

<b>Item No.</b> 6.	<b>Classification:</b> Open	<b>Date:</b> 8 November 2016	<b>Meeting Name:</b> Planning Committee
<b>Report title:</b>		To release £499,583.88 from section 106 agreements to deliver public realm and environmental improvement works at Burgess Park and Edmund Street	
<b>Ward(s) or groups affected:</b>		Faraday	
<b>From:</b>		Chief Executive	

## RECOMMENDATION

1. That planning committee agrees that the allocation of funds totalling £499,583.88 be released from the legal agreements associated with listed developments, to deliver public realm and environmental improvement works, as set out in paragraphs 7-17.

Permission Ref	Account No	Address	Amount
<a href="#">11/AP/4309</a>	620	Site bounded by Edmund Street, Southampton Way and Notley Street, London SE5	£355,864.38
<a href="#">14/AP/0764</a>	737A	Site at 184-188 Southampton Way and 5a Havil Street, London SE5 7EU	£41,671.57
<a href="#">14/AP/3276</a>	759	Wadding Street and Stead Street, London SE17	£102,047.93
<b>TOTAL</b>			<b>£499,583.88</b>

## 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. With rapid population increase forecast, it is expected that larger parks and those with good transport links, outside of the immediate vicinity, will increasingly become destination parks for residents in Southwark and even south east London.
4. This report seeks to allocate funding to support the Burgess Park West and Edmund Street enhancements projects. 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 section 106 legal agreements together, in order to deliver a holistic programme of public realm improvements.
5. The identified section 106 agreements will be shared between the two projects. This report is seeking to allocate approximately £390,000 towards improvements to Burgess Park and approximately £110,000 towards Edmund Street enhancements as follows:

6. The developer of the site at Edmund Street was obligated to complete highways works in and around their development site, but this did not extend along the full length of Edmund Street. The southern footway needs renewing to bring it up to Southwark's Streetscape Design Manual (SSDM) standards. This will enhance the pedestrian provision and maintain the continuity of the footway in the vicinity of the development site. This project will be delivered by the Highways team.
7. Burgess Park West is a park improvement project which includes works to the highway, including removal of a large section of road from within the park, and the addition of cycle Quietway routes inside the park that link to routes on the highway. This project will be delivered by the parks and leisure team.

