

Planning Board	Agenda Item: 8
3 November 2020	Reference No: 19/4370/F

Applicant: Berkeley Homes (East Thames) and Peabody Land Ltd (c/o of agent)

Agent: Gerald Eve LLP, 72 Welbeck Street, London, W1G 0AY

Site Address: Land at corner of Hadden Road & Griffin Manor Way and adjacent to Western Way & HMP Thameside, London, SE28 0DE	Ward: Thamesmead Moorings Application Type: Full application
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I. Recommendation

I.1 The Planning Board is requested to grant Planning Permission as outlined below:

Provision of a new vehicular access route into HMP Thameside from Western Way and associated highways and landscaping works.

I.2 Subject to:

- (i) To resolve to grant conditional planning permission subject to any addendums, and the minutes of this Planning Board meeting.
- (ii) Members confirming in their decision that account has been taken of environmental information, as required by Regulation 26 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.
- (iii) A statement being placed on the statutory Register confirming the main reasons and consideration of which the Planning Board decision was based as required by Regulation 29 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017;
- (v) To authorise the Assistant Director of Planning & Building Control to: make any minor changes to the detailed wording of the recommended conditions as set out in this report (Appendix 2), its addendums and the minutes of this Planning Board meeting, where the Assistant Director of Planning & Building Control considers it appropriate, before issuing the decision notice.

2. Summary

2.1 Detailed below is a summary of the application:

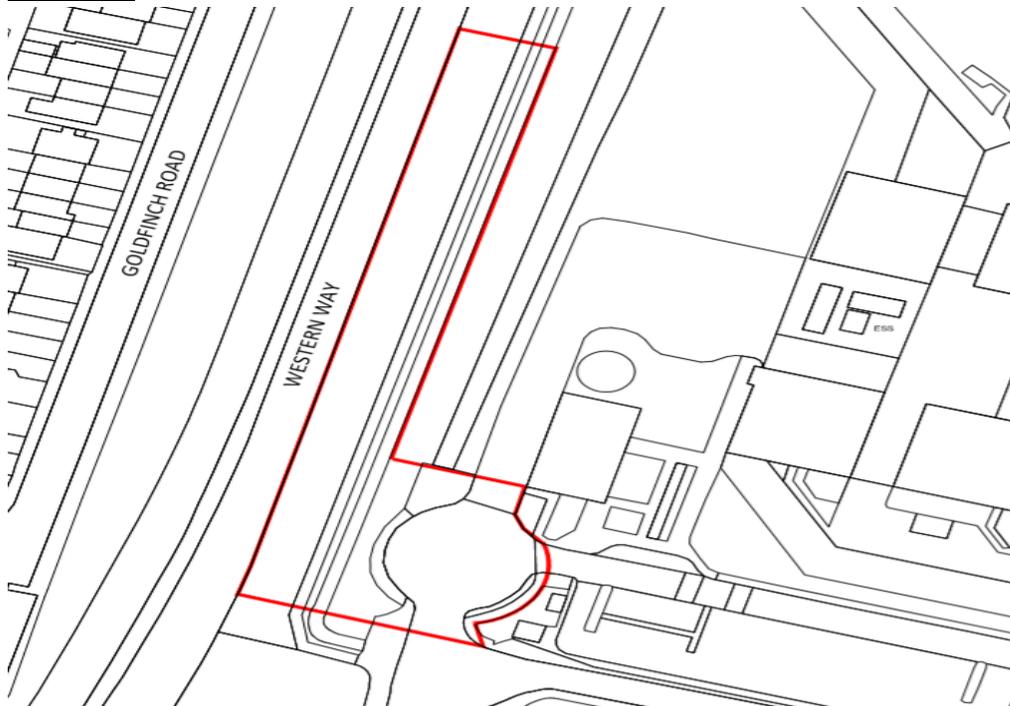
The Site	
Site Area (ha)	0.3 ha
Local Plan Allocation	None
Heritage Assets	Area of High Archaeological Potential
Tree Preservation Order	No
Flood Risk Zone	Flood Zone 3

Public Consultation - 1st Round	
Number in support	0
Number of objections	0
Number of comments	0
Main issues raised	NA

2.2 The report details all relevant national, regional and local policy implications of the scheme, including supplementary planning guidance.

