

Delegated Report		Analysis sheet		Expiry Date:	19/05/2016
		N/A / attached		Consultation Expiry Date:	
Officer			Application Number(s)		
David Glasgow			2016/2532/P		
Application Address			Drawing Numbers		
Ugly Brown Buildings Former Sorting Office 2 St Pancras Way London NW1 0TB			Refer to Decision Notice		
PO 3/4	Area Signature	Team	C&UD	Authorised Officer Signature	
Proposal(s)					
Request for Environmental Impact Assessment (EIA) screening opinion for the provision of 3x16 storey buildings, providing circa 70,000 sqm of floor space comprising a mix of Office; Residential (circa 250 units); and Hotel (with retail / restaurant uses at ground floor) uses.					
Recommendation(s)		EIA Required			
:					
Application Type:		Request for Screening Opinion			

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

Site Description

The site is 1.4 Hectares in size and located to the north west of Kings Cross Rail station immediately to the north of St Pancras Hospital. The site is bounded to the south by Granary Street, by St Pancras Way to the west and by Regents Canal to the east. Canal Studios a 4-5 storey office building is located immediately north of the site. The site is currently occupied by a 4 storey plus basement office building comprising approximately 25,000sqm of B1a floor space.

The site is:

- Adjacent to a Habitat Corridor (the Regents Canal);
- Adjacent to Open Space (the Regents Canal);
- Adjacent to Site of Nature Conservation Importance (the Regents Canal- Metropolitan Importance); and
- Within the lateral assessment area of the designated viewing corridor for the protected vista from Parliament Hill to St Paul's Cathedral.

Relevant History

None relevant

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 and Paragraph 58 (Annex A) Indicative Screening Thresholds

Assessment

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 for 3x16 storey buildings providing circa 70,000 sqm of floor space comprising a mix of Office; Residential (circa 250 units); and Hotel (with retail / restaurant uses at ground floor) uses.

Assessment

The 2011 EIA Regulations (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 development proposals need to be screened by the LPA. The proposal exceeds the threshold in column 10(b)(ii) as it proposes more than 150 dwellings, as such it is considered Schedule 2 development and needs to be screened by the LPA.

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 assessment.

Annex A (Paragraph 58 -Indicative Screening thresholds) of the Planning Practice Guidance also advises that an 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". Annex A also states that an EIA is "more likely to be required where:

- i. the area of the scheme is more than 5 ha; or
- ii. it would provide a total of more than 10,000sqm of new commercial floorspace; or
- iii. the development would have significant urbanising effects in a previously non-urbanised area (e.g. a new development of more than 1,000 dwellings)".

The key issues to consider in assessing potential impacts of development exceeding the above thresholds are "the physical scale of such developments, potential increase in traffic, emissions and noise."

Annex A of the PPG states that the thresholds are indicative and to be used in conjunction with the general guidance on determining whether Environmental Impact Assessment is required and, in particular, the guidance on environmentally sensitive areas.

Paragraph 032 of the PPG states that sensitive locations are considered to comprise:

- Sites of Special Scientific Interest and European sites;
- National Parks, the Broads and Areas of Outstanding Natural Beauty; and
- World Heritage Sites and scheduled ancient monuments.

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. Therefore 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 cumulating 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*, the increase in built form on the site from 25,000sqm to 70,000sqm of floor space, including 250 new dwellings is significant. The proposed development would exceed the guidance threshold of 10,000sqm of new commercial floorspace by more than twice the amount – 25,000sqm. The proposed increase in height from 4 storeys up to 16-storeys would also add significantly to the building mass on the site and exceed the heights of other nearby buildings in the area, including the nearby approved developments at 101, 102 and 103 Camley Street, 11 St Pancras Way and most of the buildings in Kings Cross Central. It is considered that the proposal represents a development of significantly larger scale than the existing, and with markedly different impacts.

It is considered that the very large increase in floorspace, particularly commercial floorspace, well in excess of the guidance threshold has the potential to impact on the wider environment in terms of traffic, congestion, emissions and noise, which are the keys issues to consider as outlined in PPG for developments exceeding the thresholds.

Although the site has been previously intensively developed, the large increase in floor space is well in excess of the guidance threshold and when this is considered within the context of the location of the development (considered separately below) it is viewed, in overall terms, that the size of the

development contributes towards the conclusion that a positive screening opinion should be adopted.

Regarding b) *cumulative impacts*, the site is in close proximity to other recent significant major applications. The proposal is located in close proximity to the Kings Cross Central regeneration site but this was subject to its own EIA. There are two substantial new developments coming forward in the locality at nearby 101 and 102 Camley Street which will provide 128 and 154 residential units respectively. These are major applications that were not subject to their own EIA.

It is proposed that a hotel use will form a significant portion of the proposed commercial use, including parking for 90 cars. St Pancras Way is a relatively narrow one way street, whilst Granary Street and Camley Street are both small streets with narrow footpaths and limited pedestrian and vehicle capacity. Transport impacts from this development would need to be integrated with surrounding development at 101 and 102 Camley Street, and there are likely to be significant impacts on the constrained street network of St Pancras Way , Granary Street and Camley Street as a result of proposal, both in terms of pedestrian and vehicular movements.

When taken together with the approved but as yet unbuilt developments at 101 and 102 Camley Street, there would be 528units, together with the 25,000sqm uplift in commercial floorspace, potentially being delivered concurrently. As such, it is considered that the size of the development and cumulative impact of these adjacent approved developments contributes towards the conclusion that a positive screening opinion should be adopted.

