

THE ROYAL BOROUGH OF KENSINGTON AND CHELSEA

PLANNING APPLICATIONS COMMITTEE 11/02/2025

REPORT BY THE DIRECTOR, PLANNING AND PLACE

Application:	PP/24/07334	Agenda Item:	STR01	
Address:	Notting Dale Heat Network, Lancaster West Estate, LONDON, W11			
Proposal:	Variation of conditions 2 (Compliance with approved drawings); 7 (Noise from building services plant and vent); 8 (Contamination - remediation strategy); 9 (Contamination - verification report); 11 (Protection of trees during construction); 12 Combustion plant - temporary boiler); 13 Environment management plan) of planning permission PP/24/00097 for re-routing and omission of some of the primary heat network piping, close to Kensington Aldridge Academy and Kensington Leisure Centre. Alterations to roof level plant, increasing size of plant room enclosure, to be placed on a gantry for access to roof area below. Footprint extended in an easterly direction by approximately 2 metres.			
Applicant:	W11 Team			
Agent:	Mrs E Holton-Walsh Arup			
Properties notified:	Objections:	Support:	Comments:	Petition:
1	0	0	1	0

1. Summary

1.1 Planning permission was granted under PP/24/00097 on 6 March 2024 for:

Excavation to facilitate laying of district heating pipe network. Construction of Warm Water Store to south of Kensington Leisure Centre, adjacent to Bomore Road, including internal and external lighting. Alterations to external appearance of existing Camelford Court boiler room to create a Renewable Boiler Room, including external wall insulation, balustrading, removal of existing chimney stack, signage, external lighting and replacement landscaping. Removal of existing concrete protruding vent structures adjacent to boiler room and replacement hardstanding. Installation of air source and water source heat pumps as a Heat Pump System on roof of Kensington Leisure Centre, with associated decorative and acoustic screen, green wall and ducting. Associated temporary boiler and site compounds. Installation of decorative screen surrounding approved acoustic enclosure on roof of Treadgold House.

1.2 A number of amendments are now sought to that permission under this s.73 application, as follows:

- The omission of a section of pipework previously proposed between Kensington Aldridge Academy and Grenfell Tower.
 - The reconfiguration of pipework to the North and South of Treadgold House, in which excavation under Bomore Road and Grenfell Road is omitted and the pipework would instead run under Lancaster Green
 - An increase in size of the plant enclosure on the roof of Kensington Leisure Centre by 2m in width and 44cm in height.
 - The introduction of 2 concrete bollards adjacent to the thermal store.
- 1.3 The proposals would comply with the Council's Local Plan 2024, as the changes would have no significant impact on whether the proposals would preserve the townscape and the setting of the nearby conservation areas, have an acceptable impact on living conditions, on trees, and on the operation of the highway, and suitably address flooding, drainage, and any land contamination risks. Subject to the recommended conditions the proposals would be acceptable.
- 1.4 On the basis of the foregoing:

It is recommended the Committee authorises the Director of Planning & Place to grant planning permission subject to the conditions listed in Section 9 of this report.

2. Reason for committee consideration

- The application is for a Council development scheme.

3. The site and its surroundings

- 3.1 The application site is comprised of the Lancaster West Estate which is located to the north of the borough in the Notting Dale Ward. The site is located to the east of Latimer Road Underground Station and is contained by the A40 West Way to the north and west and railway viaduct. The site area is expansive covering an area approximately 0.27hecatres comprised of the vehicular and pedestrian routes surrounding the Estate.
- 3.2 The Lancaster West Estate predominantly features a series of residential blocks and terraces connected via a series of interlinking pedestrian routes. The siting, height, scale, and massing of the associated buildings across the Estate varies although the predominate height ranges between two to five stories. Whilst the Estate is primarily residential in nature community facilities and commercial ventures do punctuate the Estate with pockets of open space and recreation areas.
- 3.3 The street network encompassed by the application site extends to the west and south of Treadgold House, turning westwards to connect to the Kensington Aldridge Academy. The network then extends northwards encompassing the Leisure Centre and properties within Verity Close and Clarendon Walk. The site does include part of Dulford Street, excluding Allon House and Barlow House. The site then continues northward up along Camelford Walk terminating along Camborne Mews.
- 3.4 Four primary sites are features of the application site. These areas include the walkways associated with the southern extent of the Leisure Centre adjacent to Bomore Road. The roof space of both the Leisure Centre and Treadgold House to the west of the Leisure Centre and the boiler room including the 'Moroccan Garden' at the southern extent of Camelford Walk.

Camelford Walk

- 3.5 Camelford Walk is primarily a residential building arranged over five storeys with basement, containing approximately 59 flats. The building was constructed in the 1960s and is of brick construction. The building does also contain a commercial unit 'Safe Store'

at lower ground floor, which is situated adjacent to an existing gas boiler room. The boiler room is of brick construction and contains a series of vents to the side elevations.

- 3.6 The existing boiler room is located to the southern extent of Camelford Walk and is two storeys, although due to varying levels across the site appears single storey at street level. The boiler room aligns with Clarendon Road and contains a community garden space at roof level. The space is known as the 'Moroccan Garden' and features railed enclosures, tiling, and soft landscaping including a Palm tree observed from street level. The roof contains a prominent protruding chimney stack.

Treadgold House

- 3.7 Treadgold House is a residential building of brick construction. The building is arranged over five storeys and is comprised of two parts in a 'L' shape. The building is brick built with internal and external balconies. The building faces both Bomore Road to the south and Grenfell Road to the west. The Leisure Centre is located to the north-east of Treadgold House.