2.3 The application is considered acceptable and is recommended for approval as set out in section I of this report.

2.4 Site Plan



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3. Site and Surroundings

- Site description

- 3.1 The application site comprises an area of land located to the north of Hadden Road and Griffin Manor Way and east of Western Way. It forms a linear strip of land comprising a roadside verge and associated tree cover along Western Way and incorporates the existing HMP Thameside entrance. Between the HMP Thameside boundary and Western Way is a segregated pedestrian and cycle path. The cycleway is orientated on a north-south alignment and forms part of the London Cycle Network route 66. Beyond the application site, the cycle/pedestrian link merges into the footway along Griffin Manor Way.
- 3.2 Western Way (A2016) is a dual carriageway which connects to the A206 Pettman Crescent gyratory to the southwest of the site. It is part of the Strategic Road Network (SRN) and thus under Transport for London (TfL) management. Directly adjacent to the site, Western Way is subject to a 50mph speed restriction. The southbound carriageway gradually widens into three lanes and changes to a 30mph speed limit approximately 90m south of the site on the approach to the Pettman Crescent Gyratory. From the Pettman Crescent gyratory, the northbound Western Way carriageway is a two lane road which is subject to a 50mph speed restriction and is separated from the southbound lanes by a grassed central reserve.
- 3.3 The site is located within the Thamesmead and Abbey Wood Opportunity Area and Thamesmead Strategic Development Location. The site is located within Flood Zone 3 and within an area benefitting from the Thames tidal defences. Part of the site is a designated Site of Nature Conservation Importance (SINC) which runs parallel to Western Way, along the landscaped walkway adjacent to the prisons. The entire Borough is defined as an Air Quality Management Area (AQMA).
- 3.4 The site does not lie within an Area of Special Character, Locally Protected or Strategic Views or a Conservation Area (CA) and there are no listed buildings on or adjacent to the site. It is located in one of the Borough's Areas of High Archaeological Potential (AHAPs).

- Surroundings

- 3.5 The application site is located in north Plumstead. To the north and east the HMP Thameside, Belmarsh and ISIS Prisons extends along Western Way for approximately one kilometre, where it meets the White Hart Triangle industries.
- 3.6 To the west of the site, beyond Western Way and a tree belt are a mix of two-storey houses, residential blocks of 3 and 4 storeys, the Heronsgate Primary School and Broadwater Green, a designated community open space.

4. Relevant Planning History

- 4.1 12/06/2018: Formal Scoping Opinion issued under the Town & Country Planning (EIA) Regulations 2017 for a mixed use development comprising of 1,800 residential units, up to 20,000 sqm of industrial use (Class B1c and B8), up to 5,000 sqm of flexible employment (Class B1, D1 and D2) including a max cap of 1,500 sqm of Retail (Class A1, A2, A3 and A4), associated parking and alterations to the public realm.
- 4.2 04/01/2010: Reserved matters approved for the siting, external appearance, design and landscaping of outline planning permission dated 14/12/2007 (Ref. 07/2266/O).
- 4.3 14/12/2007: Outline planning permission approved for “redevelopment to provide a local prison (Class C2A) comprising up to 35,000sq.m (gross) and access provided off Griffin Manor Way, provision of 260 off street car parking spaces and enhanced ecological zones” (reference 07/2266/O).

5. Proposals (in detail)

- 5.1 The proposals are for a new left-in/left-out tapered prison access junction from Western Way leading into the existing HMP Belmarsh and Thameside roundabout. The application includes on-site access road changes within HMP Thameside’s boundary plus associated public highway works, including to the existing segregated footpath and cycleway.
- 5.2 The existing footpath and cycleway alignment will be diverted via an informal crossing over the new access to continue adjacent to Western Way on its approach to the Pettman Crescent (east) gyratory in accordance with the

details submitted pursuant to Application A. Works outside of the prisons ownership would be subject to separate S278 Highways Agreement.

5.2 This planning application (Application B) has been submitted alongside a hybrid application (submitted in part full, part outline form) for a comprehensive redevelopment of the site (referred to as Application A). Application A is for a residential-led, mixed use scheme comprising up to 1750 dwellings. Application A will result in the requirement to stop up Griffin Manor Way and the existing vehicular access to the prisons. The new prison access is required to deliver a separate secure and reliable vehicle route that would accommodate the full range of vehicles requiring access.

5.3 To ensure that prisons access is not interrupted it is envisaged that the relocated prisons access is implemented prior to removal of the existing prisons access. The appropriate construction sequencing would be secured within the S106 Legal Agreement pursuant to Application A.

