# ROYAL BOROUGH OF KENSINGTON & CHELSEA

# **DOCUMENT SEPARATOR**

**DOCUMENT TYPE:** 

**COMMITTEE REPORT** 







#### ADDENDUM REPORT BY THE EXECUTIVE DIRECTOR, PLANNING & CONSERVATION

#### MAJOR PLANNING APPLICATIONS COMMITTEE 15th SEPTEMBER 2003

The Major Planning Applications Committee is asked to note and agree the following amendments to the Committee report in respect of Lots Road Power Station:

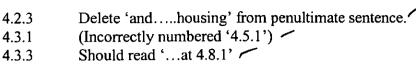
#### **Conditions**

- 2. Condition 2. add 'unless otherwise agreed by the Executive Director, Planning & Conservation' after '...details so approved.:' and re-word (l) as follows: "(l) The design, construction, external appearance, materials and lighting for the bridges over the creek."
- 14. Delete 'Prior to the commencement of development' and replace with 'Before any works affecting the creek bed are begun'.
- 16. Delete 'Prior to the commencement of development' and replace with 'Before any works affecting the creek are begun'.
- 18. Delete condition 18
- 19. Renumber as 18. Delete 'Prior to the commencement of development' and replace with 'Prior to the commencement of any soft landscaping works'.
- 20. Renumber as 19
- 21. Renumber as 20
- Add: "22. No development shall take place until the implementation of a programme of archaeological work in accordance with a written scheme of investigation submitted to and approved in writing by the Local Planning Authority, has been secured. The development shall only take place in accordance with the detailed scheme so approved. The archaeological works shall be carried out by a suitably qualified investigating body approved in writing by the Executive Director, Planning and Conservation. (C100)

  Reason To minimise damage to any archaeological remains that may exist on site and to ensure satisfactory recording in accordance with the guidance contained in Planning Policy Guidance Note 16, and the Council's policies. (R100)
  - 23. No development shall take place until the applicant has secured the implementation of a programme of recording and historic analysis, which considers building structure, architectural detail and archaeological evidence. This shall be undertaken in accordance with a written scheme of investigation submitted to and approved in writing by the Local Planning Authority.

<u>Reason</u> - To ensure satisfactory recording in accordance with the guidance contained in Planning Policy Guidance Note 16, and the Council's policies."

#### aragraph



4.3.1

4.3.3



Building & Unit Type	Studio		1 Bed		2 Bed		3 Bed		4 Bed		5 Bed		6 Bed		Total	
•	No.	Hab. Rooms	No.	Hab. Rooms	No.	Hab. Rooms	No.	Hab. Rooms	No.	Hab. Rooms	No.	Hab. Rooms	No.	Hab. Rooms	No.	Hab. Rooms
KCI Private	0	0	2	4	4	12	32	128	0	0	/	7	1	7	40	158
KC2 Private	0	0	3	6	0	o	6	24	10	50	0		0	0	19	80
KC2 RSL Rented	0	0	7	14	13	39	18	72	17	85	0	0	0	0	55	210
KC3 Private	0	0	3	6	112	336	72	288	8	40	0	0	0	0	195	670
KC3 RSL Shared Ownership	11	11	11	22	12	36	5	15	0	0	0	0	0	0	39	84
KC3 Entry Level 'Key Worker'	12	12	5	10	5	15	0	0	0	0	0	0	0	0	22	37
KC4 RSL Rented	0	0	12	24	28	84	10	40	0	0	0	0	0	0	50	148
TOTALS	23	23	43	86	174	522	143	567	35	240	1	7	1	7	420	1387

RESIDENTIAL SITE AREA

2.077ha (5.13a)

**RESIDENTIAL DENSITY** 

667hrha (270hra)

(Approx 202 Dwellings/Hectare)





4.8.3

Total floorspace	should read 3748

- 6.3 nb. Reduced car parking relates to LBH&F site only.
- 7.2.7 Line 4, '832' should read '995'
- 7.3.5 Should read '105 affordable' and '39 shared ownership'
- 7.4.15 Line 3 should read '5.73 million'
- 7.4.17 Applicants confirm the cycle would be 80 seconds.
- 7.6.1 Line 7 should read '667hrha':
- 9.3.1 Line 4 should read '£5.73 million'.
- 9.3.11 Should read '445sqm'.
- The local resident who writes in support of the proposals states that unequivocal opposition to the development is not representative of the true views of local residents. Many members of the local population wish to see the site developed appropriately and quickly. The latest proposals strike a fair balance between private property and the provision of local amenities.
- A letter from Councillor Mrs Kingsley responding to the scheme prior to its amendment in December 2002, expresses support for the views of the Lots Road Action Group and the Colin Buchanan Report (11.6.7). The response states that the submitted scheme does not appear to address the reasons for refusal of the earlier proposal and the initial objections still stand with regard to building height, affordable housing and traffic impact. It states that if community benefits are sought in relation to the proposal consideration should be given to the provision of: Sports facilities with underground parking; a community health centre on or near the site; library facilities; contribution to community policing; and a contribution towards a new secondary school.

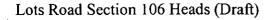
#### Additional letters received

Three additional letters have been received, comments as reported

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#### Draft Section. 106 Heads of Agreement

The scope of the proposed S.106 agreement is set out in Section 9 of the committee report. The attached document consists of detailed provisions which have been agreed in principle by the applicants as the basis of the undertaking. In addition to various restrictions and provisions, the draft heads set out the applicants' commitment to a package of transportation measures consisting of payments totalling £5.73 million and a package of community benefits consisting of payments to the value of £5.1 million. The transportation payments relate to the development 'as a whole' including the Hammersmith and Fulham site. Elements of these payments are consequently committed to the adjoining borough and would be secured by way of their separate Section 106 agreement. Payments committed to LBH&F are therefore italicised and bracketed for information but would not form part of the agreement between the developer and this authority. The sum total of transportation payments committed to the Royal Borough in the current draft is therefore £3.258 million. The total sum committed to the Royal Borough is therefore £8.358 million.





#### **General Principles**

- i. All payments herein shall be made to The Royal Borough of Kensington and Chelsea unless indicated otherwise.
- ii Interest on any financial contributions will be retained by the recipient and used for the specified purposes.
- All financial contributions shall be index linked (To RPI+1%) from the earlier of the date of signing of the Section.106 agreement or the date six months from that of the Committee Resolution to grant planning permission for the proposal unless agreed otherwise.
- iv Implementation of the planning permission excludes demolition of ancillary buildings and decommissioning/decontamination of the power station.
- v. Save where otherwise specified, any contributions (or parts thereof) not expended by the recipient within 8 years of receipt on the purposes for which the contribution was provided (or for such other similar purpose and for such additional period beyond 8 years as may be agreed in writing by the parties) shall be refunded to the developer together with any interest accrued thereon.

#### A. Environmental Improvements

- 1. A contribution, payable by the developer on implementation of the planning permission, of £200,000 to fund implementation of improvements to the Lots Road/Cremorne Road Junction including a signal maintenance agreement.
- 2. A contribution of £400,000 25% payable by the developer on implementation of the planning permission and 75% payable 18 months from the date of implementation (Unless agreed otherwise) to fund implementation of a streetscape improvement zone approved by the Council in the 'Lots Road Triangle' to include pavement treatments, street trees and other street scene improvements.
- 3. A contribution, payable by the developer of £260,000 to fund implementation of cycling measures including 'Toucan' crossings, cycle routes and cycle parking in connection with routes beginning in the vicinity of the development. The contribution to be paid in two tranches: £160,000 on implementation of the planning permission or earlier at the discretion of the developer; and £100,000 on commencement of construction of the 201<sup>st</sup> unit in RBKC.
  - (A contribution of £150,000 will also be paid to LBH&F making a total of £410,000)
- 4. A contribution, payable by the developer of £133,000 to fund implementation of improved pedestrian facilities in the vicinity of the development including signage, street lighting and other environmental improvements. The contribution is to be paid in two tranches: £83,000 on implementation of the planning permission, and £50,000 on commencement of construction of the 201<sup>st</sup> unit in RBKC.

