

ADVANCE SUPPLEMENTARY REPORT
TO THE PLANNING COMMITTEE
3rd March 2015

Agenda item 4

11/00284/FUL

Land adjacent Station Road, Silverdale

As anticipated in the agenda report comments on the applicant's request and your Officer's recommendation have now been received from the **Highway Authority**, the **Education Authority** and the Landscape Development Section.

The **Highway Authority** have indicated that your Officer's recommendation would be acceptable to them. The **Education Authority** have indicated that whilst they would normally expect developers to provide the education contribution prior to the commencement of development, in this instance they would be content to agree to the variation to the existing agreement to allow the Education contribution to be paid half on commencement and half prior to the commencement of the 12th dwelling, as proposed by your officer.

The **Landscape Development Section** suggest that the split (insofar as the POS contribution is concerned) should be along the line of how the contribution is calculated, which in this case would be the capital element of £41,197 paid on commencement (thus enabling them to undertake improvements to meet demand) and the maintenance element of the payment (£26,496) to be paid at an agreed suitable point – such as on commencement of the 12th dwelling. They comment that the suggested 50:50 split would mean that they would not have all the capital element in place to enable the improvements to be undertaken until the second payment is received which would delay the improvements until after the demand had been created. They also point out that consideration would need to be given to any payback timeframes (should the money not be spent) as well, as the trigger should only be after all the funding has been received.

Your officer notes that the flexibility suggested by the Landscape Development Section should arguably apply to all POS contributions and is an acknowledgement that the maintenance element of a contribution should anyway only be payable once the improvement or provision associated with a 'capital' payment has been undertaken. Nevertheless the point is fairly made that the initial payment of £33,845 (half of the total POS contribution of £67,689) falls short of the capital element. Clearly if the Committee were to agree to the recommendation, there would be a direct impact, certainly upon timing of the associated POS provision or improvement. The other two parties have not identified such an impacts but in that that the County Council's agreement to this variation is required, and it is prepared to vary the agreement along the lines indicated (which "shares the pain" equally between the three contributions), your officer's view is that the recommendation that has been given in the agenda report is appropriate. There will need to be associated adjustment to the payback triggers in the agreement.

In the light of the responses received the recommendation is as follows

That the developer be informed that the Council would be prepared to vary the agreement so that half of each contribution is paid prior to commencement with the outstanding sums being paid prior to commencement of the twelfth dwelling on the site, and any repayment triggers are appropriately adjusted to relate to the final payment of each contribution.

