

GREATER LONDON AUTHORITY

Development, Enterprise and Environment

Cheryl Saverus

Planning and Borough Development
Royal Borough of Kensington and Chelsea
Kensington Town Hall
Hornton Street
London W8 7NX

Our ref: D&P/3109a/AP01

Your ref: PP/17/05782

Date: 29 November 2017

Dear Ms. Saverus,

Town & Country Planning Act 1990 (as amended); Greater London Authority Acts 1999 and 2007; Town & Country Planning (Mayor of London) Order 2008

Newcombe House, Notting Hill Gate and Kensington Church Street, Royal Borough of Kensington and Chelsea
Local planning authority reference: PP/17/05782

I refer to the copy of the above planning application, which was received from you on 15 September 2017. On 29 November 2017, the Mayor considered a report on this proposal; reference D&P/3109a/01. A copy of the report is attached, in full. This letter comprises the statement that the Mayor is required to provide under Article 4(2) of the Order.

The Mayor considers that the application does not comply with the London Plan, for the reasons set out in paragraph 52 of the above-mentioned report; but that the possible remedies set out in that paragraph of this report could address these deficiencies.

If your Council subsequently resolves to make a draft decision on the application, it must consult the Mayor again under Article 5 of the Order and allow him fourteen days to decide whether to allow the draft decision to proceed unchanged, or direct the Council under Article 6 to refuse the application, or issue a direction under Article 7 that he is to act as the local planning authority for the purpose of determining the application and any connected application. You should therefore send me a copy of any representations made in respect of the application, and a copy of any officer's report, together with a statement of the decision your authority proposes to make, and (if it proposed to grant permission) a statement of any conditions the authority proposes to impose and a draft of any planning obligation it proposes to enter into and details of any proposed planning contribution.

Please note that the Transport for London case officer for this application is Clare Seiler, email ClareSeiler@tfl.gov.uk, telephone 020 7027 9639.

Yours sincerely,



Sarah Considine

Senior Manager – Development & Projects

cc Tony Devenish, London Assembly Constituency Member
Nicky Gavron, Chair of London Assembly Planning Committee
National Planning Casework Unit, DCLG
Lucinda Turner, TfL
Georgie Church, Quod, Ingeni Building, 17 Broadwick Street, London W1F 0AX

Newcombe House, Notting Hill Gate and Kensington Church Street

in the Royal Borough of Kensington & Chelsea

planning application nos. PP/17/05782

Strategic planning application stage 1 referral

Town & Country Planning Act 1990 (as amended); Greater London Authority Acts 1999 and 2007; Town & Country Planning (Mayor of London) Order 2008.

The proposal

Demolition of existing buildings and redevelopment to provide office, 46 residential units, retail uses, and a flexible surgery/office use, across six buildings (ranging from ground plus two storeys to ground plus 17 storeys), with two-storey basement together with landscaping to provide a new public square, ancillary parking and associated works.

The applicant

The applicant is **Notting Hill Gate KCS Limited** and the architect is **Urban Sense Consultant Architects**.

Strategic issues summary

Principle of development: The residential-led redevelopment of the site within the town centre, providing improved public realm and step-free access to the Circle and District Line platforms at the Notting Hill Gate underground station is supported (paragraphs 17-18).

Re-provision of existing housing: The number of affordable habitable rooms on-site has increased from 20 to 27 and there is a significant improvement in the quality of the housing accommodation, which accords with London Plan Policy 3.14 and the Mayor's Affordable Housing and Viability SPG (paragraph 20).

Affordable housing: GLA officers have robustly interrogated the viability assessment, and supplementary documents requested from the applicant, which demonstrate that the maximum possible level of affordable housing is being achieved at 17.3% by habitable room/19.6% by units, equating to 5.1% uplift in affordable housing together with the delivery of step-free access. The provision of grant funding would not viably increase the level of affordable provision. An early and a late stage review must be secured in accordance with the Mayor's Affordable Housing and Viability SPG (paragraphs 21-22).

Climate change: The carbon dioxide savings do not meet the zero-carbon target for domestic buildings or the 35% target for non-domestic buildings. As such, the applicant should consider the scope for additional measures aimed at achieving carbon reductions. Any remaining regulated CO₂ emissions must be met through a contribution to the borough's offset fund. (paragraphs 36-38).

