

P20-1472/BC/KS

21 September 2020

Planning and Building Control  
London Borough of Brent  
Brent Civic Centre  
Engineers Way  
Wembley  
HA9 0FJ

Dear Sir/Madam

**Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended)**  
**Request for Screening Opinion**  
**363 Edgware Road, Colindale, London, NW9 6AF**

Under Regulation 6 of the Town and Country Planning Environmental Impact Assessment (EIA) Regulations 2017 (as amended), our client, Utility Warehouse Ltd, requests a Screening Opinion from the London Borough of Brent ('the Council') in relation to the demolition of the existing building and proposed residential-led mixed use redevelopment at 363 Edgware Road, London, NW9 6AF ('the Site').

Regulation 6 of the EIA Regulations state that a request for a screening opinion shall be accompanied by:

- 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.*

This information is set out within this letter and enclosed Site Location Plan.

For reasons set out below, it is the opinion of Utility Warehouse Ltd that the proposed development is not EIA development and therefore an Environmental Statement (ES) to accompany the outline planning application is not required.

### **Site Description and Context**

The Site is 0.35ha in size and comprises the north-eastern part of Colindale Retail Park, fronting onto Edgware Road. The Site is bound by Edgware Road to the east, Windover Avenue to the south, car parking associated with Colindale Retail Park to the west and Beis Yaakov Primary School to the north.

The Site comprises a single building accommodating a car show room (sui generis) occupied by Kia at ground floor level, together with a 3 storey multi-storey car park above. The Site also extends to include forecourt parking to the front of the building, adjacent to Edgware Road.

The Site is identified in Brent's adopted Policies Map (2016) as falling within the 'Sarena House / Grove Park / Edgware Road' Site Allocation (ref. B/C2), and also falling within the Burnt Oak/Colindale Growth Area.

There are a number of tall buildings in excess of ten storeys along Edgware Road within the Growth Area. This includes Zenith House (16 storeys) on the opposite side of Edgware Road to the Site; Utility Warehouse (13 storeys) at 508 Edgware Road, c290m north of the Site; and The Northern Quarter London (19 storeys) at 50 Capitol Way, c470m to the north of the Site.

Brent Council have also resolved to grant planning permission (ref. 17/2284) subject to S106 agreement for redevelopment of Park Parade Mansions and 381-397 Edgware Road for part 4 part 5 and part 18 storey building comprising retail uses and 110 residential units. This site is located on the corner of Edgware Road and Grove Park, immediately to the north of Beis Yaakov Primary School, c85m to the north of the Site.

Other developments currently being undertaken or recently completed within the Growth Area, including the Silver Works residential development approximately 50m the north-west of the Site (behind Beis Yaakov Primary School). The '399' redevelopment at the former Oriental City site along Edgware Road, approximately 150m north of the Site, is also nearing completion.

The Site is not in a Conservation Area and the existing building on the Site is not statutory or locally listed.

Beis Yaakov Primary School located immediately to the north of the Site and comprises a locally listed building. The nearest statutory listed buildings comprise nos. 3 and 5 Buck Lane (Grade II listed), located approximately 400m to the south-west of the Site; and a Grade II listed milestone between the Greenway and Annesley Avenue, located approximately 340m to the north-west of the Site. The closest scheduled monument to the Site is 'Manor House moated site, East End Road, Finchley' is situated 4.5km to the east of the Site.

The Site is not located in or adjacent to a SSSI, SAC, SPA or Ramsar Site and is not in or adjacent to a Local Nature Reserve. Brent Reservoir comprises a Local Nature Reserve and SSSI, and is located 1.35km to the south-east of the Site.

The Site is located within an Air Quality Management Area (AQMA). The Brent Air Quality Action Plan 2017-2022 identifies measures to manage air pollution in the affected areas.

The Site is located entirely within Flood Zone 1 which indicates a low probability of flooding. The Council's Surface Water Management Plan (2011) states that the Site is located within a Critical Drainage Area.

