

would not give rise to significant air quality effects. Acknowledging that the traffic data does not represent that of a final and fixed Proposed Development, it is requested that the validity of the traffic data already presented is cross-checked and validated with final and fixed Proposed Development traffic flows (including for relevant Cumulative Schemes). Should this exercise continue to demonstrate no significant air quality effects would arise from the final and fixed Proposed Development then this should be explained / evidenced in the forthcoming ES and it would remain appropriate to scope this component of assessment out of the ES. If, however, this is not the case, then an appropriate assessment of completed and operational Proposed Development road traffic emissions (including for relevant Cumulative Schemes) will be required for inclusion with the ES. It is acknowledged that this latter scenario is unlikely.

*As discussed this is understood and accepted. The traffic data will be confirmed once design freeze is achieved and will be presented/validated in the ES. Should this data indicate an increase from that presented in our EIA Scoping Opinion response, the difference will be clarified, or alternatively, appropriate assessments will be undertaken.*

3. With reference to **item 11** in the December 2020 Response to the EIA Scoping Opinion Request Review, whilst the WEG Energy Centre may have the existing capacity to service the Proposed Development, it still remains unclear whether the new and additional land uses associated with the completed and operational Proposed Development to be 'plugged into' the WEG Energy Centre would give rise to increased emissions to ambient air quality and therefore give rise to significant air quality effects.

*Feedback from the Applicant's MEP specialists confirm that the WEG Energy Centre was originally assessed at its full capacity.*

*Detailed design of WEG and 14-17 PG has confirmed that the full capacity of the WEG energy centre will not be utilised. There will be spare capacity available which would be sufficient to supply in the PGPS demand.*

*In addition, the specialists have highlighted that the existing PGPS site has historically been served by an outdated, inefficient gas boiler system. Removal of this system will benefit local air quality.*

It was explained that the air quality assessment for the WEG ES assessed emissions from the Energy Centre on the basis of the worst-case maximum WEG parameters, and with the former Paddington Green Police Station land uses 'plugged in' to the Energy Centre. Clarification is therefore required in relation to the following:

- a. Have changes in assessment methodologies and relevant baseline conditions since undertaking the aforementioned assessment altered in such a way that significantly different air quality effects could result?

*No change in air quality methodologies have taken place since the last air quality assessment was undertaken for WEG + 14-17 PG in September 2018. The Applicant's MEP has confirmed that there would be no change in energy plant emissions in respect of off-site receptors.*

*The assessment for the PGPS will account for emissions from the WEG energy centre when considering site suitability.*

- b. What would be the implications of substituting the Paddington Green Police Station land uses with the proposed Development land uses? It is assumed that the proposed Development would have a much greater energy demand than the former Paddington Green Police Station and so has the potential to give rise to significantly different air quality effects?

*The proposed development land use is expected to have a higher energy demand than the previous PGPS land use. However, the increased energy use is in the form of electric demand, rather than gas/fossil fuels, which the existing site utilised. As stated above, the outdated, inefficient gas boiler system at the PGPS site will be*

*replaced. Therefore the air quality will be improved compared the previous PGPS land use.*

Until such time that it can be evidenced that there would be no significant air quality effects arising from 'plugging in' the Proposed Development to the WEG Energy Centre, it will be recommended to Westminster City Council (WCC) that the air quality assessment within the ES includes for an assessment of the Proposed Development's associated heating and plant emissions.

4. With reference to **item 18** in the December 2020 Response to the EIA Scoping Opinion Request Review, once again, it is clear that the anticipated vehicular traffic arising from the Proposed Development would not give rise to significant transport and traffic (environmental) effects. Acknowledging that the traffic data does not represent that of a final and fixed Proposed Development, it is requested that the validity of the traffic data already presented is cross-checked and validated with final and fixed Proposed Development traffic flows (including for relevant Cumulative Schemes). Should this exercise continue to demonstrate no significant transport and traffic (environmental) effects would arise from the final and fixed Proposed Development then this should be explained / evidenced in the forthcoming ES and it would remain appropriate to scope this component of assessment out of the ES. If, however, this is not the case, then an appropriate assessment of transport and traffic (environmental effects) will be required for inclusion with the ES. It is acknowledged that this latter scenario is unlikely.

