

HAMPSHIRE COUNTY COUNCIL

Officer Decision Record

Decision Maker:	Ben Clifton – Team Leader, Strategic Transport
Title:	Harwood Paddock Woolton Hill Newbury Hampshire RG20 9TR – S106 Deed of Variation PT33A 2096
Reference:	

Tel: 01962 846819

Email: Ben.Clifton@hants.gov.uk

1. The decision:

1.1. That authority be given to the Chief Executive's Department in accordance with Paragraph 1.23 of the Economy, Transport and Environment Department's Scheme of Delegation to enter into an agreement under Section 106 of the Town and Country Planning (General Development) Order 1995 with Basingstoke and Deane Borough Council, Hampshire County Council and Bloor Homes Limited relating to Harwood Paddock Woolton Hill Newbury Hampshire RG20 9TR.

2. Reason(s) for the decision:

2.1. An agreement under Section 106 of the Town and Country Planning Act was entered into between Basingstoke and Deane Borough Council, Hampshire County Council, James William Harker and Catesby Kler Land LLP on the 14th November 2013. This agreement secured a package of transport mitigation measures comprising;

- The sum of £246 849 (two hundred and forty six thousand eight hundred and forty nine pounds) towards pedestrian, bus and cycle measures on the A339 between the junction with Newbury Road(Kingsclere) and the County boundary..

2.2. These measures were considered sufficient to mitigate the transport impact of the development permitted under Basingstoke and Deane Borough Council Planning Permission.

2.3. A application for the land has been submitted under reference 15/00436/ROC, which seeks to vary the permitted development to allow amendments to the approved plans to remove chimneys from various plots.

2.4. A further application for the land has been submitted under reference 15/00296/ROC, which seeks to allow alternative external materials.

- 2.5. The new planning applications, if permitted, will constitute a new planning consent in its own right, and as such it is necessary to enter into the Deed of Variation to the Section 106 Agreement to secure that the original package of mitigation measures apply to the new consent, and to ensure that development is supported by adequate associated infrastructure.
- 2.6. The legal agreement secures the above planning obligations in order that adequate transport mitigation is secured against the development.

3. Other options considered and rejected:

Not to agree to enter into the agreement

- 3.1. This option was considered but dismissed on the basis that this would result in development which was not supported by adequate transport infrastructure and does not sufficiently promote sustainable transport.

4. Conflicts of interest:

- 4.1. Conflict of interest declared by an Executive Member who is consulted by the officer which relates to the decision: None

5. Dispensation granted by the Head of Paid Service:

- 5.1. None

6. Supporting information:

- 6.1. Final draft legal agreement

Approved by:	Date:
-----	09 June 2015
Ben Clifton – Team Leader, Strategic Transport	
On behalf of the Director of Economy, Transport and Environment	