## **Proposed Development**

The proposed development comprises the demolition of the existing building and erection of a building of circa 6 to 19 storeys plus basement comprising commercial/retail uses on the ground floor and residential uses on the upper floors, together with associated car parking, amenity space and landscaping at 363 Edgware Road, London, NW9 6AF.

The proposals are continuing to develop as preparation for the application progresses, however the proposed development would include:

- Demolition of existing single storey commercial/multi-storey car park building and hardstanding and site preparation works;
- Development of up to 165 residential units comprising a mix of sizes and tenures with private and communal amenity and play space;
- Development of up to 1,200 sqm of commercial/retail floorspace on the ground floor;
- Provision of car parking within basement;

- Associated infrastructure and public realm enhancements including soft and hard landscaping.

The current design proposals comprise the delivery of a single 'horse-shoe' shaped building with amenity area accommodated within the courtyard area; commercial space on ground floor and residential units above; and parking in the basement.

## **EIA Screening Requirements**

The EIA Regulations define 'EIA development' as development which is either 'Schedule 1 development' or 'Schedule 2 development' that is *'likely to have significant effects on the environment by virtue of factors such as its nature, size or location'*.

The proposed development can technically be categorised as a Schedule 2 development within the EIA regulations, specifically falling within section 10 'Infrastructure Projects', subsection b 'Urban Development Projects'. The site is not considered to lie within a "sensitive area" as defined by the EIA Regulations, (i.e. within a Site of Special Scientific Interest or European site, National Park, Area of Outstanding Natural Beauty, World Heritage Site or Scheduled Monument) and therefore the applicable thresholds/criteria for defining a development as Schedule 2, section 10b, are:

- i) *"the development includes more than 1ha 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 proposal exceeds the threshold identified within part (ii) as the development proposes up to 165 dwellings. It is therefore appropriate to request a Screening Opinion from the Local Planning Authority to determine whether it is considered that there are any significant effects likely to arise from the proposed development.

Schedule 2 developments only require an EIA to be completed if it is considered they are *"likely to have significant effects on the environment by virtue of factors such as its nature, size or location"* (Regulation 2, Interpretation of 'EIA development'). As discussed further below, we do not believe that the proposed development will result in significant environmental impacts in EIA terms and therefore will not require an Environmental Statement (ES) to accompany any application.

Schedule 3 (Regulation 5(4)) of the EIA Regulations identifies the 'selection criteria for screening Schedule 2 development', which are categorised under three general headings: characteristics of development; location of development; and types and characteristics of

the potential impact. An assessment of the relevant criteria within each of these headings (and subsequent subheadings) is considered in turn below.

## **1. Characteristics of development**

### a) Size and design of the whole development

The Site extends to 0.35ha in size, and the proposed development would therefore result in less than 1ha of urban development. This is below the applicable thresholds of 1ha of urban development which is not dwellinghouse development, and 5ha of overall area of development as set out within Schedule 2 of the EIA Regulations.

The characteristics of the development would not have a significant urbanising effect, due to the surrounding built form of the urban area within which the Site is located. The Site is also located in the designated Burnt Oak/Colindale Growth Area which is undergoing significant intensification over a much wider area.

The proposals constitute a mix of uses, including up to 165 residential units, along with commercial/retail uses. It is proposed that the height of the building will vary, extending up to 19 storeys. The design will centre around a 'horse-shoe' perimeter block design which will result in a defined frontage to Edgware Road.

The development would be of a type and scale consistent with other development in the wider Growth Area, including Zenith House (16 storeys) directly opposite the site, together with Utility Warehouse (13 storeys) at 508 Edgware Road and The Northern Quarter London (19 storeys) further along Edgware Road to the north. The size of the proposed development and its design would be viewed within the context of these existing tall buildings.

The nature and size of the development is unlikely to result in 'significant impacts' which is acknowledged by the Schedule 2 screening threshold guidelines set out within the National Planning Practice Guidance (NPPG – March 2014) which support the EIA Regulations.

