Assistant Director of Development  
London Borough of Richmond upon Thames  
Civic Centre  
44 York Street  
Twickenham  
TW1 3BZ  

19 May 2016  
Our ref: JCW/KAH/J7710  
Your ref: 

Dear Sir

Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (as amended)  
Regulation 5 – Request for Screening Opinion  
East Stand, Twickenham Stadium, Whitton Road, Twickenham

We write to request a Screening Opinion on behalf of our client, The Rugby Football Union, in accordance with Regulation 5(1) of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011 (the ‘EIA Regulations’) (as amended) to establish if the proposed extension of the East Stand at Twickenham Stadium, in the opinion of the London Borough of Richmond-upon-Thames, amounts to EIA development.

In accordance with Regulation 5(2) of the EIA Regulations we provide:

- A red line location plan with the site outlined in red;
- Plans identifying the nearest sensitive receptors in terms of land use and heritage;
- A brief description of the existing site and its setting; and
- A brief description of the nature and purpose of the development and of its possible effects on the environment.

The Development Site

Twickenham Stadium is the national stadium for England Rugby Union. The Stadium is located in the northern part of the borough of Richmond-upon-Thames. It is approximately 0.65 miles north of Twickenham town centre. The borough boundary runs along Rugby Road, immediately to the east of the application site.

To the immediate north and west of the site are areas of hardstanding, lying between the Stadium itself and a watercourse that runs north-east to south west, known as the Duke of Northumberland’s River. Beyond the watercourse is Chase Bridge Primary School, playing fields, and the Royal Military School of Music in landscaped grounds. To the east and north of the site are industrial uses, with a few scattered residential dwellings. The area to the south of the site, beyond Whitton Road, is in established residential use, characterised by inter-war semi-detached housing.

The closest railway stations are Twickenham (900m), Whitton (1km) and Hounslow (1.66km).
Twickenham Stadium itself is the home of England Rugby. It provides tiered seating for approximately 82,000 spectators, arranged in four stands access from four concourses running around the perimeter of the building at levels 1, 2, 4 and 5. The South Stand was significantly extended in 2005 and, as well as providing seating, also includes a hotel, gym/health club, office accommodation for the RFU, conferencing and hospitality facilities, and a small shop. On non-match days the South Stand accommodates on average 130 visitors per day with events attended by up to 900 visitors occurring approximately 5 times a year.

The site is not within a Conservation Area and the existing building is not listed. The nearest listed buildings are Church of All Hallows (Grade I), Kneller Hall (Grade II) and the boundary walls and gates of the Royal Military School of Music (Grade II) in LB Richmond and Mogden House (Grade II) in LB Hounslow, at 500m, 700m and 850m distance, respectively.

The proposed development site lies within Flood Zone 2, owing to its proximity to the Duke of Northumberland’s River to the west of the site and a tributary of the River Crane to the east of the site, to the east of Rugby Road.

The Proposed Development

It is proposed that the existing East Stand will be expanded by extending the existing slabs outwards by approximately 9.5m, towards Rugby Road. This would create approximately a further 11,500sqm GEA of floorspace at levels 3 and above, with a semi-open façade treatment below to provide an improved and protected external concourse.

This space would be used to significantly improve the Stadium’s ability to provide market leading facilities for corporate and debenture hospitality. In summary, the proposal would provide facilities for 4,500 corporate hospitality covers on match days, plus 1,500 hospitality covers for debenture holders, without any increase in the number of seats available at the Stadium. The floorspace provided would all be in sui generis use, and would incorporate a range of additional corporate hospitality facilities including 4* and 5* dining facilities, function rooms, bars, terraces, kitchens and back of house and circulation facilities.

These facilities would provide new premium hospitality space with associated kitchens and WC facilities as well as new debentures lounges and bar. A covered but open roof terrace would also be created at level 5.

The new facilities would also provide accommodation for non-match day events for conferences and banqueting. We anticipate this would result in a 30% increase in demand for non-match day events. Given the location of the Stadium, the market for conferencing and banqueting is limited.

For the avoidance of doubt, the proposal would not lead to any expansion in the seating capacity of the Stadium.

Environmental Impact Assessment

The National Planning Practice Guidance (NPPG) (having replaced Circular 02/99 (EIA)) contains specific guidance on the EIA Regulations.

At paragraph 002 it states that "EIA should not be a barrier to growth and will only apply to a small proportion of the projects considered within the town and country planning regime". It goes on to state that the EIA Regulations "should only apply to those projects which are likely to have significant effects on the environment.”
It is within this context that recent amendments were made to a number of the thresholds contained in Schedule 2 to the EIA Regulations. The Department of Communities and Local Government made it clear when proposing the amendments that the purpose was to remove those projects which were not likely to give rise to significant environmental effects thereby streamlining the planning process.

