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**ROYAL BOROUGH OF
KENSINGTON AND
CHELSEA**

32

CONDITION 12

DISCHARGE OF CONDITIONS

DOCUMENT TYPE

**APPLICATIONS
LATE UPDATE**

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

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London Borough of Hammersmith and Fulham
Development Management Service
3rd Floor, Hammersmith Town Hall Extension, King Street, London W6 9JU
Tel: 020 8753 1084
Fax: 020 8753 3423
Email: environment@lbhf.gov.uk
Web: www.lbhf.gov.uk



DP9
100 Pall Mall
London
SW1Y 5NQ

21st November 2008

Applicant:
Circadian Ltd
C/O 4 Dunraven Street
London
W1Y 3FG

Application Reference: **2007/02994/DET**
Registered on: **7th August 2007**

Town and Country Planning Act 1990

APPROVAL OF DETAILS

Location and Description:

Land Adjacent To South Side Of Chelsea Creek Chelsea Harbour Drive Chelsea Harbour London

Submission of details of a scheme for the treatment of Chelsea Creek, pursuant to Condition 11 of planning permission 2002/03132/FUL granted by the Secretary of State on 30 January 2006.

Drawing Nos: TOWN352(08) 1200 R02; 1201 R02; 1202 R02; 1204 R02; 1205 R02; 1207 R01; 1208 R02; 7001 R02; 7003 R02; 7004 R02; 7005 R02; 7006 R02; 7009 R01; 7010 R01; 1410 R01; 300 R02-Materials Booklet; Technical Note and accompanying plans dated 24/07/2008; Input into Ecological Design, Management and Monitoring of Chelsea Creek and Basin Ref: RT-MME-4911-02B (LBHF) Rev A dated Dec 07

Particulars of Decision:

Approval granted to the details as submitted.

On behalf of the Director of Environment
Duly authorised by the Council to sign this notice.

Director of Environment
Nigel Pallade

INVESTOR IN PEOPLE



Georgina Slader
Royal Borough of Kensington and
Chelsea
Planning and Conservation
georgina.slader@rbkc.gov.uk

Our ref: TL/2008/100450/01-L02
Your ref: 2007/02994/DET
Date: 07 March 2008

Dear Ms Slader

SUBMISSION OF DETAILS OF A SCHEME FOR THE TREATMENT OF CHELSEA CREEK PURSUANT TO CONDITION 12 OF PLANNING PERMISSION PP/02/01324 GRANTED BY THE SECRETARY OF STATE ON 30 JANUARY 2006.

LAND ADJACENT TO SOUTH SIDE OF CHELSEA CREEK, CHELSEA HARBOUR DRIVE, LONDON.

Following the receipt of further information from ARUP, we are now in a position to comment on the discharge of Condition 12 of Planning Permission PP/02/01324. The information submitted related to the provision for boat landing and access facilities as required by the condition. We have the following comments to make:

Provision for boat landing point

When we were first consulted on the scheme we negotiated for a provision of a boat landing/pontoon to sit adjacent to the crescent shaped park along the creek side. We encouraged provision of this landing point through our recreational remit and it resulted in the specific wording in Condition 12:

'The scheme shall include details of.....the location and design of mooring posts, boat-landing and access facilities and health and safety measures to be provided.'

We acknowledge the correspondence from ARUP (dated 26 February 2007) in relation to the requirement for this landing area in the condition. In particular we acknowledge the safety issues and provisions that have been made for mooring posts and grab chains. However we do not feel that this is adequate mitigation and justification for not providing the boat landing provision as required by the condition.

We request that drawings are submitted to show a boating landing pontoon to be accommodated within a gap in the terraces adjacent to the crescent shaped park. We are happy to advise on the design of the pontoon.

Environment Agency
30-34 Albert Embankment, London, SE1 7TL.
Customer services line: 08708 506 506
Email: enquiries@environment-agency.gov.uk
www.environment-agency.gov.uk
Cont/d..

We recommend that either a rise and fall pontoon or provision for an access ladder with vertical fenders and vertical risers with rings. These are traditional method used for tidal waters. Please refer to photos attached to this letter.

The provision for this pontoon would be for the collective benefit of future residents and for recreational craft using the creek.

Terracing

As discussed in previous meetings, much of the lower terrace will be rapidly covered by sediment and therefore is not of ecological value as a separate habitat. We have agreed that the lower terrace can be deleted.

The 3.8m upper terrace is high and this will influence the species of plants which will colonise it. To maximise the diversity of plant species a range of heights between mean high water springs and neaps would be more appropriate. If this can be achieved then it would have greater benefit ecologically.

The proposed bastions may be more effective in their trapping of silt, then the previously proposed gabion baskets and therefore we are happy with this design. The bastions should be hand packed to ensure that there is a range of gravel sizes within the baskets to increase their silt trapping and accretion capability.

Position

We are satisfied with the overall design of the terracing and commend the work that ARUP have done in the design. However, we are unable to recommend the discharge of the condition until the requirement of the pontoon has been fulfilled.

Please contact me if you have any questions to the above.

