

# Public Document Pack

**Date of meeting** Tuesday, 8th November, 2016

**Time** 6.30 pm

**Venue** Council Chamber, Civic Offices, Merrial Street, Newcastle-under-Lyme, Staffordshire, ST5 2AG

**Contact** Geoff Durham



Civic Offices  
Merrial Street  
Newcastle-under-Lyme  
Staffordshire  
ST5 2AG

## Planning Committee

### SECOND SUPPLEMENTARY AGENDA

#### PART 1 – OPEN AGENDA

- 7B Application for Minor Development - Land Adjacent to Sheet (Pages 3 - 4)  
Anchor, Newcastle Road, Whitmore. G Donlon. 16/00609/FUL
- 10A Half yearly report on planning obligations (Pages 5 - 6)

**Members:** Councillors Burgess, Fear, S Hambleton, Heesom, Mancey, Northcott, Panter, Pickup (Vice-Chair), Proctor (Chair), Reddish, Simpson, Snell, Sweeney, Turner, G Williams and J Williams

**PLEASE NOTE:** The Council Chamber and Committee Room 1 are fitted with a loop system. In addition, there is a volume button on the base of the microphones. A portable loop system is available for all other rooms. Should you require this service, please contact Member Services during the afternoon prior to the meeting.

**Members of the Council:** If you identify any personal training/development requirements from any of the items included in this agenda or through issues raised during the meeting, please bring them to the attention of the Democratic Services Officer at the close of the meeting.

**Meeting Quorums :-** 16+= 5 Members; 10-15=4 Members; 5-9=3 Members; 5 or less = 2 Members.

**FIELD\_TITLE**

Officers will be in attendance prior to the meeting for informal discussions on agenda items.



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## FIRST SUPPLEMENTARY REPORT

### TO THE PLANNING COMMITTEE

8<sup>th</sup> November 2016

Agenda item 7

Application ref. 16/00609/FUL

#### **Land adjacent Sheet Anchor, Baldwins Gate**

Consideration has now been given to the draft report prepared by the **District Valuer (DV)** and discussions have taken place with the DV that provided confirmation that there has been no 'double counting' of construction costs and that the financial contribution to provide affordable housing off-site is £219,795 as previously reported. Following such discussion the advice of the DV as reported in the first supplementary, that the proposed scheme is unviable, has been accepted by your officer.

The applicant in anticipation that the DV would conclude that the development is unviable, has offered £40,000 towards financial contributions that are required by policy, in accordance with the advice of the DV it is considered that this sum should be accepted.

It is advised by your officer that the £40,000 offered by the applicant should be split. The required public open space contribution of £20,601 should be secured in full towards improvements to the play facilities at the rear of the village hall so as to mitigate the impact arising from the development. The remaining £19,399 should be secured for off-site affordable housing and pooled with other payments secured from other development.

It is also likely that market conditions may change over time, therefore in accepting the £40,000 it is recommended that if any planning consent granted has not been substantially commenced within one year of being granted the Planning Authority should be able to review the basis for its decision on the viability of the scheme as part of any legal agreement secured.

**The RECOMMENDATION is therefore amended as follows:-**

- 1) **Subject to the applicant entering into a S106 obligation by 25<sup>th</sup> November that secures**
  - **a financial contribution of £20,601 towards public open space provision and £19,399 as a payment towards off-site affordable housing provision within the Borough;**
  - **and the review of the financial assessment of the scheme, if there has been no substantial commencement within 1 year of the grant of planning permission and a greater contribution being made to the provision of affordable housing off-site (to a maximum of £219.795) if it has been evaluated at the time that the development can support**

**PERMIT subject to the conditions set out in the main agenda report.**

- 2) **That should the obligation not be secured within the above period, the Head of Planning be given delegated authority to refuse the application on the grounds that without such matters being secured the development would be contrary to policy on open space provision; unless he considers it appropriate to extend the period for completion of the obligation.**

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**SUPPLEMENTARY REPORT**  
**TO THE PLANNING COMMITTEE**

**8<sup>th</sup> November 2016**

**Agenda item 10**

**Half Yearly Report on Planning Obligations**

With regard to Table 3 further information has been obtained and a further payment should have been reported. The third instalment of the Business Improvement Contribution of £10,895.39 secured by the agreement entered into prior to the grant of permission 11/00611/FUL relating to the M & S development at Wolstanton has been received.

Information from the County Council is still outstanding.

With respect to Table 4 which indicates where there is a known breach of a planning obligation the following additional entry

<b>Permission reference &amp; Date of Obligation</b>	<b>Location of development</b>	<b>Development</b>	<b>Purpose of the obligation and description of the apparent breach</b>	<b>Action taken and to be taken to resolve the apparent breach.</b>
11/00430/FUL & 10 <sup>th</sup> May 2012	Land off Keele Road, Thistleberry	Replan of part of the development, incorporating 13 additional units	The obligation secured an additional POS contribution of £38,259 (index linked) to reflect the additional number of units. The payment should have been made prior to the commencement of the construction of the 48 <sup>th</sup> dwelling within the 61 unit development, but was not.	Officers will be writing to the developer requiring payment of the indexed sum.

