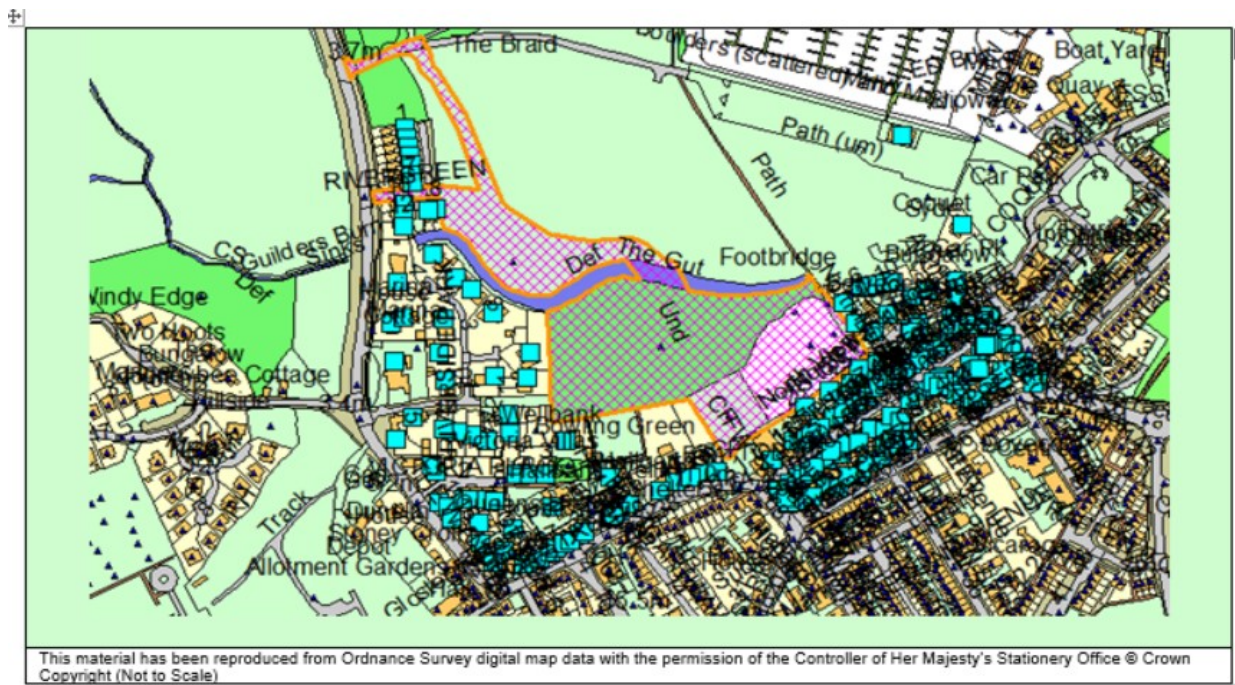




Northumberland County Council

Application No:	22/01051/FUL		
Proposal:	Development of Independent Support Living Apartments (59no.) (Use Class C2), residential apartments (35no.) (Use Class C3), and housing (10no.) (Use Class C3), including enabling works, associated access, landscaping, infrastructure and all ancillary works.		
Site Address	Land North East Of Riverside Park, Rivergreen, Amble, Northumberland		
Applicant:	Mr Guy Munden Quayside House, 110 Quayside, Newcastle, NE1 3DX	Agent:	None
Ward	Amble West With Warkworth	Parish	Warkworth
Valid Date:	22 March 2022	Expiry Date:	30 December 2022
Case Officer Details:	Name: Mrs Christina Dowling Job Title: Senior Planning Officer Tel No: 07752783678 Email: Christina.Dowling@northumberland.gov.uk		

Recommendation: That this application be REFUSED permission



1. Introduction

1.1 This application is being referred to Strategic Planning Committee for a decision due to the scale of development proposed and because it is the subject of a significant level of public interest.

2. Description of the Application Site & Proposal

2.1 This major full planning application is for a mixed residential development comprising 59no. Independent Support Living Apartments with associated communal and staff facilities (Use Class C2 – Residential Institution), 35no. residential apartments (Use Class C3 - Dwelling Houses), and 10no. houses (Use Class C3 - Dwelling Houses), including enabling works, associated access, landscaping, infrastructure and all ancillary works, on land north of Queen Street and east of Rivergreen and Riverside Park in Amble.

2.2 The applicant's Design and Access Statement states that the development "consists of several building types to create a Lifetime Neighbourhood."

2.3 The application has been amended since it was first submitted, to remove part of the third storey of the Independent Support Living Apartments Block and removing balconies from the western elevation facing Riverside Park. The amended scheme also increases the number of apartments within the block from 48no. to 59no. and reduces the number of bedrooms within many of the apartments from two bedrooms to one bedroom.

2.4 The proposed "Lifetime Neighbourhood" development comprises four main elements, namely:

- A block of 59no. Independent Support Living Apartments with associated communal and staff facilities (Use Class C2 – Residential Institutions);
- 35no. residential apartments (within four separate blocks) and 10no. houses (Use Class C3 – Dwelling Houses);
- Vehicular access through the residential street of Rivergreen onto the open space known as The Braid; and
- A continuation of the vehicular access across the Braid to serve the proposed development.

Independent Support Living Apartments (Use Class C2)

2.5 The single block of 59no. Independent Support Living Apartments with associated communal and staff facilities (Use Class C2) would be located on the south-western part of the application site. It would comprise a relatively large U-shaped building, with the western wing being shorter in length than the eastern wing. The building would be partly three storey and partly two storey in height. It would provide a total of 49no. 1-bedroom apartments and 10no. 2-bedroom apartments. A lounge, reception, office, two meeting/office rooms and a staff rest room would also be provided on the ground floor. The applicant's Design and Access Statement states that the Independent Support Living Block would include staff facilities to provide care as required.

2.6 The proposed three storey element on the eastern side of the building would have a height of approximately 13.9 metres and the two storey element on the western side of the building would have a height of approximately 10.2 metres. The block would have a length of approximately 71.5 metres (with the rear elevation facing towards the bowling green and the residential property of Wellbank). The western wing (facing the residential properties of Riverside Park) would have a length of approximately 42 metres. The eastern wing, facing towards one of the

proposed apartment blocks, would have a length of approximately width of 50.0 metres.

2.7 There would be a 42 space car park (including 2no. Disabled bays) to the north of the Independent Supported Living Block.

Residential Dwellings (Use Class C3)

2.8 The proposed 35no. residential apartments and 10no. houses (Use Class C3) would be located on the south-eastern part of the application site. They would comprise 1no. three storey and 3no. two storey residential apartment blocks providing 35no. 2-bed apartments (5 of which are proposed to be for affordable home ownership as DMV or shared ownership), together with 10no. two storey 2-bedroom houses (4 semi-detached and 6 terraced).

Vehicular access through the residential street of Rivergreen

2.9 Vehicular access to the proposed development would be taken from the main road (A1068) through the existing residential cul-de-sac of Rivergreen, to the northwest of the proposed residential development and then onto the area of open space known as The Braid further to the east.

A continuation of the vehicular access across the Braid to serve the proposed development

2.10 The proposed vehicular access through Rivergreen would continue southeast across the open space known as The Braid, before turning south across a small stream known as The Gut (which would be culverted) and into the residential development site. The vehicular access would be a private road and would have a length of approximately 260 metres.

2.11 In addition, construction traffic would utilise the existing road leading from the A1060 towards Amble Marina, and a new temporary haul road for construction traffic would be provided from a point opposite the existing public car park access. This temporary access road would continue east across The Braid, joining up with the proposed permanent vehicular access road further east.

2.12 Emergency pedestrian and vehicular access would be provided from Queen Street via North Street, to the east of the application site.

2.13 The application site is located on largely vacant land to the north of Queen Street and High Street, and east of Rivergreen and Riverside Park.

2.14 The application site comprises 3.4681ha of largely previously-undeveloped greenfield land on the northern edge of the town centre and south-west of Amble Marina but with some previously-developed brownfield land to the south-east corner to the north of Queen Street.

2.15 Notwithstanding the proposed vehicular access, the residential development itself would be wholly to the southern side of The Gut, between it and the town centre, which covers approximately 2.25ha and appears to be covered by a mix of scrubland vegetation.

2.16 The new access road is proposed to cross The Gut from the grassland on the northern side, which is criss-crossed by various footpaths/tracks and with some mature trees alongside the Amble Marina access road at the northern end of the site.

2.17 The site is located primarily within Flood Zone 3, with a smaller area within Flood Zone 2.

2.18 Two SuDS ponds are indicated to the southern side of The Gut either side of the access road.

2.19 Residential properties bound the western side of the site with open vistas across the site towards the marina, with a bowling green and mix of residential and properties of Amble town centre to the south, and residential properties on North Street/Turner Street to the south-east corner. The land to the east and north of the site is similarly open grassland, with the marina and yacht club beyond.

3. Planning History

Reference Number: 13/00923/VARYCO

Description: Application for a new planning permission to replace an extant planning permission, in order to extend the time limit for implementation - application A/2010/0523

Status: Permitted

Reference Number: A/79/A/111

Description: Caravan site

Status: Permitted

Reference Number: A/2010/0523

Description: Minor material amendment to A/2008/0002: amendment to site layout plan AL (9) 04 Ref A

Status: Permitted

Reference Number: A/2010/0522

Description: Reserved matter: Construction of food retail supermarket-consideration of appearance and scale (outline reference A/2010/0523)

Status: Permitted

Reference Number: A/2008/0002

Description: OUTLINE PLANNING PERMISSION WITH RESERVED MATTERS (ACCESS, LANDSCAPING AND LAYOUT) - change of use of land and development of a 2,787sqm food retail supermarket (A1) with associated service yard area, 204 car parking spaces, 46 residential units (C3) with associated car parking, with full details of new access road across the Braid.

Status: Permitted

4. Consultee Responses

Amble Town Council	The application should be refused due to lack of information on matters such a drainage and flood risk, ecology, impact on AONB and Heritage Coast.
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	<p>It should also be refused on grounds of mass, density, and adverse impacts on surroundings.</p> <p>Full details are provided below</p>
Amble Town Council Amended Proposals	<p>Objection remains.</p> <p>Full details are provided below</p>
Warkworth Parish Council	<p>The Parish Council objects to the application due to safety concerns about the creation of another junction on a dangerous and busy stretch of road.</p>
Environment Agency	<p>Object</p> <ol style="list-style-type: none"> 1. Insufficient information has been submitted to assess the risks posed by this activity on fisheries, ecology and physical habitats; and 2. Absence of a Water Framework Directive <p><i>Ecology</i> Insufficient information has been provided to assess the risks posed by this activity on fisheries, ecology and physical habitats. To overcome our objection, the applicant will need to carry out and submit a comprehensive ecological impact assessment.</p> <p><i>Water Framework Directive</i> The applicant has failed to submit a Water Framework Directive (WFD) assessment. The proposed development is situated in the Coquet Estuary transitional waterbody, which is failing under the Water Framework Directive and has classification of 'Moderate'. A WFD assessment is required in order to ensure that the proposed development is compliant with the WFD and Northumbria River Basin Management Plan.</p> <p>Advice given on sequential test and exception test.</p>
Environment Agency Amended Proposals	<p>We OBJECT to the proposed development for the following reasons:</p> <ol style="list-style-type: none"> 1. Absence of a Water Framework Directive Assessment. 2. Inadequate Flood Risk Assessment. <p>They recommend that planning permission is refused.</p>
Lead Local Flood Authority	<p>We object to the application on flood risk and drainage grounds. The flood risk assessment and drainage strategy need to look at the following areas in more detail: Groundwater flood risk, Ground Raising, Surface Water Disposal Scheme, Outfall Details and Levels, Microdrainage Calculations, Permeable Paving, Crossing over the Gut</p>
Lead Local Flood Authority Amended Proposals	<p>We maintain our objection to the application on flood risk and drainage grounds. The flood risk assessment and drainage strategy need to look at the following areas in more detail: Surface water disposal, Use of SuDS, Western swale, Eastern basin, Interaction with existing combined sewer through site, Pipe details through permeable paving, Outfall Details and Levels, Climate change allowances, Impermeable area drawing, Microdrainage calculations – tide locking, Attenuation</p>

	storage, Culvert in The Gut, Lifetime of development, Water Quality
NCC Ecology	Holding objection. There is insufficient information to provide a full response at this time. The LPA will need to carry out a Habitat Regulations Assessment. This cannot be undertaken until all of the ecological information is available.
NCC Ecology Amended Proposals	<p>No objection subject to conditions and contribution to the Coastal Mitigation Service (£63,9600)</p> <p>The LPA has undertaken a Habitat Regulations Appropriate Assessment and subject to the requirement for a Construction Environmental Management Plan, has been able to rule out adverse effects on Habitat Sites.</p> <p>The development should provide a net gain for biodiversity which can be achieved through the provision of on and off-site habitat creation and enhancement as well as habitat features in and around the new buildings.</p>
Natural England	<p>Further information is required to determine impacts on designated sites.</p> <p>As submitted, the application could have potential significant effects on Northumbria Coast Special Protection Area (SPA), Northumbria Coast Ramsar, Northumberland Shore Site of Special Scientific Interest (SSSI) and Warkworth Dunes and Saltmarsh SSSI.</p> <p>Further information required in order to determine the significance of these impacts and the scope for mitigation. An Ecological Assessment with fully reported additional bird surveys and a completed final assessment and a Habitats Regulations Assessment are required. Without this information, Natural England may need to object to the proposal.</p>
Natural England Amended Proposals	<p>Designated Sites (European) - No Objection subject to securing appropriate mitigation for recreational pressure impacts on habitat sites (European Sites).</p> <p>Providing that the appropriate assessment concludes that the measures are secured as planning conditions or obligations to ensure their strict implementation for the full duration of the development, and providing that there are no other likely significant effects identified (on this or other protected sites) as requiring to be considered by your authority's appropriate assessment, Natural England indicates that it is likely to be satisfied that your appropriate assessments will be able to ascertain that there will be no adverse effect on the integrity of the European Site (from recreational pressure in view of its conservation objectives). Natural England will likely have no further comment regarding the Appropriate Assessment, in relation to recreational disturbance.</p>
Northumberland Wildlife Trust	Holding objection - pending results of surveys for breeding and wintering birds and bats. When these surveys become

	available and we are able to make an accurate assessment of the impacts this development may have on biodiversity.
Northumberland Wildlife Trust Amended Proposals	We would like to retain our holding objection, based on the disruption of The Braid, impact on statutory designated sites and Local Sites, effects on barn owls and effects on bats.
Building Conservation	<p>The site includes part of the Amble Conservation Area north of the rear lane to Queen Street. The remainder of the site has the potential to impact on the character or appearance of the Amble Conservation Area and the designated heritage assets therein through significant development affecting setting.</p> <p>To conclude, we consider there would be some loss of definition of the significant roofscape of the Amble Conservation Area. The development would give rise to “less than substantial harm” within the terms of the Framework (lower end).</p>
Building Conservation (Amended Proposals)	The scheme has been revised regarding the Independent Supported Living Block (ISBL). Overall, the changes to the ISBL remain within the dimensions of the earlier design such that the impacts on heritage we identified in our earlier comments remain unchanged. We maintain our position as stated above, as Less than substantial harm (toward the lower end).
County Archaeologist	The risk of significant unrecorded archaeological remains being damaged or disturbed by the proposed development is low. There are no objections to the proposed development on archaeological grounds. No archaeological work is recommended.
Northumberland Coast AONB Partnership	The AONB Partnership is supportive of the development of land to the south of The Gut. However, concerns are raised over the access proposed that will divide The Braid, plus comment is made on the impact of the development on the Amble Conservation Area.
Northumberland Coast AONB Partnership Amended Proposals	No further comment to make to those submitted
Fire & Rescue Service	No objection in principle to the above proposals. More detailed comment can be given once plans of the development have been finalised.
Public Rights of Way Officer	Parish of Amble Public Footpath No 12 & No 13 passes adjacent to the east of the applications red line site boundary. No objection on the condition that the Public Footpaths are protected throughout. No action should be taken to disturb the path surface, obstruct the path or in any way prevent or deter public use without the necessary temporary closure or Diversion Order having been made, confirmed and an acceptable alternative route provided.
Highways Development Management	Additional details/plans are required prior to HDM providing a positive recommendation for the scheme, including a fully scoped Transport Assessment, extent drawings showing principal locations for offsite highway works, EV charging

