

Guisborough Town Council's response to the Lichfields / Miller Representation During the Reg. 16 Consultation on the Submitted Guisborough CP Neighbourhood Plan.

In the Guisborough Civil Parish Neighbourhood Plan (GCPNP), Guisborough Town Council (GTC) strives to support both sustainable development and protecting the most important features of our parish that positively contribute to the health and wellbeing of the whole community.

The detailed GTC responses are inserted into the Lichfields / Miller text below. However, it should be noted that GTC can only comment on elements of the representation within the scope of a Neighbourhood Plan (NP) and not the development application (referenced below) which was announced after the GTC had written and approved its NP for submission to the Local Planning Authority (LPA). The claims made in the development application have yet to be tested by Redcar & Cleveland Borough Council's (RCBC) Regulatory Committee.

Date: 19 December 2025

Our ref: 70046/01/MHE/RCH/40532999v1

To Whom It May Concern

Representation to Guisborough Civil Parish Neighbourhood Plan

This letter has been prepared on behalf of Miller Homes Ltd. It provides representations in response to Redcar and Cleveland Borough Council's (RCBC) consultation on the Guisborough Civil Parish Neighbourhood Plan (GCPNP), specifically Policy GS5.

By way of background, Miller Homes currently has a live application (ref. R/2025/0579/FFM) for "*Demolition of existing structure; residential development of 71 homes with biodiversity zone, associated infrastructure and landscaping*" on land at Newstead Farm, Guisborough. The site forms part of the privately - owned land referred to as Hutton Beck Meadows East in Policy GS5.

The letter sets out how Policy GS5's proposed designation of this land as Local Green Space (LGS) would be inconsistent with the basic conditions set out in Schedule 4B of the Town and Country Planning Act 1990 (as amended). It also explains how the evidence base which has informed Policy GS5 is insufficient and is therefore contrary to both Paragraph 107 of the NPPF and Planning Practice Guidance Paragraph 040.

Policy GS5: Privately - owned Meadows

The part of Policy GS5 relevant to this representation states: "*Chapel Beck Valley and Hutton Beck Meadows East, which are defined in the Policy Maps in Appendix 1, are designated as Local Green Spaces in recognition of their meeting of the criteria laid out in the National Planning Policy Framework for Local Green Space Designation (LGS).*"

Supporting paragraph 9.2.34 of the GCPNP states that Beck Meadows East (hereinafter referred to as 'the site') meets the criteria set out in Paragraph 107 of the NPPF as it (alongside another meadow) is "*surrounded by the community they serve, are each is less than 800 metres long, and their richness of wildlife, historic significance and special public support are detailed in their Green Space Site Reports. The lack of public access to these spaces has led to their being oases of undisturbed diverse flora and fauna rarely seen so close to areas of conurbation.*"

GTC Response: the supporting text quoted above comes from GCPNP paragraph 9.2.35 and the detail behind it is covered in the Green Space Site Report, as stated. Further supporting information is provided in the “Evidence Base for Guisborough CP NP” document, paragraphs 4.5.2 to 4.5.11. and green space site reports Ref. Nos. 16 and 36, as well as GCPNP paragraph 9.2.28, 9.2.30, 9.3.31 and 9.2.32.

Assessment of the ‘Basic Conditions’

Schedule 4B of the Town and Country Planning Act 1990 (as amended) (TCPA) states that, when making a Neighbourhood Plan, the Council must demonstrate how the Neighbourhood Plan responds to the following criteria, which form part of the ‘basic conditions’:

- The plan’s compliance with national policy and advice contained in guidance issued by the Secretary of State;
- How the plan contributes to the achievement of sustainable development;
- The general conformity of the plan with the strategic policy of the development for the local area; and
- The compatibility of the plan with the EU and human rights obligations

We note that a Basic Conditions Statement has been prepared to accompany the GCPNP. However, for the reasons set out below, Policy GS5 conflicts with the basic conditions as it (a) does not comply with national policy and advice, (b) does not contribute towards the achievement of sustainable development, and (c) would not conform with strategic local policy.

