



Seagrave Road Environmental Statement

URS Response to London Borough of Hammersmith and Fulham Regulation 19 Letter dated 26 October 2011

November 2011

Introduction

The London Borough of Hammersmith and Fulham (LBHF) have provided URS Corporation Ltd (URS) with a letter under Regulation 19 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) regulations 1999 to provide further information in response of the Environmental Statement (ES) submitted as part of the current planning application for redevelopment of the Seagrave Road car park (Local Planning Authority Reference: 2011/02000/FUL).

This URS Corporation Ltd (URS) report provides a response to the Regulation 19 letter. Since the Original Environmental Statement, the Applicant has also made a number of changes to the scheme (the Amended Scheme), and an ES Addendum has been authored to assess these changes. The majority of the requests for further information and clarification under Regulation 19 of the EIA Regulations (1991) have been addressed within the ES Addendum.

This report is set out in a tabular format with three columns. The first and second columns set out the reference number and the corresponding review comments from the LBHF Regulation 19 letter, while the third column allows for response to the comment. The ES Addendum has been referred to where appropriate.

It should also be noted that there is a typo in Chapter: 18 Cumulative and Residual Impact Assessment of the ES Addendum, this has been corrected in Table 2 – Correction of Typo in Chapter 18 of the ES Addendum.

Table 1 – Response to LBHF Regulation 19 Letter

LBHF Reference No.	Review Comment	URS Response
Further information required under Regulation 19 of the 1999 EIA Regulations		
LBHF Letter Request for Clarification Point 1	<p>The daylight, sunlight and overshadowing assessment contained in chapter 9, the Council's Scoping Opinion "<i>considered the impact on neighbouring commercial properties in terms of daylight, sunlight and overshadowing [on commercial properties] in Roxby Place and Ricketts Street should be included in the assessment.</i>" The Council's Scoping Opinion noted that these commercial properties are less sensitive to daylight and sunlight impacts than residential properties, but considers that impacts on these properties is nevertheless a material planning consideration and the scope should be extended to include these commercial units. It is not evident from the ES chapter that these commercial units have been taken into consideration and assessed in terms of potential impacts. In particular the Council will require any ancillary habitable rooms provided on the south elevation of the upper floors of The Atlas, 16 Seagrave Road London SW6 1RX to be included in the daylight, sunlight and overshadowing assessment.</p>	<p>We appreciate that the LBHF requested such studies in their Scoping Opinion and in hindsight; it would have been prudent to discuss the scoping out of these studies with the LBHF prior to submission of the planning application. Notwithstanding, GIA have undertaken an assessment of the daylight, sunlight and overshadowing on the noted commercial properties (including an assessment of the habitable rooms in The Atlas) in Roxby Place and Ricketts Street. This can be seen in <i>Chapter 9: Daylight, Sunlight, Overshadowing, Light Pollution and Solar Glare</i> of the ES Addendum.</p> <p>It should be noted that commercial properties, other than those recommend by the BRE to be assessed (studios, schools, hotels etc), have a lower requirement for natural lighting as they have a greater reliance upon supplementary electric lighting in order to function effectively and an assessment of sunlight and daylight on commercial properties is extremely rare in EIA. Therefore, the ability of the commercial units to function is not likely to be affected by the Amended Scheme.</p>

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<p>LBHF Letter Reg 19 Point 2</p>	<p>The ES does not contain a cumulative impact assessment chapter. This is contrary to the Scoping Report submitted by URS. Paragraph 194 of the Scoping Report includes a list of “proposed chapter headings” and makes reference to cumulative impacts. Therefore, it is questioned as to whether ‘type 1’ cumulative impacts, defined as the combined effect of individual impacts, for example noise, airborne dust or traffic on a single receptor have been adequately assessed in the ES.</p>	<p>Noted, this has been addressed in Table 18-1 and discussed in paragraphs 18.2 to 18.9 of <i>Chapter 18: Residual and Cumulative Impact Assessment</i> of the ES Addendum.</p> <p>A cumulative impact assessment chapter was not included in the Original ES Volume I, as the individual technical chapters contain detailed assessments of the cumulative impacts. To avoid significant repetition it was considered appropriate to omit a cumulative impact chapter.</p> <p>The combined effects of individual impacts (‘Type 1’) refer to the cumulative effect of individual impacts on receptors. Key potential impact interactions are largely related to construction traffic, haulage routes and proximity of receptors to construction sites and associated emissions; air quality (dust/particulate matter), noise and vibration.</p> <p>These impacts are difficult to quantify, due to their differing nature and there is currently no prescribed methodology for assessing such impacts. It would therefore be highly subjective to quantify a cumulative impact on a receptor as a result of these impacts.</p> <p>However, the individual impacts, as discussed in the ES, have been presented in relation to each other in order to give an indication of combined individual impacts on identified receptors. This can be seen in Table 18-1 and discussed in paragraphs 18.2 to 18.9 of <i>Chapter 18: Residual and Cumulative Impact Assessment</i> of the ES Addendum, and shows the relevant receptor and the different individual impacts on that receptor. This demonstrates the individual impacts that could potentially affect a single receptor at the same time, and therefore, which receptors may potentially be affected by more than one impact. However, it is considered that ultimately the mitigation measures prescribed for the individual impacts will mitigate the combined effects of the individual impacts. If the individual impact is mitigated, then the combined impact will also be mitigated as far as is reasonably practicable. This has not affected the overall outcomes of the ES.</p>