Leisure Centre

- 3.8 The Leisure Centre is located to the north of Bomore Road and is an irregularly shaped large scale institutional building. The building has a brick course at ground floor, with supporting columns creating a covered walkway. The upper floors of the building are modern glazing and perforated screens. The roof of the Leisure Centre is flat and features a green roof, plant, and associated enclosure.
- 3.9 To the south and west of the building a wide pedestrian footway surrounds the building. The footway also provides space for servicing and emergency vehicle access. The pedestrian route features cycle stands, public benches, and to the west notice boards and a green space.

Wider site

- 3.10 The Leisure Centre and Treadgold House are located along Bonmore Road. The road has a varied character with larger scale residential blocks, the Leisure Centre, and smaller scale terraced dwellings to the southern side. The street features several trees, areas of soft landscaping, and adjoins Walmer Road to the east and Grenfell Road to the west. Camelford Walk is located along Clarendon Road. The road features four to five storey residential buildings which primarily consist of brick construction.
- 3.11 The site is in the North Kensington Critical Drainage Area and sits adjacent to the Avondale Conservation Area to the south of the site. The Ladbroke Conservation Area extends to the east of the site following Camelford Court (road) in a northerly direction.

4. The proposal and any relevant planning history

- 4.1 Planning permission was granted under PP/24/00097 on 6 March 2024 for:

Excavation to facilitate laying of district heating pipe network. Construction of Warm Water Store to south of Kensington Leisure Centre, adjacent to Bomore Road, including internal and external lighting. Alterations to external appearance of existing Camelford Court boiler room to create a Renewable Boiler Room, including external wall insulation, balustrading, removal of existing chimney stack, signage, external lighting and replacement landscaping. Removal of existing concrete protruding vent structures adjacent to boiler room and replacement hardstanding. Installation of air source and water source heat pumps as a Heat Pump System on roof of Kensington Leisure Centre, with associated decorative and acoustic screen, green wall and ducting. Associated temporary boiler and site compounds. Installation of decorative screen surrounding approved acoustic enclosure on roof of

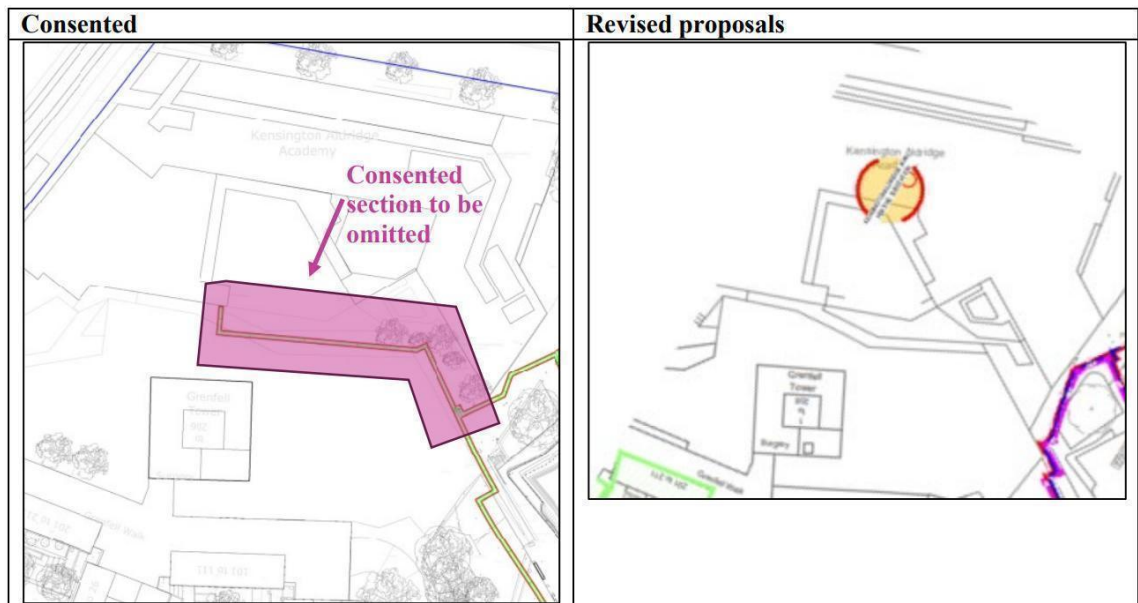
Treadgold House.

4.2 A number of amendments are now sought to that permission through the variation of condition 2 (compliance with approved drawings), as follows:

