

Appendix 5.3 Response to EIA Scoping Opinion from Southwark Council

Paragraph Number	Heading/Sub-heading	EIA Scoping Opinion 2018 Text	Applicant Response
1	Recommendation	That the assessment below informs the scope and methodology for the Environment Impact Assessment (EIA) underpinning any future development proposal as described herein.	N/A
2	Background Information	The Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (as amended), as extant at the time of submission of this Scoping Request, establish that an EIA will be required for development falling in Schedule 1 (mandatory) or Schedule 2 (discretionary) of the Regulations.	Our Scoping Opinion Request was submitted under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended).
3		Section 10(b) of Schedule 2 defines 'Urban Development Projects' as being; non-residential developments on sites larger than 1 hectare; developments comprising more than 150 dwellings; or, development on sites of more than 5 hectares. A formal 'Screening Opinion' has been submitted alongside this Scoping Request to determine whether an EIA is required.	N/A
4		Scoping forms a component within the overall EIA process, and attempts to identify all of the possible environmental impacts that the development project might cause, and subsequently determine which of those impacts are likely to be significant and which will require detailed investigation within the EIA. Regulation 13 of the EIA Regulations forms the basis of this procedure allowing "any person mindful to make an EIA application" to ask the relevant planning authority to state in writing their opinion as to the information to be provided in the environmental statement (ES) (a "scoping opinion"). The fact that the Council is issuing an opinion in relation to the scope of an EIA shall not preclude the Council from	Our Scoping Opinion Request was submitted under Part 15 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended).

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		subsequently requiring the developer to submit further information as part of any future planning application.	
		The scope of the EIA should reflect the development proposed and any nearby land uses and their environmental attributes which could be affected by the development. The EIA should identify all possible environmental impacts that the development might cause and its methodology should use both qualitative and quantitative information to identify significant environmental impacts including potential positive, negative, direct, indirect, and cumulative impacts. Where significant environmental effects have been identified, the ES should propose mitigation and monitoring measures.	N/A
6	Site location and description	The application site is approximately 2.37 hectares in size and is loosely bound by the Asda superstore and Cantium Retail Park to the north, the council's Frensham Street Depot to the east, Latona Road to the south and Space Studios/Bianca Road to the west. Nye's Wharf on Frensham Street also adjoins the site. The site hosts a number of warehouse style buildings and areas of hard standing, including Surrey Wharf and Acorn Wharf. Though a number of residential developments exist locally, notably the Friary and Unwin Estate to the south, the immediate area has an undoubted commercial and industrial character at the present time.	N/A
7		The site is located entirely or partially within the Old Kent Road Action Area, a Strategic Industrial Location, the borough's Air Quality Management Area the Bermondsey Lake Archaeological Priority Zone and the urban density zone. A large area of the site north of the Bianca Road axis is located within Flood Zones 3. The site is located in the emerging Old Kent Road Opportunity Area and is noted as Site Allocation OKR10 in the draft Old Kent Road Area Action Plan.	N/A

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8		The site is not located within a conservation area and does not contain any listed structures, though a number of residential properties approximately 150m west of the site on Glengall Road are Grade II listed and sit within the Glengall Road Conservation Area.	N/A
9	Details of proposal	The Malt Street planning application was submitted last year under planning application reference 17/AP/2773. Amendments to the planning application are being proposed and will be submitted with a new Environmental Statement (ES) based on the new ES regulations.	An Environmental Statement will be submitted under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended).
10		<p>The redevelopment of the site would continue to be presented as a hybrid application with:</p> <p>Detailed Component of up to 420 dwellings (Class C3) and up to 1,982 sqm GEA of flexible non-residential floorspace (Classes A1 to A4, B1, D1 and D2);</p> <p>Outline Component of up to 880 dwellings and 5,018 sqm GEA of flexible non-residential floorspace (Classes A1 to A4, B1, D1 and D2);</p> <p>Tall buildings (up to 44 storeys).</p> <p>The amended application would see an increase in up to 250 new dwellings and additional commercial floorspace. Also increases to the heights and massing of buildings. For example the tallest tower is proposed to increase from 40 storeys to 44.</p>	N/A
11	Planning history	An EIA Screening Opinion (ref: 17/AP/1431) request was previously submitted to Southwark Council on 21st April 2017. This 'Request for an EIA Screening Opinion' related to the Application Site plus the land at Nye's Wharf. On 26th July 2017 Southwark Council issued a formal EIA Screening Opinion that an EIA should be	N/A

