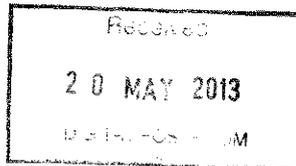


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Brent Council's Planning Service,
Brent House,
349 High Road,
Wembley,
Middlesex,
HA9 6BZ.

16th May 2013



Goals Soccer Centres plc
Orbital House
Peel Park
East Kilbride
G74 5PR

Telephone 01355 234800

Fax 01355 234100

Email HO@goalsfootball.co.uk

Web www.goalsfootball.co.uk

www.goalsplc.co.uk

Dear Sir/Madam

Town & Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011 – Request for Screening Opinion

Kingsbury High School – Goals Soccer Centres – Proposed community sports pitches comprising 8 no. small sided artificial grass pitches, sports pavilion, new car parking, modification to access

I write with regard to the above mentioned site to request a screening Opinion under Regulation 5 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011, to determine whether the production of an Environmental Statement is required.

This request is accompanied by various plans identifying the context and location of the site and the current proposals for a layout. This letter provides a brief description of the nature of the development and an assessment of its possible effects on the environment as required under this Regulation.

Following this request, it is required under sub-paragraph 5 of Regulation 5 that the Council shall adopt a screening opinion within 3 weeks beginning with the date of receipt of a request made and, therefore, we look forward to receiving your response with the specific time frame.

Section 1 – Site and Surroundings

The site is situated on land at Kingsbury High School, off of Stag Lane within the London Borough of Brent. The land is currently used as playing fields, although this particular area is infrequently used due to poor drainage. To the north of the proposed area are residential properties within the Roe Green Conservation Area. These properties have substantial rear gardens and are dominated in the main by mature trees on the southern boundary. On the eastern boundary are various community and new commercial buildings including the RNB Venue which is used for private hire functions. To the southeast and also to south are two further areas of

Directors

Sir Rodney Walker (Chairman)
Keith Rogers (Managing)
William Gow (Financial)

Morris Payton (Operations)
Graham Wilson



residential, including a residential care home and sheltered housing in Stubbs Close. The western boundary is formed by the existing school buildings (Village School or Lower School). The application site is largely flat and rectilinear in shape with mature trees on the northern and to some extent on the eastern and southern boundaries. It is currently used as playing fields but is poorly drained which limits the level of use.

Section 2 - Summary of the Development

Detailed Planning Permission will be sought for development, which comprises three main elements: (1) the pitch areas, (2) a new sports pavilion and (3) alterations to the existing access and provision of a new car park for up to 85 spaces. The pavilion is used by players of the sports pitches and for other ancillary uses including coaching, kids parties and associated private functions. The pitches are constructed of the latest third Generation artificial pitches (3G) together with directional sports lighting, fencing and catch netting.

The proposed development will be used by the school and wider community groups during the day as per the current use of the land and used in the evenings and at weekends by residents of the area on a pay and play basis. The development is therefore essentially the same outdoor use of land, but through the use of directional sports lighting is capable of being used into the evening periods during the winter months.

Section 3 - EIA Regulations

Article 4 of European Directive 85/337/EEC (1985; amended 1997) requires Member States to establish criteria and/or thresholds to determine which Annex II projects (those where an environmental assessment may be required) should be subject to environmental assessment.

The Town and Country Planning (Environmental Impact Assessment) Regulations 2011 set out the provisions and process for EIA within the UK; these Regulations came into force on 24th August 2011 and have superseded the 1999 Regulations. The EIA Regulations separate development into two types – Schedule 1 and Schedule 2. EIA development is identified as those developments in Schedule 1 or 2 likely to have significant effects on the environment by virtue of factors such as its nature, size or location.

Schedule 1 developments are those identified in the Schedule 1 of the Regulations where EIA is always required. Schedule 2 developments are those developments identified in Column 1 of Schedule 2 of the Regulations. EIA is required for those developments 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”.

Column 1 (Description of Development) of Schedule 2 of the EIA Regulations relates to ‘Infrastructure Projects’, with development 10(b) relating to “urban development projects, including the construction of shopping centres and car parks, sports stadiums, leisure centres and multiplex cinemas”. Although none of the site is located in a sensitive area as identified by the Regulations, it is considered that the development should be screened as the site area exceeds the indicative threshold of 0.5ha identified within the EIA Regulations for urban development projects.

EIA is only required for Schedule 2 projects if it is judged likely to give rise to significant environmental effects. The question of whether the project is likely to give rise to significant environmental effects is addressed by the:

- Characteristics of the project
- Location of the development site in relation to sensitive locations
- Characteristic of potential impacts as to whether any significant effect will arise.

