



Mayor and Cabinet

**Report title: Comments of the Sustainable Development Select Committee on the railway children urban national park - environmental protection and neighbourhood plans**

**Date:** 16 September 2020.

**Key decision:** No.

**Class:** Part 1.

**Ward(s) affected:** All.

**Contributor:** Sustainable Development Select Committee

**Outline and recommendations**

This report informs the Mayor and Cabinet of the comments and views of the Sustainable Development Select Committee, arising from discussions on Comments of the Sustainable Development Select Committee on the railway children urban national park - environmental protection and neighbourhood plans.

Mayor and Cabinet is asked to consider the Committee's comments and ask the relevant officers to provide a response.

## 1. Summary

- 1.1. On Tuesday 15 September 2020, the Sustainable Development Select Committee considered a submission from Councillor Ingleby on the Comments of the Sustainable Development Select Committee on the railway children urban national park - environmental protection and neighbourhood plans ([link to the agenda and webcast for the Committee's meeting on 15 September](#)). The Committee reflected on the contents of his submission – and asked questions of officers. Immediately in advance of the meeting – the Chair also circulated written comments (see appendix 1) for consideration by members. Following a discussion, the Committee agreed to refer its views to Mayor and Cabinet.

## 2. Recommendation

- 2.1. Mayor and Cabinet is asked to consider the Committee's comments and ask the relevant officers to provide a response.

## 3. Sustainable Development Select Committee views

Recommendation 1: Hither Green sidings SINC case study

- 3.1. The Committee recommends that the Council should update 2015/2016 site of importance for nature conservation (SINC) review with a biodiversity action plan to include the priority habitats of wet-woodland for Hither Green Sidings SINC in time for its inclusion in the Local Plan.

Recommendation 2: Woodland and area tree protection orders

- 3.2. The Committee recommends putting in place a woodland TPO in the enclosed area inside the Nature Reserve \*(this a privately owned site in the south east corner of the nature reserve adjoining Railway Children Walk)\*, to ensure the many saplings and young trees are given a chance to succeed into a mature woodland; and an area TPO on the triangular site behind the Ringway Centre to protect the established trees amongst the mosaic scrubland, to avoid the extinction of habitats and species across Grove Park Nature Reserve SINC as well as – especially in their subsequent recording in the Local Plan – making it clear that ecological lapses will not be tolerated and underlining the strength of the ecological corridor and its role in establishing an Urban National Park.

Recommendation 3: Protection of ecological corridor along railway line from South Circular to Chinbrook Meadows and the borough boundary

- 3.3. The Committee recommends that a survey for the implementation of a Site of Metropolitan Importance (SMI) be carried out along the entire corridor to protect wet woodland, chalk grassland, rivers, ponds and ancient woodland and all other green sites.

Recommendation 4: Delay in the Grove Park Neighbourhood Plan examination date.

- 3.4. The Committee recommends that the Council should agree re-designation immediately and set date for examination for the Grove Park Neighbourhood Plan to gain material weight.

## 4. Financial implications

- 4.1. There are no direct financial implications arising from the implementation of the recommendations in this report. However, there may be implications arising from them implementation of the Committee's recommendations. These will need to be considered as part of the response.

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## **5. Legal implications**

- 5.1. The Constitution provides for select committees to refer reports to the Mayor and Cabinet, who are obliged to consider the report and the proposed response from the relevant Executive Director; and report back to the Committee within two months (not including recess).

## **6. Equalities implications**

- 6.1. The Equality Act 2010 (the Act) introduced a public sector equality duty (the equality duty or the duty). It covers the following protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 6.2. In summary, the Council must, in the exercise of its functions, have due regard to the need to:
- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
  - advance equality of opportunity between people who share a protected characteristic and those who do not.
  - foster good relations between people who share a protected characteristic and those who do not.
- 6.3. There may be equalities implications arising from the implementation of the Committee's recommendations – these will need to be considered in the response.

## **7. Climate change and environmental implications**

- 7.1. There are no direct climate change or environmental implications arising from the implementation of the recommendations in this report. There will be climate change and environmental implications arising from the implementation of the Committee's recommendations – these will need to be considered in the response.

