

<b>PP/02/01324</b>	<b>Lots Road Power Station And Chelsea Creek 1- 41</b>
<b>PP/02/01324</b>	<b>Lots Road Power Station And Chelsea Creek 2- 41</b>
<b>PP/02/01324</b>	<b>Lots Road Power Station And Chelsea Creek 3- 41</b>
<b>PP/02/01324</b>	<b>Lots Road Power Station And Chelsea Creek 4- 41</b>
<b>PP/02/01324</b>	<b>Lots Road Power Station And Chelsea Creek 5- 41</b>
<b>PP/02/01324</b>	<b>Lots Road Power Station And Chelsea Creek 6- 41</b>
<b>PP/02/01324</b>	<b>Lots Road Power Station And Chelsea Creek 7- 41</b>
<b>PP/02/01324</b>	<b>Lots Road Power Station And Chelsea Creek 8- 41</b>
<b>PP/02/01324</b>	<b>Lots Road Power Station And Chelsea Creek 9- 41</b>
<b>PP/02/01324</b>	<b>Lots Road Power Station And Chelsea Creek 10- 41</b>
<b>PP/02/01324</b>	<b>Lots Road Power Station And Chelsea Creek 11- 41</b>
<b>PP/02/01324</b>	<b>Lots Road Power Station And Chelsea Creek 12- 41</b>
<b>PP/02/01324</b>	<b>Lots Road Power Station And Chelsea Creek 13- 41</b>
<b>PP/02/01324</b>	<b>Lots Road Power Station And Chelsea Creek 14- 41</b>
<b>PP/02/01324</b>	<b>Lots Road Power Station And Chelsea Creek 15- 41</b>



**ROYAL BOROUGH OF  
KENSINGTON AND  
CHELSEA**

**DOCUMENT TYPE**

COUNCIL CASE 2

**PLANNING APPLICATIONS**

**PUBLIC INQUIRY**

PP/02/01324

# CD 29

Lots Road Public Inquiry  
Circadian Limited

APP/H5390/V/04/1148781  
APP/K5600/A/04/1146268

# **PP/02/01324**

## **Lots Road Power Station And Chelsea Creek**

Due to case file size the content has been broken down and scanned in sections as denoted.

### **Index of content of case files**

#### ***File Number: Content of File:***

- 01-10 Council Case
- 11- 13 Refused Drawings
- 14 -17 Amended Drawings
- 18-19 Hammersmith And Fulham Plans
- 20-21 CD of Planning Drawings
- 22 Other Docs
- 23 Baily Bridge
- 24 Officers Notes and Other Correspondents
- 25 Condition 5
- 26 Condition 6
- 27 Condition 7
- 28 Condition 9
- 29 CONFIDENTIAL DOCS
- 30 Condition II
- 31 Condition II
- 32 Condition 12
- 33 Condition 12
- 34 Condition 12 -CONFIDENTAIL DOCS
- 35 Condition 12 -Superseded Docs
- 36 Condition 12 -Superseded Docs
- 37 Condition 12 -Superseded Drawings
- 38 Condition 12 -Superseded Drawings
- 39 Condition 25
- 40 Condition 25 + 29
- 41 Condition 27

Your reference HT/10031874

Our reference EVAND/SECTG/TASCL/321385-1

1 December 2004

Ms Heidi Titcombe  
Law and Administration  
The Royal Borough of Kensington and Chelsea  
The Town Hall  
Hornton Street  
LONDON  
W8 7NX

Dear Ms Titcombe

**TOWN AND COUNTRY PLANNING ACT 1990  
APPEAL AND CALL-IN PUBLIC INQUIRY: CIRCADIAN LIMITED  
SITE AT LOTS ROAD POWER STATION & CHELSEA CREEK LOTS ROAD LONDON SW10  
PLANNING INSPECTORATE REFERENCES: APP/K5600/A/04/1146268 & APP/H53390/V/1148781**

I refer to the above and wish to clarify the following matters following discussions between our client, Circadian, and your instructing officers over the past few days:

- 1 It has been agreed that the Section 106 Schedule circulated by Circadian at the Pre-Inquiry Meeting should now be considered as withdrawn;
- 2 Consequently, and as agreed, Circadian is prepared to revert to the Heads of Terms contained in the Addendum Report considered by the Major Planning Applications Committee on 28 October 2003;
- 3 You will appreciate that the 28 October 2003 Heads of Terms do contain some matters which require detailed discussion. For example, a number of matters could be dealt with appropriately by way of condition i.e. Head of Term 27 and 33. Further, the phasing of payments needs to tie in with that set out in the LBHF draft Deed given that we are dealing with a single cohesive Development across both the RBKC Site and the LBHF Site. These issues are not fundamental to moving forward in the normal manner in the negotiation of a Section 106 obligation leading up to a Public Inquiry;
- 4 The involvement of TfL in the obligation needs to be considered in co-ordination with that public authority and, of course, the GLA. Transportation payment triggers will need to be paid at times acceptable to TfL as the strategic transportation authority; and
- 5 Phasing needs to take account of Circadian's revised construction programme.

