

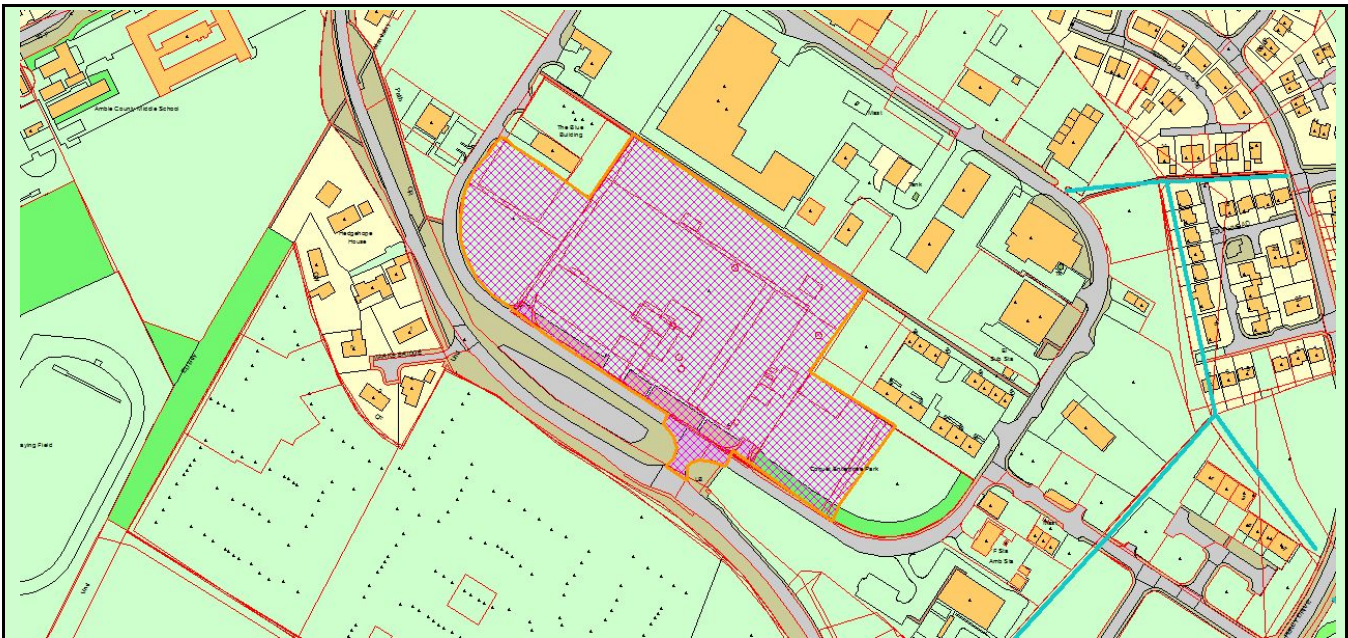


Northumberland County Council

Strategic Planning Committee 2nd April 2019

Application No:	18/03156/FUL		
Proposal:	Morrisons foodstore, petrol filling station and kiosk, two retail terraces comprising of four A1 retail units, drive thru coffee shop restaurant, car parking and associated works (amended description 07.03.2019)		
Site Address	Former Site Of Longbenton Foods , Coquet Enterprise Park, Amble, NE65 0PE		
Applicant:	Mr Richard Schofield, Advance Northumberland, Ashington Workspace, Lintonville Parkway, Ashington, NE63 9JZ	Agent:	Mrs Chris Creighton Peacock and Smith 9C Joseph's Well, Hanover Walk, Leeds, LS3 1AB
Ward	Amble	Parish	Amble By The Sea
Valid Date:	4 September 2018	Expiry Date:	5th April 2019
Case Officer Details:	Name: Mr James Bellis Job Title: Senior Planning Officer Tel No: 01670 622716 Email: James.Bellis@northumberland.gov.uk		

Recommendation: That this application be approved subject to conditions.



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1. Introduction

1.1 This application is deemed appropriate for consideration at Strategic Planning Committee. This is due to one of the applicants on the application being Advance Northumberland. A subsidiary of Northumberland County Council.

2. Description of the Site and Proposal

2.1 The application site is located just to the North East of the the A1068, within the area known as Coquet Enterprise Park on the site of the former Northumberland Foods factory located, in Amble. The site is bounded by existing industrial and commercial units to the north east and south east; the access road for the wider industrial estate to the south west (beyond which lies the A1068); and the access road and various commercial uses to the north west. The site is approximately 800m from Amble Town Centre and the adopted primary shopping area (as saved in the ADWLP). Based on the most direct route by car, and access to the site will be via the existing roundabout on the A1068. The site is considered 'out of centre' for the purposes of retail planning policy and the proposal site would occupy a site of approximately 3.5 hectares.

2.2 The proposal is for a retail park, to be known as Amble Retail Park, which will include a 2,303m² gross foodstore (1,382m² net) (including 1,106m² convenience retailing and 276m² comparison), a four pump filling station and kiosk (185m² gross (139m² net), 100% convenience retailing), two retail terraces comprising of a Single large retail store (1,395m² gross (1,254m² net)), mainly comparison retail, with up to 251m² for convenience sales, and a second retail terrace formed by 3 units (unit #2 (205m² gross, (unit 3# 622m² gross), (and unit 4# 418m²)), and a drive thru coffee shop restaurant (209m² gross). A customer car park providing 352 spaces across the site is also proposed.

2.3 Conditions restricting uses within the scheme have been provided by the applicant/agent to reduce the potential impact of the proposal on Amble town centre. The agreed conditions have been appended to this application.

3. Relevant Planning History

Reference Number: 12/01673/DEMGDO

Description: Prior Notification of Proposed Demolition.

Status: NOOBJ

4. Consultee Responses

County Ecologist	<p>No Objection, subject to conditions.</p> <p>Thank you for this re-consultation. Further to my comments dated 1st October (copied below) I note the amended landscaping plan. I have reservations about the landscaping plan still as it does include Cotoneaster (not one of the species of that family included in Schedule 9 of the Wildlife and Countryside Act, but still invasive) and would request an amended landscaping plan as part of a Biodiversity Enhancement Scheme, by condition.</p> <p>I also note the comments of Natural England. The site is within 1.5km of the Northumberland Shore SSSI/Northumbria Coast SPA and Inote the comments of Natural England re: these sites. This class of use is unlikely to increase the numbers of visitors to the coast and is therefore not likely to contribute to recreational disturbance of overwintering shorebirds. The site is not likely to support shorebirds as a loafing or high tide roost due to the habitat between the coast and the site, the disturbed nature of the site, and preferential habitat being present to the immediate south.</p>
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	I also note the report Ecological Appraisal Coquet Enterprise Centre (E3 Ecology, August 2018).
Natural England	<p>No Objection</p> <p>Based on the plans submitted, Natural England considers that the proposed development will not have likely significant effects on the North Northumberland Dunes Special Area of Conservation and has no objection to the proposed development. To meet the requirements of the Habitats Regulations, we advise you to record your decision that a likely significant effect can be ruled out.</p>
Highways	<p>No objection, subject to conditions.</p> <p>When assessing this application, the Highway Authority checks that the proposal will not result in an adverse impact on the safety of all users of the highway, the highway network or highway assets.</p> <p>The information submitted has been checked against the context outlined above, it is considered that this development will not have a severe impact on highway safety, providing suitable mitigation measures are accommodated, through the imposition of appropriate planning conditions. Therefore, no objections in principle are raised to the proposals.</p> <p>The proposal is considered to be in accordance with National Planning Policy Framework (2018), in respect of transport/highway matters, and the principle of development is acceptable, subject to the satisfactory delivery of off-site highway connectivity works/improvements, as part of the scheme.</p>
Lead Local Flood Authority (LLFA)	After the submission of the revised flood risk assessment and drainage strategy, LLFA are now in a position to remove the previous objection to the proposed development.
The Coal Authority	No objection following the receipt of further information.
Amble Town Council	<p>Amble Town Council welcome this use of a disused brownfield area as it will not only enhance the offering there but may encourage more businesses to come to the town.</p> <p>This development will bring much needed employment, especially with the recruit locally policy, and hopefully be the catalyst for more.</p> <p>However, we do have some concerns.</p> <p>Effect on Existing Businesses: In planning policy terms this development is close enough to the main shopping area and some proposed new residential developments that it cannot be considered as an out of town development. Whilst it is not a valid reason for refusal of an application, we as a town council must however consider any possible detrimental effect on our existing shopping offer mainly concentrated on Queen Street and the Harbour Village. Whilst it is probably true to say that this development will encourage local people to stay here rather than go to Alnwick, Morpeth, Ashington etc. for their larger household shopping and bring in others from outlying communities, we must request the development takes steps to give support to those already in the town.</p> <p>We would like to attach a condition that the supermarket/ retail area erects an advertising board, or two, in prominent positions and allows our current businesses to freely advertise their offers so customers are aware of our smaller local businesses a short distance away.</p> <p>Access and Transport: We would also like to attach a condition that the proposed upgrading of the footway from near the Lindisfarne Road part of the A1068 to a more adequate cycle/footpath goes ahead as this will greatly improve and create a safer access from the West of the town. However,</p>

there should be a similar condition attached to improve the access from the Northumbria Terrace side. This path currently stops where the entrance to the Openreach building joins Northumbria Terrace- but it then means that pedestrians/ cyclists wishing to access the town centre, or the other areas of the town have to go through residential streets or along a poorly maintained side road to another residential street. There is enough land owned by NCC to make a continual safe cycle/footway here for everyone, but the proposal covers the immediate site only. They say, they want to encourage foot traffic however, how this development links into the surrounding roads is not clear and needs clarifying.

