

Delegated Report		Analysis sheet		Expiry Date:	15/03/2017
		N/A / attached		Consultation Expiry Date:	
Officer			Application Number(s)		
David Glasgow			2017/1032/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 works comprising demolition of existing office building and the erection of 5 buildings ranging from 6 to 11 storeys, comprising a mix of Office; Residential (circa 60-100 units); and Hotel (with retail / restaurant uses at ground floor) uses providing approximately 56,000sqm of new floorspace.					
Recommendation(s):		EIA Not 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 26,000sqm 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); 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 (as amended 2015)

NPPF 2012 (PPG paragraphs 017 and 018 of Environmental Impact Assessment) and 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 5 new buildings ranging from 6 – 11 storeys providing circa 56,000 sqm of new floor space comprising a mix of Office; Residential (circa – 100 units); and Hotel (with retail / restaurant uses at ground floor) uses.

Assessment

The 2011 EIA Regs (as amended 2015) 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) 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 does exceed the threshold in column 10(b)(i) as it includes ‘more than 1 hectare of urban development which is not a dwelling house’

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 (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 are “the physical scale of such developments, potential increase in traffic, emissions and noise.”

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*, it is considered that the increase in built form on the site from 25,000sqm to 79,000sqm of floor space including 60 -100 new dwellings when considered within the context of the existing site and surrounding area is not more than locally significant.

The proposed development would exceed the guidance threshold of 10,000sqm of new commercial floorspace, however paragraph 031 of the PPG states that the thresholds are indicative only and are only 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.

There are no areas which have an ecological designation (as listed above) on or immediately around the site. The existing brownfield site has already been intensively developed and currently provides circa 26,000sqm of commercial floor space over 4 levels (plus basement). The site is proposed to be redeveloped in the form of separate but taller buildings which will logically result in a significant uplift in floor space compared to the existing.

Although large, it is not considered that the proposed uplift in floor space (including residential, hotel and retail uses) would be likely to result in significant environmental impacts by virtue of its scale, given the surrounding highly urbanised context and the brownfield nature of the site, which is not

located in the vicinity of any sensitive sites (as defined in the guidance.) Furthermore the development threshold of 10,000sqm in floor space is specifically stated to apply to sites' not previously intensively developed. The site is considered to be previously intensively developed by virtue of the existing 26,000sqm of existing office floor space on site.

The increase in height from 4 storeys to up to 11-storeys would add significantly to the building mass on the site, although not to the extent that it would exceed the height of other nearby buildings in the area including Kings Cross Central, the nearby approved developments at 101, 102 and 103 Camley Street, or the proposed 25 storey development in Central Somers Town.

In terms of increase in traffic, emissions and noise the proposals as described in the submitted application are not considered likely to have any greater than borough scale impact. Whilst the proposal would have potential to cause pollution and nuisances arising from the construction process in the short term, neither the extent, nor severity of these impacts is considered likely to be such that could not be properly assessed with the aid of standalone reports and assessments accompanying the application.

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. Whilst it is acknowledged that these are major applications, their potential cumulative impacts combined with the proposed development are not considered to be particularly complex or to be of more than local environmental significance. Even considered together with the current proposal, the combined numbers of units would be well below the threshold of 1000 New dwellings considered by Annex A of PPG above.

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. The proposed office and residential uses are broadly compatible with surrounding land uses and the combined impact of these and the proposed hotel use are 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; 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 end uses are not considered to give rise to adverse impacts on the environment that are complex, or require further investigation, 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 has limited value in terms of natural resources and the environment. It 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) (i-v) The site is not located in any of the areas although the proposal is likely to have impacts on Regents Canal and Kings Cross Conservation Areas and the Regents Canal Site of Nature Conservation Interest (Borough importance). 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. These impacts can be addressed by an ecological assessment provided with the application but are not considered substantial or wider reaching either in themselves or cumulatively with the neighbouring development sites to warrant an EIA.

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

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 an intensive yet conventional manner for its location; it is not considered to bring about any unusually complex or hazardous environmental effects.

Conclusions:

The development does have potential to cause pollution and nuisances arising from the construction process in the short term, and the effects of its tall buildings on local microclimate in the longer term. The potential impacts would affect environmentally sensitive spaces in the form of public open space and a Site of Nature Conservation Interest. However, whilst the impacts in these respects would clearly be a significant factor in the assessment of this proposal, the associated impacts on local views and open space are issues that may be commonly encountered in the normal application process. Whilst there would be an effect on a site designated for its biodiversity value this is noted as being of Borough significance rather than of any wider value. Similarly effects on views to be considered, would not be wider than borough significance and an assessment of the designated London Views would be undertaken during the planning application process. Therefore, neither the extent, nor severity of these impacts is likely to be such that could not be properly assessed with the aid of standalone reports and assessments accompanying the application.

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 (as amended 2015).