

Application No. 17/03896/ENV - Former Essex House, George Street, Croydon, CR0 1PJ,

1. SUMMARY

1.1 This report concerns an:
Application for Environmental Impact Screening Opinion for:

Erection of a part 38 part 44 storey mixed use building comprising commercial uses on lower floors and 546 residential units on the upper floors

2. DECISION

Environmental Impact Assessment Not Req.

Officer Report:

1. BACKGROUND

1.1 The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 provides the statutory framework with the NPPG providing guidance on Environmental Impact Assessment (EIA) Regulations.

1.2 The aim of the Regulations is to ensure that major projects that are clearly likely to impact on the environment are always subject to an EIA and that other projects which are unlikely to have significant environmental impacts are automatically excluded from the Regulations. To this end projects have been divided into two lists; Schedule 1, where an EIA is always required; and Schedule 2, where an EIA may be required.

1.3 This development would not be within Schedule 1. It is for the Council to decide whether a particular proposal is a Schedule 2 development and then whether or not an EIA is required.

1.4 The current proposal is for the erection of a part 38, part 44-storey mixed use building comprising commercial uses on the lower floors and 546 residential units on the upper floors.

2. SCREENING OPINION

2.1 Schedule 2 provides a description of those developments (with thresholds) where an EIA may be required. It is considered that because of its nature, the proposal would fall within the description "Urban development projects, including the

construction of shopping centres and car parks, sports stadiums, leisure centres and multiplex cinemas“(Section 10(b) of Schedule 2).

- 2.2 The red lined site area for the proposal would be approximately 0.22ha.
- 2.3 The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 set the thresholds for urban development projects such that a project will need to be screened if—
- the development includes more than 1 hectare of development which is not dwellinghouse development; or
 - the development includes more than 150 dwellinghouses; or
 - the area of the development exceeds 5 hectares.
- 2.4 The proposal would exceed 150 units and would therefore, have to be screened under Schedule 2 of the Regulations.
- 2.5 Schedule 3 of the Regulations sets out criteria that must be taken into account when deciding whether a development is likely to have a significant effect on the environment and which could therefore require the submission of an EIA. These criteria are divided into three categories; characteristics of development, location of development and characteristics of potential impact.
- 2.6 Paragraph 18 of the NPPG states that ‘only a very small proportion of Schedule 2 development will require an assessment’. To aid local planning authorities to determine whether a project is likely to have significant environmental effects, a set of indicative thresholds and criteria have been produced.
- 2.7 For Urban Development projects the guidance suggests:
- An EIA is unlikely to be required for the redevelopment of land unless the new development is on a significantly greater scale than the previous use, or the types of impact are of a markedly different nature or there is a high level of contamination.
- Sites which have not previously been intensively developed:
- (i) area of the scheme is more than 5 hectares; or
 - (ii) it would provide a total of more than 10,000 m² of new commercial floorspace; or
 - (iii) the development would have significant urbanising effects in a previously non-urbanised area (e.g. a new development of more than 1,000 dwellings).
- Key Issues relate to the physical scale of such developments, potential increase in traffic, emissions and noise.
- 2.8 The fundamental test to be applied in each case is whether the development and its specific impacts would be likely, in that particular location, to result in significant effects on the environment.
- 2.9 The criteria in Schedule 3 identify issues that must be considered and which include the size of the development. Generally the criteria do not indicate any thresholds or quantities that would trigger the need for an EIA. In that regard the criteria in the NPPG, set out in paragraph 4.7 above are more helpful.