We would also like a condition attached that this way to the town centre is prominently and clearly signposted from the supermarket and retail park with mention of the types of shops to be found on Queens street with the walking distance and time it takes to get there.

Much has been said about the continued lack of a large central town car park being detrimental to the town centre yet there are to be over 300 spaces at this site. Had it been an application from Morrisons itself then there is perhaps little that could be done about that. However, as the applicant is Arch, then they are in the position to help as the regeneration and viability of the town should be their concern. Surely, they could designate a percentage of these spaces to be longer term bays- e.g. 6 hours- to allow people to park here, shop here and/or go into the town centre or explore the area? Setting some sort of limit would prevent them being used for all day parking from early morning to late evening.

There should also be some allocated parking for coach and motorhome bays and for the numerous parties who come to explore the town but find nowhere to park except on this estates roads.

Arch [*now Advance Northumberland*] should actively engage now with Arriva Public Transport to instigate the return of the X20 bus route from Percy Drive to the roundabout adjacent to this development so that people can use this means to get there.

Estate traffic: The proposed lane separator at the revised roundabout will prevent traffic circulating the estate clockwise, forcing them to go onto the A1068 and then re-enter the estate. This will include inhibiting the movement of the fire engines should they need to get to shop units 1-4 or the Brambles nursery

Car park: The access road goes across the front of the shops requiring vehicles to use the area of highest pedestrian movement. Customer car access should be from the west side off the car park to minimise pedestrian vehicle conflict. Trolley storage at the west side of the car park should be at the other end of the parking bays so that customers can collect them while walking towards the store.

Fuel Station: Can this design be looked at again? It does not seem the safest route for vehicles wishing to return to the A1068 to exit this across the traffic entering the site to park and shop, particularly just after a bend in the road. The current entry point is off a side route to the parking area- would it perhaps be safer to lose those few spaces and reverse this route, realigning the area to fit.

Landscaping: Landscaping needs to be considered carefully and the trees on the perimeter of the estate must not be removed as they help to screen any evening traffic lights from neighbouring estates. Details of the landscaping contract need to be strictly applied to ensure adequate future maintenance of the whole area.

	<p>Other Concerns: As the applicant, Arch could also set aside a site for a badly needed recycling area. There needs to be subdued overnight lighting for the Car Park and mitigating measures there to prevent anti-social behaviour taking place. There need to be litter receptacles throughout but especially for the Drive Through Outlet. Whilst there are details of Morrisons Corporate Sustainability for Energy and Carbon which include recycling of rainwater, it is very surprising to find there is no use of Solar Energy Panels- this should be encouraged too.</p> <p>The usual conditions regarding site traffic, their management, road cleaning and working hours need to apply also to mitigate the effect on adjacent residents. There are no details of opening hours- these need to be carefully considered No public toilets at Morrisons again clarification on this needs to be sought.</p>
County Archaeologist	Based on the available information, The County Archaeologist has concluded that the proposed development is unlikely to adversely affect significant archaeological remains in this particular instance. The County Archaeologist therefore has no objections to the application and no further archaeological work will be required.
North Trees and Woodland Officer	No response received.
Public Protection	No objection, subject to conditions.
Strategic Estates	No comment.
Architectural Liaison Officer - Police	After considering it from a crime prevention point of view I have no objections to it progressing.
Fire & Rescue Service	No objection in principle to the above proposals.
Environment Agency	No response received.
Northumbria Ambulance Service	As an Emergency Service the Ambulance Service may be required to use the above road(s) for access and egress in the event of being activated to attend an emergency call, or to convey patients to hospital for outpatient appointments.
Northumbrian Water Ltd	No objection, subject to condition.
Health and Safety Executive	No response received

5. Public Responses

Neighbour Notification

Number of Neighbours Notified	160
Number of Objections	4
Number of Support	1
Number of General Comments	2

7 Representations have been received including 1 letter of support, 2 general comments and 4 objections have been received. These raise the following issues:

- Concern regarding the potential impact of the proposal on the town centre;
- Concern regarding the potential impact of the proposal on the quality of life on nearby residents;
- Potential Traffic Impacts of the proposal;
- Concern regarding the potential for increased litter emanating from users of the drive through facility;
- Concern regarding the standard design of the proposal;
- Concern regarding the brand of supermarket proposed;

- The impact the proposal may have on employment land available in the town; and,
- The lack of food and drink provision in the town and the proposed scheme.
- Potential tree removal from the area around the site, outwith the area shown in the Site Location Plan.

Notices

Site notice - Departure from Local Plan 25th September 2018
Northumberland Gazette 20th September 2018

Summary of Responses:

The above is a summary of the comments. The full written text is available on our website at:

<http://publicaccess.northumberland.gov.uk/online-applications//applicationDetails.do?activeTab=summary&keyVal=PEHJ7KQSIUA00>

6. Planning Policy

6.1 Development Plan Policy

Alnwick LDF Core Strategy 2007

- S1 Location and scale of new development
- S2 The sequential approach to development
- S3 Sustainability criteria
- S8 Economic regeneration
- S9 Employment land allocation
- S11 Locating development to maximise accessibility and minimise impact from travel
- S12 Protecting and enhancing biodiversity and geodiversity
- S13 Landscape character
- S15 Protecting the built and historic environment
- S16 General design principles
- S17 Town centres
- S22 Energy efficiency
- S23 Planning obligations

Alnwick District Wide Local Plan 1997 (Saved Policies)

- BE10 Shopfront design (and Appendix C)
- BE11 Design principles for development in town centres
- BE13 Display of advertising (and Appendix D)
- TT1 Controlling the redevelopment of public transport facilities
- TT5 Controlling car parking provision (and Appendix E)
- CD32 Controlling development that is detrimental to the environment and residential amenity
- CD37 Development by water and sewerage statutory undertakers
- APPENDIX C The design of shopfronts
- APPENDIX D Advertising
- APPENDIX E Car parking standards for development

6.2 National Planning Policy

National Planning Policy Framework (2019)
National Planning Practice Guidance (2019, as updated)

6.3 Other Relevant Documents/Evidence

Northumberland Employment Sites Schedule 2016-17
Northumberland Employment Site Schedule Analysis Report 2016-17

6.4 Emerging Policy

Northumberland Local Plan Regulation 19 Consultation Draft (January 2019)
STP1, STP2 STP3, STP4, STP5, STP6, ECN1, ECN6, ECN7, ECN8, ECN9,
ECN10, TCS1, TCS2, TCS3, TCS4, QOP1, QOP2, QOP4, QOP5, QOP6, TRA1,
TRA2, TRA3, TRA4, ICT1, ENV1, ENV2, ENV3, ENV7, WAT1, WAT2, WAT3,
WAT4, POL1, POL2.

7. Appraisal

7.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires applications for planning permission to be determined in accordance with the development plan, unless material considerations indicate otherwise. The NPPF operates under a presumption in favour of sustainable development. It states that development proposals, which accord with the development plan, should be approved without delay. The adopted Development Plan where the site is located, comprises the saved policies of the Alnwick District Wide Local Plan (1997) and the Alnwick LDF Core Strategy (2007).

7.2 The NPPF is also a material consideration in the determination of planning applications. The development plan has been used as the starting point for the assessment of the proposal submitted for consideration and the following policies topics are considered to be particularly relevant to this application.

7.3 The emerging Northumberland Local Plan, together with its up to date evidence, is a material consideration in the determination of planning applications. As per Para 48 of the NPPF the amount of weight that can be given to the emerging Local Plan depends upon the stage of the plan, the level of unresolved objections and its consistency with the NPPF.

7.4 Amble Town Council have not designated a neighbourhood area for the purposes of neighbourhood plan preparation, and therefore there is no Neighbourhood Plan which relates to this parish at the time of preparing this report.

