

**Date: 23rd December 2016**

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Dear Sheenagh,

**TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT)  
REGULATIONS 2011:**

**RE: Morrison's Supermarket and Petrol Filling Station, Camden, NW1 8AA**

I refer to your formal Scoping Opinion request dated 21<sup>st</sup> November 2016 with regard to Regulation 13 of the EIA Regulations, as to the content of the Environmental Statement (ES) to be prepared in connection with the development proposed at the above site.

This letter constitutes the London Borough of Camden (LBC) Council's scoping opinion.

The Council is of the opinion that the ES should include a full factual description of the development and should evaluate and deal with the issues set out in your draft outline scoping report with the following amendments and additions:

**1. EIA Methodology**

2.1 It is noted in paragraph 4.1 that the description of development comprises '*mixed use redevelopment involving 8 buildings of up to 17 storeys, basement, comprising 600-750 residential units, 8500m<sup>2</sup> supermarket, 8000m<sup>2</sup> business space, 1800m<sup>2</sup> additional retail and petrol filling station, 650m<sup>2</sup> leisure floorspace and c.360 car parking spaces, with associated basement, landscaping, provision of open space and alterations to existing road network.*' It is noted that a full detailed design of the Proposed Development is not yet available.

**2. Consultation:**

2.1 The following bodies / consultees have responded to the consultation undertaken with respect of this application. Their responses have been incorporated into the remainder of this report.



### Internal Consultees

- Housing Officer
- Economic Development
- Place Shaping Team
- Planning Policy
- Development Management
- Conservation & Heritage
- Transport Planner
- Environmental Health (Air Quality/ Land Contamination)
- Trees & Landscaping
- Sustainability Officer

### External Consultees

- Natural England;
- Environment Agency;
- Thames Water;
- Historic England;
- Historic England (GLAAS)
- Metropolitan Police
- HS2 Limited

## **2.2 Public consultation responses:**

Three residents of Gilbey's Yard and a resident from Oval Road 'object' and provide detailed comments on the likely impact. A response was received from a resident of Belsize Park.

The nature of the objections relate to the development itself and not to the need for a scoping opinion. The objections are therefore not considered to be material to this assessment and report, however the content of the detailed comments have informed this scoping opinion.

The key issues raised by local residents which are of relevance to the scoping opinion are *summarised* as follows:

## **2.3 Social/community infrastructure**

How will the developers deal with the impact on local nursery, primary and secondary school places, doctor's surgeries and the many aspects of NHS healthcare?

It is my understanding that it is common for developers to adjust their plans during the process so that the quoted amount of social housing is provided off site, making more private properties for sale? This must be resisted at all costs; Camden has a fine history of providing social housing especially in mixed environments.

*Refer to commentary in section 4.3*

## **2.4 Transport/highways**

Gilbeys Yard will become a drop-off point for Taxis and motorists using the pedestrian & cycle path to access the new development.

It is fair to anticipate that delivery vehicles will also use the pedestrian & cycle path as an access point where suitable for them – parking up in Gilbeys Yard and taking their deliveries into the new development by foot or by trolley.

Currently the existing pedestrian and cycle route has light pedestrian use and even less cycle use. There is however a small problem with motorcycles illegally using the route. This is not only anti-social but also dangerous to pedestrians in particular.

It is reasonable to suggest that this situation will only worsen as a result of the new development, quite possibly considerably so.

What provision will be made for car parking for the additional 1500 – 2000 new residents and businesses. Is there an assessment of the impact on public transport and cars in the area which is already heavily congested?

*Refer to commentary in section 4.5*

## **2.5 Design & Heritage**

I believe that some or all of Gilbey's Yard is listed in some the historical nature of the old Gilbey's Gin yard must be kept intact and it's fragile nature treated accordingly. This refers directly to the damage, both short and long-term, that any development may cause to the cobbles of Gilbey's Yard as well as to the Interchange building.

In the list of views to consider, there is no mention of the view from the middle of the traffic island by Belsize Park Tube Station. This is a well-known, and uplifting view of St Pauls Cathedral, which gives a spiritual uplift to passengers just emerging from the tube. I fear that a big building at Morrisons would block the view.

I don't disagree with a residential development in principal, but I think that the the quality of the design must enhance the the area and not degenerate it.

*Refer to commentary in section 4.4*

## **2.6 Refuse and waste**

I have concerns about the provision for the handling of refuse created by both the residents and businesses of the new development by making the route from the Morrisons petrol station through to Gilbey's Yard much more of a thoroughfare to visitors and tourists you will only compound the problem we have with general littering in Gilbey's Yard;

It is also worth noting that the roads of Camden are already at bursting point. For instance, Jamestown Road becomes grid-locked most every day with queueing traffic which runs back into Oval Road – sometimes the length of Oval road

From the provisional plans available it would appear that both Gilgamesh and Shaka Zulu will lose their delivery and refuse disposal vehicle route via Morrisons car park. Considering the above it goes without saying that they cannot move such traffic to Gilbey's Yard

considering both the vulnerable state of the cobbles and the anti-social hours that such vehicles operate, especially those that collect refuse.

*Refer to commentary in section 4.5*

## **2.7 Drainage and SUDs**

As a result of the inconsiderate practice of the developers of the afore-mentioned Lockhouse and Henson buildings the drainage within Gilbey's Yard is very poor (both street drainage and from properties). As such the various drain and sewerage systems to service any new development should be completely independent of those of Gilbey's Yard.