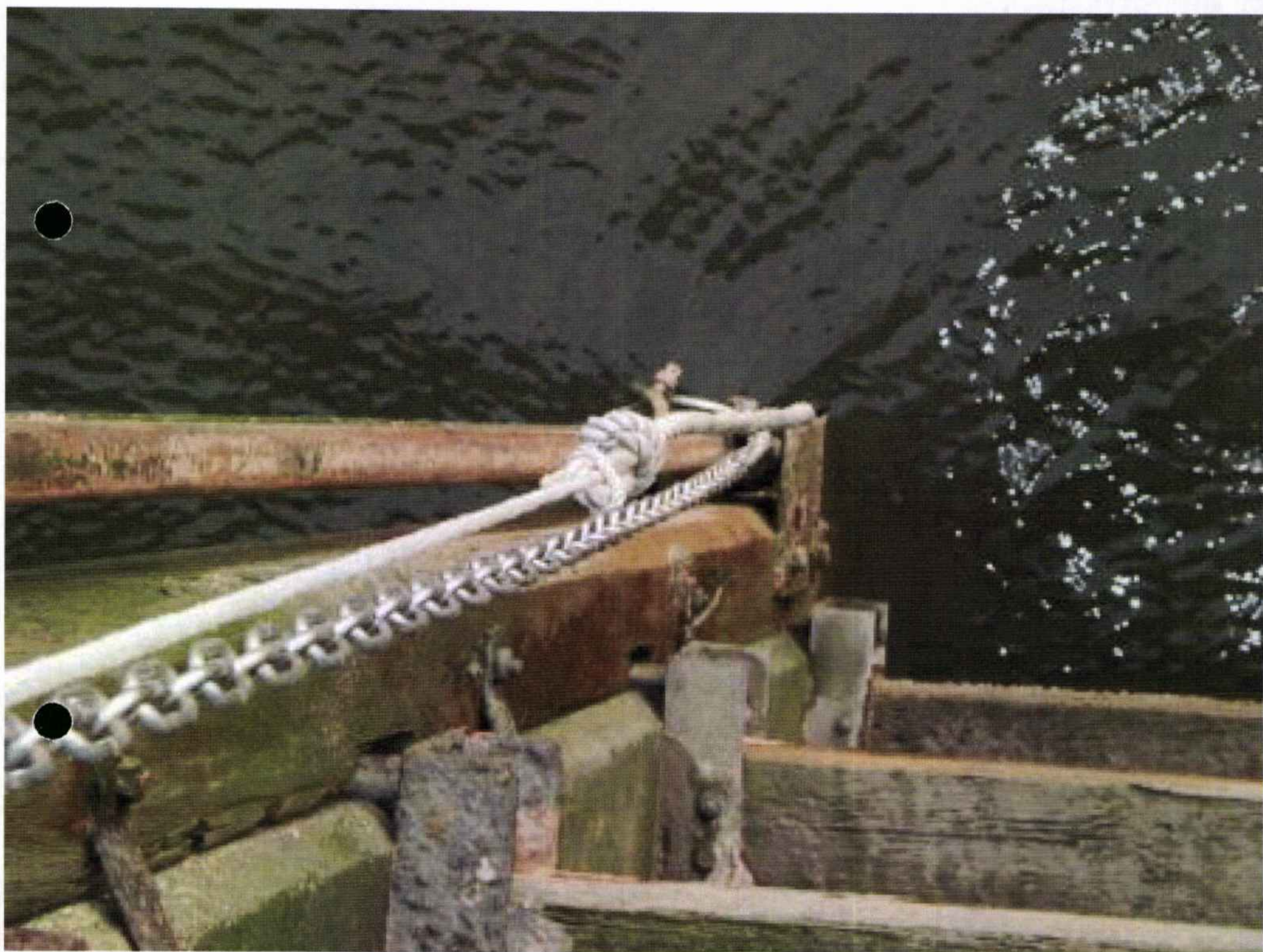
Yours sincerely

Ms Anna Scott
Major Projects Officer

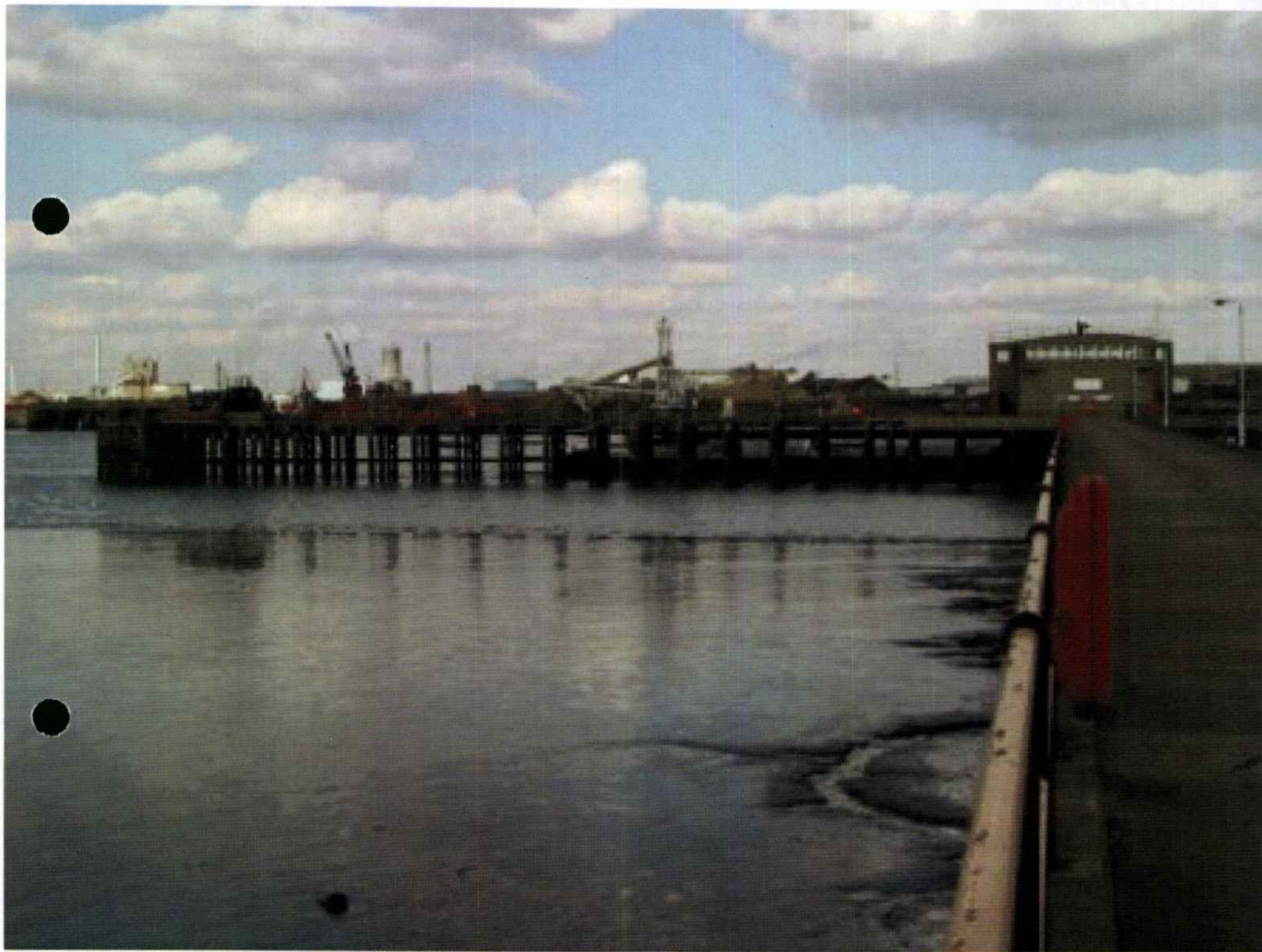
