

ADVANCE SUPPLEMENTARY REPORT
TO THE PLANNING COMMITTEE
5th January 2016

Agenda item 7

Application ref. 15/01004/FUL & 15/01009/FUL

The Hawthorns and Keele Campus, University of Keele

Since the preparation of the agenda report the views of Staffordshire County Council as the **Lead Local Flood Authority** have been received. With regard to both the campus and the Hawthorns developments they have no objections subject to a condition, in each case, requiring the submission, for approval and implementation, of a detailed surface water drainage scheme prior to development.

Revised comments have been received from **Keele Parish Council**. They state that they welcome the removal of plots 77 and 78 from the planning application and although they still have concerns about many aspects of the proposed development they are not supported by the Inspector's report and they therefore withdraw their objection. They retain their previous comments regarding conditions.

Correspondence has been received from the applicant's **Arboricultural Consultants** stating that they are satisfied that the mitigation method proposed in the bowl area will not impact in tree retention in this area.

With respect to paragraph 16.2 of the agenda report, the report of the District Valuer has now been received. The report concludes that it is not viable for the applicant to provide any Section 106 contributions or affordable housing contribution and maintain a reasonable profit.

Your Officer's comments

Your Officer is satisfied that the conclusion of the District Valuer is a sound and robust one. Notwithstanding the viability issue, the applicant has agreed to make an upfront payment of £132,976 towards secondary school education places at Madeley High School.

Every indication is that if the Council were to pursue affordable housing and the full education contributions that a policy compliant scheme would require, the development would simply not happen, and accordingly no contribution would be received, the University's accommodation and its attractiveness would not be improved and much needed housing development would not take place. Your Officer's view is that given that the viability case is established with evidence verified by the District Valuer, and the advice in the Framework that the scale of obligations and policy burdens should not threaten the ability of a development to be delivered viably, there are sufficient circumstances here to justify accepting the development without all of these contributions and requirements.

That said, market conditions, and thus viability, can change. On this basis it would be quite reasonable and necessary for the Local Planning Authority to require the independent financial assessment of the scheme to be reviewed if the Hawthorns development has not been substantially commenced within one year of the grant of the permission, and any resultant adjustment then made to the contributions to be made, including payment of a contribution to offsite provision of affordable housing. These matters would need to be secured via a Section 106 agreement which is also needed to secure the long term maintenance, availability and management of the public open space within the development.

RECOMMENDATION 1 (Ref. 15/01004/FUL) is therefore revised as follows:

- (A) Subject to the applicant entering into a Section 106 obligation by 8th February 2016, or 5th March 2016 if the applicant agrees to similarly extend to that date the statutory period for this application and application 15/01009/FUL, to require: -**

1. A financial contribution of £132,976 towards education places at Madeley High School
2. Reappraisal of the development's viability in the event of the development not being substantially commenced within 12 months of the permission, and a consequential upward adjustment of the contribution should the viability reappraisal so indicate
3. A scheme to be provided to and agreed by the Council for the long term management, availability, and maintenance of the public open spaces within the development

PERMIT subject to the conditions indicated in the agenda report

- (B) Failing the securing of the above obligations by the date indicated above, that the Head of Planning be authorised to refuse the application on the grounds that without such obligations, insufficient provision would be made for the provision of additional secondary education places to meet the need for such places generated by the development, account would not be able to be taken of a change in market conditions and a development that could have made required contributions would not do so, and appropriate long term arrangements would not have been made for the public open space within the development; or if he considers it appropriate, to extend the period of time within which the obligation can be secured.**