## **8. Crime and disorder implications**

- 8.1. There are no direct crime and disorder implications arising from the implementation of the recommendations in this report. There may be implications arising from the implementation of the Committee's recommendations – these will need to be considered in the response.

## **9. Health and wellbeing implications**

- 9.1. There are no direct health and wellbeing implications arising from the implementation of the recommendations in this report. There may be implications arising from the implementation of the Committee's recommendations – these will need to be considered in the response.

## **10. Report author and contact**

- 10.1. If you have any questions about this report then please contact: Timothy Andrew (Scrutiny Manager) 020 8314 7916 – [timothy.andrew@lewisham.gov.uk](mailto:timothy.andrew@lewisham.gov.uk)

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## **Appendix 1: submission by the Chair before the meeting**

### **Recommendation 1. Hither Green sidings SINC CASE STUDY**

Update 2015/2016 SINC review with a BAP management plan to include the priority habitats of wet-woodland for Hither Green Sidings SINC in time for its inclusion in the Local Plan.

Reason: The SINC review 2015/16 does not include the wet woodland /swamp forest and Willow Carr priority habitats. At meeting in Feb 2020 with an LBL officer and councillors officers stated this priority habitat existed but it was not included in the SINC review. This 14 acre SINC is the only mature wet woodland and wetland in South East London.

By not updating the SINC (Site of Important Nature Conservation) review to reflect the priority habitats, this lack of action allowed Network Rail to destroy a large section of the SINC and almost tarmac this habitat as a car park, but were only stopped due to the TPOs being in place.

Elms in this SINC make up part of the swamp forest and are the food plant for the white letter hair streak butterfly are protected under section 41 of the NERC Act, i.e. they have a high conservation status.

The linear SINC from the South Circular to Chinbrook Meadows in the ecological corridor of the potential Urban National Park here includes the habitat for all 5 hair streak butterflies.

### **Recommendation 2. Woodland & area TPO's**

Putting in place a woodland TPO in the enclosed area inside the Nature Reserve, to ensure the many saplings and young trees are given a chance to succeed into a mature woodland; and an area TPOs on the triangular site behind the Ringway Centre to protect the established trees amongst the mosaic scrubland, to avoid the extinction of habitats and species across Grove Park Nature Reserve SINC as well as – especially in their subsequent recording in the Local Plan – making it clear that ecological lapses will not be tolerated and underlining the strength of the ecological corridor and its role in establishing an Urban National Park.

Reason: Application DC/20/117122 was recently refused, but if approved the application would have included destruction of a woodland, and scrub/scrubland trees including habitat for white letter hairstreak and black hairstreak protected under section 41 of the NERC Act. At Hither Green SINC, also in the Urban National Park, in 2012 trees and scrub were cleared by developer due to a TPO lapse. In 2016 priority habitats were sprayed with chemicals, next to a water course, which is toxic when introduced to water, and this water course ultimately flows into the Thames, and was allowed to happen due to priority habitats not being identified in the SINC review. Without appropriate TPOs in place, similar destructive actions can happen to the Grove Park Nature Reserve SINC, since the developer would have legal access to the LBL owned Nature Reserve to carry out 'works' on his adjoining property to the north of Railway Children Walk (Grove Park side).

### **Recommendation 3. Protection of ecological corridor along railway line from South Circular to Chinbrook Meadows and the borough boundary**

A survey for the implementation of a Site of Metropolitan Importance (SMI) along the entire corridor to protect wet woodland, chalk grassland, rivers, ponds and ancient woodland and all other green sites.

Reason: An SMI would afford far greater protection and identify that the wetlands, other priority habitats and other green spaces that retain the integrity of the forthcoming Grove Park Urban National Park and provide a BAP management plan (Biodiversity Action Plan)

### **Recommendation 4 - Delay in Grove Park Neighbourhood Plan examination date.**

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LBL Planning to agree re-designation immediately and set date for examination for GPNP to gain material weight.

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