

7.4.1 Potential Impacts and Likely Effects

In the absence of mitigation, the following potential impacts and likely effects may arise in respect of water resources and flood risk:

- Demolition and construction workers may come into direct contact with potentially contaminated controlled waters (groundwater and surface water runoff);
- Accidental spills could lead to contamination of controlled waters (ground water and surface water runoff);
- The design of the proposed development could alter the surface water run-off speed and discharge from the site; and
- On-site occupants of the completed development could increase the demand for potable water and foul water.

7.4.2 Considerations

The site currently comprises a building and predominantly hardstanding.

A review of EA data indicates that the site is located in Flood Zone 1 (low probability) where the annual probability of flooding from rivers or the sea is less than 1 in 1,000 (0.1%). The site is also shown by the EA to be at Very low or Low risk of surface water (pluvial) flooding, associated with extreme rainfall and potential surcharging of sewer assets. There are areas of the A404 immediately south of the site which are shown to be at Medium or High risk of such flooding. However, any such flooding of the road is not predicted to impact on the site itself and would not prevent access to the site as Newcastle Place to the north and Edgware Road to the east are shown to be at Very Low or Low risk of such flooding.

The WCC Draft Strategic Flood Risk Assessment (SFRA), 2019, states that, as Westminster is a heavily urbanised area, it is at risk of surface water flooding, with several areas being designated as being Critical Drainage Areas (CDA's). No mapping associated with the 2019 Draft SFRA is available online. Mapping produced as part of the previous 2010 Strategic Flood Risk Assessment shows that the site was not considered to be within a CDA.

There are no surface water features on the site, and no main rivers located within a 1 km radius. The closest surface water features are the Grand Union Canal, located approximately 150 m to the south and the Boating Lake at Regent's Park approximately 1 km to the north-east. No additional surface water features have been identified within 1 km of the site.

The covers an area of 0.48 ha in area and therefore an FRA would be not be required in accordance with the NPPF. Nevertheless, a Flood Risk Note will be prepared to confirm the proposed development's drainage strategy and use of Sustainable Drainage Systems (SuDS) to demonstrate that the Proposed development will accommodate the 1 in 100 year plus climate change (40 % allowance) storm without exacerbating flood risk off-site.

The drainage and SuDS (Sustainable Drainage Systems) strategies would feed into the emerging design proposals to ensure substantial reduction of pre-development run-off rates, with an aspiration to achieve greenfield rates if feasible. As part of this process, Thames Water would be consulted with regard to the location of public sewer assets. An application for surface water or foul sewer connection into the Thames Water network will be undertaken post-consent as part of detailed drainage design.

In respect of controlled waters, the site is located within Flood Zone 1, with the nearest water feature (Grand Union Canal) approximately 150 m to the south. No hydraulic connectivity with the canal has been identified. Furthermore, contamination on-site will be addressed by means of standard mitigation measures, including the development of an appropriate Remediation Strategy

and the removal of sources of contamination as part of the basement excavation. As such the proposed development would not pose any risks to controlled waters.

In respect of water consumption, the proposed development would adopt standard water saving devices and features as part of its design.

Accordingly, no significant adverse environmental effects are likely to arise in relation to Water Resources and Flood Risk. A formal Water Resources Assessment is therefore proposed to be scoped out as a discrete chapter within the ES; however, a Flood Risk Memorandum will be presented in ES Volume 3.

7.5 Archaeology

An Archaeology technical assessment chapter is proposed to be scoped out of the ES because the proposed development would not give rise to significant environmental effects in relation to archaeology.

7.5.1 Potential Impacts and Likely Effects

In the absence of mitigation, the proposed development could give rise to the following impacts and effects:

- Demolition and construction works, in particular the proposed basement excavation, as well as any remediation works (if required) which would remove heritage assets (if present on-site) within its footprint e.g. possibly including any medieval remains associated with agriculture or quarrying, and 19<sup>th</sup>/early-20<sup>th</sup> century building foundations and basements;
- Demolition and construction works, in particular piled foundations, which would entirely remove heritage assets with each pile footprint, if present on-site. Where the basement is of sufficient depth to remove all archaeological remains within its footprint, piles would only have an impact if inserted prior to basement construction (or outside the proposed basement footprint). Pile caps and ground beams, depending on the depth of the basement, may have no further impact; and
- Construction works, in particular landscaping and any associated works, servicing etc., which could remove any heritage assets (if present on-site).

7.5.2 Considerations

The Site is located within the Tier 2 Watling Street Archaeological Priority Area (APA) and adjacent to Tier 2 Paddington APA. The former designation exists on the basis of the possibility for evidence associated with a Roman road, and the latter for potential evidence of medieval settlement.

The site was open land before being first developed with the Metropolitan Music Hall in the mid-19<sup>th</sup>-century, with the most recent Paddington Metropolitan Police Station building constructed in the 1970s. Construction of the existing development would have severely affected any archaeological remains on-site, including excavation of the existing basement.

In addition, excavation works undertaken as part of the adjacent WEG development confirmed the archaeological potential to be limited to property boundaries and horticultural cut features dating to the 18<sup>th</sup>-century or earlier and masonry foundations and domestic waste deposits dating to the 18<sup>th</sup>-20<sup>th</sup>-centuries. Finds comprised 10 medieval residual pottery sherds and Ceramic Building Material (CBM) recovered from features dated to the 18<sup>th</sup> and 19<sup>th</sup>-centuries and a single residual Roman imbrex sherd. Modern basements had severely truncated much of the archaeological potential of the site, and no *in-situ* evidence pre-dating the post-medieval period was recorded. A programme of archaeological investigation and recording was undertaken in consultation with the archaeological advisor to WCC, in order to offset the impacts of the development on archaeological remains and reduce adverse effects to an acceptable level.

On this basis that – if required – a comparable programme of work can be successfully carried out on the site, it is not considered that the proposed development would give rise to significant adverse residual effects in respect of archaeology.

In order to set the site into its full archaeological and historical context, an archaeological desk-based assessment (DBA) will be undertaken to present known historic environment features within a 500 m-radius study area from the boundary of the site. The DBA will put the proposed development into its full archaeological and historical context and provide an assessment of the significance of known and potential buried heritage assets within and beyond the site, which may be affected by the proposed development. They will include assessments of factors which will have compromised the survival of archaeological remains.

The assessment of demolition and construction effects within the DBA will focus on physical impacts on buried heritage assets within the site. These will include any activity which would entail ground disturbance, for example site set up works, the construction of new foundations and basements, remediation, landscaping, new drainage and services.

A broad range of standard data sources will be consulted, including the Greater London Historic Environment Record (GLHER), Historic England’s National Heritage List (NHL), and local authority data sources along with published works and cartographic sources specific to the area, and geotechnical and geoarchaeological data. The assessment will also consider the adjacent WEG development archaeological investigations. The MOLA in-house Geographical Information System (GIS) will be consulted which holds information on statutory designations’ GIS data, projected Roman roads, georeferenced published historic maps and Defence of Britain survey data.

The DBA will use these sources to assess the likely presence and significance of any heritage assets which may be affected by development. This would include known assets and the potential for previously unrecorded remains, the likely depth of remains and a review of factors which may have compromised asset survival.

An appropriate mitigation strategy will be set out in the DBA with the aim of reducing or off-setting any adverse effect. The mitigation strategy would be secured by means of an appropriately worded planning condition.

Accordingly, no significant adverse environmental effects are likely to arise in relation to Archaeology. A formal Archaeology Assessment is therefore proposed to be scoped out as a discrete chapter within the ES; however, an Archaeological Desk Based Assessment will be presented in ES Volume 3.

7.6 Telecommunication Interference

A Telecommunication Interference technical assessment chapter is proposed to be scoped out of the ES because the proposed development would not give rise to significant environmental effects in relation to Telecommunication or Electronic Interference.

7.6.1 Potential Impacts and Likely Effects

New, tall buildings and structures have the potential to impact on radio, television and other broadcast services as a result of shadowing and reflection effects caused. Table 7.1 provides an appraisal of the services that could potentially be affected by the proposed development.

