

Decision under Delegated Powers

Officer Making the Decision

Head of Cleansing and Open Spaces

Recommendation

That the Borough Council adopts land at Peartree Lane, Loughborough (see plans attached)

Reason

To provide an appropriate mechanism for ensuring the maintenance of the open space to be adopted and to comply with the Section 106 Agreement associated with the planning permission at the site (P/04/3456/2).

Authority for Decision

The Section 106 Agreement entered into by the Council and the developer contains provisions for the land to be adopted by the Council once certain conditions have been met. These conditions have been met.

Decision and Date

Approved



26 August 2015

Simon Sturman

(CX on leave on the date of this decision)

Background

Under the provisions of the Corporate Plan to 2012 - 16, there is a commitment to promoting physical and economic growth and promote development across the Borough including new homes and supporting infrastructure. In addition the Corporate Plan makes a commitment to protect and enhance green and open spaces and support the creation of play facilities.

Planning agreements negotiated with developers and land owners under Section 106 of the Town and Country Planning Act 1990 (as amended) provide a vehicle for the delivery of contributions towards ongoing maintenance of public open spaces.

Detail

Developers have prepared and maintained the open spaces to a standard acceptable to the Borough Council. In accordance with the Section 106 agreements, the freehold of the following lands is to transfer to the Borough Council:

- a) Land at Peartree Lane, Loughborough (see plans attached)
Transfer from Taylor Wimpey East Midlands

Planning Ref P/04/3456/2

This is the first of two adoption phases on this site. The first phase is 0.728 hectares. Section 106 monies to be received from the developer on transfer.

Financial Implications

Maintenance sums for the ongoing maintenance will be collected from the developers on transfer at a rate of £45,550/ha index linked.

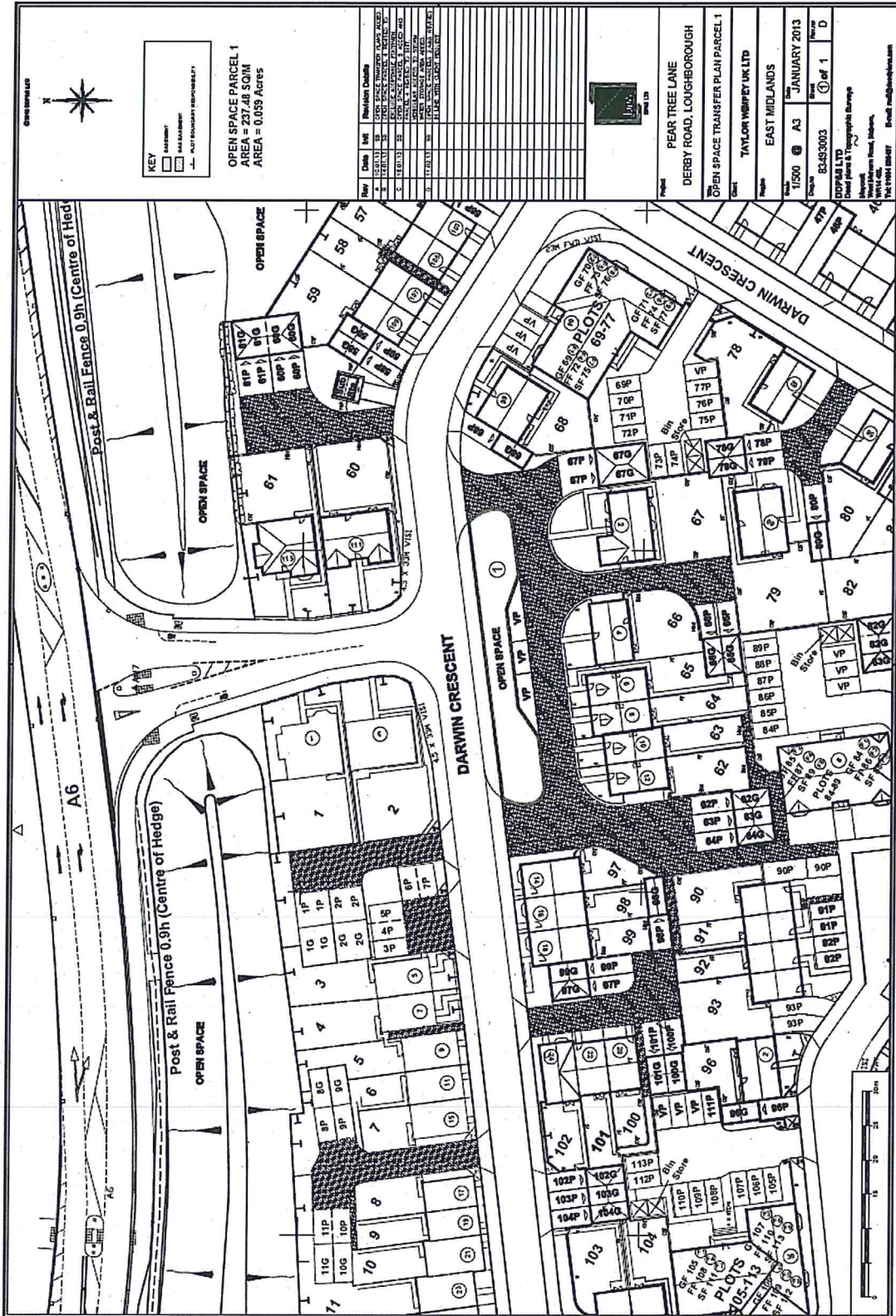
The annual MOS contract maintenance rate is £3,700/ha