GTC Response: GTC refutes the assertion that Policy GS5 conflicts with the basic conditions, as detailed on our responses.

Compliance with National Policy and Advice

Paragraph 106

NPPF Paragraph 106 states that “*designating land as Local Green Space should be consistent with the local planning of sustainable development and complement investment in sufficient homes¹, jobs and other essential services*”.

By approving Policy GS5, the Neighbourhood Plan could directly prevent the development of 71 homes on land that is subject to a live planning application. This conflicts with the above NPPF paragraph, which expects Local Green Space designation to complement investment in housing, rather than obstructing it.

Paragraph 106 also requires the designation of land as LGS to be consistent with sustainable development. This is assessed in further below as part of the wider criteria to contribute to sustainable development, as per the basic conditions.

GTC Response: In paragraph 9.1.7 of the GCPNP, it states that “Both RCBC and Guisborough Town Council have been supportive of the recent large housing developments on the north-west edge of Guisborough town. Although they were green field sites, they are served by utilities and sustainable transport options, and have further room for expansion.” Policy GS5 is therefore not preventing sustainable development, but is recognising that a few of the green spaces in the parish meet the criteria for LGS designation.

Furthermore, the Reg. 16 submission Ref. No. GNP/016 from Lichfields / TCC Land Limited (another developer) supports the NP.

¹ For RCBC, “sufficient homes” can be defined as 559 dwellings per annum (dpa). This is based on the Standard Method, which supersedes the Local Plan requirement of 234 dpa due to the Council’s lack of 5YHLS

Paragraph 107

NPPF Paragraph 107 states *“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”*

The supporting text of the proposed policy states that the land has a “lack of public access”. On this basis, the land is clearly not “reasonably close” to the community, as required by criteria a.

In terms of criteria b, the proposed policy and accompanying evidence base does not “demonstrably” prove that the site has a richness of wildlife. This is explored in greater detail later in the letter.

The proposed policy also fails to explain how the site is local in character, as it does not include any commentary on exactly what makes the land distinctive to Guisborough. This fails to satisfy criteria c.

On the basis of the above, the proposed policy fails to satisfy the required criteria of Paragraph 107. It is therefore contrary to the NPPF and the basic conditions.

GTC Response: In the government’s planning guidance document entitled “Open space, sports and recreation facilities, public rights of way and local green space”, Published 6 March 2014, it states ***“What about public access? Some areas that may be considered for designation as Local Green Space may already have largely unrestricted public access, though even in places like parks there may be some restrictions. However, other land could be considered for designation even if there is no public access (eg green areas which are valued because of their wildlife, historic significance and/or beauty).***

Designation does not in itself confer any rights of public access over what exists at present. Any additional access would be a matter for separate negotiation with land owners, whose legal rights must be respected.

Paragraph: 017 Reference ID: 37-017-20140306”. The LGS sites referred to in Policy GS5 are within the Guisborough town conurbation and are therefore bounded by the community they serve.

Further supporting information concerning the richness of wildlife, historic significance, and tranquillity of the LGS sites is provided in the “Evidence Base for Guisborough CP NP” document, paragraphs 4.5.2 to 4.5.11. and green

space site reports Ref. Nos. 16 and 36, as well as NP paragraph 9.2.28, 9.2.30, 9.3.31 and 9.2.32.

Furthermore, the Reg. 16 submission Ref. No. GNP/017 from a local consultant ecologist provides more detail on the richness of wildlife at one of the LGS sites.

NP paragraphs 9.2.28 and 9.2.31 states that “the sight of such a mature green space so close to the conurbation reinforces the semi-rural character of the town” and is, therefore very much ‘local in character’.

Contribution to Sustainable Development

Paragraphs 10 and 11 of the NPPF state that, for sustainable development to be pursued in a positive way, decisions should apply a presumption in favour of sustainable development. Specifically, Paragraph 11(d) states that, where a local planning authority (LPA) cannot demonstrate a five-year supply of deliverable housing sites (5YHLS), the Council must grant permission unless policies in the NPPF that protect areas or assets of importance provide a strong reason or refusal, or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. At present, Redcar and Cleveland do not have a 5YHLS. Thus, the presumption in favour of sustainable development is triggered.

