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30th May 2018

Dear Mr Lapper,

**Environmental Impact Assessment Screening Opinion Town and Country Planning
(Environmental Impact Assessment) Regulations 2017**

Proposal: Request for Screening Opinion as to whether an Environmental Impact Assessment is required for a proposed development of demolition of existing 18 and 4 storey buildings comprising 156 dwellings plus basement commercial storage and erection of buildings up to 12 storeys in height of approximately 235 dwellings, ground floor commercial uses, disabled residents' parking spaces and a 1500 sq.m. public open space.

Site: Land at Hereford House and Exeter Court, Carlton Vale London NW6 5QH

I write in connection to your screening request submitted on 14th May 2018. Reference has been made to Regulation 6 of The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 ('the EIA Regulations') "Requests for screening opinions of the relevant planning authority".

Upon review of the material supplied in association with the screening request from the applicant, plus other material that is mentioned in association with this screening opinion, the London Borough of Brent considers that the proposed development is not EIA development. As such it will not require an EIA to be undertaken to accompany any planning application for development described that incorporates the proposed mitigation measures to address potential adverse effects of the development as set out in this screening opinion.

As required by Regulation 6(6) of the EIA Regulations please find attached the Council's Statement of Reasons which provides full reasons for this conclusion.

If you require any further assistance, please do not hesitate to contact Paul Lewin, on telephone 020 7937 6710 or email paul.lewin@brent.gov.uk.

Yours sincerely,

Paul Lewin
Team Leader Planning Policy

EIA SCREENING OPINION STATEMENT OF REASONS
The Town and Country Planning (Environmental Impact Assessment) Regulations
2017

Reference number – None

Description of proposed development – Request for Screening Opinion as to whether an EIA is required in respect of an application for a proposed development of demolition of existing 18 and 4 storey buildings comprising 156 dwellings plus basement commercial storage and erection of buildings up to 12 storeys in height of approximately 235 dwellings, ground floor commercial uses, disabled residents' parking spaces and a 1500 sq.m. public open space.

Site – Land at Hereford House and Exeter Court, Carlton Vale London NW6 5QH

Notes - The assessment of the proposed development's likely significant effects is in relation to the EIA Regulations only. The assessment does not imply any consideration of the planning merits of the proposals or indicate the likely success or otherwise of an application for planning permission.

Introduction

Mr Lapper a Planner for Tibbalds Planning and Urban Design Ltd requested a screening opinion from London Borough of Brent (the Council) on 14th May 2018. Associated with this request details of the site boundary, proposed development and an initial assessment of the potential impacts of the proposed development were submitted to support the request.

The Existing Site and Surrounding Area

The development site fronts onto Carlton Vale, Cambridge Road and Glanville Road and is roughly rectangular in shape. The site covers an area of approximately 0.9 ha. The site contains existing 18 and 4 storey buildings comprising 156 dwellings plus basement commercial storage and car parking, with a podium level amenity space. The site has no recent planning history of note. A planning permission for change of use of the basement car park to storage for motor vehicles was granted on 1st May 1991. The site has a small number of semi-mature trees on its boundaries within the site boundary and some limited incidental grassed areas.

The School of the Islamic State of Iran is located adjacent on the west. To the north and are residential properties of 3-4 storeys. The site to the east formerly consisted of Gloucester House and Durham Court, a tower and four storey residential similar in design and layout to the site being assessed. This is in the process of being demolished to be replaced with an approved residential development of between 4 and 8 storeys.

The Size and Design of the Proposed Development

The proposed development is for the demolition of existing 18 and 4 storey buildings comprising 156 dwellings plus basement commercial storage and erection of buildings up to 12 storeys in height of approximately 235 dwellings, ground floor commercial uses, disabled residents' parking spaces and a 1500 sq.m. public open space.

Information Provided in Support of the Request for a Screening Opinion

The request for screening opinion has been submitted with an initial assessment of the site in relation to EIA matters as set out in regulations and supporting guidance.

This information together with knowledge of the site from work on the recently adopted South Kilburn Masterplan SPD has been used to inform this EIA Screening Opinion.

Previous History

The site has a long history of residential use, being first developed in the 1860s with terrace properties and mews with two schools and Salvation Army barracks arriving soon after. Additional residential properties and employment uses followed. In the late 1960s and early 1970s the area was completely cleared and redeveloped with its current buildings. These for the most part have remained as developed, with the exception of the basement where parking has been changed to commercial storage.

