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Your ref
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Dear Andy Neidhardt,

OLYMPIC OFFICE CENTRE, 8 FULTON ROAD, WEMBLEY, HA9 0NU

REQUEST FOR SCREENING OPINION IN ACCORDANCE WITH THE TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2015 AS AMENDED

In accordance with Regulation 5 of the Town and Country Planning (Environmental Impact Assessment) (England & Wales) Regulations 2015 as Amended (referred to as 'the Regulations'), JLL write to formally request an EIA Screening Opinion from the London Borough of Brent on behalf of our client, Network Homes in respect of the redevelopment of the above site.

As required by Regulation 5(2), in addition to the description of the nature and purpose of the development, we enclose a location plan (with the site outlined in red) and an assessment of the impact of the proposals on the environment.

Site Context

The development site is a rectangular parcel of land fronting Olympic Way to the west, bound by Fulton Road to the north and Rutherford Way to the east. The land is in the London Borough of Brent and is situated within the Wembley Growth Area and measures 0.44ha.

The site is highly accessible, with a Public Transport Accessibility Level (PTAL) of 5. It is within easy walking distance of Wembley Park underground station, which is served by the Metropolitan and Jubilee lines. Numerous bus services also run within the vicinity.

The site is currently occupied by an eight storey office building known as the 'Olympic Office Centre'. It is set back from Olympic Way with associated landscaping at the front. At the time of writing, not all floors are occupied and some floors are therefore vacant.

The site sits within the larger masterplan area for Wembley which is an area undergoing significant redevelopment and improvement. The site is part of a larger site allocation for the Olympic Office Centre which covers Plot A (the application site), Plot B and Plot C. Plots B is a 19-storey building that has been developed by Unite for student housing and is now fully operating. Plot C is a 15-storey residential scheme that is being developed by Barratt Homes and is nearing completion.



Across Olympic Way, the 'North West Lands' area has planning permission for residential-led mixed use developments at varying heights including the Alto building at heights up to 20 storeys. The Wembley Theatre is proposed to be built directly to the west of the application site and has a temporary permission for 10 years.

To the east of Rutherford Way, the 'North East Lands' area also has planning permission for residential-led mixed use development which includes a large new public park to the east and the Avocado Tower at 34 storeys along Fulton Road. The developments on Rutherford Way increase in height from 12 storeys on Plot NE03), 15 storeys on Plot NE02 and 18 storeys on Plot NE01 which is situated across from the site.

Description of Development Proposal

The description of the proposed development is:

Demolition of the Olympic Office Centre and a residential-led mixed use redevelopment of a part 15-, part 21-storey residential building with basement, comprising up to 260 dwellings, and up to 1,000m² of commercial space with associated car parking and landscaping.

The proposal seeks the demolition of the existing 8-storey Olympic Office Centre building and the replacement with a residential use scheme. The proposals include a stepped part 15- and part 21-storey building with a 13-storey linking block between the two.

The tallest element is on the northern end of the building (Block A) and will be a maximum of 21-storeys in height. The maximum indicative height of this building is 103.075m (AOD). The shorter block (Block B) to the south will be up to 15 storeys and the maximum indicative height of this building is 84.600m (AOD).

- All heights are in metres AOD with a construction tolerance of +/- 1m.
- Number denotes maximum height of elevation AOD in metres excluding parapet.
- Lift motor rooms and plant and extracts not to exceed 5m in height above maximum AOD and to be set back from the parapet to comply with 38 degree sun and shadow tests.
- Parapet levels will not exceed 2 m above maximum AOD with a construction tolerance of +/- 1 m.

The development to be screened consists of up to 260 homes with a mix of 1-bedroom, 2-bedroom and 3-bedroom private and affordable dwellings. Ground floor commercial spaces of up to 1,250m² is also proposed.

A maximum number of 35 car parking spaces will be provided in the basement.

This proposal redevelops an existing office block and is therefore previously developed land. It will deliver much needed new homes in an area designated as an Opportunity Area and Housing Zone by the LBB and Greater London Authority. The site is in an area identified to be suitable for tall buildings within the Wembley Area Action Plan (AAP).



The Screening Process

In order to consider whether a project requires an EIA, the Regulations require a step-by-step approach to be undertaken having regard to the submitted information (see below).

a) Is the development of a description mentioned in Schedule 1 of the EIA Regulations?

The Proposed Development does not fall within any of the categories of development outlined in Schedule 1.

b) Is the development of a description mentioned in Schedule 2 (Column 1) of the Regulations?

This identifies development types where, if the relevant threshold criteria is exceeded, a formal assessment should be undertaken against Schedule 3 in order to determine whether an EIA is required.

Case Law holds that when questioning the relevance of Schedule 2, it should be interpreted as having a wide scope and broad purpose.

Paragraph 31 of the NPPG goes on to advise that *“In determining whether a particular proposal for development is included within one of the categories of development listed in Schedule 1 or 2, local planning authorities and developers should have regard to the ruling of the Court of Justice of the European Union that the Directive has a “wide scope and broad purpose” (In the Court of Justice of the European Union case C-72/95 (Kraaijeveld v Holland)). The fact that a particular development is not specifically identified in one of the Schedules does not necessarily mean that it falls outside the scope of the Regulations. For example, the Schedule 2.10(b) category, ‘urban development’ (which accounts for by far the largest proportion of Environmental Impact Assessment development in England), includes residential and other development of an urban nature.”*

Having regard to this advice, it is considered that the proposals can be regarded as an Infrastructure Project (10) and, within this, an Urban Development Project (b).

c) Are any of the indicative criteria or thresholds (Schedule 2, Column 2) of the EIA Regulations met or exceeded?