The aforementioned live application on Hutton Beck Meadows East (ref. R/2025/0579/FFM) complies with the criteria set out in Paragraph 11(d). It is not in proximity to a Site of Special Scientific Interest (SSSI), listed or proposed Ramsar site, Special Protection Area (SPA), irreplaceable habitat, National Landscape, National Park, Heritage Coast, or designated and non-designated heritage assets. The site is not located within the Green Belt, nor is it designated as Local Green Space. While a section of the site is located within an area at risk of flooding, no housing is proposed in this area and SuDs will decrease the overall risk of flooding, creating betterment. Taken together, the proposed development would not cause any adverse impacts that would significantly and demonstrably outweigh the benefits of addressing the identified housing need, reducing flooding, and providing a 10% biodiversity net gain.

By approving Policy GS5, the Neighbourhood Plan could prevent this contribution to sustainable development as it would prevent a site coming forward that currently meets the criteria listed at Paragraph 11(d) of the NPPF. This would be in direct conflict with a clear national objective of delivering the homes that the country needs in sustainable locations.

GTC Response: This section of the representation deals with a specific development application and therefore GTC is in no place to comment.

Conformity with Local Policy

For the same reasons set out above, GS5 would conflict with Policy SD1 ‘Sustainable Development’ of the RCBC Local Plan.

GTC Response: GTC refutes the assertion that Policy GS5 conflicts with RCBC Policy SD1 – Sustainable Development, as detailed on our responses.

Insufficient Evidence Base

Notwithstanding Policy GS5's conflict with the basis conditions, there are significant gaps in evidence to support the claim that Hutton Beck Meadows East is "demonstrably" special due to the "richness of its wildlife" in accordance with Paragraph 107(b) of the NPPF.

For context, Paragraph 040² of the Planning Practice Guidance (PPG) states that "*proportionate, robust evidence should support the choices made and the approach taken*" when making a neighbourhood plan.

At present, the evidence refers to statements from a consultant ecologist, who refers to the presence of priority species but this is not supported by quantified biodiversity metrics and surveys.

By contrast, the live planning application for the site is accompanied by a comprehensive Biodiversity Net Gain (BNG) assessment prepared in June 2025. The findings confirm that the site comprises predominantly modified grassland of low distinctiveness, with areas of poor to moderate condition, and small parcels of woodland and scrub also assessed as poor or moderate. There is no evidence of irreplaceable habitats or exceptional ecological richness.

Clearly, the evidence provided is neither robust nor proportionate to the claims made. More up to date evidence suggests that the site is not demonstrably special due to the richness of its wildlife. The policy should therefore not be allowed on this basis.

² Reference ID: 41-040-20160211

GTC Response: Further supporting information concerning the richness of wildlife, historic significance, and tranquillity of the LGS sites is provided in the "Evidence Base for Guisborough CP NP" document, paragraphs 4.5.2 to 4.5.11. and green space site reports Ref. Nos. 16 and 36, as well as NP paragraph 9.2.28, 9.2.30, 9.3.31 and 9.2.32. Together this forms the proportionate, robust evidence which support the choices made and the approach taken.

Conclusion

In summary, Policy GS5 should not be included within the GCPNP because it fails to meet the basic conditions for a neighbourhood plan. It conflicts with national policy, does not contribute to sustainable development, and is not in general conformity with the strategic policies of the Local Plan. Designating Hutton Beck Meadows East as Local Green Space could block a site that is critical for meeting housing need in an authority without a five-year housing land supply, contrary to the presumption in favour of sustainable development.

Notwithstanding the above, the policy is not supported by proportionate or robust evidence as required by Planning Practice Guidance. The claims of its richness of wildlife conflicts with the findings of recently undertaken surveys in support of the live planning application which confirms the site is predominantly of low distinctiveness, with small areas of poor to moderate distinctiveness, and no irreplaceable habitats.

For the reasons set out in this letter, the policy should be amended to remove Hutton Beck Meadows East.

GTC Response: GTC refutes the assertion made in this section, as detailed in our responses.