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Reg 19 Point 3	Further information in respect of amendments sought during the design development process to minimise adverse effects on daylight and sunlight to neighbouring properties. Although chapter 3 of the ES provides a discussion on design alternatives and evolution, it is not evident from that information how the scheme as amended to minimise the loss of day or sunlight on neighbouring properties was undertaken.	<p>Following consultation with LBHF, the scheme has been amended over the course of the design to make specific improvements to daylight, sunlight and overshadowing impacts. While not considered to be a Regulation 19 issue, this has been detailed in paragraph 3.3, <i>Chapter 3: Alternatives and Design Evolution</i> of the ES Addendum. Changes include:</p> <ol style="list-style-type: none"> 1) The positions of windows where buildings were close to each other, for example between Block A and B where the units and cores of both were designed to ensure sunlight/ daylight factors were maintained and to avoid overlooking; 2) Alterations to the massing of Block D to enhance daylight and sunlight levels; 3) The massing generally rises from the perimeter of the site and culminates in the larger buildings (i.e. Buildings B and E). One of the key considerations which drove this approach was to maximise daylight and sunlight amenity to buildings adjacent to the site. Building B is the largest within the scheme and is therefore placed towards the north of the site to avoid issues of overshadowing other buildings and open space; and 4) The layout and space between buildings, including public open space, communal gardens and private space means that issues of overshadowing are minimised thereby allowing for high levels of daylight/ sunlight.
Request for clarification and additional information		
Clarification Point 1	Light spillage and solar glare, which were identified in the Scoping Report, have not been considered by the ES technical chapters. In addition, it is not evident that specific properties referred to in the Council's Scoping Opinion have been assessed by the daylight, sunlight and overshadowing study.	<p>An assessment of light spillage and solar glare is now included in <i>Chapter 9: Daylight, Sunlight, Overshadowing, Light Pollution and Solar Glare</i> of the ES Addendum. Regarding light spillage, commercial properties and architectural lights and uplighting have the greatest chance of impacting residential properties and amenity areas. As the Amended Scheme only has a small café and gym, and there are no commercial properties of a significant size adjacent to the Amended Scheme and no uplighters or architectural lighting are proposed the Amended Scheme will not create significant light pollution. Solar Glare should be considered where there is a chance of 'dazzle' occurring when sunlight is reflected from a glazed façade which may cause a problem for motorists or pedestrians. An assessment was undertaken which considered seven viewpoints, and the impacts from Solar Glare from the Amended Scheme will be negligible.</p>
Clarification Point 2	Chapter 9 of the ES does not provide an overall summary of the daylight, sunlight and overshadowing impacts within the development site itself as this information is provided within the technical appendix. A summary of this assessment	The internal daylight, sunlight and overshadowing was included in Appendix C of the Original ES as additional information. However, it has subsequently been agreed with LBHF that the assessment of internal daylight, sunlight and overshadowing is not considered to be an EIA issue, but a design consideration. As such, the internal assessment for the Amended Scheme is to be submitted as a separate document with the

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	needs to be provided in the main ES document.	application.
Clarification Point 3	In Chapter 4 of the ES additional information relating to the number of units per building should be provided, in accordance with the Scoping Opinion. The overall unit numbers are provided, but a break-down of the number of units in each building is not provided.	Noted. This is included in ES Addendum <i>Chapter 04: The Amended Scheme</i> , Table 4-2 and in ES Addendum <i>Chapter 06 Operational Waste</i> of the ES Addendum, Table 6-2.
Clarification Point 4	With respect to electronic interference the period for complaints to be received post-completion should be extended beyond 3 months.	The assessment of electronic interference has been undertaken by an electronic interference expert who has undertaken a variety of electronic interference assessments in a variety of boroughs across London. It is therefore believed that 3 months is an acceptable period of time to receive complaints.
Clarification Point 5	In Chapter 11, additional information required to update the ground conditions baseline position based on the Council's environmental records and a review of the assessment to incorporate the potential contamination identified in the 2001 site investigation.	A number of background searches have been undertaken for the site, including an Envirocheck Report as part of a site investigation in 2001 and an updated Envirocheck Report in 2011 (as included in Appendix E of the Original ES). The 2011 investigations identified ground conditions which are comparable with the findings of the 2001 site investigation within the development site. However, the 2001 site investigation report has been discussed in more detail in paragraph 11.12 of <i>Chapter 11: Ground Conditions</i> of the ES Addendum. Notwithstanding, as stated in paragraph 11.22 of <i>Chapter 11: Ground Conditions</i> of the ES Addendum, it is considered that the depth and extent of the excavation associated with the proposed basements will effectively remove the majority of the Made Ground materials that currently represent a potential source of contamination at the site.
	<p>Point 11.21: This point notes that as the UDP no longer contains a contaminated land policy, and gives EN20A as an applicable policy. This should be complemented with policies G0, G3 and EN21.</p> <p>Point 11.22: This point refers to the emerging Core Strategy where Policy CC4 will be the new Contaminated Land policy.</p> <p>Point 11.24: This list of relevant legislation and guidance should include reference to: CLR11: Model procedures for the management of contaminated land (Defra, 2004); BS10175, The Investigation of Potentially Contaminated Land Sites; The VOCs Handbook.</p>	Noted. This has been included in <i>Chapter 11: Ground Conditions</i> of the ES Addendum. This does not affect the conclusions of the Original ES.