Direct dial 020 7091 4042

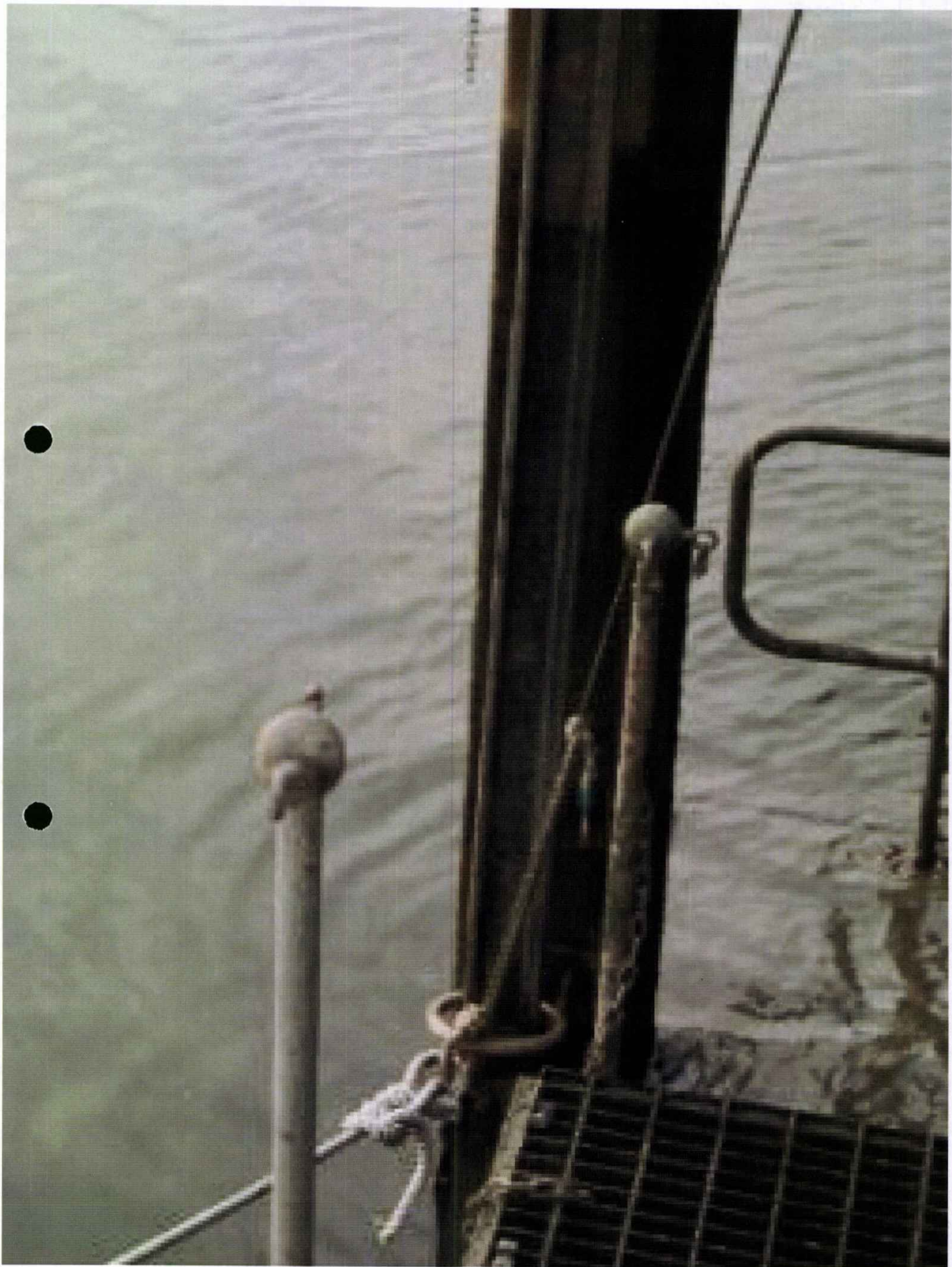
Direct e-mail anna.scott@environment-agency.gov.uk

