

Decision under Delegated Powers

Officer Requesting Decision

Principal Planning Officer, Development Management

Officer Making the Decision

Director Finance, Governance

and Contracts

Recommendation

That an agreement under Section 106 of The Town & Country Planning Act (1990) be signed to secure the following planning obligations under Planning Application reference P/22/1852/2 Benscliffe Road, Newton Linford:

- The provision of off-site biodiversity mitigation, and its management over the longer term

The S106 agreement will be required to enable the grant of planning permission.

Reason

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

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 (or in their absence Director Finance, Governance and Contracts) 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



Simon Jackson 7 Feb 2024

Background

Full planning application P/22/1852/2 seeking permission for "Demolition of existing dwelling, garage and outbuildings and construction of replacement

dwelling and car port with associated landscaping and parking” was received on 17th October 2022. The application was brought to Plans Committee on 21st September '23. The Committee resolved to grant planning permission subject to completion of a Section 106 agreement.

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/22/1852/2