

<b>Delegated Report</b>		<b>Analysis sheet</b>	<b>Expiry Date:</b>	02/11/2015
		N/A / attached	<b>Consultation Expiry Date:</b>	
<b>Officer</b>			<b>Application Number(s)</b>	
Josleen Chug			2015/5914/P	
<b>Application Address</b>			<b>Drawing Numbers</b>	
156 West End Lane London NW6 1SD			Refer to Decision Notice	
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>	
<b>Proposal(s)</b>				
Request for Environmental Impact Assessment (EIA) Screening Opinion for works comprising demolition of existing buildings on the site through the erection of 170 residential units, new floorspace for town centre use (Use class A1,A2,A3,D1 or D2), community meeting room and employment floorspace together with new landscaping, onsite access, servicing and disabled car parking.				
<b>Recommendation(s):</b>		EIA Not Required		
<b>Application Type:</b>		Request for Screening Opinion		

<b>Conditions or Reasons for Refusal:</b>	<b>Refer to Draft Decision Notice</b>					
<b>Informatives:</b>						
<b>Consultations</b>						
<b>Adjoining Occupiers:</b>	No. notified	<b>00</b>	No. of responses	<b>00</b>	No. of objections	<b>00</b>
			No. electronic	<b>00</b>		
<b>Summary of consultation responses:</b>	N/A					
<b>CAAC/Local groups comments:</b>	N/A					

## Site Description

The site which is approximately rectangular in shape is approximately 0.63ha and is located on the east side of West End Lane. West End Lane itself forms the western boundary with the Thameslink railway line to the south, the rear gardens of residential properties fronting Lymington Road to the north and a Multi-Use Games Area to the east.

The site falls within the town centre of West Hampstead and the frontage of the site forms part of the core retail frontage along West End Lane. There is a public footpath that runs along the southern end of the site and the West End Green Conservation Area adjoins the site to the north. The MUGA to the east is also a designated public open space. The site also lies within an Area of Intensification as identified in the London Plan (2015) and the West Hampstead Growth Area (Camden's Local Development Framework Core Strategy 2010).

The existing site comprises of buildings ranging from 2- 6 storeys mainly concentrated at the western end of the site. The remaining area consists of an open hard surface yard used to store building materials in association with Builder's Merchant use.

## Relevant History

TP/19630: The erection of a part five and part two storey building to provide showroom, offices and motor repair and servicing workshops with car parking over, being an extension to the existing petrol filling station, car showroom and garage premises known as Brown's Garage, 156 West End Lane, Hampstead. (Refused 19-12-1962).

G5/3/A/2901: The erection of a service garage, motor showroom, spares store and motor repair workshop with ten floors over of residential accommodation comprising 40 three room flats, and ground floor car park, at 156 West End Lane, Camden, and land at rear. (Outline Consent Granted 22-05-1967)

G5/3/A/10618: The use for a limited period of the land at the rear of 156 West End Lane NW6 for the open parking of motor vehicles. (Refused 13-05-1971).

PW0102029: Re-modelling of ground floor and associated external alterations. (Granted 06-03-2001).

2015/5914/P: Request for Environmental Impact Assessment (EIA) Screening Opinion for works comprising demolition of existing buildings on the site through the erection of 170 residential units, new floorspace for town centre use (Use class A1,A2,A3,D1 or D2), community meeting room and employment floorspace together with new landscaping, onsite access, servicing and disabled car parking. (EIA Not Required 02-11-2015).

## Relevant policies

**Town & Country Planning Act 1990**

**Development Management Procedure Order 2010**

**Town & Country Planning (Environmental Impact Assessment) Regulations 2011 & Regulations 2015**

**NPPF 2012 (PPG paragraphs 017 and 018 of Environmental Impact Assessment)**

## Assessment

### Introduction

An Environmental Impact Assessment (EIA) Screening Opinion has been submitted for consideration in respect of the proposed emerging application for the comprehensive redevelopment of the site to include up to 170 residential units, .

### Assessment

The 2011 EIA Regs (as amended) define EIA development as being either:

- (a) Schedule 1 development; or
- (b) Schedule 2 development likely to have significant effects on the environment by virtue of factors such as its nature, size or location.

