



PLANNING COMMITTEE

Title of Report:

Woods Meadow Development Phase 2 – Section 106 Update

Meeting Date

9 June 2020

Report Author and Tel No

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Is the report Open or Exempt?

Open

REPORT

At the May meeting of Planning Committee North, Members requested an update on the resolution of outstanding matters in respect of the Section 106 Agreement for the Woods Meadow development.

Very briefly, the background to the Woods Meadow development is that outline planning permission for a mixed use development comprising of approximately 800 houses, neighbourhood shopping centre, community hall, primary school, play areas and country park was granted in July 2013 subject to conditions and a S106 Agreement. Phase 1 of the development (246 dwellings) is complete and the primary school opened in September 2018. Phase 2 (220 dwellings) was approved in October 2019 following the transfer of the Country Park land to the Council in February 2019, which was a requirement of the S106 Agreement. Construction on Phase 2 commenced earlier this year.

The Section 106 Agreement requires the developer to make of financial contributions to Suffolk County Council in respect of the following:

- Education facilities

- Libraries contribution
- Bus stop provision
- Waste and Refuse contribution
- Cycle and Footpath contributions

It is understood that the developer is currently up to date with the contributions to Suffolk County Council (which are required to be made upon completion of every 40th dwelling)

The Section 106 Agreement also requires the developer to make a total Strategic Transport Contribution of £500,000 to Suffolk County Council for improvements to the highway infrastructure of Lowestoft. It will be for Highway Authority to determine where and how this money will be spent.

In addition, the developer is required, upon completion of the 400th dwelling, to undertake a highway review in consultation with the County Council as Highway Authority. The Section 106 Agreement secures a Highway Review Bond of £1,000,000 for any works the Highway Authority consider necessary due to increased development resulting from the development. This trigger point of 40 dwellings has not been reached yet.

With regards to the provision of shopping facilities the Section 106 Agreement states that the Developers shall agree the location of the Neighbourhood Shopping Area with the Reserved Matters. To date there has been no Reserved Matters application that includes the Neighbourhood Shopping Area.

The S106 Agreement also states that the Developers will provide the Neighbourhood Shopping Area and thereafter this area will be marketed by the Developers for a period of 5 years from the completion of the development. The trigger point for providing it is before occupation of any private dwelling on the Reserved Matters phase that includes the shopping land or on completion of the 350th dwelling, whichever is the earlier. If, at the end of the aforementioned 5 year period, no demand exists for the provision of the Neighbourhood Shopping Area then the Developers may, subject to obtaining planning permission, use the Neighbourhood Shopping Area for any use so authorised by such planning permission.

With regards to the provision of a community centre, the S106 Agreement requires the developer to provide by completion of the 350th dwelling a means of vehicular and pedestrian access and all available services to the boundary of the community centre land which will be located close to the Primary School in accordance with the approved Masterplan. Once the land has been laid out the S106 Agreement also requires the developer to convey the land to the District Council (or to whom they may direct) together with all necessary rights and easements. The S106 Agreement also requires a total community centre contribution of £280,000 from the developer. It is understood that the services for the community centre site are in the process of being provided.

Other obligations within the S106 Agreement include the provision of affordable housing which has been provided within Phase 1 and which will also be provided within Phase 2.

To summarise, the developer is either currently meeting the obligations that are required by the S106 agreement; or the trigger points for compliance, such as with the highway review, have not yet been reached.

RECOMMENDATION

That the report be received.

BACKGROUND PAPERS

See Planning Application reference DC/01/0977/OUT