Table 7.1: Telecommunication and Broadcast Services Appraisal	
Service	Key Outcomes
Analogue Terrestrial Television	Due to the completed Digital Television Switchover, it is now not possible for the proposed development to impact analogue terrestrial television

Table 7.1: Telecommunication and Broadcast Services Appraisal	
Service	Key Outcomes
	reception, as analogue television transmissions were switched off throughout the London region during 2012.
Digital Terrestrial Television (DTT)	<p>DTT is more commonly known as 'Freeview'. The area is served by DTT services from the Crystal Palace transmitter (NGR TQ 33940 71220) to the south-west of the site.</p> <p>In relation to transmissions coming from the Crystal Palace transmitter, the signal shadows from the proposed development would be created to the north-east.</p> <p>When considering the existing tall buildings surrounding the site, it is considered that the additional massing associated with the proposed development would not significantly affect transmissions in the locality. Therefore, a pre-planning assessment is not deemed necessary. If transmissions are affected, the Applicant would investigate the complaints, and if deemed authentic and attributable to the proposed development, mitigation measures in the form of the provision of upgraded receiving equipment or a satellite or cabled TV service would be provided.</p>
Digital Satellite Television	<p>Digital satellite television services (such as Freesat or Sky) are provided by geo-stationary earth orbiting satellites positioned above the equator. For the optimum reception of all satellite services, all receiving dishes must be positioned on the highest part of the rooftop as possible to ensure views to the sky's south-east horizon are free from other local skyline building clutter.</p> <p>Should there be any roof mounted satellite signal receiver dishes on the adjacent locations where line-of-sight views to the serving satellites may be obscured by the proposed development (in areas northwest of the site), relocating dishes to new areas on roof tops where views to those satellites remain unobscured, would ensure optimal reception of satellite television signals.</p>
Broadband and Cable Television	<p>A number of 'TV over cable' operators exist in London. TV services are provided to a property via cables and decoded using a set top box or an integrated television set. Virgin Media, Sky and BT all provide such services. The availability of cable TV depends on provider's cable infrastructure. London has comprehensive coverage from most providers.</p> <p>As cabled TV services operate via wired broadband such as fibre and ADSL, interference effects cannot occur due to the nature of content delivery (through a cable, underground) and there is no possibility of effects from the proposed development on these services.</p>
VHF (FM) Radio	The reception of VHF (FM) broadcast radio services are unlikely to be affected by the proposed development due to the nature of the radio broadcast network, the methods used for the encoding and decoding of signals and the likely current good coverage provided by the local VHF (FM) radio transmitters.
Digital Audio Broadcasting (DAB) Radio	The reception of DAB radio would not be affected by the proposed development as coverage is currently excellent throughout London and the radio network is designed to operate well in densely cluttered urban environments.
Mobile Phone Communications	<p>The area will be served well by 2G, 3G and 4G mobile phone networks. Recently introduced 5G networks will also be available in the area.</p> <p>The proposed development would not have any impact upon the operation of mobile telephones. The cellular nature of a mobile telephone network enables each handset to 'pick' the best cell site to ensure the correct operation of the handset. At this location, mobile telephone coverage would</p>



Table 7.1: Telecommunication and Broadcast Services Appraisal	
Service	Key Outcomes
	be optimal and robust due to the nature of the commercial requirements in buildings within the wider area.
Fixed Microwave Links and other point-to-point Radio Communications Channels	<p>Radio and microwave links can be adversely affected by obstructions on and near to their transmission path such as construction cranes, buildings and trees. In general, the directional nature of radio links means that interference can be avoided by defining clearance zones beyond which any degradation will be insignificant, or by moving the link to avoid the obstruction.</p> <p>Should any existing links be impacted upon because of the proposed development, standard mitigation options would be likely to comprise the:</p> <ul style="list-style-type: none"><li>• use of other radio infrastructure sites;</li><li>• use of a radio relay site;</li><li>• construction of a new base station site;</li><li>• use of private circuits or satellite services; and</li><li>• redefining of the exclusion zones by the use of aerial engineering.</li></ul> <p>The identification of the appropriate measures would be determined by a detailed review of the existing radio communications infrastructure at each base station, confirmation of the data for the services operated by the link’s owner from the identified radio sites; and review of the theoretical analysis of the proposed development layout on the existing radio communication systems, to identify the exclusion zone for any affected radio infrastructure.</p> <p>It is noted that such standard mitigation measures can be readily implemented to ensure the continuing operation of links such that the proposed development is not considered likely to generate any significant residual effects on these services.</p>
Tetra and Emergency Services	<p>The Airwave radio network is based on the specialist TETRA specification. TETRA is a set of standards developed by the European Telecommunications Standardisation Institute (ETSI) that describes a common mobile radio communications infrastructure throughout Europe. This infrastructure is targeted primarily at the mobile radio needs of public safety groups (such as police, ambulance and fire departments), utility companies, and other enterprises that provide voice and data communications services. The UK’s TETRA network is owned and operated by Airwave Solutions Limited and is often referred to as the ‘Airwave’ network. The Airwave / TETRA network is used by all the UK’s emergency services. It is likely that this network will remain in use until at least 2024, when its 4G successor network becomes operational. Consequently, by the time of demolition and construction works on the site, the network will be entering a period of transition to 4G services and interference effects will not be a concern.</p>
New Telecommunication Services within the proposed development	<p>All new telecommunications services into the proposed development would consider the expected growth in internet traffic and would provide bandwidth for heavy simultaneous use. The ‘e-infrastructure’ would be designed well and easily upgradeable for a modern building.</p> <p>Any signal distribution systems would be designed to be future proof and the nature of such networks would ensure that no unwanted or uncontrolled electromagnetic emissions would occur. Any radio transmitters used within the proposed development (for example, Wi-Fi or maintenance needs) would be CE certified, meaning that the products have undergone stringent radio emission testing for use within the UK.</p>

As set out in Table 7.1, potential effects on telecommunication services may be limited to DTT, fixed microwave links and other point-to-point radio communications channels only (should such

links be present near the site); however, these can be readily mitigated by means of standard measures as listed in Table 7.1.

In respect of emergency services, it is noted that the relocation of the Paddington Green Metropolitan Police Station, removes the key sensitive receptor of concern.

In addition, the Applicant would be prepared to undertake pre-and post-construction signal surveys, to be secured by means of an appropriately worded planning condition if necessary.

Accordingly, the proposed development would not give rise to significant environmental effects in relation to telecommunication interference. A formal telecommunication interference impact assessment is therefore proposed to be scoped out as a discrete chapter within the ES.

7.7 Light Spill

A Light Spill technical assessment chapter is proposed to be scoped out of the ES because the proposed development would not give rise to significant environmental effects in relation to light spill.

7.7.1 Potential Impacts and Likely Effects

Light spill is defined as any light emitted from artificial sources into spaces where this light would be unwanted. An example of this would include egressing light from highly glazed commercial buildings or a car parking’s flood lights into residential accommodation, where this would cause inconvenience to their occupants, or light spill to sensitive ecological receptors.

7.7.2 Considerations

Although initial lighting concepts would be explored by the Applicant, definitive proposals will not accompany the Application. At the appropriate time, and in response to a suitably worded planning condition, quantitative criteria for acceptable levels of light as detailed within the Institution of Light Engineers (ILE) document entitled 'Guidance Notes for the Reduction of Light Pollution'<sup>82</sup>, would be used to proactively inform a detailed Lighting Strategy for the Site and submitted to WCC for approval (to be secured by means of an appropriately worded planning condition).

The ILE Guidance defines light pollution as three different impacts, these being light spillage into residential windows; light spillage into areas of natural significance; and upward light spillage into the night sky.

Light spill (specifically light trespass) typically occur when commercial properties are located within close proximity to residential dwellings such that point source lighting can intrude into bedrooms windows and cause disturbance to amenity.

The proposed development is a residential led scheme with a component of non-residential uses (i.e. office and retail). Given the typically solid residential façade treatment, and the absence of exterior façade lighting, as well as the location of commercial and retail space at lower levels than residential uses, significant light spill is unlikely to arise from the proposed development.

Furthermore, the predominant residential use of the proposed development will further reduce the potential for light spillage to occur as:

- illumination levels would be more benign when compared with a commercial scheme;
- the occupants of the proposed residential blocks are expected to have curtains, blinds or screens drawn at night; and
- occupancy of the buildings would vary.

<sup>82</sup> Institute of Lighting Professionals (previously Institution of Lighting Engineers), 2005. Guidance Notes for the Reduction of Obtrusive Light. ILP.

The site is located within an area already characterised by high levels of illumination, especially due to the close proximity to the A40 Westway and A5 Edgware Road. It is not anticipated that the proposed development would exceed the ambient sky glow for this locality and therefore, it is not considered that light spill into areas of ecological sensitivity would be an issue in this locality.

Notwithstanding this, when preparing the scheme’s Lighting Strategy, consideration would be given to the use of shading devices; the appropriate specification of street and amenity lighting with downward and directional lighting being specified to avoid light spillage onto nearby residential properties; and the integration of lighting control attachments (such as cowels and louvers) to maximise the effectiveness of lighting on-site whilst avoiding adverse impacts.

Accordingly, it is considered that the proposed development would not give rise to significant environmental effects in relation to Light Spill. A formal Light Spill Assessment is therefore proposed to be scoped out as a discrete chapter in the ES.

**7.8 Waste**

A Waste technical assessment chapter is proposed to be scoped out of the ES because the proposed development would not give rise to significant environmental effects in relation to Waste.

**7.8.1 Potential Impacts and Likely Effects**

There site is currently vacant and there are no or limited existing waste streams.

The WCC is a unitary waste authority responsible for the collection, recycling and disposal of residential and commercial waste for the site. WCC has a Waste Management Strategy<sup>83</sup> covering the period 2016 – 2031, as well as a Local Plan including policies for guiding developers in waste management and a Recycling and Waste Storage Requirements Guidance Document<sup>84</sup>.