Transport: Broadly supported; however, the provision of step free access, a cycle hire docking station and the cost of installing the docking station should be secured by Section 106 agreement; and, the residential car parking should be reduced and the detailed arrangements for construction agreed with TfL (paragraphs 39-48).

Recommendation

That Kensington & Chelsea Council be advised that whilst the principle of development is supported in strategic planning terms, the application does not yet comply with the London Plan for the reasons set out in paragraph 52 of this report. However, the resolution of these issues could lead to the application becoming compliant with the London Plan.

Context

1 On 15 September 2017, the Mayor of London received documents from Kensington & Chelsea Council notifying him of a planning application of potential strategic importance to develop the above site for the above uses. Under the provisions of The Town & Country Planning (Mayor of London) Order 2008 the Mayor must provide the Council with a statement setting out whether he considers that the application complies with the London Plan, and his reasons for taking that view. The Mayor may also provide other comments. This report sets out information for the Mayor's use in deciding what decision to make.

2 The application is referable under Category 1C of the Mayor of London Order 2008:

- *“Development which comprises or includes the erection of a building of (c) more than 30 metres high and is outside the City of London.”*

3 Once Kensington & Chelsea Council has resolved to determine the application, it is required to refer it back to the Mayor for his decision as to whether to direct refusal; take it over for his own determination; or allow the Council to determine it itself.

4 The Mayor of London's statement on this case will be made available on the GLA website www.london.gov.uk.

Site description

5 The 0.52-hectare site is located to the south side of Notting Hill Gate, on the corner with Kensington Church Street. There is a mixture of buildings on the site, including the 12-storey office building Newcombe House, two storey retail parades and a five-storey building on the corner of Kensington Place comprising 20 vacant residential studio flats, owned by Notting Hill Housing Trust and previously used as bedsit accommodation for rough sleepers. There is also a surface car park to the rear that is utilised by a farmers' market.

6 Notting Hill Gate is a designated district shopping centre and is primarily commercial in character, with a mixture of building types, heights and styles. The surrounding areas generally comprise two to four storey terraced housing in designated conservation areas, with many listed buildings also nearby. Adjacent to the western boundary of the site is the roof of the Notting Hill Gate London Underground Station, which is Grade II listed.

7 The nearest section of the Strategic Road Network (SRN) (Notting Hill Gate) bounds the site, whilst the Transport for London Road Network (TLRN) is 1.5 kilometres away (A3220 Holland Park). The site is served by eight high frequency bus routes with stops adjacent or within 200 metres on Notting Hill Gate and Kensington Church Street. The entrance to Notting Hill Gate Underground station is approximately 50 metres from the site. Accordingly, the site records a Public Transport Accessibility Level (PTAL) range of 6a to 6b (on a scale of 1a to 6b) which is considered excellent.

Details of the proposal

8 Full planning permission is sought for the redevelopment of the site with six new buildings up to 18 storeys, comprising a mixture of uses including a total of 46 residential units, 4,390 sq.m. office, 2,871 sq.m. retail, with associated parking and servicing. A total of 904 sq.m. of floorspace would also be set aside for a GP surgery, which would be fit out by the applicant at a cost of £1.5 million.

9 The proposal would comprise three and four storey buildings fronting onto Kensington Church Street and around a new public square, with a new pedestrian link between Kensington Place, Notting Hill Gate and Uxbridge Street through the site. The 18-storey building would be sited close to the Notting Hill Gate/Kensington Church Street junction. The basement area would allow for step free access to be provided to the adjacent District and Circle Line platforms and space is also set aside on Uxbridge Street for a cycle hire docking station.

Case history

10 GLA officers provided pre-application advice on a similar application between February 2013 and August 2015, and supported the principle of a mixed-use development proposal, including re-provision of office space, retail and residential uses as outlined in the pre-application note D&P/3109. The application was subsequently referred to the former Mayor in January 2016, and an initial consultation report (reference number D&P/3109) was issued on 28 January 2016, which maintained support for the principle of development, but requested that outstanding strategic planning concerns relating to affordable housing, housing, urban design, climate change and transport be addressed. The application did not propose any on site affordable housing and the Financial Viability Assessment that accompanied the scheme concluded that it would only be viable to provide four on-site units, or 8.9%. On 17 March 2016, against officer recommendation, Kensington & Chelsea Council Planning Committee decided that it was minded to refuse planning permission and on 15 April 2016 it advised the former Mayor of this decision. The minutes from the Council's Planning Committee and draft decision notice cited the following reasons for refusal:

