

Recommendation Report for

REF NO: AL/138/24/AOO

LOCATION: Land North of Lee's Yard
Lidsey Road
Woodgate
PO20 3SU

PROPOSAL: Application for revised approval of the open space scheme as required under the second schedule, clause 1(a) of the section 106 dated 30-10-20 linked to Outline planning permission AL/21/20/OUT (previously approved under AL/97/23/AOO (in part) and AL/166/23/AOO).

SITE AND SURROUNDINGS

DETAILS OF DECISION

The obligation under Schedule 2, Paragraph 1(a) & (b), of the section 106 agreement dated 30 October 2020 (as amended 01/06/23) was previously agreed in part by AL/97/23/AOO on 08/08/23 and then in full by AL/166/23/AOO on 10/11/23. These clauses state:

1(a) "Prior to the commencement of the Development, (a) submit the Open Space Scheme to the Council for approval with a notice requiring written approval of the Scheme by the Council prior to the first occupation of the 19th Dwelling".

1(b) "not cause or permit the Development to be commenced until the Open Space Scheme has been submitted to the Council for approval".

You now propose an alteration to the Public Open Space scheme comprising the replacement of the previously proposed "Community Growing Area" with a grassed amenity space. The change also requires an amendment to the associated management arrangements. The change is due to the Parish Council no longer wishing to take on the community growing space. The following amended documents have been submitted:

- Soft Landscape Proposals CSA/5748/100 Rev D; and
- Landscape Management Plan CSA/5748/01 Rev C.

It is noted that the layout of the particular area will not be materially altered as it remains a 'green' area enclosed by a hedge although a bench is now proposed in place of a shed; rather it is the use of the space that will change from the growing of plants to general amenity. The Councils Landscape Officer raises no concerns with the changes.

REASON FOR DECISION

The information has been reviewed by Simon Davis MRTPI (Principal Planning Officer of Arun District Council) and meets the requirements of paragraph 1(a) and (b) of the third schedule to submit the Open Space Scheme to the Council for approval.

To fully comply with the obligation(s) the development must be completed in accordance with the above details. If subsequent changes are required, amended details will need to be submitted and approved again before provision.

Please note this letter does not constitute a formal legal deed of discharge under Section 106A of the Town and Country Planning Act 1990 however the obligation status has been noted in the Planning Obligation Monitoring Records for any future enquiries.

RELEVANT SITE HISTORY

AL/166/23/AOO	Application for approval of the open space scheme as required under the second schedule, clause 1) a) of the section 106 dated 30-10-20 linked to Outline planning permission AL/21/20/OUT and part approval under application AL/97/23/AOO.	Approve 10-11-23
AL/97/23/AOO	Application for approval of the Open Space Scheme as required under the Second Schedule, Clause 1(a) of the Section 106 dated 30-10-20 linked to outline planning permission AL/21/20/OUT.	Part Apprv/Part Refu 08-08-23
AL/21/20/OUT	Outline application with some matters reserved for the erection of 38 No. dwellings consisting of 5 No. 4-bed house, 14 No. 3-bed houses & 19 No. 2-bed houses, with communal work hub & associated car parking & landscaping (resubmission following AL/57/18/OUT). This application is a Departure from the Development Plan.	App Cond with S106 22-10-20

CONSULTATIONS**DEVELOPMENT PLAN POLICIES****RECOMMENDATION**

APPROVE