Large Scale Development within the Vicinity

Within the vicinity there are currently the following applications for significant developments which have not yet commenced/ been completed to take account of when assessing the impact of the cumulative impact of the proposed development subject of this screening opinion in association with other developments:

12/0788 Cullen House, Salusbury Road NW6, 313 & 341 Kilburn Lane, 50 Claremont Road W9 and car parks. Demolition of Keniston Press, Premier House, Cullen House and the Falcon public house and redevelopment of 137 flats (39 affordable), along with new public space, 1270 square metres of commercial space (Use classes A1/A3/A4) and 959 square metres of office space (Use class B1a for dedicated use by TfL) within a part 4, part 5, part 6, part 8 and part 9 storey building. Application includes the stopping up of the gyratory system and the introduction of a new signalled junction at Kilburn Lane and Salusbury Road/Carlton Vale. Granted 9th November 2012. Demolition of Keniston Press occurred. It is the Council's intention to proceed with the development, London & Newcastle are the Council's partner developer. Progress on site has been affected by landowner negotiations which are reaching a conclusion.

16/4174 Peel Precinct, 97-112 Carlton House, Canterbury Terrace, 8-14 Neville Close, 2 Canterbury Road & Peel Site Garages, London, NW6. Hybrid Application for the proposed redevelopment of the Peel site comprising Peel Precinct, 97-112 Carlton House, 8-14 Neville Close, 2 Canterbury Road & Peel site garages:

- **Full** planning application for the demolition of 2A Canterbury Road, 1-7 and 15-33 Peel Precinct and 8-14 Neville Close, and erection of four buildings (A, B, C and E) ranging between four to 16 storeys, plus part basement comprising of 38 replacement affordable homes for existing South Kilburn secure tenants, 64 private sale units (38 x 1-bed, 47 x 2-bed, 13 x 3-bed and 4 x 4-bed units) new health centre (Use Class D1) with flexible first floor space (Classes A1/D1/D2), 3no A-class retail units at ground floor, associated landscaping, highways and public realm improvements (including new public space), private open space, associated car parking, cycle parking and servicing provision.

- **Outline** planning application with reserved matters (around Appearance, Landscaping, and Scale) for the demolition of 97-112 Carlton House, 34-57 Peel Precinct and Peel site garages, and erection of three buildings (D, F and G) ranging in height between up to 4 and up to 8 storeys provide up to 124 residential units comprising of 4 Affordable Housing units, and up to 120 private units, with associated landscaping, private open space, and cycle parking.

And subject to a Deed of Agreement under Section 106 of the Town and Country Planning Act 1990, as amended. Granted 7th August 2017. Partner Developer Appointed. Potential

minor amendments to the outline element of the scheme sought through new planning application.

High Speed Rail (London – West Midlands) Act 2017 – Approved 23rd February 2017. Construction of Phase One of High Speed 2, a high-speed railway between London and Birmingham. Construction of a Vent Shaft and Auto-Transformer Station, Canterbury Works Site, Canterbury Road NW6 5ST.

Other Environmental Assessments

Regulation 5(5)(b) of the EIA Regulations requires the relevant planning authority to take into account the results of any relevant EU environmental assessments.

Current Local Plan

The current Brent Local Plan consists of the Core Strategy (2010), Site Specific Allocations (2011), Wembley Area Action Plan (2015) and Development Management Policies (2016) Local Plans and the West London Waste Plan (2105). Together these documents provide spatial policies, development management policies and site allocations to guide and manage development in the borough.

Sustainability Appraisals (SA) for all these Local Plan documents were undertaken. The SAs satisfied the requirements of the EC Directive 2001/42/EC and Strategic Environmental Assessment (SEA) Regulations on the assessment of the effects of certain plans and programmes on the environment.

These documents have been referred to when generating the EIA Screening Opinion.

Local Plan to 2041

It is noted that the Council is currently consulting on their new Local Plan. This round of consultation (known as the regulation 18 stage) represents the early stages of comment on the content of the plan and how it has been prepared. The Council intend to submit the Plan to the Secretary of State for examination in 2019. Once adopted, this document will be the key strategic document to guide and manage development in the borough until 2041. An Integrated Impact Assessment (IIA) will accompany the new Local Plan, which incorporates the SA and SEA – that consider the potential for significant economic, social and environmental effects. This document has been considered when generating the EIA Screening Opinion.

Masterplan / SPDs

The site lies within the South Kilburn Masterplan SPD area. The latest version of this was adopted in 2017. The masterplan relates principally to interpreting how Core Strategy policy CP 9 South Kilburn Growth Area will be implemented. A SEA Screening exercise was undertaken for this SPD, but due to its alignment with the Council's existing policies, no SEA was deemed to be required.

Legislation

The proposed development does not fall within any of the descriptions of development listed in Schedule 1 of the EIA Regulations, and is therefore not a 'Schedule 1 development'. The development does, however, fall within the description of a Schedule 2 development, classified under item 10 (b) as 'urban development projects'.

'Schedule 2 development' means development (other than exempt development – which this is not) of a description mentioned in Column 1 of the table in Schedule 2 where:

- a) any part of that development is to be carried out in a sensitive area; or
- b) any applicable threshold or criterion in the corresponding part of Column 2 of that table is respectively exceeded or met in relation to that development.

No part of the proposed development is to be carried out in a 'sensitive area' as defined by the EIA Regulations.