- 2.10 In this instance, the proposal is for redevelopment of the site. The guidance refers to 'use' and 'scale' when making an assessment. The proposed uses: commercial and residential would be commensurate for a town centre location and is on land well below the 5 hectares in size and the land is not subject to known high levels of contamination. In terms of key issues the site is in a PTAL of 6b and proposes low levels of parking. Given the restricted levels of parking and the excellent access to public transport, the increase in terms of traffic would not justify the requirement of an EIA. With uses commensurate with the local surrounds the noise aspect would also not justify the requirement for an EIA.
- 2.11 In terms of the size and design of the whole development, while the building would be tall, the design has been carefully articulated to ensure views would not be harmed, with a taller slender element, rather than 2 towers of equal mass. The external materials are non-combustible, and chosen to present a high quality appearance. The design of the building ensures micro climate impacts are mitigated. The treatment of the ground floor spaces and interaction with the public realm are also considered appropriate.
- 2.12 The proposal has been designed to respond sensitively to the existing context of the surrounding area, taking into account the number of sites nearby with planning permissions in place. As a result the proposed development is considered to be appropriate to this location, which will be explained in the documentation supporting the planning application. Detailed consideration of the scheme will be included in the Design and Access Statement and the Planning Statement submitted with the application, with a Townscape and Visual Impact Assessment also forming part of this application. This development is located in an existing urbanised area and will not lead to other impacts of a more-than-local nature and in any event not of environmental significance.
- 2.13 In terms of cumulation with other existing development and/or approved development, it is noted that several other tall buildings are approved in the area. Consideration has been given to whether there would be cumulative visual, microclimate or other impacts, in this case it is considered that there would not be given separation distances wind direction and interaction with buildings. The site is well located in terms of public transport, and it is not considered there would be any undue traffic impacts as a result of the proposal.
- 2.14 There will be no significant or unusual use of natural resources as part of the construction or operation of the scheme. Sustainable techniques and materials are to be employed in the construction of the proposed development, which would deliver residential units that meet the London Plan and emerging Policy DM24 of the Croydon Local Plan: Detailed Policies and Proposals (Proposed Submission, September 2016). The commercial element of this scheme will also be designed to meet a minimum of BREEAM Excellent standard or equivalent in accordance with Croydon Local Plan.
- 2.15 The development is to be constructed to a modular design, with all the modules built in managed factory environment. These two aspects will ensure that this development minimizes the amount of construction and operational waste in comparison to conventionally constructed developments. A Site Waste Management Plan (SWMP) will be agreed with the Council prior to the commencement of construction. Waste generated during the operational phase of the development will be collected and disposed of in accordance with an approved waste collection strategy, submitted as part of the planning submission.

- 2.16 Pollution and nuisance from the construction of the building will be kept to a minimum by virtue of the modular construction methods to be implemented. Hours of work for site specific activities will be detailed in the site register. Permitted hours of work throughout the duration of the project will be restricted to comply with planning and agreements with local authorities. Measures will be taken to reduce noise and dust levels during the construction phase of the development. The potential for dust creation at the source will be reduced through effective management and controls, which will be minimized due to the off-site construction. Any construction activity that has the potential to create dust will be planned with adequate controls measure in place. Sensitive receptors, such as local residents, will be informed of the proposed site activities which have the potential to generate noise and/or dust. Consultation and instruction will be provided by site/ project managers that hold an Environmental Awareness qualification as a minimum. Individuals with specific qualifications including noise and dust resonation training will also be available for consultation.
- 2.17 The building has been designed to be fire resistant, with cladding being non-combustible and fully sprinklered. The scheme includes measures to offset carbon emissions and improve sustainability, specifically to combat climate change. There would be no risk to human health as a result of the proposals.
- 2.18 In this case the site lies within the Opportunity Area (Central Croydon is designated as an Opportunity Area in the London Plan) and one of the sites is within the Croydon Metropolitan Centre. It is noted that a previous application (approved) on this site, reference 14/01594/P, was not subject to an EIA, however, this was for a scheme for the erection of two buildings of 17 and 32 storeys comprising 305 residential units, 4 commercial units (use classes A1-A5) and a gym (use class D2); provision of new public piazza and associated landscaping, car parking, cycle and refuse storage. Since this application was decided, the DCLG issued a direction on the 19 January 2016 that an EIA was not needed for a scheme within relatively close proximity (400m) that involved a 69 storey tower comprising 917 units. Given this direction and the scale of the proposed development it is not considered to merit a requirement for an EIA having regard to the designations.
- 2.19 While the area is densely populated, the proposal doesn't pose a harm to the population. There are no environmentally sensitive areas likely to be affected by development must be considered, In terms of emissions the whole of the borough lies within an Air Quality Management Area. This means that currently there are areas that will exceed the European Union objective for Nitrogen Dioxide levels by 2005. In this context it is not considered likely that the proposed development would significantly worsen the existing situation to the degree that requiring a full EIA could be justified. Nonetheless, an Air Quality Assessment would be submitted with any future application and therefore can be assessed as part of that planning application.
- 2.20 Most impacts will be restricted to the Site and its very immediate surrounding areas. The effects will be no more than local, and will not be of environmental significance. There will be no transfrontier impacts. The overall magnitude of the impact of the proposed development is considered to be negligible to minor, depending on the environmental receptor. It is likely there will be very minor (imperceptible) impacts on the townscape and all other potential impacts will be mitigated through the

planning process. There will also be positive impacts, for example in relation to the provision of housing, and improving the pedestrian experience within the wider area. The probability of impacts occurring is considered low to medium. No significant effects will arise from the development. Most impacts will be permanent. There will be some temporary impacts, limited to the construction phases of development. These will be addressed through the usual controls such as Construction Management Plans.

2.21 In general an EIA will be needed for projects of more than local importance. Having regard to the contents in Schedule 2, the criteria in Schedule 3 and the guidance in the NPPG, it is considered that the development does not have the potential for significant environmental impacts. An EIA is not therefore required.

Case Officer: Michael Cassidy Tel: 0208 726 6000 Ext 60759
Contact: development.management@croydon.gov.uk