

Decision under Delegated Powers

Officer Requesting Decision

Principal Planning Officer - Strategic Development

Officer Making the Decision

Head of Legal and Electoral Services

Recommendation

That a Section 106 Agreement be signed to secure the following planning obligations in relation to planning application **P/22/1154/2** for planning permission for 128 dwellings, including new access off Snells Nook Lane and associated infrastructure, at Land off Snells Nook Lane, Loughborough:

- 38 dwellings to be provided as Affordable Housing on the site (10 First Homes, 2 Shared Ownership Dwellings and 26 Affordable Rented Dwellings and/or Social Rented Dwellings)
- A contribution of £14,454 towards the provision of allotments or the enhancement of existing allotments in Loughborough.
- The provision of a minimum of:
 - 1.11ha park and amenity open space
 - 1.67ha natural and semi-natural open space
 - A Locally Equipped Area of Play (LEAP)

To accord with the On Site Public Open Space Delivery Strategy which is to be submitted to and approved by the Council.

- A contribution of £122,111 towards the provision of young people's facilities (including play equipment) in the vicinity of the development.
- A contribution of £42,122 towards outdoor sports facilities to be used towards implementing recommendations in the adopted Playing Pitch Strategy by enhancing/improving facilities at Nanpantan Sports Ground and/or Derby Road Playing Fields and/or other outdoor sports facilities within the vicinity of the development.
- A contribution of £99,123.20 to be used towards expanding capacity or the improvement of facilities at all Charnwood Medical Group facilities.
- The provision of two bus passes per dwelling at £650 per pass.
- A contribution of £243,200 for the provision of a bus resource to provide a regular link from the development site to Loughborough Town Centre.

- A contribution of £92,739.36 towards the improvements to the existing Public Right of Way K62/15 between Snells Nook Lane and Nanpantan Road.
- A contribution of £2500 for the revalidation and adjustment of the MOVA signal operation at the Snells Nook Lane/Ashby Road (A512) junction.
- A contribution of £2500 for the revalidation and adjustment of the MOVA signal operation at the Snells Nook Lane/Nanpantan Road/Woodhouse Lane junction.
- The provision of a Travel Pack for each dwelling at a cost of £52.85 per Travel Pack.
- A Travel Plan Monitoring Fee of £6,000 towards monitoring the cost of the travel plan.
- A contribution of £187,231.20 for Early Years Education provision towards improving, remodelling or enhancing existing facilities at Holywell Primary School, or at other schools or other early learning provision within the locality of the development, including the construction of a new school.
- A contribution of £660,816 for Primary Education provision towards the improvement, remodelling or enhancement of existing facilities at Holywell Primary School or at other primary schools serving pupils from the development, including the construction of a new school.
- A contribution of £67,738.12 for SEND Education provision towards the improvement, remodelling or enhancement of existing facilities at Ashmount School or at other SEND learning establishments serving pupils from the development, including the construction of a new establishment.
- A contribution of £3,754.22 towards the provision of improvements to Shepshed Library and its facilities, including, but not limited to books, materials, or associated equipment or to reconfigure the internal or external library space.
- A contribution of £5,466.88 for the site reconfiguration and/or development of waste infrastructure to increase the capacity for the Shepshed Household Waste Recycling Centre or any other HWRC directly impacted by the development.

The S106 Agreement is required to enable the grant of outline planning permission, as per the Plans Committee resolution on 17 October 2024:

[Agenda for Plans Committee on Thursday, 17th October 2024, 5.00 pm - Charnwood Borough Council](#)

Reason

The S106 Agreement is required to secure the necessary contributions and obligations to make the development acceptable in planning terms.

Authority for Decision

Under the Council's Constitution, Scheme of Delegation to Officers, (8.2 Delegation of Council Functions), the Head of Legal and Electoral Services has delegated authority to enter into and vary an agreement under Section 106 of the Town and Country Planning Act 1990 (Item 7). In addition, the Head of Planning and Growth has delegation to negotiate the heads of terms of section 106 agreements and to enter into an agreement under Section 106 of the Planning Act to secure planning obligations in instances where the decision is delegated to the Head of Planning and Growth (Item 22).

Decision and Date

N.Ford

Nicola Ford – Head of Legal & Electoral Services

Approved on 18.11.24

Background

Planning application P/22/1154/2 was originally resolved to be approved, subject to entering into an agreement under Section 106 of the Town and Country Planning Act 1990 and several conditions by Plans Committee on 25 July 2024.

Since that resolution, and while a final version of the S106 was being prepared, changes to material planning considerations occurred, and therefore the application appeared on the agenda for the Plans Committee on 17 October 2024. The Plans Committee again resolved to grant planning permission subject to entering into an agreement under Section 106 of the Town and Country Planning Act 1990 and several conditions.

The S106 has been progressed on the basis of the Heads of Terms resolved to be agreed by Plans Committee, with delegation to the Head of Planning and Growth to finalise the terms.

The Committee Update Report and associated Extras Report for the Plans Committee on 17 October 2024, including a copy of the original Committee Report (Enc.1), and associated Extras Report (Extract) can be found at the following link:

[Agenda for Plans Committee on Thursday, 17th October, 2024, 5.00 pm - Charnwood Borough Council](#)

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 No

Background Papers

All contained on planning file P/22/1154/2, which can be found at the following link:

[Planning Search Results](#)