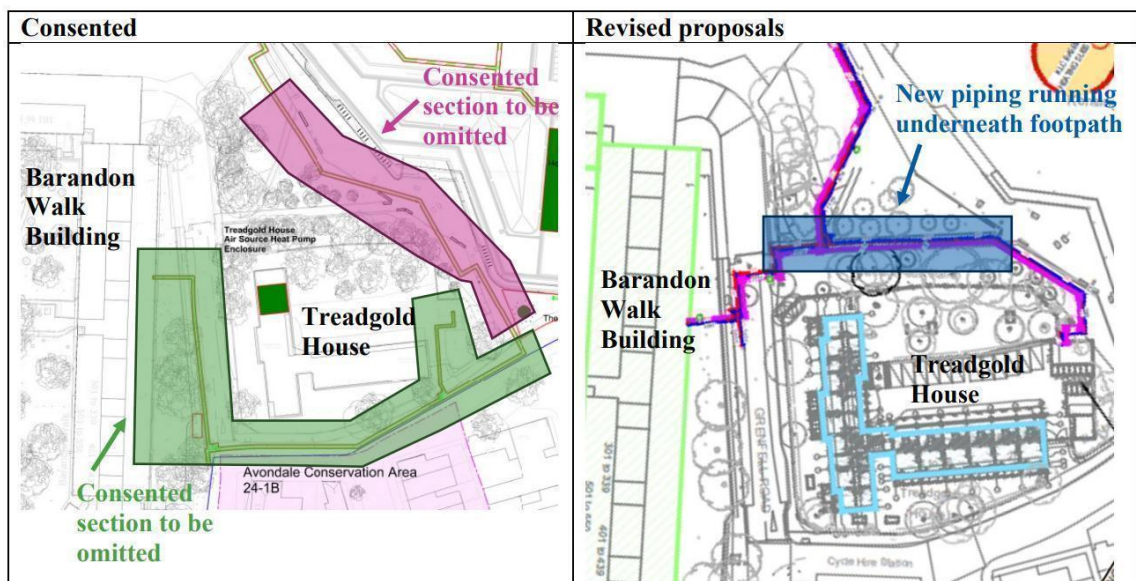
- The omission of a section of pipework previously proposed between Kensington Aldridge Academy and Grenfell Tower.
- The reconfiguration of pipework to the North and South of Treadgold House, in which excavation under Bomore Road and Grenfell Road is omitted, and the pipework would instead run under Lancaster Green
- An increase in size of the plant enclosure on the roof of Kensington Leisure Centre by 2m in width and 44cm in height.
- The introduction of 2 concrete bollards adjacent to the thermal store.

4.3 The below site plans illustrate the changes in configuration of pipework proposed:

4.4 Between Kensington Aldridge Academy and Grenfell Tower:



4.5 To the North and South of Treadgold House:



4.6 The application also seeks to vary conditions 7 (Noise from building services plant and vent); 8 (Contamination - remediation strategy); 9 (Contamination - verification report); 11 (Protection of trees during construction); 12 Combustion plant - temporary boiler); and 13 Environment management plan) as the details required by these conditions have either

already been submitted and approved, or are submitted within this application. Where such details have been changed due to the amendments proposed, updated details are provided with this application. The application seeks to vary these conditions to make them seek compliance with submitted documents rather than needing the submittal of further documents.

4.7 Officers visited the site on 27 November 2024.

4.8 The relevant planning history is set out in the table below:

Reference	Description	Decision and date.
Treadgold House:		
PP/12/04654	Provision of access safety barrier on flat roofs to allow safe access to tank room and roof.	Granted. 22/01/2013.
PP/22/04841	Replacement of the existing timber framed windows with new PVCu double glazed window units; provision of new boundary wall, railings, and installation of gate.	Granted. 23/11/2022.
PP/23/02367	Introduction of air source heat pumps, ASHP enclosure and PVs onto roof with creation of access for maintenance; removal of outbuildings and boundary wall and construction of single storey outbuildings; resurfacing of residents' car parking court and provision of car park layout at ground floor level; removal and provision of a steel rail shared vehicular/pedestrian entrance gate.	Granted. 29/06/2023.
Land to the East of Kensington Aldridge Academy:		
PP/21/03044	Erection of electricity sub-station, replacing section of existing boundary wall and associated landscaping.	Granted. 21/07/2021.
PP/22/01947	Variation / Removal of condition 2 (Compliance with approved drawings) 5 (Materials - To match existing) of planning permission 21/03044.	Granted. 01/06/2022.
Kensington Leisure Centre:		
PP/12/01833	Demolition of existing leisure centre and associated sports pitch facilities to facilitate redevelopment to provide a new Leisure Centre of 9,570 sqm (within use class D2), the construction of a new Academy of 12,749 sqm (within use class D1) with associated facilities, the construction of a new residential block to provide 32 units (use class C3) with a basement car park and the provision of hard and soft landscaping across the site with up to 31 on-site and on-street car parking spaces, and 2 coach bays provided. (Major Application).	Granted. Section 106. 21/12/2012.
PP/14/01608	Variation of condition 2 (submitted plans) of planning permission PP/12/01833 for demolition of existing leisure centre and associated sports pitch facilities to facilitate redevelopment to provide a new Leisure Centre of 9,570 sqm (within use class D2), the construction of a new Academy of 12,749 sqm (within use class D1) with associated facilities, the construction of a new residential block to provide 32 units (use class C3) with a basement car park and the provision of hard and soft landscaping across the site with up to 31 on-site and on-street car parking spaces, and 2 coach	Granted. Section 106. 06/05/2015.

