

Our ref: 2020/5774/P
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Date: 24th June 2021

Dear Ms Milne,

**TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT)
REGULATIONS 2017:**

RE: Murphy's Yard, Camden – Request for EIA Scoping Opinion

The applicant made a request for an EIA Scoping Opinion, prepared by Trium (December 2020) and received by the Council on 11th December 2020, which was subsequently updated via a Scoping Report Addendum on the 20th of April 2021. Further to this request, please accept this letter as the Council's formal Scoping Opinion in accordance with Regulation 15 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended), herein referred to as the 'EIA Regulations 2017'.

In adopting this Scoping Opinion, the Council has carried out consultation with relevant bodies (Regulation 15(4)) and had regard to:

- a) any information provided by the applicant about the proposed development;
- b) the specific characteristics of the particular development;
- c) the specific characteristics of development of the type concerned; and
- d) the environmental features likely to be significantly affected by the development (Regulation 15(6)).

The following consultees have been consulted in preparing this scoping opinion:

- LBC (London Borough of Camden) – Building Control;
- LBC – Conservation;
- LBC – Economic Development;
- LBC – Environmental Health;
- LBC – Green Space;
- LBC – Nature Conservation;
- LBC – Sustainability (air quality and climate change, water, drainage and flood risk);
- LBC – Transport;
- LBC – Tree Management;
- LBC – Urban Design;
- Environment Agency;
- Historic England / Greater London Archaeological Advisory Service;
- Council for British Archaeology;
- Greater London Authority (GLA);

- HS2 Ltd;
- Crossrail;
- London Underground Infrastructure Protection;
- Natural England;
- Thames Water;
- Transport for London;
- Metropolitan Police Service;
- NHS North Central London Clinical Commissioning Group (CCG);
- Sport England;
- Dartmouth Park Conservation Area Advisory Committee.

The consultation responses, on the original 11th December 2020 EIA Scoping Report, are enclosed within Appendix 1 of this letter. Further consultation responses on the 20th April 2021 EIA Scoping Report Addendum, where relevant, are enclosed within Appendix 2.

The Council's comments on the proposed scope of the Environmental Impact Assessment (EIA) and resultant Environmental Statement (ES), as detailed within the Scoping Report, are provided in the sections below. For clarity, comments have been provided on each relevant section of the scoping report. It should be noted that the red line and project description included in the EIA Scoping Report Addendum, dated 20th April 2021, updates the description of the quantum and maximum extent red line of the proposed development. This supersedes elements of the description included in the EIA Scoping Report submitted on the 11th of December 2020. Reference is therefore additionally made to the EIA Scoping Report Addendum where relevant.

Introduction

Overview

The information included in this section is considered acceptable.

Defining the EIA Project

The information included in this section is considered acceptable.

Use of Competent Experts

The information included in this section is considered acceptable.

Paragraph 12 of the EIA Scoping Report states "*Information on Trium's lead EIA practitioners (partner and project manager), as well as the technical contributors to the EIA, will be included within the ES*". This information should detail the relevant qualifications, professional registrations and experience of the lead EIA practitioners and all contributing technical experts for the ES.

Structure of the EIA Scoping Report

The information included in this section is considered acceptable.

EIA and the Scoping Process

EIA Purpose and Process

The information included in this section is considered acceptable.

The Scoping Process

The information included in this section is considered acceptable.

Site Context

Site Location

The information included in this section, as updated by the EIA Scoping Report Addendum and accompanying maximum extent red line plan received on the 20th April 2021, is considered acceptable.

Site Environmental Context

The information included in this section, as updated by the EIA Scoping Report Addendum and accompanying maximum extent red line plan received on the 20th April 2021, is considered acceptable.

The Proposed Development and Planning Application

It is assumed that the quantum of development described in this section, and as updated by the updated description and red line plan provided in the EIA Scoping Report Addendum received on the 20th of April 2021, captures the maximum quantum and maximum red line extent that could be included with the planning application for the purposes of EIA scoping.

Reference is made to the development being phased. A demolition and construction phasing plan should be included, and assessed, in the ES. The construction assessment in each technical assessment should include an intermediate year construction assessment, that looks at the impacts and effects to occupants of the earlier phases (that have been built and occupied) within the proposed development. This should consider construction disturbance from the construction of adjacent and subsequent phases, typically for a worst-case scenario, appropriate to each technical area on review of the planned phasing.

Sensitive Receptors

The information included in this section is considered acceptable.

Planning Context

Each technical assessment should include a review of the relevant aspects of planning policy and guidance in the ES, and this should be considered in the development of mitigation for the proposed development. It should be noted that the London Plan (2021) has now been adopted by the GLA.

EIA Methodology

EIA Methodology and Approach to Assessment of the Proposed Development

The information included in this section is considered acceptable.

Baseline Conditions

With regard to the COVID-19 pandemic, and potential survey work limitations, it is recommended that the collection of baseline data and the use of existing baseline data should be discussed and agreed with the relevant technical officers within LBC (and other statutory consultees, where relevant) where possible ahead of the ES being submitted .

Demolition and Construction Impact Assessments

The information included in this section is considered acceptable.

As previously identified, consideration should be given to an intermediate year construction assessment that assesses effects to occupants of the earlier phases whilst the later (especially adjacent) phases are under construction.

Paragraph 53 of the EIA scoping Report identifies that a future baseline will be considered. We agree with this and commentary should be provided in each of the technical assessments on how the baseline conditions could change from the current baseline in the future. How baseline conditions could change (without the development going ahead) by the year of full completion, would be a relevant benchmark, for example. It is acknowledged that material changes could occur for some disciplines, but not necessarily all. Commentary should be made on whether such changes could affect the receptor sensitivity that has been identified during the existing baseline review.

Paragraph 59 of the EIA Scoping Report mentions that where required, monitoring arrangements will be presented in the ES. Commentary should be provided on whether the technical consultant recommends the need for any monitoring of significant residual effects, if there is the potential for these to remain as significant post-mitigation.

Completed Development

The ES should include a description of the quantum, massing, form and layout of the development. This should include the fixed details being put forward for the detailed component and the parameter plans, maximum (and potential minimum) quantum and design guidelines for the outline component as described.

A realistic worst-case scenario should be assessed for each of the technical assessments. If there is the potential for a lower quantum to be delivered which may lead to different effects, then this should also be considered. For example, a realistic lower limit for floor area and residential units to be delivered for the outline components should also be assessed in the socio-economics assessment if this will potentially lead to an effect that is different to the delivery of the maximum quantum proposed.

Cumulative Effects and Effect Interactions

Cumulative Effects

As is proposed in the EIA Scoping Report, the cumulative impacts and effects of the proposed development with other relevant nearby proposed developments should be assessed in the ES.

In regard to the criteria for cumulative development projects, set out in the EIA Scoping Report, LBC have the following comments:

- Reference is made to assessing schemes with a full planning consent. To be clear, we would also expect that outline planning consents are also assessed, if they breach the wider criteria set out in the EIA Scoping Report
- It is noted that the criteria included below paragraph 65 of the EIA Scoping Report proposes the assessment of development projects that have been submitted for planning but that have not yet been determined. LBC agree with this position, so that the cumulative effects assessment is as up to date as possible at the time of submission of the planning application / at planning committee. However, it is noted that there is a contradiction in the criteria included in Appendix A, with reference made only to schemes that have a resolution to grant. The EIA should include a cumulative assessment of the relevant schemes submitted for planning ahead of the assessment work commencing
- There is currently no mention of nearby sites, which have not yet been submitted for planning, that could be submitted at a similar time to the proposed development. Two schemes (Regis

Road Growth Area and Gospel Oak/Haverstock) are however included in the schedule of cumulative development included in Appendix A. LBC agrees that there may be a need to consider proposed developments that are to be submitted at a similar time for planning, so that the cumulative effects assessment of such schemes are coordinated and consider each other. There are a number of nearby applications coming forward, notably for Euston, the extension to the British Library, O2 Finchley Road site, Selkirk House, Belgrove House, Acorn House, Royal National Throat, Nose and Ear Hospital and the Network Building (note only schemes within the zone of influence (within 1km) will needed to be considered within the ES). Some of these schemes have recently been submitted for planning and therefore will need to be considered, if they meet the wider cumulative scheme criteria. It is recommended that the applicant discusses the need for consideration of any further schemes, not yet submitted for planning, with LBC ahead of the assessment work commencing (so that an up to date position, at that time, is agreed – including the need for a coordinated assessment with other parties).

As indicated above, beyond the list of proposed cumulative development schemes included here, the list of proposed developments to be assessed should be re-reviewed (against the specified criteria) ahead of commencing the assessment work, if there is a delay between the issue of this EIA scoping opinion and the assessment work commencing. Ideally, this list is further discussed with LBC at that time. This will ensure that the list of cumulative development schemes is as up to date as possible at the time of the assessment work commencing.

The schedule of cumulative developments included in Appendix A of the EIA Scoping Report includes variations to original consents. The EIA should ensure that any variations to the original consents, that may be material to the cumulative assessment, are considered: for example, consents approved via Section 73 of the Town and Country Planning Act 1990. There might be further amendment applications to be considered for example to the Travis Perkins site on 156 West End Lane and further amendment planning applications should be reviewed ahead of the assessment work commencing.

Whilst not part of the cumulative assessment, the technical assessments should have regard to impacts and effects to any future receptors in the vicinity of the site that may be affected. Specifically, this may include nearby planning applications / permissions that are lower than the thresholds defined in the EIA Scoping Report.

The ES should outline where any of the earlier phases of the identified cumulative schemes are constructed and occupied, and therefore considered to form baseline for the assessment. The assumed construction phasing of nearby cumulative developments should be outlined in the ES and where this is not clear from the associated planning documentation for those schemes, details should be provided on any assumptions made i.e. the potential for overlap of construction phasing if this represents a worst case for assessment purposes.

Effect Interactions

The EIA Scoping Report includes the following statement:

“There is no established methodology for assessing the impact of cumulative effects on a particular receptor. The interaction of a combination of individual effects would be determined to be either ‘not significant’ or ‘significant’, a scale of the combined effects (minor, moderate or major) would not be applied.

If one of the individual effects is significant the combination of effects would be regarded as ‘significant’. If none of the individual effects are significant the interaction of effects would be regarded as ‘not significant’.

Whilst noting that there is no established methodology for the assessment of interaction effects, in theory a number of non-significant effects on the same receptor could combine to have a greater quantum of impact and therefore interactive effect overall. Such an effect could be significant if there were enough non-significant effects affecting the same receptor. It is therefore recommended that the ES provides clear justification on the significance of any interactive effects predicted.

Alternatives and Design Evolution

As per the EIA Regulations 2017, the ES should include “a comparison of the environmental effects” when considering alternatives. For example, when discussing how the design has changed, this should include a high level commentary on how the environmental effects could have been different from the eventual effects that have been predicted for the final proposed development as assessed in the ES.

Determining Effect Significance – Terminology and Approach

Reference to ‘Impact’ and ‘Effect’

The information included in this section is considered acceptable.

Receptor Sensitivity and Magnitude of Impact

The information included in this section is considered acceptable.

Identification of a Resultant Effect

The information included in this section is considered acceptable.

Effect Scale

The information included in this section is considered acceptable.

Effect Nature

The information included in this section is considered acceptable.

Geographic Extent of Effect

The information included in this section is considered acceptable.

Effect Duration

The EIA Scoping Report includes the following statement:

“..effects that are generated as a result of the demolition and construction works (i.e. those that last for this set period of time) will be classed as ‘temporary’; these maybe further classified as either ‘short term’ or ‘medium-term’ effects depending on the duration of the demolition and construction works that generate the effect in question. Effects that result from the completed and operational Proposed Development will be classed as ‘permanent’ or ‘long-term’ effects”.

Whilst this is broadly agreed, it should be noted that permanent effects could occur as a result of demolition and construction works (i.e. where an asset or receptor has been changed permanently). For the topics scoped into the ES, this could for example include any direct effects (i.e. the removal of) on-site heritage assets as a result of the proposed redevelopment of the site. More specifically, there could be permanent effects associated with the partial demolition of the two locally listed locomotive sheds on the site. Therefore, any effects that are permanent should also be classified as such as a result of the demolition and construction phase of the proposed development.

Direct and Indirect Effects

The information included in this section is considered acceptable.

Effect Significant

The information included in this section is considered acceptable.

Scope Summary

LBC has provided commentary on each of the topics scoped in and scoped out of the ES in the subsequent sections of this letter.

Environmental Topics Scoped In

Socioeconomics

LBC Response

There are no specific comments on the scope of the Socio-Economics chapter, which will include a summary of the findings of the Health Impact Assessment, beyond those provided by the NHS North Central London Clinical Commissioning Group, the LBC Economic Development officer, the (below) – which should be addressed in the ES or via the masterplanning/design of the proposed development.

Note that the LBC Economic Development officer has queried whether effects associated with construction employment should be assessed and presented in the ES. The ES should therefore provide a response on this point (re-confirming, in response, that the effects are not deemed to be potentially significant and why or providing an assessment if appropriate). The LBC Economic Development officer has additionally raised a number of further points to be considered in bringing forward the proposed development.

It should be noted that subsequent to the comment from the NHS North Central London Clinical Commissioning Group, querying the use classes being applied for, the applicant has clarified on this point. The use classes being applied for are detailed in the EIA Scoping Report Addendum submitted on the 20th April 2021.

▪ **LBC Economic Development officer response**

We welcome the consideration of socio-economic impact as part of the EIA, given the potential of the scheme to deliver major change to the Kentish Town area, and the economies of the wider borough and London. The development proposes up to 95,000sqm of commercial floorspace, including 40,700sqm of industrial and up to 38,000sqm of flexible office/research and development. This level of new employment space is likely to bring a range of new businesses to the area. With the diversity of floorspace discussed as part of the application, we would expect to see measures to provide for and attract businesses of different sizes and types, creating a healthy commercial ecosystem at the development. This should include ensuring that appropriate start-up and move on spaces are provided at affordable rates for businesses across the variety of sectors in scope for the space created. The scoping report currently doesn't reference the affordability of business space provided, or an increase in business start-ups, in the list of expected receptors or effects (para.110).

A key priority is ensuring that the development delivers lasting benefits for local people. Camden is fortunate in being an attractive location for commercial development, but for neighbouring communities this can mean years of ongoing disruption through construction works, with many not feeling that they subsequently benefit from the new jobs and opportunities created. Whilst it's welcome that the report references the potential effects local around employment and skills, we would expect to see measures to ensure that Camden people specifically benefit from the end-use opportunities on the site. The report doesn't make reference to the quality of the opportunities created, for example around good pay (London Living Wage) or inclusive employment practices. We would expect the developer to work closely with our Good Work

Camden programme, agreeing a package of commitments and facilitating relationships and mechanisms with occupiers to guarantee that these are delivered upon. This should include measures to ring-fence opportunities, and create pathways into quality jobs for local people.

Whilst construction employment is temporary in nature, this development is significant in scale, covering 17 distinct plots. It is likely that construction on the site will last a number of years, providing ongoing opportunities for local employment. As with all major developments in Camden, we would expect applicants to work with our Kings Cross Construction Skills Centre to meet local labour targets, including agreed numbers of apprenticeships. Given the level of local employment likely to be created during the development phase, we would question its exclusion from the EIA.

▪ **NHS North Central London Clinical Commissioning Group response**

Thank you for the opportunity to comment on this application which is a request for a scoping opinion under the EIA regulations for proposed development of the site. These comments are submitted on behalf of NHS North Central London Clinical Commissioning Group (CCG). They relate to the health and socio-economic topics identified in the scoping report.

Site Environmental Context

With regard to social Infrastructure, Table 1 identifies 3 GP practices within 500m of the site. It is unclear why such a small catchment area has been identified given the scale of the development and the likely impact, and why only GP services have been identified. Paragraph 102 of the report refers to the baseline analysis including primary and secondary healthcare provision.

The Proposed Development and Planning Application

The proposed development comprises approximately 750-825 homes and commercial, retail and community uses. The description refers to uses within Class E, but not use class E(e) 'provision of medical or health services'. However, paragraph 4 refers to the provision of Class E floorspace including healthcare space. Please could the applicant clarify whether healthcare space is to be provided.

Planning Context

It is surprising that paragraph 47 does not refer to the Kentish Town Planning Framework SPD (July 2020). The document aims to create a sustainable development that contributes towards the health and wellbeing of existing and new communities and deliver health/education and community facilities that are required to meet anticipated population growth. It notes that the Council is working with the CCG to explore current and future projected needs in the area and that development will be required to contribute towards additional capacity in the area (page 85).

The CCG's response to the draft Site Allocations Local Plan (February 2020) notes that both the Regis Road Growth Area (Policy KT2) and the Murphy Site (Policy KT3) have the potential for social infrastructure/community use and there may be opportunities for new healthcare infrastructure in the area, acknowledging the linkages with the Kentish Town West / Gospel Oak regeneration area. It is noted that the Gospel Oak proposals and regeneration plans are included in Appendix A of the scoping report listing cumulative developments.

Scope Summary

It is noted in Table 4 that health impacts will be assessed in a standalone report. We note that the health impact assessment (HIA) will consider healthcare impacts and mitigation and that the socio-economic chapter will summarise the key findings from the HIA.

We note in Table 5 that construction worker health is scoped out of the assessment on the basis that the effect is likely to be insignificant. Reference is made to construction management measures to reduce the risk of accidents. However, without this mitigation measure the effect

could be significant. In addition, reference could be made to the Mayor of London's workplace wellbeing programme and Good Work Standard. Minimising the risk of accidents and preventing physical and mental ill health will reduce the impact on healthcare services.

We also note that operational A&E impact is considered to be insignificant and as such will be scoped out of the assessment. This contradicts paragraph 102 which refers the baseline analysis including all primary and secondary healthcare provision, including the 'performance of the nearest A&E'. It is unclear why the impact on A&E provision has been singled out as being insignificant. We suggest that the assessment considers the effect on all primary, community and secondary healthcare services.

We welcome the statement in paragraph 118 that consultation will be undertaken with the CCG to understand the likely impact of the proposed development. However, it only refers to the 'GP baseline'. We would welcome the opportunity to discuss the approach to assess the GP and wider healthcare baseline position, the impact of the proposed development and possible mitigation. Paragraph 116 refers to the use of the GLA population yield calculator. In addition to the GLA population yield calculator, which is designed for education purposes, the HUDU Planning Contributions Tool (HUDU Model) should be used to estimate the population yield, the healthcare impact and necessary mitigation. The report does not mention how the healthcare baseline position will be assessed using available NHS data sources and capacity assumptions. The baseline position should also take into account changing models of healthcare, notably the creation of primary care networks and a shift towards integrated health and care services.

Health impact assessment

It is proposed that the HUDU Rapid HIA Tool will be used to identify the relevant health determinants, assess the impact of the development and identify the likely positive and negative effects. Paragraph 123 notes that the Camden policy guidance on health and wellbeing expects a more comprehensive HIA for schemes of this size. This could include a detailed assessment of health needs and issues, focusing on vulnerable and sensitive groups, could bring together the issues and priorities arising from community engagement and include a mitigation and monitoring schedule which address construction, operational and post-occupation impacts and measures.

Whilst the assessment would focus on identifying and mitigating negative impacts, it is important that the HIA addresses positive impacts and maximises benefits from the proposed development. This could involve exceeding minimum standards and demonstrating how the design of the scheme would maximise health gains.

It is suggested that the applicant consults with the Camden and Islington Public Health team for advice on the HIA.

■ **MET Police Design Out Crime officer response**

Crime trends:

The proposed location of the development has the site sandwiched between railway lines and at the back of main roads. It is a large and awkward site. Crime and anti-social behaviour are material considerations for this proposal, as seen from current crime figures. This area comes under the wards of Highgate and Kentish Town. Anti-social behaviour, violence, shoplifting, burglary and other thefts are prevalent.

| Top reported crimes | |
|---|----|
| Most commonly reported crimes during Nov 2020 | |
| Anti-social behaviour | 54 |
| Violence and sexual offences | 33 |
| Burglary | 11 |
| Public order | 9 |
| Get crime prevention advice | |

The graphic above is for the most commonly reported crimes for Highgate ward. The figures have been taken from the Police UK website. The theme of the crimes are consistent on a month by month basis going back to 2019.

| Top reported crimes | |
|---|----|
| Most commonly reported crimes during Nov 2020 | |
| Anti-social behaviour | 50 |
| Violence and sexual offences | 40 |
| Shoplifting | 27 |
| Other theft | 15 |
| Get crime prevention advice | |

The graphic above is for the most commonly reported crimes for Kentish Town ward. The figures have been taken from the Police UK website. The theme of the crimes are consistent on a month by month basis going back to 2019.

