

## **St Raphael's (Application 23/0560)**

### **Information to assist Council to Screen the Application**

**Prepared by Tibbalds Planning & Urban Design on behalf of the Applicant (LB Brent)  
(05/03/2023)**

#### **Site Information:**

- The proposals comprise the first phase of a regeneration initiative associated with the wider St Raphael's Estate.
- The phase 1 site (the Site) occupies a 4ha parcel of land, which sits on the southern boundary of the existing St Raphael's Estate, between the River Brent and the North Circular Road and to the rear of Tillett and Overton Close.
- The Site comprises primarily natural grass and planted areas with an undulating topography of made ground. The easternmost part of the site comprises planted bund, which runs adjacent to the North Circular and which forms part of the Brent River Park Site of Importance for Nature Conservation (SINC).
- The Park itself is designated as Open Space on the Local Plan proposals map and whilst it has the potential to contribute significantly to the informal and formal recreational needs of Estate residents it is currently underused, is viewed as unsafe by residents and gives rise to problems of flooding within the Estate itself.
- The Site is not in a conservation area and there are no conservation areas in the vicinity of the site. Brent River Park, formerly Tokyngton Recreation Ground and St Raphael's Open Space, is locally listed.
- There are no listed buildings on the Site or within the immediate vicinity. The nearest listed buildings are situated some 1,500m to the southeast of the Site and comprise Brent Viaduct, Stonebridge School, Stonebridge Park Public House and the Stonebridge Centre. All are listed Grade II.
- The Site is not affected by any of the 'Designated Views' or 'Protected Vistas' outlined in the London View Management Framework of the New London Plan.
- The Environment Agency's (EA) 'Flood Map for Planning' shows that parts the wider Estate and land associated with the River Brent fall within flood zone 2 and 3. The majority of the phase 1 Site, however, sits outside of the flood zones. Small parts of the northern most area next to Overton Close and at the southernmost point and along the river corridor do, however, fall within the Flood Zone 2.
- The site has a PTAL of 4, with parts of the Site also falling with a PTAL rating of 3. The Site is poorly integrated into its surroundings. Both the River and the North Circular act as barriers to movement and the crossings that do exist are of low quality. Pedestrian access into the Site is from four existing points. Two of these accesses' front onto the North Circular Road. A third access route is located to the southwestern corner of the Site. The final access route provides access from the north-eastern corner of the Site.
- There is currently no vehicular access to the Site. The nearest vehicular access is via a slip road off the North Circular Road which provides access to Tillett Close to the east.
- Existing housing surrounds the Site to the east and west comprising suburban inter war housing of 2/3 storeys. There is an existing Tall Building Zone at Stonebridge Park which supports several existing and proposed tall buildings comprising

Wembley Point (three new buildings up to 32 storeys in height, the existing WEM building at 21 storeys, the Unisys building- a disused 8 and 7 storey (30m) tall office building and Argenta House comprising 24 storeys.

- The proposals will see approximately 25% of the land that comprises the Application Site redeveloped for residential led development and a new service access road.
- New development is confined to the peripheries of the Application Site and to land lying adjacent to the North Circular and to the rear of existing terrace housing that fronts onto Tillett and Overton Close.
- The remaining 75% of the Application Site comprises the existing Brent River Park. This open space will be retained and significantly enhanced as part of the proposals. All new housing overlooks this enhanced open space.

**The proposal:**

- Represents the first phase of a wider regeneration Estate Regeneration initiative that will see the delivery of new affordable homes and extensive open space, ecological and public realm enhancements associated with the existing St Raphael's Estate and that part of the Brent River Park that is associated with the Estate.
- The proposals include the delivery of 195 new affordable homes and 99sqm (GIA) of flexible community/ commercial space in four distinct but related apartment blocks (3 x 10 storeys (Blocks A-C) and 1 x 8 storeys (Block D)) and a new terrace of housing (Block E) (3 storeys) positioned to the rear and side of existing homes on Tillett and Overton Close.
- The delivery of a new access and service road.
- A car free development.
- Significant investment into Brent River Park, involving works that will tackle problems of flood risk, safety and security, connectivity and will deliver new recreational facilities, play spaces and amenities for residents and the surrounding community to use, ecological enhancements and improved access and connectivity.
- The scope and content of the application proposals have derived from an extensive and in-depth consultation process that has involved the existing residents and has considered several alternative options ranging from comprehensive redevelopment to more light touch infill of the wider Estate.

**EIA Regs**

The Application proposals could be described as falling within 10 (b) urban development projects.