  (A contribution of £67,000 will also be paid to LBH&F making a total of £200,000)

#### B. Public Transport

5. A contribution of £1,700,000 on occupation of 50% of residential units within the RBKC development to subsidise a new bus route from Sands End to Westminster via the Embankment.

(A contribution of £650,000 will also be paid to LBH&F to subsidise extension of the

C3 bus service making a total of £2,350,000)

- 6. New bus stops for Embankment and C3 £75,000 to be paid on implementation of the planning permission, and a further £90,000 on occupation of 50% of residential units in RBKC.
  - (A contribution of £15,000 will also be paid to LBH&F making a total of £180,000)
- 7. An annual contribution of £50,000 for a period of 5 years, to support an upgraded riverboat passenger service running from Chelsea Harbour Pier to Embankment via intermediate piers during peak hours. The initial payment to be made on first occupation of any residential unit within the development and subsequent payments on April 1<sup>st</sup> in each successive year.
- 8. A contribution of £30,000 on implementation of the planning permission, towards the upgrade of passenger facilities and access to Chelsea Harbour Pier. Improvement works will be subject to agreement with Chelsea Harbour Ltd and the developer will use best endeavours to obtain all necessary consents. The contribution to be retained by the recipient and used for other river transport measures if works are not carried out within 8 years of commencement of development.

  (A contribution of £170,000 will also be paid to LBH&F making a total of £200,000)
- 9. A contribution of £100,000 to fund bus priority measures including upgrading of the Townmead Road bus gate on implementation of the planning permission in RBKC. (A contribution of £50,000 will also be paid to LBH&F making a total of £150,000)
- 10. (A contribution of £1,000,000 will be paid to LBH&F towards provision of a railway station on the West London Line consisting of £150,000 for design and enabling work on the commencement of the development in LBHF and a further £850,000 upon request by Strategic Rail Authority for the construction of the new station)

  If the monies are not expended on the station within 8 years of commencement of the development then the contribution shall be split equally between LBHF and RBKC and be expended on other public transport improvements and initiatives in the vicinity of and/or to facilitate transport to and from the development, such improvements and initiatives to be agreed between all the parties.

#### C. Transport Co-ordination

11. Prior to first occupation of any residential accommodation within the development, to appoint and retain a full-time on-site transport manager and fund the operation of an intranet site providing up-to-date public transport information for residents in the development and the locality for a minimum period of 15 years.

- 12. The ground floor unit identified as Transport Management Office on plan no.

  LRTW4/PA/05-004-A (or such other area as may be agreed with the Council) to be available on first occupation of any residential accommodation within the RBKC site for a minimum period of 15 years as a reception point/waiting area for group transport pick-up. Provision of a designated off-street waiting area approved by the Council, easily accessible from this facility, for group transport vehicles.
- 13. A contribution of £60,000 to fund the development of school travel plans at local schools. £30,000 to be paid on implementation of the planning permission, and a further £30,000 on commencement of construction of the 201<sup>st</sup> unit in RBKC.

  (A contribution of £60,000 will also be paid to LBH&F making a total of £120,000)
- 13.1 A contribution of £5,000 for the provision of cycle training to be paid on implementation of the planning permission.

  (A contribution of £5,000 will also be paid to LBH&F making a total of £10,000)
- 13.2 A contribution of £45,000 to fund Car Club provision and the purchase cost of pool cycles £22,500 on implementation of the planning permission, and £22,500 on commencement of construction of the 201st unit in RBKC.

  (A contribution of £45,000 will also be paid to LBH&F making a total of £90,000)
- 13.3 Implementation of a Green Travel Plan for a 10 year period in accordance with details to be approved by the Council prior to implementation of the planning permission.

  GTP implementation to include biennial monitoring & review.

#### D. Car Parking

- 14. Prior to occupation of 50% of the private units in RBKC, a contribution of £1,500,000 to fund the provision of additional off street parking in the Lots Road Area.
- 15. Provision of 36 car parking spaces within the development for public and car pool use to replace on street bays lost to bus route improvements on Lots Road, such spaces to be provided prior to the street bays being lost. The bays to operate in accordance with a management regime approved by the Council, to include charges and maximum stay period. This to include evening use by restaurant customers.

#### E. Construction Traffic

- 16. Use of river transport for such proportion of materials and construction traffic to accord with details to be approved by the Council prior to implementation of the planning permission.
- 17. Implementation of a plan, approved by the Council prior to implementation of the planning permission, for routing and times of construction and demolition road traffic.
- 18. Implementation of measures, approved by the Council prior to implementation of the planning permission, to ensure construction staff travel to and from the site by public transport and to prevent parking for private cars belonging to employees or contractors on any part of the site during demolition or construction.

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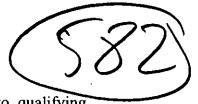
#### F. Affordable Housing

66% of the affordable rented, shared ownership and entry level housing shall be completed and available for occupation prior to occupation of more than 50% of the private housing units within the RBKC site.

The remaining affordable rented, shared ownership and entry level housing shall be completed and available for occupation prior to occupation of more than 90% of the private housing units within the RBKC site.

- 19. Provision, in partnership with and through transfer to, a registered social landlord, of 105 affordable units of residential accommodation for rent as shown on the approved plans. The total cost to occupier of living in any affordable rented unit shall be Housing Corporation target rent inclusive of any service charge levied by the RSL, plus external service and estate charges which:
  - a) In the case of units within KC2 shall not exceed in total £1260 per annum per dwelling index linked.
  - b) In the case of units within KC4 shall not exceed in total £817 per annum per dwelling index linked.
- 20. Provision, in partnership with, and through transfer to, a registered social landlord, of 39 residential units as shown on the approved plans to be sold/occupied on a shared ownership basis to persons from the Common Housing Register. The total cost to occupier of living in the rented element of any shared ownership unit shall be the equivalent proportion of Housing Corporation target rent inclusive of any service charge levied by the RSL. External service and estate charges shall not exceed in total £1258 per annum per dwelling index linked.
- 21. Provision of 22 units of low cost 'entry level' residential accommodation for sale to persons in housing need who are registered on the Council's Common Housing Register and are employed as teachers, nurses, bus drivers, police officers, paramedics and fire fighters and such other occupations as may be nominated as key workers from time to time by the Council.
- 21.1 Qualifying purchasers would be eligible to purchase 'entry level' housing units as follows:
  - a) Each of the twelve studio units at three and a half times the average income for Greater London plus a deposit of 10% at the date of sale. Service, estate and ground rent charges shall not exceed in total £1518 per annum per dwelling index linked.
  - b) Each of the ten one and two bedroom units (Assuming joint purchase by two persons) at five times the average income for Greater London plus a deposit of 10% at the date of sale. Service, estate and ground rent charges shall not exceed in total £1518 per annum per dwelling index linked.

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- 21.2 The onward sale of any 'entry level' housing units shall be solely to qualifying purchasers as follows:
  - a) Any of the twelve studio units at three and a half times the average income for Greater London plus a deposit of 10% at the date of sale. Service, estate and ground rent charges shall not exceed £1518 per annum per dwelling index linked from the date of the first purchase.
  - b) Any of the ten one and two bedroom units (Assuming joint purchase by two persons) at five times the average income for Greater London plus a deposit of 10% at the date of sale. Service, estate and ground rent charges shall not exceed in total £1518 per annum per dwelling index linked from the date of the first purchase.
- 22. All RSL affordable units within the development shall be constructed in accordance with Housing Corporation scheme development standards.
- 22.1 Reasonable charges for the parking spaces designated for affordable, shared ownership and 'entry level' units shall be agreed with the Council prior to occupation.

