

RIBBLE VALLEY BOROUGH COUNCIL REPORT TO PLANNING & DEVELOPMENT COMMITTEE

meeting date: 1 JULY 2021
 title: S106 AGREEMENT VARIATION - WADDINGTON ROAD, CLITHEROE
 submitted by: DIRECTOR OF ECONOMIC DEVELOPMENT AND PLANNING
 principal author: JOHN MACHOLC, HEAD OF PLANNING SERVICES

1 PURPOSE

1.1 To inform Members in relation to the application for variation to the Section 106 Agreement of 3/2014/0597 and the proposal to remove the bus contribution element of the agreement.

1.2 Relevance to the Council's ambitions and priorities

- Community Objectives } To be a well-managed Council, providing efficient services based on identified customer need.
- Corporate Priorities }
- Other Considerations – None.

2 BACKGROUND

2.1 Planning permission was originally granted for Housing development at land off Waddington Road Clitheroe in February 2015 and was subject to a S106 Agreement dated 24/02/2015. As part of the Transport contributions Schedule 5 required a financial contribution totalling £550,000 over a 5 year period to go towards an amended bus route through the site. The payment would go to Lancashire County Council. A formal application 3/2021/0154 has been submitted to vary the S106 to remove the financial contribution for a bus service.

2.2 Members may recall that the original outline consent included the provision of a dedicated pedestrian and emergency vehicle/bus-link at the southern extents of the site located off of Kirkmoor Road/Back Commons. The Reserved Matters application submitted under 3/2018/0181 and approved on the 8/02/2019 no longer included a vehicular access on Kirkmoor Road. During consideration of this application LCC highways confirmed that the dedicated vehicular access for public transport/emergency vehicles was no longer required.

2.3 The current proposal seeks to make further variations to the original S106 Agreement and remove any financial contributions towards the bus proposals on the basis that there is no longer a requirement from LCC to provide the route into the site.

3 ISSUES

3.1 It is important that any financial contributions included in a S106 Agreement are justified and required for the development. Following considerations from LCC they no longer consider the bus route necessary and subsequently there is no justification or requirement for the financial contribution to LCC on this matter. This has been confirmed in their consultation response dated 15/04/21.

3.2 On the basis of the advice of Lancashire County Council the principle of modifying the S106 has been agreed and the document is currently with Solicitors to be modified.



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NICOLA HOPKINS
DIRECTOR OF ECONOMIC DEVELOPMENT & PLANNING

BACKGROUND PAPERS

[Planning Application - Ribble Valley Borough Council](#)

For further information please ask for John Macholc, extension 4502.