7.5 The main issues in the consideration of this application are:

- Principle of Development (*including Out of Town Retail matters (Sequential Site Assessment, Retail Impact Assessment)*);
- Potential Planning Obligations;
- Visual Impact;
- Landscape/Townscape Impact;
- Design;
- Amenity;
- Landscaping;
- Historic Environment;

- Natural Environment;
- Contaminated Land;
- Ecology;
- Highways & Transport matters;
- Water Management (*including flood risk matters*);
- Procedural Matters (*including consultation*); and,

Principle of Development

7.6 S1 of the Alnwick Core Strategy (ACS) sets out the hierarchy of settlements to inform the location and scale of development in the former Alnwick District. The location and scale of new development should accord with the settlement hierarchy and reflect the services present, accessibility and character of each settlement.

7.7 S2 of the ACS sets out a sequential approach for development where weight is given to previously developed land or buildings before other suitable sites within the built up area of settlements. This is considered not be fully compliant with the NPPF and is therefore given limited weight in the determination of planning applications. Despite this, the proposal site would appear within the first level of this hierarchy as previously developed land within Amble, and therefore acceptable site for development under policy S2.

7.8 S3 of the ACS sets out sustainability criteria stipulating that development must satisfy the criteria with exceptions to compensate for sustainability shortcomings but also states that it may be necessary to allow development which does not meet one or more of the criteria. These include that the development is accessible to homes, jobs, shops, services, the transport network and modes of transport other than the private car, and there is adequate existing or planned capacity in the physical and community infrastructure, or that additional capacity can be provided, as well as matters of environmental impacts.

7.9 The site is located in Amble, identified as a Main Rural Service Centre within S1 which is a main focus for new development in the district. The land is on Previously Developed Land on the site of the former Northumberland Foods Factory on Coquet Enterprise Park, Amble, which would fall into the first criteria of S2. The site would comply with the sustainability criteria associated with accessibility within S3 through the site's availability to services in close proximity without the use of private car.

7.10 The proposal would provide job opportunities through its delivery, without significant impact on the environment. It is considered that the proposal could provide an employment base for young people and support the retention of young people within the plan area. Whilst the development is not for the purposes for tourism, it is considered that the scale and retail offering would potentially bring people to Alnwick with no conflict to the criteria of the policy subject to the assessment below.

7.11 The proposal is therefore deemed to be in compliance with the policies S1, S2 and S3 of the ACS, which form the basis for the development plan in relation to this site.

Employment Land matters

7.12 In terms of policy S9 of the ACS, the proposal is to be considered to be an 'Employment Site', as such has been advertised as a potential departure and the case officer has assessed it as such, as the proposal is located on Coquet Enterprise Park, the main Industrial Estate in Amble. The proposal site is therefore considered to form part of the land for employment uses in the former Alnwick District as a historic unsaved allocation within the Alnwick District Wide Local Plan. However it is considered that the site has been vacant for a long period of time, with a wide range of employment sites in the local area, and elsewhere in Northumberland, including sites and locations near to Amble. Further to this matter, the site is identified as a future employment allocation in the emerging Northumberland Local Plan, however only some weight can be apportioned to this at this stage.

7.13 In the emerging Northumberland Local Plan the site is intended to be a site allocated for future employment uses, through policy ECN6, ECN8 and ECN9, whilst it can not be considered to be fully compliant with these policies, ECN9 does provide some flexibility with regards to other uses that can be considered should the proposal be able "to demonstrate to deliver significant community and economic benefits that override the need to maintain the site or premises within the specified range of employment uses". The proposal can potentially demonstrate compliance with this, however only some weight can be given to these policies currently.

7.14 In terms of the policies in the emerging Northumberland Local Plan, Section 4 of the plan identifies Amble as a Main Town, at the top tier of the settlement hierarchy. Policy STP1 indicates that the Main Towns will be the focus for employment, housing, retail and services. Policy TCS1 identifies Amble as one of the Main Town 'Smaller Centres'. The policy indicates that growth within the defined centres will be supported and encouraged at a scale which helps maintain and reinforce centres' roles within the hierarchy. In addition, proposals which seek to replace significant areas of main town centre uses with other uses will be resisted where this would undermine the centre's role and position within the hierarchy. The proposal is therefore considered to be in compliance with policies STP1 and TCS1 which relate to the principle of retail in Amble.

7.15 In conclusion the proposed application is considered a departure to the Alnwick Core Strategy in terms of policy S9 and the emerging Northumberland Local Plan. However other material considerations can be taken into account and may outweigh the need to retain this site as employment land.

Out of Town Retail

7.16 The application proposes a scheme of A1 retail development made up of 2,303m² gross foodstore, a four pump filling station and kiosk, two retail terraces comprising of four retail units and a drive through Coffee Shop. A customer car park providing 352 spaces across the site is also proposed.

7.17 In respect of 'out of centre' main town centre uses, Policy TCS4 indicates that such proposals will be the subject of proportionate and appropriate sequential testing, and the subject to impact testing where the proposals are above identified local impact thresholds. Beyond Smaller Town Centre Boundaries, the relevant threshold is 1,000m² of retail floorspace (which is clearly exceeded by this

application). The policy indicates that where the main town centre use can only be accommodated in an edge or out of centre location, priority should be given to accessible sites well connected to the town centre or (failing that) connected to other existing services.

7.18 The application has been supported by a Planning and Retail Statement (RS) which has been subject to examination by an appointed retail consultant who has produced an Independent Assessment (IA).

7.19 Paragraph 86-88 of the NPPF states that Local Planning Authorities should apply a sequential test to planning applications for main town centre uses that are not in an existing centre and are not in accordance with an up-to-date Local Plan. They should require applications for main town centre uses to be located in town centres, then in edge of centre locations and only if suitable sites are not available should out of centre sites be considered. When considering edge of centre and out of centre proposals, preference should be given to accessible sites that are well connected to the town centre. Applicants and local planning authorities should demonstrate flexibility on issues such as format and scale.

7.20 Paragraph 89 of the NPPF states that when assessing applications for retail, leisure and office development outside of town centres, which are not in accordance with an up-to-date Local Plan, local planning authorities should require an impact assessment if the development is over a proportionate, locally set floorspace threshold (if there is no locally set threshold, the default threshold is 2,500 sq m). This should include assessment of:

- the impact of the proposal on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal; and,
- the impact of the proposal on town centre vitality and viability, including local consumer choice and trade in the town centre and wider area, up to five years from the time the application is made. For major schemes where the full impact will not be realised in five years, the impact should also be assessed up to ten years from the time the application is made.

7.21 Paragraph 90 concludes that where an application fails to satisfy the sequential test or is likely to have significant adverse impact on one or more of the above factors, it should be refused.

7.22 The NPPF sets out the criteria for assessing proposals such as this. The NPPF seeks to prevent development that is likely to have a significant adverse impact on town centre vitality or viability

Sequential Site Assessment

7.23 The detail of the Sequential Test is appraised in detail in the response from the LPA's retail consultant. It is the opinion of the case officer and the LPA's retail consultant that Amble Town Centre represents the appropriate focus for the sequential search and have reviewed all sites identified, which are proximate to the centre. In our view that none of these sites are both available and suitable to accommodate the application proposal. Additional plots are available at Coquet Enterprise Park, but it is not the opinion of the LPA's retail consultant that any of these offer any sequential advantage over the application site. We therefore find that

the application proposal conforms to the requirements of the sequential test as articulated by paragraphs 86 and 87 of the NPPF.

Impact Assessment

7.24 The detail of the Impact Test appraised in detail the response from the LPA's retail consultant. In respect of the first part of the impact test set out at Paragraph 89 of the NPPF, we are unaware of any in-centre investment that would be impacted by the implementation of the application proposal.

7.25 In terms of the second strand of the impact test - relating to the proposal's impact on the vitality and viability of town centres the LPA's assessment (undertaken by Nexus Planning) has found that the proposal (as set out by Peacock and Smith's Revised Tables) would not result in any significant adverse impact at any defined town centre, subject to the imposition of appropriate restrictive conditions. On this basis, the proposal conforms with the second part of the impact test as articulated by paragraph 89 of the NPPF. We also believe that the proposal is consistent with the retail and town centre policies set out in the Alnwick LDF Core Strategy, the 'saved' policies of the Alnwick District Local Plan and the emerging development plan (notwithstanding the fact that very limited weight can be afforded to the emerging plan in any event).

Summary of Retail Planning Policy Matters

7.26 Paragraph 90 of the NPPF indicates that planning applications for retail and leisure uses which fail to satisfy the sequential test or is likely to have significant adverse impact on or more of the considerations in paragraph 89, it should be refused.