The application thresholds set in relation to this type of urban development project are:

- (i) If the development includes more than 1 ha of urban development, which is not dwelling house development.
- (ii) The development includes more than 150 dwellings.
- (iii) The overall area of development exceeds 5ha

The Application 1 proposals will deliver 195 new homes and hence the Schedule 2 threshold development criteria (ii) is met. This means that the Local Planning Authority must consider whether the proposal is likely to have **significant** effects on the environment.

In considering whether a Schedule 2 development is EIA development a local planning authority is required to consider relevant selection criteria from Schedule 3 of the Regulations.

Three criteria are set out:

- The **characteristics of development**, having regard to size, design, cumulative impacts, use of natural resources, production of waste, pollution, nuisance, risk of major accidents and risk to human health.
- The **location of development**, by reference to the environmental sensitivity of the area, having regards to (amongst other things), existing land use, statutory designation, and landscapes of historical, cultural, or architectural significance, nature reserves and parks; and
- The **types and characteristics of the potential impact** having regard to factors including the magnitude and spatial extent of the impact, the nature and probability of the impact, the cumulation of the impact with the impact of other existing and/ or approved development; the intensity and complexity of the impact; the probability of the impact; the duration and frequency of the impact and the possibility of effectively reducing the impact.

Schedule 3 identifies key selection criteria for screening Schedule 2 development. It should be noted that the EIA Regulations require EIA for qualifying developments where there are likely significant cumulative environmental impacts and not solely where there would be likely environmental impacts that could be mitigated. Where likely impacts have been identified and potential mitigation is known to be capable of reducing such impacts to less than 'significant' then such environmental consideration establish that an EIA is not required.

**TO ASSIST THE COUNCIL, WE CONSIDER THE APPLICATION PROPOSALS AGAINST EACH OF THESE CRITERIA.**

#### **Characteristics of development**

##### **Use of natural resources**

- The proposed construction and operational phases of the development will use resources in terms of land, water and energy as would be expected for a primarily residential development.
- The land utilised for new development comprises made ground and measures will be taken to minimise energy and water consumption in line with policy.

##### **Quantities of waste generated**

- Construction waste will be reused and recycled where possible.
- Operational waste would be disposed of in line with LBB requirements and managed in accordance with all applicable legislation.

- Residential and community uses do not pose a significant risk from hazardous substances or toxic emissions to air. There is not anticipated to be a requirement to store large volumes of hazardous materials. Any such materials would likely be required during the construction phase and would be stored and handled in accordance with relevant legislation.

#### **Flood Risk**

- As the Application Site is over 1 hectare in size and in line with policy the application is accompanied by a flood risk assessment (FRA).
- The FRA confirms that most of the site is outside of flood zones 2 and 3 areas. Small portions of the site at the northern most area next to Overton Close and at the southernmost point are within flood zone 2.
- The FRA describes how the Phase 1 Proposals will seek to address and improve the flood risk to existing neighbouring buildings through landscape and SUDS measures which will return an area of park into a functioning flood plain that together help to mitigate flooding risks for the rest of the Estate.
- The FRA describes how a sustainable drainage system has been developed in the context of the 'drainage hierarchy' of The London Plan and Brent Council policies.
- The FRA shows how rainwater is used as a resource throughout the development proposals, particularly for public amenity in the landscape and public realm and to enhance biodiversity in the SuDS techniques employed. By directing surface water runoff through SuDS features, the proposal establishes a landscape that benefits directly from the resource of rainwater and reduces the need for supplementary watering regimes.

#### **Landscape and ecology**

- The proposals will result in the quantitative loss of 8,540sqm of land designated as Open Space. Some 87% of this area consists of a mounded embankment, constructed to shield the wider Park from the adjacent A406 North Circular. It has become vegetated through a combination of introduced planting and natural regeneration. It is identified as part of Brent River Park Site of Importance for Nature Conservation (SINC).

Given this loss the application is accompanied by an Ecological Appraisal and Impact Assessment, which considers the nature conservation value of the area to be lost and confirms that it does not contain any flora of more than local value or habitats, or major features that are likely to provide breeding, hibernating or roosting opportunities, for specially protected species such as bats or Schedule 1 birds.

The appraisal makes several on site and off-site recommendations in terms of measures to mitigate the loss of the area of SINC and create new habitats that would enhance the overall nature conservation value of the wider Brent River SINC.

