

<b>Item No:</b> 8.2	<b>Classification:</b> Open	<b>Date:</b> 18.01.2022	<b>Meeting Name:</b> Planning Committee
<b>Report title:</b>		<b>Addendum report</b> Late observations and further information	
<b>Ward(s) or groups affected:</b>		Rotherhithe	
<b>From:</b>		Director of Planning and Growth	

## PURPOSE

1. To advise members of clarifications, corrections, consultation responses and further information received in respect of the following planning applications on the main agenda. These were received after the preparation of the report and the matters raised may not therefore have been taken in to account in reaching the stated recommendation.

## RECOMMENDATION

2. That members note and consider the additional information and consultation responses in respect of each item in reaching their decision.

## FACTORS FOR CONSIDERATION

3. Late observations, consultation responses, information and revisions have been received in respect of the following planning applications on the main agenda:

### **Item 8.2 21/AP/3794 - THE DOCK AND LAND ADJACENT TO ZONE D, CANADA WATER MASTERPLAN SITE, LONDON SE16 7L**

#### Additional consultation responses received

4. One additional response received from the Harbour Master raising the following points (response in italics)
  - Detailed drainage plans are not yet formalised or the discharge points into Canada Water identified. Drainage invert levels at +4.2 and +4.1 AOD could result in flow rates that may wash out the landscaping if the dock level is at +3.8 AOD. Some form of mitigation may be required at the point of discharge to break up the force of any peak flows.  
*Waterman (specialist consultant to the applicant) who are responsible for the site-wide and plot specific drainage strategies has noted this.*

*Details of drainage are secured by planning condition and will be submitted in due course.*

- Water safety report. - The type 1 edging is of concern. The water safety report states the water deepens to 5 metres within 10 metres of the edge. I believe this is wrong and it deepens to 5 metres within 2 metres of the edge unless there is some significant infill taking place that I am not aware of.

*The applicant is not proposing any infill along the southern steps. A detailed mapping survey was undertaken as part of the submission and this was provided to ROSPA as part of their safety review.*

- The application states life rings should be placed at regular intervals. My suggestion would be to use B Line or throw bag devices rather than life rings. Life rings are heavy, difficult to use and generally cannot be thrown very far and if they hit the casualty in the water may injure them. In my RNLI role we now recommend the B Line or throwbag.

*These comments have been acknowledged by the applicant and will be incorporated into the final detailed designs.*

- Signage on the life ring to identify location should include, post code, grid reference and What 3 Words address.

*These comments will be incorporated into the final detailed designs.*

- Consideration should also be given to no swimming signs. With safety ladders in place and type 1 edging, there is a high risk of people using the dock as a pool. This risk increases if there are night time economy premises nearby.

*These comments will be incorporated into the final detailed designs, and highlighted as an issue in the Estate Management strategy.*

- The planted area including the trees will always be submerged. In addition to issues with planting, this is going to have an impact on ground nesting birds and waterfowl.

*The submitted plans are based on Salix recommendations (specialist contractor for the applicant). Planting should sit max. 100mm below the average water level and will be able to survive at fluctuations:*

- *Trees can take massive water level fluctuations 500-1000mm for short periods (1-2months)*
- *Reeds maximum fluctuations circa 350mm for short periods (1-2 months)*
- *Marginal low-level plants very slight fluctuations max 50mm*
- *Levels near western wall are approx. at +4.00 AOD (Nesting birds could find some dry areas there.*

- *As part of the detailed design stage the applicant is reviewing the levels to deal with the fluctuations depending on the plant species and to increase habitat diversity (small rills, dry areas, temporary ponds).*

## Additional comments from Members and Local Groups

5. The following additional representations were received after publication of the committee report.

### Objections

Two additional objections received, comprising a joint response from Friends of Russia Dock Woodland, Green Connections 106, Surrey Docks Angling Club and Andy Miller and then a separate submission from Andy Miller as a local resident.

Green Connections 106 forum comprises: Friends of Russia Dock Woodland, Surrey Docks Farm, Southwark Park Association 1869, Lavender Pond Local Nature Reserve and Friends of Stave Hill Ecology Park.

