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Dear Mr Gavin

Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 5 (1) 2011:
The Temperate House, Royal Botanic Gardens, Kew

Thank you for your letter dated 26th November requesting a formal screening opinion to confirm whether an Environmental Impact Assessment (EIA) is required in connection with an application to refurbish and modernise the Temperate House and Evolution House and form a central activity space for community outreach and commercial functions in the Temperate House, and change the use of Evolution House to a multi-function engagement space at Kew Gardens.

The proposal in more detail is for the following:-

1. Restoration of the Temperate House, to include kitchen extension between the centre clock and south octagon and formation of public toilets in the south octagon basement; and the formation of a central activity space for community outreach and commercial functions.
2. Internal and external alterations to and the creation of an 'Engagement Centre' in the Evolution House to provide for an improved public engagement and outreach programme for the Royal Botanical Gardens.
3. Erection of a temporary building of 1200 sq.m. and supporting building services plant space of 60 sq.m. to the east to support the decant of plants during the construction stage.

4. Landscape works around the temperate house to include the construction of new ramps to provide improved access, renewal of paths and repair of stairs
5. Replacement of the existing boiler in the Stable Yard area with a biomass boiler and a hopper to support it, and the provision of a new heat and power supply system between the new biomass boiler and the two glasshouses. Associated part demolition of the Stable Yard buildings.
6. Dismantling of the stone plinths and railings of the existing vehicular access from the A307 to allow easier access for construction and re-instatement on completion of the project.
7. Erection of an enviro tent around the building and matting inside the building.

The site is located within the Kew Botanical Gardens World Heritage site, the Temperate House is a grade 1 listed building and on the English Heritage Buildings at Risk Register, Evolution House is grade 2 listed. The site lies within the Kew Gardens Conservation Area, a Registered Historic Garden, The Thames Policy Area, an Archaeological Priority Area, designated Metropolitan Open Land, and an Other Site of Nature Importance.

Under the 2011 Regulations, 2.1 'interpretation' the development is defined as a 'sensitive area' as it is a designated World Heritage site under Article 11(2) of the 1972 UNESCO Convention for the Protection of the World Cultural and Natural Heritage. The Council considers that the development falls within Schedule 2 as an urban development project (10b) under the 2011 Regulations. The Council has also given consideration to the characteristics of the development, its location and potential impact as set out in Schedule 3 of the 2011 Impact Assessment Regulations 2011 and the criteria set out in Annex A of Circular 2/99 Environmental Impact Assessments (EIA). Schedule 3 of the Regulations sets out the 'selection criteria' which must be taken into account in determining whether a development is likely to have significant effects on the environment. It identifies 3 broad criteria which should be considered.

1.Characteristics of the development

It is considered that none of the characteristics listed are of a significance that would lead to the need for an EIA to be prepared. The development relates to two existing buildings on the existing Royal Botanical Gardens site with a minor extension to the Temperate House and the replacement of the existing boiler house with a Biomass boiler. Traffic generated by the site is likely to increase due to the change of use of Evolution House to an engagement centre for multi-purpose events including school parties, performance art such as dance and theatre, arts and crafts workshops, temporary exhibitions, live demonstrations and functions and conferences, and due to the formation of a central activity space for community outreach and commercial functions in the Temperate House. The traffic impact on the locality would be considered under a Traffic Impact Assessment, and Travel Plan. In the context of the existing traffic levels generated by the site it is unlikely that the additional traffic generated would be of a significantly greater scale or of a markedly different nature such to justify an EIA.

There will not be a significant use of natural resources, production of waste, pollution or nuisance or risk of accidents. The temporary repair, restoration and construction works will be the subject of a Construction Management Plan (CMP) to minimise or remove environmental impacts.

Location of development

The site is a 'sensitive area' as defined by regulation 2(1) of the EIA Regulations 2011 as it is included within the Royal Botanic Gardens Kew World Heritage Site. The Temperate House is a grade 1 listed building and on the English Heritage Buildings at Risk Register, Evolution House is grade 2 listed. The site lies within the Kew Gardens Conservation Area, is designated a Registered Historic Garden, The Thames Policy Area, an Archaeological Priority Area, designated Metropolitan Open Land, and an Other Site of Nature Importance.

The proposal for repair and restoration of the Temperate House has been the subject of lengthy discussion and negotiation with English Heritage and conservation officer at the London Borough of Richmond upon Thames. It is based on detailed surveys, and informed by scholarly interpretation of the building and a methodology agreed by English Heritage. On completion of the works it is considered that the long term future of the building will be secured and there will be an enhancement of the significance of the World Heritage site.

It is considered that subject to survey of protected species and mitigation, the proposal is unlikely to have significant impacts on biodiversity interests on the site which are of local nature conservation significance.

The site does have significant potential for archaeology (land and buildings). Subject to a desk top evaluation, a watching brief and appropriate mitigation, it is unlikely that there would be any significant impact on any potential archaeology on the site.

The site lies within an Air Quality Management Area and there will need to be evidence that there is no risk to receptors from downwash from the bio mass plant. It is considered that any potential impact from the plant or additional traffic would not be of such significance to require an EIA.

There are a substantial number of trees on the site and the proposal will be subject to an Arboricultural Assessment and Method Statement to ensure that there is no significant impact on the trees.

Characteristics of the potential impact

Annex A of circular 2/99 indicates the types of case in which an EIA is more likely to be required. It states in paragraph A18:

In addition to the physical scale of such developments, particular consideration should be given to the potential increase in traffic, emissions and noise. EIA is unlikely to be required for the redevelopment of land unless the new development is on a significantly greater scale than the previous use, or the types of impact are of a markedly different nature or there is a high level of contamination (paragraph 41).

Under Annex B of Circular 2/99 consideration has been given to the

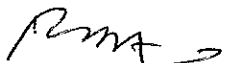
- a. the extent of the impact (geographical area and size of the affected population);
- b. the transfrontier nature of the impact;
- c. the magnitude and complexity of the impact;
- d. the probability of the impact;
- e. the duration, frequency and reversibility of the impact.

There are not considered to be any potential significant environmental effects from the development which would give rise to the need to carry out an EIA. It is considered that overall the proposed development is unlikely to be on a significantly

greater scale than the existing use, nor the type of impact of a markedly different nature or to result in a high level of contamination.

In conclusion, the Local Planning Authority does not consider that the forthcoming proposal requires an Environmental Impact Assessment (EIA).

Yours Sincerely



Robert Angus
Development Control Manager