

Statement of Compliance

Re-Phasing Application

April 2017

BRENT
CROSS
SOUTH

Contacts

BXS LP

4 Stable Street
London
N1C 4AB

www.argentrelated.co.uk
www.argentllp.co.uk

Arup

13 Fitzroy Street
London
W1T 4BR

www.arup.com

BXS LP

Brent Cross South

**Re-Phasing Application (Condition
4.2) – Environmental Statement of
Compliance**

REP/249094/ENV001

Issue | April 2017

This report takes into account the particular instructions and requirements of our client.

It is not intended for and should not be relied upon by any third party and no responsibility is undertaken to any third party.

Job number 249094-00

Ove Arup & Partners Ltd
13 Fitzroy Street
London
W1T 4BQ
United Kingdom
www.arup.com

ARUP

Contents

	Page
1 Introduction	1
1.1 Background	1
1.2 The purpose of this report	2
2 Brent Cross South Re-phasing under Condition 4.2	4
3 Re-phasing environmental information	7
3.1 Construction	7
3.2 Intermediate Years Assessment	13
3.3 Operational Assessment	14
4 Summary	16

Appendices

Appendix A

Parameter Plan 029 – Indicative Phasing Plan

Appendix B

Revised Indicative Construction Programme

1 Introduction

1.1 Background

The BXC site comprises an area of 151ha and is located within the London Borough of Barnet (LBB).

The site includes Brent Cross Shopping Centre (“the Shopping Centre”) to the north. It is bounded by the A41 and Brent Cross London Underground Station to the east, Cricklewood Lane to the south and the A5 to the west. It represents a significantly underutilised area of brownfield land comprising industrial uses, former railway land and retailing premises surrounded by large areas of surface level car parking. In light of this it has been identified for over a decade within regional and local planning policy for comprehensive redevelopment.

Details of the relevant planning history for BXC are reported in the Explanatory Report¹ submitted as part of this Re-Phasing Application. In summary, planning Permission Ref No. C/17559/08 (“2010 Permission”) for the comprehensive redevelopment of BXC was granted in October 2010. A Section 73 (s.73) planning permission Ref No. F/04687/13 (“2014 Permission”) to develop land without complying with conditions attached to the 2010 Permission was granted by LBB in July 2014. The 2014 Permission divides the site into a series of phases and sub-phases, with Phase 1 being split into five sub-phases, namely Phase 1A (North); Phase 1A (South); Phase 1B (North); Phase 1B (South); and Phase 1C.

The 2014 Permission also included provision of a new non-vehicular bridge crossing the North Circular Road improving connectivity between the northern and southern parts of the development; alterations to the layout of proposed development within Brent Cross East Development Zone including another non-vehicular bridge, watercourse alignment changes and reconfiguration of Brent Cross Main Square; and changes to phasing plans to bring elements of the Brent Cross East development zone forward.

Both applications leading to the 2010 Permission and 2014 Permission were supported by an environmental impact assessment (“EIA”) as the proposed development is regarded as EIA development for the purposes of the EIA Regulations².

Since the 2014 Permission, a number of related consents have been granted (or submitted to the LBB), each of which have been supported by either environmental statement addenda, further environmental information, or statements of conformity / compliance, as necessary. This information needs to be taken into account in future applications. These additional supporting

¹ DP9 (April 2017) Brent Cross South: Re-Phasing Application (Condition 4.2), Explanatory Report

² The Town and Country Planning (Environmental Impact Assessment) Regulations 2015 (as amended)

environmental documents form part of the ES and together are referred to as the ‘ES’. The contents of this suite of documents are summarised in Table 1.

Table 1: Contents of the ES (“the ES”)

Report	Date	Content
s.73 Environmental Statement (s.73 ES)	Oct 2013	Comprises the ES for the 2010 Permission as amended by the s.73 application of October 2013.
Revised Environmental Statement Further Information Report: Phase 1A North	June 2015	Comprises the further environmental information submitted in support of the reserved matters applications for Phase 1A North.
Alternative Reserved Matters Applications ES Addendum, October 2015	Oct 2015	Comprises the ES Addendum submitted in support of the alternative reserved matters applications for four specific infrastructure items within Phase 1 A (North).
ES Addendum: A406 Westbound Off-Slip and Highfield Avenue Highway Works	Dec 2015	Comprises the ES Addendum prepared to support the standalone planning application for two areas of highway works falling outside of the red-line boundary of the approved BXC development.
ES Addendum: Phase 1A (North) Re-phasing Works and Tempelhof Bridge Amendments	Nov 2016	Comprises the ES Addendum prepared to support the re-phasing of six infrastructure items (four items of highway infrastructure and two open spaces) located south of the A406 from the Phase 1A (North) works package to the Phase 1B (South) works package and associated amendments to highway infrastructure and the phasing of the delivery of open spaces, together with further amendments to the approved design of Tempelhof Bridge.