The threshold for item 10(b) is as follows:

- (i) The development includes more than 1 hectare of urban development which is not dwellinghouse development; or
- (ii) the development includes more than 150 dwellings; or
- (iii) the overall area of the development exceeds 5 hectares.

The proposed development is for approximately 235 residential units. As such, it exceeds the threshold for 150 dwellings, and therefore the proposed development therefore constitutes 'Schedule 2 development'.

Consideration must therefore be given to whether the proposed development may give rise to significant environmental effects, such that an EIA may be required.

Likely Significant Effects

The ultimate stage in the screening process is to consider whether it is '*likely to have significant effects on the environment by virtue of factors such as nature, size or location*'. As required by regulation 5(4)(c), where a relevant planning authority has to decide whether Schedule 2 development is EIA development, they must take into account the selection criteria set out in Schedule 3 as are relevant to the development.

The Council has taken into account the selection criteria set out in Schedule 3, where relevant to the proposed development. This include the characteristics of the development, the environmental sensitivity of geographical areas likely to be affected, and the likely significant effects in relation to these criteria, with regard to the factors specified in regulation 4(2) and taking into account the types and characteristics of the potential impact listed in paragraph 3.

In addition, as required by regulation 5(5)(a), where the relevant planning authority adopts an EIA Screening Opinion they must state the main reasons for their conclusion with reference to the relevant criteria listed in Schedule 3. Within this Statement of Reasons, the Council has stated the main reasons for their conclusion, referencing the relevant criteria listed in Schedule 3 as appropriate.

The Council has concluded that the proposed development does not require an EIA to be undertaken to accompany a planning application for the proposed development, as the proposed development is not likely to generate significant environmental effects – Appendix A (below) sets out the reasoning for this decision.

Appendix A – Consideration of Likely Significant Effects

Air Quality

The site is located within the Brent Air Quality Management Area (AQMA). The majority of Brent has been designated as an AQMA, and therefore even small increases in emissions can lead to adverse effects. The AQMA has been declared for exceedance of the annual mean national objective for nitrogen dioxide (NO₂) and the 24 hour mean national objective for particulate matter (PM₁₀).

There are a number of sensitive receptors in close proximity to the proposed development site, including the residential properties, schools and businesses.

Documentation Accompanying the Planning Application

It is anticipated that an Air Quality Assessment will be submitted with the application.

Construction

Machinery used during demolition/ construction can generate new sources of emissions, as well as traffic movements to/from the site and the works themselves. When assessing the effect of dust emissions generated during demolition/ construction works, receptors are defined as the nearest potentially sensitive receptor to the boundary of the site in each direction. These receptors have the potential to experience effects of greater magnitude due to emissions of particulate matter generated by the works, when compared with more distant receptors.

The receptors in close proximity to the site, combined with the new emissions, means that there is the potential for adverse effects as a result of the construction proposed development.

Whilst there is the potential for adverse effects, with the implementation of standard best practice measures, it is not anticipated that the effects would be significant. Taking account of these practices the effect of dust soiling and PM₁₀ is likely to be reduced to negligible with the implementation of appropriate mitigation measures. These may include: No idling vehicles; Erect solid screens or barriers around dusty activities or the Site's boundary; Loads entering and exiting the Site are covered; Where practicable use mains or battery powered generators over fuel burning; Other dust suppression measures e.g. damping down with water; and all constructions vehicles and equipment to comply with relevant EU stage ratings. These standard mitigation measures can be implemented through a construction environmental management plan (CEMP), which can be secured through a standard planning condition.

As such, whilst there is the potential for adverse effects as a result of the proposed construction, with the implementation of standard mitigation measures, it is not anticipated that the effects would be significant.

Operation

Air quality emissions during operation will be from new traffic generation and heating systems. Consideration also needs to be given to the potential effects on the new internal receptors given the location for the proposed development adjacent to a relatively heavy trafficked road. The Council is likely to seek technical reports that show how an air quality neutral development can be achieved.

The supporting statement confirms that limited parking will be provided on site and this will principally focused on disabled parking provision. This reflects the site's relatively accessible location in terms of travel by foot, cycle and public transport. Parking controls are likely to be increased in the surrounding area to deal with potential displacement off-site. This, along with measures to support walking, cycling and public transport is likely to reduce private car use. Taking this into account the level of net traffic generation resulting from this development is likely to be negligible. As such emissions from vehicle movements will be minimal, and therefore effects are not considered to be significant.

It is not clear how the development will be heated. Although a combined heat and power plant area is being provided in the Gloucester & Durham development adjacent, it is assumed that in a worse-case scenario Hereford and Exeter will address its own heating needs on site and this will be by gas powered boilers. Any such system is likely to adequately disperse fumes through a suitably designed flue system and therefore the impact on local air quality will be negligible. As such significant effects are not considered to be likely.