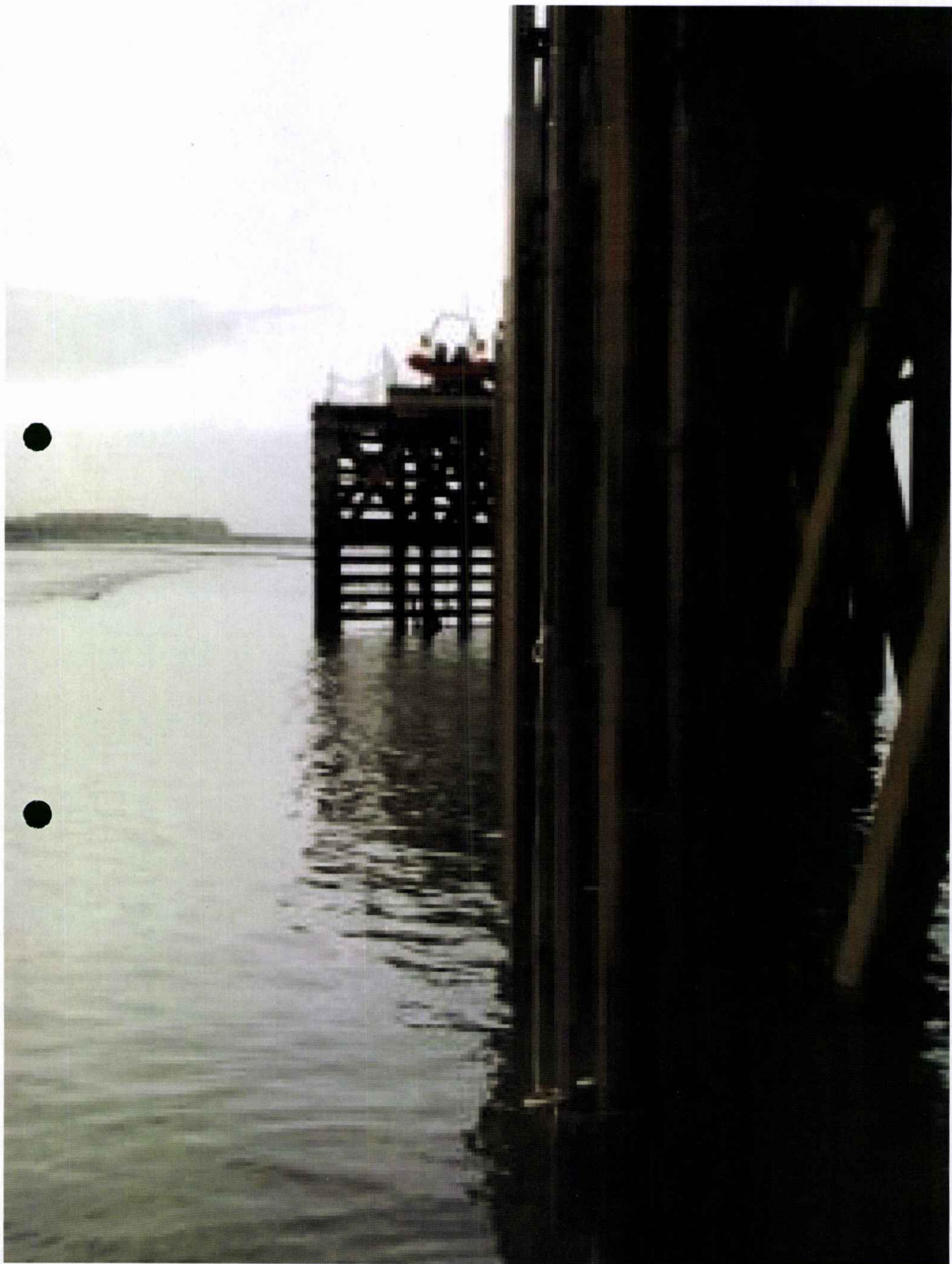
COLOUR
SCANNING













creating a better place



**Environment
Agency**

Georgina Slater
Royal Borough of Kensington and
Cheslea
Planning and Conservation
The Town Hall
Hornton Street
LONDON
W8 7NX

Our ref: NE/2007/104036/01-L02
Your ref: PP/02/01324
Date: 10 October 2007

Dear Ms Slater

**DETAILS PURSUANT TO CONDITIONS 7, 9, 12, AND 27 (KENSINGTON AND
CHELSEA).
LOTS ROAD POWER STATION**

We advise the following in relation to the discharge of Conditions 7, 12, and 27 of Planning Permission 2002/03132/FUL:

Condition 7 (Landscaping)

We are happy to recommend the discharge of this condition.

Condition 9 (Riverside Walk)

We cannot recommend the discharge of this condition as acceptable drawings with dimensions to scale have not been submitted to demonstrate that the distances set out in the condition have been achieved.

Condition 12 (Treatment of Chelsea Creek)

We cannot discharge the condition regarding the treatment of Chelsea Creek.

We do not think the terraces are designed to allow sufficient accretion of sediment which is necessary for the creation of a self-sustainable vegetated habitat. In addition, the terraces make extensive use of gabions and as such the end result is over-engineered and not a sufficient biodiversity enhancement to mitigation for the development.

We have reviewed the salinities for the creek and it is proposed to use freshwater plants in an area where it will be a third strength sea water at high tide (when the plants are inundated) so it is unlikely these plants will survive.

Environment Agency
Apollo Court, 2 Bishops Square Business Park, St Albans Rd West, Hatfield, Herts, AL10 9EX.
Customer services line: 08708 506 506
Email: enquiries@environment-agency.gov.uk
www.environment-agency.gov.uk
Cont/d..



Further to our meeting with the Applicant and Consultants at ARUP on 7 September 2007, we advised that within the terracing some sections are sloped to allow for flatfish to access the terraces. We also advised that a 'V' shaped could be knocked into the weirs to allow for migration of fish.

Condition 27 (Site Investigation)