7.27 In respect of the sequential approach to development, the sites considered by the applicant/agent have been reviewed and the LPA's retail consultee do not believe that any are both available and suitable to accommodate the application proposal, even allowing for appropriate flexibility. We are unaware of any other sequential sites offering realistic potential to accommodate the proposal and, as such, find that it accords with the requirements of paragraphs 86 and 87 of the NPPF (and the sequential test as set out by TCS4 of the emerging Northumberland Local Plan.

7.28 With regard to the impact test, which has been undertaken to demonstrate compliance with paragraph 90 of the NPPF, the retail consultant who has undertaken the IA believes that the granting of planning permission for this proposal would not lead to a significant adverse impact in respect of existing, committed and planned public and private sector investment. We are unaware of any proposals being actively progressed in Amble Town Centre (or in any other centre) which are of direct relevance to the application proposal.

7.29 In terms of the second part of the impact test (relating to the vitality and viability of town centres), the assessment finds that the proposal would not result in any significant adverse impact at any define town centre, subject to the imposition of appropriate restrictive conditions. On this basis, the proposal conforms with the second part of the impact test as articulated by paragraph 89 of the NPPF. The proposal is also considered to be consistent with the retail and town centre policies

set out in the Alnwick LDF Core Strategy, the saved policies of the ADWLP and the emerging development plan.

Conclusion

7.30 To conclude with regards to the principle of development the proposal will meet many of the strategic requirements in the ACS (complying with S1, S2, S3, S11) as well as helping to meet the objectives of this plan, notwithstanding being contrary to S9 as the development of an employment site for retail uses. In terms of helping to meet the objectives of the ACS, the proposed development would help to provide regeneration to Amble, enhancement of the town's role, provision of jobs and employment opportunities, provide a new use for a previously developed site. Some services will be brought into this growing town and may have the effect of reducing overall shopping journeys for Amble residents, and with the proposal satisfying the requirements of the sequential test for town centre uses and the retail impact tests, and will overall. Further to this the proposal has had positive town council support in principle, with minimal objection to the proposal from the community. It is therefore considered on balance that the proposal would form a satisfactory form of development in this location.

Planning Obligations

7.31 Policy S23 of the ACS allows the LPA to request a planning obligation should this be necessary to make the development acceptable in planning terms. It is not considered in this instance that it is necessary to require a contribution.

Visual Impact

7.32 The site surrounded by a mix of uses including industrial and commercial units to the north and east; leisure units to the south east; residential to the south and west and a children's nursery and grassland to the north west. The site is bounded to the North by a mix of industrial and commercial units, some of which are currently to let; East by Amble Fire Station and Castlemania Adventure Centre (indoor play area); South by the Persimmon residential development 'Coquet Grange' and the A1068, and; West by Brambles Childcare Centre and the A1068. It is not considered by the case officer that the proposal will have a negative impact visually, and will improve a currently derelict site.

Landscape/Townscape Impact

7.33 S13 of the ACS seeks for all proposals for development and change to be considered against the need to protect and enhance the distinctive landscape character of the district. Given the proposal is located within the settlement of Amble, it is considered that the impact of the proposal will be limited and will be viewed in the context of the existing townscape of Amble. For this reason it is not deemed appropriate in this instance to explicitly refer to the Northumberland Landscape Character Assessment 2011 or the Alnwick District Landscape Character SPD 2011.

7.34 Policy S16 of the ACS sets out the design criteria against which new development shall be assessed. Chapter 12 of the NPPF is the relevant section with regards to design. This attaches great importance to the design and states that the creation of high quality buildings and places is fundamental to what the planning and

development process should achieve.

7.35 The scale and design of the proposed building are considered to be appropriate and would not have a detrimental impact upon the surrounding area. The proposal is will be viewed in the context of the existing buildings on the Enterprise Park and as such there are considered to be no adverse visual impacts associated with the proposal. As such the proposals are considered to be in accordance with Policy S16 of the ACS and Chapter 12 of the NPPF.

7.38 The proposal is generally considered to be compliant with the Landscape policies in the emerging Northumberland Local Plan (Policy ENV3)

Design

7.39 The appearance of the development would be of a modern design. Glazing is to be used on the frontage of the development. The foodstore service yard will be located to the north of the service yard and delivery vehicles will access the service yard through the car park and the delivery vehicles will access the service yard through the car park. The units which comprise the retail terrace will have their own shard service years, located at the rear of the terraces. The petrol filling station and drive through coffee shop can be accessed without having to go into the main car park.

7.40 S16 of ACS sets out that all development will be expected to achieve a high standard of design reflecting local character and distinctiveness in traditional or contemporary design and materials.

7.41 Paragraph 127 of the NPPF sets out the principles of design that planning policies and decisions should seek to ensure in developments. Paragraph 130 also adds to this by stating the circumstances whereby permission should be refused on design grounds.

7.42 The development would be of contemporary appearance through its large areas of glazing, high roof canopies and minimal detailing. Whilst this would not be in keeping visually with the various developments around the site, the units are of a sufficient number and scale to allow them to be designed in a coherent manner as a standalone retail park which would be of a strong design quality which is considered acceptable as an approach. A condition has been added to secure material details to the buildings and boundary treatments as part of the recommendation.

7.43 Some comments have been received regarding the design of the proposal, that it is a 'standard design' however, it is not considered that the proposal would detrimentally impact the surrounding townscape in this location, and this is therefore not considered that this would form a reason for refusal of the application in this instance.

7.43 Policies QOP1, QOP3, QOP4 from the emerging Northumberland Local Plan are also relevant to this application, and it is considered that the proposal can be considered to be in general conformity with these.

7.44 On this basis the visual impact is considered acceptable and in accordance with S16 of the ACS, the relevant sections of the NPPF and the relevant policies from the emerging Northumberland Plan.

Amenity

7.45 The assessment of amenity seeks to appraise whether a development would have an adverse impact on properties nearby in terms of appearing overbearing, impacting privacy or issues arising from a proposed use.

7.46 Policy CD32 of the ALP states that permission will not be granted for development which would cause demonstrable harm to the amenity of residential areas or to the environment generally.

7.47 NPPF Chapter 12 requires that planning should always seek to secure high quality design and a seek to secure better places in which to live and work. Paragraph 180 requires that planning decisions should aim to avoid impacts on health and quality of life. Paragraph 91 of the NPPF stresses the importance of aiming to achieve healthy, inclusive and safe places.

7.48 Given the nearby retail, leisure and employment uses surrounding the site along with its close proximity to the strategic road network. There are not considered to be significant issues arising from the proposed use or massing on amenity.

7.49 Some comments have been received in relation to the impact on nearby residents amenity and quality of life, however it is not considered that these are considered sufficient enough as to warrant refusal in this instance. Further to this, concerns have been raised regarding litter emanating from the 'drive through' element of the scheme, however the disposal of rubbish from customers is not considered to be a matter which would form a reason for refusal of the scheme.

7.50 Policy QOP2 from the emerging Northumberland Local Plan is also relevant to this application, and it is considered that the proposal can be considered to be in general conformity with these.

7.51 On this basis the impact on amenity is considered acceptable and in accordance with CD32 of the ADWLP, the relevant sections of the NPPF and the relevant policies from the emerging Northumberland Plan.

Landscaping

7.52 The proposal includes a landscaping scheme, with a full planting scheme being included, with appropriate conditions recommended by the County Ecologist.

7.53 Landscaping matters mainly fall under the provisions of NPPF Chapters 12 and 15, which relate to design, climate change, flooding and coastal change. It is considered that the proposal is in compliance with the detail of these chapters.

7.54 Policy S12 and S16 of the ACS are also relevant to this proposal, with the proposal providing opportunities to improve the biodiversity of the site through the landscaping being provided.

7.55 Policy QOP4 and QOP6 from the emerging Northumberland Local Plan are also relevant to this application from a landscaping perspective, and it is considered that the proposal can be considered to be in general conformity with these.

7.56 On this basis the impact on amenity is considered acceptable and in accordance with Policies S12 and S16 of the ACS, the relevant sections of the NPPF and the relevant policies from the emerging Northumberland Plan, subject to conditions.

Historic Environment

Listed Buildings & Conservation Area

7.57 The application site is located at the gateway to the town with the nearest listed buildings approximately 500m from the site. With the Amble Conservation Area approximately 250m away.

7.58 Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 which advise that in considering whether to grant planning permission for development which affects a listed building or its setting.

7.59 Sections 71 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 which requires the local planning authority to have special regard to the need to 'preserve or enhance' the character, appearance and setting of conservation areas.

7.60 The NPPF and the ACS seek to protect heritage assets and are relevant to this application, with the proposal has been examined by the Building Conservation Officer. Policy S15 of the ACS is the most relevant policy in relation to the Historic Environment in the former Alnwick District Area, with NPPF Chapter 16 providing the national context.