## KEY ISSUES FOR CONSIDERATION

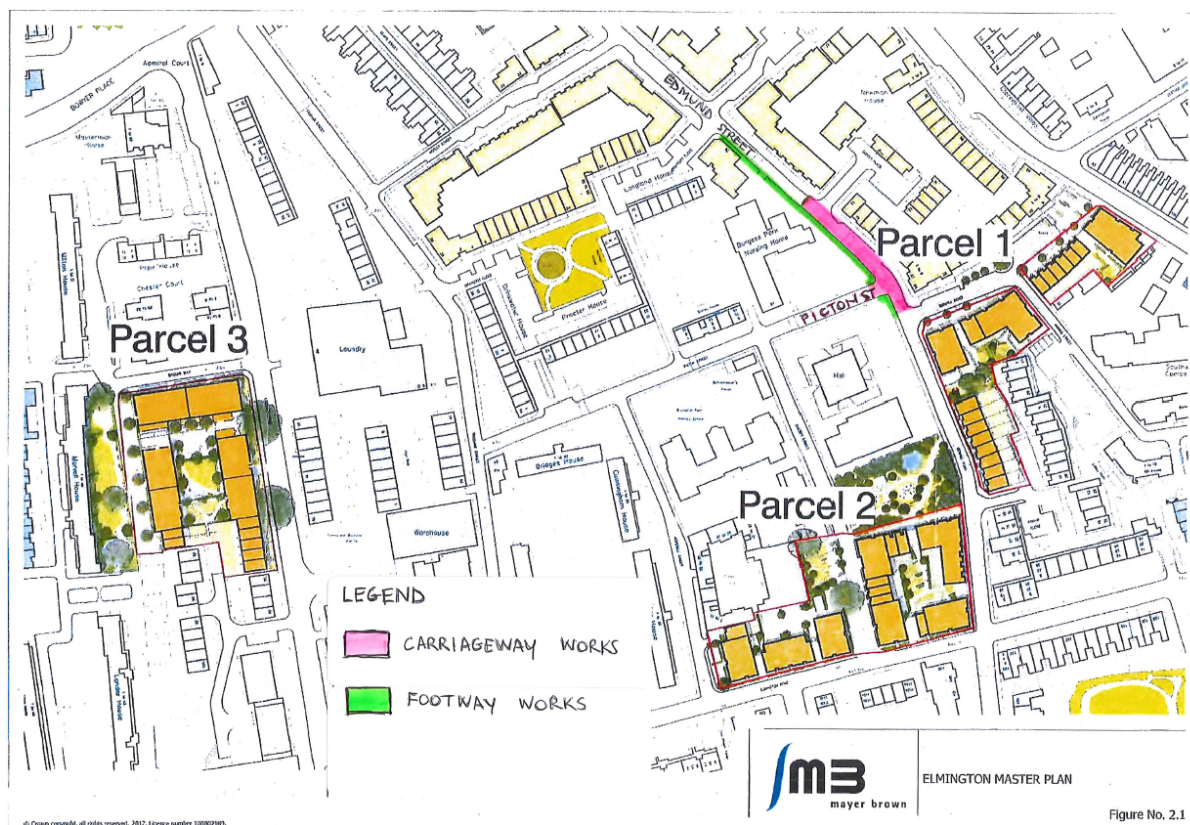
### Project 1: Burgess Park West



8. Burgess Park is a large park, occupying 56 hectares, located in a diverse and densely populated area of Southwark with high levels of deprivation, being within the 10% most deprived areas of the country
9. In 2012 the park reopened after a £9 million investment project, which improved the north and east of the park including new topography and hills, an extension of the lake, wildflower meadows, new play areas and barbeque areas.
10. The Burgess Park West project will deliver improvements to the south western section of the park, which was not included in the previous regeneration.
11. Plans include cycle quietways with lighting, a play area, a larger nature area, removal of a redundant section of New Church Road from inside the park and integration of additional sites that are not currently owned by the council.
12. Removal of New Church Road within the park will create 4,000m<sup>2</sup> more green space and will have a beneficial impact on the local sewer capacity in times of heavy rainfall. On average 2.5 million litres of surface water runoff would be saved per year from entering the sewer network and during a once in a lifetime storm approximately half a million litres would be removed from entering this network, reducing flood risk in the area.

13. Funding will also be used to install CCTV, to address the fear of antisocial behaviour, which was expressed by local residents during recent public consultation.
14. Construction at Burgess Park West is estimated to begin in May 2017.

## Project 2: Edmund Street enhancements



15. Edmund Street is part of cycle quietway route linking Crystal Palace to Elephant and Castle.
16. The condition of carriageway in some sections of Edmund Street needs to be improved to enhance the experience for cyclists using the quietway route. This will expand the area of highways already being resurfaced by Notting Hill Housing as part of their planning obligations for the development on Edmund Street.
17. Similarly, the footways in Edmund Street require resurfacing and enhanced crossing facilities beyond the extent of the works being completed by the developer. All highways works will be in accordance with Southwark's Streetscape Design Manual.
18. Construction of Edmund Street enhancements is due to begin in spring 2017.

## Community impact statement

19. This project will support the council's commitment to meet the needs of Southwark's diverse community.
20. Burgess Park's central location makes it a destination for all residents of Southwark. It is

within easy walking distance for many residents who live in Camberwell, Newington, Walworth, Bermondsey and Peckham.

