

1-3 & 9 Watkin Road, Wembley

Request for Screening Opinion in accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2017

November 2019



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1. Introduction

- 1.1 In accordance with Regulation 6 of the Town and Country Planning (Environmental Impact Assessment) (England & Wales) Regulations 2017 (referred to as ‘the Regulations’), JLL write to formally request a Screening Opinion from the London Borough of Brent (‘LBB’) on behalf of our client, SSRE Investment 3 Limited.
- 1.2 As required by Regulation 6(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.
- 1.3 In accordance with the Regulations, this report also sets out the description of the development including a description of the physical characteristics of the development and, where relevant, demolition works and a description of the location of the development, with particular regard to the environmental sensitivity of geographical areas likely to be affected.
- 1.4 Where relevant, this report also identifies mitigation measures envisaged to avoid or prevent what might otherwise be significant effects on the environment.

Information Required for Screening

- 1.5 To enable LBS to provide a Screening Opinion and determine whether the proposed development is an EIA Development, the EIA Regulations (6(2)) require that the following information is issued:

“(a) a plan sufficient to identify the land;

(b) a description of the development, including in particular -

(i) a description of the physical characteristics of the development and, where relevant, of demolition works;

(ii) a description of the location of the development, with particular regard to the environmental sensitivity of geographical areas likely to be affected;

(c) a description of the aspects of the environment likely to be significantly affected by the development;

(d) to the extent the information is available, a description of any likely significant effects of the proposed development on the environment resulting from-

(i) the expected residues and emissions and the production of waste, where relevant; and

(ii) the use of natural resources, in particular soil, land, water and biodiversity; and

(e) such other information or representations as the person making the request may wish to provide or make, including any features of the proposed development or any measures envisaged to avoid or prevent what might otherwise have been significant adverse effects on the environment.”

1.6 This request for Screening Opinion meets the above information requirements.

2. Site Location and Description of Development

Site Location

- 2.1 The application site is approximately 0.2 hectares in area, separated into two separate parcels of land. The site comprises of three, single storey car garages, which form part of the wider industrial area. Further industrial buildings are located to the east of the site, providing a link to the Wembley Industrial Park.
- 2.2 The site is located between Watkin Road and Fulton Road to the northeast of Wembley Stadium. It is located within the Wembley Growth Area and specifically, the Watkin Road Site Allocation (W 26), which identifies this location as appropriate for mixed use development. The site is well served by public transport and close to existing shops and services. The site is located approximately 400m to the south east of Wembley Park London Underground Station.
- 2.3 The property is not statutorily or locally listed or within a Conservation Area. The nearest listed building is the Grade II listed Wembley Arena, which is located approximately 200m to the south west of the site.
- 2.4 The site is located directly to the south of the Wealdstone Brook and as such, is located within Flood Zones 2 and 3 and therefore is considered to have a high probability of flooding.

Description of Development

- 2.5 The proposal is for full redevelopment of the site to provide up to 180 residential units and up to an additional 1,000 sqm of commercial floorspace.
- 2.6 The current proposal includes one residential tower of approximately 20 storeys (104m AOD) on the southern site (Site 1), and one residential tower of approximately 15 storeys (87m AOD) on the northern site (Site 2).
- 2.7 The proposal will also provide approximately 450 sqm of public realm; approximately 2,250 sqm of private residential amenity space.
- 2.8 The proposal also includes cycle parking (approximately 285), disabled parking and refuse storage.

Planning Application

- 2.9 The following technical reports will accompany the planning application submission:
 - Planning Statement;
 - Design and Access Statement;

- Townscape and Visual Impact Assessment;
- Affordable Housing Statement;
- Statement of Community Involvement;
- Transport Statement;
- Travel Plan;
- Wind and Microclimate Assessment;
- Daylight and Sunlight Report;
- Air Quality Assessment;
- Noise Assessment;
- Overheating Assessment;
- Energy Statement;
- Sustainability Statement;
- Utilities Assessment;
- Flood Risk Assessment / Drainage Management Plan;
- Foul Sewage;
- Phase 1 Site Investigation Report;
- Arboricultural Impact Assessment;
- Preliminary Ecological Assessment;
- Bat Survey;
- Fire Safety Assessment;
- Archaeology Report;
- TV/Radio Reception Assessment;
- Servicing and Refuse Management Plan; and
- Contaminated Land Survey.