Consideration also needs to be given to the potential effects on the new internal receptors given the location for the proposed development adjacent to in part to a relatively heavily trafficked road and within an AQMA.

Mitigation

The Council is likely to seek an air quality neutral development. During the construction phase a CEMP should be implemented which implements suitable measures to reduce the impact of dust and emissions. This can be secured via a planning conditions.

The developer should consider the potential impact of air quality and dust on occupational exposure standards (to minimise worker exposure) and breaches of air quality objectives that may occur outside the site boundary. Continuous visual assessment of the site should be undertaken and a complaints log maintained in order determine the origin of a particular dust nuisance.

For the operational phase suitable mitigation to be secured through a planning condition to ensure that new internal receptors are adequately protected.

In addition suitable conditions associated with the Travel Assessment including Travel Plan and measures to reduce reliance on the private car, for example through provision of sufficient cycle parking and potential S106 contributions to implementing a wider controlled parking zone will ensure reductions in impact through vehicle movements.

Local Heritage

Documentation Accompanying the Planning Application

A design and access statement will need to identify the extent of local heritage and cultural assets and how the design of the development has responded to these.

The Site does not lie within a Conservation Area or an Archaeological Priority Area. The boundary of the South Kilburn conservation area is however 45 metres from the site. This conservation area contains a significant number of listed buildings, essentially comprising all original terraces within Princess Road, Chichester Road, Cambridge Avenue and Oxford Road which are Grade 2. The same is true of properties within Cambridge Gardens, as well

as Kilburn Park underground station. The Church of St Augustine Kilburn Park Road is Grade 1.

The site can be considered to have a generally low archaeological potential for all past periods of human activity. Past post depositional impacts are considered severe as a result of previous development. On the basis of the available information no further archaeological mitigation measures are recommended in this particular instance.

The impact of the scale, height and form of the proposed buildings through the design and access statement/ heritage assessment which will allow sufficient clarity of impact on the setting of features of historic or cultural importance.

The Council considers that given the scale of the development and the urban nature of its location the proposed development would not lead to significant adverse environmental effects on heritage assets, as such EIA is not required in respect of heritage and cultural impacts.

Climatic Factors

Documentation Accompanying the Planning Application

An Energy Report will need to be submitted with a planning application.

Construction

Emissions from construction traffic and plant can contribute towards the region's greenhouse gas emissions. Due to the size of the proposed development the emissions are not considered to be substantial, and therefore no significant effects are anticipated. It is advised that sustainable methods of working should be implemented to reduce any emissions, and should be implemented as part of the CEMP.

Operation

It is considered that the proposed development will be able to achieve the necessary carbon reduction targets, through actual reductions combined with financial contributions. The effects of which are beneficial, but are not considered to be significant.

Mitigation

A CEMP should be secured that includes measures to reduce emissions e.g. management of plant to prevent plant running when not in use.

The s106 will need to be worded to ensure that any required carbon reduction off-set payments are secured.

Taking account of the above the Council does not consider that the environmental impacts related to climate change are significant enough to warrant EIA.

Contaminated Land

Documentation Accompanying the Planning Application

A Phase 1 ground conditions survey should be submitted with the application. This will assess the potential effects of the proposed development and if necessary the need for

further ground investigations to support a remediation strategy report with mitigation measures to deal with any residual effects.

The site is within an area that historically had a small amount of industrial uses on it, including for example printing works. There does however appear to have been a significant lowering of ground levels and as such there is the probability that any contamination may have previously been removed.

Construction

During construction there is considered to be a low likelihood of fuel leakages / spills from construction vehicles. A CEMP would be implemented to manage potential effects. In addition there is the risk of exposure to contaminated materials and opening up pathways to underlying substrata. Standard mitigation measures will be required during the construction of the proposed development, to ensure that the works are undertaken in an appropriate manner. These should be secured through conditions in agreement with the Council's Contaminated Land Officer.

With the implementation of these mitigation measures, no significant effects are considered likely.

Operation

With the implementation of any required impact avoidance measures as part of the construction phase, no significant effects are anticipated at operation.

Mitigation

Standard construction mitigation measures should be secured through the CEMP and if necessary through conditions in agreement with the Council's Contaminated Land Officer.

Taking into account the above the contamination issues are not so significant as to warrant and EIA.

Daylight, Sunlight and Overshadowing

There are a number of sensitive receptors in close proximity to the proposed development site, including residential properties, schools and businesses.

Documentation Accompanying the Planning Application

A Daylight and Sunlight Report should be submitted with the application.

Construction

During construction, there will be a change in the provision of daylight/sunlight due to the construction equipment (i.e. cranes) and the erection of the new building.

The construction equipment will be temporary and short-term, and therefore not considered to be significant.

The erection of the new building will generate some adverse effects as it is built out. The construction effects will however be no greater than the completed, operational development, which are not considered to be significant.

