

Section 106 Developer Contributions – Construction of a new Play Area on Ampfield Recreation Ground

Report of the Planning Portfolio Holder

Recommended:

- 1. That Section 106 developer contributions, up to the value of £55,624.95, resulting from development within the parish of Ampfield be used to fund the Parish Council's proposal of constructing a new Play Space at Ampfield Recreation Ground.**
- 2. That consent be given for Ampfield Parish Council to complete an agreement with the preferred supplier.**
- 3. That subject to successful agreement with the preferred supplier Section 106 developer contributions be authorised for use towards the construction of the Play Space.**

SUMMARY:

- The Local Authority is required to use developer contributions to fund the provision and/or improvement of public open space in the parish of Ampfield.

1 Introduction

- 1.1 As a pre-requisite of granting planning permission appropriate benefits provided in association with new development are secured through the planning application process, by means of planning obligations under Section 106 of the Town and Country Planning Act 1990.
- 1.2 The following developments and related contributions towards public open space improvements are to be used for this proposal; a full list of contributions and their purpose is displayed within Annex A.
 - 09/00598/FULLS Land Adjoining Internos
 - 10/02992/FULLS Land Adjacent Ampfield Golf Club
 - 12/00915/FULLS Potters Heron
 - 12/01133/OUTS Land Adjoining Morleys Green
 - 13/01289/FULLS The Vicarage
 - 14/00508/FULLS Paddock
 - 15/01729/FULLS Land at Woodlands
 - 15/03170/FULLS Land at Broadgate Farm
 - 15/02193/FULLS Land at Potters Heron Close

2 Background/Consultations

- 2.1 As per the Council procedure, consultation has been carried out with officers in Planning Policy, Community and Leisure and Finance as well as the Planning and Building Portfolio holder Councillor Adams-King and Ampfield Ward Member Councillor Hatley.
- 2.2 All necessary approvals have been gained from ward member, Councillor Hatley.

3 Priorities

- 3.1 The proposal meets both the Live and Enjoy council priorities set out in the Corporate Plan 2015 - 2019 as shown below.
- 3.2 Live – Ensuring that new housing developments provide residents with a quality environment in which to live.
- 3.3 Enjoy – Delivering new outdoor spaces that people can enjoy.
- 3.4 Enjoy – Keeping our parks, nature reserves and recreational spaces in good order and well maintained.
- 3.5 Enjoy – Improving and delivering new leisure facilities for the borough.

4 Options

- 4.1 Option 1 – Approve the use of section 106 developer contributions, up to the value of £55,624.95, towards the construction of a new Play Space at Ampfield Recreation ground subject to the successful agreement between Ampfield Parish Council and the preferred supplier.
- 4.2 Option 2 – Approve the conditional use of section 106 developer contributions with a recommendation for changes to the preferred scheme.
- 4.3 Option 3 – Decline the use of section 106 developer contributions towards the proposal.

5 Option Appraisal

- 5.1 The only acceptable option in this case is Option 1 because the contributions in the requisite Legal Agreements specify that the use of the contributions are to be used for a Play Space project in the parish of Ampfield.

6 Risk Management

- 6.1 An evaluation of the risks associated with the matters in this report indicate that further risk assessment is not needed because the changes/issues covered do not represent significant risks or have previously been considered by Councillors (refer to date, relevant Cabinet or Committee meeting and item number).

7 Resource Implications

- 7.1 The funding for this project will come from Section 106, no other resources will be used.

8 Legal Implications

- 8.1 No legal implications subject to the written approved use of funds from the relevant signatories of the Section 106 Agreements containing a Children's Play Space Contribution.

9 Equality Issues

- 9.1 An EQIA is not needed because the issues covered do not raise any equality concerns, therefore a full EQIA has not been carried out.

10 Other Issues

- 10.1 Wards/Communities Affected - As mentioned the Section 106 developer contributions are to be used towards the provision and/or improvement of public open space within the parish of Ampfield

11 Conclusion and reasons for recommendation

It is recommended that Cabinet confirm the use of appropriate developer contributions to fund the proposed development of the Play Space at Ampfield Recreation ground.

<u>Background Papers (Local Government Act 1972 Section 100D)</u>			
None			
<u>Confidentiality</u>			
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:	1	File Ref:	N/A
(Portfolio: Planning) Councillor N Adams-King			
Officer:	Paul Jackson	Ext:	8186
Report to:	Cabinet	Date:	9 October 2019