Crime and ASB as material considerations for this site:

The scoping report makes several references to potential receptors which may be impacted by the proposed development and may need to be considered as part of the assessment. Two of the receptors are directly relevant to crime and disorder: Socio-economics and Health (pages 26 and 29). Crime and disorder are relevant considerations and need to be addressed. In socio-economic terms, the current crime trends in this area can have a negative impact upon the quality of life for both residents and businesses and could continue to do so for future residents and workers on this proposed site. The health impact assessment (HIA) sets out eleven broad determinants to health. One of those listed is crime reduction and community safety. In effect, a safe development with low rates of crime and ASB will also have a healthier and happier community which will be less worried about crime and the fear of crime and will not be exposed to its side effects.

Initial concerns from the site:

There are several concerns for this proposed outline/hybrid application. Access onto the site is of note. The current main access route is through Sanderson Close, with secondary access via Gordon House Road and Greenwood Place. The scoping report states on page 10

- *Altering the existing access on Gordon House Road by providing priority access to cyclists and pedestrians with occasional emergency vehicular access to be provided only;*
- *Providing a new access on Gordon House Road to allow for vehicular servicing to the North of the site, as well as pedestrian and cycle access; and*
- *Allowing access to pedestrians and cyclists, and some vehicular (e.g. services and refuse) along Greenwood Place access which is currently only opened for operational traffic.*

Some of the entrances are proposed to have access to cyclists and pedestrians only with access for emergency vehicles. How is this access going to be managed has not been indicated. Permeability in the form of footpaths needs to be considered carefully as 'leaky' developments (with secluded footpaths) can be a breeding ground for anti-social behaviour and crime. A multi-use common access route is preferred where there is vehicular movement, pedestrian traffic and cycle lanes. This enables a good level of vehicle use and footfall boosting the natural surveillance along key routes into the site. There should be no separate footpaths as these are often poorly overlooked and can be flash points for street crime including robbery type offences as well as sexual assault and other violent crime.

If light industrial mixed use will occupy ground floor space with residential units above this should be considered carefully, as after a certain time (1700/1800 hours) there will be much reduced legitimate activity around these ground floor areas. This will reduce the footfall and natural surveillance and produce an environment where groups could gather, the result of which could be an increase in ASB. With groups loitering and associated rowdy behaviour, this will increase the fear of crime for the residents - some of whom may be reluctant to venture out after a certain time.

For blocks of residential units access control and compartmentalisation will be key to mitigating the risk of anti-social behaviour and acquisitive/opportunistic crime. Drugs are also a key issue for the borough of Camden and the development must not become a kindly habitat for gangs to enter and take control.

There is already a large night time economy for the borough of Camden and this could overspill into the new development, with numerous pubs and bars nearby on Highgate and Kentish Town Roads. Permeability will be a key factor as there is already a burglary and opportunistic theft trend for the area. Landscaping will also be important. Lines of sight, lack of concealment opportunities, reduced opportunities for group seating/gathering.

The development may wish to be car free; such proposals may be difficult to manage in reality, as residents and workers may resort to parking in nearby roads thereby increasing traffic pressure in the surrounding area. Should the development seek to include car parking, careful consideration will be needed about appropriate parking areas. Open under crofts and insecure underground car parks can become plagued with crime and ASB, especially in areas with an active drug scene.

Similar developments within Camden:

Referenced at the back of the report are numerous developments with applications similar to this, such as the Mount Pleasant, Morrison's Chalk Farm, Agar Grove and Bacton Low Rise (page 96 onwards). All have benefited from the advice of Met Police design out crime officers and achieved Secured by Design certification. The proposed site should be no different and could be conditioned (if a planning application is submitted and determined) to achieve SBD certification.

I therefore propose that crime and disorder are material considerations for this site as described within the scoping report. These concerns can be allayed by the council agreeing to a condition (if a planning application is submitted and determined) for the development to achieve Secured by Design certification for all phases prior to occupation including residential, commercial and

educational areas, to be maintained in line with SBD certification thereafter. This will require ongoing engagement at an early stage of each phase between the designing out crime officer and the development team.

The NPPF and Camden's own local guidance can support this proposal:

Section 91 of the NPPF states:

Planning policies and decisions should aim to achieve healthy, inclusive and safe places which..

b) are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion – for example through the use of clear and legible pedestrian routes, and high quality public space, which encourage the active and continual use of public areas;.....”

Section 127 of the NPPF further adds:

Planning policies and decisions should ensure that developments..

f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users, and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience

Taken from the Camden Supplementary Guide to Design (January 2021 revision)

- *The Council requires that developments demonstrate that they have been designed to contribute to community safety and security.*
- *Security features must be fully considered and incorporated at an early stage in the design process.*
- *Designing-against crime features, safe access and security measures must complement other design considerations and be considered as part of a holistic approach to designing and maintaining safer environments for all.*
- *Better designed environments support safer and healthier communities.*
- *Consideration will be given to the impact of measures on the surrounding area to ensure that there is not displacement of activity into surrounding neighbourhoods.*
- *Safer environments support healthier communities.*

In accordance with Local Plan Policy C5 Safety and Security, the Council will require applicants to demonstrate that all impacts of their proposal on crime and community safety have been considered and addressed. Applicants should be able to demonstrate that they have consulted Met Police Designing Out Crime Officer (details of which can be found at www.securedbydesign.com) and that proposals take into account the advice given and achieve Secured by Design certification, where appropriate.

Policy C5 Safety and security (From the Camden Local Plan)

The Council will aim to make Camden a safer place. We will:

- a) work with our partners including the Camden Community Safety Partnership to tackle crime, fear of crime and antisocial behaviour;*
- b) Require developments to demonstrate that they have incorporated design principles which contribute to community safety and security, particularly in wards with relatively high levels of crime, such as Holborn and Covent Garden, Camden Town with Primrose Hill and Bloomsbury;*
- c) Require appropriate security and community safety measures in buildings, spaces and the transport system;*

- d) *Promote safer streets and public areas;*
- e) *Address the cumulative impact of food, drink and entertainment uses, particularly in Camden Town, Central London and other centres and ensure Camden's businesses and organisations providing food, drink and entertainment uses take responsibility for reducing the opportunities for crime through effective management and design; and*
- f) *Promote the development of pedestrian friendly spaces.*

We strongly encourage security features to be incorporated into a scheme from the beginning of the design process and complement other key design considerations. Internal security measures are preferred. Further information on designing safer environments is set out in our supplementary planning document Camden Planning Guidance on design.

It is important to take a proactive approach at an early stage to reduce risks and opportunities for crime and ASB to occur, rather than relying on reactive measures such as CCTV, which should only be used as part of a package of measures to reduce crime. Incorporating designing out crime features into a development should complement other key design considerations and high quality architecture and design should still be achieved.

Considering good design early in the design process will lead to a better quality development overall.

The design of streets, public areas and the spaces between buildings needs to be accessible, safe and uncluttered. Careful consideration needs to be given to the design and location of any street furniture or equipment in order to ensure that they do not obscure public views or create spaces that would encourage antisocial behaviour. The use of the site and layout should also be carefully considered as these can also have a major impact on community safety.

From the Camden local plan;

“ Camden's food, drink and licensed entertainment premises contribute to the attractiveness and vibrancy of the borough but, where there is a concentration of late night activity, there can also be problems such as noise and disturbance, littering, antisocial behaviour, crime and violence. The cumulative impact of these uses will therefore be assessed in line with our town centre policies, particularly Policy TC4 Town centre uses and Policy A1 Managing the impact of development. The Council will also take into consideration any concerns raised from stakeholders within adjoining areas beyond Camden's boundaries. Alcohol related crime and late night disorder have been identified as significant issues, particularly within Camden Town and the Seven Dials area of Central

London. Camden's Statement of Licensing Policy sets out the Council's approach to licensing and special licensing policies apply to these areas.”

▪ **LBC Affordable Housing Development Co-ordinator response**

Tenure

We would look to achieve the usual policy compliant 60/40% split between Social Affordable Rent and Intermediate Rent across the scheme. Shared Ownership is not supported in Camden due to very high property values, which result in Shared Ownership being unaffordable to the target income group.

Mix Size

Advice would be to increase numbers of 2b4p units which are suitable for both families and sharers, and reduce number of 2b3p size homes. The scheme should also include some larger 3 and 4 bed family sized units.

Intermediate Rent

Intermediate rented housing must be affordable to those on income bands £31,950 - £42,600 – please note these income bands have been increased in line with 2019 earnings, and are detailed in the recently updated Camden Planning Guidance Document.

Specialist Housing

Preference would be for the Murphy's site to include some form of Specialist Housing – suggestions include specialist housing for people with Learning Disabilities, Supported Living scheme, or some form of Older Peoples Accommodation.

Registered Providers

During recent discussions, there have been clear indications that some Registered Providers would be interested in acquiring/managing the Specialist Housing element as well as any Social Affordable and Intermediate Rented units on schemes. The Specialist Housing element would be of particular interest to those Housing Associations that already have a Specialist Housing division within their organisation.

Community- Led Housing

This item to be further explored in future discussions.

Wheelchair Provision

All wheelchair units should be located within the Social Affordable Rent element of the scheme and not within the Intermediate Rent element, as "Need" for this cohort is not recorded when registering interest for Intermediate Housing.

Wheelchair parking - Larger, (3 bed and upwards), family-sized wheelchair units require a dedicated parking space where possible, and ideally direct street access. This size of unit without a parking space will usually be difficult to let.

Traffic and Transport

LBC Response

With reference to the potentially sensitive receptors specified in the EIA Scoping Report on page 33, this should also include Kentish Town Farm.

There are no further specific comments on the scope of the Traffic and Transport ES chapter, beyond those provided by the LBC Highways officer and Transport for London (TfL (below) – which should be addressed in the ES.

The LBC Transport officer has confirmed a number of requirements for the baseline data, to be used in the Transport Assessment (TA) and ES.

With reference to TfL's comment on the Public Transport Accessibility Level (PTAL), it is recommended that the applicant discusses this point further with TfL as this may affect the assumed future baseline conditions to be reported in the ES.

As raised by TfL, the ES should include an assessment / report on any potentially significant effects associated with non-vehicular traffic and transport, in addition to vehicular trips.

▪ **LBC Transport officer response**

The TA to accompany the ES should follow the format of TfLs latest Healthy Streets TA guidance, while also adhering to the TA guidance in CPG - Transport.

All baseline data and traffic counts, with regard to vehicle, public transport and pedestrian numbers in the area, should be taken prior to (or adjusted for) the covid-19 pandemic.

As Murphy's have recently relocated activities to an alternative site, baseline vehicle generation by the existing site should reference trip numbers both at full capacity and existing numbers.

PTAL values across the site may improve as a result of the proposed development. Any re-evaluation of the PTAL scores for the site should be agreed with TfL prior to submission of the ES and TA.

As well as the Kentish Town Future Transport Context report produced by TfL, the Kentish Town Access Study (which accompanies the Kentish Town Planning Framework document) should be used for the production of the ES and TA.

▪ **Transport for London response**

We have the following comments:

- The criteria applied to defining related cumulative development appears robust in principle in terms of scale and proximity.*
- The statement at page 32 that "PTAL is expected to improve in the western section of the site in the future due to the increased number of rail services available from Kentish Town Station" may be inaccurate. Please can the applicant clarify the new services being referring to. Our current understanding is that PTAL at the site may increase due to new pedestrian routes decreasing the walk distances to existing public transport nearby, not any future increases in public transport service frequency or capacity.*
- The application TA proposed to be appended to the EIA report must follow TfL's latest guidance here: <https://tfl.gov.uk/info-for/urban-planning-and-construction/> and recent TfL Pre-Application advice issued to the applicant.*
- We remind the applicant that the Kentish Town Future Transport Context report and its accompanying data should be used in production of the EIA and TA for the proposed development.*
- The Worst Case Scenario at paragraph 149 includes no mention of non-vehicle traffic or transport which is not robust or acceptable. Please consider worst-case scenarios for non-driving modes.*

Air Quality

LBC Response

There are no specific comments on the scope of the Air Quality ES chapter, beyond those provided by the LBC Sustainability officer (below) – which should be addressed in the ES. It should be noted that the duration of air quality monitoring was subsequently discussed with the applicant and therefore a subsequent response, on that matter, is also provided below.

▪ **LBC Sustainability officer response**

Air Quality

152. ...There have been no recent exceedances of the particulate matter PM10 and PM2.5 objectives at any monitoring location in Camden.

The WHO air quality guidelines for PM10 and PM2.5 should now be considered as these have been adopted by Camden and the New London Plan which is a material consideration. As such it is expected that there have been recent exceedances for particulate matter at the site.

154.... With the mitigation measures in place, it is expected that residual construction dust and PM10 effects would be not significant.

Generally the approach is sound however it should be noted that it is expected that as part of the mitigation that monitoring will be required and baseline monitoring would normally be required for at least 6 months (ideally 12 months) prior to commencement, and the results used

to inform interpretation of construction phase monitoring and any actions required to be taken to avoid exceedances.

159...

- A quantitative assessment of the impacts of the operation of the Proposed Development on concentrations of NO₂, PM₁₀ and PM_{2.5} from development-generated road traffic emissions in the proposed year of opening;
- A quantitative assessment of concentrations of NO₂, PM₁₀ and PM_{2.5} that future users of the Proposed Development will be exposed to in the year of opening; and

In line with CPG Air Quality, the application of atmospheric dispersion modelling to predicted NO₂ and PM₁₀ concentrations, both with and without the proposed development is required. Dispersion modelling shall be carried out in accordance with Air Quality and Planning Guidance, London Councils (2007) and London Local Air Quality Management Plan Technical Guidance 2016. Modelling should not predict improvements to future years (future vehicle emissions or future background concentrations).

▪ **Further LBC Sustainability officer response**

Section 4.10 of CPG Air Quality refers to the 6-12 months monitoring as best practice but we require 3 months as an absolute minimum as set out in the Control of Dust and Emissions during construction and demolition SPG July 2014.

As such happy with 6 months. Backstop is 3 months.

Noise and Vibration

LBC Response

With reference to the potentially sensitive receptors specified in the EIA Scoping Report on page 42, this should also include Kentish Town Farm (it should also be considered for other disciplines in the ES, where relevant).

With reference to Agent of Change principles, the noise and vibration assessment / the planning application, should consider the potential impact of the development on the operation of nearby live venues (i.e. the O2 Forum).

Further comments are provided by the LBC Pollution Planning officer and Environmental Health Officer (below) – which should be addressed in the ES.

▪ **LBC Pollution Planning officer response**

The location of potential sensitive receptors have been adequately identified and the potential noise and vibration effects have been described adequately within the report.

Appropriate noise guidelines have been stated within the document. I do not have any objections to how they propose to lay out the noise and vibration impact assessment in any upcoming ES.

The applicant has to bear in mind that individual intermittent events shall not exceed an internal level of 45dB L_{max} (fast time weighting) within habitable rooms. The number and noise level of individual noise events should be indicated in a noise report for assessment, together with appropriate mitigation measures to achieve this target level. A reduction of 13 dB(A) from the façade level may be assumed as the noise attenuation provided by a partially open window.

They will need consider re-radiated noise into the building from vibration caused by mechanical plant, wind, rail and roads and noise reflected from buildings, surfaces. In areas of high external noise levels, habitable rooms should be orientated/ located on facades most distant to major external noise sources. Where mechanical ventilation is required in areas of high noise levels

and poor air quality, this should be silenced (acoustically attenuated) and the air intake should be from the cleanest aspect of the building.

Overheating will also need to be considered in any assessment submitted.

Building vibration should be measured in acceleration terms (VDV). Measurements of vibration should normally be taken on a building structural surface supporting a human body.

Daylight, Sunlight, Overshadowing, Light Pollution and Solar Glare

LBC Response

In regard to paragraph 211, where relevant LBC would require an assessment not just to emerging future receptors under construction, but also to any other proposed residential development that could be affected that has had a planning application submitted at the time of the assessment work commencing. This is because such development could form a future receptor.

The EIA Scoping Report identifies that due to the proposed development site's proximity to railway lines, a solar glare assessment may be required which, if necessary, will be carried out when facade designs are finalised for the detailed elements of the hybrid application and when Reserved Matters Applications are submitted for outline elements of the hybrid application. The proposed assessment, if required, is qualitative in nature, considering the effect of the proposed development in absolute terms, rather than in comparison with a baseline condition.

Due to the proposed development's proximity to railway lines, a qualitative assessment of potential glare risk will be required to identify opportunities to build in glare risk mitigation through building massing and facade orientation or ground-mounted structures. This can be carried out independently of facade design detail by identifying the potential for solar reflections from plain facades being directed towards road and rail routes. The qualitative assessment should be carried out in accordance with the principles outlined in the Scoping Report for the selection of locations and viewpoints to be assessed and the assessment process, which follow typical practice for qualitative glare assessments for road and rail users. It would be sensible to agree the specific locations and viewpoints subject to assessment, where possible, with Network Rail and with the London Borough of Camden ahead of the assessment being undertaken. The assessment should also identify the potential for solar glare to affect buildings and amenity spaces within the proposed development sites, if this could be significant.

Unless it can be demonstrated qualitatively that any potential glare sources identified are to be obstructed / not significant, a quantitative assessment will be required when facade designs are finalised for the detailed elements of the hybrid application and when Reserved Matters Applications are submitted for outline elements of the hybrid application. This should include a quantitative assessment of the intensity of glare against a recognised threshold, above which visual impairment is likely. It would be sensible to agree the quantitative assessment criteria, where possible, with Network Rail and with the London Borough of Camden ahead of the assessment being undertaken.

Wind Microclimate

LBC Response

With regard to the scenarios to be assessed mentioned below paragraph 241 and the reference to phased testing in paragraph 242, LBC would require one additional scenario in the ES. This will be the inclusion of Phase 1 of the proposed development, proposed at this stage in detail, alongside existing surrounds (baseline). This will be to demonstrate that Phase 1, in isolation – to be approved at this stage in detail, is unlikely to have a significant effect and that all the required mitigation for Phase 1 has been considered.

The ES should confirm the wind source and how many years of wind frequency data that have been included in the assessment. It would be helpful for this to be confirmed in advance of the ES being prepared.

Built Heritage

LBC Response

Historic England, the Council for British Archaeology, the LBC Design officer and the LBC Heritage officer have provided comments as below.

Note Historic England have asked that the assessment demonstrates that the extent of the proposed study area is of an appropriate size to ensure that all heritage assets likely to be affected by this development have been included and can be properly assessed. Further details on the rationale for the study area should therefore be provided in the ES.

Note the Council for British Archaeology have provided comments on the status of the locally listed Kentish Town Locomotive Sheds.

Note the LBC Design Officer has raised a query on whether the oil processing plant should be considered a non-designated heritage asset. Whilst it is not formally designated as a locally listed structure by the LBC, an assessment for its demolition, if proposed, will need to be made.

Built Heritage Assessment – this document does not adequately reflect the proposals, particularly the intervention and works to the locally listed sheds. It states ‘The proposals include the retention and adaptation of the locally listed Locomotive Sheds. The Northern Shed will be retained and continue to function as Murphy’s offices, the Central Shed will be converted to provide new food and beverage uses, with limited alteration to its built fabric, while the South Shed will be partially rebuilt on its existing footprint, its roof altered and additional accommodation provided above’. This description significantly underplays the works happening to the sheds, which are very intensive. A detailed heritage appraisal will be required as part of the ES, to assess the significance of the locally listed buildings and the impact of the works on that significance.

▪ **Historic England response**

Having reviewed the submitted documents, we are generally content that the Built Heritage Assessment (Appendix D) (RPS Group, November 2020) makes a helpful initial assessment of the history and significance of the site and its heritage assets, identifies relevant designated heritage assets within a 500m radius including conservation areas, and that relevant historic environment policy and guidance has been referenced. We note, though, that the listed building St. Alban's Villas (list entry no.: 1379017) is erroneously associated with a location adjacent to the site, whereas it stands some way further north than indicated on Highgate Road.

