

Provision of New Storage Building at North Baddesley Recreation Ground

Report of the Planning Portfolio Holder

Recommended:

- 1. That Section 106 developer contributions secured for improvements to Public Open Space be used to fund the project described in section 2 of the report.**
- 2. That should the project described in section 2 of the report exceed the specified expenditure the Head of Planning and Building in consultation with the Head of Finance and Revenues and the Planning Portfolio Holder be authorised to release such additional funds as he considers reasonable towards the project.**
- 3. That the expenditure and funding, as set out in section 8 of the report, be added to the Council's capital programme.**

SUMMARY:

- The Council has secured developer contributions from a number of developments granted planning permission in North Baddesley to support improvements to local facilities. These developer contributions must be used to fund the provision and/or improvement of public open space in the parish of North Baddesley.
- This report recommends the release of funding requested by the parish council to fund a new storage building on North Baddesley Recreation Ground. This complies with the requirements of the relevant s106 agreements regarding the use of these developer contributions and it is recommended that these funds be released to deliver the project.

1 Introduction

- 1.1** As part of granting planning permission for residential schemes it is appropriate for these new developments to contribute to the improvement of local infrastructure to mitigate the effects of that development in the area in line with the Community Infrastructure Levy Regulations 2010.
- 1.2** The mitigation is often in the form of financial contributions from developers which are secured through the planning process by means of planning obligations under Section 106 of the Town and Country Planning Act 1990. These contributions are transferred to the council by developers to use directly to enhance local facilities or allocate to other bodies that can deliver improved facilities or infrastructure, in line with the requirements of the s106 agreements, as is recommended in this case. In some instances, funds are transferred to, or received directly by, other infrastructure providers such as Hampshire County Council.

2 Background

- 2.1 The groundsman store which would be funded using the developer contributions would replace the existing dilapidated garage with the erection of a new steel framed garage for storage of groundsman's equipment. The proposed building was given planning permission under application 24/01334/FULLS in September 2024.
- 2.2 The level of funding being sought is £98,618. North Baddesley Parish Council has completed a procurement process. It is understood that arrangements are now in place for works to begin on site and it is considered appropriate to support the request being made to fund the works proposed.
- 2.3 The amount being sought by North Baddesley Parish Council to deliver this project is greater than can be released under authority delegated to officers. It therefore requires Cabinet approval for the contributions to be allocated to the project.
- 2.4 It is considered that this project is consistent with the legal agreements associated with planning permissions for residential development in the locality and it recommended that the funds requested be made available to the parish council to deliver these improvements to local sports facilities.

3 Corporate Objectives and Priorities

- 3.1 The proposal meets the Sustainability and Connection priorities as set out in the 2023 – 2027 Corporate Plan for the reasons set out below.
- 3.2 Sustainability – Using developer contributions in this way would bring forward additional/improved public open space/recreational facilities that will benefit the local community in the form of enhanced sports provision.
- 3.3 Connection – Providing improved facilities for organised sports should help to promote the potential development and upkeep of the recreation ground and its facilities. Having well maintained recreation facilities can potentially attract additional teams and the expansion of existing teams. This encourages more people to become involved in sports in their local communities thereby supporting shared interests and the many connections that bring people together.

4 Consultations/Communications

- 4.1 The planning obligations (s106 agreements) for development given permission in the area allow for the provision of improvements at the North Baddesley Recreation Ground site. The groundsman store was subject to a planning application (24/01334/FULLS), which was publicised in the usual way, providing opportunity for interested parties to comment on the details of the proposals. No representations were received relating to this application.

5 Options

- 5.1 Option 1 – The council agrees to fund the works proposed by the parish council using financial contributions secured by planning obligations relating to developments permitted in the parish and adds the cost of the proposed groundsman store to the Capital Programme. Doing so will provide the funding required by North Baddesley Parish Council to deliver the groundsman store project.
- 5.2 Option 2 - Not approve the funding sought by the Parish Council to improve local recreational facilities in the form of an improved groundsman store.

6 Option Appraisal

- 6.1 Option 1 – The first option is to add the project to the Capital Programme and authorise the spend on the provision of a new storage building. This will benefit the local community and users of North Baddesley Recreation Ground as well as potentially communities further afield by enabling the effective maintenance of all the public open space facilities on the recreation ground. It will be funded from contributions taken from developments in the area with the purpose of mitigating the impact of those developments and improving infrastructure in the locality. There are no disadvantages which have been identified through Option 1. There are no other projects which have been identified at the present time which meet the requirements of the s106 agreements for funding, including from bodies or agencies other than the parish council, which could be used to improve recreational facilities in the area. The parish council own the site so is well placed to deliver these enhanced facilities at the recreation ground.
- 6.2 Option 2 – Do not agree to allocate the funds. If the release of funds to the parish council recommended above were not agreed, the project may never be delivered and the contributions may ultimately need to be returned to the developers. If this project is not funded through Section 106 agreement contributions the parish council will need to explore alternative funding options. There is a further risk that the maintenance of the ground would be made more difficult, if the new building were not provided, or was significantly delayed.
- 6.3 The recommended option in this case is Option 1. This is because the contributions in the requisite legal agreements specify that the use of the contributions are to support the provision of Public Open Space in the parish of North Baddesley and the scheme, subject of this funding request, is considered to meet these requirements.

7 Risk Management

- 7.1 No significant residual risks have been identified for the council as a result of approving the funding based upon the recommendations set out above.

8 Resource Implications

- 8.1 The parish council identifies the cost of the whole project, to be £98,618 which would come from Section 106 funds already held by the Council for these purposes as set out above. As a result, there is no budget pressure created by approving this funding request from the parish council.
- 8.2 It is possible that the total cost will exceed the current forecast total. As the cost is fully funded by s106 contributions, it is recommended that the Head of Planning and Building be delegated authority to make payments above this amount if he is satisfied it is necessary for the delivery of the project and subject to the total cost being contained within the total amount of s106 contributions held for this purpose and any other conditions which form part of the legal agreements.

9 Legal Implications and Statutory Authority

- 9.1 The Council is required to ensure the contributions are spent/committed in line with the wording of the legal agreements and it is considered that the request to improve facilities at the recreation ground are in line with these requirements.

10 Equality Issues

- 10.1 The issues covered by allocating funds to the new storage building do not raise any equality concerns, therefore a full impact assessment has not been carried out.

11 Sustainability and Addressing a Changing Climate

- 11.1 This will help to support local and accessible outdoor public open space facilities for residents of Test Valley to use and benefit from.

12 Other Issues

- 12.1 Wards/Communities Affected – North Baddesley will be the main beneficiary, if given approval; but wider residents of Test Valley and beyond will also be able to use and enjoy the recreational facilities in this location.

13 Conclusion and reasons for recommendation

- 13.1 It is recommended that Cabinet approve the allocation of the appropriate developer contributions secured from developments in the locality to fund the project to provide a new groundsmen store on North Baddesley recreation ground and that the sums be added to the Capital Programme. It is considered that this is an appropriate use of these funds to enhance the recreational offer on North Baddesley for the benefit of the local community and beyond.

Background Papers (Local Government Act 1972 Section 100D)

None

Confidentiality

It is considered that this report does not contain exempt information within the meaning of Schedule 12A of the Local Government Act 1972, as amended, and can be made public.

No of Annexes:	None	File Ref:	N/A
----------------	------	-----------	-----

(Portfolio: Planning) Councillor P Bundy

Officer:	Owen Carine	Ext:	8222
----------	-------------	------	------

Report to:	Cabinet	Date:	9 April 2025
------------	---------	-------	--------------