6. **Consultation**

6.1 The application has been subject of public consultation, including with statutory bodies and local amenity groups.

6.2 **Statutory Consultees**

A summary of the consultation responses received along with the officer comments are set out in table below:

Details of Representation	Summary of Comments	Officers comments
Transport for London (TfL)	<ul style="list-style-type: none"> - Query anticipated vehicle movements and impact on the signalised gyratory/roundabout; - Query whether proposed access arrangement has been assessed in microism as part of the application for residential development; - Applicant should ensure that all relevant parties are content that the design of 	<p>See paragraph 10.9.</p> <p>The proposed access arrangements have been considered in the context of Application A having been completed.</p> <p>See paragraph 10.13.</p>

	<p>the junction will not result in a detrimental impact on the safety and function of Western Way in this location, in line with the Mayor's Vision Zero approach.</p> <ul style="list-style-type: none"> - Applicant must ensure that the proposed access arrangements facilitate safe and efficient cyclist and pedestrian movement in this location. 	See paragraph 10.13.
Ministry of Justice	<ul style="list-style-type: none"> - Application fails to address wider access requirements of Prisons; - Application fails to account for emergency response vehicles to be able to access the site quickly from Griffin Manor Way at present but also via Hadden Road; - Concern removal of Griffin Manor Way will detrimentally affect operations and will not future proof any changes to the wider gyratory which could affect prison access; - No detailed programme of works to show how construction will ensure no loss or disruption to prison operations. 	<p>See paragraphs 9.2 and 9.3</p> <p>See paragraphs 9.2 and 9.3.</p> <p>See paragraph 9.3. There are no current proposals for changes to the wider gyratory. See paragraph 9.4.</p>
Natural England	<ul style="list-style-type: none"> - No comments. See Standing Advice to assess potential impacts on protected species. 	Noted. See section 11 'Biodiversity and Ecology'.
Environment Agency	<ul style="list-style-type: none"> - We have assessed this application as having a low 	Noted.

	environmental risk. We therefore have no comments to make.	See section 13 'Flood Risk'.
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6.3 Council Departments

A summary of the consultation responses received along with the officer comments are set out in table below:

Details of Representation	Summary of Comments	Officers comments
Highways Officer	<ul style="list-style-type: none"> - Access is to be designed to DfT guidance with appropriate sight lines and adequate swept paths; - A safety audit was carried out and issues addressed although concern is still expressed on the large level difference between the carriageway, footpath/cycleway and site. A detailed level plan should be sought. - Plans and audits do not address an interim arrangement for the footpath/cycleway prior to their realignment. - Road signs are to be illuminated and all highway works would be secured via S278 Highways Agreement. - It is considered that tactile paving, dropped crossings, gradients, lighting etc. would need further development at detailed design stage. 	<p>Noted.</p> <p>See recommended conditions (Appendix 2).</p> <p>See paragraph 10.13.</p> <p>See paragraph 10.11.</p> <p>Noted.</p>

6.4 Amenity Groups

No consultation responses have been received from any Amenity Groups.

6.5 Local Residents and Businesses

6.5 No consultation responses have been received from local residents or businesses.

7. Planning Context

7.1 This application needs to be considered in the context of a range of national, regional and local planning policies and Supplementary Planning Guidance / Documents.

- **National Planning Policy Framework (NPPF - 2019)**
- **National Planning Practice Guidance (PPG)**
- **The London Plan (March 2016)** - Full details of relevant policies refer to Appendix 3.
- **The Royal Greenwich Local Plan: Core Strategy with Detailed Policies (“Core Strategy” - 2014)** - Full details of relevant policies refer to Appendix 3.
- For full details of relevant SPD / Documents refer to Appendix 3.

7.2 The Intend to Publish London Plan (December 2019) has been through the required consultation process, and Examination in Public (EiP), and is due to be adopted later in 2020. Officers consider due to the imminent publication of this document the relevant policies within the Intend to Publish London Plan do have substantial weight and will be referenced and referred to in this report and do inform Officers recommendation.

8. Material Planning Considerations

8.1 This section of the report provides an analysis of the specific aspects of the proposed development. The principal issues that need to be considered in the determination of the planning application (Ref: 19/4370/F) include:

- Principle of development (Section 9);
- Transport and Access (Section 10);
- Biodiversity and Ecology (Section 11);
- Archaeology (Section 12);
- Flood Risk (Section 13);
- Neighbour amenity (Section 14);
- Mayoral Community Infrastructure Levy (MCIL) (Section 15);
- RBG CIL (Section 16); and
- Planning balance and conclusion (Section 17).