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	<p>Investigating, assessing and managing risks from inhalation of Volatile Organic Compounds (VOCs) at land affected by contamination (CIRIA 682, 2009); The Environmental Damage (Prevention and Remediation) Regulations 2009; and Building Regulations 1991 under the Building Act 1984.</p>	
	<p>Previous Site Investigations Although both the 2001 WSP site investigation and 2011 CARD Geotechnics reports are listed here, it appears that this Chapter refers to information gathered during the 2011 investigation only. As outlined below, issues identified during this 2001 investigation will need to be further investigated.</p>	<p>Noted. This has been updated in <i>Chapter 11: Ground Conditions of the ES Addendum</i>. The Environmental Health Officer for LBHF makes extensive reference to an intrusive investigation undertaken in 2001 by WSP. CARD Geotechnics and Walsh Group (geotechnical and environmental experts) note that the findings within the 2001 investigation are very much consistent with the site investigation findings in 2011. Critically, the deepest area of Made Ground and the “only area of notable visible and olfactory evidence of contamination” recorded on site was in the south-eastern corner of the site (within the confines of the National Grid site). The Made Ground in this area was found to be locally some 3.0m below ground level, and elevated hydrocarbon concentrations were recorded in this location. Inspection of statutory records (included in the 2011 site investigation report appendices, and included in Appendix E of the Original ES) indicates that there may have been an underground fuel tank on the site boundary in this location, providing a potential source for the recorded hydrocarbon concentrations. Elsewhere within the WSP site investigation, the Made Ground was found to be typically 1.4m to 2.2m deep with a single elevated lead concentration recorded.</p> <p>On the basis of the above, it is considered that the approach adopted within the 2011 report remains valid, with the soils appropriately classified for waste disposal, and any identified areas of gross contamination (such as the south-eastern corner) excavated under the supervision of an experienced geo-environmental engineer. It is further considered that the 2011 site investigation has taken the issues identified during the 2001 report into consideration.</p> <p>Due to the presence of existing buildings, the area in the north east of the site, around Roxby Place, will require further investigation; as stated in the Original ES Chapter 11: Ground Conditions, paragraph 11.152, <i>‘following the further intrusive site investigation and geotechnical survey work, the risk assessment, potential impacts, and mitigation measures presented within this ES Chapter will be revisited and any updates presented within the Demolition Environmental Management Plan (DEMP) and phase specific Construction Environment Management Plan’</i>. It is also stated within the ES Addendum Chapter 11: Ground Conditions, in paragraph 11.22, that <i>‘As discussed in the Original ES, further site investigation will be carried out at the site prior to the commencement of</i></p>

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		<i>construction of the development, the scope of which will be discussed with the LBHF'.</i>
	Geological Conditions Points 11.49-11.50: Although point 11.48 states that made ground was encountered at the site down to 2.9m bgl, these points do not refer to the particular finding from the 2001 report that deep made ground with a strong hydrocarbon odour was found in the southeast corner in an area where the pavement appeared oil stained.	Noted. This has been included in <i>Chapter 11: Ground Conditions</i> , paragraph 11.15 of the ES Addendum. Please see above for further explanation as to the 2001 report.
	Table 11-5: This table does not appear to use the 2001 report as a source.	Noted. <i>Chapter 11: Ground Conditions</i> of the ES Addendum has been updated with information from the 2001 report. Please see above for further explanation as to the 2001 report.
	Figure 11-1: This figure does not appear to use the 2001 report as a source as the deepest area of made ground found on the site is not represented here.	Noted. <i>Chapter 11: Ground Conditions</i> of the ES Addendum has been updated with information from the 2001 report. The depth of the Made Ground has been updated in paragraph 11.15. Please see above for further explanation as to the 2001 report.
	Figure 11-2: It would be beneficial to have an overlay of the testing locations from the 2001 report, the 2011 report and the areas where potential sources of pollution have existed at the site.	Noted. Please see comment on previous site investigations above for further explanation as to the 2001 report.
	Contamination Potential: There are a number of potentially contaminated land uses identified at and near to the site. These sites have been identified by the Council under Part IIA of the Environmental Protection Act 1990 and have been prioritised for further investigation by the Council. Some of these previous uses are covered in this section, but the existence of some potentially contaminative uses such as the use of the southeast corner for the storage of full skips, full dustbin wagons, construction vehicles and the presence of extensive surface staining have not been included. As the Council holds this	The existence of the full skips, full dustbin wagons, construction vehicles and extensive surface staining is noted in the Original ES in <i>Chapter 11: Ground Conditions</i> , paragraph 11.82. In addition an Envirocheck report was ordered, which details the history of the site, as part of the EIA, and used to inform the assessment, as referenced in paragraph 11.3, <i>Chapter 11: Ground Conditions</i> of the Original ES. The envirocheck report includes an in-depth comprehensive history of the site and the surrounding area and identifies potentially significant surrounding sources of contamination, and is considered sufficient for the assessment of ground conditions. The use of an envirocheck report for background information is standard practice for EIA's and environmental site investigations.

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	<p>information, it is suggested that an environmental search is commissioned from the LBHF Environmental Quality team to inform the conceptual site model and further site investigation scheme. Details on commissioning a search may be found here:</p> <p>http://www.lbhf.gov.uk/Directory/Environment_and_Planning/Pollution/Pollution_control_-_contaminated_land/145576_Environmental_quality_contaminated_land_enquiries.asp</p>	
	<p>Also, there is no mention of the Ruins shown on 1950s OS maps in the northwest of the site indicative of bombing during World War II. The Historic Environmental Assessment located in Appendix B of this report states that the site was subject to bomb damage (see 3.324). This comment also refers to Point 11.112 of this chapter.</p>	<p>The potential for unexploded ordnance on the site is discussed in paragraph 11.150, <i>Chapter 11: Ground Conditions</i>, of the Original ES. It is acknowledge in paragraph 11.150 of the Original ES that the area was heavily bombed during the World War II and mitigation is suggested, including:</p> <ul style="list-style-type: none"> • <i>Explosive Ordnance Safety and Awareness Briefings for personnel conducting intrusive works;</i> • <i>UXO site Safety Instructions for site personnel;</i> • <i>Presence of an Explosive Ordnance Disposal (EOD) Engineer on-site to supervise open excavations; and</i> • <i>Down-hole intrusive magnetometer surveys of all deep intrusive works and target investigation of suspect anomalies.</i>
	<p>11.87: This point does not identify at least 2 LAPPC sites located within 200m of the site. This information is held by the Council and may be requested as part of the search mentioned in the last comment.</p>	<p>Noted. The existence of the LAPPC sites has been included in paragraph 11.19, 6th bullet point of <i>Chapter: 11 Ground Conditions</i> of the ES Addendum. However, these are both industrial scale drycleaners and are downstream of the site. As such they have no impact on the site. Further to this, negligible contamination was found during the site investigation. Any potential contamination sources beneath the site will be removed during excavation of the basement, removing any risk of contamination. It is considered that the Envirocheck report has included a comprehensive review of the site and surrounding area.</p>

