

Decision under Delegated Powers

Officer Requesting Decision

Team Leader, Development Management

Officer Making the Decision

Head of Governance and Human Resources

Recommendation

That a Section 106 Agreement be signed to secure the following planning obligations to be secured under Planning Permission reference P/20/1383/2, Land off Melton Road, East Goscote.

- Education contribution Early Years £204,415.65 to meet the needs of the development (£8,907 x number of qualifying houses and flats)
- Education contribution Primary Years £660,816.00 to fund expansion of Broomfield Primary school to partially meet needs of the development (£2,447.47 per unit).
- Education contribution Special Education £152,410.77 to fund the additional Special school places generated by the large scale of this development
- A library facilities contribution of £8,150 towards the enhancement of East Goscote library (£15.09 per one bedroom dwelling and £30.18 per 2 or more bedroomed dwelling)
- A contribution towards open space and recreation provision as follows:
 - (i) On-site multi-functional green space (0.21ha minimum)
 - (ii) On-site natural and semi open space (1.3ha minimum)
 - (iii) On-site amenity green space (0.3ha minimum)
 - (iv) Provision for Children: On-site LEAP facility (all details to be approved)
 - (v) Provision for Young People: on-site provision
 - (vi) Outdoor Sports Facilities: 1.68 ha on-site provision or off-site contribution of £88,829.00 contribution
 - (vii) Allotments: 0.21ha on-site provision or a £30,489.00 contribution towards off-site provision or enhancement of allotment facilities in East Goscote
- A scheme for the provision of 30% Affordable housing on the site (tenure mix of 77% affordable rent and/or social rent and 23% shared ownership)
- A health care contribution £75,036.45 towards provision and enhancement of facilities at Jubilee Medical Practice (51%) and The County Practice (49%)
- Highways contribution: £4,000 towards raised kerb provision at the nearest northbound bus stop on Melton Road
- A £6,000 contribution towards Travel Plan monitoring

- The provision of Travel Packs upon the first occupation of each dwelling (£52.85 per dwelling)
- The provision of six month bus passes (two per dwelling) for the first occupation of each dwelling (£720)
- Civic amenity contribution £13,951.00 (£51.67 per unit) towards increasing capacity at the existing waste facility in Mountsorrel
- The submission of a Biodiversity Mitigation Strategy which includes a new Biodiversity Impact Assessment with agreed baseline for three sites, at reserved matters stage. Mitigation to be provided in the following preference to achieve no net biodiversity loss; mitigation on site, off-site contribution using cost model ECCv19.1 for a project within the vicinity of the development (to be agreed by all parties)

The S106 agreement will be required to enable the grant of planning permission as per the Plans Committee resolution.

Reason

The S106 Agreement is required to make the development acceptable in planning terms.

Authority for Decision

The application was presented to the Plans Committee in line with the Council's constitution on 26 August 2021 where a resolution was made that a Section 106 agreement be entered into as set out in the report of the Head of Planning and Regeneration, following which planning permission be granted subject to the conditions, reasons and advice notes set out in the report of the Head of Planning and Regeneration. At the Plans Committee Meeting on 16 December 2021, the above resolution was amended to include updated Heads of Terms for the S106 education contributions. A S106 agreement is required to comply with the Plans Committee resolution.

Under the Scheme of Delegation to Officers (8.2 Delegation of Council Functions) the Head of Governance and Human Resources has delegation 'to enter into and vary an agreement under Section 106 of the Town and Country Planning Act 1990'. The Head of Planning and Growth has delegation to negotiate the heads of terms of section 106 agreements.

Decision and Date

Background

The planning application was submitted to the Council and allocated reference P/20/2383/2 and is an outline application for the erection of up to 270 dwellings with public open space, landscaping and sustainable drainage system (SuDS) and vehicular access point from Melton Road. All matters reserved except for means of access. The site is located at Melton Road,

East Goscote. The site is located outside the limits to development of the settlement and within an area of local separation. The site is a proposed housing allocation for 223 dwellings under policy DS3(HA60) of the submitted Charnwood Local Plan 2021-37.

Comments from HR

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:
Planning application ref. P/20/2383/2