

Paula Carney
Signet Planning
56 Queen Anne Street
London
W1G 8LA

Date: 2nd May 2014

Dear Paula Carney,

Re: Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 5 (1) 2011: Request for EIA Screening Opinion for a Theatre

Thank you for your letter dated 29th April 2014 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 the proposed temporary theatre.

The description of the proposed development is a temporary theatre on part of the site of the former Palace of Industry, Olympic Way, Wembley. The prefabricated theatre building is likely to comprise approximately 4,200 sqm. The theatre foyer will contain a café/restaurant/bar and toilets, and a 400 sqm service area. The building will be approximately 15m in height.

The exact site demise is yet to be confirmed, but is likely to fall within an approximate area of 0.63 ha. Brent Civic Centre is located to the south of the site, Olympic Way to the east, a large area of car parking to the west, and the rear of a retail park to the north.

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 0.63 ha and therefore falls within the criteria set out for Part 10 (b) as the area of the development exceeds the threshold of 0.5 ha. 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 Planning Practice Guidance. Planning Practice Guidance indicates the types of case in which, an EIA is more likely to be required. It states:

‘Environmental Impact Assessment 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.’

EIA is more likely to be required where:

*‘(i) the area of the scheme is more than 5 ha; or
(ii) it would provide a total of more than 10,000m² of new commercial floorspace; or
(iii) the development would have significant urbanising effects in a previously non-urbanised area (e.g. a new development of more than 1,000 dwellings).’*

‘Account is also to be taken of the physical scale of such developments, potential increase in traffic, emissions and noise.’

(Reference: National Planning Practice Guidance, Environmental Impact Assessments, Annex A: Indicative Screening Threshold)

Taking into account the schemes scale, nature and location it is not anticipated it will result in significant environmental effects. Therefore, the Local Planning Authority does not consider that the forthcoming application for the theatre requires an EIA.

Ecology and Nature Conservation

National Planning Practice Guidance states, in general, the more environmentally sensitive the location, the lower the threshold will be at which significant effects are likely. Environmentally sensitive locations are considered to comprise:-

- 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 immediately around the site. 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. The council accepts that the development will lead to some traffic and air pollution within the vicinity of the development but that the impact is not significant when taking into account the existing situation.

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 site is not located within an Archaeological Priority Area (as defined on the UDP proposals map) and will not impact on the setting of features of historic or cultural importance.

Air Quality and Noise

The site falls within Brent's Air Quality Management Area. The development will not release significant pollutants or hazardous, toxic or noxious substances into the air and the proposed use is not predicted to have a significant effect upon air quality or traffic generation in the area which would require an EIA.

It is anticipated the proposal will result in an increase in noise levels during construction. The change in noise levels will not be significant enough when compared to existing levels to warrant an EIA. It is indicated a noise assessment is to be submitted with the planning application.

Other impacts

The council has assessed other possible impacts (as set out in the attached screening checklist) and effects of the development, and considers that there are none that are significant enough to warrant an EIA.

Date of Decision: 2nd May 2014

On behalf of the Council of the London Borough of Brent



Ken Hullock
Head of Policy

SCREENING CHECKLIST

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

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)?	Yes – there will be a change in use from car parking to a temporary theatre.	No – the proposed theatre is a temporary structure, of a relatively small scale when compared to surrounding development.
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?	No - There will be no valuable or scarce resources consumed in the construction of the development.	No – the construction of this proposed development in this location is not predicted to have a complex or unusual effect and therefore would not have a significant effect on natural resources.
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 – There will be waste during operation. The new theatre will be pre-fabricated off site.	No – the level of waste is not expected to be significant.
5. Will the Project release pollutants or any hazardous, toxic or noxious substances to air?	No – There are no elements of the proposed development that will result in the generation or release of noxious, hazardous or toxic substances to air.	No – There will not be any environmental nuisance in respect to significant release of pollutants or contaminants.
6. Will the Project cause noise and vibration or release of light, heat energy or electromagnetic radiation?	Yes - Noise and some vibration may be generated by construction, but this can be managed by conditions.	No – The effects are not predicted to be significant or unusual.
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?	No	No
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 do not involve the use of high risk substances or the use of high risk technologies.	No – 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 – the development will result in an additional leisure attraction in Wembley, and employment opportunities.	No – impacts are likely to be positive.
10. Are there any other factors which should be	No – The proposed	No – The proposed

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?	development is not expected to introduce a cumulative impact.	development is not expected to introduce a cumulative impact.
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	No
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	N/a
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?	Yes – Wembley Stadium is located to the south of the site.	No – due to the location and relatively small scale of the proposed theatre compared to surrounding development it will not impact on the stadium.
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 – the site currently functions as a car park, with a number of access points.	No – the development will not prevent access to the remaining car park from the surrounding area.
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 – on events days the surrounding road network is susceptible to congestion.	No - The effects are not predicted to be significant enough to warrant an EIA.
18. Is the project in a location where it is likely to be highly visible to many people?	Yes – it will be visible from Olympic Way and the Civic Centre.	No – the proposed development is of a smaller scale than surrounding uses, and therefore is not likely to have a significant impact on views, sufficient 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?	No – although Wembley Stadium is within 300m of the site, it is not likely to be affected by the project due to its location and scale.	No – See 15
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	Yes	No – the proposal is not considered to be unusual in this context. Wembley is a

open space, community facilities, agriculture, forestry, tourism, mining or quarrying which could be affected by the project?		Strategic Cultural Area and therefore appropriate location for cultural uses.
22. Are there any plans for future land uses on or around the location which could be affected by the project?	No – the proposed theatre is temporary and is to be removed after a 10 year period to make way for development.	No – as the proposed development is temporary and will complement the current uses in this urban area.
23. Are there any areas on or around the location which are densely populated or built-up, which could be affected by the project?	Yes – The surrounding area will be affected.	No – as the proposed development would complement the current uses in this urban area.
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 – residential uses are in the vicinity of the theatre.	No – The surrounding road network, Stadium and arena generate noise, particularly on events days. The noise levels are not likely to be markedly different to the existing situation, therefore it is not significant enough to warrant an EIA.
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 site is within an Air Quality Management Area.	No – mitigation will be required to ensure the proposal is air quality neutral.
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	No

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?