

<b>Delegated Report</b>		<b>Analysis sheet</b>	<b>Expiry Date:</b>	16/10/2020
		N/A	<b>Consultation Expiry Date:</b>	N/A
<b>Officer</b>			<b>Application Number(s)</b>	
Kristina Smith			2020/4076/P	
<b>Application Address</b>			<b>Drawing Numbers</b>	
Camden Highline Access points at Camden Gardens, Royal College Street, Camley Street and York Way			Refer to Draft Decision Notice	
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>	
<b>Proposal(s)</b>				
Request for screening opinion under Regulation 6 of the Town and Country Planning Environmental Impact Assessment (EIA) Regulations 2017, for proposed development involving the creation of a new elevated park and walkway on a section of disused railway between York Way in the east and Kentish Town Road in the west involving the provision of access points at four locations, four commercial units and hard and soft landscaping works				
<b>Recommendation(s):</b>		EIA Not Required		
<b>Application Type:</b>		Request for Screening Opinion		

<b>Conditions or Reasons for Refusal:</b>	<b>Refer to Draft Decision Notice</b>
<b>Informatives:</b>	
<b>Consultations</b>	
<b>Adjoining occupiers:</b>	<p>No formal consultation was carried out, other than statutory consultees who would normally be consulted on as part of the Environmental Impact Assessment (EIA) process. However, one response from a resident was received, as follows:</p> <p>I write to raise one objection to what is otherwise a worthy scheme and one which needs Environmental Assessment. The idea of creating a "Highline" in Camden, namely a continuous urban promenade separated from traffic is highly desirable. What is not desirable and against the spirit of traffic free continuity is to divide Camden Gardens into two parts by closing ALL THREE railway arches. This breaks what is now a traffic free route into two unconnected halves. It forces those of us who use the park as a refuge away from the fumes and noise of camden street/kentish town road back onto the sidewalks beside the traffic.</p> <p>I hope the council will refuse permission for all three arches in Camden gardens to be enclosed but instead require at least one to be left open to allow pedestrians to enjoy what they have now, a walking route through a park. That way local residents can continue to enjoy the planting (forexample the helibore in early spring and the Cherry Blossom later) walking in a park rather than peering over a railing from a noisy pavement into the commercial enclosure to which these applicants aspire.</p>
<b>Natural England</b>	<p>It is Natural England's advice, on the basis of the material supplied with the consultation, that significant effects on statutorily designated nature conservation sites or landscapes are unlikely.</p> <p>Schedule 3(2) of the Town &amp; Country Planning (Environmental Impact Assessment) Regulations 2017 requires consideration of the selection criteria for Schedule 2 EIA development and identification of 'environmental sensitivity'.</p> <p>The proposed development is not located within or partly within any Site of Special Scientific Interest (SSSI), Special Area of Conservation (SAC), Special Protection Area (SPA) or Ramsar Site and is not likely to significantly effect the notified interest features of such sites. The proposal is not located within or partly within a National Park, Area of Outstanding Natural Beauty or Heritage Coast and is unlikely to impact upon the purposes for which these areas are designated or defined.</p> <p>Natural England does not hold information on the location of significant populations of protected species, so is unable to advise whether this proposal is likely to affect protected species to such an extent as to require an Environmental Impact Assessment (EIA). The developer must provide sufficient information for your authority to assess whether protected species are likely to be affected and, if so, whether appropriate avoidance, mitigation or compensation measures can be put in place. Further information is included in Natural England's standing advice on protected species.</p> <p>Furthermore, Natural England does not routinely maintain locally specific</p>