7.61 Policy ENV7 from the emerging Northumberland Local Plan is also relevant to this application with regards to the Historic Environment and Heritage Assets, as is ENV9 which relates to Conservation Areas, and it is considered that the proposal can be considered to be in conformity with these.

7.62 Building Conservation have set out that despite the large scale of the development, that the level of separation is sufficient so as not to have an affect on any listed buildings or the Amble Conservation Area, and is therefore deemed to have no harm on the setting of designated heritage assets.

7.63 As such no statutory publicity has been undertaken as part of this application as there are not considered to be any impacts on Listed Buildings or the Amble Conservation Area.

7.64 The County Archaeologist has considered the archaeological potential of the site based on the level of later disturbance in the central part of the site, the scale of the remaining areas and the absence of archaeological remains predating the ridge and furrow in two large sites to the south and east of the proposed development area. Based on the available evidence the County Archaeologist has concluded that the proposed development is unlikely to have an adverse impact on a high density of

significant archaeological remains. While the desk-based assessment has identified that the ridge and furrow on site requires further recording, the County Archaeologist has concluded that a detailed earthwork survey is unlikely to provide a sufficiently greater amount of information than the LiDAR image included within the desk-based assessment. Based on the available information, the County Archaeologist has concluded that the proposed development is unlikely to adversely affect significant archaeological remains in this particular instance. The County Archaeologist therefore has no objections to the application and no further archaeological work will be required.

7.65 Further to the above, it can be confirmed that as the Building Conservation Officer and the County Archaeologist have no concerns in relation to this application and it can be confirmed that the proposal is considered to be in compliance with policy S15 and Chapter 15 of the NPPF, and the relevant sections of the emerging Northumberland Plan.

Contaminated Land

7.66 The application site is located in the low risk coal referral area and has been submitted with a Phase 1 Geoenvironmental Desk Study, subject to assessment by the Council's Public Health Protection team (PHP). The Coal Authority have been consulted on the application, and have withdrawn their initial objection to the application as they are now satisfied that the site is not at risk from past shallow coal mining activities.

7.67 As well as the Coal Authority, The Council's Public Protection have also been consulted on this application and have stated the following.

7.68 S3 of the ACS sets out within its sustainability criteria that any physical and environmental constraints on the development of the land as a result of contamination, or land stability can be mitigated.

7.69 Paragraph 120 of the NPPF states that in order to prevent unacceptable risks from pollution and land instability, planning policies and decisions should ensure that new development is appropriate for its location. The effects (including cumulative effects) of pollution on health, the natural environment or general amenity, and the potential sensitivity of the area or proposed development to adverse effects from pollution, should be taken into account. Where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the landowner.

7.70 It is therefore considered that contaminated land issues can be successfully mitigated in accordance with S3 of the ACS and the NPPF.

Ecology

7.71 Policy S3 of the ACS sets out sustainability criteria one of which is that there would be no significant adverse effects the natural resources, environment, biodiversity and geodiversity of the district and S12 of the ACS stipulates that all development proposals will be considered against the need to protect and enhance the biodiversity and geodiversity of the district. These form the relevant development plan policies in relation to ecology in this area of the Former Alnwick District.

7.72 NPPF, Chapter 15, Paragraph 170 requires the planning system to contribute to and enhance the natural and local environment by, minimising impacts on biodiversity and providing net gains in biodiversity. Further to this Paragraph 175 requires Local Planning Authorities to apply the following principles when determining planning applications:

if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused; development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest; development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists; and development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.

7.73 The application has been submitted with an Ecology Survey which has been subject to assessment in consultation with the County Ecologist and Natural England.

7.74 In addition to the above, the County Ecologist has raised no objection on issues relating to on-site impacts, subject to conditions. Therefore the on-site ecological impacts arising from the proposal can be suitably mitigated in accordance with S12 of the ACS and the NPPF and is therefore considered to be acceptable in terms of the impact the proposal has on.

7.75 In this instance, due to the nature of the proposal, there are no off-site ecological impacts which need to be mitigated for. Further to the above, the proposal is deemed to be in compliance with the relevant local and national policy from an ecology perspective.

7.76 The proposal is therefore deemed to be in accordance with ACS policies S3 and S12, Chapter 15 of the NPPF as well as satisfying the requirement of the Habitats Regulations.

Highways & Transport Matters

7.77 S11 of the ACS sets out criteria to which the location of development is likely to maximise accessibility and minimise the impacts of traffic generated.

7.78 Paragraph 32 of the NPPF sets out the considerations of decisions with regard to highways impacts, stating that development should only be prevented or

refused on transport grounds where the residual cumulative impacts of development are severe.

7.79 Policies TRA1, TRA2, TRA4, and QOP6 from the emerging Northumberland Local Plan are also relevant to this application.

Highway Safety

7.80 The Highway Authority has assessed this application and do not consider that this development will have a severe impact on highway safety, providing suitable mitigation measures are accommodated through the imposition of appropriate planning conditions. Therefore, no objections in principle are raised to the proposals.

7.81 HDM have reviewed the TA which looks at the level of traffic generated by the development. As a retail development, the trip generation is not entirely new trips as there would be diversion of existing trips to visit the development. The analysis of the surrounding highway network and build-up of traffic have raised no significant concern from HDM.

7.82 Detailed and recent accident data for Amble has been provided by the regional traffic and accident data unit (TADU) to supplement the data already provided in the assessment. A review of this data indicates that the proposed development should not adversely impact on road safety in the area.

7.83 The site access works, including reconfiguration of highway carriageway areas leading from the A0168, together with off-site highway works identified in the highway works section below, will all form part of a s278 Agreement, pursuant to the Highways Act 1980. Final approval of the s278 highway improvement works will include consideration of a full technical/engineering submission, together with completion of Stage 2, 3 and 4 Road Safety Audits (RSA) as part of that process. It is considered that any potential safety issues will be adequately addressed as part of the technical and RSA approval process.

7.84 There is the potential for the development to encourage indiscriminate parking on the industrial estate road adjacent to the development site and this may impact on highway safety in the area. It is therefore recommended that a unilateral undertaking be entered into with Advance Northumberland so that, in the event that indiscriminate parking does occur on the estate road when the site is operational, then a Traffic Regulation order for the prohibition of parking (double yellow lines), together with any physical measures on the ground. will be funded by Advance Northumberland.

7.85 The proposed development will include for a new priority junctions to the industrial estate road and re-alignment of the section of road leading toward the A1068 roundabout. The industrial estate road is subject to a 30mph speed restriction. A stage 1 Road Safety Audit (together with designer's response) has been provided to support the highway related works proposed, which raises no significant road safety concerns with the general arrangement.

7.86 The impact on highway safety is therefore considered acceptable.

Sustainable Transport

7.87 Sustainable transport looks at issues around pedestrian, cyclist and public transport connectivity with the site along with infrastructure.

7.88 A framework travel plan has been submitted for a retail proposal in the town of Amble comprising of multiple units including a large food retail, petrol station and drive through cafe and other units. Generally contents of the framework travel plan is acceptable at this stage, with improvements to walking and cycling facilities within the town considered, cycle parking and electric vehicle charging and soft measures to encourage sustainable travel by staff.

7.89 However no bus service operates directly past the site, with the nearest service 500-600 metres away from the site - is there any way this could be improved as part of this development?

Car Parking

7.90 The number of car parking spaces proposed are considered sufficient to serve the development.

7.91 Within the car park area, 4 number EV charging spaces are proposed, two adjacent to the major food retail unit and two adjacent to the non-food units. Installation of the facilities are required prior to first occupancy of the units.

Cycle Parking

7.92 Secure and covered cycle parking is required to be provided within the scheme. Two of the three cycle parking areas proposed will be under the retail canopies and hence undercover. It is intended that 5 No cycle lockers will also be provided for staff at the food retail store in a secure area. Installation of the facilities are required prior to first occupancy of the units.

Highway Land and Property Issues

7.93 The highway improvement/mitigation measures can be accommodated within existing highway limits, or on land controlled by the applicant or Northumberland County Council (NCC). NCC's Strategic Estates Team have indicated that they would not object to the installation of a 3m wide shared cycleway/footway route on their land, along the rear of Lindisfarne Road linking with Northumbria Terrace.

7.94 A dilapidation survey is required to be undertaken by the developer/sub-contractor of the roads and highway elements on the approach to, and adjacent to the development, in advance of any works taking place on site. Any damage cause to the highway attributed to the construction traffic is required to be made good by the developer/sub-contractor prior to the development being brought into use.

Refuse Storage and Servicing

7.95 Each unit within the retail development area is required to have space for refuse storage clear from the highway, which is required to be identified as part of a

planning condition to be recommended on any consent granted, including swept path analysis of any refuse collection vehicles.

