

Planning Committee

Wednesday 1 February 2023

6.30 pm

Ground Floor Meeting Room G02 - 160 Tooley Street, London SE1 2QH

Supplemental Agenda No.1

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Webpage: <http://www.southwark.gov.uk>

Date: 1 February 2023

Welcome to Southwark Planning Committee

1 February 2023

MAIN ITEMS OF BUSINESS

Item 6.0- 22/AP/3787

Sydenham Hill Wood And Coxs Walk
Development Site
Sydenham Hill
London SE22



Southwark Free
Wi-Fi Password
Fr33Wifi!



Councillor Richard Livingstone
(Chair)



Councillor Kath Whittam (Vice
Chair)



Councillor Cleo Soanes



Councillor Reginald Popoola



Councillor Ellie Cumbo



Councillor Bethan Roberts



Councillor Richard Leeming



Councillor Nick Johnson

Item 6.0 – 22/AP/3787

Sydenham Hill Wood And Coxs Walk Development Site,
Sydenham Hill, London, Southwark, SE22

The installation of a temporary access service ramp with associated remediation and mitigation for the loss of trees.

Council own scheme submitted by Highways Structures Team

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Setting the scene... Historic Context

- Built circa 1865, restored 1906, decommissioned railway 1954.
- French impressionist Camille Pissarro famously painted the view to Lordship Lane station in circa 1871.

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1871



Early 20th century



1980

Setting the scene. Recent Context

- In 2018, Highways issued structural assessment report concluded the footbridge was in a 'hazardous condition' – but posed little risk provided repairs were carried out within 18 months.
- Highways submitted an application to enable the necessary repair works.

Reference:	Description:	Decision:
18/AP/4034	Mature Oaks (T1 & T2) - Fell due to damage and obstruction to work on bridge.	Works Acceptable – No intervention required



Setting the scene... Recent Context [cont.]

- The bridge was closed and repairs were due to start under 18/AP/4034.
- The works encountered significant public/stakeholder objection.
- The attention gained traction in local media outlets.
- 38 Degrees Petition was set up and gained 6,200 signatures.
- Objections voiced to local councillors.

5

38 DEGREES
people. power. change.

Search

+ Start

To: Southwark Council

Save the Cox's Walk Footbridge Oak Trees



Campaign created by
Pennie Hedge



NEWS SOUTHWARK

High Court rejects Southwark council order to remove protesters protecting trees

3 December 2020 News Reporter 0 Comments

Current Submission

- Highways Structures Team has undertaken significant pre-application discussions with residents/stakeholders over the course of 2022.
- The new submission proposes: The installation of a temporary [period of 5 years] access service ramp with associated remediation and mitigation for the loss of trees [to enable the repair of the footbridge under the Highways Act].
- 2x Oaks (Cat A) retained.

