

Strategic Environmental Assessment and Habitats Regulation Assessment Screening

Draft Kentish Town Planning Framework
Supplementary Planning Document (SPD)



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1.0 Introduction

- 1.1 This screening report has been prepared to consider whether the “Kentish Town Planning Framework” Supplementary Planning Document (SPD) should be subject of Strategic Environmental Assessment (SEA) and Habitats Regulations Assessment (HRA).
- 1.2 The draft SPD has been through three rounds of public consultation from 2018 through to January 2020 (the last round of which is currently open until the end of January) and is intended to establish some key objectives and principles to guide future development and related improvements in the Kentish Town area. The nature and level of guidance is intended to support and complement other adopted and emerging development plan documents, which have undergone (or are undergoing) equivalent and more detailed assessments¹:
 - Camden Local Plan (adopted July 2017)
 - Camden Site Allocations Plan (adopted 2013)
 - Emerging review of the Site Allocations Plan (consulted December 2017 to February 2018 – second round of consultation due to commence February 2020)
 - Kentish Town Neighbourhood Plan (adopted September 2016)
 - Dartmouth Park Neighbourhood Plan (referendum held on 6 February 2020)
- 1.3 This report outlines the legislative and policy framework and process for the respective screening regimes, before considering whether significant environmental effects are likely to arise through the draft SPD that should require more detailed SEA and/or a Habitats Regulations Assessment (HRA).
- 1.4 Following consultation on this report and its conclusions with the relevant statutory bodies (the Environment Agency, Historic England and Natural England), the results of the screening process will be set out in a Screening Statement, which will be published on the Councils website.

2.0 Legal Framework

Strategic Environmental Assessment

- 2.1 SEA is a procedure in accordance with European Directive 2001/42/EC (SEA Directive) “on the assessment of the effects of certain plans and programmes on the environment”. The SEA Directive aims to ensure a high level of protection for the environment and to integrate environmental considerations into the preparation of plans. This is transposed into UK law by the Environmental Assessment of Plans and Programmes Regulations 2004 (SEA Regulations), which requires the formal environmental assessment of certain plans and programmes if they are identified to be likely to have significant effects on the environment.
- 2.2 The National Planning Policy Framework (NPPF) defines an SPD as a document which adds further detail to the policies in the development plan (which encompasses

¹ Where any required Sustainability Appraisals undertaken on these other plans will also incorporate the SEA requirements of the [Environmental Assessment of Plans and Programmes Regulations 2004](#)

Local Plans and Neighbourhood Plans) and can be used to provide further guidance for development on specific sites, or on particular issues, such as design.

- 2.3 National Planning Practice Guidance states that whilst SPDs do not require a Sustainability Appraisal² they may *in exceptional circumstances* (our emphasis) require a SEA if they are likely to have significant environmental effects *that have not already been assessed during the preparation of the relevant strategic policies* (our emphasis).³
- 2.4 This guidance goes on to state SEA is unlikely to be required where a SPD deals only with a small area at a local level, unless it is considered that there are likely to be significant environmental effects⁴.
- 2.5 In order to determine whether significant environment effects are likely, the local planning authority as “the responsible authority” need to take into account the criteria specified in Schedule 1 of the Environmental Assessment of Plans and Programmes Regulations 2004⁵ and consult the relevant consultation bodies; the Environment Agency, Historic England and Natural England.

Habitat Regulation Assessment (HRA)

- 2.6 In addition to the screening of the draft SPD in relation to SEA, there is a requirement to assess if the policies or proposals within the SPD could have an adverse impact on internationally designated wildlife sites. The Habitats Regulation Assessment (HRA) is required by the European Habitats Directive.
- 2.7 All plans and projects (including planning applications) which are not directly connected with, or necessary for, the conservation management of a habitat site, require consideration of whether the plan or project is likely to have significant effects on that site. This consideration – typically referred to as the ‘Habitats Regulations Assessment screening’ – should take into account the potential effects both of the plan/project itself and in combination with other plans or projects. Where the potential for likely significant effects cannot be excluded, a competent authority must make an appropriate assessment of the implications of the plan or project for that site, in view of the site’s conservation objectives.

