

26 June 2013  
Ref: 1713\_LA\_EIA Screening Opinion Request

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## 1713 LA EIA Screening Opinion Request

**South Kilburn Regeneration Phase 2B: Sites 4b & 5 – Gloucester House and Durham Court – Request for EIA Screening Opinion and/ or EIA Scoping Opinion**

**Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 – Request for Screening Opinion and Scoping Opinion**

Dear Mr Hullock,

This letter and the enclosed appendices represent a formal request of part of the South Kilburn Regeneration Programme for a Screening Opinion/ Scoping Opinion in accordance with the EIA regulations 1999 (as amended).

The Screening Opinion/ Scoping Opinion is requested in order to confirm that an Environmental Impact Assessment [EIA] will not be required to accompany a planning application for the development of Gloucester House and Durham Court (the application site) and/ or that if an EIA is required what information should be supplied within the Environmental Statement (ES). The development of Gloucester House and Durham Court will provide approximately 228 new homes and an energy centre of around 350m<sup>2</sup>, which will provide heating and electricity to this and neighbouring redevelopment sites.

The following appendices are provided as part of this Screening Opinion/ Scoping Opinion:

- a. Location plan (Appendix 1);
- b. A brief description of the nature and purpose of the proposal and of its possible effects on the environment (identified within Appendix 2);
- c. Extracts from Indicative Requirements for South Kilburn Neighbourhood Energy BS Centre Heating System (Appendix 3)

### Application Site and Surrounding Area

The site occupies a 1.3ha plot in South Kilburn within the London Borough of Brent. The site is close to the Brent borough boundary with Westminster and the Maida Vale and South Kilburn Conservation areas, the latter of which extends into the northernmost part of the site (please see *Gloucester House and Durham Court Development Sites and Adjoining Conservation Areas*).

To the north of the site lies the newly built St Augustine's Sports Centre, to the south a newly built residential development providing 133 new homes as part of the South Kilburn Regeneration Programme. To the west of the site is Hereford House and Exeter Court, 1960s/70s developments similar to the existing buildings on the application site, which are due for redevelopment in Phase 3A of the South Kilburn Regeneration Programme. Further north of these developments is a series of streets with Victorian and Edwardian terraced housing. To the

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east, and within the Westminster borough boundary, lie St Augustine's Church, a Grade I listed building of Victorian Gothic Revival Architecture, and Carlton Dene, an elderly day care centre that is proposed for redevelopment by Westminster City Council.

Although the site is within an urban area it benefits from being located close to public open space with Paddington Recreation Ground entrance being only 150m from the site and Cambridge Gardens, Randolph Gardens and Kilburn Park all within walking distance.

A review of the London Borough of Brent's adopted proposals map (2004) to the Unitary Development Plan and changes derived from the adopted Core Strategy indicates that:

- The site is situated within a designated 'Major Estate Regeneration Area' (UDP H7)
- The site is located within the South Kilburn Growth Area (CP 9)
- The South Kilburn Conservation Area extends across the northernmost part of the site (please see *Gloucester House and Durham Court Development Sites and Adjoining Conservation Areas*)

### **Proposed Development**

The proposed development comprises of the demolition of existing buildings, currently providing 209 dwellings, and construction of approximately 228 new homes and an energy centre of around 350m<sup>2</sup> to serve the site and neighbouring sites, together with replacement Play Space, associated landscaping, general public space and car parking.

### **EIA Regulations**

The proposed development does not fall within Schedule 1 of the EIA regulations. The site area is 1.3ha and thereby qualifies for inclusion as a potential Schedule 2 development, described as an 'urban development project' under the above regulations. For all Schedule 2 developments the local authority must make its own formal determination of whether or not an EIA is necessary by virtue of its size, nature or location. In making this determination the local authority must take into account the relevant 'selection criteria' in Schedule 3 of the Regulations.