	provision, cycle parking details, vehicle swept path analysis of the site (11.6m vehicle) and visibility splays showing no obstructions to sight line exceeding 1m in height.
Highways Development Management Amended Proposals	<p>It is considered that this development will not have a severe impact on highway safety, and there are no objections in principle of residential development on this site.</p> <p>It is considered that the proposal is in accordance with the NPPF in highways terms, and the principle of development acceptable, subject to conditions and informatives.</p>
NHS North East and Cumbria ICB	A single payment of £48,300 is required from the developer as a Section 106 contribution to allow a smooth implementation of the required surgery capacity expansion, and this should be on completion of the first dwelling to ensure the new health capacity is in place as the apartments are occupied.
The Coal Authority	<p>The application site falls within the defined Development High Risk Area; therefore within the site and surrounding area there are coal mining features and hazards which need to be considered in relation to the determination of this planning application.</p> <p>No objection subject to conditions.</p>
Public Protection	<p>Object - do not agree with Phase 1 Desk Study. Need revised/additional information, including an assessment / interpretation of all areas of the site as existing in 2022, a review of the pre conceptual site model to reflect the clear need for further Phase II works given the known sources of contamination and known uncertainties, a clear proposal for Phase II works which recognises the sensitive end - use of the site as proposed and includes the full site extent.</p> <p>The Noise Impact Assessment has been reviewed and noise is not a reason to object to this application</p>
Public Protection Amended Proposals	No objection subject to conditions.
Education - Schools	Under the Council's calculation method for assessing the impact on SEND educational infrastructure, the number of dwellings proposed in this development would have an impact on SEND educational infrastructure as a result of 1 student yielded from the development a contribution of £99,000 would be requested should this development be approved.
Northumbrian Water Ltd	The planning application does not provide sufficient detail with regards to the management of foul and surface water from the development to be able to assess our capacity to treat the flows from the development. The rising main from the foul package pumping station discharging into NWL's existing rising/pressure main running through the site is not acceptable. Condition requested regarding submission of a detailed

	scheme for the disposal of foul and surface water from the development.
Architectural Liaison Officer - Police	Advice relating to boundary treatments and lighting are provided. We would recommend and encourage the applicant progresses a Secured by Design Accreditation for this development.
Architectural Liaison Officer – Police Amended Proposals	Nothing further to add to previous comments
Adult Services NCC	<p>Adult Social Services are in support of the application to provide specifically designed, age appropriate accommodation to meet the care and support needs of older people. The increasing ageing population and lack of appropriate housing for people in later life means there is demand for appropriately designed homes for older people in Northumberland.</p> <p>Northumberland has an increasingly ageing population and while there has been significant development over the past 5 – 10 years in Amble, none of the homes have been specifically designed to meet the needs of older people. There are outstanding planning permissions but these would not meet the needs of an ageing population, nor facilitate accommodation that will meet changing needs over time.</p> <p>Adult Social Services have worked with the applicant to ensure the properties are designed to meet the needs of older people with care and support needs and will be attractive to people living in more rural areas where it is difficult to provide care and support.</p>
Adult Services NCC Amended proposals	No further comments received
Strategic Estates	No response received.
Waste Management - North	No response received.
Open Spaces - North Area	No response received
Climate Change Team	No response received

5. Public Responses

Neighbour Notification

Number of Neighbours Notified	263
Number of Objections	190
Number of Support	12
Number of General Comments	4

Notices

Major, affecting LB & PROW 20th September 2022

Northumberland Gazette 8th September 2022

Summary of Responses:

Amble Town Council (Original Proposals)

5.2 The application should be refused due to lack of information on matters such as drainage and flood risk, ecology, impact on AONB and Heritage Coast.

5.3 It should also be refused on grounds of mass, density, and adverse impacts on surroundings.

5.4 Whilst Amble Town Council are not opposed to some development in this location, Amble already has planning permission granted for many more residential properties than were originally designated in NCC policies.

5.5 Northumberland Estates clearly show throughout their documentation that they have designed the independent supported living accommodation as a complex primarily for older people who can remain within this site as they age and perhaps become infirm. [Yet nowhere do they state they will restrict purchase to this type of client]

5.6 There is an awareness that Amble lacks smaller size accommodation for an ageing population and this concept of smaller properties and supported living accommodation could be most welcome especially if a percentage was designated for those already in the community, is this amount of apartments in this location and on a flood plain the right accommodation for this category of people? Certainly three stories high for supported living is far from an ideal prospect.

5.7 Any development should not have an adverse effect upon the character and appearance of its surroundings. The design of this estate does not reflect the character of the conservation area which it adjoins. The design does not reflect the open fronted aspect of the conservation area properties and whilst the streetscape elevation gives an impression of the conservation area roof-line considered in relation to the three storey block, there is little leeway should ground levels be raised.

5.8 Documentation also states that the visual effect on residents to the South and West will be substantial and significant. Yet this appears to have been ignored when considering the final site layout; further consideration should be given to a reduction in the height of the supported living block or a re-orientation of it to minimise this acknowledged effect.

5.9 The extremely small number of affordable properties here does very little to help Amble Town, these should be increased to a minimum percentage of all the residences including the supported living as these are still independent apartments

5.10 The design and location of the properties would appear to lend themselves to those in higher income brackets or those looking for second homes or holiday lets.

To allay these fears, Northumberland Estates should be encouraged to accept a main residence condition for all the properties.

5.11 If the development's purpose is to focus on the ageing population then it is perverse to suggest less car parking is required. Whilst it is hoped that healthy lifestyles will begin to influence people to walk or cycle more, it is highly likely that each of these properties will have access to a vehicle and therefore more car parking is needed. The open aspect of the parking will also lend itself to abuse by the general public whether intentional or not and whilst it is important that adequate numbers of spaces are incorporated, some means of restricted access should be imposed.

5.12 It is acknowledged that North Street will have significant pedestrian improvements made to it which will be beneficial to walkers and cyclists alike. However, whilst the open plan aspect of the scheme and car parking may seem desirable, it can also lend itself to unwanted anti-social behaviour. The footpaths may be extensively used by those accessing part of the Braid and also forming a shortcut to the A1068 river walk, and so there will be little privacy and security for residents. The mostly open grass land with shrub screening does 'tidy up' the brownfield site, but the proposed stepping stones, willow arbours etc. also lends itself to anti-social behaviour unless these are well lit and maintained. All the landscaping including the pond, seating etc. requires a resident's maintenance scheme to ensure it is kept to a high standard as its open aspect makes it very visible to general public view.

5.13 A new noise level assessment is needed as the recordings carried out in mid November when the surrounding 'businesses' are in a state of lull is not giving a true reflection.

5.14 Before any work is undertaken there must be detailed contamination studies carried out and all mitigation elements strictly implemented and adhered to.

5.15 Part of the development area is on a flood plain and building on such an area is often discouraged. The density should be adjusted downwards to alleviate some of the possible concerns associated with older occupiers residing on a potential flood plan.

5.16 The proposed remedial measures will only serve to raise the heights and create an even greater impact on the surrounding areas and those properties in closer proximity who will be even more overshadowed and overlooked with the subsequent lack of privacy and enjoyment of their own environment.

5.17 These remedial methods will result in lots of ground earth movement and it will mean the leading in of vast volumes of materials with the ensuing noise and dust involved in these movements.

5.18 The Development Site Enabling Works state HGV movement of 3 return journeys per hour of each 8 hour working day; that is 24 trips per day for 2 months or more or 1 every ten minutes! This is between 15-20 metres from homes. There will be a severe detrimental effect on adjacent residents' mental and physical well-being and enjoyment of their environment for some considerable time. The actual construction phase is expected to then take a further two years where again there

will be many journeys for the required materials. All this will also have a massive impact on those using the Braid area for quiet recreation.

5.19 Will there be mitigation for the effect upon the line of the Guilder's Burn and its flow to the outlet? In the past there have been considerable problems of flooding associated with this outlet which is currently already being expected to take extra capacity from new build properties to the west of the town. How will the effect of even more input be handled to ease the risk of flooding not only for these properties but also those at Riverside Park and possibly Rivergreen?

5.20 If permitted, substantial S106 contributions are needed particularly in relation to Health, and Recreation and Leisure Facilities in Amble parish. If as is indicated by this supported living unit application, the population will be expanded by an influx of more older people, this will put an even greater strain on our existing health centre capacity. Extra recreation and leisure facilities will also be needed to maintain the good health and welfare of the other residents.

5.21 Access to this site is extremely difficult and there have been other suggestions brought forward. North Street is too narrow and totally unsuitable for construction traffic especially on a National Cycle route and Right of Way. Behind Belvedere Court but where would a suitable entry/exit be with the narrowness of the streets. Access off High Street behind the Co-op Car Park has been deemed unsuitable particularly due to the terrain at that part of the site.

5.22 Riverside Park - similar to the space at Rivergreen with the associated disruption would create a vastly increased volume of traffic onto the A1068 at the bottom of the Wynd which several new properties already feed onto. Although necessitating a complete redesign of the site, this would contain the access road within the development area, alleviate some of the overlooking element to adjacent properties and possibly place those less mobile residents nearer to the shopping area. The private road, being narrower than NCC Highways, would also have a natural speed/traffic calming effect. Placing a roundabout at the connection to the A1068 would ease congestion problems and also limit the rate at which vehicles enter and leave the town due to the reduced speed required to negotiate it. Residents of the whole facility would have immediate access to the already designated bus stops on the A1068.

5.23 Yet Northumberland Estates feel they have the solution via Rivergreen. At this point there is no room to make greater cycle connectivity which current schemes must incorporate.

Using this area may create problems too for any vehicles requiring that space to turn.

5.24 Access would be onto the A1068, which is busy.

5.25 The application states that the number of vehicle movements would have 'no discernible impact on the operation of the existing highway'. However, this is disputed. If this was deemed an acceptable entrance some major highway restructuring would be required, but this may affect trees.

5.26 If permitted this access would run alongside the open Braid area and would require at the bare minimum screening and some form of barrier to protect children who regularly run and play here.

5.27 Their suggested temporary access road would result in a high volume of construction traffic on this busy access to the Braid and a parking area. There is currently no safe pedestrian way at this entrance and this increased volume of traffic will be a major safety hazard to any walker using it. At times there would be a significant impact on the Highway with vehicles queuing to enter and leave.

5.28 Tree 52 - at the proposed new junction for the temporary access, is to be removed; this must be retained as it is a commemorative oak planted to mark the construction of Amble Marina.

Amble Town Council (Amended Proposals)

5.29 Objection remains. Despite the amendments made in this revised application, all previous comments remain valid and should be taken into consideration.

5.30 The applicant has made some attempt to reduce the height and overlooking aspect of the supported living block but this is insufficient to negate previous comments. Indeed the plans as amended with the reduction in landscaping and removal of a path now move the residential blocks closer to neighbouring properties so enhancing the lack of privacy and increasing the chance of being overlooked.

5.31 The slight reduction in the footprint does not alleviate the concerns of the overall oppressive density of the accommodation on the site. The additional units are again accompanied by less than 1 per unit parking space therefore only serving to increase the previous concerns over less than adequate number of parking spaces.

5.32 Suggest a condition that prospective buyers should already have a minimum length of residency within the county, or a familial connection to it, thereby helping to assuage some of the concerns over these becoming second homes/holiday lets.

Warkworth Parish Council

5.33 The Parish Council OBJECTS to the application due to safety concerns about the creation of another junction on a dangerous and busy stretch of road.

5.34 A summary of the comments received from both objectors and supporters is as follows:

Comments - Objections

5.35 In total there were 217 objections comments regarding this proposal. Objections include the following issues:

Principle of development – not required

5.36 Residents do not consider there to be a need for more residential development in Amble. There is plentiful supply of housing land, and therefore the Local Plan makes no further allocation in Amble. There is no need for this site be developed for housing.

5.37 The applicant has stated that the original 'Tesco' consent of July 2009, renewed in May 2015 but lapsed in May 2018, establishes the principle of development on the

site, including the access road across The Braid. However, the local authority's original grounds for approval were that the Alnwick Local Development Framework identified Amble as being suitable for a 3,000 sq m retail development. This has now been met on the south side of town and the site is no longer required for this purpose. The principle of development on the site is not accepted.

5.38 Since the original 'Tesco' consent planning permissions have now been granted for over 1,000 dwellings in Amble: additional housing land is not required.

5.39 There is a requirement that development should be located in areas which are least vulnerable to climatic impacts such as flooding and rising sea levels. Planning consents have been granted for over 1,000 dwellings on the south side of Amble and new housing does not therefore need to be located on Braid Hill which is a designated flood risk area.

5.40 Government advice say inappropriate development in areas of risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere. Building land is abundant in Amble so it cannot be argued that the proposal is necessary

Loss of Open Space/Impact on The Braid

5.41 A major concern is the impact of the proposed vehicular access road and construction road on the area of open space known as The Braid.

5.42 Visually the new road will introduce development into an area of undeveloped land which serves as a much-used greenspace and which is highly valued in the town. Visual impacts will reduce the quality of the space and have an urbanising effect on the open space to the detriment of the character and appearance of the area. The introduction of the road will sever parts of the open space from each other and will mean that users of the open space will face increased danger from traffic accessing the site and it will present an increasing level of vehicular traffic into an area which is absent of this at present.

5.43 The Local Plan requires that trees, green and blue infrastructure, and soft landscape of amenity value, be retained where appropriate. The Braid is a long-standing public open space created over 40 years ago. It is not appropriate that it should be used as a vehicular highway, nor that The Gut be partly infilled.

5.44 The Local Plan states that the loss of open spaces, as defined in the policies map (ie the designated Protected Open Space of the Village Green), or other existing open space (ie the rest of The Braid), will not be supported unless it is surplus to requirements or can be replaced elsewhere. The whole of The Braid is an area of reclaimed land which the Council restored for public open space and recreational use in the 1970s. The Braid has an established use as public open space, having been used and maintained as such for some 40 years. The current Village Green status, established in 2009 was limited to the eastern 2/3 of The Braid land due to the ongoing planning context which blocked wider consideration at the time. However, this created an artificial boundary unrelated to the reality on the ground. The proposed use of part of The Braid (about 1 ha) for disruptive road works

will therefore remove part of this established facility and will result in the significant erosion of a unique asset which cannot be replaced elsewhere.

5.45 The proposed access and construction roads will fragment the Braid, making a large portion effectively inaccessible so significantly impacting safe use, reducing amenity value damaging the habitat for both flora and fauna. The Braid was, is and should remain protected public open space, regardless of ownership

5.46 The Braid is well used by dog walkers and other individuals, including those using disability scooters, making use of the open and peaceful space in a way which is so important for connecting to nature and maintaining mental health. Many homes in Amble do not have gardens and not everyone has access to cars so The Braid offers an area to roam safely and without restraint.

