

Outline planning permission was allowed on appeal in January 2015 for the erection of up to 113 dwellings on land at the end of Gateway Avenue, Baldwin's Gate (Ref. 13/00426/OUT). Reserved matters were subsequently approved for 109 dwellings in October 2016 (Ref. 16/00676/REM) and development has commenced on site. Prior to the grant of the outline planning permission a Unilateral Undertaking was entered into which secured, amongst other things, 16% of the dwellings on-site as affordable units.

The developer is in the process of entering into a contract with Aspire Housing in relation to the affordable housing units and is seeking some minor variations to the Unilateral Undertaking.

**RECOMMENDATION**

**That the developer be advised that the Council as the Local Planning Authority is willing to agree to a variations to the Unilateral Undertaking to extend protection from liability to future mortgagees .**

**Key Issues**

Outline planning permission was allowed on appeal in January 2015 for the erection of up to 113 dwellings on land at the end of Gateway Avenue, Baldwin's Gate (Ref. 13/00426/OUT). Reserved matters were subsequently approved for 109 dwellings in October 2016 (Ref. 16/00676/REM) and development has commenced. Prior to the grant of the outline planning permission a Unilateral Undertaking was entered into which secured, amongst other things, 16% of the dwellings on-site as affordable units.

The developer is in the process of entering into a contract with Aspire Housing in relation to the affordable housing units and is seeking some minor variations to the Unilateral Undertaking.

The variations are requested to extend protection from liability to future mortgagees so that funding can be obtained by future purchasers of the units. The amendments are very minor and have no bearing upon the obligation sought. On this basis, it is recommended that the request to vary Unilateral Undertaking is agreed.

## **APPENDIX**

### **Policies and Proposals in the Approved Development Plan relevant to this decision: -**

Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy 2006-2026 (adopted CSS)

Policy CSP6: Affordable Housing  
Policy CSP10: Planning Obligations

### **Other Material Considerations**

National Planning Policy Framework (NPPF) (2012)  
Planning Practice Guidance (PPG) (2014)

Supplementary Planning Documents/Guidance

Developer Contributions SPD (September 2007)

Affordable housing SPD (2009)

### **Views of Consultees**

None undertaken

### **Date report prepared**

15<sup>th</sup> December 2017