- 8.2 The development subject of this application has been considered as part of the environmental impacts arising from the comprehensive redevelopment proposals subject of Application A in the form of an Environmental Statement (ES). The ES is consistent with the EIA Scoping Opinion issued by the Council on 15/06/2018 which confirmed that the following matters should be included:
- Demolition and Construction;
 - Noise and Vibration;
 - Air Quality;
 - Transport;
 - Water Resources, Flood Risk and Drainage;
 - Ground Conditions and Contamination;
 - Archaeology and Built Heritage;
 - Daylight, Sunlight and Overshadowing;
 - Wind Microclimate;
 - Ecology;
 - Socio-economics; and
 - Health and Wellbeing.
- 8.3 Applications A and B have been assessed in accordance with the Environmental Impact Assessment Regulations 2017 (the EIA Regulations).
- 8.4 The ES has been independently reviewed by LUC who produced their Final Review Report (FRR) dated September 2020. It is considered that the ES provides a full account of the development proposed in both Application A and Application B and the likely significant effects on the environment including measures to mitigate any environmental effects. The EIA consultants have confirmed that, in their professional opinion, the ES is compliant with the requirements of the EIA Regulations and is considered to contain sufficient environmental information to enable determination of both planning applications.
- 8.5 Royal Greenwich, as the relevant planning authority, has examined the 'environmental information' and has used this information to reach reasoned conclusion on the significant effects of the proposed development on the environment. These conclusions have been incorporated into the relevant environmental sections of this report.

- 8.6 In addition, each section includes a description of any features of the development and any measures envisaged in order to avoid, prevent, reduce and, if possible, offset, likely significant adverse effects on the environment. This report also specifies how these measures are to be secured if the application is granted planning permission i.e. through planning conditions and/or planning obligations.
- 8.7 Conditions are recommended to ensure that the development is carried out in accordance with the parameters assessed in the ES (for the full wording of these refer to Appendix 2).

9. Principle of development

- 9.1 The proposals for the new prison access have been developed in consultation with the Ministry of Justice and prison representatives and are required to accommodate the delivery of the comprehensive residential-led redevelopment of the adjacent site in accordance with the objectives and aspirations of London Plan and Core Strategy planning policies.
- 9.2 Notwithstanding the involvement of the Ministry of Justice, they have raised concerns about the proposed access strategy, particularly in relation to Hadden Road, including for emergency response vehicles. They also raise concerns that the removal of Griffin Manor Way will detrimentally affect operations.
- 9.3 Hadden Road is solely accessed via Griffin Manor Way and serves the multi-storey car park which has restricted head height at the gated exit and entrance. Notwithstanding that no works to Hadden Road or Griffin Manor Way are proposed as part of this planning application, a separate planning application is under assessment for a new secondary access road (comprising the reinstatement of the eastern arm of Hadden Road) to connect the prisons site and multi-storey car park with Nathan Way. On this basis the proposed development would have no detrimental impact on Hadden Road or the wider prisons access strategy.
- 9.4 To ensure that prisons access is not interrupted it is envisaged that the relocated prisons access is implemented prior to removal of the existing prisons access. The appropriate construction sequencing would be secured within the S106 Legal Agreement pursuant to Application A.

9.5 The proposals would create a separate secure and reliable vehicle route for the full range of vehicles requiring prisons access and subject to compliance with relevant planning policies are acceptable in principle.

10. Transport and Access

10.1 Chapter 9 of the NPPF relates to promoting sustainable transport and advocates transport issues being considered at the earliest opportunity in order that potential impacts can be addressed, opportunities to promote walking, cycling and public transport identified, and appropriate mitigation sought.

10.2 Policy 6.1 of the London Plan prioritises sustainable transport methods and encourages development to be located in sustainable locations to help reduce vehicle trips. Development should provide effective public transport, including solutions to encourage walking and cycling. Policy 6.3 states that proposals should not adversely affect safety on the transport network. The supporting text notes that development cannot place an unacceptable burden on either the public transport network and/or the road network. Policy 6.10 relates to the provision of high quality pedestrian environments.

10.3 Policy T1 of the Intend to Publish London Plan states that development proposals should facilitate the delivery of the Mayor's strategic target of 80% of all trips in London to be made by foot, cycle or public transport by 2041. It requires all development to make the most effective use of land, reflecting its connectivity and accessibility by existing and future public transport, walking and cycling routes, and ensure that any impacts on London's transport networks and supporting infrastructure are mitigated. Emerging policy T4 requires proposals to reflect and be integrated with current and planned transport access, capacity and connectivity. Where appropriate, mitigation, either through direct provision of public transport, walking and cycling facilities and highways improvements or through financial contributions, will be required to address adverse transport impacts that are identified. Importantly, development proposals should not increase road danger. Policy T5 (Cycling) is relevant.

10.4 At a local level, policy IM4 of the Core Strategy supports the development of an integrated and sustainable transport system that is extensive in coverage and meets the needs of residents, businesses, workers and visitors in Royal Greenwich. Importantly, development should be designed for the needs of pedestrians, cyclists and public transport users first.