Operation

The operation of the proposed development will introduce buildings up to 12 storeys onto the site. Due to the proximity of nearby sensitive receptors and the height there is the potential for the proposed development to affect surrounding receptors. Some properties may be adversely affected by the proposed development, however given the number of receptors and the site's urban location, the effects are not considered to be significant.

With respect to onsite receptors the building will sit within an urban context where taller buildings will be developed in close proximity which could impact on sunlight and daylight available to the development. Whilst this might impact on some receptors significant effects are not considered to be likely.

Mitigation

The heights and massing of the development can be amended to reduce the potential for adverse impacts on neighbours and occupants within the development.

Taking account of the above it is considered that the environmental impacts in relation to daylight, sunlight and overshadowing would not be so significant to warrant EIA.

Biodiversity (including flora and fauna)

Documentation Accompanying the Planning Application

A tree survey should be submitted in association with the application.

The site contains no areas of statutory nature conservation and there are no such sites within the immediate vicinity of the Site. There are no SPA, SAC or Ramsar designations within 5km of the Site. There are two SSSI within 5km of the Site, namely Brent Reservoir SSSI which is nearly 5km away and Hampstead Heath Woods 3.8km away. There are no LNRs within 1km of the site.

There are no environmental pathways such as water courses through which the Proposal could adversely affect these protected areas. It is not considered that the proposed development will have a significant effect on the integrity of statutory or non-statutory nature conservation designations or protected species and the potential for conservation requirements and objectives would not be diminished.

The development site appears to have limited on site ecological assets, essentially in terms of green infrastructure predominantly consisting of some semi-mature broadleaf trees on its boundaries. These may provide nesting areas for common birds, it is considered that bat activity in the area is unlikely due to its urban nature and lack of proximity of mature woodland/ watercourses. As such it is recommended an Ecology Scoping Survey should be undertaken to identify on site ecology and whether further ecological assessments are required.

Construction

Trees to be retained will need suitable root protection areas within which construction. Given the very limited ecology on site, it is not considered that impacts will be significant.

Operation

There is the potential for the proposed development to beneficially contribute to biodiversity of the local area through the implementation of ecological enhancement measures e.g.

inclusion of habitats for fauna, green roofs/ walls and a wider range of green infrastructure on site that encourages bio-diversity. Whilst this is considered to be beneficial, this is not considered to be significant.

Mitigation

If ecology is on-site, suitable conditions should be in place to ensure potential adverse impacts on retained features are minimised during prior to and during works on site, as well as incorporation of suitable features to encourage bio-diversity resources as part of the development.

Taking account of the above no significant environmental effects should arise which would require the need for an EIA.

Flood Risk

Documentation Accompanying the Planning Application

A Flood Risk Assessment (FRA) addressing surface water matters will need to be submitted. The site is located within Flood Zone 1 for fluvial flooding, but has relatively extensive areas within flood zone 3 for surface water with approximately 25% within areas that have a 1 in 30 year event.

Construction

As the site is not subject to fluvial flooding during the construction process there is considered to be limited risk property and people. The development will be expected to take a sequential approach in locating buildings wherever possible away from flood zone 3, thus reducing the risk of flooding to property on site and reducing flood storage/ impacting on hydrology resulting in increased flooding elsewhere. Easy access to land outside flood zone 3 on site should allow construction personnel to move to areas away from flood risk.

Operation

The FRA will seek to ensure that the proposed development will not increase flood risk to occupants and off-site. This will include ensuring as little of the building footprint is located in Floodzone 3 as possible, and if it is putting less vulnerable uses in areas at higher risk and ensuring that the impacts on flood storage/ floodplain capacity are not adversely affected. In addition it is likely that the site will reduce surface water run-off to greenfield rates through a series of measures such as green roofs/ on site storage.

Mitigation

The development will be located and designed so not to increase risk of fluvial and surface water flooding. Implementation and management of surface water run-off should be secured through a planning condition.

Taking account of these matters it is considered that the development will not have significant effects that warrant the need for EIA.

Human Health

It is considered that human health (both of existing and new receptors) has been appropriately considered within the relevant topic sections (e.g. water contamination or air pollution) and as such, reference should be made to these sections as required.

Land (land take)

The construction and operation of the proposed development will utilise brownfield land to provide residential and commercial accommodation. This is not considered to generate any significant effects. No discipline specific mitigation has been relied upon for the EIA Screening Opinion.

Material Assets

The construction and operation of the proposed development will utilise material assets, but given the scale of the development this is not considered to be substantial. As such, significant effects are not considered to be likely. No discipline specific mitigation has been relied upon for the EIA Screening Opinion.

Major accidents and/or disasters

It is considered that the risk from major accidents and/or disasters (both of existing and new receptors) has been appropriately considered within the relevant topic sections (e.g. climate change, flood risk) and as such reference should be made to these sections as required.

Noise and Vibration

A Noise Assessment will need to be submitted with the application. Background noise levels on the site, and in this part of the Borough, are principally characterised by road traffic noise.

