

John Richards
Daniel Watney LLP
165 Fleet Street
London
EC4A 2DW

2nd November 2013

Dear Mr Richards

Re: Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 5 (1) 2011:
Request for EIA Screening Opinion for Redevelopment of Moberly Sports Centre, Kilburn Lane W10

Thank you for your letter dated 18th October 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 Redevelopment of Moberly Sports Centre, Kilburn Lane W10.

The description of the proposed development is the demolition of all existing buildings and provision of the following:

- a 3.5 storey equivalent Class D2 'assembly and leisure' sports centre comprising 7,528 sq m GIA floorspace and including a main swimming pool, studio swimming pool, 8 court sports hall, boxing hall, gymnastics hall, gymnasium, studio spaces, reception area, sports centre café and associated wet and dry changing rooms and WCs;
- a 225 sq m Class A1, A2 or A3 retail unit located at the ground floor of the development fronting Chamberlayne Road towards the southern boundary of the site;
- 72 Class C3 'dwellinghouses' comprising 15 houses and 57 apartments, all private tenure.

The site is situated within South Kilburn Regeneration Area with Chamberlayne Road to the west, Banister Road to the north and Kilburn Lane to the east. The neighbouring uses are all residential with commercial units at ground floor on Chamberlayne Road. The site on the northern junction of Banister Road and Chamberlayne Road has recently been redeveloped to provide 50 residential units. Queens Park Estate Conservation Area is to the east of the site while Kensal Green cemetery including a scheduled monument and listed buildings are just within a 250m radius to the southwest of the site.

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 over 0.5 hectares and therefore falls within the criteria set out for Part 10 (b). 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. The site is not an area of Special Scientific Interest, nor a National Park, the Broads, Areas of Outstanding Natural Beauty, and it contains no World Heritage Sites or scheduled monuments.

There are no areas which have an ecological designation (as listed above) on or around the site, nor near the site that would be affected by the development proposals.

Archaeology and Architectural Context

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.

The site is adjacent to Queens Park Estate Conservation Area in Westminster separated by a road's width. At this part of the site the description states that the development will not exceed 3 storeys and then 2.5 storeys. This relationship will be assessed in a planning application but the scale of the development is not considered to be significant. Kensal Green cemetery, which is a Registered Park and Garden with nature conservation importance and Listed Buildings, is to the southwest of the site. However the 250m distance means there will be no direct impact. I therefore consider that there will be few if any negative impacts and certainly none to warrant EIA.

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 vehicle journeys associated with the site. Some minor modifications relating to pedestrian access are proposed, but this is of a localised scale.

Contamination and Groundwater

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.

Air Quality and Noise

The site falls within Brent's Air Quality Management Area therefore the impact of traffic generation 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 noise in the area.

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.

On behalf of the Council of the London Borough of Brent



Ken Hullock
Head of Planning Policy

SCREENING CHECKLIST

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

Brief Project Description:

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

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 72 units (an increase of 72 on existing), a 7528sqm GIA sports centre and a 225sqm A1, A2 or A3 unit.	The residential redevelopment will not have a significant effect on the already developed urban area.
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 and BREEAM Excellent for the non-residential development.	The development represents an intensification of the use of the site but the scale is not considered to be significant and the energy use will be far more efficient and sustainable.
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 – it is proposed that a site waste management plan will be maintained on the site. Brent's sustainability checklist which would be submitted as part of the planning application would also set out how materials and waste would be dealt with.

<p>5. Will the Project release pollutants or any hazardous, toxic or noxious substances to air?</p>	<p>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.</p>	<p>The effects associated with the redevelopment of the site would be no greater than those for an urban development. Dust from the construction Phase will be managed in accordance with appropriate standards.</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.</p> <p>The leisure centre will be larger than existing but the MUGA will be removed. New mechanical plant equipment will replace the existing.</p> <p>Residential developments themselves do not generate significant noise. A minor degree of light pollution would be expected from the residential development.</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 removal of the MUGA may reduce noise and light spillage.</p> <p>The effect of the residential development is not expected to be significant.</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>The development will not result in any increase in surface water run off</p>	<p>No – the construction management plan would prevent any contamination.</p> <p>Given the size and scale of development a FRA is not required with the application.</p>
<p>8. Will there be any risk of accidents during construction or operation of the Project which could affect human health or the environment?</p>	<p>No – the construction and operation of the site do not involve the use of high risk substances or the use of high risk technologies.</p>	<p>No It is considered that there would be no significant risk of accidents as a result of the end use of the development.</p>
<p>9. Will the Project result in social changes, for example, in demography, traditional lifestyles, employment?</p>	<p>Yes – the proposal will result in new sports facilities and new residential</p>	<p>No - the proposal will provide new homes and improved sports facilities but the scale of development on the site is</p>

