
Justin Mills
Head of Planning
Amafhh Investments Limited

BY EMAIL

8th December 2015

Dear Mr Mills

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 403-405 Edgware Road, Staples Corner

Thank you for your letter dated 5th November 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.

The description of the proposed development is for the demolition of an existing building and erection of a mixed use building (incorporating circa 27 storey building) comprising: 150 residential units (Class C3); 1,375 sq. m of flexible Class B1/B2/B8 use; 1,750 sq. m of banqueting hall/conference centre (Class D2); 800 sq.m gym and fitness centre (Class D2); roof garden/amenity space; basement car parking; servicing; and ancillary works. The scheme is to include three levels of basement car parking, providing approximately 166 car parking spaces, together with cycle parking provision. The proposal states the development is 0.3 ha.

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)(ii) – Urban development projects. Schedule 2 sets the threshold for requiring EIA, subject to the proposal not being in a sensitive area, of:

*'(i) the development includes more than 1 ha of urban development which is not dwelling house development; or
(ii) it the development includes more than 150 dwellings; or
(iii) the overall development exceeds 5 ha.'*

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

The development as proposed is below the Town and Country Planning (Environmental Impact Assessment) (Amendment) Regulations 2015 Schedule 2 threshold set out in Category 10(b) (ii). Although the site is in proximity to Welsh Harp Reservoir, a Site of Special Scientific Interest, it does not fall within a sensitive area as defined in the regulations. Therefore in accordance with Planning Practice Guidance, planning authorities are not required to undertake EIA screening. Should amendments to the scheme result in the threshold being exceeded an EIA Screening Opinion should be made.

Although the current proposal falls outside the threshold where an assessment of the need to undertake EIA is required, environmental impacts will need to be fully assessed through the planning application. A number of environmental impacts requiring further assessment are highlighted below. This is not a comprehensive list and further guidance should be sought through the pre-application process.

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.

Although the site itself is not a sensitive location, it is less than 500m south of Welsh Harp Reservoir a Site of Special Scientific Interest, designated primarily on account of its interest for breeding wetland birds. Consideration will need to be given to the impact of the introduction of a tall building on migrating birds.

Traffic related impacts-Movement and Safety

The schemes nature, scale and the high level of car parking indicates it will place pressure on the existing road network. The impacts on the transport network will need to be fully considered through a Transport Assessment.

Contamination

It is considered that there is a significant risk of contamination at the site, due to its historic and current industrial use. There is potential for the development to spread and activate existing contamination. A Preliminary Risk Assessment undertaken by a suitably qualified person will be required alongside the planning application. This is to include information on past and current uses and a Conceptual Site Model of potential pollutants, pathways and receptors. An intrusive site investigation may be required should a plausible pollutant linkage exist. Potential impacts on water bodies including Welsh Harp Reservoir need to be fully addressed.

Archaeology and Architectural Context

The site is not located within an Archaeological Priority Area or within a Conservation Area (as defined on the UDP policies map). However, the site contains a WW2 bunker which is locally listed (a heritage asset). It has been identified as having heritage significance because it was constructed for the Admiralty's Hydrographic Department's printing works, known as the Chart Factory. Works began in 1937 on the construction of a new three-storey building, which included a two-level very secure basement adjacent to the site. The two basements of Oxgate were structured so as to replicate the war basement in the Admiralty building; office accommodation for the senior staff was normally above ground. These offices also included the Parliamentary Secretary, and members of the Admiralty Board. By 1942 the hardened Citadel in Horse Guards Parade, adjacent to the Admiralty building had become available, and hence Oxgate would be used only in an emergency. A heritage statement will therefore be required assessing the architectural and historic significance and justification for the proposals. Given the proximity to the old Roman road the applicants should submit an appropriate desk-based archaeological assessment and, where necessary, a field evaluation.

The height of the proposal is significantly at variance with the current surrounding context. Assessment of the visual impact of the proposal from short and longer distances will need to be undertaken.

Air Quality and Noise

The site fall within Brent's Air Quality Management Area. The intensification of the site and traffic generation has potential to have a detrimental impact upon air quality. In addition the development will introduce sensitive uses into a site with poor air quality due to the adjacent busy A road and adjoining industrial uses.

It is anticipated the proposal will result in an increase in noise levels during construction. The site is within Strategic Industrial Location, comprising industrial uses which have potential to generate significant noise. The development will introduce sensitive uses which will be impacted by existing noise levels.

The application should be accompanied by a noise and air quality report.

Date of Decision: 8th December 2015

On behalf of the Council of the London Borough of Brent



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