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		undertaken for the Application Scheme.	
12		An EIA Scoping Report and request for an EIA Scoping Opinion (ref: 17/AP/1539) was submitted to Southwark Council on 21st April 2017. This 'Request for an EIA Scoping Opinion' related to the Application Site plus the land at Nye's Wharf. Southwark Council subsequently issued a formal Scoping Opinion on 24th July 2017.	N/A
13		A further EIA Screening (17/AP/1896) and EIA Scoping Opinion (ref: 17/AP/2746) request to determine whether the Application Scheme (now without Nye's Wharf), would require an EIA and to determine the extent of environmental issues to be considered in the EIA was submitted to Southwark Council on 15th May 2017. The EIA Screening and EIA Scoping requests related solely to the Application Site excluding the land at Nye's Wharf. Southwark Council subsequently issued a formal Screening Opinion and 26th July 2017 and a formal Scoping Opinion on 21st July 2017.	N/A
14		An ES was submitted with the planning application (17/AP/2773) in July 2017 and the application subsequently validated on 25th August 2017. At the time of submission of the planning application and accompanying documents Southwark Council had not provided an EIA Screening Opinion (17/AP/1896) and EIA Scoping Opinion (ref: 17/AP/2746) in relation to the Application Scheme excluding the land at Nye's Wharf. However, the applicant considered that the EIA Screening and Scoping Opinion received for the scheme which included land at Nye's Wharf, formed a sound basis on which to determine the requirement for EIA and the extent of environmental issues to be considered. The planning application was therefore submitted on this basis.	N/A
15		Given that the 2017 Application Scheme is at the same location and	N/A

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		of a similar scale (albeit larger with up to an extra 150 units) than the 2018 Application Scheme, an EIA is to be provided voluntarily by the Applicant. An EIA Scoping Opinion is however required to consider the scope the ES.	
16		In terms of the history of planning applications, please see those listed below.	N/A
17		5/AP/3389 Surrey Wharf, 20 Malt Street, London SE1 Time limited (2 years) planning permission for the change of use of the ground floor existing building from B1/B8 (Office and Storage) to Sui Generis use (roller disco, bar and kitchen). Granted planning permission	N/A
18		12/AP/3262 Acorn Wharf Erection of a temporary portacabin for a period of three years (retrospective) Granted planning permission	N/A
19	Planning history of Adjoining sites	7/AP/4596 Nye's Wharf, Frensham Street Demolition of existing buildings and erection of mixed-use scheme comprising 1,193sqm Class B1 floorspace at ground and mezzanine levels; with 153 Residential units (Class C3) above in a building ranging from 9 to 18 storeys (max height 56.202m) with hard and soft landscaping including a new park and associated infrastructure works, including three disabled spaces and cycle parking.	N/A

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		<p>(This application represents a departure from strategic policy 10 'Jobs and businesses' of the Core Strategy (2011) and saved policy 1.2 'strategic and local preferred industrial locations' of the Southwark Plan (2007) by virtue of proposing to introduce residential accommodation in a preferred industrial location).</p> <p>Approved by Southwark's Planning Committee on 3rd September 2018.</p>	
20		<p>At 49-53 Glengall Road, SE15 6NF</p> <p>17/AP/4612 Application for planning permission submitted on 5 December 2017 for the demolition of all existing buildings and structures (excluding some of the facades along Glengall Road and Bianca Road and the industrial chimney) and erection of a part 6, 8 and 15 storey mixed-use development comprising 3,855 sqm (GIA) of flexible workspace (Use Class B1) and 181 residential units (Use Class C3) with amenity spaces and associated infrastructure.</p> <p>The application is yet to be determined.</p>	N/A
21		<p>At Livesey Place and former Civic Centre Sites, 600-608 Old Kent Road, SE15 18/AP/4234 Environmental Impact Assessment Scoping Opinion issued for the Scoping Opinion for a mixed-use redevelopment of sites comprising demolition of all existing buildings/structures and redevelopment to comprise buildings up to 40 storeys to provide a range of uses including residential, retail, office and a place of worship.</p>	N/A
22		<p>At Land at Cantium Retail Park, Old Kent Road, SE1 5BA</p> <p>18/AP/1913 Environmental Impact Assessment Scoping Opinion issued for the demolition of all buildings and redevelopment of the site to provide a mixed use development including new buildings ranging between 3 to 48 storeys in height providing up to 1,160</p>	N/A

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		residential units (Class C3), 4,318 sq. m of office floorspace (Class B1), 2,675 sq. m of commercial floorspace (Classes A1 – A3), 2,210 sq. m of destination space (flexible uses), together with associated car parking, landscaping and infrastructure works.	
23	Summary of main issues	The main issue in this case is to determine whether the socio-economic and environmental matters identified in the submitted Scoping Report, that are intended to be included in the Environmental Impact Assessment, are sufficient to address all likely impacts from the proposed development. The Scoping Opinion is based on the information provided to the Council by the developer (contained in the EIA Scoping Report) and the comments and opinions resulting from consultations prior to issuing this opinion.	N/A
24	Adopted planning policy	National Planning Policy Framework (the Framework) Chapter 2 Achieving sustainable development Chapter 5 Delivering a sufficient supply of homes Chapter 6 Building a strong, competitive economy Chapter 7 Ensuring the vitality of town centres Chapter 8 Promoting healthy and safe communities Chapter 9 Promoting sustainable transport Chapter 10 Supporting high quality communications Chapter 11 Making effective use of land Chapter 12 Achieving well-designed places Chapter 14 Meeting the challenge of climate change, flooding and coastal change Chapter 15 Conserving and enhancing the natural environment	N/A