Schedule 2 (Column 2) of the Regulations (as amended in March 2015) confirms that the basis for inclusion within the scope of the Regulations is that the site area should exceed 1 hectare; include more than 150 dwellings; or, the overall area of the development exceeds 5 hectares.

Paragraph 17 of the NPPG advises that *“If a proposed project is listed in the first column in Schedule 2 and exceeds the relevant thresholds or criteria set out in the second column (sometimes referred to as ‘exclusion thresholds and criteria’) the proposal needs to be screened by the local planning authority to determine whether significant effects are likely and hence whether an assessment is required. Projects listed in Schedule 2 which is located in, or partly in, a sensitive area also need to be screened, even if they are below the thresholds or do not meet the criteria.”*



The table at paragraph 58 of the NPPG identifies whether EIA should be considered for schemes falling under Schedule 2.10(b) category. It advises that “*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.*” If the land has not been previously intensively developed, and it would provide a total of more than 10,000sqm of new commercial floorspace, it may require EIA.

The site measures just 0.44ha and therefore falls beneath the 5 hectare threshold. The proposal is for up to 260 residential units but an EIA is not required unless the proposed new development is of a significantly greater scale than the previous use. The site is an existing office block and is therefore previously developed land. The site is an allocated site in the Wembley Masterplan and is recognised as a location that is suitable for tall buildings.

Taken in the context of the development of the wider Wembley area, in our opinion an EIA is not required. It is of course at the Council’s discretion to determine whether the effects on the environment are so significant that an EIA is required.

d) Is any part of the development to be carried out in sensitive area?

The site does not fall within any of the sensitive areas as laid out in the Regulations.

Schedule 3 and the Potential Impacts of the Development

The site does not constitute Schedule 2 development, as set out above; nevertheless Schedule 3 of the Regulations provides a selection criteria checklist for screening Schedule 2 developments to consider whether the development proposed is likely to have significant environmental effects by virtue of their:

1. Characteristics of development;
2. Location of development; and
3. Characteristics of the potential impact.

Following the selection criteria of Schedule 3, the Council must have regard to the characteristics of development, location of development and characteristics of the potential impact. In reaching your view attention is drawn to the following points:

- The site is a brownfield site that has previously been developed;
- The site is an allocated development site within the Wembley AAP;
- The site is not in an environmentally sensitive or vulnerable location reflected by the fact that there are no specific environmental policy designations on the site;
- The proposal is not unusually complex and would not result in potentially hazardous environmental effects;



- The proposal would make more efficient use of a previously developed site in line with local and national planning policies;
- Improved landscaping will enhance the local environment and improve biodiversity;
- It will complement the development already approved as part of the wider Wembley Masterplan redevelopment; and
- All relevant technical information (Transport Assessment, Arboricultural Report, Air Quality, etc.) will be included as part of the planning application submission.

Similar Schemes Not Requiring EIAs

Following the threshold of 150 new dwellings requiring a screening opinion for an EIA, the Council has previously determined that the majority of developments in the Wembley area did not require an EIA. Indeed, none of the surrounding applications such as Apex House¹, Shubette House², or Karma House³ – which are similar height or taller at 28, 20 and 19 storeys respectively – required an EIA. Similarly, applications for the Plots NW01, NW06-08, NW10 and NW11; W01, W05, W07, W11 and W12 of the original outline application did not need further scrutiny. And the outline for Plots B and C⁴ along Olympic Way were submitted without an EIA. Further afield, Brent House⁵ for 248 dwellings in up to 10 storeys, and the development on Montrose Crescent⁶ for 186 units at 18 storeys were also permitted without the submission of an EIA.

The referenced permitted developments have far exceeded the threshold of 150 units and the Council has determined that these developments have not cumulatively required an EIA as the environmental impacts are considered to be low.

Summary and Conclusion

As discussed above, the site is not a Schedule 1 development for which an EIA is required for all types of development. Even if the proposal could be construed as falling within Schedule 2 development under Category 10b, the proposal does not trigger any of the three criteria which the Secretary of State specifies would require the inclusion of an EIA. The site area is less than 1 hectare and would therefore not trigger the minimum threshold of 5 hectares.

In conclusion, JLL believe that an EIA is not required as part of a planning application for the redevelopment of the Olympic Office Centre in the context of other major developments in Brent and particularly within the Wembley Masterplan area. JLL nevertheless seeks a formal screening opinion from the London Borough of Brent in accordance with the regulations.

Should you require any further information to provide a screening opinion, please do not hesitate to contact me.

¹ Application reference: 15/4708

² Application reference: 08/3009

³ Application reference: 13/1494

⁴ Application reference: 13/1522

⁵ Application reference: 15/4743

⁶ Application reference: 15/4473



Yours sincerely

Dominic Tombs

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JLL