlesbrough Council; and

ii we invite the council's officers to discuss our recommendation to ensure that the heritage of the 1830 S&DR Middlesbrough extension is adequately protected.

Relevant extracts from the Draft Plan are set out at the end of this report. The full document can be accessed with the link

<https://www.middlesbrough.gov.uk/media/ysyiki25/draft-local-plan-2024.pdf>

RESPONSE

1 The following comments are submitted on behalf of the Friends of the Stockton & Darlington Railway (FSDR).

2 In January 2023 the Friends responded to consultation on the Local Plan Scoping Report, November 2022. The report identified Objective G, *'To recognise and value our historical and culturally important assets'* and said;
'The Local Plan will include policies that recognise our heritage assets and set out an approach for managing them in a way that protects and enhances their significance. Appropriate opportunities to secure their future use will be prioritised.'

3 The Friends responded, saying;
'The Friends of the Stockton & Darlington Railway note the proposed inclusion of policies for heritage assets. We recommend that the new plan contains a specific policy to protect, enhance and promote the understanding of the S&DR 1830 Middlesbrough Branch and Port Darlington, its remaining fabric and its setting. Such a policy would be consistent with corresponding policies in the adopted Local Plans for Durham County (policy 46), Darlington Borough (policy ENV2) and Stockton Borough (policy HE3). A policy should also be included to protect the surviving heritage assets and street pattern of the 'new town'. These policies can be informed by the Middlesbrough Branch Line Report 2018, included in the evidence library.'

4 The Friends would be grateful to learn if the Council prepared and published a report of consultations on the Scoping Report, setting out the comments received and the Council's responses to them. Paragraph 1.6 of the draft plan says *'Following the consultation 39 responses were received, and these comments have informed the development of the Draft Local Plan'*.

5 The Friends are disappointed that the draft plan does not contain a policy for the Stockton & Darlington Railway, as recommended by us and as included in the local plans of the other local planning authorities through which the early S&DR line ran. The Council should explain how it intends to protect the S&DR asset and why it is not necessary to include a specific policy.

6 The Draft Plan makes several references to heritage assets in pursuance of Objective G, and paragraphs 4.30, 8.2 and 8.7 describe the importance of the S&DR in establishing Middlesbrough as an industrial town. However, Policy HI3, Non-designated Heritage Assets, makes no reference to such assets of the former railway and Port Darlington. The nearest is a statement in the policy which says; *'Other buildings and features of design and architectural interest not included above* may also be considered non-designated heritage assets and therefore will also be subject to these requirements'*.

*The policy refers only to the Local List (published in 2011) and Archaeological Sites.

7 Non-designated assets described in The Historic Environment Audit (HEA) for the S&DR 1830 Branch Line to Middlesbrough, April 2018, may be covered by this statement, but it does not attach the importance that they deserve and the policy will not carry sufficient weight in making planning decisions. Heritage policies are frequently outweighed by claims of 'public benefit' (NPPF 208) and they need to be as clear and robust as possible.

8, The HEA was commissioned by the Borough Council and it contains a full history of the line, an account of the assets that exist and recommendations for action. Heritage Statements will be required for proposals for development on or near the S&DR line and they should pay regard to the findings of the HEA. The HEA recommends *'the new Local Plan for Middlesbrough should contain S&DR specific policies designed to protect the remains and the route of the branch line. This should harmonise planning policy across the whole S&DR route'*.

9 The Friends therefore recommend the following policy;

Policy HI4 – Stockton & Darlington Railway

1. The Council will support development which safeguards the route of the historic Stockton & Darlington railway Middlesbrough branch line of 1830 and associated structures, and which preserves and enhances this cultural asset, its archaeological remains and setting.

2. The Council will require any proposal for development on or adjacent to the line(s) to show how the proposal has regard to the preservation of any physical remains along the route(s) and their interpretation on the ground, and otherwise respects and interprets the route(s) where those remains no longer exist.

The purpose of this policy is to seek to ensure the continued preservation of these sections of the line and associated structures. The precise alignment is shown on the Policies Map.