The table accompanying paragraph 4-057-2070720 of the NPPG entitled 'Thresholds and Criteria for the identification of Schedule 2 development requiring EIA and indicative values for determining significant effects', discusses the issues important to consider in determining whether significant effects are likely in a given proposal.

For section 10(b) development, this guidance states "*EIA is unlikely to be required for the redevelopment of land unless the new development is on a significantly greater scale than*

*the previous use, or the types of impact are of a markedly different nature or there is a high level of contamination.”* In relation to sites which have not previously been intensively developed, the guidance states that EIA is more likely to be required if:

- 1) *“area of the scheme is more than 5 hectares; or*
- 2) *it would provide a total of more than 10,000m<sup>2</sup> of new commercial floorspace; or*
- 3) *the development would have significant urbanising effects in a previously non-urbanised area (e.g. a new development of more than 1,000 dwellings)”*

Paragraph 4-057-2070720 of the NPPG then goes on to state that the figures above *“are indicative only and are intended to help determine whether significant effects are likely. However, when considering the thresholds, it is important to also consider the location of the proposed development. In general, the more environmentally sensitive the location, the lower the threshold will be at which significant effects are likely. It follows, therefore, that the thresholds below should only be used in conjunction with the general guidance on determining whether Environmental Impact Assessment is required and, in particular, the guidance on environmentally sensitive areas.”*

Whilst it is recognised that the scale of the development is greater than existing and that there are currently no residential dwellings on the site, it should be noted that the Site is not a “sensitive area” as defined in the Regulations. Furthermore it is located within a brownfield site within a markedly urban area designated as a Growth Area, which is already characterised by numerous major residential developments along Edgware Road of a similar scale including opposite the Site itself at Zenith House. Therefore, when considering the specific context of the Site, it is not considered that the proposed development would have significant effects and, in turn, according to the NPPG guidance, it is therefore considered the proposed development would not require an EIA.

Furthermore the proposed commercial use is similar to the commercial nature of the use already existing on the site and is unlikely to result in any markedly different impacts. Nor is this proposed use considered to be on a significantly greater scale when considering the existing levels of such commercial use already in operation on the site.

The careful consideration of the design of the development, specifically the siting of built form and proposed heights as discussed above, will ensure that effects are avoided or mitigated as far as possible and hence not significant.

Such ‘integral’ mitigation has driven the design process so to ensure any impacts are reduced as far as possible; in this manner, it is not considered that significant impacts are likely to occur.

b) Cumulation with other existing development and/or approved development

According to Schedule 3 (the Selection Criteria for Schedule 2 Development), it is noted that consideration should be given to "cumulation with other existing development and/or approved development". This is further noted in the NPPG at Paragraph 024, reference 4-024-20170728, which states "*Each application (or request for a screening opinion) should be considered on its own merits. There are occasions, however, when other existing or approved development may be relevant in determining whether significant effects are likely as a consequence of a proposed development. The local planning authorities should always have regard to the possible cumulative effects arising from any existing or approved development.*"

The proposed redevelopment of the Site is not considered to be likely to cause any significant impact when considered cumulatively with the other identified sites so as to require an EIA. The mitigation required for the proposed development is considered to relate solely to localised impacts which are not significant in environmental terms. Such impacts can be identified and addressed through supporting specialist reports for the planning application which will ensure that any minimal potential environmental effects are given appropriate consideration. These supporting studies are to include:

- Design and Access Statement;
- Planning Statement;
- Affordable Housing Statement;
- Air Quality Neutral Assessment;
- Basement Impact Assessment;
- Daylight & Sunlight Assessment;
- Drainage Strategy;
- Energy Statement;
- Flood Risk Assessment;
- Foul Sewage and Utilities Assessment;
- Geo-Environmental Phase 1 Desk Top Study;
- Heritage Statement;
- Noise Assessment;
- Lighting Assessment;
- Servicing and Refuse Management Plan;
- Sustainability Assessment and BREEAM Pre-Assessment;
- Townscape and Visual Impact Assessment;
- Transport Assessment and Travel Plan;
- Tree Survey;
- TV/Radio Reception Assessment;
- Ventilation/Extraction Statement; and
- Wind Micro-climate Assessment.