An EIA is only required if the site is located within a sensitive area or the proposals would be likely to generate significant environmental effects. The application site is not classified as a sensitive area as defined in Regulation 2(1). For information purposes only, we have also attached a summary of whether the development is likely to have significant effect(s) on the environment as assessed against the selection criteria as set out in Schedule 3 of the regulations. This summary demonstrates that, given the lack of environmental constraints on the site, the proposals would be unlikely to generate significant environmental effects.

Please note, as outlined in Appendix 2, the following non-exhaustive list of appendices will form part of the future Planning Application for the Proposed Development: Sustainability Statement, Drainage Strategy, Flood Risk Assessment, Habitat Survey and Heritage Statement.

We would be grateful for an acknowledgement of this submission, together with confirmation that the Proposed Development does not require an EIA, and that if one is required, clarification on the scope of the EIA.

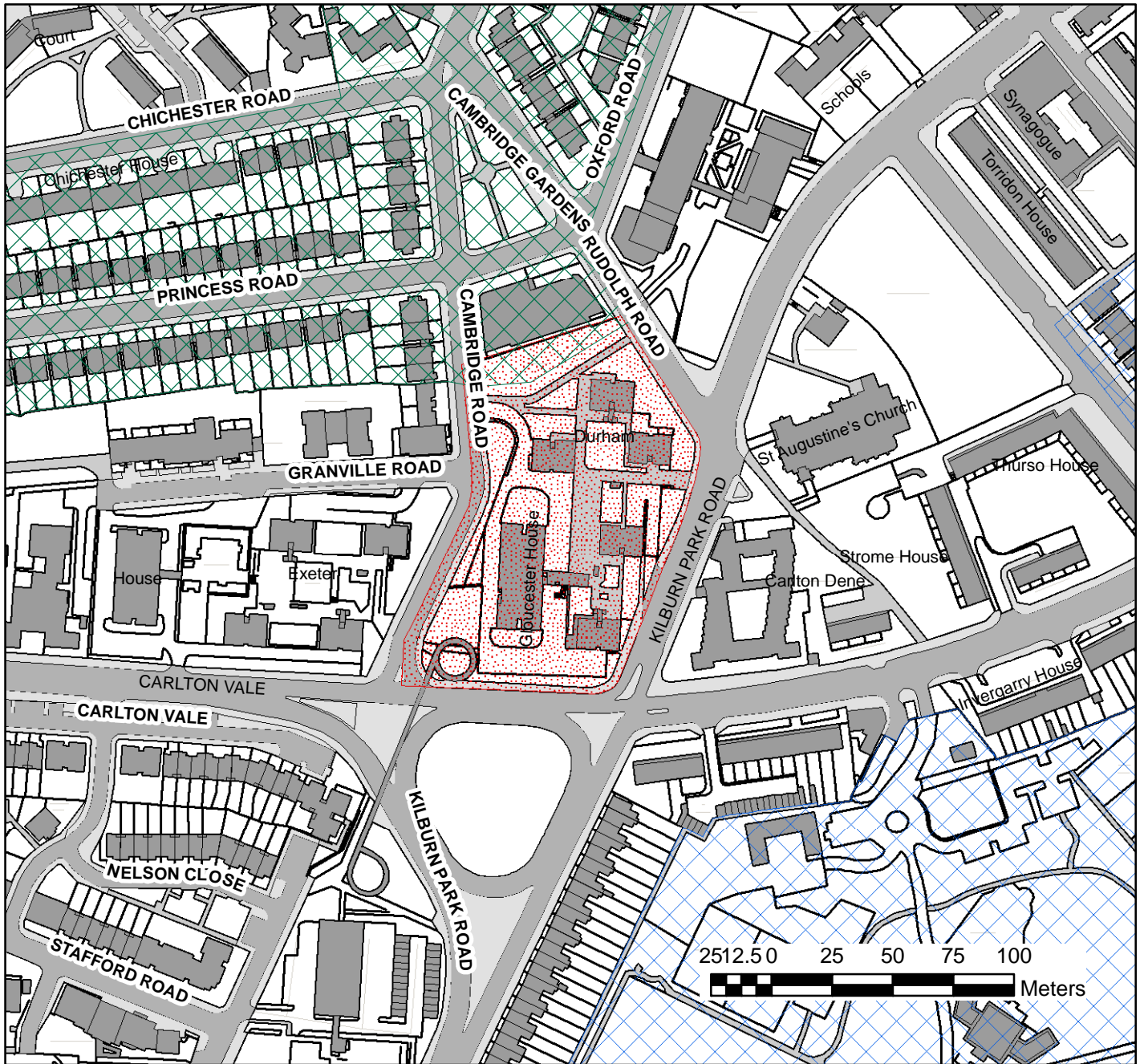
Yours sincerely

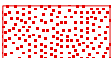




George Wilson

For and on behalf of Feilden Clegg Bradley Studios LLP

# Appendix 1 - Gloucester House and Durham Court Development Sites and Adjoining Conservation Areas



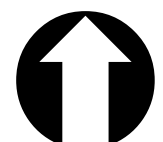
-  Gloucester and Durham Site
-  South Kilburn Conservation Area
-  Maida Vale Conservation Area



**1:2,500**

Plan to stated scale if printed at A4.

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## 1713 LA EIA Screening Opinion Appendix 2

### Appendix 2

Summary of selection criteria for screening Schedule 2 development (as detailed in Schedule 3 the EIA Regulations 1999)

### Proposed Development

The proposed development comprises of the demolition of existing buildings, currently providing 209 dwellings, and construction of approximately 228 new homes and an energy centre of around 350m<sup>2</sup> to serve the site and neighbouring sites, together with replacement Play Space, associated landscaping, general public space and car parking.

The following selection criteria for screening Schedule 2 development (detailed in Schedule 3 of the Town and County Planning (Environmental Impact Assessment) Regulations 1999. Have been followed in formulating the information as to why and EIA is not necessary for the Proposed development.

Description of the development	
Is it a Schedule 1 Case?	No
Is it a Schedule 2 Case?	The Application Site area is 1.3ha and is in excess of the 0.5ha threshold set out in Schedule 2 part 10(b) for Urban Development Projects.
<b>1. Characteristics of the Development</b>	
<b>a. Size of the development</b>	
Will the development be out of scale within the existing environment?	No. The application site is surrounded by established residential developments of a similar scale and will replace a similar quantum of dwellings. The scale of development is within the South Kilburn Masterplan and is designed to be no higher than 7 storeys- there is currently an 18 storey tower and five 4 storey buildings on the site.