- 10.5 Policy IM(a) of the Core Strategy states that when planning transport provision for major developments and extensive sites where comprehensive development can take place, developers should have regard to the road hierarchy, including provision of speed management and incorporation of appropriate traffic calming measures. Policy IM(b) sets out the Borough's commitment to protecting and enhancing footpaths and cycleways and the requirement for new development to promote walking and cycling safety, including with well-lit, signed and well maintained routes and safe facilities for crossing roads.
- 10.6 A full assessment of the transport related impacts of the development has been set out in the ES Chapter 8: Transport. This Chapter reports the likely significant effects of the proposals on the site and the surrounding area in terms of transport. Where appropriate, it also identifies proposed mitigation measures to prevent, minimise or control likely negative effects arising from the proposals and the subsequent anticipated residual effects. The effects of the proposed development are considered over the demolition, construction and operational phases.
- 10.7 The Council's consultant has confirmed that the scope of the EIA is appropriate as are the baseline conditions and assessment of effects.

Highways impact

- 10.8 The ES includes an assessment of the environmental effects during the demolition and construction and operational phases of the development comprising Applications A and B and concludes no significant effects would arise. The Council's EIA consultant recommends that embedded mitigation in the form of a detailed Constructions Logistics Plan, Construction Traffic Management Plan and Construction Environmental Management Plan be secured by appropriate conditions. Whilst it is considered reasonable to secure these pursuant to Application A it is only considered reasonable to and necessary to secure a Construction Environment Management Plan pursuant to this application which is for significantly lesser development.
- 10.9 A junction capacity assessment has been carried out at the proposed prison access. In response to the query from TfL, the modelling assumes the wider development subject of Application A has been fully built out. A further sensitivity test involving doubling the volume of traffic to account for any potential changes in operation at the prison has been conducted. The results

highlight that the proposed access operates efficiently and within operational capacity thresholds. Specifically, the applicant confirms that the proposed access will accommodate 96 vehicles during the peak hour which is significantly below 1% of the traffic accommodated on the southbound Western Way during the AM peak hour. The applicants conclude the new access would have a negligible impact on capacity and queues.

- 10.10 TfL note the existence of queues on Western Way in this location. Whilst the speed limit where the access is proposed is 50mph, the applicant has indicated a willingness to work with TfL to reduce the speed limit in this location. Nevertheless, they confirm that the junction has been designed to account for the existing speed limit with appropriate sight lines and adequate swept paths. Relevant safety audits have been undertaken.

Detailed design

- 10.11 The siting and alignment of the proposed access road has been dictated by the topography of the site. In response to the concerns raised by the Highways Officer, the applicant has confirmed that the level differences between the carriageway and site would be negotiated through a 5% slope which would be within the desirable maximum gradient for all-purpose single carriageways of 6%. Similarly, the section of existing cycleway leading to the crossing on the new access route would be realigned and reprofiled to ensure that suitable gradients are provided within the maximum 8% according to DfT Inclusive Mobility requirements. As requested by the Highways Officer it is recommended that further details on the site levels be required prior to commencement of development.
- 10.12 In response to the Highways Officer's comments relating to signage and detailed design, the Transport and Design Statement does refer to advanced warning signage being required on Western Way to warn drivers approaching the junction and to the requirement for appropriate road markings, including to encourage traffic to slow on exiting Western Way. Details of these features will be developed through consultation with the Council through the S278 Highways Agreement.

Pedestrian and cycle infrastructure

- 10.13 The proposals make safe provision for continuation of the footpath and cycleway across the new prison access. In the event that the cycle infrastructure subject to Application A is not implemented in parallel with the proposals subject of this application, the applicants have demonstrated how a temporary connection between the proposed new footpath and cycleway and the existing footpath and cycleway adjacent to Griffin Manor Way could be accommodated. This is considered to address the concerns of the Highways Officer in this regard.
- 10.14 In terms of phasing, it is intended that the new prisons access subject of this application will be constructed and completed prior to the stopping up of the existing prisons access via Griffin Manor Way. This would be subject to a clause within the S106 legal agreement pursuant to Application A.

11. Biodiversity and Ecology

- 11.1 Paragraph 170 of the NPPF requires planning decisions to contribute to and enhance the natural and local environment, including through protecting and enhancing sites of biodiversity value and through minimising impacts on and providing net gains for biodiversity.
- 11.2 Policy 7.19 of the London Plan states that development proposals should give strong protection to sites of biodiversity value and wherever possible, make a positive contribution to the protection, enhancement, creation and management of biodiversity in support of the Mayor's Biodiversity Strategy. The policy goes on to list the considerations for planning decisions to achieve this strategic aim. Part D(c) states development proposals should give the level of protection commensurate with their importance. Part E states that when considering proposals that would affect directly, indirectly or cumulatively a site of recognised nature conservation interest, a hierarchy ranging from first avoiding adverse impact to the biodiversity interest to minimising impact and seeking mitigation to (in exceptional cases) where the benefits of the proposal clearly outweigh the biodiversity impacts, seek appropriate compensation.
- 11.2 Policy G6 (Biodiversity and access to nature) of the Intend to Publish London Plan requires SINCS to be protected and for developments to seek to achieve net biodiversity gain.

