



## 58 DETERMINATION OF PLANNING APPLICATIONS

The report outlined the procedure to be followed and requested the Committee to decide the planning applications attached to the report using the powers delegated to it. Members were reminded of the principles which should govern their consideration of the applications, the procedure for handling representations, the requirement of conditions and the need for justifiable reasons for the granting of permission or refusal of planning applications.

## 59 22/04216/OUT

This item had been withdrawn from the agenda and the report had been removed from the website.

## 60 23/02116/REM

**Reserved matters application for appearance, landscaping, layout, and scale for 480 dwellings pursuant to planning permission 16/04305/OUT Land South And South East Of James Calvert Spence College, Acklington Road, Amble, Northumberland**

An introduction to the report was provided by J Sharp, Senior Planning Officer. An addendum report had been circulated to Members and uploaded to the website in advance of the meeting. An additional late representation had been received with regard to concerns about the single access onto Acklington Road when taken into account with all other developments happening in that area. Members were advised that the single access had been agreed as part of the outline permission and did not form part of the current application. Concerns had been noted and had been taken into account within the transport assessment and Members were advised that due to issues regarding land ownership no access could be provided from Percy Park.

Mr T Lloyd addressed the Committee speaking in objection to the application. His comments included the following:-

- He wasn't aware that the single access was not part of the application, however he felt it was still wrong to look at this particular application without considering the adjacent one on the Hauxley Moorhouse Farm which currently also had outline planning permission.
- Clause 1.11 of the NPPF stated that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highways safety or the residual cumulative impacts on the road networks would be severe. He believed that this development had both an unacceptable impact on highway safety and a residual severe cumulative impact on the Acklington Road and staggered crossroads where it met the A1068.
- Acklington Road already served Gloucester Park and the Robsons Way developments and provided all vehicular access to JCSC and junior schools. This Hopehouse Farm development funnels all residential and construction traffic wanting to get to the A1068 or the Amble shopping

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centre or Morrisons retail park from 480 houses, on top of the 185 currently being built on the Longstone Manor development, onto this road. This would mean passing 2 major schools which would soon cover the full age range of 4 to 18 age range of commuting children; Amble Welfare Park, playground and skatepark which was well used all year round; Amble Football Club sportsground with all the current matchday parking problems; 36 homes with drives that cars reverse in and out of; 36 homes without drives with cars parked on the street; 7 junctions with residential roads; 6 bus stops, none of which have a layby; and 2 sharp bends on junctions with limited visibility due to parked cars.

- All the additional traffic would clog the already busy staggered crossroads with no room for right turn lanes where traffic studies had already indicated waiting times in excess of 90 seconds with 52% of generated trips heading south along the A1068. There would in the future be calls for 4-way light controlled which would cause further A1068 congestion and eventually demands for an Amble By-pass which this and the Longstone Manor development occupied the previously protected route.
- The only proposed construction access was also onto Acklington Road right in the middle of the westbound bus stop and crossing point about to be installed by the Longstone Manor developer for their residents. This would add another 10 years of daily heavy vehicles adding mud and hazards for both schools and residents alike.
- It was questioned how NCC as a responsible planning and highways authority to claim that this would be an acceptable impact on the highway safety. There was an alternative far safer solution which had already been mentioned by the Officer and which he had been recommending to planners, highways, Councillor Watson, the local MP and developers for the last seven years, with no response from any of them.
- The solution would be to add a fourth westbound road to the existing 3-way Percy Drive roundabout to feed this and the adjacent Hauxley Moorhouse farm development. No through road was being suggested and therefore an access for a few houses would be retained on Acklington Road. This would allow 400 fewer houses using Acklington Road and the Masons Arms junction.

Mr J Osgerby, from the Pegasus Group addressed the Committee speaking in support of the application on behalf of the applicant Tantallon Homes. His comments included the following:-

- Endorsement of the report and conclusions drawn that the reserved matters application should be granted. The applicant had worked closely with officers on this project to ensure that the proposals promoted the key concepts of good design and sustainability.
- The principle of development had been established on the site by virtue of the outline planning permission granted in March 2022 which had included details of the site access and had considered matters related to highways the impact on existing infrastructure within Amble. The Local Planning Authority had found that the proposed development was acceptable in principle subject to a series of planning obligations which would be secured through a S106 legal agreement, and which included on site affordable housing, financial contributions for off-site sports provision, education and health care infrastructure within Amble. As the outline planning permission

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had been granted and that S106 agreement secured, this application was only to consider matters relating to layout, appearance, scale and landscape.