	bays provided. (Major Application).	
PP/16/01354	Variation of Conditions 2, 3, 14 and 27 of planning permission PP/14/01608 for amendments to the residential block (Phase 4) including reduction in basement footprint and removal of basement level car park, landscaping, changes to mix of unit sizes, elevational alterations, alterations to cycle parking and Code for Sustainable Homes condition. (MAJOR APPLICATION).	Granted. Section 106. 17/08/2016.
PP/16/05467	Variation of condition 2 (Compliance with approved drawings) of planning permission 16/01354 for amendments to building in order to meet technical requirement of Thames Water (MAJOR APPLICATION).	Granted. Section 106. 09/01/2017.
PP/22/06445	Installation of solar array onto flat roof.	Granted. 14/02/2023.
Camelford Walk:		
PP/21/05346	Refurbishment works to roofs of each building, involving removal of roof build up, structural upgrades. Removal of roof plant and ductwork housing, construction of new upstand. Installation of new roof system, Reinstatement of handrails, cat ladders and satellite dishes.	Granted. 18/11/2021.
PP/23/04580	Retention of ventilation fans at main roof level over risers following works carried out under refs. PP/22/01610 and PP/21/05346 to refurbish and upgrade roofs (revised description) (retrospective application).	Granted. 12/10/2023.
Parent Permission:		
PP/24/00097	Excavation to facilitate laying of district heating pipe network. Construction of Warm Water Store to south of Kensington Leisure Centre, adjacent to Bomore Road, including internal and external lighting. Alterations to external appearance of existing Camelford Court boiler room to create a Renewable Boiler Room, including external wall insulation, balustrading, removal of existing chimney stack, signage, external lighting and replacement landscaping. Removal of existing concrete protruding vent structures adjacent to boiler room and replacement hardstanding. Installation of air source and water source heat pumps as a Heat Pump System on roof of Kensington Leisure Centre, with associated decorative and acoustic screen, green wall and ducting. Associated temporary boiler and site compounds. Installation of decorative screen surrounding approved acoustic enclosure on roof of Treadgold House.	Granted (06/03/2024)
CON/24/0418 5	Details required by conditions 8 (Contamination – Remediation strategy); 11 (Protection of trees during construction – Details required); 13 (Environmental Management Plan) and 14 (Air Quality Dust Monitoring) of planning permission 24/00097	Discharged (23/08/2024)
CON/24/0661 4	Details required by Condition 12 (Combustion Plant: Temporary Boiler) of planning permission PP/24/00097	Discharged (03/12/2024)

5. Main policies and guidance relevant to the decision

The development plan

5.1 The main planning considerations applying to the site and the associated policies are:

	Local Plan
Energy/Sustainability	GB3, GB4
Setting of conservation areas	CD4, CD15
General townscape	CD1, CD2, CD10, CD12, CD13, TR1, TR2, TR3
Living conditions	CD9, GB7, GB8
Highways	TR4, TR5
Open Space	GB15
Trees	GB16
Flood Risk and Drainage	GB11, GB12
Air Quality	GB6
Land Contamination	GB18
Biodiversity	GB14

5.2 These policies can be read online at:

- RBKC Local Plan:
<https://www.rbkc.gov.uk/planning-and-building-control/planning-policy/local-plan/local-plan>

National planning policy and guidance

5.3 The NPPF and National Planning Practice Guidance are also a material consideration

Other local strategies or publications

5.4 The main relevant supplementary planning documents adopted by the Council are:

- Trees and Development
- Greening
- Noise
- Avondale and Avondale Park Gardens Conservation Area Appraisal
- Ladbrooke Conservation Area Appraisal
- Transport and Streets

5.5 These documents can be read online at:

Conservation Area Appraisals:

<https://www.rbkc.gov.uk/planning-and-building-control/heritage-and-conservation/conservation-areas/conservation-area>

Other documents:

<https://www.rbkc.gov.uk/planning-and-building-control/planning-policy/supplementary-planning-documents-and-guidance>

6. Evaluation

6.1 The application seeks a minor material amendment under Section 73 of the Town and Country Planning Act 1990 by way of variation of condition 2 (relating to the approved

drawings) of permission ref. PP/24/00097. The extant permission carries significant weight in the determination of the application. The changes to the scheme from the previously consented scheme include:

- The omission of a section of pipework previously proposed between Kensington Aldridge Academy and Grenfell Tower.
- The reconfiguration of pipework to the North and South of Treadgold House, in which excavation under Bomore Road and Grenfell Road is omitted, and the pipework would instead run under Lancaster Green
- An increase in size of the plant enclosure on the roof of Kensington Leisure Centre by 2m in width and 44cm in height.
- The introduction of 2 concrete bollards adjacent to the thermal store.

6.2 The extant permission (PP/24/00097) is a material consideration for this application. While the Local Plan 2024 has been adopted since the grant of planning permission, the Council gave considerable weight to the then draft policies when determining the application and the assessment of the scheme proposals against the policies remains relevant. Overall, the consideration of the decisive issues undertaken in relation to the approved permission still remains as set out previously and the works approved under this permission are therefore still considered acceptable and in compliance with the Development Plan. The assessment in this report therefore focuses on the proposed changes to the scheme as set out above.

6.3 Given that the proposed amendments to the application are very minor in scale, and that the original application - undertaken before the Local Plan 2024 was adopted - did not require one, requiring a Planning Fire Safety Strategy under Local Plan Policy CD16 would be considered disproportionate.

6.4 The decisive issues are:

- ii Whether the development would have an acceptable impact on the townscape and preserve the setting of adjacent conservation areas;
- iii Whether the development would have an acceptable impact on neighbouring living conditions;
- iv Whether the development would have an acceptable impact on the highway;
- v Whether the development would have an acceptable impact on trees;
- vii Whether the development would suitably address flood risk and have an acceptable impact on drainage;
- ix Whether the development would have an impact on air quality.

Townscape and setting of the adjacent conservation areas

6.5 The changes to the works proposed would have little impact on the townscape and adjacent conservation areas. The alterations to pipework would not be visible above ground, and thus would mean no difference in terms of effects on townscape. The proposed changes to the size of the plant enclosure on Kensington Leisure Centre would be minimal, and the proposals would remain in-keeping with the character of their surroundings. The bollards proposed would be appropriate in scale, location and design.

6.6 The development would therefore preserve the setting of the nearby conservation areas and would reflect the context of the individual street scenes and built form within the site. The development would comply with Local Plan 2024 Policies CD1, CD2, CD10, CD12, CD13 CD3, CD4 and CD15.

