

CAMBRIDGE CITY COUNCIL

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REPORT OF: Head of Planning  
TO: South Area Committee  
WARD: Queen Ediths

**New residential development comprising six 2-bed flats, one 3-bed flat, car parking, cycle store, refuse store, landscaping and modified vehicular access to Mowbray Road following demolition of existing house and garage, 33 Queen Ediths Way.**

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**1. INTRODUCTION**

- 1.1 On 3 March 2014, South Area Committee considered planning application (14/0020/FUL) for the demolition of the existing detached dwelling at 33 Queen Ediths Way and redevelopment of the site for three storey residential building comprising seven flats.
- 1.2 The Committee resolved to approve the planning officer's recommendation to grant planning permission for the application subject to conditions and the completion of a s106 agreement.
- 1.3 Since the Committee meeting, officers have begun drafting the s106 agreement and it has come to their attention that the County requirement for Life Long Learning was not included in the Committee report. For this reason the application is brought back to Committee for members to agree this additional contribution.

**2. RECOMMENDATIONS**

- 2.1 To approve the amendment to the contributions required for the s106 agreement so that it includes the financial contribution detailed in paragraph 3.4 of this report.

**3. BACKGROUND**

- 3.1 As a result of consultation with the County Council, officers were aware of the need for contributions to be made towards Life Long Learning. However this requirement was not set out in the officer's report. This was an error and officers have apologised to the applicant for this.
- 3.2 I have set out below the detailed justification for the contribution, which should have been set out in the original report. The contribution is considered to be a necessary financial obligation that meets the tests set out in the Community Infrastructure Levy Regulations 2010, which place a statutory requirement on the Local Planning Authority to ensure that where planning permission is dependent upon a planning obligation under s106 being completed, the obligations sought pass the following tests:

- (a) they are necessary to make the development acceptable in planning terms;
- (b) they are directly related to the development; and
- (c) they are fairly and reasonably related in scale and kind to the development.

3.3 The contribution sought by the County Council complies with the above tests.

3.4 The County Council have informed officers that they require a contribution of £1,140 to be made towards Life Long Learning.

#### **4. CONSULTATIONS**

4.1 No further consultations were required.

#### **5. OPTIONS**

5.1 To resolve to include the requirement for contributions towards Life Long Learning in the s106 agreement.

5.2 To resolve not to include the requirement for contributions towards Life Long Learning in the s106 agreement on the basis that it is not justified (This would be inconsistent with similar developments elsewhere in the City).

#### **6. CONCLUSIONS**

6.1 A requirement for contributions towards Life Long Learning is justified and the s106 agreement should be drafted to include such contributions.

#### **7. IMPLICATIONS**

(a) **Financial Implications** – None

(b) **Staffing Implications** – None

(c) **Equal Opportunities Implications** – None

(d) **Environmental Implications** – None

Climate Change Impact: Nil

(e) **Procurement** – None

(f) **Consultation and Communication** - None

(g) **Community Safety** – None

**BACKGROUND PAPERS:** The following are the background papers that were used in the preparation of this report:

Planning application 14/0020/FUL

To inspect these documents contact Sav Patel on extension 7167

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Report file:

Date originated: 13 June 2014

Date of last revision: 13 June 2014