#### G. Remediation and Environmental Management

- 23. Implementation of a remediation strategy in respect of land contamination, approved by the Council prior to implementation of the planning permission, and presentation of a validation report confirming removal of all contamination which presents a risk to be approved in writing by the Executive Director, Planning & Conservation prior to occupation of any part of the development. The Developers' Environmental Consultant to set up a reporting procedure with the Council to include on-site meetings as required throughout the duration of the remediation works and to provide monthly progress reports to the Council. The strategy to include measures for immediate notification of the Council and remediation in the event of any previously unforeseen contamination being identified during site investigation and risk assessment. Additional funding for appointment by the Council for independent expert advice during the implementation of the remedial works in the event of unforeseen circumstances.
- Implementation of an environmental management plan, approved by the Council prior to implementation of the planning permission, throughout the life of the development. Provision of a public telephone number and office space for an on-site liaison officer to provide an advertised point of contact for the Council and members of the public from commencement of remedial works until completion of the development.

#### H. Chelsea Creek

25. Not to implement the planning permission until the freehold interest in Chelsea Creek has been acquired by the Developer together with all future maintenance liabilities thereof, or a licence obtained from the Council as landowner for the carrying out of the proposed works to the creek (Such licence not to be unreasonably withheld).

- 26. Implementation, and maintenance for the life of the development, of an environmental management plan approved by the Council for the watercourse and associated wildlife habitats.
- 27. Implementation prior to substantial completion of the development, of a programme of works approved by the Council, to any parts of the Chelsea Creek watercourse remaining outside the Developers' ownership necessary in conjunction with the approved environmental management plan.

#### I. Community Facilities

- 28. Provision, on first occupation of any accommodation in KC3 of premises within the development comprising 445 square metres net internal floorspace, to accommodate the Ashburnham Community Association at a rent, and with index linked service and estate management charges approved by the Council.
- 29. A contribution of £100,000 on completion of a rental agreement with the Ashburnham Community Association, to fund fitting out of the Community Association premises.
- 30. The ground floor unit of 131sqm identified as a Doctors' Surgery on plan no. LRTW4/PA/05-004-A (or such other area of 131sqm as may be agreed with the Council) to be used solely as a General Practitioners' surgery serving NHS patients and falling within Use Class D1(a) unless otherwise approved in writing by the Executive Director, Planning & Conservation. The occupier of the surgery shall be responsible for the rent for the unit and any service charges and estate management charges.

#### J. Education Facilities

31. On occupation of 25% of the private units in RBKC, a contribution of £2,000,000% to fund improved secondary and/or primary education facilities in the vicinity of the development.

#### K. Thames Path and Community Safety

- 32. Provision and maintenance by the developer of a section of Thames Path providing a designated route with unobstructed public access from Chelsea Harbour via a new bridge to Lots Road through the plaza on the former east yard within one month of substantial completion of the development. Provision for subsequent linkage to a future Thames Path section across the adjacent Cremorne Wharf site when this route becomes physically available through construction or redevelopment.
- 33. Provision on substantial completion of the development of a CCTV system and a scheme of lighting approved by the Council for the publicly accessible areas of the development.
- 34. The developer undertakes to secure prompt removal of graffiti, fly-posting and rubbish from any publicly accessible areas within the site to standards approved by the Council.



#### L. Westfield Park

35. Prior to occupation of 50% of the private units in RBKC, a contribution of £400,000 to fund improvements to Westfield Park to include landscaping, tree planting and provision of equipment.

#### M. Sports Facilities

36. Prior to occupation of 50% of the private units in RBKC, a contribution of £1,000,000 towards funding the provision of public sports facilities in the vicinity of the development.

#### N. Employment

- 37. Provision of an on-site construction training scheme to include
  - An on-site recruitment facility for trainees
  - An agreed number of training weeks
  - Funding (To be agreed) for the construction training programme (including trainee placement and support).
  - Trainee wages as in the Working Rule Agreement
  - Best endeavours to obtain 20% of the workforce from the local area (West London)
- 38. Allocation on substantial completion of the development of two (Identified) Class B1 units at ground floor level or such other area within the development of equivalent size as may be agreed by The Council to be offered at 50% of market rent for a period of 3 years to tenants approved by the Council to assist small business start-ups for local people. The occupiers shall be responsible for any service charges and estate management charges which, based on floorspace, shall not exceed those relating to any other Class B1 units on the ground floor of the development. (Or such other equivalent arrangement as shall be agreed in writing between the parties).

#### O. Public Art

39. On implementation of the planning permission, a contribution of £100,000 for the provision of (a) public work(s) of art in location(s) approved by the Council in the vicinity of the development.

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#### LOTS ROAD PLANNING COMMITTEE REPORT ERRATA SCHEDULE



Condition 16 is repeated as Condition 18.

Paragraph 4.2.3 – the additional car parking referred to in this paragraph would not be allocated to the affordable housing as stated in the report.

Paragraph 4.3.1 (incorrectly stated as 4.5.1) – the height of the tower (KC1) is 85m plus a 15m mast.

Paragraph 4.3.3 - there are 4 x 2 bedroom flats in KC1. The still suffer it with the series .

Table 4.8.1 – the residential mix within KC3 is as follows:

- 3 x 1 beel
- 112 x/2 bed
- 72 x/3 bed
- / 8 x 4 bed

Total = 195

The overall total number of flats within the development is 420.

Table 4.8.3 – the total floorspace figure for shops/restaurants/non residential uses is 3,748 sqm.

Paragraph 6.3 – the sixth bullet point refers to a reduction in car parking in Hammersmith and Fulham (site B). This is not made clear in the report.

Paragraph 7.2.7 - • the Class B units referred to in this paragraph range in size from 40 sqm to 995 sqm.

• the Class B units at first floor level within Block KC3 total 3,792 sqm

Paragraph 7.3.5 – there are 105 affordable rental units and 39 shared ownership units.

Paragraph 7.4.17 – the signalised junction is in an 80 seconds cycle not 160 seconds. However the pedestrian phase only occurs every two cycles, hence the reference to 160 seconds.

Paragraph 9.3.11 – the correct area of the proposed community centre within Block KC3 is 445 sq. m. (see table 4.8.3).

#### ROYAL BOROUGH OF KENSINGTON AND CHELSEA

# REPORT BY THE EXECUTIVE DIRECTOR, PLANNING AND CONSERVATION

#### MAJOR PLANNING APPLICATIONS COMMITTEE 28th OCTOBER 2003

LOTS ROAD POWER STATION AND CHELSEA CREEK, LONDON SW10.

The report summarises additional information requested pursuant to the deferral of this major application at the meeting of 15<sup>th</sup> September 2003.

FOR DECISION

#### 1.0 INTRODUCTION

- 1.1 The attached report (which has been amended to incorporate the addenda) was considered at the meeting of the Major Planning Applications Committee on 15<sup>th</sup> September 2003. Consideration of the proposal was deferred with a request from Members that the following additional information and clarification be provided:
  - A) An examination of the transportation implications of the proposal carried out by an independent consultant.
  - B) Additional information on the holding and waiting arrangements for construction vehicles coming to and from the site.
  - C) Additional information on the proposed provision of a medical facility within the development.

#### 2.0 TRANSPORTATION ASSESSMENT

- 2.1 The Director of Transportation and Highways reports that Steer Davies Gleave (SDG) were appointed on 17 September 2003 to undertake an independent review of the Transport Assessment and Addendum Report prepared on behalf of the applicants by Symonds. In particular they were asked to consider:
  - The trip rates used within the assessment;
  - The distribution of vehicle trips and the impact of the development on the wider highway network;
  - The impact the proposed development would have on on-street parking and public transport; and

An overall assessment of the TA and Addendum report.

