

FOR PUBLICATION

PLANNING AGREEMENT REPORT

MEETING: PLANNING COMMITTEE

DATE: 13TH MAY 2024

REPORT BY: HEAD OF REGULATORY LAW
DEVELOPMENT MANAGEMENT AND
CONSERVATION MANAGER

WARD: As listed in the report

FOR PUBLICATION

BACKGROUND PAPERS

Copy planning agreements (Non-exempt information) LOCATION: REGULATORY LAW on Planning Register (Regeneration Directorate) on planning/legal files

1.0 PURPOSE OF REPORT

1.1 For information only. To list authorised planning agreements and to note completed agreements.

2.0 BACKGROUND

2.1 A planning agreement is sometimes needed before planning permission can be granted, because of local plan policies or to resolve particular issues. The obligations bind the land and can be enforced in court.

2.2 Planning agreements are authorised by this committee (Delegation Reference P340), or officers following an application determined by an officer (P345D). Drafting can begin prior to the decision on the application, but is subject to the outcome of the application. Details are negotiated by officers (P355D and P360D). Negotiations can be ended if no progress (P350D).

2.3 While negotiations on draft deeds are confidential, completed deeds are public.

3.0 RECOMMENDATION

3.1 That the report be noted.

GERARD ROGERS
HEAD OF REGULATORY LAW

PAUL STANIFORTH
DEVELOPMENT MANAGEMENT
AND CONSERVATION MANAGER

Further information on this report from Gerard Rogers, Head of Regulatory Law, 01246 936471 or gerard.rogers@chesterfield.gov.uk

Agreements currently Authorised: 33

PLANNING AGREEMENT REPORT

01 May 2024

Address	Developer	Authorised	CHE/	note update	Wd last update
<i>Date Completed</i>	Other terms/notes	<i>days from</i>			
<i>Days Authorised to Completed</i>					

Planning Obligation

Total currently authorised: 27 Authorised to Completed Average: 273.2days

Abercrombie 20	Scavelli	27/06/22 675	21/00648/FUL	<input checked="" type="checkbox"/>	SH
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Cost of amendment to residents parking TRO. Revised application to be submitted. Amended draft prepared.

Adelphi Way	Richardson Machine Tool Services Ltd	09/03/23 420	22/00650/FUL	<input checked="" type="checkbox"/>	SC
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15/02/24
343

Officer delegation. BNG contribution £30,600. COMPLETED

Basil Close	Anon (Chesterfield) Ltd	05/10/20 1,305	20/00314/FUL	<input checked="" type="checkbox"/>	SH
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29/09/21
359

TRO contribution. Affordable Housing contribution. COMPLETED

Details at 01 May 2024

Address	Developer	Authorised	CHE/	note	Wd
Date Completed	Other terms/notes	days from		update	last update
<i>Days Authorised to Completed</i>					
Brimington Road - Tapton Business Park 10/10/23 97	Woodall Homes	05/07/23 302	22/00604/FUL	<input checked="" type="checkbox"/>	Sp
	Contribution to infrastructure, river bridge contribution, junction improvements, footpath improvement and contribution, bus stop improvements, off-site affordable housing, on-site POS, title to area of land. COMPLETED				
Burlington Street Burlington House 12/10/22 127	G.A.P.E Limited	07/06/22 695	22/00195/FUL and CHE/22/00194/F UL	<input checked="" type="checkbox"/>	Sp
	CCG contribution £26,496 and Affordable Housing contribution, cessation of basement nightclub use, entrance and lift, occupation restriction. COMPLETED				
Carpenter Avenue - Land West of 28/03/22 2058	Norbriggs Partnership	08/08/16 2,824	16/00114/OUT	<input checked="" type="checkbox"/>	LW 02/09/20
	Affordable housing, percent for art, open space, SuDS management. Further reports to committee on 17/02/20 and revised scheme approved 16/11/20. COMPLETED.				
Cottage Close Poolsbrook School, South of	ADC Properties	06/12/21 878	20/00801/FUL	<input checked="" type="checkbox"/>	MP
	£56.628 AH contribution. No progress from developer.				

