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REGENERATION & MAJOR PROJECTS
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George Wilson
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London Borough of Brent W1T 4RF

Date: 8th July 2013

Dear Mr Wilson,

Re: Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 5 (1) 2011: Request for EIA Screening Opinion for South Kilburn Regeneration Phase 2B: Sites 4b and 5 - Gloucester House and Durham Court

Thank you for your letter dated 26th June 2013 in which you requested that the planning authority adopt a screening opinion of The Town and Country Planning (Environmental Impact Assessment)(England and Wales) Regulations 2011 in respect of a forthcoming planning application for South Kilburn Regeneration Phase 2B: Sites 4b and 5 - Gloucester House and Durham Court.

The description of the proposed development site is a 1.3 hectares site and is for the demolition of 209 dwellings and the construction of approximately 228 new homes and an energy centre of around 350sqm as well as a replacement Play Space, associated landscaping, general public space and car parking.

The site is situated within the South Kilburn Regeneration Area with Rudolph Road and Kilburn Park Road to the east where St Augustine's Grade I Listed Church is located and Carlton Dene a residential Care Home. Carlton Vale is to the south with the new junction arrangement and the recently built redevelopment site Phase 3C. Cambridge Road is a residential road to the west. Cambridge Gardens playground is located to the north along with St Augustine's Sports Hall. The South Kilburn Conservation Area is to the north of the site. There are some substantial trees around the site but most notably on Cambridge Road towards the north in the Conservation Area.

Having considered the proposals as detailed in your letter, Brent Council is of the opinion that the application does not fall within Schedule 1 Development of the Environmental Impact Assessment Regulations 2011 but within Schedule 2 Development, Part 10, Infrastructure Projects (b) – Urban development projects. The application site is 1.3 hectares and therefore falls within the criteria set out for Part 10 (b) as the area of the development exceeds the threshold of 0.5 hectares. However, Brent Council has also given consideration to the characteristics of the development, its location and potential impact as set out in Schedule 3 of the Environmental Impact Assessment Regulations 2011 and the criteria set out in Annex A of Circular 02/99 Environmental Impact Assessments. Having regard to these criteria, the Local Planning Authority does not consider that the proposal requires an Environmental Impact Assessment (EIA).

Open Space, Ecology and Nature Conservation

Paragraph 36 of Circular 02/99 lists land designations where an EIA would, by definition, be required because of the sensitive character of these sites. In these cases, the size thresholds in Schedule 2 Development do not apply.



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These designations are:

- a) Sites of Special Scientific Interest, any consultation areas around them (where these have been notified to the local planning authority under article 10 (u)(ii) of the GPDO), land to which Nature Conservation Orders apply and international conservation sites; and
- b) National Parks, the Broads, Areas of Outstanding Natural Beauty, World Heritage Sites and scheduled monuments.

There are no areas which have an ecological designation (as listed above) on or around the site. While there is an existing play space on the site the development will be expected to reprovide that at an equal or improved scale and quality. I am of the view that the proposed development would not cause any significant adverse impacts.

Traffic related impacts-Movement and Safety

The Council does not consider that the development will result in significant impacts on highway capacity to warrant an EIA with only a minor increase in the number of units on the site. Some minor modifications to the site access would be necessary, but this would be of localised scale.

Contamination

It is considered that there is a very low risk of contamination associated with the forthcoming proposal for the redevelopment of this site and thus it is not considered to be large enough, complex or unusual enough to require an EIA.

Archaeology and Architectural Context

The proposed development borders South Kilburn Conservation Area. It is not considered that the proposal will have any significant impact on the Conservation Area compared to the existing buildings on the site which would be of a similar quantum of development but an improved scale and massing across the site. Views into and out of the conservation area are expected to be improved. The relationship of the development with the Grade I Listed St Augustine's Church will require agreement from English Heritage. However, it is considered that the development would improve the setting of the building. The stack of the energy centre could be a prominent feature. However, this issue is not considered to be large enough, complex or unusual enough to require an EIA.

The site appears to have very little potential to contain features of archaeological interest. The site is not located within an Archaeological Priority Area and it has no scheduled ancient monuments.

Air Quality and Noise

The site falls within Brent's Air Quality Management Area therefore the impact of traffic generation and emissions from the energy centre and resultant potential impacts on air quality should be taken into consideration in any development of the site. The residential development is not predicted to have a significant effect upon air quality or traffic generation in the area.