- In providing the detail, the applicant had fully taken into account the approach to the development agreed at outline stage as well as relevant policies of the Local Plan. The result was a high-quality, attractive development that provided a wide variety of family homes and generous areas of green space.
- The site would be delivered by Tantallon Homes, a local Northumberland based housebuilder who had a focus on creating local jobs during construction and high-quality places for people to live. The house types had been designed specifically for this site by a local architectural firm to ensure a high-quality appearance and to create a distinct identity for the development. A landscape led approach to the site had also been taken to ensure that the proposals sat comfortably within its surroundings and provided a strong sense of place.
- The impact on traffic and transport with regards to the existing highway network was assessed during the outline application and was not subject to this reserved matters application. At the outline stage this was assessed by the Council's Highways Development Management Team who considered that the development would not have a severe impact on the highway safety or capacity on network and no objection was raised.
- As part of the reserved matters, the applicant had sought to maximise the use of sustainable modes of transport by providing a 3m segregated foot and cycleway throughout the site which would lead to future offsite connections to the A1068 and surrounding public rights of way along with the provision of a bus stop at the site entrance on Acklington Road.
- As established at outline stage, the proposals continued to represent a positive addition to Amble which would help the settlement achieve future sustainable growth benefitting the local economy in terms of job creation and increased expenditure in the area.
- The proposals would provide a high-quality and sustainable addition to Amble which would generate notable benefits and help underpin the future success of the area and as such he asked that the application be approved.

In response to questions from Members of the Committee, the following information was provided:-

- The Transport Assessment had taken into account all permitted development and those developments of which Highways were aware of. Any new applications would also need to take into account this development. As part of the process, Section 278 Highways Act road safety audits were required to be undertaken and a solution found to any safety issues identified.
- Government was proposing a replacement to the current S106 system, which were currently tied to individual schemes. Government was proposing a tariff based system to which all developments, no matter what scale, would pay a contribution into a infrastructure fund which the County Council along with Town and Parish Councils would decide how was spent. There was uncertainty of when the new system would come into effect as it would require the laying of new regulations, but it was

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anticipated that this system could provide money to allow the Council to revisit areas where there had been growth levels which had led to pressures on such things as parking etc. Members were reminded that no legislation had been made yet and Government had just consulted on this as part of the Regeneration and Levelling Up Bill.

- It was clarified that some of the one and two bed apartments would be ground floor accommodation and that there were also two bed bungalows being provided as part of the affordable housing mix. All properties had been designed and brought forward under up-to-date Building Regulations around accessibility and lifetime homes, with rooms on ground floors which would be suitable to use as bedrooms.
- The Local Plan asked for broadband connections to be made.
- All developments had been taken into account in considering the impact on the highway network. The previous outline application had been for 500 homes and this application reduced that number to 480. The site had been subject to a road safety audit which was an independent process which looked at the design as it emerged and the final design and made recommendations about any precise design details which needed to be made. The LPA was required to take due consideration of those findings and that should give more assurance about road safety issues.
- More substantive conditions were part of the outline permission however a condition was attached to this application requiring a Construction Method Statement to be submitted and agreed.
- An applicant had three years to submit a reserved matters application following the granting of outline permission and another two years to actually start development from the agreement of the last part of reserved matters.
- The S106 legal agreement was secured at outline stage and included a number of commitments in relation to infrastructure such as healthcare and education. In permitting development, funds were provided to develop additional services within the area. The Integrated Health Care Board were consulted on applications and would make a request for a certain amount of funding to go into providing services in that area and a similar process was followed in respect of Education. The new school being provided in Amble was in reaction to the level of growth in Amble with this site adjacent to the new school. Section 106 agreements were also used to secure other things such as access agreements etc. The coastal mitigation contribution was not a contribution to infrastructure was something that the Council had negotiated with Natural England to allow residential permissions to be granted on the coast within the County, otherwise Natural England would require a contribution for each scheme for one house upwards to address and resolve the impact of growth on protected coast and the bird populations. A list of schemes which had been supported was available on the Space for Shorebirds website and also how the funding was being used.
- In response to concern regarding future petitions being received for road safety schemes in the area Members were advised that all aspects of road safety had been explored at the outline stage where permission had been granted and since that time pedestrian and cycleway access across the site had been increased. In view of the improvements already made to the initial proposals it would be unreasonable to request the applicant to go through all the process in relation to highways matters again as they had

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already been assessed at great length and were acceptable.