- 2.2 SDG were appointed because of their professional reputation and ability to deliver the review within the allotted time scale. They are the largest independent transport planning Consultancy in Europe. The terms of appointment required that they had not been engaged by other parties to undertake an assessment of the Lots Road Power Station or other major developments in the local area.
- 2.3 SDG were asked to consider the implications of a proposal for a new school and additional residents' car parking in the local area. With regard to the school proposal, SDG have commented that it is normal practice to only consider other developments when they have received planning permission (1.6). In the absence of a planning permission, application or detailed feasibility study, they take the view that the proposal is not sufficiently advanced for it to be considered as part of this exercise.
- 2.4 Members were concerned that the trip rates used to assess the impact of the development were too low by a significant margin. SDG have reviewed all available survey data and have found that the rates used in the original Transport Assessment fell around the middle of the range of observations. SDG find that it was appropriate for Officers to insist upon the use of higher 'worst case' trip rates and that the rates supplied by Officers, and included in the Addendum report to the Environmental Statement, provide a robust analysis for assessing the impact of the development on the highway network (3.11).
- 2.5 Considering the distribution of trips SDG find that the distribution used is relatively robust. However they find that northbound trips may have been overestimated. The result of this is that the impact on the King's Road junctions is likely to be less than predicted. Traffic at the Lots Road ./Cremorne Road junction could be slightly higher than estimated although SDG note that, as this junction is to be redesigned as a result of this scheme anyway, it is unlikely to cause a problem (4.9). Furthermore SDG consider that the impact of the development has been assessed over a significantly wide area to identify all impacts (3.4) and that it is correct practice to take account of reductions in baseline traffic as a result of the development. SDG also consider that it is common practice for the local planning authority to specify which committed/consented developments should be included in the TA. In this case these were 552 Kings Road, Imperial Wharf and Chelsea Harbour phase 2. (6.8)
- 2.6 SDG consider that the number of parking spaces provided would appear to be more than sufficient to cater for the likely level of car ownership (8.5) and that the demand for public transport will fall well within the enhanced capacity being provided (9.17).
- 2.7 SDG conclude that the Addendum report to the ES provides a robust and acceptable analysis of the development (11.4)

2.8 The consultants' report supports the views of the Director of Transportation and Highways to the effect that the initial Transportation Assessment by Symonds was lacking in some respects; that the resulting request by the DTH for an addendum report was justified; that the submitted addendum report covered the relevant issues satisfactorily; and that a recommendation to grant planning permission can therefore be supported.

#### 3.0 CONSTRUCTION VEHICLE MANAGEMENT

- 3.1 The applicants have submitted a supplementary statement on the management of construction traffic in response to queries raised at the meeting of 15<sup>th</sup> September 2003. This contains information on the management of construction vehicles, operation hours and holding areas both on and off site during the construction phase and supplements that provided in the Environmental Statement (Dec 2002) page 48 section 6.7. This sets out construction vehicle routes and movements, site access and river transport.
- 3.2 It should be noted that use of river transport, construction and demolition traffic and employee transport would be subject to approval by the Council under draft clauses 16-18 of the Section 106 agreement.
- In their statement, the applicants confirm they will agree with their contractors a strict delivery management system to control the arrival of all deliveries to the site in order to minimise disturbance to the local residential population.
- 3.4 The delivery management system would organise deliveries into agreed time slots spread out during the course of the day. The majority of construction vehicles would have radios to facilitate co-ordination of the arrival of vehicles.
- 3.5 The applicants suggest that within this regime, failure of a construction vehicle to arrive in an allocated time slot could mean it is turned away. As a consequence suppliers become disciplined in keeping to their allocated time slots. In addition to this there would be a prohibition against HGV delivery vehicles arriving and leaving the site outside the hours of 07.30 and 17.00 unless otherwise agreed in writing with the local planning authority.

#### 3.6 Vehicle Holding Areas

Holding areas for construction vehicles will be provided on both the LBHF and RBKC development sites. Together, excluding the creek, there are nearly 9 acres of land to accommodate various uses including a holding area.

- 3.7 In LBHF an area would be available until the last phase is built (currently block HF3C) and in RBKC a holding area could be provided either in the power station (once stripped) or in the East Yard area. Again a holding area would be available until construction of the last phase (currently block KC2).
- 3.8 As the development nears completion when most of the bulky construction material movement and all excavation removal is complete, holding areas will

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be provided off site. The location of these holding areas would be subject to Council approval under the Section 106.agreement.

#### 4.0 MEDICAL FACILITIES

- 4.1 The provision of a medical facility within the development was the subject of consultation with Kensington & Chelsea Primary Care Trust and received a reply from their Chief Executive February 2003 stating they would like the development to include new primary and community facilities.
- 4.2 The trust have confirmed that there are GPs near to retirement in the vicinity of the development. They further state that 1700 new patients is equivalent to the patient list for a single GP and therefore implicitly there would be demand for a full-time additional GP as a result of this development. The PCT state they would, on notice of the development proceeding, review provision in the area and if a need was established would either seek to set up/manage or facilitate an independent practice to meet that need. A single practice with nurse and waiting room would require a minimum of 124sqm plus additional space if a trainee or dispensary is involved. They acknowledge that the 131sqm proposed in the development and secured through the Section 106 agreement would be sufficient to accommodate such a facility.

#### 5.0 ADDITIONAL REPRESENTATIONS

- 5.1 Additional representations regarding the application have been received from the following sources subsequent to the deferral. The following paragraphs summarise their content and the responses given to them where appropriate:
- 5.1.1 The Lots Road Action Group, endorsed by The Chelsea Harbour Residents raise concerns regarding the omission of a detailed assessment of 'a potential school' from the independent transportation assessment stating it is part of the package of measures in the Draft Section 106 agreement. They have further, along with the Chelsea Society, called into question the independence of the appointed consultants Steer Davies Gleave in view of their preparation in May 2003 of a transportation assessment on behalf of London Underground limited in connection with the proposed redevelopment of South Kensington Underground Station (London Underground's development partners in that scheme include Hutchinson Whampoa, who are partners in Circadian Ltd and their chosen architect is Terry Farrell who designed the Lots Road Scheme).

The undertaking to make a financial contribution towards provision of education facilities in the vicinity is not specific to any site or proposal. Whilst the Ashburnham site has been considered as a possible alternative to the Council's preferred site for a secondary school at Hortensia Road, this has not been the subject of a detailed feasibility study or a planning application. The independent consultants have concluded in the light of this that its impact could not be reasonably assessed as part of their study.

The Independent consultants are not considered to have been in any way compromised as a result of having carried out work for London Underground Ltd on the South Kensington proposals.

5.1.2 The Chelsea Society have suggested that additional montages be requested to assist in the assessment of the visual impact of the proposals on Cheyne Walk and Brompton Cemetery.

It is considered that there is sufficient information within the submitted Environmental Statement for an informed conclusion to be reached on this issue.

5.1.3 One additional respondent suggests that to grant planning permission for the proposal on the grounds that the Council will obtain financial benefits, and that a refusal might be overturned on appeal is not a proper use of the planning system.

The recommendation with regard to this application is made on the planning merits of the proposal in accordance with the provisions of the development plan and in the light of all material considerations.

5.1.4 A further objector queries the measures proposed for removal of asbestos from the site and suggested full details should be published by the applicants who should meet the cost of monitoring throughout this process.

The applicants' environmental statement confirms in paragraph 7.2.3 that all asbestos removal will be undertaken in the approved manner by a specialist licensed contractor using dust suppression equipment, sealed enclosures airlocks and filtered air extraction units. Personal protective equipment and decontamination procedures are required for all personnel involved in the work. Air monitoring will be undertaken to ensure the health and safety of site personnel and the public.