3.0 Purpose, priorities and objectives of the SPD

- 3.1 The NPPF defines SPDs as “*documents which add further detail to the policies in the development plan. They can be used to provide further guidance for development on specific sites, or on particular issues, such as design. Supplementary planning documents are capable of being a material consideration in planning decisions, but are not part of the development plan.*”

Purpose of this SPD

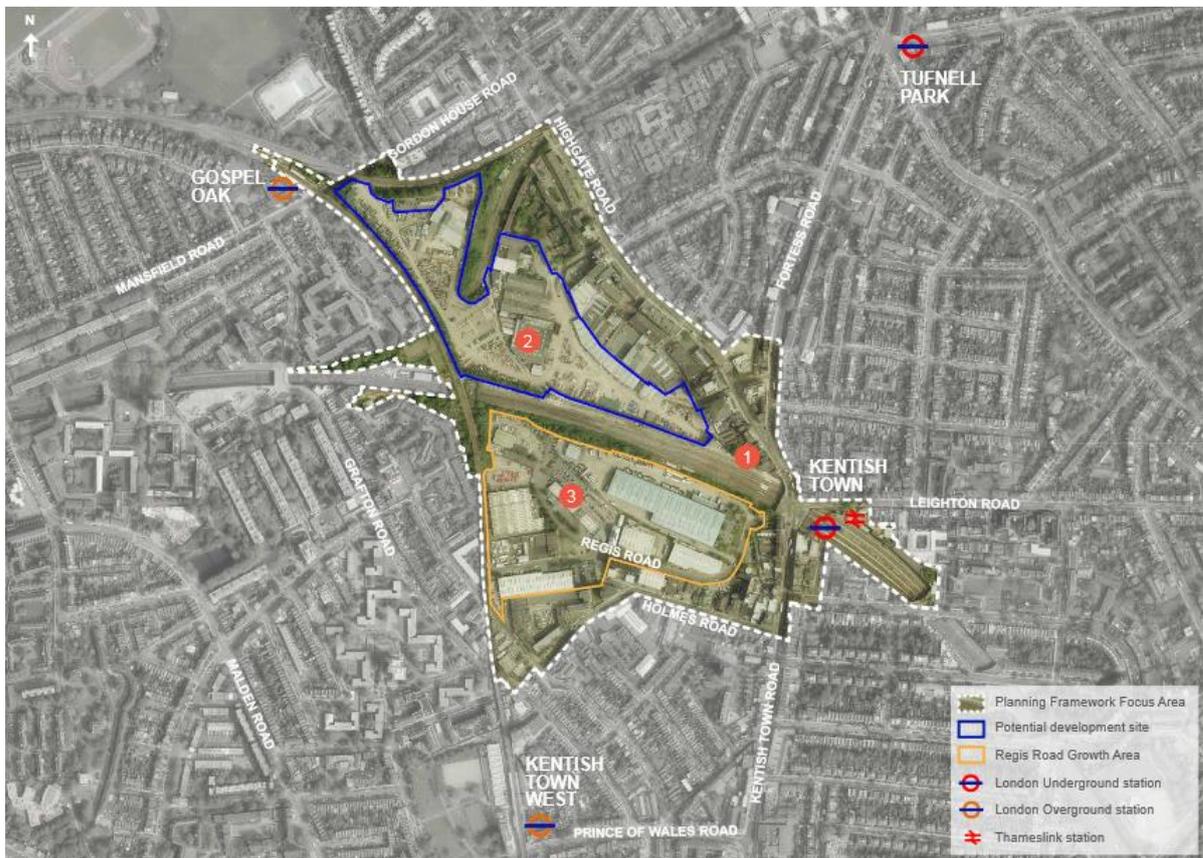
² The Town and Country Planning (Local Development) (England) (Amendment) Regulations 2009 removed the duty to produce a sustainability appraisal report for Local Development Documents other than Development Plan Documents