Following on from this point, there must be very strict controls on the sediment etc caused by the development. The drainage in Gilbey's Yard is very ineffective during periods of even moderate rainfall

*Refer to commentary in section 5.3*

## **2.8 Construction**

A development of this size will require huge amounts of road haulage particularly when considering that the development requires the removal of a manmade hill. This timescale of this project will most likely overlap partially or entirely with that of HS2 plus, undoubtedly, several other developments within central Camden at that time. The resulting dust and air pollution will be immense. It would require great restrictions of vehicle numbers and movement to keep such pollution at an acceptable level which would greatly lengthen the development period.

The plan is to build a large temporary store on the site of the Morrisons petrol station which will be many storeys tall. Only once that is operational will the work on the main site commence. This will extend the overall timescale of this development by some considerable period of time, months or maybe even a year. A huge amount of dust and air pollution that is completely avoidable – why not simply close down Morrisons until the development is completed?

Noise and vibration is also of great concern, particularly as my property directly neighbours the Development.

What provision will be made for rodent management? This should be added to the list of environmental controls.

*Refer to commentary in sections 3, 4.1, 4.5, 4.6*

## **2.9 Crime and Anti-social behaviour**

Gilbeys Yard has a terrible problem with fly-tipping, somewhat due to it's cul-de-sac nature.

There is a problem with motorcycles illegally using the pedestrian/cycle route. This is not only anti-social but also dangerous to pedestrians in particular.

*Refer to commentary in section 4.2*

## 2.10 Neighbouring Amenity

The new development on the site of Morrison's parking grounds will bring additional years of noise and disruption. It will reduce the amount of light, add to the noise, pollution in the area and restrict access to Chalk Farm Road for pedestrians and cyclists. We do not want several new tall buildings built right next to our doorstep, it will reduce privacy and amount of daylight that is already minimal on the north western side of our houses.

The maximum eight of the area must be respected (which is around 5 storey) in order to guarantee the same quality of lighting, safety, views and visual amenity that we have now.

*Refer to commentary in sections 4.2 & 4.8*

## 2.11 Primrose Hill Conservation Area Advisory Committee

(Reproduced in full)

- The Committee is very concerned indeed that a full assessment be undertaken to include:
- Heritage assets in and surrounding the application site, including Listed Buildings and their settings, other neighbouring positive contributors in adjacent conservation areas, significant views of and from adjacent conservation areas, locally listed buildings, and other relevant heritage assets, with full regard to the NPPF on the protection of heritage assets and the preservation and enhancement of conservation areas. Our current advice on the scheme currently under discussion is that it is seriously harmful to a range of heritage assets.
- Archaeological survivals from the nineteenth-century industrial development of the area are of special significance in the area. We are not convinced that the applicant's reports present an adequate survey of possible survivals or assessment of their significance. We do not agree that they are not of importance: that should be for a full investigation through the EIA process to establish.
- Traffic: we are concerned at the scale of car-parking proposed on the site and the conflict with the requirements of the Paris accords. We are also concerned about the impact on air-pollution and the health of residents and their families.
- We are concerned about the safety and security of users and residents. We note the observations of the Met Police on the need for 2.4m high fencing to secure areas of the site and seek a full EIA on personal safety of users and residents.

*Refer to section 4.5 for transport and 4.2 for crime.*

*Refer to 4.4 for resolution of archaeology concerns. The applicant has agreed to consult further with GLAAS and the planning authority in order to agree the final scope of the archaeological investigation. The CAAC have acknowledged that this approach is acceptable and have asked to be informed of the final decision on the scope.*

### **3. Proposed Development**

3.1 It is noted that the proposals are described as encompassing two sites divided by a railway line:

- the Morrisons Supermarket Parcel (the 'MS parcel'); and
- the Morrisons Petrol Filling Station Parcel (the 'PFS parcel').

#### ***Phasing***

3.2 Paragraph 2.6 notes that the proposed development would be delivered in a phased manner as follows:

- Phase 1: the construction of the building on the PFS site parcel for temporary use as a foodstore while the permanent store is under construction.
- Phase 2: the remainder of the development.

3.3 You are requested to consider the full implications of this phasing approach on the duration of construction works and consequent impacts. We encourage you to consider options to minimise the impact, such as concurrent or alternative phasing which may shorten the duration of the works.

### **4. Potential Environmental Impacts and Likely Effects**

#### **4.1 Development Programme, Demolition and Construction Activity and Effects Management (scoping report section 6.1)**

4.1.1 The CEMP shall take account of the Council's Minimum Requirements for Construction Management Plans (CMP) which are more comprehensive than the list in 6.1.1 and include concerns such as rodent control. You are strongly encouraged to incorporate the CMP pro-forma, which is available on the Council's [website](#), into the CEMP.

4.1.2 Construction Traffic Management plan : Mitigation measures must consider alternatives to just construction traffic routing and should assess in detail the potential for use of the canal and local rail for removal of construction spoil and delivery of bulk construction materials to the site. You are encouraged to investigate the impact on viability of such an approach by making it available to construction activities on other nearby committed developments.

4.1.3 It is important that the introductory, non-technical chapter (ES Volume 2) which describes the proposed development's redevelopment programme and the key activities that will be undertaken during demolition and construction works for the application site contains detailed information about the phasing of delivery.

