

Mr David Dorward
Westminster City Council
Development Control
PO Box 240
London
SW1E 6QP

Our ref: NE/2019/129710/04
Your ref: 19/00114/FULL
Date: 2 December 2019

Dear David

On 5 November 2019, the Government notified the Council of its decision to call in this planning application in relation to the UK Holocaust Memorial for a local inquiry. We await further information from the Planning Inspectorate on the call in process and will play our part as necessary. The public will continue to have an opportunity to provide its views on this planning application during this process. Installation of the United Kingdom Holocaust Memorial and Learning Centre including excavation to provide a basement and basement mezzanine for the learning centre (Class D1); erection of a single storey entrance pavilion; re-provision of the Horseferry Playground and refreshments kiosk (Class A1); repositioning of the Spicer Memorial; new hard and soft landscaping and lighting around the site; and all ancillary and associated works. (The application is accompanied by an Environmental Statement (ES) which may be viewed with the application documents) (This re consultation follows receipt of clarifying and further information to supplement the initially submitted Environmental Statement: - Environmental Statement (Volume 5) Revised Appendix F Archaeological Desk Based Assessment - Environmental Statement (Volume 5) Addendum to Revised Appendix K Flood Risk Assessment - Environmental Statement (Volume 5) Appendix M Transport Assessment Addendum - Response to Review of Environmental Statement October 2019).

The Victoria Tower Gardens, Millbank, London, SW1P 3YB.

Thank you for re-consulting us on the above application on 31 October, 2019 following the submission of an amended flood risk assessment (FRA). We have now reviewed the following additional documents:

- The revised FRA - UK Holocaust Memorial and Learning Centre, Environmental Statement (Volume 5), Revised Appendix K Flood Risk Assessment, Revision 3.0, July 2019, (Part 1-8).
- The addendum - UK Holocaust Memorial and Learning Centre, Environmental Statement (Volume 5), Addendum to Revised Appendix K Flood Risk Assessment, Revision 4.0, October 2019, (Part 1-2).

We consider that the submitted documents satisfactorily address our earlier concerns therefore we withdraw our previous objections, dated 7 February 2019 subject to the conditions below being included in any decision notice.

Cont/d..

Condition EA 1

No development approved by this planning permission shall commence until a strategy for maintaining and improving the flood defences has been submitted to, and approved in writing by, the Local Planning Authority. This strategy will include the following components:

1. A condition survey of the existing river wall.
2. A scheme, based on the condition survey in (1), to undertake any required improvements or repairs to the flood defence prior to the construction works. The scheme shall include a plan for any required long term monitoring and maintenance and a program for the improvements or repairs completion.

The scheme shall be fully implemented and subsequently maintained, in accordance with the scheme's timing/phasing arrangements, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

Reasons

This condition is required to ensure that the structural integrity of the flood defence is not compromised so that the development can remain safe for its lifetime and to reduce flood risk on site and elsewhere. This is in line with Paragraph 160 of the National Planning Policy Framework (NPPF) and Policy SI12.F of the Draft London Plan (2019).

Please note that the document titled "*River wall Visual Condition Survey*" produced by WSP, dated October 2018 (Report reference 70040431-C-001) satisfies part 1 of this condition.

Condition EA 2

If, during development, additional improvements or repairs to the flood defence not previously identified are found to be necessary, then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a strategy detailing how these additional works will be undertaken has been submitted to and approved in writing by the Local Planning Authority. The strategy shall be implemented as approved.

Reasons

This condition is required to ensure that the structural integrity of the flood defence is not compromised from previously unidentified improvements or repairs. This is to ensure the development can remain safe for its lifetime and to prevent flood risk on site and elsewhere. This is in line with Paragraph 160 of the National Planning Policy Framework (NPPF) and Policy SI12.F of the Draft London Plan.

Condition EA 3

The development shall be carried out in accordance with Appendix I of Environmental Statement (Volume 5) titled '*Proposed site plan showing vehicle access*' (UKHM-03-003 *Proposed Site Plan Flood Defence Wall Set Back 19/04/11*) and shall include the following mitigation measures it details:

- 16m set back from back of granite wall at ground level.
- Vehicle access routes for future wall maintenance and raising works.