The following points were raised (The applicant has provided a full response which has been attached to this Addendum)

- Serious concern about the impact upon the swans that live on the dock. Appropriate mitigation must be secured before any works are undertaken.
- Concern over the proposed, short timeframe for doing the works which will be constant and will impact on both resident and visiting nesting birds for two breeding seasons.
- Concerns that the speed of the works will not allow refuge areas for invertebrates. A phased approach may be more appropriate.
- It is understood that some of the dug out vegetation is to be stored on site, it is questioned whether this will be adequate to support the repopulation of the site. Will this storage provide sufficient refuge for the array of both aquatic and terrestrial fauna that are an important part of a wetland ecosystem?
- Whilst there is the potential for Canada Water Dock Basin to be repopulated from other local wetlands, we feel that relying on this to happen quickly or effectively would be a mistake. We can hope repopulation occurs, we cannot ensure it.
- The environmental impact study does not appear to have considered the impact of the construction of the steps leading down into the water on the south side of the dock. While we support the proposal in principle, it will reduce the surface area of the dock, and the space available for cygnets to take off.

- The impact assessment also does not appear to have considered the issue of managing potential risks to swans and other water birds coming on land on the waterside steps.
- Concern that the fauna surveys undertaken do not adequately reflect a true picture of the species present on site (lack of detail in respect of invertebrates, fish, terrestrial (land) invertebrates).
- Reassurance needed regarding the long-term management plan for the site. A site that is effectively being remodelled should have at least a 10-year plan, with stated targets, a framework of actions, monitoring systems and a set of key performance indicators to measure success. It will take at least five years for the new landscape to establish and for successful repopulation to take place – a single five-year plan will not be sufficient.
- A firm commitment to effective mitigation and action plans is essential, and would demonstrate a commitment to the success of Canada Water Dock Basin as a thriving, biodiverse site.

*These issues and concerns have been considered by officers including the Council's Ecology officer. Officers are satisfied with the range of ecological surveys submitted with the application and the impact of the proposal upon ecology and biodiversity has been subject to a high level of scrutiny as discussed in detail in the committee report. The potential short term adverse impacts are considered to be outweighed by the significant long term benefits to ecology and biodiversity, provided that adequate mitigation and management is secured via the DEMP, CEMP and Ecological Management Plans to minimise any harm that may arise.*

*The applicant's detailed response (attached in full) sets out their intended approach to preventing any harm to fish, amphibians or large aquatic invertebrates and their commitments to dealing with any issues that arise. The response also sets out why a phased approach to the works is not considered to be the most appropriate option in this particular instance. The Council's Ecologist is satisfied that the outline approach and timings are the most suitable for this particular location. In order to address the specific concerns raised around swans and whether more mitigation could be secured to further minimise harm to nesting/breeding birds during clearance and construction, additional requirements in the Demolition Environmental Management Plan have been suggested (set out in paragraph 7 below) together with a requirement for a long-term management plan. With these provisions in place, officers consider sufficient controls are secured to minimise adverse impacts on wildlife in the short term, and ensure long term biodiversity benefits.*

### Support

Five additional letters of support submitted from The Headteachers of Albion Primary School, Alfred Salter Primary School, Redrift Primary School, BEDE

House Association Learning and Disability Manager and the CEO of Time and Talents.

The following reasons were provided:

- Local schools in London have few places that children can visit to experience different habitats in person. The works would enrich the learning experience for the children, bring the learning alive and would put abstract concepts into context for a better understanding for all our children especially those children with English as an additional language.
- British Land had consulted with the local schools to take their views into consideration, to ensure the project was inclusive and accessible to all.
- The 3 local schools which have written in support of the proposal see potential in providing a space which the schools do not currently have
- Within the consultation the safety aspects have been discussed. It understood that the proposal has been reviewed by The Royal Society for Preventative Accidents (RoSPA) to minimise the risk of drowning.
- Schools can introduce this aspect of learning to the children and they can pass that on to their families and go and visit Canada Docks in their own time. It would be beneficial to the local community and enrich the science curriculum.
- Bede House Association supported their clients with Learning Disabilities to feedback on this proposal. Thought this development would benefit our clients and as an organisation we would visit/ use the space if it was developed as proposed. In particular;
  - The open and spacious environment would be used by Bede's clients and their carers to appreciate the wetland environment
  - The safe design and environment would enable us to support people with learning disabilities, accessibility needs to enjoy the boardwalk, water edge and natural environment.
  - We would make use of the seating, benches on the boardwalk and wide steps that will allow clients and their carers to sit, and have lunch whilst appreciating the area.
  - We did specifically feedback that there needed to be a covered, sheltered pergola that we could use as a meeting point for activities.
- Time & Talents participated in a meeting with British Land and other local charities who support people with specialist access requirements.. We were pleased to have the opportunity to share our views on the emerging designs early on in their development.