Whilst the comprehensive redevelopment of BXC is being undertaken in a phased and coordinated way, different elements are being undertaken by different Development Partners. Brent Cross North (BXN) centres on the redevelopment of the Shopping Centre and its environs along with critical infrastructure; Brent Cross Thameslink (BXT) includes the provision of a new Thameslink station and sidings; and Brent Cross South (BXS) includes extensive residential and commercial development.

These elements should be deemed component aspects of BXC (“the project”), which is one, multi-phased consent for the purposes of EIA. Therefore, any additional environmental information submitted in support of BXN, BXT or BXS applications should be considered and referred to for the submissions of all follow on applications relating to BXC.

1.2 The purpose of this report

This report is submitted in support of an application pursuant to Condition 4.2 of the 2014 Permission that is being made by BXS Limited Partnership acting by its general partner BXS GP Limited (‘BXS LP’), to make a number of changes to the indicative phasing plan (Parameter Plan 029). It reports on whether the proposed re-phasing is likely to result in any new or different significant environmental effects to those already identified in the ES, and with regard to this, whether it is

likely that further information, as defined in the 2011 EIA Regulations, is required to support material submitted pursuant to Condition 4.2. The submission under Condition 4.2 relates to Phases 1A (South), 1B (South), 1C (South) and Phase 2 (South).

BXS LP are the Development Partners for the development of BXS, the area of the BXC development to the south of the A406 comprising Eastern Lands, Market Quarter, Station Quarter, Brent Terrace and Clitterhouse Playing Fields. The BXS site area is presented in Figure 1.



Figure 1: BXS location plan

2 Brent Cross South Re-phasing under Condition 4.2

The Explanatory Report has been prepared as part of the submission under Condition 4.2: it provides full details of the proposed re-phasing. The revised Parameter Plan 029 – Indicative Phasing Plan has been included within this document as Appendix A.

The scope of the re-phasing submission is summarised below in Table 2.

Table 2: Summary of BXS re-phasing under Condition 4.2

BXS Re-phasing Summary	
Existing S73 Phase Definition³	Proposed Definition
<p>“Phase 1A (South)” means the following Critical Infrastructure comprised in Phase 1 as shown for indicative purposes on Plan 9 in Schedule 8 to the S106 Agreement in accordance with the Primary Development Delivery Programme pursuant to the relevant Overarching Delivery Obligations and all relevant Phase 1A (South)_Necessary Consents and the relevant Phase 1A (South) Details (subject to any amendments approved in accordance with Condition 4.2 of this Permission):</p> <p>(a) A5/Diverted Geron Way (Waste Handling Facility) Junction;</p> <p>(b) Claremont Park Road (Part 1); and</p> <p>(c) School Lane;</p>	<p>“Phase 1A (South)” means the following Critical Infrastructure comprised in Phase 1 in accordance with the Primary Development Delivery Programme pursuant to the relevant Overarching Delivery Obligations and all relevant Phase 1A (South)_Necessary Consents and the relevant Phase 1A (South) Details (subject to any amendments approved in accordance with Condition 4.2 of this Permission):</p> <p>(a) A5/Diverted Geron Way (Waste Handling Facility) Junction; and</p> <p>(b) Claremont Park Road (Part 1).</p>
<p>“Phase 1B (South)” means the Plot Development and the Critical Infrastructure listed below as shown for indicative purposes on Plan 11 in Schedule 8 to the S106 Agreement all of which Critical Infrastructure shall be in accordance with the Primary Development Delivery Programme pursuant to the relevant Overarching Delivery Obligations and all relevant Phase 1B (South) Necessary Consents and the relevant Phase 1B (South) Details (subject to any amendments approved in accordance with Condition 4.2 of this Permission):</p> <p>(a) Plot Development in relation to Plots 18, 25, 28, 46, 59 (subject to compliance with Conditions 35.3, 35.4 and 35.6 of this Permission) and 63;</p> <p>(b) Clarefield Park Temporary Replacement Open Space;</p> <p>(c) School Green Corridor;</p>	<p>“Phase 1B (South)” means the following Plot Development and the Critical Infrastructure all of which Critical Infrastructure shall be in accordance with the Primary Development Delivery Programme pursuant to the relevant Overarching Delivery Obligations and all relevant Phase 1B (South) Necessary Consents and the relevant Phase 1B (South) Details (subject to any amendments approved in accordance with Condition 4.2 of this Permission):</p> <p>(a) Plot Development in relation to Plots 12 (subject to compliance with Conditions 35.3, 35.4 and 35.6 of this Permission), 51, 63 and 82;</p> <p>(b) Clarefield Park Temporary Replacement Open Space;</p> <p>(c) Whitefield Estate Replacement Units (Part 2);</p> <p>(d) Claremont Park;</p> <p>(e) Clitterhouse Playing Fields (Part 1);</p>

