

<b>Item No.</b> 7.2	<b>Classification:</b> Open	<b>Date:</b> 5 July 2017	<b>Meeting Name:</b> Planning Sub-Committee B
<b>Report title:</b>	<b>Development Management planning application:</b> Application 17/AP/0234 for: Full Planning Application  <b>Address:</b> RUSSIA DOCK WOODLAND, DOWNTOWN ROAD, ROTHERHITHE, LONDON SE16 6QN  <b>Proposal:</b> Construction of a community rain shelter.		
<b>Ward(s) or groups affected:</b>	Surrey Docks		
<b>From:</b>	Director of Planning		
<b>Application Start Date</b> 26/04/2017		<b>Application Expiry Date</b> 21/06/2017	
<b>Earliest Decision Date</b> 14/06/2017			

## RECOMMENDATION

1. Grant planning permission, subject to conditions.

## BACKGROUND INFORMATION

### Site location and description

2. The application site is Russia Dock Woodland near the Downtown Road entrance on the east side of the woodland. Russia Dock Woodland is not listed, nor is it located within a conservation area. It is, however, designated as Metropolitan Open Land (MOL) and a site of importance for nature conservation. It is also located within the Canada Water action area, suburban density zone and air quality management area.

### Details of proposal

3. Planning consent is sought for installation of a rain shelter within the Russia Dock Woodland near the entrance from Downtown Road. The proposed shelter would have a footprint of approximately 12sqm, it would be 2.4m high to eaves and 2.6m high at maximum height.
4. The shelter would be constructed of prefabricated wooden supports and timber (marine ply) roof with the addition of green roof.

### Summary of main issues

5. The main issues to be considered in respect of this application are:
  - a) Acceptability of development in land use terms and impact on Metropolitan Open Land;
  - b) Impact on amenity of adjoining occupiers and users of the woodland;
  - c) Impact on appearance of the woodland;

## **Planning policy**

### 6. National Planning Policy Framework (the Framework)

Section 7 - Requiring good design

Section 9 - Protecting green belt land

Section 11 - Conserving and enhancing the natural environment

### 7. The London Plan 2016

Policy 7.4 - Local character

Policy 7.5 - Public realm

Policy 7.17 - Metropolitan open land

Policy 7.19 - Biodiversity and access to nature

Policy 7.21 - Trees and woodlands

### 8. Core Strategy 2011

Strategic policy 11 - Open spaces and wildlife

Southwark Plan 2007 (July) - saved policies

9. The Council's cabinet on 19 March 2013, as required by para 215 of the National Planning Policy Framework (NPPF), considered the issue of compliance of Southwark Planning Policy with the NPPF. All policies and proposals were reviewed and the Council satisfied itself that the policies and proposals in use were in conformity with the NPPF. The resolution was that with the exception of Policy 1.8 (location of retail outside town centres) in the Southwark Plan all Southwark Plan policies are saved. Therefore due weight should be given to relevant policies in existing plans in accordance to their degree of consistency with the NPPF.

Policy 3.1 - Environmental effects

Policy 3.2 - Protection of amenity

Policy 3.12 - Quality in design

Policy 3.13 - Urban design

Policy 3.25 - Metropolitan open land

Policy 3.28 - Biodiversity

Canada Water Area Action Plan 2015

10. Policy 14 - Streets and public spaces  
Policy 18 - Open spaces and biodiversity

## **Principle of development**

11. Russia Dock Woodland is afforded a significant degree of protection, being Metropolitan Open Land (MOL). Paragraph 7.56 of the London Plan states that paragraphs 79-92 of the NPPF on Green Belts apply equally to MOL. Paragraph 89 of the NPPF, in reference to buildings, states that certain forms of development are not inappropriate on Green Belt as long as they preserve the openness of Green Belt. The list includes appropriate facilities for outdoor sport and recreation as long as it preserves the openness of the Green Belt and does not conflict with the purpose of including land within it.

