

Officer Decision
Taken under the Scheme of Delegation

This decision has been taken in accordance with the county council's Scheme of Delegation to Officers, as set out in section 9 of the [Constitution](#).

Decision taken on behalf of the:	Director of Highways and Transport
Officer taking the decision:	John Davies, Head of Service Highways Network Management. John.davies2@lancashire.gov.uk
Service Area:	Highways and Transport

Key Details

Planning Obligation under Section 106 of the Town and Country Planning Act 1990, for Planning Application 22/00885/OUT (Land North of Ashford House, Ashton Road, Lancaster, Lancashire)	
Decision Date:	15/04/2024
Part I or Part II:	Part I
Reason for Part II: (if applicable)	
Divisions Affected:	Lancaster Central;

The Decision

Background		
<p>Approval is sought for the County Council to enter into an agreement under Section 106 of the Town and Country Planning Act 1990, for an obligation for the developer to pay a sum of £512,416.00 to mitigate the impact of the development and make it acceptable in highways and transport terms.</p> <p>When consulted by Lancaster City Council on a planning application for the erection of 70 dwellings with public open space and associated infrastructure and creation of a new access, the Local Highway Authority recommend approval of the proposed development subject to suitable mitigation being provided. However, Lancaster City Council's Planning Committee refused the application on multiple grounds, and this was appealed by the applicant. The Appeal Reference for this site is APP/A2335/W/23/3335117 and the Public Inquiry will commence on Tuesday 16th April 2024. Highways and Transport has now been overcome as a matter of dispute following further work undertaken by the applicant and the provision of the agreed highways mitigation.</p> <p>Authority to take this decision has been delegated to the Head of Service – Highways by the Cabinet Member for Highways and Transport.</p>		
	Yes	No



Is this a decision made under a specific delegation from Full Council, Cabinet or another committee?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
If so, specify the delegation given by Full Council, Cabinet, or a committee here - delete this sentence if there was no delegation.		
If so, does this discharge the delegation in full?	<input type="checkbox"/>	<input type="checkbox"/>
Did the delegation require you to consult with a Cabinet Member(s) or specific officer(s) prior to taking the decision?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
If so, specify the names of the Cabinet Member(s)/officer(s) you have consulted with:		
N/A		
The Decision		
John Davies, Head of Service Highways Network Management, took the decision that the Director of Corporate Services is authorised to enter into an agreement under Section 106 of the Town & Country Planning Act 1990 in connection with the proposed development, providing for obligations on the owner or developer of the land to pay a sum of £512,416.00.		
Were any other options considered and, if so, what were they and why were they discounted?		
None.		
Background Papers		
None.		

Declaration

	Yes	N/A
In taking this decision, I confirm that I have taken into consideration and kept a record of all relevant advice from the following services: [insert the services where you have received advice, for example legal, finance, people services, procurement, property, equality etc] Finance	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Where appropriate, consultation with the relevant Cabinet Member(s) has been completed.	<input type="checkbox"/>	<input checked="" type="checkbox"/>



Where appropriate and where the decision impacts on a particular locality, the relevant councillor(s) for the electoral division(s) have been consulted.		<input type="checkbox"/>	<input checked="" type="checkbox"/>
Decision taken on behalf of the:	Director of Highways and Transport		
Officer taking the decision:	John Davies		