*Please see point 2. above.*

We verbally agreed that points 2 and 4 were an appropriate way to proceed. However, if you could provide further clarification in relation to the point 3 that would be appreciated. Following this, I will provide my final advice to Westminster City Council (WCC) and a formal EIA Scoping Opinion will follow.

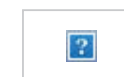
Any questions, please do feel free to call.

Best regards,

Hannah.

**Hannah Fiszpan**  
Director, Environmental Planning

[avisonyoung.co.uk](http://avisonyoung.co.uk)  
65 Gresham Street, London, EC2V 7NQ



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## 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	<p>Redevelopment comprising the erection of a 42 storey building (Building 1) and a 21 storey building (Building 6) above three basement levels.</p> <p>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);</p> <p>Provision of car parking, cycle parking, ancillary space, plant, servicing, highway works, hard and soft landscaping and other associated development (EIA Development).</p>	Resolution to grant Subject to S106 being signed	Yes
1.	One Merchant Square	10/09756/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 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 m<sup>2</sup> 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	<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>	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 m<sup>2</sup> of office floorspace (Class B1);</li> <li>396 m<sup>2</sup> 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 m<sup>2</sup> GIA of retail floorspace (A1/A2/A3/A4/A5);</li> <li>750 m<sup>2</sup> 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.

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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 m<sup>2</sup> GIA retail floorspace (Class A1/A2/A3/A4/A5);</li> <li>811 m<sup>2</sup> 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.

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
6.	Paddington Exchange (North Wharf Gardens) Phase 2 East	13/11045/FULL S73 – 16/12289/FULL	<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 m<sup>2</sup> GIA social and community space (Class D1/D2) and/or affordable business accommodation (Class B1);</li> <li>565.5 m<sup>2</sup> GIA retail units (Class A1/ Class A3);</li> <li>605.7 m<sup>2</sup> 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> <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 m<sup>2</sup> GIA hotel and serviced apartments (Class C1);</li> </ul>	Granted – Signed S106 Commenced 1/10/16	Yes

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Paddington Green Police Station: Cumulative Schemes					
No.	Scheme	Application Reference	Planning Application Description	Consented Status	Cumulative scheme in the EIA
7.	The Landseer 38-44 Lodge Road	09/09773/FULL 14/04393/FULL 15/00529/FULL S73 – 15/02673/FULL	<ul style="list-style-type: none"> <li>548 m<sup>2</sup> GIA office floorspace (Class B1);</li> <li>915 m<sup>2</sup> GIA gym (Class D2);</li> <li>943 m<sup>2</sup> GIA retail (Class A1/A3);</li> <li>2,572 m<sup>2</sup> GIA primary school (Class D1);</li> <li>Provision of basement parking over two storeys 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> <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 m<sup>2</sup> 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> </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>	Granted – Signed S106 Commenced construction	Yes

1620009008\_4\_PGFS EIA Scoping Opinion Request

**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 m<sup>2</sup> GIA office space (Class B1);</li> <li>• 132 m<sup>2</sup> 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> </ul> </li> <li>- a new secondary school and a replacement church (7,440 m<sup>2</sup> GIA D1); and</li> <li>- 130 m<sup>2</sup> GIA retail (A1/A2/A3).</li> </ul> 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>	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 m<sup>2</sup> of office space (Class B1);</li> <li>• Provision of ground and basement parking to deliver: <ul style="list-style-type: none"> <li>• 2 wheelchair accessible car parking spaces; and</li> <li>• 246 cycle spaces.</li> </ul> </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 m <sup>2</sup> (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
14	1A Sheldon Square, W2	17/05609/FULL	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  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

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

## Paddington Green Police Station

9<sup>th</sup> November 2020

### Contents

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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.