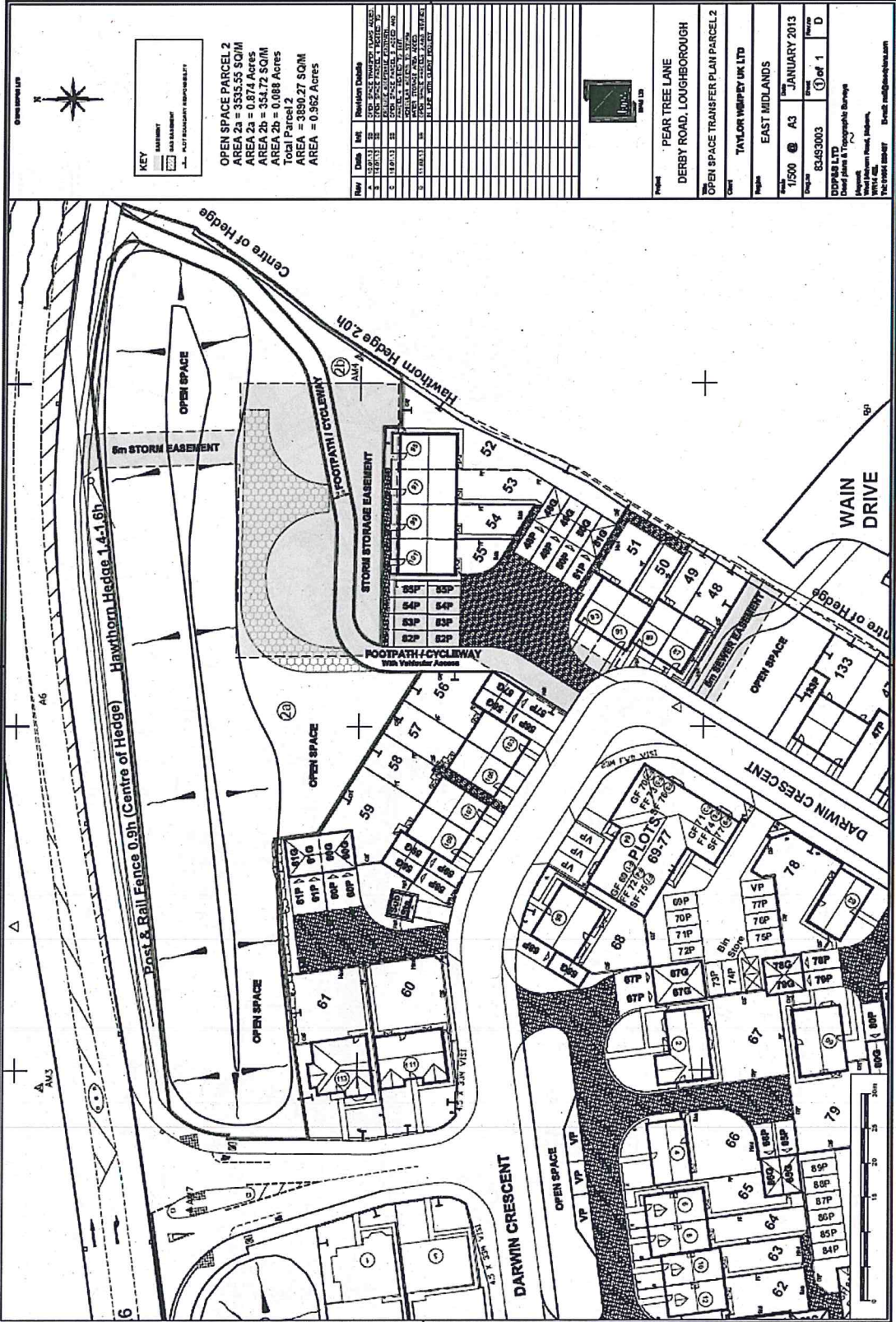
Risk Management

| Risk Identified | Likelihood | Impact | Risk Management Actions Planned |
|-------------------------------|------------|--------|---|
| Delay in the adoption process | Med | Low | Developer remains responsible for maintenance until the land transfer is completed. |

Key Decision:
Background Papers

No
Section 106 Agreement accompanying planning permission P/04/3456/2





KEY

- EXISTING
- NEW
- POST & RAIL FENCE
- POST BOUNDARY RESPONSIBILITY

OPEN SPACE PARCEL 2
 AREA 2a = 3535.55 SQ/M
 AREA 2b = 0.874 Acres
 AREA 2c = 354.72 SQ/M
 AREA 2d = 0.088 Acres
 Total Parcel 2
 AREA = 3890.27 SQ/M
 AREA = 0.962 Acres

| REV | DATE | NO | REVISION/DETAILS |
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Project: PEAR TREE LANE
 DERBY ROAD, LOUGHBOROUGH