The Director of Environmental Health, as part of the consultation process, asked in October 2002 for confirmation from the developers' environmental consultant that the asbestos removal methodology had been approved by the Health and Safety Executive.

This was confirmed by the consultant in a reply dated 27<sup>th</sup> January 2003 who stated there will be a contractual obligation for compliance with all relevant legislation together with HSE codes of practice including (but not limited to):

- The Control of Asbestos at Work Regulations 2002
- The Asbestos (Licensing) Regulations 1983 (As amended)
- The Special Waste Regulations 1996 (As amended)
- The Construction (Design and Management) Regulations 1994

Contractual obligations will also require operators to provide method statements for dealing with eventualities such as prevention of release of fibres

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into the atmosphere and dealing with unforeseen asbestos. These would be submitted for approval by the Council.

In summary, the applicants are committed to implementation of a methodology for safe removal of asbestos in accordance with the relevant legislation and good practice. This has been set out to the satisfaction of the Director of Environmental Health. It will form part of the Environmental Management Plan which, by way of S.106 agreement head 24. will be subject to the Council's approval prior to implementation of the development.

5.1.5 One objector cites the impact of the development on important views along St. Leonard's Terrace and draws attention to the requirements of Policy CD5 which commits the Council "To Protect Important Views and Vistas in and around the Royal Hospital".

From a position on the south side of St Leonard's Terrace opposite No.23 the towers of the power station are framed by the buildings on either side of Alpha Place when facing south-west. The proposed high building would be visible from this limited viewpoint as would the Hammersmith and Fulham tower. They are not however considered to have an adverse impact on an important vista in and around the Royal Hospital.



Looking south-west From St Leonard's Terrace.

#### 6.0 DRAFT SECTION 106 HEADS OF AGREEMENT

6.1 The scope of the proposed S.106 agreement is set out in Section 9 of the committee report. The attached document consists of detailed provisions which have been agreed in principle by the applicants as the basis of the undertaking. In addition to various restrictions and provisions, the draft heads

set out the applicants' commitment to a package of transportation measures consisting of payments totalling £5.56 million and a package of community benefits consisting of payments to the value of £5.1 million. The transportation payments relate to the development 'as a whole' including the Hammersmith and Fulham site. Elements of these payments are consequently committed to the adjoining borough and would be secured by way of their separate Section 106 agreement. Payments committed to LBH&F are therefore italicised and bracketed for information but would not form part of the agreement between the developer and this authority. The sum total of transportation payments committed to the Royal Borough in the current draft is therefore £3.348 million. The total sum committed to the Royal Borough is therefore £8.448 million.

#### 7.0 RECOMMENDATION

7.1 That planning permission is granted in accordance with the recommendation in the attached report.

M.J. FRENCH EXECUTIVE DIRECTOR, PLANNING AND CONSERVATION

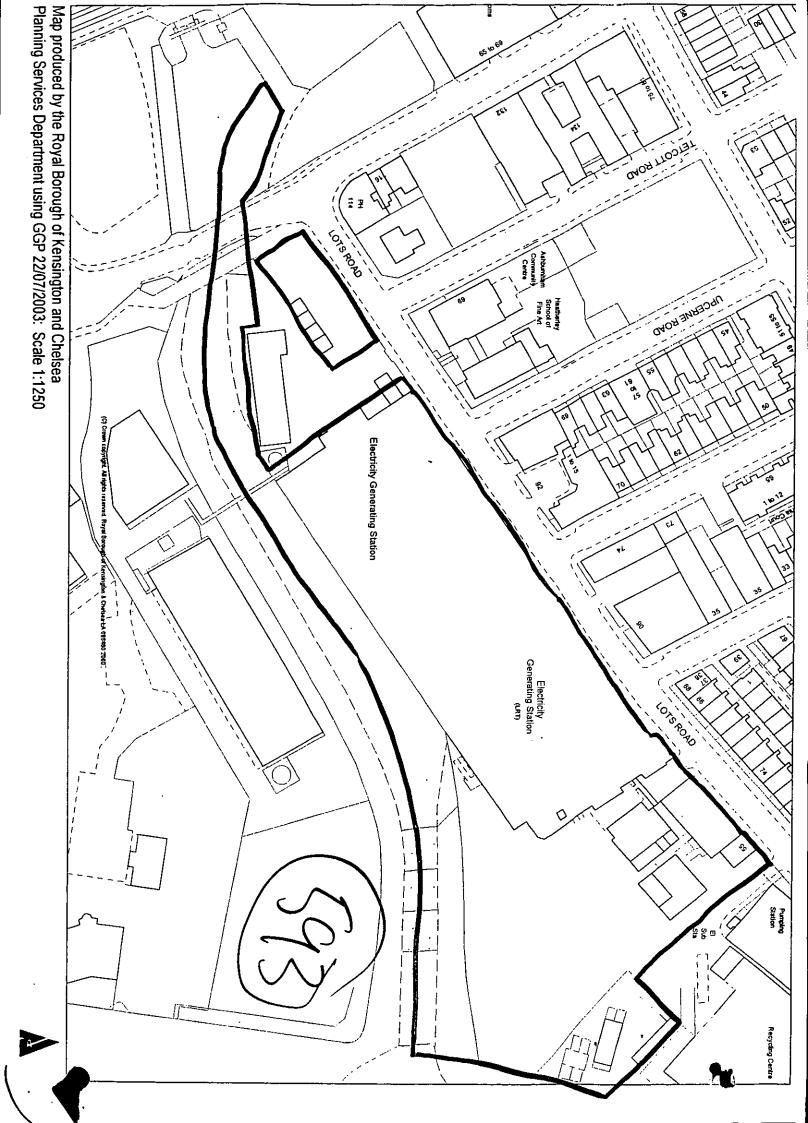
#### List of Background Papers:

The contents of file PP/02/01324 save for exempt or confidential information in accordance with the Local Government (Access to Information) Act 1985.

Report Prepared By: JT

Report Approved By: JT/MJF

Date Report Approved:



# 594

#### Appendix I- Lots Road Section 106 Heads (Draft)

The detailed provisions set out below have been agreed in principle by the applicants as the basis of the undertaking. In addition to various restrictions and provisions, the draft heads set out the applicants' commitment to a package of transportation measures consisting of payments totalling £5.56 million and a package of community benefits consisting of payments to the value of £5.1 million. The transportation payments relate to the development 'as a whole' including the Hammersmith and Fulham site. Elements of these payments are consequently committed to the adjoining borough and would be secured by way of their separate Section 106 agreement. Payments committed to LBH&F are therefore italicised and bracketed for information but would not form part of the agreement between the developer and this authority. The sum total of transportation payments committed to the Royal Borough in the current draft is therefore £3.348 million and the total sum committed to the Royal Borough is therefore £8.448 million.

#### **General Principles**

- i. All payments herein shall be made to The Royal Borough of Kensington and Chelsea unless indicated otherwise.
- ii Interest on any financial contributions will be retained by the recipient and used for the specified purposes.
- All financial contributions shall be index linked (To RPI+1%) from the earlier of the date of signing of the Section.106 agreement or the date six months from that of the Committee Resolution to grant planning permission for the proposal unless agreed otherwise.
- iv Implementation of the planning permission excludes demolition of ancillary buildings and decommissioning/decontamination of the power station.
- v. Save where otherwise specified, any contributions (or parts thereof) not expended by the recipient within 8 years of receipt on the purposes for which the contribution was provided (or for such other similar purpose and for such additional period beyond 8 years as may be agreed in writing by the parties) shall be refunded to the developer together with any interest accrued thereon.