## 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>	

Reference within the Ramboll EIA Scoping Opinion Request Report	Independent Review Comment(s) / Observation(s)	Additional Information / Clarification Request	Applicant's Response
Section 3.2.	<p>detailed planning application out-with the ES.</p> <p>Refer to commentary provided in relation to Section 2.3.</p>	Refer to commentary provided in relation to Section 2.3.	
Section 3.3.	<p>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.</p>	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.	<p>Information is provided in relation to relevant 'baseline conditions' to be considered within the EIA process and the ES.</p> <p>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</p>	Clarification is required regarding how the adjacent WEG scheme will be considered in each and every assessment scoped into the ES.	

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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
Section 3.6.2.	<p>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?</p>	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.	<p>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>"</p>	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.	

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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
	<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 to the baseline conditions, 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 "...approximately 8,250 sqm Gross External Area (GEA) of flexible commercial floorspace (Class E)".</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 "...neighbourhood and local authority..." level. However, further on in Section 6.1.2 of the Ramboll EIA Scoping Opinion Request Report, it is stated "...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". 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 completed 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
Section 6.2.1 and 6.6.2.	<p>Planning for Air Quality, 2017' at which likely significant air quality effects could result.</p> <p>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.</p>	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.	<p>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</p>	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
Section 6.3.	<p>air quality monitoring data appropriate for use in the assessment and so is the most appropriate baseline year to consider.</p> <p>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.</p>	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.	<p>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 Developments, based upon previous judgements regarding the Proposed</p>	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
Section 6.4.2.	<p>Development's traffic generation, it would seem unlikely that this element of the noise and vibration assessment will be required.</p> <p>Within the intended scope of the wind and microclimate assessment, it is stated "...Due to the advanced construction stage of the WEG development, it will be considered as part of the existing baseline." 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, overshadowing and solar glare assessment, it is stated "...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,</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>	

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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
Section 6.5.2.	<p><i>will be considered as a cumulative scheme."</i></p> <p>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> <p>With regard to the cumulative assessment of solar glare, it is stated "...Solar glare is not considered in the cumulative scenario as the worst-case scenario is shown in the Proposed Development scenario" 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>How the above WEG scheme milestone dates relate to the envisaged implementation programme for the Proposed Development.</p> <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> <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>	

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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
Section 7.1.	<p>additive solar glare effects resulting from multiple schemes.</p> <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>	

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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
Section 7.2.	<p>reference to the 'Institute of Environmental Management. Guidelines for the Environmental Assessment of Road Traffic, 1993'.</p> <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>	

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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
Section 7.4.	<p>to be included within a Technical Appendix which would technically form part of the ES.</p> <p>It is considered appropriate and robust to scope the topic of water resources and flood risk out of the ES.</p> <p>As noted in relation to Section 3.2 and 3.3 it is proposed that a stand-alone Flood Risk Note / Memorandum will be provided within the Technical Appendices of the ES. However, the topic of water resources and flood risk is to be scoped out of the ES. As such, it is unclear why a Flood Risk Note / Memorandum needs to be included within a Technical Appendix which would technically form part of the ES.</p> <p>It is suggested that the demonstration of a suitable surface water drainage strategy, foul water drainage strategy and other 'embedded' design features to achieve sustainable water usage can be described in a specific section in ES Volume 1 - Chapter 4: Proposed Development Description.</p> <p>Thames Water have prepared a standard consultee response in respect of the EIA Scoping process (refer to <b>Appendix I</b>). Thames Water's comments do not change the intended scope of the ES with respect to water resources and flood risk.</p>	<p>stand-alone Preliminary Risk Assessment would be submitted to fulfil planning, not EIA requirements.</p> <p>Clarification is required as to why a Flood Risk Note / Memorandum 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 stand-alone Preliminary Risk Assessment would be submitted to fulfil planning, not EIA requirements.</p> <p>Clarification is required as to whether ES Volume 1- Chapter 4: Proposed Development Description will include for a description of the Proposed Development's inherent surface water drainage strategy, foul water drainage strategy and other 'embedded' design features which would achieve sustainable water usage etc.</p>	
Section 7.5.	<p>The justification for potentially scoping the topic of archaeology out of the ES is</p>	<p>In order to inform a decision on whether it is appropriate to scope the topic of</p>	

