

# Throw in 100 free bikes - and it's a deal

It's amazing what councils can talk developers into when the time comes to grant planning consent for a new development, writes **Jessie Hewitson**

KATE BARKER of the Monetary Policy Committee has once again called for the planning process to be speeded up to encourage more building. And she has a point: town planners do work slowly, even by local government standards.

But there is some surprisingly cunning work being carried out by planners - much of it going unnoticed - that you wouldn't want to hurry. In Essex, for example, before Weston Homes was given the green light to build a development, local planners insisted that Weston issue buyers with free three-month bus passes, to encourage residents to rely less on cars and more on public transport. Similarly, Banner Homes was obliged to provide bicycles to those who bought houses in one of its developments in Southampton. Other developers have had to provide CCTV cameras or public artwork, create local jobs, build health centres, doctors' surgeries and small parks - all the necessary elements for thriving communities.

In planning vernacular, these demands are known as 'Section 106 agreements', after the section of the Town and Country Planning Act 1990 that gives rise to them - although the word 'agreement' makes the arrangement sound deceptively cosy. It's actually a haggling process not dissimilar to that practised in Moroccan souks. It starts with planners presenting developers with a wish list; the developers, slapping their foreheads and reeling, tell the planners they couldn't possibly find that kind of money. Gradually, however, over months and sometimes years, they meet in the middle.

Until a few years ago, the type of demands made by Section 106s have been fairly run-of-the-mill: a social housing provision is agreed and often a contribution to the local transport infrastructure is included: building a bus stop or car park, for example. But now plan-



**Barratt had to build 47 artists' studios as part of the Galleria, above - thanks to section 106, right.**

ners are starting to be a bit more creative with their demands on developers, with some excellent results.

On another project, Weston Homes was asked to come up with a 'car club' for the owners of the houses they built. The 'club' is a pool of cars available to residents to book for the day at a small charge, and it is a system that works very well. 'The purpose is to encourage people to buy in locations where there aren't parking spaces available and to discourage people from using cars in general,' explains Peter Luder, head of strategic planning for Weston.

Another rather ingenious agreement, between Barratt Homes and London's Southwark Council, was the building of 47 affordable studio spaces for artists, agreed as part of Barratt's Section 106 for the Galleria development in Peckham.

Barratt was asked to collaborate with Acme Studios, a charity based in Bermondsey, south London, which has a stock of 400 affordable studios dotted around the capital. The planners hope

this colony of artists will not only go down well with residents, but also that their presence will make Peckham a more interesting, and ultimately more desirable, place to live. The hope is that a 'Hoxton effect' will happen: artists will settle in the area; galleries will follow in their wake; and cafes and restaurants thereafter. Cue a sharp rise in house prices. That's the plan, at least, and it's not a bad one.

While some of the planning conditions listed above highlight original thinking, the quality of Section 106 agreements differs considerably from council to council. Some still don't go far enough, and golden opportunities are being squandered. 'Some communities certainly do better than others,' agrees Piers Banfield of Banner Homes. 'There's so much variation around the country.'

A good Section 106 should be mutually beneficial, helping developers make the most of the development, and compensating the community for the impact. Done well, it's a rare and satisfying case of winning all round.

106.—(1) A local planning authority may enter into development or use of the land, either permanently or during a specified period.

(2) Any such agreement may contain such incidental provisions as may be necessary or expedient for the purposes of the agreement.

(3) An agreement made under this section with any person shall be enforceable as if it were a contract.