12. Policy 7.17 'Metropolitan Open Land' of the London Plan states that the strongest possible protection should be given to London's MOL, the same level of protection as is given to Green Belt, and further that inappropriate development should be refused except in very special circumstances. The supporting text states that appropriate development should be limited to small scale structures to support open space uses and minimise any adverse impact on the openness of MOL.
13. Strategic Policy 11 Open spaces and wildlife of the Core Strategy commits the council to protect open spaces against inappropriate development. It refers to Southwark Plan policies 3.25-3.27 for further information on how such spaces would be protected.
14. Saved policy 3.25 of the Southwark Plan states that there is a general presumption against development on MOL and that planning permission will only be permitted for appropriate development for a number of purposes such as essential facilities for outdoor sport and recreation and importantly, for other uses that preserve the openness of MOL.
15. Installation of a rain shelter within the Russia Dock Woodland would enhance the community use of the area without significantly affecting the openness of the woodland due to its relatively small scale. It would not be a self-contained use and would operate only in connection with the woodland.
16. As referred to above, the proposal would preserve the openness of the Russia Dock Woodland and would provide a new facility for community use. The proposal is therefore considered to be appropriate development on MOL and the principle of the development acceptable in accordance with the policies in the London Plan 2016; Core Strategy 2011; Canada Water Area Action Plan 2015, saved Southwark Plan 2007 and guidance in the NPPF 2012.

#### **Summary of consultation responses**

17. None received.

#### **Impact of proposed development on amenity of adjoining occupiers and users surrounding area**

18. The proposed development would be a positive addition to the woodland area as it would provide space to escape rain and it would not displace any other structures currently located in the park. It would be relatively small in scale and easily accessible from nearby established paths within the woodland.

#### **Design issues**

19. The proposed structure would be relatively small in scale and would be constructed in materials that would be in keeping with the character of Russia Dock Woodland. It would be placed in a location that is not too far from outdoor seating areas and would thus not be the only structure within the woodland area.
20. It has been suggested on the proposed plans that the roof of the shelter would be a green roof, though no further details have been submitted to show how this effect would be achieved. A condition requiring further information regarding planting and maintenance of the green roof is therefore recommended.

#### **Impact on trees and biodiversity**

21. No trees would be removed or displaced to give way for proposed development. The Council's Ecology Officer has not raised any objections and considers that the rain

shelter would be a positive addition to the area.

### **Conclusion on planning issues**

The proposed development would be a small scale addition to the Russia Dock Woodland that would enhance its community use without having a negative impact on the amenity or appearance of the area and without compromising the openness of designated Metropolitan Open Land. The application is therefore consistent with policies in the Development Plan and is recommended for approval subject to conditions.

### **Community impact statement**

22. In line with the council's community impact statement the impact of this application has been assessed as part of the application process with regard to local people in respect of their age, disability, faith/religion, gender, race and ethnicity and sexual orientation. Consultation with the community has been undertaken as part of the application process.

### **Consultations**

23. Details of consultation and any re-consultation undertaken in respect of this application are set out in Appendix 1.

### **Consultation replies**

24. Details of consultation responses received are set out in Appendix 2.

### **Human rights implications**

25. This planning application engages certain human rights under the Human Rights Act 2008 (the HRA). The HRA prohibits unlawful interference by public bodies with conventions rights. The term 'engage' simply means that human rights may be affected or relevant.
26. This application has the legitimate aim of providing a rain shelter. The rights potentially engaged by this application, including the right to a fair trial and the right to respect for private and family life are not considered to be unlawfully interfered with by this proposal.

## **BACKGROUND DOCUMENTS**

<b>Background Papers</b>	<b>Held At</b>	<b>Contact</b>
Site history file: TP/417-A Application file: 17/AP/0234 Southwark Local Development Framework and Development Plan Documents	Chief Executive's Department 160 Tooley Street London SE1 2QH	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: planning.enquiries@southwark.gov.uk Case officer telephone: 0207 525 7708 Council website: www.southwark.gov.uk

## APPENDICES

No.	Title
Appendix 1	Consultation undertaken
Appendix 2	Consultation responses received
Appendix 3	Recommendation

## AUDIT TRAIL

<b>Lead Officer</b>	Simon Bevan, Director of Planning	
<b>Report Author</b>	Lasma Putrina	
<b>Version</b>	Final	
<b>Dated</b>	14 June 2017	
<b>Key Decision</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments included</b>
Strategic Director of Finance and Governance	No	No
Strategic Director of Environment and Social Regeneration	No	No
Strategic Director of Housing and Modernisation	No	No
Director of Regeneration	No	No
<b>Date final report sent to Constitutional Team</b>		22 June 2017

## APPENDIX 1

### Consultation undertaken

**Site notice date:** 22/05/2017

**Press notice date:** n/a

**Case officer site visit date:** 23/05/2017

**Neighbour consultation letters sent:** n/a

**Internal services consulted:**

n/a

**Statutory and non-statutory organisations consulted:**

n/a

**Neighbour and local groups consulted:**

n/a

**Re-consultation:** n/a

## APPENDIX 2

### Consultation responses received

#### **Internal services**

None

#### **Statutory and non-statutory organisations**

None

#### **Neighbours and local groups**

None