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		Chapter 16 Conserving and enhancing the historic environment	
25		<p>The London Plan 2016</p> <p>Policy 2.13 - Opportunity Areas and Intensification Areas Policy 2.15 - Town Centres</p> <p>Policy 3.1 - Ensuring Equal Life Chances For All Policy 3.3 - Increasing housing supply</p> <p>Policy 3.5 - Quality and design of housing developments</p> <p>Policy 3.6 - Children and young people's play and informal recreation facilities</p> <p>Policy 3.7 - Large residential developments</p> <p>Policy 3.8 - Housing choice</p> <p>Policy 3.9 - Mixed and balanced communities</p> <p>Policy 3.12 -Negotiating affordable housing on individual private residential and mixed use schemes</p> <p>Policy 3.16 -Protection and enhancement of social infrastructure</p> <p>Policy 4.2 - Offices</p> <p>Policy 4.3 - Mixed use development and offices</p> <p>Policy 4.4 - Managing industrial land and premises</p> <p>Policy 4.6 - Support for and enhancement of arts, culture, sport and entertainment provision</p> <p>Policy 4.7 - Retail and Town Centre Development</p> <p>Policy 4.8 - Supporting a Successful and Diverse Retail Sector</p> <p>Policy 4.12 - Improving Opportunities for All</p> <p>Policy 5.1 - Climate Change Mitigation</p>	N/A

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		<p>Policy 5.2 - Minimising Carbon Dioxide Emissions Policy 5.3 - Sustainable Design and Construction Policy 5.4A - Electricity and gas supply</p> <p>Policy 5.5 - Decentralised energy networks Policy 5.9 - Overheating and cooling</p> <p>Policy 5.10 - Urban greening</p> <p>Policy 5.12 - Flood risk management Policy 5.13 - Sustainable drainage Policy 5.21 - Contaminated land Policy 6.9 - Cycling</p> <p>Policy 6.10 - Walking Policy 6.13 - Parking</p> <p>Policy 7.1 - Building London’s Neighbourhoods and Communities</p> <p>Policy 7.2 - An inclusive environment</p> <p>Policy 7.3 - Designing out crime</p> <p>Policy 7.4 - Local Character</p> <p>Policy 7.5 - Public Realm</p> <p>Policy 7.6 - Architecture</p> <p>Policy 7.7 - Location and design of tall and large buildings</p> <p>Policy 7.8 - Heritage assets and archaeology</p> <p>Policy 7.14 – Improving Air Quality</p> <p>Policy 7.19 – Biodiversity and Access to Nature</p> <p>Policy 7.21 - Trees and woodlands</p> <p>Policy 8.2 - Planning obligations</p> <p>Policy 8.3 - Community infrastructure levy</p>	
26		<p>Core Strategy 2011</p> <p>Strategic policy 1 - Sustainable development Strategic policy 2 -</p>	N/A

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		<p>Sustainable transport Strategic policy 5 - Providing new homes Strategic policy 6 - Homes for people on different incomes Strategic policy 10 - Jobs and businesses Strategic policy 12 - Design and conservation Strategic policy 13 - High environmental standards</p>	
27		<p>Southwark Plan 2007 (July) - saved policies The Council's cabinet on 19 March 2013, as required by para 215 of the NPPF, considered the issue of compliance of Southwark Planning Policy with the National Planning Policy Framework. All policies and proposals were reviewed and the Council satisfied itself that the policies and proposals in use were in conformity with the NPPF. The resolution was that with the exception of Policy 1.8 (location of retail outside town centres) in the Southwark Plan all Southwark Plan policies are saved. Therefore due weight should be given to relevant policies in existing plans in accordance to their degree of consistency with the NPPF.</p>	N/A
28		<p>Policy 1.1 - Access to employment opportunities Policy 1.2 - Strategic and Preferred Industrial locations Policy 1.5 - Small businesses Policy 2.2 - Provision of new community facilities Policy 2.5 - Planning obligations Policy 3.1 - Environmental effects Policy 3.2 - Protection of amenity Policy 3.3 - Sustainability assessment Policy 3.4 - Energy efficiency</p>	N/A

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		<p>Policy 3.6 - Air quality Policy 3.7 - Waste reduction Policy 3.9 - Water Policy 3.11 - Efficient use of land Policy 3.12 - Quality in design Policy 3.13 - Urban design Policy 3.15 - Conservation of the historic environment Policy 3.18 - Setting of listed buildings, conservation areas and world heritage sites Policy 3.19 - Archaeology Policy 3.20 - Tall buildings Policy 3.28 - Biodiversity Policy 4.4 - Affordable housing Policy 4.5 - Wheelchair affordable housing Policy 5.1 - Locating developments Policy 5.2 - Transport impacts Policy 5.3 - Walking and cycling Policy 5.6 - Car parking Policy 5.7 - Parking standards for disabled people and the mobility impaired.</p>	
29	Emerging policy	<p>Paragraph 216 of the NPPF states that weight can be afforded to relevant policies in emerging plans depending on the stage of preparation of the plan. The council is preparing the New Southwark Plan and Old Kent Road Area Action Plan (AAP) which are emerging policy documents. The new London Plan is also in draft</p>	N/A

