

Decision under Delegated Powers

Officer Requesting Decision

Principal Planning Officer, Development Management

Officer Making the Decision

Head of Planning & Regeneration Services

Recommendation

That a Section 106 legal agreement is signed securing the following contributions in association with application P/17/0881/2:

-) The provision of one accessible affordable bungalow gifted to Charnwood
-) A payment of £43,150 to Charnwood for the enhancement of skate park facilities in Staddon Park
-) A payment of £108,891.09 to Leicestershire County Council for improvements at Woollen Hill Primary School
-) A payment of £29,378.41 to Leicestershire County Council for use for 16+ education at Birstall Cedars Academy
-) A payment of £1,390 to Leicestershire County Council towards increasing lending stock at Anstey library.
-) A payment of £10,299.90 to Leicestershire County Council towards improving the two nearest bus stops and for the provision of bus passes*
-) A payment of £2431.10 to Leicestershire County Council for the provision of travel packs to residents *

* NB these last two payments were summed within committee resolution A and are listed there as a single payment of £12,731

Reason

Policy CS3 requires the provision of a target of 30% of affordable housing for developments in Anstey unless there are reasons, such as economic viability, that prevent this target being achieved. The site has viability issues and the single gifted bungalow is the maximum that can be achieved in this instance. Its provision ensures compliance with CS3.

Policy CS15 require the provision of open space to meet community needs. Needs assessment of the area indicate a shortfall in provision for young people that cannot be met on site. This contribution is necessary to improve facilities commensurate to the scale of the development and ensure compliance with policy CS15.

Policy CS24 seeks the mitigation and management of the impacts of development on existing infrastructure. It has been identified that the development will place demand on educational, library and public transport infrastructure that cannot be met without improvements. The contribution will provide this in a commensurate way and ensure compliance with policy CS24.

Authority for Decision

At the meeting on 26/7/18 the Plans Committee resolved that authority be given to the Head of Planning and Regeneration and the Head of Strategic Support to enter into an agreement under section 106 of the Town and Country Planning Act 1990 to secure improvements, on terms to be finalised by the parties, as set out below:

-) the provision of one accessible bungalow on the site gifted to
-) Charnwood Borough Council
-) a sum of £43,150 towards the enhancement of skate park facilities in
-) Staddon Park
-) a sum of £108,891.09 towards improvements at Woolden Hill Primary
-) School
-) a sum of £29,378.41 towards 16+ education at Birstall Cedars
-) Academy
-) a sum of £1,390 towards increasing lending stock at Anstey Library
-) a sum of £12,731 to provide for travel packs for new residents, including possible bus passes, and for improvement to the two nearest bus stops.

Decision and Date

Background

Resolution to grant Planning permission for the “Erection of 46 dwellings”, was made under reference P/17/0881/2 at the Plans Committee meeting of 26th July 2018.

This was also subject to a separate resolution authorising the preparation of a section 106 agreement covering those matters listed under the recommendation listed above.

This Section 106 agreement has now been prepared and requires signing.

Financial Implications

The affordable unit will be gifted to Charnwood Borough Council who will then be responsible for its maintenance/letting. This has a financial implication.

Payments associated with the open space will be made to Charnwood Borough Council and these monies will need to be used within the prescribed period for the project stated.

The other payments will be made to Leicestershire County Council and have no financial implications for Charnwood Borough Council.

Risk Management

There are no associated risks

Key Decision: No

Background Papers:
Planning files: P/17/0881/2
Approved Section 106 Agreement