The development does not fall within any of the descriptions given in Schedule 1 and thus cannot be considered a Schedule 1 development.

The development is considered to fall within Schedule 2 10(b) (column 1) which is an “urban development project”. Column 2 sets out the exclusion thresholds and criteria for which schedule 2 proposals need to be screened by the LPA. As the proposal exceeds the threshold set out in 10b(ii) of column 2 as it includes more than 150 dwellings it is considered as “Schedule 2 development”. The proposals are therefore required to be screened under the Regulations to determine whether significant environmental effects are likely and hence whether an assessment is required.

The applicant considers that the proposed development would not have significant adverse effects on the environment, and is seeking for the screening opinion to consider and confirm this to be the case.

Consequently the development is required to be considered against the selection criteria specified within Schedule 3, for screening Schedule 2 development. Schedule 3 comprises three main ‘selection criteria’ areas:

1. the characteristics of development,
2. the location of development (environmental sensitivity) and
3. the characteristics of the potential impact from the proposed development.

The Planning Practice Guidance Note ‘Environmental Impact Assessment’ is also of relevance, with the following being of most relevance:

Paragraph 017 (When is an Environmental Impact Assessment required?)

Paragraph 018 (What is the procedure for deciding whether a Schedule 2 project is likely to have significant effects?)

Paragraph 017 states that if a proposed project is listed in the first column in Schedule 2 and exceeds the relevant thresholds or criteria set out in the second column (sometimes referred to as ‘exclusion thresholds and criteria’) the proposal needs to be screened by the local planning authority to determine whether significant effects are likely and hence whether an assessment is required. Projects listed in Schedule 2 which are located in, or partly in, a sensitive area also need to be screened, even if they are below the thresholds or do not meet the criteria.

Paragraph 018 states that when screening Schedule 2 projects, the local planning authority must take account of the selection criteria in Schedule 3 of the Regulations. Not all of the criteria will be relevant in every case. Each case should be considered on its own merits in a balanced way and authorities should retain the evidence to justify their decision. Only a very small proportion of Schedule 2

development will require an assessment.

To aid local planning authorities to determine whether a project is likely to have significant environmental effects, a set of indicative thresholds and criteria have been produced.

Schedule 3 criteria falls into 3 categories:

1. Characteristics of development
2. Location of development
3. Characteristics of the potential impact

Hence in order to assess the proposal, each of the three main selection criteria in Schedule 3 are considered in turn:

First, the **characteristics of development** considerations are: (a) the size of the development; (b) the cumulation with other development; (c) the use of natural resources; (d) the production of waste; (e) pollution and nuisances; (f) the risk of accidents, having regard in particular to substances or technologies used.

In terms of a) the size of the development, it is considered that the increase in built form on the site when considered within the context of the surrounding area is not significant in nature. Whilst the massing and site coverage of the built form is not inconsequential, it is not considered to result in a significantly urbanising effect within the existing context and would not lead to impacts of more than local nature or of environmental significance.

Regarding b) cumulative impacts, the site is in close proximity to other recent significant major applications:

- 187-189 West End Lane (2011/6129/P); 198 residential units plus retail, financial and professional services and food and drink floorspace (Class A1, A2, A3, A4), flexible employment/ healthcare floorspace (Class B1/D1)
- 1-33 Liddell Road (2014/7651/P) for 106 residential units and commercial floorspace
- 65&67 Maygrove Road (2012/5934/P); 91 residential units
- 163 Iverson Road (2012/0099/P); 36 residential units
- 59 Maygrove Road (2009/4598/P); 29 residential units.

Whilst it is acknowledged that these are major applications, the potential cumulative impacts of these developments combined with the proposed development are not considered to be particularly complex or be of environmental significance that would warrant further investigation.

The Council's own statutory functions include planning for general and projected growth. As the site lies within the West Hampstead Growth Area (Camden Local Development Framework 2010), as do the majority of the sites listed above, the projected growth in housing and employment will have been taken into account when considering the impact on services (such as through the Council's Infrastructure Planning and allocation of the Community Infrastructure Levy) and aspects of the environment.

For example the Council will have accounted for population growth and increased demand in school places through its school place planning functions and statutory obligations to provide education. The impact of individual schemes as they come forward is assessed and mitigated against as necessary for example through the use of planning obligations or through the use of the Community Infrastructure Levy.

