

## BABERGH DISTRICT COUNCIL

URGENT ACTION – NO SPECIFIC POWERS

### ACTION FOR WHICH CHIEF EXECUTIVE HAS DELEGATED POWERS SUBJECT TO CONSULTATION WITH CHAIRMAN

SERIAL NO. 513

SUBJECT MATTER: Planning Application: B/11/00825/FUL Land South of Friends Field, Bures St Mary, BURES, Suffolk. Construction of 35 no. two, three and four bedroom apartments, bungalows and houses with associated roads, paths, driveways, car parking, garages and landscaping, new access from Friends Field and Tawney Ride, plus public open space (including an equipped play area).

COMMITTEE TO WHICH MATTER RELATES: Development Committee.

REASON FOR ACTION BEING TAKEN OUT OF MEETING: The Section 106 is required to be signed urgently in order that the Developer can retain the Registered Provider and the affordable dwellings can be provided.

BACKGROUND: The resolution of the Development Committee on 16 May 2012 included:

That the Solicitor to the Council be authorised to secure a Planning Obligation under Section 106 of the Town and Country Planning Act, 1990, to provide:-

35% affordable housing on site (with a cascade agreement being the fall back provision);  
The provision of an open space and LAP+1 to the Councils standard and subsequent adoption (and associated landscaping);  
Other infrastructure requirements relating to secondary school provision, early years childcare, libraries and waste.

The proposed cascade agreement was included as at the time of going to Development Committee the Developer had not found a Registered Provider who was interested in taking on the 12 affordable dwellings. The cascade agreement was to provide a fall back position so that if the applicant could not find an RP, the affordable housing could be dealt with in another way.

Since Development Committee, the applicant has signed up an RP and therefore the S.106 no longer needs to include the cascade agreement.

FINANCIAL IMPLICATIONS (IF ANY): None

ACTION AUTHORISED: That the section 106 to be undertaken without the cascade agreement.

DATE ACTION AUTHORISED: 17 October 2012