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	<p>Potential Sources of On-site Contamination As all of the potential sources have not been identified and the previous investigations undertaken were not targeted to identify these potential sources, the information presented in this section is not considered complete. Again, no mention of the 2001 report or its findings are outlined here. Elevated contamination was identified in the 2001 report and should be considered.</p>	<p>Noted. Information from the 2001 report has been included for information in <i>Chapter 11: Ground Conditions</i> of the ES Addendum. However, it is considered that all the potential sources of contamination were identified within the Original ES. It should be noted that the soil testing results of the 2001 site investigation were compared against old soil acceptance criteria and the 2011 presents a more up to date view of the site. It should be noted that it has not been possible to undertake site investigations in the north of the site due to the presence of existing buildings.</p>
	<p>Ground Gas: Further ground gas monitoring will be necessary at the site and of the limited non-targeted monitoring thus far undertaken, elevated carbon dioxide was found at over 5% which, according to C665, suggests a CS2 is required.</p>	<p>It is noted that following gas monitoring during the 2011 site investigation, the site was classified as CS1. It is intended to undertake further gas monitoring to confirm this. As stated in the Original ES <i>Chapter 11: Ground Conditions</i>, paragraph 11.152, <i>'following the further intrusive site investigation and geotechnical survey work, the risk assessment, potential impacts, and mitigation measures presented within this ES Chapter will be revisited and any updates presented within the Demolition Environmental Management Plan (DEMP) and phase specific Construction Environment Management Plan'</i>. It is also stated within the ES Addendum <i>Chapter 11: Ground Conditions</i>, in paragraph 11.22, that <i>'As discussed in the Original ES, further site investigation will be carried out at the site prior to the commencement of construction of the development, the scope of which will be discussed with the LBHF'</i>.</p>
	<p>Tables: The tables presented in this chapter will need to be updated to address all potentially contaminated uses past and present. The potential migration of on-site contamination to off-site locations should be considered in the S-P-R pollutant linkage assessment. The sensitive receptors listed in these tables should be presented with more consistency including the consideration of Utilities, Infrastructure, the Built Environment and Areas of Ecological Importance.</p>	<p>It is considered that the existing tables in the Original ES follow best practice and provide information on the source, the pathway and the potential receptor, and include assessment of utilities, infrastructure, the Built Environment and Areas of Ecological Importance. The tables also include consideration of the potential migration of on-site contaminants to off-site locations, for example in Table 11-10 of <i>Chapter 11: Ground Conditions</i> of the Original ES, one of the pathways is <i>'Creation of preferential pathways. Infiltration (vertical and lateral migration of pollutants) into local geology and hydrogeology.'</i> The risk to groundwater, and hence migration of contaminants off-site is also low, as stated in paragraph 11.103 of <i>Chapter 11: Ground Conditions</i> of the Original ES; <i>'The risk to controlled waters are also considered to be negligible, due to the low levels of contamination across the site, however, the impact of the basement on the perched ground will need to be considered in future studies'</i>.</p>
	<p>Demolition and Construction Mitigation Measures This section should specifically refer to the</p>	<p>Noted. The formatting error line refers to Impact to human health - Explosions / inhalation of gas; Egress of gases to basements.</p>

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	<p>excavation planned (i.e. Construction, Demolition and Excavation Mitigation Measures). This section states that further ground gas and groundwater monitoring will be required in the north of the site, however as stated above, further monitoring will be required in areas where potentially contaminated activities are known to have taken place. As per 11.333, it is expected that this will be addressed with a site investigation scheme to be agreed with the Council. This should be based on a revised preliminary risk assessment which identifies all past uses and the finding of both previous investigations. Table 11-16</p> <p>A formatting error has occurred obstructing the first row of this table.</p>	<p>As stated in the Original ES <i>Chapter 11: Ground Conditions</i>, paragraph 11.152, 'following the further intrusive site investigation and geotechnical survey work, the risk assessment, potential impacts, and mitigation measures presented within this ES Chapter will be revisited and any updates presented within the Demolition Environmental Management Plan (DEMP) and phase specific Construction Environment Management Plan'. It is also stated within the ES Addendum <i>Chapter 11: Ground Conditions</i>, in paragraph 11.22, that 'As discussed in the Original ES, further site investigation will be carried out at the site prior to the commencement of construction of the development, the scope of which will be discussed with the LBHF'.</p>
Clarification Point 6	<p>Chapter 11 also identifies some potential impacts, receptors, and mitigation measures, but it is not clear how the assessment of significance has been undertaken prior to implementation of mitigation measures or how the mitigation measure would be effective. Further clarification on these points is required.</p>	<p>Where mitigation measures have been identified to either eliminate or reduce adverse impacts, these have been incorporated into either the design of the Amended Scheme; demolition, site preparation and construction commitments; or operational or managerial standards/procedures. The Original ES and ES Addendum has also highlighted the 'residual' impacts, which remain following the implementation of suitable mitigation measures, and classified these in accordance with a standard set of significance criteria.</p> <p>In some technical assessments, mitigation measures are inherent to the Scheme and controlled through legislation, industry accepted practice and planning conditions. In these cases, it has not been considered necessary to present impact significance prior to mitigation (e.g. <i>Chapter 11: Ground Conditions</i> and <i>Chapter 16: Water Resources, Drainage and Flood Risk</i> of the Original ES and ES Addendum).</p> <p>This is stated in paragraph 2.28 to 2.29 of <i>Chapter 2: EIA: Methodology of the ES Addendum</i>.</p>
Clarification Point 7	<p>The potential impacts on water resources during both the demolition/construction and occupation/completion stages of the development should be quantified pre-mitigation.</p>	<p>For Water Resources, similar to Ground Conditions, the mitigation measures are inherent to the scheme, controlled through planning conditions and/or considered best practice (such as the Principal Contractor will ensure that any water that may have come into contact with contaminated water be disposed of in accordance with the Water Resources Act (1991)). The same can be said for the completed development, where impacts will be controlled through required safety protocols, plans and measures agreed through the Flood Risk Assessment. As the mitigation measures are part of the scheme or required by</p>