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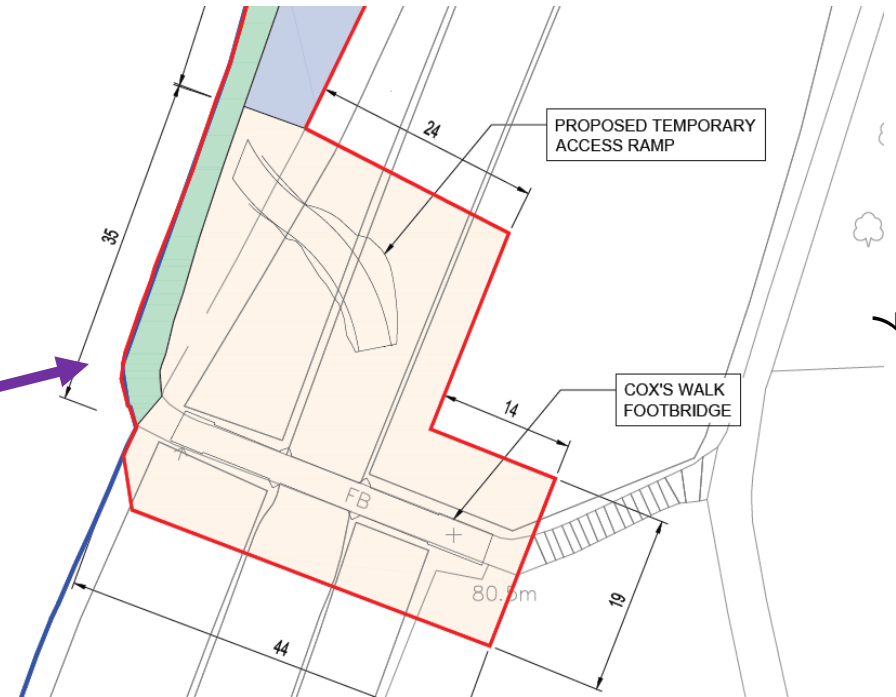
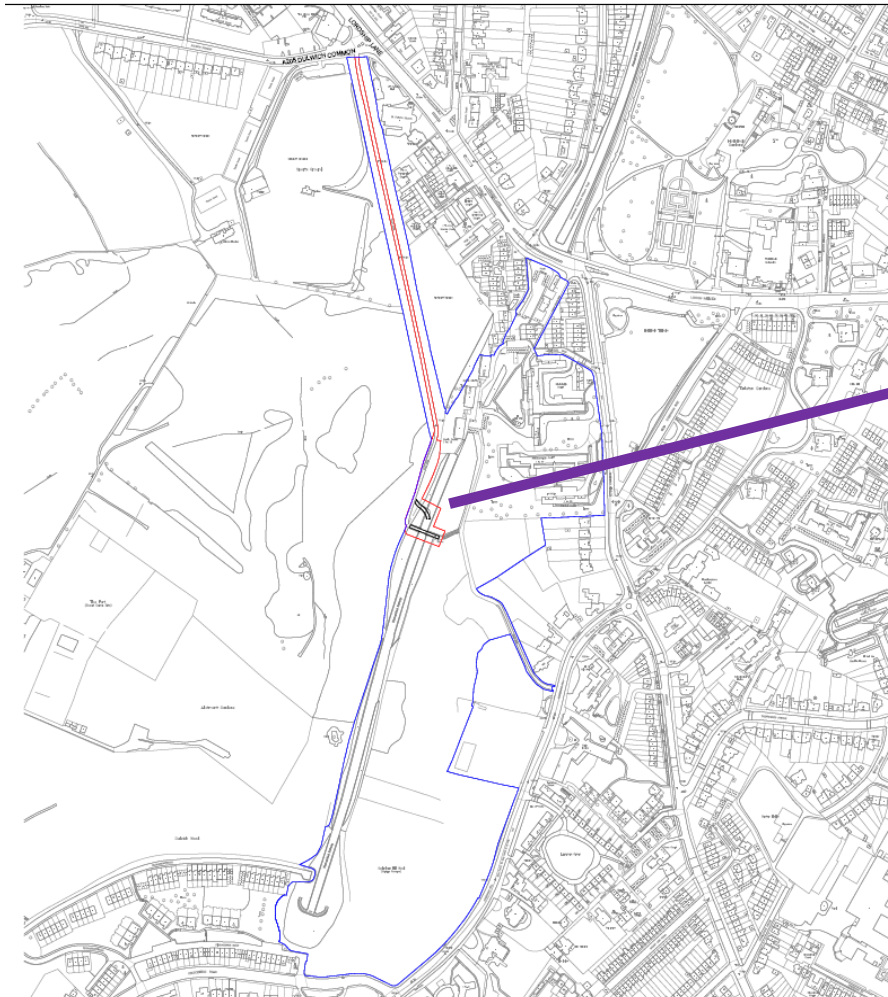
Save Cox's Walk Footbridge Oaks

4 July 2022 · 🌐

Exciting moment: Soutwark Council has organised an online meeting to reveal its latest design for the repair of the footbridge that retains the oaks. This is what we have been campaigning for, for the past three years! It may also be our only opportunity to see and comment on the plans.