Nonetheless, given the heights of the structures associated with the proposals and the surrounding landscape character development is likely to be visible across a large area and could, as a result, affect the settings and so the significance of heritage assets at some distance from this site itself. We would expect the assessment to clearly demonstrate that the extent of the proposed study area is of the appropriate size to ensure that all heritage assets likely to be affected by this development have been included and can be properly assessed.

Also, given the proximity of the site to Hampstead Heath, development is likely to be prominent in the protected London Views Management Framework panorama 2, from Parliament Hill. It is important that built heritage and TVIA assessments are designed to ensure that all visual and other impacts on all heritage assets are fully understood. Section drawings, photomontage, verified view studies and kinetic views studies may all contribute usefully to this.

While Section 5.0 of the Built Heritage Assessment remains incomplete, and proposals are still at an early stage, we welcome the applicant's intention to retain the locally-listed buildings on the site. We would encourage the developers to contact us for pre-application discussions as the designs develop. Further information on our Pre-application Advisory Services can be found on our website.

▪ **Council for British Archaeology response**

The CBA welcomes the scoping-in of Built Heritage to the Environmental Statement (ES). However, we have concerns about the Scoping Report's statement that 'The locally listed Kentish Town Locomotive Sheds ... are considered to be non-designated heritage assets'.

We consider this to be incorrect, since Historic England has defined locally listed heritage assets as follows:

- There may be many buildings and sites in a local planning authority's area that make a positive contribution to its local character and sense of place because of their heritage value. Although such heritage assets may not be nationally designated or even located within the boundaries of a conservation area, they may be offered some level of protection by the local planning authority identifying them on a formally adopted list of local heritage assets. ...*
- Whilst local listing provides no additional planning controls, the fact that a building or site is on a local list means that its conservation as a heritage asset is an objective of the NPPF and a material consideration when determining the outcome of a planning application. ...*
- The NPPF contains policies that apply to heritage assets regardless of whether or not they are locally listed. However, local listing provides a sound, consistent and accountable means of identifying local heritage assets to the benefit of good strategic planning for the area and to the benefit of owners and developers wishing to fully understand local development opportunities and constraints.*

The inclusion of the loco sheds in the local listings offers them the status of a heritage asset. It follows that they must be treated with the same consideration as if they were nationally listed, in order to meet NPPF and LPA requirements.

The NPPF defines 'significance' succinctly as 'The value of a heritage asset to this and future generations because of its heritage interest [which] may be archaeological, architectural, artistic or historic'. Potential impacts on significance should be included in the ES. The reference to current and future generations is relevant in this case as regards previous and surviving railway works for example. Without sympathetic investigations 'significance' becomes circumstantial at best. Paragraph 200 of the NPPF advises: "Local planning authorities should look for opportunities ... within the setting of heritage assets, to enhance or better reveal their significance ... [and] should be treated favourably." The loco sheds are relevant; the NPPF clarifies that heritage assets don't have to be officially designated. Enhancing/revealing significance needn't be solely considered as visual enhancement, but may encompass opportunities for community interaction.

▪ **LBC Design Officer response**

Appendix D - Built Heritage Statement

Boundary

- Throughout document - red line boundary includes service yard behind Forum*
- How does recent acquisition of car wash site relate to site boundary/this application?*

Extent/description of proposals to sheds

- Level of intervention to sheds, and particularly central shed, is underplayed. Proposals show that roof would be removed, partially demolished, and in all likelihood re-built. Character of the building would be significantly altered and its significance diminished.*
- Section 4.1 states that "The Central Shed has is comparatively less altered and retains much of its original fabric and integrity. As such it is considered to most strongly reflect*

its origins and historic interest as a nineteenth-century locomotive shed and is of the highest significance of the three."

- *The roof itself is specifically mentioned as being of architectural and historic interest: "Particular features of note include the retained frame and roof structure of the Central Shed, which has remained largely unchanged since its construction in the nineteenth century" and is the largest element of surviving 19th century structure on the site.*
- *Oil-processing plant - do we agree with the assessment that this is not considered to be a non-designated heritage asset?*

Listed buildings

- *Section 4.3 - The text states that setting of Christ Apostolic Church is considered to contribute greatly to the significance of the building. Next para states that the site makes no contribution to this. Part of the significance relates to its visibility and role as a marker and the visibility of the spires due to the low rise buildings around it - the unbuilt nature of the Murphy site behind supports this and enables the building to be read more clearly in the townscape.*

▪ **LBC Heritage officer response**

- *Text within Section 5 does not correspond with what is proposed:*

The proposals include the retention and adaptation of the locally listed Locomotive Sheds. The Northern Shed will be retained and continue to function as Murphy's offices, the Central Shed will be converted to provide new food and beverage uses, with limited alteration to its built fabric, while the South Shed will be partially rebuilt on its existing footprint, its roof altered and additional accommodation provided above.

- *The Northern Shed is outside the red line. The proposed alterations go well beyond 'adaptation'. The section goes on to suggest that the alterations are required in order that the sheds could be retained. Alteration and retention are non-sequiturs.*
- *The impact of the proposed alterations should be sufficiently addressed within the ES and application submission, including the Heritage Impact Assessment.*

Townscape and Visual

LBC Response

Note the response from Historic England provided in the earlier section on built heritage includes relevant points to be considered in the townscape visual impact assessment.

Climate Change

LBC Response

Greenhouse Gas Emissions

This section of the EIA Scoping Report suggests that a greenhouse gas (GHG) emissions assessment will be appended to the ES, with the findings presented in the general chapters of the ES. However, given that potentially significant adverse effects relating to greenhouse gas emissions, as acknowledged by the Scoping Report, could occur – this should be assessed in a dedicated ES chapter that deals with greenhouse gas emissions in the ES.

LBC would require a dedicated GHG emissions ES chapter to be included in the ES. It is recommended that any assessment has due regard to IEMA's Environmental Impact Assessment Guide to: Assessing

Greenhouse Gas Emissions and Evaluating their Significance (IEMA, 2017) (as is referenced in the EIA Scoping Report) and other good practice guidance such as Whole life carbon assessment for the built environment (RICS, 2017).

The chapter should have regard to operational energy – based on predicted total energy calculations (as informed through the standalone energy statement) and embodied carbon from construction – based on the proposed development area schedule and published benchmarks. In addition, consideration should be made to whether an assessment is required for the other lifecycle stages in Figure 2 of the RICS (2017) guidance document, which is taken from BS EN 15978. If a justified reason can be given for scoping out a particular lifecycle stage, this should be explained in the methodology section of the greenhouse gas emissions ES chapter. It should be noted that the LBC Sustainability officer (as below) has highlighted the need to consider whole life cycle carbon emissions, in line with GLA guidance.

- **LBC Sustainability officer response**

Climate Change

Development proposals referable to the Mayor should calculate whole life-cycle carbon emissions through a nationally recognised Whole Life-Cycle Carbon Assessment and demonstrate actions taken to reduce life-cycle carbon emissions, in line with the GLA Whole Life Carbon Guidance.

The Potential Impact of Climate Change on the Proposed Development

Reference is made to assessing the potential impact of climate change on the proposed development in accordance with IEMA guidance “Climate Change Resilience and Adaptation (IEMA, 2015)”. It should be noted however that IEMA released in June 2020 updated guidance on climate change adaptation and resilience. This provides guidance for considering climate change adaptation and resilience through the EIA process. It is recommended that the EIA process also has due regard to this guidance document. The guidance states that there are two key strands to assessing climate adaptation: 1.) risks of changes in climate to the project (i.e. the resilience or conversely the vulnerability of the of the project to future climate changes) and 2.) the extent to which climate exacerbates or ameliorates the effects of the project on the environment. It is recommended that the latter is assessed within each relevant environmental topic chapters, as is already being proposed in this case. It is considered acceptable that item 1 is considered in chapter 3 and chapter 4 of the ES.

Environmental Topics Scoped Out

Archaeology

LBC Response

LBC has received a response from both the Greater London Archaeological Advisory Service (GLAAS) and the Council for British Archaeology as below. Note that the Council for British Archaeology have indicated a preference for archaeology to be scoped into the ES, and assessed alongside built heritage matters. This position has been further explored with GLAAS, with a second response from GLAAS provided. As per the EIA Scoping Report and advice from GLAAS, given that no significant effects are likely to occur with the implementation of the proposed mitigation measures, LBC agree that this topic can be scoped out of the ES and that any further matters raised by the Council for British Archaeology can be dealt with, as required, in other planning documents outside of the EIA process. GLAAS have proposed a number of planning conditions (if a planning application is submitted and determined) for consideration.

- **Greater London Archaeological Advisory Service response**

Thank you for your consultation dated 11 December 2020.

The Greater London Archaeological Advisory Service (GLAAS) gives advice on archaeology and planning. Our advice follows the National Planning Policy Framework (NPPF) and the GLAAS Charter.

NPPF Section 16 and the Draft London Plan (2017 Policy HC1) recognise the positive contribution of heritage assets of all kinds and make the conservation of archaeological interest a material planning consideration. NPPF paragraph 189 says applicants should provide an archaeological assessment if their development could affect a heritage asset of archaeological interest.

If you grant planning consent, paragraph 199 of the NPPF says that applicants should record the significance of any heritage assets that the development harms. Applicants should also improve knowledge of assets and make this public.

The site does not lie within an archaeological priority area, and the evidence indicates that the site has a relatively low potential for remains of regional or national significance. Any archaeology would most likely comprise remains of the 19th century railway and industrial development and any geoarchaeological deposits potentially associated with the Fleet River which is believed to have been located in the eastern part of the site. It is likely however that any remains and deposits which pre-date the 19th century will have been significantly compromised by the railway and industrial development. Any archaeological remains or deposits will most likely be of local significance.

Having reviewed the submitted archaeological desk based assessment (DBA), I am inclined to agree with the scoping report which states that Archaeology should be scoped out of the EIA.

I also agree with the recommendations set out within the DBA: that given the scale of the site and the lack of past investigations having been carried out within the site's boundary, a programme of archaeological investigation should be carried out in accordance with a planning condition (if a planning application is submitted and determined). This could initially comprise the monitoring of any geotechnical investigation in order to identify areas of good archaeological survival. Alternatively the first phase of archaeological investigation would comprise evaluation trenches. The aim of the initial phase of investigation should be to determine the level of archaeological survival and the nature and significance of those remains. This would help to identify the need for any targeted archaeological mitigation.

I therefore recommend attaching a condition (if a planning application is submitted and determined) as follows:

No demolition or development shall take place until a stage 1 written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no demolition or development shall take place other than in accordance with the agreed WSI, and the programme and methodology of site evaluation and the nomination of a competent person(s) or organisation to undertake the agreed works.

If heritage assets of archaeological interest are identified by stage 1 then for those parts of the site which have archaeological interest a stage 2 WSI shall be submitted to and approved by the local planning authority in writing. For land that is included within the stage 2 WSI, no demolition/development shall take place other than in accordance with the agreed stage 2 WSI which shall include:

A. The statement of significance and research objectives, the programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works

B. Where appropriate, details of a programme for delivering related positive public benefits.

C. The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. this

part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the stage 2 WSI.

Informative Written schemes of investigation will need to be prepared and implemented by a suitably qualified professionally accredited archaeological practice in accordance with Historic England's Guidelines for Archaeological Projects in Greater London.

This condition is exempt from deemed discharge under schedule 6 of The Town and Country Planning (Development Management Procedure) (England) Order 2015.

This pre-commencement condition is necessary to safeguard the archaeological interest on this site. Approval of the WSI before works begin on site provides clarity on what investigations are required, and their timing in relation to the development programme. If the applicant does not agree to this pre-commencement condition please let us know their reasons and any alternatives suggested. Without this pre-commencement condition being imposed the application should be refused as it would not comply with NPPF paragraph 199.

I envisage that the archaeological fieldwork would comprise the following:

Geotechnical Monitoring

Archaeological monitoring of geotechnical pits and boreholes can provide a cost effective means of establishing the potential for archaeological remains to survive on previously developed land or where deep deposits are anticipated. It is usually used as part of a desk-based assessment or field evaluation.

Evaluation

An archaeological field evaluation involves exploratory fieldwork to determine if significant remains are present on a site and if so to define their character, extent, quality and preservation.

Field evaluation may involve one or more techniques depending on the nature of the site and its archaeological potential. It will normally include excavation of trial trenches. A field evaluation report will usually be used to inform a planning decision (pre-determination evaluation) but can also be required by condition to refine a mitigation strategy after permission has been granted.

You can find more information on archaeology and planning in Greater London on our website.

This response only relates to archaeology. You should also consult Historic England's Development

Advice Team on statutory matters.

▪ **Council for British Archaeology response**

The CBA is disappointed about the scoping-out of Archaeology from the ES. We question the report's view that C19/C20 development and changes are of little or no interest; these matters form future archaeology, likely to be currently of interest to local communities and anyone studying the rapid expansion of London and its railway networks. Older OS maps show a plethora of development within the site relating to the railheads; loco sheds, gasworks with chimney, bottling stores, coal depot/shed etc. Just west of the site boundary was the Gospel Oak Brickworks including its quarry, kilns and chimney. These features are indicative of massive building programmes in London in the Victorian era. The National Library of Scotland website [<https://maps.nls.uk/>] offers free on-line access to available maps from mid-19th century on, by entering a grid reference to the search box.

The report notes the potential for burials on the SE periphery of the site, in connection with the present Grade II listed Christ Apostolic Church, formerly St John's, on the site of the C18 Kentish Town Chapel (part of the walls of which survive). This possibility requires further study and possibly investigation.

We also have concerns about valid points raised in Appendix E Archaeological Desk-Based Assessment [ADBA]. The observation that due to the 'size of the Site and the relative lack of archaeological investigations in the vicinity further archaeological mitigation measures may be required' appears to be at odds with the scoping-out of Archaeology and subsequent sole reliance on the ADBA. We are especially uneasy that any mitigation measures 'can follow the granting of planning permission, secured by an appropriately worded archaeological planning condition'. LPAs generally require adequate investigation and reporting ahead of an application's determination. We believe that, once a planning application has been determined in the form applied for, it may be too late to re-design a site if archaeological work is deemed necessary by the LPA. Post-determination conditions should be a last resort and not regarded as a standard approach.

The CBA's view is that Built Heritage and Archaeology are part of the same topic and (for EIA development) if one is scoped-in the other should be too, ideally as a single combined chapter in the ES.

Potential impacts on Significance

The NPPF defines 'significance' succinctly as 'The value of a heritage asset to this and future generations because of its heritage interest [which] may be archaeological, architectural, artistic or historic'. Potential impacts on significance should be included in the ES. The reference to current and future generations is relevant in this case as regards previous and surviving railway works for example. Without sympathetic investigations 'significance' becomes circumstantial at best. Paragraph 200 of the NPPF advises: "Local planning authorities should look for opportunities ... within the setting of heritage assets, to enhance or better reveal their significance ... [and] should be treated favourably." The loco sheds are relevant; the NPPF clarifies that heritage assets don't have to be officially designated. Enhancing/revealing significance needn't be solely considered as visual enhancement, but may encompass opportunities for community interaction.

National planning policy advises that assessing significance is a key principle for managing change to heritage assets. The NPPF stresses 'the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation ...'. In their Conservation Principles Policies and Guidance, (Historic England 2008) Historic England identifies the areas of heritage value for determining overall significance:-

- *Evidential: the potential of a place to yield evidence about past human activity. This includes physical remains as the primary source of evidence and the people/cultures that made them. Where written records are scarce the material record's importance increases;*
- *Historical: How a place's past and present communities and life-events can connect together.*
- *Aesthetic: Ways in which people draw sensory and intellectual stimulation from a place or building. These may relate to the design of a place, or informal development over time, and/or the relationship of structures to their setting;*
- *Communal: The meaning of a place for the people who relate to it, including symbolic, social, commemorative and spiritual value; sometimes as uncomfortable reminders of events in national history.*

To take full account of the need to address 'significance' the CBA encourages an approach of assessing all heritage assets together in one chapter of the ES via a detailed and comprehensive Cultural Heritage Assessment. This should include documentary research, study and recording of surviving buildings and historic maps, including designated assets (national and local), their settings and their surroundings. It should also include a full account of known archaeology for any era, linking above and below-ground evidence and surviving material, with an assessment of the potential for unknown/unanticipated remains.

We would stress our preference for robust and detailed pre-submission assessments, conclusions, recommendations and reporting within the ES as part of supporting documents for the planning application having regard to the nature of the proposal, any difficulties likely to be encountered, and current EIA Regulations.

The CBA's Recommendations:

(a) Notwithstanding the report's stated intention for scoping-out Archaeology, we recommend that Built Heritage and Archaeology be jointly assessed in a combined Cultural Heritage chapter, linked to Townscape and Visual Impact within the Environmental Statement;

(b) Advance Desk-Based Assessments (DBA) should be prepared and the results included in the ES as part of the planning application. These should include assessments of relevant published accounts; the settings of heritage assets around and within the site including The Forum with its two listed neighbours to the south, the Christ Apostolic Church site and the loco sheds, along with the settings of proximate Conservation Areas. The ES should include a written commitment to further work and mitigation if results indicate potential adverse impacts on heritage or its significance.

(c) For any necessary physical works advice should be sought from Historic England and the LPA's Conservation specialists or other qualified archaeological advisors to be undertaken, if required, in accordance with a written scheme of investigation (WSI). Such works should preferably be completed and reported on at application stage, rather than via planning conditions post-determination (if approved). Reporting should include written commitment to fulfilling mitigation programme/s.

(d) The ES should also include written commitment to facilitating community engagement with cultural heritage, recognising the potential for social value and bearing in mind the definitions of 'significance' in the NPPF/NPPG.

(e) Attention is drawn to a requirement for written commitment from the applicants to publishing publicly available reports of all investigations even if of a negative outcome.

▪ **Further Greater London Archaeological Advisory Service response**

Below is my response to the comments made by the CBA.

The site does not lie within an Archaeological Priority Area (APA). The Camden APAs were review only a couple of years ago and so the justification from the APAs is based on up to date evidence. Schedule 3 Section 2c (viii) of The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 stipulates that development must consider sites of archaeological significance. The site's location outside a locally designated APA indicates that the site is not considered to be a site of archaeological significance.

Whilst I acknowledge that the remains of railway infrastructure is of some interest, such remains are not unique, particularly in London, and would be considered to be of low/local significance.

There is some potential for palaeoenvironmental remains associated with the Fleet River, however the survival is unlikely to be extensive due to the impact of the railway infrastructure. The significance of the Palaeoenvironmental remains will have therefore been compromised.

In regards to the issue of burials, it is unlikely that burials extended into the application site, however given the sensitivity of such human remains it should form part of a research question for the next stage of archaeological investigation in order to ensure that there are definitely no burials within the site.

Overall I still do not feel that development of this site will result in a "significant effect" as set out under EIA regulations. Based on the evidence there is unlikely to be archaeological remains of national significance that would require preservation in situ through design. There will obviously still be some impact to locally significant archaeological remains, and given the scale of the site,

a programme of archaeological fieldwork in accordance with a planning condition a planning (if a planning application is submitted and determined) would be an appropriate and proportionate strategy for this site.

One option that I think we should encourage the developer to accommodate is to use the history of the site (particularly its railway heritage) to influence the design, perhaps through interpretative landscaping, public realm artwork and information panels.

Ecology and Biodiversity

LBC Response

The proposal to scope out ecology and biodiversity is considered acceptable.

Beyond the EIA process, the LBC Nature and Conservation officer has confirmed that a standalone ecological impact assessment, supported by the survey work that has been undertaken, would still need to be provided given the adjacent significant areas of SINC.

Natural England have confirmed that they do not have any specific comments, beyond drawing attention to their standard advice that they issue in support of EIA scoping opinions. With reference to this standard advice, it is acknowledged by LBC that the EIA Scoping Report already provides detail on why significant ecological effects are unlikely to occur. Given that significant effects are unlikely, it is agreed that further assessment of ecology and biodiversity can therefore be scoped out of the ES.

