

Item No.: 5.	Classification: Open	Date: 21 November 2020	Meeting Name: Planning Committee
Report title:	To release £456,541.27 from the S106 agreement associated with the below development, for the purposes of delivering phase one of the Cossall Park Master Plan and improvements to Kirkwood Road Nature Reserve		
Ward(s) or groups affected:	Nunhead & Queen's Road		
From:	Director of Planning		

RECOMMENDATION

1. That Planning Committee approves the release of £456,541.27 of section 106 funding from the below development, towards two projects: Delivery of phase one of the Cossall Park Master Plan, and delivery of improvements to Kirkwood Road Nature Reserve.

Reference	Account No	Address	Amount
13/AP/0876	674	Wooddene, Site bounded by Queens Road, Meeting House Lane and Carlton Grove SE15	£456,541.27

BACKGROUND INFORMATION

2. Planning obligations under S106 of the Town and Country Planning Act 1990 are used to address 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 obligations. These obligations can take the form of financial contributions and can cover a range of purposes.
3. Section 106 planning obligations will be used to address site specific impacts of developments, or used in situations where a developer does not meet planning policy requirements to provide infrastructure on the development site. S106 planning obligations will be sought in situations where they are linked to the development site and required in order to make the development acceptable.

4. In addition, the Community Infrastructure Levy (CIL) allows local authorities to raise funds from developers undertaking new building projects in their area. This money can be used to fund a wide range of local and strategic infrastructure that is needed to support growth and development in the borough.
5. The council's 2015 [S106 and CIL Supplementary Planning Document \(SPD\)](#) sets out detailed guidance on the use of S106 planning obligations as well as the Community Infrastructure Levy (CIL).
6. The council also seeks to secure a S106 contribution to be used to facilitate the delivery of skills and employment outcomes by providing training and employment support to residents in the borough.
7. The Parks Programme has been developed to deliver a network of high quality parks and open spaces that benefit both existing and new communities; providing community resources that meet the needs of local neighbourhoods and provide parks that are safer, accessible, coherent, and easy to maintain and enhance the aesthetic appeal of the area.

Project one: Cossall Park Master Plan Phase One

8. Peckham has seen significant investment over a number years, which has lead to the regeneration of the area. There has been limited funding available to invest in some parks including Cossall Park and there is a significant need to develop the park to ensure it meets the needs of young residents from the surrounding area.
9. The Cossall Park Master Plan has been created to guide future investment in the park towards a main aim, and can be seen at <http://www.southwark.gov.uk/cossallpark>. Cost planning has indicated that the Master Plan would cost £1.25million to deliver in full. Although delivering in a single phase would be beneficial, without full funding the recommendation is to deliver in multiple phases.
10. A budget of £692,000 is required for phase one. This would deliver an extended park through opening up of the fenced off derelict area and transformation into a nature area with bulbs, meadow, hedgerow and tree planting and information boards; it will have an educational value for local children. Reconfiguration and improvement of entrances on Woods Road, Harder's Road and Gordon Road will create a more welcoming feel and discourage fly tipping (which is a current issue). New bike racks will encourage a sustainable mode of transport. Improvements to the ballcourt, sport and gym facilities will encourage healthy lifestyles.
11. The total secured budget for phase one improvements at Cossall Park is £336,000 including £40,000 of Mayor of London's Greener City Funding secured in January 2020. A further £356,541.27 investment is now sought from 13-AP-0876 to deliver phase one works.

Funding for Cossall Park Master Plan phase one		
LBS Cleaner Greener Safer	£40,000	Secured
Previously awarded S106 (10-AP-3173, 14/AP/1872, 11/AP/0868, 07/AP/0650, , 08/AP/0564, 13/AP/1235)	£256,000	Secured
Mayor of London's Greener City Fund	£40,000	Secured
Section 106 funding to be secured in this report	£356,541.27	Not yet secured
TOTAL	£692,541.27	

12. £15,000 of the CGS funding plus £40,834 of the S106 funding has been spent to date on surveys, design fees, quantity surveyor fees and consultation expenses.
13. Phase one is expected to commence construction in early 2021 and be open to the public in summer 2021.