Site: OPEN SPACE TRANSFER PLAN PARCEL 2

Client: TAYLOR WHEPEY UK LTD

Region: EAST MIDLANDS

Date: 1/500 @ A3 JANUARY 2013

Scale: 63453003 1/1000

Drawn by: D

Checked by: D

Project Manager: D

Site Manager: D

Site Address: Wain Drive, Loughborough, Leics, LE11 1AA

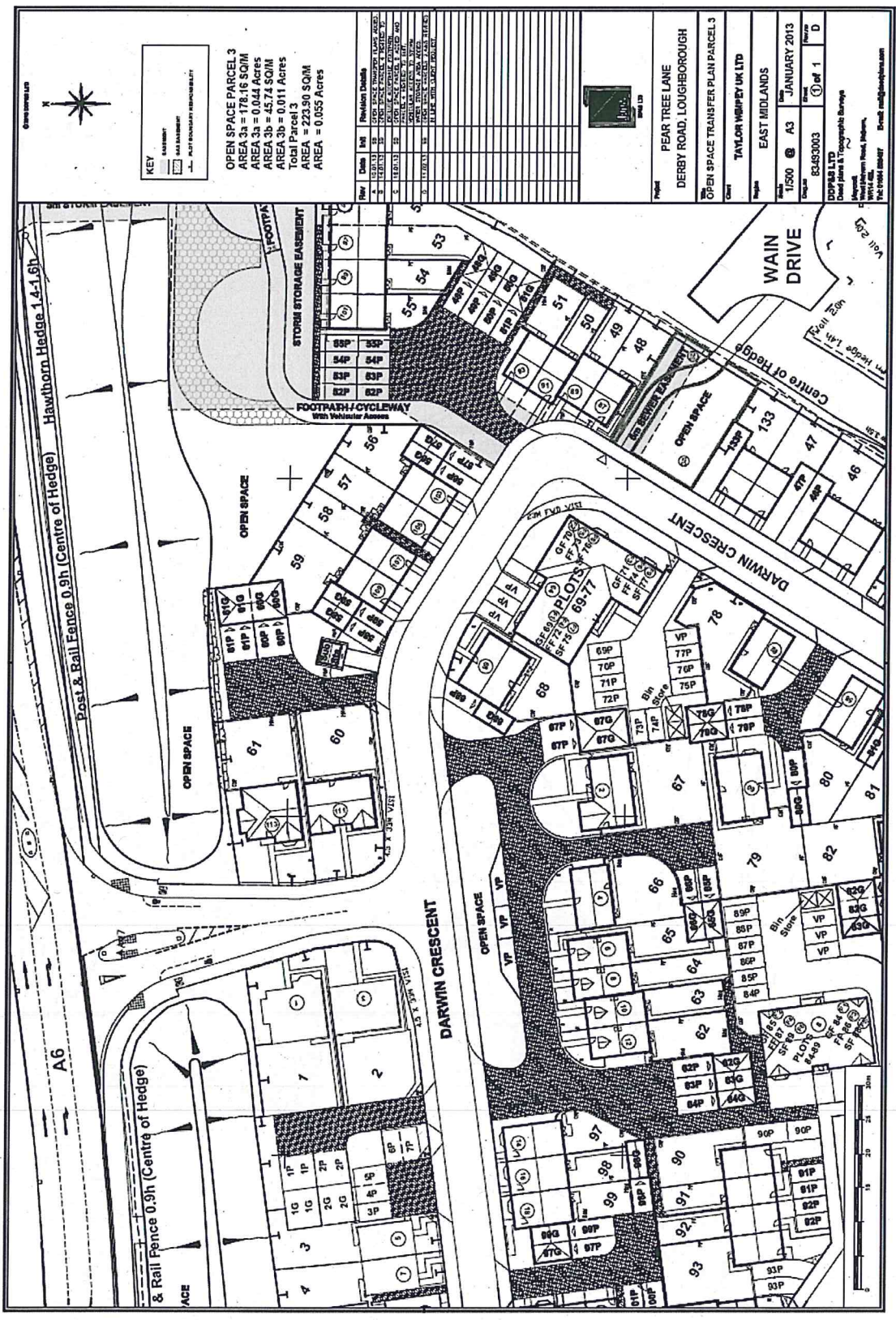
Site Contact: D

Site Email: D

Site Phone: D

Site Fax: D

Site Website: D



KEY

- EASEMENT
- PLOT BOUNDARY RESPONSIBILITY

OPEN SPACE PARCEL 3
 AREA 3a = 178.16 SQ/M
 AREA 3a = 0.041 Acres
 AREA 3b = 45.74 SQ/M
 AREA 3b = 0.011 Acres
Total Parcel 3
 AREA = 223.90 SQ/M
 AREA = 0.055 Acres

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PEAR TREE LANE
 DERBY ROAD, LOUGHBOROUGH
 OPEN SPACE TRANSFER PLAN PARCEL 3

TAYLOR WIMPEY UK LTD
 EAST MIDLANDS
 17500 @ A3
 82493003
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DOUGLAS LTD
 Design Plans & Topographic Surveys
 100, High Street, Loughborough, Leics, LE11 1AA
 01509 244444
 www.douglas.co.uk

