

Draft

Item No. 5	Classification: Open	Date: 19/4/2005	MEETING NAME Planning Committee
Report title:		LOCAL NATURE RESERVE Designation – Lavender Pond	
Ward(s) or groups affected:		Surrey Docks	
From:		Strategic Director of Environment & Leisure	

RECOMMENDATION

- 1 To approve to and enact the statutory designation of Lavender Pond, as a 'Local Nature Reserve' (LNR)..

BACKGROUND INFORMATION

- 2 Lavender Pond lies close to the Thames, this area was part of the flood plain until about 300 years ago when the area began to populate. The construction of river walls and land drainage made the area habitable. This proved ideal for docking ships for London. In 1700, the first man made dock was built in the area and still exists today as Greenland Dock.
 - 2.1 Lavender Dock was part of the Surrey Dock complex completed by the beginning of the 19th century. Lavender dock was opened in 1815 as a timber pond with an entrance connecting it to the river to the North, still present as the cut and old dock entrance. This entrance was closed in 1928 and the pump House was constructed over it in 1929 to maintain the water level of Lavender pond.
 - 2.3 The Surrey docks complex went into decline in the 1960s and one by one the docks closed. By 1970 all of Surrey docks complex had closed and most including Lavender Pond were drained and filled in. The site remained derelict until 1981 when a section of the old Lavender Pond was re excavated with the intention of creating a nature reserve. The nature park is 2.5 acres in size.
 - 2.4 Due to an increasing demand from inner city schools for such sites the initial and subsequent funding came from The London Borough of Southwark with the intention that The Ecological Parks Trust (now the Trust for Urban Ecology) would manage the site. This agreement still exists to the present day.

- 2.5 The Pump House was refurbished in 1989 with a grant from the LDDC (The London Docklands Development Corporation). Since 1981 the site has been managed continuously for wetland and terrestrial habitats, as the original planting and landscaping carried out by Land Use Consultants, envisaged. There are a number of important habitats present, the first being the wetland area which includes reed swamps, marshes, alder carr, willow bank and flood meadow. This main feature is the pond, which comprises of two areas of open water. On the northern, western and southern boundaries the pond is bordered by hard edges. The eastern edge gradates into the willow bank, alder carr and through to reed swamps. The second distinct habitat is a deciduous woodland bisected by a network of paths.
- 2.6 The site has access from Monday to Friday and provides an important educational resource, which is managed through the pump house. The park can be viewed 365 days of the year from the western edge of the pond adjacent to the car park.
- 3 A letter of support was received from English Nature (EN) on 21st July 2004.

KEY ISSUES FOR CONSIDERATION

Criteria for Selection

- 4 The statutory definition of “Nature Reserve” is given in Section 15 of the National Parks and Access to the Countryside Act 1949. It is land managed:
- i. for the preservation of “flora, fauna or geological or physiographical features of special interest in the area”; or
 - ii. for the provision “under suitable conditions and control, of special opportunities for the study of and research into, matters relating to the fauna and flora of Great Britain and the physical conditions in which they live, and for the study of geological and physiographical features of special interest”.
- 5 This would allow a LNR to be declared on a wide range of grounds such as educational value, natural history or social importance to the local community. Any one of these or similar grounds is sufficient in itself to enable LNR designation. It is more important for a site to have an identified local value, than any particularly rare or unusual species.

Procedures

- 6 The power to select and designate LNRs lies firmly and solely with members of the Planning Committee. However, under Section 21 of the 1949 Act, the Planning Authority must first discuss the proposal with English Nature (EN). Members should take into account any views expressed by the EN Regional Committee although there is no such requirement to heed such advice. In the case of this proposal to designate Lavender Pond.

Policy implications

- 7 LNRs give local authorities a chance to flag up their commitment to nature conservation. This is currently set out in LBS Policy E3.11 (MSSLP):
 - “ The Council will encourage the conservation of existing areas of natural woodland and ecological interest and will seek to create new areas where there are deficiencies. It will also do so by:
 - i. Identifying sites of local nature interests. Local Nature Reserves, ecology corridors, natural habitats which are for the enjoyment and protection of nature...”

Planning Implications

- 8 A LNR does not enjoy immunity from possible future development or planning ‘applications’. However, as the Lavender Pond site is Council owned, it is unlikely that there will be any applications forthcoming for alternative uses in the foreseeable future. The site is already designated as Metropolitan Open Land, under the new Unitary Development Plan. Should there be any planning applications in the Future; and the LNR designation agreed. Members would have to take into account the LNR designation as a material factor.
- 9 The existence of an LNR will be taken into account when planning applications are made for adjacent developments. Declaration of an LNR also enables Members to call for a full Environmental Impact Assessment (EIA) should a road proposal be within a specified distance from the LNR boundary. These powers were detailed in the 1985 Council of Europe Directive “On the assessment of the Effects of Certain Public and Private Projects on the Environment”. However, the use of these powers is subject to ODPM approval and the ODPM has in practice limited EIA application.

Resource Implications

- 10 Money may be available from English Nature for the management of sites that have been designated as LNRs. EN attaches a priority to LNRs and is currently raising the profile of its concern to encourage LNR designations and has expressed dismay that there are so few in London. However, the EN grant budget is limited and there is no guarantee of any funding.
- 11 LNR designation does not commit Members to finance any revenue or Capital costs. However, where money is available, LNR status should be taken into account by Officers in making recommendations on future grant applications.

Consultation

- 12 Formal consultation and submissions were made to English Nature and TRUE, who acknowledge and welcome LNR status.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Borough Solicitor & Secretary

- 13 There are no further legal implications other than those expressed in the item generally.

Chief Finance Officer

- 14 There are no financial implications outside the normal budgetary framework

REASONS FOR URGENCY

- 15 No reasons for urgency

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
LNR Proposal to EN 17/11/00	Chatelaine House 186 Walworth Rd London SE17 1JJ	Jon Best Parks
EN Approved of LNR 21/07/04	Chatelaine House 186 Walworth Rd London SE17 1JJ	Jon Best Parks
Local Nature Reserves: A Guide to their Selection and Declaration by George Barker	Chatelaine House 186 Walworth Rd London SE17 1JJ	Jon Best Parks

Appendix A

Audit Trail

Lead Officer	Jon Sheaff	
Report Author	Jon Best	
Version	Draft	
Dated	23 November 2004	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / EXECUTIVE MEMBER		
Officer Title	Comments Sought	Comments included
Borough Solicitor & Secretary	No	No
Chief Finance Officer	No	No
Executive Member	Yes/No	Yes/No
Date final report sent to Constitutional Support Services		