

Item No. 7.	Classification: Open	Date: 12 September 2016	Meeting Name: Planning Committee
Report title:		To release £232,458 from the s106 agreements associated with the below developments, for the purposes of carrying out improvements to Cossall Park in Peckham	
Ward(s) or groups affected:		Nunhead	
From:		Chief Executive/Director of Planning	

RECOMMENDATION

1. That the Planning Committee agrees that the allocation of funds totalling £232,458 be released from the s106 legal agreement listed below, towards delivery of park improvements within Cossall Park, Peckham:

Permission Ref	Account No	Address	Amount
14/AP/1872	751	Former Tuke School 2 - 4 Woods Road SE15 2PX	£232,458

BACKGROUND INFORMATION

2. Planning obligations are used to mitigate the negative impacts caused by a development and contribute towards providing infrastructure and facilities necessary to achieve sustainable communities. In order to achieve this, the Council enters into a legal agreement with a developer whereby the developer agrees to provide planning contributions and/or enters into various planning obligations.
3. Section 106 payments are secured as part of the planning permissions for the development set out in this report in order to mitigate the impact of large new developments on the local Peckham area, and provide the infrastructure and services to support large new developments.
4. The proposed project has been prepared by identifying s106 funds available in the Peckham Community Council area and matching their purposes to priority projects from the community project bank and the Peckham Parks Programme.
5. The Parks Programme has been developed to deliver a network of high quality parks and open spaces that benefit both existing and new communities as part of the regeneration of the Peckham area. To provide community resources that meet the needs of local neighbourhoods and provide parks that are safer, accessible, coherent, easy to maintain and enhance the aesthetic appeal of the area.
6. Implementation of the programme is underway with successful completion of the refurbishment of Nunhead Green.
7. This report seeks to allocate funding to support the Parks Programme, specifically the Cossall Park project in the environs of the new development at 2 - 4 Woods Road, Peckham. The proposals respond to feedback from the local community, Councillors and local partnerships that the council should take a strategic approach to bringing

separate historical s106 legal agreements together to deliver a holistic programme of public realm improvements.

8. The proposal is to allocate s106 receipts paid to the council by developers, to address shortfalls in existing investment in open spaces in the area. Whilst there is a capital budget to deliver the part of the programme, this report seeks to secure available funding to enhance the quality of park improvements and offset the negative impacts of development.
9. The Council is committed to continuing the delivery of its Parks Improvement Programme.

KEY ISSUES FOR CONSIDERATION

10. In order to match available s106 funding to priority projects in the programme, a mapping exercise was carried out to understand the distribution of unspent s106 monies by “purpose”.
11. The only available s106 funding identified was from the adjacent housing development site on Woods Road.
12. The population of the Peckham area is forecast to increase with some large scale housing developments being carried out and future ones planned. It is therefore vital that investment in local parks is implemented to provide well designed and high quality open spaces for all local residents to enjoy.

Cossall Park Project: Investment in provision of sports development, children’s play equipment and public realm improvements

13. Cossall Park is a local neighbourhood park, well used by local families and schools. It has received some minor investment in the last 5 years however the park suffers with deteriorating infrastructure and the lack of a coherent design.
14. An area in the northern section of the park comprises a fenced off area previously managed and used by Tuke School. The school has recently relocated nonetheless this area remains fenced off and is inaccessible to the public.
15. The existing ball court is in a substandard condition; it is surrounded by old dilapidated tall fencing and requires complete refurbishment with the possibility of relocating it to a less visually obtrusive location within the park.
16. Some items of existing play equipment are in poor condition and are at the end of their lifespan. Equipment will be reviewed and replaced with new challenging play equipment.
17. This s106 funding will be allocated to remediating and enhancing these facilities, bringing additional land into public use and working towards delivering a high quality neighbourhood park where local families will enjoy spending time and value the enhanced facilities.
18. Match funding from the Parks Capital Programme will also be allocated for improvements at Cossall Park to further enhance this important public open space, a masterplan will be created in partnership with the local community.

Funding of £400,000 will be allocated to:

- Create a welcoming and cohesive neighbourhood park for local people and schools
- Create visual links around the park by employing a coherent palette of materials, planting and signage, all aimed at improving the public realm
- Enhance circulation and access
- Ensure a balance of quality facilities for all park users including play equipment and sports provision
- Design out underused pockets which currently attract anti social activity
- Ensure improvements can be maintained within existing maintenance budgets.

Community Impact Statement

19. This project will support the council's commitment to meet the needs of Southwark's diverse community.
20. Delivering a range of environmental improvement projects that protect public open spaces and enhance the public realm, within the context of rapid development and population growth, is essential to the health and well being of residents.
21. The creation of a high quality open space will contribute to making the central Peckham area a place where people choose to live and work.