7.96 General Servicing - A condition is recommended for any consent granted indicating servicing arrangements for the petrol filling station and drive-thru facility to demonstrate that large vehicles can manoeuvre safely within the development.

Lighting

7.97 Street lighting requirements to be modified/renewed/replaced as required to accommodate the off-site highway works. Any scheme with associated street lighting works is required to be approved by the NCC street lighting team. Please note that no existing columns should be disconnected or removed unless the new replacement operational columns are in place.

Summary

7.98 There would not be a significant impact on the strategic road network subject to the implementation of outstanding mitigation outside of the applicant's control, no adverse impacts on highway safety and sustainable transport provisions would be improved through the delivery of off-site works.

7.99 Some comments have been received in relation to this application in relation to highways matters including some from the Town Council, however it is not considered that the impacts would be classed as 'severe' by Highways Development Management and would therefore not form a reason for refusal of the application.

7.100 The impact on transport is therefore considered acceptable in accordance with S11 of the ACS, the relevant sections of the NPPF, and the relevant policies of the emerging Northumberland Local Plan, as the proposal is not considered to have a severe impact on the Highway Network.

Water Management

7.101 The application is for major development and has been subject to consultation with the Lead Local Flood Authority (LLFA). Northumbrian Water (NWL) has also been consulted as mains foul drainage is proposed. There will be on-site impacts through the introduction of built form and off-site impacts in terms of water displacement. The proposal includes a flood risk assessment, drainage layout and supplementary drainage information has been submitted.

7.102 Policy ENV9 of the ADNP sets out that major development proposals should incorporate sustainable drainage systems (SuDS), unless it is demonstrated that SuDS are not appropriate. Where SuDS are provided, arrangements must be put in place for their whole lifetime management and maintenance.

7.103 Paragraph 94 of the NPPF states that Local planning authorities should adopt proactive strategies to mitigate and adapt to climate change, taking full account of flood risk, coastal change and water supply demand considerations.

7.104 Chapter 11 of the emerging Northumberland Plan is relevant to the application, which includes policies WAT1, WAT2, WAT3 and WAT4 relevant to this application.

7.105 NWL have considered the application and raised no objection subject to a condition to secure details of foul flows as a connection to mains drainage has been proposed which has been set out in the recommendation.

7.106 The LLFA have also been consulted on the application and following an initial objection to the scheme, they no longer have an objection to the scheme, subject to conditions which have been recommended.

7.107 From this, water management can be successfully undertaken on site in accordance with the NPPF.

7.108 Following the above, the proposal is therefore considered acceptable in terms of the adopted development plan, the relevant sections of the NPPF, and the relevant policies of the emerging Northumberland Local Plan from a flood risk perspective.

Other matters

7.109 It is considered appropriate to remove permitted development rights for changes of use under the General Permitted Development Order 2015 (as amended) along with the prevention of mezzanine floors without planning permission on the grounds of the scale of the development proposed and potential trade impact respectively. This has been done so by condition. In addition, the use classes for each unit along with the net tradable floor areas (for both comparison and convenience goods) have also been restricted by condition. This has been undertaken to reduce the impact the proposal may have on the town centre.

7.110 Comments have been received about the potential inclusion of a condition relating to an advertising board within the scheme for local businesses, the applicant has confirmed that this will be included within the supermarket, as this is a familiar occurrence within supermarkets, it has not been deemed appropriate by the officer to request this via a condition, as this is a regular occurrence within most supermarkets.

Equality Duty

7.111 The County Council has a duty to have regard to the impact of any proposal on those people with characteristics protected by the Equality Act. Officers have had due regard to Sec 149(1) (a) and (b) of the Equality Act 2010 and considered the information provided by the applicant, together with the responses from consultees and other parties, and determined that the proposal would have no material impact on individuals or identifiable groups with protected characteristics. Accordingly, no changes to the proposal were required to make it acceptable in this regard.

Crime and Disorder Act Implications

7.112 These proposals have no implications in relation to crime and disorder.

Human Rights Act Implications

7.113 The Human Rights Act requires the County Council to take into account the rights of the public under the European Convention on Human Rights and prevents the Council from acting in a manner which is incompatible with those rights. Article 8 of the Convention provides that there shall be respect for an individual's private life and home save for that interference which is in accordance with the law and necessary in a democratic society in the interests of (inter alia) public safety and the economic wellbeing of the country. Article 1 of protocol 1 provides that an individual's peaceful enjoyment of their property shall not be interfered with save as is necessary in the public interest.

7.114 For an interference with these rights to be justifiable the interference (and the means employed) needs to be proportionate to the aims sought to be realised. The main body of this report identifies the extent to which there is any identifiable interference with these rights. The Planning Considerations identified are also relevant in deciding whether any interference is proportionate. Case law has been decided which indicates that certain development does interfere with an individual's rights under Human Rights legislation. This application has been considered in the light of statute and case law and the interference is not considered to be disproportionate.

7.115 Officers are also aware of Article 6, the focus of which (for the purpose of this decision) is the determination of an individual's civil rights and obligations. Article 6 provides that in the determination of these rights, an individual is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal. Article 6 has been subject to a great deal of case law. It has been decided that for planning matters the decision making process as a whole, which includes the right of review by the High Court, complied with Article 6.

8. Conclusion

8.1 The main planning considerations in determining this application have been set out and considered above stating the level of accordance with relevant Local Plan Policy. The application has also been considered against the relevant sections within the National Planning Policy Framework (NPPF), and those of the emerging Northumberland Local Plan.

8.2 In terms of the development plan, the proposal will meet many of the strategic requirements in the ACS (complying with S1, S2, S3, S11) as well as helping to contribute to the objectives of this plan. The proposal is however be considered a departure to the development plan, as the proposal site is considered to be an employment site within the context of S9 of the ACS (As well as a departure from the emerging Northumberland Local Plan, which does not yet form part of the adopted development plan). However it is considered that the proposal would help to meet many of the the objectives of the ACS, and the emerging plan, and would also provide a range of benefits including regeneration to Amble, enhancement of the town's role, provision of jobs and employment opportunities, provide a new use for a previously developed site, as well as adding to (and complementing) the retail offer available in the town. Further to this the proposal has had positive Town Council support in principle, with minimal objection to the proposal from the community.

8.2 The proposal has demonstrated that there are no sequentially preferable sites to accommodate the development and that the trade impact of the proposal would not have a negative or significant adverse impact on the vitality or viability of the town centre.

8.3 The technical issues affecting the proposal have been suitably addressed subject to conditions set out in the recommendation.

8.4 The application has addressed the main considerations and it is considered appropriate to recommend the approval of the application. The proposal is therefore supported and approval subject to conditions is recommended.

9. Recommendation

That this application be subject to the following:

Conditions/Reason

01. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended)

02. Except where modified by the conditions attached to this planning permission, the development hereby approved relates to and shall be carried out in accordance with the following approved plans:

Flood Risk Assessment and Drainage Strategy, from Wardell Armstrong (Issue 3) November

2018:

Drawing Number NT13903-002 Rev A Drainage Strategy Drawing;

Title: Soft Landscape Works, Drawing No. T005.PP.001 Date 23/08/2018 (Rev P2 09/10/18)

Title: ATM Pod, Drawing No. ARCAM-WBA-XX-S1-DR-A-PL-020 (Date 03/21/18)

Title: Boundary Treatment Plan, Drawing No. ARCAM-WBA-S1-XX-DR-A-PL021 (Dated 22/08/2018)

Title: Drive-Thru Elevations, Drawing No. ARCAM-WBA-NB-22-DR-A-PL-016 (Dated 05/23/18)

Title: Electrical Substation. Drawing No. ARCAM-WBA-XX-S1-DR-A-DL-019 (Dated 03/21/18)

Title: Boundary Treatment Details. Drawing No. ARCAM-WBA-S1-XX-DR-A-PL018 (Dated 22/08/18)

Title: PFS -Elevations and Roof Plan. Drawing No.