We cannot recommend discharge of this conditions until we have received and reviewed all the Site Investigation reports and together with the agreed validation reports.

Please contact me if you have any questions to the above.

Yours sincerely



**Ms Anna Scott
Major Projects Officer
Planning Liaison**

Direct dial 01707 632323

Direct fax 01707 632515

Direct e-mail anna.scott@environment-agency.gov.uk

creating a better place



Georgina Slader
Royal Borough of Kensington and
Chelsea
georgina.slader@rbkc.gov.uk

Our ref: TL/2008/100450/03-L02
Date: 04 September 2008

Dear Ms Slader

**SUBMISSION OF DETAILS OF A SCHEME FOR THE TREATMENT OF
CHELSEA CREEK PURSUANT TO CONDITION 12 OF PLANNING
PERMISSION PP/02/01324. FURTHER INFORMATION RECEIVED.
LAND ADJACENT TO SOUTH SIDE OF CHELSEA CREEK, CHELSEA
HARBOUR DRIVE, LONDON.**

Following the receipt of the drawing titled '*Chelsea Creek Terraces Engineering Design of Gabion Retaining Walls Mooring Post Location Plan*' (drawing number 123162-00 revision C dated 04/08/08), we can confirm that the details submitted pursuant to the discharge of Condition 12 are satisfactory. Therefore we are able to recommend the discharge of this condition.

Please contact me if you have any questions to the above.

Yours sincerely

**Ms Anna Scott
Major Projects Officer**

Direct dial 020 7091 4042
Direct e-mail anna.scott@environment-agency.gov.uk

cc ARUP (jane.pitten@arup.com)

DP9 (julian.shirley@dp9.co.uk)



JRS/DP1025

6 August 2007

DP9

Royal Borough of Kensington & Chelsea
Planning and Conservation
The Town Hall
Hornton Street
LONDON
W8 7NX
For the attention of Bruce Coey

Per Ack / GCS

100 Pall Mall
London SW1Y 5NQ
telephone 020 7004 1700
facsimile 020 7004 1790
www.dp9.co.uk

EX DIR	HDC	TP	CAC	AD	CLU	AO AK
R.B. K.C.		09 AUG 2007			PLANNING	
N	C	S		APP	IO	REC
HBS			ARB	FPLN	DES	FEES

EH
✓ 9/8

(49)

Dear Sirs

LOTS ROAD POWER STATION
Planning Permission Ref. PP/02/01324

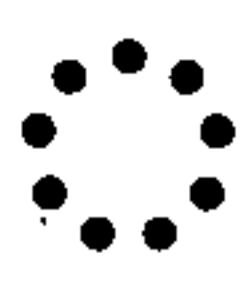
We refer to the above planning permission granted in respect of the above site. In particular, we refer to clause 49 of the S106 Agreement attached to the planning permission which refers to works to Chelsea Creek.