With the above in mind, and for the reasons set out below, it is our opinion that the proposed development does not fall within the scope of the EIA Regulations and would not require an EIA to be submitted.

The EIA Regulations

The requirement for an EIA is either mandatory or conditional, depending on the classification of the development project. This is based, in turn, on the likelihood of significant environmental effects arising.

EIA development is defined in the EIA Regulations as being either:

- Schedule 1 development; or
- Schedule 2 development "likely to have significant effects on the environment by virtue of factors such as its nature, size or location" (Regulation 2).

Schedule 1 development is one that falls under Schedule 1 of the EIA Regulations and includes those developments which have a clear potential for significant environmental effects, such as crude oil refineries and thermal and nuclear power stations. Proposals for Schedule 1 development must be accompanied by an EIA. The proposed development does not fall within Schedule 1 of the EIA Regulations.

Schedule 2 development is one that falls under column one of Schedule 2 of the EIA Regulations and which is either:
  a) carried out in a sensitive area; or
  b) exceeds the applicable threshold in column two of Schedule 2.

In the event a development is classified as Schedule 2 development, Regulation 2 provides that that development will be EIA Development and therefore an EIA will be required if the development is likely to have significant effects on the environment by virtue of factors such as its nature, size or location.

In light of the above it is necessary to consider whether the proposed development would be located within a "sensitive area", or whether it exceeds any of the relevant thresholds within column 2 of Schedule 2, and then whether it would be likely to have significant effects on the environment by virtues of factors such as its nature, size or location.

Sensitive Area

The proposed development would not be located within a "sensitive area" as defined in regulation 2(1) of the EIA Regulations.
Schedule 2 Threshold

In respect of the proposed development, paragraphs 10(b) and 13(b) of Schedule 2 of the EIA Regulations are of particular relevance. These set out, respectively, the thresholds in respect of "Urban development projects, including the construction of shopping centres and car parks, sports stadiums, leisure centres and multiplex cinemas" and "any change to or extension of development" listed within Schedule 2 that has either been authorised or executed.

We are of the opinion that the proposed development would fall within category 13(b), as applied to category 10(b). That is, it is an extension to an urban development project that has already been executed. Schedule 2 provides that the applicable thresholds for extensions are either:

(i) "whether "the development as changed or as extended may have significant adverse effects on the environment" or
(ii) Whether the extension would exceed the thresholds set out elsewhere in the table for that type of development.

In this case, the applicable thresholds for such "urban development projects" are:

(i) "The development includes more than 1 hectare of urban development which is not dwellinghouse development; or
(ii) The development includes more than 150 dwellings; or
(iii) The overall area of the development exceeds 5 hectares".

The site of the proposed development measures 1.54ha. The proposed development would not include any residential dwellings.

The site of the proposed development therefore exceeds the 1ha minimum threshold specified within the Regulations for urban development projects and is Schedule 2 development. It is therefore necessary to consider whether the proposed development is likely to have significant effects on the environment, in order to establish whether it is EIA Development and whether EIA is required.

Significant effects on the environment

There is no general definition of "significant effects on the environment."

Paragraph 18 of the Environmental Impact Assessment section of the NPPG states that:

"Only a very small proportion of Schedule 2 development will require an assessment. [...] To aid local planning authorities to determine whether a project is likely to have a significant environmental effects, a set of indicative thresholds and criteria have been produced."

The "indicative thresholds and criteria" are set out in an Annex to the NPPG. For "urban development projects" the Annex states that an EIA is unlikely to be required for the redevelopment of land unless:

1. The new development is on a significantly greater scale than the previous use.
2. The types of impacts are of a markedly different nature; or
3. There is a higher level of contamination.
The existing Stadium building is of a significant scale and, despite the additional massing proposed, it is not considered that the new development will be on a significantly greater scale than the existing use, especially when considered in the context of the mass of the existing Stadium. The proposed development is small in comparison to the size of the existing Stadium. The type of impact is not markedly different from the existing effects of the Stadium; the proposed use of the space is for the same type of uses as are currently undertaken within the Stadium. Furthermore, the level of additional impact is expected to be low. This is because the development will not add to the seating capacity of the Stadium, and it is highly likely to accommodate activities that already take place off-site within the vicinity of the Stadium in any case. Even in the unlikely event that off-site hospitality continues, without any association with the RFU, the level of additional impact is expected to be low. On non-match days there will be a very minor increase in trips to and from the site in relation to the non-match day events themselves and the associated servicing. It is anticipated that the non-match day events would result in a 33% increase in non-match day use of the Stadium. These events will not materially affect the transport network around the Stadium.