5.47 The Braid, through decades of re-wilding, is a unique, irreplaceable, space in the environs of Amble and Warkworth but, if construction and access roads are put across it, its relaxing qualities will dissipate as people have to contend with the traffic and the noise and pollution which it generates.

5.48 The Braid has traditionally been used for community events.

5.49 Although Northumberland Estates has ownership of this strip of land it is an extension of the village green area. With common vegetation, there are no distinctive features which identify where Northumberland Estate's land ends and the village green begins, and the various paths which crisscross The Braid merge seamlessly between the two areas. These same paths are maintained by Northumberland County Council as a whole to enable public use. There was established public access across the whole of The Braid before Northumberland Estates bought its strip of land and it has continued ever since. Indeed, the plans submitted by Northumberland Estates acknowledge the 'national trails' in its Design and Access Statement.

5.50 The Braid is currently a main feature, green amenity space, asset of Amble and should be treasured. It provides a safe, traffic free, environment for all. It is a valued and constantly utilised recreation area.

5.51 The Braid is the largest green space in Amble, and the largest area for many species of wildlife. It is a tranquil area.

Character and Appearance

5.52 A major concern raised is that the development would harm the character and appearance of the area, including the Amble Conservation Area and The Braid area of open space.

5.53 The layout presents a fragment edge to the town and the adjoining Gut, Braid and Area of Outstanding Natural Beauty.

5.54 The proposed Braid access road and Gut infilling will also have a severe impact on these natural amenities which are of great value and use to Amble residents and visitors. The proposed access road and Gut infill will permanently disfigure this area.

5.55 The Local Plan supports high quality design which respects and enhances local characteristics of the historic, natural and built environment and helps promote a sense of place. The bland design fails to create a distinctive edge to the town below the characterful skyline of the conservation area; this is a key panorama of the town.

Flood Risk and Climate Change

5.56 Concern is raised regarding the flood risk.

5.57 Given the site's location within an area at higher risk of flooding (Flood Risk Zones 2 and 3) the Flood Risk Assessment should include the sequential test and exception test. This development should not be permitted if the application is not supported by a site specific flood risk assessment and both the sequential and exception tests are applied. The absence of these tests is required given that the site is unallocated land without any extant planning permission. National Practice Guidance requires applicants for planning permission in flood zone 2 or 3 to carry out a sequential test as part of a flood risk assessment. Given the close proximity to other housing, much of which is located at levels below the proposed development site and has previously flooded, in tandem with a proposal to accommodate vulnerable and potentially less mobile members of the population in a development that sits within an area at higher risk of flooding, reinforces the need to thoroughly assess any flood risks both of the proposed and existing housing and most importantly to understand why there are no sequentially preferable sites which could accommodate this type of development. Failure to supply a sequential and exception test are reason alone for this application to be refused.

5.58 I would also question the wisdom of providing accommodation for what may be termed `vulnerable people` near the Gut and in a known flood risk area.

Vehicular Access Road and Temporary Construction Road - Safety

5.59 There are major concerns over the proposed vehicular access through Rivergreen, across The Braid and also the proposed temporary construction road. These issues were based on highway safety issues, the speed of vehicle movement off the A1068 and the dangers this would have on pedestrians.

5.60 Residents are concerned about the safety aspect for those using the Braid when the road is built.

5.61 The junction of Rivergreen with the A1068 is unsatisfactory, on road safety grounds, for the level of traffic proposed.

5.62 Although the access had previously been given permission for the higher intensity use of a supermarket, alternative access options are potentially available for the lower intensity development of the site for residential purposes, at Riverside Park and North Bank/Street, and the proposed intrusive access road, the destructive of The Braid and The Gut, is not therefore justified.

5.63 Residents consider the access roads to be based on land ownership rather than ensuring the least harmful solution is adopted.

Loss of residential amenity

5.64 Residents are concerned about the development causing unacceptable impacts on residential amenity, including overlooking, loss of light and overshadowing, loss of privacy, traffic noise and disturbance, loss of security and overbearing impacts.

5.65 The proposed ISL block is located too close to existing residential properties. The building, by its height and boundary location, will seriously impact on the amenities of Riverside Park residents and the occupants of Wellbank.

5.66 Long-term construction work and traffic will be intolerable

5.67 The conversion of the quiet cul-de-sac at Rivergreen into a busy thoroughfare, serving The Braid as well as the development, will have a devastating effect on residential amenity, security and safety.

5.68 The 'haul road' in front of Rivergreen will facilitate considerable heavy vehicle movements over a long period.

Contaminated Land

5.69 Some residents raised concerns about land contamination.

Not a lifetime neighbourhood living scheme

5.70 The development is not a 'Lifetime Neighbourhood Living Scheme' because there are no larger properties for family occupation.

Comments - Support

5.71 In total there were 12 supporting comments regarding this proposal

Housing

5.72 All comments believe that this proposal should be accepted as Amble requires more housing. They believe that development is appropriate for this site as it is a brownfield site and this will not impact the wider environment of the area

5.48 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=R93R9IQSFL700>

6. Planning Policy

6.1 Development Plan Policy

Northumberland Local Plan 2016=36 (Adopted March 2022)

STP 1 - Spatial strategy (Strategic Policy)

STP 2 - Presumption in favour of sustainable development (Strategic Policy)

STP 3 - Principles of sustainable development (Strategic Policy)

STP 4 - Climate change mitigation and adaptation (Strategic Policy)

STP 5 - Health and wellbeing (Strategic Policy)

STP 6 - Green infrastructure (Strategic Policy)

TCS 1 - Hierarchy of centres (Strategic Policy)

TCS 2 - Defining centres in Main Towns (Strategic Policy)
TCS 3 - Maintaining and enhancing the role of centres (Strategic Policy)
HOU 2 - Provision of new residential development (Strategic Policy)
HOU 5 - Housing types and mix
HOU 6 - Affordable housing provision (Strategic Policy)
HOU 9 - Residential development management
HOU 11 - Homes for older and vulnerable people (Strategic Policy)
QOP 1 - Design principles (Strategic Policy)
QOP 2 - Good design and amenity
QOP 3 - Public realm design principles
QOP 4 - Landscaping and trees
QOP 5 - Sustainable design and construction
QOP 6 - Delivering well-designed places
ENV 1 - Approaches to assessing the impact of development on the natural, historic and built environment (Strategic Policy)
ENV 2 - Biodiversity and geodiversity
ENV 3 - Landscape
ENV 7 - Historic environment and heritage assets
ENV 9 - Conservation Areas
WAT 2 - Water supply and sewerage
WAT 3 - Flooding
WAT 4 - Sustainable Drainage Systems
POL 1 - Unstable and contaminated land
POL 2 - Pollution and air, soil and water quality
MIN 4 - Safeguarding mineral resources (Strategic Policy)
MIN 5 - Prior extraction of minerals
INF 1 - Delivering development related infrastructure (Strategic Policy)
INF 5 - Open space and facilities for sport and recreation
INF 6 - Planning obligations

6.2 National Planning Policy

National Planning Policy Framework (NPPF)
National Planning Practice Guidance (NPPG)
National Design Guide
National Model Design Code

6.3 Other Documents/Strategies

The Northumberland Coast AONB Management Plan 2020-24)
Northumberland Landscape Character Assessment

7. Appraisal

7.1 It is considered that the main planning issues raised relate to:

- Principle of development
- Flood Risk and drainage
- Impact on the character and appearance of the area, including The Braid, the Northumberland Coast AONB and Amble Conservation Area
- Loss of Open Space at The Braid
- Residential amenity impacts
- Highway safety/transportation matters

- Ecology
- Archaeology
- Contaminated Land
- Coal Mining Legacy
- Climate Change and sustainable development
- Planning Obligations

17.2 In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, planning applications should be determined in accordance with the development plan, unless material considerations indicate otherwise. In this case the development plan comprises the Northumberland Local Plan, with the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG) all being material considerations in determining this application.

Principle of development

7.3 In relation to the principle of this development in policy terms, it is considered that the following main matters are relevant and need to be considered:

Spatial strategy

7.4 The application site is not allocated for development within the Northumberland Local Plan. It is therefore white land.

7.5 The Policies Map shows that the site is within the settlement boundary of Amble under Policy STP1. Policy STP1 identifies Amble as a Main Town that should be a main focus for employment, housing, retail and services. Policy TCS1 also identifies Amble as a Main Town (smaller centre), with any main town centre uses being focused within the town centre boundary.

7.6 The previously-developed south-eastern corner of the site lies within the town centre boundary under Policy TCS2. Policy TCS3 also supports development adjacent to town centres that are physically and functionally integrated with them and add choice to their existing retail, leisure and service offer, including specifically the land north west of Queen Street immediately abutting Amble town centre (criterion 2a(viii)) for a mix of appropriate town centre uses including allowing an element of residential development as part of any mixed-use scheme.

7.7 Policy TCS3 envisages this area accommodating a mix of appropriate town centre uses including an element of residential development. However, given the uncertainties surrounding the deliverability of future retail floorspace in particular, the Policy stopped short of actually allocating the land for this purpose. As the current application is for solely residential development it would not be entirely consistent with the policy expectation that residential development would only form an element of any development in this location.

Housing

7.8 Policy HOU2 sets the minimum housing requirement for the county over the plan period 2016-2036, with an indicative requirement for Amble of 540 net additional dwellings. Amble saw 295 completions over the first 6 years of the plan period 2016-2022, while the latest SHLAA provides evidence that the current number of

outstanding permitted dwellings is over 1,000. As such, there is already a plentiful supply of housing land identified to meet the area's future housing requirements.

7.9 In accordance with the NPPF, the Council is required to identify and update annually a supply of specific deliverable sites sufficient to provide five years' worth of housing against their housing requirement. The five-year housing land supply position, as well as the Housing Delivery Test, is pertinent to proposals for housing in that the NPPF indicates that the presumption in favour of sustainable development applies where a Local Planning Authority cannot demonstrate a five-year supply of deliverable housing sites or where recent housing delivery is below a 75% threshold. This situation is the principal means by which existing policies relevant to housing can be deemed out-of-date. The Council can demonstrate a plentiful five-year housing land supply from 'deliverable' sites. The forecast 'deliverable' five-year supply for 2021-2026 equated to a 12.5 years housing land supply against the April 2021 minimum Local Housing Need figure, and 11.6 years against the Local Plan's residual annual average requirement. The latest Housing Delivery Test result records that Northumberland achieved 280% delivery against its minimum housing need for the three-year monitoring period 2018-21. Therefore, in the context of the NPPF and NLP Policy STP2, the presumption in favour of sustainable development and 'tilted balance' does not apply, such that existing policies that influence the location, supply and delivery of housing development are not regarded as being out-of-date. Northumberland has also therefore more than satisfied the NPPF objective of significantly boosting the supply of housing.

7.10 The application site has been assessed in the SHLAA (site ref. 0145, 5.67ha), which has discounted it as being not developable for residential development. However, it is actually assessed as being suitable in part and available (based on the previous now-lapsed outline planning permission for a supermarket and residential development), but it was only discounted due to doubt over it being achievable for housing development since it was understood that the site had been sold to a national retailer thus raising doubt that any residential aspect would be progressed.

7.11 The NPPF encourages the provision of a mix of housing to meet the needs of different groups in the community, including homes for older people and those with disabilities, as well as affordable housing. The PPGs on Housing needs of different groups and Housing for older and disabled people further support the provision of a mix of specialist housing for older people to meet local needs, including age-restricted general market housing, retirement living and sheltered housing, retirement communities and villages based around extra care housing or housing-with-care, and residential care and nursing homes.

7.12 The Council's Housing Strategy for Northumberland also specifically supports the provision for housing for older people and affordable housing to meet current and future needs. The Housing Strategy and Local Plan were also prepared in the context of the vision and objectives set out in the Council's Extra Care and Supported Housing Strategy and the Market Position Statement for Care and Support in Northumberland.

7.13 Policies STP3 (criteria b-c and i), HOU5 and HOU11 therefore seek to ensure a mix of housing to meet identified local needs, including suitable accommodation for older and vulnerable people that is accessible and adaptable to changing needs. The Plan recognises that the latest ONS population projections indicate a significant growth in the numbers and proportion of older people living in the county over the

plan period, while it also summarises the predominant housing needs in the county as informed by the SHMA in terms of smaller 1, 2 and 3-bedroom homes, bungalows and level-access flats. Policy HOU11 specifically supports the provision of homes for older and vulnerable people, including the provision of sheltered residential retirement and extra care/care home accommodation, bungalows and level-access flats in accessible and sustainable locations such as Main Towns. It also specifically supports facilitating the creation of well-designed 'lifetime neighbourhoods' and 'retirement villages' that are located centrally within larger settlements close to local services and community facilities. Such developments are required to support the principles of 'active ageing'.

7.14 The Council's Adult Social Services Section have been consulted on the proposed development and they have confirmed their support to provide specifically designed, age appropriate accommodation to meet the care and support needs of older people. The increasing ageing population and lack of appropriate housing for people in later life means there is demand for appropriately designed homes for older people in Northumberland. The Council's Extra Care and Supported Housing Strategy commits to increasing the level of age-appropriate accommodation to meet an increasing demand. They have advised that the proposed development in Amble is specifically designed to both meet the needs of older people now and accommodate changing needs in the future. They consider that the proposal for the Independent Living "Extra Care" apartments enables older people to have the security of care ready accommodation while maintaining their own front door. Adult Social Services have worked with the applicant to ensure the properties are designed to meet the needs of older people with care and support needs and will be attractive to people living in more rural areas where it is difficult to provide care and support. Nevertheless, Policy HOU 11(c) would normally require that the applicant submits justification for a C2 use through a specialist housing needs assessment, and it would appear that such an assessment has not been submitted.

7.15 Policy HOU6 requires major residential development of the proposed scale to provide a proportion of affordable housing on-site. The southern part of the site south of The Gut falls within a low viability value area where 10% would be required to be affordable, whereas the northern part of the site falls within a high value area where 25% would need to be affordable. The supporting text at para.7.37 sets out that where a site falls across more than one viability value area then a proportionate level of affordable housing will be required, so as this site as a whole falls across the two different value areas the affordable housing requirement should arguably be calculated based on the overall application site and the hectareage proportions that fall within each value area. The application indicates that the land south of The Gut totals approx. 2.25ha, compared to the overall application site area of 3.4681ha. However, on the basis that all of the proposed built residential development is within the low value area south of The Gut, in this case it is considered reasonable to apply the 10% affordable requirement. The applicant has stated that the 59 supported living apartments are C2 use (residential institutions) rather than C3 use (Dwelling Houses) and they should reasonably be exempted from requiring affordable housing provision. As such, a total of 5 of the 45 C3 dwellings would need to be affordable), as is currently proposed by the applicant. In terms of affordable tenures, the applicant's Planning Statement suggests that the proposed 5 affordable homes would be for Discounted Market Value (DMV) or shared ownership.

7.16 Policy HOU11 also requires that at least 20% of market homes and 50% of affordable homes should meet or exceed the M4(2) accessibility and adaptability

standards of the Building Regulations. It is noted that all of the proposed 59 Use Class C2 ISLB apartments are intended to satisfy this standard, with 2 of the units also designed to meet the higher M4(3) wheelchair-user accessibility standard. However, it is unclear whether the 45 Use Class C3 dwellings are now proposed to be built to the M4(2) standard, as was proposed in the original scheme, although it is assumed that that element of the original scheme is unchanged. In order to fully satisfy the policy requirements, at least 8 of the 40 Use Class C3 market dwellings plus 3 of the proposed 5 affordable homes would need to meet or exceed the M4(2) standard.

