

## HAMPSHIRE COUNTY COUNCIL

### Officer Decision Record

<b>Decision Maker:</b>	Ben Clifton – Team Leader, Strategic Transport
<b>Title:</b>	Laverstoke Mill, London Road, Laverstoke, Whitchurch – S106 Deed of Variation [PT33A/1883]
<b>Reference:</b>	

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#### 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 and The Bombay Spirits Company Limited relating to Land at Laverstoke Mill, London Road, Laverstoke, Whitchurch.

#### 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 and The Bombay Spirits Company Limited on the 5<sup>th</sup> April 2012 which was varied by an Agreement dated 21<sup>st</sup> August 2012 and subsequent Variations dated 15<sup>th</sup> April 2013 and 24<sup>th</sup> March 2014. These agreements secured a package of transport mitigation measures comprising;

- Site access, new footway on the northern side of London Road, relocation bus shelter for eastbound services, new signs and road markings, gateway features and extension of the existing 40mph speed limit.
- A contribution of £95,000 towards improvement of footways on the B3400 and other measures to mitigate the impact of the development including those identified in the Basingstoke Environmental Strategy for Transport or any successor strategy ("BEST").
- A Full travel plan has been agreed with a Bond to the sum of the cost of the works plus 10% and monitoring fees of £5000.

2.2 These measures were considered sufficient to mitigate the transport impact of the development permitted under BDB/74953, BDB/76353, BDB77926 and 13/00613/FUL.

- 2.3. A further application for the land has been submitted under reference 13/02733/FUL, which seeks to vary the permitted development by a change of use from mothballed/industrial buildings and internal amendments to building 18 and 27 to provide a ground floor WC and store in connection with the visitors centre as well as alterations to fenestration of both buildings and installation of metal roller shutter door to building 27 and the installation of solar slates also to building 27. This application will be determined by Basingstoke and Deane Borough Council.
- 2.4. The new planning application, 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.
- 2.5 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:**

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**19<sup>th</sup> November 2014**

**Ben Clifton – Team Leader, Strategic Transport  
On behalf of the Director of Economy, Transport and  
Environment**