The proposed development is not likely to result in any significant contamination.

The scheme does not, therefore, meet the indicative thresholds and criteria in the Annex.

Regulation 4(6) requires that, when a local planning authority is considering whether Schedule 2 development is EIA development, it takes into account relevant selection criteria from Schedule 3 to the Regulations.

Schedule 3 of the EIA Regulations details the relevant selection criteria in order to assess whether Schedule 2 development is likely to have a significant environmental impact. Three key criteria are set out:

1. Characteristics of development (size, cumulation with other development, use of natural resources, quantities of pollution and waste generated and the risk of accidents);
2. The environmental sensitivity of the locations; and
3. The characteristics of the potential impact (its magnitude and duration).

The fundamental test to be applied in each case is whether the particular type of development and its specific impacts are likely, in the particular location, to result in significant effects on the environment.

We have considered the development against each of these criteria.

1. Characteristics of development (size, cumulation with other development, use of natural resources, quantities of pollution and waste generated and the risk of accidents);

   Size of the development

   This site already contains a large, visually prominent, building that is already used for sport and sport related purposes.

   The extension will be constructed above an area of existing hard standing and thus the developed area of the Stadium compound will not be increased.
The proposed development will provide approximately 11,500 sq.m of additional floor space. This will remain significantly below the level of floor space currently provided on site, providing only a 10% increase.

The proposed development will not lead to any increase in seating capacity at the Stadium or increases to numbers of people attending match day events. Although the proposed development will lead to an expansion in the mass in the Stadium, it will not increase its overall height nor, significantly increase its visual prominence in longer townscape views.

**Cumulation with other development**

The only planning application of significant scale within the vicinity of the site, of which we are aware is the outline planning application of the proposed redevelopment of the Richmond College site (reference 15/3038/OUT).

Given the nature of the use proposed at the East Stand we would not consider it likely that it would have any significant cumulative effect with the Richmond College redevelopment proposals, such that an EIA would be required. This is, in principle, because the uses on the two sites are quite different and the East Stand is likely to function at peak capacities, (that is, weekend match days) outside of the core operational hours of the college site.

In terms of the cumulative effect alongside other developments, we also note that the development of the East Stand is in our view likely to lead to reduced pressure for the continued use of other sites in the vicinity of the Stadium to provide corporate hospitality facilities on a temporary basis. As set out in the accompanying Technical Note, planning permission (either temporary or permanent) for hospitality facilities exists on five sites in the vicinity of the Stadium.

The use of these sites, on the completion of the East Stand, is in our view likely to substantially diminish or cease because all official corporate hospitality will be accommodated within the Stadium. In two cases, this is because the planning permission is time limited and will expire. In the remaining three cases, this is because the planning permissions granted only allow for corporate hospitality; alternative uses would require a change of use and the ongoing provision of corporate hospitality without the inclusion of match tickets provided by the RFU is unlikely, in our view, to be economically viable, given the setup costs associated of the provision of temporary facilities like marquees. This is explained in detail in the Technical Note, as requested during pre-application discussions held to date.

In the unlikely event that that the other sites continue to provide hospitality, not associated with or affiliated to the RFU, on match days, we anticipate the cumulative effects of the proposal will still remain insignificant.

**Use of natural resources and the production of waste**

The project, during the construction phase, will use conventional construction materials such as steel and concrete, along with energy. Where possible, renewable or recyclable materials will be sourced. Likewise, construction waste arising will be recycled when possible. The construction materials likely to be used are unlikely to be unusual or in short supply.
During the operational phase, the development is not expected to give rise to significant, unusual or toxic waste streams. This waste will continue to be managed efficiently on site.

**Pollution and nuisances**

Construction is likely to lead to some additional dust, noise and traffic effects in the immediate vicinity of the site. The extent of these will be limited, due to relatively little demolition being required to construct the East Stand.

Furthermore, the number of residential receptors within the immediate vicinity of the site is limited, as shown on the submitted plan 15735-001B.

It is intended that a draft construction management plan will be submitted with the application to demonstrate the potential adverse effects can be satisfactorily mitigated by well understood and normal construction management methods.

**Risk and accidents**

The proposal will not lead to storage of use of hazards substances on the site or dangerous activities being carried out. The development will not add to the risk of accidents.

2. **The environmental sensitivity of the locations**

As set out above, the proposed development would not be located within a sensitive area, as defined in the Regulations.

The site is currently an area of open hard standing between Rugby Road and the existing East Stand of the Stadium. It has limited value in terms of existing natural resources, environmental benefit, or existing habitat.

