

P/09/1024/FP

PARK GATE

MR MALCOLM HILL

AGENT: MR MALCOLM HILL

PROPOSED DEED OF VARIATION OF PLANNING OBLIGATION (LA1451) P/09/1024/FP
69 BOTLEY ROAD PARK GATE SO31 1AZ

Report By

Kim Hayler - Ext 2367

Planning Considerations - Key Issues

Planning permission was granted in February 2010 under P/09/1024/FP for the development of five dwellings at this site. The planning permission has been implemented through the laying of drainage pipes. Since those works were carried out development has not progressed further.

The grant of planning permission was subject to a planning obligation requiring the payment of development contributions. The obligation is set out in two parts:

1. A covenant with Fareham Council to pay open space contributions, and
2. A covenant with the County Council to pay transport contributions

The latter is not at issue since the contribution does not become payable until first occupation of any dwelling, however, the covenant with this Council requires that the off-site contribution to be paid upon commencement of the development.

Work has not progressed on the approved development, and since it may be that this development could be set aside in favour of an alternative, should permission be granted, the applicant has requested the Council to reconsider the need for the payment to be made at this time.

Officers are of the view that since the contribution is towards open space provision then it can be argued that there will be no added pressure upon existing open space provision until such time as the approved dwellings are first occupied. With this in mind it is considered that the obligation could be varied to require payment upon first occupation of the first of the permitted dwellings. This would be in line with the covenant with the County Council and would allow the applicant the flexibility of either continuing with the permitted development or seeking approval of an alternative proposal.

Conclusion

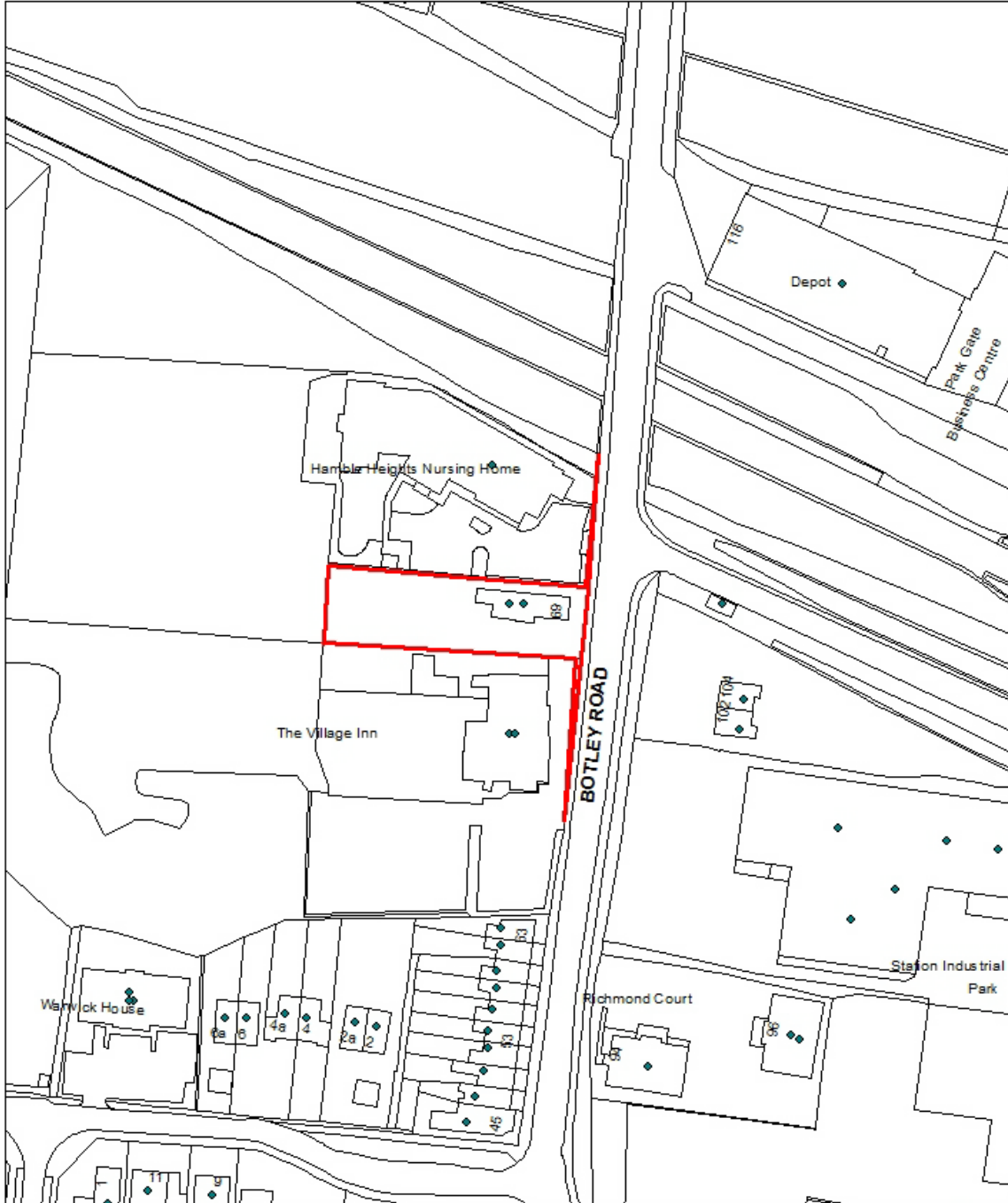
That the planning obligation be varied in respect of open space contribution as set out above.

RECOMMEND:

The applicant/owner enters into a Deed of Variation on terms drafted by the Solicitor to the Council to allow deferment of open space contributions until the first dwelling granted under planning permission P/09/1024/FP is first occupied.

FAREHAM

BOROUGH COUNCIL



69 BOTLEY ROAD
SCALE: 1:1,250

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationary Office © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. Licence 100019110. 2013