No doubt you will agree that a meeting at the earliest opportunity to take forward the drafting of the Section 106 obligation at which your instructing officers and Mr Cunliffe of Forsters attend, together

4-306228-1

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with legal officers of LBHF and the GLA is now essential. We will seek to organise such a meeting as soon as possible.

Please find attached, for the avoidance of doubt, a schedule setting out the current mix of units within the RBKC Site consistent with the amended plans submitted on 25 October 2004 and accepted by the First Secretary of State on 22 November 2004.

Yours sincerely

**Gary Sector**  
Associate

Direct line      020 7880 5827  
Email            [gary.sector@addleshawgoddard.com](mailto:gary.sector@addleshawgoddard.com)

Enc

Copy to .      Mike French - Executive Director, Planning and Conservation, RBKC  
                 John Thorne - RBKC  
                 Michael Cunliffe - Forsters  
                 Steven Moralee - LBHF  
                 Paul Entwistle - LBHF  
                 Nigel Palace - LBHF  
                 Anna Macintyre - Government Office for London  
                 Elizabeth Loughran, Greater London Authority  
                 Colin Wilson, Greater London Authority  
                 Sian Evans, Case Officer, The Planning Inspectorate  
                 Andy Beresford, London Borough Of Hammersmith And Fulham  
                 James Wilson, 23 Stadium Street, Chelsea  
                 Christine Hereward, Legal Department, City Hall, London (For Mayor Of London)  
                 Colin Buchanan & Partners (For Chelsea Harbour Residents Association)  
                 Terrence Bendixson, Honourable Secretary Planning, The Chelsea Society  
                 Deborah Simons - Environment Agency  
                 Peter Makower, Honourable Planning Advisor, West London River Group  
                 Honourable Secretary - The Cheyne Walk Trust  
                 Angela Dixon, Chairman, Hammersmith & Fulham Historic Buildings Group  
                 John Pringle, Secretary, Lots Road Action Group  
                 David Hinton, Crime Prevention Officer, Metropolitan Police Service  
                 Rory O'Donnell - English Heritage  
                 Peter Stewart- CABE

## Comparrison between 2002/03 Planning Applications and "proposed" 2004 Call In/Appeal

### PLANNING APPLICATION - 2002/3

#### RBKC Private Units

RBKC	studio	1bed	2bed	3bed	4bed	5bed	6bed	Totals
KC1 Private		2	4	32	0	1	1	40
KC2 Private		3	0	6	10			19
KC3 Private		3	121	67	4			195
<b>Total</b>	<b>0</b>	<b>8</b>	<b>125</b>	<b>105</b>	<b>14</b>	<b>1</b>	<b>1</b>	<b>254</b>
<b>Total %</b>	<b>0%</b>	<b>3%</b>	<b>49%</b>	<b>41%</b>	<b>6%</b>	<b>0%</b>	<b>0%</b>	
<b>Cumulative %</b>	<b>0.0%</b>	<b>3%</b>	<b>52%</b>	<b>94%</b>	<b>99%</b>	<b>100%</b>	<b>100%</b>	

#### RBKC Affordable Units

RBKC	studio	1bed	2bed	3bed	4bed	5bed	6bed	Totals
KC2 - RSL Rent		7	13	18	17			55
KC3 - Intermediate	23	16	17	5				61
KC4 - RSL Rent	0	12	28	10	0	0	0	50
<b>Total</b>	<b>23</b>	<b>35</b>	<b>58</b>	<b>33</b>	<b>17</b>	<b>0</b>	<b>0</b>	<b>168</b>
<b>Total %</b>	<b>14%</b>	<b>21%</b>	<b>35%</b>	<b>20%</b>	<b>10%</b>	<b>0%</b>	<b>0%</b>	
<b>Cumulative %</b>	<b>14%</b>	<b>35%</b>	<b>70%</b>	<b>90%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	