³ Existing/proposed wording reflects the proposed changes in BXN de-coupling application (ref: 16/7489/CON)

BXS Re-phasing Summary	
Existing S73 Phase Definition³	Proposed Definition
(d) Market Square; (e) Brent Terrace Green Corridor; (f) Community Facilities (Market Quarter Zone); and (g) Whitefield Estate Replacement Units (Part 2);	(f) Claremont Avenue; (g) Claremont Road Junction North; (h) High Street South (East Works); (i) Orchard Lane; and (j) Community Facilities (Market Quarter Zone) (if not provided as part of Phase 1C);
<p>"Phase 1C" means: all Plot Development; and other Critical Infrastructure and works, forming part of the Southern Development within Phase 1 as shown for indicative purposes on Plan 12 in Schedule 8 to the S106 Agreement (but not including anything within Phases 1A or 1B) the Critical Infrastructure element of which shall be delivered in accordance with the Primary Development Delivery Programme pursuant to the relevant Overarching Delivery Obligations and all relevant Phase 1C Necessary Consents and the relevant Phase 1C Details (subject to any amendments approved in accordance with Condition 4.2);</p>	<p>"Phase 1C" means the following Plot Development and the Critical Infrastructure, the Critical Infrastructure element of which shall be delivered in accordance with the Primary Development Delivery Programme pursuant to the relevant Overarching Delivery Obligations and all relevant Phase 1C Necessary Consents and the relevant Phase 1C Details (subject to any amendments approved in accordance with Condition 4.2):</p> (a) Plot Development in relation to Plots 11, 13 and 62; (b) Community Facilities (Market Quarter Zone) (if not provided as part of Phase 1B (South)); (c) Temporary Health Centre; and (d) Neighbourhood Police Unit (Market Quarter).
<p>"Phase 2 (South)" means:</p> a) all Plot Development in relation to Plots 14, 15, 16, 17, 22, 23, 24, 27, 37, 64, 65, 66, 67, 68, 73, 74, 75, 76 and 80; and b) Critical Infrastructure and works, forming part of Phase 2 (South) the Critical Infrastructure element of which shall be delivered in accordance with the Detailed Delivery (Non-PDP) Programme in accordance with the relevant Overarching Delivery Obligations and all relevant Necessary Consents and the relevant Phase 2 (South) Details (subject to any amendments approved in accordance with Condition 4.2);	<p>"Phase 2 (South)" means</p> (a) all Plot Development in relation to 14, 15, 16, 17, 18, 21, 22, 23, 24, 25, 27, 28, 30, 37, 45, 46, 58, 59, 64, 65, 66, 67, 68, 73, 74, 75, 76, 80, 93; and (b) Critical Infrastructure and works (including School Green Corridor, School Lane; Brent Terrace Green Corridor; Clitterhouse Playing Fields (Part 2), Claremont Park Road (Part 2) and Market Square) <p>forming part of Phase 2 (South) the Critical Infrastructure element of which shall be delivered in accordance with the Detailed Delivery (Non-PDP) Programme in accordance with the relevant Overarching Delivery Obligations and all relevant Necessary Consents and the relevant Phase 2 (South) Details (subject to any amendments approved in accordance with Condition 4.2);</p>

Condition 4.2 states:

'4.2. The Indicative Phasing Parameter Plan and/or Phase 1A(North) Phase 1A (South), Phase 1B (North), Phase 1B (South) and Phase 1C may be amended from time to time to reflect changes to the phasing of the development on written application and subject to obtaining the prior written approval of LBB in respect

of the definition of (a) any amendment to the Phases shown on Parameter Plan 029 or any subsequently approved Phasing Parameter Plan or (b) any part of a Phase as an approved Sub-Phase, but provided always that such approval to an amended Phase or Sub-Phase shall not be given unless and until any such proposed amendments or changes or the definition of any Sub-Phases shall have been demonstrated to be unlikely to

4.2.1. have significant adverse environmental effects compared to the assessments contained in the EIA Process unless and to the extent that such changes are validly approved by LBB after they have been assessed by a subsequent new or revised Environmental Statement and an appropriate EIA process;...’.