21. The programme of projects is designed to enhance the attractiveness of Camberwell, Walworth and Peckham as places in which people choose to live and work. By implementing these environmental and community facility projects, the council is improving the environment and social sustainability of the community council area, providing high quality outdoor public places which local residents and workers can use, and which promote the potential for interaction. Improving interaction between different social groups enhances trust and creates the conditions to foster stronger networked communities.
22. An improved park with better facilities for both child and adult play and sport will improve quality of life for the residents of Camberwell by encouraging them to visit green spaces and use the facilities provided.
23. Advice has been sought from the crime prevention officer at the Metropolitan Police as to how the new design for Burgess Park West could have a positive impact by reducing antisocial behaviour.
24. Both projects will be designed to be fully accessible to all, without prejudice or discrimination.
25. The proposal has no impact on any particular age, disability, faith or religion, race and ethnicity and sexual orientation.
26. With the exception of those benefits identified, the proposals are not considered to have a disproportionate effect on any other community or group.

### **Consultation**

27. Public consultation for the Burgess Park West project, undertaken in December 2014 and January 2015, is summarised in the 'Burgess Park Southern Entrance Project, Initial Consultation Report 2014/15', which demonstrates the popularity of the Burgess Park West project, with the vast majority of respondents liking the concept designs.
28. In May 2015 the second public consultation for Burgess Park West was held. The results have been analysed and are available in the report 'Burgess Park Southern Entrance Project: Results of the second public consultation'. These results influenced the concept design proposals.
29. A third and final public consultation for Burgess Park West was held in May 2016.
30. The Burgess Park West design will require planning permission and statutory consultation will be carried out.
31. Local consultation is carried out before making any changes to the network.

### **Resource implications**

32. All costs arising from implementing the recommendations above will be met from the section 106 agreements attached to the planning permissions for the development sites.

33. The Burgess Park West project will be managed by the parks and leisure team working in close consultation with the Friends of Burgess Park, the BMX track operator and other key local stakeholders.
34. The Edmund Street project will be managed by the highways team, in conjunction with local stakeholders.
35. Both teams have extensive experience of the type of work in Southwark.
36. Staffing and any other costs connected with this recommendation are to be contained within existing departmental revenue budgets.

### **Policy implications**

37. The project will help deliver our Fairer Future Promises in making our borough a greener borough to live in.
38. Improving Burgess Park complies with strategic policy 11 contained in the core strategy; to improve, protect and maintain a network of open spaces and green corridors that will make places attractive, provide sport and leisure opportunities for a growing population and improve and protect habitats for a variety of wildlife.
39. Removing New Church Road from within Burgess Park and increasing the size of the nature area by 3,100m<sup>2</sup> (32%) complies with strategic objective 2F contained in the core strategy, to conserve, protect and enhance historic and natural places, including heritage assets and the wider historic environment, open spaces and biodiversity.
40. Improving Burgess Park including installation of a play area and adding cycle Quietway routes complies with strategic objective 1C contained in the core strategy, to encourage the community to be healthy and active by promoting good access to open space and nature and encouraging healthy lifestyles.
41. The Burgess Park West site is within easy walking distance for many residents of Camberwell. The council's open space strategy (2013) identifies Camberwell as an area with relatively high population density and high child density. Camberwell's park provision (area per population) is below the borough average and is expected to fall in the future as a result of population growth.
42. In the council's open space strategy (2013), Burgess Park is identified as being below average quality and above average value. The Burgess Park West project will improve the quality of the park.
43. Burgess Park is designated as metropolitan open land (MOL) and is therefore protected from development.
44. The London plan places heavy emphasis on improving the quality of, and access to, open space (policy 7.18) and play space (policy 3.6) in the higher density environment of Inner London.
45. The Burgess Park West project complies fully with council policy contained in the borough's transport plan and contributes to the objectives of the sustainable community strategy 2016 by making the borough a better place to be in and improving individual life chances.



