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**Ref: 2018/5715/P**

Dear Bethany,

**RE: Eastman Dental Hospital Site and Buildings (including the former Royal Free Hospital, the Eastman Dental Clinic), 256 Gray's Inn Road WC1X 8LD – EIA Scoping**

### ***Introduction***

We write on behalf of University College London ('the Applicant') in response to the EIA Scoping Opinion issued by the London Borough of Camden (LBC) in accordance with Regulation 15 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended in 2018), herein referred to as the 'EIA Regulations'.

An EIA Scoping Report was submitted to the LBC on 21<sup>st</sup> November 2018, following a consultation meeting with the LBC on 4<sup>th</sup> December 2018. An EIA Scoping Opinion was received from the LBC on 18<sup>th</sup> January 2019, with the following internal and external consultees having been consulted:

- LBC – Building Control;
- LBC – Sustainability (Air Quality, Climate Change, Water, Drainage and Flood Risk);
- LBC – Conservation;
- LBC – Urban Design;
- LBC – Environmental Health;
- LBC – Nature Conservation and Grounds Maintenance;
- LBC – Economic Development;
- LBC – Green Space;
- LBC – Transport;
- LBC – Tree Management;
- Environment Agency;
- Historic England / Greater London Archaeology Advisory Service;
- Natural England;
- Transport for London;
- Metropolitan Police Service;
- Sport England; and
- Mount Pleasant Neighbourhood Forum.

In general, we accept and agree with the comments presented within the EIA Scoping Opinion, however we have identified instances where we would like to clarify the Council's position and in some cases query the approach requested in the EIA Scoping Opinion. These instances relate to the Cumulative Effects and Effect Interactions, Highways and Transport, Air Quality, Archaeology and Climate Change sections within the EIA Scoping Opinion and have been discussed in the following subsections of this letter.

### ***Cumulative Effects and Effect Interactions***

The EIA Scoping Report sets out the following criteria for which schemes should be included in the Cumulative Effects assessment:

- Full planning consent or a resolution to grant consent; and



- Produce an uplift of more than 10,000 m<sup>2</sup> (Gross External Area (GEA)) of mixed-use floorspace, or over 150 residential units.

Within the EIA Scoping Opinion, it was requested we include the University of London, Garden Halls and Cartwright Gardens Open Space, London EC1H 9FF – 9EF (ref: 2013/1598/P) scheme within the Cumulative Effects Assessment. However, it is noted that this scheme has been fully constructed and was in operational use two years previously (2017).

In line with the methodology set out in the EIA Scoping Report, and as the scheme is already built out and operational and included in the existing baseline, it would therefore not be included in the Cumulative Effects Assessment.

## Highways and Transport

### Planning Obligations

An email, sent by Simon Roberts (Indigo Planning), responding to the EIA Scoping Opinion was sent to the LBC on 23<sup>rd</sup> January 2019. The email outlined that the references to Community Infrastructure Levy (CIL), specifically Mayoral CIL (MCIL) within the Highways and Transport section of the scoping opinion do not apply scheme proposed. It is noted that medical/health and education land uses have a nil charge under both Camden CIL and Mayoral CIL, and this does not change under MCIL2. Therefore, as the whole of the Proposed Development would comprise medical/health and education floorspace, the MCIL is not applicable for this application.

A reply email was received from the LBC on 25<sup>th</sup> January 2019 in which the LBC agreed with the response outlined above.

### Air Quality

The following table outlines the comments received in the LBC EIA Scoping Opinion issued on 18<sup>th</sup> January 2019 and our subsequent response sent to the LBC via email on 11<sup>th</sup> February 2019.

