

Sam Briggs
Tollbar House
Tollbar Way
Hedge End
Southampton
SO30 2UH

Date: 8th January 2026

Please ask for: Kathryn Welch
Tel: 01903 737789

Your Ref:

Our Ref: WA/75/25/AOO

Dear Sir/Madam,

Section 106 Town and Country Planning Act 1990
Application for Approval of Details to Satisfy an Obligation

Application to approve First Schedule Clause 4 (Public Open Space Land and Play Areas) in the Section 106 dated 28.07.22 (as amended) in relation to planning permission WA/68/20/OUT.

Land West of Tye Lane and North of Field Close & North Road Walberton

The Council has considered the details you have submitted in order to satisfy obligations contained in the Section 106 agreements dated 22 July 2022 and 17 December 2024 which relates to planning permission WA/68/20/OUT and amended under WA/6/23/PL.

The details you have submitted are not acceptable and therefore clauses 4.1, 4.2 and 4.3 are not discharged:

- Insufficient details have been provided as the requirements in the S106 request the detail of 3no. LAPS.

This application has been reviewed by the Planning Officer and the Leisure and Landscape Officer (LLO).

The LLO confirmed that that previously approved plans indicated that 3 no LAPs and 1 no. LEAP would be provided. This is supported by the definition within the S106 agreement which dictates that meaning of Play Areas to be 'means the three (3) local areas of play (LAPS) and the local equipped areas of play (LEAPS) to be provided as part of development'

Furthermore the S106 agreement states:

- Para 4.1 states 'Not to occupy more than 25% of residential units until the public open space land and play areas for phase A have been provided and approved in writing by the council.'
- Para 4.2 states 'Not to occupy more than 50% of residential units until the public open space land and play areas for phase B have been provided and approved in writing by the council.'
- Para 4.3 state 'Not to occupy more than 100% of residential units until the public open space land and play areas for phase C have been provided and approved in writing by the council.'

This again reinforces the requirements for 3 LAPS. Only the details of 1 no LAP and 1 no LEAP have been provided, as such the application is lacking in required details. Details of the other 2 LAPS are required to be submitted and approved in writing by the Local Authority, until such the S106 controls occupations on site.

If you have any queries please do not hesitate to contact the above case officer.

Yours faithfully

A handwritten signature in black ink, appearing to be 'NC' followed by a flourish and a period.

Neil Crowther
Group Head of Planning