Living conditions

- 6.7 The proposed changes would not significantly impact living conditions in terms of overlooking, daylight/sunlight, or sense of enclosure. The application is accompanied by an acoustic report. The acoustic report details background noise levels at the site, and results from an environmental survey which was carried out at the site. The report concludes that the proposed plant meets the Borough's noise criteria as set out in the Noise SPD. The Council's Environmental Health Officer has scrutinised the report and has confirmed the report demonstrates compliance with the Noise SPD and recommended proposed condition 7 (Noise from building services plant and vents) be updated to be a compliance condition rather than a pre-commencement condition as previous. Therefore the proposals would be compliant with policies CD9 and GB8 of the Local Plan 2024.

Highways

- 6.8 The only area of above ground works which would have implications for the Public Highway would be the Thermal Store which would be located adjacent to the southwestern corner of the Leisure centre on an expanse of footway on the northern side of Bomore Road. This is to remain unchanged by the proposal and therefore would have no impacts beyond those which were previously considered under PP/24/00097.
- 6.9 The applicant has set out an amended phasing plan for the works which considers the potential traffic and wider transport implications during each of the five phases of works proposed.
- 6.10 The proposals identify the need for revised traffic management arrangements due to the realignment of the pipe network during the construction. The original application sought to employ a number of measures in the methodology to minimise the impacts upon the local highway network, access and amenity during the works including using partial road closures, maintaining two-way signal controlled traffic rather than full closures, minimising/staggering parking suspensions, maintaining key pedestrian/cycle routes open at all times and maximising road safety. It is noted that the proposal identify two short areas on St Mark's Road and Clarendon Road where a full road closure may be necessary during the works with diversion routes proposed.
- 6.11 Should the proposals be granted planning permission, the proposed works on the Highway would need to be licensed under the Council's Streetworks regime under which the above matters would be considered in detail. The applicant is advised to contact the Council's Street Works and Networks Management Team early on within the process to understand specific requirements for relevant licenses.
- 6.12 The location of the proposed bollards will achieve their purpose of preventing vehicles from damaging the thermal store structure. Therefore, proposed condition 3 (Vehicle protection measures for the Thermal Store) has been updated to be a compliance condition rather than a pre-commencement condition as previous.
- 6.13 Therefore, the proposals would be compliant with Local Plan policies TR6, CR4 and the Transport and Streets SPD, subject to conditions.

Trees

- 6.14 The applicants have submitted an Arboricultural Impact Assessment (AIA) and Arboricultural Method Statement (AMS) by TMA dated September 2024. The works will require the removal of a hedgerow and the pruning of two trees – this will have a negligible impact. The AMS adequately covers the protection of retained trees and so therefore there is no objection the granting of planning permission on the grounds of policy GB16 of the Local Plan 2024. Proposed condition 11 (Protection of trees during construction - Details required) has therefore been updated to be a compliance condition rather than a pre-commencement condition as previous.

Flooding and Drainage

- 6.15 No additional flood risk from the previously approved scheme is anticipated on site because of the development. There is therefore no objection to the proposals on the grounds of policy GB11 and GB12.

Air Quality

- 6.16 The alternations proposed do not substantially increase the amount of soil / area to be excavated to accommodate the new pipework routes and as such will not require the Dust Risk Assessment (DRA) to be redrafted. Therefore, the DRA will remain representative of the works and the subsequent mitigation measures detailed within the CEMP will remain robust and applicable. In addition, the proposals do not affect the size or capacity of the temporary boiler required. The information submitted adequately addresses the requirements of the works even with the suggested amendments to proposals. Proposed conditions 12 (Combustion plant: Temporary Boiler), 13 (Environmental Management Plan) and 14 (Air Quality Dust Monitoring) have been updated to be compliance conditions rather than pre-commencement conditions as previous. The proposals are therefore compliant with policy GB6 of the Local Plan.

Other Matters

- 6.17 The development approved under planning application reference. PP/24/0097 has commenced. Several of the previously applied conditions have therefore already been approved under discharge of condition application reference: CON/24/04185. In addition, several reports have been provided as part of the application to address matters previously conditioned. The wording of conditions 3, 4, 7, 8, 11, 12, 13, and 14 have therefore been varied to reflect the current status of the development and the progress and changes that have occurred since the approval of the original application.
- 6.18 The requirement under condition 4 (re-provision e-scooter bays and lamp column) of the original permission PP/24/00097 to provide details of the new e-scooter bay location has been met through the applicants agreeing a new location with the Council's sustainable travel team. Therefore, proposed condition 4 (re-provision of lamp column) has been updated to remove reference to the e-scooter bay.
- 6.19 The requirements under condition 8 (Contamination - Remediation strategy) of PP/24/00097 have already been discharged under application CON/24/04185. Proposed condition 8 (Contamination - Remediation strategy) has therefore been updated to be a compliance condition rather than a pre-commencement condition as previous.
- 6.20 All proposed conditions have been updated to refer to the Local Plan 2024 policies rather than the Local Plan 2019 policies as previous.

Issues and balancing

- 6.21 This application pursuant to s.73 results in a whole new planning permission. In light of the above, and the weight given to the extant permission, the proposal as a whole is considered acceptable and would comply with the Development Plan. All conditions have been reconsidered and applied afresh, and are necessary and reasonable in all respects in accordance with national guidance for conditions. Where applicable, conditions have been adjusted to reflect details already approved.
- 6.22 The proposals would have similar impacts when compared to the consented scheme with regards to character and appearance, living conditions, transport, trees, flooding, air

quality matters and the proposals would continue to comply with relevant policies of the Development Plan in this regard.