- The number and different house types of affordable housing to be provided was in response to the strategic analysis of housing need within the County, housing needs assessment based on the pattern of requests through Homefinder, and negotiations with the applicant. Due to the demographic of this area, there was a skew towards more affordable rented properties rather than affordable purchase properties. Any developer could seek to vary details of a permission and if the private market changed then they could seek to vary the house types, however there would be no reduction in the level of affordable housing on the site.
- An outline application was in relation to whether the principle of development on the site was acceptable. The outline permission granted for 500 homes on this site also included the single point access. Members now needed to decide whether the design, layout, landscaping along with the affordable housing to be provided were acceptable and met policy requirements and if the whole package was acceptable.
- A developer could not be forced to allow roads/footways within a development to be adopted, and the applicant in this instance had decided to appoint a management company to maintain them. Guidance set out the process for adoption or for roads to remain in private ownership. This information should be picked up during a Search on a property so that purchasers were aware of the situation.
- The Construction Management Plan had not yet been agreed. This would be live document. Build out on the site would be monitored and if it was found that a temporary haul road or entrance was required then this could be looked at.
- The applicant had provided overland flow mapping and the LLFA were content with a gravity fed SUDS with two pumps for use in exceptional circumstances. There would be an element of risk if both pumps failed during an exceptional rainfall event, however this had to be balanced by the extremely high numbers of HGV movements which would be required in levelling the site in order to allow a full gravity fed system.
- Bus operators were very reluctant to come off agreed routes to go into estates.
- There was to be a large open area for play which would include timber play items.
- The original S106 agreement included trigger points for the provision of certain things, where there was no trigger measure then the developer would need to implement proper plans and if this was not done then action could be taken.
- There was a new style condition which required appropriate trees for locations rather than the previously used “native species” it now stated “appropriate native species”. The Ecological Team would discuss requirements with the applicant and ensure trees were successful.
- The cycle storage facility and infrastructure would be maintained by the management company appointed. The applicant had advised that all highways would be designed to an adoptable standard.

Councillor Flux proposed acceptance of the recommendation to approve the application as outlined in the addendum report which was seconded by Councillor Hutchinson who advised that he would like officers to take into consideration the concerns of the residents in relation to the access.

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In debating the issue Members were reminded that during the development of the Local Plan and concerns at that time regarding housing numbers, that there was no upper limit set on the number of houses for Amble and the use of the relatively new roundabout for access to the site had been raised and that there had been a missed opportunity to say no to development on this site until a different access had been agreed. The build out of the estate needed to be well managed in order that residents were not inconvenienced by construction traffic. Members in the most part were supportive of the housing designs and layout of the estate and level of car parking available, however there were concerns expressed over the access. The Director of Planning advised that whilst the concerns were understood, Members were not there to decide that issue and weight for the scheme should not be based on a non-material consideration.

Councillor Flux in summing up advised that whilst there was some understanding and sympathy in relation to the access, the time for that battle had already passed and that no impression could be given that this could be taken into consideration in relation to the application before the Committee today.

A vote was taken on the proposal to accept the recommendation to approve the application as outlined in the addendum report as follows: FOR 14; AGAINST 0; ABSTAIN 1.

**RESOLVED** that the application be **GRANTED** for the reasons and with the conditions as outlined in the report and updated in the addendum report and a S106 legal agreement to secure a financial contribution of £295,200 towards the Council's Coastal Mitigation Service (CMS).

61 **APPEALS UPDATE**

**RESOLVED** that the information be noted

62 **S106 AGREEMENTS UPDATE REPORT**

**RESOLVED** that the information be noted

**CHAIR**.....

**DATE**.....

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