EIA Scoping Report Paragraph	EIA Scoping Opinion - LBC	Trium Response
169 - 170	The applicant should also refer to LAEI 2013 interpolated data mapping which indicates exceedance of the short-term NO <sub>2</sub> objective at the site façade, as a result of traffic on Gray's Inn Road. (However, LAEI 2020 is not an approved reference, as we do not accept forward AQ projections given the track record of uncertainty in the UK.)	The air quality assessment will use dispersion modelling (the ADMS suite of models will be used), verified using local air quality monitoring data to determine the baseline air quality conditions at the site and the conditions with the Proposed Development in operation. This will include consideration of impacts in relation to the short-term NO <sub>2</sub> objective. Although the LAEI concentration maps provide a useful tool, they will not be used in this case to determine baseline or 'with development' air quality conditions nor to identify any exceedances of the air quality objectives. This is because the model approach used to generate the LAEI maps is high level and less robust than the ADMS modelling approach that will be used in the air quality assessment for the Proposed Development; therefore the ADMS approach will be given precedent in identifying the air quality impacts.
172	Developers should use the Mayor's AQ Neutral guidance document e.g. account for the full extent of floor area within the entire development, in the benchmark / after scenarios including the refurbished plots.	It is agreed that an air quality neutral assessment, completed in accordance with the guidance, will be provided in the air quality ES Chapter (see paragraph 189 of the Scoping Report).
174	Although not residential, the expected sensitive nature of the outpatients and their visits should be explored and taken into account ref. exposures above the shortterm mean. e.g. a high proportion of outpatients with dementia may be senior citizens,	Although outpatient facilities are generally considered to be sensitive to the short-term air quality objectives only, which is consistent with other similar developments in recent years (e.g. Great Ormond Street Centre for Research into Rare Disease in Children), for



	<p>may be expected to spend hours on the site per visit, make frequent or regular visits, and/or form a significant fraction of visitors at any one time. If these apply then visitors should be identified and flagged as high sensitivity receptors. The section also states Receptors within the Proposed Development will be the façade closest to the adjacent road, and at the proposed locations for ventilation system intakes. It should mention that the whole of any given building is potentially impacted by exceedances at the façade, whether via windows, ventilation intakes, other openings or other ingress routes. All short-term occupants or visitors within each building fronting Gray's Inn Road should therefore be considered potential sensitive receptors.</p>	<p>completeness, the air quality assessment will consider the annual mean objectives at the proposed development due to the sensitivity of the future users. Whilst the air quality objectives apply at the facade of the building, the assessment will take into consideration that all users of the facility will be sensitive to any impacts.</p>
<p>184</p>	<p>To achieve an acceptable worst case, the baseline year's vehicle emissions factors should be applied to the 2024 scenarios. Future projected emission factors should not be used, whether adjusted or otherwise, as their accuracy is uncertain. However, future projected traffic flow inputs may be used.</p>	<p>The proposed approach to the air quality assessment is to carry out modelling for two scenarios: one using official Defra emission factors and another using the CURED v3 tool as a sensitivity test, which simulates a scenario where vehicle emissions do not reduce as rapidly as Defra predicts. Although fixing the emissions in the baseline year represents an ultimate worst-case, there are a number of reasons why it is an unreasonable worst-case scenario: current roadside emissions testing shows the newest vehicles are achieving much lower emissions than older models; sales of diesel passenger vehicles and their proportion of the UK vehicle fleet is diminishing rapidly; the uptake of ultra-low emission vehicles continues to increase, especially in London; there is strong national and regional policy support for action to improve roadside air quality (e.g. the London Ultra Low Emission Zone being introduced in 2019); and roadside nitrogen dioxide measurements at many sites in London show reductions in concentrations in recent years, for example there is a clear downward trend in annual mean NO2 concentrations at Euston Road (seen in Table 8 of the Scoping Report). As such, it is not judged to be appropriate to use a scenario such as this in isolation to determine the potential air quality effects (although if the effects are negligible, then this can provide substantial weight to the conclusions). It is, therefore, recommended that the proposed approach, to use official emissions projections, supported with a realistic worst-case sensitivity test using CURED, are combined in demonstrating the likely significant air quality effects of the scheme. If required, the results of modelling with no reductions in emission factors and background concentrations between the baseline and future years can be provided in an appendix to the ES Chapter for information, although these will be given limited weight in the determination of the likely significant effects.</p>
<p>185</p>	<p>For background concentrations, developers are expected to use an average of recent years of the Bloomsbury AMS datasets, or the Defra mapped figure for the site, whichever is the higher. The baseline figure should also be applied to the 2024 scenarios.</p>	<p>It is appropriate to use the London Bloomsbury monitoring site to determine the background concentrations for the assessment; however, for the reasons set out above, it is overly worst-case to fix the background concentrations in the baseline year. Annual mean nitrogen dioxide concentrations at the London Bloomsbury monitoring site have been slowly reducing in recent years and this trend is expected to continue over the next few years. It also introduces uncertainty, in particular in the dispersion model verification process, to calculate and use an average background concentration over a number of years, especially where a clear downward trend is seen. It is, therefore, recommended that the Bloomsbury background concentrations in the baseline year are used for the baseline modelling and verification, and in the future year, the concentrations are</p>



