

PRB Deepcut

Portfolio	Regulatory
Ward(s) Affected:	Deepcut & Borough wide

Purpose

To advise the Planning Applications Committee that a report will be presented to the 9 March 2017 Committee meeting outlining various proposed amendments to the existing S106 agreement pursuant to planning permission 12/0546 for the comprehensive redevelopment of the PRB Site in Deepcut.

Background

- 1 The Committee Report for planning application 12/0546 to Full Council on 17 July 2013 was accompanied by a skeleton heads of terms. The detail contained in the heads of terms was taken forward following the resolution to grant planning permission in the completed Section 106 agreement.

Current Position

- 2 The applicant team has indicated that they wish to revisit this agreement and specifically, the triggers for delivery of elements of on and off site infrastructure and mitigation. It is also proposed to amend a number of the definitions within the Section 106 and to amend some terminology within the body of the document. These changes are mainly to reflect the phased nature of the implementation of the PRB redevelopment and the need to develop those parts of the site outside of the 'wire' before those parts behind it can be developed. This would take the form of a deed of variation to the original agreement.
- 3 The decision whether or not to enter into a deed of variation is a delegated function. However in light of the scale of the development and its strategic importance to the Borough officers seek member agreement on the more substantive changes proposed.
- 4 At the time of writing this report officers are not in receipt of a finalised draft of the deed of variation. However, those changes detailed in the current draft deed which are considered to more than simply administrative or 'tidying up' in nature are set out below:

Provision	Existing trigger	Proposed trigger
Education		
Schedule 4 Part 1 para 7 & 8	Primary school 1 form entry (1FE) prior to 1 st occupation of 200 dwellings 2 form entry (2FE) prior to 1 st occupation of 750 dwellings	1FE 350 prior to 1 st occupation of 350 dwellings 2FE within 24 months of occupation of 350 th dwelling

Part 2 Para 1 & 2	Nursery – prior to 1 st occupation of 200 dwellings	prior to occupation of 350 dwellings
Sport England Contribution Schedule 5 Part 1 paras 1 & 2	Prior to 1 st occupation of 750 dwellings or full occupation of 2 nd phase whichever is earliest	Contribution to be paid prior to occupation of 750 th Dwelling
Sports Hub Schedule 5 Part 7 para 1.3 & 1.4	Prior to 1st occupation of 450 dwellings or full occupation of 1 st phase whichever is earliest	Delivery prior to first occupation of 450 th dwelling
Formal Park Schedule 5 Part 10 para 1.3 & 1.4	Prior to 1st occupation of 450 dwellings or full occupation of 1st phase whichever is earliest	Delivery prior to first occupation of 450 th dwelling
Allotments Schedule 5 Part 11 para 1.3 & 1.4	Prior to 1st occupation of 450 dwellings or full occupation of 1st phase whichever is earliest	Delivery prior to first occupation of 450 th dwelling
Highway improvements Schedule 6 Part 1, para 2.2, 2.6, 2.8 Red Road/The Maultway/Upper Chobham Road County Council Deepcut Bridge Road Railway Bridge	Prior to the Occupation of the 230th Dwelling or within 24 months of Commencement of Development Prior to the Occupation of the 230th Dwelling or within 24 months of Commencement of Development	Prior to the Occupation of the 230th Dwelling or within 48 months of Commencement of Development - whichever is sooner Prior to the Occupation of the 230th dwelling or within 37 months of commencement of development – whichever is sooner

- 4 At the time of writing this report Surrey County Council as the Education Authority has advised that it has no objection to the proposed change to the triggers for education provision and has advised ...

'We would not object to these changes. It gives confidence about the delivery, the fear within Surrey was that buildout would mean either a lack of development or an unsustainable school. With the buildout looking slower this gives a clear commitment to a 2FE school potentially sooner.'

Whilst the increase in trigger has elements of logistics planning for the school commissioning service it is felt that this is paid off by the clarity over provision of 2FE, and that demand up to that point can be met via smaller local changes.'

- 5 A full report outlining the final version of the proposed deed of variation and officers comments (with input from SCC as the Highways Authority) will follow as soon as possible.

Options

- 5 Report to follow.

Proposal

- 6 Report to follow.

Resource Implications

- 7 None – the applicant team are bearing the cost of legal fees.

Recommendation

8. Report to follow.

Annexes: None at this time

Background Papers: None at this time

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