The land use of the site is already for sport and sports related uses.

The site is neither listed nor within a conservation area.

The development of the site is unlikely to have any material effects on the regenerative capability of natural resources in the area or the absorption capability of the natural environment, considering the form of the existing site.

3. **The characteristics of the potential impact (its magnitude and duration).**

We set out below environmental considerations potentially relevant to the proposed development.

We have considered the characteristics of these potential impacts against the criteria set out in Schedule 3(3). This includes the extent of impact, magnitude and the complexity of the impact, the probability of the impact and the duration, frequency and the reversibility of the impact. We do not consider any transfrontier impacts are likely to occur.
Transportation

We do not consider that the proposed development is likely to result in significant additional effects on the local transport and highway networks. This is, principally, because the proposed development will not lead to an increase in the seating capacity of the Stadium, or the numbers of visitors to the area on match days. The number of people entering the Twickenham area on match days is likely to be unchanged as result of the proposals.

The proposed development is not likely to make any changes to the arrangement of car parking, coach parking or other facilities for match day or non-match day events.

The existing servicing arrangements for the site, with vehicles entering the Stadium compound via Gate D in the northern inner fence line, are likely to remain unchanged. There may be a modest increase of the number of vehicles servicing the Stadium in advance of, and after, match days, although this is likely to be offset by a reduction in servicing and delivery movements to other offsite hospitality locations.

There is likely to be a modest increase in vehicles servicing the Stadium on non-match days and potentially private vehicles (the effect of which will be subject to mitigation measures within the forthcoming Travel Plan), as the non-match day use of the corporate hospitality facilities may increase. This is not likely to be significant in the context of overall level of vehicle movements on the surrounding highway network.

The planning application will include a Transport Assessment Statement, including a match day and non-match day travel plan, and we anticipate that the transport impact of the development to be minimal and further mitigated through this process in the normal way, if required.

Ecology

The existing site, comprising of hardstanding and exposed structure work, has very limited ecological potential. Therefore the geographical extent and magnitude of any impact is likely to be very low. The planning application will however be accompanied by a Biodiversity Report which will formally assess the potential for affects and any necessary mitigation.

Archaeology

The site is adjacent to an archaeological priority area to the west of the Duke of Northumberland River though it is not within in one. The probability of impact on archaeology remains is therefore low and the magnitude of any effects is also likely to be low.

Air Quality

The proposed development is unlikely to have significant effect on air quality.
The development will include a small CHP for additional match day energy production, the Stadium will in the main continue to be served from the energy compound located to the north of the Stadium.

The development is likely to include a small, gas-fired, Combined Heat and Power unit, as well as condensers and other associated air handling and heating/cooling equipment. These are unlikely to have significant effects on local air quality as any impacts will be local and mitigation will be proposed if necessary. As noted above the application site is approximately 35 metres from the nearest residential site. The planning application will be accompanied by an Air Quality Report which will set out any potential affects and any necessary mitigation.

**Noise, vibration, lights, heat and electromagnetic radiation**

The proposal is unlikely to cause vibration, or significant additional emissions of light, heat, or electromagnetic radiation during the operational phase.

Some limited external plant will be provided, to accommodate heating, ventilation and air conditioning requirements as is usual. However the noise caused when in use will not be materially significant, in the context of both existing local noise conditions (especially on match days), and the distance between the site and sensitive respecters. Normal, well understood mitigation measures will be applied in the usual way, to ensure that noise emissions remain below ambient noise levels at the nearest sensitive receptors.

Noise and vibration arising from demolition and construction operations will be temporary in nature and localised to the construction site. They can be controlled by construction management arrangements in the usual way.

**Daylight and sunlight**

Our studies show that the development will not have any material effect on daylight and sunlight received by nearby sensitive receptors, especially residential accommodation, given the distance to nearby residential properties.

A daylight and sunlight report will be included within the planning application.

**Social and economic effects**

The new proposals will not increase the overall capacity of the Stadium nor the number of match day attendees. It will not lead to a significant change in the quantum of corporate hospitality provided on a match day.

Corporate hospitality facilities, and associated employment, are likely to relocate from offsite temporary facilities to the Stadium. Therefore, there is likely to be little overall change to the social and economic effects of the Stadium and its associated uses.

In the event that non RFU hospitality is held at the off-site locations then there may be a minimal positive affect in terms of social and economic benefits in term of supply chains and job numbers.
There may be some modest growth, in the medium to long term, in the use of the facilities of non-match days for conferences and other non-match day events.

The cumulative effect of match day and non-match day events are unlikely to cause social and economic effects that would require assessment within an EIA.

