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Jon Grantham  
Director, Planning  
LUC

**BY EMAIL**

13<sup>th</sup> July 2015

Dear Mr Grantham

Re: Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 5 (1) 2011 and Amendment Regulations 2015: Request for EIA Screening Opinion for the Expansion of Byron Court Primary School, Spencer Road, Wembley, HA0 3SF

Thank you for your letter dated 25<sup>th</sup> June 2015, in which you requested that the planning authority adopt a screening opinion of The Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011, as amended, in respect of a forthcoming planning application for the proposed redevelopment of the aforementioned site. Firstly, please accept my apologies for the delay in my reply.

The description of the proposed development is for the redevelopment of Byron Court Primary School including demolition of the teaching blocks (651 sq.m.), kitchen facilities (115 sq.m.) and dining hall (174 sq.m.) and the construction of new teaching facilities (1,630 sq.m.), kitchen (142 sq.m.), a two court sports hall (to also be used as dining facilities) (475 sq.m.), construction of a non-floodlit Multi Use Games Area (MUGA) (781 sq.m.) and the reconfiguration of the existing grass playing pitches. The proposed development will increase the school role from 660 (3 form entry) to 1050 (5 form entry).

Having considered the proposals as detailed in your letter, Brent Council is of the opinion that the application does not fall within Schedule 1 Development of the Environmental Impact Assessment Regulations 2011 but within Schedule 2 Development, Part 10, Infrastructure Projects (b) – Urban development projects. However, Brent Council has also given consideration to the characteristics of the development, its location and potential impact as set out in Schedule 3 of the Environmental Impact Assessment Regulations 2011 and Planning Practice Guidance. Planning Practice Guidance indicates the types of case in which, an EIA is more likely to be required. It states:

*‘Environmental Impact Assessment 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.’*

EIA is more likely to be required where:

*‘(i) the area of the scheme is more than 5 ha; or  
(ii) it would provide a total of more than 10,000m<sup>2</sup> 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).’*

*‘Account is also to be taken of the physical scale of such developments, potential increase in traffic, emissions and noise.’*

(Reference: National Planning Practice Guidance, Environmental Impact Assessments, Annex A: Indicative Screening Threshold)

Taking into account the schemes scale, nature and location it is not anticipated it will result in significant environmental effects. Therefore, the Local Planning Authority does not consider that the forthcoming application for this site requires an EIA.

### **Ecology and Nature Conservation**

Planning Practice Guidance states, in general, the more environmentally sensitive the location, the lower the threshold will be at which significant effects are likely. Environmentally sensitive locations are considered to comprise:-

- a) Sites of Special Scientific Interest, any consultation areas around them (where these have been notified to the local planning authority under article 10 (u)(ii) of the GPDO), land to which Nature Conservation Orders apply and international conservation sites; and
- b) National Parks, the Broads, Areas of Outstanding Natural Beauty, World Heritage Sites and scheduled monuments.

There are no areas which have an ecological designation (as listed above) on or immediately around the site. I am of the view that the proposed development would not cause any significant adverse impacts.

### **Traffic related impacts-Movement and Safety**

The council does not consider that the development will result in significant impacts on highway capacity to warrant an EIA. The council accepts that the development will lead to some traffic and air pollution within the vicinity of the development but that the impact is not significant when taking into account the existing situation.

### **Contamination**

It is considered that there is slight risk of contamination at the site but it is not considered to be large enough, complex or unusual enough to require an EIA. However, the possibility of contamination should be investigated further on submission of a planning application.

### **Archaeology and Architectural Context**

The site is not located within an Archaeological Priority Area (as defined on the UDP proposals map). It is not located within a conservation area, however is in close proximity to Sudbury Court Conservation Area. Nevertheless, scale and height of the proposed buildings means it is unlikely to have significant impact on the setting of features of historic or cultural importance. It is not considered to warrant the submission of an EIA. However, it is considered to be appropriate to undertake a desk-top assessment to examine potential for archaeological remains on the site and this should be submitted with the planning application.

### **Air Quality and Noise**

The site does not fall within Brent's Air Quality Management Area. The development is not likely to release significant pollutants or hazardous, toxic or noxious substances into the air and the proposed use is not predicted to have a significant effect upon air quality or traffic generation in the area which would require an EIA. However, the application should be accompanied by a noise and air quality report.