Condition 4.2 therefore allows for re-phasing to be undertaken, with written approval from LBB, on the basis that the amended Phase or Sub-Phase does not lead to any new or different significant environmental effects from those reported in the ES and applicable to the BXC Development (unless otherwise re-assessed).

As noted above, as this re-phasing application relates to EIA development, LBB are required to assess this application on the basis of whether the ES provides adequate information for LBB to determine this planning application, with respect to identifying any significant environmental effects associated with the proposed development. This is required by Regulation 8 of the 2011 EIA Regulations, which states that where the local planning authority (LBB in this case) consider previously submitted material as adequate, this material should be taken into account in determining any application.

3 Re-phasing environmental information

Given the requirement under Condition 4.2, this report identifies whether the proposed re-phasing of the early phases of BXS is likely to have any new or different significant environmental effects to those already reported within the ES.

The details of how development plots within BXS are being re-phased are included in section 2, with more detailed information contained within the Explanatory Report. It is important to note the following with respect to the proposed re-phasing:

- The proposed re-phasing is a temporal change to the sequencing of delivery;
- No changes to the use type, mix or quantum of development from that currently consented and assessed in the ES are proposed;
- No changes to construction methodologies are proposed; and
- No changes to the approved parameter plans except for Parameter Plan 029 – Indicative Phasing Plan are proposed.

These principles therefore underpin the assessment of potential new or different environmental effects.

In terms of the proposed revisions to the Indicative Construction Programme (ICP) (an extract of which is presented in Appendix B and described in more detail in the Explanatory Report), these will result in a more even spread of construction activity as a result of some development moving from Phase 1 to Phase 2 and reducing the peak construction activity during Phase 1. However, the methodology for construction remains unchanged.

The following sections review the construction, intermediate years and operational effects identified in the ES against revisions to the ICP⁴ to assess the likelihood for new or different significant environmental effects associated with re-phasing.

3.1 Construction

The construction impact assessment undertaken for the s.73 ES takes into account the ICP, which presents one way in which the BXC Development could be built out. This is a requirement of the ES in order to assess likely significant environmental effects as it provides a realistic interpretation for the undertaking of the development, and is therefore a robust benchmark for identifying new or different significant environmental effects at a later date. Section 2.8.31 of the ES states that:

“The ICP is an effective means of assessing the likely pattern of impacts arising from construction and in shaping the appropriate mitigation measures. It

⁴ The revisions to the ICP also incorporate recent changes required for applications pertaining to BXN.

represents a reasonable interpretation of the ‘worst case’ construction impacts that may occur.”

The ICP includes seven phases of development, shown on Parameter Plan 029. The ICP and Parameter Plan 029 were therefore important resources for undertaking the assessment of construction effects.

The ICP did not break down the assessment of construction effects in to sub-phases or development plots and was therefore reported at the phase level. The likely impact of movement of development plots within a phase, i.e., between sub-phases, is considered negligible as the effects reported in the ES would experience no change.

As part of this re-phasing submission, there are some instances where development plots are transferred between phases, i.e., from Phase 1 to Phase 2. Where this occurs, the construction effects associated with the movement of development plots are unlikely to result in any new or different significant environmental effects within the phase that they have been transferred to, as there would be no material change in the construction methodology associated with the development of these plots; only the timing of construction. As such, the construction effects reported in the ES are likely to remain valid, as although construction effects are being moved from Phase 1 to Phase 2, there would be less overlap of construction activity with the BXN programme (see revised ICP - Appendix B) compared to the intensive construction period during the consented Phase 1, which was assessed as the worst case scenario in the ES. As reported in the ES, any construction effects would be temporary and subject to control via the adopted mitigation practices, such as the production and implementation of construction environmental management plans.

The following sections report the environmental topic assessments of the ES that could be affected by changes to the construction programme. The majority of topics are not considered to be sensitive to construction programme changes as the effects reported in the ES are likely to be experienced irrespective of when construction occurs. However, traffic based effects have the potential to be influenced by temporal changes and are assessed collectively at the end of this section.

Archaeology and Cultural Heritage

Previous desk studies undertaken as part of the ES identified potential archaeological remains within the BXC site, but note that any field evaluation would be difficult due to the current land use within the area. As a result, the ES contains mitigation, in the form of requiring Schemes of Archaeological Investigations to be submitted prior to development, to ensure that construction activities do not result in any significant adverse environmental effects on archaeology.

The proposed re-phasing will not alter the way in which potential archaeological remains would be affected; it will alter the timing of when remains would be affected. The 2014 Permission includes provision under Condition 43.1 for a Scheme of Archaeological Investigation to be prepared and submitted to the LPA

prior to any follow on developments. The robustness of the Scheme of Archaeological Investigation in mitigating effects is not affected by temporal changes, therefore, there are unlikely to be any new or different significant environmental effects as a result of construction relating to Archaeology and Cultural Heritage.