Notwithstanding this, an exercise has been undertaken to identify any major approved applications within the vicinity of the subject site which may give rise to significant cumulative effects. The following major development schemes have been permitted or implemented within the vicinity of the Site.

Immediately to the north-west of the Site, the Silver Works development has been approved:

- **Silver Works Development | Ref. 14/2930** | *Demolition of all existing buildings and the erection of 2 to 6-storey buildings providing 227 residential units (10 x 4bed houses, 58 x 1bed, 101 x 2bed, 31 x 3bed and 27 x studio flats), 256 sqm of affordable workspace for research and development (Use class B1(B), proposed vehicular access from Grove Park, provision for car/bike parking on the basement and ground level and associated landscaping and amenity space, subject to a Deed of Agreement dated 29 January 2015 under Section 106 of the Town and Country Planning Act 1990, as amended. | Granted 30 January 2015*

Beyond this, further to the north of the Site including along Edgware Road, the following developments have been approved:

- **'399' Development, Oriental Way | 12/2166** | *A hybrid planning application, as amended by plans received 1 November 2012, for the demolition of all existing buildings and structures and: full planning permission (Phase 1) for comprehensive mixed-use development comprising full planning permission the erection of a 7,817sqm gross external area (GEA) Class A1 retail foodstore with associated service and delivery yard; 5,207sqm GEA of new Oriental and Far Eastern Floorspace to include shops, financial and professional services, restaurants and cafes, drinking establishments, hot food takeaways and non-residential institutions (Class A1, A2, A3, A4, A5, B1 and D1); podium slab along Airco Close; a site-wide energy centre; associated car parking spaces, motorcycle parking spaces and cycle parking spaces; associated landscaping and public realm works; new vehicular access from Grove Park and vehicular access from Plaza Walk and associated highway works; and outline planning permission (Phases 2 and 3) comprising residential floorspace (Class C3, accompanied by illustrative residential accommodation schedule indicating 183 residential units), associated car parking spaces and cycle parking spaces, associated landscaping and new vehicular access from Airco Close (Phase 2, all matters reserved) and two form of entry primary school and nursery (Class D1, Phase 3, all matters reserved). | Granted 27 June 2013*
- **The Northern Quarter (land at junction of Edgware Road and Capitol Way) | Ref. 08/2823** | *Demolition of existing units and erection of replacement 4-storey and 6-storey blocks above two-storey podium decks and a frontage block of 17*

storeys above the podium, comprising 460 self-contained flats, 5,360m<sup>2</sup> of retail (Use Class A1 bulky goods), a 734m<sup>2</sup> garden centre, 1922m<sup>2</sup> of floorspace for alternative uses falling within Use Classes A uses (A1, A3) or B1 (a-c), and 649m<sup>2</sup> for alternative uses falling within Use Classes A uses (A1, A3), Class B1 or Class D1 (community/health centre), 97m<sup>2</sup> of creche facilities (Use Class D1), 281 residential car-parking spaces, 500 residential cycle-parking spaces, 172 commercial car-parking and 80 commercial cycle-parking spaces, 527m<sup>2</sup> energy centre, bin stores and associated landscaping, with access from Capitol Way NW9 and Plaza Walk NW9 | Granted 30 September 2009

- **1-8 Capitol Way | 17/0837** | Demolition of the existing buildings and the redevelopment of the site to provide six buildings ranging between four to nine storeys and eight three storey mews houses, and the erection of a two storey commercial building, providing a total 4,051m<sup>2</sup> of flexible commercial floorspace (B1(a),(b) and (c), B8, D2 and A3) across the site and 414 residential units including a mix of studio, 1, 2 and 3 bedroom units with associated basement car parking, cycle storage, plant and shared external amenity space and landscaped courtyards at ground floor level, and other ancillary works, subject to Deed of Agreement dated 12 November 2018 under Section 106 of Town and Country Planning Act 1990, as amended. | Granted 12 November 2018

