

Decision under Delegated Powers

Officer Requesting Decision

Principal Planning Officer, Development Management

Officer Making the Decision

Director of Finance,

Governance and Contracts

Recommendation

That a Section 106 Agreement be signed to secure the following planning obligations under Planning Application reference P/22/1728/2/2, seeking planning permission for 21 small industrial units at a site south of Wymeswold Industrial Estate, near Wymeswold:

- A Biodiversity Net Gain on site based upon the Biodiversity Impact Assessment score, and if required to provide mitigation off site or pay biodiversity impact compensation contribution.
- Travel Packs for each employee, including six-month bus passes for each employee
- The submission and monitoring of a travel plan for a period of five years.

The S106 agreement will be required to enable the grant of planning permission. The obligations described therein meet the limitations described within Regulation 122 of the Community Infrastructure Levy Regulations 2010 (as amended).

Reason

The S106 Agreement is required to make the development acceptable in planning terms, by generating funds for the advancement of sustainable travel at a scale commensurate with the development and for off-site biodiversity in the event that there is insufficient means of securing an on-site solution

Authority for Decision

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 (Item 7). The Head of Planning and Growth has delegation to negotiate the heads of terms of section 106 agreements (Item 21).

Decision and Date



29 Jan 2024

Background

Application P/22/1728/2 as a full planning application for “Proposed erection of 21 industrial units (Class B2/B8 and E(g)) with associated site works incorporating access, parking, delivery vehicle turning areas and landscaping” was validated on 20th September 2022. Following assessment and negotiation with the applicant it was brought before the Plans Committee on 21st September 2022. A resolution to grant planning permission subject to the agreement of the terms of a s106 agreement was passed.

Further details, including all of the plans and topic reports, are available at

[Charnwood Planning Portal](#)

The report presented to the Plans Committee is available at:

[Plans Committee 21st Sept 2023](#)

Financial Implications

None

Risk Management

Risk Identified	Likelihood	Impact	Overall	Risk Management
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 and appeal ref.

P/22/1728/2