Waste streams arising from the demolition and construction stage of the proposed development would mainly be comprised on inert waste such as crushed concrete and brick, as well as waste materials from stripping out of the demolished structure. Excavation works would also generate soil and rubble and construction works would produce a mix of typical construction waste.

Operational waste would be a mixture of residential, commercial and municipal waste streams from public areas due to the residential-led, mixed-use nature of the proposed development.

**7.8.2 Considerations**

During demolition and construction works, the greatest potential for waste arisings would be from the demolition of existing buildings. Suitable mitigation measures will be employed in order to maximise on-site re-use and recycling and thereby reduce landfill waste from the demolition works. The anticipated waste streams during construction have a high potential to be diverted from landfill.

Following the IEMA 2020 guidance Materials and Waste in Environmental Impact Assessment, primary mitigation measures will be identified by the design team to minimise material use and waste arisings. This will include the use of prefabricated elements, achieving a high floorplate efficiency and a structurally efficient design to reduce material usage and the re-use of demolition and excavation arisings in the construction process where possible.

The volume of waste produced from demolition and construction works from the proposed development and other developments in the surrounding area is not anticipated to exceed the regional landfill void capacity and thus the cumulative effect from the development arising from demolition and construction waste is not considered to be significant.

<sup>83</sup> WCC 2014, Municipal Waste Management Strategy 2016 – 2031. Available online: <https://www.westminster.gov.uk/waste-strategy>

<sup>84</sup> WCC 2019, Recycling and Waste Storage Requirements. Available online: <https://www.westminster.gov.uk/waste-storage-planning-advice>

Waste management at the site would be undertaken in accordance with a detailed Construction Site Waste Management Plan (SWMP) to ensure the sustainable management of construction waste, minimisation of waste arisings and maximisation of waste re-use and recycling.

The Applicant’s contractors would be encouraged to maximise opportunities for waste recycling and re-use both on and off-site where practically possible. In the event that residual materials require off-site disposal, the Applicant’s contractors would ensure the appropriate categorisation of waste in accordance with current regulatory requirements.

ES Chapter 5: Demolition and Construction Description will outline likely waste quantities arising from demolition and construction works, and present the Applicant’s commitments to waste minimisation and management during these works.

Operational waste arisings would be managed in accordance WCC guidance and sufficient space provided for the storage of waste. Measures would be put in place to support segregation of recyclable waste streams. Management and collection arrangements would also be developed in line with WCC requirements.

ES Chapter 4: Proposed Development Description will summarise the operational waste management measures which would be included within the proposed development (and outlined within the Waste Strategy). For example, the new on-site floorspace would be provided with appropriate waste facilities to promote sustainable waste practices and recycling.

Sufficient information relevant to the waste management practices during all stages of the proposed development will be provided to fulfil requirements in line with the key UK waste related legislation and overarching EU Directives.

Based on the proposed development’s land uses and waste streams, plus the proactive commitment to waste reduction, it is considered that waste generation would not be a significant issue requiring separate assessment within the EIA. It is not anticipated that there would be any environmental effects from the future waste generation streams by the proposed land uses, save for the environmental effects of the collection of waste and secondary effects of emissions and traffic noise associated with waste vehicles. The movements of waste vehicles will be factored into the proposed development’s trip generation figures and outlined within the TA.

Accordingly, the proposed development would not give rise to significant environmental effects in relation to waste. A waste assessment is therefore proposed to be scoped out as a discrete chapter within the ES.

**7.9 Climate**

A Climate technical assessment chapter is proposed to be scoped out of the ES because the proposed development would not significantly contribute to climate change and would be designed to be resilient to the effects of climate change.

**7.9.1 Potential Impacts and Likely Effects**

In accordance with IEMA guidance it is acknowledged that all greenhouse gases (GHG) contribute to climate change but that this should be considered in context of regional and national emissions. The potential for the proposed development to contribute to climate change would be through embodied carbon, transport and on-site emissions during the demolition and construction works, as well as the operational use of new buildings once the development is completed.

The proposed development could also be impacted by the effects of climate change, for example due to changes in average temperature and increased frequency of heavy rainfall events. Climate change could also worsen the effects identified in other environmental topics.



7.9.2 Considerations

To minimise GHG emissions the Applicant will seek to achieve a number of sustainable design initiatives in line with policy requirements and in particular, the Mayor of London’s ‘Energy Hierarchy’ and sustainability targets, as well as any relevant requirements set out by the WCC.

The proposed development’s energy and sustainability strategy will therefore aim to:

- minimise overall energy demand and consumption through practicable energy efficient design;
- minimise GHG emissions arising from the operation of the proposed development as far as practicably possible through the use of efficient plant, fittings and fixtures; and
- reduce GHG emissions arising from the operation of the proposed development as a result of on-site low carbon technology.

A BREEAM pre-assessment will also be submitted with the application.

The Applicant will also seek to ensure that construction materials are selected following the Building Research Establishment (BRE) ‘Green Guide to Specification’ to:

- minimise embodied energy content (the energy used in manufacture);
- use recyclable materials where they have high embodied energy; and
- maximise the recycled content of the material, ease of maintenance, appropriate sourcing of materials and totally excluding deleterious and hazardous materials.

The proposed development would also seek to reduce the need to travel by private car through the provision of a mixed-used development which provides employment opportunities on-site or within good proximity to sustainable transport options. The proposed development would only provide parking spaces for disabled users to further encourage the use of low carbon travel choices. The proposed development would likely deliver a reduction in on-site car parking spaces. In addition, the proposed development would provide secure cycle parking and other initiatives to improve accessibility and sustainable transport links with the adjacent community.

Furthermore, the Applicant will commit to best practice measures during the demolition and construction stage to minimise potential climate impacts. These measures will be set out within a CEMP to be prepared in advance of demolition and construction and would be secured by means of a suitably worded planning condition.

The Applicant will also seek to ensure that the proposed development’s design is resilient in respect to the potential effects of climate change. This will include taking account of climate change when assessing flood risk and minimise overheating within the residential units through appropriate design measures. The following assessments will consider the proposed development’s indirect or secondary impacts on climate:

- FRA Memorandum; and
- Energy and Sustainability Assessment (including BREEAM Assessment).

Accordingly, the GHG emissions arisings from the proposed development are not considered likely to be considered significant in the context of regional or national emissions and the proposed development would be designed to be resilient to climate change. Therefore, there are no significant climate effects likely to arise from a development of this nature. Climate will be comprehensively considered within the proposed development’s design and as appropriate within the ES. Accordingly, a discrete Climate technical assessment chapter is proposed to be scoped out of the ES.

7.10 Major Accidents and Disasters

A Major Accidents and Disasters technical assessment chapter is proposed to be scoped out of the EIA because the proposed development would not give rise to significant environmental effects in relation to Major Accidents and Disasters.

7.10.1 Potential Impacts and Likely Effects

The site is not located within 1 km of any Control of Major Accident Hazards (COMAH) regulated establishments.

The site is not located within a geographical region that has historically been subject to natural disasters. Whilst the site lies in an area where the potential effects, for example, of failure of the TTD could be considered a disastrous event, resulting in flooding of large areas of Greater London, the proposed embedded mitigation measures will include amongst others, ensuring finished floor levels are set above the Climate Change predicted flood level, ensuring a safe means of escape for vulnerable users and preparing an emergency flood evacuation plan.

There is no recognised guidance on the assessment of major accidents and disasters. The EIA Regulations state that “a *description of the expected significant adverse effects of the development on the environment deriving from the vulnerability of the development to risks of major accidents and/or disasters which are relevant to the project concerned*” should be provided within the ES.

Many examples of major natural disasters, such as epidemics, earthquakes, volcanic eruptions and droughts are not of relevance to the site or the proposed development; however, vulnerability to flood risk and storm events are relevant.

Flood risk will be considered within the FRA, where best-practice mitigation measures will be outlined. Strong winds associated with storm events will be factored into the design of the proposed development in respect of structural integrity and appropriateness of landscaping features. No further assessment in respect of natural disasters is necessary.

In respect of major accidents:

- Utility failure (such as electricity, gas, water supply or sewerage) will be avoided through appropriate design and sufficient consultation with utility providers, ensuring that necessary repairs can be undertaken, and continuation of supply ensured;
- Urban fires will be mitigated through appropriate design in accordance with Building Regulations and relevant safety guidance, in addition to the established 999 emergency response procedures in place in London; and
- Terrorist incident risk is not heightened or noteworthy due to the site’s location and intended uses of the proposed development.

7.11 Human Health

A Human Health technical assessment is proposed to be scoped out as a discrete chapter within the ES because the proposed development would not give rise to significant environmental effects in relation to human health. Nevertheless, several technical assessments within the ES will give consideration to human health.

7.11.1 Potential Impacts and Likely Effects

The potential impacts and likely effects of a new development on the health of new and existing residents and workers would be largely determined by the way the proposed development’s buildings and spaces are used, as well as lifestyle factors which cannot be accurately quantified or controlled at the planning stage. These wider factors sit outside of the scope of planning and EIA.

