

SOUTH STAFFORDSHIRE COUNCIL

PLANNING COMMITTEE – 20th October 2020

**REPORT FOR URGENT BUSINESS - Application site Land off Common Lane,
Bednall**

Application number: 19/00993/FUL

REPORT OF THE COPORATE DIRECTOR OF PLANNING AND INFRASTRUCTURE

PART A – SUMMARY REPORT

1. SUMMARY OF PROPOSALS

1.1 The Planning Committee is asked to approve an extension of time for the completion of the Section 106 to allow planning application 19/00993/FUL to be approved.

1.2 This report is brought to the Committee of 20TH October 2020 as a late item as it is urgent business and is submitted with the approval of the Chairman of Planning Committee, in accordance with the Council's Constitution Part 4 Section 1 Rule 25 (c), in order to avoid the applications being refused automatically which without Committee approval would need to happen.

2. RECOMMENDATIONS

2.1 That the Resolution of the Planning Committee of 17th July 2020 for application 19/00993/FUL be amended so that the date for completion of the Deed of Section 106 is altered to 15th December 2020 and with an addition that if by 15th December 2020, the Section 106 Agreement has not been fully executed by all the parties, the Chairman is to have delegated authority to agree a further short extension to allow for final execution and completion of the Agreement.

3. SUMMARY IMPACT ASSESSMENT

POLICY/COMMUNITY IMPACT	Do these proposals contribute to specific Council Plan objectives?	
	No	
	Has an Equality Impact Assessment (EqIA) been completed?	
	No	Not applicable
SCRUTINY POWERS APPLICABLE	Not applicable	
KEY DECISION	No	
TARGET COMPLETION/ DELIVERY DATE	DATE OF EXTENSION	
FINANCIAL IMPACT	No	No financial implications on this Council.

LEGAL ISSUES	Yes	Completion of Planning Obligations under s.106 Town and Country Planning Act 1990
OTHER IMPACTS, RISKS & OPPORTUNITIES	No	All matters relative to risk have been considered and no risks to the Council arise from the recommendations in this report.
IMPACT ON SPECIFIC WARDS	No	

PART B – ADDITIONAL INFORMATION

4. INFORMATION

- 4.1 The planning application as detailed above relate to the development at Common Road, Bednall. This was subject to a report brought to the 17th July 2020 meeting of the Planning Committee. As members will recall the resolution for this item was that it be approved subject to the completion of a satisfactory Section 106 agreement by 20th October. If the Agreement is not completed by that date the resolution was for the application to be referred back to the Planning Committee.
- 4.2 The Section 106 Agreement is in the final stages of being agreed in principle and the parties to the agreement have been preparing signatories in readiness for completion. However, there has been delay in getting the Agreement signed by all the parties and returning it to the Council for sealing and completion due in time for the Committee deadline. The delay arises from one of the parties to the Agreement currently residing in New Zealand. Due to the formalities required for the signing of the Agreement as a deed, an electronic signature is unlikely to be sufficient for Land Registry purposes. Additional time is required in order to confirm that a power of attorney is in place or may be put in place in lieu of said party's wet ink signature.
- 4.3 An extension for completion of the Agreement to the date of 15th December 2020 is therefore requested.

5. IMPACT ASSESSMENT – ADDITIONAL INFORMATION

5.1 Not applicable

6. PREVIOUS MINUTES

6.1 Meeting of 17th July 2020

7. BACKGROUND PAPERS

7.1 19/00993/FUL – application details, comments received, officer report and recommendation.

Report prepared by: Sue Frith