Consultation

22. The programme proposes projects which have been identified through consultation with internal and external stakeholders.
23. On-going consultation is underway for this project. This includes but is not limited to:
 - Ward Councillors
 - Cossall Park Friends Group
 - TRAs and Neighbourhood forums
 - Local residents and business owners
 - Schools.
24. Consultation will include stakeholder input into the design brief; will continue through each stage of the design process and at regular intervals during implementation.
25. A detailed consultation plan will be implemented that will involve the following:
 - Local and park based consultation events
 - Online and postal feedback forms
 - Presentations at stakeholder group meetings
 - Posters displayed at community and park notice boards

- Proposal exhibit at local TRA centres
- Regular ward councillor and Cabinet member briefings.

Resource implications

26. The project will be managed by the Parks and Leisure Service. Staffing and any other costs connected with this recommendation are to be contained within existing departmental revenue budgets.
27. There are no legal or financial implications as a result of the recommendations set out in this report.

Policy implications

28. The Peckham and Nunhead Community Council area has the highest number of residents aged under 15 years in the borough.
29. Whilst it is recognised that the pressure to create new homes means that there are limited opportunities for the creation of new green spaces, Southwark's Open Space Strategy (2013) sets out the council's commitment to maintain and improve existing parks and open spaces to ensure that those that live and work in the borough experience the positive benefits associated with health and wellbeing, quality of life and cohesive communities that open spaces provide.
30. Delivering this project of open space and public realm improvements within Cossall Park will support the implementation of a number of Southwark's key strategic priorities. This includes but is not limited to the following policies:
31. The Core Strategy 2011
 - *Theme 2: Making the borough a better place for people*
 - Strategic Objective 2F is to conserve and protect historic and natural places. Southwark's heritage assets and wider historic environment will be conserved and enhanced. Open spaces and biodiversity will be protected, made more accessible and improved.
 - *Theme 5: Planning for development in growth areas*
 - Strategic Objective 5A commits to developing growth areas to achieve the vision of improved places and to prioritise development in the following areas:
 - Central Activities Zone
 - Peckham and Nunhead action area
 - Old Kent Road action area.
 - Strategic Policy 1: Sustainable Development
 - Strategic Policy 4: Places for learning enjoyment and healthy lifestyles
 - Strategic Policy 11: Open Spaces and Wildlife
 - Strategic Policy 12: Design and conservation.

32. Southwark's Peckham and Nunhead Area Action Plan (2014)

Sets out the council's vision for the Peckham and Nunhead area and provides a framework to guide development over the next 10 - 15 years, ensuring that regeneration is coordinated and sustainable.

33. Southwark's Open Spaces Strategy (2013)

Identifies Peckham and Nunhead as having some pockets of severe deprivation. In total the sub-area has a total of 1.1ha of park provision per 1000 population, which is above the borough average. However, this is expected to fall to 0.96ha per population by 2026 as a result of population growth.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Law and Democracy

34. It is essential that s106 monies are spent strictly in accordance with the terms of the relevant agreement. In this case, the terms of the specific agreement for 2 – 4 Woods Road have been reviewed in order to ensure that the proposals for expenditure are in accordance with the purposes for which the identified contributions were made. It is confirmed that the proposed expenditure conforms with the terms of the agreement and also are in accordance with the tests for planning obligations as set out in regulation 122, Community Infrastructure Regulations 2010 as amended.

35. Under paragraph 6, part 3F of the Council's constitution, one of the functions of the Planning Committee is to consider the expenditure of s106 monies and matters are reserved for decision by the Planning Committee where the proposed expenditure exceeds £100,000. Members may therefore agree the allocation of funds as recommended at paragraph 1 of this report.

Director of Planning

Permission Ref	Account No	Purpose	Principle Amount	Indexation/Interest
14/AP/1872	751	PCSD	£133,098.00	N/A
		PRI	£99,360.00	£7,860.00

36. The above mentioned development secured £232,458.00 in contributions towards POS, children's play and sports development, and public realm improvements. All £232,458.00 is currently unallocated and available

37. The proposed allocation accords with the above agreements and would provide appropriate mitigation for the impacts of the specific and future developments.

Strategic Director of Finance and Governance

38. This report requests the planning committee to approve the release of £232,458 s106 funds towards remediating and enhancing facilities in Cossall Park.

39. The Strategic Director of Finance and Governance notes the Council has received the related s106 funds and that they are available for the improvement works outlined in this report.

40. The s106 allocation of £232,458 represents an increase in council's capital expenditure and will be reflected as a budget variation in the next capital budget monitoring report to cabinet.

41. Staffing and any other costs associated with this recommendation are to be contained within existing departmental revenue budgets.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Copies of s106 legal agreements	Planning Division, 160 Tooley Street, London SE1	Jack Ricketts 020 7525 5464

APPENDICES

No.	Title
None.	

AUDIT TRAIL

Lead Officer	John Wade, Principal Service Development Manager		
Report Author	Sharon Lomas, Service Development Officer		
Version	Final		
Dated	1 September 2016		
Key Decision	No		
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER			
Officer Title	Comments Sought		Comments included
Director of Law and Democracy	Yes		Yes
Director of Finance and Governance	Yes		Yes
Director of Planning	Yes		Yes
Date final report sent to Constitutional Team			1 September 2016