#### A. Environmental Improvements

- 1. A contribution, payable by the developer on implementation of the planning permission, of £200,000 to fund implementation of improvements to the Lots Road/Cremorne Road Junction including a signal maintenance agreement.
- 2. A contribution of £400,000 25% payable by the developer on implementation of the planning permission and 75% payable 18 months from the date of implementation (Unless agreed otherwise) to fund implementation of a streetscape improvement zone approved by the Council in the 'Lots Road Triangle' to include pavement treatments, street trees and other street scene improvements.



- 3. A contribution, payable by the developer of £260,000 to fund implementation of cycling measures including 'Toucan' crossings, cycle routes and cycle parking in connection with routes beginning in the vicinity of the development. The contribution to be paid in two tranches: £160,000 on implementation of the planning permission or earlier at the discretion of the developer; and £100,000 on commencement of construction of the 201<sup>st</sup> unit in RBKC.
  - (A contribution of £150,000 will also be paid to LBH&F making a total of £410,000)
- 4. A contribution, payable by the developer of £133,000 to fund implementation of improved pedestrian facilities in the vicinity of the development including signage, street lighting and other environmental improvements. The contribution is to be paid in two tranches: £83,000 on implementation of the planning permission, and £50,000 on commencement of construction of the 201<sup>st</sup> unit in RBKC.

  (A contribution of £67,000 will also be paid to LBH&F making a total of £200,000)

#### B. Public Transport

- 5. A contribution of £1,700,000 on occupation of 50% of residential units within the RBKC development to subsidise a new bus route from Sands End to Westminster via the Embankment.

  (A contribution of £650,000 will also be paid to LBH&F to subsidise extension of the C3 bus service making a total of £2,350,000)
- 6. New bus stops for Embankment and C3 £75,000 to be paid on implementation of the planning permission, and a further £90,000 on occupation of 50% of residential units in RBKC.
  - (A contribution of £15,000 will also be paid to LBH&F making a total of £180,000)
- 7. An annual contribution of £50,000 for a period of 5 years, to support an upgraded riverboat passenger service running from Chelsea Harbour Pier to Embankment via intermediate piers during peak hours. The initial payment to be made on first occupation of any residential unit within the development and subsequent payments on April 1<sup>st</sup> in each successive year.
- 8. A contribution of £30,000 on implementation of the planning permission, towards the upgrade of passenger facilities and access to Chelsea Harbour Pier. Improvement works will be subject to agreement with Chelsea Harbour Ltd and the developer will use best endeavours to obtain all necessary consents. The contribution to be retained by the recipient and used for other river transport measures if works are not carried out within 8 years of commencement of development.

  (A contribution of £170,000 will also be paid to LBH&F making a total of £200,000)
- 9. A contribution of £100,000 to fund bus priority measures including upgrading of the Townmead Road bus gate on implementation of the planning permission in RBKC.

  (A contribution of £50,000 will also be paid to LBH&F making a total of £150,000)

10. (A contribution of £1,000,000 will be paid to LBH&F towards provision of a railway station on the West London Line consisting of £150,000 for design and enabling work on the commencement of the development in LBHF and a further £850,000 upon request by Strategic Rail Authority for the construction of the new station)

If the monies are not expended on the station within 8 years of commencement of the development then the contribution shall be split equally between LBHF and RBKC and be expended on other public transport improvements and initiatives in the vicinity of and/or to facilitate transport to and from the development, such improvements and initiatives to be agreed between all the parties.

#### C. Transport Co-ordination

- 11. Prior to first occupation of any residential accommodation within the development, to appoint and retain a full-time on-site transport manager and fund the operation of an intranet site providing up-to-date public transport information for residents in the development and the locality for a minimum period of 15 years.
- 12. The ground floor unit identified as Transport Management Office on plan no. LRTW4/PA/05-004-A (or such other area as may be agreed with the Council) to be available on first occupation of any residential accommodation within the RBKC site for a minimum period of 15 years as a reception point/waiting area for group transport pick-up. Provision of a designated off-street waiting area approved by the Council, easily accessible from this facility, for group transport vehicles.
- 13. A contribution of £60,000 to fund the development of school travel plans at local schools. £30,000 to be paid on implementation of the planning permission, and a further £30,000 on commencement of construction of the 201<sup>st</sup> unit in RBKC.

  (A contribution of £60,000 will also be paid to LBH&F making a total of £120,000)
- 13.1 A contribution of £5,000 for the provision of cycle training to be paid on implementation of the planning permission.

  (A contribution of £5,000 will also be paid to LBH&F making a total of £10,000)
- 13.2 A contribution of £45,000 to fund Car Club provision and the purchase cost of pool cycles £22,500 on implementation of the planning permission, and £22,500 on commencement of construction of the 201st unit in RBKC.

  (A contribution of £45,000 will also be paid to LBH&F making a total of £90,000)
- 13.3 Implementation of a Green Travel Plan for a 10 year period in accordance with details to be approved by the Council prior to implementation of the planning permission. GTP implementation to include biennial monitoring & review.

#### D. Car Parking

- 14. Prior to occupation of 50% of the private units in RBKC, a contribution of £1,500,000 to fund the provision of additional off street parking in the Lots Road Area.
- 15. Provision of 36 car parking spaces within the development for public and car pool use to replace on street bays lost to bus route improvements on Lots Road, such spaces to be provided prior to the street bays being lost. The bays to operate in accordance with

a management regime approved by the Council, to include charges and maximum starperiod. This to include evening use by restaurant customers.

#### E. Construction Traffic

- 16. Use of river transport for such proportion of materials and construction traffic to accord with details to be approved by the Council prior to implementation of the planning permission.
- 17. Implementation of a plan, approved by the Council prior to implementation of the planning permission, for routing and times of construction and demolition road traffic.
- 18. Implementation of measures, approved by the Council prior to implementation of the planning permission, to ensure construction staff travel to and from the site by public transport and to prevent parking for private cars belonging to employees or contractors on any part of the site during demolition or construction.

#### F. Affordable Housing

66% of the affordable rented, shared ownership and entry level housing shall be completed and available for occupation prior to occupation of more than 50% of the private housing units within the RBKC site.

The remaining affordable rented, shared ownership and entry level housing shall be completed and available for occupation prior to occupation of more than 90% of the private housing units within the RBKC site.

- 19. Provision, in partnership with and through transfer to, a registered social landlord, of 105 affordable units of residential accommodation for rent as shown on the approved plans. The total cost to occupier of living in any affordable rented unit shall be Housing Corporation target rent inclusive of any service charge levied by the RSL, plus external service and estate charges which:
  - a) In the case of units within KC2 shall not exceed in total £1260 per annum per dwelling index linked.
  - b) In the case of units within KC4 shall not exceed in total £817 per annum per dwelling index linked.
- 20. Provision, in partnership with, and through transfer to, a registered social landlord, of 39 residential units as shown on the approved plans to be sold/occupied on a shared ownership basis to persons from the Common Housing Register. The total cost to occupier of living in the rented element of any shared ownership unit shall be the equivalent proportion of Housing Corporation target rent inclusive of any service charge levied by the RSL. External service and estate charges shall not exceed in total £1258 per annum per dwelling index linked.
- 21. Provision of 22 units of low cost 'entry level' residential accommodation for sale to persons in housing need who are registered on the Council's Common Housing Register and are employed as teachers, nurses, bus drivers, police officers, paramedics

and fire fighters and such other occupations as may be nominated as key workers from time to time by the Council.