	<p>data on all environmental assets. This development proposal may have environmental impacts on priority species and/or habitats, local wildlife sites, soils and best and most versatile agricultural land or on local landscape character that may be sufficient to warrant an EIA. Information on ancient woodland, ancient and veteran trees is set out in Natural England/Forestry Commission standing advice.</p> <p>We therefore recommend that advice is sought from your ecological, landscape and soils advisers, local record centre, recording society or wildlife body on the local soils, best and most versatile agricultural land, landscape, geodiversity and biodiversity receptors that may be affected by the proposed development before determining whether an EIA is necessary.</p> <p>Should you determine that an EIA is not required in this case, you should still ensure that the application is supported by sufficient biodiversity, landscape and other environmental information in order for you to assess the weight to give these material considerations when determining the planning application.</p>
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<p><b>Historic England</b></p>	<p>We have reviewed the Screening Opinion submission available on your website. Whilst we do not have any observations to make in relation to the Screening Opinion submission, we can confirm that Historic England would be a statutory consultee on any resulting planning application. We may provide comments once we have been consulted on the full application.</p>
<p><b>Greater London Archaeological Advisory Service (GLAAS)</b></p>	<p>Having considered the proposals with reference to information held in the Greater London Historic Environment Record and/or made available in connection with this application, I conclude that the proposal is unlikely to have a significant effect on heritage assets of archaeological interest.</p> <p>The site does not lie within an archaeological priority area, and the proposed works are unlikely to result in an archaeological impact at this location.</p> <p>No further assessment or conditions are therefore necessary</p>
<p><b>Camden Council's Sustainability officer</b></p>	<p><u>Energy and Sustainability</u></p> <p>We have no objection to the report's conclusion that an EIA is not required. This is on the basis of energy and sustainability on the basis and understanding that a Sustainability Statement dealing with Local Plan policies CC1 and CC2 will be submitted at planning stage.</p> <p><b>Recommendation:</b> No objection.</p> <p><u>Flooding and drainage</u></p> <p>On that basis and given the nature and location, the LLFA have no objection to the screening conclusion that an EIA is not required on the basis of flood risk or drainage. However, please see the informative below relating to local planning policy and surface water flood risk.</p> <p><b>Recommendation:</b> No objection.</p> <p><b>Informative:</b></p> <p>a. <u>Surface water flooding</u> The proposed scheme is not in or near a Local Flood Risk Zone. However the extreme western end borders on Kentish Town Road which experienced a major flooding incident in 1975 - Strategic Flood Risk Assessment (SFRA) 2014, fig.3.ii – see relevant extract below. As a result this street is classified as a local area of heightened flood risk under the Local Plan. Relevant flood risk policy and mitigation must be considered if any part of the scheme encroaches meaningfully on Kentish Town Road.</p> <p>b. <u>Internal sewer flooding</u> The scheme crosses part of the 'NW1 9' postcode area. This area is noted in the SFRA, 2014 (fig. 5a) as containing a single property which had experienced internal sewer flooding in recent times. No specific concern arises in connection with the proposed development given its nature +but we draw your attention to it for the record.</p> <p>c. <u>SuDS and drainage</u> In any case for the access points and other structures, the planning application should take account of Local Plan policy CC3 and associated CPG; the Strategic Flood Risk Assessment 2014; the need for a completed GLA-Camden proforma, SuDS proposals, a greenfield runoff target, and supporting evidence.</p>



### Air Quality

We have no objection to the report's conclusion that an EIA is not required on the basis of air quality.

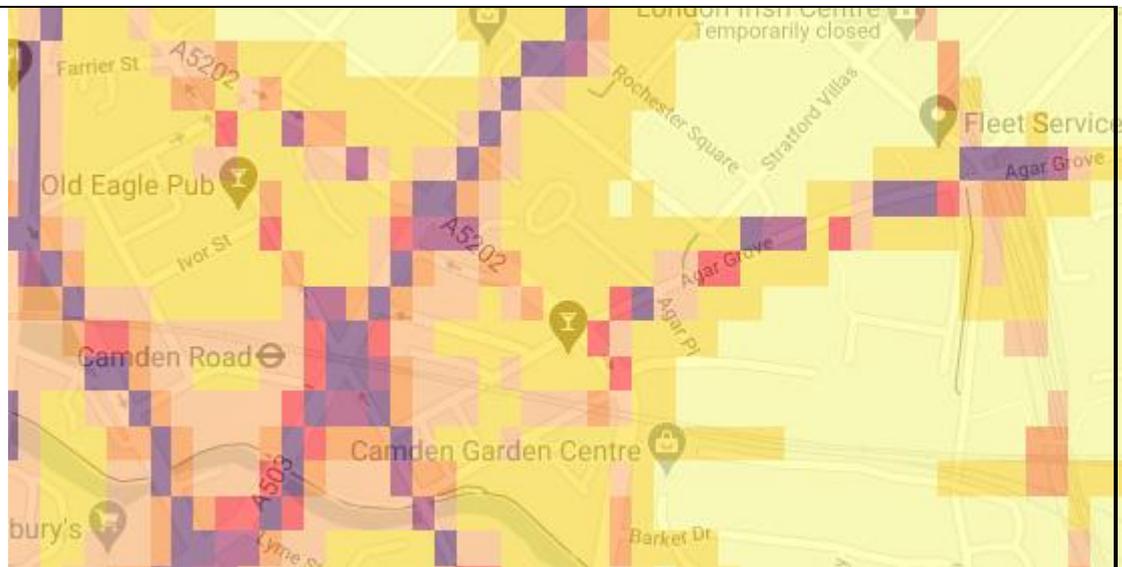
However, please see the informatives below which advise about the likely need for an air quality assessment (AQA) at planning stage, with reasons.

