

Decision under Delegated Powers

Officer Requesting Decision (if necessary)

Principal Planning Officer

Officer Making the Decision

Head of Planning & Regeneration Services

Recommendation

That a Deed of Variation to the existing s106 Legal Agreement relating to the planning permission be approved under reference P/15/1108/2 for residential development at Allendale Road, Loughborough

Reason

To enable the agreement to include additional affordable housing and financial contributions to reflect new circumstances agreed under the delegated report for P/16/2057/2, and to tie in all relevant permissions and reserved matters approvals

Authority for Decision

As this application was received prior to the Council decision to amend the constitution on 27 February 2017 (minute 77.3 16/17 refers) the provision of the previous constitution apply:

Part 2a of the Council Constitution - Delegation to the Head of Planning and Regeneration:

2. To agree non-material amendments and minor material amendments to planning permissions where no demonstrable harm would be caused to an interest of acknowledged importance.

21. To negotiate the heads of terms of section 106 agreements.

Decision and Date



19 October 2017

Background

Planning permission was granted in outline for 130 dwellings under application reference P/12/2640/2 on land south west of the A6004 and Ling Road and to the north west of Allendale Road. A section 106 agreement was agreed and signed detailing a range of planning obligations including affordable housing. A further application for reserved matters under application reference P/15/1108/2 was approved on 25 January 2016.

A revised planning application has now been submitted under planning reference P/16/2057/2 to replan 48 of the approved dwellings and add in an additional 18 dwellings into the scheme. This small net increase will assist the council's five year supply position. The changes to the scheme improve the housing mix and level of affordable housing on the site and better matches the council's evidence set out in HEDNA.

The changes to the number and type of dwellings have consequential impacts on the level of contributions required for other obligations for community infrastructure. It is necessary to make a variation to the S106 legal agreement to ensure that the obligations are secured so that planning permission can then be granted.

A delegated report setting out the planning considerations has been authorised by the Team Leader Major Development under delegated authority on 11/10/2017 and the Deed of Variation to the S106 Agreement has been circulated and is awaiting engrossment (a copy of the final draft is also attached).

Relevant Planning History

This is set out in the planning history of the officer's report but the site has planning permission for up to 130 dwellings on which work has commenced.

Policy Considerations

Development Plan

Policy CS3 of the Charnwood Core Strategy 2011 to 2028 - Strategic Housing Needs - sets out affordable housing requirements and an appropriate mix of types, tenures and sizes of homes.

Policy CS24 of the Charnwood Core Strategy 2011 to 2028 - Delivering Infrastructure – sets out that infrastructure should be delivered having regard to the economic viability and circumstances.

Housing SPD (May 2017)

The SPD provides guidance to support the Local Plan Core Strategy and the saved policies of the Borough of Charnwood Local Plan in respect of Policy CS3: Strategic Housing Needs - for affordable housing and housing mix. The

new SPD includes a flexible and negotiated position in terms of meeting housing needs and tenure mixes.

Consultations

Housing Strategy Manager – The additional units are noted and agreed

County Council – The contributions sought as part of the consultation to the planning application are included in the Deed of Variation.

Considerations

The development is being implemented.

Following discussions with the Housing Strategy Manager the proposals will facilitate the delivery of affordable housing on the development and make a contribution towards meeting housing needs.

The inclusion of all the permissions within a single Deed of Variation will also aid the transparency and single point of reference for the decision.

The proposed Deed of Variation would also include the provision of 5 additional affordable housing units and a pro rata uplift in contributions requested by the County Council under P/16/2057/2 as follows:

-) Community Facilities – £706 per dwelling
-) Healthcare – £195.06 per dwelling
-) Library contributions - £54.35 per 2 bed; 63.41 for 3+ bed

In addition a new contribution of £60,979 is required to meet education needs generated by the changes.

The proposed mix and changes to the S106 Agreement would be in accordance with the aims and objectives of Policies CS3 and CS24 of the Core Strategy and the new Housing SPD.

Financial Implications

There are no financial implications because any financial impact resulting from the changes will be covered by the revised S106 agreement.

Risk Management

Risk Identified	Likelihood	Impact	Risk Management Actions Planned
That the delivery of Affordable Housing Delivery will be delayed or prevented	possible	moderate	Housing Strategy Officers and Planning Officers are engaged in and have agreed the delivery of an appropriate mix of affordable housing and where these are

Risk Identified	Likelihood	Impact	Risk Management Actions Planned
			best located.

Key Decision:

No

Background Papers:

Planning files: P/16/2057/2

Delegated Report

Agreed Deed of Variation