Construction

Machinery used during demolition/construction on site can generate new sources of noise, as well as construction traffic movements in the vicinity. The nearby receptors combined with the new noise emissions, means that there is the potential for adverse effects as a result of construction activities.

Given the scale of the development, standard impact avoidance measures can be implemented to reduce emissions from construction activities, which will be secured through the CEMP. In the context of traffic movements around the site, the level of construction vehicle movements will not be exceptional. No significant effects are therefore anticipated.

Operation

With the exception of disabled parking, no additional general car parking is proposed as part of the development scheme. There are likely to be deliveries to residents and commercial properties as well as waste removal, but in an urban context the impacts will be limited. As such, there is not considered to be any significant effects from traffic noise.

The proposed commercial and residential use is not considered to be inherently noisy. Some noise may be generated from the operation of mechanical plant and building services, but plant noise emissions will be required to meet local policy requirements and British Standards. Adherence to these values will ensure that new and existing receptors are not adversely affected, and will ensure that there will be no significant effects.

There is the potential for new residents to be affected by adverse noise due to the site's location. The Noise Assessment will consider how new residents can be protected through the appropriate design of the proposed development. The proposed development can

therefore be designed with consideration to the location of the development and the potential noise implications – secured through planning conditions.

No significant effects are therefore anticipated.

Mitigation

Adherence to the CEMP should be secured through a planning condition, the CEMP will include standard mitigation measures to reduce noise emissions. Plant noise should be controlled to local and national guidelines using a planning condition.

Suitable mitigation will be required to be included within the design of the proposed development to ensure that new internal receptors are adequately protected. This might be through specifications on glazing, acoustic trickle vents, air bricks or mechanical ventilators, in order to reduce noise ingress but provide adequate ventilation to the standards.

Taking account of these matters it is considered that the development will not have significant effects that warrant the need for EIA.

Socio-Economic (including population)

Documentation Accompanying the Planning Application

The planning statement might give an indication of current land use and number of jobs within the site and compare this with what is proposed.

Construction

The proposed development would create benefits to local employment though providing temporary employment during construction. This is considered to be beneficial, but not significant.

Operation

The proposed development would create benefits to local employment though providing permanent employment once operational. In addition approximately 1 in 12 people work from home, so the development will provide space for occupants to do this. The development will provide a large number of new additional homes, as well as ensuring existing tenants affordable housing needs are met. This is considered beneficial but not significant.

The development will increase demand for local social infrastructure. Community Infrastructure Levy (CIL) payments will be sought to offset the effects of the development. These financial contributions will mitigate adverse effects, so that significant effects are unlikely.

Mitigation

Financial contributions through CIL will be sought to mitigate the effects of increased population/ users.

Taking account of these matters it is considered that the development will not have significant effects that warrant the need for EIA.

Soil (organic matter, erosion, compaction, sealing)

Construction

There is the potential for some loss of organic matter, erosion, compaction and sealing during the demolition/construction phase; however, given the scale of the development and the length of the demolition/construction phase, effects are not considered to be significant.

Operation

The operation of the completed development is not anticipated to affect organic matter, erosion, compaction and sealing. As such, significant effects are not considered to be likely.

Mitigation

The implementation of a CEMP during the construction phase will ensure that standard mitigation measures are implemented.

Telecommunications

The height of the taller buildings may impact on the quality of television reception in the near locality, but on the basis of information provided with other sites in the vicinity the impact is not to be significant.

It is considered that there is no known significant likelihood at this stage, of detrimental effects from or on telecommunications that would warrant the submission of an EIA.

Townscape and Visual Impact

Documentation Accompanying the Planning Application

A townscape analysis will identify the extent to which the development impacts.

Construction

The construction works are likely to require large cranes/ equipment, and therefore there is the potential for adverse effects on views and townscape. That said, given the relatively short term, temporary nature of the construction works and the scale of the development, effects are not considered likely to be significant. Supplementary mitigation can be implemented through the use of hoarding, to provide a physical/visual barrier to the works.

Operation

The height of the proposed development will be up to 12 storeys, this is of a lower scale than currently in place. As such, the Council considers that although the proposed development might have the potential for some adverse effects on townscape and views, given the scale of the development and the urban nature of its location, significant effects are not considered likely.

Mitigation

During construction, ensure the erection and maintenance of hoarding. For the operational phase suitable design, height and massing to reduce potential for adverse impact.

Taking account of these matters it is considered that the development will not have significant environmental effects that warrant the need for EIA.

Traffic and Transport

Documentation Accompanying the Planning Application

A Transport Assessment will be submitted with the planning application. The site is located within an area with a public transport accessibility level (PTAL) of 6a. As such it has good public transport accessibility (Kilburn Park station and numerous local bus services within 250 metres) and is in an area where the Council will seek to limit on site car parking provision. It is proposed that the existing vehicle access / egress on Carlton Vale is extinguished.