To the south-east of the Site, on the opposite side of Edgware Road, the following development has been approved:

- **Land behind Sheaveshill Court, The Hyde | 16/6222/FUL** | Demolition of existing garages and stores and the erection of two, three-storey buildings to provide 24no. self-contained flats and 10no. two-storey houses with associated amenity space, refuse and recycling storage and cycle stores. Alterations to hard and soft landscaping. Re-provision of 26 storage sheds. Additional 31 car parking spaces, and 8 disabled car parking spaces | Granted 23 October 2017

Further to the east of the Site, the following developments have been approved:

- **Colindale Station | 19/0859/OUT** | Hybrid planning application for comprehensive redevelopment of the site comprising full planning permission involving demolition of existing buildings to provide a replacement railway station ticket hall building (702 sq.m) with step free access (sui Generis) and including a retail store (Class A1) unit. Outline planning consent for the erection of a mixed use development ranging from 6 to 29 storeys in height comprising of up to 860 sq.m of flexible A1/A2/A3/A4/A5 and B1/D1/D2 uses and up to 313 residential units (Class C3) together with provision of ancillary refuse, cycling and disabled parking spaces and associated works | Granted 10 March 2020
- **Peel Centre, Peel Drive, Colindale | H/04753/14** | Hybrid planning application

*for the phased comprehensive redevelopment of part of the existing Peel Centre site including the demolition of all existing buildings and the provision of a residential-led mixed use development comprising up to 2,900 new residential units (Use Class C3), with 888 units in full detail and up to 2,012 units in outline in buildings ranging from 2-21 storeys; up to 10,000 square metres of non-residential floorspace (Use Classes A1-A4, D1, D2); the provision of a 3 form entry primary school (including nursery provision) and a minimum of 4 hectares of public open space. Associated site preparation/enabling works, transport infrastructure namely a new pedestrian connection to Colindeep Lane and junction works, landscaping and car parking. | Granted 23 December 2015*

The proposed development would complement and be in keeping with the nature and scale of the existing and proposed tall buildings set along Edgware Road and in the surrounding vicinity including those detailed above, which comprise a mix of commercial and residential uses and as such it is not considered this would result in significant cumulative impacts.

The transport assessment to be submitted in support of the planning application will consider cumulative effects of the proposed development. This will provide the baseline for noise and air quality assessments, where necessary.

#### c) Use of natural resources

The proposed redevelopment of this brownfield site for residential and commercial uses will not result in the significant use of natural resources, such as land, soil, water or biodiversity, in either the construction or operation of the proposed development.

The effects of the design, construction and operational management on natural resources is addressed within the wider consideration of the sustainable approach to the development. Therefore whilst the proposed development will unavoidably result in the use of some natural resources, there would be no significant impact.

#### d) Production of waste

Whilst the proposed development will generate waste through both the demolition and construction phase and once operational, opportunities will be identified to seek to maximise the reduction, reuse, recycling and recovery of waste.

It is considered that standard mitigation measures and construction best practice would assist in reducing these potential effects to none significant levels.

Waste generated through the demolition and construction phase will be managed in accordance with a Construction Management Plan which will detail the measures for

sustainable management of waste generated from the Site, and can be secured by way of planning condition.

Refuse storage facilities will be provided on site for waste generated by the proposed residential and commercial uses. The anticipated volumes to be generated are not significant and the treatment of the municipal waste would be fairly standard.

Once operational the site would not generate significant volumes of waste; rather, it would be typical for a building of this scale and use. Furthermore, the operational waste is also not anticipated to be hazardous in nature.

#### e) Pollution and nuisances

It is not considered the proposal for residential and commercial uses would result in significant effects in relation to pollution and nuisance, particularly as a commercial use is already successfully operating from the Site.

