

PARISH Old Bolsover

APPLICATION Outline planning application (with all matters except access reserved for later consideration) for residential development in the region of 950 dwellings, provision of an extra care facility (approx 70 units) and an Infant School together with appropriate vehicular, cycle and pedestrian access, associated car parking spaces and open space provision

LOCATION Land Between Welbeck Road And Oxcroft Lane Bolsover

APPLICANT Persimmon Homes (West Yorks Ltd) and Strata Homes (Yorks)

APPLICATION NO. 14/00080/OUTEA **FILE NO.** PP-03157152 H6385

CASE OFFICER Mr Peter Sawdon

DATE RECEIVED 14th February 2014

BACKGROUND

Planning Committee at its meeting on the 30th March 2016 resolved to grant planning permission for this development subject to conditions and a S106 Planning Obligation. The final decision was delegated to the Assistant Director Planning in consultation with Chairman and Vice-Chairman of Planning Committee subject to the completion of a S106 (on the terms listed in the original report) and conditions (to be formulated in full).

Since the time of that resolution work has been ongoing to finalise the wording of conditions and the S106 Planning Obligation.

The original report to Planning committee detailed various requirements in respect of financial contributions that would normally be sought through a S106 agreement, but also acknowledged that there were recognised viability issues, and therefore delivery issues, resulting in the resolution to initially require reduced contributions to deliver the most critical infrastructure requirements, namely:

- **EDUCATION** - an expansion to primary phase education provision – by way of land and financial contributions towards a replacement Infants Schools within the site and contribution to enable the extension to the Junior School acceptable to Derbyshire County Council;
- **GREEN SPACE PROVISION** – by way of approximately 6.5 ha, split between 4.2 ha of formal green space and 2.3 ha semi-natural green space arranged to provide a 4 hectare town park located at the southern part of the site that is open to the general public and combines at least three of the following uses: amenity green space, outdoor sports, semi-natural green space, equipped play area;
- **HIGHWAY REQUIREMENTS** - capacity improvements to the Town End / Welbeck Road / Moor Lane junction and other junctions as required – by way of on-site and off-site interventions and contributions acceptable to Derbyshire County Council;
- **SUSTAINABLE TRANSPORT MODE NETWORKS** - including walking, cycling and public transport access – by way of on-site and off-site interventions and contributions acceptable to Derbyshire County Council;

- STRATEGIC GREEN INFRASTRUCTURE – by way of on-site and off-site interventions and contribution acceptable to Derbyshire County Council and Bolsover District Council.
- AFFORDABLE HOUSING - Provision of serviced land for an extra care facility in lieu of some affordable housing contributions.
- PUBLIC REALM IMPROVEMENTS -

This was made subject to review mechanisms to re-consider viability over the lifetime of the development to potentially ‘clawback’ the remaining contributions that would normally be sought. Areas where reduced or no contributions were secured are: -

- Secondary Education contributions (@£2.4million)
- Reduced contributions to requests of the Highway Authority.
- Public Art – this was reduced as a result of viability testing and also the contribution was utilised for Public Realm improvements (a ‘gateway’ entrance wall and street trees) as an alternative, although the amount of monies available would not cover the desired number of street trees.
- Balance of affordable housing (taking into account provision of extra care facility)

POSSIBLE CHANGES TO S106 PLANNING OBLIGATION CONTRIBUTIONS

The Education Authority has recently noticed that there has been an error in the sum requested for education contribution, such that the requirement that had been sought and agreed for Junior School Provision has been set too high and needs to be reduced. At the time of preparing this report the exact figures still need to be calculated, but it is anticipated that this will be in the region of £1million.

As it is important to issue the planning permission without undue delay, this report is seeking delegated Authority to officers, in consultation with the Chair and Vice Chair of Planning to agree an alternative schedule of payments following further negotiations with the developers and their agent.

With the exception of the Junior School Contribution referred to above, it is proposed that none of the other contributions required under the original resolution of the Planning Committee will be reduced; rather it will be looking at the other areas where contributions fell short due to viability justification to which that money should be re-allocated.

It is also proposed that the previously resolved requirement for viability review mechanisms be maintained within the S106 document to seek to secure the remaining contributions that would normally have been sought in the event of more favourable financial conditions in the future.

RECOMMENDATION: To grant delegated powers to the Assistant Director Planning in consultation with Chairman and Vice-Chairman of Planning Committee to determine revised priorities for re-allocating part of the sums formerly allocated to the proposed Junior School expansion (final sum to be advised by Derbyshire County Council), to cover areas of identified infrastructure need not initially funded under the original resolution due to viability justification.