Sequential Test and Exception Test – Residential Development within Flood Zone 3

7.17 The proposed development is located predominantly within Flood Zone 3, which means that the area has a high probability of flooding. As such, it is necessary to consider whether it is appropriate to develop the site for residential purposes, or whether the development could be located on an alternative site that is less at risk of flooding. The NPPF makes it clear that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk. National Planning Practice Guidance (Flood Risk and Coastal Change) provides further guidance on the application of the sequential test and the exception test.

7.18 The sequential test is designed to ensure that areas at little or no risk of flooding from any source are developed in preference to areas at higher risk. This means avoiding, so far as possible, development in current and future medium and high flood risk areas considering all sources of flooding including areas at risk of surface water flooding.

7.19 Because the site is not allocated for development within the Northumberland Local Plan, a Sequential Test was not carried out with regard to this site as part of the Local Plan process, and the Sequential Test and the subsequent Exceptions Test is therefore required with regard to the assessment of the suitability of this site for residential purposes.

7.20 Although Section 2.1 of the applicant's Flood Risk Assessment document states that "The site is located within flood zones 2 and 3, therefore the Sequential Test will be Required", the applicant does not appear to have carried out a Sequential Test to demonstrate a sequential, risk-based approach has been followed to steer new development to areas with the lowest risk of flooding in accordance with the NPPF.

7.21 The applicant's Flood Risk Assessment does include an Exception Test (which should be carried out after a sequential test has demonstrated that no appropriate alternative sites are available and that it must be located within this flood risk area). This states that the development meets both the sequential and exception tests. However, the applicant's conclusion is questioned, because firstly, there does not appear to have been a sequential test carried out with alternative sites in areas less at risk of flooding and the development does not appear to provide wider sustainability benefits to the wider community. Secondly, insufficient information has been provided to meet the requirements of the Exceptions Test.

7.22 These matters are considered in more detail within the Flood Risk and Drainage Section below.

Planning History

7.23 The applicant considers that the principle of the development of the application site, including the proposed vehicular access across The Braid, has already been established as a consequence of the previous outline planning permission for the “change of use of land and development of a 2,787sqm food retail supermarket (A1) with associated service yard area, 204 car parking spaces, 46 residential units (C3) with associated car parking, with full details of new access road across the Braid” (Application Ref: A/2008/0002), which was approved in July 2009, together with subsequent applications, including an application (Application Ref: 13/00923/VARYCO) to extend the time limit for the implementation of that permission was approved in May 2015. (See full details of planning history above). However, the planning applications for a supermarket and residential development on the site have since lapsed. Furthermore, those applications were considered in the light of previous local plan policies, which supported a supermarket within Amble. Since those decisions were made, a supermarket (Morrisons) has been provided within Amble on a different site, and as such, the considerable weight that was afforded in the planning decision to the development of the site with regard to the need for a supermarket, with its associated economic benefits, no longer exists. Also, the previous planning decision related to a very different form of development in terms of scale and design to the current proposals. In addition, since those decisions were made, the NPPF and associated guidance has been introduced and updated, and the Northumberland Local Plan was adopted in March 2022, replacing previous Local Plans. Whilst the previous planning decisions for the development of this site are material considerations, all planning applications must be considered entirely on their own merits, in the context of up to date national and local planning policies.

7.24 The principle of the residential development of the site may potentially be supported by the policies in the development plan and material considerations. However, due to the site being located predominantly within Flood Zone 3, the proposed development of this site would need to satisfy the Sequential Test and Exception Test with regard to a “more vulnerable” use being located within an area with a high probability of flooding, in order for the site to be considered to be suitable for such development. Furthermore, any decision would need to take into consideration the fact that there is already a plentiful supply of housing land identified to meet the area’s future housing requirements and Northumberland has therefore more than satisfied the NPPF objective of significantly boosting the supply of housing. Therefore, the presumption in favour of sustainable development and ‘tilted balance’ does not apply in this case. The proposed development would also need to be acceptable with regard to other relevant issues, such as flood risk and drainage, impacts on visual and residential amenity, impacts on The Braid, highway safety, biodiversity, contaminated land etc as discussed below.

Floodrisk and drainage

7.25 Policy STP3 n) (Principles of Sustainable Development) of the Northumberland Local Plan requires developments to be located in areas which are least vulnerable to climatic impacts such as from all sources of flooding and rising sea levels.

7.26 Policy WAT 3 (Flooding) states, amongst other things, that development proposals will be required to demonstrate how they will minimise flood risk to people, property and infrastructure from all potential sources by avoiding inappropriate development in areas at risk of flooding and directing the development away from

areas at highest risk. Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere. The Sequential Test and, if necessary, the Exceptions Test, will be applied in accordance with national policy and the Northumberland Strategic Flood Risk Assessment. Site Specific Flood Risk Assessments will be required for all development in Flood Zones 2 and 3. Furthermore, it will be ensured that developments take account of climate change and the vulnerability of its users, that sustainable drainage systems are incorporated, and safe access and escape routes are incorporated where appropriate as part of an agreed emergency plan.

7.27 Policy WAT 4 (Sustainable Drainage Systems) requires SuDS to be incorporated where necessary to control surface water run off.

7.28 The site lies adjacent to The Gut, a tidal watercourse, and falls predominantly within Flood Zone 3, and as such it is located in an area that has a high probability of flooding. The proposed residential uses are classed as “more vulnerable” for the purpose of flood risk assessment.

7.29 As outlined above within the principle of development section, the application has provided insufficient information to demonstrate that it has passed the required Sequential Test, and the Exception Test. Further details with regard to these matters are provided below.

Sequential Test and Exception Test – Residential Development within Flood Zone 3

7.30 The proposed development is located predominantly within Flood Zone 3, which means that the area has a high probability of flooding. As such, it is necessary to consider whether it is appropriate to develop the site for residential purposes, or whether the development could be located on an alternative site that is less at risk of flooding.

7.31 Section 14 of the NPPF deals with “Meeting the challenge of climate change, flooding and coastal change”. With regard to planning and flood risk, Paragraph 159 states:

“Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.”

7.32 Paragraph 167 adds:

“When determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment. Development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that:

- a) within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location;
- b) the development is appropriately flood resistant and resilient such that, in the event of a flood, it could be quickly brought back into use without significant refurbishment;

- c) It incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate;
- d) Any residual risk can be safely managed; and
- e) Safe access and escape routes are included where appropriate, as part of an agreed emergency plan.

7.33 National Planning Practice Guidance (Flood Risk and Coastal Change) provides further guidance on the application of the sequential test and the exception test.

7.34 The Environment Agency has provided advice to the Local Planning Authority, stating that with regard to the Sequential Test, in accordance with the NPPF development should not be permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding. It is for the local planning authority to determine if the sequential test has to be applied and whether or not there are other sites available at lower flood risk. They also provided advice on the exception test. Their comments on the proposals relate to the part of the exception test that demonstrates whether the development is safe. The local planning authority must decide whether or not the proposal provides wider sustainability benefits to the community that outweigh flood risk.

Sequential Test

7.35 The guidance explains that the sequential test is designed to ensure that areas at little or no risk of flooding from any source are developed in preference to areas at higher risk. This means avoiding, so far as possible, development in current and future medium and high flood risk areas considering all sources of flooding including areas at risk of surface water flooding. Avoiding flood risk through the sequential test is the most effective way of addressing flood risk because it places the least reliance on measures like flood defences, flood warnings and property level resilience features. Even where a flood risk assessment shows the development can be made safe throughout its lifetime without increasing risk elsewhere, the sequential test still needs to be satisfied. Application of the sequential approach in the decision-making process will help to ensure that development is steered to the lowest risk areas, where it is compatible with sustainable development objectives to do so, and developers do not waste resources promoting proposals which would fail to satisfy the test. Other forms of flooding need to be treated consistently with river and tidal flooding in mapping probability and assessing vulnerability, so that the sequential approach can be applied across all areas of flood risk.

7.36 The Sequential Test ensures that a sequential, risk-based approach is followed to steer new development to areas with the lowest risk of flooding, taking all sources of flood risk and climate change into account. Where it is not possible to locate development in low-risk areas, the Sequential Test should go on to compare reasonably available sites:

- Within medium risk areas; and
- Then, only where there are no reasonably available sites in low and medium risk areas, within high-risk areas.

7.37 Initially, the presence of existing flood risk management infrastructure should be ignored, as the long-term funding, maintenance and renewal of this infrastructure is uncertain. Climate change will also impact upon the level of protection infrastructure will offer throughout the lifetime of development. The Sequential Test should then

consider the spatial variation of risk within medium and then high flood risk areas to identify the lowest risk sites in these areas, ignoring the presence of flood risk management infrastructure.

7.38 It may then be appropriate to consider the role of flood risk management infrastructure in the variation of risk within high and medium flood risk areas. In doing so, information such as flood depth, velocity, hazard and speed-of-onset in the event of flood risk management infrastructure exceedance and/or failure, should be considered as appropriate. Information on the probability of flood defence failure is unsuitable for planning purposes given the substantial uncertainties involved in such long-term predictions.

The Exceptions Test

7.39 The Exception Test requires two additional elements to be satisfied before allowing development to be permitted in situations where suitable sites at lower risk of flooding are not available following application of the sequential test.

7.40 It should be demonstrated that:

- development that has to be in a flood risk area will provide wider sustainability benefits to the community that outweigh flood risk; and
- the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.

7.41 The Guidance states that with regard to what types of wider sustainability benefits to the community that may outweigh flood risk, examples may include

- The re-use of suitable brownfield land as part of a local regeneration scheme;
- An overall reduction in flood risk to the wider community through the provision of, or financial contribution to, flood risk management infrastructure;
- The provision of multifunctional Sustainable Drainage Systems that integrate with green infrastructure, significantly exceeding National Planning Policy Framework policy requirements for Sustainable Drainage Systems;

7.42 The guidance clarifies that “Where wider sustainability benefits are absent or where they are outweighed by flood risk, the Exception Test has not been satisfied and the planning permission should be refused.”

7.43 The Exception Test is not a tool to justify development in flood risk areas when the Sequential Test has already shown that there are reasonably available, lower risk sites, appropriate for the proposed development. It would only be appropriate to move onto the Exception Test in these cases where, accounting for wider sustainable development objectives, application of relevant local and national policies would provide a clear reason for refusing development in any alternative locations identified.

7.44 Although Section 2.1 of the applicant’s Flood Risk Assessment document states that “The site is located within flood zones 2 and 3, therefore the Sequential Test will be Required”, The applicant does not appear to have carried out a Sequential Test to demonstrate a sequential, risk-based approach has been followed to steer new development to areas with the lowest risk of flooding in accordance with the NPPF.

7.45 The applicant's Flood Risk Assessment does include the second element of an Exception Test (which is normally carried out after a sequential test has demonstrated that no appropriate alternative sites are available and that it must be located within this flood risk area).

7.46 This applicant's Exceptions Test states that, with regard to the requirement for the development to provide wider sustainability benefits to the community that outweigh flood risk, the development will provide the following benefits:

- The Independent Supported Living facility apartments allow for increased social inclusion of all individuals.
- The development will offer an adequate supply of affordable housing and provide a range of house types and sizes to meet the needs of the community.
- The development will bring working professionals to the area who will contribute to the economy and support growth in The Amble area. All residents will contribute council tax to the Northumberland County Council that can be invested to support investment, innovation and entrepreneurship in the local area.
- With the proposed SuDS features on the site, water flow and quality will be improved prior to being discharged into the neighbouring surface water body. In doing so, this will achieve sustainable and efficient management of water resources.
- Suitable mitigation measures are to be used as part of the development to protect residents from flooding where risk is present now and in the future due to the effects of climate change. The development will also ensure that flood risk does not increase to existing properties nearby.

7.47 The applicant's Exception Test concludes that there are no sequentially preferable sites available in lower flood risk areas without constraints that meet the aims of the development. They consider that proposed development provides wider sustainability benefits for the community that outweigh flood risk. They also state that a site specific Flood Risk Assessment has been undertaken to meet the second condition of the exception test, recommending that mitigation measures should be provided to ensure that the development is safe and will not increase flood risk elsewhere. As such, the applicant considers the proposal passes the requirement of the sequential test and fulfils the two conditions of the exception test and therefore is in accordance with the criteria for determining planning applications as detailed in paragraph 102 of the National Planning Policy Framework.

7.48 However, this conclusion is questioned, because firstly, there does not appear to have been a sequential test carried out with alternative sites in areas less at risk of flooding and the development does not appear to provide wider sustainability benefits to the community. Secondly, the wider sustainability benefits of the development as listed by the applicant do not appear to outweigh the risks associated with providing such a residential development within Flood Zone 3

7.49 Furthermore, the development has only been designed in terms of flood risk for a lifetime period of 65 years, rather than for 100 years as required by the NPPF, and the details of the applicant's Flood Risk Assessment are not accepted by the Lead Local Flood Authority or the Environment Agency. As such, it is questionable as to whether the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere.

Flood risk assessment and drainage strategy

7.50 The Lead Local Flood Authority has objected to the proposed development on flood risk and drainage grounds. In particular, the LLFA has raised concerns relating to the applicant's flood risk assessment and drainage strategy. Such concerns include:

- Surface water disposal - there is limited SuDS in the form of some permeable paving, a swale and a basin have been proposed within the development. and further measures are required. Furthermore, additional information is required with regard to SuDS proposed. The application site is considerable in size and even with the proposed layout, there are opportunities to include further SuDS. Can a swale be installed on the southern and western perimeter? Currently a pipe is proposed, before connecting to the proposed swale. In addition, there are other areas within the site that can be utilised.
- Interaction with existing combined sewer through site - more details required
- Pipe details through permeable paving - more details required
- Outfall Details and Levels - more details required
- Climate change allowances - Defra / Environment Agency updated the climate change allowances for flood risk assessments on 10th May 2022. The 2022 changes centre around peak rainfall intensity allowances (surface water). The guidance is now based on river catchments rather than a blanket countrywide allowance. For the northeast developments with a 100 year lifetime, an allowance of +45% will be required. Within the Microdrainage calculations an allowance of +50% has been used. The development scheme has significantly changed and due to the high risk from a number of sources in the area, it is prudent to ask for the up-to-date guidance of 45% being applied.
- Impermeable area drawing - an impermeable area plan is required with the calculations.
- Microdrainage calculations – tide locking - a submerged outfall requires modelling within the calculations.
- Attenuation storage - the flood risk assessment states that between 497 and 753m³ of attenuation is required on site. The Microdrainage calculations show the eastern basin has a total volume of 91.5m³. No figures were supplied for the western swale. With the information that has been provided, we cannot see any other areas of significant volume within the proposed drainage scheme. The assessment and the model are required to be updated to reflect the required storage on site.

- Culvert in The Gut - Planning Practice Guide – Flood Risk and Coastal Change states “Proposals to introduce new culverting or to build on top of existing culverting are likely to have adverse impacts on flood risk, ecology, human health and safety and amenity whilst increasing maintenance costs and hindering future options to restore the watercourse. Such proposals are likely to run contrary to natural flood management objectives and the objectives of River Basin Management Plans”. Could a bridge be installed instead of a culvert. This would be beneficial from a number of aspects including flood risk and ecology.
- Lifetime of development - Paragraph 006 of the PPG - Flood Risk and Coastal Change looks at 'What is considered to be the lifetime of development when applying policies on flood risk and coastal change?' "Residential development can be assumed to have a lifetime of at least 100 years, unless there is specific justification for considering a different period. For example, the time in which flood risk or coastal change is anticipated to affect it, where a development is controlled by a time-limited planning condition. The lifetime of a non-residential development depends on the characteristics of that development but a period of at least 75 years is likely to form a starting point for assessment". Please can it be clarified that a 65 year lifetime of development has been agreed with the LPA. If not, a revised flood risk assessment will be required using the agreed lifetime of development with the LPA. This will impact the stated tidal flood levels and finished floor levels.
- Water Quality - At present two of the outfalls, one into the swale and one into the basin are adjacent to the outfalls. As such any water which discharges at these locations will not be able to experience the water qualities that these features bring. Can the design be altered so the inlets are changed. Whilst we normally accept a simple index approach, the Gut at this location has a protected status; therefore, further analysis on water quality and discharging into the Gut needs to be given.