Carbon Dioxide Emissions

The ES states that the worst case construction scenario for carbon dioxide emissions is 2028. This is when the most construction related carbon dioxide will be emitted, irrespective of whether it happens on site or as part of the wider construction operations, as carbon emissions are measured in absolute terms rather than spatial terms. This is not the same worst case scenario used for other assessments, including air quality and noise and vibration, where concentrated construction activity and its effect on nearby sensitive receptors is the basis for assessing significant environmental effects.

In terms of the development of the site CHP, carbon dioxide emissions would not materially change as no changes to the parameters of the CHP plant are required. As such, whilst the carbon dioxide emissions associated with the CHP facility would occur later in the phasing programme, this does not create any new or different significant environmental effects, as it is the absolute level of carbon dioxide emissions that determines the assessment of effects.

In light of this, the proposed re-phasing is unlikely to have any new or different significant effects during construction. It is likely that by 2028 similar absolute carbon dioxide emissions would be realised, albeit they may have been emitted at a slower initial rate.

Ecology and Nature Conservation

The ES identified a number of potential impacts from construction including a general risk of increased pollution and suspended sediment in the River Brent and Brent Reservoir SSSI; risks of bird and bat mortality and habitat loss during site clearance activities; habitat fragmentation; and the dispersal of invasive species.

The implementation of, and adherence to, a Code of Construction Practice (CoCP) was included in 2014 Permission to safeguard ecological features and prevent pollution incidents. The CoCP is considered robust in respect of safeguarding species and habitats during construction and includes requirements that site clearance work should be undertaken outside of the breeding bird season and under a Natural England Bat License, if deemed necessary.

The effects associated with ecology reported in the ES are not likely to significantly change as a result of the proposed re-phasing as they are not affected by the timing of implementation. It is assumed that construction mitigation in the form of the CoCP and other pre-construction conditions within the 2014 Permission would apply, and there are unlikely to be any new or different significant effects associated with the proposed re-phasing.

Ground Contamination

The ES recognises that the BXC site is likely to be contaminated and that there are risks of pollution and health effects during construction and operation. However, the Global Remediation Strategy⁵ and subsequent remediation requirements for Reserved Matters Applications (RMAs), would effectively mitigate these risks.

Effective remediation of the site is not significantly affected by the proposed re-phasing as remediation is not dependent on temporal aspects of the development. As such, no new or significant environmental effects are likely during construction.

Landscape and Visual Effects

The ES reports that during construction the BXC site would possess characteristics of a construction site. Landscape effects would largely be limited to the construction phase, but these would be temporary. Effects on visual receptors are also generally limited to the construction phase (i.e., for a temporary period only) and early phase buildings would provide some shielding to subsequent developments. Generally, the effects of construction would be mitigated by implementation of the CoCP, particularly aspects that address construction site practice (for example, hoarding and construction lighting).

The proposed re-phasing is unlikely to have any significantly different effects with respect to landscape, as the wider BXC site would still retain characteristics of a construction site. Visual effects could slightly alter due to the proposed re-phasing as different areas of the site would now experience construction during a different time period. However, these effects would be temporary until surrounding buildings are developed, and construction activities would remain to be mitigated by the CoCP. As such, no new or significant environmental effects are likely during construction.

Microclimate

Construction effects were not assessed in the ES for either the environmental wind or the sunlight and daylight assessments, as the potential construction environments are continually changing. Therefore, the proposed re-phasing would not lead to any new or different significant environmental effects.

Socio-economic

The ES identified the significant socio-economic impact construction would have, estimating the creation of approximately 1,400 FTE jobs. These jobs were identified for the peak construction period, which would, by way of the proposed re-phasing, be more evenly distributed between Phase 1 and Phase 2. The ES assessment therefore still represents the best case for construction employment and worst case for construction workers on site.

⁵ http://www.brentcrosslondon.co.uk/assets/documents/uploads/S73/BXC01_Rev_DFS.pdf

The ES also assessed that approximately 1,500 FTE jobs would be displaced by the proposed development, with 400 of these FTE jobs being relocated as part of the BXC site. In addition, some of the remaining 1,100 FTE jobs would be relocated on site within the range of employment floor space that will be provided.

Relocation of residents was identified as a significant adverse effect, however it would be temporary. Replacement housing would contribute to mitigating these effects. The ES states that the approved phasing ensures replacement housing will be constructed prior to any relocation taking place.

