

Decision under Delegated Powers

Officer Requesting Decision

Head of Planning & Regeneration Services

Officer Making the Decision

Head of Strategic Support

Recommendation

That a Deed of Variation be agreed to the Principal Section 106 Legal Agreement dated in relation to planning permission reference P/17/0388/2.

Reason

The Deed of Variation seeks to vary an existing Section 106 Legal agreement in relation to:

- continuing the obligations set out in the section 106 Agreement following the grant of the planning permission for planning application P/20/2106/2.

Authority for Decision

A variation of a legal agreement can be made under the delegated authority of the Head of Strategic Support.

Decision and Date

The application will be approved but the date for issuing the decision is subject to the Section 106 Agreement, subject to this delegated decision, being signed.

Background

Full planning permission was granted for the demolition of existing buildings and the erection of a retirement village (ref. P/17/0388/2) at Clear View Farm, Farley Way, Quorn on 18th January 2019. This was subject to a legal agreement dated 14th January 2019 relating to a contribution towards healthcare.

The grant of planning permission P/20/2106/2 will replace the full planning permissions granted previously under P/17/0388/2 and P/19/0862/2 and become the implemented consent for the development. A Deed of Variation to the legal agreement is therefore necessary to transfer the obligations contained in the principle agreement to the new planning application P/20/02106/2.

Comments from HR

None.

Financial Implications

None.

Risk Management

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

Key Decision: No

Does the report contain exempt information? No

Background Papers: P/20/2106/2 – planning file