In respect of transport matters, the Site located in an area with a Public Transport Accessibility Location (PTAL) rating of 3. The proposed development will give rise to some traffic, noise and air pollution within the vicinity of the development but the impact is unlikely to be significant when taking into account the existing situation, accessibility, and the vehicle movements associated with the current lawful use of the site as a car showroom and multi-storey car park.

Therefore, whilst there will be vehicle movements generated by the development when operational, this amount is not considered to be likely to have significant impacts on highway capacity and the proposal will not require any significant improvement works to the local highway network. A transport assessment will accompany the planning application submission. Vehicle movements associated with construction works will be temporary in duration and it is considered that standard mitigation measures and construction best practice would assist in reducing any potential effects to none significant levels.

In respect of air quality, the Site is located within an AQMA. Traffic resulting from the proposed development has potential to impact air quality, however the impact is unlikely to be significant when taking into account the sustainable location of the site and the existing lawful use of the Site as a multi-storey car park and car showroom. Notwithstanding this, an air quality assessment will accompany the planning application which will give due consideration to this and identify mitigation measures for any identified adverse impacts if necessary, the implementation of which can be secured through condition.

It is also considered that with good practice construction measures and strategies that can be secured by condition, the significance of dust and fine particulate matter effects from the construction phase would be considered not significant. Air quality effects are therefore not considered to be significant in EIA terms.

In respect of noise, road traffic comprises the dominant source of background noise in the area. The proposed uses are not considered to be detrimental to the residential amenities of the local population. The greatest potential source of noise from the proposed development, once operational, will arise from vehicle use, and the proposed commercial uses. However such noise emissions are not expected to result in adverse effects, particularly in light of the existing lawful use as referred to above.

During the construction phase there would be potential for increased noise levels and nuisance associated with construction works. However these will be temporary in nature and management and mitigation measures will be used to control and limit these, which can be secured through planning condition, to ensure the effects of construction on neighbouring amenity are mitigated.

In respect of contamination, the Site is located on land which previously formed part of the Hyde Industrial Estate and as such there is potential for historic ground contamination. A contamination report will accompany the planning application in order to identify potential effects of the proposed development and recommend appropriate mitigation measures. Given the nature and scale of the proposed development, the impact is unlikely to be significant and therefore EIA is not considered necessary, given environmental consideration can be appropriately given through determination of the proposal and subsequently managed during the construction and operational phases of the development.

f) Risk of major accidents and/or disasters relevant to the development concerned

There is no undue risk of major accidents or disasters relevant to the development concerned, which could impact upon the environment.

g) Risks to human health

As considered above, given the nature of the residential led proposal, it is not considered the uses will be unusually complex and so it is unlikely the proposed development poses any potentially hazardous environmental effects or high risk of accidents. The risk to human health arising from the proposed development are unlikely to result in significant adverse impacts.

## 2. Location of development

### a) Existing and approved land uses

The Site comprises a single building accommodating a car showroom (sui generis) with multi-storey car park above, together with hardstanding. The Site forms part of Colindale Retail Park, and lies within the wider Burnt Oak/Colindale Growth Area and forms part of the 'Sarena House / Grove Park / Edgware Road' Site Allocation. The latter seeks provision of a mixed use development to include residential and workspace, and retention or re-provision of the existing school.

### b) The relative abundance, availability, quality and regenerative capacity of natural resources in the area

The land on which the proposals are to be delivered is brownfield land in an urban area. There are no natural habitats on site or any other natural resources that would be directly affected by the proposals. As such the proposed redevelopment of this brownfield site is not considered to have an adverse impact on local natural resources.

### c) The absorption capacity of the natural environment

Specifically, the Regulations require particular attention is paid to the following areas:

- (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 retained EU law 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.

The site is not considered to lie within a "sensitive area" as defined by the EIA Regulations. There are no statutory nature conservation designations within, or adjacent, to the site. Indeed, the site does not form part of any wetland, coastal zone, mountain or forest area, nature reserve, European sites, nor in an area defined in part vi. The site and its immediate context are also not subject to any statutory or non-statutory, local or other landscape designations such as an Area of Outstanding Beauty (AONB).