Development and planning can play a certain role within the wider determinants of health and well-being, including provision of good quality workspace, employment, access to health services, access to open space and access to healthy forms of transport. This role of planning, development, health and wellbeing is limited to the location, design and nature of uses proposed and the methods in which they are constructed. The scope of this assessment needs to be applied proportionately to the type of development being considered.

Residential, commercial, office, leisure, community, retail and industrial uses are located within the surrounding area. The proposed development itself would also comprise residential, commercial and industrial spaces.

Mitigation measures will be incorporated into the design of the proposed development to maximise health and wellbeing such as the provisioning of well-designed residential units and pedestrian areas; the provision of on-site employment opportunities and public realm; as well as access to schools and healthcare facilities.

A number of assessments within the EIA will consider the proposed development’s indirect or secondary impacts which can have an effect on human health (such as those relating to industrial land uses and the safeguarded wharf), namely, the:

- Ground Conditions Preliminary Risk Assessment (technical appendix);
- Air Quality Assessment;
- Noise and Vibration Assessment;
- Daylight, Sunlight and Overshadowing Assessment; and
- Wind Assessment.

Accordingly, a discrete health and wellbeing technical assessment chapter is proposed to be scoped out of the ES.

## 8. SUMMARY

The ES will address the requirements of Schedule 4 of the EIA Regulations. The preliminary structure and content of the ES is as follows:

- Non-Technical Summary;
- Volume 1: Main Environmental Statement:
  1. Introduction;
  2. EIA Process and Methodology;
  3. Alternatives and Design Evolution;
  4. Proposed Development Description;
  5. Construction Environmental Management;
  6. Socio-Economics;
  7. Air Quality;
  8. Noise and Vibration;
  9. Wind Microclimate;
  10. Daylight, Sunlight, Overshadowing and Solar Glare;
  11. Intra Cumulative Effects;
  12. Summary of Residual Effects; and
  13. Glossary of Terms and Abbreviations
- Volume 2: Townscape, Visual and Built Heritage Assessment
- Volume 3: Technical Appendices.

Following review of the emerging proposed development it is not deemed necessary to undertake a full EIA and produce ES chapters for ecology; ground contamination; water resources and flood risk; archaeology; telecommunication interference; light spill, solar glare; waste climate change; major accidents and disasters; human health; however, ES Volume 3 will include the following ES technical appendices to inform the planning application:

- Ecological Impact Assessment;
- Preliminary Risk Assessment;
- Flood Risk Assessment Memorandum; and
- Archaeological Desk Based Assessment.



APPENDIX 1  
CUMULATIVE SCHEMES

Paddington Green Police Station: Cumulative Schemes					
No.	Scheme	Application Reference	Planning Application Description	Consented Status	Cumulative scheme in the EIA
1.	One Merchant Square	18/05018/FULL	Redevelopment comprising the erection of a 42 storey building (Building 1) and a 21 storey building (Building 6) above three basement levels. Use of buildings as 426 residential units (Class C3) (including 67 affordable housing units in Building 6), retail floorspace (Classes A1/ A2/ A3/ A4/ A5) and retail/leisure floorspace (Classes A1/ A2/ A3/ A4/ D2); Provision of car parking, cycle parking, ancillary space, plant, servicing, highway works, hard and soft landscaping and other associated development (EIA Development).	Resolution to grant Subject to S106 being signed	Yes
1.	One Merchant Square	10/09756/FULL	This planning application is part of a larger scheme for Merchant Square to provide a mix of uses including residential accommodation, employment (offices), hotel, retail, medical and community facilities. Development comprising: <ul style="list-style-type: none"><li>Erection of a 42 storey building;</li><li>A maximum of 222 market residential units (and no less than 213 residential units) (Class C3) comprising:<ul style="list-style-type: none"><li>49 one bedroom units;</li><li>91 two bedroom units;</li><li>79 three bedroom units; and</li><li>3 four (+) bedroom units.</li></ul></li><li>A 90 room boutique hotel (Class C1) (totalling 8,040 m² GIA);</li><li>Provision of basement parking to deliver:<ul style="list-style-type: none"><li>133 car parking spaces; and</li><li>232 cycle spaces.</li></ul></li><li>Provision of servicing and ancillary space, highway works, new vehicular and pedestrian access and associated hard and soft landscaping.</li></ul>	Granted – Signed S106 Implemented	No. Completed and is included in the baseline.
2.	Two Merchant Square	10/09757/FULL  CLEUD confirming lawful	This planning application is part of a larger scheme for Merchant Square to provide a mix of uses including residential accommodation, employment (offices), hotel, retail, medical and community facilities. Development comprising:	Granted – Signed S106 Construction started 31/08/2015. Status unknown.	To be confirmed by WCC

Paddington Green Police Station: Cumulative Schemes					
No.	Scheme	Application Reference	Planning Application Description	Consented Status	Cumulative scheme in the EIA
		implementation issued 31/06/2016 Ref. 16/01467/CLEUD	<ul style="list-style-type: none"><li>Erection of a 17 storey building;</li><li>20,775 m² of office floorspace (Class B1);</li><li>396 m² of retail floorspace (Class A1/A2/A3/A4/A5);</li><li>Provision of basement parking to deliver:<ul style="list-style-type: none"><li>10 car parking spaces; and</li><li>196 cycle spaces.</li></ul></li><li>Provision of servicing and ancillary space, highway works, new vehicular and pedestrian access and associated hard and soft landscaping.</li></ul>		
3.	Three Merchant Square	10/09758/FULL	<p>This planning application is part of a larger scheme for Merchant Square to provide a mix of uses including residential accommodation, employment (offices), hotel, retail, medical and community facilities.</p> <p>Development comprising:</p> <ul style="list-style-type: none"><li>Erection of a 21 storey building;</li><li>A maximum of 201 market and affordable residential units (and no less than 195 residential units) (Class C3) comprising;<ul style="list-style-type: none"><li>Market housing;<ul style="list-style-type: none"><li>37 one bedroom units;</li><li>65 two bedroom units;</li><li>54 three bedroom units; and</li><li>3 four (+) bedroom units.</li></ul></li><li>Affordable housing;<ul style="list-style-type: none"><li>19 one bedroom units;</li><li>12 two bedroom units; and</li><li>11 three bedroom units.</li></ul></li></ul></li><li>1,031 m² GIA of retail floorspace (A1/A2/A3/A4/A5);</li><li>750 m² GIA nursery and community floorspace;</li><li>Provision of basement parking to deliver;<ul style="list-style-type: none"><li>78 car parking spaces; and</li><li>252 cycle spaces.</li></ul></li><li>Provision of servicing and ancillary space, highway works, new vehicular and pedestrian access and associated hard and soft landscaping.</li></ul>	Granted – Signed S106 Construction Completed	No. Completed and is included in the baseline.

Paddington Green Police Station: Cumulative Schemes					
No.	Scheme	Application Reference	Planning Application Description	Consented Status	Cumulative scheme in the EIA
4.	Six Merchant Square	11/10445/FULL  Refer to scheme 1 for revised proposal under 18/05018/FULL	<p>This planning application is part of a larger scheme for Merchant Square to provide a mix of uses including residential accommodation, employment (offices), hotel, retail, medical and community facilities.</p> <p>Development comprising:</p> <ul style="list-style-type: none"><li>Erection of a 15 storey building;</li><li>57 market residential flats and 62 affordable residential flats (Class C3) comprising:<ul style="list-style-type: none"><li>Market housing;<ul style="list-style-type: none"><li>4 one bedroom units;</li><li>29 two bedroom units; and</li><li>24 three bedroom units.</li></ul></li><li>Affordable housing;<ul style="list-style-type: none"><li>21 two bedroom units;</li><li>16 three bedroom units;</li><li>3 four (+) bedroom units;</li></ul></li></ul></li><li>583 m² GIA retail floorspace (Class A1/A2/A3/A4/A5);</li><li>811 m² GIA medical centre (Class D1);</li><li>Provision of basement parking to deliver:<ul style="list-style-type: none"><li>51 car parking spaces; and</li><li>152 cycle spaces.</li></ul></li><li>Provision of servicing and ancillary space, highway works, new vehicular and pedestrian access and associated hard and soft landscaping.</li></ul>	Granted – Signed S106 Implemented – confirmed through CLEUD  18/05018/FULL has resolution to grant subject to S106 being signed	No. Consented and is included in One Merchant Square
5.	Paddington Exchange (North Wharf Gardens) Phase 1 West	12/11911/FULL S73 – 14/09037/FULL S73 – 16/03632/FULL	<p>Development comprising:</p> <ul style="list-style-type: none"><li>Erection of a 15 storey building;</li><li>150 residential units (Class C3) comprising:<ul style="list-style-type: none"><li>Market housing;<ul style="list-style-type: none"><li>35 one bedroom units;</li><li>48 two bedroom units; and</li><li>42 three bedroom units.</li></ul></li></ul></li></ul>	Granted – Signed S106 Commenced 16/1/15	No. Completed and is included in the baseline.



