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Our Ref EIA-BarrattHomes-070213-
Kidderpore

Your Ref

Mr Conor McDonagh
Principal Planning Officer
London Borough of Camden
Town Hall Extension
Argyle Street
London WC1N 8NJ

11 February 2013

Dear Mr McDonagh

BARRATT WEST LONDON ("BWL") / KING'S COLLEGE LONDON ("KCL") KIDDERPORE AVENUE, LONDON BOROUGH OF CAMDEN – EIA SUMMARY

This letter is submitted to summarise the position with respect to Environmental Impact Assessment (EIA) for the above development. It briefly describes: the site and the proposed scheme, the development in the context of the EIA Regulations, the request for a screening opinion submitted by Barratt Homes in 2008, the screening opinion of London Borough of Camden (LB Camden) returned in 2008 and the changes to the EIA Regulations since the return of the screening opinion.

The site and the proposed scheme

The application site covers an area of 0.98 hectares and is located to the north-east of Finchley Road (A41) at its junction with Platt's Lane in Hampstead. It is bounded by Kidderpore Avenue to the north, the Westfield development to the east (which fronts Kidderpore Avenue), Platt's Lane to the west, Finchley Road to the south. A site location plan is enclosed.

In summary, the proposals for the redevelopment of the site comprise:

- Demolition of 328 & 330, 332 & 334, 336 & 338 Finchley Road in addition to Chesney House and Ellison House (2-6 Platt's Lane and 27 and 29 Kidderpore Avenue).
- Construction of 128 new residential units, including affordable units comprising:
 - 28 x 1 Bed units;
 - 46 x 2 Bed units;
 - 50 x 3 Bed units; and
 - 4 x 4 Bed units.
- 441 sq m (GEA) (322 sq m NIA) of dedicated community floorspace (D1) for the Hampstead School of Art;
- Up to 3,140 sq m private amenity space to be provided in balconies, terraces and gardens;
- Up to 3,444 sq m shared amenity space to be provided in soft landscaped gardens and hard landscaped areas and paths (2,724 sq m excluding Kidderpore Mews and shared surface area);

- Creation of a new shared surface street through the site providing pedestrian access to Kidderpore Avenue to the north and Finchley Road to the south, and access to cars entering the car park from Kidderpore Avenue;
- Incorporation of high standards of sustainability and on-site renewable energy provision. All new residential units will seek to achieve Code for Sustainable Homes Level 4 and BRE EcoHomes “Very Good” for refurbished dwellings. 2 x 20 kWe CHP and 45.36 kWp of Photovoltaics are also incorporated; and
- On-site car and cycling provision with 84 car parking spaces and 236 cycle parking space.

The development in the context of the EIA Regulations

The proposed development falls under the description of development contained in Category 10(b) of Schedule 2 of the EIA Regulations¹.

It is not located within, or in close proximity to, a ‘sensitive area’ as defined by the EIA Regulations; however the site area (0.98 hectares) does exceed the indicative threshold for this type of development (0.5 hectares).

The proposed development is therefore considered to be a Schedule 2 development. Schedule 2 developments should be subject to EIA if they are likely to have significant effects on the environment by virtue of factors such as its nature, size or location.

DETR Circular 02/99² states that the exclusive threshold offers only a broad indication of the scale of development which is likely to be a candidate for EIA, but that the requirements need to be considered on a case-by-case basis. For Category 10(b) projects the Circular goes on to state that “in addition to the physical scale of such development, particular consideration should be given to the potential increase in traffic, emissions and noise. EIA is unlikely to be required for the redevelopment of land unless the new development is on a significantly greater scale than the previous use, or the types of impact are of a markedly different nature or there is a high level of contamination. Development for sites which have not previously been intensively developed are more likely to require EIA if the site area of the scheme is more than 5 hectares, or it would provide a total of more than 10,000 sq. metres of new commercial floorspace, or the development would have significant urbanising effects in a previously non, urbanised [sic] area (e.g. a new development of more than 1,000 dwellings).”

Request for a screening opinion (2008)

On the basis of the above, BWL and KCL submitted a request for a screening opinion to the LB Camden in 2008. As required by the EIA Regulations, this request was accompanied by a site location plan, a brief description of the nature and purpose of the development and an indication of its possible effects on the environment.