Reason:

This condition is required to ensure adequate access is provided for inspection, maintenance, repair, replacement and raising in the future of the flood defences in line with the TE2100 plan. This is supported by Policy SI12.F of the Draft London Plan (currently in examination).

Condition EA 4:

No development approved by this planning permission shall commence until a Monitoring Action Plan (MAP) has been submitted to, and approved in writing by, the Local Planning Authority. The MAP shall be fully implemented in accordance with the scheme's timing/phasing arrangements, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

The MAP shall be based on the approved Monitoring Strategy (Holocaust Memorial Westminster Monitoring Strategy Revision 4 Project Ref: 70043431, Dated 5 September 2019) and will define the trigger thresholds and actions required by all parties if a trigger threshold is exceeded.

Reason:

This condition is required to ensure that the structural integrity of the flood defence is not compromised so that the development can remain safe for its lifetime and to reduce flood risk on site and elsewhere. This is in line with Paragraph 160 of the National Planning Policy Framework (NPPF) and Policy SI12.F of the Draft London Plan (2019).

Further information on flood risk:

The site is located within Flood Zone 3 and is protected to a very high standard by the Thames Tidal flood defences up to a 1 in 1000 (0.1%) chance in any year flood event. However, our latest flood modelling shows that the site would be at risk if there was to be a breach in the defences or they were to be overtopped.

This proposal does not have a safe means of access and egress in the event of flooding from all new buildings to an area wholly outside the floodplain, however, safe refuge within the higher floors of the proposed development is possible. You are the competent authority on matters of evacuation or rescue, and therefore should assess the adequacy of the evacuation arrangements. You should consult your emergency planners as you make this assessment.

If you are not satisfied with the emergency access/egress or refuge, then we would recommend you refuse the application on the grounds of safety during a flood event, as users would be exposed to flood hazards within buildings and on access/egress routes.

A large portion of the proposal is below the 2100 breach flood level, which is 5.8m AOD. It is therefore highly recommend that Flood Warnings and Alerts are signed up for and emergency evacuation plans are in place, this should be agreed with the Local Planning Authority and emergency planners.

Informative:

In addition to planning permission, in line with the Environmental Permitting Regulations (England and Wales) 2016, the applicant will require a permit to be obtained for any activities including remedial works, works to demountable structures adjacent to the Thames tidal flood defence and basement excavation and construction of the memorial and learning centre which will take place:

- on or within 8 metres of a main river (16 metres if tidal)
- on or within 8 metres of a flood defence structure or culvert (16 metres if tidal)
- on or within 16 metres of a sea defence
- involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- in a floodplain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if it's a tidal main river) and you do not already have planning permission.

The landward most extent of the flood defence at this site has been determined through intrusive ground investigations and comparison with historical drawings and is detailed in the addendum Appendix J5 "*EA correspondence Memo Ground Movement Assessment, 10 October 2019*".

For further guidance please visit <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits> or contact our National Customer Contact Centre on 03702 422 549. The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity

Advice to applicant:

Should you wish us to review any technical documents or want further advice to meet the requirements of the conditions recommended, we may do this as part of our charged for planning advice service.

Further engagement will provide you with certainty as to what our response to your Discharge of Condition applications will be. It should also result in a better quality and more environmentally sensitive development.

As part of our charged for service we will provide a dedicated project manager to act as a single point of contact to help resolve any problems. We currently charge £100 per hour, plus VAT. We will provide you with an estimated cost for any further discussions or review of documents. The terms and conditions of our charged for service are available [here](#).

If you would like more information on our planning advice service, including a cost estimate, please contact us at hnl@sustainableplaces@environment-agency.gov.uk.

Final comments:

Please consult us on the details submitted to your authority to discharge these conditions and on any subsequent amendments/alterations.

If you have any questions please contact me on 0207 7140 578 or email me at HNL.SustainablePlaces@environment-agency.gov.uk, quoting the reference at the beginning of this letter.

Yours sincerely,

Demetry Lyons
Sustainable Places Planning Advisor