Reference within the Ramboll EIA Scoping Opinion Request Report	Independent Review Comment(s) / Observation(s)	Additional Information / Clarification Request	Applicant's Response
Section 7.9.	<p>well reasoned. However, there is no information on the location and extent (vertically and laterally) of the Proposed Development's basement construction or piling location and depth which is assumed to be significant given the likely height of the buildings proposed. Without this information, and in view of the fact that the Site is located within the Tier 2 Watling Street Archaeological Priority Area (APA) it is difficult to judge if the Proposed Development would likely give rise to any additional and / or significant archaeological effects over and above those which have already occurred due to historic on-Site development and nearby adjacent development.</p> <p>It is considered appropriate and robust to scope the topic of climate out of the ES. However, rather than relying on information intended to be scoped out of the ES to demonstrate how the Proposed Development seeks to reduce carbon emissions and ensure long-term resilience to climate change (that is via the proposed reference to the Flood Risk Note / Memorandum and Energy and Sustainability Assessment (including BREEAM Assessment) it is suggested that the demonstration of these factors which will form an inherent part of the Proposed Development be summarised within a specific section of ES Volume 1 - Chapter 4: Proposed Development Description.</p>	<p>archaeology out or into the ES, clarification is required regarding the location, vertical extent and lateral extent of the Proposed Development's basement excavation together with other ground works (such as piling) necessary to facilitate the Proposed Development.</p> <p>Clarification is required as to whether ES Volume 1- Chapter 4: Proposed Development Description will include for a description of the Proposed Development's inherent design features / attributes which will reduce carbon emissions and ensure long-term resilience to climate change.</p>	



Reference within the Ramboll EIA Scoping Opinion Request Report	Independent Review Comment(s) / Observation(s)	Additional Information / Clarification Request	Applicant's Response
Section 7.11.	It is considered appropriate and robust to scope the topic of human health of the ES. However, rather than relying on the inference that can be drawn from the results of various technical assessments which may have direct and indirect influences and effects upon human health, it is suggested that ES Volume 1 - Chapter 4: Proposed Development Description includes for a description of those elements of the Proposed Development that could contribute to healthy lifestyles. This could also include cross-references to various assessments scoped into the ES and other stand-alone documents to be submitted in support of the planning application.	Clarification is required as to whether ES Volume 1- Chapter 4: Proposed Development Description will include for a description of the Proposed Development's inherent design features / attributes which could contribute to healthy lifestyles together with cross-reference to various assessments scoped into the ES and other relevant stand-alone documents to be submitted in support of the planning application.	
Section 8.	The preliminary content and structure of the ES set out in the Ramboll EIA Scoping Opinion Request may require amendment depending on various Applicant responses to this independent review.	Refer to all of the above.	
Appendix I.	Refer to commentary provided in relation to Section 3.6.4.	Refer to commentary provided in relation to Section 3.6.4.	

## 4. Next Steps

- 4.1 As noted in Section 1, 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. It is suggested that following the Applicant's review and consideration of Section 3, direct liaison occurs between the Applicant team, WCC and Avison Young to ensure a full and correct understanding of both the Ramboll EIA Scoping Opinion Request Report and the content of Section 3 of this Report, together with the intended response to the additional information / clarification requests set out within Section 3 of this Report. Again, as noted in Section 1, 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.
- 4.2 Following liaison between the Applicant team, WCC and Avison Young, a full written response to Section 3 of this Report is requested under Part 4, Paragraph 15 (3) of the EIA Regulations.
- 4.3 Following receipt of a full written response to Section 3 of this Report, WCC and Avison Young will consider the response and use this (together with the Ramboll EIA Scoping Opinion Request Report) to formulate and issue a formal EIA Scoping Opinion.