37%

RBKC Private	254	60.5%
RBKC Affordable	168	39.5%
RBKC Total	420	

### APPEAL/CALL IN PLANNING APPLICATION - 2004

RBKC	studio	1bed	2bed	3bed	4bed	5bed	6bed	Totals
KC1 Private	0	2	6	32	0	1	1	42
KC2B Private	0	0	8	0	12	0	0	20
KC3 Private	0	37	106	38	12	0	0	193
<b>Total</b>	<b>0</b>	<b>39</b>	<b>120</b>	<b>70</b>	<b>24</b>	<b>1</b>	<b>1</b>	<b>255</b>
<b>Total %</b>	<b>0%</b>	<b>15%</b>	<b>47%</b>	<b>27%</b>	<b>9%</b>	<b>0.4%</b>	<b>0.4%</b>	<b>1</b>
<b>Cumulative %</b>	<b>0.0%</b>	<b>15%</b>	<b>62%</b>	<b>90%</b>	<b>99%</b>	<b>100%</b>	<b>100%</b>	

RBKC	studio	1bed	2bed	3bed	4bed	5bed	6bed	Totals
KC2A - RSL Rent	0	1	31	11	5	0	0	48
KC3 - Intermediate	0	47	20	0	0	0	0	67
KC4 - RSL Rent	0	12	30	8	0	0	0	50
<b>Total</b>	<b>0</b>	<b>60</b>	<b>81</b>	<b>19</b>	<b>5</b>	<b>0</b>	<b>0</b>	<b>165</b>
<b>Total %</b>	<b>0%</b>	<b>36%</b>	<b>49%</b>	<b>12%</b>	<b>3%</b>	<b>0%</b>	<b>0%</b>	<b>-1</b>
<b>Cumulative %</b>	<b>0.0%</b>	<b>36%</b>	<b>85%</b>	<b>97%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	

41%

RBKC Private	255	60.7%
RBKC Affordable	165	39.3%
RBKC Total	420	

## Comparrison between 2002/03 Planning Applications and "proposed" 2004 Call In/Appeal

### PLANNING APPLICATION - 2002/3

#### LBHF Private Units

LBHF	studio	1 bed	2 bed	3 bed	4 bed	5 bed	6 bed	Totals
HF1 Private	0	13	25	35	0	1	1	75
HF2 Private	0	6	7	3	2			18
HF4 Private	0	7	35	8	0			50
HF5 Private	0	4	11	18	5			38
<b>Total</b>	<b>0</b>	<b>30</b>	<b>78</b>	<b>64</b>	<b>7</b>	<b>1</b>	<b>1</b>	<b>181</b>
<b>Total %</b>	<b>0%</b>	<b>17%</b>	<b>43%</b>	<b>35%</b>	<b>4%</b>	<b>0.6%</b>	<b>0.6%</b>	
<b>Cumulative %</b>	<b>0.0%</b>	<b>17%</b>	<b>60%</b>	<b>95%</b>	<b>99%</b>	<b>99%</b>	<b>100%</b>	

#### LBHF Affordable Units

LBHF	studio	1 bed	2 bed	3 bed	4 bed	5 bed	6 bed	Totals
HF3a - Intermediate		30						30
HF3a/b/c - RSL	1	39	79	49	12	4	0	184
<b>Total</b>	<b>1</b>	<b>69</b>	<b>79</b>	<b>49</b>	<b>12</b>	<b>4</b>	<b>0</b>	<b>214</b>
<b>Total %</b>	<b>0.5%</b>	<b>32%</b>	<b>37%</b>	<b>23%</b>	<b>6%</b>	<b>2%</b>	<b>0.0%</b>	
<b>Cumulative %</b>	<b>0.5%</b>	<b>33%</b>	<b>70%</b>	<b>93%</b>	<b>98%</b>	<b>100%</b>	<b>100%</b>	

14%

LBHF Private	181	46%
LBHF Affordable	214	54%
<b>LBHF Total</b>	<b>395</b>	

### APPEAL/CALL IN PLANNING APPLICATION - 2004

LBHF	studio	1 bed	2 bed	3 bed	4 bed	5 bed	6 bed	Totals
HF1 Private	0	13	25	35	1	1	1	76
HF2	0	0	0	0	0	0	0	0
HF4 Private	0	7	35	8	0	0	0	50
HF5 Private	0	4	22	17	0	0	0	43
<b>Total</b>	<b>0</b>	<b>24</b>	<b>82</b>	<b>60</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>169</b>
<b>Total %</b>	<b>0%</b>	<b>14%</b>	<b>49%</b>	<b>36%</b>	<b>1%</b>	<b>0.6%</b>	<b>0.6%</b>	<b>-12</b>
<b>Cumulative %</b>	<b>0.0%</b>	<b>14%</b>	<b>63%</b>	<b>98%</b>	<b>99%</b>	<b>99%</b>	<b>100%</b>	