- The Application is accompanied a tree survey, which confirms the numbers and quality of trees on the Site and the impact of the proposals on existing trees.
- In response to the guidance given by the ecology and arboriculture surveys a comprehensive Landscaping Scheme has been prepared and submitted in support of the application, which demonstrates:

- A biodiversity net gain of 8.52%.
- An Urban Greening Factor (UGF) of 0.6.
- Introduction of a seasonal wetland attenuation feature in the park, which will accommodate the volume capacity needed to collect the surface rainwater outfall from the adjacent Phase 1 development.
- The introduction of a comprehensive network of new paths and cycleways.
- The provision of a comprehensive new and sensitive lighting strategy.
- The re-provision of Monk's Skatepark.
- The provision of play space in accordance with GLA policy.
- Removal of 41 existing trees (19 Category B, 14 Category C and 8 category U), together with 3 groups of scrubland (2 x category C and one category U) and the planting 240 new trees (200 standard and 40 orchard trees).
- The introduction of a series of new facilities that emerged from the co-design process including the creation of new garden spaces and places that will be created in the vicinity of the new housing blocks (shared courtyards between the four apartment blocks and a new communal garden between the Tillett Close's existing homes' back gardens and Block E, back terraces; an outdoor gym; areas for social gatherings in nature such as picnic areas supported by a community pavilion that can be used for occasional events and pollinator gardens and orchards.
- Further recommendations are made in the Ecology Report in terms of additional presence/ absence surveys to determine whether any specific precautions or mitigation will need to be taken prior to any development of the Site and highlights potential mitigation measures.
- In addition, it is envisaged that a Construction Environment Management Plan will be prepared ensure that the potential for pollution, spread of invasive species, or harm to protected species is avoided and that a Landscape and Ecology Management Plan (LEMP) will also be produced to ensure the aims and objectives of the landscape design are maintained post-construction. It is envisaged that the CEMP and LEMP would be secured via conditions attached to any future planning permission.

#### **Heritage and Archaeology**

- No buildings on Site are statutorily or locally listed, neither is the Site located within a Conservation Area or Archaeological Priority Zone. There are also no heritage assets located in proximity of the Site. Therefore, it is not anticipated that the Proposed Development will pose a risk to any heritage or archaeological assets.

#### **Air Quality**

- The proximity of the North Circular gives rise to air quality issues and as a result the Site is included within an Air Quality Management Area (AQMA). It is also within one of the Greater London Authority's (GLA's) Air Quality Focus Areas, which are defined as locations with high levels of human exposure where the annual mean limit value for nitrogen dioxide is exceeded.
- An air quality assessment accompanies the application, which considers the impacts of the proposed development on local air quality in terms of dust and particulate matter emissions during construction, emissions from road traffic

generated by the completed and occupied development, and emissions from emergency diesel generator plant. It also identifies the air quality conditions that future residents will experience and whether the proposed development is air quality neutral (as required by the London Plan).

- The Assessment confirms:
  - The construction works have the potential to create dust and hence it will therefore be necessary to apply a package of mitigation measures to minimise dust emissions. It is envisaged that these mitigation measures will be secured within a CEMP.
  - Air quality conditions for future residents of the proposed development are shown to be acceptable, with concentrations below the air quality objectives throughout the Site.
  - Emissions from the additional traffic generated by the proposed development, and diesel generator plant within the development, will have a negligible impact on air quality conditions at all existing receptors.
  - The building and transport related emissions associated with the proposed development are both below the relevant benchmarks. The proposed development therefore complies with the requirement that all new developments in London should be at least air quality neutral.

#### **Land Contamination**

- A desktop site investigation, together with a detailed intrusive investigation, a UXO risk assessment and asbestos assessment have enabled the team to understand the contamination risks due to the historic use of the Site and to make recommendations in terms of further geotechnical and ground investigations, waste disposal and associated mitigation measures in relation to the future development of the Site
- The Land Contamination Assessment, including a full assessment of the existing conditions, is submitted in support of the planning application, which makes recommendations as to the future development of the Site.

#### **Noise Pollution**

- A Noise Impact Assessment, including Vibration Assessment, is submitted in support of the planning application.
- As the Proposed Development involves residential dwellings, appropriate criteria are proposed for environmental noise intrusion based on recommendations given within BS 8233:2014 "Sound Insulation and Noise Reduction for Buildings – Code of Practice" alongside local guidance included within Brent's planning policies.
- The potential exists for noise effects to result from the construction of the proposed development. These effects will be managed in accordance with best practice measures, implemented through the CEMP and are not anticipated to generate significant adverse effects.

#### **Visual Impact**

- The Site sits adjacent to a main arterial road in a highly accessible location. It also sits just to the north of an existing Tall Building Zone, Stonebridge Park and the Old Oak and Park Royal Development Corporation and to the south of two growth areas (Wembley and Neasden).

