

## **Decision under Delegated Powers**

### **Officer Requesting Decision**

Team Leader, Development Management

### **Officer Making the Decision**

Head of Governance & HR

### **Recommendation**

That a Section 106 Agreement be signed to secure the following planning obligations under Planning Permission reference P/22/1414/2, for purpose-built student accommodation at 11 Pinfold Gate, Loughborough:

A scheme for the provision of 40% Affordable housing on the site (tenure mix of 77% Social Rented Dwellings and/or Affordable Rented Dwellings and 23% Shared Ownership Housing and/or First Homes)

- The annual sum of £10,000 to the Community Safety Partnership towards the cost of the Student Support Scheme
- The sum of £6,642.24 payable by the owner to the Council for onward transmission to the Healthcare Provider towards additional clinical accommodation for additional patients at Pinfold Medical Practice and Park View Surgery.
- The sum of £12,535 (index linked) payable to the council toward the provision or enhancement of off-site town centre parks, public open space facilities within Loughborough.
- A fee of £292 (index linked) for each submission and payable to the Council for the costs of considering and approving any details, document or scheme required to be submitted to the Council under the terms of this agreement
- A fee of £195 (Index Linked) for each site inspection required by this agreement and payable to the Council towards its costs of preparing for attending such visit or site inspection.
- The sum of £1,555 Index Linked to be paid to the Council under the terms of this Deed and payable towards the Council's monitoring of this Deed and the Development.
- The sum of £1500 payable to the Council towards its reasonable legal costs upon completion of this Deed and disbursements incurred in the negotiation.

The S106 agreement will be required to enable the grant of planning permission through the delegated decision process.

### **Reason**

The S106 Agreement is required to make the development acceptable in planning terms.

### Authority for Decision

Under the Scheme of Delegation to Officers (8.2 Delegation of Council Functions) the Head of Governance and Human Resources has delegation 'to enter into and vary an agreement under Section 106 of the Town and Country Planning Act 1990' (Item 7). The Head of Planning and Growth has delegation to negotiate the heads of terms of section 106 agreements (Item 21).

### Decision and Date

### Background

The Full Application P/22/1414/2 'Erection of 5 storey accommodation to provide 22no. Student Cluster Flats and ancillary accommodation with associated landscaping works" (100 student beds) (received 26<sup>th</sup> July 2022), was determined by a Delegated Decision on 18<sup>th</sup> August 2023. It will supersede a similar application on the same site which had planning approval for 110 student beds, and a S106 agreement (P/19/0489/2). The earlier approved scheme was not commenced.

### Financial Implications

None

### Risk Management

Risk Identified	Likelihood	Impact	Overall	Risk Management
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 and appeal ref.

P/22/1414/2