#### **4.2 Climate Change - Sustainability**

4.2.1 The response is considered to be acceptable however we add the following comments/requirements:

- The Energy Assessment should follow GLA and Camden policies and also the GLA Guidance on Preparing Energy Assessment and CPG3.
- It will be required to meet the relevant policies (i.e. zero carbon for residential and 35% reduction for non-residential, with minimum of 20% reduction from onsite renewables site wide)
- Regarding reuse of demolition materials – CPG3 states that developments should follow the Demolition Protocol and implement SWMPs and provides guidance for the target % recycled/ reused materials.
- Other climate change impacts should be considered. A dynamic overheating assessment (following the CIBSE TM52 methodology in line with the GLA recommendations for current and future climate (CIBSE TM49)) should be undertaken.

### **4.3 Socio-Economics**

4.3.1 You advise in section 6.2 that the socio-economics technical assessment will be presented within Volume 2 and will explore the effects of the proposed development on society and the local economy during demolition and construction, as well as once the proposed development is completed and operational.

#### *Baseline methodology (6.3.2)*

4.3.2 Please include workspace supply and demand analysis specific to the locality, including discussion on the types of employment spaces. In particular you should consider demand for workshop/studio/maker type spaces. The assessment should identify, using an evidence base, of the impact of the commercial space within the development on specific kinds of businesses users.

#### *Demolition and construction stage*

4.3.3 Consideration of the jobs in the demolition and construction phase should reflect the fact that the Council will require the recruitment of 1 apprentice per £3million of built costs, through the Kings Cross Construction Skills Centre, as well as a number of work experience placements.

#### *Completed development stage*

4.3.4 Consideration of the impact of the completed development should include assessment of the impact of the commercial component on local business activity. For instance an assessment of the extent to which the scheme will support or create a collaborative business eco system and the ways in which the development's different business typologies will have an impact on each other and the existing business environment in Camden Town. Economic operational effects should include the local impact of the spending power of the new on-site workforce.

#### *Housing*

4.3.5 You are requested to include assessment of the impact of the mix of housing tenures and sizes on housing need.

### **Social impacts**

- 4.3.6 Section 6.3 identifies that the socio-economics technical assessment will be presented within Volume 2 and will explore the effects of the proposed development on society. The list of applications documents acknowledges that a Health Impact Assessment (HIA) would accompany the application.
- 4.3.7 Section 6.3.2 lists the key factors which would be considered in the socio-economic assessment as follows:
- the economy;
  - housing provision;
  - educational facilities (primary and secondary level);
  - healthcare facilities;
  - open spaces;
  - playspaces;
  - recreation opportunities; and
  - crime.
- 4.3.8 Many of these considerations relate to impact on or provision of social infrastructure in built or landscaped form. However, as noted in the Camden & Islington Public Health (CIPH) consultation response, it is increasingly recognised that the built environment can have an impact on both physical and mental health and wellbeing, and that individual actions to improve lifestyle or health status are likely to be influenced by the environmental and socioeconomic context in which they take place. The CIPH recommends that the HIA is prepared with reference to the NHS Camden Health Checklist for Planning, Camden Planning Guidance 6: 'Amenity' and Camden's Joint Health and Wellbeing Strategy (2016-2018), where relevant priorities are likely to be "*Healthy Weight, Healthy Lives*", and "*Ensuring good mental health for all*" (Camden Local Plan (Submission draft) 2016 Policy C1c).
- 4.3.8 It is considered that the ES socio-economic considerations should therefore be broadened to incorporate the HIA, which would include more wide-ranging consideration of the impact of the development on improving health and wellbeing and reducing inequalities, within a focus on a health promoting environment.
- 4.3.9 Your attention is also drawn to the CIPH recommendations for considering how the development could encourage physical activity through an environment that facilitates walking and cycling, active play, and other opportunities for accessible physical activity, including use of the Healthy Streets component of Transport for London's Transport Action Plan, "*Improving the health of Londoners*". The CIPH response also highlights measures which can have a positive impact on social inclusion, such as incorporating growing schemes and provision of public toilets.
- 4.3.10 With regard to social and health infrastructure, the CIPH recommends that assessment of impact of the development on access to healthcare provision (GP Surgeries etc) is included elsewhere within the ES, and not as part of the HIA. You are requested to scope local provision of facilities within one mile (1.6 km) of walking distance rather than 'as the crow flies' and are encouraged to use the NHS Digital (<https://digital.nhs.uk/>) which publishes up to date statistics on the number of Full Time Equivalent GPs at each surgery and to approach the CIPH for up to date information on smaller practices.



4.3.11 You are requested to consult the Camden Clinical Commissioning Group on aspects relating to the impact of development on the provision of healthcare facilities and to include discussion of health impact in your community engagement and consultation exercises.

*Crime*

4.3.12 You state that crime will be considered in the context of existing crime statistics and in relation to the Camden Core Strategy which notes that provision of housing in Camden Town will help to alleviate crime and improve safety. You advise that this assessment will be qualitative and based on professional judgement.

4.3.13 Existing crime statistics will highlight recorded instances. Communities' perception and fear of crime is a linked and legitimate concern but is not formally recorded in the same manner. You are strongly advised to engage with local resident and business interests in order to clearly assess how the development will respond to and have an impact on anti-social behaviour, crime and fear of crime.

**4.4 Townscape & Visual and Heritage (sections 6.4 and 6.5 of the Scoping request)**

4.4.1 Historic England have advised that the proposal would likely lead to an application for which Historic England would be a statutory consultee and decline to comment on the scoping opinion.