The Phase 1 habitat survey was undertaken in May 2019, therefore an updated site walkover will need to be undertaken. This will be required to confirm that the findings of the original PEA remain unchanged ahead of the submission of the planning application. Specifically, the Preliminary Ecological Appraisal confirms a shelf life of two years, which will have lapsed by the time the proposed development is considered at planning committee. The findings and implications (if any) of this updated walkover should be summarised in the ES when discussing the EIA scoping process and the topics scoped out of the ES.

▪ **LBC Nature and Conservation Officer response**

I don't have a problem with ecology being scoped out of the formal EIA process. However, given the significant areas of SINC adjacent I would still expect an EcIA sufficient to identify the impacts from the proposals. The Biodiversity Net Gain assessment will be welcome but comes after the avoid-mitigate-compensate hierarchy and won't assess indirect impacts on the SINC, which'll include light pollution and other urbanisation impacts, which will need a robust solution.

▪ **LBC Nature and Conservation Officer response on re-consultation**

Considering the potential effects I don't object to ecology being scoped out of the formal EIA process for this development.

However, given the significant areas of SINC adjacent I would still expect an EcIA sufficient to enable the application to be judged against national and Camden policy on biodiversity. The Biodiversity Net Gain assessment will be welcome but comes after the avoid-mitigate-compensate hierarchy and won't assess indirect impacts on the SINC, which'll include light pollution and other urbanisation impacts, nor impacts on species, which will need to be informed by surveys, and robust mitigation identified.

I have provided comments on the ecology section of the scoping report (paragraph 320) below.

- *"Potential shading impacts on the habitats within the adjacent non-statutory designated site of Kentish Town City Farm, Gospel Oak Railsides and Mortimer Terrace Nature Reserve SBINC, are likely to be insignificant, given that those areas of the SBINC to*

the north and north-east of the site include woodland habitats, which are likely to be already shaded habitats and should be resilient to any increased shading."

Shade-tolerance strategies of woodland plants include, for example, early season growth to complete flowering prior to complete canopy growth of trees, which permanent buildings may impact. We would expect further consideration of this as per the PEA, which states: "The height and aspect of proposed new buildings adjacent to SBINC may lead to shading impacts on adjacent habitats. Should further information on shading impacts be required then specialist input is recommended."

- *"If the scattered trees on the boundaries of the site are to be removed, any effect is considered unlikely to be significant due to their limited local value;"*

No doubt further information on this will be provided so the impact on biodiversity can be judged when known.

- *"Provided an informed lighting plan is submitted, and there will be no additional light spill onto the boundary habitats and the adjacent railside habitats (including the Kentish Town City Farm, Gospel Oak Railsides and Mortimer Terrace Nature Reserve SBINC) there is not considered to be any potential significant effects on commuting and foraging bats."*

'Informed' suggests informed by information regarding the use of these areas by commuting and foraging bats so the scale of potential impact and mitigation/avoidance can be judged, and we would expect a bat activity survey of SINC corridors adjacent to the site.

- *"Potential impacts and legislation breaches relating to breeding birds will be mitigated by timing vegetation removal / building demolition works to avoid the bird nesting season, or by a suitably qualified ecologist undertaking a check for nests immediately ahead of works commencing during the bird breeding season and protection of any active nests until the young have fledged. It is proposed to scope breeding birds out of the assessment as any potential effects will be avoided by following standard mitigation measures as presented within the PEA."*

With regard to breeding birds the PEA only refers to avoiding breaching the legislation and enhancements. We expect impacts on bird breeding and foraging habitats to be adequately identified and mitigated through provision of replacement habitat where necessary.

▪ **Natural England comments**

The scoping request is for a proposal that does not appear, from the information provided, to affect any nationally designated geological or ecological sites (Ramsar, SPA, SAC, SSSI, NNR) or landscapes (National Parks, AONBs, Heritage Coasts, National Trails), or have significant impacts on the protection of soils (particularly of sites over 20ha of best or most versatile land), nor is the development for a mineral or waste site of over 5ha.

At present therefore it is not a priority for Natural England to advise on the detail of this EIA. We would, however, like to draw your attention to some key points of advice, presented in annex to this letter [appended to this EIA Scoping Opinion]], and we would expect the final Environmental Statement (ES) to include all necessary information as outlined in Part 4 of the Town & Country Planning (Environmental Impact Assessment) Regulations 2017. If you believe that the development does affect one of the features listed in paragraph 3 above, please contact Natural England at consultations@naturalengland.org.uk, and we may be able to provide further information.

TV, Mobile Phone and Radio Reception

LBC Response

The EIA Scoping Report makes reference to the potential for effects to occur to satellite TV reception, which may need to be mitigated via standard mitigation measures.

Land Take

LBC Response

It is agreed that significant effects relating to land take are unlikely to arise and that therefore that this topic can be scoped out of the ES.

Geoenvironmental - Land Contamination, Ground Conditions, Soil and Groundwater

LBC Response

It is agreed, that subject to the measures outlined and committed to in the Scoping Report being developed and agreed with LBC's Environmental Health / Contaminated Land officer, that significant effects relating to ground contamination are unlikely to arise and that therefore that this topic can be scoped out of the ES.

The LBC Environmental Health Officer response is included below. They have confirmed that they will need to review a remediation strategy and verification report as part of a planning application.

▪ **LBC Environmental Health officer response**

Land contamination

The report on ground investigation identified widespread contamination across the entire site. The contaminants identified include:

- *TPH and PAH compounds*
- *VOCs and SVOCs*
- *lead*
- *organic contaminants in groundwater*
- *elevated levels of methane gas.*
- *ground gases*

The Conceptual model produced is comprehensive and the initial investigation satisfactory. The need for a remediation strategy to be designed and approved by the LPA has been successfully identified and any full application would be expected to provide full details of the remediation measures required and how they are to be undertaken. A verification to demonstrate that the works set out in the remediation strategy are complete and identify any requirements for the longer monitoring of pollution linkages, maintenance and arrangements for contingency action should also be provided. As already stressed in the past, ground gas monitoring and subsequent assessments should also be fully considered. Any investigation and risk assessment must be undertaken in accordance with the requirements of the Environment Agency's Model Procedures for the Management of Contamination (CLR11 / now LCRM)

Radon

Paragraph 8.7.9 of the report on ground investigation reads that "the site lies within an area where radon protective measures are not required." If redevelopment of Murphy's Yard commences above formation level, I agree the radon risk is negligible and no radon protection measures are necessary. However, if redevelopment has basement provisions, this raises health concerns for the occupants. This concern is based on the Radon guidance BR 211 (2015), which notes that all basements are at increased risk of elevated levels of radon regardless of geographic location, because more walls are in contact with the ground as well as the floor, and reduced natural ventilation below ground level increases the risk of elevated radon levels. In addition, the Management of Health and Safety at Work Regulations (1999)

require the assessment of health and safety risks and both the Health and Safety Executive (HSE) and Public Health England (PHE) state that this should include the measurement of radon for occupied below ground workplaces (occupied for more than 1 hour per week/52 hours of the year), irrespective of whether a site is situated in a radon affected area. This is the responsibility of the Employer. For residential developments Public Health England advise that consideration should be given to testing for radon if the basement includes rooms regularly used.

UK Radon recently confirmed it is feasible to monitor radon levels in the field, but there is no established way of interpreting the results. Radon levels in soil gas are typically 1000's Bq m⁻³ but cannot be used to predict the likely radon level in a building on the same site. To put field levels into perspective the radon Action and Target levels in homes are 200Bq m³ and 100Bq m³ - Public Health England, advises if the action level is exceeded then levels should be reduced to the target level or below. By contract if an employer has a workplace level above 300Bq m³ (Ionising Radiations Regulations 2017) they are required to limit employee exposure to radon, which usually means building mitigation work. Radon measurements taken in unoccupied buildings (or unoccupied areas of buildings) can give unrepresentative results – too high or too low – and cause problems with interpreting results around the Action Level for homes or IRR17 threshold for workplaces. Whilst the guidance advocates radon testing (which can take 3 months to complete) to establish whether radon protection is necessary, representative monitoring can only be undertaken post construction and whilst the building is occupied.

If applicable and the proposal has basement provisions the potential radon risk can also be addressed via condition (if a planning application is submitted and determined).

Asbestos

The contamination assessment report confirms that asbestos surveys were carried out for all buildings on site and the relevant risk was “moderate”. A full application would be expected to contain an appropriate mitigation scheme to control risks to occupiers. The scheme must be written by a suitably qualified person and submitted to the Local Planning Authority (LPA) for approval. The scheme should detail removal or mitigation appropriate for the proposed end use and shall be independently verified.

Unexploded Ordnances

The Archaeological Desk Based Assessment confirms that the site appears to have been impacted by UXO during WW2, but no further comment was offered. It is therefore recommended that a detailed UXO assessment is undertaken and provided to the main contractor who is responsible for the health & safety of site workers and the public under the Construction (Design and Management) Regulations.

Project Vulnerability

It is agreed that significant effects relating to major accidents and disasters are unlikely to arise and that therefore this topic can be scoped out of the ES.

Materials

It is agreed, that subject to the measures outlined in the Scoping Report being put in place, that significant effects relating to materials are unlikely to arise and that therefore this topic can be scoped out of the ES.

The LBC Sustainability officer has sign-posted waste reduction targets and further requirements for inclusion in a separate standalone Circular Economy Statement below.

▪ **LBC Sustainability officer response**

Materials and Waste

399. ...between 90% and 95% of waste materials have been recovered and re-used or recycled.

It should be noted that the New London Plan states that waste planning authorities and industry working in collaboration to: to meet or exceed the targets for each of the following waste and material streams:

- a) construction and demolition – 95 per cent reuse/recycling/recovery*
- b) excavation – 95 per cent beneficial use¹⁶*

407. ...A Circular Economy Statement will be prepared and submitted alongside the planning application which would address waste and material for all life stages of the Proposed Development.

Referable applications should promote circular economy outcomes and aim to be net zero-waste. A Circular Economy Statement should be submitted, to demonstrate:

- 1) how all materials arising from demolition and remediation works will be re-used and/or recycled*
- 2) how the proposal's design and construction will reduce material demands and enable building materials, components and products to be disassembled and re-used at the end of their useful life*
- 3) opportunities for managing as much waste as possible on site*
- 4) adequate and easily accessible storage space and collection systems to support recycling and re-use*
- 5) how much waste the proposal is expected to generate, and how and where the waste will be managed in accordance with the waste hierarchy*
- 6) how performance will be monitored and reported.*

Waste

It is agreed, that subject to the measures outlined in the Scoping Report being put in place, that significant effects relating to solid waste are unlikely to arise and that therefore this topic can be scoped out of the ES.

The LBC Sustainability officer has sign-posted waste reduction targets and further requirements for inclusion in a separate standalone Circular Economy Statement as included in the previous section on materials.

Water Resources, Flood Risk and Drainage

LBC Response

It is agreed, that subject to the measures outlined in the Scoping Report being put in place, that significant effects relating to water resources, flood risk and drainage are unlikely to arise and that therefore this topic can be scoped out of the ES.

As is proposed, a Flood Risk Assessment and Drainage Strategy should be provided with the planning application and a summary of the design principles provided in the general chapters of the ES. As is also proposed, the ES should detail any commitments with regard to potable water saving measures to be incorporated into the proposed development. Measures for dealing with demolition and construction

related water pollution, for inclusion in a Construction Environmental Management Plan, should be included in the demolition and construction front end general chapter of the ES.

Comments from LBC as Local Lead Flood Authority, Thames Water and the Environment Agency are provided below. These points should be considered when bringing forward the separate standalone planning reports referred to in the EIA Scoping Report and as the development progresses. It is acknowledged that the matters raised by Thames Water can be dealt with outside of the EIA process, as issues that are unlikely to lead to significant effects, within other standalone planning documents.

▪ **LBC Sustainability officer response (as Lead Local Flood Authority)**

Flood risk

The EIS scoping report observes:

374. ... the requirement for a Flood Risk Assessment within the planning application will address the flood related risks as listed in the London Risk Register.

417. EA Surface Water Flood Maps indicate that the western portion of the site predominantly has a “very low” surface water flood risk, with annual probability greater than 1 in 1000. The eastern portion of the site has a “low risk” of surface water flooding, with an annual probability between 1 in 100 year and 1 in 1000 year. Small localised areas of the site have a medium to high risk of surface water flooding, although this is typically within the existing vehicular routes and on the periphery of the site extents.

419. From reviewing the LBC Strategic Flood Risk Assessment (SFRA)⁵⁶, it is identified that the site does lie within a Critical Drainage Area (CDA) reference Group3_003, however outside of any Local Flood Risk Zones. Whilst the “Gospel Oak” Local Flood Risk Zone is located immediately west of the site it is separated by the existing railway lines along the western boundary.

Comments:

Surface water flooding risks

Below: site boundary (left) and the flood risk map from the Strategic Flood risk Assessment (SFRA, right).



Although the report's observations are generally correct, it has not made reference to the historical major flooding of Highgate Road (1975 – shown orange in SFRA map extract).

Insofar as the site is close to this road, it would be prudent to proceed as if the scheme were in an area at risk of flooding, in the meaning of the Camden Local Plan.

Flood Risk Assessment (FRA)

Given the scale and unity of the Kentish Town Framework area, the FRA exercise should be undertaken as far as possible in conjunction with the owners of neighbouring plots in the same. The measures implemented and (with/without development) overland flows will all be interlinked in effect and should be coordinated appropriately.

Sustainable drainage

The report notes that:

A SuDS appraisal exercise will be undertaken to assess the appropriateness of the full spectrum of different sustainable techniques as identified within CIRIA C753. LBC as the Lead Local Flood Authority (LLFA) require all new developments to refer to the drainage hierarchy within the Draft New London Plan and seek to achieve greenfield runoff rate discharge restriction.

The FRA, Surface Water and Foul Sewage Drainage Strategy will be informed by consultation with the key stakeholders including the EA, the LLFA and TWUL and be accompanied by a completed LBC SuDS Proforma to demonstrate compliance with Local Policy.

Through a well informed and considered design process with regard to flood risk and surface water drainage considerations, coupled with appropriate measures to manage the residual flood risk at the site following redevelopment, no likely significant effects associated with flooding and surface water drainage are anticipated.

Comments:

Drainage strategy

For reasons similar to those given above regarding the need for a unified FRA, we would expect to see the drainage strategy for this prospective planning application taking into account the nature and impacts of anticipated neighbouring development. As far as possible, the applicant should be asked to work with landowners and developers of adjacent plots within the Planning Framework area.

Sustainable drainage systems (SuDS)

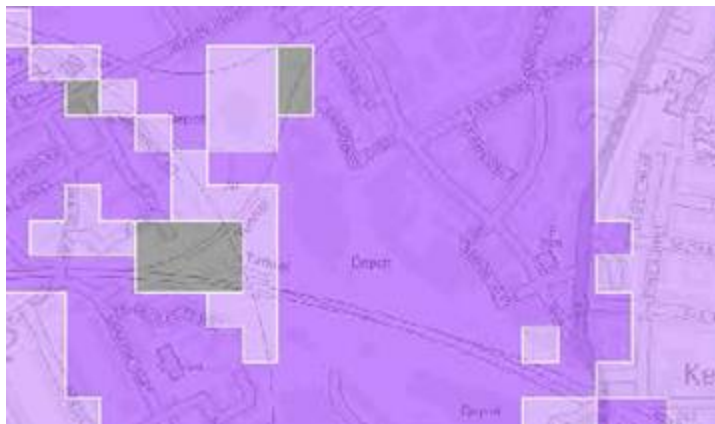
The scoping report's observations are noted and welcomed.

The size and layout of the development site naturally lends itself to landscape-type SuDS such as ponds, basins, tree pits and rain gardens. The Kentish Town Planning Framework (3.1.2) draws out the possibilities for green infrastructure and SuDS, particularly along the part of this site it calls the 'Heath Line':

The route will be landscaped to provide variety and interest along its length, responding to and defining the different spaces through the area. It should be accessible to all ages, with playable features and places to dwell. It will draw on the green character of the area this tree-lined route will have areas of planting, sustainable urban drainage and opportunities for food growing.

Alongside these we would expect to see recovery and use from blue-green roofs on the proposed new buildings, wherever feasible. Together these would be in line with Local Plan policy CC3 and the reformed drainage hierarchy found in the New London Plan.

The SFRA's soil infiltration compatibility map (below) indicates a mix across this site of very significant constraints (grey), opportunities for bespoke infiltration SuDS (darker purple), and high compatibility (lighter lilac).



As such, we would expect to see infiltration tests undertaken at representative and promising locations, prior to the planning application, as part of the work done to prepare the Drainage Strategy.

▪ **LBC Sustainability officer further response on re-consultation (as Lead Local Flood Authority)**

Comments

In addition to the observations in the EIA scoping report, it is expected that due to the scale and location, at planning stage the applicant will submit:

- *Flood Risk Assessment and Surface Water Drainage Statement*
- *Camden Flood Risk Pro-forma as well as the GLA SuDS Pro-forma*

- *Basement Impact Assessment - if appropriate*
- *Supporting documents including drawings detailing the proposed drainage, extent and position of SuDS, and flood risk mitigation measures, Microdrainage or equivalent runoff and volume calculations, lifetime maintenance plan for SuDS including management of related health and safety issues, drawing of overland flow routes showing no increased risk to the public and surrounding properties, evidence of site surveys and investigations relating to drainage, capacity confirmation from Thames Water or evidence of correspondence.*

The proposals will be expected to meet the NPPF standards, national non-technical standards, London Plan policy and Camden policy and guidance for development in a surface water flood risk area. For example the designs should (include but not limited to):

- *be designed to resist flooding and to cope with being flooded*
- *achieve greenfield run-off rates*
- *constrain run-off volumes to greenfield run off volumes for the 1 in 100 year 6 hour event*
- *include SuDS unless demonstrated to be inappropriate*
- *follow the drainage hierarchy in policy SI 13 of the London Plan*

Summary

It is expected that the FRA and Drainage Statement will address the relevant risks and necessary mitigation. There are no objections to the EIA Scoping Report's conclusions however the following informative should be responded to in the pre-application and full planning stages.

Informative: Local surface water flood risk designations and policies should be taken into account.

▪ **Thames Water response**

Thank you for giving Thames Water the opportunity to comment on the above application. Thames Water are the statutory water and sewerage undertaker for the area and would like to make the following comments: The EIA Regulations 2017 set out in Schedule 4 that water and wastewater issues may need to be covered in an EIA. Thames Water considers the following issues should be considered and covered in either the EIA or planning application submission: 1. The developments demand for Sewage Treatment and network infrastructure both on and off site and can it be met. 2. The surface water drainage requirements and flood risk of the development both on and off site and can it be met. 3. The developments demand for water supply and network infrastructure both on and off site and can it be met. 4. Build – out/ phasing details to ensure infrastructure can be delivered ahead of occupation. 5. Any piling methodology and will it adversely affect neighbouring utility services. The developer can obtain information to support the EIA by visiting the Thames Water website <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development>

▪ **Environment Agency**

The Environment Agency is a statutory consultee on all development projects subject to Environmental Impact Assessment. There are however, no environmental constraints within our remit on this site and we therefore have no comments at this time.

Format and Content of the EIA

As per the earlier comment relating to climate change, a dedicated greenhouse gas emissions chapter should be included in the ES.

Request for an EIA Scoping Opinion

No comments required, as this document forms LBC's EIA Scoping Opinion.

EIA Scoping Addendum

There are no specific comments on the EIA Scoping Addendum received on the 12th of February 2021. It is noted that the updated red line and description of development will be assessed by those topics already scoped into the EIA.

Other matters

Beyond the scope of the EIA, the LBC Sustainability officer has additionally confirmed that: *the potential for a heat pump led network solution using ground or river source should be considered over an air source heat pump solution.*

It should be noted that Dartmouth Park Conservation Area Advisory Committee (CAAC) have advised that they will potentially have comments to make, however these have not yet been received by LBC. They will be forwarded separately if/once received.

Kentish Town Neighbourhood Forum have provided a number of comments, which do not necessarily directly relate to the scope of the ES. They do, however, specifically raise a query relating to infrastructure and red line exclusions in the EIA scoping report, which may need further discussion if this has an implication in regard to the description of development and redline consulted on here. These comments are included in Appendix 2 for your reference.