The Decentralised Energy system is proposed to be fuelled by natural gas and nitrogen dioxide will be the main emission. An Energy Centre of the scale proposed, supplying power and heat to units both on and off site, has the potential to produce unacceptable levels of nitrogen dioxide within the AQMA. However, this can be acceptably mitigated. The location of the Energy Centre has been modelled establishing the necessary height of the stack to avoid an unacceptable relationship with surrounding buildings. The necessary Air Quality standards will need to be achieved with an impact of 'negligible' in terms of air quality, the screening request confirms that the energy centre will meet all air quality standards.

As the potential impacts of the proposal can be acceptably mitigated the proposal is not considered large enough, complex or unusual enough to require an EIA.

Other impacts

The council has assessed other possible impacts and effects of the development, and considers that there are none that are significant enough to warrant an EIA.

I have enclosed a copy of a screening checklist document which has helped formulate this decision for reference.



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Date of Decision: 8th July 2013

On behalf of the Council of the London Borough of Brent



Ken Hullock
Head of Planning & Transport Strategy



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SCREENING CHECKLIST

(taken from Guidance on EIA: Screening, European Commission, June 2001)

Brief Project Description:

The description of the proposed development site is a 1.3 hectares site and is for the demolition of 209 dwellings and the construction of approximately 228 new homes and an energy centre of around 350sqm as well as a replacement Play Space, associated landscaping, general public space and car parking.

Questions to be Considered For further guidance on factors to be considered see the more detailed questions listed in the Scoping Guidance	Yes / No / ? Briefly describe	Is this likely to result in a significant effect? Yes/No/? – Why?
1. Will construction, operation or decommissioning of the Project involve actions which will cause physical changes in the locality (topography, land use, changes in waterbodies, etc)?	The proposal involves the redevelopment of a previously developed site with 228 units (an increase of 19 on existing), a new Play Space, landscaping, car parking. A new Energy Centre will result in a new land use.	The residential redevelopment will not have a significant effect. The effect of the Energy Centre is considered below.
2. Will construction or operation of the Project use natural resources such as land, water, materials or energy, especially any resources which are non-renewable or in short supply?	The construction of the development will use a number of natural resources, including land, water, material and energy. The proposed development will be required to achieve a minimum Code for Sustainable Homes Level (CSH) 4. The 350sqm Energy Centre is expected to be gas powered and will provide heat to residential and non residential developments on and off site.	The residential development is not significantly different to the existing. No- The Energy Centre would produce electricity and heat as a by product replacing mains electricity (largely reliant on natural resources) and domestic boilers. The usage would be similar to, or less than, existing in overall terms.
3. Will the Project involve use, storage, transport, handling or production of substances or materials which could be harmful to human health or the environment or raise concerns about actual or perceived risks to human health?	No, the proposed development will not involve the use, storage, transport or production of substances or materials which could be harmful to people or the environment.	No – as the proposed use for the redevelopment of the site will not have a significant effect on human health or the environment.
4. Will the Project produce solids during construction or operation or decommissioning?	Yes – construction waste.	No – as the sustainability checklist which would be submitted as part of the planning application would set out how materials and waste would be dealt with.
5. Will the Project release pollutants or any hazardous, toxic or noxious substances to air?	There are no elements of the proposed residential development that will result in the generation or release of noxious, hazardous or toxic substances to air.	The effects associated with the residential development of the site would be no greater than those for an urban development. Dust from the construction Phase