³ [Strategic Environmental Assessment](#)

⁴ [Regulation 5\(6\) of the Environmental Assessment of Plans and Programmes Regulations 2004](#)

⁵ [Schedule 1 to the Environmental Assessment of Plans and Programmes Regulations 2004](#)

- 3.2 The development areas in Kentish Town present an opportunity for regeneration and growth for this part of inner London. Currently characterised by low density industrial and warehouse uses, there is scope to deliver an increase in jobs and homes, new public open space and community facilities as part of an innovative mixed use neighbourhood.
- 3.3 Camden has an identified need for 16,800 additional homes, 695,000sqm of office floor space and c30,000sqm of retail floor space by 2031. To meet this, the Council's objective is to create the conditions for sustainable growth that delivers opportunities and benefits for our residents and businesses.
- 3.4 Major landowner Murphy is looking to bring forward development proposals for their site and have commenced public engagement with the community. The Local Plan has designated the area south of the railway as the Kentish Town Growth Area. These areas are expected to contribute towards meeting the identified need for additional housing and jobs.
- 3.5 With change likely to take place in the area in the coming years, the London borough of Camden wants to ensure a strategic and coordinated approach is taken to deliver the best outcomes for our communities. To support this, the Council has prepared the Draft Kentish Town Planning Framework.
- 3.6 The SPD has identified a number of key development objectives for the framework area. These are:
 - Around 2,000 new homes
 - Over 3,000 new jobs and new employment space
 - Ambitious employment and training strategy providing genuine opportunities for local people
 - Innovative design approaches to intensify industrial buildings
 - New pedestrian and cycle friendly connections between Kentish Town, Gospel Oak and Hampstead Heath
 - New bridge connecting Murphy's Yard and Regis road
 - Sustainable, innovative development that delivers a Zero Emissions Neighbourhood
 - Attractive, safe and green open spaces and public realm that is open and accessible to all



The Kentish Town Planning Framework Area

- 3.7 The Kentish Town Planning Framework covers two important policy designations. Policy G1 (Delivery and Location of Growth) of the Local Plan re-designates part of the Kentish Town area from protected industrial land to the Regis Road Growth Area. The plan identifies this area as a significant opportunity to deliver higher density industrial provision as part of a redevelopment scheme that will also deliver a substantial increase in homes and jobs, as well as improve movement around and through the area, reconnecting communities. The plan is explicit that redevelopment will only be considered where it is employment-led and part of a comprehensive scheme and states that a planning framework should be prepared prior to any planning application coming forward.
- 3.8 The area north of Regis Road remains the designated Kentish Town Industry Area. Local Plan policies E1 (Economic Development) and E2 (Employment premises and Sites) safeguard the Kentish Town Industry Area for industrial and warehouse uses. The Council will consider higher intensity redevelopment proposals for employment uses and will resist proposals that would lead to the loss of sites in Use Classes B1(b), B1(c), B2 and B8 and similar Sui Generis. Other priority uses such as residential could form part of proposals provided that they would not prejudice the successful operation of businesses in the area.
- 3.9 These factors contribute to a need for guidance to supplement and complement existing and emerging planning policies to help guide future development proposals which are consistent with strategic policies, including those which seek to make the best use of available land, support the delivery of more new homes and more affordable homes and maintain and enhance employment functions, whilst respecting the areas historic context, through high quality design and public realm.

3.10 The area offers major opportunities for improvement and in view of the change that is happening and likely to evolve, this offers the chance to identify key issues and opportunities that need to be addressed through the “Kentish Town Planning Framework” SPD to establish some broad planning principles and objectives to support and guide future development and desirable area improvements. As the intention is to adopt the document as a Supplementary Planning Document (SPD) it is intended to limit itself to adding further detail and elaborate on policies in adopted plans.