It is anticipated the proposal will result in an increase in noise levels during construction. However, the noise levels, are not considered to be significant enough to warrant an EIA.

**Other impacts**

The council has assessed other possible impacts (as set out in the attached screening checklist) and effects of the development, and considers that there are none that are significant enough to warrant an EIA.

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Date of Decision: 13<sup>th</sup> July 2015

On behalf of the Council of the London Borough of Brent

Paul Lewin  
Planning Policy & Projects Manager  
Planning and Regeneration  
Brent Council

# SCREENING CHECKLIST

(taken from Guidance on EIA: Screening, European Commission, June 2001)

## Summary of features of project and of its location indicating the need for EIA

Questions to be Considered For further guidance on factors to be considered see the more detailed questions listed in the Scoping Guidance	Yes / No / ? Briefly describe	Is this likely to result in a significant effect? Yes/No/? – Why?
1. Will construction, operation or decommissioning of the Project involve actions which will cause physical changes in the locality (topography, land use, changes in waterbodies, etc)?	Yes – Redevelopment will introduce residential and some commercial floorspace.	No – The development is an intensification of the site's existing use as a school, the proposed uses are in accordance with the site allocation and context.
2. Will construction or operation of the Project use natural resources such as land, water, materials or energy, especially any resources which are non-renewable or in short supply?	Yes – only those typical of construction activities within an urban area, but limited amounts of non-renewables such as oil based fuels. The majority of materials are existing materials are likely to be recycled which is true of the new materials required.	No – the construction of this proposed development in this location is not predicted to have a complex or unusual effect and therefore would not have a significant effect on natural resources.
3. Will the Project involve use, storage, transport, handling or production of substances or materials which could be harmful to human health or the environment or raise concerns about actual or perceived risks to human health?	No - the proposed development will not involve the use, storage, transport or production of substances or materials which could be harmful to people or the environment.	No – as the proposed use for the redevelopment of the site will not have a significant effect on human health or the environment.
4. Will the Project produce solids during construction or operation or decommissioning?	Yes –There will be waste produced from construction.	No – mitigation to be agreed prior to works.
5. Will the Project release pollutants or any hazardous, toxic or noxious substances to air?	No – There are no elements of the proposed development that will result in the generation or release of noxious, hazardous or toxic substances to air.	No – There will not be any environmental nuisance in respect to significant release of pollutants or contaminants.
6. Will the Project cause noise and vibration or release of light, heat energy or electromagnetic radiation?	Noise and some vibration may be generated by construction, but this can be managed by conditions.	No – The effects are not predicted to be significant or unusual. Noise, and light will be generated but these effects are not predicted to be significant in this context.
7. Will the Project lead to risks of contamination of land or water from releases of pollutants onto the ground or into surface waters, groundwater, coastal waters or the sea?	No, there is no high level record of contamination within the area that would lead to an assessment that this could be possible as a result of the proposed development.	No – The level of contamination would not be significant enough to warrant an EIA.
8. Will there be any risk of accidents during construction or operation of the Project which could affect human health or the environment?	No – the construction and operation of the site do not involve the use of high risk substances or the use of high risk technologies.	No – It is considered that there would be no significant risk of accidents as a result of the end use of the development.
9. Will the Project result in social changes, for	Yes – the project will allow	No