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	<p>There is a potential impact on air quality associated with the boiler flue from the Energy Centre.</p>	<p>will be managed in accordance with appropriate standards.</p> <p>No- The DE system is proposed to be fuelled by natural gas, Nitrogen Dioxide will be the main emission. NO2 is mainly found in road traffic, gas stoves and gas fires. A Flue will be needed, taller than the tallest building on the site. It will need to meet all air quality standards. An Air Quality Assessment examining the Air Quality impact of the proposed energy centre has been carried out by Brent's Environmental Monitoring Team.</p>
<p>6. Will the Project cause noise and vibration or release of light, heat energy or electromagnetic radiation?</p>	<p>Some noise is expected during construction. However, this will be controlled by a construction management plan. Residential developments themselves do not generate significant noise. A minor degree of light pollution would be expected from the residential development.</p> <p>The 350sqm Energy Centre would result in some noise/vibration.</p>	<p>No – the management plan will identify the measures to be put in place to minimise noise and vibration and construction will take place during normal working hours (8am to 6pm weekdays and 8am to 1pm on Saturdays). Any variation from this will be agreed with the London Borough of Brent's (LBB) Environmental Health Department.</p> <p>The effects of the residential development will be very similar to existing.</p> <p>The noise/vibration produced by the Energy Centre will be controlled through the specification of the purpose built structure to house it.</p>
<p>7. Will the Project lead to risks of contamination of land or water from releases of pollutants onto the ground or into surface waters, groundwater, coastal waters or the sea?</p>	<p>No- There is a very low risk of contamination of land or water, as with any construction programme.</p>	<p>No – the CEMP will identify the measures to be put in place to minimise this risk and a Flood Risk assessment and drainage strategy will be submitted in support of the application.</p> <p>Therefore the level of</p>



		contamination would not be significant enough to warrant an EIA.
8. Will there be any risk of accidents during construction or operation of the Project which could affect human health or the environment?	No – the construction and operation of the site does not involve the use of high risk substances or the use of high risk technologies.	No – the construction of the proposed development will be carried out under the Construction Design and Management (CDM) Regulations, 2007 in order to ensure the highest health and safety procedures implemented during the construction phase. It is considered that there would be no significant risk of accidents as a result of the end use of the development.
9. Will the Project result in social changes, for example, in demography, traditional lifestyles, employment?	Yes – new residential development to provide homes for residents in the South Kilburn Regeneration Area	No- the proposal is expected to provide significantly improved homes but the scale of development on the site is not proposed to be large in comparison to the existing population of the area and therefore is not significant.
10. Are there any other factors which should be considered such as consequential development which could lead to environmental effects or the potential for cumulative impacts with other existing or planned activities in the locality?	Yes- the site is within the South Kilburn Regeneration Area and there is therefore likely to be significant housing redevelopment in the area.	No- whilst proposals for additional sites are likely to be brought forward these will be primarily replacement housing To date any net increase in the number of units is not significant enough to require an EIA.
11. Are there any areas on or around the location which are protected under international or national or local legislation for their ecological, landscape, cultural or other value, which could be affected by the project?	Yes- The Grade I Listed St Augustine's Church is to the east of the site and to the north is the South Kilburn Conservation Area.	No- the proposed residential development will be of a similar scale in terms of unit numbers and smaller scale in terms of heights to the existing and the visual impact of the flue will be minimised by integrating it within the form of the development where possible. English Heritage will be consulted on the planning application.
12. Are there any other areas on or around the location which are important or sensitive for reasons of their ecology e.g. wetlands, watercourses or other waterbodies, the coastal zone, mountains, forests or woodlands, which could be	No	N/A



affected by the project?		
13. Are there any areas on or around the location which are used by protected, important or sensitive species of fauna or flora e.g. for breeding, nesting, foraging, resting, overwintering, migration, which could be affected by the project?	No	A Habitat Survey will further investigate and be submitted with the application.
14. Are there any inland, coastal, marine or underground waters on or around the location which could be affected by the project?	No	N/A
15. Are there any areas or features of high landscape or scenic value on or around the location which could be affected by the project?	No	N/A
16. Are there any routes or facilities on or around the location which are used by the public for access to recreation or other facilities, which could be affected by the project?	Yes- There is a 985sqm Play Space on the site and pedestrian route across it.	No- The Play Space will be replaced and improved and pedestrian access across the site will still be provided.
17. Are there any transport routes on or around the location which are susceptible to congestion or which cause environmental problems, which could be affected by the project?	Yes- the site is on the corner of the recently altered junction on Carlton Vale (replacing the roundabout).	No- The proposed increase in the scale of development is not significant, but a Transport Assessment to assess the traffic impact of the proposed development will be submitted.
18. Is the project in a location where it is likely to be highly visible to many people?	Yes	No- A D&A statement will explain the design, size and scale. The development will not exceed 7 storeys, the existing includes 5x4storey buildings and an 18 storey tower.
19. Are there any areas or features of historic or cultural importance on or around the location which could be affected by the project?	Yes- The Grade I Listed St Augustine's Church is to the east of the site and to the north is the South Kilburn Conservation Area.	No- The proposal will seek to improve the relationship with the development site and the adjacent features. A Heritage statement will be submitted and English Heritage will be consulted.
20. Is the project located in a previously undeveloped area where there will be loss of greenfield land?	No	N/A
21. Are there existing land uses on or around the location e.g. homes, gardens, other private property, industry, commerce, recreation, public open space, community facilities, agriculture, forestry, tourism, mining or quarrying which could be affected by the project?	Yes- There is a 985sqm play space on the site. Dwellings affected would be limited to those surrounding the site which are all separated by at least a roads width	No- The play space will be replaced and the residential proposal is not considered to be unusual in this urban context and involves redevelopment of the existing site.
22. Are there any plans for future land uses on or around the location which could be affected by the project?	Yes- Core Strategy policy CP9 South Kilburn Growth Area supports the redevelopment of the area including new schools and infrastructure	No- The proposal would support this Core Policy and complement existing surrounding uses.
23. Are there any areas on or around the location which are densely populated or	Yes – The surrounding area is densely populated	No – Any effects on the surrounding area during



