

Item No: 7.1 and 7.2	Classification: Open	Date: 30 October 2018	Meeting Name: Planning Sub-Committee B
Report title:		Addendum Late observations, consultation responses, and further information	
Ward(s) or groups affected:		Rotherhithe	
From:		Director of Planning	

PURPOSE

1. To advise Members of observations, 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 recommendation stated.

RECOMMENDATION

2. That Members note and consider the late observations, consultation responses and information received 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 7.1 – Application 18/AP/2766 for: Full Planning Permission – Southwark Park (North Section) Gomm Road, Bermondsey, London SE16 2ET

4. There is an on-line petition in objection to the proposal with over 500 signatories which has been brought to officers' attention. This mentions the issues that many of the objections have referred to and that are addressed in the main report. A number of comments have been received since the officer report was published. These comments largely reference matters that earlier objectors highlighted: land use, noise and disturbance. These matters are addressed in the main report. Other matters raised include:

- Lack of consultation for the planning application
- The lack of an environmental impact assessment
- Impact for people with disabilities
- Potential conflict of servicing with park users.

5. These issues are addressed below:

Lack of consultation for the planning application

6. Two site notices were placed at the northern gates of the park and a notice was placed in Southwark News on 6 September. No letters were sent to neighbours. Contrary to what is suggested in appendix 1, the list of neighbour and local groups consulted is an error in the report. The consultation undertaken was in accordance with that required by the regulations.

Lack of an environmental impact assessment

7. The development is not development that is referred to in Schedule 1 or Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 as a development that could trigger an environmental impact assessment. The impact on bats has now been fully assessed and is referred to below.

Impact on people with disabilities and other equalities matters

8. The proposed event would provide facilities for people with disabilities. A disabled toilet is proposed near the band stand area. The trackways proposed would be level across the whole of the site and ramps would be installed to ensure wheelchair access as well as those with a disability or limited mobility are accommodated. With regards to people with hearing impairment, story boards will be installed so that they can also enjoy the scenes. The development is not anticipated to have any negative impact on those with a protected characteristic.

Potential conflict of servicing with park users

9. As part of their premises licence application, the applicant submitted an event management plan which included a risk assessment detailing measures to avoid collisions and injuries. Public safety is a licensing objective and was considered under the licence application, nonetheless, the measures proposed, such as the use of bankspeople and speed restrictions are suitable controls.

Bats

10. A ground based bat tree assessment was undertaken on 18 October and a report submitted on 23 October. This identified five trees with a moderate potential to support roosting bats. A follow up climbing inspection of all trees identified as having moderate potential for bat roosts was done on 26 October; another five trees of low potential were also inspected for bat roosts. A final report has been submitted today which concludes that with the mitigation measures proposed below, the impact on roosting bats would be negligible.
11. One tree (identified as T10) has a noctule bat mating roost which is 15m high. No other roosts were identified. The applicant has confirmed that there will be no installation of sound or lighting within 15 metres of this roost.
12. The council's ecology officer has confirmed that as long as there is no direct light on the roosts, then they are unlikely to be disturbed. A condition is recommended to ensure that the area within 15m of the tree is not lit by light of more than 3 lux and that there is no direct light on the tree itself.
13. As the roost is inhabited by a mating pair, the female may leave the roost to find another place to hibernate. The condition proposed would also prohibit direct light on any trees with a moderate potential for roosting, meaning that the potential for these trees to be used as a roost would remain. The recommended condition is below:
14. There shall be no direct lighting on trees T1, T9, T10, T23 and 24 identified with moderate potential for bat roosts ground based tree assessment (dated 22 October 2018); and there shall no be lighting above 3 lux within 15 metres or generators or plant machinery within 30m of tree T10.

Reason:

To protect the bats identified in T10 and retain the potential for other trees to be used as bat roosts in accordance with the National Planning Policy Framework 2018; policy

7.19 - biodiversity and access to nature of the London Plan 2016; strategic policy 11 - open spaces and wildlife of the Core Strategy 2011 and saved policy 3.28 biodiversity of the Southwark Plan 2007.

15. An amended plan has been received showing the tree with the bat roost and the lanterns being moved so it is recommended that condition 2 be amended to:

The development hereby permitted shall not be carried out otherwise than in accordance with the following approved plans:

- Southwark Park - North Section V12
- Revised Access Map 4
- Oct Rev2 Layout Plan

Reason:

- For the avoidance of doubt and in the interests of proper planning.

16. Paragraphs 37 and 38 of the main report refer to the impact on the character of the Grade II listed Southwark Park. When making a decision on a planning application for development that affects a listed building or its setting, a local planning authority must have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

17. In this case, the structures would be temporary so the harm would be limited and less than substantial. The event would also include people viewing, appreciating and using the bandstand- an integral part of this heritage asset- which would be a public benefit, which along with the others detailed in the main report would outweigh the temporary less than substantial harm. The significance of the heritage asset would be preserved, again because of the event's temporary nature.

18. A change to condition 5 is recommended so that live performances using amplified sound do not take place after 8pm:

The music noise level from live and recorded music (measured as LAeq 15 minute) shall not exceed the prevailing background sound level (LA90 15 minute) by more than 5dB at any time when measured on the boundary of the park in front of any residential dwelling and there shall be no live performances with amplified sound or speech 20:00.

Reason:

To ensure that occupiers of neighbouring premises do not suffer a loss of amenity due to music noise in accordance with the National Planning Policy Framework 2018, Strategic Policy 13 High Environmental Standards of the Core Strategy 2011 and Saved Policy 3.2 Protection of Amenity of the Southwark Plan 2007.

19. The reference to the event management plan in the recommendation as part of the applicant's submission should be disregarded. This was not submitted in support of the planning application but was a licensing document.

Item 7.2 – Application 18AP1254 for: Full Planning Permission – 11 ISAMBARD PLACE, LONDON, SE16 7DA

Impact on drainage

20. The SuDS document provided has been reviewed and Flood and Drainage Team are satisfied with the information contained within the document and have no further comments.
21. The SuDS document recommended two options which are permeable paving split between the front and rear gardens, underlain with lined geo-cellular storage and a rainwater harvesting butt.
22. It is recommended that an additional condition be included to cover this recommendation as follows:

The development hereby permitted shall be carried out in accordance with the approved SuDS assessment prepared by GeoSmart information with project reference number 70705.02R1 dated 16 October 2018 and their primary and secondary recommendation as detailed on pages 5 (Section 2: Potential SuDS scheme options layout) and 25 to 29 (Section 17: Sustainable drainage systems).

Reason

To ensure the development is designed safely in reference to flood risk in accordance with The National Planning Policy Framework 2012, Strategic Policy 13 High Environmental Standards of the Core Strategy 2011 and Saved Policy 3.9 Water of the Southwark Plan 2007.

Construction/demolition vehicles

23. The agent has confirmed construction vehicles would use the part of Brunel Road that is to the rear of the property and not the square.
24. There was an error in paragraph 37 of the main report. The proposed garden area should read 82m² and not 58m².

REASON FOR URGENCY

25. 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

26. The new information, comments reported and corrections to the main report and recommendation have been noted and/or received since the committee agenda was printed. They all relate to an item on the agenda and Members should be aware of the objections and comments made.

BACKGROUND DOCUMENTS

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