The meeting is on Thursday 14th July, 8pm and pre-registration is required. You can register here <http://shorturl.at/jtP79>

Site Location Plan



FOOTBRIDGE REFURBISHMENT
WORKS
LOCATION PLAN
(SHEET 1 - GENERAL)

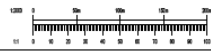


Contractor: 2-4 Stonebridge Road, E16 6RP, Stratford, London E16 6RP
 020 7551 2000
www.southwark.gov.uk

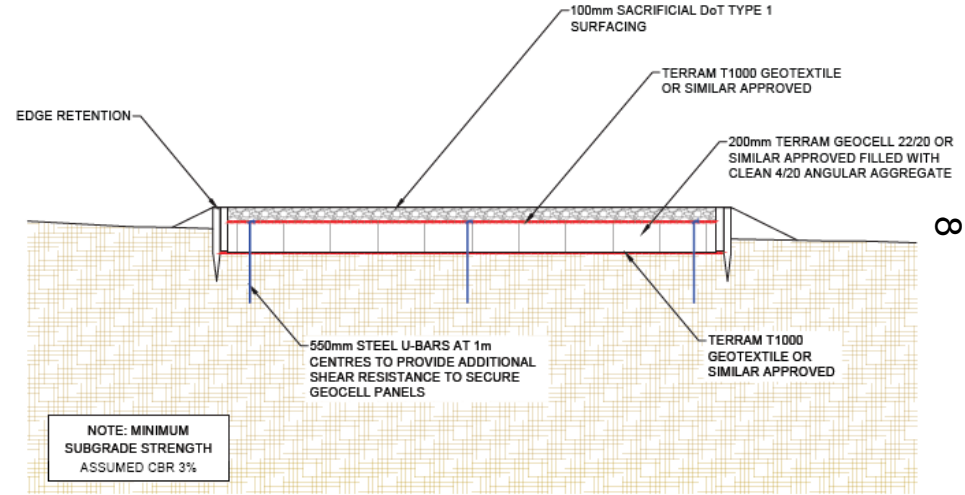
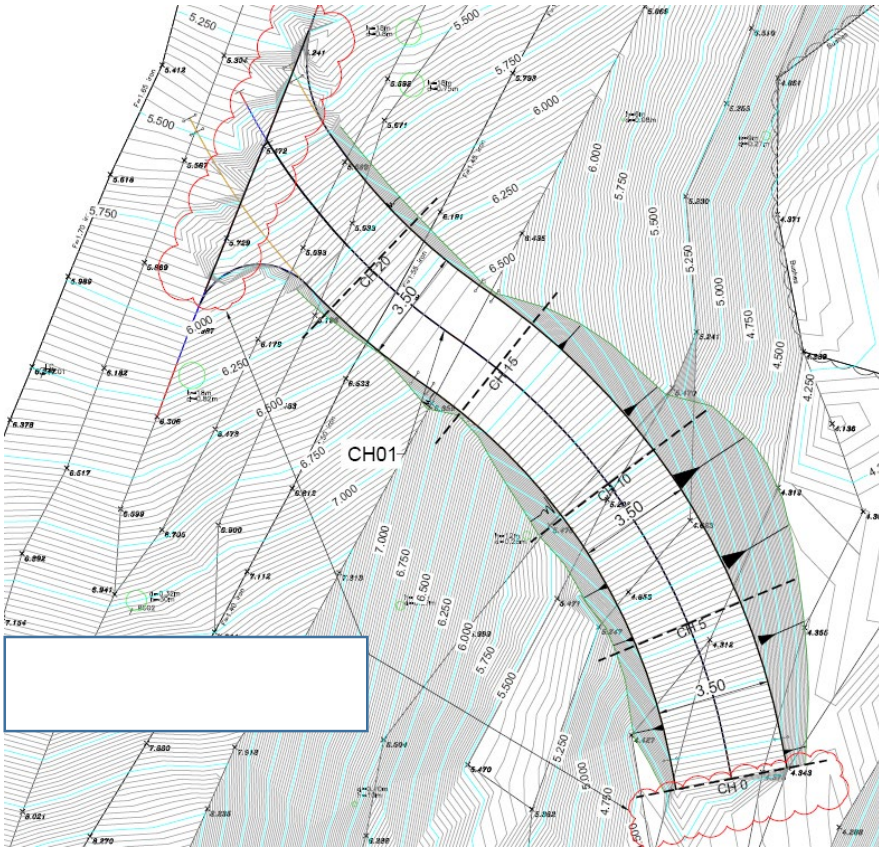
PRELIMINARY

Client: S20
 Date: 15
 Drawing No: MEWSEP-018
 Date: 15
 Scale: 1:500

Project: 1887-128-WIE-ZZ-XX-OR-C-0700-SHEET
 P03



A1-WIE-05-6



TREE ROOT PROTECTION: TYPICAL CONSTRUCTION CROSS SECTION
SCALE 1:25

Public Consultation

- Neighbour letters not appropriate due to site location.
- 6x site notices placed around Cox's Walk.
- Consultation ran from 05.11.2022 – 28.12.2022
- Highways own consultation over the course of 2022 with 150+ stakeholders.



