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TURLEYASSOCIATES

25 Savile Row
London
W1S 2ES

T: 020 7851 4010
F: 020 7851 4020

www.turleyassociates.co.uk

Our reference:
NEWL2019

Your reference:

Email:
bcansfield@turleyassociates.co.uk

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Delivered by post

Mr Jonathan Markwell
London Borough of Camden
Planning Department
Town Hall Extension
Argyle Street
London
WC1H 8NJ

Dear Jonathan

TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) (ENGLAND) REGULATIONS 2011: REQUEST FOR SCREENING OPINION PURSUANT TO REGULATION 5

Parker Tower, 43-49 Parker Street, London, WC2B 5PS

We write on behalf of our client, Parker Tower Ltd, to formally request the adoption of a Screening Opinion pursuant to Regulation 5 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011, in relation to the following proposed development at Parker Tower, 43-49 Parker Street, (herein referred to as 'the site'):

"The proposed development would demolish the existing podium level and bring the existing tower to ground level. The existing tower is to be refurbished and extended to facilitate a change of use from Office (Use Class B1) to accommodate 46 residential units (Use Class C3) with retail (Use Class A1-A4) at ground and first floor level. Adjacent to the tower, the existing podium level makes way for the provision of a building providing an additional 5 residential units (Use Class C3) with retail (Use Class A1) at ground floor level, associated public realm works and ancillary service arrangements."

In accordance with Regulation 5(2) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011, we enclose a site location plan at **Appendix 1** (drawing number: P_AL_C645_001) showing the extent of the application site in red and set out below a brief description of the nature and purpose of the proposed development and its possible effects on the environment. We also enclose the existing ground floor layout plan at **Appendix 2** and proposed north and west elevations at **Appendix 3**.

The Site

The application site comprises 0.2 hectares, the extent of the area to which this Screening Opinion request relates is shown on the enclosed site location plan.

The development site lies to the west of Kingsway, within the Central Activities Zone. It covers a plot of 0.2ha and is currently occupied by the existing twelve storey Parker Tower and the 2 storey podium which sits beneath. There is a basement level which provides parking for the current building.

The site as a whole lies within the Seven Dials Conservation Area. Parker Tower is noted as not making a positive contribution to the adopted Conservation Area Appraisal.

Unit 60 Parker Street, which sits immediately to the south of the site, is Grade II Listed.

The Seven Dials Estate Conservation Area is bordered by the Kingsway and Bloomsbury Conservation Areas.

Primary vehicular access is currently via Newton Street to the basement car park with a pedestrian access from Parker Street.

The site benefits from a good level of access, with a PTAL rating of 6b across the site. A number of bus and tube networks serve the area and Euston and Kings Cross national rail stations are situated within 15 minutes walk of the site.

Proposed Development

The proposed development seeks to change the use of the existing tower from Office use to Residential use. It also seeks to add an additional two floor storey on top of the existing tower. The tower would be re-clad removing the existing blue glass façade and providing a new façade which would be more in keeping with the surrounding character of the area. The podium at the bottom of the tower would be demolished and replaced with a retail unit and residential entrance at ground floor, following the hexagonal form of the tower down to ground level. The tower would provide 46 residential units of which 6 would be shared ownership flats. The basement floor would still be accessed as per the previous arrangement, with only 4 disabled car parking spaces provided at ground floor level. In addition secure bicycle spaces will be provided for the residential and retail units within the basement. There will also be cycle parking spaces in front of the A1-A4 retail unit for customers.

To the east of the tower the area which was previously occupied by the podium building would now be replaced by a 3 storey affordable housing block, with the second floor set back. This block would be situated to the very east of the site. The ground floor would face Parker Street and would be occupied by an A1 retail unit. The space between this new block and the tower would provide for private amenity space for the residents of the affordable housing block. The entrance to the block would be via a secure gateway from Parker Street into the private amenity space from which the residential would be accessed. Secure cycle parking will also be provided within the block for residence and staff of the retail unit

The proposed mix of residential units is as follows:

Tenure	1 bed	2 bed	3 bed	4 bed	Total	%
Market	12	18	9	1	40	78
Intermediate	6	-	-	-	6	12
Social Rent	-	1	4	-	5	10
Total	18	19	13	1	51	100

The proposed heights for the development are detailed on the elevation drawings (drawing numbers: E_W_C645_001 and E_N_C645_001) at **Appendix 3**.