4.4.2 A member of the public has identified the middle of the traffic island by Belsize Park Tube Station as a location with a view of St Pauls which has local importance and social attachment. You are encouraged to assess the impact of the development on that view. You are encouraged to include a view shed showing the visibility of the development from locations within a radius of 500 and 750m from the centre of the site.

*Table 6.1 (potential effects on heritage assets)*

4.4.3 A consultee has raised a concern about the impact of the development on granite cobble setts in and around Gilbey's Yard. Within Gilbey's Yard, south to Oval Road, the cobbles are part of the Conservation Area (CA), are noted as an important and characterful street surface and are afforded non-designated heritage asset status by merit of their positive contribution to the CA. Those to the west of Oval Road are outside the Conservation Area boundary. However they are no less historic or characterful than those within the CA and as they are part of a continuous surface demarcating an historic use, it is considered that they should be afforded equivalent consideration in respect of their contribution to the local townscape.

4.4.4 There is one listed building in Gilbey's Yard: The Interchange Warehouse. List descriptions do not generally contain precise spatial definitions, but that for the Interchange has been recently updated and features a marked-out footprint which is larger than that of the building above ground (see:<https://historicengland.org.uk/listing/the-list/list-entry/1113238>). This seems intended to identify the extent of the historic vaults below ground, but would also cover many of the cobbles above ground. Nothing in the text of the list description excludes these from the designation. In any case, the cobbles around the Interchange, like those elsewhere in the Yard, are set around rails and fittings dating from

the Goods Yard. They are also set directly over the vaults of the Interchange Building, which connect via the Horse Tunnel into the basement of the Henson Building. The strong association of the Interchange and its historic function with these areas around it and particularly with the physical evidence of the railway arguably makes the cobbles set in its immediate vicinity part of the listing designation as components of the curtilage, even though the term curtilage generally applies only to built structures. At the very least, they benefit from strong protection as an important element of the building's setting and should be considered as such in setting the local heritage baseline. These comments should be considered within the context of assessment on the impact on heritage assets. The heritage sensitivity of the cobbles will need to be considered if access to the site or neighbouring sites via Gilbey's Yard is proposed or displaced as part of any transport/servicing-related proposals.

- 4.4.5 Section 6.4.1 notes that *"Potential harmful impacts on settings of heritage assets are being considered and mitigated as far as is possible during the design process."* For the avoidance of doubt, you are advised that the development should seek to avoid as far possible, the potential harmful impacts on heritage assets.
- 4.4.6 You are requested to include the Mayor's SPG *"Character and context Supplementary Planning Guidance (2014)"* in your references for guidance for assessing the likely significant effects on townscape.
- 4.4.7 In particular it is considered that the methodology (6.4.1) should acknowledge that the resulting change in height and massing, together with the provision of new high quality buildings would create a new townscape character and quality *in* the application site and will also alter the existing townscape character and quality as experienced within the *immediately surrounding area* (ie Gilbey's Yard and Juniper Crescent).
- 4.4.8 The ES should expand on the methodology for defining, designing and testing intended character of the development, with input and analysis of the published guidance, and to consider the development's impact on existing surrounding townscape and character, mindful that as the above SPG notes in para 5.4 and then subsequently expands in more detail : *"appreciation of a place's cultural evolution and the way in which past and present communities, uses and activities have shaped it is a vital part of the process of understanding the character of a place and helps to frame proposed change so that it is responsive and appropriate to the context. The cultural aspect considers not just designated assets and resources, but also non designated assets values and associations."*

#### *Archaeology*

- 4.4.9 The Primrose Hill Conservation Area Advisory Committee (CAAC) has advised that they are not convinced that the applicant's archaeology reports present an adequate survey of possible survivals or assessment of their significance and the Committee does not agree that they are not of importance. The Committee has requested a full investigation through the EIA process.
- 4.4.10 Historic England's Archaeology Advisory service has advised that *"the submitted assessment does state that further investigation would be required as part of an archaeological condition. The previous and existing developments on the site are likely to have already heavily impacted the rest of the rest of the industrial structures which did not*

*form part of the preservation strategy in 2007. It is therefore also recommended that the applicant's archaeological contractor discuss with this office the requirements for further archaeological works as part of the application as it is not clear what purpose would be served by further investigation of what will now be badly damaged structures."*

4.4.7 Given the extent of the excavation on site, its proximity to existing known archaeological remains of significance and the absence of further clarity about the possible presence or significance of further underground structures, we consider that the applicant's archaeological contractor should reach an agreement on the Archaeological Scoping with GLAAS, in consultation with the local planning authority, about whether further investigation, prior to submitting a planning application, would serve an archaeological purpose.

#### **4.5 Transport and Accessibility (section 6.6 of the scoping request)**

4.5.1 Initial feedback has been provided, under separate cover, on the scoping of the Transport Assessment (TA). It is recognised that the Design and Access Statement, Construction Environmental Management Plan and Travel Plans, will also provide supporting information. However for the avoidance of doubt, it should be clear that a full TA that is in line with TfL requirements and Camden Planning Guidance 7 (Transport) will be required for the development.

