



Our Ref: PC/DJB/HG3227

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Planning Services  
The London Borough of Brent  
Brent Civic Centre  
Engineers Way  
Wembley HA9 0FJ

F.A.O. David Glover

Dear Sirs

**REDEVELOPMENT OF THE 'FULTON QUARTER', FULTON ROAD, WEMBLEY PARK, WEMBLEY, LONDON, HA9**

**TOWN & COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2011 (AS AMENDED 2015)**

**REQUEST FOR A SCREENING OPINION UNDER REGULATION 5 (1)**

**Introduction**

On behalf of our client, Quintain Ltd, we request a Screening Opinion from the London Borough of Brent (LBB) to determine whether proposed development at 'The Fulton Quarter', Fulton Road, Wembley Park HA9 (the Site) should be subject to Environmental Impact Assessment (EIA).

This request for a Screening Opinion is made in accordance with the procedures set out in Part 2, Regulation 5 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (as amended 2015) (the EIA Regulations) and includes the following:

- A plan sufficient to identify the land (enclosed);
- A brief description of the nature and purpose of the development and of its possible effects on the environment;
- Such other information or representations as the person making the request may wish to provide or make.

This letter explains how we have assessed the development proposal and Site in accordance with the EIA Regulations and the Planning Practice Guidance<sup>1</sup> (PPG) and explains how we consider that the proposed development would not give rise to significant environmental effects and therefore would not require an EIA.

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<sup>1</sup> Department of Communities and Local Government (DCLG) (2014);





## **Background**

The Site lies within the London Plan Wembley Opportunity Area. Wembley is designated as a Growth Area and is expected to deliver around 11,500 new homes, 10,000 new jobs and 30,000 sqm of new retail floorspace.

The proposed redevelopment of The Fulton Quarter is the next stage of the regeneration of the area and follows planning permission having been granted for significant development to the south of Fulton Road and east of Olympic Way. The site is allocated for development as Site W13 of the Wembley Area Action Plan 2015.

## **The Site**

The Site that is the subject of this request for a Screening Opinion is known as 'The Fulton Quarter'. It is identified on the attached plan. The Site currently comprises a retail park, Fountain Studios (a recording studio) and surface car park. Leases on the existing uses are now shortening, so making the site timely for regeneration.

The Site is bound by Fulton Road to the south, Olympic Way to the east, the College of North West London to the north and Empire Way to the west.

## **The Proposed Development**

The evolving proposals are for an outline planning application for circa 80,000 sqm GEA of development (across 1.679 ha) from a combination of:

- C3 Residential: circa 66,000 sqm GEA (circa 800 units);
- A1-A4 Retail, B1 office, and/or D2 leisure and assembly: circa 5,000 sqm GEA;
- D1 non-residential institutions: circa 10,000 sqm GEA (or an additional 120 residential units if this isn't taken up)
- Associated parking, open space, landscaping and infrastructure.

Flexibility of use is incorporated into the non-residential quantum to allow for this land (and the adjoining site owned by the College of North West London) to be brought forward for higher education facilities if required. The London Borough of Brent are currently exploring the potential of sites across the Wembley Park area for such facilities, and Quintain is working closely with them.

Quintain seeks to deliver the development over 10-15 years from 2018. The site could be delivered in a single phase or split into two phases covering Fountain Studios and Stadium Retail Park.

## **EIA Screening Appraisal**

The proposed development does not fall within the developments identified as Schedule 1 developments in the EIA Regulations that automatically requires an EIA.

However, the proposed development does fall within category 10 (b) of Schedule 2 Urban Development Projects, which include the construction of shopping centres and car parks, sports stadiums, leisure centres and multiplex cinemas. On the 6th April 2015 new thresholds for Schedule 2 (10 a and b) were issued under the English Town & Country Planning EIA Regulations. For Schedule 10 (b) development that exceed the below thresholds, an EIA could potentially be required.

- The development includes more than 1 hectare of urban development which is not dwelling house development; or
- The development includes more than 150 dwellings; or
- The overall area of the development exceeds 5 hectares.



Furthermore, the National Planning Practice Guidance (PPG) Annex on 'Indicative Thresholds' provides further guidance on identifying if Schedule 2 developments requires an EIA. Such as the, EIA 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."*

Key issues to consider for development proposals that fall under category 10 (b) of Schedule 2 include the physical scale of such developments, potential increase in traffic, emissions and noise.