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; as such no significant impacts are envisaged in this regard.

Moving on to consider d) *the production of waste*, again modern construction techniques which will be required to be used in the construction stage minimising wastes in compliance with relevant legislation and 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, as would the risk of accidents.

In relation to the operation stage, the proposed uses are not considered to give rise to adverse impacts on the environment that are complex, or require further investigation, other than due to the scale of the proposal, given they are compatible with surrounding land uses.

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 offices and in itself has limited value in terms of natural resources and the environment.

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) (i-v) The site is not located next to a sensitive site as defined by the PPG however, the guidance does state (paragraph 058) that in certain cases, local designations which are not included in the definition of "sensitive areas", but which are nonetheless environmentally sensitive, may also be relevant in determining whether an assessment is required. The proposal is likely to have impacts on Regents Canal and Kings Cross Conservation Areas and the Regents Canal Site of Metropolitan Nature Conservation Importance. In this last regard, this is the highest tier of three (the others being borough important and locally important). The Canal is linked to a 3,000 mile network of waterways.

The aforementioned site of Nature Conservation Importance in Camden SPD provides a useful overview in respect to the Canal:

London's canals support a wide range of aquatic flora, amongst which are found a number of locally uncommon species. These include narrowleaved water plantain (Alisma lanceolatum), rigid hornwort (Ceratophyllum demersum) and shining pondweed (Potamogeton lucens), all species of clean, clear waters. Many waterside plants, including several London rarities, also grow on the brickwork and banks of the canal. The canals also support an important invertebrate fauna (including several species of dragon/damselflies), a diverse fish community, and breeding waterfowl. London's network of canals fulfils an important function in allowing nature into heavily built-up environments. The towpath and associated areas of waste ground, especially in East London, support a number of uncommon species of disturbed ground. The whole of the Grand Union Canal system in London, including the Regent's and Hertford Union Canals, is included in this single Metropolitan site.

Both the shading/microclimate impact of the proposed buildings and the re-landscaping associated with potential public realm proposals are likely to have impacts on the canal ecology locally and it is considered that the combined impact of the proposal and other developments along the canal could have the potential to permanently impact on the canal on a wider scale.

Of particular concern is the cumulative impact of overshadowing on the biodiversity and ecology of the canal. Limited information has been provided by the applicant with respect to the details of the proposals. However, it is considered that on the basis of the information submitted with this application, that the proposal by virtue of its scale and cumulative impact is likely to have significant impacts on the canal locally, and potentially on a wider scale given its designation as a site of a Metropolitan importance. In this regard, it is considered that the ecological and other environmental impacts across the wider area of the canal will need to be investigated, and not just the area immediately adjacent to the site.

The canal is designated public open space, a major visitor / recreational attraction of at least London wide importance and extends far beyond the site. It is considered that the proposed development could potentially have effects on the surrounding ecology, and thereby, given the nature of the surroundings and the scale of the proposal, a positive screening opinion should be adopted.

With regards to (c) (viii) The site is not of historical, cultural or archaeological significance. There are designated heritage assets directly relating to the site and nearby, including two conservation areas and the listed gardens and structures connected with St Pancras Gardens nearby. However these

are not sensitive areas as designated for the purposes of part 2 of Schedule 3 and the impact on these would be appropriately considered in a views or heritage assessment to accompany an application. The site is also within the protected vista from Parliament Hill to St Paul's Cathedral but this also, is not a 'sensitive area' and can be appropriately considered with reference to views analysis accompanying an application

With regards to vii) the site is a densely populated area. Although having a Ptal Rating of 6B 'Excellent', bus links are poor, without stops on St Pancras Way or Camley Street. The site is located between Kings Cross and Camden Town and by virtue of its scale would represent a significant intensification and urbanisation of the site and its immediate surroundings.

Although the exact breakdown of floor space is not known, based on the information provided with the application; 50,000sqm of commercial floor space and 20,000 sqm of residential floor space (total uplift of 45,000sqm), the scale of the development is considered likely also to have socio economic impacts on the immediate locality and of the neighbouring centres, particularly if retail makes up a significant portion of the proposed commercial floorspace.

Furthermore the scale of the proposal and its location between Camden Town and Kings Cross could potentially impact on the function and viability of nearby centres. The redevelopment and intensification of use on the site at the proposed scale therefore contributes towards the conclusion of a positive screening opinion.

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. The potential significant effects of development must also be considered in relation to criteria set out under the aforementioned characteristics of development considerations and location of development (environmental sensitivity) considerations.

In respect of these matters it is considered that they have, where relevant, already been discussed in conjunction with other sections of this assessment. In relation to the remaining matters, no further comments are considered necessary.

Conclusions:

Given the above, primarily owing to the scale of the proposal and the characteristics of the site and surrounding area, it is considered that the scheme would align with elements of the selection criteria of Schedule 3 of the EIA 2011 regulations(As amended). More specifically, it would have potential effects on the surrounding ecology, traffic, emissions, and surrounding centres. Hence, the development could be considered to be likely to have significant effects on the environment by virtue of factors such as its nature, size or location.

As such the development is, by definition, Schedule 2 development, and, furthermore, it is considered to be EIA development as defined by Regulation 2(1) of the Town & Country Planning (Environmental Impact Assessment) Regulations 2011 (SI 2001 no. 1824).

Therefore, a positive screening opinion is adopted.

An informative is recommended to be added to the decision notice informing the applicant that, by virtue of regulation 5, 7(b) of the 2011 Regulations, they can still make a request to the Secretary of State to issue a screening direction.