LBHF	studio	1 bed	2 bed	3 bed	4 bed	5 bed	6 bed	Totals
HF3a - RSL Rent	0	10		10	0	0	0	20
HF3 a/b/c - RSL Rent	1	26	79	31	16	4	0	157
HF2 - Intermediate	0	32		4	0	0	0	36
<b>Total</b>	<b>1</b>	<b>68</b>	<b>79</b>	<b>45</b>	<b>16</b>	<b>4</b>	<b>0</b>	<b>213</b>
<b>Total %</b>	<b>0.5%</b>	<b>32%</b>	<b>37%</b>	<b>21%</b>	<b>8%</b>	<b>2%</b>	<b>0%</b>	<b>-1</b>
<b>Cumulative %</b>	<b>0.5%</b>	<b>32%</b>	<b>69%</b>	<b>91%</b>	<b>98%</b>	<b>100%</b>	<b>100%</b>	

17%

LBHF Private	169	44%
LBHF Affordable	213	56%
<b>LBHF Total</b>	<b>382</b>	



# Comparrison between 2002/03 Planning Applications and "proposed" 2004 Call In/Appeal

## SUMMARY OVERALL ACROSS RBKC & LBHF

### Private Units

Planning 2002	studio	1 bed	2 bed	3 bed	4 bed/PH	5 bed	6 bed	Totals
Total Private	0	38	203	169	21	2	2	435
Total %	0.0%	9%	47%	39%	5%	0.5%	0.5%	
Cumulative %	0.0%	8.7%	55.4%	94.3%	99.1%	99.5%	100.0%	

Planning 2004	studio	1 bed	2 bed	3 bed	4 bed	5 bed	6 bed	Totals
Total Private	0	63	202	130	25	2	2	424
Total %	0.0%	15%	48%	31%	6%	0.5%	0.5%	-11
Cumulative %	0.0%	14.9%	62.5%	93.2%	99.1%	99.5%	100.0%	

### Affordable Units

Planning 2002	studio	1 bed	2 bed	3 bed	4 bed	5 bed	6 bed	Totals
Total RSL Rent	1	58	120	77	29	4	0	289
Total Intermediate	23	46	17	5	0	0	0	91
Total	24	104	137	82	29	4	0	380
Total %	0.3%	20%	42%	27%	10.0%	1.4%	0.0%	
Cumulative %	0.3%	20.4%	61.9%	88.6%	98.6%	100.0%	100.0%	

24%

Planning 2004	studio	1 bed	2 bed	3 bed	4 bed	5 bed	6 bed	Totals
Total RSL Rent	1	49	140	60	21	4	0	275
Total Intermediate	0	79	20	4	0	0	0	103
Total	1	128	160	64	21	4	0	378
Total %	0.4%	18%	51%	22%	7.8%	1.5%	0.0%	-2
Cumulative %	0.4%	18.2%	69.1%	90.9%	98.5%	100.0%	100.0%	

27%

## SUMMARY OVERALL ACROSS RBKC & LBHF

### Total Number of Units

Planning 2002	studio	1 bed	2 bed	3 bed	4 bed	5 bed	6 bed	Totals
Scheme Total	24	142	340	251	50	6	2	815
% of Total	3%	17%	42%	31%	6%	0.7%	0.2%	
Cumulative %	2.9%	20.4%	62.1%	92.9%	99.0%	99.8%	100.0%	

Planning 2004	studio	1 bed	2 bed	3 bed	4 bed	5 bed	6 bed	Totals
Scheme Total	1	191	382	194	46	6	2	802
% of Total	0.1%	24%	45%	24%	6%	0.7%	0.2%	-13
Cumulative %	0.1%	23.9%	69.1%	93.3%	99.0%	99.8%	100.0%	

Planning 2004	Totals
LBHF hab rooms	1249
RBKC hab rooms	1452

Planning 2002	Private	Affordable
Private	435	53.4%
Affordable	380	46.6%
Total	815	

Planning 2004	Totals
LBHF hab rooms	1301

Planning 2004	Private	Affordable
Private	424	52.9%
Affordable	378	47.1%
Total	802	