<b>b. Cumulation with other development</b>	
Are there potential cumulative impacts with other existing development or development not yet begun?	The application proposal forms part of the wider South Kilburn Estate Masterplan for which planning permission has been granted on other sites in proximity to the application site.
Should the application for this development be regarded as an integral part of a more substantial project? Can related developments proceed independently?	Yes, the application forms part of the South Kilburn Regeneration Programme. Other planning permissions granted in respect of the masterplan can proceed independently.

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c. Use of natural resources	
<p>Will construction or operation of the development use natural resources such as land, water, material or energy, especially those in short supply or non-renewable?</p>	<p>The construction phase of the development will use natural resources such as water and energy. However, these are not considered to be significant and will be temporary. Significant effects are not anticipated. Best practice site management will be ensured through compliance with the Considerate Contractors Scheme.</p> <p>The operational phase of the development is not expected to result in a significant increase in resource use generally. However, the 350m<sup>2</sup> Energy Centre will be providing dwellings and some non-residential properties on and off site with affordable heat. The proposal aims to achieve Code for Sustainable Homes Level 4. Further detail will be contained in the Sustainability Statement accompanying the future planning application.</p> <p>Additionally, the Energy Centre will deliver low carbon heat generated by combined heat and power to the development and other developments in the area. Connecting to the Energy Centre will significantly contribute to the development target of 25% improvement in CO<sub>2</sub> emissions over Part L of the Building Regulations.</p>
d. Production of waste/ pollution and nuisances	
<p>Will the development release any pollutants, hazardous, toxic or noxious substances into the air?</p>	<p>Dust from the construction phase will be managed in accordance with appropriate standards. Contractors to work within the Considerate Contractors Scheme</p> <p>The potential exists for air quality effects associated with boiler flue from the Energy Centre. However, these effects are not considered to be significant based on its resulting location above surrounding buildings. As the decentralised energy system is currently proposed to be fuelled on natural gas, Nitrogen Dioxide (NO<sub>2</sub>) will be the main emission. NO<sub>2</sub> is mainly found in road traffic, gas stoves and gas fires. There will be a flue taller than the tallest building at Gloucester and Durham site. It will have to meet all air quality standards. An Air Quality Assessment examining the Air Quality impact of the proposed energy has been carried out by Brent Environmental Monitoring Team. Initial dispersion modelling has been carried out to ensure air quality standards are met. Recommendations of this report have been</p>

