

Date
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Robin Sedgwick
Planner
Regeneration and Major Projects
Brent Council
Brent Civic Centre
Engineers Way
Wembley
HA9 0FJ

Dear Sir / Madam

**Redevelopment of the Moberly Sports Centre Site, Kilburn Lane W10
Request for Environmental Impact Assessment Screening Opinion
The Town and Country Planning (Environmental Impact Assessment) Regulations 2011**

Daniel Watney LLP write on behalf of our clients, Willmott Dixon Regen Ltd and Westminster City Council, to formally request under Regulation 5 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011 that the London Borough of Brent provide a formal Screening Opinion as to whether an Environmental Impact Assessment (EIA) is required in respect of the redevelopment of the Moberly Sports Centre site bounded by Kilburn Lane, Chamberlayne Road and Banister Road, W10.

An EIA Screening Opinion is requested given that the site measures over 0.5 ha in size and could constitute EIA development under Schedule 2 (Category 10(b) Urban Development Projects) of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011.

We provide within this EIA Screening request details of the existing site and the proposed scheme which, assessed in the context of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011 and Circular 02/99 'Environmental Impact Assessment', is not considered to give rise to significant effects on the environment.

We include with this EIA Screening request a site location plan at a scale of 1:1250 at A3 with the boundary of the site edged red, an existing site layout plan showing the configuration of the buildings that are currently located on the site at a scale of 1:500 at A3 alongside an indicative layout plan prepared by Roberts Limbrick Architects at a scale of 1:500 at A3. This proposed layout plan has been informed through pre-application discussions with the Local Planning Authority (LPA) held most recently on 8th April, 11th June and 26th June 2013.

Site Description

This EIA Screening request refers to the redevelopment of the Moberly Sports Centre site. The Moberly Sports Centre site fronts Banister Road, Kilburn Lane and Chamberlayne Road in the southern part of the London Borough of Brent where it bounds the City of Westminster (across Kilburn Lane).

The site is well connected in relation to public transport modes being located approximately 0.6 km (a 8 minute walk) to the south of Kensal Rise railway station and 0.8 km (a 9 minute walk) to the east of Kensal Green railway station offering access to the London Underground Bakerloo line in addition to the London Overground network. The site is also easily accessible by a number of strategic London bus routes including nos.6, 28, 52, 187, 316, 452 and UL2.

The site lies to the south-west of Queen’s Park public open space, to the north-east of Kensal Green Cemetery and to the south of shops and services provided on Chamberlayne Road.

The planning application site currently accommodates the Moberly Sports Centre which is accessed off Kilburn Lane, a children’s nursery and a former schoolmaster’s lodge which is currently occupied as temporary residential accommodation. The existing Centre offers approximately 2,596 sq m GIA of Class D2 ‘assembly and leisure’ floorspace comprising *inter alia* a sports hall, studio, gym, multi-purpose space, nursery and associated changing facilities. This sports and leisure provision is accommodated within three distinct buildings alongside a stand-alone residential building:

- (i) A circa three storey equivalent utilitarian sports hall fronting Chamberlayne Road albeit obscured behind a brick built wall and offering no active frontage to the street (see photograph 1 below);
- (ii) A single storey in-fill building located towards the centre of the site and connecting the sports hall with the nursery / former Victorian school building (see photograph 2 below);
- (iii) A circa two / three storey former Victorian school building fronting Kilburn Lane and accommodating a nursery and flexible sports / community hall space;
- (iv) A pitched two storey Victorian former schoolmaster’s lodge currently occupied as temporary residential accommodation and fronting Banister Road.



Photograph 1: Existing Sports Hall



Photograph 2: In-Fill Building



Photograph 3: Former Victorian School Building



Photograph 4: Former Schoolmaster’s Lodge

The site is currently underdeveloped with the northern part comprising hard-stand car parking alongside a small Multi Use Games Area (MUGA). In total, the Moberly Sports Centre site occupies an area of circa 0.66 ha / 6,600 sq m.

Proposed Development

It is proposed to demolish all existing buildings currently located on the Moberly Sports Centre site. The site will then be redeveloped to provide 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;
- the introduction of 57 Class C3 apartments which sit above and wrap around the improved Moberly Sports Centre at 1st to 5th floor level. The apartments will all be private tenure provided as 3 x studio apartments, 19 x 1 bedroom apartments and 35 x 2 bedroom apartments;
- 15 x 4 bedroom private houses forming a 2.5 storey terrace of Class C3 single-family dwellinghouses fronting Kilburn Lane;
- In total, the site will deliver 72 Class C3 'dwellinghouses' comprising 15 houses and 57 apartments, all private tenure.

Vehicular access into the site is provided off Kilburn Lane as shown on the proposed site layout plan which accompanies this request for an EIA Screening Opinion. This access then leads either to the rear of the new Moberly Sports Centre or into a dedicated residential 'mews' which runs to the rear of the 15 Kilburn Lane townhouses before exiting onto Banister Road.