# Appendix I

## Consultee Responses Received to Date

Date: 02 October 2020  
Our ref: 328677  
Your ref: 20/05827/EIASCO



Mr Nathan Barrett  
Development Planning  
City of Westminster  
PO Box 732  
Redhill RH1 9FL

Consultations  
Hornbeam House  
Crewe Business Park  
Electra Way  
Crewe  
Cheshire  
CW1 6GJ

T 0300 060 3900

**BY EMAIL ONLY**

[northplanningteam@westminster.gov.uk](mailto:northplanningteam@westminster.gov.uk)

Dear Mr Barrett

**Environmental Impact Assessment Screening consultation:** Request for a scoping opinion under Regulation 15 of The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 for redevelopment of the site, including demolition of existing police station, excavation of basement, erection of three blocks containing approximately 650 flats (including 260 affordable flats) and 8250 sqm of Class E floorspace and stopping up of Newcastle Place.

**Location:** Paddington Green Police Station, 4 Harrow Road, London, W2 1XJ,

Thank you for your consultation on the above dated 23 September 2020 which was received by Natural England on 23 September 2020.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

**It is Natural England's advice, on the basis of the material supplied with the consultation, that significant effects on statutorily designated nature conservation sites or landscapes are unlikely.**

Schedule 3(2) of the Town & Country Planning (Environmental Impact Assessment) Regulations 2017 requires consideration of the selection criteria for Schedule 2 EIA development and identification of 'environmental sensitivity'.

The proposed development is not located within or partly within any Site of Special Scientific Interest (SSSI), Special Area of Conservation (SAC), Special Protection Area (SPA) or Ramsar Site and is not likely to significantly effect the notified interest features of such sites. The proposal is not located within or partly within a National Park, Area of Outstanding Natural Beauty or Heritage Coast and is unlikely to impact upon the purposes for which these areas are designated or defined.

Natural England does not hold information on the location of significant populations of protected species, so is unable to advise whether this proposal is likely to affect protected species to such an extent as to require an Environmental Impact Assessment (EIA).

The developer must provide sufficient information for your authority to assess whether protected species are likely to be affected and, if so, whether appropriate avoidance, mitigation, or compensation measures can be put in place. Further information is included in Natural England's [standing advice](#) on protected species.

Furthermore, Natural England does not routinely maintain locally specific data on all environmental assets. This development proposal may have environmental impacts on priority species and/or habitats, local wildlife sites, soils and best and most versatile agricultural land, or on local landscape character that may be sufficient to warrant an EIA. Information on ancient woodland, ancient and veteran trees is set out in Natural England/Forestry Commission [standing advice](#).

We therefore recommend that advice is sought from your ecological, landscape and soils advisers, local record centre, recording society or wildlife body on the local soils, best and most versatile agricultural land, landscape, geodiversity and biodiversity receptors that may be affected by the proposed development before determining whether an EIA is necessary.

Should you determine that an EIA is not required in this case, you should still ensure that the application is supported by sufficient biodiversity, landscape and other environmental information in order for you to assess the weight to give these material considerations when determining the planning application.

Should the proposal be amended in a way which significantly affects its impact on the natural environment then, in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, Natural England should be consulted again.

Please note that this response relates only to the EIA screening consultation. Natural England may wish to provide advice should your authority consult us on any subsequent planning application. Guidance on when to consult Natural England is [here](#).

Please send any new consultations, or any further information on this consultation to: [consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk)

Yours sincerely

Sally Ireland  
Consultations Team

Subject: 3rd Party Planning Application - 20/05827/EIASCO

City of Westminster  
Department of Planning & City Development  
Westminster City Hall  
64 Victoria Street  
London  
SW1E 6QP

