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|------------------------------------|--------------------------------|---|--|
| <b>Item No.</b><br>6.              | <b>Classification:</b><br>Open | <b>Date:</b><br>11 October 2016   | <b>Meeting Name:</b><br>Planning Committee |
| <b>Report title:</b>               |                                | To release £136,726.44 from the s106 agreement in order to deliver the Keppel Row environmental improvement project |  |
| <b>Ward(s) or groups affected:</b> |                                | Cathedrals  |  |
| <b>From:</b>                       |                                | Chief Executive   |  |

## RECOMMENDATION

1. That Planning Committee authorise the release of £136,726.44 of s106 funding from the below development, in order to deliver the Keppel Row environmental improvement project.

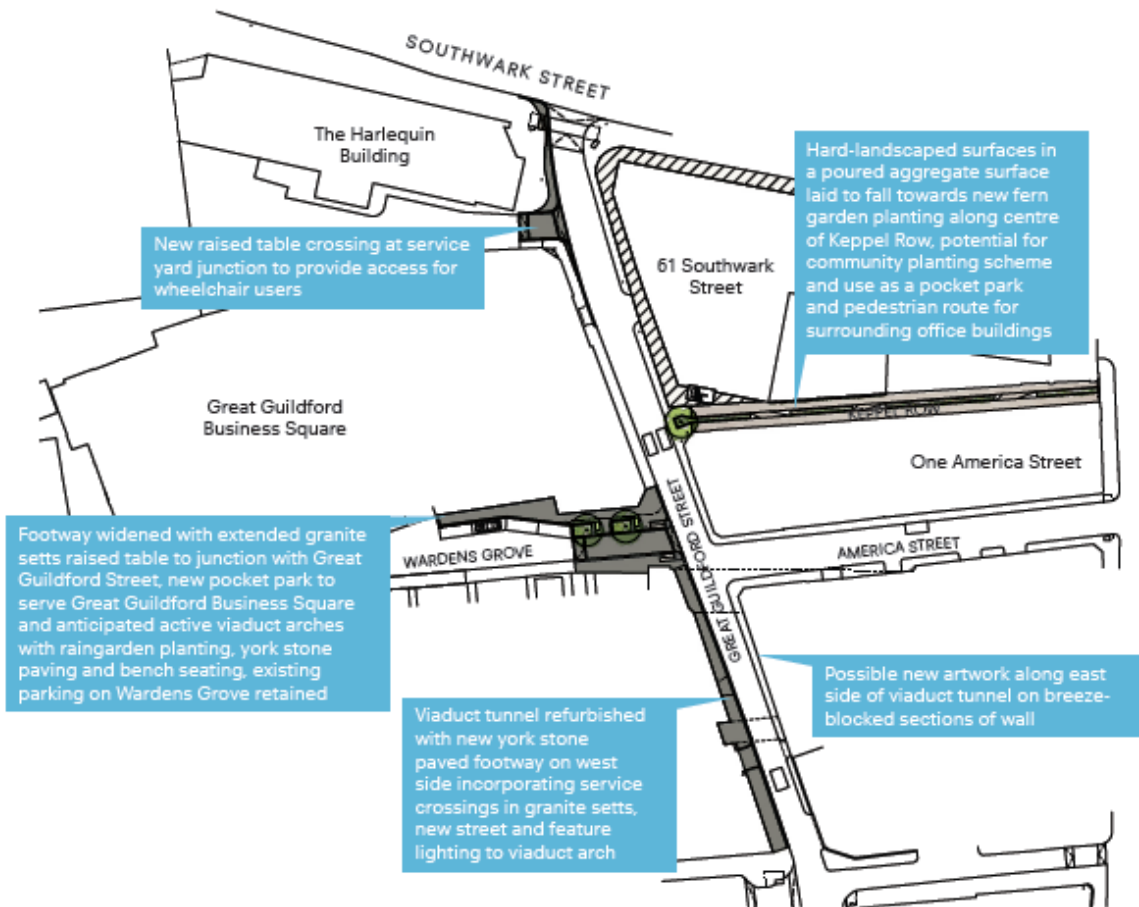
| Permission Ref             | Account No | Address   | Amount      |
|----------------------------|------------|---|-------------|
| <a href="#">14/AP/3204</a> | 762        | 61 Southwark Street, London and 15, 17, 19 Great Guildford Street SE1 | £136,726.44 |

