

## **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/21/2626/2, Land at Fairway Road South, Shepshed:

- Off-site contribution of £50,000 towards public realm improvements in Bull Ring, Market Place and Hall Croft within Shepshed town centre
- Sustainable Transport
  - Full element
    - Travel Packs - one pack per employee at £52.85 (average) per pack
    - Six month bus passes – one pass per employee at cost of £360 per pass
    - STARS for (Sustainable Travel Accreditation and Recognition Scheme) monitoring fee of £6,000 • Appointment of a Travel Plan Co-ordinator from commencement of development until 5 years after first use. The Travel Plan Co-ordinator shall be responsible for the implementation of measures, as well as monitoring and implementation of remedial measures
  - Outline element
    - Travel Packs - one pack per employee at £52.85 (average) per pack
    - Six months bus passes – one pass per employee at cost of £360 (average) per pass

The S106 agreement will be required to enable the the grant of planning permission, as per the Plans Committee resolution of 22<sup>nd</sup> December 2022.

### **Reason**

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

### **Authority for Decision**

The planning application has been considered by the elected members of the Plans Committee in line with the Council's constitution on 22<sup>nd</sup> December

2022. The Committee resolved to approve the application subject to a resolution to grant planning permission following the completion of the Section 106 agreement to be agreed under the delegated authority of the Head of Strategic Support (now the Head of Governance & HR) subject to conditions, reasons and advice notes.

## Decision and Date

## Background

The planning application submitted to the Council and allocated reference P/21/2626/2 is a Hybrid application:

- Full permission for demolition of existing structures and erection of retail unit (Use Class E) and associated parking, landscaping and ancillary works
- Outline permission (access only) for demolition of existing structures and erection of drive-thru restaurant (Class E/sui generis) and drive-thru coffee shop (Use Class E) with associated parking, landscaping and ancillary works

Full background is provided in Plans Committee report and planning case file. The application was resolved at Plans Committee:

*“that, in respect of application P/21/2626/2 (Aldi Stores Ltd. Land at Fairway Road South, Shepshed, Leicestershire), planning permission be granted subject to completion of a s106 agreement and the conditions and reasons set out in Recommendations A and B of the report of the Head of Planning and Growth and the revisions to the recommendations as set out in the extras report”.*

## 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:  
Planning application ref. P/21/2626/2

Plans Committee – 22<sup>nd</sup> December 2022 web links:

[Plans Committee Report - Item No.4](#)

[Extras Report](#)