- The TBZ at Stonebridge Park supports several existing and proposed tall buildings comprising Wembley Point (three new buildings up to 32 storeys in height, the existing WEM building at 21 storeys, the Unisys building- a disused 8 and 7 storey (30m) tall office building and Argenta House comprising 24 storeys.
- The proposed development rises to 10 storeys, with the massing arranged so the lower heights are associated with the existing lower rise estate and with the taller blocks located to the south, fronting the Park and rising towards the much taller buildings associated with Stonebridge Park TBZ.
- The scale and massing of development has evolved throughout the pre-application process, involving LB Brent officers and has been presented to two Design Review sessions.
- A Design and Access Statement and TVIA (incorporating a Tall Buildings Study) are submitted in support of the planning application. The Assessment demonstrates that the impact of the buildings is limited to existing open spaces and arterial roads and confirms that the proposals would not have any adverse effect on any strategic or borough planning policy views.

In the longer views, where the buildings are visible, they read as being subservient to the much taller buildings located in the Tall Building Zone around Stonebridge Station but, at the same time provide an opportunity to allow the scale of this cluster of buildings to transition down to the smaller scale buildings of the existing St Raphael's Estate.

In the mid-range views the proposals would help provide orientation within the townscape to the Brent River Park and would make a positive contribution to the local townscape in terms of legibility, articulated form and brick facade material that varies depending on the building but follows a warm autumnal tone in colour and in short term views the buildings will aid orientation, will frame views and will provide overlooking to the new refurbished Park.

#### **Transport and Highways Impact**

- The Site has a PTAL of 4/3
- The Site is therefore located in an accessible location and – given the car free nature of the proposals- the Proposed Development will not negatively impact the existing highway network. This is evidenced through a Transport Statement, including Draft Travel Plan, and Servicing and Delivery Management Plan that are submitted in support of the planning application.
- The Application includes several proposals that will help to improve accessibility for residents on foot or bicycle and encourage movement by modes other than the car.

#### **Daylight, Sunlight and Overshadowing**

- The proposed development's potential impact on daylight, sunlight and overshadowing has been considered for neighbouring properties and open spaces. The scheme has been designed with access to daylight and sunlight kept in mind from the outset, and a Daylight and Sunlight and Overshadowing Assessment is submitted as part of the planning application.

#### **Wind**

- As part of the design development Windtech provided guidance as to the likely impacts of the proposed development on the local wind environment as part of the design development on outdoor areas within and around the taller buildings.
- The planning application is accompanied by a wind assessment, which confirms the impact of the development on the wind environment around the buildings and appropriate mitigation is incorporated into the scheme in line with the guidance given.

#### **Energy & Sustainability**

- No electromagnetic radiation, heat or energy releases are expected other than those associated with normal construction operations and activities. Numerous sustainability measures are fully incorporated into the proposal to ensure compliance with regional and local planning policies. Both an Energy Statement, and a Sustainability Statement are submitted as part of the planning application.

#### **Lighting**

- Lighting has been designed carefully in accordance with relevant standards and these details are likely to be secured by condition resultant of the grant of planning permission.

#### **The location of development.**

For any given development proposals, the more environmentally sensitive the location, the more likely it is that the effects will be significant and will require EIA.

Certain designated sites are identified in Part 1 of the Regulations as “sensitive areas” where the criteria in the second column of Schedule 2 do not apply there. Sensitive areas comprise: Sites of Special Scientific Interest (SSSI), National Parks, The Broads, World Heritage Sites, scheduled Monuments, Areas of Outstanding Beauty (AONB) and European Sites.

The Site is not located within a “sensitive area” as defined by the EIA Regulations.

Development is located on the periphery of the Application Site and is related to already established development. The development is of a scale and character that is compatible with existing development in the vicinity of the Application Site.

Development will have a direct impact on an existing area designated as a SINC. The Application Proposals have fully assessed the value of this SINC and confirmed that it is of limited value and in order to mitigate any potential losses identifies opportunities to deliver significant ecological enhancements.

The proposed development demonstrates how these proposed recommendations will be delivered and any losses mitigated.

#### **The types and characteristics of the potential impact**

The EIA Regulations require an EIA for qualifying developments where there are likely significant environmental impacts and not solely where there would be likely environmental impacts that could be mitigated.



Potential impacts have been identified at this Site and mitigation measures have been incorporated into the design to reduce such impacts to less than “significant”. The necessary assessments and technical reports are submitted as part of the application to demonstrate this.

Given the nature, location, design, and incorporated mitigation of the Proposed Development, it is therefore considered that the proposals would not have any significant effects on the environment in relation to Schedule 3 of the Regulations.

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**Conclusions**