- 21.1 Qualifying purchasers would be eligible to purchase 'entry level' housing units as follows:
  - a) Each of the twelve studio units at three and a half times the average income for Greater London plus a deposit of 10% at the date of sale. Service, estate and ground rent charges shall not exceed in total £1518 per annum per dwelling index linked.
  - b) Each of the ten one and two bedroom units (Assuming joint purchase by two persons) at five times the average income for Greater London plus a deposit of 10% at the date of sale. Service, estate and ground rent charges shall not exceed in total £1518 per annum per dwelling index linked.
- 21.2 The onward sale of any 'entry level' housing units shall be solely to qualifying purchasers as follows:
  - a) Any of the twelve studio units at three and a half times the average income for Greater London plus a deposit of 10% at the date of sale. Service, estate and ground rent charges shall not exceed £1518 per annum per dwelling index linked from the date of the first purchase.
  - b) Any of the ten one and two bedroom units (Assuming joint purchase by two persons) at five times the average income for Greater London plus a deposit of 10% at the date of sale. Service, estate and ground rent charges shall not exceed in total £1518 per annum per dwelling index linked from the date of the first purchase.
- 22. All RSL affordable units within the development shall be constructed in accordance with Housing Corporation scheme development standards.
- 22.1 Reasonable charges for the parking spaces designated for affordable, shared ownership and 'entry level' units shall be agreed with the Council prior to occupation.

#### G. Remediation and Environmental Management

23. Implementation of a remediation strategy in respect of land contamination, approved by the Council prior to implementation of the planning permission, and presentation of a validation report confirming removal of all contamination which presents a risk to be approved in writing by the Executive Director, Planning & Conservation prior to occupation of any part of the development. The Developers' Environmental Consultant to set up a reporting procedure with the Council to include on-site meetings as required throughout the duration of the remediation works and to provide monthly progress reports to the Council. The strategy to include measures for immediate notification of the Council and remediation in the event of any previously unforeseen contamination being identified during site investigation and risk assessment. Additional funding for appointment by the Council for independent

expert advice during the implementation of the remedial works in the event of unforeseen circumstances.

24. Implementation of an environmental management plan, approved by the Council prior to implementation of the planning permission, throughout the life of the development. Provision of a public telephone number and office space for an on-site liaison officer to provide an advertised point of contact for the Council and members of the public from commencement of remedial works until completion of the development.

#### H. Chelsea Creek

- 25. Not to implement the planning permission until the freehold interest in Chelsea Creek has been acquired by the Developer together with all future maintenance liabilities thereof, or a licence obtained from the Council as landowner for the carrying out of the proposed works to the creek (Such licence not to be unreasonably withheld).
- 26. Implementation, and maintenance for the life of the development, of an environmental management plan approved by the Council for the watercourse and associated wildlife habitats.
- 27. Implementation prior to substantial completion of the development, of a programme of works approved by the Council, to any parts of the Chelsea Creek watercourse remaining outside the Developers' ownership necessary in conjunction with the approved environmental management plan.

#### I. Community Facilities

- 28. Provision, on first occupation of any accommodation in KC3 of premises within the development comprising 445 square metres net internal floorspace, to accommodate the Ashburnham Community Association at a rent, and with index linked service and estate management charges approved by the Council.
- 29. A contribution of £100,000 on completion of a rental agreement with the Ashburnham Community Association, to fund fitting out of the Community Association premises.
- 30. The ground floor unit of 131sqm identified as a Doctors' Surgery on plan no. LRTW4/PA/05-004-A (or such other area of 131sqm as may be agreed with the Council) to be used solely as a General Practitioners' surgery serving NHS patients and falling within Use Class D1(a) unless otherwise approved in writing by the Executive Director, Planning & Conservation. The occupier of the surgery shall be responsible for the rent for the unit and any service charges and estate management charges.

#### J. Education Facilities

31. On occupation of 25% of the private units in RBKC, a contribution of £2,000,0000 to fund improved secondary and/or primary education facilities in the vicinity of the development.

#### K. Thames Path and Community Safety

- 32. Provision and maintenance by the developer of a section of Thames Path providing a designated route with unobstructed public access from Chelsea Harbour via a new bridge to Lots Road through the plaza on the former east yard within one month of substantial completion of the development. Provision for subsequent linkage to a future Thames Path section across the adjacent Cremorne Wharf site when this route becomes physically available through construction or redevelopment.
- 33. Provision on substantial completion of the development of a CCTV system and a scheme of lighting approved by the Council for the publicly accessible areas of the development.
- 34. The developer undertakes to secure prompt removal of graffiti, fly-posting and rubbish from any publicly accessible areas within the site to standards approved by the Council.

#### L. Westfield Park

35. Prior to occupation of 50% of the private units in RBKC, a contribution of £400,000 to fund improvements to Westfield Park to include landscaping, tree planting and provision of equipment.

#### M. Sports Facilities

36. Prior to occupation of 50% of the private units in RBKC, a contribution of £1,000,000 towards funding the provision of public sports facilities in the vicinity of the development.

#### N. Employment

- 37. Provision of an on-site construction training scheme to include
  - An on-site recruitment facility for trainees
  - An agreed number of training weeks
  - Funding (To be agreed) for the construction training programme (including trainee placement and support).
  - Trainee wages as in the Working Rule Agreement
  - Best endeavours to obtain 20% of the workforce from the local area (West London)
- 38. Allocation on substantial completion of the development of two (Identified) Class B1 units at ground floor level or such other area within the development of equivalent size as may be agreed by The Council to be offered at 50% of market rent for a period of 3 years to tenants approved by the Council to assist small business start-ups for local people. The occupiers shall be responsible for any service charges and estate management charges which, based on floorspace, shall not exceed those relating to any other Class B1 units on the ground floor of the development. (Or such other equivalent arrangement as shall be agreed in writing between the parties).



#### O. Public Art

39. On implementation of the planning permission, a contribution of £100,000 for the provision of (a) public work(s) of art in location(s) approved by the Council in the vicinity of the development.

#### **Lots Road Power Station Development**

#### **Construction Vehicle Management**

#### **Introduction**



This report has been prepared in response to queries raised at the Royal Borough of Kensington and Chelsea's committee meeting of 15<sup>th</sup> September 2003. The report contains information on the management of construction vehicles, operation hours and holding areas both on and off site during the construction phase. The information below supplements that already provided in the Environmental Statement (Dec 2002) page 48 section 6.7 that sets out construction vehicle routes and movements, site accesses and river transport.

#### **Management of Construction Vehicles**

Circadian will agree with its contractors a strict delivery management system to control the arrival of all deliveries to the site. Circadian and it's chosen contractors all have substantial experience of operation in urban areas looking to minimise disturbance to the local residential population.

The delivery management system will organise deliveries into agreed time slots spread out during the course of the day. The majority of construction vehicles have radio's which makes it easy to co-ordinate the arrival of vehicles and minimise disruption.

Failure of a construction vehicle to arrive in an allocated time slot could mean the vehicles is turned away. As a consequence suppliers become disciplined in keeping to their allocated time slots. In addition to this there would be a prohibition against HGV delivery vehicles arriving and leaving the site outside the hours of 7.30am and 5.00pm unless otherwise agreed in writing with the local planning authority.

#### **Vehicle Holding Areas**

Holding areas for construction vehicles will be provided on both the LBHF and RBKC development sites. Together, excluding the creek, there are nearly 9 acres of land to accommodate various uses including a holding area.

In LBHF an area would be available until the last phase is built (currently block HF3C) and in RBKC a holding area could be provided either in the power station (once stripped) or on top of the basement car park in the East Yard area. Again a holding area would be available until the last phase (currently block KC2). Our current programme (which assumes a start in mid 2004) would allow for a holding area for vehicles until mid 2006 in LBHF and a holding area until mid 2008 in RBKC with the development being complete by mid 2010.

Towards the end of the development when most of the bulky construction material movement and all of excavation removal are complete holding areas will need to be provided off site. The location of these holding areas would be agreed at the time in writing with the local planning authority.

#### **Lots Road Power Station Development**

#### **Construction Vehicle Management**

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Failure of a construction vehicle to arrive in an allocated time slot could mean the vehicles is turned away. As a consequence suppliers become disciplined in keeping to their allocated time slots. In addition to this there would be a prohibition against HGV delivery vehicles arriving and leaving the site outside the hours of 7.30am and 5.00pm unless otherwise agreed in writing with the local planning authority.

