

Item No. 7.	Classification: Open	Date: 11 October 2016	Meeting Name: Planning Committee
Report title:		To release £302,330.13 from s106 agreements to deliver public realm enhancements to Hampton and Steedman Streets, and amend the local TMO	
Ward(s) or groups affected:		Newington	
From:		Chief Executive	

RECOMMENDATION

1. That Planning Committee authorise the release of £302,330.13 of s106 funding, from the below developments, to deliver public realm enhancements to Hampton and Steedman Streets, and amend the local TMO.

Permission Ref	Account No	Address	Amount
07/AP/0650	352	Amelia Street/Robert Dashwood Way SE17 3PY	£2,750
08/AP/0553	653	Former HMSO Printing Works SE17 3AG	£12,750
09/AP/1069	476	120-138 Walworth Road SE17 1JL	£2,750
10/AP/1831	499	John Smith House, 144-152 Walworth Road, London SE17 1JL	£2,750
11/AP/0868	666	2-10 Steedman Street SE17 3AF	£278,580.13
12/AP/1234	651	140-142 Walworth Road SE17 1JW	£2,750

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. Walk Elephant is an initiative to improve the quality of walking routes across the Elephant and Castle opportunity area. The initiative builds on the success of the Walworth Green Links project and has been developed in partnership with a variety of local stakeholders led by Southwark Living Streets and the Walworth Society.
4. A key objective of the Walk Elephant initiative is to improve the northern section of Walworth Road and to make better connections to the Walworth road along the side streets which connect into it, known as the 'Walworth ladders'. These roads include Hampton Street, Steedman Street, Amelia Street and Manor Place.

5. A key site in this area has recently been developed at 2 - 10 Steedman Street, which is located to the west of Walworth Road and is bounded by Hampton Street to the north, Steedman Street to the south and an elevated railway viaduct immediately to the west. The immediate surrounding area comprises a varied mix of commercial, industrial and residential properties.
6. The site is extremely well served by public transport and this is reflected in the high public transport accessibility (PTAL) rating of 6b. The London cycle network runs along to the north and south of the site. The University of Arts London (UAL) is located approximately 500m from the site.
7. A landscaped public walkway for pedestrians and cyclists was created between the railway viaduct and the proposed building, connecting Steedman and Hampton Streets, and this walkway has recently been officially named as 'Spare Street' in memory of local artist Austin Osman Spare who lived on the Walworth Road. The development has facilitated the refurbishment of 5 railway arches along the western side of the site, which have been leased to a local not-for-profit organisation called Hotel Elephant who have set up an arts enterprise project, with affordable business space for new creative businesses. The new walkway and refurbished arches have delivered the first section of 'Low Line' in Southwark; an initiative to activate the viaduct and create a new walking and cycling route alongside the viaduct.
8. The site is located within the central activities zone (CAZ), the Elephant and Castle opportunity area, the Elephant and Castle town centre, and an air quality management area (AQMA). The site is also within flood zone 3, as designated within the Environment Agency's flood map. The site does not lie within a conservation area and there are no listed buildings adjoining the site. The nearest listed buildings are to the south east further along Walworth Road and include John Smith House (144 - 152 Walworth Road) and council offices (151 Walworth Road) on the corner of Walworth Road and Wansey Street.
9. The proposed work will look to:
 - improve the physical environment along Hampton and Steedman Streets and the routes through the Newington Estate (the public realm connection from Steedman Street into the Newington Estate and provision of safe access into the estate which connect the estate to Steedman Street)
 - improve lighting through the Newington estate
 - improve walking routes through the area (delivering the ambitions of the Walk Elephant initiative)
 - strengthen the connections between the Walworth Road and the hinterland to the west, improve access to the newly landscaped Spare Street which forms the first section of the 'Low Line' in Southwark and improve the gateway to the low line north and south of Hampton and Steedman Streets.

KEY ISSUES FOR CONSIDERATION

Community impact statement

10. This project will support the council's commitment to meet the needs of Southwark's diverse community.
11. 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.

12. All small projects within the area will be designed to be fully accessible to all, without prejudice or discrimination.
13. The proposal has no impact on any particular age, disability, faith or religion, race and ethnicity and sexual orientation.
14. With the exception of those benefits identified, the proposals are not considered to have a disproportionate effect on any other community or group.

Consultation

15. Ward councillors have been closely involved with the development of the Spare Street project and attended the opening of the new street.
16. The Walworth Society and Living Streets have been working closely with ward councillors to promote improvements to the northern end of Walworth Road and the 4 'ladder' streets which connect to Walworth Road. This project directly delivers improvements to two of the four streets identified.
17. The Walworth Society organised a community planting day in the Newington Estate in December 2015 in memory of a recent murder which took place in the public route connected to Hampton Street. The event was attended by local residents from the estate and all three of the ward councillors. Improvements to the safety of Hampton Street and the Newington estate were discussed during the event and this s106 sum was discussed as a possible means of delivering new safety improvements.
18. Because crossing facilities are being considered on the public highway, statutory consultation is required.
19. Local consultation is carried out before making any changes to the network

Resource implications

20. All costs arising from implementing the recommendations above will be met from the s106 agreements attached to the planning permissions for the development sites bounded by Walworth Road, Hampton Street, Steedman Street and Robert Dashwood Way.
21. The project will be managed by the highways team, which has an extensive experience of improving public realm in Southwark. Staffing and any other costs connected with this recommendation are to be contained within existing departmental revenue budgets.