Details at 01 May 2024

Address	Developer	Authorised	CHE/	note update	Wd
<i>Date Completed</i>	<i>Other terms/notes</i>	<i>days from</i>			<i>last update</i>
<i>Days Authorised to Completed</i>					
Enterprise Way	Gridserve Sustainable Energy Ltd	30/08/22	22/00272/FUL	<input checked="" type="checkbox"/>	HI
24/07/23		611			
328	Biodiversity net gain of 1 habitat unit at £20,000 per unit. COMPLETED CBC = £20,000				
Factory Street / Walton Works and Boythorpe Works	Robinsons PLC	09/01/17	15/0832/FUL and CHE/15/0843/LB C	<input checked="" type="checkbox"/>	Wa
		2,670			
Developer no longer pursuing development. Agreement unlikely to complete. NOT PROCEEDING					
Linacre Road	Tilia Homes and CBC	22/07/22	21/00707/FUL	<input checked="" type="checkbox"/>	LG
30/09/22		650			
70	Unilateral Undertaking. Affordable housing, CCG Contribution, highways contributions, bus stop improvements, Wardgate Way link contribution, Travel plan monitoring, BNG. COMPLETED				
Linacre Road	Tilia Homes Limited	22/07/22	21/00707/FUL	<input checked="" type="checkbox"/>	LG
22/12/22		650			
153	Confirmatory deed on transfer to purchaser. COMPLETED				

Address	Developer	Authorised	CHE/	note	Wd
Date Completed	Other terms/notes	<i>days from</i>		update	<i>last update</i>
<i>Days Authorised to Completed</i>					
Loundsley Green Road	Strata Homes Yorkshire Ltd	20/02/23	21/00879/FUL	<input checked="" type="checkbox"/>	LG
14/06/23		437			
114	Footpath, AH and BNG contributions. COMPLETED				
Markham Vale	MVNE LLP and Devonshire Property (M Vale) Ltd	12/12/22	21/00554/OUT	<input checked="" type="checkbox"/>	SS
14/12/23		507			
367	BNG and highways/transport contributions. Employment and skills strategy. COMPLETED				
Old Road Manor Offices	CSC Computer Sciences Ltd	12/12/22	22/00109/OUT	<input checked="" type="checkbox"/>	Wa
30/03/23		507			
108	Affordable Housing, CCG contribution £27,840. COMPLETED				

Address	Developer	Authorised <i>days from</i>	CHE/	note update	Wd <i>last update</i>
Date Completed <i>Days Authorised to Completed</i>	Other terms/notes				
Saltergate Former NEDDC Offices	Your Life Managemen t Services Ltd	29/01/18 2,285	17/00769	<input checked="" type="checkbox"/>	B 02/09/20
Application withdrawn 21/07/21. DISCONTINUED					
Sheffield Road - adjacent to 929 16/01/23 73	Lister and Camm	04/11/22 545	CHE/21/00800/F UL	<input checked="" type="checkbox"/>	W
affordable housing and CCG. COMPLETED					
Sheffield Road The Brushes	Peak Gateway Properties Ltd	11/03/24 52	23/00579/REM CHE/23/00583/R EM1 CHE/23/00584/R EM	<input checked="" type="checkbox"/>	WH
to tie current applications to existing Section 106. Deed circulated for signature.					
Swaddale Avenue 11/11/22 116	MYPad2020 st of	18/07/22 654	21/00609/FUL	<input checked="" type="checkbox"/>	BS
3 units Affordable Housing, 90/10 split rent/shared ownership. BNG contribution of 2 habitat units at £20,000. COMPLETED					

Address	Developer	Authorised <i>days from</i>	CHE/	note update	Wd <i>last update</i>
Date Completed <i>Days Authorised to Completed</i>	Other terms/notes				
Tom Lane (South of) / Rectory Road (West of) 10/01/24 <i>142</i>	Elliot	21/08/23 <i>255</i>	16/00340/OUT	<input checked="" type="checkbox"/>	SS
CCG, AH, Highways contributions, BNG or contribution etc. COMPLETED					
Troughbrook 2, Pondhouse Farm	Chatsworth Settlement Trustees	08/01/24 <i>115</i>	18/00688/OUT	<input checked="" type="checkbox"/>	SS
10% AH: 90/10 social rented and shared ownership (including off-site contribution). Linked with 18/00491/OUT. Deed being negotiated					
Troughbrook Land East of	Chatsworth Settlement Trustees	08/01/24 <i>115</i>	18/00491/OUT	<input checked="" type="checkbox"/>	SS
10% AH: split 90:10 social rented and shared ownership joined with CHE/18/00688/OUT. Deed being negotiated					
Wetlands Lane 10/12/21 m <i>262</i>		23/03/21 <i>1,136</i>	21/00035/DOC	<input checked="" type="checkbox"/>	BS
Unilateral Obligation - bat and wildlife mitigation measures. COMPLETED					

