

Land at Barnfield Road and Sunnyhills Road, Cornhill, Leek Planning Performance Agreement

1. This is a Planning Performance Agreement (PPA) to establish a framework for the submission, consideration and determination of a planning application (the Application) that is to be submitted to Staffordshire Moorlands District Council (SMDC) (the Local Planning Authority) (LPA) by How Planning LLP on behalf of Barnfield Hughes Ltd ("the Applicant") for a scheme of development involving the above-mentioned site.

2. The scheme involves the following:

Demolition of former industrial site and its re-development comprising: C3 Residential (C3 use and up to 211 dwellings) with associated open space, play areas and cycle links; Employment (B1c and B2); Tourism and leisure uses including a marina / basin, railway station with associated heritage/railway activities building (D2); Local retail unit (A1 up to 500sqm); Public house / restaurant (A3 / A4) and associated car parking and servicing.

3. The principal point of contact for the Applicant ("the Applicant's Agent") is:

Conor Vallely, Principal Planner, How Planning LLP, 40 Peter Street,
Manchester, M2 5GP

4. The principal point of contact for SMDC is:

Michael Green
Planning Applications Manager
Staffordshire Moorlands District Council
Moorlands House
Stockwell Street
Leek
Staffordshire
ST13 6HQ
Tel no. 01538 395 400 x 4121, or
e-mail: mike.green@staffsmoorlands.gov.uk

5. The proposal is being brought forward following extensive discussions between SMDC, and the Applicant (hereinafter jointly referred to as "the Parties").
6. Subject to proper consideration of the Application by SMDC, the Applicant is keen to see the Application determined as expeditiously as is practicable and the Parties are therefore committed to entering into this agreement to set out the means by which this might be put into effect.
7. On the assumption that the Application is submitted to and validated by SMDC by 14th February 2014, the anticipated long stop date for the presentation of the Application to the Council's Planning Committee for

determination will be no later than 17th August 2014 from the date of validation of the application.

8. The Council undertakes to examine the Application at the earliest opportunity following submission and to promptly advise the Applicant's Agent of any matter on which further clarification or information is required.
9. The Parties agree that any requests for further information should be addressed as quickly as possible and the Parties undertake to meet and/or discuss matters by telephone or e-mail in a spirit of co-operation and so as to further explain as necessary, any areas of misunderstanding or dispute.
10. It is further agreed that Officers of SMDC will make known to the Applicants Agent in a timely fashion, responses received from internal SMDC consultees and from statutory undertakers and other statutory consultees. This is so that any matters can be addressed by the Applicant and the Applicant's agent at the earliest opportunity. To the extent that it is considered appropriate to do so, Officers of SMDC will draw the Applicant's Agent's attention to any matters arising from third party consultation.
11. SMDC acknowledge that the submission by the Applicant's Agent of a draft Section 106 Agreement is required. Both parties agree that it would be beneficial if work on the completion of the draft Section 106 agreement should continue in advance of consideration of the Application by SMDC's Planning Applications Committee with the aim being that an agreed Section 106 Agreement will be presented to Planning Committee for consideration.
12. Following formal Planning Applications Committee resolution and on the assumption that this is positive, Officers of SMDC and the Applicant will seek to execute the Section 106 Agreement and SMDC will seek to issue an outline planning permission no later than four weeks following the Committee's resolution.
13. In the event that the Committee's resolution is negative, work shall progress to enable an agreed position on Section 106 Agreement matters as an area of common ground in any subsequent appeal. Furthermore the Parties will work collaboratively and in a timely manner on any Statement of Common Ground required as part of any future planning appeal proceedings should outline planning permission be refused by SMDC.
14. The Parties acknowledge that the completion of this PPA does not in any way prevent the Applicant from appealing against the failure of the Council to determine the Application within the statutory determination period.

Signed by the parties or their duly authorised representatives:

Signed)
and duly authorised)
for and on behalf of)
Staffordshire Moorlands District Council) _____

Date: _____

Signed
and duly authorised
for and on behalf of
the Applicant

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Date: 13 - 02 - 2014