

## 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 16<sup>th</sup> July 2014 in relation to planning application P/13/1519/2 for a residential development at land at Groby Road, Anstey.

### 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/13/1519/2) was granted for a residential development of up to 35 dwellings at land north of Groby Road, Loughborough on 11<sup>th</sup> August 2014. All matters were reserved for later consideration as part of a future Reserved Matters application. This was subject to a Section 106 Agreement (Principal Agreement) dated 16<sup>th</sup> July 2014 relating to a variety of contributions towards the provision of land on-site

for areas of structural planting and for the maintenance of such areas, education, healthcare, libraries and affordable housing.

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 amendments in September 2020 and have raised no objection to the amendments being made under delated powers and do not wish to refer the matter back to to plans committee.

DD016 2021 relating to this deed of variation has already been signed. However this DD was very detailed and the wording of the deed of variation has altered slightly since the drafting of the original DD. For the avoidance of doubt this second DD has been produced.

### **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/13/1519/2 - Planning file and principal Section 106 Agreement