- 6.23 The proposed amendments to the consented scheme are acceptable, in compliance with relevant development plan policies and are in accordance with the development plan as a whole.

7. Community Infrastructure Levy

- 7.1 If permitted and built, the proposal would not require a payment towards funding additional infrastructure under the Borough's Community Infrastructure Levy and a payment towards funding Crossrail under the Mayor of London's Community Infrastructure Levy.

8. Consultations carried out

Comments from interested parties

- 8.1 966 nearby owners/occupiers were notified directly of the application. The application was advertised in the Gazette on 08/11/2024. Statutory notices advertising the application was posted near the site on 08/11/2024.
- 8.2 1 letter was received commenting on the application, summarised as:

	Comment	Response
1	I am finding it difficult to identify the route of the pipework on Verity Close. Also I would like assurance that none of the trees on our block will be damaged.	The pipework shall run under Verity Close to serve the buildings there, unchanged from in the original proposals. Two trees on site would require pruning.

Other consultees and organisations

Consultee	Comment	Where in the report this is considered
Director of Transportation and Highways	No objection subject to conditions.	6.8-6.12, 6.17
Director of Environmental Health	<u>Air Quality:</u> - No objection subject to conditions. <u>Noise:</u> No objection subject to conditions.	6.7, 6.16
Arboricultural Officer	No objection subject to conditions	6.14
Flood and Drainage Officer	No objection subject to conditions	6.15

9. Recommended conditions if the application is granted.

1. Time Limit

The development hereby permitted shall be begun before the expiration of three years from 06/03/2024, being the date of the original permission granted under ref. PP/24/00097.

Reason - As required by Section 91 of the Town and Country Planning Act 1990, to avoid the accumulation of unexercised Planning Permissions.

2. Compliance with approved drawings

The development shall not be carried out except in complete accordance with the details shown on submitted plans 573 100; 573 102; 573 103; 573 104; 573 105; 573 106; 573 110; 573 111; 573 112; 573 113; 573 114; 573 115; 573 116; 573 120; 573 121; 573 122; 573 123; 573 124; 573 130; 573 131; 573 132; 573 133; 573 134; 573 135; Bollard Specification.

Reason - The details are material to the acceptability of the proposals, and to ensure accordance with the development plan.

3. Vehicle Protection measures for the Thermal Store

The approved vehicle protection measures for the Thermal Store shall be installed in accordance with the approved details prior to bringing the Thermal Store into first use and retained as such thereafter.

Reason - To ensure the safe and free movement of traffic and the infrastructure of the heat network in accordance with policy TR5 of the Local Plan 2024.

4. Re-provision of lamp column

Prior to the commencement of the relevant parts of the works (i.e. the Thermal Store), details of the new location of the lamp column to be displaced shall be submitted to and approved in writing by the Local Planning Authority. The lamp column shall be installed in accord with the approved details prior to bringing the Thermal Store into first use.

Reason - To ensure the safe and free movement of traffic on the highway and provision of associated infrastructure and street furniture in accordance with policies TR4 and TR5 of the Local Plan 2024.

5. Noise from building services plant and vents

Noise emitted by the building services plant hereby permitted shall not increase the lowest existing measured background LA90(15min) level measured or predicted at 1.0m from the nearest residential window and/or at a height of 1.2m above any adjacent residential garden, terrace, balcony or patio at any time when the plant is operating. The plant will be attenuated as per the mitigation specified in the Acoustic Report prepared by RBA Acoustics (Ref 13542.RP01.PNA.1, Dated 11 July 2024) submitted to support this application. The plant and associated mitigation shall be serviced regularly in accordance with manufacturer's instructions and as necessary to ensure that the requirements of the condition are maintained. If at any time the plant is unable to comply with this condition, they shall be switched off and not used again until it is able to comply.

Reason - To prevent any significant disturbance to residents of nearby properties and comply with development plan policies, in particular policy CD9 of the Local Plan 2024.

6. Anti-vibration mounts for air-conditioning/ extraction equipment

The plant shall not operate unless it is supported on adequate proprietary anti-vibration mounts to prevent the structural transmission of vibration and regenerated noise within adjacent or adjoining premises, and these shall be so maintained thereafter.

Reason - To prevent any significant disturbance to residents of nearby properties and comply with development plan policies, in particular policy CD9 of the Local Plan 2024.

7. Noise from building services plant and vents

The approved noise mitigation measures shall be installed on site prior to bringing the plant into first use. The mitigation measures shall be retained for the lifetime of the development.

Reason - To prevent any significant disturbance to residents of nearby properties and comply with development plan policies, in particular policy CD9 of the Local Plan 2024.

8. Contamination – Remediation strategy

The Remediation Strategy (294216-ARP-REP-LQRS-3.3, produced by Arup on 18 June 2024) and any associated reporting shall be undertaken in line with the Environment Agency’s current Land Contamination Risk Management Guidance and the Council’s guidance or any subsequent updates.

Reason - To ensure any risks from land contamination are both minimised and managed and to comply with the NPPF and Policy GB18 of the Local Plan.

9. Contamination – Verification report

No occupation or use of the development shall occur until the approved Remediation Strategy and Detailed Remediation Design (required by condition 8 of this permission) have been implemented in full and a Verification Report (VR) has been submitted to and approved in writing by the Local Planning Authority. The VR shall include full details of requirements for ongoing monitoring and maintenance and be prepared in line with the Environment Agency’s current Land Contamination Risk Management Guidance and the Council’s guidance or any subsequent updates. Ongoing monitoring and maintenance shall be implemented in line with the approved Verification Report.