In addition, the Council works closely with the NHS to take account of increased demand for

healthcare as a result of increases in population. Any transport impacts from this development would be covered by the Transport Assessment and Construction Management Plan submitted with the proposals on the site in question. Existing or committed schemes will form part of the baseline for the assessment and thus will be factored into the assessments.

Therefore the cumulative impact is not considered to warrant the requirement for specialist environmental information beyond the level which would normally be required with a planning application for the development in question.

Turning to consider c) the use of natural resources, although using a variety of materials to allow implementation, such materials would be required to comply with modern building standards and the relevant sustainability/energy efficient construction techniques to result in no significant effects being envisaged in this regard.

Moving on to consider d) the production of waste, again the modern techniques which will be required to be used in the construction stage would minimise wastes. Moreover, it would be unlikely to lead to significant impacts. Furthermore, a site waste management plan is likely to be put in place to provide guidance which will facilitate the goal of diverting the majority of construction waste from landfill.

In terms of e) pollution and nuisances and f) accidents, the likely construction management plan, acoustic assessment, health and safety regulations and the energy strategy for any scheme would all be of relevance. When considered together, such statements, incorporating various measures, mean that pollution and nuisances would be limited as far as possible, and the risk of accidents would also be limited. In relation to the operation stage, the end uses are not considered to result in adverse impacts on the environment that are complex or require further investigation given they are compatible with surrounding land use patterns.

Secondly, turning to the **location of development** (environmental sensitivity) considerations, these are:

(a) the existing land use; (b) the relative abundance, quality and regenerative capacity of natural resources in the area; (c) the absorption capacity of the natural environment, paying particular attention to the following areas— (i) wetlands; (ii) coastal zones; (iii) mountain and forest areas; (iv) nature reserves and parks; (v) areas designated by Member States i.e. conservation of wild birds, natural habitats and of wild fauna and flora; (vi) areas in which the environmental quality standards laid down in EU legislation have already been exceeded; (vii) densely populated areas; (viii) landscapes of historical, cultural or archaeological significance. Each is considered in turn below:

In consideration a) the existing land use, the site is a brownfield site currently occupied by vacant offices and an operational builders' merchants and storage yard has limited value in terms of natural resources and the environment and is not considered to be environmentally sensitive as defined in the Regulations.

In terms of b), it is considered that the abundance, quality and capacity of natural resources in the area required to serve the proposed development would not be materially affected by the proposals.

With regards to (c) (viii) the site is located adjacent to the West End Green Conservation Area and also adjoins a locally listed building that sits within the West End Green Conservation Area (Canterbury Mansions). It is not envisaged that the proposals would have an adverse impact on landscapes of historical significance that could be considered a significant environmental effect. A townscape assessment will be submitted with the application which will provide sufficient information

to assess the impact on the heritage assets described above. Further environmental information is not considered necessary.

In addition the site lies on the edge of an archaeological priority area and adjacent to a designated public open space. The value of these designations or their contributions is not envisaged to be significantly affected by development of the nature and scale described subject to appraisal of these matters through the planning application submission.

Thirdly, the **characteristics of the potential impact** caused by the significant effects of the development must be considered having regard to: a) the extent of the impact (geographical area and size of the affected population); (b) the transfrontier nature of the impact; (c) the magnitude and complexity of the impact; (d) the probability of the impact; (e) the duration, frequency and reversibility of the impact.

In respect of these matters, in the context of the site description, nature of the development as described by the applicant in the supporting information for this request and comments already made in this assessment, the proposals would not result in such impacts ('significant effects') to warrant progression of the EIA to the scoping stage. The proposed scheme seeks to implement redevelopment of the site in a conventional manner; it is not considered to bring about any unusually complex or hazardous environmental effects.

**Conclusions:**

Given the above, and due to the proposed size, scale and nature of the proposal and the characteristics of the surrounding area, it is considered that the scheme would not be of more than local importance, be within an 'environmentally sensitive location' or 'create any unusual or hazardous effects' pursuant to the selection criteria of Schedule 3 of the EIA regulations 2011 (as amended).

Therefore, although the development is, by definition, Schedule 2 development, it is not considered to be EIA development as defined by Regulation 2(1) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011.