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Our Ref: RMF/ZSX/211367/CPO/VRN
07 July 2021

Phone: 0191 261 2681

Transport Infrastructure Planning Unit
Department of Transport
Great Minster House
33 Horsferry Road
London
SW1P 4DR

By email: transportinfrastructure@dft.gov.uk

Dear Sir/Madam,

Transport and Works Act 1990 – TWA0 / 157. Plots 323 & 324

The Northumberland Line Order.

Objection by Malhotra Commercial Properties Ltd. (the objector)

Sanderson Weatherall act for the objector.

The objector's site (plots 323 and 324) were occupied by the former Essendene Care Home, up until its demolition in around 2008. Whilst the site has since lain vacant, the objector has advanced proposals for the development of a new state of the art care home on the site. Their retained Architects – Space Group have, over the last four years, developed a number of layout options for a care home. This work culminated in 2020 with the submission of a planning application (ref .20/04423/OUT) for the following development:

"Outline application seeking approval for access for construction of two storey 58 bed care home and associated but physically separate single storey 12 bedroom specialist unit with associated parking and hard and soft landscaping"

The planning application remains outstanding. As well as retaining the site's most recent care home use, the objector's proposal would have the added benefit of increasing housing supply and diversifying the housing mix within the Northumberland County Council administrative area.

It is the intention of the objector to build and open the facility in the next 24 months.

On behalf of the objector we hereby object to the Order for the following reasons:

The objector has serious concerns that the configuration of the new Ashington Station car park, as proposed, will result in the loss of a key care home development which is about to be built to meet the needs of the community.

The construction of the care home represents £8.4m of inward investment to the community. It will create 70 jobs during the construction period and 25 permanent jobs.

It is proposed that Plot 323 and 324 will be used for the purpose of providing a surface car parking for the new station. It is asserted that it is in the wider public interest to undertake a redesign of the car park provision for

the new station and in so doing exclude plots 323 and 324. The redesign should address sustainability and surface water drainage and be executed in such a manner as to allow the development of Plots 323 and 324 as a care home.

The acquiring authority have approached the objector but have not entered into meaningful negotiation with regard to the opportunity for redesign of the car park and removal of the plots from the order. Insufficient information or explanation has been provided to the objector to enable a proper understanding and why the inclusion of the land is required for the Transport and Works Act Order.

From the limited information provided to date there is no supporting evidence to demonstrate the benefits of using the objectors land as opposed to using alternative sites or as to whether any alternative method could have been considered to reduce the impact on the objectors land.

As the proposed use of the objector's land serves a useful purpose for the community the land should not be included in the scheme. There is no evidence to support the continued need for the increase in car parking spaces in light of the changes in working patterns and high street shopping as a result of the ongoing Covid 19 global pandemic. It is therefore not fully understood why the current provision and the objectors proposed development of a care home cannot continue as part of the wider scheme and regeneration of the area.

Notwithstanding the above, there has been no formal engagement between the acquiring authority and the objector to discuss the Order and the potential acquisition of the objector's land. No offer has been made that has enabled appropriate discussions that could have engaged earlier acquisition by agreement before resorting to making the Order which goes against the guidance set out in MHCLG's Guidance on the Compulsory Purchase Process and the Crichel Down Rules July 2019.

The acquiring authority must show that all the necessary resources are likely to be available to achieve the delivery of the scheme. In the Northumberland Line Estimate of Costs item A2 Acquisition of Land and Rights a budget of £6,294,184 is provided. Given that there are more than 330 land and property interests, additional private rights of access and the risk of compensation arising from claims under The Land Compensation Act 1973 Part I the estimate appears conservative. The acquiring authority are asked to demonstrate that all necessary financial resources are available to deliver the scheme. It would be premature to confirm powers of compulsory acquisition without certainty of funding.

In writing the above, the objector maintains their fundamental objection to the Order and wish to exercise their right to be heard by an independent inspector at a Public Inquiry.

Finally, I would be grateful if you could please confirm receipt of this objection.

Yours sincerely,

For and on behalf of Sanderson Weatherall LLP

Richard M Farr Bsc FRICS MCI Arb
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