4.0 SEA screening assessment

4.1 The “responsible authority” (London Borough of Camden) must determine whether a plan or programme, in this case the Kentish Town Planning Framework, is likely to have significant environmental effects with reference to the criteria specified in Schedule 1 of the Environmental Assessment of Plans and Programmes Regulations 2004.

4.2 This screening assessment has taken into account the fact that screening assessments have taken place on the Local Plan (adopted 2017) and adopted and submitted Neighbourhood Plans (Kentish Town Neighbourhood Plan and Dartmouth Park Neighbourhood Plan, respectively).

4.3 The criteria within Schedule 1 of the Environmental Assessment of Plans and Programmes Regulations 2004 are set out in the table below, along with consideration of the likely impact of the SPD against each.

| SEA Directive Criteria and Schedule 1 of Environmental Assessment of Plans and Programmes Regulations 2004 | Comments | Likely Significant Effects? |
|--|---|-----------------------------|
| Characteristics of plans and programmes, having regard, in particular to: | | |
| 1a) The degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources | <p>The draft SPD has regard to National Policy and is in general conformity with the strategic policies of the borough and the Kentish Town area.</p> <p>The draft SPD, once adopted, will provide locally specific guidance to a framework of policies for Kentish Town.</p> <p>The SPD does not allocate sites for development or address issues outside of those already assessed in the Council’s Local Plan SA (incorporating SEA) and as such is not considered to have significant effects in this regard.</p> | No |
| 1b) The degree to which the plan or programme influences other plans and programmes including those in a hierarchy | <p>Whilst a material consideration, SPDs sit at a lower level in the hierarchy of planning documents and weighted accordingly.</p> <p>Providing supplementary guidance to support policies in the NPPF and the Development Plan (which includes the London Plan, Local Plan and also Neighbourhood Plan – Kentish Town Neighbourhood Plan is adopted,</p> | No |

| | | |
|---|---|-----------|
| | Dartmouth Park Neighbourhood Plan is emerging due to be adopted later in 2020) the SPD provides more detail to the priorities and principles established in these higher level plans which have been subject to a full SEA. | |
| 1c) The relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development | The SPD promotes sustainable development in accordance with the principles of the NPPF and seeks to make a positive contribution to the three dimensions of sustainable development (social, economic and environmental). | No |
| 1d) Environmental problems relevant to the plan or programme | The SPD will not introduce or exacerbate any environmental problems. Together with the Local Plan and other adopted plans and guidance this SPD adds to a policy context and framework within which acceptable development proposals and associated improvements can be prepared. It addresses some environmental problems and should assist in positively addressing identified environmental issues such as a missing link in the habitat corridor. | No |
| 1e) The relevance of the plan or programme for the implementation of Community legislation on the environment (e.g. plans and programmes linked to waste-management or water protection). | The SPD through its objectives and the encouragement of high quality and sustainable design will be indirectly relevant to the implementation of Community legislation on the environment, but not to any significant extent in the scope and nature of the localised positive outcomes envisaged, eg improved air quality through promotion of walking/cycling via features such as the three key routes through the site (Heath Line, Regis Road, Carker's Lane). | No |
| Characteristics of the effects and of the area likely to be affected, having regard, in particular, to: | | |
| 2a) The probability, duration, frequency and reversibility of the effects | The framework objectives are not considered to extend significantly beyond the Council's policies which have already been subject to a SEA. | No |
| 2b) The cumulative nature of the effects | The draft Plan does not allocate sites for development nor does the guidance extend beyond what was already tested for SEA in the Council's Development Plan for the borough. | No |
| 2c) The trans-boundary nature of the effects | There are not considered to be any significant trans-boundary effects arising from the SPD other than the two boundaries of the two respective Neighbourhood Forums that cross through the site. | No |