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		form.	
30		<p>Old Kent Road Area Action Plan (OKR AAP)</p> <p>The council is preparing an Area Action Plan/Opportunity Area Planning Framework for Old Kent Road (AAP/OAPF) which proposes significant transformation of the Old Kent Road area over the next 20 years, including the extension of the Bakerloo Line with new stations along the Old Kent Road towards New Cross and Lewisham. Consultation has been underway for 3 years, with a first draft published in 2016. A further preferred option of the Old Kent Road AAP (Regulation 18) was published in December 2017 and concluded consultation on 21 March 2018. As the document is still in draft form, it can only be attributed limited weight.</p>	N/A
31		<p>New Southwark Plan</p> <p>For the last 5 years the council has been preparing the New Southwark Plan (NSP) which will replace the saved policies of the 2007 Southwark Plan and the 2011 Core Strategy. The council concluded consultation on the Proposed Submission version (Regulation 19) on 27 February 2018. It is anticipated that the plan will be adopted in 2019 following an Examination in Public (EIP). Similarly with the OKR AAP, as the NSP is not yet adopted policy, it can only be attributed limited weight.</p>	N/A
32	Feedback on Scoping Opinion	Schedule 4 of the EIA Regulations establishes a range of aspects of the environment for which the magnitude of impact should be considered.	N/A
33		<p>The following topics are proposed for inclusion in the ES.</p> <p>Population</p> <p>Human health Fauna</p>	Topic chapters have been set-out in the 2018 Scoping Report in accordance with the Town and Country Planning (Environmental Impact Assessment)

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		<p>Flora Land take Soil Water Air Climate Climatic factors Material assets including architectural heritage and historic environment Landscape Inter relationships of above factors Risk of major accidents and/or disasters.</p>	<p>Regulations 2017 (as amended).</p>
34		<p>The scoping report acknowledges that where the assessment identifies an impact, mitigation measures will be presented in a hierarchy such that enhancement will be sought in the first instance, followed by avoidance, then reduction and finally if these avenues are exhausted, compensation. The adoption of this hierarchical approach is supported. It is noted that the various chapters of the ES will detail embedded mitigation that has been incorporated into the design as a result of the various assessments undertaken.</p>	<p>N/A</p>
35		<p>It is further noted that in assessing the significance of any environmental effect, consideration will be given to beneficial, adverse, direct, indirect, cumulative and residual effects associated with the proposal.</p>	<p>N/A</p>
36	<p>Cumulative effects</p>	<p>The list of major committed developments presented in Table 6.1 appears appropriate at the present time. The commitment to consider the cumulative impacts of these schemes is appropriate. However, there are a number of major planning applications currently pending in and around the Old Kent Road corridor and numerous other pre-application discussions ongoing. This list should be reviewed at the time of submission and, depending on timescales for determination of any subsequent</p>	<p>Noted.</p>

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		<p>planning application, it is conceivable that the EIA might need to be updated to reflect other emerging development proposals locally. For example, Cantium and Civic Livesey are expected to submit in September 2018 and it is likely that certain aspects of those proposals will need to be taken into account.</p>	
37	<p>Specific comments on scope, baseline and methodology for individual chapters</p>	<p>Transport and Access</p> <p>The council's transport planning team have made the following comments.</p> <p>In assessing the effect this development would have on the vehicle movements on the adjoining roads, the updated/amended report should also consider the following issues:</p> <p>Base traffic survey to be undertaken not only in a neutral month but also on neutral days like Tuesdays, Wednesdays and Thursdays.</p> <p>Estimation of generated vehicular/public transport trips using TRICS database.</p> <p>Existing/proposed uses and sizes of the buildings on this site.</p> <p>Cumulative impact of this development.</p> <p>Road safety encompassing the analysis of the last 3years traffic accidents occurring in the vicinity of this development, identifying the contributory factors and suggesting ameliorative measures where there is any specific pattern.</p> <p>The evaluation of the impact on highway/public transport and pedestrian/cyclist conditions should include improvement measures where deficiencies are identified and, ascertain east-west/north-south pedestrian route connection to the adjacent transport infrastructure and neighbouring communities through this site.</p>	<p>The Transport Assessment and Transport ES Chapter submitted with the 2018 Amended Application has considered the issues raised by the Southwark Transport Team.</p>

