Lisa Clarke

From:	Judith E. Turner [Judith.Turner@leics.gov.uk]
Posted At:	15 April 2010 14:16
Conversation:	Planning Application Consultation for LCC Planning And Transportation 2010/0169/04
Posted To:	Planning Folder
Subject:	Planning Application Consultation for LCC Planning And Transportation 2010/0169/04

2010/0169/04
Mr John Cawrey - SUBSTITUTION OF HOUSETYPES FOR PLOTS 7, 14, 15 AND 22 - Land Adjacent M1 Ferndale Drive, Ratby Leicestershire

Thank you for your consultation on Planning application no. 2010/0169/04, which is a substitution of House types for plot 7,14,15,22 - to each be 4 bedroom house types.

The recently approved planning application no. 2009/0211/04 shows on plans no. AA15-4K plots 7,14,15, 22 with 4 bedroom houses. In view of this there would be no requirement from the County Council for additional contributions per se.

However the Borough Council might want to consider a deed of variation to the existing S106 agreement, because
A) The red line boundary in this new application 2010/0169/04 only relates to the plots in the house type substitution and

B) The existing S106 planning agreement related to application no. 2009/0211/04 has anomalies in the drafting
of

paragraph 2 of schedule 2 which refers to 'no more than twenty (25) dwellings authorised to be constructed pursuant to...

Paragraph 4 of schedule 3 which refers to 'the Owner will not allow or permit the occupation of more than 20 dwellings...

The definition of dwellings is not preovided in the agreement and given the description of the development is 36 dwellings and 14 apartments, this could strictly speaking be open to interpretation and possible difference of opinion from the developer, in relation to the definition of the trigger points (for contributions) in terms of the occupation levels in schedules 2 and 3 of the existing planning agreement.

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-----Original Message-----
From: Planning Control
Sent: 30 March 2010 10:25
To: Andrew Tyrer
Cc: Judith E. Turner
Subject: FW: Planning Application Consultation for LCC Planning And Transportation

-----Original Message-----
From: planning@hinckley-bosworth.gov.uk [mailto:planning@hinckley-bosworth.gov.uk]
Sent: 30 March 2010 10:13
To: Planning Control
Subject: Planning Application Consultation for LCC Planning And Transportation

Please see attached document <<ufm46.rtf>>

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