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FAO: Barry Henn, Principal Planning Officer – South Area Team

Date: 25 May 2018

Our ref: 16203/BK/MW/15960280v1

Dear Barry

The Town and County Planning (Environmental Impact Assessment) Regulations 2017

1-8 Neville House, 1-64 Winterleys, 113-128 Carlton House and Carlton Hall together known as the “NWCC” Site: Request for Formal Screening Opinion

On behalf of our client, Marie Frederick Senior Project Manager of the London Borough of Brent Regeneration and Environment Department¹, we request that the Council provides a formal screening opinion to confirm whether there is a requirement for an Environmental Impact Assessment ('EIA') in respect of the proposed development of approximately 255 residential units on the above site (known as the NWCC site). This request is made in pursuance of Regulation 6 of The Town and County Planning (Environmental Impact Assessment) Regulations 2017.

To enable your consideration of this issue, we set out below the following information:

- 1 Description of the site and its surroundings;
- 2 Description of the proposed development; and
- 3 Review of the requirement for an EIA.

Item 3 is dealt with by reference to a preliminary review of the site and its surroundings and a consideration of the issues set out in the EIA Regulations which take into account recent case law.

1 Description of the site and its surroundings

The NWCC site is located within the South Kilburn Estate which is in the south-east of the London Borough of Brent (LBB) and comprises an area of 0.78 ha. It forms part of the South Kilburn Masterplan area and constitutes part of phase 4 of the South Kilburn Regeneration Programme.

¹ We note that administrative arrangements are in place in pursuit of Regulation 64(2) of the 2017 EIA Regulations

The site is bound by three roads: Albert Road to the north; Rupert Road to the west and Denmark Road to the south.

The site is bounded:

- To the north by residential dwellings in blocks of flats ranging from 4 to eleven storeys;
- To the east by residential dwellings in a four storey block of flats;
- To the south by residential dwellings in blocks of flats ranging from 2 to 12 storeys; and
- To the west by Woodhouse Urban Park with residential dwellings behind in a five storey block of flats.

The site comprises a number of existing occupied buildings including:

- Winterleys house which is a 12 storey block of 64 dwellings fronting on to Woodhouse Urban Park;
- Neville House which is a four storey residential building with eight dwellings fronting on to Denmark Road;
- Carlton House (nos 113-128) which is a four storey residential block with 16 dwellings; and
- Carlton Hall is a one storey community centre (172 sqm) fronting on to Denmark Road.

The existing buildings are not statutorily listed or locally listed and the site is not within a Conservation Area. There are no listed buildings in the vicinity of the site and it does not fall within any local views or protected vistas. In addition, the site does not lie in an archaeological priority area.

The site is highly accessible via a range of public transport options and has a PTAL of 5 (Very Good). Queen's Park Underground and National Rail Station is 300 m to the north west of the site and Kilburn Park Underground Station is 500m to the east of the site. There are a number of bus stops in close vicinity to the site (bus route numbers 16, 31, 32, 98, 189, 206, 316, 328, 332) with services to the West End, Camden Town, Kensington, Golders Green, Edgware and Harlesden.

The site has a total of 36 off-street car parking spaces, with a further 22 residents having on street parking permits within the surrounding Controlled Parking Zone (Parking Survey July 2017).

The site is within an Air Quality Management Area (AQMA).

The site lies within Flood Zone 1.

The site does not include any statutory designations for nature conservations. There are a total of 12 trees within the site, but none are subject to Tree Preservation Orders (TPOs). The site immediately adjoins Woodhouse Urban Park which is a designated as Open Space within Brent's Local Plan.

The site is designated within the Brent's Core Strategy (2010) as part of the South Kilburn Regeneration Area. Within the South Kilburn Supplementary Planning Document (2017), the site is covered by two site allocations: (1) Carlton House which sets an indicative development capacity for 66 dwellings; and (2) Neville and Winterleys which sets an indicative development capacity for 137 dwellings.

A site location plan is provided at Appendix 1.