Determining whether Environmental Impact Assessment (EIA) is required

The determination of whether EIA is required rests in the consideration of whether the development is:

- Schedule 1 development – in which case EIA is necessary; or
- Schedule 2 development – in which case EIA is necessary only if the development is likely to have significant environmental effects as referenced in Schedule 3 of the Regulations.

The proposed development does not meet any of the categories of development in Schedule 1 of the Regulations for which EIA is mandatory. It does, however, fall within one of the categories of development set out in Schedule 2 of the Regulations, namely Category 13b 'Changes and Extensions'.

Accordingly it is necessary to consider whether the development would be located in a 'sensitive area' as defined in the Regulations and whether it would meet the relevant thresholds and criteria contained in Schedule 2 of the Regulations. If it does the development would be deemed 'Schedule 2' for the purposes of the Regulations and it would then be necessary to consider whether it would be likely to have 'significant' environmental effects.

Sensitive Area

The Regulations define sensitive areas as being:

- Sites of Special Scientific Interest (including their consultation areas);
- Land to which Nature Conservation Orders apply;
- International conservation sites;
- National Parks;
- Areas of Outstanding Natural Beauty;
- World Heritage Sites;
- Scheduled Monuments.

The site is not located within a 'sensitive area' therefore it is necessary to consider whether any of the relevant thresholds and criteria of Schedule 2 are met.

Schedule 2 Thresholds and Criteria

Relevant thresholds and criteria for categories of development listed in Schedule 2 are contained in the second column of the Schedule. The Changes and Extensions category has no quantitative 'threshold' like an Urban Development Project has, moreover the threshold criteria is of significant adverse effects which, in the case of the proposed application and this Opinion request, it is not anticipated to create. Notwithstanding the fact that there would be no significant adverse effects resulting from this development,

we have considered the likely effects on the environment to assess them in the context of this criteria for completeness.

Whilst the site is not within a sensitive area as defined by the Regulations, a simple consideration of high level sensitivity is not a robust assessment of the potential effects which could arise from any development.

In our view, a level of judgement needs to be applied to determining whether significant effects from a development are likely. The main factors we consider to be relevant are:

- the location of a development - the more environmentally sensitive the location, the lower the threshold at which significant effects will be likely;
- the physical scale of development - EIA is unlikely to be required for the re-development of land unless the new development is on a significantly greater scale than the previous use, the site has not previously been intensively developed, or the types of impact associated with the development are of a markedly different nature to current site uses; or
- there is a high level of contamination or pollution existing on site or likely to arise.

To consider the potential 'significant' environmental effects in more detail, the applicant has utilised the selection criteria provided in Schedule 3 of the Regulations as set out below.

Significant Environmental Effects

What may constitute a 'significant' effect must be assessed on the basis of the individual quantifiable facts and evidence base available relative to a particular development proposal. It is often not possible to make a screening opinion based on full information, and thus it is the **likelihood of significant** effects arising which is important.

Schedule 3 of the Regulations provides a list of selection criteria which should be taken into account in considering a screening opinion. In considering these criteria, a rational view must be taken on the likelihood of effects arising. In our view, EIA is more likely to be required where a development is:

- a significant development of more than local importance;
- a development in a particularly environmentally sensitive or vulnerable location; or
- a development with unusually complex or potentially hazardous environmental effects.

It is also relevant to note that the basic test for the need for environmental assessment in a particular case is the likelihood of 'significant' effects on the environment.

Schedule 3 Selection Criteria

In considering whether EIA is required, regard should be had to the following criteria set out in Schedule 3 to the Regulations:

- characteristics of the development;
- location of the development; and

- characteristics of the potential impact.

Characteristics of the development

The proposal seeks to provide good quality residential accommodation whilst improving the visual appearance of the surrounding area and enhancing the Conservation Area. It is thus not considered to be of more than local importance.

The proposed development would not introduce any non-conforming or unusual processes or activities which suggest any level of risk to existing or future occupiers and or residents. The development will not result in a significant use of natural resources, with resource use being confined to construction materials and on-going running costs such as power and water. The proposed development would not be a high user of natural resources during the construction or operational stages, the application proposes uses which are appropriate to a Central Activities Zone location which will lead to an improvement in terms of their environmental effects.