Public Response

- 2x Objections: conflict with local plan, effect on local ecology, improper assessment.



NEWS

SOUTHWARK

Oaks get reprieve in Cox's Walk footbridge revamp

19 July 2022 Yann Tear 0 Comments

Planning Policies + Relevant Material Considerations

- Dulwich Area Vision
- Conservation Area- Dulwich Wood
- Site of Importance for Nature Conservation (SINC)
- Local Nature Reserve
- Ancient Woodland
- Tree Preservation Order (No. 605)
- Metropolitan Open Land (MOL)
- Critical Drainage Area
- Green Chain Walk (Section 11)

Planning Consultees

Internal:

- LBS Highways
- LBS Transport
- LBS Ecology
- LBS Parks
- LBS Urban Forester
- LBS Design & Conservation

External:

- Trustees of the Dulwich Estate
- The Dulwich Society
- LB Lambeth
- LB Lewisham
- Natural England
- London Wildlife Trust
- Transport for London

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Planning Considerations

1. Principle of the proposed development in terms of land use;
2. Metropolitan Open Land;
3. Design, layout, heritage assets and impact on Borough and London views;
4. Landscaping and trees;
5. Ecology and biodiversity;
6. Transport and highways;
7. Impact of proposed development on amenity of adjoining occupiers and surrounding area;
8. Noise and vibration;
9. Water resources and flood risk;
10. Fire safety regulations;
11. Mayoral and borough community infrastructure levy (CIL);

1.Principle of the proposed development in terms of land use;

Land use:

- No material change of land use proposed within the submission.
- After period of 5 years, temporary ramp use will cease and will be allowed to re-wild.

2. Metropolitan Open Land;

- The London Plan (2021) Policy G3 [Metropolitan Open Land] states: “Metropolitan Open Land (MOL) is afforded the same status and level of protection as Green Belt:
 - 1) MOL should be protected from inappropriate development in accordance with national planning policy tests that apply to the Green Belt.
 - 2) boroughs should work with partners to enhance the quality and range of uses of MOL.
- Paragraph 8.3.4 of the London Plan (2021) states: “Proposals to enhance access to MOL and to improve poorer quality areas such that they provide a wider range of benefits for Londoners that are appropriate within MOL will be encouraged”.
- The Southwark Plan (2022) Policy P57 [Open Space] states: Development will not be permitted on Metropolitan Open Land (MOL) or Borough Open Land (BOL). In exceptional circumstances development may be permitted on MOL or BOL when: It consists of ancillary facilities that positively contribute to the setting, accessibility and quality of the open space and if it does not affect its openness or detract from its character.

3.Design, layout, heritage assets and impact on Borough and London views;

Design & Heritage:

- The ramp is at ground level and will comprise of two main parts: 1. below grade structure (geocell), 2. above grade aggregate to form the surface of the ramp upon the geocell.
- Moderately adverse impacts upon the character of the conservation area.
- Ameliorated by the presence of adjacent dense tree coverage and proposed mitigation plan.
- No objection from LBS Design and Conservation Team.

Design: Materials



4. Landscaping and trees;

- Remove 27No. Arboricultural features to facilitate the development.
- Arboricultural features are not exclusively trees, they also include shrubs, vines, and other perennial woody plants.
- 9 trees are to be removed, including 2 x category B trees, 6 x category C trees, and 1 x category U tree.

