

DUDLEY METROPOLITAN BOROUGH COUNCIL

DEVELOPMENT CONTROL COMMITTEE – 28TH NOVEMBER 2005

REPORT OF THE DIRECTOR OF THE URBAN ENVIRONMENT

APPLICATION NO. P05/0857

ERECTION OF 63 DWELLINGS ON LAND OFF WRENS NEST ROAD, DUDLEY

PURPOSE

- 1 To obtain the Committee's approval to the modification of a Section 106 Agreement.

BACKGROUND

- 2 At its meeting on 27th June 2005, the Committee resolved to approve application No. P05/0857 from George Wimpey (North Midlands) Limited for the erection of 63 dwellings on land off Wrens Nest Road, Dudley. The decision was subject to conditions and to a Section 106 Agreement being entered into in respect of the provision of affordable housing and a commuted payment for off-site provision or improvement of public open space/children's play facilities.
- 3 The Director of Education and Lifelong Learning has requested a contribution towards meeting the additional educational needs that it is estimated would be generated by the development. A figure of £90,000 has been agreed with the developer. However, this item was not included in the report considered by the Committee when the decision on the planning application was made. This omission needs to be rectified. In all other respects the S106 agreement will contain the same heads of terms as were approved previously.

FINANCE

- 4 There would be financial implications for the Council in providing education for future residents of the development.

LAW

- 5 Section 106 of the Town and Country Planning Act 1990 makes provision for a developer to enter into an obligation with a local planning authority requiring, inter alia, the payment of a sum or sums to the authority.

EQUAL IMPACT

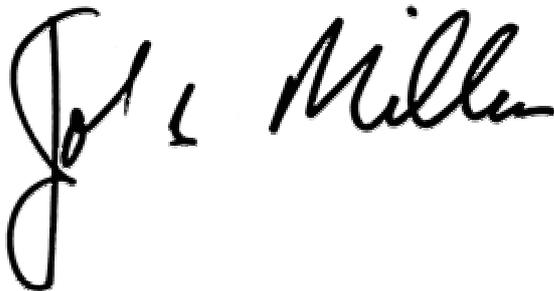
- 6 The proposals take into account the Council's Equality and Diversity Policy.

RECOMMENDATION

- 7 It is recommended that the Section 106 Agreement is varied to include a sum for education provision, as set out in paragraph 3.

BACKGROUND DOCUMENTS

- 8 Application No. P05/0857



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