The proposal will not result in hazardous substances being stored or potentially dangerous activities being carried out on the site. The demolition of the existing building will result in some waste materials and the construction phase will result in potential for dust, noise and traffic disruption effects for nearby residents. However, these can be satisfactorily dealt with by appropriate demolition, waste and construction management measures which are commonly employed in urban settings and which are known to be successful.

The existing height of the proposed buildings will increase across the application site – however the design has been appropriately considered to prevent significant effects to the neighbouring listed building, residential and commercial properties within the Conservation Area. There will not, therefore, be a significant visual or indirect heritage effect.

In terms of size, the overall floorspace of the proposed development represents a well planned increase to the existing floorspace provision. This is considered appropriate given the Central Activities Zone location and excellent transport links.

As a result of the above, the character of the development is not considered to raise any issues to warrant EIA.

Location of the development

The site is located in the Central Activities Zone. The site is located within a highly urban setting adjacent to typical commercial, residential and leisure uses.

The site does not form, and is not located within, an area of environmental sensitivity as defined in the Regulations.

The nearest existing residential properties are to the north of the site. Any noise, dust and amenity effects associated with the construction phase can be adequately controlled through management measures, which are tried and tested mitigation techniques for this circumstance. Such measures may include traffic routing arrangements, work hour restrictions, dust suppression measures, noise controlled plant and physical containment of the construction and demolition areas. Once the development is completed there will be benefit to residents of Newton Street as the number of vehicle movements here would be significantly reduced.

As a result of the above, the location of the development is not considered to raise any issues to warrant EIA.

Characteristics of the potential impact

The characteristics of the effects envisaged from the development are not considered to create any distinct or unusual potential effects, given that the location and the type of existing uses to be replaced. The following matters are considered to be the relevant environmental considerations in line with the criteria of Schedule 3 (3). There are not considered to be any transfrontier impacts, although where we consider an impact to be reversible / irreversible, permanent or temporary, direct or indirect we set this out below.

Townscape and Visual

Assessing the likely visual impacts of the proposed development upon the views from local aspects will be given more detailed consideration in the planning application submission. The issue of visual appearance will be assessed within the Design and Access Statement.

The proposals will represent a visual improvement to the development which currently exists on the site, offering an opportunity to positively enhance the Seven Dials Conservation Area.

In conclusion, the impact of the proposals on visual character as a whole is predicted to be beneficial and permanent.

Daylight and Sunlight

Based on the analysis undertaken to date, the surrounding residential buildings comply with the BRE guidance for effect assessment (specifically the Vertical Sky Component (VSC) criteria).

The assessments undertaken to date to the surrounding properties show that good, or very similar, levels of daylight and sunlight for an urban area will be retained to the surrounding properties and amenity space with the proposed development in place.

On this basis, it is not considered that significant effects will be generated in terms of daylight and sunlight. A full Daylight, Sunlight and Overshadowing Report will be submitted with the application. This effect will endure throughout the operational period.

Archaeology and Built Heritage

The site is situated within the Seven Dials Conservation Area. As such, Townscape impacts will inherently also impact upon the built heritage. The application site does not make a positive contribution to the significance and setting of the heritage assets and the recladding of the existing tower and construction of the affordable housing block will not cause harm to the significance of the conservation area. The proposals have been designed to preserve those elements of the setting that make a positive contribution to the significance and setting of adjacent and nearby heritage assets so that there is no harm to their significance.

The scheme proposes to use the existing foundations and basement in situ. There will therefore be no requirement to excavate or provide foundations as part of the scheme. The significance of any archaeologically impact related to the scheme is low as a result.

Traffic and Transportation

The excellent accessibility of the site by public transport, walking and cycling combined with the 'car-free' parking approach will maximise the sustainability of the site and will promote a sustainable form of development. Given this limited car parking provision, the proposed land uses will result in significant reduction in traffic generation.

The impact of the development has been considered in relation to existing public transport services and concludes that there will be no material impact on public transport services associated with this proposal.

It is considered that the development is in accordance with relevant policy guidance and that the transport demand generated by the proposed land uses can be successfully accommodated by the local highway, public transport, walking and cycling networks. A full Transport Assessment will be submitted in accordance with discussions had with London Borough of Camden's highways department.

