

**UPDATE ON BREACH OF PLANNING OBLIGATION ENTERED INTO IN ASSOCIATION WITH 11/00284/FUL FOR THE ERECTION OF TWENTY THREE HOUSES AT THE FORMER SITE OF SILVERDALE STATION AND GOOD SHED, STATION ROAD, SILVERDALE**

The purpose of this report is to provide Members with an update, in accordance with the resolution of Planning Committee at its meeting of 23<sup>rd</sup> June 2020, of the progress in relation to the pursuance of breaches of planning obligation secured through planning permission reference 11/00284/FUL for the erection of twenty three houses at the Former Site of Silverdale Station and Goods Shed, Station Road, Silverdale.

**RECOMMENDATION**

**That the information be received.**

It has previously been reported that there is a breach of the planning obligation entered into in association with planning permission 11/00284/FUL as the following financial contributions have not been paid on or before commencement of development as required:

- £66, 689 (index linked to public open space,
- £55, 155 (index linked) towards primary school places and
- £26,244 (index linked) towards the Newcastle-under-Lyme Urban Transport Development Strategy (NTADS)

The final payment (which requires indexation and the addition of interest due to late payment) was calculated and a letter was sent to the developer on 10<sup>th</sup> December 2020 informing them what the due payments are and seeking confirmation as to when they will be paid to the relevant Council. A further email was sent on 22<sup>nd</sup> January. To date a response has not been received.

As previously reported the developer retains an interest in the land and it remains the intention to pursue the developer for the full outstanding payment rather than seeking the payment from the property owners, although no decision has been made to rule out this course of action.

As the developer has not responded to the correspondence discussions are taking place with the Council's legal section about enforcing the terms of the planning obligation and seeking payment of the outstanding sums. A further update on progress of these discussions will be provided at the meeting.

Date report prepared: 15<sup>th</sup> April 2021