46. Edmund Street enhancements also meets the following policy objectives, as detailed in the transport plan (2011):

- Policy 1.8 - Improve the walking environment and ensure that people have the information and confidence to use it
- Policy 1.10 – 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 5.1 - Improve safety on our roads and to help make all modes of transport safer
- Policy 5.4 – Seek to reduce vehicle speeds and educate and enforce against those who break speed limits
- Policy 5.6 - We will seek to create conditions where our roads are safe
- 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
11/AP/4309	620	PRI	£209,250.00	£4,268.63
		TRA2	£139,500.00	£2,845.75
14/AP/0764	737A	PRI	£17,986.00	N/A
		TRA1	£11,694.90	N/A
		TRA2	£11,990.67	N/A
14/AP/3276	759	PRI	£40,500.00	£1,246.88
		TRA1	£31,500.00	£969.80
		TRA2	£27,000.00	£831.25
Totals			£489,421.57	£10,162.31
TOTAL				£499,583.88

47. The above mentioned developments secured £499,583.88, combined, in contributions towards public realm, site specific transport and strategic transport improvements. All £499,583.88 is currently unallocated and available.

48. 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

49. Members of the planning committee are requested to authorise the release of funds totalling £499,583.88 from the three section 106 agreements listed in this report. The funds are required for public realm and environmental improvement works at Burgess Park and Edmund Street.

50. The decision to consider the expenditure of sums in excess of £100,000 is reserved to members of the planning committee in accordance with part 3F of the council's

constitution, paragraph 6.

51. The section 106 monies must be spent in accordance with:

- a) the terms of the specific section 106 agreements
- b) the tests set out in Regulation 122 (2) a-c) of the Community Infrastructure Levy Regulations 2010 ('the CIL regulations') ) which provide that the planning obligation must be:
  - necessary to make the development acceptable in planning terms
  - directly related to the development
  - fairly and reasonably related in scale and kind to the development.

52. The three section 106 agreements listed in this report have been reviewed and it is confirmed that the proposed expenditure is in accordance with the terms of each agreement.

53. Members will note that the planned works have been subject to public consultation. Subject to members taking into account the requirements of the CIL regulations outlined above, it is confirmed that members may approve the expenditure.

**Strategic Director of Finance and Governance (CAP16/065)**

54. This report requests the planning committee to approve the release of £499,583.88 section 106 funds from the legal agreements listed in the body of this report, towards public realm and environmental improvement works at Burgess Park and Edmund Street.

55. The director of planning has confirmed the section 106 funds required to deliver this project is available and the proposed expenditure is considered to accord with the terms of the section 106 agreements.

56. The strategic director of finance and governance notes the council has received the related section 106 funds and that they are available for the improvement works outlined in this report.

57. The section 106 allocation of £499,583.88 represents an increase in the council's capital expenditure programme and will be reflected in the next capital budget monitoring report to cabinet.

58. 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 section 106 legal agreements	Planning Division, 160 Tooley Street, London SE1	Jack Ricketts 020 7525 5464
Burgess Park southern entrance project, initial consultation report 2014/15	<a href="http://www.southwark.gov.uk/burgesspark">http://www.southwark.gov.uk/burgesspark</a>	Pippa Krishnan 020 7525 5133
Burgess Park southern entrance project: Results of the second public consultation	<a href="http://www.southwark.gov.uk/burgesspark">http://www.southwark.gov.uk/burgesspark</a>	Pippa Krishnan 020 7525 5133

## APPENDICES

No.	Title
None.	

## AUDIT TRAIL

<b>Lead Officer</b>	Rebecca Towers, Head of Parks and Leisure Matt Hill, Head of Highways		
<b>Report Author</b>	Pippa Krishnan, Service Development Officer, Parks and Leisure Mandalina Stricevic, Project Manager, Highways		
<b>Version</b>	Final		
<b>Dated</b>	26 October 2016		
<b>Key Decision?</b>	No		
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / EXECUTIVE MEMBER</b>			
<b>Officer Title</b>	<b>Comments sought</b>	<b>Comments included</b>	
Director of Law and Democracy	Yes	Yes	
Strategic Director of Finance and Governance	Yes	Yes	
Director of Planning	Yes	Yes	
<b>Date final report sent to Constitutional Team</b>	26 October 2016		