Air Quality

The proposed development will not result in potentially significant effects on air quality given the reduction in vehicle movements to and from the site as a result of the reductions of parking spaces and servicing arrangements.

Effects from the construction phase are not considered to be significant, particularly as there are controls available to ensure nuisance effects do not occur to surrounding receptors.

Noise and Vibration

An acoustic survey has been undertaken at the site to establish the prevailing environmental noise conditions local to the site. The new and surrounding residences will be fully screened from adverse external noise elements with additional sound insulation measures to control internal noise. The existing loading and unloading operations will remain in the existing locations as utilised for the public house and offices. On this basis, no significant or additional adverse noise impacts would be generated.

A full Noise Assessment will be submitted with the planning application.

Socio-Economic

The proposed development will benefit the local community by introducing new retail and commercial offers to the Central Activities Zone and the surrounding local area, as well as providing additional housing and social housing to the area.

The loss of B1a Office use in this location, by virtue of the scale proposed, is not considered to have a significant adverse impact given the existing condition, demand and viability of the property.

Ecology

The site itself has very limited ecological value. The scheme would enhance the ecological value of the site through the provision of living wall and roofs.

Demolition and Waste Management

Only the podium building will be demolished. The Tower building, in terms of its core will remain in situ. Whilst the outer cladding will be demolished the effects of this are, in terms of noise and disturbance,

significantly reduced when compared to a complete demolition. Therefore the construction of the scheme is not likely to raise any undue or on-going effects that cannot be adequately addressed by relevant demolition/construction management conditions, such as requiring dust control measures. These tried and tested mitigation techniques are highly likely to be successful in controlling temporary, construction stage effects.

The temporary construction traffic is not expected to raise significant effects that cannot be adequately mitigated (and secured by planning condition).

A construction site waste management plan will be produced as part of the Construction Management Plan to target, as much as possible, that the demolition arising will be either directly incorporated into the works or reclaimed and recycled off site for further use. Construction stage effects are temporary and will be reversed once construction ceases.

Sustainability and Energy

The proposed development will deliver higher levels of energy efficiency when compared to the current accommodation on site and building regulation requirements. This will ensure reduced resource use during the operational stage.

The sustainability credentials of the residential development will be ensured by seeking to achieve a BREEAM Excellent Refurbishment rating and Code 4 for Sustainable Homes. The building's energy demand will also be further reduced by roof mounted photovoltaics providing renewable energy.

Wind Effects

The effects on the likely wind conditions as a result of the proposed development is considered as part of the planning application and a Pedestrian Level Wind Microclimate Assessment Desk Study is to be submitted as part of the planning application.

Using the Lawson Comfort Criteria assessment it has been demonstrated that the wind microclimate around the proposed development is compatible with the intended pedestrian use of the site.

Cumulative Effects

The application site lies within Central London Area, where mixed use developments and a contribution towards housing supply is supported. The site also lies within a Conservation Area and is opposite to a listed building.

The proposed development seeks to maximise the efficiency of the existing site and is not considered to generate any significant environmental effects in its own right or when considered against committed development in the surrounding area.

Conclusions

The application proposes to redevelop 43-49 Parker Tower, within the Central Activities Zone. The site lies within a Conservation Area and adjacent to a listed building.

Given the nature of the development and lack of sensitivity of the site, it is concluded that any effects of the development will be local to the site and its immediate surroundings and no "significant environmental effects" are likely to arise.

For the reasons set out above, these are not considered significant or of an unusually complex nature. Any effects will be of local importance and as a result, the likely effects are capable of being properly considered as part of the normal planning application process and do not warrant EIA.

As such, it is our view that the proposed development does not comprise EIA development and that no Environmental Statement should be required to accompany the planning application.

We, therefore, request that the local planning authority adopts a Screening Opinion to confirm that no Environmental Statement is required. In accordance with Regulation 5(5) we look forward to hearing from you within the statutory 21 day period.

When replying, I would be grateful if you would confirm that you have the authority to do so on behalf of the Council.

Should you require any further information, please do not hesitate to contact Angie Fenton or Barry Cansfield at this office.

Yours sincerely



Turley Associates

Enc.

- Appendix 1 – Site Location Plan
- Appendix 2 – Existing Layout Plan
- Appendix 3 – Proposed Elevations