

## DECISION UNDER DELEGATED POWERS

### Officer Requesting Decision

Senior Planning Officer

### Officer Making the Decision

Head of Strategic Support

### Recommendation

That a s106 Legal Agreement for development at 108 – 114 Nottingham Road, Loughborough, Leicestershire LE11 1EX (application reference P/16/1269/2 refers) is completed.

### Reason

The s106 Legal Agreement is being agreed to secure:

#### CBC Developer Contributions

- A contribution of £1,710.93 towards off-site open space

#### County Council Developer Contributions

- A contribution of £450 towards libraries
- A contribution of £7,500 towards provision of 'Waiting Restrictions' on Whitegate

### Authority for Decision

Section 8.2 of the Constitution gives the Head of Strategic Support delegated authority to enter into and agree a section 106 agreement at para 6.

### Decision and Date

### Background

A planning application has been submitted and considered under planning reference P/16/1269/2 for 15 self-contained flats. A delegated report on the planning considerations has been authorised by the Group Leader (Development Management) and the final draft of the S106 Agreement has been circulated. The Agreement sets out contributions towards off site open space, library facilities and highway markings and signage on Whitegates.

The proposals for additional dwellings would support the Council's Housing Land Supply and the policies of the development plan listed below.

### **Relevant Planning History**

This is set out in the planning history in the officer's report. It involves the demolition of existing commercial buildings and their replacement by a residential apartment block.

### **Policy Considerations**

#### Development Plan

Policy CS24 of the Charnwood Local Plan 2011 to 2028 Core Strategy - Delivering Infrastructure – sets out that infrastructure should be delivered having regard to the economic viability and circumstances.

The development also accords with Policies CS1, CS2, CS13, CS16, CS17 and CS 25 of the Core Strategy and saved Policies ST/2, EV/1 and TR/18 of the Local Plan.

### **Considerations**

The proposed development will deliver the level of s106 contributions in compliance with the tests of the Community Infrastructure Levy Regulations to allow the completion of the legal agreement. The proposals are in accordance with the Development Plan and full consideration has been given to the material planning considerations that have arisen on the application, including viability. The S106 Agreement is considered to be in accordance with the aims and objectives of Policy CS24 of the Core Strategy.

### **Financial Implications**

The contributions will be received at trigger points detailed in the legal agreement and after they have been received, monies will be managed through the Corporate S106 Working Group.

### **Risk Management**

<b>Risk Identified</b>	<b>Likelihood</b>	<b>Impact</b>	<b>Risk Management Actions Planned</b>
Contributions will not be received once trigger points are received	Unlikely	Moderate	Regular monitoring of S106 contributions by the compliance officer will provide appropriate oversight of progress and awareness of any trigger dates

### **Background Papers:**

All contained on planning file P/16/1269/2