

**Town and Country Planning (Environmental Impact Assessment) Regulations
2011**

Regulation 24 Statement

Land bounded by West Cromwell Road, Warwick Road, Philbeach Gardens, Eardley Crescent, Lillie Road, Old Brompton Road and the railway lines, London SW5

Planning Application Reference: PP/11/01937

Planning Permission granted on 14 November 2013

The Council having taken into account the findings of the June 2011 Environmental Statement, the subsequent Environmental Statement Addendum and the submitted further information to the Environmental Statement when determining the application for planning permission is required under Regulation 24 to provide a statement setting out the following:

- (i) The content of the decision and any conditions attached to it;
- (ii) The main reasons and considerations on which the decision is based including, if relevant, information about the participation of the public;
- (iii) A description, where necessary, of the main measures to avoid, reduce and, if possible, offset the major adverse effects of the development; and
- (iv) Information regarding the right to challenge the validity of the decision and the procedures for doing so.

In accordance with Regulation 24 (1) a) and b)

The Royal Borough of Kensington and Chelsea has informed the Secretary of State and the public of the decision

Regulation 24 (1) c) i) – the content of the decision and any conditions attached to it

Regulation 24 (1) c) ii) - the main reasons and considerations on which the decision is based including, if relevant, information about the participation of the public.

Taking the environmental information into account, contained within the June 2011 Environmental Statement, the subsequent Environmental Statement Addendum and the submitted further information to the Environmental Statement, planning permission reference **PP/11/01937** was granted. The full extent of the considerations, including representations from members of the public and external organisations are set out in the report (and addendum) to Major Planning and Development Committee 20 November 2012 available to view at:

<http://www.rbkc.gov.uk/planningandconservation/planningapplications/earlscourtapplication.aspx>

The reasons for the decision are summarised in the decision notice ref **PP/11/01937 dated 14 November 2013**

<http://www.rbkc.gov.uk/idoxWAM/doc/Decision-1151675.pdf?extension=.pdf&id=1151675&location=volume2&contentType=application/pdf&pageCount=1>

Regulation 24 (1) c) iii) – a description, where necessary, of the main measures to avoid, reduce and, if possible, offset the major adverse effects of the development.

The proposals have been the subject of an Environmental Impact Assessment (EIA). The following subject areas have been assessed and mitigation proposed as follows:

Deconstruction, demolition and construction

Conditions 22, 23 and 25 have been attached to the planning permission. These relate to the submission of a Demolition and Waste Management Plan, a Construction Environmental Management Plan and a Construction Traffic Management Plan, Condition 91 requires an acoustic screen to be provided prior to the use of the Northern Access Road for demolition or construction traffic. Financial contributions have been secured as part of the s106 legal agreement for monitoring environmental impacts during the deconstruction, demolition and construction of the development

Socio- Economics

The Environmental Statement baseline assessment submitted with the application indicates there is no existing capacity within the existing social infrastructure and community facilities. Therefore, the additional demand from the development has to be met either by appropriate contributions to expand existing facilities or by providing them in kind. The s106 legal agreement in relation to planning permission PP/11/01937 secures financial contributions in respect of primary and secondary education, health and leisure facilities (subject to the delivery of the relevant facilities within the part of the site covered by planning permission 2011/2001/OUT). The provision of a day nursery and community facilities within RBKC are secured within the s106 legal agreement. The phased provision of on site open space and play space is secured in the s106 planning obligations and Condition 81 attached to the planning permission requires details of the play equipment and completion of the play spaces relating to occupation of the residential units in the development. There are a comprehensive set of measures contained in a joint Local Employment and Training Strategy which will mitigate impacts on local employment following the loss of the Exhibition Centre. This is secured within the s106 legal agreement. .

Transportation and Access

Conditions 33, 62, 63, 64, 65, 66 and 67 are attached to the planning permission. These relate to the submission of a site wide parking and servicing framework, parking, access, servicing, highway design and cycle parking. A comprehensive range of transport and access improvements have been secured by the s106 legal agreement

Wind Microclimate

The development provides number of mitigation features which are incorporated into the detailed design of buildings and spaces such as façade design, fins, louvres and vertical screening together with landscaping/planting at ground floor level and the development does not result in any major adverse impacts in respect of wind microclimate

Daylight, Sunlight, Overshadowing and solar glare

The height, massing and layout of the development maximise the retained levels of sunlight and daylight to surrounding residential properties and areas of amenity space. The development proposals do not result in any major adverse impacts in terms of overshadowing or solar glare.

Electronic Interference

Condition 71 attached to the planning permission requires the submission of measures to remediate any identified problems with TV interference.

Archaeology

Condition 52 attached to the planning permission requires the submission of a scheme of investigation and recording of archaeological evaluation together with the subsequent implementation of any approved scheme of investigation required

Ground Conditions

Conditions 46- 51 (inclusive) attached to the planning permission require assessment of contamination together with any remediation methods and monitoring as may be required

Water Resources, Drainage and Flood Risk

Conditions 31, 72 and 73 attached to the planning permission require the submission of and implementation of a Drainage and Surface Water Management Strategy and the submission of a piling method statement which includes measures to prevent and minimise the potential for damage to the subsurface water or sewerage infrastructure

Air Quality

Conditions 22 and 23 attached to the planning permission require the submission of demolition and waste and construction environmental management plans which include measures to mitigate dust and impacts on air quality. Financial contributions have been secured in the s106 legal agreement for monitoring air quality during the demolition and construction of the development. Conditions 60 and 61 attached to the planning permission require the submission of a site wide low emissions strategy together with subsequent strategies during the development of each development parcel.

Noise and Vibration

Conditions 22 and 23 attached to the planning permission require the submission of demolition and waste and construction environmental management plans which will include measures to mitigate noise and vibration during the demolition and construction of the development. Financial contributions have been secured in the s106 legal agreement for monitoring noise and vibration during the demolition and construction of the development. Conditions 53 – 59 (inclusive) attached to the planning permission require submission of details of facade sound insulation, controls on noise emitted by

building services plant and equipment and ventilation systems. The conditions also require details of sound insulation between non residential and residential uses and details of the vibration isolation on identified buildings. .

Ecology

Condition 32 attached to the planning permission requires the submission of a Site Wide Estate Management Framework which includes details of the management and maintenance of the common areas of the site and ecological areas including green/brown roofs. Conditions 78 and 79 attached to the planning permission require the submission of a scheme of artificial nesting opportunities and an Ecology Management Plan

Waste

Condition 30 attached to the planning permission requires the submission of a Site Wide Waste Framework and Condition 70 requires a detailed waste strategy to be submitted for each development parcel. Condition 76 requires the details of the refuse storage arrangements for each building together with their provision prior to occupation of the building

Sustainability and Energy

Condition 29 attached to the planning permission requires the submission of a Site Wide Sustainability framework. Conditions 43, 44 and 45 require both the residential and non residential floorspace to be constructed to recognised sustainable standards together with details of rainwater recycling systems for each building. The s106 legal agreement includes a number of detailed provisions to minimise carbon emissions associated with the development

Regulation 24 (1) c) iv) – information regarding the right to challenge the validity of the decision.

The decision to grant planning permission can be challenged by way of bringing a claim for judicial review proceedings. Any person wishing to do so must bring a claim within six weeks of the decision.