

REPORT TO:	PLANNING COMMITTEE	AGENDA ITEM: 6
DATE OF MEETING:	06 JUNE 2023	CATEGORY: (See Notes) DELEGATED
REPORT FROM:	HEAD OF PLANNING AND STRATEGIC HOUSING	OPEN
MEMBERS' CONTACT POINT:	JESSICA CHEADLE, 07435829964 jessicak.cheadle@southderbyshire.gov.uk	DOC:
SUBJECT:	DEED OF VARIATION – LAND AT BROOMY FARM	
WARD(S) AFFECTED:	MIDWAY AND WOODVILLE	TERMS OF REFERENCE:

1.0 Background

- 1.1 Members may recall that the site, known as Woodland Rise, Overseal, was granted outline planning permission for up to 400 homes in July 2016. The Section 106 agreement can be found under permission reference 9/2014/0740. A Deed of Variation can be found under permission reference 9/2016/0882, this was required following a S73 application to vary condition 19 of the outline planning permission.
- 1.2 As required within the Ninth Schedule – Healthcare Contribution of the Section 106 Agreement, South Derbyshire District Council received £190,853.11 from Bellway Homes following the trigger points being met. This contribution has to be spent by 31st October 2027.

2.0 Recommendations

- 2.1 That the Committee approves the request to amend the Section 106 Agreement (S106) and subsequent Deed of Variation (DoV) to include amendments to be made to the definition of the Healthcare Contribution which is payable in accordance with the ninth schedule of the Section 106 Agreement– Healthcare Contribution. This is based upon recommendations that have been received from Swadlincote Primary Care Network.
- 2.2 That the Committee delegate authority to the Head of Planning and Strategic Housing to agree the finer detail and wording of the obligations to be secured under the DoV.

3.0 Purpose of Report

- 3.1 To inform the Committee of the proposed changes to the S106 Agreement, Land at Broomy Farm.

4.0 Discussion

- 4.1 Following the receipt of the Section 106 contribution, The Planning Policy Team

were approached by Swadlincote Primary Care Network (PCN) wishing to propose a variation to the definition of the Healthcare Facility. It is requested to amend the Section 106 agreement as due to increasing patient numbers within the wider Swadlincote area, all of the surgeries are at capacity. The PCN wish to convert Ragsdale House into a Primary Care Hub for the benefit of all residents within the urban area in addition to the current medical practices. The hope is that by increasing access to the services such as; Mental Health Practitioners , Social Prescribers, Vaccination Clinics and Paramedic this will create capacity at the five surgeries within the Swadlincote Urban Area to mean that the 57,000 residents¹ that they serve will have better medical service provision provided for them.

4.2 This change will mean that the contribution that was sought to mitigate the effects of the development will still remain as mitigating the effects of the development at Broomy Farm.

4.3 The proposed amendments can be seen outlined in the table below.

	Existing Section 106 Agreement definition	Proposed Amendments to Agreement definition
Healthcare Contribution	The sum of £152,160 (One Hundred and Fifty-Two Thousand One Hundred and Sixty Pounds) to be paid to the Council by the Owner in accordance with clause 9 and applied by the Council towards the construction of the Healthcare Facility	The sum of £152,160 (One Hundred and Fifty-Two Thousand One Hundred and Sixty Pounds) to be paid to the Council by the Owner in accordance with clause 9 and applied by the Council towards the construction of the Healthcare Facility
Healthcare Facility	A replacement or new healthcare facility at Woodville	A replacement or new healthcare facility at Woodville and / or healthcare facility works at Ragsdale House , Woodville.

5.0 Financial Implications

5.1 There are no financial implications associated to the Council for this change as the costs of the DoV will be paid for by the Primary Care Network as they have requested the DoV

6.0 Corporate Implications

6.1 None

7.0 Community Implications

7.1 The most appropriate healthcare mitigation has been selected to be undertaken. The residents will see an improvement to the healthcare services that they can access within Swadlincote.

¹ [Primary Care Networks » Joined Up Care Derbyshire](#)

8.0 Background Information

a) Section 106 Agreement:

[Planning Applications, Decisions and Appeals \(southderbyshire.gov.uk\)](https://www.southderbyshire.gov.uk/planning-applications-decisions-and-appeals)

b) Deed of Variation:

[Planning Applications, Decisions and Appeals \(southderbyshire.gov.uk\)](https://www.southderbyshire.gov.uk/planning-applications-decisions-and-appeals)