- 1) *The height of the tall building would be significantly taller than the existing building and the surrounding townscape. The architecture of the proposed tall building would be of insufficient high design quality and would not have a wholly positive impact on the townscape. It would result in harm to the setting of nearby listed buildings and conservation areas, including important local views and would result in substantial harm to those heritage assets. The proposals are contrary to policies of the London Plan, in particular policies 7.4, 7.6 and 7.7, and Local Plan policies CL1, CL2, CL3, CL4, CL11 and CL12. The public benefits would be insufficient to outweigh those harms.*
- 2) *The proposals result in the loss of social rented floorspace within the Royal Borough, contrary to policies of the London Plan, in particular policy 3.14, and the Local Plan, in particular policy CH3.*
- 3) *In the absence of agreed Section 106 obligations, and provisions under Section 16 of the General Powers Act, which would secure the necessary mitigation measures and infrastructure which are necessary to make the development acceptable, the proposal would be contrary to policies of the London Plan, in particular policies 3.12 and 3.16, the Local Plan, in particular policy C1, CT1 and CH2.*

11 GLA officers in the final report (reference number D&P/3109/02), though contending that the scheme accorded with the London Plan policies in respect of tall buildings, design, housing, affordable housing and transport, concluded that there were no sound planning reasons for the Mayor to intervene. A payment in lieu of £7,060,549 (or £9,601,685 if the health centre reverted to office use) for off-site affordable housing was secured. On 25 April 2016, the Mayor informed Kensington & Chelsea Council that he was content to allow the Council to determine the case itself.

12 The applicant appealed the Council's decision and the appeal was dismissed by the Planning Inspectorate for reasons set out in its decision, APP/K5600/W/16/3149585, dated 12 June 2017. The Inspector cited the loss of social housing and the failure to re-provide any

affordable housing on-site as the determinative issue, especially as the loss was not justified on the grounds of viability.

13 The current application was subject to a formal pre-application discussion with GLA officers on 29 August 2017.

Strategic planning issues and relevant policies and guidance

14 The relevant issues and corresponding policies are as follows:

- Town centres *London Plan; Town Centre SPG;*
- Housing *London Plan; Housing SPG; Housing Strategy; Shaping Neighbourhoods: Play and Informal Recreation SPG; Shaping Neighbourhoods: Character and Context SPG;*
- Affordable housing *London Plan; Housing SPG; Housing Strategy; Mayor's Affordable Housing and Viability SPG;*
- Urban design and heritage *London Plan; Shaping Neighbourhoods: Character and Context SPG; Housing SPG; Shaping Neighbourhoods: Play and Informal Recreation SPG;*
- Tall buildings/views *London Plan; London View Management Framework SPG;*
- Inclusive access *London Plan; Accessible London: Achieving an Inclusive Environment SPG;*
- Sustainable development *London Plan; Sustainable Design and Construction SPG; Mayor's Climate Change Adaptation Strategy; Mayor's Climate Change Mitigation and Energy Strategy; Mayor's Water Strategy;*
- Transport *London Plan; the Mayor's Transport Strategy;*
- CIL *London Plan; and, Use of planning obligations in the funding of Crossrail, and the Mayoral Community Infrastructure Levy SPG.*

15 For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the development plan in force for the area is Kensington & Chelsea Council's Consolidated Local Plan (2015), extant Unitary Development Plan (2002) Policies and Local Plan Review (Issues and Options 2015), and the London Plan 2016 (The Spatial Development Strategy for London Consolidated with Alterations since 2011).

16 The Council's Notting Hill Gate SPD (2015); the National Planning Policy Framework (NPPF) and the National Planning Policy Guidance; the Mayor's Affordable Housing and Viability SPG, the Mayor's Shaping Neighbourhoods: Play and Informal Recreation SPG; and, the draft Mayor's Transport Strategy are also material considerations.

Principle of development

17 The site is within Notting Hill Gate District Centre. London Plan Policy 2.15 seeks to ensure that centres within the town centre network remain the focus for commercial development and intensification (including residential development) outside the Central Activities Zone. The Council's Consolidated Local Plan (2015) (CLP) Policy CV16 seeks to strengthen the centre with improved shops and restaurants, along with improved pedestrian links and street environment. There is also an aspiration for the centre to remain a major office location. Within the Council's Notting Hill Gate SPD (NHGSPD), the site is identified as having the potential to accommodate a mixed-use development comprising new office space, ground floor retail and residential on the upper floors, along with step-free access to the District and Circle Line platforms and improved public realm.