	used to determine the optimum location of the Energy Centre with regards to air quality.
Is there a potential risk for leachates or escape of wastes or other products that may contaminate the environment?	Standards and appropriate measures will be used to ensure that there are no accidental spillages from contaminants during the construction phase of the proposed development.
Will the development cause noise and vibration or release of light, heat, energy or electromagnetic radiation?	The potential exists for limited noise effects from traffic and light from the proposed development. However, given the existing capacity of the site, these are not expected to be significant. Where appropriate, acoustically insulated housing and anti-vibration mounts will be specified to minimise any associated impacts of the Energy Centre. Waste heat from power generation will be used for the production of hot water.
Will the development lead to risks of contamination of land or water from releases of pollutants onto the ground or surface waters, ground water, coastal waters or the sea?	Surface water runoff and foul water drainage will be managed through an appropriate drainage strategy and Flood Risk Assessment, to be included as part of the Proposed Development Planning Application.
<b>e. The risk of accidents, having regard in particular to substances or technologies used</b>	
Will there be risks of accidents during construction or operation that would have an effect on people or the environment?	During the construction phase contractors would have to implement appropriate health and safety measures to mitigate risk.  During operation, the energy Service Company (ESCo) for the Energy Centre will have to implement appropriate health and safety measures to mitigate risk.
Will the development use, store, transport, handle or produce substances or materials which could be harmful to people or the environment (flora, fauna, water supplies)?	No. During construction temporary material storage should only contain normal building and construction materials.  During operation the site is unlikely to result in the storing or handling of potentially hazardous materials or substances.
<b>2. Location of the Development</b>	
<b>a. Existing land use</b>	
Are there existing land uses on or around the location that could be affected by the development, e.g. residential, industry, commerce, public space, etc?,	Residential developments predominately surround the site, with a Sports Centre to the north and Elderly Care home to the east. The potential exists for dust during construction to affect nearby residents, but these can be mitigated by following appropriate standards and practices. Contractors to work within the Considerate Contractors Scheme

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Is the development located in a previously undeveloped area where there will be loss of Greenfield land?	The site comprises previously developed land and therefore does not involve the loss of Greenfield land.
<b>b. Relative abundance, quality and regenerative capacity of natural resources in the area</b>	
Are there any areas on or around the location that contain important, high quality or scarce resources that could be affected by the development?	No.
<b>c. Absorption capacity of the natural environment</b>	
Are there areas on or around the location that are protected under international or national or local legislation for their ecological, landscape, cultural or other value that could be affected by the development?	Adjacent to the site lies a Grade 1 Listed Church, St Augustine's, and to the north of the site is the South Kilburn Conservation Area. However, it is not anticipated that there will be a significant effect on these areas; rather the scheme hopes to improve the setting for the Church.  Any visual impact of the Energy Centre flue will be minimised by integrating it within the architectural form of the development where possible.
Are there any other areas on or around the location that are important or sensitive for reasons of their ecology?	Unlikely, a Habitat Survey to further investigate will be submitted in support of the planning application.
Are there any areas on or around the location which are used by protected, important or sensitive species of fauna or flora?	Unlikely, a Habitat Survey to further investigate will be submitted in support of the planning application.
Are there any inland, coastal, marine or underground waters on or around the location that could be affected?	No
Are there any groundwater source protection zones or areas that contribute to the recharge of groundwater resources?	A Flood Risk assessment and drainage strategy will be submitted in support of the planning application.
Are there any areas or features of high landscape or scenic value on or around the location that might be affected.	No.
Are there any routes or facilities on or around the location that are used by the public for access to recreation or other facilities that could be affected?	There is currently a 985m <sup>2</sup> Play Space on the site and a pedestrian route across it. The development proposal will as a minimum retain/ replace the Play Space area, while aspiring to increase the area and improve it.  Pedestrian access across the site will still be possible.