London Underground/DLR Infrastructure Protection have confirmed that they have no comment to make on this project at the present time.

HS2 Ltd have confirmed that as the project is located outside the limits of land subject to formal safeguarding directions for the HS2 railway, they have no comments to make.

Crossrail have confirmed that they have no comments to make, as the project relates to land outside the limits of land subject to consultation by the Crossrail Safeguarding Direction.

No comments have been raised by LBC Building Control, the LBC Tree Manager, LBC Greenspace, the GLA or Sport England regarding the EIA scoping process.

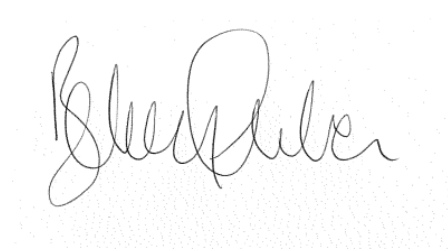
I trust that this provides a comprehensive response to the request for a Scoping Opinion submitted by the Applicant. Should responses be received after the issue of this response they will be forwarded to you for consideration and inclusion within the ES.

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 within the Scoping submission, a further request for a Scoping Opinion may prove necessary. 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.

Scoping should be an iterative process. Recommendations for additional consultations with key consultees have been made in this Scoping Opinion to further agree the scope of certain assessments. We recommend that all consultation responses, including those going forward, are included within the ES to provide clarity on all discussions regarding assessment scopes.

Should you have any questions or queries, please do not hesitate to contact Jonathan McClue on 020 7974 4908 (Jonathan.McClue@camden.gov.uk).

Kind regards

A handwritten signature in black ink, appearing to read 'Bethany Cullen', is centered below the text 'Kind regards'. The signature is written in a cursive, flowing style.

Bethany Cullen
Head of Development Management
London Borough of Camden

Appendix 1: Consultation Responses on the 11th December 2020 EIA Scoping Report

ENVIRONMENTAL HEALTH SUPPORTING COMMUNITIES

| | |
|--------------------|---|
| To: | Jonathan McClue, Planning Officer, Development Management, 5 Pancras Square N1C |
| From: | <i>Julien Diaz BFA (Hons), MSc, MCIEH, CenvH (Environmental Health Team Leader – Noise and Pollution Team)</i> |
| Date: | 16/12/2020 |
| Address: | Murphy's Yard Kentish Town NW5 |
| Proposal: | Request for scoping opinion under Regulation 15 of the Town and Country Planning Environmental Impact Assessment (EIA) Regulations 2017, for proposed development comprising 17 development plots with circa 750-825 homes (including a proportion of affordable housing), circa 95,000sqm of commercial floorspace including up to approximately: 40,700sqm industry (Classes B2, B8 and E(g)(i)); 38,000sqm flexible office and research and development (Classes E(g)(i) and (ii)); 20,000sqm research and development (Class E(g)(ii); 6,000sqm of retail/leisure (Classes E(a), (b), (d) and Sui Generis); 16,000sqm residential institution (Class C2) and 1,230sqm community uses (Class F1/F2). |
| Reference: | 2020/5774/P |
| Key Points: | Recommend approval subject to conditions below |

ENVIRONMENTAL HEALTH OBSERVATIONS

PART 1 - Introduction

The following documents were reviewed in preparation for the comments below:

- In-house contaminated land characterisation
- Archaeological Desk Based Assessment – Dated December 2019
- Preliminary Ecological Appraisal – dated November 2020
- Contamination Assessment Report – dated February 2019
- Report on Ground Investigation – dated July 2019

PART 2 – Comments

2.1 Land contamination

The report on ground investigation identified widespread contamination across the entire site. The contaminants identified include:

- TPH and PAH compounds
- VOCs and SVOCs

- lead
- organic contaminants in groundwater
- elevated levels of methane gas.
- ground gases

The Conceptual model produced is comprehensive and the initial investigation satisfactory. The need for a remediation strategy to be designed and approved by the LPA has been successfully identified and any full application would be expected to provide full details of the remediation measures required and how they are to be undertaken. A verification to demonstrate that the works set out in the remediation strategy are complete and identify any requirements for the longer monitoring of pollution linkages, maintenance and arrangements for contingency action should also be provided. As already stressed in the past, ground gas monitoring and subsequent assessments should also be fully considered. Any investigation and risk assessment must be undertaken in accordance with the requirements of the Environment Agency's Model Procedures for the Management of Contamination (CLR11 / now LCRM)

2.2 Radon

Paragraph 8.7.9 of the report on ground investigation reads that “the site lies within an area where radon protective measures are not required.” If redevelopment of Murphy's Yard commences above formation level, I agree the radon risk is negligible and no radon protection measures are necessary. However, if redevelopment has basement provisions, this raises health concerns for the occupants. This concern is based on the Radon guidance BR 211 (2015), which notes that all basements are at increased risk of elevated levels of radon regardless of geographic location, because more walls are in contact with the ground as well as the floor, and reduced natural ventilation below ground level increases the risk of elevated radon levels. In addition, the Management of Health and Safety at Work Regulations (1999) require the assessment of health and safety risks and both the Health and Safety Executive (HSE) and Public Health England (PHE) state that this should include the measurement of radon for occupied below ground workplaces (occupied for more than 1 hour per week/52 hours of the year), irrespective of whether a site is situated in a radon affected area. This is the responsibility of the Employer. For residential developments Public Health England advise that consideration should be given to testing for radon if the basement includes rooms regularly used.

UK Radon recently confirmed it is feasible to monitor radon levels in the field, but there is no established way of interpreting the results. Radon levels in soil gas are typically 1000's Bq m⁻³ but cannot be used to predict the likely radon level in a building on the same site. To put field levels into perspective the radon Action and Target levels in homes are 200Bq m³ and 100Bq m³ - Public Health England, advises if the action level is exceeded then levels should be reduce to the target level or below. By contract if an employer has a workplace level above 300Bq m³ (Ionising Radiations Regulations 2017) they are required to limit employee exposure to radon, which usually means building mitigation work. Radon measurements taken in unoccupied buildings (or unoccupied areas of buildings) can give unrepresentative results – too high or too low – and cause problems with interpreting results around the Action Level for homes or IRR17 threshold for

workplaces. Whilst the guidance advocates radon testing (which can take 3 months to complete) to establish whether radon protection is necessary, representative monitoring can only be undertaken post construction and whilst the building is occupied.

If applicable and the proposal has basement provisions the potential radon risk can also be addressed via condition.

2.3 Asbestos

The contamination assessment report confirms that asbestos surveys were carried out for all buildings on site and the relevant risk was “moderate”. A full application would be expected to contain an appropriate mitigation scheme to control risks to occupiers. The scheme must be written by a suitably qualified person and submitted to the Local Planning Authority (LPA) for approval. The scheme should detail removal or mitigation appropriate for the proposed end use and shall be independently verified.

2.4 Unexploded Ordnances

The Archaeological Desk Based Assessment confirms that the site appears to have been impacted by UXO during WW2, but no further comment was offered. It is therefore recommended that a detailed UXO assessment is undertaken and provided to the main contractor who is responsible for the health & safety of site workers and the public under the Construction (Design and Management) Regulations.

Jonathan McClue

From: McClue, Jonathan
Sent: 21 December 2020 20:04
To: Planning
Subject: FW: Consultee letter for PlanningApplication Application: 2020/5774/P

Please add to M3 and HPE/TRIM for 2020/5774/P

From: Town Planning <town.planning@hs2.org.uk>
Sent: 21 December 2020 15:08
To: McClue, Jonathan <Jonathan.McClue@camden.gov.uk>
Subject: RE: Consultee letter for PlanningApplication Application: 2020/5774/P

[EXTERNAL EMAIL] Beware – This email originated outside Camden Council and may be malicious Please take extra care with any links, attachments, requests to take action or for you to verify your password etc. Please note there have been reports of emails purporting to be about Covid 19 being used as cover for scams so extra vigilance is required.

Dear Jonathan,

Thank you for consulting HS2 Ltd on the above matter.

As the land subject to the request for a scoping opinion is located outside limits of land subject to formal safeguarding directions for the HS2 railway we have no comments to make.

Your sincerely,

James Fox | Safeguarding Planning Manager, Infrastructure Directorate | HS2 Ltd
Tel: 0121 720 5066 | Mob: 07881 802995 | james.fox@hs2.org.uk | Facebook | Twitter | LinkedIn
High Speed Two (HS2) Limited, Two Snowhill, Snow Hill Queensway, Birmingham, B4 6GA |
www.gov.uk/hs2

-----Original Message-----

From: McClue, Jonathan <Jonathan.McClue@camden.gov.uk>
Sent: 11 December 2020 18:53
To: Town Planning <town.planning@hs2.org.uk>
Subject: Consultee letter for PlanningApplication Application: 2020/5774/P

Please find attached Consultee letter for PlanningApplication application 2020/5774/P

Y559193

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Historic England

Mr Jonathan McClue
London Borough of Camden
Town Hall,
Camden Town Hall Extension,
Argyle Street,
Camden,
London,
WC1H 8ND

Your Ref: 2020/5774/P
Our Ref: CLO32709

Contact: Laura O’Gorman
Direct Dial: 0207 973 3242
Email: laura.o’gorman@
HistoricEngland.org.uk

21 December 2020

Dear Mr McClue,

**TOWN & COUNTRY PLANNING ACT 1990 (AS AMENDED)
NATIONAL PLANNING POLICY FRAMEWORK 2019**

Murphy's Yard Kentish Town NW5

Request for scoping opinion under Regulation 15 of the Town and Country Planning Environmental Impact Assessment (EIA) Regulations 2017, for proposed development comprising 17 development plots with circa 750-825 homes (including a proportion of affordable housing), circa 95,000sqm of commercial floorspace including up to approximately: 40,700sqm industry (Classes B2, B8 and E(g)(i)); 38,000sqm flexible office and research and development (Classes E(g)(i) and (ii)); 20,000sqm research and development (Class E(g)(ii)); 6,000sqm of retail/leisure (Classes E(a), (b), (d) and Sui Generis); 16,000sqm residential institution (Class C2) and 1,230sqm community uses (Class F1/F2).

Recommend Archaeological Condition(s)

Thank you for your consultation dated 11 December 2020.

The Greater London Archaeological Advisory Service (GLAAS) gives advice on archaeology and planning. Our advice follows the National Planning Policy Framework (NPPF) and the GLAAS Charter.

NPPF Section 16 and the Draft London Plan (2017 Policy HC1) recognise the positive contribution of heritage assets of all kinds and make the conservation of archaeological interest a material planning consideration. NPPF paragraph 189 says applicants should provide an archaeological assessment if their development could affect a heritage asset of archaeological interest.



Historic England, 4th Floor Cannon Bridge House, 25 Dowgate Hill, London EC4R 2YA
Telephone 020 7973 3000
www.historicengland.org.uk

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If you grant planning consent, paragraph 199 of the NPPF says that applicants should record the significance of any heritage assets that the development harms. Applicants should also improve knowledge of assets and make this public.

The site does not lie within an archaeological priority area, and the evidence indicates that the site has a relatively low potential for remains of regional or national significance. Any archaeology would most likely comprise remains of the 19th century railway and industrial development and any geoarchaeological deposits potentially associated with the Fleet River which is believed to have been located in the eastern part of the site. It is likely however that any remains and deposits which pre-date the 19th century will have been significantly compromised by the railway and industrial development. Any archaeological remains or deposits will most likely be of local significance.

Having reviewed the submitted archaeological desk based assessment (DBA), I am inclined to agree with the scoping report which states that Archaeology should be scoped out of the EIA.

I also agree with the recommendations set out within the DBA: that given the scale of the site and the lack of past investigations having been carried out within the site's boundary, a programme of archaeological investigation should be carried out in accordance with a planning condition. This could initially comprise the monitoring of any geotechnical investigation in order to identify areas of good archaeological survival. Alternatively the first phase of archaeological investigation would comprise evaluation trenches. The aim of the initial phase of investigation should be to determine the level of archaeological survival and the nature and significance of those remains. This would help to identify the need for any targeted archaeological mitigation.

I therefore recommend attaching a condition as follows:

- Condition No demolition or development shall take place until a stage 1 written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no demolition or development shall take place other than in accordance with the agreed WSI, and the programme and methodology of site evaluation and the nomination of a competent person(s) or organisation to undertake the agreed works.
- If heritage assets of archaeological interest are identified by stage 1 then for those parts of the site which have archaeological interest a stage 2 WSI shall be submitted to and approved by the local planning authority in writing. For land that is included within the stage 2 WSI, no demolition/development shall take place other than in accordance with the agreed stage 2 WSI which shall include:
- A. The statement of significance and research objectives, the programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works
 - B. Where appropriate, details of a programme for delivering related positive public benefits.
 - C. The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. this part of the



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condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the stage 2 WSI.

Informative Written schemes of investigation will need to be prepared and implemented by a suitably qualified professionally accredited archaeological practice in accordance with Historic England's Guidelines for Archaeological Projects in Greater London. This condition is exempt from deemed discharge under schedule 6 of The Town and Country Planning (Development Management Procedure) (England) Order 2015.

This pre-commencement condition is necessary to safeguard the archaeological interest on this site. Approval of the WSI before works begin on site provides clarity on what investigations are required, and their timing in relation to the development programme. If the applicant does not agree to this precommencement condition please let us know their reasons and any alternatives suggested. Without this pre-commencement condition being imposed the application should be refused as it would not comply with NPPF paragraph 199.

I envisage that the archaeological fieldwork would comprise the following:

Geotechnical Monitoring

Archaeological monitoring of geotechnical pits and boreholes can provide a costeffective means of establishing the potential for archaeological remains to survive on previously developed land or where deep deposits are anticipated. It is usually used as part of a desk-based assessment or field evaluation.

Evaluation

An archaeological field evaluation involves exploratory fieldwork to determine if significant remains are present on a site and if so to define their character, extent, quality and preservation. Field evaluation may involve one or more techniques depending on the nature of the site and its archaeological potential. It will normally include excavation of trial trenches. A field evaluation report will usually be used to inform a planning decision (pre-determination evaluation) but can also be required by condition to refine a mitigation strategy after permission has been granted.

You can find more information on archaeology and planning in Greater London on our website.

This response only relates to archaeology. You should also consult Historic England's Development Advice Team on statutory matters.

Yours sincerely

Laura O'Gorman

**Assistant Archaeology Advisor
Greater London Archaeological Advisory Service
Planning Group: London**



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Date: 21 December 2020
Our ref: 337231
Your ref: 2020/5774/P



Mr J McClue
London Borough of Camden
Town Hall
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London
WC1H 9JE

Hornbeam House
Crewe Business Park
Electra Way
Crewe
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C W1 6GJ

T 0300 060 3900

BY EMAIL ONLY

planning@camden.gov.uk

Dear

Environmental Impact Assessment Scoping consultation (Regulation 15 (4) of the Town & Country Planning EIA Regulations 2017): Proposed development comprising 17 development plots with circa 750-825 homes (including a proportion of affordable housing), circa 95,000sqm of commercial floorspace including up to approximately: 40,700sqm industry (Classes B2, B8 and E(g)(i)); 38,000sqm flexible office and research and development (Classes E(g)(i) and (ii)); 20,000sqm research and development (Class E(g)(ii); 6,000sqm of retail/leisure (Classes E(a), (b), (d) and Sui Generis); 16,000sqm residential institution (Class C2) and 1,230sqm community uses (Class F1/F2).

Location: Murphy's Yard, Kentish Town NW5

Thank you for your consultation dated and received by Natural England on 11 December 2020.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

The scoping request is for a proposal that does not appear, from the information provided, to affect any nationally designated geological or ecological sites (Ramsar, SPA, SAC, SSSI, NNR) or landscapes (National Parks, AONBs, Heritage Coasts, National Trails), or have significant impacts on the protection of soils (particularly of sites over 20ha of best or most versatile land), nor is the development for a mineral or waste site of over 5ha.

At present therefore it is not a priority for Natural England to advise on the detail of this EIA. We would, however, like to draw your attention to some key points of advice, presented in annex to this letter, and we would expect the final Environmental Statement (ES) to include all necessary information as outlined in Part 4 of the Town & Country Planning (Environmental Impact Assessment) Regulations 2017. If you believe that the development does affect one of the features listed in paragraph 3 above, please contact Natural England at consultations@naturalengland.org.uk, and we may be able to provide further information.

Yours Choose salutation

Sally Wintle
Consultations Team

Annex A – Advice related to EIA Scoping Requirements

1. General Principles

Schedule 4 of the Town & Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended), sets out the necessary information to assess impacts on the natural environment to be included in an ES, specifically:

1. A description of the development, including in particular:
 - (a) a description of the location of the development;
 - (b) a description of the physical characteristics of the whole development, including, where relevant, requisite demolition works, and the land-use requirements during the construction and operational phases;
 - (c) a description of the main characteristics of the operational phase of the development (in particular any production process), for instance, energy demand and energy used, nature and quantity of the materials and natural resources (including water, land, soil and biodiversity) used;
 - (d) an estimate, by type and quantity, of expected residues and emissions (such as water, air, soil and subsoil pollution, noise, vibration, light, heat, radiation and quantities and types of waste produced during the construction and operation phases.
2. A description of the reasonable alternatives (for example in terms of development design, technology, location, size and scale) studied by the developer, which are relevant to the proposed project and its specific characteristics, and an indication of the main reasons for selecting the chosen option, including a comparison of the environmental effects.
3. A description of the relevant aspects of the current state of the environment (baseline scenario) and an outline of the likely evolution thereof without implementation of the development as far as natural changes from the baseline scenario can be assessed with reasonable effort on the basis of the availability of environmental information and scientific knowledge.
4. A description of the factors specified in regulation 4(2) likely to be significantly affected by the development: population, human health, biodiversity (for example fauna and flora), land (for example land take), soil (for example organic matter, erosion, compaction, sealing), water (for example hydromorphological changes, quantity and quality), air, climate (for example greenhouse gas emissions, impacts relevant to adaptation), material assets, cultural heritage, including architectural and archaeological aspects, and landscape.
5. A description of the likely significant effects of the development on the environment resulting from, inter alia:
 - (a) the construction and existence of the development, including, where relevant, demolition works;
 - (b) the use of natural resources, in particular land, soil, water and biodiversity, considering as far as possible the sustainable availability of these resources;
 - (c) the emission of pollutants, noise, vibration, light, heat and radiation, the creation of nuisances, and the disposal and recovery of waste;
 - (d) the risks to human health, cultural heritage or the environment (for example due to accidents or disasters);
 - (e) the cumulation of effects with other existing and/or approved projects, taking into account any existing environmental problems relating to areas of particular environmental importance likely to be affected or the use of natural resources;
 - (f) the impact of the project on climate (for example the nature and magnitude of greenhouse gas emissions) and the vulnerability of the project to climate change;
 - (g) the technologies and the substances used. The description of the likely significant effects on the factors specified in regulation 4(2) should cover the direct effects and any indirect, secondary, cumulative, transboundary, short-term, medium-term and long-term, permanent and temporary, positive and negative effects of the development. This description should take into account the environmental protection objectives established at Union or Member State level which are relevant to the project, including in particular those established under Council Directive 92/43/EEC (a) and Directive 2009/147/EC(b).

6. A description of the forecasting methods or evidence, used to identify and assess the significant effects on the environment, including details of difficulties (for example technical deficiencies or lack of knowledge) encountered compiling the required information and the main uncertainties involved.
7. A description of the measures envisaged to avoid, prevent, reduce or, if possible, offset any identified significant adverse effects on the environment and, where appropriate, of any proposed monitoring arrangements (for example the preparation of a post-project analysis). That description should explain the extent, to which significant adverse effects on the environment are avoided, prevented, reduced or offset, and should cover both the construction and operational phases.
8. A description of the expected significant adverse effects of the development on the environment deriving from the vulnerability of the development to risks of major accidents and/or disasters which are relevant to the project concerned. Where appropriate, this description should include measures envisaged to prevent or mitigate the significant adverse effects of such events on the environment and details of the preparedness for and proposed response to such emergencies.

2. Biodiversity and Geology

2.1. 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 paragraphs 170-171 and 174-177 on how to take account of biodiversity interests in planning decisions and the framework that local authorities should provide to assist developers.