- Overall, we welcome the proposals which will help enliven the local area. The proposed developments will revitalise the dock as a dedicated space where the multitude of people we work with locally will have the chance to get closer to the rich natural surroundings that we have in Rotherhithe.
- One of our groups is for visually impaired adults and, as part of our roster of activities, we do birdsong identification. In view of this, the boardwalk will be a vital space as it will allow the VI group to get closer to nature in a sensory way give the children and families access to safe and vibrant outdoor spaces, including the dipping pool that is planned.
- The proposals appear to encompass a safe design and environment which is mindful of individuals with specific accessibility needs including the partially sighted, or those in wheelchairs, who will be able to fully enjoy the boardwalk, water edge and natural environment, and note the boardwalk is wide enough for wheelchair users and large buggies to pass.
- Welcome the large amount of seating and benches provided across the plans including on the boardwalk. Access to seating is essential for us when taking out older people for trips, who can often only walk for a short distance before needing a rest. It is also important for carers to have the ability to sit next to people in wheelchairs, who will be able to pull up next to the benches and feel included in the space.

Longer term management of the space will be important, but we are really looking forward to the plans becoming a feature for the area and community.

### Report Clarifications and/or Additional Information

6. The applicant has provided clarity over how they will prevent, manage and mitigate any impacts pertaining to the following matters

- General management of the public realm including measures to prevent and deal with anti-social behaviour;
- Water safety issues – confirmation that a ROSPA safety audit has been undertaken and the detailed design will incorporate the Harbour Masters safety suggestions
- Additional commitments to minimising and mitigating any adverse ecological effects (specifically with regards to Reedbed management and swans). It has been confirmed that the harvesting and storage of

areas of reedbed and marginal vegetation and provision of a fixed or floating platform specifically to provide a nest site for swans would provide retained foraging and nesting opportunities. The detailed strategies will be controlled via the DEMP and CEMP.

- Additional information to support the intended approach to clearance of the dock and subsequent construction. Further rationale provided in respect of the approach, timing and potential effects on ecology. A strategy has been set out to deal with any impact on fish, amphibians or large aquatic invertebrates.
- Confirmation that impacts to ecology during the works would be mitigated by the presence of the Ecological Clerk of Works (ECoW). This will be secured as part of the DEMP and CEMP.
- Confirmation that water quality will be managed by BL as part of the Head Lease negotiated by the council with BL

### Recommended revisions to the draft conditions and/or S106 Obligations

7. The following amendments are required to conditions as published on the draft recommendation – Appendix 1

- Remove Condition 3 which relates to a Reedbed Management Plan as this will be covered in the Demolition and Construction Management Plans already secured under Schedule 23 of the Outline Planning Permission. It is appropriate for the matter to be controlled within the existing s106 agreement as this would cover clearance works to the Dock which does not amount to development and does not form part of this application.
- To address the concerns raised in respect of potential impact to swans the applicant has been advised that the DEMP and CEMP would need to include a water fowl management plan to be followed for the duration of the works, which shall include:
  1. The harvesting and storage of areas of reedbed and marginal vegetation and provision of fixed or floating platforms, at least one of which is specifically designed to provide a nest site for swans, to provide retained foraging and potential nesting opportunities whilst works are undertaken.

2. An arrangement with a suitable wildlife rescue organisation, such as the Swan Sanctuary, to respond to any problems or issues that might arise.

## **Conclusion of the Director of Planning**

8. Having taken into account the additional consultation responses and additional information, the recommendation remains that planning permission should be granted, subject to conditions as amended in this Addendum report.

## **REASON FOR URGENCY**

9. Applications are required by statute to be considered as speedily as possible. The application has been publicised as being on the agenda for consideration at this meeting of the Planning Committee and applicants and objectors have been invited to attend the meeting to make their views known. Deferral would delay the processing of the applications and would inconvenience all those who attend the meeting.

## **REASON FOR LATENESS**

10. The additional responses have been received since the original report was published. They all relate to items on the agenda and members should be aware of the comments made.

## **BACKGROUND DOCUMENTS**

<b>Background Papers</b>	<b>Held At</b>	<b>Contact</b>
Individual files	Chief Executive's Department 160 Tooley Street London SE1 2QH	Planning enquiries Telephone: 020 7525 5403