Paddington Green Police Station: Cumulative Schemes					
No.	Scheme	Application Reference	Planning Application Description	Consented Status	Cumulative scheme in the EIA
			<ul style="list-style-type: none"><li>Affordable housing;<ul style="list-style-type: none"><li>- 4 one bedroom units;</li><li>- 10 two bedroom units;</li><li>- 10 three bedroom units; and</li><li>- 1 four (+) bedroom unit.</li></ul></li><li>1,257.7 m² GIA social and community space (Class D1/D2) and/or affordable business accommodation (Class B1);</li><li>565.5 m² GIA retail units (Class A1/ Class A3);</li><li>605.7 m² GIA gym use (Class D2);</li><li>Provision of basement parking over two storeys to deliver:<ul style="list-style-type: none"><li>- 90 car parking spaces;</li><li>- 234 cycle spaces;</li><li>- 30 motorcycle spaces; and</li><li>- 19 wheelchair accessible spaces.</li></ul></li><li>Energy centre and ancillary servicing accommodation; and</li><li>Provision of public open space, public realm and landscaped area, highways works including widening of Hermitage Street to accommodate two way vehicular traffic, new vehicular and pedestrian accesses.</li></ul>		
6.	Paddington Exchange (North Wharf Gardens) Phase 2 East	13/11045/FULL S73 – 16/12289/FULL	<p>Development comprising:</p> <ul style="list-style-type: none"><li>Erection of buildings between 6 and 20 storeys;</li><li>335 residential units (Class C3) comprising:<ul style="list-style-type: none"><li>Market housing;<ul style="list-style-type: none"><li>- 98 one bedroom units;</li><li>- 126 two bedroom units; and</li><li>- 77 three bedroom units.</li></ul></li><li>Affordable housing;<ul style="list-style-type: none"><li>- 8 one bedroom units;</li><li>- 25 two bedroom units;</li><li>- 26 three bedroom units; and</li><li>- 5 four (+) bedroom units.</li></ul></li></ul></li><li>23,156 m² GIA hotel and serviced apartments (Class C1);</li></ul>	Granted – Signed S106 Commenced 1/10/16	Yes

Paddington Green Police Station: Cumulative Schemes					
No.	Scheme	Application Reference	Planning Application Description	Consented Status	Cumulative scheme in the EIA
			<ul style="list-style-type: none"><li>548 m² GIA office floorspace (Class B1);</li><li>915 m² GIA gym (Class D2);</li><li>943 m² GIA retail (Class A1/A3);</li><li>2,572 m² GIA primary school (Class D1);</li><li>Provision of basement parking over two storey to deliver;<ul style="list-style-type: none"><li>- 16 car parking spaces;</li><li>- 52 wheelchair accessible spaces; and</li><li>- 598 cycle spaces.</li></ul></li><li>Provision of associated landscaping and open space, highways works, and off street ground floor service bay.</li></ul>		
7.	The Landseer 38-44 Lodge Road	09/09773/FULL 14/04393/FULL 15/00529/FULL S73 – 15/02673/FULL	<p>Demolition of existing buildings and redevelopment to include:</p> <ul style="list-style-type: none"><li>Erection of buildings between 5 and 12 storeys;</li><li>129 residential units (Class C3) providing 17,594.3 m² GIA) comprising:<ul style="list-style-type: none"><li>Market housing;<ul style="list-style-type: none"><li>- One studio unit;</li><li>- 15 one bedroom units;</li><li>- 36 two bedroom units;</li><li>- 19 three bedroom units; and</li><li>- 10 four (+) bedroom units.</li></ul></li><li>Affordable housing;<ul style="list-style-type: none"><li>- 24 one bedroom units;</li><li>- 18 two bedroom units; and</li><li>- 5 three bedroom units.</li></ul></li><li>Provision of basement parking to deliver;<ul style="list-style-type: none"><li>- 91103 car parking spaces; and</li><li>- 160258 cycle spaces.</li></ul></li><li>Ancillary leisure and gym facility; and</li><li>Provision of associated landscaping and ancillary works.</li></ul></li></ul>	Granted – Signed S106 Commenced construction	Yes

Paddington Green Police Station: Cumulative Schemes					
No.	Scheme	Application Reference	Planning Application Description	Consented Status	Cumulative scheme in the EIA
7.1	36 St John's Wood Road 38-44 Lodge Road (same location as site 7)	18/08105/FULL	Redevelopment of land at 36 St John's Wood Road for an extra care facility, ancillary medical and rehabilitation facilities, landscaping, car and cycle parking, and the redevelopment of 38-44 Lodge Road for a care home and residential units along with landscaping, car and cycle parking. <ul style="list-style-type: none"><li>• 26,000 sqm proposed</li><li>• 89 extra care residential (C3)</li><li>• 7,494 sqm care home (C2)</li><li>• 1,8553 sqm affordable residential (C3)</li></ul>	Consented  April 2020 at appeal	yes
8.	Paddington Triangle	12/07668/FULL	Permission exists for the development of the site as part of the Paddington Integrated Project. The development of 'Paddington Triangle' specifically relates to the following: <ul style="list-style-type: none"><li>• Erection of a 21 storey building;</li><li>• 34,184 m² GIA office space (Class B1);</li><li>• 132 m² GIA retail space (Class A1/A2/A3); and</li><li>• Provision of associated landscaping and other associated works.</li></ul>	Granted – Signed S106	Yes
9.	Dudley House (North Wharf Road and 139-147 Harrow Road)	15/11458/COFUL	Demolition of existing buildings (Dudley House and Nos. 139-147 Harrow Road) and redevelopment to include: <ul style="list-style-type: none"><li>• buildings ranging in height from 7 to 22 storeys;<ul style="list-style-type: none"><li>- 187 – 197 intermediate residential units (Class C3);</li><li>- 41 x Studio units;</li><li>- 42 x 1 bedroom flats;</li><li>- 38 x 2 bedroom flats</li><li>- a new secondary school and a replacement church (7,440 m² GIA D1); and</li><li>- 130 m² GIA retail (A1/A2/A3).</li></ul></li><li>• Provision of basement parking to deliver:<ul style="list-style-type: none"><li>- 32 car parking spaces;</li><li>- 22 motorcycles spaces;</li><li>- 11 wheelchair accessible spaces; and</li></ul></li></ul>	Granted 29/4/16  Commenced 1/12/16  Completed	No. Completed and is included in the baseline.

1620009008\_4\_PGPS EIA Scoping Opinion Request

Paddington Green Police Station: Cumulative Schemes					
No.	Scheme	Application Reference	Planning Application Description	Consented Status	Cumulative scheme in the EIA
			<ul style="list-style-type: none"><li>- 276 cycle spaces.</li><li>• Provision of associated landscaping and other associated works.</li></ul>		
10.	55-65 North Wharf Road	14/12648/FULL	Development comprising: <ul style="list-style-type: none"><li>• Erection of a 15-storey building;</li><li>• 30,026 m² of office space (Class B1);</li><li>• Provision of ground and basement parking to deliver:</li><li>• 2 wheelchair accessible car parking spaces; and</li><li>• 246 cycle spaces.</li><li>• Provision of associated landscaping and other associated works.</li></ul>	Granted – Signed S106 Completed	No. Completed and is included in the baseline.
11.	Crossrail Paddington Station Eastbourne Terrace	11/05349/XRPS	Request for approval of plans and specifications pursuant to Schedule 7 of the Crossrail Act 2008 for a new station comprising a ticket hall, canopy, two ventilation structures, stairs, escalators, lifts, railings and other associated works.	Granted Under Construction	Yes
12.	Warner Stand Redevelopment	13/12002/FULL	Demolition of the existing Warner Stand and redevelopment to provide a new stand of 2,922 seats with match day control facilities, restaurant, bars and catering outlets together with new landscaping, servicing and enabling works including plant and equipment.  Relocation of one of the existing temporary floodlights from the rear of the Warner Stand so that the base of the floodlight mast is within the new stand.  Erection of new glazed link between the new stand and the listed Bowlers Pavillion façade.	Granted – Signed S106 Completed	No. Completed and is included in the baseline.
13	Paddington Cube	16/09050/FULL  S73 18/08240/FULL	Demolition of existing buildings and mixed use redevelopment comprising a commercial cube providing up to 50,000 m² (GEA) floorspace of office/commercial uses, retail and café/restaurant uses at lower levels and top floor level, a retail/restaurant building on Praed Street; a new major piazza including pedestrianisation of London Street, a new access road between Winsland Street and Praed Street, hard and soft landscaping, new underground station entrance and new Bakerloo Line Ticket Hall; and associated infrastructure and interface highway and transport works for	Granted – Signed S106 Under construction	yes