4.5.2 In addition, the transport and accessibility assessment shall take account of the following comments, which incorporate input from TfL:

- Surveys should be undertaken to cover all 7 days of the week. It is not sufficient to only carry out surveys from Monday to Saturday on the basis that shorter shopping hours on a Sunday can result in a higher hourly trip rate for supermarkets.
- TRICS and census data should be used in assessment of trip generation.
- A detailed assessment of trip generation should be undertaken which attributes an appropriate level of foodstore generated trips to public transport. Where the development is car free (residential), no trips should be attributed to vehicles.
- The use of census data to determine modal share is again reasonable, although it should not be assumed that all rail trips use Kentish Town West as the nearest rail station.
- Reconfiguration of the junction at Chalk Farm Road shall take account of potential initiatives by the local highway authority for improvements or changes to the local highway, pedestrian or cycle networks. You are advised to liaise with the Transport Strategy team for details of any such initiatives.
- The assessment shall take account of any transport-related displacement impacts likely to arise from the development, in particular the impact of displacement of transport movements onto Gilbey's Yard and Oval Road. These may be temporary or permanent and relate to (inter alia) servicing, parking by vehicles for activities other than supermarket-shopping, movement of pedestrians or cycles. In particular, for instance, it is noted that the Morrison's carpark is identified as the evening./night-time taxi drop-off/pick-up location for Gilgamesh. It is also likely that a proportion of vehicles parking in the carpark do so for the purposes of servicing nearby (off-site)

locations such as in the Stables Market. The TA must quantify the numbers of such vehicles and consider mitigation of the impacts of their likely displacement, in particular into Gilbey's Yard and environs.

- New junctions shall be designed to operate at less than 90% capacity and shall include:
  - All traffic, including cyclists and construction traffic for each phasing, as well as HS2 construction traffic and buses.
  - Inclusion of a cycle lane departing the Main Site.
  - No right turn departing the site at the junction of Juniper Crescent and Chalk Farm Road

4.5.3 Section 6.6.2: Calculations of potential traffic increases need to take account of the HS2 construction traffic in the immediate environs of the site, unless it becomes clear before the completion of the ES that HS2 will not receive Royal Assent.

#### *Parking methodology*

4.5.4 Camden and London Plan policy expects the development to take a restrained approach (ie not based on *peak* demand) to assessing shoppers' future parking needs, with supporting information on how this restrained approach would be promoted, supported and facilitated by the store operator.

## **4.6 Air Quality**

4.6.1 We accept the proposed scope and consider that the methodology has taken account of all relevant guidance. Additional comments are as follows:

- Implications for any relevant non-residential uses proposed should be considered in addition to residential uses, particularly where possible short term exceedances apply.
- Detailed dispersion modelling will need to be undertaken following the London Council's Air Quality Planning Guidance and LAQM TG.
- Model verification should be based on latest LAQM TG.
- Local monitoring data as well as background data should be used.
- If a transport plan is prepared this should be incorporated into the assessment.
- Time-varying traffic movements can be based on local information.
- A detailed contour plot of the existing and predicted pollutant concentrations and scale of air quality change with sensitive receptors plotted on the map should be provided.
- Any plume dispersion impacts of the development should be considered.
- NRMM should be included in the construction impacts.
- Real time monitoring will be required to monitor construction impacts.

## **4.7 Noise and Vibration**

4.7.1 We accept the proposed scope and methodology but make the following additional comments:

- The development should take into account the current noise environment from nearby entertainment premises such as “Proud Camden”. Close liaison will be required during the design stages of the development to ensure minimal impact during the construction phase and also to ensure inter-compatibility between the development itself and neighbouring, often noise-generating, businesses.
- You are advised that Camden policy DP28 (Noise and vibration) is currently being updated as part of the Local Plan review (see Appendix 2 to the submission draft). Plant noise will need to be designed to at least 10dBA, or 15dBA where the source is tonal, as assessed according to BS4142:2014.
- Enhanced sound insulation will be sought between residential premises to protect against noise equal to  $D_{nT,w}$  and  $L'_{nT,w}$  of at least 5dB above the Building Regulations value.
- Where there may be residential above any commercial premise sound insulation equal to  $D_{nT,w}$  and  $L'_{nT,w}$  of at least 10dB above the Building Regulations.
- A detailed DMP/CMP should be provided at an early stage as well as a servicing management plan detailing times and frequency of deliveries and collections and how noise mitigation will be achieved

#### **4.8 Daylight, Sunlight, Over-shadowing and Solar Glare**

4.8.1 The key issues, likely significant effects and approach and methodology appear appropriately identified.

#### **4.9 Wind Microclimate**

4.9.1 The key issues, likely significant effects and approach and methodology appear appropriately identified.

#### **4.10 Cumulative Effects (scoping request section 6.11)**

4.10.1 Section 6.11.2 identifies that only committed schemes would be considered for Inter-Project (in-combination) cumulative impacts, however no specific trigger point in time is given for the final determination of whether a development is ‘committed’ or not, relative to the preparation of the ES.

4.10.2 There are additional emerging development proposals within the locality which have not been identified on the list and we consider that they should be included in scope for consideration of cumulative effects. They are:

- HS2 – it is understood that the current timetable for achieving Royal Assent is in Quarter 1 of 2017
- 1 Centric Close, NW1 7EP. (Camden ref 2016/6891/P).
- Marine Ices, 4-8a Haverstock Hill & 45-47 Crogsland Road (ref 2015/0487/P)
- Vacant site adjacent to no 11 Crogsland Road (Camden Ref 2015/0921/P)

## **5 Non-significant issues (scoping request section 7).**

### **5.1 Archaeology**

5.1.1 See the commentary in section 4.4 above.

### **5.2 Ecology**

5.2.1 We consider the submitted materials to be comprehensive and to include all the required survey data and information of the trees on site. A full arboricultural report including an arboricultural impact assessment should be included as part of the assessment.