| | | |
|---|--|-----------|
| 2d) The risks to human health or the environment (e.g. due to accidents) | The SPD will create no significant risks to human health or the environment. Instead there are expected to be positive outcomes through maintaining and promotion of green infrastructure, wellbeing and realigned transport priorities. | No |
| 2e) The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected) | The SPD guidance applies to a local area and the magnitude and spatial extent of potential effects will be limited. A separate Equalities Impact Assessment has been prepared to assess the community profile and the potential effects and benefits of the SPD on the local population. | No |
| 2f) The value and vulnerability of the area likely to be affected due to: i) special natural characteristics or cultural heritage ii) exceeded environmental quality standards or limit values iii) intensive land-use | Local Plan policies relating to design, cultural heritage and environmental protection will apply alongside the SPD The extent of effects are not considered sufficient to warrant SEA. | No |
| 2g) The effects on areas or landscapes which have a recognised national, community or international protection status | The SPD does recognise potential effects on Hampstead Heath (designated Metropolitan Open Land) but they are not considered significant enough to warrant a SEA. | No |

5.0 HRA screening assessment

- 5.1 Camden Council's screening of the Draft Local Plan (2015) identified whether the Plan's policies would give rise to impacts on the Natura 2000 sites and if so, establish the need for further assessment. The Council's Screening identified 4 sites within 10km of the borough of Camden – Epping Forest, Lee Valley, Richmond Park and Wimbledon Common. A map of the relevant sites is set out below (Map 1).
- 5.2 The Screening Opinion can be viewed on the Council's website. It concluded that:
- “None of the proposed draft policies were found to have likely significant effects on the sites of European importance for habitats or species, or an adverse impact on the integrity of the sites. It is considered that the policies contained in the draft Local Plan are unlikely to have significant effects on sites of European importance for habitats or species, or an adverse impact on the integrity of those sites Therefore it is not considered necessary to carry out Task 2 (Appropriate Assessment) and Task 3 (mitigation and alternative solutions) of the Habitats Regulations Appropriate Assessment.”*
- 5.3 For this HRA screening assessment it reconfirms that no Special Protection Areas, Special Areas of Conservation sites, or Natura 2000 sites are located within the SPD area.



Map 1 – Framework area plotted on Natura Network Viewer

- 5.4 As this SPD is in conformity with the policies of the Local Plan, and does not introduce new policies, the guidance contained in the lower level SPD is similarly unlikely to have significant effects on sites of European importance for habitats or species, or an adverse impact on the integrity of those sites.

Conclusion

- 5.5 The Council has considered the scope and content of the Draft SPD for the purposes of determining whether the policies and proposals are likely to give rise to any significant adverse impacts on the network of Natura 2000 sites. It is the Council's opinion that the Draft Kentish Town Planning Framework will not do so. In making its assessment, the Council has had regard to the Screening Opinion that was previously undertaken on the Draft Local Plan. This found that the future growth and development of Camden set out by the Local Plan was unlikely to significantly effect the Natura 2000 sites.

6.0 Screening Outcome

- 6.1 As this SPD is in conformity with the policies of the Local Plan and does not introduce new policies, the Council has determined through this screening assessment that the draft Kentish Town Planning Framework is unlikely to give rise to significant environmental effects.
- 6.2 The guidance contained in the lower level SPD and the previous HRA determination, as part of the Council's adoption of the Local Plan process, indicate there are similarly unlikely to be significant effects on sites of European importance for habitats or species, or an adverse impact on the integrity of those sites.

6.3 This assessment and conclusions will not negate the need to consider whether further assessments, such as an Environmental Impact Assessment, will be required for specific development proposals in the area covered by the draft SPD.

7.0 Appendices

7.1 The following statutory consultation bodies' responses are attached:

- Environment Agency response.
- Historic England response;
- Natural England response (both in respect of SEA and HRA screening)