
Laurence Brooker
Turley

BY EMAIL

24thth June 2016

Dear Mr Brooker

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 Peel Site, South Kilburn

Thank you for your letter dated 10th June 2016, 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 proposed development is for the redevelopment of the Peel Site, covering an area of approximately 1.44 ha. The proposed development is being submitted in the form of a hybrid planning application and will comprise the demolition of the existing structures on the site and a full planning application for 38 Affordable Housing units, 64 Private housing units, D1 class floorspace, D2 class floor space, 3 A-class units, associated landscaping, highways and public realm improvements, private open space, car parking, cycle parking and servicing provision. In addition to outline planning application for 4 Affordable Housing units, and up to 120 private units, with associated landscaping, private open space, and cycle parking.

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 (ii) the development includes more than 150 dwellings. 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 10,000m² 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: Indicative Screening Threshold Paragraph 57)

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. A wildlife corridor is located approximately 150m to the north of the site. The corridor will not be directly impacted by the proposal. I am of the view that the proposed development would not cause any significant adverse impacts to warrant an EIA.

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 related to this issue. 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

A preliminary environmental assessment has identified diffuse contamination in made ground, and therefore suggests remediation or alleviation activities, however, on the basis of experience with other application sites this is not considered to be large enough, complex or unusual enough to require an EIA related to this issue.

Archaeology and Architectural Context

The site is not located within an Archaeological Priority Area (as defined on the policies map). It is not located within a conservation area, the nearest is South Kilburn Conservation Area to the east. There are no listed buildings in close proximity and as such it is considered that impact on the setting of those closest is unlikely to be significant.

Overall, the 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 and warrant an EIA in respect of this issue.

Air Quality and Noise

The site does 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 related to this issue.

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 in respect of this issue.

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.

In conclusion, having assessed the proposals in light of the criteria set out in Annex 'Indicative Screening Threshold' of National Planning Practice Guidance described above and the likely impacts of the proposals, the Local Planning Authority does not consider that the proposal or the mixed use development requires an Environmental Impact Assessment (EIA).

Date of Decision: 24th June 2016

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 – the site currently comprises a developed residential area containing buildings of 3 to 4 storeys. The proposed development is higher density, proposing more building coverage of predominantly 4-7 storeys in height, but includes a 15 storey residential element.	No - The form of development is a variant from that which currently exists on the site, however, it is reflective of the scale of development to the north and west of the site. It is not of a scale that physical changes are likely to have significant effects to warrant an EIA. Impacts on micro-climate, townscape and views will be assessed through the planning application.
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. During the operational phase natural resources such as energy and water will be consumed.	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?	Unlikely - 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
4. Will the Project produce solid wastes 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 – It is likely the developers will use the Considerate Constructors scheme consequently 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 and demolition, 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,	No – A preliminary environmental assessment has identified diffuse	No – remediation is required, however, it is not considered to be large enough, complex

coastal waters or the sea?	contamination in made ground, and therefore suggests remediation or alleviation activities.	or unusual enough to require an EIA related to this issue.
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 example, in demography, traditional lifestyles, employment?	Yes - existing residential blocks will be demolished and new blocks to provide decant homes for residents elsewhere in South Kilburn Regeneration Area. The proposal will increase the number of homes on this site, including the number of privately owned homes, resulting in a more mixed community.	No - Proposal is expected to provide substantially improved homes for residents decanted from elsewhere in South Kilburn Regeneration Area. Associated rise in local population is not predicted to be large in relation to the existing population of the area, and therefore not significant.
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?	Yes – the site is part of the South Kilburn Regeneration Area.	No – the approach for South Kilburn Growth Area is set out in the Core Strategy which has been subject to SEA. Therefore cumulative impacts have been considered at a strategic level. In the context of the existing intensity of land use and the height of existing built environment, the cumulative effects are considered not likely to give rise to significant environmental effects that warrant EIA.
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?	Yes – a wildlife corridor is located along the railway lines 150m north of the site.	No – the corridor will not be directly impacted by the proposal.
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?	Yes – a wildlife corridor is located along the railway lines 150m north of the site	No – the corridor will not be directly impacted by the proposal.
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	No
14. Are there any inland, coastal, marine or underground waters on or around the location which could be affected by the project?	No	No
15. Are there any areas or features of high	No	No

landscape or scenic value on or around the location which could be affected by the project?		
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?	Yes - The Peel Precinct includes a shopping parade, a Royal British legion building and the South Kilburn studios. As part of the redevelopment these facilities will be lost, however, there will be re-provision of units in A1, D1 and D2 use within the proposal and wider South Kilburn regeneration project.	No – the planning application will assess if the level of re-provision is sufficient to mitigate the loss of these facilities. Re-provision within the proposal and wider South Kilburn regeneration project is proposed. The proposed Peel Centre will consolidate and improve existing health provision within the area.
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 - the London Bus Priority Network is nearby.	No - In the short term construction traffic and its movement/management may have an impact on the local highway network, but this is not considered to be significant. The site has a high Public Transport Accessibility Level. Transport impacts will need to be assessed, and suitable mitigation proposed.
18. Is the project in a location where it is likely to be highly visible to many people?	Yes – the site is visible from the busy Carlton Vale road.	No – the height of the proposal is not considered to be out of character with existing buildings. New development will not be out of scale in light of other planned developments in the locality.
19. Are there any areas or features of historic or cultural importance on or around the location which could be affected by the project?	Yes – The site is to the west of South Kilburn Conservation Area. Within the Conservation Area there are eight Grade II listed buildings.	No - impacts on the conservation area are not considered significant enough to warrant an EIA due to the distance. Potential impacts on the conservation area will need to be considered through the Design and Access Statement, and proposals will be expected to complement its character and appearance.
20. Is the project located in a previously undeveloped area where there will be loss of greenfield land?	No	No
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 – there are nearby homes and community uses.	No - the proposal will complement these uses, and the wider regeneration of South Kilburn.
22. Are there any plans for future land uses on or around the location which could be affected by the project?	Yes - The site forms part of South Kilburn Growth Area and is part of the wider	No – the proposal will complement regeneration in the area.

	regeneration plans for South Kilburn.	
23. Are there any areas on or around the location which are densely populated or built-up, which could be affected by the project?	South Kilburn is populated with predominantly higher density housing.	No - Local scale visual impact of the development and further pressure on social infrastructure is likely to be the main effect on the area. These will be assessed through the planning application.
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?	Yes – Kilburn Park Primary School is located to the south of the development.	No – the proposal will complement these nearby uses.
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	No
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 an Air Quality Management Area.	No - The impacts are unlikely to be significant. The impact of the construction phase will be temporary and dealt with via a construction management plan or conditions related to a transport assessment so as not to increase congestion.
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?