The PPG provides further guidance on this issue and advises that EIA is more likely to be required for any development that is located wholly or partly in a sensitive area. The EIA Regulations define sensitive areas as:

- a) *land notified under section 28(1) (sites of special scientific interest) of the Wildlife and Countryside Act 1981;*
- b) *a National Park within the meaning of the National Parks and Access to the Countryside Act 1949;*
- c) *the Broads;*
- d) *a property appearing on the World Heritage List kept under article 11(2) of the 1972 UNESCO Convention for the Protection of the World Cultural and Natural Heritage;*
- e) *a scheduled monument within the meaning of the Ancient Monuments and Archaeological Areas Act 1979;*
- f) *an area of outstanding natural beauty designated as such by an order made by Natural England under section 82(1) (areas of outstanding natural beauty) of the Countryside and Rights of Way Act 2000; and*
- g) *a European site within the meaning of regulation 8 of the Conservation of Habitats and Species Regulations 2010.*

This letter provides information to enable LBB to provide a Screening Opinion to determine whether the development should be subject to EIA. Such Screening Opinions are to be made in the context of the guidance of the PPG, which states:

*"Projects which are described in the first column of Schedule 2 but which do not exceed the relevant thresholds, or meet the criteria in the second column of the Schedule, or are not at least partly in a sensitive area may not be Schedule 2 development. Such projects do not usually require further screening or Environmental Impact Assessment".<sup>2</sup>*

Further, the PPG indicates that the proportion of Schedule 2 developments which will require EIA will be very low. It states that *"While it is not possible to formulate criteria or thresholds which will provide a universal test of whether or not an assessment is required, it is possible to offer a broad indication of the type or scale of development which is likely to require an assessment."* and that *"The local planning authority must take account of the selection criteria in Schedule 3 of the Regulations. Not all of the criteria will be relevant in every case. Each case should be considered on its own merits in a balanced way and authorities should retain the evidence to justify their decision."<sup>3</sup>*

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<sup>2</sup> PPG, Paragraph 17: <http://planningguidance.planningportal.gov.uk/blog/guidance/environmental-impact-assessment/screening-schedule-2-projects/>

<sup>3</sup> PPG, Paragraph 18: <http://planningguidance.planningportal.gov.uk/blog/guidance/environmental-impact-assessment/screening-schedule-2-projects/>



## The Environmental Conditions and Potential Effects (Consideration against Schedule 3 of the EIA Regulations)

Schedule 3 of the EIA Regulations sets out the 'selection criteria' which must be taken into account in determining if a Schedule 2 development is likely to have significant impacts on the environment and therefore would require EIA.

Potential significant environmental effects must be evaluated in terms of the perceived sensitivity of the receiving environment and must be assessed with regard to the criteria set out in Schedule 3 of the EIA Regulations namely:

- a) **Characteristics of the development** – the size of the development, the accumulation with other developments, use of natural resources, production of waste, pollution and nuisances and the risk of accidents.
- b) **Environmental Sensitivity of the Location** – existing land use, relative abundance, quality and regenerative capacity of natural resources in the area, and the absorption capacity of the natural environment.
- c) **Characteristics of potential impact** – the extent of the impact, the trans-frontier nature of the impact, the magnitude and complexity of the impact, the probability of the impact, the duration, frequency and reversibility of the impact.

We have characterised the baseline environment following the guidance on EIA in the PPG, which has been used as a basis for predicting likely environmental effects. This can be seen in the Table 1 below:

*Table 1: Evaluation of Likely Environmental Effects excluding transport*

Topic	Potential Effect	Proposed Approach
Ecology	<p>The site is covered by hardstanding and buildings.</p> <p>The opportunities for protected and notable species on site are likely to be limited due to the highly urbanised setting of the site and limited areas of semi-natural habitat it supports.</p> <p>The site does not lie within or is within close proximity to a 'Sensitive Area' as defined under the EIA Regulations.</p>	<p>Ecology surveys were undertaken for the 2015 Masterplan and found nothing of significance. No further survey work is proposed having regard to the above and the characteristics of the site.</p>
Townscape/ Landscape	<p>There is no current planning permission existing on the Site, however the massing of the proposals is informed by the townscape principles of the consented Stage 1, NW Lands and 2015 Wembley Masterplans, parts of which are now built out. These key principles are:</p> <ul style="list-style-type: none"> <li>• Protection of the setting and visibility of the Stadium arch in important local views and distant panoramas (defined in the AAP);</li> </ul>	<p>A Townscape Assessment with photomontage visualisations will be undertaken and submitted with the planning application. The assessment will identify and assess the negative and positive effects and significance of change arising from the proposed development.</p>

