

Recommendation Report for

REF NO: Y/20/22/AOO

LOCATION: Land East of Drove Lane
Yapton

PROPOSAL: Application for approval of details relating to public open space, play areas and affordable housing schemes in relation to obligations set out in the Section 106 agreement (ref Y/92/17/OUT) dated 3rd May 2019.

SITE AND SURROUNDINGS

DETAILS OF DECISION

The Council has considered the details you have submitted in order to satisfy the obligations contained in the Section 106 Agreement dated 3rd May 2019 which relates to Y/92/17/OUT. The relevant obligations are as follows:

Third Schedule; 1.2 Not to occupy any dwellings on a phase in which Affordable housing is to be provided until a Scheme has been approved in writing (Affordable housing should be 90 units - 30% of total dwellings and tenure to be 75% rented and 25% intermediate unless otherwise agreed).

Third Schedule 8.1 Not to commence development of a phase in which POS is provided until POS Scheme in relation to that Phase has been submitted (whether or not as part of an application for Reserved Matters Approval) to and approved in writing by the Council ('Approved POS Scheme').

Third Schedule 9.1 Not to commence development on any phase on which a Play Area is to be provided until a Play Areas Scheme in relation to that Phase has been submitted (whether or not as part of an application for Reserved Matters Approval) to and approved in writing by the Council ('Approved Play Areas Scheme').

The submitted documents are as follows:

- "POS Areas" Dwg No PLN-3-1120 Rev A;
- "Drove Lane, Yapton LEAP" Dwg No Q6770_A;
- "Drove Lane, Yapton LAP 1" Dwg No Q6662;
- "Drove Lane, Yapton LAP 2" Dwg No Q7434;
- "Drove Lane, Yapton LAP 3" Dwg No Q7453;
- "Drove Lane, Yapton LAP 4" Dwg No Q7454;
- "Miracle Design and Play Ltd, European Standard EN 1176-1: 2017, Maintenance of Equipment";
- "Landscape and Ecological Management and Maintenance Plan" ref JBA 19/291-LMP1;

- "Site Layout Tenure Plan" Dwg No PLN-3-1105 Rev L;
- "Site Execution Plan" Dwg No BH-8277-o9c-SEP-01 Rev C;
- and
- "Accommodation Schedule".

It is hereby confirmed that these plans and details are acceptable to satisfy the above obligation clauses in so far as submission of details relates.

REASON FOR DECISION

The Councils Housing Strategy and Enabling Manager has no objection to the accommodation schedule or the tenure plan. There was no response to the consultation request from the Councils Landscape Officer but the submitted details are noted to be the same as those approved by the corresponding reserved matters permission Y/49/21/RES.

To fully comply with the obligations 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 for approval.

Please note this letter does not constitute a formal discharge of obligations under Section 106A of the Town and Country Planning Act 1990.

RELEVANT SITE HISTORY

Y/49/21/RES	Approval of reserved matters following Y/92/17/OUT for 300 No. dwellings covering landscape, layout, scale & external appearance (resubmission following Y/78/20/RES). This application affects the setting of listed buildings, affects the character & appearance of the Main Road/Church Road, Yapton Conservation Area & affects a Right of Way. This site falls within Strategic Site SD7 (Zero Rated).	ApproveConditionally 28-10-21
Y/92/17/OUT	Outline application with all matters reserved save access, App Cond with S106 for up to 300 dwellings, link road, surface drainage, open space and landscaping. Departure from the Development Plan and Access route is within the Yapton (Main Road) Conservation Area.	31-05-19

CONSULTATIONS

DEVELOPMENT PLAN POLICIES

RECOMMENDATION

APPROVE