ARCAM-WBA-NB-ZZ-DR-A-PL_014 Dated 05/25/18 (Rev P1 dated 05/07/18)

Title: PFS-Plan. Drawing No. ARCAM-WBA-NB-00-DR-A-PL_013 Dated 03/21/18. (Rev P1 dated 05/07/18)

Title: Proposed Site Plan. Drawing No. ARCAM-WBA-NB-01-DR-A-PL003 Dated 08/06/2018 (Rev P7 dated 6/3/2019)

Title: Proposed Site Sections. Drawing No. ARCAM-WBA-NB-00.DR-A-PL017 Dated 08/06/2018 (Rev -)

Title: Units 1 - Elevations. Drawing No. ARCAM-WBA-NB-zz-DR-A-PL_006 (Rev P2 dated 6/3/19)

Title: Unit 1 - Floor Plan Drawing No. ARCAM-WBA-NB-00-DR-A-PL_004 (Rev P2 dated 6/3/19)

Title: Unit 1 - Roof Plan. Drawing No. ARCAM-WBA-NB-RF-DR-A-PL_005 (Rev P1 dated 6/3/19)

Title: Units 2 to 4 - Elevations. Drawing No. ARCAM-WBA-NB-ZZ-DR-A-PL_009 (Rev P2 dated 6/3/19)

Title: Units 2 to 4 - Floor Plans. Drawing No. ARCAM-WBA-NB-RF-DR-A-PL_012 (Rev P2 dated 6/3/19)

Title: Units 2 to 4 - Roof Plan. Drawing No. ARCAM-WBA-00-DR-A-PL_008 (Rev P2 dated 15/08/18)

Title: WMS Elevations. Drawing No. ARCAM-WBA-NB-ZZ-DR-A-PL_012 (Rev -)

Title: WMS Floor Plan. Drawing No. ARCAM-WBA-NB-00-DR-A-PL_010 Dated 03/21/18 (Rev -)

Title: WMS Roof Plan. Drawing No. ARCAM-WBA-NB-RF-DR-A-PL-011 Dated 05/23/18 (Rev -)

Title: Location Plan. Drawing No. ARCAM-WBA-NB-00-DR-A-PL001 Dated 13.06.18 (Rev P1 dated 21/08/18)

Reason: To ensure the development is carried out in accordance with the approved plans, in the interests of proper planning.

03. Prior to first occupation details of the adoption and maintenance of all SuDS features shall be submitted to and agreed by the Local Planning Authority. A maintenance schedule and log, which includes details for all SuDS features for the lifetime of development shall be comprised within and be implemented forthwith in perpetuity.

Reason: To ensure that the scheme to disposal of surface water operates at its full potential throughout the developments lifetime.

04. Prior to first occupation details of drainage including any pumping for the area in and around the ramped down section shall be detailed, submitted to and agreed with the local planning authority.

Reason: To prevent the ingress of surface water.

05. Development shall not commence until a Construction Method Statement, together with supporting plan, have been submitted to and approved in writing by the Local Planning Authority. The approved Construction Method Statement and plan shall be adhered to throughout the construction period. The Construction Method Statement and plan shall, where applicable, provide for:

- i. details of temporary traffic management measures, temporary access, routes and vehicles;
- ii. vehicle cleaning facilities;
- iii. the parking of vehicles of site operatives and visitors;
- iv. the loading and unloading of plant and materials;
- v. storage of plant and materials used in constructing the development

Reason: To prevent nuisance in the interests of residential amenity and highway safety, in accordance with the National Planning Policy Framework and Local Plan Policies.

06. Notwithstanding the details provided, prior to development units being occupied, revised details of Electric Vehicle Charging points shall be submitted to and approved in writing by the Local Planning Authority. The approved electric vehicle charging points shall be implemented before the development is brought into use. Thereafter, the electric vehicle charging points shall be retained in accordance with the approved details and shall be kept available for the parking of electric vehicles at all times.

Reason: In the interests of Sustainable Development, in accordance with the National Planning Policy Framework and Local Plan Policies

07. Provision of off-site Highway Works (Morrison's Unit (5) & PFS)

Notwithstanding the details provided, no building shall be occupied unless schemes to provide:

a. new vehicular accesses to the site from the existing industrial estate road, including reconfiguration of the highway network leading from the A1068 roundabout, together with associated works;

b. widening and resurfacing of existing footway around the outer perimeter of the site to provide a 3m wide shared segregated cycleway/footway route, together with associated works;

have been completed in accordance with details which shall first have been submitted to and approved in writing by the Local Planning Authority.

Reason (a): To create satisfactory and safe means of access to the site in the interests of highway safety, amenity and in accordance with the National Planning Policy Framework.

Reason (b): In the interests of pedestrian/cyclist safety, amenity and encouraging sustainable modes of travel, in accordance with the National Planning Policy Framework and Local Plan Policies.

08. Provision of off-site Highway Works - (Other than Morrison's Unit & PFS)

Notwithstanding the details provided, no building other than Morrison's (Unit 5) or the PFS shall be occupied unless schemes to provide:

a. an upgrade of the signalised crossing facility on the A1068, north of Lindisfarne Road junction, to Toucan crossing signals, as identified generally as point 'A' on drawing 'PL023-P2', together with associated works;

b. widening of existing footway, together with resurfacing and provision of part new 3m wide shared cycleway/footway route, leading from the signalised crossing on the A1068 (north of Lindisfarne Road junction), southward along the A1068 to the north east corner of Brambles childcare centre facility, together with associated works, as identified generally as route A-B on drawing 'PL023-P2';

c. a new 3m wide shared route (with adjacent 1m wide service margin) along the south western boundary of the Brambles Childcare Centre facility, as identified generally as route B-C on drawing 'PL023-P2', with dropped kerb crossing facilities on the industrial estate road, together with associated works;

d. widening and resurfacing of existing footpath to form 3m wide sections of shared cycleway/footway route leading to the A1068 roundabout, as identified generally as route 'D' on drawing 'PL023-P2', including accommodation of shared route on roundabout splitter islands, together with associated works;

- e. provision of dropped kerbs, together with associated works, along the existing industrial estate footway, identified as route 'F' on drawing 'PL023-P2';
- f. widening of existing footpath, together with resurfacing to form new 3m wide shared cycleway/footway route (with adjacent 1m wide service margin) from Northumbria Terrace leading eastward to link with the existing footway network on the industrial estate road, together with associated dropped kerb crossing facilities and works, as identified generally as route 'F' on drawing 'PL023-P2';

have been completed in accordance with details which shall first have been submitted to and approved in writing by the Local Planning Authority.

Reasons (a-f): In the interests of pedestrian/cyclist safety, amenity and encouraging sustainable travel modes, in accordance with the National Planning Policy Framework.

09. No development unit or PFS shall be occupied until details of refuse storage facilities and a refuse storage strategy for that unit and PFS have been submitted to and approved in writing by the Local Planning Authority. The approved refuse storage facilities shall be implemented before the development unit and PFS to which it serves is brought into use. Thereafter, the refuse storage facilities and refuse storage strategy shall operate in accordance with the approved details.

Reason: In the interests of the amenity of the surrounding area and highway safety, in accordance with the National Planning Policy Framework and Local Plan Policies.

10. Prior to the development units and PFS being occupied, details of surface water drainage to manage runoff from private land shall have been submitted to and approved in writing by the Local Planning Authority. The approved surface water drainage scheme shall be implemented in accordance with the approved details before the development is occupied and thereafter maintained in accordance with the approved details.

Reason: In order to prevent surface water run-off in the interests of the amenity of the area and to ensure suitable drainage has been investigated for the development and implemented, in accordance with the National Planning Policy Framework and Local Plan Policies.

11. Notwithstanding the details provided, the development shall not be occupied until revised details of secure, covered cycle parking, including location, have been submitted to and approved in writing by the Local Planning Authority. The approved cycle parking shall be implemented before the development is brought into use. Thereafter, the cycle parking shall be retained in accordance with the approved details and shall be kept available for the parking of cycles at all times.

Reason: In the interests of highway safety and sustainable development, in accordance with the National Planning Policy Framework and Local Plan Policies

12. No development unit or PFS shall be occupied until details of the external lighting of the building(s) and external area(s) have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented before the development unit or PFS to which it serves is occupied and retained as such thereafter.

Reason: In the interests of amenity and highway safety, in accordance with the National Planning Policy Framework and Local Plan Policies

13. Twelve months after first occupation of each of the development units, details of a Full Travel Plan for that unit shall be submitted to and approved in writing by the Local Planning Authority. At all times thereafter the approved Full Travel Plan for each unit shall be implemented in accordance with the approved details. The Full Travel Plans must include:

- i. details of and results from an initial staff travel to work survey;
- ii. clearly specified ongoing targets for staff travel mode shares;
- iii. a plan for monitoring and reviewing the effectiveness of the Full Travel Plan; and
- iv. a scheme providing for a biennial monitoring report to be submitted to the Local Planning Authority regarding the implementation of the Full Travel Plan.

Reason: In the interests of Sustainable Development, in accordance with the National Planning Policy Framework and Local Plan Policies

14. No development will take place unless in accordance with the mitigation in the report Ecological Appraisal Coquet Enterprise Centre (E3 Ecology, August 2018) including:

Semi-mature trees will be retained wherever possible. Vegetation clearance/tree felling will be undertaken outside of the bird nesting season (March to August inclusive) unless a checking survey by a suitably experienced ornithologist confirms the absence of active nests.

Any excavations left open overnight will have a means of escape for mammals that may become trapped in the form of a ramp at least 300mm in width and angled no greater than 45°.