18 The proposed development will deliver residential, commercial and community floorspace, including a GP surgery, as well as step-free access to the District and Circle Line and improved public realm. It is understood that the proposed health centre would meet a local need, and as such should be secured in line with London Plan Policy 3.16. The scheme will also deliver a high quality and permanent home for the local Farmers Market, which accords with London Plan Policy 4.8 and the Town Centres SPG. The proposed development is therefore supported in strategic planning terms.

Housing

19 London Plan Policy 3.3 'Increasing housing supply', in seeking to increase the supply of housing in London, sets borough housing targets, and in Table 3.1 puts the minimum annual monitoring target for Borough of Kensington and Chelsea at 733 additional homes per year between 2015 and 2025. The applicant proposes to provide 46 new homes at this site, which is supported. The table below sets out the proposed residential schedule:

tenure	1Bed	2Bed	3Bed	4Bed	total units	total hr
private	6	10	18	3	37	129
social rent	3	3	3	-	9	27
total	9	13	18	3	46	156

Re-provision of existing housing

20 London Plan Policy 3.14 and the Mayor's Affordable Housing and Viability SPG both make clear that in the redevelopment of sites any loss of affordable housing must be replaced by better accommodation and at least an equivalent amount of floorspace on a like-for-like basis. There are 20 existing affordable units, with a total floorspace of 955 sq.m. It is understood that the former occupants of these units have been re-housed within the borough. Although only nine social rent units are proposed, they will be of a better standard with an uplift in the number of habitable rooms from 20 to 27 and a concomitant increase in the amount of floorspace by 159 sq.m. This accords with London Plan Policy 3.14 and the Mayor's Affordable Housing and Viability SPG, and is welcomed. The SPG, however, also expects that affordable units should be replaced with homes at the same or similar rent levels. Noting the previous use of the affordable housing as bedsit accommodation, further discussion is required regarding the affordability of the replacement provision.

Affordable housing

21 The scheme will deliver nine affordable units, which equates to 19.6% by unit and 17.3% by habitable room. Given this comprises a re-provision of the existing affordable units by floorspace there is only a 5.1% uplift in affordable housing proposed, which would usually be unacceptable. However, the applicant has submitted a Financial Viability Assessment (FVA) prepared by GVA, and a review of this assessment undertaken by BNP Paribas. Both conclude that the provision of nine units represents the maximum level of affordable provision the scheme can deliver. The assessments indicate that the provision of step-free access to the underground station and the inclusion of a GP surgery have reduced the amount of affordable housing the scheme can viably support. It is noted that the applicant is yet to engage with a Registered Provider and should provide an update on this prior to Stage 2. The Council has also submitted an independent assessment prepared by Gerald Eve, which concludes that the provision of affordable housing has been maximised.

22 GLA officers have robustly scrutinised the applicant's viability assessment prepared by GVA and confirm that it has been prepared in compliance with the Affordable Housing and Viability SPG. GLA officers have also robustly interrogated the viability assessment, and supplementary documents requested from the applicant, which demonstrate that the maximum level of affordable housing is being provided and that the provision of grant funding would not viably increase the level of affordable provision. In accordance with the Mayor's Affordable Housing and Viability SPG, an early and a late stage review will be required. The late stage review will be triggered at the point at which 75 per cent of units are sold or let, and will result in a financial contribution for additional affordable housing provision in the event that viability has improved since the application stage. Further information on review mechanisms is set out in Annex A of the SPG. The Council has published the financial viability assessment in accordance with the Mayor's Affordable Housing and Viability SPG.

Density

23 The site has a public transport accessibility level (PTAL) of 6a/6b and is classified as urban in character. Based on a PTAL rating of 6a/6b, the London Plan density matrix (Table 3.2 in support of London Plan Policy 3.4) suggests a residential density of between 200-700 habitable rooms or 45-260 units per hectare for this site. The residential density for the proposed development is 562 habitable rooms per hectare, which is within the density range set out in the London Plan. In view of the residential quality and overall design, as set out later in this report, the density is acceptable.

Children's play space

24 The scheme will deliver 83 sq.m. of rooftop play space for the expected eight under-5s as part of an overall amenity space provision of 395 sq.m. This meets the requirement for under-5s as set out in the Mayor's Shaping Neighbourhoods: Play and Informal Recreation Supplementary Planning Guidance (SPG). The applicant should engage with the Council regarding any required contributions towards the off-site play spaces.