**Flood risk and service water**

The current development site is comprised entirely of an area of hard standing. The proposed development will not, therefore, lead to an increase in impermeable area. Surface water management arrangements will be incorporated to ensure that there is no negative impact on the runoff rates. The site is within Flood Zone 2 as set out in the Environmental Agency’s online Flood Map for Planning (Rivers and Sea). The new development on ground level consists of a semi-open facade which will not result in significant displacement of flood storage and as the proposals are for ‘less vulnerable’ development, they are compatible with Flood Zone 2.

**Townscape and visual impact**

The site is not in a conservation area or in close proximity to any listed buildings. As noted above the nearest heritage assets are the Church of All Hallows (Grade I), Kneller Hall (Grade II) and the boundary walls and gates to the Royal Military School of Music (Grade II) in LB Richmond and Mogden House (Grade II) in LB Hounslow, at 500m and 700m and 850m distance respectively.

The east façade of the Stadium is currently utilitarian in character, characterised by exposed structural elements, staircases, and gantries. The proposed development will lead to the stand being enclosed and it will present a more composed frontage to Rugby Road. There are, therefore, likely to be local townscape benefits of the proposals.

In term of wider townscape views, the development will be visible from a wide area but it will be viewed in the context of significant existing mass of the Stadium. It will not lead to a height increase of the Stadium, or changes to distinctive Stadium roofline/crown. In longer views, the proposed extension is likely to merge with the significant existing bulk of the Stadium as currently seen.

The effect of the additional development is not, therefore, likely to be significant in wider townscape views, notwithstanding the improvements to local views that it will provide. The impact on wider townscape views is not likely to be extensive or significant as to require detailed assessment within the context of an EIA.

It is clear from the existing case law that judgement on whether EIA is required is exercised by local planning authorities, focusing on circumstances of the particular case (para 43, Pill LJ in R. (Loader) v Secretary of State for Communities and Local Governments [2012] 3 C.M.L.R. 29). Pill LJ states that, as set out in the PPG, EIA is likely to be required for “a limited range of Schedule 2 projects, those that are likely to have significant effects on environment”. He is clear that it does not apply in all cases where the effects identified would influence the development consent decision to some extent (para 46).
Case law is also clear that the decision maker is entitled to have regards perspective remedial measures, such as mitigation measures secured by condition, providing their nature, availability and effectiveness is already established and unconventional, in determining the EIA is required, it is reasonable to take into account usual mitigation measures that are commonly used to mitigate effects of development (Gillespie v First Secretary of State [2003] Env L.R. 30 and Paragraph 3B-949B.2373.2.24 in the Planning Encyclopaedia.

In summary, the proposed development is not considered likely to have significant environmental effects and, as such, no EIA is required.

**Content of planning application**

It is our intention to prepare a comprehensive planning application to support the proposed development, including the following assessments. We would be grateful for your agreement to this.

i. Design and Access Statement, including external lighting and secure by design
ii. Sustainability Assessment including the Council’s Sustainable Construction Checklist
iii. Daylight & Sunlight (nearby residential properties)
iv. Energy Assessment
v. Transport Statement (including Demolition, Construction and Operational Phases and to incorporate a Draft Construction Logistics Plan)
vi. Draft Demolition and Construction Management Plan (covering environmental and transport impacts)
vii. Framework Service Management Plan with tracking diagrams
viii. Statement of Community Involvement
ix. Acoustic Report
x. Odour Assessment
xi. Arboriculture Report
xii. Floodrisk Assessment
xiii. Draft Travel Plans – Match, Concert and Non-Match
xiv. Biodiversity Report
 xv. Air Quality Report
xvi. Town Centre And Economic Analysis (potentially covered in Planning Statement)
xvii. Planning Statement (including policy analysis and statement on existing off-site hospitality sites)
xviii. Draft Heads of Terms

This is as set out within the draft Planning Performance Agreement agreed and signed by both parties.

**Request for a Screening Opinion**

On behalf of our client, the Rugby Football Union, we therefore submit this letter to formally request a Screening Opinion, including an analysis of proposed development in line with the EIA Regulations, from the London Borough of Richmond upon Thames, confirming whether or not the proposed development would result in significant environmental effects warranting the submission of an EIA in line with the requirements of the EIA Regulations.
We would be grateful for an acknowledgement of receipt of this submission, together with notification of the expiry date of the statutory three week period.

We look forward to receiving your Screening Opinion. Should you have any queries in the meantime do contact James Wickham (020 7333 6353) or Kevin Henson (020 7333 6421) of this office.

Yours faithfully

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Encs. OLO Technical Note