The clause states that,

"Chelsea Creek Works

49. Circadian covenants with the Council:

- 49.1 it shall prior to the implementation of Phase A or Phase B submit the Chelsea Creek Management Plan for the Royal Borough Development for the approval in writing of the Council who shall consult with the Environment Agency and Hammersmith and Fulham in order to ensure consistency with the Chelsea Creek Management Plan for the Hammersmith and Fulham Development before granting any approval***
- 49.2 it shall implement the Chelsea Creek Works in accordance with the Phasing Plan***
- 49.3 to carry out and complete the Chelsea Creek Works within the Site to the satisfaction of the Council and to maintain thereafter Chelsea Creek in accordance with the maintenance regime set out in the Chelsea Creek Management Plan***
- 49.4 that it shall serve a notice on the Council following Completion of the Chelsea Creek Works within Phase A and the Chelsea Creek Works within Phase B of the Royal Borough Development and so marked on the Phasing Plan."***



Accordingly, we hereby enclose two copies of a report entitled "Input into Ecological Design, Management and Monitoring of Chelsea Creek and Basin Chelsea Creek Management Plan."

We would therefore be grateful to receive your Council's written confirmation of approval for the enclosed Management Plan as required under the S106 Agreement.

We trust you will find the enclosed information to be acceptable and will be contacting you to discuss this in more detail in the future. In the meantime, if you have any queries, please contact Julian Shirley at the above address.

Yours faithfully

DP9

DP9

Encs.

EX	HDC	TP	CAC	AD	CL	1
DIR						
R.B.	09 AUG 2007				PLANNING	
K.C.						
N	C	S		APP	IO	REC
HBS			ARB	FPLN	DES	FEES

29 July 2008

Royal Borough of Kensington & Chelsea
Planning and Conservation
The Town Hall
Hornton Street
LONDON
W8 7NX
For the attention of Georgina Slader

100 Pall Mall
London SW1Y 5NQ
telephone 020 7004 1700
facsimile 020 7004 1790
www.dp9.co.uk

Dear Sirs

**LOTS ROAD POWER STATION
PLANNING PERMISSION REF. PP/02/01324
Submission of Details Pursuant To Condition 12**

Exc	HDC	HSS	HPD	Pol	Des	ARB	Rec
Reg	PIO	29 JUL 2008				RBKC Planning	APF
DC Nth	DC Cen	DC Sth	Obj	Supp	Obj	Rev	Other
						Cond	PDA

We refer to the above application for the submission of details relating to the treatment of Chelsea Creek as required by Condition 12 of the above planning permission.

As you are aware, following the submission of revised information in December 2007, our clients and their consultant team have carried out extensive discussions with the Environment Agency and interested groups with regard to the provision of a boat landing facility as part of the proposed details.

Accordingly, we hereby enclose three copies of a revised Technical Note and accompanying drawings prepared by ARUP that now includes the provision of a boat facility.

The revised proposals to include the boat landing facility have been discussed with the Environment Agency, the West London River Group and the River Thames Society who consider the proposed measures to be acceptable. The Environment Agency recommendations on the design of the facility have been incorporated in the proposed landing facility which has subsequently been agreed with the West London River Group and River Thames Society.

We can confirm that a copy of the enclosed information has been sent direct to the West London River Group for their information. A copy of the information has also been submitted to LB Hammersmith & Fulham to discharge condition 11 of planning permission 2002/03132/FUL.

Whilst writing, you will be aware that we are awaiting a response from the Council in respect of the information submitted in respect of the remaining outstanding conditions. We would therefore be grateful to receive confirmation that the information submitted is acceptable as a matter of urgency.

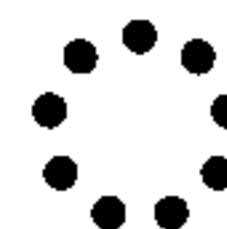
We hope that in light of the enclosed information, the above condition can now be discharged. If you have any queries, please contact Julian Shirley at the above address.

Yours faithfully

DP9

DP9

Encs.



