

**FIRST SUPPLEMENTARY REPORT**  
**TO THE PLANNING COMMITTEE**  
**3<sup>rd</sup> January 2019**

**Agenda item 9**

**Applicat ref: 18/00483/FUL**

**Former Savoy Cinema/Metropolis Nightclub, 72 High Street, Newcastle**

Subsequent to the issuing of the agenda the agents have written to the Council indicating that their clients cannot agree to the provision of bus passes and they note that no mention is made of this provision in the Framework Travel Plan submitted with the application. They say that the provision of bus passes would result in a significant cost (circa £73,500 per year) and if required in addition to the £54,000 towards other financial contributions it would fundamentally affect the delivery of the scheme, and it would not make the scheme viable.

The statement in paragraph 5.4 of the report that the applicant is willing to provide free bus services from the site to the universities was based upon a paragraph to that effect in the Transport Statement that accompanied the application when submitted. However a revised version of that Statement, superseding the earlier version, was subsequently submitted and it did not include such an offer.

The Highway Authority whilst they recommend approval of the application subject to conditions do so on the basis of the LPA securing via planning obligations a number of matters including “a requirement to provide free bus passes for students for travel from Newcastle Town Centre to Keele University”. One of the conditions they ask to be included is that no part of the development until a Full Travel Plan (to distinguish it from the Framework Travel Plan submitted with the application) which sets out actions and measures with quantifiable outputs and outcome targets has been submitted to and approved in writing by the LPA. Both the suggested planning obligation and the condition are to be found in the recommendation contained within the main agenda report

It is relevant to note that the Inspector who allowed the appeal in addressing the issue of the effect on highway safety resulting from additional demand for on-street parking did specifically note that “measures can be secured through conditions and (planning obligations) “which will encourage the use of more sustainable methods of transport, such as free bus passes for residents, provision of on-site cycle storage, travel plan monitoring and real time passenger information systems” and in assessing whether or not an obligation (contained within a Unilateral Undertaking tabled by the appellants) was lawful he concluded that it to be “necessary, directly related to the development and fairly and reasonably related in scale and kind to the development”.

Whilst the agents refer to the cost of such bus passes to be of the order of £73,500 this would appear to be the cost for passes that would provide unlimited travel on The Potteries Network in North Staffordshire and South Cheshire, rather than the more limited passes envisaged by the Highway and Planning Authorities. Nevertheless there is little doubt that a substantial and recurring annual sum would be involved. However from the LPA’s perspective the key element was not about who should pay for the bus pass but that it would not be an optional feature for tenants but one that would come as a mandatory part of the tenancy package (ie a built in additional cost to the tenants akin to a service charge).

The applicants have been asked if they would be prepared to propose some alternative – such as the provision of introductory or taster bus tickets for a more limited period.

The response of the applicant has been to indicate that if the LPA require the bus passes then it simply be taken from the £54,000 “pot”. The previous appeal scheme wasn’t delivered because it wasn’t viable. The current applicants are specialist and premier quality deliverers

of student accommodation and the robust viability assessment has been agreed with the District Valuer. The proposal simply will not support a greater financial figure. They would be very concerned at any suggestion that a decision on the application be deferred this evening as that would affect the delivery time-table, which is already at breaking point.

They continue that in any event this proposal already supports sustainable modes of travel through an absence of on-site parking and the provision of cycle parking facilities (with an ability to take contributions towards real time passenger information systems from the £54,000).

It is clear that for the applicants this is all a matter of the viability of the scheme. It would appear that the District Valuer did not factor the bus pass requirement into his assessment of the financial viability of the scheme, although how he would quantify that requirement (which relates to an ongoing rather than a capital cost is unclear). It has not been possible to obtain any further comments from the Highway Authority. The decision rests with the Local Planning Authority.

Whilst the agent is correct that the scheme does include a number of other measures to support the use of sustainable transport measures (notably the cycle route contribution and that supporting the Real Time Passenger Information system) the provision of bus passes would be very likely to have a significant impact upon travel choices. It is also generally agreed that the provision of taster or introductory bus passes can positively impact on such choices, by getting people used to a particular mode of travel.

It is recognised, on the assumption that the cost of such passes would have to be passed onto the tenants, that making the provision of such a pass to tenants mandatory would impact on the rent that would need to be sought and thus potentially the take up of the units and ultimately the viability of the development. To reflect that concern a more limited introductory or taster bus pass for the first 2 months of each tenancy is now recommended. It is not considered that the cost of this needs to be taken out of the £54,000 pot.

**Recommendation A)i is accordingly recommended to now read  
“a 2 month introductory or taster “free” bus pass for each student for travel to and from the Campus at Keele University, Staffordshire University, Stoke-on-Trent College or the Royal Stoke University Hospital”**