Construction

There will be an increase in the number of vehicles accessing the site during the construction phase, however, given the scale of the development the anticipated numbers are not considered to be substantial. It is considered that any adverse effects can be mitigated through a construction logistics plan (CLP) (potentially included as part of the CEMP) to control transport movements.

With the implementation of standard mitigation measures, no significant effects are anticipated.

Operation

The Transport Assessment will set out how the site would be serviced when operational, which is consistent with an approach agreed with the local highway authority. Due to the proposed limited on site car parking provision operational traffic effects of the proposals are likely to be negligible when placed within the context of the site's existing use. Increased numbers of movements related to deliveries could generate additional traffic over current levels. However, given the scale of the development, these effects are not considered to be significant. The lack of on-site car parking and residents' controlled parking zone in the area will mean that suitable controls on residents potential to own/ park cars on site and in the vicinity will be expected, this is likely to include restrictions within property leases as well as potential financial payments towards local transport infrastructure, which will help to mitigate any adverse effects.

Mitigation

A CLP should be secured that includes standard mitigation measures to control transport movements.

Controls on occupants and financial payments should be sought to offset operational effects.

As such no significant environment effects are anticipated to require EIA.

Waste

Documentation Accompanying the Planning Application

A CEMP will be sought as part of the planning process to deal with demolition and construction waste matters. A Waste Management Strategy or similar type of analysis of within the planning statement of how the development will adequately cater for the storage and collection of domestic and commercial waste during its operation will be sought.

Construction

The site will generate waste, principally building materials during the demolition and construction stages. The management of construction waste is covered by the Waste Duty of Care Legislation (2016), issued under section 34 of the Environmental Protection Act 1990. The implementation of standard impact avoidance measures will reduce waste from construction activities, which can be secured through the CEMP. No significant effects are therefore anticipated.

Operation

Separate solutions will be provided for both the commercial and residential elements of the development. The inclusion of suitable waste facilities for residents is covered under part H6 of the Building Regulations, and to ensure this, inclusion of separate facilities for general waste, recycling and organic materials is normally assessed for capacity and suitability as part of the normal planning process with reference to the 2015 Brent Council guidance. Commercial waste is covered under the same legislation as construction waste, above.

The decision notice should include suitable conditions to ensure that waste facilities for residents and businesses are provided prior to occupation. No significant effects are anticipated.

Mitigation

Adherence to the CEMP which will include standard mitigation measures should be secured through a planning condition for construction phase, as well as one that seeks to ensure sufficient space and practises to ensure adequate measures for waste management are in place prior to and during occupation.

Water Quality (hydromorphological changes, quantity and quality)

Documentation Accompanying the Planning Application.

This matter will be addressed in a number of areas, Flood Risk Assessment/ drainage strategy, ground conditions survey and the CEMP that will be required as part of the application/ permission process.

The site is not adjacent to or near a watercourse that would allow informal pathways from flows off-site, water would access these through the surface water drainage network. In addition the site has historic industrial use with a small potential for various compounds that could adversely affect water quality such as hydrocarbons within the ground if disturbed.

Construction

During the construction process there is the potential to affect water quality through accidental pollution events, such as fuel spills and increased sediment within surface water passing through to adjacent watercourses. The implementation of standard impact avoidance measures should be secured through the CEMP. In addition the potential of contamination on site could result in pathways either above or below ground being created that lead to watercourses, for example through piled foundations. This will require measures to avoid such potential. With the implementation of standard impact avoidance measures to ensure that the site is adequately protected, no significant effects are anticipated. It is not considered, given the scale of the development and works proposed that there will be any significant effects on either water quantity or hydromorphology during construction.

Operation

There is the potential the operation of the proposed development to affect the foul and surface water capacity/ quantity due to an increased demand. Whilst there may be an increase in demand, given the scale of the development, it is not considered to lead to significant effects. There is the potential for pollutants originating from motor vehicles to enter the surface water and ground water systems. Such risk can be mitigated through the inclusion of pollution control measures in surface water drainage systems, which can be secured by condition. It is not considered, given the scale of the development and the implementation of SuDS (refer to Floor Risk section above) that there will be any significant effects on either water quality or hydromorphology once operational.

Mitigation

A CEMP should be secured that includes measures to protect against and deal with accidental pollution events. The Contaminated Land Report will identify if and where contamination is present and measures required to ensure that any construction activity does not increase risk to water quality will be secured through planning condition. The implementation and management of SuDS and associated pollution control mechanisms for surface drainage should be secured through a planning condition.

As such it is not anticipated that the environmental effects will be of such significance to warrant EIA

Wind

Documentation Accompanying the Planning Application. A desk based Wind Impact Assessment should be submitted with the application.

Construction

It is recognised that throughout the demolition and construction phase of the project, the cranes and the erection of the new structure may affect the local wind microclimate, however these effects are considered to be temporary and not anticipated to be significant.