The hardstanding area to the rear of the sports centre provides off-street parking for servicing and delivery vehicles associated with both the sports centre and the retail unit, three disabled car parking spaces available for users of the sports centre and three mini-bus spaces for disabled users only. Please note that no mini-buses (other than serving disabled persons) nor coaches will be allowed to drop-off or pick-up sport centre users on-site. Mini-buses will be able to use three dedicated pay-and-display mini-bus bays proposed to be provided nearby on Ilbert Street and on rare occasions when coaches may travel to the site, they will be expected to legally park on-street in the vicinity.

The majority of proposed residential units will not have access to on-site car parking spaces and will be 'car free', being unable to apply for a resident car parking permit via restrictions included within any future legal agreement. Only 21 car parking spaces will be provided on-site for residents comprising 6 bays reserved solely for the use of disabled residents alongside 15 in curtilage parking bays located to the rear of the Kilburn Lane townhouses accessed via the residential 'mews'. Cycle parking spaces will also be provided for residents, users of the sport centre and visitors in line with adopted London Plan standards.

All residential units will be provided with private amenity space in the form of balconies with those apartments overlooking the centrally located sports hall benefitting from access to either a communal or private courtyard garden(s).

It is important to note that the proposal to redevelop the Moberly Sports Centre site to deliver a significantly improved, high specification 7,528 sq m sport and leisure centre is associated with the redevelopment of the nearby Jubilee Sports Centre site in the City of Westminster. The Jubilee Sports Centre site, which is also owned by the City of Westminster and falls within their administrative boundary, is proposed to be closed and largely relocated to the Moberly Sports Centre site as part of a rationalisation of sports and leisure offer in this part of London. The Jubilee Sports Centre is located approximately 1 km to the east of the Moberly site being just over a 10 minute walk.

It is no longer economically viable for the City of Westminster to operate two sport and leisure centres within 1km of each other. It is therefore proposed to rationalise the public sport and leisure offer within a bespoke new sport and leisure centre of the highest contemporary standards on the Moberly site whilst providing a smaller, community scale sport and leisure facility on the Jubilee site.

The Moberly Sports Centre redevelopment will deliver a new and improved sport and leisure centre comprising 7,528 sq m GIA of floorspace. This represents a net increase in Class D2 sport and leisure space for this part of London across both sites of approximately 2,902 sq m GIA (7,528 sq m new Moberly Sports Centre + 782 sq m new Jubilee Community Sports Centre – 2,596 sq m existing Moberly Sports Centre – 2,812 sq m existing Jubilee Sports Centre = + 2,902 sq m GIA).

The Jubilee and Moberly Sports Centres are housed in ageing buildings which are becoming costly and inefficient to run, especially as they are comparatively close to one another. In order to deliver significant improvements to overall sports and leisure offer in the northern part of the City, in conjunction with Corporate objectives including the City Council's *'Living City Agenda'* and *'City of Sport Olympics Legacy'*, it is proposed that the Moberly Sports Centre site is redeveloped to provide a new sports centre of the highest quality specification, rationalising sports and leisure facilities from two proximate sites into a single, bespoke facility. It is estimated that this will save the Council around £600,000 per year.

Following extensive public and stakeholder engagement, a new community sport and leisure centre will also now be provided on the Jubilee Sports Centre site as part of the development alongside separate but related proposals comprising a new multi-use games area (MUGA) sports pitch at St Augustines C of E Secondary School and improvements to the free-to-access facilities offered within Queens Park Gardens. Whilst these proposals comprise separate planning applications and do not form part of this EIA Screening request, they nevertheless are relevant in demonstrating the overall improvement to sport and leisure facilities and the role that the redevelopment of the Moberly Sports Centre site plays in facilitating them.

Environmental Impact Assessment

Circular 02/99 *'Environmental Impact Assessment'* states, at para 33, that when determining whether a proposed development is likely to result in significant environmental effects, which would require assessment through the production of an EIA submitted alongside a planning application, three broad criteria should be considered. An EIA will generally be required in conjunction with Schedule 2 developments in the following cases:

- (1) for major developments which are of more than local importance – where the scale of a particular development would result in wide-ranging environmental effects;
- (2) for developments which are proposed for particularly environmentally sensitive or vulnerable locations – where the development is proposed on a site designated as a Site of Special Scientific Interest (SSSI), National Park, Area of Outstanding Natural Beauty (AONB), World Heritage Site, Scheduled Ancient Monument or where any other nationally or internationally agreed environmental standards apply;
- (3) for developments with unusually complex and potentially hazardous environmental effects – where the nature of the proposed development or use could result in complex, long-term or irreversible impacts.

Having regard to the above, and those individual documents to be submitted in support of the proposed planning application, we are of the reasoned opinion that the redevelopment of the Moberly Sports Centre site as described above does not meet the criteria set out in Circular 02/99 that would necessitate the production of an EIA alongside Schedule 2 development. This EIA Screening request will go on to consider those environmental criteria that will determine whether an EIA is required in conjunction with the submission of a planning application for the proposed redevelopment of the Moberly Sports Centre site.