Circular 02/99 remains in place and paragraph 38 of Circular 02/99 states that 'for any Schedule 2 development, EIA is more likely to be required if it would be likely to have significant effects on the special character of any of the other types of 'sensitive area'... However it does not follow that every Schedule 2 development in (or affecting) these areas will automatically require EIA. In each case, it will be necessary to judge whether the likely effects on the environment of that particular development will be significant in that particular location'. Paragraph A19 of Annex A of Circular 02/99 states that an EIA is more likely to be required for schemes of 5 or more hectares or provides a total of more than 10,000 m² of new commercial floor space

The proposed development has a site area of approximately 1.4 hectares. The pavilion will have a gross external floor space of approximately 320m² and the pitches will cover an area of approximately 5725m². The new car park (approx area 2400m²) will be a permeable design and cater for the evening use of the facility. In both instances the areas are below the indicative thresholds. As the proposal is for a leisure development, in line with the existing use of the site, it is also considered that the development will not result in significant urbanising effects as described in the Circular.

The Circular also notes in paragraph A18 that "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." The proposed development is to provide sports facilities in an area of existing leisure provision, specifically the land is a school playing fields, and is therefore not considered to be a significantly greater scale of development or of a markedly different nature than the existing use. The development is not for example a major housing scheme, or a regional sports centre. This is consider in more detail below.

Whilst urban development over the threshold can be EIA development it does not necessary follow that they are EIA simply because they attract a lot of attention or appear in the minds of the surrounding land users to have environmental impacts.

It should be noted that Paragraph 34 of Circular 02/99 states that "*The number of cases of such development will be a very small proportion of the total number of Schedule 2 developments. It is emphasised that the basic test of the need for EIA in a particular case is the likelihood of significant effects on the environment. It should not be assumed, for example, that conformity with a development plan rules out the need for EIA. Nor is the amount of opposition or controversy to which a development gives rise relevant to this determination, unless the substance of opponents' arguments reveals that there are likely to be significant effects on the environment.*"

Section 4.0 - Environmental Effects

Introduction

As noted previously the question of whether the project is likely to give rise to significant environmental effects is addressed by the:

- Characteristics of the project
- Location of the development site in relation to sensitive locations
- Characteristic of potential impacts as to whether any significant effect will arise.

Location of development relative to sensitive locations

There are no statutory preserved sites within 2km of the site. Frywent Country Park is located about 1km to the south of the site and is a local nature reserve designated also as Metropolitan Open Space.

This section presents an analysis of the potential effects of the proposals on the receiving environment.

Ecology

Living Ecosystems was commissioned by Goals Soccer Centres to carry out an extended phase one habitat survey and also a Mammal Survey at Kingsbury High School. The Phase 1 survey was conducted over the summer and concluded that:

"No protected or notable plant species were discovered during the course of the survey. The proposed development of new five-a-side football facilities would be confined an area of sports turf within the school grounds. All of the existing trees and hedgerows are to be retained within the development. Roe Green Park will not be impacted by the development. The hedges and gardens of properties which back onto the northern perimeter of the school grounds though possibly within sight of the development will not be directly impacted by it. It is recommended that the hedge on northern perimeter of the school be thickened by sympathetic additional planting using some of the species already present; this would shield the residential properties from the development. No significant adverse impacts on habitats or vegetation are anticipated as a result of the proposed development."

The mammal survey was conducted at the same time as the extended phase 1 as it was an optimum time. This report concluded:

"No evidence of any protected mammal or bird species was found during the survey. No further action is recommended in respect of protected mammals."

A further survey of potential bat activity was undertaken for Living Ecosystems on behalf of Goals Soccer Centres. This survey was undertaken in June and July at the optimum time for such surveys. Two species of common bats were found on the margins of the site, namely Pipistrells Bats (*Pipistrellus pipistrellus*) (dominant) and Noctules (*Nyctalus Noctula*). The existing site already has flood lighting and whilst bats are limited to the edges of the site they do not appear to be adversely affected by existing lighting levels.

The recommendations in the bat study are that the lighting should not significantly increase the lighting levels in the vegetation surveyed. All new lighting should be designed to direct the minimum light to new areas and away from the periphery of the site. New planting is also encouraged.

In conclusion the site already has significant lighting levels at night and this has not affected the presence of two species of common bats. The design of the lighting which is intrinsic to the proposals will not adversely affect the bats and overall there is no significant impacts.

Lighting

Each of the new sports pitches is surrounded by sports fencing and illuminated by direction sports lighting. All the lighting is dark sky lighting designed to keep new lighting below the horizontal plane and reduce sky glow. All lighting will be confined within the site as the lighting drop off is such that lighting returned to the normally ambient lux levels within a few metres of the edges of the pitches. The proposed new fencing and floodlighting will not have more than a localise impact.

Noise

ACCON UK were commissioned by Goals Soccer Centres to produce a noise assessment of the proposed soccer centre with the purpose of characterising the existing background and ambient noise climate at sensitive receptor location with the immediate vicinity of the proposed soccer centre. The assessment utilised a specialist three dimensional noise modelling tool to establish likely noise levels relative to the baseline noise levels of the existing sites. The reported concluded that:

"The proposed development of the Goals Soccer Centre will not result in any significant noise impact at the closest noise receptors. The absolute noise levels, both externally and internally with a partially open window, do not exceed the recommended reasonable levels as prescribed by both WHO and BS 8233."

