

Decision under Delegated Powers

Officer Requesting Decision

Team Leader, Strategic Development

Officer Making the Decision

Head of Planning and Growth

Recommendation

That a Section 106 Agreement be signed to secure planning obligations in relation to Planning Permission referenced **P/21/1446/2**, relating to land at 102 Main Street, Cossington, described as *“Erection of 57 dwellings, alterations to existing access, and associated works”*.

The S106 agreement will be required to enable the grant of planning permission for P/21/14462 based on the resolution of Plans Committee on 22nd February 2024 to grant planning permission with authority given to the Head of Planning and Growth and the Head of Democracy and Monitoring Officer to enter into an agreement under section 106 of the Town and Country Planning Act 1990 to secure improvements, on terms to be finalised by the parties.

The Heads of Terms resolved to be approved by Plans Committee are as follows:

Education	<ul style="list-style-type: none"> • £291,860.40 to fund the provision or enhancement of primary school facilities at Cossington Primary School to meet the needs of the development. • £158,220.48 to fund the provision or enhancement of facilities at Humphrey Perkins Secondary School.
Libraries	<ul style="list-style-type: none"> • £1,660.00 contribution towards the enhancement of Sileby Library.
Open Space	<ul style="list-style-type: none"> • An on-site multi-function green space (minimum 0.04ha) • An on-site natural and semi open space (minimum 0.27ha) • An on-site amenity green space (minimum 0.06ha) • An on-site LEAP facility • A £54,377.00 contribution towards young people’s provision in Cossington • 0.36ha on-site provision or a £18,801.00 contribution towards off-site outdoor sports facilities

	<ul style="list-style-type: none"> 0.05ha on-site provision or a £6,437.00 contribution towards off-site provision or enhancement of allotment facilities in Cossington
Affordable Housing	<ul style="list-style-type: none"> 40% (23 Homes) affordable housing on the site at a mix 77% (17) affordable rent and/or social rent and 23% (6) shared ownership.
NHS	<ul style="list-style-type: none"> £44,140.80 towards the provision and enhancement of facilities at The High Gate Medical Centre.
Highways	<ul style="list-style-type: none"> Travel pack for the first occupation of each new dwelling to promote sustainable transport choices. Developer can elect whether to provide the Travel Packs or pay a contribution of £52.85 per Dwelling to fund provision by the County.
Waste Services	<ul style="list-style-type: none"> £2,945.00 towards increasing capacity at the existing waste facility in Mountsorrel.
Biodiversity mitigation	<ul style="list-style-type: none"> £128,245.00 towards off-site biodiversity mitigation within the vicinity of the development.
Community facilities	<ul style="list-style-type: none"> £87,500.00 towards the provision of community hall facilities in the village.

The above Heads of Terms have informed an agreed S106 legal agreement, received 22nd February 2024.

Reason

To allow the application to progress, a signed S106 agreement is needed prior to planning permission being granted.

A final S106 agreement has been received which accords with the Heads of Terms resolved to be agreed by Plans Committee. Officers are content that the resolution of Plans Committee on 22nd February has been satisfied such that the S106 can be completed, and the planning permission subsequently granted.

Authority for Decision

Authority to determine planning applications subject to certain caveats is delegated to the Head of Planning and Growth under the constitution scheme of delegation. This application is determined following a resolution to grant permission from Plans Committee but a S106 agreement is required to secure

the necessary infrastructure, phasing and other obligations associated with this very major development.

Decision and Date



6 March 2024

Background

Application P/21/1446/2 was originally resolved to be approved by Plans Committee on 22nd October 2022. Since that resolution, and while a final version of the S106 legal agreement was being prepared, significant changes to material planning considerations occurred, including a new Neighbourhood Plan being made, publication of a revised version of the NPPF and corrections to healthcare contributions. A new resolution to approve was given by Plans Committee on 22nd February 2024, taking into account the current material planning considerations.

Full details can be found in the appended update report and associated committee papers:

<https://portal.charnwood.gov.uk/Northgate/PlanningExplorerAA/Generic/StdDetails.aspx?PT=Planning%20Applications%20On-Line&TYPE=PL/PlanningPK.xml&PARAM0=600916&XSLT=/Northgate/PlanningExplorerAA/SiteFiles/Skins/charnwood/xslt/PL/PLDetails.xslt&FT=Planning%20Application%20Details&PUBLIC=Y&XMLSIDE=/Northgate/PlanningExplorerAA/SiteFiles/Skins/charnwood/Menus/PL.xml&DAURI=PLANNING>

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 P/21/1446/2

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