Context for Redevelopment

The South Kilburn Estate ("the Estate") sits between Kilburn to the east; Queen's Park to the north-west and Maida Vale in the south. The Estate has long been in need of major capital investment. It was predominantly built during the 1960s and 1970s following slum clearance and shows symptoms of some of the worst forms of experimental urban planning of those years. Many of the homes are of very poor quality (particularly those

that were of the Bison system of construction) and have fundamentally flawed designs resulting in poorly defined and oppressive areas between buildings. Over time, these inherent flaws have combined with ageing facilities and the increased costs of management and maintenance are such that the Council considered there is a need for comprehensive redevelopment of the Estate. The costs of repair and refurbishment of the Estate to decent homes programme standards would be significant and would not address the fundamental inadequacies of the homes within the Estate as a whole

A masterplan for the regeneration of South Kilburn was originally produced in 2004 to set a framework for radical change to the physical form of the Estate. A South Kilburn Supplementary Planning Document (SPD) was adopted in 2005, and provided planning policy support for the masterplan. These were superseded by a South Kilburn Masterplan Review which was carried out in 2016 and a South Kilburn SPD which was carried out in early 2017. The SPD is an important document in determining how South Kilburn transforms over the next 10-15 years and a key consideration for this application. It will include key planning objectives and policies, providing guidance for the development of a number of sites within the South Kilburn area.

The vision for the South Kilburn Estate as set out in the South Kilburn SPD (2017) is for:

- 1 New high quality, well designed sustainable urban homes;
- 2 A safe and secure neighbourhood, with a sense of place and belonging;
- 3 An integrated population of new and established residents;
- 4 An enhanced and improved change in the quality of the public realm;
- 5 Enhanced local training and employment opportunities;
- 6 Increased quality of education, retail, health and community facilities; and
- 7 Full integration of the South Kilburn estate into the local surrounding neighbourhood.

2 Description of the proposed development

The development will comprise of approximately 255 residential units in two buildings, of which approximately 119 will be affordable units for existing secure tenants of South Kilburn. The exact number of units may be subject to change through design development.

- 1 A courtyard mansion block building with frontages on to Denmark Road, Neville Road, Albert Road and Woodhouse Urban Park. The building will predominantly be six storeys, with a 9 storey element at the junction of Denmark Road and Neville Road and along the boundary with Woodhouse Urban Park and a twelve storey element in the southwest corner at the junction of Denmark Road and Woodhouse Urban Park.
- 2 An 'L' shaped residential building fronting Neville Road and Denmark Road. This will predominately be an eight storey building with a nine storey element at the junction of Neville Road and Albert Road.

The site currently contains 88 residential units, so the proposed development represents an uplift of 167 residential units on site.

It is proposed that the development will be generally car-free development but the larger courtyard building will provide a basement car park (approximately 50 parking spaces) and the L shaped building on the eastern side of the site will utilise on-street parking. The development will provide 10% disabled car parking spaces. The scheme will incorporate electric vehicle charging points and will offer residents membership of a car club. Cycle parking facilities will be provided in accordance with the London Plan.

The site will provide new high quality landscaping around the site enhancing the public realm. It is intended that the existing Hornbeam tree will be retained within the courtyard garden. The remaining 11 trees (two

category B, six category C and three category U) within the site will be removed but a substantial number of new trees will be planted. Communal and private amenity space will be provided in accordance with the London Plan standards. Ground floor residential units will have a front and rear garden where possible and all upper floor residential dwellings will have private balconies or terraces. All residents will have access to the communal courtyard gardens.

It is yet to be established whether the development will be completed within a single phase or multiple phases. Demolition of the existing buildings is anticipated to take place in 2019/2020.

A detailed planning application will be submitted in respect of the above development. This will be accompanied by a series of technical reports as detailed at the end of this letter.

3 Requirement for EIA

The development is one to which the EIA Regulations may apply because it falls within Schedule 2 as an urban development project of more than 150 dwellings. For Schedule 2 developments, the Regulations require that an EIA be undertaken where “*the development is likely to have significant effects on the environment by virtue of factors such as its nature, size or location*”.

In determining whether the development is likely to give rise to significant environmental effects, reference should be made to Schedule 3 of the Regulations. This identifies three categories of criteria:

- 1 Characteristics of the development (such as size, cumulative effects, use of natural resources, production of waste, pollution and nuisances, risk of accidents and risk to human health);
- 2 Location of the development (by reference to the environmental sensitivity of the area); and
- 3 Characteristics of the potential impact (having regard in particular to the extent of the impact, its transfrontier nature, magnitude and complexity, probability and duration, frequency and reversibility).

Regulation 6(4) also requires that when screening, in addition to considering the criteria set out in Schedule 3, it is necessary to consider the results of any relevant EU environmental assessment, which are reasonably available to the person requesting the screening opinion. In this case, it should be noted that there are no EU environmental assessments which are relevant to the proposed development.