Our DTS Ref: 60044  
Your Ref: 20/05827/EIASCO

23 September 2020

Dear Sir/Madam

Re: PADDINGTON GREEN POLICE STATION-4, HARROW ROAD, LONDON, W2 1XJ

Waste Comments

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Water Comments

Thank you for giving Thames Water the opportunity to comment on the above application. Thames Water are the statutory water and sewerage undertaker for the area and would like to make the following comments: The EIA Regulations 2017 set out in Schedule 4 that water and wastewater issues may need to be covered in an EIA. Thames Water considers the following issues should be considered and covered in either the EIA or planning application submission: 1. The developments demand for Sewage Treatment and network infrastructure both on and off site and can it be met. 2. The surface water drainage requirements and flood risk of the development both on and off site and can it be met. 3. The developments demand for water supply and network infrastructure both on and off site and can it be met. 4. Build – out/ phasing details to ensure infrastructure can be delivered ahead of occupation. 5. Any piling methodology and will it adversely affect neighbouring utility services. The developer can obtain information to support the EIA by visiting the Thames Water website <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development>

Yours faithfully  
Development Planning Department

Development Planning,  
Thames Water,  
Maple Lodge STW,  
Denham Way,  
Rickmansworth,  
WD3 9SQ  
[Tel:020 3577 9998](tel:02035779998)  
Email: [devcon.team@thameswater.co.uk](mailto:devcon.team@thameswater.co.uk)

## Contact Details

### Enquiries

Hannah Fiszpan

020 7911 2695

Hannah.Fiszpan@avisonyoung.com

### Visit us online

avisonyoung.co.uk

## Appendix III

### The First Ramboll Response

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#### Avison Young

65 Gresham Street, London EC2V 7NQ

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

## Paddington Green Police Station

9<sup>th</sup> November 2020

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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.

## 3. Independent Review of the Ramboll EIA Scoping Opinion Request Report

Table 1: Independent Review of the Ramboll EIA Scoping Opinion Request Report

No	Reference within the Ramboll EIA Scoping Opinion Request Report	Independent Review Comment(s) / Observation(s)	Additional Information / Clarification Request	Applicant's Response
1	Section 2.3.	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.  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.  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 detailed planning application out-with the ES.	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).  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.  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.	Please see point 22 (below) for an explanation of the justification for Archaeology to be scoped out.  The inclusion of technical assessments that are scoped out as technical assessment chapters in ES Volume 2: Main Environmental Statement as technical assessment reports in ES Volume 3: Technical Appendices is a standard practice typically used to ensure that all relevant material is located within the same collective document and to avoid a paper chase. This is particularly the case where scoped-in ES chapters reference topics that have been scoped out, for example the framework construction environmental management (CEMP) that will be presented in ES Chapter 5: Demolition and Construction Description.

No	Reference within the Ramboll EIA Scoping Opinion Request Report	Independent Review Comment(s) / Observation(s)	Additional Information / Clarification Request	Applicant's Response
2	Section 3.2.	Refer to commentary provided in relation to Section 2.3.	Refer to commentary provided in relation to Section 2.3.	Please see above (point 1)
3	Section 3.3.	The Proposed Development is (in part) defined as "...demolition and construction methods and control measures". 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.	It can be confirmed, as indicated in section 3.6.2, that ES Chapter 5: Demolition and Construction Description will present the framework construction environmental management plan (CEMP) for the proposed development, which will be considered embedded mitigation for the purposes of the EIA.  "Chapter 5 will form a framework CEMP and will be a key form of embedded mitigation for the proposed development. It is anticipated that the CEMP will be secured by means of a suitably worded planning condition imposed by the WCC."
4	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 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	Clarification is required regarding how the adjacent WEG scheme will be considered in each and every assessment scoped into the ES.	The WEG development (16/12162/FULL) is located immediately to the north of the site and under the control of the Applicant. The WEG development is at an advanced stage of construction.  To the west of the WEG development is the 14-17 Paddington Green site which benefits from full planning permission (18/08004/FULL and associated Listed Building Consent 18/080110/LBC) and forms an overlap to/extension of the WEG development, replacing Blocks G and H of WEG. This scheme is also under the control of the Applicant. Demolition works have been completed for 14-17 PG, although no construction works have commenced.