5.2.2 The removal of category A or B trees may have an impact on site townscape, amenity and biodiversity. For the avoidance of doubt it should be understood that the Council requires category A and B trees to be retained where possible and to be considered material constraints on development. A total of 20 category A trees and 28 category B trees have been identified within the application site.

#### *Natural England*

5.2.3 Natural England have responded that given the location and nature of development it is not a priority for NE to advise on the detail of this EIA however attention should be drawn to Annex A of their consultation response (provided in full in Appendix A to this report. ).

### **5.3 Water Resources and Flood Risk**

5.3.1 We accept the proposed scope and consider that the methodology has taken account of all relevant guidance but provide the following additional comments:

- Greenfield run-off should be in line with London and Camden policies. Thames Water may add a specific requirement for greenfield run-off rates as the development appears to be located within the sensitive Counters Creek catchment area.
- SuDS hierarchy should be followed.
- Water treatment and SuDS management train will be a consideration particularly because of the number of vehicles and the petrol station.
- Reference should be made to the SFRA when completing the Surface Water Drainage Statement and the SuDS pro-forma should be completed. Both can be found [on the Camden website](#).
- Surface Water Drainage Statement should include details on maintenance of SuDS.

#### *Thames Water*

5.3.2 Thames Water request to be consulted as early as possible due to concerns about the capacity of the existing network to serve a development of this scale.

Thames Water recommends the following are taken into consideration:

- The developments demand for Sewage Treatment and network infrastructure both on and off site and can it be met
- The surface water drainage requirements and flood risk of the development both on and off site and can it be met
- The developments demand for water supply and network infrastructure both on and off site and can it be met
- Build – out/ phasing details to ensure infrastructure can be delivered ahead of occupation
- Any piling methodology and will it adversely affect neighbouring utility services.

5.3.3 TW would wish to see that evidence for water and waste water capacity exists and where there are shortfalls, how these issues will be addressed included in the evidence submitted as part of the planning application. Water solutions should address both on and off site issues and be strategic in nature rather than piecemeal related to individual phases.

The strategy needs to cover:

- What – What is required to serve the site?
- Where – Where are the assets / upgrades to be located?
- When – When are the assets to be delivered (phasing)?
- Which – Which delivery route is the developer going to use? s104 s98 s106 etc

5.3.4 With regards to the construction phase, TW is concerned that water mains and sewers immediately adjacent to the site may be affected by vibration as a result of piling, possibly leading to water main bursts and or sewer collapses. Therefore, TW requests that further information on foundation design be submitted for detailed consideration. This will include –

- a. the methods to be used
- b. the depths of the various structures involved
- c. the density of piling if used
- d. details of materials to be removed or imported to site.

## 5.4 Ground Conditions

5.4.1 It is noted that the report states (para 7.4) *“The effects of any contamination on the proposed development would be assessed through standard investigations and risk assessment practices (i.e. a proposed development specific environmental site investigation, and a human health and controlled water risk assessment) as part of the detailed design process. Based on current information wholesale remediation is unlikely to be required; however, as is standard, if remediation is needed a remediation strategy would be prepared and agreed with the LBC and the EA. The entire process of investigation, risk assessment and remediation would be agreed with the LBC in advance of demolition and construction. On this basis, it is considered that the proposed development is unlikely to give rise to significant adverse environmental effects in relation to Ground Conditions. A formal Ground Conditions Assessment is therefore proposed to be scoped out of the ES”*.

5.4.2 We accept the proposed scope and consider it acceptable that contaminated land be scoped out of the ES, subject to the following comments:

- Where contamination is known or suspected on a site or the proposed use would be vulnerable to contamination, we will expect you to provide, as a part of your planning

application, the necessary information as outlined in this chapter to determine whether the proposed development is acceptable.

- The information required will need to be sufficient for the local planning authority to determine:
  - the existence or otherwise of contamination;
  - the nature of the contamination and the risks it may pose; and
  - whether these can be satisfactorily reduced to an acceptable level.

## **5.5 Light Pollution**

5.5.1 Officers would agree that a formal light spill assessment should be scoped out of the ES.

## **5.6 Waste**

5.6.1 The key issues, likely significant effects and approach and methodology appear appropriately identified. Officers would agree that a formal waste assessment should be scoped out of the ES.

## **5.7 Telecommunication Interference**

5.7.1 Officers agree that a formal telecommunication Interference Assessment should be scoped out of the ES.

## **6 Conclusion**

6.1 I trust this provides a comprehensive response to the request for a Scoping Opinion for EIA. Should responses be received after the issue of this response they shall be forwarded to you for consideration and inclusion within the ES.

6.2 Please note that this Scoping Opinion is offered with the caveat that should the form of development deviate to a significant degree from that described and assessment within the Scoping submission, a further application for Scoping Opinion may prove necessary.

6.3 In addition, this Scoping Opinion is offered without prejudice to the right, if necessary, to raise further issues for consideration as part of the future assessment of the proposals.

Should you have any questions or queries, please do not hesitate to contact Gavin Sexton on 0207 974 3231 ([gavin.sexton@camden.gov.uk](mailto:gavin.sexton@camden.gov.uk)).

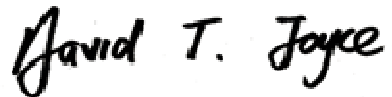


In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully

A handwritten signature in black ink that reads "David T. Joyce". The signature is written in a cursive, slightly slanted style.