**Recommendation:** No objection.

### **Informative:**

We advise that an Air Quality Assessment may be required as part of the full planning application. This in particular to screen air quality impacts on workers or others who may spend more than an hour in any area of poor air quality as a result of the development, and to deal with construction dust risk assessment.

- d. Local air quality The scheme is proposed in an area of poor or very poor air quality – see extract below from LAEI 2016 mapping. As we understand that no residents or vulnerable occupants are associated with the scheme, the long term AQO limits are thought not to apply. However it is possible that access points may be staffed and may coincide with some of the most polluted areas (marked red/purple below). This indicates that anyone e.g. staff staying longer than an hour may be subjected to air pollutant levels exceeding the short term AQO limit. If this is the case then analysis is necessary and mitigation is likely to be required.



e. Construction dust A complete risk assessment with mitigation/monitoring proposals is likely to be required at planning application stage, as part of an overall AQA. It would not be sufficient to leave it to the post-planning CMP process because, depending on the assessed risk, it may be necessary to secure a baseline monitoring condition at planning.

Based on the information provided, the proposed project does not appear to have a significant impact on the surrounding environment and we would not be seeking a full EIA.

It is noted that the development is 1.2 ha in size, 0.2 ha above the 'urban development' threshold, but in our view the development type is non-typical and would not have a significant impact on the surrounding environment, taking into consideration that the adjacent land use is an active railway line.

**Camden Council's Green Space Officer**

We support the inclusion of a phase 1 habitat survey, as well as the inclusion of an Ecological Impact Assessment report. Disused railways lines provide habitat and migration corridors for various species, so mitigation measures based on findings should be incorporated into any development that is taken forward.

We do not support the proposal to use all three Network Rail arches at Camden Gardens as this will create severance within an already constrained open space site. Pedestrian access through Camden Gardens should be maintained.

## **Site Description**

The linear application site mainly comprises a partially disused railway line that stretches between York Way in the east and Kentish Town Road in the west. In addition to the railway line, the red line boundary includes Camden Gardens at ground level, including three adjacent railway arches plus three associated access buildings at Royal College Street, Camley Street and York Way. In total, the site stretches approx. 1.5km (varying widths of between 3.5 m and 20 m) and measures 1.2 hectares.

In respect of the immediate surroundings, the site lies within an urbanised area that is primarily characterised by dense mixed-use urban development of varying scale and height, with the Regents Canal to the south and rail infrastructure to the south-east.

The site contains a Grade II listed building at 223 Royal College Street and the western end of the site is located within two conservation areas (Jeffrey's Street and Camden Broadway) and adjacent to a third conservation area (Regents Canal).

## **Relevant History**

N/A

## **Relevant policies**

**Town & Country Planning Act 1990**

**Town & Country Planning (Environmental Impact Assessment) Regulations 2017**

**National Planning Policy Framework 2019**

**Planning Practice Guidance – Environmental Impact Assessments July 2017**

## **Assessment**

### **Proposal**

An Environmental Impact Assessment (EIA) Screening Opinion has been submitted for in respect of the proposal for the Camden Highline.

The proposals include:

- Delivery of new public realm and open space, including a pedestrian walkway, seating areas and landscaping
- Four access points by means of stairs and lift access at (from east to west): York Way; Camley Street; Royal College Street; and Camden Gardens.
- Four new commercial premises including three in existing railway arches (total 500m<sup>2</sup>) and a fourth 'pavilion-like' structure on the Highline itself;
- A separation wall construction between the walkway and the live railway line, in accordance with Network Rail's standards (including 2m height).