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		<p>Detailed plans of cycle and car parking arrangements for the basement. With the cycle parking, consideration should be given to provision of cycle parking for niche groups, e.g. mobility impaired to encourage active travel. Arrangements for secondary access to/from the basement in the event of lift failure and/or blockage of a stairwell should be provided.</p> <p>The scope of the TA report must be in accordance with Transport for London's guidance.</p> <p>The following supplementary standalone documents need to be provided:</p> <p>Construction management plan; Delivery and service management plan and a Car parking management plan detailing the provision of a minimum of 10 per cent disabled car parking spaces, with 20 per cent of these spaces equipped with active electric vehicle charging points (EVCP's) and a further 20 per cent equipped with passive EVCP's and equitable distribution of the car parking spaces between the affordable and private residential units.</p>	
38		<p>Transport for London have stated that they are satisfied with the scope of the transport assessment.</p>	
39	Air Quality	<p>Air Quality</p> <p>No specific comments made on this chapter but comments made on the previous scoping reports should be taken into account and addressed.</p>	N/A
40	Noise	Noise and vibration	N/A

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		No specific comments made on this chapter but comments made on the previous scoping reports should be taken into account and addressed.	
41	Ground	Ground conditions No specific comments made on this chapter but comments made on the previous scoping reports should be taken into account and addressed.	N/A
42	Hydro and Flood Risk	<u>Hydrology and Flood Risk</u> The <u>Environment Agency</u> have stated that a Flood Risk Assessment will be required demonstrating how the proposed land use is suitable and will not increase flood risk on or off the site. They are also looking for sustainable drainage systems, sustainable design and construction such as sustainable drainage and green roofs on new buildings and land remediation. Detailed comments can be found in section 1 of their response which you are referred to.	These comments are addressed within the 2018 ES.
43	Drainage	The <u>councils' flood and drainage team</u> have made the following comments. Any FRA submitted as part of a planning application must comply with the requirements set out in paragraph 9 of the Technical Guide to the National Planning Policy Framework. It must provide a suitable basis for assessment to be made of the flood risks arising from the proposed development. In particular, this includes: Consideration of the effect of a range of flooding events including extreme events on people and property, using the most	The Environment Agency was contacted earlier this year for an updated P4. They stated that the release of new modelling in the area meant that the site was now considered to be of 'extreme low residual risk for tidal flooding' and therefore provided no further information. PBA are therefore making use of the older P4 to provide TE100 in-channel levels and context to this information and reference to the older modelling which is now

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		<p>up-to-date site-specific modelled flood levels</p> <p>Consideration of how people will be kept safe from flood hazards identified</p> <p>We advise the applicant to obtain an updated Product 4 to ensure that the development can be appropriately assessed in terms of flood risk and the appropriate measures taken within the development to ensure the impact of flooding is minimal. The Product 4 will include levels from the Thames Tidal Modelling, including updated Breach modelling and TE100 in-channel levels. Please contact the EA at KSLEnquiries@environment-agency.gov.uk.</p>	<p>superseded. This is so that it is clear why the mitigation measures have been reduced in comparison to the 2017 Application Scheme.</p>
44		<p>We would recommend flood resilient measures to be incorporated within the development to minimise the impact of flooding to the development. Further information on flood resilience can be found on the following link http://www.planningportal.gov.uk/uploads/br/flood_performance.pdf.</p>	<p>These comments are addressed within the 2018 ES.</p>
45		<p>The Southwark Strategic Flood Risk Assessment (SFRA) provides guidance on finished floor levels dependent on which flood zone the site is located within and the modelled rate of inundation. We would require details on finished floor levels in relation to modelled flood levels. You should refer to the London Borough of Southwark Strategic Flood Risk Assessment and local plan policies to determine what land use is suitable at basement and ground floor levels.</p> <p>https://www.southwark.gov.uk/environment/flood-risk-management/strategic-flood-risk</p>	<p>These comments are addressed within the 2018 ES.</p>

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		-assessment-sfra?chapter=2	
46		It should be noted as part of an FRA safe dry access and egress should be considered. Please see the Southwark (SFRA) for more details.	These comments are addressed within the 2018 ES.
47		It is also advised that a Basement Impact Assessment and Drainage Strategy be submitted with the amended scheme but these can be standalone documents.	<p>The BIA is submitted as a standalone report with the 2018 Amended Application.</p> <p>The drainage strategy forms an appendix of the Hydrology and Flood Risk ES Chapter from the 2018 ES.</p>
48		<p>Townscape and visual</p> <p>The baseline information referenced in section 7.7.7 should also include the Southwark Historic Assets Register, as published on the website and including the linked Historic England databases, and the applicant's own assessment of any historic structures on the site.</p>	The Southwark archaeologist has been consulted and advised that data from the Greater London HER should be used.
49		Section 7.7.20 should include the Thorburn Square Conservation Area as a potential visual receptor and the following listed buildings: Caroline Gardens Almshouses comprising a large group of Grade II listed buildings including the Licensed Victualler's Chapel; 1-50 Clifton Crescent; 2-7 Canal Grove; Livesey Museum, Old Kent Road; Grade II listed group on Glengall Road; Grade II listed group on Trafalgar Avenue; Grade II listed group on Cobourg Road.	<p>Thorburn Square was scoped out previously following viewshed analysis for 140m height. At 147m height, there remains to be barely any ground level viewshed, and therefore we determine that there would not be significant visual effects from ground level of Thorburn Square.</p> <p>Appraisal of Thoburn square CA is included in the DBA but has been scoped</p>