- 11.3 At a local level, policy OS4 (Biodiversity) of the Core Strategy requires that new development enhance Royal Greenwich's rich biodiversity and geodiversity with a presumption against development of habitats including SINC's. Policy OS(f) (Ecological factors) expands on the aspects that must be taken into account when assessing ecological factors, including the requirement for appropriate surveys to be undertaken. Policy DHI requires all developments to enhance biodiversity.
- 11.4 Whilst the site is not subject to any statutory nature conservation designations, a small part of the Belmarsh Ditches Site of Borough Grade II Importance of Interest for Nature Conservation (SBIINC), a non-statutory designation of Borough value, is located within the site boundary. The wet ditch and associated habitats were created in 2010.
- 11.5 The application site comprises a linear area of hardstanding, amenity grassland, scattered trees, dense scrub and introduced shrub. The small part of the Belmarsh Ditches SBIINC within the application site comprises a small area of hardstanding, amenity grassland, scrub and semi-mature scattered trees. The application site also includes two hedgerows totalling 60m. Whilst they have been identified as species poor, hedgerows are infrequent in the local area and they are therefore considered to be important at the Borough level.
- 11.6 A full assessment of the ecological impacts of the development has been set out in the ES Chapter 14: Ecology. This Chapter reports the likely significant effects of the proposals on the site and the surrounding area in terms of ecology. Where appropriate, it also identifies proposed mitigation measures to avoid, mitigate or compensate for likely negative effects arising from the proposals and the subsequent anticipated residual effects. The effects of the proposed development are considered over the demolition, construction and operational phases.
- 11.7 The Chapter is supported by a Preliminary Ecological Appraisal (PEA) which includes a Phase I Habitat survey and field surveys to confirm the presence/likely absence of protected species on and adjacent to the site. The PEA was submitted in support of this application.
- 11.8 The Council's consultant has confirmed that the scope of the EIA is appropriate and includes an assessment of the effects on statutory and non-statutory sites, habitats and appropriate protected and notable species. The baseline is appropriate, and the assessment is thorough.

Demolition and construction phase

- 11.9 Whilst no works are proposed to the wet ditch adjacent to the site, the proposed development has the potential to result in direct impacts through pollution/contamination and precautionary measures are therefore required throughout the construction works to protect the priority habitats. These are to be secured through a Construction Environment Management Plan (CEMP).
- 11.10 A draft CEMP was submitted pursuant to Application A. Whilst acceptable in many respects, the EIA consultant recommends that the CEMP should be amended, including in respect of bats (to include clarification that any lighting used will be shielded from spilling onto the adjacent SBIINC), reptiles (in relation to off-site receptor sites) and water voles (to require mitigation measures necessary to ensure the aquatic habitats supporting the water voles will not be impacted by run-off, dust, debris and accidental spillages during the demolition and construction work). It is recommended that the amended CEMP be required through an appropriate condition.
- 11.11 The proposed prison access will necessitate the loss of a total of 335sqm of semi-natural habitats (comprising 225sqm of amenity grassland and 110sqm of scrub). These are not the primary reason for the SBIINC designation and subject to embedded mitigation during the demolition and construction phase, no habitats or species fundamental to the SBIINC are likely to be lost as a result of the development. It is also proposed to enhance the ditches by planting additional bankside vegetation within the SBIINC. It is recommended that details of such enhancements and its ongoing long term management be secured through a robust Landscape and Environment Management Plan (LEMP).
- 11.12 The proposed works will also result in the loss of approximately 60m of hedgerow. To ensure no net loss of priority hedgerow, the PEA recommends supplementary hedgerow planting to increase the width of the western most hedgerow to be retained. This can be secured by condition.
- 11.13 The PEA confirms that the wet ditch and its banks adjacent to the application site have high potential to support water vole. By reason of the proposed works being within 10m of the wet ditch the PEA recommends further pre-commencement field surveys of the wet ditch to establish the presence/likely absence of water vole within it and a water vole displacement exercise to

encourage water voles to move away from the southern end of the ditch closest to the development. The mitigation of semi-natural habitat losses through additional bankside planting will also improve the habitat value for water voles.

- 11.14 The PEA also recommends a pre-works badger check to ensure no setts have been created within the site or within a 30m buffer.

