

Decision under Delegated Powers

Officer Requesting Decision

Group Leader Development Management

Officer Making the Decision

Head of Strategic Support

Recommendation

That a Deed of Variation (s106 Linking Agreement) be agreed to the Principal Agreement dated 29th October 2013, later amended by the 'first deed of variation' dated 8th December 2014, in relation to planning application P/12/2569/2 for a residential development at land at Farley Way, Quorn.

Reason

The Deed of Variation seeks to amendments to the mortgagee in possession clause an the existing Section 106 Agreement and first Deed of Variation.

Authority for Decision

A variation of a Section 106 Agreement can be made under the delegated authority of the Head of Strategic Support.

Decision and Date

Background

Outline Planning permission (reference P/12/2569/2) was granted for a residential development of up to 44 dwellings with access and associated works at Land at Beacon View Industrial Estate, Farley Way, Quorn, on 30th October 2013. This was subject to a Section 106 Agreement (Principal

Agreement) dated 29th October 2013 which was later amended by the first deed of variation.

This Deed of Variation relates to following amendments to the Section 106 Agreement (Principal Agreement), to amend the the mortgagee in possession clause, but does not alter the amount of affordable housing or any other provions constined within the heads of terms included within the resolution of plans committee to grant planning permission.

Councillors were consulted regarding the application and have raised no objection to the amendments to be made under delated powers and not be refered back to to plans committee.

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:

Background Papers:

P/12/2569/2 - Planning file and principal Section 106 Agreement and related planning applications.