7.51 The Environment Agency has objected to the proposed development due to the absence of a Water Framework Directive Assessment and the provision of an inadequate Flood Risk Assessment.

Water Framework Directive

7.52 The applicant has failed to submit a Water Framework Directive (WFD) assessment. The Environment Agency has advised that the proposed development is situated in the Coquet Estuary transitional waterbody, which is failing under the Water Framework Directive and has classification of ‘Moderate’. A WFD assessment is required in order to ensure that the proposed development is compliant with the WFD and Northumbria River Basin Management Plan.

7.53 The developer will need to carry out and submit a WFD Assessment. This should:

- Identify the impacts to the ecological/ hydromorphological/ physical/ chemical /mitigation measures/ WFD quality elements and determine if they may be at risk of deterioration/ will be prevented from achieving good status or potential;
- Demonstrate how the development/activity will avoid adverse impacts; and
- Propose mitigation for any adverse ecological impacts or compensation for loss.

7.54 A Water Framework Directive Assessment is therefore required in order to ensure that the proposed development is compliant with the WFD and Northumbria River Basin Management Plan.

Inadequate Flood Risk Assessment

7.55 In the absence of an acceptable Flood Risk Assessment (FRA) the Environment Agency object to this application and recommend that planning permission is refused.

7.56 The submitted FRA does not comply with the requirements for site-specific flood risk assessments, as set out in paragraphs in the Flood Risk and Coastal Change section of the planning practice guidance. The FRA does not therefore adequately assess the flood risks posed by the development. In particular, the FRA fails to:

- Provide adequate justification as to the proposed lifetime of the development. The FRA states that the expected lifetime of the development is 65 years. However residential developments should be assessed based on a lifetime of at least 100 years.
- Take the impacts of climate change into account for the full lifetime of the development
 - Both the higher central and upper end allowances need to be taken into consideration for the Northumbria sea level rise over the lifetime of the development.
- The flood risk mitigation measures to address flood risk for the lifetime of the development included in the design are inadequate because they will not make the development resilient to the flood levels for the higher central and upper end sea level allowance. Consequently, the development proposes inadequate:
 - Raised finished floor levels
 - Risks associated with the proposed culvert/ access road becoming inundated.
- Provide sufficient information on the proposed ground levels and associated flood water inundation levels for emergency access routes and car parking areas.

7.57 The Environment Agency has advised that, to overcome their objection, the applicant should submit a revised FRA which addresses the points highlighted above.

7.58 With regard to the lifetime of the development, the Environment Agency have stated that they have reviewed the updated FRA which states that the lifetime of the development is 65 years. This is not appropriate for residential developments. Consequently, the finish floor levels which they previously indicated as being acceptable in their original consultee response are inappropriate. The Environment Agency would not consider sleeping accommodation below the 1% AEP plus climate change acceptable in accordance with the NPPF. The site is covered by flood alert (121WAC921). Therefore, if planning permission is granted the flood warning area

(121FWC532) which exists to the East and West of the site will need to be extended to include the new properties.

7.59 It is considered that the applicant's flood risk and drainage strategy does not provide sufficient details and does not adequately assess or address the flood risks posed by the development. As such, the Local Planning Authority is unable to fully assess the impact of the proposed development on drainage and flood risk issues or conclude that it would not have an unacceptable impact on drainage and flood risk within the local area.

Lifetime of Development

7.60 A major area of concern with regard to the proposed development is that it has only been designed with a lifetime of 65 years.

7.61 Paragraph 006 of the Planning Practice Guidance deals with the lifetime of developments when applying policies on flood risk. It states:

“Residential development can be assumed to have a lifetime of at least 100 years, unless there is specific justification for considering a different period. For example, the time in which flood risk is anticipated to affect it, where a development is controlled by a time-limited planning condition.”

7.62 The proposed development has only been designed with a lifetime of 65 years in terms of its flood risk, rather than 100 years, which is contrary to the advice contained within the NPPF.

7.63 The Environment Agency has objected to the proposed development, and they have stated that, designing a development with a lifetime of 65 years is not appropriate for residential developments. Consequently, they do not agree with the applicant's Flood Risk Assessment with regard to the finish floor levels. They would not consider sleeping accommodation below the 1% AEP plus climate change acceptable in accordance with the NPPF.

7.64 This is of concern given that the proposed development includes a significant number of residential units with sleeping accommodation of the ground floor. The Independent Support Living Apartments have been classed by the applicant as being a C2 Use (Residential Institution) and this residential block includes 21 no. apartments with bedrooms on the ground floor. Apartment Block A1 includes 4 no. units with bedrooms on the ground floor, Apartment Block A2 includes 3 no. units with bedrooms on the ground floor, Apartment Block A3 includes 3 no. units with bedrooms on the ground floor and Apartment Block A4 includes 5 no. Units with bedrooms on the ground floor.

7.65 The Lead Local Flood Authority has also objected to the development only being designed with a lifetime of 65 years.

7.66 The proposed development is required to be redesigned to deal with flood risk for a lifetime development of at least 100 years. A revised flood risk assessment will be required, and this will impact the stated tidal flood levels and finished floor levels of the proposed residential development. As such, the required amendments to design may have a significant impact on the heights of the proposed development, including the proposed residential blocks, and consequently on the overall impact of the development in terms of residential amenity and visual amenity. The design of

the development may also impact on the use of the residential units (for example if sleeping accommodation needs to be relocated to a higher level).

Northumbrian Water Ltd

7.67 Northumbrian Water Ltd has advised that there is not sufficient detail provided with regards to the management of foul and surface water from the development for Northumbrian Water to be able to assess their capacity to treat the flows from the development. The Concept Drainage Plan within the drainage strategy document provided appears to show the rising main from the foul package pumping station discharging into NWL's existing rising/pressure main running through the site. This arrangement would not be acceptable to NWL. The pumped flows from the development should either be directed to an existing, suitable gravity sewer in the vicinity of the site or alternatively it may be possible to drain the site by gravity into the existing NWL pumping station at the western end of the site.

7.68 Furthermore, it is unlikely that NWL would adopt a standard 'off the shelf' package pumping station.

7.69 They have therefore advised that should the planning application be approved, a condition is included with regard to the submission and approval of a detailed scheme for the disposal of foul and surface water from the development in order to prevent the increased risk of flooding from any sources.

7.70 It is considered that the applicant has provided an inadequate flood risk assessment and drainage strategy that does not adequately assess or address the flood risks posed by the development. Furthermore, the development has been designed with a lifetime of 65 years which is contrary to the requirements of the NPPF. As such, the proposed development is contrary to Policies STP3, WAT 3 and WAT 4 of the Northumberland Local Plan.

Impact on the character and appearance of the area, including The Braid, the Northumberland Coast AONB and Amble Conservation Area

7.71 Policy QOP1 (Design principles - Strategic Policy) of the Northumberland Local Plan states, amongst other things, that development proposals should make a positive contribution to local character and distinctiveness and contribute to a positive relationship between built and natural features, including landform and topography; create or contribute to a strong sense of place and integrate the built form of the development with the site overall, and the wider local area, having particular regard to building heights, the form, scale and massing, prevailing around the site, distinctive local architectural styles, detailing and materials; be visually attractive and incorporate high quality materials and detailing; respect and enhance the natural, developed and historic environment, including heritage, environmental and ecological assets, and any significant views or landscape setting.

7.72 Policy ENV 9 (Conservation Areas) requires that within a conservation area, or where its setting may be affected, it will be ensured that development enhances and reinforces the local distinctiveness of the conservation area, while, wherever possible, better revealing its significance; if the harm is less than substantial, this will be weighed against any public benefit that the same development may make; development must respect existing architectural and historic character by having regard to historic plot boundaries, layouts, densities and patterns of development;

and the design, positioning, grouping, form, massing, scale, features, detailing and the use of materials in existing buildings and structures. The contribution made by the public realm, private spaces and other open areas, including hard and soft landscape features, watercourses and surfacing. Development on public and private open spaces that are integral to the special character of a conservation area or form part of its setting, will be assessed. Such spaces include those which contribute to the area's special historic interest, are important spatially and visually to the landscape or townscape qualities of the conservation area, and provide views or vistas into, out of or within the conservation area.

7.73 Policy ENV 3 (Landscape) requires proposals to conserve and enhance important elements of the character of the landscape, and great weight to be given to the conservation and enhancement of the special qualities of the Northumberland Coast AONB.

7.74 Policy ENV5 (Northumberland Coast Area of Outstanding Natural Beauty) requires the special qualities of the Northumberland Coast Area of Outstanding Natural Beauty to be conserved and enhanced.

7.75 NPPF paragraph 134 advises that development which is not well designed should be refused.

7.76 The application site is located in close proximity to the Amble Conservation Area (with a small part within the Conservation Area itself), and close to the Northumberland Coast Area of Outstanding Natural Beauty. The proposed vehicular access would be constructed across The Braid, an existing area of informal open space with numerous pedestrian links across it.

7.77 Notwithstanding the matters raised above relating to the applicant's flood risk assessment and drainage strategy, and in particular the fact that the scheme has been designed with a lifetime of only 65 years, consideration must be given to the impact of the proposed development on the character and appearance of the area. It is understood that the design of the scheme as currently presented may require significant amendments in order to address the flood risk issues associated with a residential development located within Flood Zone 3 in order to provide for a lifetime of the development of 100 years, which may, for example require finished floor levels to be raised.

Impact on The Braid and the Northumberland Coast AONB

7.78 The proposed vehicular access and the temporary construction road would be located across an area of land that is used as open space, known as The Braid.

7.79 A significant number of objections have been received with regard to the impact of introducing a proposed access road across this open space. Objectors consider that the area has been used as open space for over 40 years, and it is currently free of traffic and provides a safe, peaceful and beautiful area to enjoy informal recreation and nature. Objectors are concerned that the physical presence of the road itself, together with traffic, would have an urbanising effect on the open space, and it would sever parts of the open space from each other, making a large portion unusable.

7.80 The AONB Partnership has been consulted on the proposed development. They have advised they are supportive of the development of land to the south of

The Gut. However, concerns are raised over the proposed vehicular access road that will divide The Braid and the impact this will have on The Braid.

7.81 Objectives Two, Three and Four of the AONB's Management Plan, in particular Policies 2.1, 3.1, 3.2, 3.5, 4.2 and 4.4 are relevant in the consideration of this proposal and its impact on the special qualities of the designated landscape.

7.82 The AONB Partnership has advised that the development site is between 200m and 300m from the boundary of the designated landscape, that is defined by the southern edge of the Coquet Estuary at this point. A Landscape and Visual Impact Assessment (LVIA) that includes analysis of impact on the Northumberland Coast AONB has been carried out. The AONB Partnership agrees that the impact on the designated area of the AONB will be slight during the construction phase, and negligible in the long term. This is due to the existing tree cover on The Braid along with the boat clubs and marina that act as screening.

7.83 Nonetheless, the AONB Partnership raises concerns over the vehicular access road proposed – both the permanent access from Rivergreen and the temporary haul road from The Braid access road. They consider that proposed access roads divide The Braid into lesser and greater halves, and whilst no raising of the road level is proposed and native species planting could help to screen the permanent access, the insertion of this urban infrastructure and the introduction of vehicle movement into this green space will change and detract from its character and appearance.

7.84 This is an issue given that The Braid is an important green space adjacent to the AONB. The Northumberland Coast AONB Management Plan includes Policy 3.1 where "The setting of the AONB and important views into it and from it are recognised and protected." The Braid acts as a gateway for pedestrians and cyclists heading north into the designated landscape. Coming out of the built-up area of Amble, the Braid is the first green space to be reached, acting as a much-loved green-lung and park for the town (hence its village green status).

7.85 The AONB Partnership consider that the space builds a sense of anticipation of the open and rural landscape beyond, with points of interest and delight clearly visible: Warkworth Castle, the trees at the northern-end, the masts of boats, and of course the estuary itself and the expanse of saltmarsh and dunes on the other side of the river. Whilst directly on the urban fringe, The Braid is a relatively tranquil place and a dark place with no street lighting; clearly separating it from the town. The difference is more stark given the density of Amble's historic core – where many streets comprise of back-to-back terraces. The Braid is currently managed as a meadow – and appears species-rich for wildlife and plants. Apart from the houses at Rivergreen, The Braid has the feel of an open and rural hinterland to the estuary.

7.86 The LVIA assessment of development is inevitably based on the National Landscape Character and local Landscape Character Area types, and the assessment concludes slight to moderate impact for construction, and negligible to low impact for the long term. However, the AONB Partnership suggest that given the scale of these receptors, the LVIA is a blunt tool to assess the small green space that is The Braid, and the localised impact the access roads in particular will have.

Impact on the Amble Conservation Area

7.87 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities, as decision makers, in considering whether to grant Planning Permission for development, to pay special attention to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. The local planning authority must have regard to Section 72(2) of the Planning (Listed Buildings and Conservation Areas) Act which requires that special attention shall be paid to the desirability of preserving or enhancing the character and appearance of the Conservation Area.

7.88 The National Planning Policy Framework (NPPF) "The Framework" is a material planning consideration in the assessment of an application. Section 16 pertains to conserving and enhancing the historic environment. Paragraph 197 states that local planning authorities should consider several criteria, in particular, the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation.

7.89 The site includes part of the Amble Conservation Area north of the rear lane to Queen Street. The remainder of the site has the potential to impact on the character or appearance of the Amble Conservation Area and the designated heritage assets therein through significant development affecting setting.

7.90 The AONB Partnership has commented that in the panoramic views southwards from The Braid, Amble Conservation Area forms the backdrop with the historic core of the settlement comprising High Street and Queen Street running along the higher ground. This linear and strong building line dominates the scene particularly because of the uniformity of the massing of the buildings, and rooflines. The Heritage Impact Assessment states the development will preserve the roofscape of Queen Street and High Street; however, from the visualisation in the Design and Access Statement the AONB Partnership consider that this does not appear to be the case.

7.91 The Council's Building Conservation Team have been consulted on this planning application and they have advised that the principal issue is how the development proposed may affect the character or appearance of the Amble Conservation Area, the designated heritage assets therein and their settings.

7.92 The Building Conservation Team refer to the applicant's Planning Statement, where it states that the principle of development on this site has been firmly established (with the approval of a planning application for a supermarket and residential development in 2009). However, they consider that this was for a significantly different form of development to that proposed now, any such consent has now lapsed, and new policies apply. While accepting the principle of development under application reference A/2008/0002 English Heritage (now Historic England) raised some concerns about the roof form of the proposed supermarket. However, they point out that while the supermarket roof was agreed at 6.6 metres, the present proposal for the ISL block and Apartment Block A4 at three storeys plus a roof will be considerably taller.

7.93 The Amble Conservation Area (ACA) is characterised by runs of long low buildings along the crest of the north facing river cliff which affords views to the north to Warkworth Castle and beyond. The most prominent building in the ACA, the grade II listed St Cuthbert's Church, barely breaks the roof line with its modest bellcote.

