

Item no.

Report to: **Development Control and Regulatory Panel**

Date: **17 March 2009**

Report of: **Head of Planning and Building Control Services**

Subject: **Application for S.106 Funding: Environmental Improvements in the Ropery Walk area, Seaham**

Ward: **Dawdon and Seaham Harbour Ward**

The Application Site

The area of land that is the subject of this application lies in the Ropery Walk area of Seaham. The site is currently an unattractive and neglected open space adjacent to a new residential housing estate and is in close proximity to the new Byron Place shopping complex.

The Proposed Development

The aim of the proposal is to improve the attractiveness of an existing area of recreational space for use by local residents. This will be achieved through actioning tasks such as site clearance and disposal, excavation and earthworks, purchasing provisional items, railings and bollards, paving, kerbs and street furniture.

Site History

The overall aim of the scheme is to improve the environmental aspect of the area to coincide with the on-going town centre improvements and to improve the area for the benefit of the local residents. The scheme has the support from the members of the Seaham Regeneration Panel. The plans have also been developed in consultation with the local residents, with the final proposal reflecting their views and comments.

Planning Policy

The Section 106 funding has been acquired through compliance with Policy 66 of the District of Easington Local Plan, which requires provision of children's play space on housing developments of ten or more dwellings, or a financial contribution as an alternative.

Consultations and Publicity

Not Applicable

Planning Consideration and Assessment

Background

Planning approval has been granted recently for eight large housing development schemes within Seaham in which the respective developers opted to provide a cash sum through a legal agreement made under Section 106 of the Town and Country Planning Act 1990 instead of providing a recreational facility within the development.

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The aim of this arrangement is to fund the provision or enhancement of other recreational facilities within the area.

At present the Council has received £72,260 from these developers and there is currently another £44,740 that is due to be received in the future when development commences on the remaining sites. Members may recall that a request for funding was recently improved in the Dawdon Area of Seaham. A children's play park was installed and a contribution of £34,500 was made from Section 106 monies.

The Proposal

As part of the general upgrading of this area of open space it is important to promote and enhance this section of the site given that it is currently underused and unattractive in appearance. This would fall in line with a wider initiative to improve the town centre more generally.

The budgets for these works are given as;

Summary of Landscape Construction costs	£	55,659.02
Plus contingencies @ 15%	£	8,348.85
Sub total	£	64,007.87
Plus GED fees at 16.5%	£	10,561.30
Sub total	£	74,569.17
Plus signage	£	120.00
Plus disbursements	£	178.00
Plus travel	£	60.00
TOTAL FOR ALL WORKS	£	74,927.17
	+	Cost of Security fence
Funding secured from for the scheme from EDC capital programme regeneration budget	£	50,441.00
Shortfall	£	27,000.00

A request has been received from Easington District Council Regeneration to fund the shortfall in the budget which is outlined above to be met from the Section 106 monies currently held for community use.

Each Agreement is individual to the site and specifies the type and the location of development which would be suitable under its terms. As highlighted the District of Easington is in receipt of the amount of Section 106 monies requested in relation to this scheme that have been secured for the Seaham area. The current proposal is considered to accord with the terms as laid out in the Agreement.

Conclusion

It is considered that the upgrading works at the recreational area will result in an important and valuable asset for local residents and visitors to the area. It is further

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considered that the proposal is in accordance with the specific requirements for the release of Section 106 monies, which are identified as being made to help towards the cost of the enhancement of a recreational facility within Seaham. Accordingly the request for funding to help ongoing works in this area is considered reasonable and should be supported.

Certain aspects of the proposed works will need to be subject to a planning application which is yet to be determined. At this stage it is not considered that there are any problems or issues with the application however if planning permission were not granted funding would not be released and a new funding request would need to be made to the Local Authority.

Recommendation

That the Panel conditionally agrees to the release of the sum of £27,000.00 from the Section 106 Agreement monies to fund the enhancement of the established recreational area of Ropery Walk, Seaham once planning permission has been granted and the works have been implemented.

Background Papers

The following background papers have been used in the compilation of this report.

Section 106 Register
Letters from Easington District Council Regeneration Team
District of Easington Local Plan