1620009008\_4\_PGPS EIA Scoping Opinion Request



Paddington Green Police Station: Cumulative Schemes					
No.	Scheme	Application Reference	Planning Application Description	Consented Status	Cumulative scheme in the EIA
			underground connections, and ancillary works.(EIA Application accompanied by an Environmental Statement). Site includes 31 London Street, 128-142 Praed Street, London Street, Paddington Station Arrivals ramp and associated surrounds		
14	1A Sheldon Square, W2	17/05609/FULL	Demolition of existing management office building and lift building, and erection of a new building comprising basement, three lower levels (canal level -1, amphitheatre level -2 and railway level -3), ground and 19 upper levels plus rooftop plant to provide a hotel with up to 200 bedrooms/suites and associated ancillary facilities including conference facilities/ meeting rooms/ private dining/ bars/ restaurants including publicly accessible restaurant/ bar at Level 19 (Class C1), flexible hotel/ retail (Class C1/ A1) at part ground level, flexible hotel/ retail/ restaurant/ bar use (Class C1/ A1/ A3/ A4) at part - 1, and part - 2 level, and hotel (Class C1) at part -2 level as well as Level 17 roof terrace, replacement lift, plant, cycle parking, landscaping and other associated works.	Consented March 2018	Yes
15	Lords Cricket Ground – Compton and Edrich stands redevelopment St John’s Wood Road, NW8	18/08510/FULL	Demolition of the existing Compton & Edrich stands and redevelopment comprising the erection of a new stand to provide up to 11,500 seats, relocation of the existing floodlights, provision of new hospitality facilities, retail and food and beverage floorspace, hard and soft landscaping, servicing facilities, and all necessary ancillary and enabling works, plant and equipment.	Consented March 2019 Under Construction	yes
16	Luton Street/ Capland Street/Bedlow Close site, NW8	17/08619/FULL	Demolition of buildings and redevelopment to provide two six storey buildings above lower ground and a row of three storey townhouses comprising up to 168 residential units with ancillary facilities (Class C3) and a Sports Hall (Class D2), and associated car park, energy centre and all other works incidental to the proposed development.	Consented March 2019 Implemented/ under construction	yes



# Independent Review of the Environmental Impact Assessment (EIA) Scoping Opinion Request Report

## Paddington Green Police Station

9<sup>th</sup> November 2020

**Client Name:** Westminster City Council

**Report Title:** Independent Review of the EIA Scoping Request Report

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### Appendices

Appendix I    Consultee Responses Received to Date

**Prepared By:** Hannah Fiszpan

**Status:** ISSUED

**Date:** 9<sup>th</sup> November 2020

**For and on behalf of Avison Young (UK) Limited**



# 1. Introduction

- 1.1. Berkeley Homes (Central London) Limited (the ‘Applicant’) intend to submit a full detailed planning application for the redevelopment of a 0.83 hectare (ha) site (the ‘Site’), located at 4 Harrow Road, Paddington, London W2 1XJ to the immediate north of the A40 Westway. The Site lies within the City of Westminster and is currently occupied by the (unoccupied) Paddington Green Police Station.
- 1.2. At the current time, the Applicant’s proposals (the ‘Proposed Development’) envisage:
  - Demolition of the Paddington Green Police Station.
  - Construction of three new buildings which could range from approximately ground plus 13-storeys in height, ground plus 24-storeys in height, and ground plus 38-storeys in height.
  - Excavation of a basement linking into the Applicant’s adjacent West End Gate (WEG) basement located to the north of the Site.
  - The provision of approximately 650 new homes, including approximately 260 affordable homes (located within the upper levels of the new buildings).
  - The provision of approximately 8,250 sqm Gross External Area (GEA) of flexible commercial floorspace (located at ground floor, first and second floor levels within the new buildings).
  - The provision of servicing and car-parking for the mobility impaired only at basement level. Aside from car-parking for the mobility impaired, the Proposed Development is envisaged to be car-free.
  - Connection to the WEG energy centre with combined heat and power (CHP) plant.
  - Comprehensive landscaping including public realm improvements.
  - Residential amenity areas including residents’ roof gardens and children’s play space.
  - The stopping up of Newcastle Place.
- 1.3. Under the Town and Country Planning (Environmental Impact Assessment) Regulations, 2017 (as amended) (the ‘EIA Regulations’), the Development is recognised to be ‘EIA development’. Accordingly, the Applicant commissioned Ramboll as Lead EIA Consultant to manage and coordinate the entire pre-planning EIA process for the Proposed Development, including the preparation of an EIA Scoping Request Report and an Environmental Statement (ES).

- 1.4. In accordance with Part 1 4 (5) of the EIA Regulations, Westminster City Council (WCC) (as the determining authority) wish to ensure “...*they have, or have access as necessary to, sufficient expertise to examine the ES...*” As such, Avison Young are appointed to assist WCC in ensuring the forthcoming ES (including its scope) will be compliant with the requirements of the EIA Regulations, current EIA best practice and relevant EIA case law.

## 2. Work to Date and Purpose of this Report

- 2.1

In September 2020, pursuant to Regulation 15 of the EIA Regulations, the Applicant submitted a request for an EIA Scoping Opinion to WCC. This comprised a report prepared by Ramboll (the 'Ramboll EIA Scoping Opinion Request Report') setting out the intended scope and content of the forthcoming ES.
- 2.2

In line with their statutory duties, WCC undertook consultation with relevant consultees in order to inform their forthcoming EIA Scoping Opinion.
- 2.3

Avison Young have undertaken a review of the Ramboll EIA Scoping Opinion Request Report, undertaken a review of consultee comments received to date in respect of the EIA Scoping process, and have engaged with WCC in respect of key findings and recommendations. In conclusion, although Avison Young agree with majority of the intended scope of the ES, additional information and clarification is required in order to make a robust evaluation of the proposed scope of forthcoming ES. Accordingly, under Part 4, Paragraph 15 (3) of the EIA Regulations, WCC request additional information and clarification from the Applicant prior to adopting an EIA Scoping Opinion.
- 2.4

In view of the above, this Report sets out:

The key comments and observations of Avison Young in respect of the Ramboll EIA Scoping Opinion Request Report.

The key comments and observations of Avison Young in respect of consultee comments received to date (where relevant).

Additional information and clarification requested from the Applicant in order to inform a robust EIA Scoping Opinion.

2.5

The above is set out in tabular form within Section 3 and Appendix I of this Report. It is of note that an empty column exists within the tables of Section 3 so that the Applicant can easily provide responses.

2.6

It should be noted that WCC and Avison Young (on behalf of WCC) are keen to work pro-actively with the Applicant and their team in order to progress a formal EIA Scoping Opinion. Furthermore, it is fully appreciated that when authoring, reporting and reviewing substantially detailed reports such as the Ramboll EIA Scoping Opinion Request Report, there could be an element of unintentional misinterpretation and misunderstanding such that various matters set out within Section 3 may be irrelevant, immaterial and / or easily resolvable.
- Client Name: Westminster City Council

Report Title: Independent Review of the EIA Scoping Opinion Request Report
- ## 3. Independent Review of the Ramboll EIA Scoping Opinion Request Report
- Table 1: Independent Review of the Ramboll EIA Scoping Opinion Request Report
- | Reference within the Ramboll EIA Scoping Opinion Request Report | Independent Review Comment(s) / Observation(s)   | Additional Information / Clarification Request  | Applicant's Response |
|---|--|---|----------------------|
| Section 2.3.  | <p>Reference is made to the ES comprising a range of stand-alone reports as Technical Appendices for the purposes of providing an evidence based to prove it is appropriate to scope out various topics from full assessment in the ES. Such stand-alone reports cover the topic areas of ecology, flood risk, contamination and archaeology.</p> <p>On the basis of the information provided within the Ramboll EIA Scoping Opinion Request Report, it would seem entirely appropriate to scope out the topics of ecology, flood risk and contamination from the ES. However, with reference to further comments / observations below (refer to Section 7.5), it is currently unclear whether it is appropriate or not to scope archaeology out of the ES.</p> <p>In addition to the above, if a topic is to be scoped out of the ES, it is unclear as to why that topic area needs to be considered within a Technical Appendix which would technically form part of the ES. It is suggested that such stand-alone reports can be submitted to support the</p> | <p>Further information / clarification is required prior to confirming whether the topic of archaeology can be scoped out of the ES (refer to Section 7.5).</p> <p>Clarification is required as to why reports relating to specific topic areas to be scoped out of the ES are (by default) included in the ES via incorporation into Technical Appendices of the ES.</p> <p>The Applicant is invited to consider and confirm if there is an opportunity to slim down the ES further by submitting such reports as stand-alone reports entirely out-with the ES. The stand-alone reports would be to fulfil planning, not EIA requirements.</p> |                      |
- Date: 9<sup>th</sup> November 2020

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Reference within the Ramboll EIA Scoping Opinion Request Report	Independent Review Comment(s) / Observation(s)	Additional Information / Clarification Request	Applicant's Response
	detailed planning application out-with the ES.		
Section 3.2.	Refer to commentary provided in relation to Section 2.3.	Refer to commentary provided in relation to Section 2.3.	
Section 3.3.	The Proposed Development is (in part) defined as “... <i>demolition and construction methods and control measures</i> ”. As such, it is assumed that any legislative requirements and standard tried and tested sectorial mitigation (such as a Site-specific Construction Management Plan (CEMP)) will be relied upon to establish the potential for likely significant environmental effects (not likely significant residual effects) to occur. In other words, all legislative requirements and standard tried and tested sectorial mitigation will not be viewed as ‘additional mitigation’ required over and above that proposed by the Proposed Development.	Clarification is required in respect of how legislative requirements and standard tried and tested sectorial mitigation will be applied and considered as part of the EIA process.	
Section 3.4.	Information is provided in relation to relevant ‘baseline conditions’ to be considered within the EIA process and the ES.  With reference to Section 4.1 of the Ramboll EIA Scoping Opinion Request Report it is understood that the Applicant’s adjacent WEG scheme is partially implemented. As such, the adjacent site of the WEG scheme is in a	Clarification is required regarding how the adjacent WEG scheme will be considered in each and every assessment scoped into the ES.	