Operational phase

- 11.15 Whilst the new prison access will bring traffic in closer proximity to sensitive retained habitats within the SBIINC it will not result in any increase in traffic levels from the baseline. Any run off from the site into the ditch network would be naturally filtered such that the operational phase would result in a negligible impact.
- 11.16 In summary, no significant residual impacts are anticipated as a result of the demolition, construction and operational works on sensitive ecological receptors and no negative cumulative effects are expected in combination with other committed developments.
- 11.17 Subject to the implementation of construction best practice methods for working near water, and securing the enhancement measures identified, the proposals would have no significant impacts on this non-statutory site.
- 11.18 The ES makes reference to embedded mitigation including toolbox talks and supervision by an Ecological Clerk of Works (ECoW), construction best practice methods employed during the demolition and construction phases of the development, as outlined in the CEMP and habitat creation. These proposals are supported and subject to securing these measures via conditions would ensure the development delivers net biodiversity gain.
- 11.19 In addition to the embedded mitigation measures, non-embedded mitigation measures have been proposed. These include mitigation for the loss of terrestrial semi-natural habitats within Belmarsh Ditches SBIINC and a water vole displacement exercise. Provided that these measures are implemented appropriately and in line with best practice guidance, they are considered to be sufficient to support the conclusions that no residual ecological effects are likely to occur as a result of the proposals.

11.20 In summary the proposals have been designed to minimise impacts on sensitive ecological receptors and to make a positive contribution to the protection, enhancement, creation and management of biodiversity in this location. The proposals would be in accordance with adopted and emerging policies and guidance relating to biodiversity and ecology.

12. Archaeology

12.1 London Plan Policy 7.8 requires that development affecting heritage assets and their settings should conserve their significance, by being sympathetic to their form, scale, materials and architectural detail. Intend to Publish London Plan policy HCI states that development proposals should identify assets of archaeological significance and use this information to avoid harm or minimise it through design and appropriate mitigation.

12.2 Core Strategy policy DH(m) seek to protect heritage assets, including archaeology and states that the Borough will seek to secure the co-operation of developers in the excavation, recording and publication of archaeological finds before development takes place, including by use of planning conditions.

12.3 The site is located within Area of High Archaeological Priority (AHAP) 26, Royal Arsenal East, as defined by the Core Strategy. Excavations associated with the development of the Belmarsh West prison site to the north in 2008 revealed the highly significant remains of two elevated Early Neolithic trackways and comprise some of the earliest structures found in the London Basin.

12.4 In recognition of the likely archaeological potential of the development site, Chapter 11 of the ES (Archaeology and Built Heritage) is supported by a geoarchaeological deposit model prepared by MOLA. A geotechnical survey and environmental analysis has also been conducted in relation to the Application A site and identified evidence of peat deposits dated to the Neolithic and late Neolithic/early Bronze Age periods across parts of the site. By reason of the fact no part of the wider site was developed until the mid-19 Century, the archaeological survival potential is expected to be high, except within the footprint of any pre-existing piled foundations, where it will be low.

12.5 Although there is no explicit reference to the Application B site within the archaeological surveys undertaken, the conclusions of the reports are considered relevant insofar as the new access road will be located directly

adjacent to the Application A site and necessitate a degree of excavation to address the level changes between the carriageway and prisons site.

- 12.6 In recognition of the potential impact on archaeology it is therefore recommended that conditions be imposed to secure the provision of appropriate archaeological investigation, including the publication of results through a Written Scheme of Investigation.
- 12.7 Whilst the reports submitted pursuant to Application A state there are no areas of potentially national important remains within the Application A site, the Council's EIA consultant notes there remains an inherent risk for unexpected remains of this value and that, if encountered, they would require preservation in-situ. It is therefore considered reasonable to secure any physical preservation of the site's archaeological interest through a condition requiring details of the construction methods to be used.

13. Flood Risk

- 13.1 Paragraph 155 of the NPPF states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.
- 13.2 Paragraph 163 states that planning applications in Flood Zones 2 and 3 should be supported by a site-specific Flood Risk Assessment (FRA). Development should only be allowed in areas at risk of flooding where it can be demonstrated that:
- a) within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location;
 - b) the development is appropriately flood resistant and resilient;
 - c) it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate;
 - d) any residual risk can be safely managed; and
 - e) safe access and escape routes are included where appropriate, as part of an agreed emergency plan.