Policy implications

22. The project will help deliver our Fairer Future Promises in making our borough a greener borough to live in.
23. The proposal to authorise the release of £302,330.13 of s106 funding from the legal agreement also meet the following policy objectives as detailed in the transport plan:
 - a) Policy 1.8 – improve the walking environment and ensure that people have the information and confidence to use it

- b) Policy 1.9 – improve the cycling environment and ensure that people have the information and confidence to use it
- c) Policy 4.2 – create places that people can enjoy
- d) Policy 4.3 – make our streets greener
- e) Policy 5.1 – improve safety on our roads and to help make all modes of transport safer
- f) Policy 5.2 – seek to reduce vehicle speeds and educate and enforce against those who break speed limits
- g) Policy 5.6 - we will seek to create conditions where our roads are safe
- h) Policy 6.1 - make our streets more accessible for pedestrians.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Planning

Permission Ref	Account No	Purpose	Principle amount	Indexation/interest
07/AP/0650	352	TROA	£2,750	N/A
08/AP/0553	653	TROA	£2,750	N/A
		PRI	£10,000	N/A
09/AP/1069	476	TROA	£2,750	N/A
10/AP/1831	499	TROA	£2,750	N/A
11/AP/0868	666	PRI	£122,120	£11,360
		TRA2	£130,120	£12,104.19
		TROA	£2,750	£125.94
12/AP/1234	651	TROA	£2,750	N/A

- 24. The above mentioned developments secured £302,330.13, combined, in contributions towards amending the local traffic order, site specific transport and public realm improvements. All £302,330.13 is currently unallocated and available.
- 25. 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

- 26. This report seeks authority from members of the planning committee to release the sum of £302,330.13 to deliver public realm enhancements to Hampton Street and Steedman Street and to amend the local TMO. The funds will come from the 6 s106 agreements referred to in this report.
- 27. Agreement 07/AP/0650 (land at Amelia Street) provides, amongst other contributions, for a sum of £2,750 to be applied towards *'the costs incurred by the council in amending the traffic regulation order restricting parking permits in the vicinity of the development...all to be carried out by the council in the location and in accordance with a specification to be agreed between the developer and the council.'* Paragraph 1.6 states that if the sum is not spent within 7 years of the date of payment the council shall within 28 days of written demand from the owner repay the sum or unexpended portion thereof to the owner.

28. Agreement 08/AP/0553 (land at Dashwood Way) provides, amongst other contributions, for a sum of £2,750 to be applied towards *'an amendment to the existing traffic order which will prohibit new occupiers of the development (unless disabled) from obtaining a parking permit or buying a contract to park within any car park owned, controlled or licenced by the council'* and a further sum of £10,000 to be applied towards public realm improvements.
29. Agreement 09/AP/1069 (land at 120 - 138 Walworth Road) provides, amongst other contributions, for a sum of £2,750 to be applied towards *'an amendment to the existing traffic order which will prohibit new occupiers of the development (unless disabled) from obtaining a parking permit or buying a contract to park within any car park owned, controlled or licensed by the council.'*
30. Agreement 10/AP/1831 (land at John Smith House, 144 - 152 Walworth Road) provides, amongst other contributions, for a sum of £2,750 to be applied towards *'an amendment to the existing traffic order which will prohibit new occupiers of the development (unless disabled) from obtaining a parking permit or buying a contract to park within any car park owned, controlled or licensed by the council.'*
31. Agreement 11/AP/0868 (2 - 10 Steadman Street) provides, amongst other contributions, for a sum of £2,750 to be applied towards *'an amendment to the existing traffic order which will prohibit new occupiers of the development (unless disabled) from obtaining a parking permit or buying a contract to park within any car park owned, controlled or licensed by the council'*; a sum of £122,120 to be applied towards *'off-site works or in the event that off-site works are no longer required within the vicinity of the site on environmental and/or other public realm improvement works.'* Off site works are defined within the agreement as *'the paving works, lighting improvements and bridge painting/cleaning to the railway bridges crossing both Hampton and Steedman Street and associated public realm improvements adjacent to the site to be carried out by the council on behalf of the developer'*; and a sum of £130,120 to be applied towards site specific transport improvements. There is an obligation imposed on the council to expend and apply the contributions on improvements to the Hampton Street and Steedman Street footpaths and highway.
32. Agreement 12/AP/1234 (140 - 142 Walworth Road) provides, amongst other contributions, for a sum of £2,750 to be applied towards *'an amendment to the existing traffic order which will prohibit new occupiers of the development (unless disabled) from obtaining a parking permit or buying a contract to park within any car park owned, controlled or licensed by the council.'*
33. The contributions must be spent in accordance with the terms of their respective agreement.
34. The policy tests set out in Regulation 122 of the Community Infrastructure Levy Regulations 2010 are also relevant and provide that planning obligations must be: (i) necessary to make the development acceptable in planning terms; directly related to the development and (iii) fairly and reasonably related in scale and kind to the development.
35. 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.

Strategic Director of Finance and Governance

36. This report requests the planning committee to approve the release of £302,330.13 s106 funds from the legal agreements listed both at paragraphs 1 and 25 of this report to deliver public realm improvements to Hampton and Steedman Streets as part of the wider Walk Elephant Initiative.
37. The director of planning has confirmed the s106 funds required to deliver this project is available and the proposed expenditure is considered to accord with the terms of the s106 agreements.
38. 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.
39. The s106 allocation of £302,330.13 represents an increase in the council's capital expenditure programme and will be reflected in the next capital budget monitoring report to cabinet.
40. 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

APPENDICIES

No.	Title
None.	

AUDIT TRAIL

Lead Officer	Matthew Hill, Head of Service	
Report Author	Mandalina Stricevic, Project Manager, Highways	
Version	Final	
Dated	30 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		30 September 2016