Are there any transport routes on or around the location that are susceptible to congestion or that might cause environmental problems?	The planning application will include a Transport Assessment to assess the traffic impact of the proposed development. The development is not expected to have a significant effect on the traffic levels.
Is the development in a location where it is likely to be visible by many people?	Yes. The Planning Application will include a Design and Access Statement providing full details on how the design, size and scale of the building fit within the character of the area. Note that the design is to be no higher than 7 storeys- there is currently an 18 storey tower and five 4 storey buildings on the site.
Are there any features of historic or cultural importance on or around the location that could be affected?	Adjacent to the site lies a Grade 1 Listed Church, St Augustine's, and to the north of the site is the South Kilburn Conservation Area. However, it is not anticipated that there will be a significant effect on these areas; rather the scheme hopes to improve the setting for the Church.  Noted that the site is not within an Archaeological Priority Zone. However, the site is adjacent to a Grade I Listed building and part of the site is within the South Kilburn Conservation Area. Therefore, a Heritage Statement will be submitted in support of the planning application.
Are there any areas on or around the location that are densely built up that could be affected?	Residential uses and a Sports Centre are situated in the immediate proximity of the site. It is expected that the layout of the development will be designed to minimise the effect of the proposed development on adjacent residents.
Are there any areas on or around the location that are already subject to pollution or environmental damage that could be affected?	Unlikely.
Is the location of the development susceptible to earthquakes, subsidence, landslides, flooding or extreme/ adverse weather conditions?	Unlikely. The Planning Application will be accompanied by a Flood Risk Assessment which will set out any required mitigation measures.
<b>3. Characteristics of Potential Impact</b>	
<b>a. Existing land use</b>	
Will the effect extend over a large area?	No
Will many people be affected?	No people experiencing significant impacts have been identified.



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b. The transfrontier nature of impact	
Will there be any potential for transfrontier impact?	No
c. Magnitude and complexity of the impact	
Will there be a large change in environmental conditions?	Unlikely. In terms of the energy centre, the delivery of low carbon heat and power offsets the counterfactual case (likely gas boilers and grid electricity). As such, the energy strategy will have a negligible impact on a wider scale, and will contribute to the carbon savings of the development.
Will the effect be unusual in the area or particularly complex?	Unlikely, as above.
Will many receptors other than people (fauna, flora, businesses etc.) be affected?	Unlikely, as above.
Will valuable or scarce features or resources be affected?	Unlikely, as above.
Is there a risk that environmental standards will be breached?	Unlikely, as above.
Is there a risk that protected sites, areas or features will be affected?	Unlikely, as above.
d. Probability of the impact	
Is there a high probability of the effect occurring?	No significant effects are expected. In terms of the energy centre, the delivery of low carbon heat and power offsets the counterfactual case (likely gas boilers and grid electricity). As such, the energy strategy will have a negligible impact on a wider scale, and will contribute to the carbon savings of the development.
Is there a low probability of a potentially high significant effect?	No significant effects are expected. In terms of the energy centre, the delivery of low carbon heat and power offsets the counterfactual case (likely gas boilers and grid electricity). As such, the energy strategy will have a negligible impact on a wider scale, and will contribute to the carbon savings of the development.
e. Duration, frequency and reversibility of the impact	
Will the effect continue for a long time?	Construction effects will be temporary in duration and operational effects will be permanent in duration. Contractors to work within the Considerate Contractors Scheme
Will the effect be permanent rather than temporary?	Construction effects will be temporary in duration and operational effects will be permanent in duration. Contractors to work within the Considerate Contractors Scheme

Will the impact be continuous rather than intermittent?	Not applicable.
If intermittent, will it be frequent rather than rare?	Not applicable.
Will the impact be irreversible?	Construction effects will be temporary in duration and operational effects will be permanent in duration. Contractors to work within the Considerate Contractors Scheme
Will it be difficult to avoid, reduce, repair or compensate for the effect?	Along with efficient building fabric and systems design, the operation of the Energy Centre will reduce the carbon intensity of the development towards a target 25% reduction in CO2 emissions over the Part L of the Building Regulations.