example, in demography, traditional lifestyles, employment?	local schooling requirements to be greater met within the area, improving educational opportunity and reducing the need to travel	
10. Are there any other factors which should be considered such as consequential development which could lead to environmental effects or the potential for cumulative impacts with other existing or planned activities in the locality?	No – The proposed development is not expected to introduce a cumulative impact.	No – The proposed development is not expected to introduce a cumulative impact.
11. Are there any areas on or around the location which are protected under international or national or local legislation for their ecological, landscape, cultural or other value, which could be affected by the project?	No	No
12. Are there any other areas on or around the location which are important or sensitive for reasons of their ecology e.g. wetlands, watercourses or other waterbodies, the coastal zone, mountains, forests or woodlands, which could be affected by the project?	No	No
13. Are there any areas on or around the location which are used by protected, important or sensitive species of fauna or flora e.g. for breeding, nesting, foraging, resting, overwintering, migration, which could be affected by the project?	No	N/a
14. Are there any inland, coastal, marine or underground waters on or around the location which could be affected by the project?	No	N/a
15. Are there any areas or features of high landscape or scenic value on or around the location which could be affected by the project?	No	N/a
16. Are there any routes or facilities on or around the location which are used by the public for access to recreation or other facilities, which could be affected by the project?	No, the site is gated and recreational facilities are for the use of school children only.	No
17. Are there any transport routes on or around the location which are susceptible to congestion or which cause environmental problems, which could be affected by the project?	Yes – Watford Road experiences high levels of congestion. The size of the institution as proposed may result in an increase in the amount of traffic using or crossing this road as well as having an impact on the adjoining and nearby highway network.	No – The effects are not predicted to be significant enough to warrant an EIA.
18. Is the project in a location where it is likely to be highly visible to many people?	No – the site is a mixture of one and two storey buildings that is well screened by a perimeter of suburban two storey dwellings.	No.
19. Are there any areas or features of historic or cultural importance on or around the location which could be affected by the project?	No. The Sudbury Conservation Area is one street away, however the scale and massing of the school means it will have no adverse impact on the setting	No - it will be appropriate to undertake an desk-top assessment to examine potential for archaeological remains on the site.

	of the conservation area.	
20. Is the project located in a previously undeveloped area where there will be loss of greenfield land?	No	N/a
21. Are there existing land uses on or around the location e.g. homes, gardens, other private property, industry, commerce, recreation, public open space, community facilities, agriculture, forestry, tourism, mining or quarrying which could be affected by the project?	Yes	No – the proposal is not considered to be unusual in this context and involves redevelopment of the existing site.
22. Are there any plans for future land uses on or around the location which could be affected by the project?	No.	No
23. Are there any areas on or around the location which are densely populated or built-up, which could be affected by the project?	No, the area surrounding is populated but with relatively low density suburban housing.	No. The school will provide additional educational opportunities for the local population.
24. Are there any areas on or around the location which are occupied by sensitive land uses e.g. hospitals, schools, places of worship, community facilities, which could be affected by the project?	No. There are sensitive uses (Northwick Park Hospital) but not in close proximity.	No, the site is surrounded by a significant buffer of suburban housing.
25. Are there any areas on or around the location which contain important, high quality or scarce resources e.g. groundwater, surface waters, forestry, agriculture, fisheries, tourism, minerals, which could be affected by the project?	No	N/a
26. Are there any areas on or around the location which are already subject to pollution or environmental damage e.g. where existing legal environmental standards are exceeded, which could be affected by the project?	Yes – the site is within 550 metres of an Air Quality Management Area.	No – in the context of existing volumes of traffic the development will be small.
27. Is the project location susceptible to earthquakes, subsidence, landslides, erosion, flooding or extreme or adverse climatic conditions e.g. temperature inversions, fogs, severe winds, which could cause the project to present environmental problems?	No	No

The **Screening Checklist** provides a list of questions to help identify where there is the potential for interactions between a project and its environment.

These questions have been considered for each “Yes” answer in the **Screening Checklist** and the conclusion and the reasons for it noted in the checklist. The questions are designed so that a “Yes” answer will generally point towards the need for EIA and a “No” answer to EIA not being required.

### Questions to be Considered

1. Will there be a large change in environmental conditions?
2. Will new features be out-of-scale with the existing environment?
3. Will the effect be unusual in the area or particularly complex?
4. Will the effect extend over a large area?
5. Will there be any potential for transfrontier impact?
6. Will many people be affected?
7. Will many receptors of other types (fauna and flora, businesses, facilities) be affected?
8. Will valuable or scarce features or resources be affected?

9. Is there a risk that environmental standards will be breached?
10. Is there a risk that protected sites, areas, features will be affected?
11. Is there a high probability of the effect occurring?
12. Will the effect continue for a long time?
13. Will the effect be permanent rather than temporary?
14. Will the impact be continuous rather than intermittent?
15. If it is intermittent will it be frequent rather than rare?
16. Will the impact be irreversible?
17. Will it be difficult to avoid, or reduce or repair or compensate for the effect?