Development Characteristics

The development will comprise of approximately 255 residential dwellings. This is an increase of up to 167 units on the existing site provision but will not change the overall use and character of the site and immediate vicinity.

The site falls within the wider South Kilburn Growth Area which is intended for ‘regeneration development’ that will transform the area into a sustainable mixed used neighbourhood creating a real sense of place and belonging within urban district set around a traditional street pattern. The area forms part of the South Kilburn Masterplan which has now been incorporated into the South Kilburn Supplementary Planning Document (July 2017). This document sets a target of 3,492 new homes to be provided within South Kilburn in the period 2007-2029, including 1,200 affordable replacement homes.

Whilst the proposed scheme will have an important regeneration benefit for the wider area, it is considered that the scheme (in its scale and uses) is of local importance and would not give rise to significant effects requiring an EIA.

The proposed development is not considered likely to give rise to the potential for risks from accidents, pollution and nuisances or the significant use of natural resources giving rise to a need for an EIA. During the construction of the site good practice measures will be observed.

In summary, it is considered that the development characteristics of the site are unlikely to give rise to the need for an EIA.

Environmentally Sensitive Locations

The development site is not in a 'sensitive area' as defined by regulation 2(1). There are no features of local sensitivity that could be considered to give rise to a need for EIA.

Environmental Effects

Consideration has been given to whether the proposed development would cause any significant effects that could give rise to the need for EIA. We consider these issues below.

Transport

As described earlier in this letter, the site has a PTAL level of 5 and the development proposes to be a car free or low car-usage development. 50 car parking spaces will be provided in a basement car park and accessible car parking spaces will be provided.

The uplift in residential units is anticipated to result in an increase in activity to the site and it is anticipated that the travel demands and patterns will change. However, the location of the site close to public transport facilities means that the overall impact on the environment will be negligible and the pattern of usage is also unlikely to change given the lack of change to the overall use of the site. It is not considered that the transport impacts arising from the development are likely to be significant as to cause any associated environmental effect which would arise from the changes to modes of travel use (in relation to amenity and risk of accidents). Any effects from transportation are not considered to be of significance giving rise to a need for EIA.

Ecology

The development site has low ecological value. There are no habitats within the site of ecological value; as it is dominated by various buildings and low grade green space, and it is unlikely that the existing buildings are used by bats. In addition, small areas of semi-natural habitat are present, with small areas of vegetation.

It is anticipated that the ecological value of the site will be enhanced as a result of the development, with landscaping to be incorporated into the open areas of the site and proposals to increase biodiversity. The trees to be removed are identified as Category U, C and B. The proposed development will be unlikely to have any significant environmental effects on ecology which will give rise to the need for EIA.

Noise

The site is currently occupied by residential buildings and is within a densely built up area of inner London within the far south of Brent. As such the site is not considered to have a low baseline noise level. In light of the above considerations, the proposed development of new residential units is not considered likely to give rise to significant environmental effects from noise that would require an EIA. It is considered that any noise effects arising during the construction and operational periods are unlikely to be significant.

Townscape and Visual Impact

The tallest part of the proposed buildings will be the twelve storey element within the southwestern corner of the site at the corner of Denmark Road and Woodhouse Urban Park. The majority of the proposed development will be seven storeys. The taller element will be of a slim profile and will replace an existing twelve storey building of much greater bulk.

The emerging character of the area around the site is as a high density residential area. It is not considered that the proposed development will give rise to significant townscape and visual impacts giving rise to the need for an EIA. The surrounding area is not a sensitive or unified area of townscape, and the existing site currently has a negative impact on the area's character. Redevelopment with the proposed high quality buildings presents an opportunity to consolidate and enhance the area's townscape character.

Air Quality

The LBB has declared an air quality management area (AQMA) across parts of the borough due to emissions relating to traffic, specifically particulate matter (PM₁₀) and nitrogen dioxide (NO₂). The site falls within the AQMA area.

The site is located within close proximity to a number of main roads and a railway line. Given that the proposed development is a low car-usage scheme it is considered that the air quality is unlikely to be affected as a result of transportation. It is currently assumed that the scheme will connect to the Gloucester and Durham heat network.

The potential for the development to give rise to significant adverse effects on local air quality, including any impacts that could impact on the AQMA objectives, are considered unlikely. It is therefore not considered that the scheme will give rise to significant air quality effects giving rise to the need for EIA.