Reference within the Ramboll EIA Scoping Opinion Request Report	Independent Review Comment(s) / Observation(s)	Additional Information / Clarification Request	Applicant's Response
	continual state of flux and will likely remain so for certain period.  WEG is not referenced in the list of cumulative schemes included within Appendix I. However, it is not made explicitly clear if the ES will assume that the WEG scheme is fully completed and operational for the purposes of all assessments scoped into the ES.		
Section 3.6.2.	It is clearly stated that within ES Volume 1, Chapter 5: Demolition and Construction Description a framework CEMP will be provided, and measures included within the framework CEMP will be considered as mitigation embedded into the Proposed Development. This provides partial clarification in relation to the comments / observations raised in relation to Section 3.3. However, will the same approach be applied to legislative controls and other standard tried and tested sectorial mitigation?	Clarification is required in respect of how legislative requirements and standard tried and tested sectorial mitigation will be applied and considered as part of the EIA process.	
Section 3.6.4.	In describing the approach to be employed with regard to the assessment of inter-project cumulative effects, it is stated: “ <i>Where reserved matters applications have been consented, consideration would be given to the original consented outline application as this presents the worst case and is the most reasonable approach.</i> ”	It is noted that the list of cumulative schemes included within Appendix I of the Ramboll EIA Scoping Opinion Request Report does not include for any outline planning applications which have been subject to subsequent reserved matters applications. As such, the comments / observations made in relation to Section 3.6.4 are a moot point.	



Reference within the Ramboll EIA Scoping Opinion Request Report	Independent Review Comment(s) / Observation(s)	Additional Information / Clarification Request	Applicant's Response
	<p>EIA at the reserved matters application stage is intended to identify the likely significant environmental effects of a project which were not or could not be assessed at the outline planning application stage. Accordingly, any EIA work undertaken at the reserved matters planning application stage may give rise to significantly different environmental effects (when compared to any previous EIA material) or new previously unidentified environmental effects (when compared to any previous EIA material). In addition, it may not only be the 'design' of a project which gives rise to significantly different or new environmental effects. Other governing factors may include changes in assessment methodologies and so forth.</p> <p>In view of the above, the assumption that the original outline scheme would give rise to the worst-case environmental effects may not necessarily be true and should be judged on a case-by-case basis.</p>	<p>Despite the above, it is acknowledged that the list of cumulative schemes will be continually reviewed up until submission of the planning application which may necessitate the inclusion of further cumulative schemes within the assessment of inter-project cumulative effects. It is therefore requested to be mindful of the comments / observations made in relation to Section 3.6.4.</p>	
Section 3.6.4 and Appendix I.	<p>The list of cumulative schemes included within Appendix I of the Ramboll EIA Scoping Opinion Request Report has been reviewed. With reference to cumulative scheme reference number 2 (Two Merchant Square, planning application reference 10/09757/FULL) this cumulative scheme has been partially implemented. Although construction has stalled, there is</p>	<p>Not applicable. It is assumed that Two Merchant Square (planning application reference 10/09757/FULL) and 5 Kingdom Street (planning application reference 19/03673/FULL) will be included within the assessment if inter-project cumulative effects.</p>	

Reference within the Ramboll EIA Scoping Opinion Request Report	Independent Review Comment(s) / Observation(s)	Additional Information / Clarification Request	Applicant's Response
	<p>no indication to suggest the cumulative scheme will not be completed. As such, it is advised that for completeness, this cumulative scheme is included within the assessment of inter-project cumulative effects.</p> <p>An additional cumulative scheme should also be considered within the assessment of inter-project cumulative effects. This additional scheme is that of 5 Kingdom Street (planning application reference 19/03673/FULL). The detailed planning application received a resolution to grant planning permission at the end of October 2020.</p>		
Section 5.	<p>In describing the emerging proposed Development, reference is made to the provision of “...<i>approximately 8,250 sqm Gross External Area (GEA) of flexible commercial floorspace (class E)</i>”.</p> <p>Class E is a wide-ranging land-use class with the variety of land-uses allowable having the potential to give rise to significantly different environmental effects depending on the ultimate end use. It is therefore advised that a strategy be defined to ensure that likely significant environmental effects arising from the provision of flexible commercial floorspace (class E) can be robustly identified via the EIA process and reported in the ES.</p>	<p>Clarification is required as to how the ES will deal with the assessment of flexible commercial floorspace (class E) so as to ensure the robust assessment of all likely significant environmental effects arising from the Proposed Development. This will be particularly important for assessments which are dependent upon floorspace areas.</p>	

Reference within the Ramboll EIA Scoping Opinion Request Report	Independent Review Comment(s) / Observation(s)	Additional Information / Clarification Request	Applicant's Response
Section 6.1.2.	<p>Table 6.1 of the Ramboll EIA Scoping Opinion Request Report sets out various study areas for various elements of the socio-economic assessment. The study area quoted for the assessment of housing delivery is stated to be at the “...<i>neighbourhood and local authority</i>...” level. However, further on in Section 6.1.2 of the Ramboll EIA Scoping Opinion Request Report, it is stated “...<i>delivery of housing will be evaluated by using the quantum of proposed residential units against the identified housing targets set out in WCC policy and the London Plan</i>”. This implies that the assessment of housing delivery would be undertaken at a local authority and Regional (London wide) level.</p> <p>The intended methodology to derive the likely number of construction employees associated with the works required to facilitate the Proposed Development is unclear.</p> <p>With regard to the number of jobs created by the completed and operational Proposed Development, it is unclear whether the EIA process will establish (and therefore the ES report upon) net or gross employees arising from the completed and operational Proposed Development. It is assumed that in accordance with the relevant Additionality</p>	<p>Clarification is required as to whether the assessment of housing delivery will be undertaken at the neighbourhood and / or local authority and / or Regional (London wide) level.</p> <p>Clarification is required regarding the intended methodology to be employed to derive the likely number of construction employees.</p> <p>Clarification is required as to whether the assessment of completed and operational jobs will focus on net employees.</p>	

Reference within the Ramboll EIA Scoping Opinion Request Report	Independent Review Comment(s) / Observation(s)	Additional Information / Clarification Request	Applicant's Response
Section 6.2.	<p>Guidance, net employees will be established.</p> <p>The Ramboll EIA Scoping Opinion Request Report sets out that an assessment of completed and operational road traffic emissions upon ambient air quality is intended to be scoped out of the ES. This is on the basis that the completed and operational Proposed Development is not envisaged to generate significant additional traffic volumes or flows on the local highway network.</p> <p>A pragmatic and proportionate approach to EIA is fully supported. In addition, with the exception of car-parking for the mobility impaired and servicing for the Proposed Development as a whole, it is appreciated that the Proposed Development is intended to be car-free. However, servicing trips for large-scale development can be quite significant and residents may well choose to own cars and park them in surrounding streets (subject to relevant parking restrictions).</p> <p>The Ramboll EIA Scoping Opinion Request Report does not provide any quantified evidence to demonstrate that the anticipated traffic generated by the Proposed Development (either in isolation or with relevant Cumulative Schemes) would not exceed the relevant thresholds set out in 'EPUK and IAQM. Land-Use Planning &amp; Development Control:</p>	<p>Further quantified information is required with respect to likely traffic volumes and flows associated with the Proposed Development (both in isolation and with relevant Cumulative Schemes) to allow a more robust and informed judgement as to whether it is appropriate to scope an assessment of competed and operational traffic emissions out of the air quality assessment.</p>	

Reference within the Ramboll EIA Scoping Opinion Request Report	Independent Review Comment(s) / Observation(s)	Additional Information / Clarification Request	Applicant's Response
	Planning for Air Quality, 2017' at which likely significant air quality effects could result.		
Section 6.2.1 and 6.6.2.	Again, with respect to the assessment of air quality, Section 6.2.1 of the Ramboll EIA Scoping Opinion Request Report states that emissions from centralised energy plant will not be assessed as the Proposed Development does not include for any centralised energy plant. However, it is also stated that the Proposed Development will connect into the existing CHP plant associated with the adjacent WEG. Accordingly, an additional energy loading directly attributable to the Proposed Development will be placed upon the adjacent WEG CHP plant which, in turn, may result in greater CHP emissions. Although the Ramboll EIA Scoping Opinion Request Report notes that this will be considered in the ES, it is unclear whether the ES will include for a necessary full assessment of the additional emissions arising from the increased energy loading of the WEG CHP plant. This is strongly inferred in Section 6.2.2. However, the text provided in both sections is contradictory.	Clarification is required as to whether the ES will include for a full assessment of the additional emissions arising from the increased energy loading of the WEG CHP plant.	
Section 6.2.2.	In setting out the assessment scenarios for the purposes of the air quality assessment, an existing baseline year of 2019 is stated. It is assumed that this relates to the latest year of fully available	Clarification is sought regarding the rationale for the use of an existing baseline year of 2019.	

