

Regulation 122 Compliance Statement

Planning Inspectorate ref: APP/A5840/W/25/3366760

1. As part of the process of considering the above application, the Council and the Appellant intend to enter into an agreement pursuant to section 106 of the Town and Country Planning Act 1990 (as amended) substantially in the agreed form provided to the Inspector on [X] November 2025. The planning obligations set out in that agreement are considered to be necessary to address impacts associated with the proposed development which cannot be addressed by way of planning condition.

2. Consideration has been given to the provisions of regulation 122 (Limitation on use of planning obligations) of the Community Infrastructure Levy Regulations 2010 which requires inter alia that:

(2) A planning obligation may only constitute a reason for granting planning permission for the development if the obligation is—

(a) necessary to make the development acceptable in planning terms;

(b) directly related to the development; and

(c) fairly and reasonably related in scale and kind to the development

3. The section 106 agreement contains planning obligations relating to the matters set out in below table. The Council and the Appellant consider that the obligations are directly related to the development and its impact and are fairly and reasonably related in scale and kind to that development.

Reference	Obligation	Relevant policies
Sch 1 Part 1 and Sch 1 Part 1	Financial contributions relating to: 1. Archaeology Contribution 2. Administration Cost 3. Affordable Housing Monitoring Contribution 4. Construction Environmental Management Plan and Demolition Environmental Management Plan Monitoring Fee 5. CCTV Contribution	Secures compliance with the following: 1. Southwark Plan 2022 Policy P23 and Southwark Section 106 and CIL SPD 2. Southwark Section 106 and CIL SPD 3. Southwark Section 106 and CIL SPD 4. Southwark Section 106 and CIL SPD 5. London Plan Policy D11 and Southwark

	6. Children's Play Space Contribution 7. Bus Passenger Infrastructure Improvements Contribution 8. Carbon Offset Contribution 9. Travel Plan Monitoring Fee 10. Delivery and Servicing Monitoring Fee 11. Cycle Hire Docking Station Contribution 12. Cycle Improvement Scheme Contribution 13. Biodiversity Monitoring Fee	Plan Policy P16 6. Southwark Plan Policy P15 7. Southwark Plan Policy P55 8. London Plan Policy SI 2 9. Southwark Section 106 and CIL SPD 10. Southwark Section 106 and CIL SPD 11. Not agreed compliant (blue pencil) 12. Southwark Plan Policy P45 and Southwark Section 106 and CIL SPD 13. Southwark Section 106 and CIL SPD
Sch 1 Parts 2 and 3 and Sch 2 Parts 2 and 3	Delivery of 12% base affordable housing by habitable room. Early and late stage viability reviews. Reasonable endeavours to secure grant funding, with grant funding towards CLT as priority. Reasonable endeavours to seek to provide CLT in Phase 2 in lieu of proportion of intermediate homes.	London Plan Policy H5 Southwark Plan Policy P1 and Site Allocation Policy NSP74
Sch 1 Part 4 Sch 2 Part 4	Delivery of wheelchair units equating to 90. 4% to M4(2) standards and 9.6% to M4(3) standards.	London Plan Policy D7 Southwark Plan Policy P8
Sch 1 Part 5	Delivery of commercial floorspace in Phase 1 / re-provision of Morrissons store	Southwark Plan Site Allocation Policy NSP74
Sch 1 Part 6 and Sch 2 Part	Delivery of public realm and securing 24 hour public access subject to permitted closures.	Southwark Plan Policy ST1 and Site Allocation Policy NSP74

7		
Sch 1 Part 7 and Sch 2 Part 8	Parking permit restrictions on all occupiers save for blue badge holders.	Southwark Plan Policy P54
Sch 1 Part 7 and Sch 2 Part 8	Delivery of bus station improvement works.	To mitigate reduction in parking onsite
Sch 1 Part 7	Safeguarding of land for the Council to deliver the Clifton Estate Route	To mitigate impact on pedestrian and cycle traffic through bus station
Sch 1 Part 7	Provision of cycle hire scheme memberships	Not agreed compliant (blue pencil)
Sch 1 Part 7	Provision of e-bike and scooter storage	Not agreed compliant (blue pencil)
Sch 1 Part 8 and Sch 2 Part 9	Delivery targets for construction employment, training and apprenticeships and local procurement	London Plan Policy E11 Southwark Plan Policy P28
Sch 1 Part 9 and Sch 2 Part 10	Implementation of Estate Management Plan to secure management of the public realm.	Public realm delivered to comply with Southwark Plan Policy ST1
Sch 1 Part 10 and Sch 2 Part 11	Biodiversity net gain – implementation of habitat management and monitoring plan	London Plan Policy G6 Southwark Plan Policy P60
Sch 1 Part 10 and Sch 2 Part 12	Delivery of scheme in accordance with energy statement and submission of pre-occupation energy review to achieve carbon targets	London Plan Policy SI2 Southwark Plan Policy SP2
Sch 1 Part 10 and Sch 2 Part 12	Scheme to secure ability to connect to future district heat network if feasible.	London Plan Policy SI2 Southwark Plan Policy SP2

Sch 1 Part 10 and Sch 2 Part 12	Compliance with London Plan energy hierarchy.	London Plan Policy SI2
Sch 2 Part 5	Submission and implementation of final relocation and small shops strategy; appointment of independent business advisor and Council management of business relocation fund.	Southwark Plan Policy P33
Sch 2 Part 5	Restrictions on demolition of existing shopping centre linked to submission of closure notice and replacement Morrisons supermarket being complete and available for occupation.	Southwark Plan Site Allocation Policy NSP74
Sch 2 Part 5	Delivery of small shops and provisions for existing small shop occupiers to return to the small shops on affordable rent terms.	Southwark Plan Policy P32 and P33
Sch 2 Part 5	Grant of option for existing handcart traders and Market Place traders to return to site.	Southwark Plan Policy P33
Sch 2 Part 6	Delivery of affordable workspace including option for Council to elect proportion delivered as affordable retail.	Southwark Plan Policy P31
Sch 2 Part 8	Implementation of car club scheme.	Southwark Plan Policy P54