Urban, heritage and inclusive design

Layout and public realm

25 The scheme provides a welcome contribution towards public realm in the form of a new public square, which can accommodate a range of uses, including the farmers market that takes place on the existing car park. The square would be accessed through a variety of legible routes from Notting Hill Gate, Kensington Church Street and Kensington Place, and would be framed by a mix of office, retail and residential core entrances, which would ensure activity is maximised throughout the day and night. The proposed layout, with mixed use blocks around the square and fronting onto the surrounding streets is also supported, as is the proposal to site the taller element close to the main road junction.

26 The amount of active frontage has been maximised and the building entrances have been located carefully to ensure that all surrounding streets feel safe, active and well used. The use of dual aspect retail units and inclusion of through lobbies for the residential entrances is a particularly positive feature, which should maximise activity both to the surrounding streets and the new public square.

Residential quality and inclusive design

27 The quality of the residential accommodation proposed is generally considered to be high, with all the blocks meeting London Plan guidance for floor-to-ceiling heights, maximising ground floor individual access points, and number of units per core. Most of the units are also

dual aspect, and none are north facing single aspect. The units also meet the required space standards, with the 3 and 4-bed units exceeding the Mayor's space standards. The proposal responds positively to London Plan Policy 3.8, as 90% of all units will meet Building Regulation requirement M4 (2) 'accessible and adaptable dwellings', and 10% will meet Building Regulation requirement M4 (3) 'wheelchair user dwellings'. This is welcomed.

Scale and massing

28 A detailed assessment of the scheme's impact on strategic views and heritage assets is undertaken below. Overall, the scheme proposes a consistent scale of three and four storeys across the south of the site, responding to the finer grain and domestic character of the surrounding conservation areas. The 18-storey element would be taller than the existing Newcombe House building, but would be a more slender and elegant landmark, which is supported.

Architecture

29 The proposal comprises three main building styles, which are intended to complement each other. The perimeter buildings would have a regular rhythm of fenestration, responding to surrounding townhouses, and would be mainly textured brick with dark metal windows. The cube building would only be visible in glimpsed views from outside the site and would be more sculptural in form, utilising a smooth white cladding material and deep reveals. The corner tower would incorporate a 'slip form' approach to its massing, with deep vertical shadow lines and large glazed winter gardens on the upper corners to break down the massing further. The architectural approach and materiality responds appropriately to the site surroundings and should result in a high-quality appearance, which is supported. The Borough of Kensington & Chelsea planning officers should seek to secure a high quality of design through conditions linked to facade details and material specification.

Heritage

30 London Plan Policy 7.8 states that development should identify, value, conserve, restore, re-use and incorporate heritage assets where appropriate. The Planning (Listed Buildings and Conservation Areas) Act 1990 sets out the tests for dealing with heritage assets in planning decisions. In relation to listed buildings, all planning decisions should "*have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses*". The NPPF states that when considering the impact of the proposal on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Significance can be harm or loss through alteration or destruction of the heritage asset or development within its setting. In relation to non-designated heritage assets, the NPPF states that in weighing applications that affect non-designated heritage assets, a balanced judgement will be required.

31 As identified in paragraph 7 of this report, there are several designated heritage assets within the vicinity of the site. The closest listed building to the site is the Grade II listed train shed roof to Notting Hill Gate London Underground station. It is however generally unaffected in terms of its views. There is a limited view of the roof from Kensington Place, but the true appreciation of the roof is when stood at platform level within the station. Other opportunities to view the roof are from the surface car park and the higher-level floors of the existing Newcombe House. The listing entry states "*Station. 1868. Sir John Fowler, for Metropolitan Railway. Brick retaining walls with blind arcades, supporting elliptically arched iron roof of 9 bays, partially glazed and partly panelled with wood. Listed as a relatively well preserved example of underground railway platform of "cut and cover" type.*" Given the listing relates to features viewed principally from platform

level, GLA officers are of the view that the proposal would not harm the setting of this listed building.

32 In terms of conservation areas, Pembridge (to the north), Ladbroke (to the north west), Kensington (to the south west) and Kensington Palace (to the south east) Conservation Areas are close to the site. These conservation areas have heritage interest as well-preserved examples of the historic development of London's early suburbs, particularly during the 19th Century. Kensington Palace Conservation Area is however dominated by the listed Queen Anne palace building and gardens. There are several other listed buildings across the wider area, including 128-138 Kensington Church Street, Mall Chambers, 23 Kensington Place, The Gate and Coronet Cinemas and Kensington Temple, as well as properties on Pembridge Gardens and Kensington Palace Gardens.