As a result of the re-phasing submission, replacement properties would still be constructed prior to relocation (and indeed, the replacement homes will be the first development to be delivered in BXS), therefore no new or different significant environmental effects are likely.

TV, Radio and Mobile Phone Reception

The ES confirms that there is potential for construction activity to adversely affect TV reception as a result of tower cranes being located on site. Mobile phone and radio reception are not likely to be affected. Mitigation would be retrospective as a result from complaints received by residents, with these complaints being addressed by protocols within the CoCP.

Whilst the timing of these effects to receptors within and adjacent to the BXC site are likely to be affected by the proposed re-phasing, there would be no difference in the absolute effect experienced. Assuming that the mitigation contained within the ES is implemented and complaints dealt with in accordance with the CoCP, there are unlikely to be any new or different significant environmental effects.

Waste

The ES has reported that the amount of construction waste generated would be of substantial significance to LBB as a whole. However, as it is recognised that the majority of this excavated material would be used on site, the effects are not assessed as being significant as there would be limited impact on the surrounding area. Construction waste would be managed by the implementation of a Demolition and Site Waste Management Plan for each works area, which would address how demolition and construction waste is processed and disposed of.

The proposed re-phasing has no bearing on the absolute amount of construction waste generated and is likely to reduce and redistribute the waste arisings from Phase 1, as reported in the ES as representative of the worst case scenario. As such, there are unlikely to be any new or different significant environmental effects.

Water Resources and Flood Risk

The ES identified a general risk to water quality due to construction works, though these are likely to be temporary. Equally construction vehicles and ground treatment works could compact soil, causing minor impacts on permeability and

flow paths. Short and long term impacts also considered the potential risk of exacerbating drainage network issues. The long term changes to the River Brent and its riparian corridor were considered to be a positive impact on ecology, aesthetics, quality and hydrogeomorphology.

Where potential significant effects were identified as a result of construction activity, mitigation in the form of the CoCP would be implemented to reduce these effects. As a result, construction effects were not assessed as significant.

Effects on water resources and flood risk are not dependent on temporal aspects of the development. As such, no new or significant environmental effects are likely to occur as a result of re-phasing.

Traffic Based Effects

There is potential for re-phasing to affect traffic modelling assumptions, which could have an impact on the Traffic and Transport; Noise and Vibration; and Air Quality and Dust assessment in the ES.

The ES states that construction is likely to lead to a small, temporary increase in the number of vehicles due to construction traffic, which was not expected to cause a significant impact due to appropriate mitigation measures being incorporated into the assessment.

The re-phasing submission does not request any increase in the quantum, type, or mix of land use permitted by the 2014 Permission: as noted above, it is a temporal change in the sequencing of development within Phases 1 and 2. In terms of construction activity, including vehicle movements, this would result in a slight reduction in construction taking place during the peak construction period during Phase 1, as assessed in the ES as construction activity would be more evenly undertaken during the course of Phases 1 and 2.

With reference to the revised ICP reported in Appendix B, the proposed re-phasing is likely to result in plots formerly being completed south of the A406 in Phase 1 (originally 2016-2023) being moved to Phase 2 and a later window of 2021-2027. The key impact of this is that the start of plot development for Phase 2 will occur once the majority of the Shopping Centre development has been completed and substantial highways works are also either completed or nearing completion. This would potentially reduce the impact of construction traffic associated with development across the BXC site, both in terms of an accumulation of effect and with respect to the movement of construction vehicles on the temporarily constrained network.

It is therefore considered that there are no new or different significant environmental effects associated with construction traffic and the worst case assessment as reported in the ES remains valid. As such, the change in effects associated with vehicle noise and emissions (NO₂ and PM₁₀) are also not likely to be significant.

Cumulative Impacts

From the above sections, it can be seen that there are unlikely to be any new or different significant effects associated with the proposed re-phasing, there is unlikely to be any significant change in the interaction between impacts of those topics assessed. Therefore, no new or different significant environmental effects are expected.

In terms of the interaction between projects, the ES noted that there was potential for construction activity to overlap with the West Hendon Regeneration to overlap, which may result in cumulative construction effects, most notably with respect to construction traffic. Phase 4 of the West Hendon Regeneration is due to finish in 2021, meaning that there will be partial overlap with construction associated with BXS, which is due to start in late 2018. Phase 5 (2020-2026) and Phase 6 (2022-2029) of the West Hendon Regeneration will overlap with the majority of Phase 1 development plots and all of Phase 2 development plots. However, the 2014 Permission noted that the CoCP and the Construction Traffic Management Plan, would take account of this as part of the construction traffic management protocols.

