

Planning Committee: 30 January 2018

Item Number: **6**

Application No: [W 15/0646](#)

Town/Parish Council: Warwick

Case Officer: Rob Young
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Opus 40, Birmingham Road, Warwick

Erection of 85 dwellings, access roads and associated development. FOR Taylor Wimpey Midlands

Variation of Section 106 Agreement in relation to the provision of additional land to Warwickshire County Council for the A46 Stanks Island improvements

INTRODUCTION

This report relates to the above planning permission which was granted on 27 July 2015 and is subject to a Section 106 Agreement which imposed a range of obligations on the developer.

RECOMMENDATION

Planning Committee are recommended to authorise the variation of the Section 106 agreement as necessary in order to:

- alter the land to be transferred to Warwickshire County Council and adopted as highway; and
- set out how Warwickshire County Council will carry out works within the land of the developers.

DETAILS OF THE VARIATION

The A46 Stanks Island improvements will include an amended access into the Opus 40 site from Birmingham Road. This will be in the form of a signalised junction allowing full left and right manoeuvres into and out of the site (the current access allows left and right turning manoeuvres into the site but is restricted to left out only). The existing access will be realigned to accommodate the new junction, and the existing section 106 agreement requires the developer to give land to the County Council to allow for this.

In drawing up the detailed scheme, the County Council have concluded that they need more land than is provided by the existing agreement. As a result they have requested this Deed for Variation.

ASSESSMENT

The Deed of Variation is necessary to allow the A46 Stanks Island scheme to progress. The changes only relate to the parts of the agreement that relate to the Stanks Island scheme. The other parts of the agreement, including all of the financial contributions, will remain unchanged. Therefore it has been concluded that the proposed changes will not prejudice any of the issues that were considered in drawing up the original agreement, and nor will they impact on any of the other material considerations that were considered in the assessment of the application. Therefore it is recommended that the proposed variation is agreed.