Project two: Bidwell Street Phase of Peckham Coal Line

14. The Peckham Coal Line is a community led initiative with an ambition to connect Peckham's neighbourhoods with a new linear park between Queens Road, Peckham and Rye Lane. This will transform walking and cycling connections around Peckham, bridging busy roads and creating a more direct link between the two high streets. It will turn a disused space into a source of civic pride that brings benefits to health, culture and business and celebrates Peckham's industrial past. The project is also acting as a catalyst for community engagement whilst increasing the amount of and improving access to green space and nature. In June 2018 a Feasibility Study was produced, www.peckhamcoalline.org setting out a phased approach to works.
15. A budget of £156,000 is required to deliver the first phase of works to the Bidwell Street section of the line. £50,000 GLA Good Growth Development Funding has been awarded to the Peckham Coal Line to produce detailed designs and £6,000 Southwark Council Cleaner Greener Safer funding has been awarded towards capital works. A further £100,000 is required which this report seeks to secure from the available S106.

Funding for Peckham Coal Line phase one		
LBS Cleaner Greener Safer	£6,000	Secured
Mayor of London's Good Growth Fund (development funding)	£50,000	Secured
Section 106 funding to be secured in this report	£100,000	Not yet secured
TOTAL	£156,000	

16. The entrance to Kirkwood Road Nature Reserve and west end of Bidwell Street will be transformed from an unattractive and somewhat threatening dead-end street into green and attractive public spaces. It is proposed that a new opening in the concrete wall will connect Bidwell Street with Cossall Walk and through to Woods Road, creating an important new link. Connections from Queens Road will also be radically improved.

KEY ISSUES FOR CONSIDERATION

17. Cossall Park is a local park in a densely populated neighbourhood within central Peckham; an area of high levels of ill health, childhood obesity and deprivation.
18. The design of the Cossall Park Master Plan has been developed through public consultation and reports are available at <http://www.southwark.gov.uk/cossallpark>
19. By opening up a link between Cossall Walk and Bidwell Street, residents will be able to traverse through the area via active travel. The dead-end area that attracts anti-social behaviour and fly tipping will benefit from increased footfall and passive surveillance. In principle agreement has been given by Southwark Council's Housing department and by the Cossall Estate T&RA. Further consultation will take place and written agreements will be in place prior to works commencing.
20. Improving the quality of parks and park facilities is essential towards improving health and wellbeing by encouraging residents to visit a local green space and/or use a facility that they are proud of, and be physically active.
21. Improving parks has also been proven to have a positive effect on the local economy.

Policy implications

22. Both Cossall Park Master Plan and improvements to Kirkwood Road Nature Reserve are in line with Fairer Future Commitment Theme 5 - A healthier life, through improvement of green spaces and sport and play facilities to encourage use of parks and an active lifestyle. In Southwark the estimated cost of physical inactivity exceeds £17 million each year.

23. Cossall Park was identified in the Parks Investment Strategy as being in need of significant investment.
24. Providing a link between Cossall Walk and Bidwell Street will encourage use of sustainable transport by providing a more convenient route for those cycling and walking, in line with the Mayor For London's Transport Strategy.
25. Cossall Park Master Plan is in line with proprieties identified by members, who have already allocated Cleaner Greener Safer and S106 funding towards the scheme.