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		<p>legislation or policy, it has not been considered necessary to state the impact significance prior to mitigation.</p> <p>This is stated in paragraph 2.28 to 2.29 of <i>Chapter 2: EIA: Methodology</i> of the ES Addendum.</p>
Clarification Point 8	<p>The combined effects of potential impacts on air quality resulting from the cumulative impacts should be explained in more detail. The cumulative scenarios involve extensive development in the area and it is considered unlikely that impacts on air quality would be minor. The main finding should be presented more clearly.</p>	<p>Further information has been included in paragraphs 7.47 to 7.62 of <i>Chapter 7: Air Quality</i> of the ES Addendum. In particular, the effect of the cumulative traffic and cumulative energy centre emissions have been combined and tabulated for the specified receptor points.</p> <p>As noted in the Original ES, there is expected to be a large margin of error associated with predicting pollutant concentrations as far forward as 2031. The ES for the Earls Court Development Proposals (Development Option Site Wide) notes that the residual impacts from this scheme may range between minor adverse and moderate adverse, depending on the assumptions taken. Consequently, this cumulative assessment has been based on a realistic scenario with regards to the traffic fleet, which assumes that petrol and diesel vehicle emissions will continue to improve between 2020 and 2031, and the Mayor of London target of 2% of the London vehicle fleet comprising electric-charged vehicles is met by the target date of 2020, and a 4% contribution to the local fleet composition is subsequently attained by 2031. It has also been assumed that 10% of the trip generation associated with the Earls Court Development Proposals and the Amended Scheme will be electric-powered (in 2031). This is still considered conservative given that there is a commitment to provide 20% of car parking spaces on site with electric charging facilities, along with a further 20% having the wiring installed in case of further demand for these charging points in the future.</p>
Clarification Point 9	<p>In addition the policy context has changed slightly since the AQ Assessment was submitted, as the final version of the London Plan 2011 has been issued which states that "Development proposals should:</p> <p>(a) minimise increased exposure to existing poor air quality and make provision to address local problems of air quality (particularly within AQMAs and where development is likely to be used by large numbers of those particularly vulnerable to poor air quality, such as children or older people) such as by</p>	<p>Although this policy had not been published when the Original ES was submitted, The London Plan 2011 has been taken into account in <i>Chapter 7: Air Quality</i> of the ES Addendum (paragraph 7.15).</p> <p>It is not considered that the London Plan 2011 changes the methodology, baseline, impacts or conclusions of the air quality assessment.</p>

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	<p>design solutions, buffer zones or steps to promote greater use of sustainable transport modes through travel plans;</p> <p>(b) promote sustainable design and construction to reduce emissions from the demolition and construction of buildings following the best practice guidance in the GLA and London Councils' 'The control of dust and emissions from construction and demolition';</p> <p>(c) be at least 'air quality neutral' and not lead to further deterioration of existing poor air quality (such as areas designated as AQMAs);</p> <p>(d) ensure that where provision needs to be made to reduce emissions from a development, this is usually made on-site. Where it can be demonstrated that on-site provision is impractical or inappropriate, and that it is possible to put in place measures having clearly demonstrated equivalent air quality benefits, planning obligations or planning conditions should be used as appropriate to ensure this, whether on a scheme by scheme basis or through joint area-based approaches;</p> <p>(e) where the development requires a detailed air quality assessment and biomass boilers are included, the assessment should forecast pollutant concentrations. Permission should only be granted if no adverse air quality impacts from the biomass boiler are identified.</p> <p>Officers require additional information is required to show how these requirements have been considered.</p>	

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	<p>AQ Assessment Methodology: Although a detailed assessment of road traffic impacts has been included in the AQ Assessment, my understanding is that there is not yet agreement between the developer and H&F on expected changes in traffic flows etc. If the agreed Transport Assessment generates a different traffic data set, then this part of the AQ Assessment will have to be revised to take this into account.</p>	<p>The current traffic flows have been produced by the transport consultant, WSP following extensive consultation with the LBHF and Transports for London (TfL). If, following further consultation, the traffic flows require updating; it is not considered by WSP that the changes to the traffic flows will be altered significantly.</p>
	<p>Significance criteria: The EPUK criteria (Development Control: Planning for AQ (2010)) has been used to guide assessment of the significance of potential AQ impacts, whereas the London Councils AQ and Planning Guidance is referenced earlier in the report. The LoCo guidance should also be used and referred to in the discussion of the modelling results.</p>	<p>The ES Addendum continues to use the EPUK criteria (which has been thoroughly tested at inquiry), although has also used the criteria given in the LoCo guidance as requested. This approach is discussed in paragraph 7.19 of <i>Chapter 7: Air Quality</i> of the ES Addendum, and has not changed the conclusions of the air quality assessment.</p>
	<p>Baseline/future background conditions: Concerned that some of the assumptions and choice of background monitoring site may not be suitable. E.g. use of Westminster – Horseferry Road site rather than local K&C background site at North Kensington.</p>	<p>As explained in the Original ES, although the automatic monitoring station ‘Kensington and Chelsea – North Kensington’ is closer to the site (approximately 4.1km to the north) it is situated in a more suburban location and is therefore considered likely to underestimate background concentrations in the Study Area. ‘Bloomsbury AURN’ monitoring station is the next nearest monitoring station, located 6.3km east of the site, however due to this distance this station was also considered unlikely to be representative of conditions at the site and wider Study Area.</p> <p>The monitoring station ‘Westminster – Horseferry Road’ is considered to be the most representative continuous automatic background monitoring station of conditions at the site and within the study area and the most conservative set of data values.</p> <p>The Original ES included a section on model verification (paragraphs 7.94-7.96) that discussed the performance of the model output with local monitoring data at 17 stations. It was decided that the modelled road NO₂ contribution was underestimated and was subsequently factored up to take this into account. The model would have performed worse had the background concentrations been sourced from ‘Kensington and Chelsea – North Kensington’.</p>
	<p>Demolition/Construction impacts: Construction traffic is shown to have minimal impacts on overall</p>	<p>The approach was based on the assumption that 5 large plant (based on emissions from an off road truck, which is the largest emitter of NO_x of construction plant), would occupy a</p>