The low-lying Amble townscape and St Cuthbert's within it are best appreciated from the north and particularly from the open land at the Gut/the Braid.

7.94 Given the significant distance to Warkworth Castle and intervening trees it is considered impact on this highly graded designated asset will be negligible.

7.95 Paragraph 16.5 of the Design and Access Statement states:

"Additionally, the overall heights and forms of the development have been considered, and designed, so as to sit beneath the defined roofline of historic, central Amble, strongly appreciable in this view, and a defining element of setting which aids appreciation of the historic development of the town."

7.96 However, the photomontage at 16.6 shows mostly only ridges and chimneys of the two storey dwellings in the Amble Conservation Area above the proposed development rather than the clear view of the roofscape which is claimed. Given the importance of the Amble Conservation Area roofscape is recognised by the developer, the Building Conservation Team consider the proposal would at least diminish the positive impact of the existing Amble Conservation Area roofscape.

7.97 The Building Conservation Team have commented that there are several references to the careful choice of materials proposed for the buildings to integrate the development with the character of the ACA. They agree with the choice of natural stone as the main walling material. They accept the presence of some brick in the ACA although red brick tends to stand out being uncommon. Consideration should therefore be given to a brick in a different colour. Heads and cills must be natural stone too, and not artificial stone. The use of render is restrained here but any more would dilute the quality of the scheme and its ability to fit in with the character of the ACA. Natural grey slate is the correct choice for roofing, but care must be taken to ensure this is specified correctly. Grey slate tiles mentioned in the application documents are not acceptable. Upvc doors and window frames significantly detract from the character of the ACA, and they do not support their use in this context.

7.98 The Built Heritage and Design Officer has concluded that there would be some loss of definition of the significant roofscape of the Amble Conservation Area. They are also unable to support the use of upvc for window frames or doors, and they would welcome a tighter specification for the main construction materials.

7.99 Taken together they consider these factors would give rise to "less than substantial harm" within the terms of the Framework. Less than substantial harm is a broad category, and they assess the level here as being toward the lower end. The NPPF states that if the harm is less than substantial, this will need to be weighed against any public benefit that the same development may make.

7.100 Should the application nevertheless be permitted, the Building Conservation Team consider permitted development rights should be removed and conditions included requiring amended materials.

7.101 With regard to the impact of the proposed residential development on the Amble Conservation Area, the scheme as currently proposed has been assessed as resulting in some loss of definition of the significant roofscape of the Amble Conservation Area, especially when viewed from the north of the site, from The

Braid. As such, the current proposals would result in harm to the character and appearance of the Amble Conservation Area, which has been assessed as “less than substantial harm” within the terms of the Framework. However, as discussed above, the scheme may need to be redesigned to provide a lifetime of development of 100 years rather than 65 years, and this may require finished floor levels to be provided at a higher level. Should this be the case, then any increase in height of the buildings would inevitably have a more adverse impact on the character and appearance of the Amble Conservation Area.

7.102 Similarly, any impact on the views from The Braid and the Northumberland Coast AONB may well be more harmful than currently indicated.

7.103 It is considered that the proposed vehicular access across the Braid, together with the introduction of vehicular movements, would result in a visually intrusive form of development that would be out of character with the open landscape character of this area and change the overall nature and use of the Braid. As such, it would result in unacceptable harmful impacts on the visual amenities of The Braid itself and the wider setting of the Northumberland Coast AONB. The introduction of the proposed road would not only impact on the users of the Braid; it will also impact on the visual amenities currently enjoyed by nearby residential properties as a consequence of the views to the east being interrupted by the new road and associated traffic.

7.104 Given the above impacts on the character and appearance of the area, including the open space of The Braid, the Northumberland Coast AONB and the Amble Conservation Area, it is considered that the proposed development would not make a positive contribution to local character and distinctiveness, contribute to a positive relationship between built and natural features or contribute to a strong sense of place. It would not integrate the built form of the development with the site overall, and the wider local area. It would not be visually attractive and incorporate high quality materials and detailing; respect and enhance the natural, developed and historic environment, including heritage assets, and any significant views or landscape setting. Nor does the proposed access road across The Braid conserve or enhance the setting of the Northumberland Coast Area of Outstanding Natural Beauty. As such the proposed development would be contrary to Policy QOP 1 and ENV 5.

7.105 In addition, it is considered that the development would not enhance or reinforce the local distinctiveness of the conservation area, and it does not better reveal its significance. As the harm is less than substantial, this needs to be weighed against any public benefit that the same development may make. However, notwithstanding the benefits that may be afforded by the Independent Support Living Apartments, given that no further residential development is required in Amble, and the fact that the proposed development would be located in an area of significant flood risk, it is not clear that the public benefit of the scheme would outweigh this identified harm. As such, it is considered that the proposed development would be contrary to Policy ENV 9 (Conservation Areas).

7.106 It is acknowledged that the proposal makes provision for some new landscaping that would seek to reduce and mitigate the effects of the new road. However, it is considered that such landscaping would not be sufficient to outweigh the harm caused.

Loss of Open Space at The Braid

7.107 Policy INF 5 (Open space and facilities for sport and recreation) states that the loss of open spaces defined on the Policies Map, or other existing open space... will not be supported unless an assessment has been undertaken which has clearly shown the open space to be surplus to requirements or the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location.

7.108 The proposed vehicular access and the temporary construction road would be located across an area of land that is used as open space, known as The Braid. Whilst that part of the open space on which the proposed vehicular access would be located is not designated within the Northumberland Local Plan as protected open space, that part of the open space immediately to the north is designated as Protected Open Space under Policy INF5. The proposed access road alignment would follow the western and southern boundary line of this designation.

7.109 Policy INF 5 (Open space and facilities for sport and recreation) states that the loss of open spaces defined on the Policies Map, or other existing open space, will not be supported unless:

- a. an assessment has been undertaken which has clearly shown the open space to be surplus to requirements; or
- b. the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location.

7.110 As such, even though the open space on which the proposed road is to be constructed is not in itself designated as Protected Open Space, Policy INF 5 nevertheless requires evidence that it is either surplus to requirements or that the loss of open space is to be replaced. The applicant has not provided an Open Space Assessment and as such, no evidence has been provided to indicate that the open space is no longer required.

Residential amenity impacts

7.111 Policy QOP 2 (Good design and amenity) states that development will be required to provide a high standard of amenity for existing and future users of the development itself and not cause unacceptable harm to the amenity of those living in, working in or visiting the local area. Development proposals will need to ensure that the specific criteria are met, including requiring the physical presence and design of the development to preserve the character of the area and not have a visually obtrusive or overbearing impact on neighbouring uses, while outlook from habitable areas of the development is not oppressive and the best outcomes for outlook are achieved wherever possible. Also, appropriate levels of privacy, according to the use of buildings and spaces, are required to be incorporated into the design of the new development and are not unacceptably harmed in existing neighbouring development. Furthermore, it is required that there are no unacceptable adverse impacts from noise, disturbances and any other harmful effects, resulting from either the development or from neighbouring uses on the development.

7.112 It is considered that the proposed development is generally acceptable with regard to the residential amenities of the future occupants of the proposed development.

7.113 The proposed vehicular access would be taken through an existing, relatively quiet cul-de-sac known as Rivergreen. This will inevitably result in additional traffic and some noise disturbance for the occupants of those adjoining residential properties. However, the Council's Public Protection Team has raised no issues relating to noise associated with the proposed development, and on balance it is considered that any residential amenity impacts associated with the introduction of the proposed vehicular access to the development site through Rivergreen will not be sufficient to warrant the refusal of the planning application on residential amenity grounds.

7.114 However, there are concerns relating residential amenity impacts associated with the location, scale, massing and height of the proposed Independent Support Living Block, which would be located in close proximity to a number of existing dwellings located to the west (namely Riverside Park) and south of the residential block (namely Wellbank).

7.115 The applicant has submitted amended proposals in order to reduce the impact of this residential block by removing part of the third storey on the western side of the block, so that the block is now a mixture of three and two storeys. The amended proposals also remove balconies from the western elevation facing towards Riverside Park. Such amendments have provided a significant improvement to the impact of the proposed development on the residential amenities of those nearby residential properties.

7.116 The proposed three storey element on the eastern side of the building would have a height of approximately 13.9 metres and the two storey element on the western side of the building would have a height of approximately 10.2 metres. The block would have a length of approximately 71.5 metres (with the rear elevation facing towards the bowling green and the residential property of Wellbank). The western wing (facing the residential properties of Riverside Park) would have a length of approximately 42 metres.

7.117 The proposed rear elevation of the ISL Block would be located approximately 25 metres from the rear elevation of Wellbank, although Wellbank is located at the end of the block. The rear elevation of Wellbank contains habitable room windows. The rear elevation of the ISL Block would have a height of approximately 10.2 metres and an overall length of 71.5 metres, with the eastern part increasing in height to 13.9 metres to accommodate a third storey. The rear elevation of the ISL Block contains balconies, with the most westerly first floor balcony facing towards Wellbank. There are therefore concerns relating to the impact of the proposed development on the residential amenities of the occupants of Wellbank, including overlooking and loss of privacy associated with the first floor windows and balconies within the proposed ISL Block, and also the overbearing impact of being located so close to the mass and bulk of such a large building. Such separation distances may have been acceptable if the proposed development related to dwelling houses of a more domestic scale. However, the impact of being located in such close proximity to the large ISL Block are more harmful.

7.118 The proposed western elevation of the ISL Block would be located approximately 30 metres from the rear elevation of No. 11 Riverside Park, and 21.0 metres from the corner of No. 10 Riverside Park, which is at an oblique angle to the proposed development. This western elevation has been amended to two storeys in height and has an overall height of approximately 10.2 metres. The western wing

(facing the residential properties of Riverside Park) would have a length of approximately 42 metres. The amendments proposed with regard to this western elevation have resulted in significant improvements to the impact of the development on the visual amenities of the residents of Riverside Park. However, there are still concerns relating to the overall bulk and mass of such a development given its height of 10.2 metres and its length of 42 metres.

7.119 As such, it is considered that the proposed development will cause harm to the occupants of nearby residential properties with regard to the physical presence and design of the ISL Block, which will have a visually obtrusive or overbearing impact on neighbouring uses, and also privacy issues.

7.120 Although the applicant has provided some site sections, this information is not detailed, and it does not provide existing and proposed levels sections across the site to indicate the impacts of the proposed ISL Block on the nearby residential properties of Wellbank or Riverside Park. It is considered that insufficient information has been provided with regard to site levels and site sections to ascertain the overall impact of the development on the residential amenities of the occupants of Wellbank and Riverside Park. In addition, as explained above, the whole scheme may well need to be redesigned to provide a lifetime of development of 100 years rather than 65 years as currently designed in order to accommodate flood risk within Flood Zone 3, and this may require finished floor levels to be provided at a higher level. Should this be the case, then any increase in the height of the buildings would inevitably have a more adverse impact on the residential amenities of the area, including impacts on the occupants of Riverside Park and Wellbank.

7.121 Nevertheless, based on the information provided, it is considered that the proposed ISL Block, due to its height, form, scale and massing, design and proximity to existing nearby residential properties, would result in a development with a physical presence and design that would have a visually obtrusive and overbearing impact on the neighbouring residential uses and loss of privacy and would therefore have an unacceptable impact on the residential amenities of the occupiers of nearby residential properties.

7.122 As such, the proposed development would be contrary to the NPPF and Policy QOP2 (Good Design and Amenity) of the Northumberland Local Plan, which requires developments to provide a high standard of amenity for existing and future users of the development itself and not cause unacceptable harm to the amenity of those living in the local area.

Highway safety/transportation matters

7.123 Notwithstanding the concerns raised above with regard to impact of the proposed vehicular access road on the visual amenities of the area, and in particular, The Braid, it is necessary to assess the development in terms of matters such as highway safety and parking provision.

7.124 The NPPF at paragraph 111 states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

7.125 The above requirements are reflected also in NLP Policy TRA2 (The effects of the development on the transport network) and TRA 4 (Parking provision in new development).

7.126 The Council's Highways Development Management Team have been consulted on the proposed development and they have no objections. They have advised that this development will not have a severe impact on highway safety, and there are no objections in principle to residential development on the site. It is considered that the proposal is in accordance with the NPPF in highways terms, and the principle of development is acceptable. Revised plans have been received and the Transport Statement upgraded to a Transport Assessment. There are however minor changes to the scheme that will be required but can now be secured by condition.

Transport Assessment (TA) and Highway Safety

7.127 The TA has been assessed and the general concept of the development would not have an adverse impact on the highway network in terms of safety or capacity. It can be seen from the Junction Capacity Assessment in the TA that RFC falls well below the threshold of an RFC of 0.85, with the junction operating within capacity. It is noted that the trip rates for the worst case scenario are not significantly higher to cause detrimental capacity issues to the network and therefore this is acceptable.

7.128 With regards to the collision data, sufficient details have been provided, which indicates there is no pattern of incidents that highlight a significant safety concern that warrants further mitigation.

7.129 The applicant has provided full tracking designs for both Rivergreen and the internal layout of the scheme and both show little conflict that will cause harm to the adopted highway, and it is understood the internal site is to remain private.

7.130 The applicant has also shown tracking for the indicative haul road off the A1068 Marina access; however, the applicant will need to produce a fully scoped Framework Construction Management Plan and Method Statement together with a supporting plan, as this route is a known cycle route (NCR1) and walking route for residents and visitors and there needs to be an appropriate scheme that protects the safety of all users; this will be conditioned.

7.131 The applicant has presented ATC data and visibility splay drawings as part of the TA, it is also noted that visibility from Rivergreen has previously been accepted and the adopted highway at Rivergreen is already in use, with no collisions recorded in the vicinity of Rivergreen in the latest 5-year period on the A1068 to indicate a pattern of road safety concern, as such that this is acceptable.

7.132 The Highways Development Management Team notes that there has been no mention of any of the requested off-site highway works on the Proposed Site Plan, which were outlined within both the original response, however Appendix F of the TA identifies a pedestrian link which doubles as a cycle link and improvements to North Street, together with other off-site highway works. These will be requested by planning condition and will be assessed as part of a Section 278 agreement.

7.133 The development site is well connected, being next to a National Cycle Route, Public Rights of Way and will have a direct access onto North Street which is located within the Town Centre of Amble. A scheme of works will be required to be secured by condition for access to bus stops, including the upgrading to level access kerbing on High Street and pedestrian dropped kerbs also required along the footway routes to the bus stops, where not presently available. A full scheme of off-site highway works is detailed within the conditions, in order to ensure a satisfactory and safe means of access to the site is secure, and in the interests of pedestrian safety, amenity and encouraging sustainable modes of travel.

Travel Plan

7.134 The Travel Plan is acceptable. However, cycle parking and EV charging points are required to be secured by condition.

Internal Site Layout

7.135 The original site layout has been amended, with the road layout being generally very similar with the widths and provision of footways remaining the same. Car parking will be a main focal point of this assessment as the full numbers have been provided within the TA which will be:

- C3 Dwelling Use - 45 spaces for residents and 11 visitor parking spaces
- ISL Care Facilities – 17 spaces for residents, 20 spaces for visitors, 3 staff spaces and 2 disabled spaces.

7.136 The C3 use numbers have seen a number of objections raised from members of the public and residents who reside within the Town. The concerns outlined include whether providing less than half of the requirement of parking identified under the Local Plan Appendix E standard will impact on facilities and the highway network around Amble.