The likely effects of the proposed development of the Moberly Sports Centre site have been evaluated by means of an on-going programme of studies and investigations. These investigations have assessed the effect of the proposed development against a variety of environmental criteria. These criteria have been taken from guidance provided by the European Commission in 2001 entitled, *'Guidance on EIA Screening'* and discussed under the headings below. They also seek to address the criteria for assessing the significance of the effects of development as identified in Schedule 3 to the 2011 EIA Regulations bringing forward this information in a Screening Checklist.

It states under Section B4.2 that:

‘There is no specific rule that can be used to decide whether the results of using the Screening Checklist should lead to a positive or negative screening decision (i.e. that EIA is or is not required). In theory if there is one “Yes” answer to the question is it likely to result in a significant effect, EIA may be required, however, as a general principle, the greater the number of “Yes” answers and the greater the significance of the effects identified, the more likely it is that EIA is required. “?” answers, indicating uncertainty about the occurrence or significance of effects, should also point towards a positive screening decision (i.e. that EIA is required) because the EIA process will help to clarify the uncertainty.’

Therefore an evaluation, based on the evidence accompanying the application, is made as to whether there are any environmental effects and whether they are of sufficient potential significance to warrant an EIA. Only where an effect is deemed to have a reasonable prospect of being more than of minor significance is it considered that an EIA is required. Many effects will have some significance but where this can be appropriately mitigated against, the impact is less than significant. As such, the assessment must consider whether the impacts are:

- Positive
- No impact
- Minor significance
- Significant
- Major significance

This EIA Screening Opinion will go on to consider any potential environmental impact – whether positive, negative or neutral - associated with the proposed redevelopment scheme on an individual chapter by chapter basis. Each topic specific chapter, written by the specialist environmental consultant advising on that aspect of the scheme, will include a description of the likely impacts of the proposed development, proposed mitigation measures and the resultant impact. The chapters are as follows, attached to this covering letter:

Demolition programme and Construction

Transport and Movement

Noise and Vibration

Townscape

Sunlight and Daylight

Air Quality

Flood Risk

Land Contamination and Geotechnical

Habitat and Biodiversity

Tree Survey and Arboriculture

Heritage and Conservation

Archaeology

Socio-Economic

Sustainability and Energy including Code for Sustainable Homes & BREEAM

HS2

Conclusion

This covering letter has considered whether the expected environmental impacts associated with the redevelopment of the Moberly Sports Centre site would be sufficient to satisfy the requirements of Circular 02/99 'Environmental Impact Assessment' regarding the production of an EIA to be submitted alongside any future planning application.

On the basis of the above, we consider that the proposed development would not give rise to any significant environmental effects which would necessitate the production of an EIA based upon the following:

- (1) no predicted environmental effects that would be of above local importance in scale;
- (2) the site is not identified as being located in a particularly environmentally sensitive or vulnerable area;
- (3) the development would not generate any unusually complex or potentially hazardous environmental effects;
- (4) there are no existing or approved developments in close proximity to the site which have the potential, alongside the redevelopment of Moberly Sports Centre, to result in adverse environmental cumulative impacts (the closest major redevelopment being the Kensington Gas Works site which is sufficiently distant at circa 1 mile, and separated by existing residential properties, to have neither a physical nor visual relationship).

In summary the assessed impacts on the environment of the proposed development are as follows:

Demolition Programme and Construction	<i>Minor Temporary Significance</i>
Transport and Movement	<i>No Impact</i>
Noise and Vibration	<i>No Impact</i>
Townscape	<i>No Impact / Positive Impact</i>
Sunlight / Daylight	<i>Minor Significance</i>
Air Quality	<i>No Impact</i>
Flood Risk	<i>No Impact</i>
Land Contamination and Geotechnical	<i>Positive Impact (Post Redevelopment Decontamination)</i>
Habitat and Biodiversity	<i>No Impact</i>
Tree Survey and Arboriculture	<i>No Impact</i>
Heritage and Conservation	<i>Minor Significance</i>
Archaeology	<i>No Impact</i>
Socio-Economic	<i>Positive Impact</i>
Energy and Sustainability (inc. Code for Sustainable Homes and BREEAM)	<i>Positive Impact</i>
HS2	<i>No Impact</i>
Cumulative Impacts	<i>No Impact</i>

Where environmental effects are identified of a localised scale, these will be assessed having regard to the production of topic specific documents submitted alongside any future planning application.

We hereby request a Screening Opinion as to the need for an EIA in relation to the redevelopment of the Moberly Sports Centre site and look forward to receiving your opinion within three weeks of receipt of this letter. As you are no doubt aware, in line with the 2011 EIA Regulations, the Council should make available their reasons for their conclusions.

Should you require any further information to assist in issuing your EIA Screening Opinion, please do not hesitate to contact me.

Yours sincerely

John Richards – Associate Partner
Planning
jrichards@danielwatney.co.uk
020 3077 3411