Reference within the Ramboll EIA Scoping Opinion Request Report	Independent Review Comment(s) / Observation(s)	Additional Information / Clarification Request	Applicant's Response
	air quality monitoring data appropriate for use in the assessment and so is the most appropriate baseline year to consider.		
Section 6.3.	The intended scope of the noise and vibration assessment seeks to include an assessment of the Site's suitability for residential development. This is commonly scoped out of ESs on the basis that the matter can be considered as a 'design issue' and is not a true 'impact assessment'. That is, there are no residential units currently on the Site and so there are no baseline conditions available to judge environmental change with the proposed Development and residential units in place. It is also noted that a similar rationale is put forward within Section 6.5 of the Ramboll EIA Scoping Opinion Request Report for the assessment of daylight, sunlight and overshadowing internal to the Proposed Development.	Clarification is sought as to whether the Applicant wishes to scope out an assessment of the Site's suitability for residential development in terms of noise and provide this by way of a separate stand-alone document in support of the detailed planning application.	
Section 6.3 and 6.3.2.	The proposed scope of the noise and vibration assessment includes for an assessment of completed and operational Proposed Development road traffic noise. Although it is stated that an assessment will only be provided where road links experience at least a 20% change in traffic attributable to the Proposed Development, based upon previous judgements regarding the Proposed	The Applicant may wish to consider providing quantified information in respect to likely traffic volumes and flows associated with the Proposed Development (both in isolation and with relevant Cumulative Schemes) to enable more certainty at the EIA Scoping stage as to whether it is appropriate to scope an assessment of completed and operational road traffic noise into or out of the ES.	



Reference within the Ramboll EIA Scoping Opinion Request Report	Independent Review Comment(s) / Observation(s)	Additional Information / Clarification Request	Applicant's Response
	Development's traffic generation, it would seem unlikely that this element of the noise and vibration assessment will be required.		
Section 6.4.2.	<p>Within the intended scope of the wind and microclimate assessment, it is stated “...<i>Due to the advanced construction stage of the WEG development, it will be considered as part of the existing baseline.</i>” This partially clarifies the comment(s) / observation(s) noted in relation to Section 3.4 of the Ramboll EIA Scoping Opinion Request Report. However, for absolute clarity and understanding it would be helpful to understand:</p> <ul style="list-style-type: none"><li>• The current status of the WEG scheme.</li><li>• When the WEG scheme is anticipated to be fully completed and operational.</li><li>• How the above WEG scheme milestone dates relate to the envisaged implementation programme for the Proposed Development.</li></ul>	<p>Clarification is required regarding:</p> <ul style="list-style-type: none"><li>• The current status of the WEG scheme.</li><li>• When the WEG scheme is anticipated to be fully completed and operational.</li><li>• How the above WEG scheme milestone dates relate to the envisaged implementation programme for the Proposed Development.</li></ul> <p>The above information should be used to clarify how the WEG scheme will be considered in each and every assessment scoped into the ES.</p>	
Section 6.5.2.	<p>Within the intended scope of the daylight, sunlight, overshadowing and solar glare assessment, it is stated “...<i>Due to the advanced construction stage of the WEG development, it will be considered as part of the existing baseline. However, Blocks B and H of the 14 - 17 Paddington Green scheme which overlaps with the WEG development,</i></p>	<p>Clarification is required regarding:</p> <ul style="list-style-type: none"><li>• The current status of the WEG scheme.</li><li>• When the WEG scheme is anticipated to be fully completed and operational.</li></ul>	

Reference within the Ramboll EIA Scoping Opinion Request Report	Independent Review Comment(s) / Observation(s)	Additional Information / Clarification Request	Applicant's Response
	<p><i>will be considered as a cumulative scheme.”</i> As above, this partially clarifies the comment(s) / observation(s) noted in relation to Section 3.4 of the Ramboll EIA Scoping Opinion Request Report. However, for absolute clarity and understanding it would be helpful to understand:</p> <ul style="list-style-type: none"><li>• The current status of the WEG scheme.</li><li>• When the WEG scheme is anticipated to be fully completed and operational.</li><li>• How the above WEG scheme milestone dates relate to the envisaged implementation programme for the Proposed Development.</li><li>• What is meant by Blocks B and H of the 14 – 17 Paddington Green ‘overlapping’ with the WEG scheme.</li></ul>	<ul style="list-style-type: none"><li>• How the above WEG scheme milestone dates relate to the envisaged implementation programme for the Proposed Development.</li></ul> <p>The above information should be used to clarify how the WEG scheme will be considered in each and every assessment scoped into the ES.</p> <p>Additional clarification is required in relation to the meaning of Blocks B and H of the 14 – 17 Paddington Green ‘overlapping’ with the WEG scheme.</p>	
Section 6.5.2.	<p>With regard to the cumulative assessment of solar glare, it is stated “...<i>Solar glare is not considered in the cumulative scenario as the worst-case scenario is shown in the Proposed Development scenario</i>” This statement is unsubstantiated. However, it is assumed to mean that since solar glare typically results from light reflection arising from a point source which affects a specific receptor or group of receptors at a specific time and for a specific duration of time, there can be no cumulative or</p>	<p>Clarification and substantiation is required as to why the worst-case solar glare scenario would be that related to the completed and operational Proposed Development in isolation.</p>	

Reference within the Ramboll EIA Scoping Opinion Request Report	Independent Review Comment(s) / Observation(s)	Additional Information / Clarification Request	Applicant's Response
	additive solar glare effects resulting from multiple schemes.		
Section 7.1.	<p>The Ramboll EIA Scoping Opinion Request Report sets out that an assessment traffic and transport is intended to be scoped out of the ES. This is on the basis of standard tried and tested construction traffic management and that the completed and operational Proposed Development is not envisaged to generate significant additional traffic volumes or flows on the local highway network.</p> <p>A pragmatic and proportionate approach to EIA is fully supported. In addition, with the exception of car-parking for the mobility impaired and servicing for the Proposed Development as a whole, it is appreciated that the Proposed Development is intended to be car-free. However, servicing trips for large-scale development can be quite significant and residents may well choose to own cars and park them in surrounding streets (subject to relevant parking restrictions).</p> <p>The Ramboll EIA Scoping Opinion Request Report does not provide any quantified evidence to demonstrate that the anticipated traffic generated by the Proposed Development (either in isolation or with relevant Cumulative Schemes) would not exceed the relevant thresholds at which significant traffic and transport and accessibility effects could result with</p>	<p>Further quantified information is required with respect to likely traffic volumes and flows associated with Proposed Development (both for the demolition and construction works and the completed and operational Development in isolation and with relevant Cumulative Schemes) to allow a more robust and informed judgement as to whether it is appropriate to scope the topic of transport and accessibility out of the ES.</p>	

Reference within the Ramboll EIA Scoping Opinion Request Report	Independent Review Comment(s) / Observation(s)	Additional Information / Clarification Request	Applicant's Response
	reference to the 'Institute of Environmental Management. Guidelines for the Environmental Assessment of Road Traffic, 1993.'		
Section 7.2.	<p>It is considered appropriate and robust to scope the topic of ecology out of the ES.</p> <p>As noted in relation to Section 3.2 and 3.3 it is proposed that a stand-alone Ecological Impact Assessment will be provided within the Technical Appendices of the ES. However, ecology is to be scoped out of the ES. As such, it is unclear why an Ecological Impact Assessment needs to be included within a Technical Appendix which would technically form part of the ES.</p> <p>Natural England have prepared a standard consultee response in respect of the EIA Scoping process (refer to <b>Appendix I</b>). Natural England's comments do not change the intended scope of the ES with respect to ecological matters.</p>	<p>Clarification is required as to why an Ecological Impact Assessment is intended for inclusion within the ES despite being a topic that is appropriate to scope out of the ES.</p> <p>The Applicant is invited to consider and confirm if there is an opportunity to slim down the ES further by submitting the Ecological Impact Assessment as a stand-alone report entirely out-with the ES. The stand-alone Ecological Impact Assessment would be submitted to fulfil planning, not EIA requirements.</p>	
Section 7.3.	<p>As for the topic of ecology, it is considered appropriate and robust to scope the topic of contamination out of the ES.</p> <p>As noted in relation to Section 3.2 and 3.3 it is proposed that a stand-alone Preliminary Risk Assessment will be provided within the Technical Appendices of the ES. However, contamination is to be scoped out of the ES. As such, it is unclear why a Preliminary Risk Assessment needs</p>	<p>Clarification is required as to why a Preliminary Risk Assessment is intended for inclusion within the ES despite being a topic that is appropriate to scope out of the ES.</p> <p>The Applicant is invited to consider and confirm if there is an opportunity to slim down the ES further by submitting the Preliminary Risk Assessment as a stand-alone report entirely out-with the ES. The</p>	