The Site is considered to be of low ecological value and does not provide suitable habitat for protected species. A tree survey will be submitted with the application.

The nearest nature conservation designation is Brent Reservoir which comprises a Local Nature Reserve and a Site of Special Scientific Interest (SSSI), and is located 1.35km to the south-east of the Site. The SSSI/LNR consists of approximately 69ha and is designated due to its interest primarily for wintering and breeding wetland birds associated with the open water habitat and in particular for significant numbers of nesting great crested grebe. Masons Field and Fryons Country Park LNRs are both situated 1.4km to the south-east of the Site.

Although the site lies within the SSSI Impact Risk Zone, it is considered that the proposals for the Site will have negligible impacts on Brent Reservoir SSSI and LNR, and Masons Field and Fryons Country Park LNRs for the following reasons:

- No habitats present on the Site which could accommodate wintering and breeding wetland birds from Brent Reservoir, nor environmental pathways (such as waterways) to which the proposed development could adversely affect any of these protected areas; and
- Recreational footfall on the designated sites from an increase in residential use of the area is unlikely to elevate disturbance above current levels. The Site lies within a wider area offering a number of recreational activities.

As such, Brent Reservoir SSSI/LNR and Masons Field and Fryons Country Park LNRs are unlikely to be directly affected by the proposed development at the site.

The site is located wholly within Flood Zone 1 (low risk of fluvial and tidal flooding) and is at low risk of flooding from these sources. Whilst the Site is also identified as being located within a Critical Drainage Area, the main flood risk relates to surface water ponding on Stag Lane and Roe Green. A flood risk assessment and drainage strategy will be submitted with the planning application and sustainable drainage measures will mitigate the risk of flooding and protect vulnerable areas within the Site. Therefore it is unlikely that significant effects will arise as a result of the proposed development.

A number of statutory listed buildings are located within 500m of the site boundary; nos. 3 and 5 Buck Lane (Grade II listed), located approximately 400m to the south-west of the Site; and a Grade II listed milestone between the Greenway and Annesley Avenue, located approximately 340m to the north-west of the Site. These listed buildings are however visually separated by the surrounding built form which limits any direct visibility to the buildings or their settings, and views of the milestone are similarly impeded by street furniture and trees, angle of Edgware Road limiting vantage points, and the significant distance from the Site. It is therefore not considered the proposed development of the site would have significant impacts on these designations.

Beis Yaakov Primary School is located immediately to the north of the Site and comprises a locally listed building. The building is setback from the Site boundary, with ancillary buildings (not locally listed) separating the Site with the main school building. The proposed development will be viewed in views of the locally listed building, however through careful consideration to the design of the proposed development including siting, reduced massing and stepped form down towards the adjoining Site boundary, it is not considered that the proposed development would result in significant adverse impacts to the heritage asset. Furthermore in terms of visual impacts in the wider surrounds, the landscape is predominantly urban in nature and when the proposed development is viewed in the wider context, the height of the building would be commensurate with those of existing development in the Growth Area including immediately opposite the Site. Heritage, townscape and visual impact assessments will be submitted as part of a planning application to ensure that any effects with regard to the setting of heritage assets are not significant.

The Site is located within a densely populated area which is covered by an Air Quality Management Area (AQMA) designation. An air quality assessment will identify residual effects of the proposed development to be considered through determination of the application. However in relation to the operational phase, the proposed development will provide opportunity to reduce air pollution through delivery of sustainable development such as renewable energy. It is considered that with good practice construction measures and strategies that can be secured by condition, the significance of dust and fine particulate matter effects from the construction phase would be considered not significant.

Given the relatively low sensitivity of the receiving environment and the nature of the proposals, it is considered the Site has the capacity to accommodate development without significant environmental effects which would warrant an EIA.