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## 1713 LA EIA Screening Opinion Appendix 3

### Extracts from Indicative Requirements for South Kilburn Neighbourhood Energy Centre Heating System

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## 1 Introduction

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This document is intended to outline the likely requirements for the energy centre space within Gloucester & Durham. It is not intended to be the final specification for that space, that will need to be developed with the ESCo once the preferred bidder has been identified for the neighbourhood heating system in Autumn 2013. This specification is therefore only a guide for the outline planning stage.

### **3.1.3 Communications and IT connections**

The designer shall design for the communications and IT ductwork and building penetrations exiting the energy centre and connecting to the dwellings across the site to accommodate the ESCo communications infrastructure. Design of communications infrastructure, including metering and all related equipment to be supplied will be the responsibility of the ESCo.

### **3.1.4 Water supply connections**

The designer shall design all necessary water supply to the energy centre suitable for the ESCo requirements. This should be a separate water supply to any other supply, with associated metering requirements.

### **3.1.5 Drainage connections**

The designer shall design all necessary drainage connections to the energy centre suitable for the ESCo requirements.

## **4 Energy Centre**

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### **4.1.1 Energy centre size**

The provision of a shell and core energy centre shall be designed by the designer. The estimated space for this energy centre is 350 square meters, roughly square, in area and one and a half stories of residential floor to ceiling height, with a limited area of up to 8m clearance. Exact dimensions will depend on the requirements of the ESCo chosen and the designer will need to have detailed discussions with the preferred bidder once they are selected in Autumn 2013.

### **4.1.2 Structural requirements**

The designer shall be responsible for the design of the structural requirements of the energy centre, which will require liaison with the preferred bidder to confirm floor loadings, craneage loadings if applicable, openings, access, risers, and cable and pipe penetrations internally and externally.

### **4.1.3 Access requirements**

The designer shall be responsible to ensure the design allows for adequate access during construction for the installation of the energy centre plant and for access and maintenance of the plant throughout the building life.

Access for plant replacement will ideally be on the ground floor and be through dedicated access for the ESCo. This access will be available for use 365 days a year and 24 hours a day.

#### **4.1.4 Flue**

The contactor shall design a riser suitable for the flue requirements of the CHP plant and associated boilers and separately for explosion relief ducting from CHP suitable for the ESCo requirements.

#### **4.1.5 Fire protection**

The contactor shall design the fire protection systems suitable for a CHP plant and associated boilers within the shell and core plant room.

#### **4.1.6 Louvers**

The contactor shall design suitable ventilation for the CHP plant and associated boilers. This will require acoustic louvers to be designed in accordance with the ESCo intake air requirements.

#### **4.1.7 Lighting and small power**

The contactor shall design the lighting and small power systems within the plant room.

## **5 The Building**

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The designer shall be responsible for the design of all internal MEP systems within the building, including secondary heating and hot water systems.

#### **5.1.1 Heat Interface Units**

The designer shall be responsible for the design of the location for the Heat Interface Units (HIU), which will be housed in each flat, and all associated pipework. The HIU itself, with all associated heat metering, will be specified by the ESCo.

#### **5.1.2 Heat Exchange Substation**

The designer shall be responsible providing a location for the Heat Exchange Substation (HES), one per building. The HES, with all associated heat metering, will be specified by the ESCo.

#### **5.1.3 Secondary heat network**

The designer shall be responsible for the design of the hot water pipework within the building and the ESCo shall be responsible for approving the design of that system.

#### **5.1.4 Security**

The designer shall be responsible for the design of all security systems for the site.