3. Requirements for an Environmental Impact Assessment

3.1 In order to consider whether a project requires an Environmental Impact Assessment (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?

3.2 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?

3.3 Schedule 2 of the Regulations identifies development types where, if the relevant threshold criteria are exceeded, a formal assessment must be undertaken against Schedule 3 in order to determine whether an EIA is required.

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

3.5 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 Schedule 2 of the 2017 Regulations, 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 (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. It can also apply to development in non-urban areas which has an urbanising effect on the local environment, for example, an out-of-town shopping complex.”

3.6 Having regard to this advice, it is considered that the proposals can be regarded as falling within the Schedule 2 definition of 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?

3.7 Schedule 2 (Column 2) of the Regulations 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, that the overall area of the development exceeds 5 hectares.

- 3.8 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.”
- 3.9 In light of this, the question as to whether the proposals require EIA must be considered on a case-by-case basis.
- 3.10 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.”

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

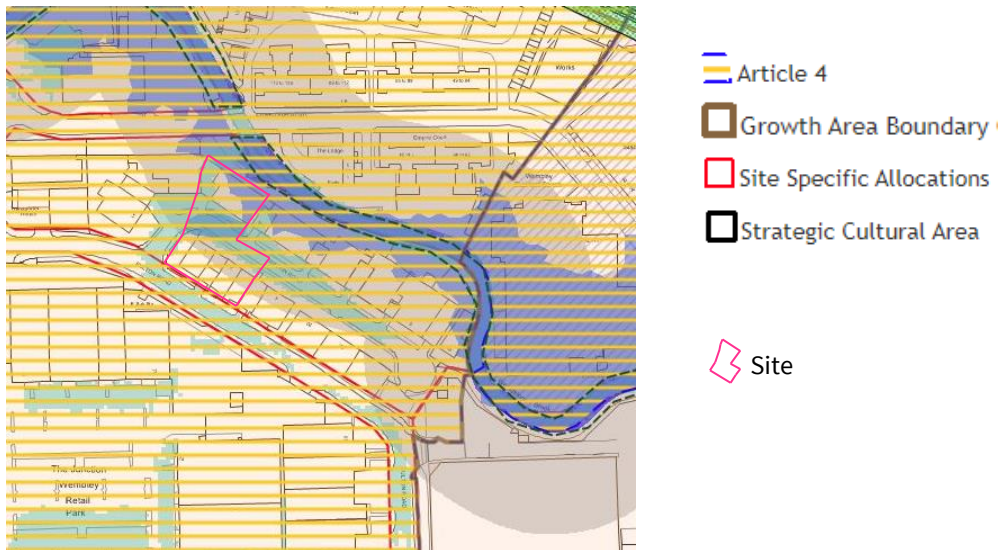
- 3.11 The site does not fall within any of the sensitive areas as laid out in the Regulations.
- 3.12 No part or area of the site is located within a nationally designated sensitive area as defined by Regulation 2 (i).
- 3.13 The Regulations and the NPPG indicate that the development may constitute Schedule 2 development and therefore may fall within the scope of the Regulations. As such, we formally request a Screening Opinion from LBB on behalf of our client.

4. Planning Policy Context

4.1 In accordance with the LBB Proposals Map, the site is subject to the following site-specific designations:

- Wembley Growth Area CP7 Wembley Regeneration;
- Wembley Growth Area Article 4 Direction;
- Air Quality Management Area;
- Waterside Development;
- Site Allocation: Watkin Road W26; and
- The site is partially located within Flood Zone 3.

4.2 An extract of the Proposals Map is set out below.



4.3 The Wembley Growth Area focuses on driving the economic regeneration of Brent. Policy CP7 specifically states that Wembley will become a high quality, urban, connected and sustainable city quarter.

4.4 The Watkin Road Site Allocation identifies the site as appropriate for mixed use development including office, leisure, residential, managed affordable workspace (including for creative industries), and community use. The site is recognised as being well served by public transport and close to existing shops

and services. The Site Allocation notes that biodiversity improvements and flood risk adaptation measures will be sought when development proposals come forward.