However, as construction will not commence at BXS until the latter part of 2018, the potential overlap of construction with the West Hendon Regeneration would reduce. Therefore, no new or different significant environmental effects are likely to occur.

Overall Conclusion for Construction Impacts

It is concluded that the proposed BXS re-phasing is unlikely to result in any new or different significant effects relating to construction from those reported in the ES.

3.2 Intermediate Years Assessment

As defined in section 2.9 of the ES, the Intermediate Years Assessment covers the following assessment snapshots:

- **First Intermediate Snapshot – Q3 2020:** Peak construction activity during Phase 1 and covers any other phases under construction according to the ICP or are completed at that time. This represents the worst case construction assessment.
- **Second Intermediate Snapshot – Q2 2023:** All aspects of Phase 1 are complete with some subsequent phases under construction.
- **Third Intermediate Snapshot – Q4 2029:** All of Phase 1 and 2 are completed. Subsequent phases are either operational or under construction (notably Phase 5 and Phase 7).

3.2.1 Changes to the First Intermediate Snapshot

As reported in the Explanatory Report, the proposed re-phasing would result in a change to the timing of bringing forward certain development plots. The changes to the ICP (as reported in the revised ICP in Appendix B) as a result of this transfer are minimal and as such, are unlikely to result in any material changes to the construction effects reported in the ES. Furthermore, the proposed changes slightly reduce construction activity during Phase 1 (the current construction worst case) and slightly increase construction activity during Phase 2. As such, the worst case scenario from the s.73 ES remains valid (during Phase 1) and no new or different significant environmental effects are likely.

3.2.2 Changes to the Second Intermediate Snapshot

The proposed re-phasing increases the construction activity occurring in Phase 2, though this is still likely to be less than that occurring in Phase 1 and that which was assessed in the ES as part of the First Intermediate Snapshot.

As such, the assessment of effects from the ES remains valid. The mitigation proposed by the 2014 Permission and ES including the CoCP, Global Remediation Strategy, Construction Transport Management Plans, Construction Environmental Management Plans, and Demolition and Site Waste Management Plans remain valid. No new or different significant environmental effects are likely as a result of increased construction activity during the Second Intermediate Snapshot, therefore no new mitigation is required.

3.2.3 Changes to the Third Intermediate Snapshot

The Third Intermediate Snapshot assumes that all development within Phase 1 and Phase 2 is completed and operational, therefore the proposed re-phasing does not affect the assessment undertaken for this snapshot.

No new or different significant environmental effects are likely.

3.3 Operational Assessment

The ES reported operational effects for the BXC Development as a whole, with some effects reported by Development Zones. As such, there was no need to break the operational assessment down to a level that would be affected by changes to the phasing of plot developments as these 'semi-operational' assessments are covered by the Intermediate Years Assessment.

Therefore, impacts and mitigation identified in the ES are generally relevant across the BXC Development, except in those instances where specific impacts and mitigation have been identified by Development Zone.

Overall, the changes in development phasing in Phase 1, south of the A406, are expected to have a lower impact on the transport network than originally assessed as part of the Phase 1 Transport Report due to the decrease in floorspace provision. As Phase 2 is now proposed to comprise the original Phase 2 plots plus those moved from Phase 1, it is considered that the trip generation of the site at

the end of Phase 2 would be no different to that originally considered under the 2014 Permission. Equally, the end state development is unchanged in terms of total development quanta or trip impact to that assessed in the 2014 Permission.

As there is no change in development type or quanta, there is unlikely to be any material change to the operational impacts from those reported in the ES.

It is concluded that the proposed BXS re-phasing is unlikely to result in any new or different significant effects relating to operation from those reported in the ES.