Topic	Potential Effect	Proposed Approach
	<ul style="list-style-type: none"> <li>• Protection of the setting of the Grade II Listed Wembley Arena;</li> <li>• Provision of a legible and active frontage to key pedestrian routes through the site;</li> <li>• Potential for height at key points in the site which will aid wayfinding, address key open spaces and help to create an interesting and balanced composition on the skyline;</li> <li>• Creation of well-defined but permeable urban plots, with variation in built form, legible and active frontages and well-lit, usable public realm;</li> <li>• Consideration of views from existing residential areas in the surrounding area; and</li> <li>• Consideration of the likely future change of character on industrial lands further to the east.</li> </ul> <p>The proposals for the Fulton Quarter have been conceived to support the key principles of development in the area, particularly by:</p> <ul style="list-style-type: none"> <li>• Maintaining the linear frontage and consistent building line to Olympic Way;</li> <li>• Maintaining views of the Stadium Arch looking south along Olympic Way;</li> <li>• Stepping heights on Olympic Way to mediate between existing heights;</li> <li>• Providing a consistent edge to Empire Way/ Wembley Park Drive;</li> <li>• Locating heights consistent with the rest of the masterplan along the western edge and rising at the centre of the plot;</li> <li>• Providing generous landscaped areas at the centre of the plot and routes through which would have a very different character to the main axial retail routes;</li> <li>• Creating broader openings to the plot off Fulton Road, to allow good light from the south and to connect well with the routes and spaces to the south on the NW Lands;</li> </ul>	



Topic	Potential Effect	Proposed Approach
	<ul style="list-style-type: none"> <li>Creating narrower openings along Empire Way to allow pedestrians to move off the main road and into the plot easily without weakening the street edge along this main route and protecting the public space within from road noise, subject to overlooking, etc.</li> </ul>	
Noise and Vibration	<p>The residential units will be designed so as to achieve an appropriate internal noise environment as is the case with the rest of the units in the consented Wembley Masterplan.</p> <p>During the construction stage there may be an increase in traffic flows and mechanical plant which could temporarily increase the level of noise and disturbance arising from the site.</p>	<p>Effective site management and best practice procedures during the construction phase of the proposed development can adequately control noise arising during the construction process.</p> <p>All aspects of how measures will be adopted to minimise noise and vibration during the construction stage will be set out within a <b>Construction Logistics Plan</b>.</p> <p>Additionally, a <b>Noise Impact Assessment</b> will be submitted assessing the internal noise environment of the proposed residential units.</p>
Air Quality	<p>Emissions of dust and fumes as a result of traffic movements during construction may occur. However, these can be managed with best practice procedures.</p> <p>The level of traffic generated will not significantly increase – as set out below under transport considerations, and no significant impact on air quality is expected.</p>	<p>All aspects of how measures will be adopted to minimise dust during the construction stage will be set out within an <b>Air Quality Assessment</b>, which will also determine any potential impact the proposed development has on the adjacent area.</p> <p>An Air Quality Assessment including an Air Quality Neutral Assessment will be undertaken to assess the environment for future users and occupiers. This will be submitted with the planning application.</p>
Waste	<p>Waste will arise as a result of the construction works as well as during operation of the completed development.</p>	<p>Waste generation will be controlled during construction through best practice measures, (e.g. a <b>Site Waste Management Plan</b> to be secured by a planning condition.)</p> <p>Construction Materials and Resources will be sourced and used following principles set out by BREEAM and in accordance with the Building Regulations and Local Policy. The developer will ensure that sufficient and conveniently accessible storage space has been considered in order to meet LBB waste storage design requirements for commercial developments.</p>
Archaeology and Heritage Assets	<p>There are no Scheduled Ancient Monuments or listed buildings within or adjoining the site.</p>	<p>No further archaeological work is proposed.</p>



Topic	Potential Effect	Proposed Approach
	<p>The site has been developed in the past and archaeological watching briefs on development in the surrounding areas have not identified any archaeology of interest.</p> <p>Furthermore, the Site is not within an Archaeological Priority Area nor is the Site within or adjacent to a Conservation Area.</p>	
Contamination and Geology	Historically, the Site was previously developed and it is unlikely that there will be elevated levels of contamination present on site.	Given the historical context and use of the Site, the risk of contamination being present in the ground or groundwater below the Site is considered to be low, however a <b>Phase 1 Ground Condition Assessment</b> will be submitted.
Demolition and Construction	Temporary impacts from the demolition of existing buildings and construction of the new buildings include noise and vibration, dust and light pollution.	Potential impacts can be controlled through effective site management and best practice procedure used on site during the construction process. All aspects of how measures will be adopted to minimise dust, traffic congestion, noise and vibration and light pollution, during the construction stage will be set out within a <b>Construction Logistics Plan</b> .
Flood Risk	The Site lies within Flood Zones 1 and 2 on the Environment Agency's Flood Zone map.	The planning application will be accompanied by a <b>Flood Risk Assessment (FRA)</b> , which will include details of measures to mitigate flood risk.
Drainage and Water Quality	The site is previously developed. It will be necessary to ensure the site is adequately drained and contributes to an improvement in water quality over current baseline conditions. The drainage design will also need to demonstrate that there is no increase in the risk of flooding elsewhere.	A <b>Drainage Strategy</b> will detail how surface water run-off will be regulated and controlled within the site. The drainage strategy will demonstrate that there will be no adverse impact in terms of water quality or flooding.