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			<p>out from EIA as no impacts upon heritage significance.</p> <p>These receptors as Listed Buildings are for Heritage assessment, not townscape and visual. Nevertheless, visual assessment and AVRs have been provided for The Former Licensed Victualler's Chapel; the Livesey Musuem (rear as no view from the front); Glengall Road.</p> <p>Assets are all assessed as part of the heritage assessment, with sensitive assets scoped into the ES chapter.</p>
50		<p>The listed views (in Table 7.4) have been generally scoped and are based on the initial proposals that were reviewed by officers in August 2016. However, in line with the response from Historic England, the LVMF views from Parliament Hill and Kenwood House towards Central London (LVMF Views 2 and 3) should be provided. Historic England state that they expect the Environmental Statement to contain a thorough assessment of the likely effects which the proposed development might have upon those elements which contribute to the significance of these assets. In addition, further views may be required and accordingly requested to respond to any appropriate requests arising from consultation.</p>	<p>In line with the response from Historic England, the LVMF views (as wirelines) from Parliament Hill and Kenwood House towards Central London (LVMF Views 2 and 3) will be prepared and formally included within the ES under the Archaeology and Cultural Heritage ES Chapter.</p> <p>A review of the views (as wirelines) shows that a further detailed assessment within the ES is not required. See the Heritage Chapter of the 2018 ES.</p>

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51		The ES should acknowledge that the impact of the proposal needs to be considered cumulatively together with any other consented schemes as well as both the maximum and minimum parameters that will be established as part of the outline element. It is recommended that the ES present the information as i) existing view, ii) proposed view and iii) cumulative view.	These comments are addressed within the 2018 ES.
52		It is important that the primary mitigation measures referenced in Section 7.7.53 should include adjustment(s) in height, scale, massing and/or arrangement of the proposed development through an iterative process in order to avoid harmful impacts on designated heritage assets and their settings.	These comments are addressed within the 2018 ES.
53		<u>Archaeology and Cultural Heritage</u> The council's archaeology officer has made the following comments:	N/A
54		This site is partially within and lies adjacent to the 'Bermondsey Lake' Archaeological Priority Zone (APZ) and may have important archaeological remains which should be appropriately managed.	Noted.
55		Concur with the comments in Section 7.8 that a revised archaeological Desk Based Assessment (DBA) is required for any amended application. Part of the site has already been assessed in an earlier DBA by Cotswold Archaeology dated July 2017. There has also been a programme of archaeological watching brief works on geotechnical investigations for that	These comments are addressed within the 2018 ES.

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		<p>scheme. The results of the watching brief are incorporated in the DBA and in a separate report by Cotswold Archaeology, dated June 2017. These works accurately note that the archaeology of the area comprises prehistoric remains (including Mesolithic and Neolithic flint tools), Romano-British finds associated with the Roman road which ran along the line of Old Kent Road, evidence for medieval settlement and agricultural activity and post-medieval and 19th century features, including the Grand Surrey Canal. The canal, which traversed the northern part of the site, with Nye's Wharf extending into the centre, was in-filled in the later 20th century. The site also potentially contains associated built heritage elements which are identified in the DBA and which will require Historic Building Recording work (Level 2-3).</p>	
56		<p>The DBA and watching brief works for the previous development did determine, as far as is reasonably possible, the location, extent, date, character, condition, significance and quality of any surviving archaeological remains liable to be threatened by this proposed redevelopment. The desk based assessment shows that there are areas of the site where archaeological remains may still survive. The new assessment should clarify this and determine the significance and value of any built heritage assets and make recommendations for their appropriate mitigation.</p>	<p>These comments are addressed within the 2018 ES</p>
57		<p>The submitted reports to date fail to include a proposal for pre-determination evaluation works as required by Saved Policy 3.19 Archaeology of the Southwark Plan 2007 and the National Planning Policy Framework 2018. Pre-determination fieldwork (evaluation trial trenching) may be the second stage of archaeological mitigation required for this site in order to provide the necessary information to inform future planning decisions. The</p>	<p>We have included mitigation strategy in the DBA and in the 2018 ES.</p>

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		<p>new assessment should produce an evidence base to determine whether pre-determination evaluation is required or whether archaeological interest can be mitigated by placing archaeological conditions on any future grant of planning consent.</p>	
58		<p>The applicant should submit the revised desk based assessment at their earliest convenience, in order that archaeological mitigation can be programmed and prepared for.</p>	
59		<p><u>Socio-economics</u> The council's local economy team have made the following comments:</p> <p>The EIA should consider the scope and methodology focus on identifying positive impacts from the proposals, which is regeneration of a space, employment during construction and the operational phase, and indirect accommodation of jobs and consequential changes to the wider construction employment market, due to the purchase of materials and services, and the spending of incomes associated with the construction of the project.</p>	<p>These comments are addressed within the 2018 ES</p>
60		<p>This is outlined in the section on technical chapters, and should be considered under a detailed assessment of the environmental topic area 'Socio-Economics', including consideration of direct, indirect, primary, secondary, short, medium and long-term and cumulative effects.</p>	<p>These comments are addressed within the 2018 ES</p>
61		<p>7.9.11 of the EIA notes that it is not possible to identify insignificant effects in this area and so all relevant factors in the 2017 ES should be taken forward for assessment. The scope of consideration</p>	<p>These comments are addressed within the 2018 ES.</p>