David Joyce  
Executive Director Supporting Communities

## **Annex A – Natural England Advice related to EIA Scoping Requirements**

### **1. General Principles**

Schedule 4 of the Town & Country Planning (Environmental Impact Assessment) Regulations 2011 (as amended), sets out the necessary information to assess impacts on the natural environment to be included in an ES, specifically:

- A description of the development – including physical characteristics and the full land use requirements of the site during construction and operational phases.
- Expected residues and emissions (water, air and soil pollution, noise, vibration, light, heat, radiation, etc.) resulting from the operation of the proposed development.
- An assessment of alternatives and clear reasoning as to why the preferred option has been chosen.
- A description of the aspects of the environment likely to be significantly affected by the development, including, in particular, population, fauna, flora, soil, water, air, climatic factors,
- material assets, including the architectural and archaeological heritage, landscape and the interrelationship between the above factors.
- A description of the likely significant effects of the development on the environment – this should cover direct effects but also any indirect, secondary, cumulative, short, medium and long term, permanent and temporary, positive and negative effects. Effects should relate to the existence of the development, the use of natural resources and the emissions from pollutants. This should also include a description of the forecasting methods to predict the likely effects on the environment
- A description of the measures envisaged to prevent, reduce and where possible offset any significant adverse effects on the environment.
- A non-technical summary of the information.
- An indication of any difficulties (technical deficiencies or lack of know-how) encountered by the applicant in compiling the required information.

It will be important for any assessment to consider the potential cumulative effects of this proposal, including all supporting infrastructure, with other similar proposals and a thorough assessment of the 'in combination' effects of the proposed development with any existing developments and current applications. A full consideration of the implications of the whole scheme should be included in the ES. All supporting infrastructure should be included within the assessment.

### **2. Biodiversity and Geology**

#### Ecological Aspects of an Environmental Statement

Natural England advises that the potential impact of the proposal upon features of nature conservation interest and opportunities for habitat creation/enhancement should be included within this assessment in accordance with appropriate guidance on such matters. [Guidelines for Ecological Impact Assessment \(EclA\)](#) have been developed by the Chartered Institute of Ecology and Environmental Management (CIEEM) and are available on their website.

EclA is the process of identifying, quantifying and evaluating the potential impacts of defined actions on ecosystems or their components. EclA may be carried out as part of the EIA process or to support other forms of environmental assessment or appraisal.

The National Planning Policy Framework ([NPPF](#)) sets out guidance in S.118 on how to take account of biodiversity interests in planning decisions and the framework that local authorities should provide to assist developers.

#### Internationally and Nationally Designated Sites

Natural England undertakes an initial assessment of all development consultations, by determining whether the location to which they relate falls within geographical 'buffer' areas within which development is likely to affect designated sites. The proposal is located outside these buffer areas and therefore appears unlikely to affect an Internationally or Nationally designated site.

However, it should be recognised that the specific nature of a proposal may have the potential to lead to significant impacts arising at a greater distance than is encompassed by Natural England's buffers for designated sites. The ES should therefore thoroughly assess the potential for the proposal to affect designated sites, including Special Areas of Conservation (SAC), Special Protection Areas (SPA), Ramsar sites and Sites of Special Scientific Interest (SSSI). Should the proposal result in an emission to air or discharge to the ground or surface water catchment of a designated site then the potential effects and impact of this would need to be considered in the Environmental Statement

Local Planning Authorities, as competent authorities under the provisions of the Conservation of Habitats and Species Regulations 2010 (the 'Habitats Regulations'), should have regard to the Habitats Regulations Assessment process set out in Regulation 61 of the Habitats Regulations in their determination of a planning application. Should a Likely Significant Effect on a European/Internationally designated site be identified or be uncertain, the competent authority (in this case the Local Planning Authority) may need to prepare an Appropriate Assessment, in addition to consideration of impacts through the EIA process.

Statutory site locations can be found at [www.magic.gov.uk](http://www.magic.gov.uk). Further information concerning particular statutory sites can be found on the [Natural England website](#).

#### Protected Species

The ES should assess the impact of all phases of the proposal on protected species. Records of protected species should be sought from appropriate local biological record centres, nature conservation organisations, groups and individuals; and consideration should be given to the wider context of the site for example in terms of habitat linkages and protected species populations in the wider area, to assist in the impact assessment.

The conservation of species protected by law is explained in Part IV and Annex A of Government Circular 06/2005 *Biodiversity and Geological Conservation: Statutory Obligations and their Impact within the Planning System*. The area likely to be affected by the proposal should be thoroughly surveyed by competent ecologists at appropriate times of year for relevant species and the survey results, impact assessments and appropriate accompanying mitigation strategies included as part of the ES.

Natural England has adopted [standing advice](#) for protected species. It provides a consistent level of basic advice which can be applied to any planning application that could affect protected species. It also includes links to guidance on survey and mitigation.

Natural England does not hold comprehensive information regarding the locations of species protected by law, but advises on the procedures and legislation relevant to such species.

#### Regionally and Locally Important Sites

The ES should thoroughly assess the impact of the proposals on non-statutory sites, for example Local Wildlife Sites (LoWS), Local Nature Reserves (LNR) and Regionally Important Geological and Geomorphological Sites (RIGS). Natural England does not hold comprehensive information on these sites. We therefore advise that the appropriate local biological record centres, nature conservation organisations, Local Planning Authority and local RIGS group should be contacted with respect to this matter.