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No	Reference within the Ramboll EIA Scoping Opinion Request Report	Independent Review Comment(s) / Observation(s)	Additional Information / Clarification Request	Applicant's Response
		and operational for the purposes of all assessments scoped into the ES.		WEG Blocks A-F would be fully completed and occupied by Q3 2022. Construction of 14-17 PG Blocks G and H would be completed and occupied by Q1 2025.  Because of the close proximity of these two schemes to the site and the certainty in respect of their delivery, these two schemes will not be purely considered in the cumulative scenario of the EIA, as clarified below.  Based on the current construction works, the defined 'existing baseline' for the purposes of the EIA will include the completed massing for WEG Blocks A-F (with only Block C occupied).  It is anticipated that the proposed development would commence demolition and construction works on-site in Q1 2021 and would be completed and become operational in Q4 2028.  For simplicity, the defined 'future baseline' for the demolition and construction stage assessment of the EIA, will assume WEG Blocks A - F completed and fully occupied by the time that the proposed development works commence on-site. Construction works on 14-17 PG Blocks would be ongoing.  The defined 'future baseline' for the completed development stage, will assume all WEG and 14-17 PG Blocks (A-H) completed and occupied.  Therefore, in summary: <ul style="list-style-type: none"> <li>Existing Baseline: WEG Blocks A-F completed, but only Block C occupied;</li> <li>Future Baseline (2021 or worst-case year for transport/air quality/noise and vibration): Blocks A-F</li> </ul>

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No	Reference within the Ramboll EIA Scoping Opinion Request Report	Independent Review Comment(s) / Observation(s)	Additional Information / Clarification Request	Applicant's Response
				<p>completed and occupied with Blocks G and H being built out concurrently; and</p> <ul style="list-style-type: none"> <li>Future Baseline 2028: Blocks A-H completed and occupied.</li> </ul> <p>The following approach would be adopted in the EIA:</p> <p><b>Demolition and construction stage assessment:</b> All of the WEG Blocks would be considered as 'existing' sensitive receptors for the purposes of all of the technical assessment chapters scoped into the EIA. This takes into account the fact that the Wind; Daylight, Sunlight and Overshadowing; and Townscape, Visual and Built Heritage Assessments will be based on qualitative assessments.</p> <p>It is acknowledged that the construction of Blocks G and H would overlap with the demolition and construction works of the proposed development; however due to the minor nature of Blocks G and H, and the control measures to be adopted as part of the respective sites' CEMPs, significant cumulative effects in respect of transport, air quality and noise, are considered unlikely to arise.</p> <p><b>Completed development stage assessment:</b> The WEG and 14-17 PG developments are anticipated to be fully completed, occupied and operational by the time the proposed development becomes operational and would therefore form part of the future baseline.</p> <p>On this basis, the following scenarios will be assessed:</p> <ul style="list-style-type: none"> <li>Existing Baseline (which includes WEG Blocks A to F massing but with only Block C occupied);</li> </ul>

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No	Reference within the Ramboll EIA Scoping Opinion Request Report	Independent Review Comment(s) / Observation(s)	Additional Information / Clarification Request	Applicant's Response
5	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.	<ul style="list-style-type: none"> <li>Future Baseline (which includes completed WEG Blocks A to F and 14-17 PG Blocks G + H massing and occupied) + Proposed Development; and</li> <li>Future Baseline (which includes completed WEG Blocks A to F and 14-17 PG Blocks G + H massing and occupied) + Proposed Development + Cumulative Development.</li> </ul> <p>Please see above (point 3)</p>
6	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, consented outline application as this presents the worst case and is the most reasonable approach.</i> " 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	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. 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	<p>It is agreed that none of the cumulative schemes include an outline planning application.</p> <p>In response to the request for clarification, the lack of information at outline planning stage should not be used as a reason to defer assessment to the reserved matters stage. Where information is not available, reasonable assumptions should be made as a basis for assessment. Therefore, Ramboll maintains that outline applications would typically present the worst-case in respect of assessed environmental effects.</p> <p>Specialists would consider <b>both</b> the reserved matters and the outline applications to establish which represents the worst-case scenario on a topic-by-topic basis. Reference</p>

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