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	<p>traffic flows and therefore the potential AQ impact is also small. Site plant emissions are also assessed. However, the assumption of 5 large pieces of plant spread evenly across a 50m x 50m area seems a bit on the low side for such a large development. Unlikely that emissions would be significant, but more supporting information on how this level of activity has been decided on would be useful.</p> <p>Completed Development Impacts: The assessment may need revising if the traffic data is updated. At the moment, the focus on the operational impacts treats the traffic impacts and energy centre impacts rather separately rather than cumulatively which should be done to help assessment of overall impacts on air quality.</p>	<p>50m by 50m plot at any one time. Emissions were calculated at the boundary of this plot and presented in the ES.</p> <p>It is acknowledged that there are likely to be more than 5 site plant at any one time working on site, however many of these will be 'small' machinery and emit much less NO_x than an off road truck (several magnitudes less). Therefore it is considered that the 5 large plant is a worst case scenario.</p> <p>The assumption was based on URS's experience of similar projects and the phased approach typically taken to such sites, and is considered to provide an accurate assessment.</p> <p>Because of the importance of the building effects on the energy centre emissions it was not possible to model these emissions using the ADMS-Roads model, and hence two separate models were used. In the Original ES the cumulative effects of the traffic flows were tabulated and the effect of the heating/power plant presented by means of a contour plot. It is acknowledged that this made it more difficult for the reader to accurately interpret the combined effect of these activities and this has been rectified by including Tables 7-5 and 7-6 and paragraphs 7.47 to 7.62 in the ES Addendum.</p>
Clarification Point 10	<p>Further clarification is sought in respect of the impact of construction noise and the overall assessment of the impact, which is considered to be negligible. Specific details of the mitigation proposed by best practice should be identified and discussed in terms of address adverse effects. Further explanation regarding the methodology for assessing the construction noise and vibration impacts from the cumulative schemes should be provided along with an assessment of the completed cumulative developments.</p>	<p>The following provides clarification of the predicted construction noise impacts as presented in paragraph 13.103 of <i>Chapter 13: Noise and Vibration of the Original ES</i>, and is presented in paragraphs 13.20 to 13.22 of <i>Chapter 13: Noise and Vibration of the ES Addendum</i>. These range from 'negligible' to 'moderate adverse'. From the construction noise time slices presented in Volume III: Appendix F of the Original ES, the properties affected are limited to those immediately adjacent to and within the site itself.</p> <p>Each of the construction programme timeslices illustrate what key tasks are due to take place in a given period. In line with this, while each noise map corresponds to a yearly timeslice of the construction programme, the noise levels shown are not expected to last the duration of the whole year. Rather, the noise maps are a snap shot in time and are intended to illustrate the extent of noise propagation from construction works and to preempt any areas of potential significant impacts.</p> <p>The noise maps have identified areas where noise levels may exceed 70dB(A). During these specific periods (and throughout the entire construction period), construction noise levels will be monitored and mitigation measures adopted to reduce noise levels (see paragraph 13.105-13-108 of the Original ES). Such mitigation measures would specifically include selection of the quietest plant, reducing the number of plant operational at any time, reducing the on-time for plant and the provision of screening where practicable. With</p>

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		<p>these mitigation measures in place, noise levels will be controlled to not exceed 70dB(A) and the noise impact would be negligible.</p> <p>The assessment methodology compares construction noise with the "fixed noise limits" given in Annex E of BS5228-1:2009. These replicate the limits given in Advisory Leaflet 72. The fixed noise limits methodology has been used since it is deemed the most appropriate methodology and best practice. As construction noise work is temporary, it is controlled by fixed noise limits as detailed in BS5228, rather than the existing noise baseline, it is therefore not considered appropriate to assess against the baseline values for construction noise. This has been confirmed within an email from the LBHF health office to URS on the 15 November 2011.</p> <p>Cumulative construction noise impacts may occur where a receptor is simultaneously affected by noise from more than one development site. In this case, the construction noise assessment (as set out in Chapter 13: Noise and Vibration of the Original ES) has demonstrated that the only properties affected are limited to those immediately adjacent to and within the site itself. The schemes considered within the cumulative impact assessment are located at a significant distance from the site and there are also existing intervening buildings which provide acoustic screening. The closest scheme considered in the cumulative assessment is at least 200 metres away. The noise from this site would therefore be attenuated by at least 46dB(A) due to distance (when considering noise levels at 1 metre from a façade) and at least 10dB(A) due to screening. In order to have a cumulative noise impact, noise levels from another site must be within 10dB(A) of the construction site noise levels. Where construction noise levels are 70dB(A) noise levels from another site would have to be at least 60dB(A). When considering the attenuation due to distance and screening, construction noise levels on the other site would therefore have to be 116dB(A) or greater. Such noise levels would be highly unlikely to occur on any of the schemes considered in the cumulative impact assessment and hence there would be no cumulative construction noise impact.</p> <p>Cumulative operational noise impacts include building services noise and traffic noise. Building services noise and vibration is considered in paragraphs 13.123 to 13.126 of the Original ES. All building services noise will be designed and installed to not exceed a noise level 10dB(A) below the existing background L90 noise level. This is a standard requirement of LBHF and most other London Boroughs. The schemes considered in the cumulative assessment would also have to comply with this requirement which would result in no increase to the background noise levels. As such, there would be no cumulative noise impact due to the operation of building services noise.</p>