Community impact statement

26. A large residential block at 2 – 4 Woods Road was recently constructed on a site that used to be Tuke's School; the block is now inhabited. This means Cossall Park needs to serve a larger number of residents, many of whom do not have their own outdoor space. Implementing phase one will add 1,500m² to the park, making it 15% bigger, through the opening up of the fenced off and derelict area.
27. Some of the residents of 2 - 4 Woods Road have requested that the former Tuke's School site remains closed off to the public. This is not possible however officers have met with them and agreed other design interventions towards mitigation of their concerns.
28. The proposed play area will contain equipment suitable for children with disabilities. However the play area will not be constructed during phase one, due to limited funding.
29. Bidwell Street and Kirkwood Nature Reserve are located a few minutes walk from Cossall Park, to the south east. The Peckham Coal Line is a community led initiative and as such, people living in the area are key to the design, development and delivery of the project. They know their neighbourhood and are best placed to not only identify any potential challenges. This should encourage active travel through the area which will feel safe and welcoming and play a part in supporting health and wellbeing.
30. Within Southwark there are high levels of child obesity (12.9% of children aged 4-5 are overweight and 27.8% of those are classified as obese) and a relatively high level of crime congruent with other inner city parts of London. Public Health England has found that the level of child poverty in Southwark is above the national average with 27.6% of children aged under-16 years living in poverty. Cossall Park Master Plan phase one includes the installation of new outdoor gym equipment and improvements to sports facilities to encourage active lifestyles.
31. Parks are open to all members of the community regardless of their age, disability, faith/religion, gender, sexual orientation or race and ethnicity.

32. Works will include seeking to improve access for those with disabilities that affect mobility.
33. Cossall Park and Kirkwood Road Nature Reserve are located in an area with a high BAME population.

Legal/Financial implications

34. When the Cossall Park Master Plan project commenced, expectations were managed as funding was only available to deliver part of it and that integration of the former Tuke's School site into the park is priority.
35. At Planning Committee, the decisions to allocate £256,000 of S106 (from applications 10-AP-3173, 14/AP/1872, 11/AP/0868, 07/AP/0650, 08/AP/0564, 13/AP/1235) specifically stipulated that the works must include integration of the former Tuke's School site into the park.
36. £40,000 of Greener City Funding is specifically allocated to ecological improvements in the nature area that will be located on the former Tuke's School site. The deadline for completion was December 2020 but an extension to March 2021 has been agreed.
37. Consultation has found that the priority for many residents is delivery of a new play area. To deliver this and integration of the former Tuke's School site into the park would cost approximately £900,000 and therefore the play area cannot be delivered within budget, falling short by £208,000.
38. Work to Bidwell Street and Kirkwood Nature Reserve is being implemented via a phased approach using cost consultants to reduce the risk over any overspends. All designs will be approved by Southwark Council's Highways, Parks & Leisure and Housing departments and agreements regarding ongoing maintenance will be sought prior to implementation.
39. After the improvements, maintenance of Cossall Park and Kirkwood Nature Reserve will be contained within existing budgets.

Consultation

40. Since the Cossall Park Master Plan project's inception officers have been working closely with the Friends of Cossall Park and Kirkwood Nature Reserve. The Cossall Park Master Plan has undergone three public consultations and the results are available to download from www.southwark.gov.uk/cossallpark
41. Public satisfaction with the project design is high. Some concerns were raised by residents of 2 – 4 Woods Road, as described in paragraphs 26 and 27 and work has been undertaken to mitigate.
42. As mentioned above, The Peckham Coal Line is a community led initiative. The project has garnered a huge amount of local support via numerous

outreach and consultation events during the development of the Feasibility Report, including with the Cossall T&RA, Friends of Cossall Park and Kirkwood Nature Reserve and Insight Housing who run the temporary accommodation to the north of the site. Further consultation in developing the detailed plans will be undertaken. The Peckham Coal Line is committed to reaching out to the wider demographics of the area, with support from Southwark Council to find ideas and solutions that work for everybody.

Resource implications

- 43. Resources for the delivery of the project can be contained within current staffing.
- 44. The development mentioned secured £456,541.27, towards public open space, children’s play equipment and sport.