## Transport



The key transport matters are as follows:

- Car parking : car parking is proposed to be provided at a maximum ratio of 0.4 for the residential units across the estate, with additional operational car parking provided for the commercial development. Electric vehicle charging points will be provided at a proportion of 20% for residential spaces and 10% for non-residential spaces, plus 20% passive for charging points in the future, and/or for car clubs. Also, one car parking space will be provided for each wheelchair adapted residential unit. An active management regime will be in place to allow a response to the changing needs of occupiers and their requirement for accessible parking. This will involve leasing and re-purchase of previously sold spaces to enable up to 10% of residential car parking serving a plot to be available to blue badge holders over time.
- Car club : Quintain and its consultants are in discussion with a car club operator (ZipCar) in relation to the provision of car club vehicles in publicly accessible locations across Quintain's estate.
- Net traffic effects : Quintain's transport consultant, WSP, will prepare a Transport Assessment Scoping Report and this will be provided to TfL shortly. This will consider the existing operation of the site and the net change in travel demand associated with the proposed development.
- Taxis : Quintain's estate already supports two TfL appointed taxi ranks.
- Walking : the Fulton Quarter will link to the wider Masterplan network of connected routes, many with pedestrian priority.
- Cycling : the development will incorporate the adopted minimum cycle parking standards set out in the London Plan (March 2015).
- A site wide Travel Plan, and Framework Delivery and Servicing and Construction Logistics Plans will be provided with the forthcoming planning application. It is anticipated that the site will be served from the internal street supplemented by additional on street loading pads.

## Conclusion

Sufficient information has been provided to allow the Council to formally screen the proposed development in accordance with the EIA Regulations and the guidance set out in the PPG.

Based on the assessment of the proposed development, we conclude that the scheme is only of local importance, is not located in, or partly in an environmentally sensitive or vulnerable location and will not have unusually complex and potentially hazardous environmental effects that would trigger the requirement for an EIA, and therefore we conclude that the proposed scheme is not subject to an EIA.

The planning application will be supported by a number of proposed technical studies to fully assess, and provide a basis for mitigating potential environmental effects, if necessary, outside the scope of an EIA, including:

- Air Quality Assessment
- Noise and Vibration Assessment
- Transport Assessment
- Flood Risk Assessment and Drainage Strategy
- Townscape/Views Assessment
- Site Waste Management Plan
- Daylight/sunlight assessment
- Wind assessment
- Utilities Strategy



- Sustainability Assessment
- Energy Strategy
- Ground Condition Assessment
- Construction Logistics Plan

The assessments will consider the proposals against the existing surroundings but also in the context of other committed proposals in the vicinity. The potential effects resulting from the proposed development are therefore proposed to be addressed but outside the scope of an EIA.

In conclusion, the development is not in an environmentally sensitive area and is in a developed area of Wembley. Furthermore, having regard to the character of the site and the surrounding area as well as the nature and scale of the proposed development, it is considered that this proposal would not have a significant effect on the environment.

Drawing on the information provided in this letter and in accordance with the procedures of Part 2, Regulation 5 we kindly request a Screening Opinion within three weeks of receipt of this letter.

In accordance with Regulation 23 we ask that this opinion is placed on the public register, including full justification for LBH's decision.

Where the Council determines that an EIA is required we request to be informed of your reasons for finding that this is an EIA development. Further to this, if an EIA is necessary we would also request that an EIA Scoping Opinion is provided in accordance with Regulation 13 of the EIA Regulations.

We look forward to receiving the Council's formal Screening Opinion shortly. In the interim, if you require any additional information to assist you in adopting your Screening Opinion please do not hesitate to contact me.

Yours faithfully

A handwritten signature in black ink that reads 'P Carney'. The signature is written in a cursive style and includes a long, sweeping flourish that extends to the right and then loops back down.

**PAULA CARNEY**  
Director  
WYG

Enc: