

<b>REPORT TO:</b>	<b>PLANNING COMMITTEE</b>	<b>AGENDA ITEM: 5</b>
<b>DATE OF MEETING:</b>	<b>10<sup>th</sup> MAY 2016</b>	<b>CATEGORY: DELEGATED</b>
<b>REPORT FROM:</b>	<b>DIRECTOR OF COMMUNITY AND PLANNING SERVICES</b>	<b>OPEN</b>
<b>MEMBERS' CONTACT POINT:</b>	<b>TONY SYLVESTER (EXT 5743)</b>	<b>DOC:</b>
<b>SUBJECT:</b>	<b>DEVELOPMENT ON LAND AT SK2819 1873 (SITE C), WILLIAM NADIN WAY, SWADLINCOTE</b>	<b>REF: 9/2014/0888</b>
<b>WARD(S) AFFECTED:</b>	<b>NEWHALL AND STANTON</b>	<b>TERMS OF REFERENCE: PO1</b>

## **1.0 Recommendations**

- 1.1 That the Committee agrees the additional allocation of recreation space to be required by the Section 106 Agreement. The remainder of the resolution remains unaltered.

## **2.0 Purpose of Report**

- 2.1 To inform Members of the situation and seek agreement that having taken account of the changed circumstances, a further allocation of recreation space is necessary adjoining the existing Oversetts recreation ground.

## **3.0 Detail**

- 3.1 Members will recall that at the meeting of 2 June 2015, a resolution was made to grant permission for the development in principle (copy of previous report appended).
- 3.2 During the course of working through the provisions of the Section 106 agreement it became clear that Sport England had not been consulted regarding the change to facilities as a result of the development removing the eastern most part of the recreation ground. Notwithstanding this, it is worth noting here that the development would already be providing mixed recreation spaces of some 6.5ha which would be a net gain of approximately 5ha. There would also be no loss in pitches and, as identified in the original report, would result in a qualitative enhancement to the current facilities.
- 3.3 Sport England were immediately contacted and consulted on the scheme. Initially it set out a holding objection on the grounds that the planning conditions within the Committee Report did not deal with playing field or sports provisions matters, and whilst the indicative layout and broader master plan incorporating

neighbouring sites indicated scope for some new sports provision to be provided, these matters appear to be the subject of a draft S106 agreement, it was not aware of the details and therefore could not confirm accordance with the NPPF. However, it stated that it would be willing to reconsider this position should further or amended information be provided, including the content of the draft S106 agreement and clarification as to how this would support sports provision delivery (on or off-site) in conjunction with suitable planning conditions, to address policy requirements.

3.4 Sport England were then made aware of the drafting of the Section 106 agreement and other information including the suggestion of an additional formal area of recreation space being made available adjoining the Oversetts Recreation Ground. In response it now agrees that overall the scheme would accord with a combination of Exceptions E2, E3, E4 and E5 of Sport England's Playing Fields Policy subject to those identified benefits being securely delivered within acceptable timescales. As such, subject to the delivery of adequate pitch improvements, parking, changing rooms and management arrangements at the residual area of Oversetts Recreation Ground, (precise specification and timescale for delivery to be agreed in consultation with Sport England), delivery of replacement playing field area to the west of the site/south of the primary school (timescale to be agreed with Sport England), the reserved potential for playing pitch provision within the urban park if shown to be required, and subject to suitable arrangements being put in place to enable any necessary continued provision for users of the existing Oversetts Recreation Ground during the course of the development (including any temporary off-site arrangements that may be required), then Sport England would be willing to withdraw its statutory objection.

3.5 The additional land in question is currently part scrub, part informal grassed area of about 0.64ha and appears to be mainly in use by dog walkers. This would bring the net increase in space to about 5.64ha. It is proposed therefore that the scheme proceeds with the additional land formally laid out (stripped, levelled, drained and seeded) for public recreation use. This would be provided in addition to the other areas around the development site already identified and would compensate for the quantitative loss in the immediate vicinity that Sport England considered would have otherwise occurred.

3.6 As the negotiations of the Section 106 agreement proceed further Sport England would then be notified of the means by which the recreation provision is delivered.

#### **4.0 Financial Implications**

4.1 The cost of the improvement works to the additional land and its future maintenance would be covered by financial contributions required by the Section 106 agreement.

#### **5.0 Corporate Implications**

5.1 None

#### **6.0 Community Implications**

- 6.1 The extra land would serve to ensure that there would be no net loss of play space in the vicinity and overall would represent a significant improvement to public recreation provision in the area.

## **7.0 Conclusions**

- 7.1 Additional land would be added to the scheme that would further enhance public recreation opportunities in the area as a result of the development. Sport England would be kept informed of progress in the Section 106 agreement to ensure, as the statutory body, that the provision would be delivered in a timely fashion with the development.

## **8.0 Background Papers**

- 8.1 Copy of previous report (attached)  
8.2 File reference 9/2014/0888