## BACKGROUND INFORMATION

2. Planning obligations are used to mitigate the negative impacts caused by a development and contribute to providing infrastructure and facilities necessary to achieve sustainable communities. The council can enter 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 have been secured to mitigate the impact of large new developments in the London Bridge Bankside opportunity area, and provide the infrastructure and services to support local communities.
4. The council is working with a number of partners to deliver the Bankside urban forest initiative: a vision to create the highest possible quality of public realm in the Bankside regeneration area. The redevelopment of a number of sites in the heart of Bankside is creating the opportunity to deliver new public realm improvements linked to the s106 payments provided by those developments.
5. On 7 May 2013 a planning committee report was approved to commit £346,844 of funding from several developments in the blocks between Southwark Street and Union Street to deliver improvements to Ewer Street, Great Guildford Street and Lavington Street. After a tender process, the council appointed architects Gort Scott to develop plans for the streetscape improvements across these streets, and plans were developed with input from local businesses and residents at several consultation events and walkabouts. This initial funding has now been spent on the refurbishment and re-lighting of both Ewer and Great Guildford Street railway bridges, installation of yorkstone paving along Great Guildford and

Ewer Streets, signage and artworks to celebrate local history and the installation of new planters on Warden's Grove and Ewer Street.

- The initial study by Gort Scott highlighted the potential to create improvements to Keppel Row which is an historic alleyway between Southwark Street and America Street. The initial vision is to create a fern garden with shade loving plants, new paving and lighting that can transform the character and appearance of the route. The project team consulted with the owners of the buildings either side of the alleyway and the idea has since been incorporated into the redevelopment plans for 61 Southwark Street, with a budget to deliver the scheme included in the s106 agreement.



- The 61 Southwark Street project has now commenced and s106 payments are being made. This report seeks to commit £136,726.44 to the delivery of a high quality public realm project along Keppel Row, in line with the terms of the s106 agreement. The council will work closely with Better Bankside, the building owners adjacent to the site, and residents living next to the project to develop the design of the project and agree the best way of procuring the works and maintaining any greening in the street. Keppel Row would be improved with the addition of new surfacing over the top of its existing patchwork of concrete. Subject to detailed design and the council's streetscape design guide, planting would be installed into the street to build on the success of the planters at Warden's Grove, providing a distinctive visual amenity and sustainable urban drainage. The project

would protect and refurbish the existing listed Clink bollards to highlight the fascinating history of the area, as carried out recently on Ewer and Great Guildford Streets.

8. This project will be commissioned by the regeneration team working in close partnership with Better Bankside and the local community.

## **KEY ISSUES FOR CONSIDERATION**

### **Resource implications**

9. All costs arising from implementing the recommendations above will be met from the relevant s106.
10. This project will be commissioned by the regeneration team working in close partnership with Better Bankside and the local community. Staffing and any other costs connected with this recommendation are to be contained within existing departmental revenue budgets.

### **Community impact statement**

11. This project will support the council's commitment to meet the needs of Southwark's diverse community.
12. The proposed works have been designed to enhance the attractiveness of the area as places in which people choose to live and work. By implementing the public realm improvements in the area, the council is improving the environment and social sustainability of the community council area, providing high quality public places which local residents and workers can use, and which promotes the potential for interaction.
13. The project will be designed to be fully accessible to all, without prejudice or discrimination.
14. The recommendations are area based and therefore will have greatest affect upon those people living, working or traveling in the vicinity.
15. The proposal has no impact on any particular age, disability, faith or religion, race and ethnicity and sexual orientation.
16. With the exception of those benefits identified above, the proposals are not considered to have a disproportionate effect on any other community or group.

### **Policy implications**

17. The proposal to authorise the release of £136,726.44 of s106 funding meets the following policy objectives as detailed in the transport plan.
  - Policy 1.8 – Improve the walking environment and ensure that people have the information and confidence to use it
  - Policy 1.9 – Improve the cycling environment and ensure that people have the information and confidence to use it

- Policy 4.2 – Create places that people can enjoy
- Policy 4.3 – Make our streets greener
- Policy 5.1 – Improve safety on our roads and to help make all modes of transport safer
- Policy 6.1 - Make our streets more accessible for pedestrians.

### **Sustainable development implications**

18. As part of the Bankside urban forest project, as many existing materials as possible will be re-cycled and re-used within the design. A key aspiration of the project is to integrate sustainable urban drainage into the design, in order to reduce surface water run off and mitigate flood impact.