- 13.3 The NPPF also states that proposals involving development in Flood Zones 2 and 3 should be subject to the Sequential Test, the aim of which is to steer new development onto land at the lowest possible risk of flooding.
- 13.4 Policy 5.12 in the London Plan states that development proposals must comply with the FRA and management requirements set out in the NPPF and the associated technical guidance on flood risk over the lifetime of the development.
- 13.5 At a local level policy E2 of the Core Strategy states that the Royal Borough's Strategic FRA must be used to inform development and reduce flood risk in Royal Greenwich by demonstrating consideration of all forms of flood risk by preparing FRAs in line with advice from the Environment Agency. Policy E3 relates to flood risk reduction measures.
- 13.6 A full assessment of the likely significant effects of the development in terms of Flood Risk matters has been set out in the ES Chapter 9 pursuant to Applications A and B. Where appropriate, it also identifies proposed mitigation measures to prevent, minimise or control likely negative effects arising from the proposals and the subsequent anticipated residual effects. The effects of the proposed development are considered over the demolition, construction and operational phases. The Chapter is supported by an FRA.
- 13.7 The proposed prison access comprises essential transport infrastructure. Taking into account the flood risk vulnerability of the proposed prison access the Exception Test is required to be applied. The Exception Test, as set out in paragraph 160 of the Framework, is a method to demonstrate and help ensure that flood risk to people and property will be managed satisfactorily, while allowing necessary development to go ahead in situations where suitable sites at lower risk of flooding are not available. In this case the prison access will facilitate the delivery of the sustainability benefits to the community proposed in Application A and will be safe for its lifetime. It is noted that the Environment Agency deem the application as having a low environmental risk.
- 13.8 Drainage associated with highways and surface water run off from the prison access proposals would be discharged to the sewers as existing.
- 13.9 In summary, the proposed prison access is considered to be appropriate in this location consistent with relevant policies and guidance.

14. Impact on neighbour amenity

- 14.1 Policy 7.6 'Architecture' of the London Plan 2016 states that buildings and structures should not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy, overshadowing etc. Core Strategy Policy DH(b) states that when determining applications for new developments, extensions or renovations of buildings, the Royal Borough will only permit an application where it can be demonstrated that the proposed development does not cause an unacceptable loss of amenity to adjacent occupiers by reducing the amount of daylight, sunlight or privacy they enjoy or result in an unneighbourly sense of enclosure.
- 14.2 Policy D4 'Delivering Good Design' of the Intend to Publish London Plan (December 2019) confirms the design of development should provide sufficient daylight and sunlight to new and surrounding housing that is appropriate for its context, whilst avoiding overheating, minimising overshadowing and maximising the usability of outside amenity space.
- 14.3 The nearest residential buildings are located on Goldfinch Road to the west of the application site and characterised by predominantly two-storey terraced housing on its west side. The front elevations of properties on Goldfinch Road are separated from the application site by approximately 50m encompassing Goldfinch Road itself, a landscaped verge and mature tree belt and the north and southbound dual carriageways of Western Way.
- 14.4 The proposed development is limited to the construction of an access road and does not include any above ground built form. Consequently, there would be no amenity impacts in terms of daylight, sunlight or privacy. Neither would the development result in any change or harm to the immediate outlook or cause an unacceptable sense of enclosure to the occupiers of these properties. In the context of the heavily trafficked Western Way Officers are also satisfied that the relocated access road would not give rise to any noticeable increase in noise or disturbance.

15. Mayoral Community Infrastructure Levy (MCIL)

- 15.1 The Mayor has introduced a London-wide Community Infrastructure Levy (MCIL) to help implement the London Plan, particularly policies 6.5 and 8.3 and the implementation of Crossrail. The Mayoral CIL will be paid on

commencement of most new development in Greater London that is granted planning permission.

15.2 The Mayor intends to continue to charge the Community Infrastructure Levy 2 (MCIL2) from April 2019 in Greater London. The proposed rate for Greenwich will be £25 per square metre for all developments, with exception made to developments used wholly or mainly for educational and health services, as described on the MCIL2 Draft Charging Schedule. The amount to be charged for each development will be calculated in accordance with Regulation 40 of the Community Infrastructure Levy Regulations 2010 (as amended).

15.3 The current application is not liable to this requirement.

16. **RBG CIL**

16.1 The Royal Borough adopted its Local Community Infrastructure Levy (CIL) charging schedule, infrastructure (Regulation 123) list, instalments policy and exceptional circumstances relief policy on the 25th March 2015 and came into effect in Royal Greenwich on the 6th April 2015.

16.2 The current application is not liable to this requirement.

17. **Conclusion**

17.1 The development proposals would deliver a dedicated secure and reliable vehicular access route to HMP Belmarsh and Thameside. Whilst the proposals will not result in any increase in trips generated by the prisons, it has been demonstrated that the access has been future proofed, and its relocation would have no major adverse or significant impact on the operation of the local highway network. Appropriate provision has been made for walking and cycling infrastructure. There would be no harmful impacts in relation to flood risk or neighbour amenity. Subject to appropriate safeguards the development would protect archaeological interest, safeguard habitats or Borough importance and secure net biodiversity gain in accordance with relevant policies and guidance.

18. **Background Papers**
None submitted

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