

## **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/21/2131/2, Peashill Farm, Ratcliffe Road, Sileby:

#### **Affordable housing:**

- 30% of dwellings to be affordable housing (66% social and affordable rent and 34% shared ownership)

#### **Open Space:**

- Outdoor sports facilities - off-site contribution of £57,626 for provision and improvements to changing facilities at Sileby Cricket Club or provision and improvements of any other purpose of outdoor sport facilities within the locality of the development
- Allotments – off-site contribution of £19,761 towards provision or enhancement contribution of allotment facilities in Sileby

#### **Sustainable Transport**

- Travel Packs - one pack per dwelling at £52.85 per pack
- Six month bus passes x2 per dwelling at cost of £470 per pass
- STARS for (Sustainable Travel Accreditation and Recognition Scheme) monitoring fee of £6,000
- Bus stop contribution of £10,800 (at a cost of £5,400 per stop)

#### **Biodiversity**

- To submit the Biodiversity Mitigation and Enhancement Scheme to the Council for its written approval with any Reserved Matters Application.
- To submit an updated Biodiversity Impact Assessment
- To provide the Biodiversity Net Gain on Site in accordance with the Approved Biodiversity Mitigation and Enhancement Scheme.
- Where the provision of the Biodiversity Net Gain on Site cannot be achieved to provide the mitigation measures off Site pursuant to the Approved Biodiversity Mitigation and Enhancement Scheme and pay the Biodiversity Impact Compensation to the Council

#### **NHS**

- £72,649.50 contribution to increase and improve facilities at Highgate Medical Centre and The Banks Surgery

#### Libraries

- £5,298.30 contribution towards the enhancement of Sileby Library

#### LCC Waste management

- £9,042 contribution towards waste management at the HWRC at Mountsorrel

#### Education

- £133,605.00 contribution towards funding Early Years Education provision, improvement, remodelling or enhancement of education facilities at Highgate Community Primary School or at other schools or other early learning provision within the locality of the development
- £963,690.00 contribution towards provision, improvement, remodelling or enhancement of education facilities at Highgate Community Primary School or any other school within the locality of the development
- £522,426.10 contribution towards provision, improvement, remodelling or enhancement of education facilities at Humphreys Perkins School or at other schools within the locality of the development
- £98,784.76 contribution towards provision, improvement, remodelling or enhancement of education facilities at Ashmount School or any other school within the locality of the development improving capacity at SEN school

The S106 agreement will be required to enable the the grant of planning permission, as per the Plans Committee resolution of 20<sup>th</sup> October 2022. A further report was presented at Plans Committee on 22<sup>nd</sup> December 2022 to ensure that the decision making process takes into account the status of now 'made' (adopted) Siley Neighbourhood Plan Review. Members resolved to confirm the original resolution of 20<sup>th</sup> October 2022.

The original recommendation A of Plans Committee report was for the installation of two bus stops along Wellbrook Avenue and Ratcliffe Road prior to occupation of 50<sup>th</sup> dwelling on site. The draft S.106 Legal Agreement secures bus stop contribution as per original recommendation A, but does not require them to be installed prior to the occupation of the 50<sup>th</sup> dweling. Condition 18 (Public Transport Strategy) will secure an appropriate timescale for the delivery of bus stops along Wellbrook Avenue and Ratcliffe Road. This has been agreed with the Chair and Vice Chair of Plans Committee and Ward Members under the provisions of 1(vi) of Part 2a, Delegation to officer – section 8 of Council Constitution.

#### **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 20<sup>th</sup> October 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/21/2131/2 is for outline planning application with all matters reserved (except for access) for the development of up to 175 dwellings with associated infrastructure, accesses, landscaping and open space.

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

*“that, in respect of application P/21/2131/2 (Barwood Development Securities Ltd, Peashill Farm, Ratcliffe Road, Sileby LE12 7QB) planning permission be granted subject to the conditions, reasons and advice notes set out in the report of the Head of Planning and Growth and the completion of a Section 106 Agreement, and the amendments to both the content of the Section 106 agreement and conditions set out in the Extras Report.”.*

## Comments from HR

## 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/21/2131/2

Plans Committee - 20<sup>th</sup> October 2022 & 22<sup>nd</sup> December 2022.

Please refer to web links:

[\*Plans Committee Report Item No. 2\*](#)

[\*Extras Report\*](#)

[\*Plans Committee Item No. 6 Further Report\*](#)