

Decision under Delegated Powers

Officer Requesting Decision

Principal Planning Officer, Development Management

Officer Making the Decision

Head of Strategic Support

Recommendation

To enter into a Section 106 legal Agreement relating to land at Melton Road, Rearsby, (P/17/0531/2). The agreement deals with the contributions towards healthcare, civic amenities, public transport, libraries, open spaces, and travel packs payable to the Borough and County Council. The agreement also requires 40% affordable dwellings.

Reason

To satisfactorily mitigate the impact of the proposed development and enable the developer to carry out the development in the event that the Secretary of State is minded to grant planning permission.

Authority for Decision

Part 2a of the Council Constitution – Delegation to the Head of Strategic Support gives authority to enter into and vary an agreement under Section 106 of the Town and Country Planning Act 1990.

Decision and Date

Background

The developer has submitted a planning application for up to 66 dwellings at the above site which if approved by the Planning Inspector will require contributions towards healthcare, civic amenity, public transport, libraries, open spaces, and travel packs as well as the provision for affordable housing and public open space in order to mitigate the impact of the development in planning terms. The Council refused planning permission and an appeal against this decision was lodged. A Public Inquiry is being undertaken to consider the appeal which requires the agreement of a Section 106 Legal agreement should the Inspector decide that the application should be granted. In that context it is considered that the draft agreement prepared

satisfactorily mitigates the impact of the proposed development and it is appropriate to enter into it should the Inspector allow the appeal and grant planning permission.

Financial Implications

There are no financial implications for Charnwood Borough Council

Risk Management

There are no identified risks.

Key Decision: No

Background Papers:
Planning files: P/17/0531/2
Approved Section 106 Agreement