

Decision under Delegated Powers

Officer Requesting Decision

Group Leader Development Management

Officer Making the Decision

Director of Finance, Governance and Contracts

Recommendation

That a Section 106 Agreement be signed to secure the following planning obligations to be secured under Planning Permission reference P/22/1168/2 for: Outline planning application for up to 65 dwellinghouses with all matters reserved except for access.

Land off Gaddesby Lane, Rearsby, Leicestershire, LE7 4YL.

Comprising:

Affordable Housing: 40% of dwellings to be affordable housing with 77% affordable rent and 23% intermediate.

Charnwood Borough Council Open Space:

Provision for Young People - off-site contribution of £62,009 for provision, enhancement and improvement of young people's provision at Rearsby Village Hall Open Space or provision, enhancement and improvements of any other suitable young children facility within the locality of the development.

Outdoor Sport facilities - £21,404 off-site contribution for improvements at Rearsby Road Village Pitches or provision, enhancement and improvements of any other suitable outdoor sport facilities within the locality of the development.

£7,340 off-site contribution for creation of new or enhancement of existing allotments at Rearsby.

Ongoing management and maintenance of any on site open space requires agreement prior to commencement of development to ensure proposals are sustainable and publicly accessible in perpetuity.

Sustainable Transport: Travel Packs - £52.85 per pack
Six-month bus passes – two pass per dwelling at cost of £360 per pass.
Travel Plan monitoring fee of £6,000.

Biodiversity :
To submit the Biodiversity Impact Assessment of the Reserved Matters Scheme with the Reserved Matters application.
To submit the Biodiversity Mitigation and Enhancement Scheme to the Council for its written approval based on the baseline value agreed at Outline to specify post development value of the Reserved Matters scheme at Reserved Matters stage.
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 cannot be achieved within the red line site boundary to provide further mitigation measures / habitat creation off site on adjoining land [Drawing No. n1610 006 Rev. B [Wider Masterplan(including blue land)]] pursuant to the Approved Biodiversity Mitigation and Enhancement Scheme and/ or pay the Biodiversity Impact Compensation to the Council.

Leicester, Leicestershire & Rutland Integrated Care Board (NHS) :
£31,399.68 for additional clinical accommodation for 156 patients at The Jubilee Medical Practice and The County Practice.

Leicestershire County Council Library Services :
£1,967.94 contribution towards the enhancement of East Goscote Library.

Leicestershire County Council Waste Management :
£3,358.55 is required to contribute towards waste management at the HWRC at Mountsorrel.

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

Reason

The S106 Agreement is required to make the development acceptable in planning terms, by generating funds for the expansion of capacity of local services and facilities at a scale commensurate with the development and for off-site bio diversity in the event that there is insufficient means of securing an on site solution.

Authority for Decision

The application is a matter delegated to the Head of Planning and Growth under part 12 of the Constitution who has made a resolution to grant outline planning permission following the completion of the S106 Agreement to be

agreed under the delegated authority of the Head of Strategic Support and subject to conditions, reasons and advice notes.

Decision and Date



7 Mar 2024

Background

The full background of planning application P/22/1168/2 is provided in the planning file at
https://pap.chnwood.gov.uk/PublicAccess_LIVE/SearchResult/RunThirdPartYSearch?FileSystemId=DM&FOLDER1_REF=PLN620118

The Committee report and resolution of the Committee is available at
<https://chnwood.moderngov.co.uk/ieListDocuments.aspx?CId=152&MId=895&Ver=4>

Comments from HR

Not Applicable

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:

P/22/1168/2– *Planning File*