The roots and crowns of retained trees will be protected throughout the development through the provision of adequate construction exclusion zones in accordance with the guidance given by BS5837:2012.

Landscape design will seek to retain mature hedgerow, trees and shrubs wherever possible and include areas of new tree planting, ideally of native provenance.

Any works around the cotoneaster hedgerow will be undertaken to a method statement to prevent its spread.

Works will be undertaken to a precautionary amphibian method statement.

Bird boxes will be provided to increase nesting opportunities.

Reason: to maintain and enhance the ecological value of the site in accordance with the provisions of the NPPF.

15. No development will commence until a Biodiversity Enhancement Plan for the site has been

submitted to the LPA for approval in writing. This will include:

position of bat and bird boxes.

relevant buffers to trees/Root Protection Zones.

Amended landscaping scheme to include no invasive non-native plants

Reason: to maintain and enhance the ecological value of the site in accordance with the provisions of the NPPF.

16. Development shall not commence until a detailed scheme for the disposal of surface and foul water from the development hereby approved has been submitted to and approved in writing by the Local Planning Authority in consultation with Northumbrian Water and the Lead Local Flood Authority. Thereafter the development shall take place in accordance with the approved details.

Reason: To prevent the increased risk of flooding from any sources in accordance with the NPPF.

17. The cumulative noise rating level from the entire development shall not exceed the following values at the boundary of the nearest noise sensitive premises as identified in the APEX Noise Impact Assessment ref: 6752.1 (17 January 2019) when measured using BS4142:2014.

Noise Sensitive Receptor A, B and C
07:00 - 23:00 hours - LAeq 56 dB
23:00 - 07:00 hours - LAeqT 38 dB

Noise Sensitive Receptor D, E and F
07:00 - 23:00 hours - LAeq 46 dB
23:00 - 07:00 hours - LAeqT 34 dB

* T shall be assessed as one hour during daytime (0700 - 2300) and five minutes at night time (2300 - 0700).

Reason: To protect residential amenity and provide a commensurate level of protection against noise.

18. No unit in the development shall be brought into use or continue in use until the applicant has provided full details of the noise impact from that unit demonstrating compliance with the cumulative noise limit in condition 18 to the local planning authority for its written approval. The approved scheme shall be implemented in full.

Reason: To protect residential amenity and provide a commensurate level of protection against noise.

19. During commissioning testing and before the scheme is brought into use, or continues in use, the Operator shall, employ a competent acoustic consultant to assess the level of noise emissions from the development at the nearest noise sensitive properties.

The assessment shall be undertaken in accordance with the methodology described in BS 4142:2014. The Operator shall submit a validation report based on the consultant's findings to the Local Planning Authority for written approval.

Where the noise levels from the development exceeds the levels stated in condition 1, at the nearest noise sensitive premises, appropriate mitigation measures shall be agreed and implemented in full within a timescale approved in writing by the Local Planning Authority.

* T shall be assessed as one hour during daytime (0700 - 2300) and five minutes at night time (2300 - 0700).

Reason: To protect residential amenity and provide a commensurate level of protection against noise.

20. Prior to the development being brought into use or continuing in use, the applicant shall provide full details of the acoustic barrier (which should consist of a masonry wall or earthen mound), including location, specification, design and performance, to the local planning authority for written approval. The approved scheme shall be implemented in full and retained for the lifetime of the development.

Reason: To protect residential amenity and provide a commensurate level of protection against noise.

21. During the construction period, there should be no noisy activity, i.e. audible at the site boundary, on Sundays or Bank Holidays or outside the hours: Monday to Friday - 0800 to 1800, Saturday 0800 to 1300.

Reason: To protect residential amenity and provide a commensurate level of protection against noise

22. Deliveries to and collections from the demolition and/or construction phase of the development shall only be permitted between the hours:

Monday to Friday - 08:00 to 18:00
Saturday - 08:00 to 13:00

With no deliveries or collections on a Sunday or Bank Holiday, unless agreed in writing with the LPA.

Reason: To protect residential amenity and provide a commensurate level of protection against noise.

23. The Jet Wash shall not be brought into use until it's operation times have been agreed in writing with the Local Planning Authority taking into account it's cumulative noise impact against the limit in condition 18. The approved times shall be implemented in full and maintained for the lifetime of the development.

Reason: To protect residential amenity and provide a commensurate level of protection against noise.

24. If during redevelopment contamination not previously considered is identified, then an additional written Method Statement regarding this material shall be submitted to and approved in writing by the Local Planning Authority. No building shall be occupied until a method statement has been submitted to and approved in writing by the Local Planning Authority, and measures proposed to deal with the contamination have been carried out. [Should no contamination be found during development then the applicant shall submit a signed statement indicating this to discharge this condition].

Reason: To ensure that risks from land contamination to the future users of the land and dwellings are minimised and to ensure that the development can be carried out safely without unacceptable risks to any future occupants.

25. No buildings shall be constructed until a report detailing the protective measures to prevent the ingress of ground gases, including depleted Oxygen (<19%), to the CS2 standard specified in BS8485:2015 (Code of Practice for the design of protective measures for Methane and Carbon Dioxide ground gases for new buildings), have been submitted to and approved in writing by the Local Planning Authority. The report shall contain full details of the validation and verification assessment to be undertaken on the installed ground gas protection, as detailed in CIRIA C735 (Good practice on the testing and verification of protection systems for buildings against hazardous ground gases).

Reason: In order to prevent any accumulation of ground gas, which may potentially be prejudicial to the health & amenity of the occupants of the respective properties

26. Condition 10 - Validation and Verification of Ground Gas Protection: No building shall not be brought into use or occupied until the applicant has submitted a validation and verification report to the approved methodology in Condition 25, which has been approved in writing by the LPA.

Reason: In order to prevent any accumulation of ground gas, which may potentially be prejudicial to the amenity of the occupants of the respective properties

27. Prior to the installation of any extraction system, the system being brought into use or continue in use, the applicant shall provide full details of the odour treatment system to be installed into the development which shall provide a Very High level of odour control, as defined in the EMAQ document "Control of Odour and Noise from Commercial Kitchen Exhaust Systems". The details shall be submitted to the LPA for its written approval with the approved scheme implemented in full.

Reason: To protect residential amenity and provide a commensurate level of protection against odour

28. Before the scheme is brought into use, or continues in use, the applicant shall submit a report to the local planning authority for its written approval. This report shall detail the lighting scheme to be used on site and demonstrating compliance with the pre and post curfew Lux levels contained for Environmental Zone E3, as defined in the Institute of Lighting Professionals Guidance Notes for the Reduction of Obtrusive Light. The approved scheme shall be implemented in full.

Reason: To protect residential amenity and provide a commensurate level of protection against light

29. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 2015 as amended (or any order revoking and re-enacting that Order with or without modification), no;

- a) Permitted Changes of Use; and
- b) Mezzanine Floor Extensions

Shall be undertaken without the prior grant of planning permission from the Local Planning Authority.

Reason: In the interests of managing the impact of the development upon the Town Centre and use of the site in accordance with the National Planning Policy Framework.

30. The proposed development shall not include a bank/building society, a post office or a pharmacy, unless approved in writing by the local planning authority.

Reason: In the interests of managing the impact of the development upon the Town Centre and use of the site in accordance with the National Planning Policy Framework.

31. The proposed development is not to be sub-divided into retail units of less than 200 sq. m gross, unless approved in writing by the local planning authority.

Reason: In the interests of managing the impact of the development upon the Town Centre and use of the site in accordance with the National Planning Policy Framework.

32. The proposed development shall have a total retail sales area no greater than 3,586 sq. m net, unless approved in writing by the local planning authority.

Reason: In the interests of managing the impact of the development upon the Town Centre and use of the site in accordance with the National Planning Policy Framework.

33. The proposed foodstore shall only trade as a foodstore with a net sales area no greater than 1,382 sq. m net of which no more than 276 sq.m shall be used for the sale of comparison goods, unless approved in writing by the local planning authority.

Reason: In the interests of managing the impact of the development upon the Town Centre and use of the site in accordance with the National Planning Policy Framework.

34. The proposed non-food retail units (i.e. other than the foodstore and petrol station kiosk) shall be used principally for the sale of comparison goods except for up an ancillary range of convenience goods of no more than 251 sq. m in total.

Reason: In the interests of managing the impact of the development upon the Town Centre and use of the site in accordance with the National Planning Policy Framework.

35. The proposed development shall not be used for the sale of clothing and footwear, except for specialist outdoor recreation and sports clothing, unless approved in writing by the local planning authority.

Reason: In the interests of managing the impact of the development upon the Town Centre and use of the site in accordance with the National Planning Policy Framework.

Date of Report: 07.03.2019

Authorised by:

Date:

Background Papers: Planning application file(s) 18/03156/FUL