

Decision under Delegated Powers

Officer Requesting Decision

Principal Planning Officer

Officer Making the Decision

Head of Planning and Regeneration

Recommendation

To enter into a Section 106 agreement for Garendon Social Club – P/16/2249/2 to cover a contribution of £62,500 towards affordable housing in Loughborough to be paid on completion of the 15th dwelling and a contribution of £30,124 towards improving youth and adult facilities at Shortcliffe Park, Stapleford Park and Garendon Green.

Reason

To ensure that the S106 reflects the case officer's report that has been approved by delegated authority.

Authority for Decision

The Council's Constitution gives delegated authority to the Head of Planning & Regeneration to determine planning applications in certain circumstances, which this falls within, and that determination includes s106 agreements where appropriate.

Decision and Date



31 January 2018

Background

Planning permission was refused for the proposal in November 2014. The reasons for refusal were given as:

1. The proposed development fails to provide a sufficient number of parking spaces to serve both the residential and public house uses. This shortfall, combined with the proposed bin storage and collection facilities, will result in poor levels of amenity for future residents who

may find it difficult to park safely within the development due to competition for spaces, and be detrimental to the amenity of existing neighbouring residents and uses in the locality. This would be contrary to policy CS2 of the adopted Charnwood Local Plan 2011 to 2028 Core Strategy which seeks to protect the amenity of those who live or work nearby and those who will live in new developments, and saved policy TR/18 of the Borough of Charnwood Local Plan which states that planning permission should not be granted for development unless sufficient off street parking is included to minimise harm to local amenity.

2. The occupiers of the proposed new flats adjacent to the existing beer garden would experience poor levels of amenity due to noise and general disturbance from customers using this outdoor facility. This would be contrary to policy CS2 of the adopted Charnwood Local Plan 2011 to 2028 Core Strategy which seeks to protect the amenity of those who live in new developments

The applicant appealed against this decision and although the appeal was dismissed it was not dismissed for either of the refusal reasons cited.

In summary the Inspector concluded:

“I am satisfied that the proposal would be acceptable in respect of car parking provision and the living conditions of occupiers of the proposed flats and surrounding residential development. However, the signed and dated planning obligation would not meet the affordable housing requirements of Policy CS3 of the Core Strategy. This is an overriding concern and therefore I conclude that the appeal should be dismissed.”

On this basis a new planning application was made with a revised approach to affordable housing. This was approved under delegated powers subject to planning conditions and the completion of the S106 agreement detailed above.

The agreement obligates the owner to make a contribution of £62,500 towards affordable housing in Loughborough to be paid on completion of the 15th dwelling and a contribution of £30,124 towards improving youth and adult facilities at Shortcliffe Park, Stapleford Park and Garendon Green.

Financial Implications

There are no financial implications for the council.

Risk Management

No specific risks have been identified.

Key Decision: No

Background Papers:
Planning Application P/16/2249/2