2.2. 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 2017 (as amended), should have regard to the Habitats Regulations Assessment process set out in Regulation 63 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. Further information concerning particular statutory sites can be found on the [Natural England website](#).

2.3. 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.

2.4. 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.

2.5. 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

3.1. 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.

3.2. 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 170 and 171 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, also in line with paragraph 170 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). 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](#) Paras 170 and 174), which should be demonstrated through the ES.

planning@camden.gov.uk

21 December 2020

Crossrail Ref: CRL-IP-1592

Dear Jonathan McClue,

2020/5774/P : Murphy's Yard Kentish Town NW5

Request for scoping opinion under Regulation 15 of the Town and Country Planning Environmental Impact Assessment (EIA) Regulations 2017, for proposed development comprising 17 development plots with circa 750-825 homes (including a proportion of affordable housing), circa 95,000sqm of commercial floorspace including up to approximately: 40,700sqm industry (Classes B2, B8 and E(g)(i)); 38,000sqm flexible office and research and development (Classes E(g)(i) and (ii)); 20,000sqm research and development (Class E(g)(ii)); 6,000sqm of retail/leisure (Classes E(a), (b), (d) and Sui Generis); 16,000sqm residential institution (Class C2) and 1,230sqm community uses (Class F1/F2).

Transport for London administers the Crossrail Safeguarding Direction made by the Secretary of State for Transport on 24 January 2008.

Thank you for your letter dated 11 December 2020 requesting the views of the Crossrail on the above application. I confirm that the application relates to land outside the limits of land subject to consultation by the Crossrail Safeguarding Direction.

The implications of the Crossrail proposals for the application have been considered and I write to inform you that Crossrail Limited does not wish to make any comment on the application as submitted.

If you require any further information or assistance please contact:

CRL_safeguarding@crossrail.co.uk

Yours sincerely,

Will Orlik

Safeguarding Officer (Crossrail)

TfL Infrastructure Protection Team

Floor 7 B5 : 5 Endeavour Square : London : E20 1JN

.....

Crossrail (The Elizabeth Line) is a proposed new railway that will link Heathrow and Maidenhead in the west to Shenfield and Abbey Wood in the east using existing Network Rail tracks and new tunnels under Central London.

The Crossrail Bill which was introduced into Parliament by the Secretary of State for Transport in February 2005 was enacted as the Crossrail Act on the 22nd July 2008.

Transport for London (TfL) administers the Crossrail Safeguarding Direction made by the Secretary of State for Transport on 24th January 2008. The Direction was extended on 29th April 2009 (Maidenhead to Reading) and 14th October 2009 (Abbey Wood to Gravesend and Hoo Junction).

You may inspect copies of Plans, Sections, Environmental Statements, Explanatory Notes and Non-Technical Summaries pertaining to Crossrail at specified Libraries, Local Authority Offices or directly from Crossrail Limited. For further information contact CRL_safeguarding@crossrail.co.uk

Jonathan McClue

From: NatureConservation
Sent: 31 December 2020 11:51
To: McClue, Jonathan
Subject: RE: Consultee letter for PlanningApplication Application: 2020/5774/P

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Jonathan,

I don't have a problem with ecology being scoped out of the formal EIA process. However, given the significant areas of SINC adjacent I would still expect an EclA sufficient to identify the impacts from the proposals. The Biodiversity Net Gain assessment will be welcome but comes after the avoid-mitigate-compensate hierarchy and won't assess indirect impacts on the SINC, which'll include light pollution and other urbanisation impacts, which will need a robust solution.

Best wishes

Greg

Greg Hitchcock
Nature Conservation Officer

Telephone: 020 7974 4937

-----Original Message-----

From: McClue, Jonathan <Jonathan.McClue@camden.gov.uk>

Sent: 11 December 2020 18:55

To: NatureConservation <NatureConservation@camden.gov.uk>

Subject: Consultee letter for PlanningApplication Application: 2020/5774/P

Please find attached Consultee letter for PlanningApplication application 2020/5774/P

Y559193



Historic England

Mr Jonathan McClue
London Borough of Camden
Development Management
Town Hall
Judd Street
London
WC1H 9JE

Direct Dial: 020 7973 3093

Our ref: P01334211

24 December 2020

Dear Mr McClue

**T&CP (Development Management Procedure) (England) Order 2015
& Planning (Listed Buildings & Conservation Areas) Regulations 1990**

**MURPHY'S YARD KENTISH TOWN NW5
Application No. 2020/5774/P**

Thank you for your letter of 11 December 2020 consulting us on the request for a scoping opinion on an Environmental Impact Assessment for the proposed comprehensive redevelopment of Murphy's Yard, Kentish Town, NW5.

Having reviewed the submitted documents, we are generally content that the Built Heritage Assessment (Appendix D) (RPS Group, November 2020) makes a helpful initial assessment of the history and significance of the site and its heritage assets, identifies relevant designated heritage assets within a 500m radius including conservation areas, and that relevant historic environment policy and guidance has been referenced. We note, though, that the listed building St. Alban's Villas (list entry no.: 1379017) is erroneously associated with a location adjacent to the site, whereas it stands some way further north than indicated on Highgate Road.

Nonetheless, given the heights of the structures associated with the proposals and the surrounding landscape character development is likely to be visible across a large area and could, as a result, affect the settings and so the significance of heritage assets at some distance from this site itself. We would expect the assessment to clearly demonstrate that the extent of the proposed study area is of the appropriate size to ensure that all heritage assets likely to be affected by this development have been included and can be properly assessed.

Also, given the proximity of the site to Hampstead Heath, development is likely to be prominent in the protected London Views Management Framework panorama 2, from Parliament Hill. It is important that built heritage and TVIA assessments are designed to ensure that all visual and other impacts on all heritage assets are fully understood. Section drawings, photomontage, verified view studies and kinetic views studies may all contribute usefully to this.

Furthermore, please note that this response relates to designated heritage assets only. If there are any archaeological implications to the proposals it is recommended



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Telephone 020 7973 3700
HistoricEngland.org.uk





Historic England

that you and the applicants contact the Greater London Archaeological Advisory Service for further advice (tel: 020 7973 3712).

While Section 5.0 of the Built Heritage Assessment remains incomplete, and proposals are still at an early stage, we welcome the applicant's intention to retain the locally-listed buildings on the site. We would encourage the developers to contact us for pre-application discussions as the designs develop. Further information on our Pre-application Advisory Services can be found on our website.

If you have any queries about any of the above, or would like to discuss anything further, please don't hesitate to contact me.

Yours sincerely

Alfie Stroud

Inspector of Historic Buildings and Areas

E-mail: alfie.stroud@historicengland.org.uk



4TH FLOOR, CANNON BRIDGE HOUSE, 25 DOWGATE HILL, LONDON EC4R 2YA

Telephone 020 7973 3700
HistoricEngland.org.uk



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A National Amenity Society

FAO Jonathan McClue
Regeneration and Planning
London Borough of Camden
Town Hall, Judd Street
London WC1H 9JE

By email Jonathan.Mcclue@camden.gov.uk

7th January 2021

Dear Jonathan

Request for EIA Scoping Opinion – your reference 2020/5774/P

Proposal: *proposed development comprising 17 development plots with circa 750-825 homes (including a proportion of affordable housing), circa 95,000sqm of commercial floorspace including up to approximately: 40,700sqm industry (Classes B2, B8 and E(g)(i)); 38,000sqm flexible office and research and development (Classes E(g)(i) and (ii)); 20,000sqm research and development (Class E(g)(ii)); 6,000sqm of retail/leisure (Classes E(a), (b), (d) and Sui Generis); 16,000sqm residential institution (Class C2) and 1,230sqm community uses (Class F1/F2).*

Land at J Murphy & Sons Ltd, Highgate Road, Kentish Town, London NW5 1TN

site grid reference TQ 28590 85556 (Murphy's building/approximate site centre)

Thank you for consulting the Council for British Archaeology (CBA) on the above case. Based on the information supplied with this application, the following observations and advice on heritage matters aim to assist your Authority in issuing a formal EIA Scoping Opinion for this proposal.

Summary

The CBA welcomes the scoping-in of Built Heritage to the Environmental Statement (ES). However, we have concerns about the Scoping Report's statement that *'The locally listed Kentish Town Locomotive Sheds ... are considered to be non-designated heritage assets'*.

We consider this to be incorrect, since Historic England has defined locally listed heritage assets as follows:

- *There may be many buildings and sites in a local planning authority's area that make a positive contribution to its local character and sense of place because of their heritage value. Although such heritage assets may not be nationally designated or even located within the boundaries of a conservation area, they may be offered some level of protection by the local planning authority identifying them on a formally adopted list of local heritage assets. ...*
- *Whilst local listing provides no additional planning controls, the fact that a building or site is on a **local list means that its conservation as a heritage asset is an objective of the NPPF and a material consideration when determining the outcome of a planning application.** ...*
- *The NPPF contains policies that apply to heritage assets regardless of whether or not they are locally listed. However, local listing provides a sound, consistent and accountable means of identifying local*

heritage assets to the benefit of good strategic planning for the area and to the benefit of owners and developers wishing to fully understand local development opportunities and constraints.

The inclusion of the loco sheds in the local listings offers them the status of a heritage asset. It follows that they must be treated with the same consideration as if they were nationally listed, in order to meet NPPF and LPA requirements.

The CBA is disappointed about the scoping-out of Archaeology from the ES. We question the report's view that C19/C20 development and changes are of little or no interest; these matters form future archaeology, likely to be currently of interest to local communities and anyone studying the rapid expansion of London and its railway networks. Older OS maps show a plethora of development within the site relating to the railheads; loco sheds, gasworks with chimney, bottling stores, coal depot/shed etc. Just west of the site boundary was the Gospel Oak Brickworks including its quarry, kilns and chimney. These features are indicative of massive building programmes in London in the Victorian era. The National Library of Scotland website [<https://maps.nls.uk/>] offers free on-line access to available maps from mid-19th century on, by entering a grid reference to the search box.

The report notes the potential for burials on the SE periphery of the site, in connection with the present Grade II listed Christ Apostolic Church, formerly St John's, on the site of the C18 Kentish Town Chapel (part of the walls of which survive). This possibility requires further study and possibly investigation.

We also have concerns about valid points raised in Appendix E Archaeological Desk-Based Assessment [ADBA]. The observation that due to the *'size of the Site and the relative lack of archaeological investigations in the vicinity further archaeological mitigation measures may be required'* appears to be at odds with the scoping-out of Archaeology and subsequent sole reliance on the ADBA. We are especially uneasy that any mitigation measures *'can follow the granting of planning permission, secured by an appropriately worded archaeological planning condition'*. LPAs generally require adequate investigation and reporting ahead of an application's determination. We believe that, once a planning application has been determined in the form applied for, it may be too late to re-design a site if archaeological work is deemed necessary by the LPA. Post-determination conditions should be a last resort and not regarded as a standard approach.

The CBA's view is that Built Heritage and Archaeology are part of the same topic and (for EIA development) if one is scoped-in the other should be too, ideally as a single combined chapter in the ES.

Potential impacts on Significance

The NPPF defines 'significance' succinctly as *'The value of a heritage asset to this and future generations because of its heritage interest [which] may be archaeological, architectural, artistic or historic'*. Potential impacts on significance should be included in the ES. The reference to current and future generations is relevant in this case as regards previous and surviving railway works for example. Without sympathetic investigations 'significance' becomes circumstantial at best. Paragraph 200 of the NPPF advises: *"Local planning authorities should look for opportunities ... within the setting of heritage assets, to enhance or better reveal their significance ... [and] should be treated favourably."* The loco sheds are relevant; the NPPF clarifies that heritage assets don't have to be officially designated. Enhancing/revealing significance needn't be solely considered as visual enhancement, but may encompass opportunities for community interaction.

National planning policy advises that assessing significance is a key principle for managing change to heritage assets. The NPPF stresses ‘the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation ...’. In their *Conservation Principles Policies and Guidance*, (Historic England 2008) Historic England identifies the areas of heritage value for determining overall significance:-

- *Evidential*: the potential of a place to yield evidence about past human activity. This includes physical remains as the primary source of evidence and the people/cultures that made them. Where written records are scarce the material record’s importance increases;
- *Historical*: How a place’s past and present communities and life-events can connect together.
- *Aesthetic*: Ways in which people draw sensory and intellectual stimulation from a place or building. These may relate to the design of a place, or informal development over time, and/or the relationship of structures to their setting;
- *Communal*: The meaning of a place for the people who relate to it, including symbolic, social, commemorative and spiritual value; sometimes as uncomfortable reminders of events in national history.

To take full account of the need to address ‘significance’ the CBA encourages an approach of assessing all heritage assets together in one chapter of the ES via a detailed and comprehensive Cultural Heritage Assessment. This should include documentary research, study and recording of surviving buildings and historic maps, including designated assets (national and local), their settings and their surroundings. It should also include a full account of known archaeology for any era, linking above and below-ground evidence and surviving material, with an assessment of the potential for unknown/unanticipated remains.

We would stress our preference for robust and detailed pre-submission assessments, conclusions, recommendations and reporting within the ES as part of supporting documents for the planning application having regard to the nature of the proposal, any difficulties likely to be encountered, and current EIA Regulations.

The CBA’s Recommendations:

- (a) Notwithstanding the report’s stated intention for scoping-out Archaeology, we recommend that Built Heritage and Archaeology be jointly assessed in a combined Cultural Heritage chapter, linked to Townscape and Visual Impact within the Environmental Statement;
- (b) Advance Desk-Based Assessments (DBA) should be prepared and the results included in the ES as part of the planning application. These should include assessments of relevant published accounts; the settings of heritage assets around and within the site including The Forum with its two listed neighbours to the south, the Christ Apostolic Church site and the loco sheds, along with the settings of proximate Conservation Areas. The ES should include a written commitment to further work and mitigation if results indicate potential adverse impacts on heritage or its significance.
- (c) For any necessary physical works advice should be sought from Historic England and the LPA’s Conservation specialists or other qualified archaeological advisors to be undertaken, if required, in accordance with a written scheme of investigation (WSI). Such works should preferably be completed and reported on at application stage, rather than via planning conditions post-determination (if approved). Reporting should include written commitment to fulfilling mitigation programme/s.

Council for British Archaeology

- (d) The ES should also include written commitment to facilitating community engagement with cultural heritage, recognising the potential for social value and bearing in mind the definitions of 'significance' in the NPPF/NPPG.
- (e) Attention is drawn to a requirement for written commitment from the applicants to publishing publicly available reports of all investigations even if of a negative outcome.

I trust these comments are useful to you; please keep the CBA informed of any developments with this case.

Kind Regards,



Catherine Bell. MA(cons), ACIfA
Assistant Listed Buildings Caseworker for England

The Council for British Archaeology (CBA) is the national amenity society concerned with protection of the archaeological interest in heritage assets. Local planning authorities have a duty to notify the CBA of applications for listed building consent involving partial or total demolition, under the procedures set out in, **Arrangements for handling heritage applications – notification To Historic England and National Amenity Societies and the Secretary of state (England) direction 2015**.

Jonathan McClue

From: McLaughlin Gavin <GavinMcLaughlin@tfl.gov.uk>
Sent: 08 January 2021 15:09
To: McClue, Jonathan
Cc: Planning
Subject: 2020/5774/P Murphy's Yard Kentish Town NW5, Request for scoping opinion
Attachments: FTC report Kentish Town data Final.xlsx; FTC_report_Kentish_Town_Final.pdf

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Hi Jon

Thanks for consulting TfL on this planning application.

2020/5774/P

Murphy's Yard Kentish Town NW5

Request for scoping opinion under Regulation 15 of the Town and Country Planning Environmental Impact Assessment (EIA) Regulations 2017, for proposed development comprising 17 development plots with circa 750-825 homes (including a proportion of affordable housing), circa 95,000sqm of commercial floorspace including up to approximately: 40,700sqm industry (Classes B2, B8 and E(g)(i)); 38,000sqm flexible office and research and development (Classes E(g)(i) and (ii)); 20,000sqm research and development (Class E(g)(ii)); 6,000sqm of retail/leisure (Classes E(a), (b), (d) and Sui Generis); 16,000sqm residential institution (Class C2) and 1,230sqm community uses (Class F1/F2).

We have the following comments:

- The criteria applied to defining related cumulative development appears robust in principle in terms of scale and proximity.
- The statement at page 32 that "PTAL is expected to improve in the western section of the site in the future due to the increased number of rail services available from Kentish Town Station" may be inaccurate. Please can the applicant clarify the new services being referring to. Our current understanding is that PTAL at the site may increase due to new pedestrian routes decreasing the walk distances to existing public transport nearby, not any future increases in public transport service frequency or capacity.
- The application TA proposed to be appended to the EIA report must follow TfL's latest guidance here: <https://tfl.gov.uk/info-for/urban-planning-and-construction/> and recent TfL Pre-Application advice issued to the applicant.
- We remind the applicant that the Kentish Town Future Transport Context report and its accompanying data should be used in production of the EIA and TA for the proposed development.
- The Worst Case Scenario at paragraph 149 includes no mention of non-vehicle traffic or transport which is not robust or acceptable. Please consider worst-case scenarios for non-driving modes.

Thanks,
Gavin McLaughlin MSc; MA; MRTPI | Principal Planner

Spatial Planning | City Planning

gavinmclaughlin@tfl.gov.uk

During these unprecedented times we aim to provide our usual service with our planning team working remotely. Please contact us by email and mobile phone only and do not do not send anything by post or courier to our offices. We will continue to monitor SpatialPlanning@tfl.gov.uk

For more information regarding the TfL Spatial Planning team, including TfL's *Transport assessment best practice guidance* and pre-application advice please visit:

<https://www.tfl.gov.uk/info-for/urban-planning-and-construction/transport-assessment-guidance>

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Jonathan McClue

From: Malcolm Souch <Malcolm.Souch@hodu.org.uk>
Sent: 08 January 2021 18:57
To: McClue, Jonathan
Cc: Hasna Miah; HARWOOD, Simon (NORTH WEST LONDON COLLABORATION OF CLINICAL COMMISSIONING GROUPS); Sanford, Ian
Subject: Murphy's Yard Kentish Town 2020/5774/P

Follow Up Flag: Follow up
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Dear Jonathan

Thank you for the opportunity to comment on this application which is a request for a scoping opinion under the EIA regulations for proposed development of the site. These comments are submitted on behalf of NHS North Central London Clinical Commissioning Group (CCG). They relate to the health and socio-economic topics identified in the scoping report.

Site Environmental Context

With regard to social Infrastructure, Table 1 identifies 3 GP practices within 500m of the site. It is unclear why such a small catchment area has been identified given the scale of the development and the likely impact, and why only GP services have been identified. Paragraph 102 of the report refers to the baseline analysis including primary and secondary healthcare provision.

The Proposed Development and Planning Application

The proposed development comprises approximately 750-825 homes and commercial, retail and community uses. The description refers to uses within Class E, but not use class E(e) 'provision of medical or health services'. However, paragraph 4 refers to the provision of Class E floorspace including healthcare space. Please could the applicant clarify whether healthcare space is to be provided.

Planning Context

It is surprising that paragraph 47 does not refer to the Kentish Town Planning Framework SPD (July 2020). The document aims to create a sustainable development that contributes towards the health and wellbeing of existing and new communities and deliver health/education and community facilities that are required to meet anticipated population growth. It notes that the Council is working with the CCG to explore current and future projected needs in the area and that development will be required to contribute towards additional capacity in the area (page 85).

The CCG's response to the draft Site Allocations Local Plan (February 2020) notes that both the Regis Road Growth Area (Policy KT2) and the Murphy Site (Policy KT3) have the potential for social infrastructure/community use and there may be opportunities for new healthcare infrastructure in the area, acknowledging the linkages with the Kentish Town West / Gospel Oak regeneration area. It is noted that the Gospel Oak proposals and regeneration plans are included in Appendix A of the scoping report listing cumulative developments.

Scope Summary

It is noted in Table 4 that health impacts will be assessed in a standalone report. We note that the health impact assessment (HIA) will consider healthcare impacts and mitigation and that the socio-economic chapter will summarise the key findings from the HIA.

We note in Table 5 that construction worker health is scoped out of the assessment on the basis that the effect is likely to be insignificant. Reference is made to construction management measures to reduce the risk of accidents. However, without this mitigation measure the effect could be significant. In addition, reference could be made to the Mayor of London's workplace wellbeing programme and Good Work Standard. Minimising the risk of accidents and preventing physical and mental ill health will reduce the impact on healthcare services.

