

Decision under Delegated Powers

Officer Requesting Decision

Group Leader Development Management

Officer Making the Decision

Head of Governance & HR

Recommendation

That a Section 106 Agreement be signed to secure the following planning obligations to be secured under Planning Permission reference P/20/2349/2:

- 40% Affordable Housing with a tenure mix of 77% Affordable Rented Dwellings and 23% Shared Ownership Dwellings
- Allotment contribution of £5,646.00 towards providing allotments within the parish of Queniborough
- Off site open space contribution of £47,700.00 for the purpose of providing off site recreation space for young people within the vicinity of the site
- Outdoor Sports contribution of £26,469.00 for the purpose of providing off site outdoor sports provision including pitches within the vicinity of the site.
- Biodiversity Impact compensation payment calculated using a cost model agreed by the parties towards the enhancement and security of long term management of biodiversity within the vicinity of the site.
- Submission of a biodiversity mitigation strategy and Biodiversity Scheme.
- Civic Amenity Contribution of £2,584.00 towards enhancing the capacity at the Mountsorrel Household Waste and Recycling Centre
- Library Contribution of £1,510.00 towards the provision of materials and equipment to account for the additional use at East Goscote Library
- The provision of bus passes (two per dwelling) upon the first occupation of each dwelling (£510.00 per bus pass)
- Bus stop contribution of £7,000 towards enhancements to the two nearest bus stops to the site
- The provision of Travel Packs upon the first occupation of each dwelling (£52.85 per dwelling if owner does not provide packs directly)
- Healthcare contribution of £25,315.62 towards increasing patient capacity at The County Practice at Syston and the Jubilee Medical Practice at Syston to accommodate patients from the development.

The S106 agreement will be required to enable the the grant of planning permission, as per the Plans Committee resolution: <https://charnwood.moderngov.co.uk/documents/g702/Printed%20minutes%2024th-Feb-2022%2017.00%20Plans%20Committee.pdf?T=1>

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 24th February 2022 where a resolution was made to grant outline planning permission following the completion of the S106 Agreement to be agreed under the delegated authority of the Head of Strategic Support (now the Head of Governance & HR) and subject to conditions, reasons and advice notes.

Under the constitution the Head of Governance & HR has delegated authority to enter into and vary an agreement under Section 106 of the Town and Country Planning Act 1990.

Decision and Date

Background

The full background of planning application P/20/2349/2 is provided in the Plans Committee reports of 16th December 2021 and 24th February 2022 and the planning file. The application was resolved at Plans Committee:

'that, in respect of application P/20/2349/2 (Davidson's Developments Limited, Land off Boonton Meadow Way, including No 65 Glebe Road, Queniborough), planning permission be granted subject to the conditions, reasons and advice notes set out in the report of the Head of Planning and Regeneration and subject to the prior completion of a Section 106 legal agreement in accordance with Recommendation A set out in the report of the Head of Planning and Regeneration'

Comments from HR

Not applicable.

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/20/2349/2– *Planning File and associated plans committee reports*
<https://charnwood.moderngov.co.uk/documents/g702/Public%20reports%20pack%2024th-Feb-2022%2017.00%20Plans%20Committee.pdf?T=10>