Operation

The operation of the proposed development will introduce new buildings onto the site that will be up to 12 storeys in height. Therefore there may be adverse effects on the existing wind conditions. This can be assessed throughout the normal planning process taking account of the Wind Impact Assessment. Mitigation measures should be incorporated into the development to reduce the impacts on those within and adjacent to the development to acceptable levels.

As such it is not anticipated that the environmental effects will be of such significance to warrant EIA.

Cumulative Effects

The 2017 EIA Regulations requires the consideration of cumulative effects through interactions being the combined effects of individual effects arising as a result of the development and also with other existing development and/or approved development.

In relation to the cumulative effects of the interactions related to the proposed development, taking account of the analysis and commentary above it is not considered that the impacts are such as to be so significant to warrant EIA.

There are number of major developments in the surrounding area that are likely to be built, as detailed in 'Large Scale Development within the Vicinity'. The proposal in association with these wider developments may have the potential for cumulative impacts. The impacts

of this needs to be considered when determining if the effects would be so significant as to warrant EIA.

The Council has considered a wide area consisting of the South Kilburn masterplan area and other development sites adjacent or within the vicinity, particularly those that might generate transport movements. HS2 as a national infrastructure project was subject to an EIA. It identified in relation to the South Kilburn area, impacts would be greatest during construction compared to operation. Air quality and noise related to construction and operation were likely to be the impacted upon greatest. For air quality in construction the EIA identified the magnitude of impact in the locality around the vent shaft as slight adverse, with the effect of dust generating activities being not significant and no additional mitigation proposed. In relation to construction phase road traffic no significant impacts were identified in relation to NO₂ and PM₁₀ in the vicinity of South Kilburn.

In relation to noise, demolition and construction were considered to have significant effects on a number of residential and non-residential receptors (St Mary's primary school) in very close proximity to the vent shaft site, with such impacts lasting between for approximately 1 year and 9 months. The EIA identified moderate significant effect during construction in terms of traffic severance for non-motorised users wishing to cross the road on Albert Road and Canterbury Terrace.

The Council has considered the information contained within this assessment related to the individual impacts and also the associated cumulative impacts of the proposals. Whilst the EIA did identify some impacts as significant, if the vent shaft were not part of a wider EIA they would ordinarily not be of sufficient scale in terms of receptors for the Council to consider the effects so significant as to warrant EIA.

Demolition/Construction

Taking account that the significant noise impacts of the HS2 construction are likely to be very localised to the vicinity of the vent shaft, and that there is a distance of approximately 250 metres between the application site and it, it is considered that no likely significant adverse cumulative construction effects will occur that would warrant EIA in respect of an application for this site. This assumes the implementation of standard mitigation measures such as appropriate traffic management measures and construction routing; and maintenance of site hoardings and compliance with the mitigation measures detailed within the CEMP.

It is also assumed that the enabling works, demolition and construction phases associated with the other development schemes would adhere to legislative requirements, industry guidance and best practice as will be the case within the application sites. However, there remains the potential for cumulative effects to arise, particularly with respect to dust and noise.

The construction workers at the construction site of each individual cumulative scheme will have to adopt controls to prevent the significant transfer of airborne pollutants beyond their site boundaries and the use of monitoring to confirm the effectiveness of these measures. Therefore, cumulative effects at existing and future receptor locations would be appropriately managed by the contractors to avoid the occurrence of significant adverse cumulative effects. Cumulative effects during the enabling works, demolition and construction phase are therefore generally considered to be temporary, local and overall not significant.

Operation

With regards to the matters considered in this opinion it is not considered that there will be significant adverse cumulative operational effects the proposed development is operational. The area is densely populated with a series of tall buildings. Those constructed in the 1960s and 1970s generally pay little regard to their surrounding context in terms of their height, design and layout. They provide relatively poor living conditions and in terms of tenure mix, demographic profile, local infrastructure/ services provision and wider environment contribute to an area with significant degrees of social deprivation. The area has very limited ecological interest. They will be replaced by development that will be more sympathetic in terms of scale, design and layout, which provides more and better homes for residents and local social infrastructure significantly improving life chances.

In terms of potential for adverse environmental impacts that warrant EIA, the large scale regeneration will happen incrementally. As such the construction phases which are likely to be one of the potentially most disturbing in terms of noise and air quality will not be so significant as to warrant EIA. Taking account of transport on existing AQMAs, the emphasis on essentially car free development will limit private car use to levels at or more likely below those that exist currently, as such the air quality issues associated with transport are not considered to be significant to warrant EIA.

Whilst there will be a significant increase in population, additional social infrastructure has and will be provided in association with the development. It is anticipated that on and off-site provision directly through development, plus CIL and S106 and other funding streams from Government and service providers will address capacity issues that might exist in relation to on and off-site infrastructure. As such no significant impacts are identified that would warrant EIA in respect of the proposed application.