5. Schedule 3 and the Potential Impacts of the Development

5.1 Schedule 3 of the Regulations provides a selection criterion for screening Schedule 2 developments to consider whether the proposed development is likely to have significant environmental effects by virtue of the:

- 1) Characteristics of development;
- 2) Location of development; and
- 3) Types and characteristics of the potential impact.

5.2 The site does constitute Schedule 2 development, as set out previously; therefore any potential effects of the proposed development are to be considered having regard to these three criteria.

5.3 Under Schedule 3 (3), the likely significant effects of the development on the environment must be considered in relation to criteria set out in paragraphs (1) and (2) of Schedule 3, which related to the development's characteristics and location. Regard must also be had to the impact of the development on the factors specified in regulation 4 (2), taking into account:

- a) The magnitude and spatial extent of the impact (for example geographical area and size of the population likely to be affected);
- b) The nature of the impact;
- c) The transboundary nature of the impact;
- d) The intensity and complexity of the impact;
- e) The probability of the impact;
- f) The expected onset, duration, frequency and reversibility of the impact;
- g) The cumulation of the impact with the impact of other existing and/ or approved development;
- h) The possibility of effectively reducing the impact.

5.4 The factors specified in Regulation 4(2) are as follows:

- a) Population and human health
- b) Biodiversity, paying particular attention to protected species and habitats
- c) Land, soil, water, air, and climate
- d) Material assets, cultural heritage and the landscape; and
- e) How these factors interact with each other.

Table 1 Schedule 3 (1) Characteristics of Development

1. The characteristics of development must be considered with particular regard to:	The Proposed Development	Likely Significant Effects	Specific Mitigation Measures for Amelioration of Significant Effects
(a) The size and design of the whole development;	<p>The site covers approximately 0.22 ha of land.</p> <p>The development proposals will integrate with the surrounding land uses and add to the wider regeneration of Wembley through the delivery of much needed residential accommodation.</p>	<p>The size and design of the proposed development is considered reasonable given the surrounding context.</p>	<p>No mitigation is considered to be required at this time. Any potential impacts of the proposed development can be mitigated through planning conditions or through a S106 agreement.</p>
(b) Cumulation with other existing development and/or approved development;	<p>The proposed development forms part the wider Wembley regeneration agenda and as such, a number of other developments are approved/ expected to come forward in the surrounding area.</p> <p>These include but are not limited to 10-11 Watkin Road (18/3381) for 217 residential units and 789 sqm of affordable workspace.</p>	<p>Any future development proposals will ensure appropriate measures are in place to prevent adverse effects arising as a result of cumulation with other developments.</p> <p>The potential cumulative effects of application reference: 18/3381 have been comprehensively assessed during the planning application process.</p>	<p>Any developments coming forward will ensure appropriate mitigation measures are in place to prevent any significant adverse effects arising from individual development projects.</p>
(c) The use of natural resources, in particular land, soil, water and biodiversity;	<p>There will not be any unusual use of natural resources in the construction and future operation of the site that is already associated with standard developments of this nature.</p>	<p>This criterion is considered not applicable to the proposed development.</p>	<p>Not considered to be required.</p>
(d) The production of waste;	<p>There will not be any unusual production of waste arising from the completed development.</p>	<p>This proposed development is not considered to give rise to any adverse effects in relation to waste.</p>	<p>A Waste Management Plan will be produced to ensure the appropriate disposal of</p>