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		<p>Cumulative traffic impacts, included in ES Volume III: Appendix F and considered in paragraphs 13.137 and 13.138 of the Original ES remain valid. (i.e. that there is a negligible cumulative impact from road traffic noise).</p> <p>The Earls Court exhibition centres are considered in paragraph 13.62 of the Original ES. The exhibition centres are located at over 200m from the site. Furthermore there are intervening buildings which will provide acoustic screening. Events at the exhibition centres are infrequent and there are restrictions on the times that events are permitted to occur. As such it is considered that noise due to the exhibition centres would not be an issue.</p>
Clarification Point 11	Clarification of the assessment potential impacts prior to mitigation on the ecology, including a re-evaluation of the residual impacts needs to be carried out.	<p>Where an impact is predicted during the demolition and construction phase, e.g. for the West London Line South of Earls Court SBINC, this is stated and the mitigation and residual impacts detailed. For most receptors the value of the receptor is too low to result in a significant impact and so no assessment is required; however, enhancements via the landscaping scheme, or measures to avoid breaches of legislation, are detailed.</p> <p>During the operational phase, there are predicted to be either no impacts or beneficial impacts on ecological receptors and therefore no mitigation is required and no residual impact assessment is undertaken.</p> <p>This methodology is stated in ES Addendum <i>Chapter 2: EIA Methodology</i>, paragraph 2.3.</p> <p>For example, for construction related impacts, it should be noted that the site does not currently support black redstart and lacks suitable habitats for this species. The ES reference to the black redstart as being of Borough value reflects a precautionary approach because the site may become suitable for black redstarts during demolition. In effect, if black redstart were attracted to the site during this phase, and used it for nesting, then they would be of Borough value.</p> <p>Paragraph 10.142 of the Original ES presents the mitigation for nesting birds during demolition and construction " <i>The clearance of the young trees and scrub on site will ideally be undertaken outside the bird-breeding season (i.e. between August and February inclusive). However, should this not be practicable, and if it is necessary to undertake these works between the months of March to July inclusive, then a survey for all nesting birds will be undertaken by an experienced ornithologist, prior to clearance, to check for the presence/absence of any bird's nests.</i>"</p> <p>Specific mitigation for black redstarts is presented in paragraph 10.147 and 10.148 of the Original ES, and states "<i>Potential impacts on black redstarts during the demolition and construction phases can be mitigated by not leaving the site dormant for more than two weeks during the bird-nesting season. Activity, noise and light on the Proposed Development site during the demolition and construction phases will cause a large enough</i></p>

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		<p><i>disturbance to deter any nesting birds.</i></p> <p><i>If the site is left dormant for two weeks or more during the demolition and construction phases, within the bird-breeding season, a suitably experienced ecologist will check the site for the presence of nesting black redstarts before works recommence. If nests are located, then NE will be contacted immediately and their advice sought."</i></p>
<p>Clarification Point 12</p>	<p>In respect to Chapter 6, relating to waste management, the Council wishes to make the following points:</p> <p>6.6 – 6.10 Reference to the Waste Strategy 2007. Should also acknowledge the Waste Review 2011, which is likely to lead to further legislation in coming years: http://www.defra.gov.uk/environment/waste/review/</p> <p>Table 6-3 The second column of this table is entitled 'Refuse.' It should actually be titled Weekly Waste Arisings. There should be an extra column titled 'Refuse.'</p> <p>Table 6-4 The Council now only now offer 1280l bins for recycling and 1100l bins for refuse. This needs amending accordingly.</p>	<p>These points have been noted below, however, it is not considered that they affect the outcomes of the Original ES.</p> <p>URS have acknowledged this and as a result the following has been included in the ES Addendum in Table 6-4, <i>Chapter 6: Operational Waste</i> outlining the key points to the review process as summarised below.</p> <p>Government Review of Waste Policy in England 2011</p> <p>In order to ensure that the UK is on the path towards a 'zero waste' economy, a review of all waste policy in England was undertaken. The review found that waste management has made significant progress in the last ten years with:</p> <ul style="list-style-type: none"> • Waste going to landfill having nearly halved since 2000; • Household recycling rates having climbed to 40%; • Waste generated from business declining by 29% from 2003 to 2009; and • Business recycling rates increasing above 50%. <p>However the review identified a number of challenges, most notably the waste prevention wherever possible and increasing recycling of waste for both households and businesses.</p> <p>A new table has been provided in ES Addendum <i>Chapter 06: Operational Waste</i>, Table 6-4.</p> <p>URS has taken this into consideration when calculating the number of bins which will need to be allocated to the proposed development as a result of the predicted arisings from the Amended Scheme. The Amended Scheme will now require 40 x 1,280 litre Eurobins for mixed dry recycle and 47 x 1,100 litre Eurobins for residual refuse. This is included in ES Addendum <i>Chapter 06: Operational Waste</i>, Table 6-4.</p>