JRS/DP1025

10 December 2007



RB Kensington & Chelsea
Planning and Borough Development
The Town Hall
Hornton Street
London
W8 7NX
For the attention of Georgina Slader

EX DIR	HDC	TP	CAC	AD	CLU	AO AK
R.B. K.C.	10 DEC 2007				PLANNING	
N	C	S		APP	IO	REC
HBS			ARB	FPLN	DES	FEES

100 Pall Mall
London SW1Y 5NQ
telephone 020 7004 1700
facsimile 020 7004 1790
www.dp9.co.uk

10/12

Dear Sirs

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

LOTS ROAD POWER STATION

PLANNING PERMISSION REF. PP/02/01324

Condition 7 – Landscaping

Condition 9: Riverside Walk

Condition 12: Treatment of Chelsea Creek

EX DIR	HDC	TP	CAC	AD	CLU	AO AK
R.B. K.C.	10 DEC 2007				PLANNING	
N	C	S		APP	IO	REC
HBS			ARB	FPLN	DES	FEES

We refer to your letter dated 29 October 2007 and to our subsequent discussions regarding the submission of details pursuant to conditions attached to the above planning permission. Further to our letter dated 3rd December 2007, we hereby enclose three copies of responses and revised material in respect of Condition 9 (Riverside Walk) and Condition 12 (Chelsea Creek) as set out in your letter. We also enclose consequential amendments to the details of the landscaping scheme as previously submitted.

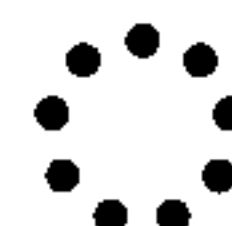
Accordingly, the enclosed revised information is set out below in response to the comments raised in your Council's letter and also comments received from statutory consultees.

Condition 7 – Landscaping

We are pleased to note in your letter that the Council's Arboriculture Department considers the planting plans, including specifications and plant schedules to be acceptable.

As a result of revised drawings in relation to the treatment of the Creek (as set out under Condition 12 below), revised landscaping plans are submitted to reflect the proposed changes. The enclosed drawings as set out below are to be substituted into the submission of details for the landscaping scheme in place of those corresponding drawings previously submitted:

- Drawing No. TOWN352(08)1100 R02 – Landscape Key Plan;
- Drawing No. TOWN352(08)1101 R02 – Landscape Surface Finishes 1 of 3;
- Drawing No. TOWN352(08)1102 R02 – Landscape Finishes 2 of 3;
- Drawing No. TOWN352(08) 1103 R02 – Landscape Surface Finishes 3 of 3;
- Drawing No. TOWN352(08) 1104 R02 – Landscape Levels 1 of 3;
- Drawing No. TOWN352(08) 1105 R02 – Landscape Levels 2 of 3;
- Drawing No. TOWN352(08) 1106 R02 – Landscape Levels 3 of 3;



- Drawing No. TOWN352(08) 1107R02 – Landscape Planting 1 of 3;
- Drawing No. TOWN352(08) 1108 R02 – Landscape Planting 2 of 3;
- Drawing No. TOWN352(08) 1109 R02 – Landscape Planting 3 of 3;
- Drawing No. TOWN352(08) 7001 R02 – Schematic Section A-A;
- Drawing No. TOWN352(08) 7005 R02 – Schematic Section E-E;
- Drawing No. TOWN352(08) 7006 R02 – Schematic Section F-F;
- Drawing No. TOWN352(08) 1400 R02 - Intensive and Extensive Green Roofs;
- Drawing No. TOWN352(08) 1410 R01 – Sitewide Pedestrian Access Strategy
- Drawing No. TOWN352(08) 7009 R01 - Schematic Section J-J
- Drawing No. TOWN352(08) 7010 R01 – Schematic Section K-K

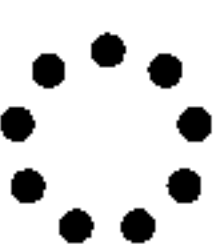
Condition 9 – Riverside Walk

In respect of the points raised in your letter, we respond as follows:

- 1) We can confirm that a 2 metre unrestricted zone for pedestrians will be incorporated as shown on supplemental drawing ref. **TOWN352(08)9101** hereby enclosed. This is in accordance with Clause 10 and Plan 5 attached to the S106 Agreement.
- 2) The proposed plans have been amended as shown on supplemental drawing ref. **TOWN352(08)9102** hereby enclosed to show a 6.0m width for the Thames Path to ensure the requirements of the condition are met and there is clarity between the two ownerships.
- 3) There are two material booklets one for the landscaping scheme for main part of the site covered under Condition 7 and one for the Riverside walk only (Condition 9). We can confirm that the proposed adoptable paving on the Riverside Walk will be concrete paving as shown on Page 3 of the Materials Booklet ref. **TOWN352(08)350 R01** as previously submitted. The Power Station Plaza and Street will have a granite sett mix with single colour bands running through which will be aligned with the existing grid formed by the Power Station's architecture. Please refer to the images shown on Page 3 of the Materials Booklet ref. **TOWN352(08)250** as previously submitted under condition 7 for the landscaping scheme for the site.