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In LBHF an area would be available until the last phase is built (currently block HF3C) and in RBKC a holding area could be provided either in the power station (once stripped) or on top of the basement car park in the East Yard area. Again a holding area would be available until the last phase (currently block KC2).

Towards the end of the development when most of the bulky construction material movement and all of excavation removal are complete holding areas will be provided off site. The location of these holding areas would be agreed at the time with officers at RBKC.



### ADDENDUM REPORT BY THE EXECUTIVE DIRECTOR, PLANNING & CONSERVATION

## MAJOR PLANNING APPLICATIONS COMMITTEE 28th OCTOBER 2003

The Major Planning Applications Committee is asked to note and agree the following amendments to the Committee report in respect of Lots Road Power Station:

In addition to the supplementary report, a further minuted members' query related to whether the proposed space to be offered to the Ashburnham Community Association would be suitable for community needs. The space provided in the proposal consists of 445sqm net and approximately 455.4sqm gross (Which equates to 4900 square feet). The Head of Regeneration and Partnerships confirms that a space planner has been appointed to work with the community association in order to determine the best use of the space on offer.

Thirty eight additional letters of objection have been received:

The Council for the Protection of Rural England wish, notwithstanding the results of the independent traffic survey, to re-emphasise the core reasons why the scheme should be rejected, namely overdevelopment; greater car use and inadequate public transport provision; impact of the tower blocks and effect on the water environment.

The Friends of Brompton Cemetery suggest the photo montages in the ES are incomplete and misleading and reiterate their objection to the higher (LBH&F) tower. They state they have been informed the developers now do not intend to cap the chimneys and that this should be a provision of the S.106 agreement. They now support the Chelsea Society in their request for refusal of permission.

The St Leonard's Terrace Residents Association request the Council object to the proposed development in LBH&F.

Other objectors comment on the Steer Davies Gleave transportation report, reiterate the assertion that the 'school proposal' should be taken into consideration, query the methodology of the consultants, question the value of the facilities in the development to the local community, suggest the proposal should be deferred for further consultation of residents on the new bus route proposals and state the disposal of Chelsea Creek to the Developers is questionable as is the lack of open space and sports facilities.

Sixteen responses consist of full copies or extracts from a standard 'sample' letter which has been circulated in the form of an anonymous leaflet. Matters raised have been previously reported and discussed in the report and committee proceedings.

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#### ROYAL BOROUGH OF KENSINGTON AND CHEISEA

REPORT BY THE EXECUTIVE DIRECTOR, PLANNING AND CONSERVATION

#### PLANNING SERVICES COMMITTEE 25th NOVEMBER 2003

LOTS ROAD POWER STATION AND CHELSEA CREEK, LONDON SW10.

The report recommends the grounds for objection to the proposed development in the adjoining London Borough of Hammersmith and Fulham following refusal of the proposed development in The Royal Borough by the Major Planning Applications Committee on 28<sup>th</sup> October 2003.

FOR DECISION

#### 1.0 INTRODUCTION

1.1 The application for redevelopment of the Lots Road Power Station site was considered by the Major Planning Applications Committee on 28<sup>th</sup> October 2003. Planning permission was refused for the following reason:

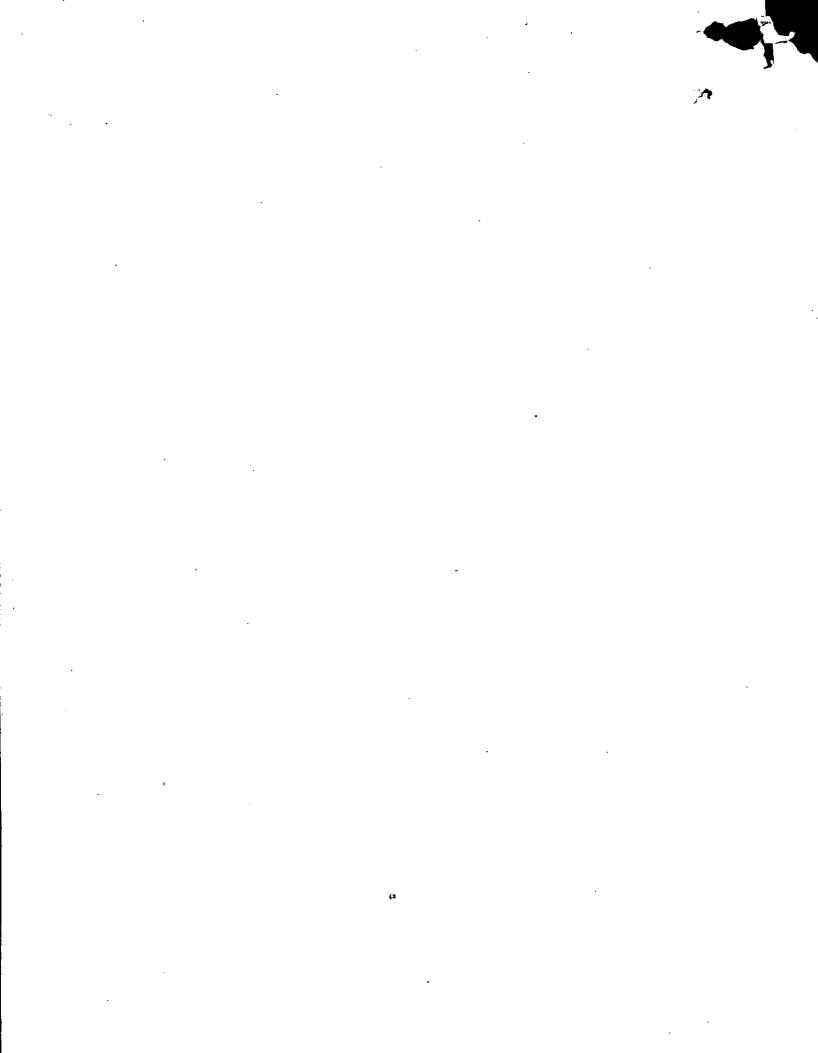
"The proposed development would include a new high building which would significantly exceed the height of existing buildings to the east of Blantyre Street and that of neighbouring buildings. It would consequently represent a departure from Unitary Development Plan Policies CD6 and CD37 and would be harmful to the skyline, important views and surrounding conservation areas by virtue of its height, design and location contrary to Policies CD1, CD25, CD27, CD28 and CD63."

- 1.2 Whilst Members indicated they wished to raise objection to the corresponding development in the London Borough of Hammersmith and Fulham which features a 37 storey tower, and which had been the subject of a resolution to grant planning permission in June 2003. No formal resolution to do so was taken.
- 1.2 The Hammersmith and Fulham decision was subject to a section 106 agreement which has yet to be completed, consequently the permission has not been issued and the opportunity to comment formally is still available.

#### 2.0 RECOMMENDATION

2.1 Inform the London Borough of Hammersmith and Fulham that the Royal Borough of Kensington and Chelsea raises Objection to the proposed development on 'Site B' (Land Adjacent To South Side Of Chelsea Creek, Chelsea Harbour Drive Chelsea Harbour London) on the following grounds:

PP/02/01324:1



"The proposed development would include a new high building which would significantly exceed the height of neighbouring buildings and harm the skyline, important views and surrounding conservation areas."

M.J. FRENCH
EXECUTIVE DIRECTOR, PLANNING AND CONSERVATION

#### List of Background Papers:

The contents of file PP/02/01324 save for exempt or confidential information in accordance with the Local Government (Access to Information) Act 1985.

Report Prepared By: JT

Report Approved By: JT/MJF
Date Report Approved: 14/11/2003