33 The Visual Impact Assessment demonstrates that the proposed development will be visible in many views that fall within the settings of other heritage assets set out above. The tower would be more visible above and between buildings than the existing building in views 2, 6, 9, 19.1, 26, 27.1, 33.1, 35.1, 36.1, F, I and L5, so there would be additional visual impact on the settings of conservation areas and listed buildings because of the proposal.

34 However, GLA officers consider that the likely effects on the setting of these heritage assets would not be overly harmful and, in many cases, the settings would in fact be enhanced by the higher quality of architecture proposed and sympathetic use of materials. There would not be substantial harm to the setting of Kensington Palace, as the proposed tower would not project above the building in key views and would in most cases be obscured by surrounding trees. With specific regard to the scale and massing of the scheme in local heritage views, owing to the existing built context, the proposal would be seen in relation to the existing tall buildings in Notting Hill. As such the harm is considered to be less than substantial in this urban context, subject to ensuring a high-quality finish for the proposed buildings.

35 In summary, GLA officers consider that the harm to the heritage assets identified above would be less than substantial and clearly outweighed by the public benefits of the scheme, namely improved public realm, replacement social rent units, delivery of an appropriate mix of uses and step free access to the London Underground station. The proposal would therefore address the requirements of the policies set out above.

Climate change

Energy strategy

36 An on-site reduction of 40 tonnes of CO₂ per year in regulated emissions compared to a 2013 Building Regulations compliant development is expected for the domestic buildings, equivalent to an overall saving of 39%. For the non-domestic element, an on-site reduction of 16 tonnes, equivalent to an overall saving of 26% is expected. The carbon dioxide savings do not meet the zero-carbon target for domestic buildings or the 35% target for non-domestic buildings. As such, the applicant should consider the scope for additional measures aimed at achieving carbon reductions. Further information on notional cooling, overheating, the CHP and the site heat network is also required. Any remaining regulated CO₂ emissions must be met through a contribution to the borough's offset fund.

37 Full details of the outstanding issues relating to energy have been provided directly to the applicant and Council.

Flood risk and sustainable drainage

38 The site is within Flood Zone 1 and as such is at minimal risk of flooding. The site is generally free from surface water flood risk; however, other areas in the local vicinity are at risk of surface water flooding. The scheme will incorporate attenuation storage and landscaping as part of its surface water management strategy, which is welcomed. Details of the SuDS, however, should be clarified.

Transport

London Underground step-free access infrastructure

39 The applicant has been involved in discussions with London Underground on the previous application and terms had been agreed for the s106 as well as the associated arrangements for the delivery of the works. The cost of providing the space, the required structure and fitting out of the step-free access is estimated at £5.2M and should be delivered by the developer. These principles should be carried forward in the determination of this application as this presents a unique opportunity to deliver step-free access at this location and contribute towards the achievement of the Mayor's ambitious target in improving access to the rail system for those with mobility issues.

Access

40 Access to the car park is not anticipated to have strategic highway impacts and the acceptability of these arrangements and the proposed drop-off/pick-up is for the Council to determine as highway authority.

Cycle parking

41 A total of 220 cycle parking spaces are proposed; 170 long-stay and 50 short-stay. Although the final retail mix and staff numbers have not been finalised, this is expected to meet London Plan standards. Adequate space for adaptable cycles and mobility scooters should be provided on site and changing/showering/storage facilities for staff should also be identified. These should all be secured by condition.

Car parking

42 A total of 25 car parking spaces for the 46 residential units are proposed, which equates to a ratio of 0.55 spaces per unit. Whilst within London Plan maximum standards, this provision is excessive given the site's location and PTAL, and in the context of the emerging policy direction set out in the draft Mayor's Transport Strategy (MTS) to reduce car dominance and increase travel by sustainable modes, and should be reduced wherever possible. In the absence of any formal car parking standards for the GP surgery use, the five spaces, that it is understood have been agreed with RBKC, are accepted.

43 Six Blue Badge parking spaces are proposed and 40 per cent of car parking spaces would be equipped with active electric vehicle charging points (EVCP). This provision is supported and should be applied to the final level of parking, and secured by condition. In addition, a car parking management plan should be required to cover the different types of car and cycle parking and access thereto.