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		<p>should include under these categories:</p> <p>The displacement of any on-site activities and the impact of this on the local economy and population.</p> <p>The negative economic impact arising from the displacement of on-site activities during the demolition and construction period, and expenditure lost from users of displaced activities who are not employees or traders (shoppers, students, users of leisure facilities etc.) should include a consideration of the potential effects of displacement on any significant local economic clusters in and around the site.</p> <p>The non-economic impact on users of nearby off-site activities that will be temporarily displaced or affected should be considered. This should include an assessment of activities to be displaced that could reasonably be considered community assets or centres of social activity where loss could impact on mental health or community cohesion.</p> <p>Any likely differential impacts of the proposals on nearby micro, SME and large businesses should be assessed.</p> <p>Any likely differential impacts of the proposals on nearby groups with protected characteristics under the Equality Act 2010 should be assessed.</p> <p>Recommendations for appropriate mitigation measures or benefit enhancement opportunities should take into account.</p> <p>As noted under 7.9.9, the study should also examine these effects with due regard to existing capacity of GP surgeries and schools.</p>	<p>A separate assessment of impacts of proposals on nearby micro, SME and large businesses within the ES is no longer required in light of the fact that the description of development has been amended to allow for a flexible element of the scheme to become B1c. We consider this a policy issue, and therefore we will demonstrate policy compliance in the planning statement and employment report which is being submitted with the Amended Application.</p>
62		<p><u>Daylight/sunlight</u></p> <p>The scale of development proposed suggests that in addition to the</p>	<p>These comments are addressed within the 2018 ES</p>

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		<p>residential properties listed in 7.10.5, the assessment should be extended to include residential properties that straddle Livesey Place to the east and a larger extent of the residential properties to the west along Latona Road and Haymerle Road. Should the results demonstrate a tangible impact to these properties, it may be necessary to consider a wider range of residential properties to properly understand the significance of the impact. A daylight meeting is proposed to be take place in September 2018 to discuss the impacts of the scheme and if further properties/ information is identified they should be included in the assessment. It is also recommended that an assessment be carried out to consider the impact on Space Studios given their objection.</p>	
63		<p>The cumulative assessment should consider the impact of the Nye's Wharf scheme since this was approved by Southwark's Planning Committee on 3rd September.</p>	<p>Noted. Included in the 2018 ES.</p>
64		<p>The assessment should also consider the impacts of the scheme on that consented upon Cantium and Civic/Livesey sites. It is noted that these schemes are not currently submitted but they are expected in to be submitted this month.</p>	<p>Noted. <u>Not</u> included in the 2018 ES as they are not permitted at the time of submission and therefore not considered committed development under the 2017 EIA Regulations (as amended).</p>
65		<p>A sunlight assessment should be undertaken to consider the amount of sunlight reaching the linear park and other amenity areas.</p>	<p>These comments are addressed within the daylight and sunlight report submitted separately with the 2018 Amended Application.</p>
66		<p>The daylight/sunlight assessment will also need to include a glare assessment to consider the potential impacts of reflections should the taller elements of the scheme contain a large extent of</p>	<p>Solar glare has been scoped out because there are no air paths, railway lines or major road junctions in the area that are</p>

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		glazing.	likely to be affected.
67		A separate daylight and sunlight assessment for the new residential accommodation should be provided to demonstrate that new accommodation is designed to achieve the minimum ADF values set out in the BRE guidelines. Similarly, an overheating assessment will be required in accordance with the London Plan 5.9.	These comments are addressed within the daylight and sunlight report and energy strategy report submitted separately with the 2018 Amended Application.
68		Wind - The wind and microclimatic conditions for pedestrians, cyclists and those using/resting in the areas of public realm and public/private open space should be tested. The EIA will need to demonstrate that the detailed design has responded to the modelling undertaken.	The abovementioned regions have been covered by the numerous study point locations utilised in the Pedestrian Microclimate assessment at ground level and reported in the Environmental Wind (Microclimate) Chapter of the 2018 ES.
69		Topics scoped out - Biodiversity - It is accepted that biodiversity has been scoped out as there is very low potential for ecology existing on the site.	Noted
70		Human Health Impacts on human health would be considered in the chapters on socio economics, transport, air quality, noise quality and ground conditions. Health should clearly be underlined and easily identifiable within these chapters. However, you are strongly advised to consider the inclusion of a standalone chapter, or even a separate standalone Health Impact Assessment due to the prominence of health as an issue across the council.	The HUDU rapid HIA tool has been prepared and is appended to the Socio-economic ES Chapter. The HIA checklist cross-references to relevant section of the ES and wider application documents.