		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 Growth Area but is at the western most point of the designated area and over 750m from the closest site where a larger residential development is anticipated. Within the wider regeneration area there is likely to be significant housing redevelopment.	No - whilst proposals for sites are set out in the South Kilburn Masterplan funding for redevelopment is not guaranteed so redevelopment may not go ahead.
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?	No.	N/A
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 affected by the project?	No	N/A
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 – an ecology survey has been undertaken which does not identify any important or sensitive species or habitats	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?	There are no features on the site. Within the wider area Kensal Green Cemetery includes a scheduled monument as well as listed buildings, Queebs Park Consevation Area is to the north beyond the train line, while Queens Park Estate Conservation Area is directly to the east.	No – there will be no significant impacts given the design and scale of the proposal. Design will be considered in detail in the application.
16. Are there any routes or facilities on or	Yes- The site contains an	No – The sports facilities

around the location which are used by the public for access to recreation or other facilities, which could be affected by the project?	existing sports centre	will be replaced/improved through the redevelopment.
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 situated between two fairly busy junctions on Chamberlayne Road.	No – On-site visitor parking is being removed from the sports centre (other than mini-bus and disabled visitors). A limited amount of parking is proposed for the residential development with the proposed flats being car-free. The impact on transportation routes from this proposed development will not be significant.
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 6 storeys at its most prominent point but is otherwise 2.5, 3 and 4 storeys. Its visibility is not considered to be so significant as to warrant an EIA.
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 - Within the wider area Kensal Green Cemetery includes a scheduled monument as well as listed buildings and Queens Park Conservation Area is to the north of the site beyond the train line. The site is also adjacent to Queens Park Estate Conservation Area in Westminster, this Estate contains a number of Listed buildings which are located more centrally within the estate.	No – Kensal Green Cemetery and Queens Park Conservation area are located at a distance from the site meaning that there will not be any direct impact. The development will be separated from the Queens Park Estate by a roads width, the description states that the development will not exceed 3 storeys and then 2.5 storeys at this point. This relationship will be assessed in a planning application but the scale of the development is not significant enough to justify an EIA.
20. Is the project located in a previously undeveloped area where there will be loss of greenfield land?	No	N/A

<p>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?</p>	<p>Yes - There site contains a sports centre. Dwellings affected would be limited to those surrounding the site which are all separated by at least a roads width.</p>	<p>No - The sports facility will be replaced and the residential proposal is not considered to be unusual in this urban context and involves redevelopment of the existing site.</p>
<p>22. Are there any plans for future land uses on or around the location which could be affected by the project?</p>	<p>Yes - Core Strategy policy CP9 South Kilburn Growth Area supports the redevelopment of the area including new schools and infrastructure</p>	<p>No - The proposal would support this Core Policy and complement existing surrounding uses.</p>
<p>23. Are there any areas on or around the location which are densely populated or built-up, which could be affected by the project?</p>	<p>Yes – The surrounding area is densely populated and built up and will be affected.</p>	<p>No – Any affects on the surrounding area during 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.</p>
<p>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?</p>	<p>Yes - The site includes a sports centre which will not be available during the construction.</p>	<p>No - The sports centre will be re-provided so there will be no significant impact.</p>
<p>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?</p>	<p>No</p>	<p>N/A</p>
<p>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?</p>	<p>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.</p>	<p>No – An Air Quality Impact assessment will be undertaken to determine the suitability of the site for the proposed uses. It will make recommendations for mitigation as required including where opening windows or aircon inlets will be appropriate. The proposed development will be required to achieve the requirements of the AQMA.</p>
<p>27. Is the project location susceptible to earthquakes, subsidence, landslides, erosion, flooding or extreme or adverse climatic conditions e.g. temperature</p>	<p>No</p>	<p>N/A</p>

inversions, fogs, severe winds, which could cause the project to present environmental problems?		
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