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	<p>Table 6-5 Commercial Waste row – says “Private Waste Management Companies” but this waste could also be collected by LBHF.</p>	<p>URS recognises that management of commercial waste arisings which will be the responsibility of the commercial occupant and will be required to dispose of their waste in a suitable way. Waste from commercial activities is usually removed from site by a private waste collector however LBHF contractors can also be employed to collect such waste at a pre arranged cost. This is included in ES Addendum Chapter 06: Operational Waste, Table 6-4.</p>
	<p>Table 6-7 It is not possible for officers to verify the calculations here, because they are dependent on the number of bedrooms in each flat in each block. If I can be provided with the necessary information officers can check.</p>	<p>This is included in ES Addendum <i>Chapter 06: Operational Waste</i>, Table 6-2.</p>
	<p>Table 6-9 Officers do not understand why 9 days storage and 6 days storage are planned for, for weekly and twice weekly collections respectively. Please can this be clarified? Also, the final column needs updating given my comments about table 6-4.</p>	<p>In order to ensure that there is enough storage as outlined in BS5906:2005 and BR2002 H6, waste storage provisions will be based on twice weekly collections (this equates to one every four days, as 7 divided by 2 is 3.5, rounded up to 4) with an additional two days extra storage capacity to allow for seasonal variations and missed collections over bank holiday periods. Therefore, the BS5906 calculation is based on 6 days. For weekly collections, these will be once every 7 days, with 2 days to allow for seasonal variations and missed collections, therefore 9 days.</p>
<p>Clarification Point 13</p>	<p>Baseline energy consumption and CO₂ emissions have been calculated for the development if it was built to the minimum requirements of the Building Regulations. You are however requested to provide the actual figures and percentages in relation to the 2010 Building Regulations rather than the 2006 versions.</p>	<p>LBHF have accepted that the proposed scheme has been assessed against the 2010 Building Regulations.</p>
<p>Clarification Point 14</p>	<p>In respect to the Sustainability Statement the broad outlines are considered to be acceptable. However, given that the Code for Sustainable Homes and BREEAM sustainability assessment methods are to be used to guide the implementation of sustainability measures at Seagrave Road, it is</p>	<p>A Code for Sustainable Homes (CSH) Pre-assessment was included as an Appendix to the Energy Strategy submitted as part of the original Planning Application. A BREEAM assessment has not been provided as the only relevant area is the health club, and the overall performance of the site is best measured using CSH and this level of performance will make it possible for the health club to comply with the necessary equivalent rating.</p>

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	recommended that these are submitted to provide details of specific measures to be implemented on site.	
Clarification on Energy Statement, page 8, 3 rd paragraph.	In Appendix in the Energy Statement provides these figures, although it also states the models need to be revisited and amended once the flat layout drawings are received. Some parts of the development have not been included in the calculations. The Energy Strategy therefore needs to be revised.	The CSH Pre-assessment was formulated for a typical house and flat within the development. Both assessments demonstrate that CSH Level 4 can be achieved. The Original Scheme includes a commitment to achieving CSH Level 4 across the scheme as a whole. It is expected that this will be secured through an appropriate planning condition. Based on the above and the experience of Hoare Lea in undertaking CSH Pre-assessment on other large residential schemes, it is not considered necessary to assess any additional units within the proposed scheme at this stage.

Table 2 – Correction of Typo in Chapter 18 of the ES Addendum

Chapter Reference	Correction																										
Chapter 18: Cumulative and Residual Impact Assessment, Table 18-2, 09: Daylight, Sunlight and Overshadowing	A typo has been made in Table 18-2, in the section referring to Daylight, Sunlight, Overshadowing, Solar Glare and Light Pollution. The correction is given below. <table border="1" data-bbox="609 863 2047 1327"> <thead> <tr> <th rowspan="2">Description</th> <th>Original ES</th> <th>ES Addendum</th> </tr> <tr> <th>Nature of Impact, Geographic Scale*, Significance</th> <th>Nature of Impact, Geographic Scale*, Significance</th> </tr> </thead> <tbody> <tr> <td>Loss of daylight amenity to surrounding residential properties</td> <td>Negligible to adverse, Local, Negligible to Moderate (for specific windows)</td> <td>Negligible, Local, Negligible (overall impact)</td> </tr> <tr> <td>Loss of daylight amenity to surrounding commercial properties</td> <td>-</td> <td>Adverse, Local, Minor</td> </tr> <tr> <td>Loss of sunlight amenity to surrounding residential properties</td> <td>Negligible to adverse, Local, Negligible to Moderate</td> <td>Negligible, Local, Negligible</td> </tr> <tr> <td>Loss of sunlight amenity to surrounding commercial properties</td> <td>-</td> <td>Adverse, Local, Moderate</td> </tr> <tr> <td>Overshadowing to areas of amenity space</td> <td>Negligible to adverse, Local, Negligible to Minor</td> <td>Adverse, Local, Minor</td> </tr> <tr> <td>Solar Glare</td> <td>-</td> <td>Negligible</td> </tr> <tr> <td>Light Pollution</td> <td>-</td> <td>Negligible</td> </tr> </tbody> </table>	Description	Original ES	ES Addendum	Nature of Impact, Geographic Scale*, Significance	Nature of Impact, Geographic Scale*, Significance	Loss of daylight amenity to surrounding residential properties	Negligible to adverse, Local, Negligible to Moderate (for specific windows)	Negligible, Local, Negligible (overall impact)	Loss of daylight amenity to surrounding commercial properties	-	Adverse, Local, Minor	Loss of sunlight amenity to surrounding residential properties	Negligible to adverse, Local, Negligible to Moderate	Negligible, Local, Negligible	Loss of sunlight amenity to surrounding commercial properties	-	Adverse, Local, Moderate	Overshadowing to areas of amenity space	Negligible to adverse, Local, Negligible to Minor	Adverse, Local, Minor	Solar Glare	-	Negligible	Light Pollution	-	Negligible
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