Highways

The proposed development would not require any significant upgrades to the highway network or access. Some minor modifications to the site access would be necessary, but this would be of localised scale and limited to some widening of access road.

The new parking proposed is based on experience of other similar development around the UK by Goals and other 5-a-s-de operators. A number of these sites appear in the TRICS database and establish the appropriate level of parking on site and what are the expected peak traffic flows. 5-a-side centres, especially where they are located on school sites, predominantly operate commercially in the evenings and at weekends. As such whilst parking provision is high, it is only used outside of the peak hours of the surrounding road network and therefore does not have a significant impact on traffic numbers overall. The Council's parking standards for leisure uses reflect that these uses are often directed towards town centres, e.g. theatres and cinemas, where parking can be restricted as public transport is more comprehensive and accessible.

The proposed parking level reflects similar suburban soccer centres, where access to public transport is lower. The PTAL level of this site is 2 which points to a need for higher provision than otherwise would be determined by the Council's parking

standards reflecting a bespoke approach to this use. This has been previously discussed in principle with John Fletcher in Highways. The parking is designed to accommodate the maximum likely parking demand, but reflects likely patterns of car sharing at other centres including one other centre in the Borough and experience of the effectiveness of travel plans. The emphasis of the approach is to provide to avoid displacement on surrounding streets, but encourage modal shifts.

The experience of other similar sites around the UK is that the peak operation of the soccer centre is between 7-9pm and outside the peak hour of the surrounding traffic network. It is therefore not anticipated that the proposed development will have any significant impact on the highway network. The development is only of local significance.

Conservation

The proposed development borders Roe Green Conservation Area. We have therefore considered if the proposed development will have any significant impact on the setting of the conservation area. The development will be set away from the edge of the conservation area and will not be visible from the public realm within the context of the conservation area. There will not be any significant impacts of lighting onto the conservation area and given the distances involved there is no identified harm to the conservation area. Goals has considered further screening and planting and this will form part of any planning submission. It is not considered that the proposal will have any significant impact on the Conservation Area or that any impacts are other than of local significance.

Size of Development and context

There are no other significant developments known to be proposed in the area which might lead to a cumulative impact in the evenings when soccer centre will be at its peak. There will be no valuable or scarce resources consumed in the construction of the development. There is no significant demolition proposed. There will be waste produced from construction, but much if not all of this will be re-used on site for the formation of landscaped earth bunds. Any contaminated soil, of which none is anticipated, can be managed by conditions. There will not be any environmental nuisance in respect to significant release of pollutants or contaminants. Noise and some vibration may be generated by construction, but this can be managed again by conditions.

Summary

The development represents a change from outdoor sport in terms of grass pitches to new artificial pitches. This will allow the school to use the pitches on a regular basis rather than dictated by whether conditions and the condition of the pitches. The use of the pitches in the evening will introduce the same use into a later period of the day, particular in the winter months. The school field can be used for sport on an unrestricted basis at the moment, subject to adequate lighting. The development could potentially impact on surrounding residential properties in terms of visual impact of the fencing, the effects of seeing the lighting from a distance and noise from the use of the pitches in the evening. These impacts are not, however, exceptional nature and are not therefore likely to be so significant as to require EIA. The specific impacts of the development in each of these respects can be addressed through the detailed design of the scheme as outlined below.

There are no environmentally sensitive geographical areas nearby, such as wetlands or nature reserves, which could be affected by the development. There are no significant effects as the scale of development and associated works have only a localised impact that can be addressed through the detailed design of the proposals.

The impact of the scheme on the receiving environment and the inter-relationships of issues have been comprehensively considered and highways, ecology, noise, lighting and landscape are clearly the potentially most sensitive issues. It is concluded, however, that the proposed development is unlikely to have any significant environmental effects and as such an EIA is not required for this proposal but can be considered in a local context.

Planning Application

As part of any planning submission the following environmental studies will be included to fully address the issues identified. These are:

- Planning Statement
- Design and Access Statement
- Flood Risk Assessment (as site area is over 1ha)
- Transport Statement
- Extended Phase 1 Ecology review
- Terrestrial Mammal Survey
- Bat survey
- Lighting Report
- Noise Assessment

Given the size of the site we considered it appropriate to submit a formal request to the Council to establish whether an Environmental Statement would be required, but trust that the Council agrees with our approach that the application can be determined appropriately with reference to the above studies.

Please contact the undersigned if you would like any further information.

Yours faithfully,



Mark Jackson BA Hons Dip TP MA.UD. MRTPI

Planning & Development Manager

Goals Soccer Centres plc

Orbital House, Peel Park, East Kilbride G74 5PA t 01355 234 800 f 01355 234 100
m 07973 257437