#### Biodiversity Action Plan Habitats and Species

The ES should thoroughly assess the impact of the proposals on habitats and/or species listed in the UK Biodiversity Action Plan (BAP). These Priority Habitats and Species are listed as 'Habitats and Species of Principal Importance' within the England Biodiversity List, recently [published](#) under the requirements of S14 of the Natural Environment and Rural Communities (NERC) Act 2006. Section 40 of the NERC Act 2006 places a general duty on all public authorities, including local planning authorities, to conserve and enhance biodiversity. Further information on this duty is available in the Defra publication '[Guidance for Local Authorities on Implementing the Biodiversity Duty](#)'.

Government Circular 06/2005 states that BAP species and habitats, 'are capable of being a material consideration...in the making of planning decisions'. Natural England therefore advises that survey, impact assessment and mitigation proposals for Habitats and Species of Principal Importance should be included in the ES. Consideration should also be given to those species and habitats included in the relevant Local BAP.

The record centre for the relevant Local Authorities should be able to provide the relevant information on the location and type of BAP habitat for the area under consideration.

### **3. Landscape, Access and Recreation**

#### Landscape and Visual Impacts

The consideration of landscape impacts should reflect the approach set out in the *Guidelines for Landscape and Visual Impact Assessment* (Landscape Institute and the Institute of Environmental Assessment and Management, 2013, 3rd edition), the *Landscape Character Assessment Guidance for England and Scotland* (Scottish Natural Heritage and The Countryside Agency, 2002) and good practice. The assessment should also include the cumulative effect of the development with other relevant existing or proposed developments in the area. In this context Natural England would expect the cumulative impact assessment to include those proposals currently at Scoping stage. Due to the overlapping timescale of their progress through the planning system, cumulative impact of the proposed development with those proposals currently at Scoping stage would be likely to be a material consideration at the time of determination of the planning application.

The assessment should refer to the relevant [National Character Areas](#) which can be found on our website. Links for Landscape Character Assessment at a local level are also available on the same page.

### Access and Recreation

The ES should include a thorough assessment of the development's effects upon public rights of way and access to the countryside and its enjoyment through recreation. With this in mind and in addition to consideration of public rights of way, the landscape and visual effects on Open Access land, whether direct or indirect, should be included in the ES.

Natural England would also expect to see consideration of opportunities for improved or new public access provision on the site, to include linking existing public rights of way and/or providing new circular routes and interpretation. We also recommend reference to relevant Right of Way Improvement Plans (ROWIP) to identify public rights of way within or adjacent to the proposed site that should be maintained or enhanced.

#### **4. Land use and soils**

Impacts from the development should be considered in light of the Government's policy for the protection of the best and most versatile (BMV) agricultural land as set out in paragraph 112 of the NPPF. We also recommend that soils should be considered under a more general heading of sustainable use of land and the valuing of the ecosystem services they provide as a natural resource in line with paragraph 109 of the NPPF.

Soil is a finite resource that fulfils many important functions and services (ecosystem services) for society; for instance as a growing medium for food, timber and other crops, as a store for carbon and water, as a reservoir of biodiversity and as a buffer against pollution. It is therefore important that the soil resources are protected and used sustainably. The Natural Environment White Paper (NEWP) '[The Natural Choice: securing the value of nature](#)' (Defra, June 2011), emphasises the importance of natural resource protection, including the conservation and sustainable management of soils and the protection of BMV agricultural land.

Development of buildings and infrastructure prevents alternative uses for those soils that are permanently covered, and also often results in degradation of soils around the development as result of construction activities. This affects their functionality as wildlife habitat, and reduces their ability to support landscape works and green infrastructure. Sealing and compaction can also contribute to increased surface run-off, ponding of water and localised erosion, flooding and pollution.

Defra published a Construction [Code of Practice for the sustainable use of soils on construction sites](#) (2009). The purpose of the Code of Practice is to provide a practical guide to assist anyone involved in the construction industry to protect the soil resources with which they work.

As identified in the NPPF new sites or extensions to new sites for Peat extraction should not be granted permission by Local Planning Authorities or proposed in development plans.

General advice on the agricultural aspects of site working and reclamation can be found in the Defra [Guidance for successful reclamation of mineral and waste sites](#).

#### **5. Air Quality**

Air quality in the UK has improved over recent decades but air pollution remains a significant issue; for example over 97% of sensitive habitat area in England is predicted to exceed the critical loads for ecosystem protection from atmospheric nitrogen deposition ([England Biodiversity Strategy](#), Defra 2011). A priority action in the England Biodiversity Strategy is to reduce air pollution impacts on biodiversity. The planning system plays a key role in determining the location of developments which may give rise to pollution, either directly or from traffic generation, and hence planning decisions can have a significant impact on the

quality of air, water and land. The assessment should take account of the risks of air pollution and how these can be managed or reduced. Further information on air pollution impacts and the sensitivity of different habitats/designated sites can be found on the Air Pollution Information System ([www.apis.ac.uk](http://www.apis.ac.uk)). Further information on air pollution modelling and assessment can be found on the Environment Agency website.

## **6. Climate Change Adaptation**

The [England Biodiversity Strategy](#) published by Defra establishes principles for the consideration of biodiversity and the effects of climate change. The ES should reflect these principles and identify how the development's effects on the natural environment will be influenced by climate change, and how ecological networks will be maintained. The NPPF requires that the planning system should contribute to the enhancement of the natural environment "by establishing coherent ecological networks that are more resilient to current and future pressures" ([NPPF](#) Para 109), which should be demonstrated through the ES.