10 The 1830 route to the river still has a railway track reaching into the AV Dawson/Port of Middlesbrough site on the former coal staiths. In the unfortunate event of the track being lifted, the policy we recommend would ensure that the rail corridor would be kept open and undeveloped. This should include the triangle of open land behind the railings on the south side of Depot Road where the original line fanned out to access the staiths. Furthermore, the rails currently crossing Depot Road next to the heritage mural and information panel should be retained as a lasting public reminder of the 1830 arrival of the railway and the birth of Middlesbrough as a commercial port and industrial town.

11 Omitting the policy is particularly disturbing given the Council's recent announcement to represent the railway heritage of the town at the new Middlesbrough Station and other cultural venues in the Borough. *'In partnership with artist-led organisation Navigator North, Middlesbrough Council has commissioned eight artists who will celebrate aspects of the town's rail heritage through a series of striking and imaginative pieces of public art.'* Including the policy would be consistent with a corporate approach to protect and promote this important aspect of the town's heritage.

12 The Friends support Policy EC4 for Middlehaven, in particular the requirement for new development to sustain and enhance the area's historic significance, including reflecting the traditional grid pattern of Middlehaven. This includes restoring the historic street pattern of the early 'new town' where the Friends look forward to the restoration and use of the Old Town Hall and the creation of an urban living environment.

Ross Chisholm
Planning Officer and Trustee
Friends of the Stockton & Darlington Railway
March 2024

DRAFT LOCAL PLAN EXTRACTS

The proposed formal policies of the draft plan are in **bold** type.

2 STRATEGY AND VISION

Local Plan Vision (2.8)

Our most historic and culturally important assets will continue to be protected and enhanced, so they can be cherished by our residents. Historic buildings will continue to be important in understanding Middlesbrough's past and help provide an attractive environment within which the economy prospers.

Policy ST1 Development Strategy

h. sustain and enhance our historic assets;

The 'New Town' is within the area for which the Middlesbrough Development Corporation (MDC) makes planning decisions.

Policy ST2 MDC Area

Development will be expected meet the requirements of the MDC Design Code (in preparation)

3 CREATING QUALITY PLACES

Policy CR2 General Development Principles

g. sustain and enhance heritage assets and their settings;

Policy CR3 Sustainable and High Quality Design

A Heritage Impact Assessment will be required for development affecting heritage assets, in accordance with Policy HI2.

Policy CR4 Developer Contributions

k. improvement to heritage assets (including repair or restoration of historic buildings and structures);

4 ECONOMIC GROWTH

Middlehaven

4.30 Middlehaven is located in the north of the Town Centre adjacent to the River Tees, centred on the dock. The St Hilda's area of Middlesbrough was the core of the original town centre built to serve Port Darlington, from the Middlesbrough branch line of the Stockton and Darlington Railway. As the world's first planned railway town, the area has historic significance, and is home to a number of Listed Buildings including the Transporter Bridge, old Town Hall, Dock Clock Tower and Custom House (now My Place).

4.36 Building upon the success of existing developments, and investments, the Council and the Middlesbrough Development Corporation will seek to work with its commercial partners to bring forward large scale development containing a mix of uses including leisure, commercial, employment, residential and education. Particular consideration will be given to achieving development of high quality design that contributes to the transformation of the area. Successful, locally distinctive design will sustain and enhance the historic significance of the area and its Listed Buildings and their settings, including contributing towards enabling appropriate, sustainable uses. In doing this, we will continue to protect and enhance the significance of buildings of cultural and historical importance and their settings, in order to find appropriate future uses for them

Policy EC4 Middlehaven

j. sustaining and enhancing the area's historic significance, including reflecting the traditional grid pattern of Middlehaven;

Culture

4.47 The Middlehaven area is undergoing a transformation. The site of the origins of Middlesbrough, between the railway line and the River Tees, it is characterised by a cluster of digital and creative businesses, which will be complemented by a new residential community with new housing, schools and public realm developments.

Policy EC6 Culture

m. to celebrate and interpret the rich heritage of this area, including assets such as the Old Town Hall, Transporter Bridge and the Dock Clock Tower.