4 Summary

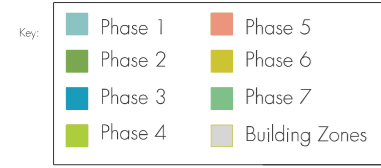
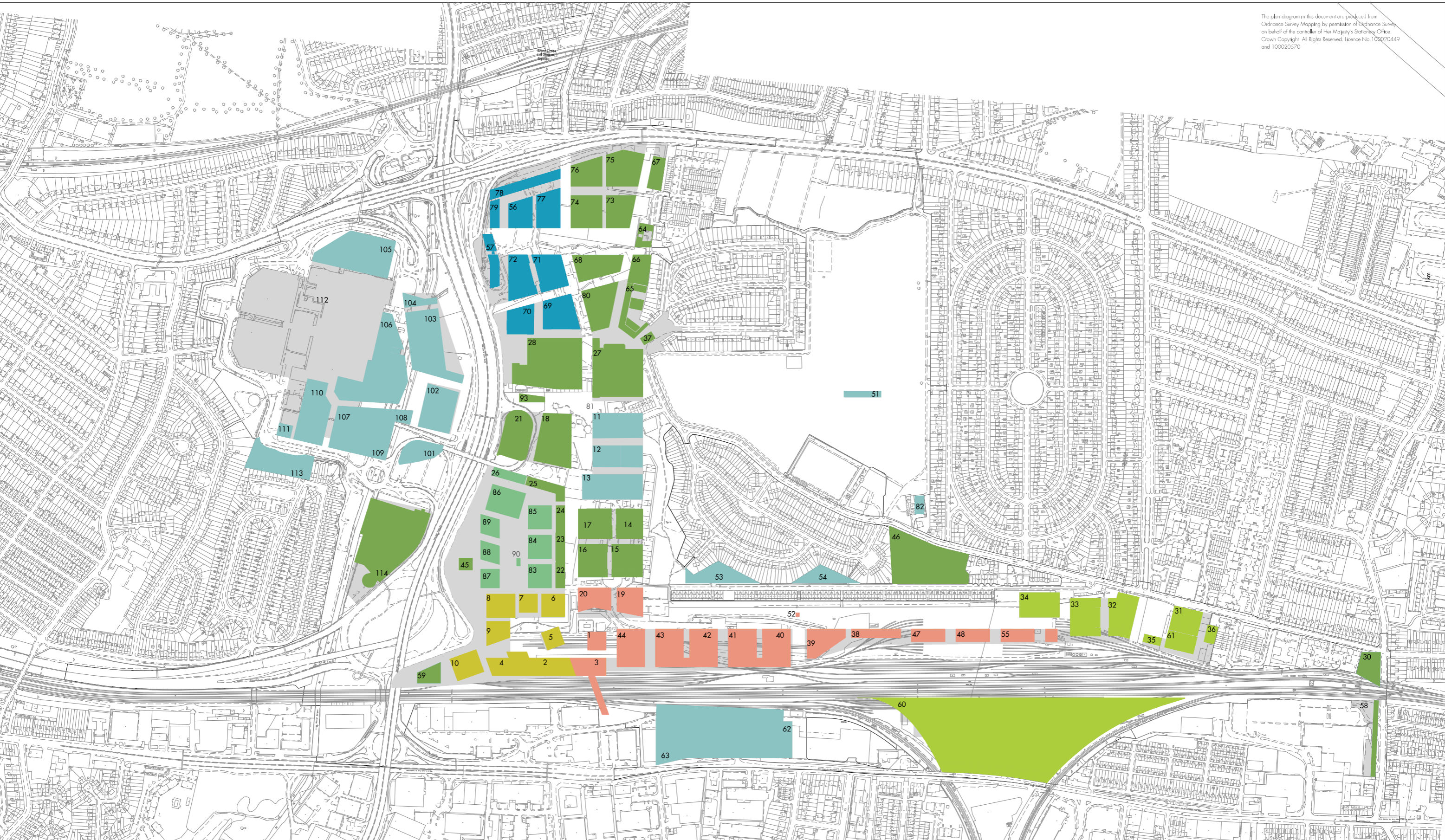
From the review of the proposed re-phasing and s.73 ES, the following conclusions can be drawn:

- There will be no change in the type or quanta of development within BXS;
- The proposed re-phasing will generally implement development during later phases, meaning that construction activity will be more balanced during Phases 1 and 2;
- The re-phasing of development plots is unlikely to significantly change the Intermediate Years Assessment as this is reported by Phase and is therefore not sensitive to inter-Phase re-phasing, which makes up the majority of the re-phasing. Movement of development plots between sub-phases is therefore at a level that is unlikely to be significant; and
- Operation effects would not change as there is no change in the end state of the BXC Development (see point one).

Therefore with respect to the requirements of Condition 4.2, specifically with reference to 4.2.1, it is considered unlikely that the proposed re-phasing would *'have significant adverse effects compared to the assessments contained in the EIA process...'* It is also considered that with respect to this conclusion, the environmental information held by LBB is considered adequate and robust to assess the effects of the proposed re-phasing of BXS.

Appendix A

Parameter Plan 029 – Indicative Phasing Plan



Rev. P4

Appendix B

Revised Indicative Construction Programme

B1 Revised Indicative Construction Programme

The construction information contained within this this appendix is an extract from the revised ICP. This extract identifies the construction phasing information for BXN and BXS, within Phases 1 and 2 (i.e., it reports those aspects of the ICP affected by re-phasing).

4 Stable Street
London
N1C 4AB

T +44 (0)20 3664 0200

BRENT
CROSS
SOUTH