We also note that operational A&E impact is considered to be insignificant and as such will be scoped out of the assessment. This contradicts paragraph 102 which refers the baseline analysis including all primary and secondary healthcare provision, including the 'performance of the nearest A&E'. It is unclear why the impact on A&E provision has been singled out as being insignificant. We suggest that the assessment considers the effect on all primary, community and secondary healthcare services.

We welcome the statement in paragraph 118 that consultation will be undertaken with the CCG to understand the likely impact of the proposed development. However, it only refers to the 'GP baseline'. We would welcome the opportunity to discuss the approach to assess the GP and wider healthcare baseline position, the impact of the proposed development and possible mitigation. Paragraph 116 refers to the use of the GLA population yield calculator. In addition to the GLA population yield calculator, which is designed for education purposes, the HUDU Planning Contributions Tool (HUDU Model) should be used to estimate the population yield, the healthcare impact and necessary mitigation. The report does not mention how the healthcare baseline position will be assessed using available NHS data sources and capacity assumptions. The baseline position should also take into account changing models of healthcare, notably the creation of primary care networks and a shift towards integrated health and care services.

Health impact assessment

It is proposed that the HUDU Rapid HIA Tool will be used to identify the relevant health determinants, assess the impact of the development and identify the likely positive and negative effects. Paragraph 123 notes that the Camden policy guidance on health and wellbeing expects a more comprehensive HIA for schemes of this size. This could include a detailed assessment of health needs and issues, focusing on vulnerable and sensitive groups, could bring together the issues and priorities arising from community engagement and include a mitigation and monitoring schedule which address construction, operational and post-occupation impacts and measures.

Whilst the assessment would focus on identifying and mitigating negative impacts, it is important that the HIA addresses positive impacts and maximises benefits from the proposed development. This could involve exceeding minimum standards and demonstrating how the design of the scheme would maximise health gains.

It is suggested that the applicant consults with the Camden and Islington Public Health team for advice on the HIA.

Regards

Malcolm

Malcolm Souch
NHS London Healthy Urban Development Unit
07958 528066

Jonathan McClue

From: Aran.L.Johnston@met.police.uk
Sent: 05 February 2021 13:18
To: Planning
Cc: McClue, Jonathan
Subject: Scoping Comment for Murphy's Yard - Planning reference 2020/5774/P

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FAO Jonathan McClue,

Thank you for allowing me to comment on the proposed development of Murphy's Yard, comprising 17 development plots with circa 750-825 homes (including a proportion of affordable housing), circa 95,000sqm of commercial floor space including up to approximately: 40,700sqm industry (Classes B2, B8 and E(g)(i)); 38,000sqm flexible office and research and development (Classes E(g)(i) and (ii)); 20,000sqm research and development (Class E(g)(ii); 6,000sqm of retail/leisure (Classes E(a), (b), (d) and Sui Generis); 16,000sqm residential institution (Class C2) and 1,230sqm community uses (Class F1/F2).

With no real details on the design and layout at this stage my comments will be general to the area, as befits a scoping opinion. Should permission be granted for this development, I would ask for buildings to obtain Secured by Design certification via early engagement, for the following reasons.

Crime trends:

The proposed location of the development has the site sandwiched between [railway](#) lines and at the back of main roads. It is a large and awkward site. Crime and anti-social behaviour are material considerations for this proposal, as seen from current crime figures. This area comes under the wards of Highgate and Kentish Town. Anti-social behaviour, violence, shoplifting, burglary and other thefts are prevalent.

Top reported crimes

Most commonly reported crimes during Nov 2020

| | |
|---|----|
| Anti-social behaviour | 54 |
| Violence and sexual offences | 33 |
| Burglary | 11 |
| Public order | 9 |
| Get crime prevention advice | |

The graphic above is for the most commonly reported crimes for Highgate ward. The figures have been taken from the Police UK website. The theme of the crimes are consistent on a month by month basis going back to 2019.

Top reported crimes

Most commonly reported crimes during Nov 2020

| | |
|---|----|
| Anti-social behaviour | 50 |
| Violence and sexual offences | 40 |
| Shoplifting | 27 |
| Other theft | 15 |
| Get crime prevention advice | |

The graphic above is for the most commonly reported crimes for Kentish Town ward. The figures have been taken from the Police UK website. The theme of the crimes are consistent on a month by month basis going back to 2019.

Crime and ASB as material considerations for this site:

The scoping report makes several references to potential receptors which may be impacted by the proposed development and may need to be considered as part of the assessment. Two of the receptors are directly relevant to crime and disorder: Socio-economics and Health (pages 26 and 29). Crime and disorder are relevant considerations and need to be addressed. In socio-economic terms, the current crime trends in this area can have a negative impact upon the quality of life for both residents and businesses and could continue to do so for future residents and workers on this proposed site. The health impact assessment (HIA) sets out eleven broad determinants to health. One of those listed is crime reduction and community safety. In effect, a safe development with low rates of crime and ASB will also have a healthier and happier community which will be less worried about crime and the fear of crime and will not be exposed to its side effects.

Initial concerns from the site:

There are several concerns for this proposed outline/hybrid application. Access onto the site is of note. The current main access route is through Sanderson Close, with secondary access via Gordon House Road and Greenwood Place. The scoping report states on page 10

- *Altering the existing access on Gordon House Road by providing priority access to cyclists and pedestrians with occasional emergency vehicular access to be provided only;*
- *Providing a new access on Gordon House Road to allow for vehicular servicing to the North of the site, as well as pedestrian and cycle access; and*
- *Allowing access to pedestrians and cyclists, and some vehicular (e.g. services and refuse) along Greenwood Place access which is currently only opened for operational traffic.*

Some of the entrances are proposed to have access to cyclists and pedestrians only with access for emergency vehicles. How is this access going to be managed has not been indicated. Permeability in the form of footpaths needs to be considered carefully as 'leaky' developments (with secluded footpaths) can be a breeding ground for anti-social behaviour and crime. A multi-use common access route is preferred where there is vehicular movement, pedestrian traffic and cycle lanes. This enables a good level of vehicle use and footfall boosting the natural surveillance along key routes into the site. There should be no separate footpaths as these are often poorly overlooked and can be flash points for street crime including robbery type offences as well as sexual assault and other violent crime.

If light industrial mixed use will occupy ground floor space with residential units above this should be considered carefully, as after a certain time (1700/1800 hours) there will be much reduced legitimate activity around these ground floor areas. This will reduce the footfall and natural surveillance and produce an environment where groups could gather, the result of which could be an increase in ASB. With groups loitering and associated rowdy behaviour, this will increase the fear of crime for the residents - some of whom may be reluctant to venture out after a certain time.

For blocks of residential units access control and compartmentalisation will be key to mitigating the risk of anti-social behaviour and acquisitive/opportunistic crime. Drugs are also a key issue for the borough of Camden and the development must not become a kindly habitat for gangs to enter and take control.

There is already a large night time economy for the borough of Camden and this could overspill into the new development, with numerous pubs and bars nearby on Highgate and Kentish Town Roads. Permeability will be a key factor as there is already a burglary and opportunistic theft trend for the area. Landscaping will also be important. Lines of sight, lack of concealment opportunities, reduced opportunities for group seating/gathering.

The development may wish to be car free; such proposals may be difficult to manage in reality, as residents and workers may resort to parking in nearby roads thereby increasing traffic pressure in the surrounding area. Should the development seek to include car parking, careful consideration will be needed about appropriate parking areas.

Open under crofts and insecure underground car parks can become plagued with crime and ASB, especially in areas with an active drug scene.

Similar developments within Camden:

Referenced at the back of the report are numerous developments with applications similar to this, such as the Mount Pleasant, Morrison's Chalk Farm, Agar Grove and Bacton Low Rise (page 96 onwards). All have benefited from the advice of Met Police design out crime officers and achieved Secured by Design certification. The proposed site should be no different and should be conditioned to achieve SBD certification.

I therefore propose that crime and disorder are material considerations for this site as described within the scoping report. These concerns can be allayed by the council agreeing to a condition for the development to achieve Secured by Design certification for all phases prior to occupation including residential, commercial and educational areas, to be maintained in line with SBD certification thereafter. This will require ongoing engagement at an early stage of each phase between the designing out crime officer and the development team.

The NPPF and Camden's own local guidance can support this proposal:

Section 91 of the NPPF states:

Planning policies and decisions should aim to achieve healthy, inclusive and safe places which..

b) are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion – for example through the use of clear and legible pedestrian routes, and high quality public space, which encourage the active and continual use of public areas;....."

Section 127 of the NPPF further adds:

Planning policies and decisions should ensure that developments..

f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users, and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience"

Taken from the Camden Supplementary Guide to Design (January 2021 revision)

- *The Council requires that developments demonstrate that they have been designed to contribute to community safety and security.*
- *Security features must be fully considered and incorporated at an early stage in the design process.*
- *Designing-against crime features, safe access and security measures must complement other design considerations and be considered as part of a holistic approach to designing and maintaining safer environments for all.*
- *Better designed environments support safer and healthier communities.*
- *Consideration will be given to the impact of measures on the surrounding area to ensure that there is not displacement of activity into surrounding neighbourhoods.*
- *Safer environments support healthier communities.*

In accordance with Local Plan Policy C5 Safety and Security, the Council will require applicants to demonstrate that all impacts of their proposal on crime and community safety have been considered and addressed. Applicants should be able to demonstrate that they have consulted Met Police Designing Out Crime Officer (details of which can be found at www.securedbydesign.com) and that proposals take into account the advice given and achieve Secured by Design certification, where appropriate.

Policy C5 Safety and security (From the Camden Local Plan)

The Council will aim to make Camden a safer place. We will:

- (a) work with our partners including the Camden Community Safety Partnership to tackle crime, fear of crime and antisocial behaviour;*

- (b) *Require developments to demonstrate that they have incorporated design principles which contribute to community safety and security, particularly in wards with relatively high levels of crime, such as Holborn and Covent Garden, Camden Town with Primrose Hill and Bloomsbury;*
- (c) *Require appropriate security and community safety measures in buildings, spaces and the transport system;*
- (d) *Promote safer streets and public areas;*
- (e) *Address the cumulative impact of food, drink and entertainment uses, particularly in Camden Town, Central London and other centres and ensure Camden's businesses and organisations providing food, drink and entertainment uses take responsibility for reducing the opportunities for crime through effective management and design; and*
- (f) *Promote the development of pedestrian friendly spaces.*

We strongly encourage security features to be incorporated into a scheme from the beginning of the design process and complement other key design considerations. Internal security measures are preferred. Further information on designing safer environments is set out in our supplementary planning document Camden Planning Guidance on design.

It is important to take a proactive approach at an early stage to reduce risks and opportunities for crime and ASB to occur, rather than relying on reactive measures such as CCTV, which should only be used as part of a package of measures to reduce crime. Incorporating designing out crime features into a development should complement other key design considerations and high quality architecture and design should still be achieved. Considering good design early in the design process will lead to a better quality development overall.

The design of streets, public areas and the spaces between buildings needs to be accessible, safe and uncluttered. Careful consideration needs to be given to the design and location of any street furniture or equipment in order to ensure that they do not obscure public views or create spaces that would encourage antisocial behaviour. The use of the site and layout should also be carefully considered as these can also have a major impact on community safety.

From the Camden local plan;

"Camden's food, drink and licensed entertainment premises contribute to the attractiveness and vibrancy of the borough but, where there is a concentration of late night activity, there can also be problems such as noise and disturbance, littering, antisocial behaviour, crime and violence. The cumulative impact of these uses will therefore be assessed in line with our town centre policies, particularly Policy TC4 Town centre uses and Policy A1 Managing the impact of development. The Council will also take into consideration any concerns raised from stakeholders within adjoining areas beyond Camden's boundaries. Alcohol related crime and late night disorder have been identified as significant issues, particularly within Camden Town and the Seven Dials area of Central London. Camden's Statement of Licensing Policy sets out the Council's approach to licensing and special licensing policies apply to these areas."



Police Constable Aran Johnston

Design Out Crime Officer

Continuous Policing Improvement Command (CPIC)

5 The Oaks, Ruislip, Middlesex, HA4 7LF

w: www.met.police.uk e: Aran.L.Johnston@met.pnn.police.uk

External : 0208 733 3703 Internal: 743703

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**ENVIRONMENTAL HEALTH
SUPPORTING COMMUNITIES**

| | |
|--------------------|--|
| To: | <i>Jonathan McClue</i> , Development Management, 5 Pancras Square |
| From: | <i>Edward Davis</i> (Environmental Health Officer) |
| Date: | 01 March 2021 |
| Re: | <i>Murphy's Yard Kentish Town NW5</i> |
| Proposal: | <i>Request for scoping opinion under Regulation 15 of the Town and Country Planning Environmental Impact Assessment (EIA) Regulations 2017, for proposed development comprising 17 development plots with circa 750-825 homes (including a proportion of affordable housing), circa 95,000sqm of commercial floorspace including up to approximately: 40,700sqm industry (Classes B2, B8 and E(g)(i)); 38,000sqm flexible office and research and development (Classes E(g)(i) and (ii)); 20,000sqm research and development (Class E(g)(ii); 6,000sqm of retail/leisure (Classes E(a), (b), (d) and Sui Generis); 16,000sqm residential institution (Class C2) and 1,230sqm community uses (Class F1/F2</i> |
| Reference: | <i>2020/5774/P</i> |
| Key Points: | The proposals are <u>acceptable</u> in environmental health terms |

The site is bordered by:

- Railway lines, Hampstead Heath and Gordon House Road to the north,
- Highgate Road to the east,
- Rail lines and beyond these the industrial estate around Regis Road to the south; and
- Rail lines and residential uses to the west

The Proposed Development is anticipated to comprise of the construction of a mixed-use scheme. The proposals also include the partial demolition, alteration and redevelopment of the two locally listed locomotive sheds present on site. There will also be improvements to the public realm with green infrastructure, including biodiversity enhancements, to connect the site with Hampstead Heath.

The location of potential sensitive receptors have been adequately identified and the potential noise and vibration effects have been described adequately within the report.

Appropriate noise guidelines have been stated within the document. I do not have any objections to how they propose to lay out the noise and vibration impact assessment in any upcoming ES.

The applicant has to bear in mind that Individual intermittent events shall not exceed an internal level of 45dB Lmax (fast time weighting) within habitable rooms. The number and noise level of individual noise events should be indicated in a noise report for assessment, together with appropriate mitigation measures to achieve this target level. A reduction of 13 dB(A) from the façade level may be assumed as the noise attenuation provided by a partially open window.

They will need consider re-radiated noise into the building from vibration caused by mechanical plant, wind, rail and roads and noise reflected from buildings, surfaces. In areas of high external noise levels, habitable rooms should be orientated/ located on facades most distant to major external noise sources. Where mechanical ventilation is required in areas of high noise levels and poor air quality, this should be silenced (acoustically attenuated) and the air intake should be from the cleanest aspect of the building.

Overheating will also need to be considered in any assessment submitted.

Building vibration should be measured in acceleration terms (VDV). Measurements of vibration should normally be taken on a building structural surface supporting a human body.

If you have any queries, please do not hesitate to contact me.

Regards

Edward Davis
Environmental Health Officer
Regeneration and Planning
Culture and Environment
London Borough of Camden
Telephone: 02079744501/ Mobile: 07967652382

Appendix 2: Consultation Responses on the 20th April 2021 EIA Scoping Report Addendum

| Application No: | Consultees Name: | Received: | Comment: | Response: |
|-----------------|------------------|---------------------|----------|---|
| 2020/5774/P | Simon Lewis | 05/05/2021 15:44:50 | OBJ | <p>I broadly support the application to develop the site with the exception of the proposed tower blocks.</p> <p>I hope that the planning process will consider mass and context and so ensure that no building is more than 6 storeys. Anything above this will be detrimental to the balance of space, volume and location.</p> |

Jonathan McClue
Camden council
Town Hall Judd Street
LONDON
WC1H 9JE

Our ref: NE/2020/132654/02-L01
Your ref: 2020/5774/P
Date: 6 May 2021

Dear Jonathan,

RECONSULTATION WITH UPDATED DESCRIPTION, RED LINE AND ADDENDUM:
Request for scoping opinion under Regulation 15 of the Town and Country Planning Environmental Impact Assessment (EIA) Regulations 2017, for proposed development comprising 17 development plots with circa 750-825 homes (including a proportion of affordable housing), circa 95,500sqm of commercial floorspace including up to approximately: 40,760sqm industry (Classes B2, B8 and E(g)(i)); 34,000sqm flexible office and research and development (Classes E(g)(i) and (ii)); 36,000sqm research and development (Class E(g)(ii); 3,500sqm of retail/leisure (Classes E(a), (b), (d) and Sui Generis); 8,000sqm residential institution (Class C2) and 1,300sqm community uses (Class F1/F2).

Murphy's Yard, Kentish Town, NW5.

Thank you for consulting us on the above application which we received on 4 May 2021.

Environment Agency Position

The Environment Agency is a statutory consultee on all development projects subject to Environmental Impact Assessment. There are however, no environmental constraints within our remit on this site and we therefore have no comments at this time.

Final Comments

Once again, thank you for contacting us. Our comments are based on our available records and the information as submitted to us. Please provide us with a decision notice for our records.

Should you have any queries regarding this response, please do not hesitate to contact me.

Yours sincerely,

George Lloyd
Planning Advisor

Direct dial: +44 20302 54843

Direct e-mail: HNL.SustainablePlaces@environment-agency.gov.uk

End



INVESTOR IN PEOPLE



Date: 11 May 2021
Our ref: 352114
Your ref: 2020/5774/P



Mr J McClue
Camden Regeneration and Planning
London Borough of Camden
Town Hall
Judd Street
London WC1H 9JE

Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
C W1 6GJ

BY EMAIL ONLY
planning@camden.gov.uk

T 0300 060 3900

Dear Mr McClue

Environmental Impact Assessment Scoping consultation (Regulation 15 (4) of the Town & Country Planning EIA Regulations 2017): RECONSULTATION WITH UPDATED DESCRIPTION, RED LINE AND ADDENDUM: Request for scoping opinion under Regulation 15 of the Town and Country Planning Environmental Impact Assessment (EIA) Regulations 2017, for proposed development comprising 17 development plots with circa 750-825 homes (including a proportion of affordable housing), circa 95,500sqm of commercial floorspace including up to approximately: 40,760sqm industry (Classes B2, B8 and E(g)(i)); 34,000sqm flexible office and research and development (Classes E(g)(i) and (ii)); 36,000sqm research and development (Class E(g)(ii)); 3,500sqm of retail/leisure (Classes E(a), (b), (d) and Sui Generis); 8,000sqm residential institution (Class C2) and 1,300sqm community uses (Class F1/F2).

Location: Murphy's Yard, Kentish Town. NW5

Thank you for your consultation dated and received by Natural England on 4th May 2021.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

The scoping request is for a proposal that does not appear, from the information provided, to affect any nationally designated geological or ecological sites (Ramsar, SPA, SAC, SSSI, NNR) or landscapes (National Parks, AONBs, Heritage Coasts, National Trails), or have significant impacts on the protection of soils (particularly of sites over 20ha of best or most versatile land), nor is the development for a mineral or waste site of over 5ha.

At present therefore it is not a priority for Natural England to advise on the detail of this EIA. We would, however, like to draw your attention to some key points of advice, presented in annex to this letter, and we would expect the final Environmental Statement (ES) to include all necessary information as outlined in Part 4 of the Town & Country Planning (Environmental Impact Assessment) Regulations 2017. If you believe that the development does affect one of the features listed in paragraph 3 above, please contact Natural England at consultations@naturalengland.org.uk, and we may be able to provide further information.