Accordingly, to address the comments received, we hereby enclose three copies of revised drawings that substitute those corresponding drawings previously submitted. Please note that the revised drawings listed below incorporate the details shown on the supplemental drawings TOWN352(08)9101 R00 and TOWN352(08)9102 R00 referred to in the points above:

- Drawing No. TOWN352(08) 1500 R02 – Landscape Key Plan Riverside Walk;
- Drawing No. TOWN352(08) 1501 R02 – Landscape Surface Finishes K&C Riverside Walk;
- Drawing No. TOWN352(08) 1504 R02 – Landscape Levels K&C Riverside Walk;
- Drawing No. TOWN352(08) 7006 R02 – Schematic Section F-F;



Condition 12 – Treatment of Chelsea Creek

We note the comments received from your Council's Ecology Services and also from the Environment Agency. We have also taken into account the comments made by the West London River Group in respect of the proposed treatment to the Creek as set out in their letter dated 10th October 2007 to LB Hammersmith & Fulham and copied to your Council.

Accordingly, we hereby enclose three copies of the following information that addresses the comments received:

- ✓ • Technical Note and accompanying plans, prepared by ARUP dated 6th December 2007;
- A table of responses to the comments raised by the Environment Agency and the Council's Ecology Services, prepared by Middlemarch Environmental and ARUP;
- ✓ • Input into Ecological Design, Management and Monitoring of Chelsea Creek and Basin – Ecological Design Ref. RT-MME-4911-02A (RBKC) Rev. A December 2007, prepared by Middlemarch Environmental.

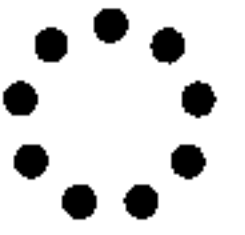
The following drawings have been revised to reflect the proposed changes to the Creek and are to be substituted into the submission in place of those corresponding drawings previously submitted:

- Drawing No. TOWN352(08) 1200 R02 - Landscape Key Plan;
- Drawing No. TOWN352(08) 1201 R02 – Landscape Surface Finishes 1 of 2;
- Drawing No. TOWN352(08) 1202 R02 – Landscape Surface Finishes 2 of 2;
- Drawing No. TOWN352(08) 1204 R02 – Landscape Levels 1 of 2;
- Drawing No. TOWN352(08) 1205 R02 – Landscape Levels 2 of 2;
- Drawing No. TOWN352(08) 1207 R02 – Landscape Planting 1 of 2;
- Drawing No. TOWN352(08) 1208 R02 – Landscape Planting 2 of 2;
- Drawing No. TOWN352(08) 7001 R02 – Schematic Section A-A;
- Drawing No. TOWN352(08) 7003 R02 – Schematic Section C-C;
- Drawing No. TOWN352(08) 7004 R02 – Schematic Section D-D;
- Drawing No. TOWN352(08) 7005 R02 – Schematic Section E-E;
- Drawing No. TOWN352(08) 7006 R01 – Schematic Section F-F;
- Drawing No. TOWN352(08) 7009 R01 – Schematic Section J-J;
- Drawing No. TOWN352(08) 7010 R01 – Schematic Section K-K;
- Drawing No. TOWN352(08) 1410 R01 – Sitewide Pedestrian Access Strategy;
- Drawing No. TOWN352(08) 300 R02 – Materials Booklet

R01 submitted

R02 submitted

You will be aware that we recently submitted additional information to address the points raised in your Council's letter in respect of Condition 6 (Vehicular Access) and also in respect of Condition 27 (Contamination). Also, further to our recent telephone conversation, as discussed we would be grateful to receive your Council's formal approval of details in respect of Conditions 25 (Archaeology) and Condition 29 (Renewable Energy).



We trust that the information enclosed is sufficient to progress the discharge of the above conditions. If, however you require any further information please contact Julian Shirley at the above address.

Yours faithfully

DP9

DP9

Encs.

Planning Consultants

JRS/DP1025

8 August 2008

Royal Borough of Kensington & Chelsea
Planning and Conservation
The Town Hall
Hornton Street
LONDON
W8 7NX
For the attention of Georgina Slader



dp9

100 Pall Mall
London SW1Y 5NQ

telephone 020 7004 1700
facsimile 020 7004 1790

www.dp9.co.uk

Dear Sirs

**LOTS ROAD POWER STATION
PLANNING PERMISSION REF. PP/02/01324
Submission of Details Pursuant To Condition 12**

We refer to the amended details submitted to your Council pursuant to the above condition on 29th July 2008.

Please note that the plan included within the revised Technical Note entitled 'Plan of Fixtures and Fittings' (Plan No. LRS02 OA MR 9151 PL 211 F1 00) is incorrect. Accordingly, we hereby enclose three copies of a revised drawing ref. 123162-01-001 Issue C that shows the correct mooring post locations and boat landing provision.

We hope that in light of the enclosed information is acceptable and the condition can now be discharged. If you have any queries, please contact Julian Shirley at the above address.

Yours faithfully

DP9

Encs.

Exd	HDC	HSS	HPD	Pol	Des	ARB	Rec
Reg	PIO	13 AUG 2008				RBKC Planning	APP
DC Nth	DC Cen	DC Sth	Obj	Supp	No Obj	Rev	Other
						Cond	PCA

✓ TW 13/08/08