Reason - To ensure any risks from land contamination are both minimised and managed and to comply with the NPPF and Policy GB18 of the Local Plan 2024.

10. Contamination – Unexpected

If during development, contamination not previously identified is found to be present at the site, development work shall cease and not be recommenced until a report indicating the nature of the contamination and how it is to be dealt with has been submitted to, and approved in writing by, the local planning authority. The approved measures shall be implemented in full.

Reason - To ensure any risks from land contamination are minimised, and comply with the NPPF and development plan policies, in particular policy GB18 of the Local Plan 2024, and to accord with CLR 11: Model Procedures for the Management of Land Contamination (Defra 2004) or the current UK requirements for sampling and testing).

11. Protection of trees during construction

The site preparation, demolition, construction, landscaping and other operations shall be carried out only in accordance with the details provided in the Arboricultural Impact Assessment (AIA) and Arboricultural Method Statement (AMS) by TMA dated September 2024.

Reason - To ensure that the trees are adequately protected, to safeguard their contribution to the appearance and amenity of the area and accord with policies of the development plan, in particular policy GB16 of the Local Plan 2024.

12. Combustion Plant: Temporary Boiler

The temporary boilers shall be installed only in accordance with the

approved details (VE-SW-XX-TQ-5601, produced by Vital Energi Utilities Ltd 6 September 2024).

Reason - To ensure any impact on air quality is both minimised and managed and to comply with policy GB6 of the Local Plan 2024.

13. Environmental Management Plan

The Construction Environmental Management Plan (VE-SW-XX-HS-XX04, produced by Vital Energi Utilities Ltd 22 August 2024) shall be fully implemented during the course of demolition and construction.

Reason - To ensure any impact on air quality is both minimised and managed and to comply with policy GB6 of the Local Plan 2024.

14. Air Quality Dust Monitoring

All works including the demolition and construction shall be carried out in accord with the approved details in the Air Quality Dust Monitoring report (Produced by Vital Energi Utilities Ltd).

Reason - To ensure any impact on air quality is both minimised and managed and to comply with policy GB6 of the Local Plan 2024.

15. Submission of details

Prior to the relevant part of the works, full particulars of the following shall be submitted to and approved in writing by the Local Planning Authority and the development shall not be completed otherwise than in accordance with the details so approved:

(a) Samples of the materials to be used on the external perforated screens;

(b) Details of the brick-slip system including maintenance plan;

(c) Details of further soft landscaping and ecological enhancements to be installed on site;

(d) Details and materiality of the plant enclosure;

(e) Details of the internal and external lighting including hours of operation; and

(f) The location and means of enclosure for exposed elements of the pipe network.

Reason – To accord with the development plan by ensuring that the character and appearance of the area are preserved and living conditions of those living near the development suitably protected. In accordance with policies CD1, CD2, CD4, CD9, CD10, CD11, CD15, TR9, GB14 of the Local Plan 2024.

16. Green Wall

Prior to the commencement of the relevant part of the works full details of the green wall, to be located adjacent to the approved plant to the top of the Kensington Leisure Centre roof, shall be submitted to and approved in writing by the local planning authority. The details shall include the specification, substrate and planting, and maintenance details of the green wall. The development shall be carried out in accordance with the approved details and maintained as such thereafter.

Reason: To protect the appearance and amenity of the area, to provide green infrastructure and urban greening, in accordance with the policies of the development plan, including policies G5 of the 2021 London Plan and GB14 of the Royal Borough of Kensington and Chelsea Local Plan 2024.

INFORMATIVES

1 Enforcement

Your attention is drawn to the Conditions of this Permission and to the Council's powers of enforcement, including the power to serve a Breach of Condition Notice under the Town and Country Planning Act 1990, as amended. All Conditions must be complied with. If you wish to seek to amend a Condition you should apply to do so under s.73 of the Act,

explaining why you consider it is no longer necessary, or possible, to comply with a particular condition.

2 Drawings

Planning permission is hereby granted for the development as shown on the approved drawings. Any variation to the approved scheme may require further permission, and unauthorised variations may lay you open to planning enforcement action. You are advised to seek advice from the Directorate of Planning and Place, before work commences, if you are thinking of introducing any variations to the approved development.

Advice should urgently be sought if a problem occurs during approved works, but it is clearly preferable to seek advice at as early a stage as possible. Use the following link to see how advice can be obtained: [Planning Advice Service](#)

3 Stopping up Required

A stopping up Order under S247 of the Town and Country Planning Act must be made for the relevant area of Highway prior to the commencement of the relevant part of the works.

4 Section 50 license required

A S50 licence will be required before the proposed works on the highway can be carried out. Please contact the Council's Highways team about the process involved in agreeing such a license prior to the commencement of works.

5 Highways Technical Approval-Separate Approval

Technical Approval in accordance with the Design Manual for Roads and Bridges BD2/12 will be required for any structural works/alterations/repairs to structures over, under or adjacent to the public highway. The procedures only grant approval under the Highways Act. The granting of planning permission and building consent does not imply that such approval is given. Please contact the Directorate of Transportation and Highways for advice on 02073415220 or email

highways@rbkc.gov.uk.

6 Building Regulations

Separate approval for the works hereby granted permission/consent may be required by the Building Act 1984 and the Building Regulations 2018 (as amended), and the grant of planning permission does not imply that such approval will be given. The District Surveyor, Town Hall, Hornton Street, W8 7NX should be consulted before works commence.