8. MANAGING THE HISTORIC ENVIRONMENT

8.2 The speed of Middlesbrough's development from the early 19th century is unique. It grew from Middlesbrough Priory (a middle point between Durham Cathedral and Whitby Abbey), founded in 1119, to rural areas with tiny populations mostly owned by the Hustlers of Acklam and the Pennymans of Ormesby until 1801. In 1829 Joseph Pease and other Quaker businessmen purchased land in the area for 'Port Darlington' on the banks of the Tees; a year later a branch line was run in from the 1825 Stockton and Darlington Railway (S&DR). The construction of the branch line was the trigger for the S&DR to commission the first ever locomotive designed purely to haul passenger traffic. A town was planned to supply labour to the new coal port and Middlesbrough was born. The early town, called St Hilda's after the parish church that stood there until 1969, was centred on a market square, where the first town hall was built in 1846. This area was planned along a grid pattern, which was replicated across the town as rapid expansion continued up until the 20th century.

8.5 A 'heritage asset' is defined by the NPPF as 'a building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest'. Heritage assets include designated heritage assets and assets identified by the local planning authority (including local listing).

8.7 There are key buildings and sites that are particularly representative of Middlesbrough's history, including early industrial and railway heritage and there are other buildings and sites that are rare survivors of an earlier time, including rural and agricultural heritage. Proposals that sustain and enhance Middlesbrough's industrial and railway heritage are welcomed. This includes:

- development in St Hilda's, Middlehaven, the world's first planned railway town;
- development around the 1830 Middlesbrough branch line of the Stockton and Darlington Railway and related heritage assets;

8.9 Policy HI1 Strategic Historic Environment

Strategic

Middlesbrough's historic environment is recognised as making a positive contribution to the borough's identity and potential for economic growth and regeneration. The Council will sustain and enhance the historic character of Middlesbrough, which includes historic areas, buildings, features, archaeological assets and their settings. Where development affecting designated or non-designated heritage assets or their settings is proposed, it must be of high quality, respecting its context and demonstrating a strong sense of place.

Non-Designated Heritage Assets

8.18 New non-designated Heritage Assets that contribute positively to Middlesbrough's historic environment may be identified during policy- and guidance-making and during preapplication or planning application stages, providing they meet criteria used to draw up Middlesbrough's Local List.

Local List

8.19 There are also a number of non-designated heritage assets within the borough, which although not designated, make a positive contribution to Middlesbrough's historic environment. Any proposals affecting non-designated heritage assets should be assessed by carefully weighing the loss or harm caused to the heritage asset against its significance.

8.20 Middlesbrough's Local List was adopted in 2011. The Local List contains non-designated Heritage Assets, buildings and site that have local significance. It identifies 91 buildings, structures, parks, gardens, and open spaces, in need of recognition and protection to manage change to and around them, because Middlesbrough is a relatively young settlement. The list can be viewed here <https://www.middlesbrough.gov.uk/planning-anddevelopment/conservation/middlesbrough-local-list/>

Archaeological Sites

8.21 Where development is likely to affect sites of known or possible archaeological interest, an archaeological evaluation will be required, the scope of which will be agreed with the Council. This will help to establish the significance of any archaeological remains prior to determination of a planning application, with mitigation measures and the steps to be taken to record, retain, incorporate, protect, enhance and, where appropriate, manage the archaeological interest, provided as part of the proposals.

Policy HI3 Non-Designated Heritage Assets

Local List

The Council has identified locally listed non-designated heritage assets for their contribution to the area, which should be considered when determining planning applications. Their importance to Middlesbrough and to the community will be considered, and account will be taken of the desirability to sustain and enhance their significance, including development in their settings. Development proposals should respect, support, and where possible, positively contribute to the significance of these heritage assets.

Development of Local List buildings and sites will be permitted providing they sustain and enhance their significance, proportionate to their level of significance including enabling sustainable uses for them.

Other buildings and features of design and architectural interest not included above may also be considered non-designated heritage assets and therefore will also be subject to these requirements. Where a development would result in harm to a non-designated asset, a balanced judgement will be made, having regard to the scale of any harm or loss and the significance of the asset. A HIA will be necessary to inform the decision.

Archaeological Sites

Development that has been identified as harmful to the significance of non-designated sites of equivalent significance to designated sites (including development within their setting), will only be permitted in exceptional circumstances and require clear and convincing justification.

Development that may affect a known or potential archaeological site, including its setting, should be accompanied by the results of a desk-top assessment. As a minimum, Middlesbrough's Historic Environment Record (HER), held by the Council, should be used to inform this.