Cycle hire

44 A cycle hire docking station is proposed on Uxbridge Street, which is supported. Details regarding design, delivery and funding will need to be agreed with TfL prior to determination and subsequently secured as part of any permission.

Public realm approach

45 The proposed public square should be open 24/7 to both pedestrians and cyclists and a contribution of £3,017 payable to RBKC to deliver Legible London signage is requested.

Delivery and servicing and construction arrangements

46 A Servicing Management Plan has been prepared, which proposes servicing from the bays on the Strategic Road Network like the existing arrangement.

47 A Construction Traffic Management Plan (CTMP) has also been produced. This proposes loading/unloading on Kensington Church Street and would require temporary bus stop/stand suspension. The need for this solution has not been justified by the applicant and TfL is concerned that this will adversely impact key bus operations in the area. Suitable arrangements should be agreed with TfL Bus Infrastructure and the Council prior to determination and secured through the final CTMP to be secured by condition. Travel plans for the relevant land uses should also be secured by the Council.

Mayoral Community Infrastructure Levy and Crossrail

48 In accordance with London Plan Policy 8.3, Mayoral Community Infrastructure Levy (CIL) will be payable. The levy for Royal Borough of Kensington and Chelsea is £50 per square metre of additional floor space.

Local planning authority's position

49 Kensington and Chelsea Council planning officers are still considering the application and given the details of the appeal decision are assessing the re-provision of existing social units and the possibility for any additional provision of affordable housing.

Legal considerations

50 Under the arrangements set out in Article 4 of the Town and Country Planning (Mayor of London) Order 2008 the Mayor is required to provide the local planning authority with a statement setting out whether he considers that the application complies with the London Plan, and his reasons for taking that view. Unless notified otherwise by the Mayor, the Council must consult the Mayor again under Article 5 of the Order if it subsequently resolves to make a draft decision on the application, in order that the Mayor may decide whether to allow the draft decision to proceed unchanged, or direct the Council under Article 6 of the Order to refuse the application, or issue a direction under Article 7 of the Order that he is to act as the local planning authority for the purpose of determining the application. There is no obligation at this present stage for the Mayor to indicate his intentions regarding a possible direction, and no such decision should be inferred from the Mayor's statement and comments.

Financial considerations

51 There are no financial considerations at this stage.

Conclusion

52 London Plan policies on town centres, housing, affordable housing, heritage, urban design, inclusive access, sustainable development and transport are relevant to this application. Whilst the principle of the development is supported, the application does not comply with the London Plan.

The following changes might, however, lead to the application becoming compliant with the London Plan:

- **Principle of development:** The residential-led redevelopment of the site within the town centre, providing improved public realm and step-free access to the Circle and District Line platforms at the Notting Hill Gate underground station is supported.
- **Re-provision of existing housing:** The number of affordable habitable rooms on-site has increased from 20 to 27 and there is a significant improvement in the quality of the housing accommodation, which accords with London Plan Policy 3.14 and the Mayor's Affordable Housing and Viability SPG.
- **Affordable housing:** GLA officers have robustly interrogated the viability assessment, and supplementary documents requested from the applicant, which demonstrate that the maximum possible level of affordable housing is being achieved at 17.3% by habitable room/19.6% by units, equating to 5.1% uplift in affordable housing together with the delivery of step-free access. The provision of grant funding would not viably increase the level of affordable provision. An early and a late stage review must be secured in accordance with the Mayor's Affordable Housing and Viability SPG.
- **Climate change:** The carbon dioxide savings do not meet the zero-carbon target for domestic buildings or the 35% target for non-domestic buildings. As such, the applicant should consider the scope for additional measures aimed at achieving carbon reductions. Further information on notional cooling, overheating, the CHP and the site heat network is also required. Any remaining regulated CO₂ emissions must be met through a contribution to the borough's offset fund.
- **Transport:** Broadly supported; however, the provision of step-free access to the inner Circle and District line platform at Notting Hill Gate Station should be secured and TfL must be involved in the drafting of conditions and obligations; a cycle hire docking station in the vicinity of the site should be secured by planning condition and the cost of installing the docking station secured by Section 106 agreement; and, the residential car parking should be reduced and the detailed arrangements for construction agreed with TfL.

For further information, contact the GLA Planning Unit (Development & Projects Team):

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