Reference	Account No	Address	Amount
13/AP/0876	674	Wooddene, Site bounded by Queens Road, Meeting House Lane and Carlton Grove SE15	£456,541.27

- 45. All £456,541.27 is unallocated and available. The proposed allocation accords with the associated agreements and would provide appropriate mitigation for the impacts of the specific and future developments.
- 46. This funding is required for the additional work needed to be done on the sites mentioned in the report. There are no other budgets available to meet these costs. Once approved, budget will be added to “COSSALL PARK PROJ.” cost code “L-2340-0560”.
- 47. All costs arising from implementing the recommendations above will be met from the S106 agreements attached to the planning permissions for the development sites.
- 48. The projects will be managed by the Parks and Leisure Team which has extensive experience of delivering the program in Southwark. Staffing and any other costs connected with this recommendation are to be contained within existing departmental revenue budgets.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Law and Democracy

- 49. It is clear from this report that there has been extensive consultation concerning the proposed improvements to Cossall Park. This has led to some modifications to the proposal and the request is now for the release of

a sum of £456,541.27 all from the Wooddene, Queens Road section 106 Agreement which is referenced in paragraph one of this report.

50. It is noted that paragraph 20 refers to the health and well being of users of the park and paragraph 33 appreciates the relatively high BAME population in the area. Taking this decision and undertaking the improvements to the park are therefore likely to be beneficial for those groups who share a protected characteristic as set out in the Equality Act 2010.
51. The Wooddene s.106 Agreement has been checked and it is confirmed that the monies being committed as outlined in this report are in accordance with both the terms of the Agreement and also the legal tests relating to the validity and expenditure of section 106 monies.
52. The decision to consider and approve the expenditure of section 106 monies is reserved to members of the planning committee in accordance with Part 3F, paragraph 9 of the council constitution.

Strategic Director of Finance and Governance CAP20/016

53. This report requests the planning committee to approve the release of £456,541.27 section 106 funds from legal agreement 13/AP/0876, towards the delivery of Cossall Park Master Plan phase one and improvements to Kirkwood Road Nature Reserve,
54. It is noted that the section 106 funds associated with the agreement listed in this report have not been allocated to other projects, and they are available for the purposes outlined in the body of the report.
55. The strategic director of finance and governance notes the resource implications outlined in this report, confirms that the council has received the related section 106 funds, and they are available for this project
56. The section 106 allocation of £456,541.27 represents an increase in council's capital expenditure and will be reflected as budget variation in the next capital budget monitoring report to Cabinet.
57. 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
Section 106 release report to implement 28 regeneration initiatives in Peckham and Nunhead Community Council area and the northern part of Livesey ward, which lies in the Bermondsey and Rotherhithe Community Council area	Parks & Leisure Environment & Leisure Floor 3, Hub 2 PO Box 64529 London SE1P 5LX	Pippa Krishnan 020 7525 5133
Report 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	Parks & Leisure Environment & Leisure Floor 3, Hub 2 PO Box 64529 London SE1P 5LX	Pippa Krishnan 020 7525 5133
Parks Programme: To release £432,459.21 (including accrued interest) of section 106 monies towards improving parks and open spaces	Parks & Leisure Environment & Leisure Floor 3, Hub 2 PO Box 64529 London SE1P 5LX	Pippa Krishnan 020 7525 5133
Active Southwark Sport and physical activity strategy 2019 to 2023	Parks & Leisure Environment & Leisure Floor 3, Hub 2 PO Box 64529 London SE1P 5LX	Pippa Krishnan 020 7525 5133
Link: https://www.southwark.gov.uk/leisure-and-sport/sport-and-physical-activity-strategy		
Cossall Park Master Plan and results of public consultations	Parks & Leisure Environment & Leisure Floor 3, Hub 2 PO Box 64529 London SE1P 5LX	Pippa Krishnan 020 7525 5133
Link: www.southwark.gov.uk/cossallpark		
Peckham Coal Line feasibility study	Online	Pippa Krishnan 020 7525 5133
Link: www.peckhamcoalline.org		

APPENDICES

No.	Title
None	

AUDIT TRAIL

Lead Officer	Tara Quinn, Head of Parks and Leisure	
Report Author	Pippa Krishnan, Programme Manager, Parks and Leisure	
Version	Final	
Dated	23 October 2020	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Director of Law and Democracy	Yes	Yes
Strategic Director of Finance and Governance	Yes	Yes
Date final report sent to Constitutional Team		5 November 2020