Details at 01 May 2024

Address	Developer	Authorised <i>days from</i>	CHE/	note update	Wd <i>last update</i>
Date Completed <i>Days Authorised to Completed</i>	Other terms/notes				
Whitecotes Lane Walton Hospital	Vistry Partnerships and Homes Englandf	14/12/20 1,235	20/00305/FUL	<input checked="" type="checkbox"/>	Wa
14/12/20 0	Delivery of Affordable Housing. COMPLETED				
Wilder Whittington Habitat Site	Derbyshire Wildlife Trust	04/12/23 150		<input type="checkbox"/>	W
Worksop Road	Devonshire Property (MM) Limited	18/05/20 1,445	17/00469/OUT	<input checked="" type="checkbox"/>	LW
25/09/20 130	Application refused and appeal. Council reconsidered position in light of new local plan. COMPLETED subject to grant of planning permission on appeal				
Worksop Road	Devonshire Property (MM) Limited	15/02/21 1,172	20/00700/OUT	<input checked="" type="checkbox"/>	LW 19/02/21

Address	Developer	Authorised	CHE/	note	Wd
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<i>Days Authorised to Completed</i>					

Worksop Road	Devonshire Properties (MM) Ltd	12/12/22 507	20/00700/OUT	<input type="checkbox"/>	LW
20/02/23					
70	CCG, highways and transport related contributions. 5% AH. Open space etc management.				

Unilateral Undertaking *Total currently authorised: 1 Authorised to Completed Average: days*

Westbourne 19	Andrew Barnes	24/06/20 1,408	17/00416/FUL	<input checked="" type="checkbox"/>	We 02/09/20
Unilateral Undertaking to pay £28,580 CIL by 31/06/21. Payment received without Section 106. DISCONTINUED					

Variation of Planning Obligation *Total currently authorised: 5 Authorised to Completed Average: 136.8days*

Bevan Drive	Hibbert, Sanderson, Bage and Wildgoose Homers Ltd	30/03/20 1,494	20/00110/FUL and 15/00755/OUT	<input checked="" type="checkbox"/>	HI 02/09/20
13/11/20	Phasing of Education Contribution with phased development. COMPLETED				
228					

Dunston Road	Strata Homes Ltd	26/10/20 1,284	20/00543/REM1	<input checked="" type="checkbox"/>	D
19/11/20	removal of affordable housing provision				
24					

Details at 01 May 2024

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<i>Date Completed</i>	<i>Other terms/notes</i>	<i>days from</i>		<i>update</i>	<i>last update</i>
<i>Days Authorised to Completed</i>					
Inkersall Road (West of) 08/09/23 228	BDW Trading Ltd	23/01/23 465	19/00131/OUT	<input checked="" type="checkbox"/>	SS
	Modification of affordable housing definitions. COMPLETED				
Northmoor View 04/04/22 61	Sage Housing Limited	02/02/22 820	18/00532/CHE/1 8/00229/FULOU T	<input checked="" type="checkbox"/>	BS
	Modification of mortgage clauses. COMPLETED				
Sheffield Road (Peak Gateway) 04/02/21 143	Birchall Properties Limited	14/09/20 1,326	20/00188/REM1	<input checked="" type="checkbox"/>	OW
	to tie Section 106 dated 10th August 2005 to current application(s). COMPLETED				

Agreements: Planning Obligation: under S.106 of the Town and Country Planning Act 1990 • Variation of Planning Obligation: modifies a planning obligation. • Variation of Section 52 Agreement: modifies an older planning agreement • Unilateral Obligation: a legal undertaking made by a landowner at appeal or otherwise

Abbreviations: % Percent for Art • AH Affordable Housing OS Open space/Play area TH Turning Head • OP Off-Site Play • ED Education Contrib • P Parking, Walking etc • GT Green Travel Scheme • H Highway Improvements • FP Footpath Other Other requirements • HS Health Service Contribution • MCS Management Company - SuDS MCO Managerment company - Open Spaces) • BNG Biodiversity New Gain.TRO -Traffic Regulation Order. CCG Clinical Commissioning Group Other Other requirements

Key to old and new Ward abbreviations : BE Brampton East and Boythorpe. BW Brampton West and Loundsley Green. BNW Barrow Hill and New Whittington • BN Brimington North • BS Brimington South • B Brockwell • D Dunston • Ha Hasland • Hb Holmebrook • HI Hollingwood and Inkersall • L Linacre • LG Loundsley Green • LW Lowgates and Woodthorpe • MP Middlecroft and Poolsbrook • Mo Moor • N Newbold • OW Old Whittington • R Rother • SH St Helens • SL St Leonards • Sp Spire. SC Staveley Central. SN Staveley North. SS Staveley South.Wa Walton • We West W Whittington. WM Whittington Moor

Information in the report and summary sheets compiled from records available at time report prepared and may not be complete.