		projected based on the projected change in background concentrations in Defra's background maps. For the CURED sensitivity test, the reduction in future background concentrations will be less pronounced as the tool takes account of the contribution of higher future traffic emissions on the background concentrations.
186	The developer should ensure that any backup generators e.g. diesel are included in their plant assessment along with flagging and quantifying any potential use for short term operating reserve (STOR) or any export of power to the grid.	It is agreed that backup generators will be included in the assessment.
191	With appropriate mitigation in place, the effects of construction dust will be 'not significant'. The assessment will therefore focus on determining the appropriate level of mitigation to be applied so as to ensure this." This statement as phrased could be seen as misdirected. The construction impacts risk assessment should actually first focus on this particular scheme's risks without mitigation. Only then can the appropriate plan for mitigation and monitoring be proposed to minimise the impact risks according to the preventative principle. The developer should apply all Strongly Recommended measures as per the Mayor's Guidance SPG8, as appropriate to the risk level assessed. For medium risk, Camden will require 2 real-time monitors and for high risk, 4 monitors. For either of these, real-time exceedance alert emails to Camden would be necessary and monthly data/exceedance/action reporting is likely to be appropriate. Baseline data of at least 3 months in same positions as for demolition/construction would be asked for. The risk assessment should not miss out consideration of any of the contributory criteria, in any of the steps in the IAQM guidance	The construction dust assessment will assess the risk of impacts in order to identify the appropriate level of mitigation required, in accordance with GLA and IAQM guidance.

An email reply from the LBC was received on 12<sup>th</sup> February 2019, in which the LBC accepted the comments regarding points 172, 174 and 186. However, the LBC did not accept the comments and approach regarding points 184 and 185 and maintained their initial scoping comments.

The Air Quality technical specialists for the project had further communication, in the form of phone calls, with the LBC on 19<sup>th</sup> February 2019 regarding points 184 and 185. The LBC did not accept further amendments to the proposed methodology.

Therefore, the Air Quality assessment within the EIA will include three assessment scenarios: one which uses Department for Environment, Food and Rural Affairs (Defra) official predictions in terms of future vehicle emissions and background pollutant concentrations; a sensitivity test which assumes no change in vehicle emissions and background pollutant concentrations between the baseline year (2017) and assessment year (2024), as requested by LBC; and thirdly a more realistic sensitivity test using the Calculator Using Realistic Emissions for Diesels (CURED) v3A tool. The results of the assessment will be presented in the Air Quality chapter of the ES.

### **Archaeology**

In the EIA Scoping Report submitted to the LBC we had proposed to 'scope in' Archaeology, however the EIA Scoping Opinion contained contradictory responses from the LBC and Historic England / Greater London Archaeology Advisory Service (GLAAS). Historic England / GLAAS stated they felt no further works were required with regard to Archaeology, however the LBC agreed with the approach proposed within the EIA Scoping Report.

An email seeking clarification was sent on 24<sup>th</sup> January 2019 to Jonathon McClue at the LBC. A reply email was received on 8<sup>th</sup> February 2019, in which the LBC stated they had agreed with the precautionary approached



outlined within the EIA Scoping Report. However, in light of the response from Historic England / GLAAS, the LBC would be happy to formally 'scope out' Archaeology of the EIA, if formally proposed.

Subsequently, it is now proposed that Archaeology will be 'scoped out' of the EIA, however a standalone Historic Environment Desk Based Assessment will be submitted in support of the EIA.

### ***Climate Change***

An email, sent by Simon Roberts (Indigo Planning), responding to the EIA Scoping Opinion was sent to the LBC on 23<sup>rd</sup> January 2019. The email outlined that the comments regarding Climate Change made within the EIA Scoping Opinion go beyond the scope of the EIA regulations. The EIA Scoping Opinion comments will be addressed within the Energy Strategy and the Sustainability Statement, which will be submitted separately to accompany the Application. Additionally, a Greenhouse Gas (GHG) Assessment, quantifying the anticipated GHG emissions of the scheme over the development's lifetime, will be included in the appendices of the ES.

A reply email was received from the LBC on 25<sup>th</sup> January 2019 in which the LBC agreed, subject to confirmation from CBRE, with the approach outlined above.

### ***Conclusion***

The scope of the EIA has been amended as outlined above and the EIA will progress on this basis.

Yours sincerely,

for **Trium Environmental Consulting LLP**

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