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71		<p>A Health Impact Assessment will assist in identifying important aspects of the masterplan and building design that can have an impact on health, together with future health, education and open space needs. Many of the development features, such as increased and better access to open green space, play spaces and increased walkability/cycling infrastructure will have a positive effect on health, and a Health Impact Assessment will assist in gathering all these beneficial effects in one single and accessible document.</p> <p>You are also referred to HUDU's rapid Health Impact Assessment tool. http://www.healthyurbandevelopment.nhs.uk/wp-content/uploads/2013/12/HUDU-Rapid-HIA-Tool-Jan-2013-Final.pdf.</p>	
72		<p><u>Climate</u> This can be scoped out with impacts considered in other documents.</p>	Noted
73		<p><u>Soil</u> This can be scoped out with the chapter on ES ground conditions providing the necessary information.</p>	Noted
74		<p><u>Waste</u> This topic can be scoped out. It is noted that a Waste Strategy will be submitted with the amended application.</p>	Noted
75		<p><u>Light</u> Whilst it is accepted that this could be scoped out, a Lighting Assessment should be submitted as a standalone document. The buildings proposed are tall, and the impacts upon surrounding</p>	An outline lighting strategy is submitted with the Design and Access Statement.

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		residential properties should be considered. You are referred to the <u>Metropolitan Police's</u> advice on this point as well as on surveillance.	
76		<u>Electrical interference</u> <u>BAA</u> have responded to say that the site is beneath a safeguarding area for Heathrow Airport. They have advised that <u>NATS</u> would still have to carry out an operational assessment following full planning permission to ensure no impact on the navigational aids and radars which assist in the operation of both runways.	Noted
77		<u>Major accidents and/or disasters</u> It is accepted that this topic be scoped out as risks and potential environmental effects can be mitigated in the application scheme.	Noted
78	Other matters	The <u>Metropolitan Police</u> have responded with a series of points relating to their Secured by Design principles. The points raised should inform the detailed design of the emerging proposal, but do not necessarily influence the scope/content of the Environmental Impact Assessment.	Noted
79		The <u>Health and Safety Executive</u> have advised that the site does not lie within the consultation distance of a major hazard site or major accident hazard pipeline.	Noted
80		<u>Thames Water</u> have provided some general guidance and included a weblink to obtain more information.	Noted
81	Conclusion	The Scope of the Environmental Impact Assessment should allow for a detailed verification of potential beneficial and adverse environmental impacts in relation to the proposed development.	Noted

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		<p>The next stage is the preparation and submission by the developer of the ES in support of the amended planning application. This should take into account the comments raised in the body which fully incorporates those comments made by consultees. This Opinion is based on the information submitted and does not preclude further dialogue with officers on matters of environmental assessment, management and monitoring or the submission of further information as part of any future application.</p>	
82	Consultations	<p>Details of consultation and any e-consultation undertaken in respect of this application are set out in Appendix 1.</p>	N/A
83		<p>Details of consultation responses received are set out in Appendix 2.</p>	N/A
84		<p>Summary of consultation responses Responses were received from: Metropolitan Police Health and Safety Executive Thames Water London Underground BAA Heathrow Airport Archaeology officer Local Economy team Transport team NATS safeguarding Historic England Transport for London Environment Agency Flood risk team</p>	N/A
85	Community impact statement / Equalities Assessment	<p>The Public Sector Equality Duty (PSED) contained in Section 149 (1) of the Equality Act 2010 imposes a duty on public authorities to have, in the exercise of their functions, due regard to three “needs” which are central to the aims of the Act:</p>	N/A
86		<p>d) The need to eliminate discrimination, harassment, conduct prohibited by the Act</p>	N/A

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		<p>e) The need to advance equality of opportunity between persons sharing a relevant protected characteristic and persons who do not share it. This involves having due regard to the need to remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic</p> <p>Take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it</p> <p>Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low</p> <p>f) The need to foster good relations between persons who share a relevant protected characteristic and those who do not share it. This involves having due regard, in particular, to the need to tackle prejudice and promote understanding.</p>	
87		The protected characteristics are: race, age, gender reassignment, pregnancy and maternity, disability, sexual orientation, religion or belief, sex, marriage and civil partnership.	N/A
88		The Council must not act in a way which is incompatible with rights contained within the European Convention of Human Rights	N/A
89		The Council has given due regard to the above needs and rights where relevant or engaged throughout the course of determining this application.	N/A

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90	Human rights implications	This planning application engages certain human rights under the Human Rights Act 2008 (the HRA). The HRA prohibits unlawful interference by public bodies with conventions rights. The term 'engage' simply means that human rights may be affected or relevant.	N/A
91		This application has the legitimate aim of providing comments on a scoping report. The rights potentially engaged by this application, including the right to a fair trial and the right to respect for private and family life are not considered to be unlawfully interfered with by this proposal.	N/A
92	SUPPLEMENTARY ADVICE FROM OTHER OFFICERS	None	N/A
93	REASONS FOR LATENESS	None	N/A
94	REASONS FOR URGENCY	None	N/A