Wind

The proposed development contains two buildings with a maximum height of twelve storeys in the south western corner of the site. It is recognised that the construction of urban buildings has the potential to create down draught which can impact upon the amenity of public spaces and amenity areas. However given the site's location and the character and anticipated patterns of use within the area's existing and prospective open spaces, it is not considered that the proposed development would have any significant effects requiring an EIA.

Water Environment

As identified earlier in this letter the site is located within Flood Zone 1 with a low risk of flooding. The scheme will include a sustainable drainage scheme to ensure that flood risk on site does not increase following the construction of the proposed development. It is not considered that a significant effect on the water environment will arise in respect of the development.

Contamination

The existing use of the site is predominantly residential with a small element of community floorspace. A Ground Investigation Survey has been carried out (May 2018) and considers it unlikely that soil contamination will be identified on the site. However, if contamination is identified it is considered likely that it will be capable of being addressed prior to any construction works in accordance with best practice.

It is therefore considered that any environmental effects are unlikely to be significant giving rise to a need for EIA.

Archaeology

The site is not located within an Archaeological Priority Area and there are no known remains of potential interest within the development site boundary. Based on information available to the team at this time, it is not considered that there is potential for significant effects in relation to archaeology giving rise to a need for EIA.

Heritage

The site does not contain any listed or locally listed buildings and is not within a Conservation Area. There are no listed buildings within the vicinity of the site and there are no conservation areas adjoining the site. It is not considered that the proposed development will give rise to a significant heritage impact which would require an EIA.

Socio-Economic

The proposals include the re-provision of the existing affordable housing units for existing residents on the estate as well as providing private residential units. The increase in residential units is likely to result in a small increased demand for services. The redevelopment of the site will not result in the loss of employment floorspace and opportunities for employment will be provided during the construction period. The community centre facility will be re-provided on another part of the South Kilburn Estate (as part of the new Enterprise Hub) so there will be no loss of this facility and is in line with the South Kilburn Supplementary Planning Document. The effects are considered to be local and are not of significance giving rise to a need for EIA.

Planning Submission

Notwithstanding your consideration of the requirement for EIA in connection with the proposed development, additional material will accompany the planning application to assist in your consideration of the proposals. The material will comprise:

- 1 Cover letter;
- 2 Site location plan and Site plan;
- 3 Completed Application forms and Certificates;
- 4 CIL Information Form;
- 5 Application drawings – existing and proposed elevations, floor plans, roof plans and sections at 1:100 or 1:50;
- 6 Accommodation Schedule and Schedule of accessible accommodation;
- 7 Parking layout plan;
- 8 Demolition Plan;
- 9 Design and Access Statement;
- 10 Photographs and photomontages
- 11 Phasing Strategy;
- 12 Landscape Strategy and Landscape Plans;
- 13 Planning Statement (including reference to Planning obligations/draft Heads of terms);
- 14 Affordable Housing Statement;

- 15 Energy Statement;
- 16 Sustainability Statement;
- 17 Daylight/Sunlight Assessment;
- 18 Air Quality Assessment;
- 19 Noise Assessment;
- 20 Flood Risk Assessment;
- 21 Viability Assessment;
- 22 Transport Assessment and draft Travel Plan;
- 23 Utilities and Foul Sewage Statement;
- 24 Lighting Assessment;
- 25 Arboricultural Assessment;
- 26 Structural Survey;
- 27 Land Contamination Assessment;
- 28 Site Waste Management Plan;
- 29 Ventilation/extraction Statement;
- 30 Drainage Assessment Report;
- 31 Draft Construction Management Plan; and
- 32 Statement of Community Involvement.

Conclusion

We trust that you have sufficient information to determine whether this is an EIA development under Regulation 6 of The Town and County Planning (Environmental Impact Assessment) Regulations 2017. From these Regulations, we note that the local authority has three weeks (beginning from the date of receipt) to form a screening opinion and to provide the main reasons for this opinion having regard to the relevant criteria listed in Schedule 3. If adopting a negative screening opinion, we note that the LPA must also state any features of the proposed development and measures envisaged to avoid and prevent what might have otherwise been, significant adverse effects on the environment.

Please contact me or my colleague Frances Young or me if you have any questions or require additional information.