The description of development provided within the request for a screening opinion was of a greater size and scale to that now proposed:

- Demolition of 328 & 330, 332 & 334, 336 & 338 Finchley Road in addition to Chesney House and Ellison House (2-6 Platt’s Lane and 27 and 29 Kidderpore Avenue).
- Construction of 5 family houses on Kidderpore Ave, 208 student rooms, 61 affordable residential flats (44 social rent and 17 shared ownership), 62 private residential flats, together with 80 car parking spaces.

¹ Both Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 and Town and Country Planning (Environmental Impact Assessment) Regulations 2011

² Department for Communities and Local Government (1999) *Circular 02/99: Environmental Impact Assessment*

The surrounding environment remains broadly unchanged since 2008. There have been no new developments directly adjacent to the application site that would have introduced additional sensitive receptors not apparent at the time the request for a screening opinion was made, nor have there been additional environmental designations made in the surrounding area (e.g. designation of any new Sites of Special Scientific Interest).

Screening opinion (2008)

LB Camden responded to BWL with their screening opinion in 2008 (Ref: Pre-application 2008/4475). This confirmed that, in their opinion, the proposed development was not 'EIA development' as it was considered unlikely to have significant effects on the environment by virtue of factors such as its nature, size or location. In returning their opinion, LB Camden were mindful of the selection criteria for screening Schedule 2 developments contained in Schedule 3 of the EIA Regulations and the advice contained in DETR Circular 02/99, concluding:

"In terms of the characteristics of the development listed as considerations for Schedule 3, whilst there are clearly impacts arising from the size, location and the nature of the development, none of these are considered to be unusual, or in any way exceptional compared with a typical redevelopment site in an urban area. The proposal replaces existing buildings on a previously developed site, albeit with increases in height and site coverage; the uses would be predominantly residential in nature in broad accordance with the residential and institutional character of the existing area. Therefore, it is considered that neither the extent, nor severity of impacts from the development are likely to be such that could not be properly assessed with the aid of standalone reports and assessments accompanying the application."

Changes to the EIA Regulations

The relevant set of EIA Regulations at the time the request for the screening opinion was made, and the screening opinion returned, were the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 (as amended). These Regulations have since been replaced by the Town and Country Planning (Environmental Impact Assessment) Regulations 2011.

The 2011 Regulations codified the 1999 Regulations and the subsequent amendments to them into one coherent set of Regulations. They have not changed the definition of 'EIA development' and have not altered the relevant category of development under which the development falls (Category 10(b) Schedule 2), nor have they changed the relevant threshold or criteria for that category of development (0.5 hectares).

Summary and conclusions

On the basis that: a) the development has been reduced in size and scale since the screening opinion was returned in 2008, b) the surrounding environment has not significantly changed since the screening opinion was returned in 2008, and c) the EIA Regulations remain unchanged with respect to the description of development and the need for EIA since the screening opinion was returned in 2008, the applicant does not consider the development to constitute 'EIA development'. The application is therefore not accompanied by an Environmental Statement, though is supported by the following documents:

- Acoustic Assessment;
- Arboricultural Implications Assessment and Method Statement;
- Air Quality Report;
- Bat Emergence Surveys Report;
- Biodiversity Strategy;

- Daylight and Sunlight Report;
- Flood Risk and Drainage Assessment Report;
- Heritage Assessment; and
- Phase 1 Habitat Survey Report.

We hope that the above clearly summarises the position of the development with respect to EIA. Should you have any questions on the above, please do not hesitate to contact me.