### **3. Types and characteristics of potential impact**

Consideration to potential impacts have been noted in the above commentary, however it is not considered that the magnitude, spatial extent, nature, intensity, complexity, duration, frequency or reversibility of impacts would be significant given the nature of the development and location of the site, as detailed further below. As noted, and listed at the end of this letter, technical assessments will be provided alongside any application submission and assist in identifying any further required mitigation measures to avoid potential impacts where at all possible.

a) The magnitude and spatial extent of the impact (for example geographical area and size of the population likely to be affected)

Due to the limited environmental sensitivity of the Site to the proposed development, owing to the urban nature of the Site and surroundings, the development impact is considered to be confined to the immediate vicinity of the Site.

b) The nature of the impact

The nature of the potential impacts arising from the proposed development are predictable and the magnitude is considered to be low. The impacts will include air quality and noise impacts arising from traffic, and temporary impacts arising from the construction phase. However the impacts are not considered to be significant as set out above.

c) The transboundary nature of the impact

There are not expected to be any transboundary impacts.

d) The intensity and complexity of the impact

There are not expected to be any unusual or complex impacts arising from the proposed development. No environmental standards will be breached, nor any protected sites be affected. As a previously developed site, the intensity of the impacts will not be significant and the impacts will not be unusual for the Site's location in the wider surrounding Growth Area.

e) The probability of the impact

The effects of the proposed development can be easily identified and the probability of any effects determined with reasonable confidence.

f) The expected onset, duration, frequency and reversibility of the impact

Potential impacts arising from the proposed development will commence from implementation of the scheme. Construction effects would be short term in duration. Once the proposed development is operational, the residual impacts will be permanent.

g) The cumulation of the impact with the impact of other existing and/or approved development

The proposed development forms part of the wider Burnt Oak/Colindale Growth Area and as such a number of other developments are approved/expected to come forward in the surrounding area as detailed in the section above. The proposed development will ensure

appropriate measures are in place to prevent significant adverse effects arising as a result of cumulation with other developments.

h) The possibility of effectively reducing the impact

Whilst significant effects are not considered likely, a number of potential mitigation measures have been identified as mentioned throughout this letter and will sought to be included within the final proposals. The careful consideration of the design of the development, specifically the siting and massing of the built form, will ensure that effects are avoided or mitigated as far as possible and hence not significant. Potential impacts can also be mitigated through securing planning conditions or a S106.

With the inclusion of such measures, allied with the nature of the site and proposed development, it is not considered there will be significant impacts which would be required to be assessed within an ES.

## **Summary**

Under Regulation 6 of the Town and Country Planning Environmental Impact Assessment (EIA) Regulations 2017 (as amended), Utilities Warehouse Limited requests a Screening Opinion from London Borough of Brent Council in relation to land at 363 Edgware Road, London, NW9 6AF.

The site extends to 0.35ha of land within the north eastern part of Colindale Retail Park and comprises brownfield land. It is located within the Burnt Oak/Colindale Growth Area and specifically, the 'Sarena House / Grove Park / Edgware Road' Site Allocation which identifies this location as appropriate for mixed use development.

It is recognised that the proposed development subject to this Screening Request can technically be categorised as a Schedule 2 development within the EIA Regulations, specifically falling within Section 10 'Infrastructure Projects', (b) 'Urban Development Projects'. The proposal exceeds one of the thresholds identified in relation to Section 10b and it is therefore appropriate to request a Screening Opinion from the Local Planning Authority.

As the Council will be aware, Schedule 2 developments only require an EIA to be completed if it is considered that they are 'likely to have significant effects on the environment by virtue of factors such as its nature, size or location'.

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. As set out in the letter, it is our view that the proposed development is not likely to have significant effects on the environment by virtue of factors such as its nature, size or location, and consequently does not require an EIA.

We look forward to receiving the Council's response to this Screening request within the designated 3 weeks timeframe on receipt of this request, as stated in the EIA Regulations (Part 2, 6(6)).

I trust this letter and enclosures provides all the information you require, however should you have any queries, please do not hesitate to contact me.

Yours faithfully



Kate Simpson

**Associate**

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Enc.