### **Consultation**

19. Since 2013 a number of consultation exercises have been carried out including walking tours for residents and businesses, pop-up events on the street, and meetings in community venues to discuss how best to improve the streetscapes in the area. The idea of improving the historic alleyway at Keppel Row has been supported by a number of stakeholders, crucially the owners of 61 Southwark Street who have now agreed to fund the scheme through the s106 agreement.

### **SUPPLEMENTARY ADVICE FROM OTHER OFFICERS**

#### **Director of Planning**

| <b>Permission Ref</b> | <b>Account No</b> | <b>Purpose</b> | <b>Principle Amount</b> | <b>Indexation/Interest</b> |
|-----------------------|-------------------|----------------|-------------------------|----------------------------|
| 14/AP/3204            | 762               | PRI            | £16,725.00              | £410.63.00                 |
|                       |                   | TRA2           | £16,725.00              | £410.63.00                 |
|                       |                   | Other*         | £100,000.00             | £2,455.18                  |

\* Keppel Row contribution

20. The above mentioned development secured £136,726.44, combined, in contributions towards public realm and site specific transport improvements. All £136,726.44 is currently unallocated and available.
21. The proposed allocation accords with the above mentioned agreements and would provide appropriate mitigation for the impacts of the specific and future developments

#### **Director of Law and Democracy**

22. This report seeks authority from members of the planning committee to release the sum of £136,726.44 towards public realm and environmental improvements to Keppel Row. These funds will come from the single s106 agreement referred to in this report.

23. Contributions from s106 agreements must be expended in accordance with the terms of the relevant agreement.
24. The agreement referred to in this report (14/AP/3204 at 61 Southwark Street and 15, 17 and 19 Great Guildford Street) provides, amongst other contributions, for a sum of £100,000 to be applied towards the enhancement of Keppel Row, £16,725 to be applied towards public realm improvements and £16,725 towards site specific transport improvements.
25. The policy tests set out in Regulation 122 of the Community Infrastructure Levy Regulations 2010 provide that planning obligations must be: (i) necessary to make the development acceptable in planning terms; (ii) directly related to the development and (iii) fairly and reasonably related in scale and kind to the development.
26. The s106 agreement has been reviewed and the proposed expenditure is considered to accord with both the terms of the agreement and the relevant policy tests.
27. Except for the Keppel Row contribution, which specifically refers to the improvement of Keppel Row, the agreement does not specify which projects the contributions are to be spent on and therefore it is for the council to reasonably allocate the funds in accordance with their specified generic purpose.
28. The decision to consider and approve s106 agreement expenditure exceeding £100,000 is reserved to planning committee in accordance with part 3F of the constitution.

#### **Director of Finance and Governance**

29. This report seeks approval of the planning committee to release s106 funds of £136,726.44 from the agreement referred to at the first paragraph of this report towards the delivery of public realm and environmental improvements to Keppel Row.
30. The strategic director of finance and governance notes the recommendation in this report and confirms that the associated funds have been received by the council and are available to deliver this project.
31. The allocation of s106 funds for this project represents an increase in council's capital expenditure and will be reported as a budget variation in the capital monitoring report to cabinet.
32. 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                        |
|-----------------------|---|--------------------------------|
| s106 legal agreements | Planning Division, 160 Tooley Street, London, SE1     | Jack Ricketts<br>020 7525 5464 |
| Project brief         | Regeneration Division, 160 Tooley Street, London, SE1 | Dan Taylor<br>020 7525 5450    |

## APPENDICIES

| No.   | Title |
|-------|-------|
| None. |       |

## AUDIT TRAIL

|   |  |                          |
|---|--|--------------------------|
| <b>Lead Officer</b>   | Jon Abbott, Head of Regeneration North |                          |
| <b>Report Author</b>  | Dan Taylor, Programme Manager          |                          |
| <b>Version</b>  | Final                                  |                          |
| <b>Dated</b>  | 30 September 2016                      |                          |
| <b>Key Decision?</b>  | No                                     |                          |
| <b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b> |  |                          |
| <b>Officer Title</b>  | <b>Comments sought</b>                 | <b>Comments included</b> |
| Director of Law and Democracy   | Yes                                    | Yes                      |
| Director of Finance and Governance                                      | Yes                                    | Yes                      |
| Director of Planning  | Yes                                    | Yes                      |
| <b>Date final report sent to Constitutional Team</b>                    |  | 30 September 2016        |