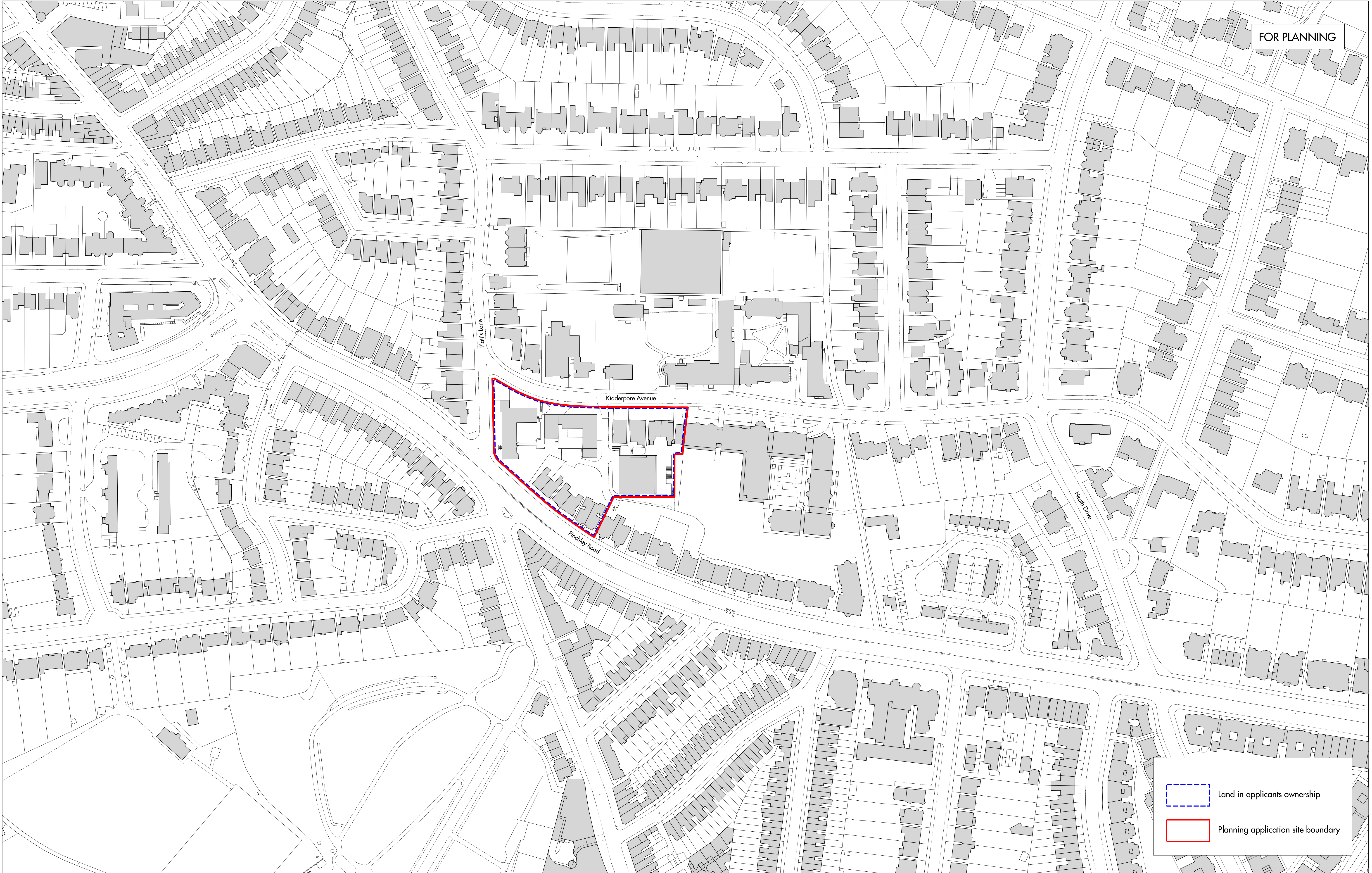
Yours sincerely



NICK BELSTEN
DIRECTOR – LONDON PLANNING

Enc. Site Location Plan (Ref: 809_01_07_001)
LB Camden's Screening Opinion (2008) (Ref: Pre-application 2008/4475)

cc. Tom Wells, CBRE
Andrew Anderson - BWL

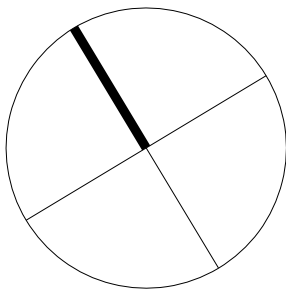


0m50m

Do not scale from this drawing. Use figured dimensions only. Figured dimensions are in millimetres. All levels are in metres. All dimensions and levels shall be verified on site before proceeding with works. Detailed site survey to be carried out to verify positions and level relationships with site features and ordnance survey. The architect must be notified of any discrepancy.

Where building components are described in the specification as contractor designed, "construction" information relating to those components on this drawing represents design intent only

REV	DATE	DESCRIPTION	CKD
P1	31-01-13	Planning Submission	OK



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KIDDERPORE AVENUE, LONDON
SITE LOCATION PLAN
EXISTING
809_01_07_001
DATE: January 2013
SCALE: 1:1250 @A1 1:2500 @A3