			waste during the construction phase.
(e) Pollution and nuisance;	The existing roads bordering the site and nearby railway line currently are dominant sources of noise and air quality pollution in the area.	<p>Noise emissions from the proposed development are not expected to result in adverse effects.</p> <p>The proposed use is not considered to be detrimental to the residential amenities of the local population.</p> <p>The pedestrian environment will be significantly improved, by opening up the site and providing enhanced landscaping and public realm.</p>	Detailed and careful design of the scheme, in combination with advice given by LBB, will be combined to ensure that acceptable air quality and noise levels are maintained, ensuring there are no significant observable impacts on nearby receptors.
(f) The risk of major accidents and/or disasters relevant to the development concerned, including those caused by climate change, in accordance with scientific knowledge; and	The risks of accidents in association with the development is considered to be negligible and to have no significant environmental bearing or effect.	The risk of major accidents and/ or disasters in relation to the development will be considered throughout the design development and construction of the scheme, thereby preventing any likely significant effects.	Mitigation measures and safety features will be incorporated into the design of the scheme to reduce the risk of major accidents or disasters, particularly in relation to fire.
(g) The risks to human health (for example due to water contamination or air pollution).	The risks to human health in association with the development is considered to be negligible and to have no significant environmental bearing or effect.	The proposed development will ultimately seek to improve the health of residents, through the provision of open space and recreational facilities.	The proposed development will aim to include outside space and play areas, improving the public realm. The proposal will also aim to increase the availability of recreational facilities, encouraging a healthy and active lifestyle for residents.

Table 2 Schedule 3 (2) Location of Development

2. The environmental sensitivity of geographical areas likely to be affected by development must be	Characteristics of Development	Likely Significant Effect	Specific Mitigation Measures for Amelioration of Significant Effects
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considered, with particular regard, to:			
<p>(a) The existing and approved land use</p>	<p>The site currently comprises single storey motor engineers and garages.</p> <p>The site is not known to be contaminated.</p> <p>The site is located within Flood Zones 2 and 3.</p>	<p>The proposal constitutes brownfield development and therefore the principle of development on the site has previously been accepted.</p> <p>The proposed development is not considered to adversely affect the existing land use.</p> <p>The site is located within Flood Zones 2 and 3 and therefore is considered to have a high probability of flooding. More vulnerable uses (residential) will be located towards areas of lowest risk within the site. Residential accommodation will also be located above the acceptable height threshold for development within Flood Zone 3.</p>	<p>A comprehensive contamination assessment will be undertaken as part of the planning application to ensure any significant effects arising from contamination are mitigated.</p> <p>A detailed Flood Risk Assessment will be undertaken in accordance with Section 6.7 of the Brent Borough SFRA.</p> <p>More vulnerable uses (residential) will be located towards areas of lowest risk within the site. Residential accommodation will also be located above the acceptable height threshold for development within Flood Zone 3.</p> <p>Any potential significant effects can be mitigated through mechanisms such as planning conditions or a S106 agreement.</p>
<p>(b) The relative abundance, availability, quality and regenerative capacity of natural resources (including soil, land, water and biodiversity) in the area and underground</p>	<p>The land on which the proposals are to be delivered is brownfield land.</p> <p>There are no natural habitats on site or any other natural resources that would be directly affected by the proposals.</p>	<p>There are not considered to be any natural resources that would be directly affected by the proposal.</p>	<p>No mitigation is considered to be required at this time. Any potential significant effects can be mitigated through mechanisms such as planning conditions or a S106 agreement.</p>

<p>(c) The absorption capacity of the natural environment, paying particular attention to the following areas:</p> <ul style="list-style-type: none"> (i) wetlands, riparian areas, river mouths; (ii) coastal zones and the marine environment; (iii) mountain and forest areas; (iv) nature reserves and parks; (v) European sites and other areas classified or protected under national legislation; (vi) areas in which there has already been a failure to meet environmental quality standards, laid down in Union legislation and relevant to the project, or in which it is considered there is such a failure; (vii) densely populated areas; (viii) landscapes and sites of historical, cultural or architectural significance. 	<p>The site does not form part of any wetland, coastal zone, mountain area or natural reserves and parks.</p>	<p>The site does not form part of any wetland, coastal zone, mountain area or natural reserves and parks.</p> <p>The proposed development will ultimately enhance the character and appearance of the surrounding area and will have a positive effect on the surrounding area.</p>	<p>No mitigation is considered to be required at this time. Any potential significant effects can be mitigated through mechanisms such as planning conditions or a S106 agreement.</p>
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Table 3 Schedule 3 (3) Types and Characteristics of the Potential Impact