7.137 The applicant has sought to demonstrate parking requirements against each of the points in Policy TRA 4 of the Local Plan. Amble is considered to be a Main Town within the Local Plan which identifies as having good connectivity in terms of cycling, walking and public transport as well as retaining a good number of facilities without the need of travelling outside of the Town. This includes shopping facilities, schools and doctor surgeries.

7.138 The Highways Development Management Team are considering developments, where suitable, to reduce the number of car parking spaces on site to potentially negate the requirement of owning a vehicle, as well as providing EV charging facilities per unit and cycle parking. In addition, consideration has been given to the element of independent supported living as part of these proposals.

7.139 In terms of this development, TRA 4 Paragraph 2 enables the decision makers to consider and give weight to exceptional circumstances with regards to car parking and based on the proposals put forward, where it is located, the level of connectivity, the Northumberland Climate Change Action Plan and on the understanding that it is not proposed to offer the internal road layout for adoption, the level of car parking can be considered acceptable on this basis. It is also noted the applicant has sought to provide suitable parking bays to address emergency access on site such as through the provision of an ISL drop off/service bay, fire engine access and

ambulance bay. A Car Parking Management Strategy is conditioned in the interest of preventing any indiscriminate parking and in the interest of highway safety.

7.140 The Highways Development Management Team would note that the design for the Visitor Parking (VP) bays outside plots 1-8 seems to be shorter at one end than being continuous as per other bays on site and therefore minor amendments are required to the plan, to achieve a better entry/egress taper and for all visitor parking to accord to the dimensional requirements found in Appendix E of the Local Plan. Likewise, the VP bays close to Plots 21 and 22 require minor amendments and should measure a minimum of 2.5 x 5m, which will be secured via condition.

7.141 Subject to these minor revisions, it is advised that no unit shall be occupied until the car parking area associated with that unit, as indicated on the approved drawings, has been constructed, and thereafter shall be retained and used for the parking of vehicles associated with each unit.

7.142 Cycle parking for all units have not been clearly identified on the proposed site plan and will be conditioned in the interest of promoting sustainable modes of travel.

7.143 EV charging has been detailed on the Proposed Site Plan, although noting some points are close to the access to the units; no EV charging infrastructure shall overhang any pedestrian access or footpaths within the site in the interest of pedestrian safety, therefore, amendments will be secured via condition.

7.144 It is therefore considered that the revised proposed development of 104 units on this site is in accordance with the NPPF and will not have a severe impact upon highway safety, subject to the imposition of conditions with regards to boundary treatment, external lighting, external materials for private roads and driveways, implementation of car parking, a car parking management strategy, temporary vehicular access, completion of highway works before occupation, estate street phasing and implementation plan, management and maintenance of estate streets, details of cycle parking, details of surface water drainage to manage run off from private land, EV charging, access, external refuse, and the impacts during the construction phase will address any concerns with the proposed development. Informatives suggested include Section 278 Agreement and highway works and a highways condition survey, contact with The Local Highway Authority, Traffic Management and the Lighting Section, a reminder not to store materials and equipment on the highway, or to deposit mud/debris on the highway, and the need to undertake road safety audits.

Fire Service

7.145 The Fire and Rescue Service has confirmed that they have no objection in principle to the proposed development and that more detailed comment can be given once plans of the development have been finalised.

7.146 Subject to the above conditions suggested by the Highways Development Management Team, the proposed development is considered to be acceptable with regard to highways safety and parking and is in accordance with Policies TRA 2, TRA4 and the NPPF.

Ecology

1.147 Policy ENV 2 (Biodiversity and Geodiversity) requires development to be acceptable with regard to their impacts on biodiversity and geodiversity.

7.148 The Council's Ecology Team and Natural England have been consulted on the proposed development.

Appraisal

7.149 This application is supported by an updated ecology report. Specific surveys undertaken include a Phase 1 Habitat Survey, otter/water vole survey, wintering bird survey, breeding bird survey and bat activity surveys.

7.150 Within the proposal the developed area is predominantly south of the watercourse known as The Gut, this area is currently a mosaic of habitats including scrub, tall ruderal vegetation and trees, part of which is previously developed land. North of The Gut neutral semi-improved grassland (The Braid) will be impacted by the creation of the access road and a temporary construction road.

7.151 All semi-natural terrestrial habitats on the main development Site will be lost apart from the vegetation on the banks of The Gut. It is proposed that the loss of habitats on site will be offset through a mix of measures within the development including native species landscaping and habitat features such as bat roosting and bird nesting boxes. The grassland on the Braid will be restored following removal of the temporary access road

7.152 In addition, having regard to providing a measurable net gain for biodiversity, it is proposed to create wetland habitats off-site on land between The Gut and the access road and to enhance/create an area of 1.37ha habitat off-site around Guilders Burn west of the A1068. The total net gain has been quantified using the Defra Biodiversity Net Gain Metric v.3.0 and demonstrates that a net gain of 11.21% can be achieved. This meets the NPPF and Local Plan objectives and is in line with the Government's proposal for developments to provide 10% net gain.

The proposed habitat features include:

- 28 integrated bat roosting opportunities (e.g., bat boxes)
- 23 integrated bird boxes
- 17 deadwood piles
- 7 amphibian hibernacula
- 12 hedgehog houses, and garden fences with cut-outs for hedgehog access.

7.153 Surface water is to be managed through on-site SuDS before discharging into The Gut. Open swales, an attenuation basin and permeable paving will provide surface water treatment through infiltration, and in addition it is proposed to use a petrol interceptor to treat contaminants associated with car parking areas. Subject to satisfying the LLFA's requirements this should be secured through planning condition.

7.154 The Water Framework Directive actively promotes de-culverting of watercourses. It is considered that the use of a bridge over The Gut rather than culverting would be beneficial for biodiversity. However, the Ecology Team would not object to the culvert; however, they defer to the EA's expertise in this regard.

Designated sites

- European Sites

7.155 European sites (SPA/SAC) are protected by the Conservation of Habitats and Species Regulations 2017 as amended (known as the Habitats Regulations). Due to the proximity and potential impact to internationally important sites, Northumberland County Council has carried out a habitats regulations assessment (HRA), to test if the proposal could significantly harm the designated features of a European site.

7.156 Mitigation for increased recreational impacts can be delivered through the strategic Coastal Mitigation Service. Due to the distance and land use (marina and built development) between the site and the Coquet Estuary the impact of noise, vibration and visual disturbance during construction would not be significant and potential pollution (dust, water) can be controlled through the use of Construction Environmental Management Plan. Water quality impacts during operation will be avoided and mitigated through the use of SuDS combined with distance to designated sites and dilution effects of the marine environment.

7.157 Following the appropriate assessment and the consideration of all mitigation measures it has been ascertained that the proposal would not adversely affect the integrity of any European site.

- National Sites

7.158 Consideration has been given to whether the proposed development would be likely to have an adverse effect on Sites of Special Scientific Interest (SSSI).

7.159 The site is located within 5km of the Warkworth Dunes and Saltmarsh SSSI, Alnmouth Saltmarsh and Dunes SSSI, Hadston Links SSSI, Coquet Island SSSI and Low Hauxley Shore SSSI and Northumberland Shore SSSI. The assessment of impacts on the qualifying habitats and species of the coastal SSSIs follows the same process as for the SPAs and SACs. Adverse impacts on the SSSIs will be avoided through mitigation provided by the Coastal Mitigation Service and a planning condition requiring a Construction Environmental Management Plan.

- Local Sites

7.160 The Amble to Alnmouth Coast non-statutory Local Wildlife Site is c.200m north of the residential development site, and adjacent to the temporary construction road. This LWS designation is focused around the estuarine and coastal habitats in this location, and the species which they support. Adverse impact on the LWS will be avoided through mitigation provided by the Coastal Mitigation Service and a planning condition requiring a construction environmental management plan.

Coastal Mitigation Service

7.161 As this is a proposed residential development within 10km of the coast, consideration will need to be given to the impact of increased recreational disturbance to bird species that are interest features of the coastal SSSIs and European sites and increased recreational pressure on dune grasslands which are similarly protected.

7.162 When developers apply for planning permission for new residential development within the coastal zone of influence, the LPA must ensure that the development will not have adverse impacts on designated sites.

7.163 Contribution to the Coastal Mitigation Service enables a conclusion of no adverse effect on site integrity to be reached when a planning application is subject to appropriate assessment, without the developer having to commission any survey or mitigation work. Similarly, it enables a conclusion of no adverse effect on the interest features of coastal SSSIs. The contribution for major developments (10 or more units) is set at £615 per unit within 7km of the coast, and so the contribution in this case, calculated on 104 units, will be £63,960. This is to be secured by a S.106 agreement payable on first occupation.

7.164 The Council's Ecology Team have no objection to the proposed development subject the required contribution to the Coastal Mitigation Service and to conditions, including securing the SuDS and petrol interceptor for water quality, securing delivery of the on-site landscape proposals as submitted or requiring detailed planting specification based on the landscape proposals as submitted, a Construction Environmental Management Plan (Biodiversity), details of a sensitive lighting scheme, inclusion of Biodiversity Enhancement Features (in-built bat boxes, integrated bird boxes, deadwood piles, amphibian hibernacula and hedgehog houses), an ecological design strategy (EDS) addressing the on and off-site habitat creation and enhancement and which provides a minimum of 10% measurable biodiversity net gain.

7.165 Natural England have no objection relating to Designated Sites (European) subject to securing appropriate mitigation for recreational pressure impacts.

7.166 Providing that the appropriate assessment concludes that the measures are secured as planning conditions or obligations to ensure their strict implementation for the full duration of the development, and providing that there are no other likely significant effects identified (on this or other protected sites) as requiring to be considered by your authority's appropriate assessment, Natural England indicates that it is likely to be satisfied that the Ecology Team's appropriate assessments will be able to ascertain that there will be no adverse effect on the integrity of the European Site (from recreational pressure in view of its conservation objectives). Natural England will likely have no further comment regarding the Appropriate Assessment, in relation to recreational disturbance.

7.167 The Northumberland Wildlife Trust have submitted a holding objection, based on the disruption of The Braid, impact on statutory designated sites and Local Sites, the need for a HRA and effects on barn owls and effects on bats. These matters have all been considered by the Council's Ecology Team.

7.168 As such, notwithstanding the Environment Agency's request for a Water Framework Directive Assessment, the proposed development is considered to be acceptable with regard to its impacts on biodiversity and in this respect is in accordance with the NPPF and the Policy ENV 2 of the Northumberland Local Plan.

Archaeology

7.169 Policy ENV 7 (Historic Environment and heritage assets) requires developments to conserve and enhance the significance of heritage assets, and

proposals, which will affect a site of archaeological interest, or a site which has the potential to be of archaeological interest, to provide an appropriate desk-based assessment and, where necessary, a field evaluation.

7.170 The Council's Archaeology Team has been consulted on the proposed development and they have advised that the risk of significant unrecorded archaeological remains being damaged or disturbed by the proposed development is low. There are no objections to the proposed development on archaeological grounds and no archaeological work is recommended. As such, in this respect the proposals are considered to be in accordance with the NPPF and Policy ENV 7 of the Northumberland Local Plan.

Land Contamination

7.171 Policy POL 1 (Unstable and contaminated land) states development will be supported where it can be demonstrated that unacceptable risks from land instability and contamination will be prevented.

7.172 The Council's Public Protection Team has been consulted on the proposed development and they have advised that a revised Phase I report recommends that further intrusive works (Phase II works) are required onsite, this is of particular importance due to the quoted anecdotal evidence that asbestos contamination may be present on site and that the previous 2011 Phase II works did not include the South Eastern area of the current site area which is likely to consist of a substantial depth of Made Ground due to the former site use.

7.173 The Coal Authority's Consultant's Mining report has stated that there is no probable unrecorded workings underneath the site, nor is there any recorded past underground mining despite the presence of an outcrop – a condition requiring the installation of gas protection measures in all buildings is proportionate to control the potential risk to human health from gas ingress.

7.174 The Public Protection Team have no objection to the proposed development subject to the inclusion of conditions, including restriction on noisy working hours during the construction period, restriction on construction deliveries and collections, the submission of a dust management plan, the submission of a ground gas protection report, the submission of validation and verification of ground gas protection reports, the submission of measures to deal with contamination not previously discovered, the submission of a scheme to deal with any contaminated land or pollution of controlled waters (including a Site Investigation and a Remediation Strategy) and the submission of a contaminated land verification report.

7.175 Subject to the above conditions, if the proposals are considered to be acceptable with regard to land contamination and are in accordance with the NPPF and Policy POL 1 of the Northumberland Local Plan.

Coal Mining Legacy

7.176 The Coal Authority has been consulted on the proposed development. The application site falls within the Coal Authority's defined Development High Risk Area. Therefore, within the site and surrounding area there are coal mining features and hazards which need to be considered in relation to the determination of this planning application.

7.177 The Coal Authority has advised that more specifically, the Coal Authority's information indicates that the site lies in an area where coal seams outcrop at or close to the surface. These seams may have been subject to historic unrecorded mining activity. Voids and broken ground associated with such workings can pose a risk of ground instability and may give rise to the emission of mine gases.

7.178 The planning application is accompanied by a Geo-Environmental Desk Study. Based on a review of relevant sources of coal mining and geological information, the submitted report concludes that possible unrecorded mine workings associated with several outcropping coals seams of workable thickness pose a mineral stability risk to the proposed development. Accordingly, the report recommends that intrusive site investigations should be carried out in order to gain an understanding of the risk of mineral instability posed by any unrecorded mine workings present beneath the site.

7.179 The Coal Authority welcomes the recommendation for the undertaking of intrusive site investigations. They concur with the conclusions and recommendations of the that coal mining legacy potentially poses a risk to the proposed development and that investigations are required, along with possible remedial measures, in order to ensure the safety and stability of the proposed development.

7.180 As such, should planning permission be granted for the proposed development, they have recommended a condition requiring that no development shall commence until a scheme of intrusive investigations has been carried out on site to establish the risks posed to the development by past coal mining activity; and any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, have been implemented on site in full in order to ensure that the site is made safe and stable for the development proposed. They also recommend a condition requiring prior to the occupation of the development, or it being taken into beneficial use, a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development.

7.181 The Coal Authority therefore has no objection to the proposed development subject to the imposition of the above conditions.

Climate Change and Sustainable Development

7.182 The NPPF (paragraph 14) seeks to achieve sustainable development through overarching objectives including environmental objectives. The environmental objective - to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

7.183 Local Plan Policy QOP1 sets out a number of design principles. Proposals will be supported where design makes a positive contribution to local character and distinctiveness, creates or contributes a strong sense of place, incorporates high quality materials, respects and enhances the natural and built environment, including heritage, ensures that buildings are functional for future uses, supports health and wellbeing and enhances quality of life, protect general amenity, supports positive social interaction, incorporates where possible green infrastructure, mitigates climate change and ensures the longevity of the buildings and spaces.

7.184 Local Plan Policy QOP 5 relates to sustainable design and construction. In order to minimise resource use, mitigate climate change, and ensure development proposals are adaptable to a changing climate, proposals will be supported where they incorporate passive design measures which respond to existing and anticipated climatic conditions and improve the efficiency of heating, cooling, ventilation and lighting amongst other matters.

7.185 Policy STP 3 (Principles of Sustainable development) requires developments to minimise waste, demonstrate high quality sustainable design, be located in areas which are least vulnerable to climatic impacts such as risk from all sources of flooding and rising sea levels; and that anticipated impacts, including those from climate change, on the historic and natural environment, including landscape, biodiversity, ecosystems and water resources should be avoided by locating development elsewhere, adequately mitigated, or as a last resort, adequately compensated for.