7 Bats

It is possible that bat roosts may exist within the application site. Bats are a statutorily protected species, and it is the developer's responsibility to ensure that requirements relating to the protection of bats and their roosts are fully complied with. 11 species of bat and their breeding sites or resting places (roosts) are protected under [Regulation 41 of the Conservation of Habitats and Species Regulations 2010](#) and [Section 9 of the Wildlife and Countryside Act 1981](#). It is an offence for anyone intentionally to kill, injure or handle a bat, disturb a roosting bat, or damage, destroy or obstruct access to any place used by bats for shelter, whether they are present or not, or whether planning permission exists or not.

Further advice regarding bats and the planning process can be found at the [Natural England website](#) and at [the Bats Conservation Trust](#)

8 Highways

You are reminded that, if not properly managed, construction works can lead to significant negative impacts on the local environment, reducing residential amenity and the safe function of the highway. No vehicles associated with the building operations on the development site shall be parked on the public highway so as to cause an obstruction. Any such wilful obstruction is an offence under Section 137 of the Highways Act 1980. The Council can prosecute developers and their contractors if work is not managed properly. For advice on how to manage construction works in the Royal Borough please see [Advice for Builders](#) on the Council's website; from this page you will also find guidance on what to include in Construction Traffic Management Plans (where these are required) which are

very valuable instruments in limiting the impact of large scale building work.

9 Surface Water

Please be aware that surface water flooding occurs within the borough. The areas prone to this type of flooding are shown on Map 17 of the Council's SFRA. You are advised to consider whether your property is at risk of surface water flooding, and if so, to prepare a Flood Risk Assessment highlighting how any mitigation techniques will be integrated into your proposal. If planning permission has already been granted for the subterranean development, the Council will still need to consider the impact of the mitigation techniques on the character and appearance of the area.

10 Enforcement

The applicant is reminded of their responsibilities to ensure that all works can be lawfully implemented on site. The Council has powers of enforcement under the Town and Country Planning Act, 1990.

11 Non Road Mobile Machinery (NRMM)

NRMM used on any site within Greater London is required to meet Stage IIIB of EU directive 97/68/EC as a minimum or higher emission standards as set within the NRMM Low Emission Zone (LEZ) at the time of development.

12 Working Hours

Construction and demolition work is controlled by the Council under sections 60 and 61 of the Control of Pollution Act 1974. The Council has adopted a Code of Construction Practice which sets out best practice standards expected in the borough and applies to new development projects from April 2019. Under the terms of the Code, works heard at the boundary of the site are restricted to:

Monday to Friday 8am – 6pm

Saturday, Sunday and public holidays – none permitted

The code also introduces a further set of restricted hours for high impact activities such as demolition and concrete breaking. Undertaking noisy works outside of the Code hours may be liable for prosecution and a fine of up to £5000 where a notice has been served under the Control of Pollution Act 1974.

If you are required to submit a Code of Construction Checklist and Site Construction Management Plan (SCMP), please contact the Construction Management Team on 020 7361 3002 or by email at dehcmt@rbkc.gov.uk

13 Lamp column relocation

Separate approval will be required for the relocation of the existing lamp column. Please contact the Council's Street lighting Team for advice on relevant procedures and associated costs at Streetlighting@rbkc.gov.uk

14 E-Scooter Bay relocation

Please contact Ebikes@rbkc.gov.uk to discuss the relocation of the e-scooter bay.

15 Local Planning Authority

To assist applicants in finding solutions to problems arising in relation to their development proposals the Local Planning Authority has produced planning policies, and provided written guidance, all of which are available on the Council's website. A pre-application advice service is also offered.

The scheme was submitted in accordance with advice provided through pre-application discussions.

16 You are reminded that, if not properly managed, construction works can lead to negative impacts on the local environment, reducing residential amenity and the safe function of the

highway. The Council can prosecute developers and their contractors if work is not managed properly. For advice on how to manage construction works in the Royal Borough please see the Council's website:
www.rbkc.gov.uk/environmentandtransport/adviceforbuilders.aspx. From this page you will also find guidance on what to include in Construction Traffic Management Plans (where these are required).

- 17 Construction and demolition work is controlled by the Council under sections 60 and 61 of the Control of Pollution Act 1974. The Council has adopted a Code of Construction Practice which sets out best practice standards expected in the borough and applies to new development projects from April 2019. Under the terms of the Code, works heard at the boundary of the site are restricted to:

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If you are required to submit a Code of Construction Checklist and Site Construction Management Plan (SCMP), please contact the Construction Management Team on 020 7361 3002 or by email at dehcmt@rbkc.gov.uk

- 18 Your attention is drawn to Section 61 of the Control of Pollution Act 1974, which allows developers and their building contractors to apply for 'prior consent' for noise generating activities during building works. This proactive approach involves assessment of construction working methods to be used and prediction of likely construction noise levels at sensitive positions, with the aim of managing the generation of construction noise using the 'best practicable means' available. You are advised to engage an acoustic consultant experienced in construction noise and vibration assessment and prediction to complete your S.61 application. Relevant information can be found here [S.61 Control of Pollution Act 1974](#)

Background papers:

Documents associated with the application (except exempt or confidential information) may be viewed at www.rbkc.gov.uk/PP/24/07334. Access to computers is also available in the Customer Service Centre at the Town Hall.

Contact officer:

Mr. G. Weir

Telephone: 07739-314-890