Yours sincerely

Sally Ireland
Consultations Team

Annex A – Advice related to EIA Scoping Requirements

1. General Principles

Schedule 4 of the Town & Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended), sets out the necessary information to assess impacts on the natural environment to be included in an ES, specifically:

1. A description of the development, including in particular:
 - (a) a description of the location of the development;
 - (b) a description of the physical characteristics of the whole development, including, where relevant, requisite demolition works, and the land-use requirements during the construction and operational phases;
 - (c) a description of the main characteristics of the operational phase of the development (in particular any production process), for instance, energy demand and energy used, nature and quantity of the materials and natural resources (including water, land, soil and biodiversity) used;
 - (d) an estimate, by type and quantity, of expected residues and emissions (such as water, air, soil and subsoil pollution, noise, vibration, light, heat, radiation and quantities and types of waste produced during the construction and operation phases.
2. A description of the reasonable alternatives (for example in terms of development design, technology, location, size and scale) studied by the developer, which are relevant to the proposed project and its specific characteristics, and an indication of the main reasons for selecting the chosen option, including a comparison of the environmental effects.
3. A description of the relevant aspects of the current state of the environment (baseline scenario) and an outline of the likely evolution thereof without implementation of the development as far as natural changes from the baseline scenario can be assessed with reasonable effort on the basis of the availability of environmental information and scientific knowledge.
4. A description of the factors specified in regulation 4(2) likely to be significantly affected by the development: population, human health, biodiversity (for example fauna and flora), land (for example land take), soil (for example organic matter, erosion, compaction, sealing), water (for example hydromorphological changes, quantity and quality), air, climate (for example greenhouse gas emissions, impacts relevant to adaptation), material assets, cultural heritage, including architectural and archaeological aspects, and landscape.
5. A description of the likely significant effects of the development on the environment resulting from, inter alia:
 - (a) the construction and existence of the development, including, where relevant, demolition works;
 - (b) the use of natural resources, in particular land, soil, water and biodiversity, considering as far as possible the sustainable availability of these resources;
 - (c) the emission of pollutants, noise, vibration, light, heat and radiation, the creation of nuisances, and the disposal and recovery of waste;
 - (d) the risks to human health, cultural heritage or the environment (for example due to accidents or disasters);
 - (e) the cumulation of effects with other existing and/or approved projects, taking into account any existing environmental problems relating to areas of particular environmental importance likely to be affected or the use of natural resources;
 - (f) the impact of the project on climate (for example the nature and magnitude of greenhouse gas emissions) and the vulnerability of the project to climate change;
 - (g) the technologies and the substances used. The description of the likely significant effects on the factors specified in regulation 4(2) should cover the direct effects and any indirect, secondary, cumulative, transboundary, short-term, medium-term and long-term, permanent and temporary, positive and negative effects of the development. This description should take into account the environmental protection objectives established at Union or Member State level which are relevant to the project, including in particular those established under Council Directive 92/43/EEC (a) and Directive 2009/147/EC(b).

6. A description of the forecasting methods or evidence, used to identify and assess the significant effects on the environment, including details of difficulties (for example technical deficiencies or lack of knowledge) encountered compiling the required information and the main uncertainties involved.
7. A description of the measures envisaged to avoid, prevent, reduce or, if possible, offset any identified significant adverse effects on the environment and, where appropriate, of any proposed monitoring arrangements (for example the preparation of a post-project analysis). That description should explain the extent, to which significant adverse effects on the environment are avoided, prevented, reduced or offset, and should cover both the construction and operational phases.
8. A description of the expected significant adverse effects of the development on the environment deriving from the vulnerability of the development to risks of major accidents and/or disasters which are relevant to the project concerned. Where appropriate, this description should include measures envisaged to prevent or mitigate the significant adverse effects of such events on the environment and details of the preparedness for and proposed response to such emergencies.

2. Biodiversity and Geology

2.1. 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 paragraphs 170-171 and 174-177 on how to take account of biodiversity interests in planning decisions and the framework that local authorities should provide to assist developers.

2.2. 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 2017 (as amended), should have regard to the Habitats Regulations Assessment process set out in Regulation 63 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. Further information concerning particular statutory sites can be found on the [Natural England website](#).

2.3. 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.

2.4. 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.

2.5. 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

3.1. 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.

3.2. 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 170 and 171 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, also in line with paragraph 170 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). 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](#) Paras 170 and 174), which should be demonstrated through the ES.

Alberto Aponte

From: Vincent Arnold
Sent: 05 May 2021 09:11
To: Kristina Smith
Subject: RE: Consultee letter for PlanningApplication Application: 2020/5774/P

Hi Kristina,

Thank you as this is a proposed not existing development PSH have no comment.

Vincent Arnold
Operations Manager

Telephone: 020 7974 5885

-----Original Message-----

From: Kristina Smith <Kristina.Smith@camden.gov.uk>

Sent: 04 May 2021 20:03

To: Vincent Arnold <Vincent.Arnold@camden.gov.uk>

Subject: Consultee letter for PlanningApplication Application: 2020/5774/P

Please find attached Consultee letter for PlanningApplication application 2020/5774/P

Y559193

**ENVIRONMENTAL HEALTH
SUPPORTING COMMUNITIES**

| | |
|--------------------|---|
| To: | <i>Jonathan McClue, Planning Officer, Development Management, 5 Pancras Square</i> |
| From: | <i>Edward Davis (Environmental Health Officer)</i> |
| Date: | 11 March 2021 |
| Re: | <i>Murphy's Yard Kentish Town NW5</i> |
| Proposal: | <i>RECONSULTATION WITH UPDATED DESCRIPTION, RED LINE AND ADDENDUM: Request for scoping opinion under Regulation 15 of the Town and Country Planning Environmental Impact Assessment (EIA) Regulations 2017, for proposed development comprising 17 development plots with circa 750-825 homes (including a proportion of affordable housing), circa 95,500sqm of commercial floorspace including up to approximately: 40,760sqm industry (Classes B2, B8 and E(g)(i)); 34,000sqm flexible office and research and development (Classes E(g)(i) and (ii)); 36,000sqm research and development (Class E(g)(ii); 3,500sqm of retail/leisure (Classes E(a), (b), (d) and Sui Generis); 8,000sqm residential institution (Class C2) and 1,300sqm community uses (Class F1/F2).</i> |
| Reference: | <i>2020/5774/P</i> |
| Key Points: | The proposals are <u>acceptable</u> in environmental health terms |

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- Highgate Road to the east,
- Rail lines and beyond these the industrial estate around Regis Road to the south; and
- Rail lines and residential uses to the west

The Proposed Development is anticipated to comprise of the construction of a mixed-use scheme. The proposals also include the partial demolition, alteration and redevelopment of the two locally listed locomotive sheds present on site. There will also be improvements to the public realm with green infrastructure, including biodiversity enhancements, to connect the site with Hampstead Heath.

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Appropriate noise guidelines have been stated within the document. I do not have any objections to how they propose to lay out the noise and vibration impact assessment in any upcoming ES.

The applicant has to bear in mind that Individual intermittent events shall not exceed an internal level of 45dB Lmax (fast time weighting) within habitable rooms. The number and noise level of individual noise events should be indicated in a noise report for assessment, together with appropriate mitigation measures to achieve this target level. A reduction of 13 dB(A) from the façade level may be assumed as the noise attenuation provided by a partially open window.

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Overheating will also need to be considered in any assessment submitted.

Building vibration should be measured in acceleration terms (VDV). Measurements of vibration should normally be taken on a building structural surface supporting a human body.

If you have any queries, please do not hesitate to contact me.

Regards

Edward Davis
Environmental Health Officer
Regeneration and Planning
Culture and Environment
London Borough of Camden
Telephone: 02079744501/ Mobile: 07967652382

MURPHYS SITE (KENTISH TOWN)

HCPT AFFORDABLE HOUSING COMMENTS (AJ 11.5.21 Ref: M3DB22A)

Introduction

In response to Re-consultation letter 4 May 2021 (ref: M3DB22A), please find below updated additional Affordable Housing comments. (Original comments supplied 21.4.20).

Tenure

We would look to achieve the usual policy compliant 60/40% split between Social Affordable Rent and Intermediate Rent across the scheme. Shared Ownership is not supported in Camden due to very high property values, which result in Shared Ownership being unaffordable to the target income group.

Mix Size

Advice would be to increase numbers of 2b4p units which are suitable for both families and sharers, and reduce number of 2b3p size homes. The scheme should also include some larger 3 and 4 bed family sized units.

Intermediate Rent

Intermediate rented housing must be affordable to those on income bands £31,950 - £42,600 – please note these income bands have been increased in line with 2019 earnings, and are detailed in the recently updated Camden Planning Guidance Document.

Specialist Housing

Preference would be for the Murphy's site to include some form of Specialist Housing – suggestions include specialist housing for people with Learning Disabilities, Supported Living scheme, or some form of Older Peoples Accommodation.

Registered Providers

During recent discussions, there have been clear indications that some Registered Providers would be interested in acquiring/managing the Specialist Housing element as well as any Social Affordable and Intermediate Rented units on schemes. The Specialist Housing element would be of particular interest to those Housing Associations that already have a Specialist Housing division within their organisation.

Community- Led Housing

This item to be further explored in future discussions.

Wheelchair Provision

All wheelchair units should be located within the Social Affordable Rent element of the scheme and not within the Intermediate Rent element, as "Need" for this cohort is not recorded when registering interest for Intermediate Housing.

Wheelchair parking - Larger, (3 bed and upwards), family-sized wheelchair units require a dedicated parking space where possible, and ideally direct street access. This size of unit without a parking space will usually be difficult to let.



Historic England

Mr Jonathan McClue
London Borough of Camden
Development Management
Town Hall
Judd Street
London
WC1H 9JE

Direct Dial: 020 7973 3093

Our ref: P01334211

11 May 2021

Dear Mr McClue

**T&CP (Development Management Procedure) (England) Order 2015
& Planning (Listed Buildings & Conservation Areas) Regulations 1990**

**MURPHY'S YARD KENTISH TOWN NW5
Application No. 2020/5774/P**

Thank you for your letter of 4th May regarding amendments to the above request for a scoping opinion prior to an application for planning permission. On the basis of this information, we do not wish to offer any comments additional to those in our letter of 24th December 2020. We suggest that you seek the views of your specialist conservation advisers, as relevant.

It is not necessary for us to be consulted on this scoping opinion application again, unless there are material changes to the proposals. However, if you would like detailed advice from us, please contact us to explain your request.

This response relates to designated heritage assets only. If the proposals meet the Greater London Archaeological Advisory Service's published consultation criteria we recommend that you seek their view as specialist archaeological adviser to the local planning authority.

The full GLAAS consultation criteria are on our webpage at the following link:

<https://www.historicengland.org.uk/services-skills/our-planning-services/greater-london-archaeology-advisory-service/our-advice/>

Yours sincerely

Alfie Stroud
Inspector of Historic Buildings and Areas



4TH FLOOR, CANNON BRIDGE HOUSE, 25 DOWGATE HILL, LONDON EC4R 2YA

Telephone 020 7973 3700
HistoricEngland.org.uk



Historic England is subject to both the Freedom of Information Act (2000) and Environmental Information Regulations (2004). Any Information held by the organisation can be requested for release under this legislation.



Historic England

E-mail: alfie.stroud@historicengland.org.uk



4TH FLOOR, CANNON BRIDGE HOUSE, 25 DOWGATE HILL, LONDON EC4R 2YA

Telephone 020 7973 3700
HistoricEngland.org.uk



Historic England is subject to both the Freedom of Information Act (2000) and Environmental Information Regulations (2004). Any Information held by the organisation can be requested for release under this legislation.

planning@camden.gov.uk

14 May 2021

Crossrail Ref: CRL-IP-1854

Dear Jonathan McClue,

2020/5774/P : Murphy's Yard Kentish Town NW5

RECONSULTATION WITH UPDATED DESCRIPTION, RED LINE AND ADDENDUM: Request for scoping opinion under Regulation 15 of the Town and Country Planning Environmental Impact Assessment (EIA) Regulations 2017, for proposed development comprising 17 development plots with circa 750-825 homes (including a proportion of affordable housing), circa 95,500sqm of commercial floorspace including up to approximately: 40,760sqm industry (Classes B2, B8 and E(g)(i)); 34,000sqm flexible office and research and development (Classes E(g)(i) and (ii)); 36,000sqm research and development (Class E(g)(ii)); 3,500sqm of retail/leisure (Classes E(a), (b), (d) and Sui Generis); 8,000sqm residential institution (Class C2) and 1,300sqm community uses (Class F1/F2).

Transport for London administers the Crossrail Safeguarding Direction made by the Secretary of State for Transport on 24 January 2008.

Thank you for your letter dated 04 May 2021 requesting the views of the Crossrail on the above application. I confirm that the application relates to land outside the limits of land subject to consultation by the Crossrail Safeguarding Direction.

The implications of the Crossrail proposals for the application have been considered and I write to inform you that Crossrail Limited does not wish to make any comment on the application as submitted.

For further information please contact:

CRL_Safeguarding@tfl.gov.uk

Yours sincerely,

Will Orlik

Safeguarding Officer (Crossrail)

TfL Infrastructure Protection Team

Floor 7 B5 : 5 Endeavour Square : London : E20 1JN

.....
Please note: please send, by email, all planning application consultations that are captured by the SoS Safeguarding Direction to CRL_Safeguarding@tfl.gov.uk

.....
Crossrail (The Elizabeth Line) is a proposed new railway that will link Heathrow and Maidenhead in the west to Shenfield and Abbey Wood in the east using existing Network Rail tracks and new tunnels under Central London.

The Crossrail Bill which was introduced into Parliament by the Secretary of State for Transport in February 2005 was enacted as the Crossrail Act on the 22nd July 2008.

Transport for London (TfL) administers the Crossrail Safeguarding Direction made by the Secretary of State for Transport on 24th January 2008. The Direction was extended on 29th April 2009 (Maidenhead to Reading) and 14th October 2009 (Abbey Wood to Gravesend and Hoo Junction).

You may inspect copies of Plans, Sections, Environmental Statements, Explanatory Notes and Non-Technical Summaries pertaining to Crossrail at specified Libraries, Local Authority Offices or directly from Crossrail Limited. For further information contact CRL_Safeguarding@tfl.gov.uk

Jonathan McClue

From: Nature Conservation
Sent: 26 May 2021 13:52
To: Jonathan McClue
Subject: RE: Consultee letter for PlanningApplication Application: 2020/5774/P

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Jonathan,

Considering the potential effects I don't object to ecology being scoped out of the formal EIA process for this development.

However, given the significant areas of SINC adjacent I would still expect an EcIA sufficient to enable the application to be judged against national and Camden policy on biodiversity. The Biodiversity Net Gain assessment will be welcome but comes after the avoid-mitigate-compensate hierarchy and won't assess indirect impacts on the SINC, which'll include light pollution and other urbanisation impacts, nor impacts on species, which will need to be informed by surveys, and robust mitigation identified.

I have provided comments on the ecology section of the scoping report (paragraph 320) below.

- *"Potential shading impacts on the habitats within the adjacent non-statutory designated site of Kentish Town City Farm, Gospel Oak Railsides and Mortimer Terrace Nature Reserve SBINC, are likely to be insignificant, given that those areas of the SBINC to the north and north-east of the site include woodland habitats, which are likely to be already shaded habitats and should be resilient to any increased shading."*

Shade-tolerance strategies of woodland plants include, for example, early season growth to complete flowering prior to complete canopy growth of trees, which permanent buildings may impact. We would expect further consideration of this as per the PEA, which states: *"The height and aspect of proposed new buildings adjacent to SBINC may lead to shading impacts on adjacent habitats. Should further information on shading impacts be required then specialist input is recommended."*

- *"If the scattered trees on the boundaries of the site are to be removed, any effect is considered unlikely to be significant due to their limited local value;"*

No doubt further information on this will be provided so the impact on biodiversity can be judged when known.

- *"Provided an informed lighting plan is submitted, and there will be no additional light spill onto the boundary habitats and the adjacent railside habitats (including the Kentish Town City Farm, Gospel Oak Railsides and Mortimer Terrace Nature Reserve SBINC) there is not considered to be any potential significant effects on commuting and foraging bats."*

'Informed' suggests informed by information regarding the use of these areas by commuting and foraging bats so the scale of potential impact and mitigation/avoidance can be judged, and we would expect a bat activity survey of SINC corridors adjacent to the site.

- *"Potential impacts and legislation breaches relating to breeding birds will be mitigated by timing vegetation removal / building demolition works to avoid the bird nesting season, or by a suitably qualified ecologist undertaking a check for nests immediately ahead of works commencing during the bird breeding season and protection of any active nests until the young have fledged. It is proposed to scope breeding birds out of the assessment as any potential effects will be avoided by following standard mitigation measures as presented within the PEA."*

With regard to breeding birds the PEA only refers to avoiding breaching the legislation and enhancements. We expect impacts on bird breeding and foraging habitats to be adequately identified and mitigated through provision of replacement habitat where necessary.

Kind regards

Greg

Greg Hitchcock
Nature Conservation Officer

Telephone: 020 7974 4937

-----Original Message-----

From: Kristina Smith <Kristina.Smith@camden.gov.uk>

Sent: 04 May 2021 20:01

To: NatureConservation <NatureConservation@camden.gov.uk>

Subject: Consultee letter for PlanningApplication Application: 2020/5774/P

Please find attached Consultee letter for PlanningApplication application 2020/5774/P

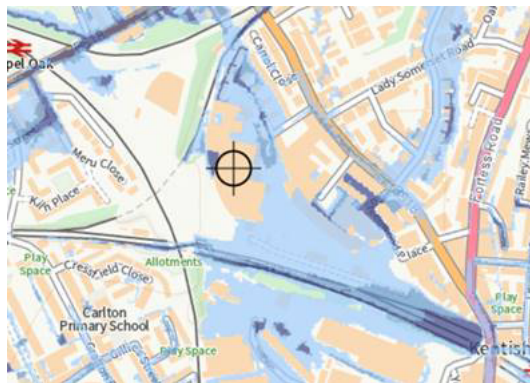
Y559193

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|------------------------|--------------------|
| Follow Up Flag: | Flag for follow up |
| Flag Status: | Flagged |

Our LLFA comments follow for this reconsultation.

Proposed development comprising 17 development plots with circa 750-825 homes (including a proportion of affordable housing), circa 95,500sqm of commercial floorspace including up to approximately: 40,760sqm industry (Classes B2, B8 and E(g)(i)); 34,000sqm flexible office and research and development (Classes E(g)(i) and (ii)); 36,000sqm research and development (Class E(g)(ii); 3,500sqm of retail/leisure (Classes E(a), (b), (d) and Sui Generis); 8,000sqm residential institution (Class C2) and 1,300sqm community uses (Class F1/F2).
Classification: Major non-residential and residential new-build, referable to the Mayor of London.

The EA long term flood risk mapping indicates the extent of flooding on the site in the low, medium and high risk scenarios.



The report states that

And that

1

The section 'Water Resources, Flood Risk and Drainage' covers the applicant's response to the flood risk and sustainable drainage risks and requirements.

Comments

In addition to the observations in the EIA scoping report, it is expected that due to the scale and location, at planning stage the applicant will submit:

- Flood Risk Assessment and Surface Water Drainage Statement
- Camden Flood Risk Pro-forma as well as the GLA SuDS Pro-forma
- Basement Impact Assessment - if appropriate
- Supporting documents including drawings detailing the proposed drainage, extent and position of SuDS, and flood risk mitigation measures, Microdrainage or equivalent runoff and volume calculations, lifetime maintenance plan for SuDS including management of related health and safety issues, drawing of overland flow routes showing no increased risk to the public and surrounding properties, evidence of site surveys and investigations relating to drainage, capacity confirmation from Thames Water or evidence of correspondence.

The proposals will be expected to meet the NPPF standards, national non-technical standards, London Plan policy and Camden policy and guidance for development in a surface water flood risk area. For example the designs should (include but not limited to):

- [be designed to resist flooding and to cope with being flooded](#)
- [achieve greenfield run-off rates](#)
- [constrain run-off volumes to greenfield run off volumes for the 1 in 100 year 6 hour event](#)
- [include SuDS unless demonstrated to be inappropriate](#)
- [follow the drainage hierarchy in policy SI 13 of the London Plan](#)

Summary

It is expected that the FRA and Drainage Statement will address the relevant risks and necessary mitigation. There are no objections to the EAI Scoping Report's conclusions however the following informative should be responded to in the pre-application and full planning stages.

Informative: Local surface water flood risk designations and policies should be taken into account.

Many thanks,
Gabriel Berry-Khan
Senior Sustainability Officer (Planning)
LB Camden