Yours sincerely

Matthew Williams
Planner

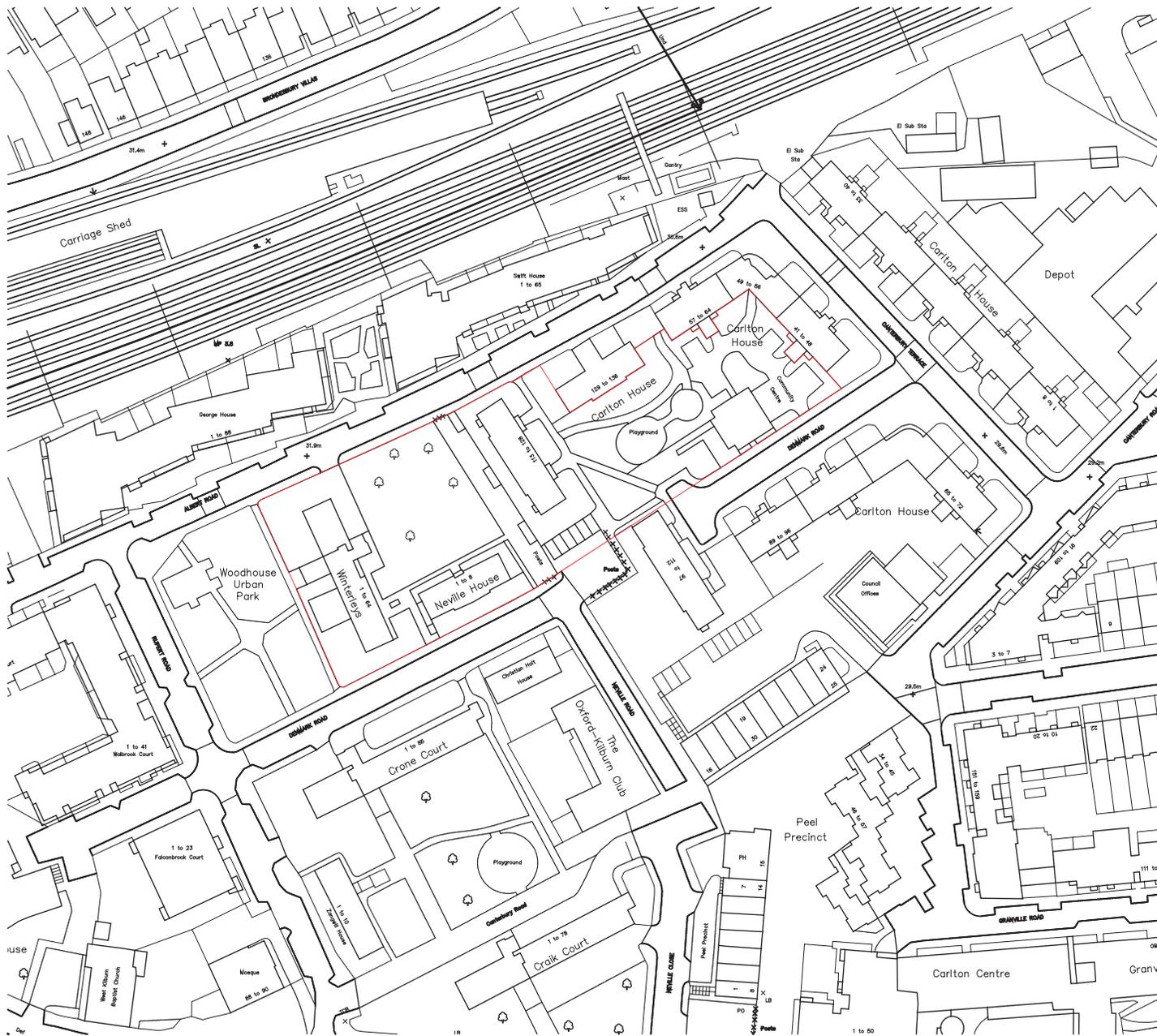
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Marie Frederick
Alexis Butterfield

LB Brent
PTE Architects



Annex 1: Site Location Plan



Site Area: 7,645 sq m / 0.76 Hectare



GENERAL NOTES

This drawing is © 2017 PTE architects

Use figured dimensions only, DO NOT SCALE.

All dimensions are in millimetres unless noted otherwise

All levels are in metres above ordnance datum unless noted otherwise

This drawing must be read in conjunction with all other relevant drawings and specifications from the Architect and other consultants

If in doubt, ask

A	23.04.2018	OS map overlaid	JP
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rev	date	description	drawn	auth'd
drawing status				

SKETCH

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project	job no	drawn	auth'd	scale	date
Neville, Winterleys, Carlton South Kilburn	17-085	PZ		1:1250@A3	Jan'18
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