

**Q/0087/18**

NATIONAL GRID IFA2 LTD

**STUBBINGTON**

AGENT: NATIONAL GRID IFA2  
LTD

VARIATION OF THE PLANNING OBLIGATIONS REGARDING THE DELIVERY OF THE OPEN SPACE AT DAEDALUS SECURED BY THE IFA2 HYBRID PLANNING PERMISSION P/16/0557/OA

IFA 2 NATIONAL GRID LAND AT DAEDALUS AIRFIELD LEE-ON-THE-SOLENT PO13 9YA

***Report By***

Mark Wyatt. Direct Dial (01329) 824704.

***Introduction***

Outline planning permission for the area of open space associated with the IFA2 project was granted by the hybrid planning permission on 10th April 2017. The Reserved Matters for the open space (being the matters of 'appearance', 'layout', 'scale', 'landscaping', and 'access') were subsequently approved on 17th November 2017.

The hybrid planning permission was subject to an agreement pursuant to Section 106 of the Town and Country Planning Act (Hereinafter referred to as s106). Within this Agreement was a schedule of obligations relating to the open space provision and delivery. As described below, this application seeks agreement to vary the terms of the obligations previously secured pursuant to the open space at Daedalus.

To depart from the agreed planning obligations requires agreement between the signatories of the agreement and the variation to be secured by execution of a new agreement.

***Site Description***

The application site for this matter relates to the open space area at Daedalus.

The land immediately north of Vulcan Way is the site of the Converter Station. It was an agricultural field extending up to Peel Common Roundabout and adjacent to this was short mown grass of the airfield, the character of the site has recently changed as a result of the ground works having started on the converter station site. The land in this part of the airfield is generally flat although there is a slight fall and undulating topography to the west.

The land along the northern edge of Daedalus from Peel Common roundabout along Gosport Road to the rear of the properties in Southways is all part of the current site. The hybrid planning permission established that this land is to be provided as public open space.

***Description of Proposal***

Within the IFA2 S.106 agreement the area of Open Space was split into the western half and the eastern half. The eastern half extends to the north and eastern sides, essentially wrapping around, the Converter Station buildings. The Western half extends from the Converter Station west between Gosport Road and the northern end of the main runway, crossing the existing north access to the airport and across to the edge of Stubbington.

The current s106 agreement requires:

- National Grid to lay out the eastern open space (approximately 10.45 hectares) to the satisfaction of the Council by no later than twelve months after the first use of the Converter Station; and

- Prior to the commencement of work on the Converter Station, a financial contribution of £551,400 (index linked from the date of the agreement) to be paid to the Borough Council, for the Council to then lay out of the remainder (the Western part) of the open space - approximately 8 hectares.
- A commuted maintenance sum was secured also for the whole area of open space.

Ground work has now commenced on the Converter Station Site along with the provision of some of the advanced mitigating planting around the north eastern corner of the site near to Peel Common roundabout.

Alongside the commencement of work on the Converter Station the applicant has gone through a tender process to appoint a contractor for the provision of the open space to satisfy their obligations under the s106 agreement.

The Borough Council, as land owner, has during this period and since the signing of the S.106 agreement agreed with National Grid that it would be easier and more appropriate in design terms and in the execution of the open space delivery if the same contractor provides both the eastern and western parts of the open space.

As part of the open space to be delivered at Daedalus, the Reserved Matter approval included a new equipped play area. The proposed play area, to the west of the existing northern airport access, is a defined piece of leisure equipment. The children's play area would provide a range of activities catering for children ranging from pre-school to secondary age. The Reserved Matter approval set out that the Borough Council will undertake its own community consultation regarding the final design of the play area, as we do for the delivery of new play spaces. The land owner and National Grid negotiations have concluded, therefore, that the play area will continue to be delivered by the Council after the consultation exercise and a revised financial contribution of £110,000 has been agreed for the delivery of this part of the open space.

As such, the land owner and National Grid have now agreed the following changes to the delivery of the western open space at Daedalus:

- That the western open space, with the exception of the proposed play area, will be delivered in full by National Grid to the satisfaction of the Council by no later than 18 months following the completion of the new agreement;
- A financial contribution of £110,000 (index linked to the date of the original agreement) for the provision of the play area to be paid by no later than one month following the completion on the new agreement.

The commuted maintenance sums remain as previously agreed in the Agreement for the hybrid planning permission as does the requirements for the delivery of the eastern open space.

### ***Relevant Planning History***

The following planning history is relevant:

P/17/0834/RM - Public open space on land to the north of the ifa2 converter station: details relating to access, appearance, landscaping, layout and scale pursuant to hybrid planning permission reference p/16/0557/OA

And

Details pursuant to condition 35 [hard landscaping] of the hybrid planning permission reference P/16/0557/OA - Approval 17/11/2017

P/17/0835/RM - The converter station buildings and site infrastructure: details of the access,

appearance, landscaping, layout and scale, pursuant to hybrid planning permission reference p/16/0557/OA

And

Details pursuant to conditions 07 [levels], 20 [construction access] and 21 [operational access] of hybrid planning permission reference P/16/0557/OA - Approval 17/11/2017

### ***Planning Considerations - Key Issues***

The change in delivery mechanism for the western open space would make no discernible difference to the appearance of the space itself, in fact the delivery of the space by one sole contractor may actually bring benefits to the laying out of the space, the execution of the works and better control over the timeframe for delivery. The outcome of this proposal essentially remains the same; the open space (east and West) will all be delivered as publicly accessible new open space. The only change is the mechanism for its delivery.

The Western Open Space contribution was due to be paid prior to the commencement of work on the Converter Station. This contribution would have then left the delivery of the western space in the hands of the Council. Given the ongoing discussions with National Grid, the contribution has not yet been paid. It is proposed to amend the obligation to secure the delivery of the western open space as early as possible but by no later than eighteen months from the completion of the new agreement.

The contribution of £110,000 for the new play area is to be paid no later than one month from the completion of the new agreement.

The changes to the open space delivery obligations are considered acceptable.

### ***Recommendation***

That National Grid enters into a Deed of Variation to the legal agreement completed under planning permission P/16/0557/OA, on terms drafted by the Solicitor to the Council, to allow:

- National Grid to layout and deliver the western open space to the satisfaction of the Council by no later than 18 months from the completion of the new agreement
- To pay a financial contribution of £110,000 for the provision of the play area.
- The play area financial contribution is to be paid no later than one month from the completion of the new agreement and is to be index linked back to the signing of the original agreement for the IFA2 hybrid planning permission.

### ***Background Papers***

see relevant planning history section above