3. Characteristics of the potential impact: The potential significant effects of development must be considered in relation to criteria set out under paragraphs 1 and 2 above, and having regard in particular to -	Characteristics of Development	Likely Significant Effect	Specific Mitigation Measures for Amelioration of Significant Effects
<p>The magnitude and spatial extent of the impact (for example geographical area and size of the population likely to be affected);</p>	<p>The development impact is considered likely to only affect the local area.</p>	<p>Any impact to the population arising from development would likely occur at the construction phase and as such, any impacts are considered to be temporary.</p>	<p>No mitigation is considered to be required at this time. Any potential significant effects can be mitigated through mechanisms such as planning conditions or a S106 agreement.</p>

The nature of the impact;	The development may impact on noise, air quality and traffic, however this is likely to only occur during the construction phase.	Any impact to the population arising from development would likely occur at the construction phase and as such, any impacts are considered to be temporary.	A construction management plan can be secured through planning conditions to manage any potential impact.
The transboundary nature of the impact;	This is not considered relevant to the proposal.	No transboundary impacts are expected to occur.	No transboundary impacts are expected to occur.
The intensity and complexity of the impact;	The impacts of the development are not considered to be of such a magnitude or complexity to warrant an EIA.	This criterion is considered not applicable to the proposed development.	This criterion is considered not applicable to the proposed development.
The probability of the impact;	The proposed development is not considered to cause significant impacts.	Any impact arising from development would likely occur at the construction phase and as such, any impacts are considered to be temporary.	Any potential significant effects can be mitigated through mechanisms such as planning conditions or a S106 agreement.
The expected onset, duration, frequency and reversibility of the impact;	The main impacts of the development are considered to occur during the construction phase.	Any impact arising from development would likely occur at the construction phase and as such, any impacts are considered to be temporary.	Any potential impacts of the development can be mitigated through securing planning conditions or through a S106 agreement.
The cumulation of the impact with the impact of other existing and/or approved development;	<p>The proposed development forms part the wider Wembley regeneration agenda and as such, a number of other developments are approved/ expected to come forward in the surrounding area.</p> <p>These include but are not limited to 10-11 Watkin Road (18/3381) for 217 residential units and 789</p>	<p>Any future development proposals will ensure appropriate measures are in place to prevent adverse effects arising as a result of cumulation with other developments.</p> <p>The cumulative effects of application reference: 18/3381 have been comprehensively assessed during the planning application process.</p>	Any potential impacts of the development can be mitigated through securing planning conditions or through a S106 agreement.

	sqm of affordable workspace.		
The possibility of effectively reducing the impact.	Any potential impacts of the development can be mitigated through securing planning conditions or through a S106 agreement.	Any potential impacts of the development can be mitigated through securing planning conditions or through a S106 agreement.	Any potential impacts of the development can be mitigated through securing planning conditions or through a S106 agreement.

6. Conclusion

- 6.1. The site comprises of three single storey car garages, which form part of the wider industrial area. The site is located between Watkin Road and Fulton Road to the northeast of Wembley Stadium. It is located within the Wembley Growth Area and specifically, the Watkin Road Site Allocation (W 26), which identifies this location as appropriate for mixed use development. The site is well served by public transport and close to existing shops and services.
- 6.2. Any impact to the local population arising from vehicle and pedestrian movements would be related to the commercial uses and the residential units, however it should be noted that sustainable transport methods will be encouraged through cycle parking provision and facilitated by the close proximity to Wembley Park London Underground Station.
- 6.3. The site is within an urban setting and it is anticipated to be of a low ecological value. The site does not lie within or in close proximity to a 'Sensitive Area' as defined under the EIA Regulations. Opportunities will be taken to enhance the ecological value of this site, through features such as planting and biodiverse landscaping. The pedestrian environment will also be significantly improved, through the provision of enhanced active frontages.
- 6.4. The proposed development will ultimately enhance the character and appearance of the surrounding area, having a positive effect on the surrounding area.
- 6.5. Having considered the scale and nature of the development, the proposed use of the site, and having regard to the EIA Regulations and the NPPG, it is considered that the proposal does not constitute EIA development. Taking each of the selection criteria for screening as set out in Schedule 3, we are of the view that there is sufficient justification that EIA is not required in this case. It is considered unlikely that the proposed development would give rise to any significant environmental effects that would warrant preparation of an Environmental Statement.
- 6.6. In conclusion, we request that the London Borough of Brent formally adopts a screening direction in accordance with the Regulations.

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