4. Landscaping and trees; [cont.]

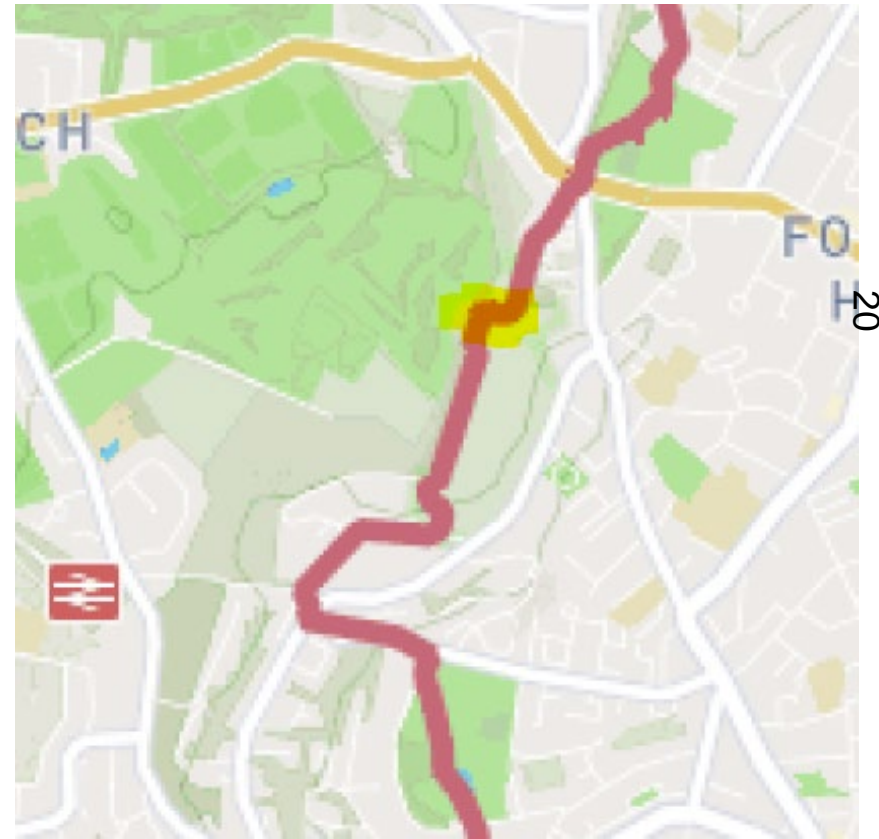
- National Planning Policy Framework (2021) paragraph 180 c) stipulates “Development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons [63] and a suitable compensation strategy exists”.
- [63] - For example, infrastructure projects (including nationally significant infrastructure projects, orders under the Transport and Works Act and hybrid bills), where the public benefit would clearly outweigh the loss or deterioration of habitat.”

5. Ecology and biodiversity;

- The removal of 27No. arboricultural features will likely have a negative effect upon the local ecology and biodiversity.
- Applicant has provided an ecological impact assessment (EclA) outlining a mitigation strategy for this loss.
- LBS Ecologist stated “I have reviewed this application with regards to ecology. The EclA is good no further surveys are required. Ecological mitigation proposed for the CEMP are fine. The proposal includes installing 15 bird/bat boxes to mitigate the removal of trees.”

6. Transport and highways;

- The site lies within the Green Chain walking route (section 11).
- The Green chain is one of the seven routes that comprise the Walk London Network (TfL scheme) - one of the largest walking networks of any city in the world.
- The map for section 11 the route shows a crossing over Cox's Walk footbridge (yellow-right image).



NB: Actual walking time 7 minutes



7. Impact of proposed development on amenity of adjoining occupiers and surrounding area;
8. Noise and vibration;
9. Water resources and flood risk;

Amenity:

- No amenity affects anticipated – residential properties are located considerable distance away from site.

Noise & Vibration:

- Unlikely the works will cause residential disturbance considering the distance to the nearest dwellings.
- Noise pollution can also effect the local ecosystem.
- CEMP conditioned to address construction noise pollution.

Flood Risk:

- Site located within critical drainage area.
- Considering porous design it is unlikely proposal will result in any net change to flood risk.

- 10. Fire safety regulations;
- 11. Mayoral and borough community infrastructure levy (CIL);

Fire Safety:

- Planning Fire Safety Strategy submitted in line with London Plan (2021) Policy D12a – Fire Safety.

CIL:

- Scheme not CIL liable.

Recommended Conditions

- Temporary Permission [period of 5 years].
- Materials to be as specified.
- Bat/Bird Boxes (15No.) – Ecological Mitigation.
- Site Supervision (CEMP – compliance) – Arboriculture Mitigation.
- Remediation Strategy (to ensure site is re-wilded inline with submitted EclA and AIA post use).

Concluding Remarks

Nesting Season

Due to the impending nesting season instead of recommending conditions as pre-compliance the highways department has provided the required information ahead of determination (e.g. CEMP and bird/batbox proposed locations). Therefore they will be attached as compliance conditions instead.

Recommendation

That planning permission be granted, subject to conditions.