

Decision under Delegated Powers

Officer Requesting Decision

Team Leader Development Management

Officer Making the Decision

Richard Bennett

Recommendation

That a Section 106 Agreement Deed of Variation be signed to amend the original S106 agreement for application reference P/17/1578/2 relating to land at Peashill Farm, Ratcliffe Road, Sileby (dated 29th January 2018) as follows:

- Vary the terms of the affordable housing provisions but does not alter the amount of affordable housing.

All other parts of the original S106 agreement remain in force and effect.

Reason

The Deed of Variation to the original S106 Agreement is required to amend the mortgagee and possession clause and the development will remain acceptable in planning terms.

Authority for Decision

The application was presented to the Plans Committee in line with the Council's Constitution on 11th January 2018 and the original S106 agreement was signed on 29th January 2018 and the outline planning permission issued on 29th January 2018.

A variation of a S106 Agreement can be made under delegated authority.

Decision and Date



26 August 2022

Background

The planning application was submitted to the Council and allocated reference P/17/1578/2 is an outline application for up to 170 dwellings with associated open space, landscaping, extension to cemetery, new allotments, access, surface water attenuation and associated works including demolition of 94 Ratcliffe Road and conversion of existing farm buildings (Access only to be considered at outline stage). The site is located at Peashill Farm, Ratcliffe Road, Sileby, Leicestershire, LE12 7QB.

The Head of Strategic and Private Housing has been consulted and is satisfied with the proposal.

The proposed deed of variation to the principal agreement would amend the wording of the mortgagee exemption clause (MEC) to meet the updated requirements of the Housing Associations.

Comments from HR

N/A

Financial Implications

None

Risk Management

Risk Identified	Likelihood	Impact	Overall Risk	Risk Management Actions Planned
Applicant doesn't comply with the S106 Agreement	Very Low	Low	Very Low (1 - 2)	Routine monitoring of the S106 Agreement.

Key Decision: No

Background Papers:

P/17/1578/2 – Planning File, Plans Committee Report 11/1/18 and Extras Report, signed S106 Agreement dated 29/1/18 and Decision Notice 29/1/18.

Delegated Decision DD014 17/18.