It is anticipated that small scale demolition works will be required to clear the site and create access points. The construction is likely to include the following activities:

- Existing vegetation clearance;
- Relocation and Fencing of Relay Rooms, as necessary, to ensure minimum NR clearance requirements;
- Rerouting/relocation or removal of Power and Telecoms Cables and Overhead Lines, as necessary, to ensure continued operation of the Overland Rail line and the safety of pedestrians;
- Reinforcement/repair of bridges as required, including installation of decks at three bridges. It is not anticipated that the works would require extensive/complex engineering solutions due to the low load bearing pedestrian use;
- Construction of separation wall;
- Construction of access stairs and lifts, including consideration of existing utilities;
- Restoration and internal reconfiguration of 230 Royal College Street listed building to fit stairs and an elevator to provide access;
- Construction of public realm including paving, installation of street furniture, landscaping;
- Conversion of railway arches; and
- Construction of small pavilion

### **Assessment**

In line with the 2017 Regulations an assessment has been made of the proposed works against the EIA thresholds. Reference has also been made to The Planning Practice Guidance Note 'Environmental Impact Assessment' July 2017.

The proposed development does not fall under the description of a Schedule 1 Development, as defined by the 2017 EIA Regulations that would automatically require a formal EIA. However, the proposal does falls within the description of Schedule 2 as it exceeds the threshold of 1 hectares of none dwelling/house development in column 2 of the table in Schedule 2 of the 2017 Regulations. Therefore, the Council considers the proposal to be 'Schedule 2 development' within the meaning of the 2017 Regulations.

The proposed site is not in or adjacent to a sensitive area which includes:

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

- The proposed site is not in or within a 2.5km radius of a Natura 2000 area – a site designated under the Bird Directive (SPA, the Habitats Directive (SAC), or the Ramsar Convention.

As such, the site is not in a sensitive area as defined in the EIA Regulations.

Taking account of the above, an EIA would be required if the proposed works were judged likely to give rise to significant environmental effects. To make this judgement the local planning authority is required to take account of the selection criteria in Schedule 3: characteristics of development; location of development; type and characteristics of the potential impact.

Within the submission documents, the applicant has evaluated the potential significant environmental effects in terms of the perceived sensitivity of the local environment and with regard to the criteria set out in schedule 3 of the EIA regulations.

They have considered the following potential environmental effects:

- Socio-economic
- Archaeology
- Transport and accessibility
- Air Quality
- Noise and Vibration
- Ground conditions and contamination
- Water Resources and Flood Risk
- Ecology
- Daylight, sunlight and overshadowing
- Wind microclimate
- Waste management
- Townscape and visual
- Built heritage
- Light spillage
- Climate change
- Human health
- Major accidents and disasters
- Cumulative impacts (Camley Street)

The Screening Report assesses the likelihood of significant environmental effects, including for the works/construction themselves (i.e. temporary impacts) and the completed development (i.e. long-term impacts). This is followed by recommendations made under each section.

The nature of the proposals are somewhat unusual as, although the proposed development exceeds 1 ha urban development (which is not dwelling/house development), the proposed development would be largely public realm and conversion works and therefore would not result in an 'urbanising effect' typical of urban development.

Any environmental effects associated with the development are unlikely to be significant and could be adequately dealt with via the normal planning application process, including the need to secure a number of mitigating features by planning conditions and through legal obligations. The planning application is proposed to be supported by a number of environmental technical studies, listed below:

- Archaeological Desk Study Report;
- Transport Statement;
- Flood Risk Assessment;
- Ecological Impact Assessment;
- Contamination Land Assessment;
- Heritage Assessment;
- Waste Management Plan;

- Lighting Strategy and Impact Assessment; and
- Sustainability Statement.

It is noted that the above list may not be all-inclusive and during the pre-application process officers may request further studies to support the planning application(s) as required and as advised by consultees.

### **Conclusion**

The management measures in respect to the Environmental Aspects of the development as outlined within the submission documents have been considered. Whilst the proposed works will generate impacts, they will be managed through planning conditions and controls in order to mitigate harm and generate benefits.

Given the above, and due to the proposed size, scale and nature of the proposal and the characteristics of the surrounding area, it is considered that the scheme would not be of more than local importance, be within an 'environmentally sensitive location' or 'create any unusual or hazardous effects' pursuant to the selection criteria of Schedule 3 of the EIA regulations 2017.

Therefore, although the development is, by definition, Schedule 2 development, it is recommended that a Screening Option be adopted stating that an EIA is not warranted in this case.