7.186 The applicant's Design and Access Statement includes a section on sustainable design. It states that "the scheme design is aiming towards the RIBA 2025 climate target to reduce the impact of the development on the environment. Measures provided include ensuring dwellings are well insulated, energy is supplied from renewable sources and materials are locally sourced."

7.187 It further adds that "The new development on this site will be based on a strategy that will secure a low carbon development that is consistent with wider policy ambitions to reduce the use of energy from non renewable resources and reduce carbon emissions as part of a broader strategy to counter global warming."

7.188 In addition, it states "The adoption of sustainable construction is a key component of sustainable development, and key to minimising the environmental impact of new development.

7.189 The Design and Access Statement states that a 'Fabric First' approach will help to 'future proof' the buildings, by focusing attention on those elements of the building, such as wall insulation, that are difficult to upgrade retrospectively. Specific measures will include:

- Use of high efficiency, low emission heating systems;
- Adoption of a 'Fabric First' approach that embodies high levels of thermal insulation as a means to achieve long term energy efficiency;
- Use of 'accredited details' to achieve high levels of airtightness ;
- A co-ordinated approach to the design of heating systems and building insulation, targeting reductions in energy usage ;
- Measures to reduce water consumption, including dual/low flush WC's and reduced flow taps;
- Use of sustainable drainage to control run off from the site;
- Management of waste during the construction process, including the adoption of a Waste Management Plan;
- Considered orientation of plots and design of windows, balancing aesthetic considerations with the need to use natural daylight and solar gain to reduce use of artificial lighting and heating;
- Provision of mechanical ventilation in accordance with Building Regulation requirements to minimise the risk of condensation
- Appropriate controls to heating systems, helping to minimise energy use;
- Installation of low voltage lighting fittings;
- Potential for the installation of smart metering, enabling residents to monitor and control energy usage;

•Responsible sourcing of materials and use of non-toxic materials; •Avoidance of materials that embody high energy use or carbon emissions

7.190 The Design and Access Statement concludes that “Overall, the aim will be to develop the site in an environmentally and socially responsible manner that embodies the principles of sustainable development.”

7.191 However, as mentioned above within the Principle of Development and Flood Risk Sections, a major concern with regard to this proposed development is that it has been designed with a lifetime of only 65 years, rather than 100 years as required by the NPPF. Although the above sustainable construction measures are appropriate, it is considered that constructing a major residential development with a lifetime design of only 65 years would not result in a sustainable form of development.

7.192 As such, it is considered that the proposed development would not be constructed in accordance with the requirements of the NPPF or Policies QOP1, QOP5 and STP3 of the Northumberland Local Plan.

Other Matters

Crime and the Fear of Crime

7.193 The Police Architectural Liaison Officer has been consulted on the proposed development. They have some concerns relating to the rear boundary treatments, especially those for the Independent Supported Living Block (ISLB) and Apartment A4/A3, and they have also sought clarification on lighting. Such issues raised relating may be dealt with by including planning conditions requiring such details to be submitted and approved.

Planning Obligations

7.194 Should the application be approved, planning obligations will be required in accordance with Policy INF6 of the Northumberland Local Plan.

Health

7.195 The NHS North East and Cumbria ICB have advised that a single payment of £48,300 is required from the developer as a Section 106 contribution to allow a smooth implementation of the required surgery capacity expansion, and this should be on completion of the first dwelling to ensure the new health capacity is in place as the apartments are occupied.

Education

7.196 The Council’s Education Schools Service have advised that under the Council's calculation method for assessing the impact on SEND educational infrastructure, the number of dwellings proposed in this development would have an impact on SEND educational infrastructure as a result of 1 student yielded from the development a contribution of £99,000 would be requested should this development be approved.

Coastal Mitigation Service

7.197 The contribution for major developments (10 or more units) is set at £615 per unit within 7km of the coast, and therefore the contribution in this case, calculated on 104 units, will be £63,960. This is to be secured by a S.106 agreement payable on first occupation.

Affordable Homes

7.198 5no. Affordable homes will be required.

Open Space

7.199 Policy INF 5 requires the development to be adequately served by open space and provision for children and young people in accordance with the standards set out in Appendix H1 of the Local Plan. The need for maintenance and the repair and replacement, as necessary, of facilities and associated infrastructure over a reasonable period of time must also be recognised and secured.

7.200 Some of this provision should be on site, such as amenity green space and natural and semi-natural green space (or at least partly on-site with a financial contribution for any shortfall). However, the parks and gardens elements and provision for children and young people are likely to be provided off-site and will be required to be provided via planning obligation.

Equality Duty

7.201 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

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

Human Rights Act Implications

7.203 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.

7.204 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.

7.205 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 proposed development is located within the settlement boundary of Amble. As such, the principle of the residential development of the site may potentially be supported by the policies in the development plan and material considerations.

8.2 However, any decision would need to take in consideration the fact that there is already a plentiful supply of housing land identified to meet the area's future housing requirements and Northumberland has therefore more than satisfied the NPPF objective of significantly boosting the supply of housing. Therefore, the presumption in favour of sustainable development and 'tilted balance' does not apply in this case.

8.3 Due to the site being located predominantly within Flood Zone 3, it is necessary to consider whether it is appropriate to develop the site for residential purposes, or whether the development could be located on an alternative site that is less at risk of flooding. The proposed development of this site would therefore need to satisfy the Sequential Test and Exception Test with regard to a "more vulnerable" use being located within an area with a high probability of flooding. However, the applicant has not provided a Sequential Test.

8.4 The applicant has not carried out a Sequential Test to demonstrate a sequential, risk-based approach has been followed to steer new development to areas with the lowest risk of flooding, and therefore they have not demonstrated that the proposed development could not be located on an alternative site that is less at risk of flooding.

8.5 The applicant has provided an Exception Test (that should have been provided following the completion of a Sequential Test), which concludes that there are no sequentially preferable sites available in lower flood risk areas without constraints that meet the aims of the development. They consider that the proposed development provides wider sustainability benefits for the community that outweigh flood risk. They also state that a site specific Flood Risk Assessment has been undertaken to meet the second condition of the exception test, recommending that mitigation measures should be provided to ensure that the development is safe and will not increase flood risk elsewhere. As such, the applicant considers the proposal passes the requirement of the sequential test and fulfils the two conditions of the exception test.

8.6 However, this conclusion is questioned, because firstly, there does not appear to have been a sequential test carried out with regard to the consideration of alternative

sites in areas less at risk of flooding. Secondly, the wider sustainability benefits of the development as listed by the applicant do not appear to outweigh the risks associated with providing such a residential development within Flood Zone 3

8.7 Furthermore, the development has only been designed in terms of flood risk for a lifetime period of 65 years, rather than for 100 years as required by the NPPF, and the details of the applicant's Flood Risk Assessment are not accepted by the Lead Local Flood Authority or the Environment Agency. As such, it is questionable as to whether the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere.

8.8 It is considered that the applicant has provided an inadequate flood risk assessment and drainage strategy that does not adequately assess or address the flood risks posed by the development. Furthermore, the development has been designed with a lifetime of 65 years which is contrary to the requirements of the NPPF. As such, the proposed development is contrary to Policies STP3, WAT 3 and WAT 4 of the Northumberland Local Plan.

8.9 It is considered that the proposed vehicular access across the Braid, together with the introduction of vehicular movements, would result in a visually intrusive form of development that would be out of character with the open landscape character of this area and change the overall nature and use of the Braid. As such, it would result in unacceptable harmful impacts on the visual amenities of The Braid itself and the wider setting of the Northumberland Coast AONB. The introduction of the proposed road would not only impact on the users of the Braid; it will also impact on the visual amenities currently enjoyed by nearby residential properties as a consequence of the views to the east being interrupted by the new road and associated traffic.

8.10 Given the above impacts on the character and appearance of the area, including the open space of The Braid, the Northumberland Coast AONB and the Amble Conservation Area, it is considered that the proposed development would not make a positive contribution to local character and distinctiveness, contribute to a positive relationship between built and natural features or contribute to a strong sense of place. It would not integrate the built form of the development with the site overall, and the wider local area. It would not be visually attractive and incorporate high quality materials and detailing; respect and enhance the natural, developed and historic environment, including heritage assets, and any significant views or landscape setting. Nor does the proposed access road across The Braid conserve or enhance the setting of the Northumberland Coast Area of Outstanding Natural Beauty. As such the proposed development would be contrary to Policy QOP 1 and ENV 5.

8.11 In addition, it is considered that the development would not enhance or reinforce the local distinctiveness of the conservation area, and it does not better reveal its significance. As the harm is less than substantial, this needs to be weighed against any public benefit that the same development may make. However, notwithstanding the benefits that may be afforded by the Independent Support Living Apartments, given that no further residential development is required in Amble, and the fact that the proposed development would be located in an area of significant flood risk, it is not clear that the public benefit of the scheme would outweigh this identified harm. As such, it is considered that the proposed development would be contrary to Policy ENV 9 (Conservation Areas).

8.12 The proposed construction of the access road will result in the loss of an area of open space within the Braid. As such, even though the open space on which the proposed road is to be constructed is not in itself designated as Protected Open Space, Policy INF 5 nevertheless requires evidence that it is either surplus to requirements or that the loss of open space is to be replaced. The applicant has not provided an Open Space Assessment and as such, no evidence has been provided to indicate that the open space is no longer required.

8.13 Based on the information provided, it is considered that the proposed ISL Block, due to its height, form, scale and massing, design and proximity to existing nearby residential properties, would result in a development with a physical presence and design that would have a visually obtrusive and overbearing impact on the neighbouring residential uses and loss of privacy and would therefore have an unacceptable impact on the residential amenities of the occupiers of nearby residential properties. As such, the proposed development would be contrary to the NPPF and Policy QOP2 (Good Design and Amenity) of the Northumberland Local Plan, which requires developments to provide a high standard of amenity for existing and future users of the development itself and not cause unacceptable harm to the amenity of those living in the local area.

8.14 The applicant has not provided a Water Framework Directive Assessment as required by the Environment Agency. As such, the Local Planning Authority is unable to conclude that the proposed development would be compliant with the WFD and Northumbria River Basin Management Plan.

8.15 The proposed development requires a Section 106 legal agreement covering Coastal Mitigation, Health, Education, Open Space and Affordable Housing to make it acceptable in policy terms. In the absence of a suitable agreement, granting planning permission would be contrary to Regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended), Policy INF 6 of the Northumberland Local Plan and the NPPF.

8.16 The planning application is therefore recommended for refusal.

9. Recommendation

That this application be REFUSED permission subject to the following:

Reasons

Sequential and Exception Test

01. The application site is located within Flood Zones 2 and 3 and in accordance with the NPPF, the applicant is required to carry out a Sequential Test in order to demonstrate that a sequential, risk-based approach has been followed to steer new development to areas with the lowest risk of flooding, and that a “more vulnerable” residential development could not be located within an area less at risk of flooding. However, the applicant has not provided a Sequential Test, and as such, they have been unable to demonstrate that the proposed development has to be located on this site. In addition, the applicant’s Exception Test does not adequately demonstrate that the proposed development that has to be in a flood risk area will provide wider sustainability benefits to the community that outweigh flood risk. Furthermore, the Exception Test has not adequately demonstrated that the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood

risk elsewhere, and, where possible, will reduce flood risk overall. As such, the proposed development is contrary to Policies STP 3 and WAT 3 of the Northumberland Local Plan and the NPPF.

Flood Risk and Drainage

02. The applicant has provided insufficient information with regard to drainage and flood risk, and the Local Planning Authority is therefore unable to fully assess the impact of the proposed development on drainage and flood risk issues or conclude that it would not have an unacceptable impact on drainage and flood risk within the local area. In addition, the applicant has not provided sufficient evidence to demonstrate the design of the development with a 65 year life span is acceptable, given that the requirement is for a lifespan of 100 years.

The Local Planning Authority is therefore unable to conclude that the proposed development would not have an unacceptable impact on drainage and flood risk. As such, the proposed development is contrary to Policy WAT 3 (Flooding) and WAT 4 (Sustainable Drainage Systems) of the Northumberland Local Plan and the NPPF.

Impact of Proposed Vehicular Access on Character and Appearance of the Area, including the Braid and the Northumberland Coast AONB

03. The construction of the proposed vehicular access road across The Braid area of open space in order to serve the proposed residential development, together with the introduction of relatively high levels of additional traffic, would by reason of its location across The Braid, result in an incongruous form of development that would have a harmful impact upon the nature, use, character and visual appearance of The Braid as an area of quiet, peaceful informal open space that is currently devoid of traffic, and it would cause unacceptable harm to the visual and recreational amenities of this area. The proposed vehicular access road would also have a harmful impact on the setting, and views from, the nearby North Northumberland Coast AONB.

As such, the proposed development would be contrary to the NPPF and Strategic Policy QOP1 (Design Principles) of the Northumberland Local Plan, which requires developments to make a positive contribution to local character and distinctiveness, contribute to a strong sense of place and integrate the built form of the development with the site overall and the wider local area, be visually attractive and not to cause unacceptable harm to the amenity of existing and future occupiers of the site and its surroundings. The proposed development would also be contrary to Policy ENV5 (Northumberland Coast Area of Outstanding Natural Beauty), which requires developments to conserve and enhance the special qualities of the AONB.

Impact of Proposed Development on Amble Conservation Area

04. The proposed development, by reason of its design, height and use of materials, would not enhance or reinforce the local distinctiveness of the Amble Conservation Area, and it does not better reveal its significance. As the harm is less than substantial, this needs to be weighed against any public benefit that the same development may make. However, notwithstanding the benefits that may be afforded by the Independent Support Living Apartments, given that no further residential development is required in Amble, and the fact that the proposed development would be located in an area of significant flood risk, it is not clear that the public benefit of

the scheme would outweigh this identified harm. As such, it is considered that the proposed development would be contrary to Policy ENV 9 (Conservation Areas).

Residential Amenity

05. The proposed development, by reason of its height, form, scale and massing, design and proximity to existing nearby residential properties, would result in a development with a physical presence and design that would have a visually obtrusive and overbearing impact on the neighbouring residential uses, a poor outlook and loss of privacy and would have an unacceptable impact on the residential amenities of the occupiers of nearby residential properties.

As such, the proposed development would be contrary to the NPPF and Policy QOP2 (Good Design and Amenity) of the Northumberland Local Plan, which requires developments to provide a high standard of amenity for existing and future users of the development itself and not cause unacceptable harm to the amenity of those living in the local area.

Loss of Open Space

06. The proposed vehicular access road across The Braid area of open space would result in the loss of part of the open space. Policy INF 5 (Open space and facilities for sport and recreation) states that the loss of open spaces defined on the Policies Map, or other existing open space, will not be supported unless an assessment has been undertaken which has clearly shown the open space to be surplus to requirements or the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location. As the applicant has not submitted an Open Space Assessment, the Local Planning Authority is unable to ascertain whether that part of the open space is no longer required. As such, the proposed development is contrary to Policy INF 5.

Water Framework Directive Assessment

07. The applicant has failed to provide a Water Framework Directive Assessment as required by the Environment Agency. As such, the Local Planning Authority is unable to conclude that the proposed development would be compliant with the WFD and Northumbria River Basin Management Plan.

Planning Obligations

08. The proposed development requires a Section 106 legal agreement covering the following matters to make it acceptable in policy terms.

Coastal Mitigation
Health
Education
Open Space
Affordable Housing

In the absence of a suitable agreement, granting planning permission would be contrary to Regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended), Policy INF 6 of the Northumberland Local Plan and the NPPF.

Background Papers: Planning application file(s) 22/01051/FUL