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built-up, which could be affected by the project?	and built up and will be affected.	construction will be considered in the construction management plan. This will ensure that best practice measures are adopted to minimise risk of pollution and disturbance. The energy centre and its flue will be designed to meet all air quality requirements.
24. Are there any areas on or around the location which are occupied by sensitive land uses e.g. hospitals, schools, places of worship, community facilities, which could be affected by the project?	Yes- The site includes a play space which will not be available during the construction. The site is also adjacent to a Church and St Augustine's school is on the opposite side of Rudolph Road from the proposed development	No- The Play Space will be re-provided. There will be no significant impact to the functioning of the church or the school.
25. Are there any areas on or around the location which contain important, high quality or scarce resources e.g. groundwater, surface waters, forestry, agriculture, fisheries, tourism, minerals, which could be affected by the project?	No	N/A
26. Are there any areas on or around the location which are already subject to pollution or environmental damage e.g. where existing legal environmental standards are exceeded, which could be affected by the project?	Yes – The London Borough of Brent has declared an Air Quality Management Area (AQMA) for all areas of the borough south of the North Circular Road, which includes the subject site in South Kilburn. The AQMA has been declared for nitrogen dioxide and particulate matter. The gas powered CHP would emit nitrogen dioxide at a higher level than if the individual households had domestic boilers and from a single source.	The emissions from the Energy Centre could detrimentally harm the AQMA, however, this can be acceptably mitigated. The location of the Energy Centre has been modelled establishing the necessary height of the stack to avoid an unacceptable relationship with surrounding buildings. The necessary Air Quality standards will need to be achieved with an impact of 'negligible'.
27. Is the project location susceptible to earthquakes, subsidence, landslides, erosion, flooding or extreme or adverse climatic conditions e.g. temperature inversions, fogs, severe winds, which could cause the project to present environmental problems?	No	The Planning Application will be accompanied by a Flood Risk Assessment which will set out any required mitigation measures.



Summary of features of project and of its location indicating the need for EIA

The **Screening Checklist** provides a list of questions to help identify where there is the potential for interactions between a project and its environment.

These questions have been considered for each “Yes” answer in the **Screening Checklist** and the conclusion and the reasons for it noted in the checklist. The questions are designed so that a “Yes” answer will generally point towards the need for EIA and a “No” answer to EIA not being required.

Questions to be Considered

1. Will there be a large change in environmental conditions?
2. Will new features be out-of-scale with the existing environment?
3. Will the effect be unusual in the area or particularly complex?
4. Will the effect extend over a large area?
5. Will there be any potential for transfrontier impact?
6. Will many people be affected?
7. Will many receptors of other types (fauna and flora, businesses, facilities) be affected?
8. Will valuable or scarce features or resources be affected?
9. Is there a risk that environmental standards will be breached?
10. Is there a risk that protected sites, areas, features will be affected?
11. Is there a high probability of the effect occurring?
12. Will the effect continue for a long time?
13. Will the effect be permanent rather than temporary?
14. Will the impact be continuous rather than intermittent?
15. If it is intermittent will it be frequent rather than rare?
16. Will the impact be irreversible?
17. Will it be difficult to avoid, or reduce or repair or compensate for the effect?

