

- the current use of the land and buildings – a residential college – is a low-value social and community use which would be totally expunged. The site has been in education use for 150 years.
- Policy CK1 was formulated specifically to protect low-value social and community uses from the pressures of high-value land uses such as housing.
- The Council has misdirected itself by failing to understand the basis of its own policy – to protect low-value, social and community uses rather than seek to redefine a clearly inappropriate high-value, luxury retirement housing scheme as a “social and community use”. Basing the “similarity” on whether the proposed use would be in the same use class as Heythrop College (a residential institution), would produce a perverse outcome by enabling a very high land value use – luxury retirement housing - to displace a low land value social and community use, namely education.
- The development fails all the sequential test stages of Policy CK1 – the proposed use is not:
  - the re-use for the same, similar or related use (CK1 (c)(i));
  - a change to another social and community use, which predominantly serves, or which provides significant benefits to borough residents and where it is demonstrated that there is a greater benefit to the borough resulting from this change of use (CK1 (c) (ii))
  - enabling development in order to significantly improve the last use, provide another social and community use on site, or significantly improve or provide new social and community uses elsewhere within the borough and where it can be demonstrated that there is a greater benefit to the borough resulting from this enabling development.

In short, the proposed development fails all of the tests of Policy CK1

- the protection of social and community uses is supported by both the London Plan and the National Planning Policy Framework;
- the scale of the development has been greatly increased by the proposed raft over the railway, resulting in a development three times larger than the existing buildings, as well as considerably increasing the problems of construction, delivery of materials and the duration the project;
- the housing mix is limited to the luxury retirement housing market, a very small segment of Kensington and Chelsea’s housing needs. Even if housing were an acceptable use, this mix, with no affordable housing or care home facilities would be unacceptable. The absence of affordable housing (except that required due to the change of use to three large townhouses on Kensington Square), would make this unacceptable. With no affordable housing, the scheme can offer even higher land values than a luxury housing scheme that has the same range of facilities but no affordable housing requirement.
- the scale of this development, taken together with a 55-unit scheme in Chelsea by the same developer, could greatly exceed the acknowledged need for all types of “extra-care housing” (17 units/year) There is no local need for this scale of luxury retirement housing;
- the public benefits are minimal:
  - the public access to the gardens would be partial only, with no obvious open-air entrance from Kensington Square;
  - the raft over the railway is primarily to increase the site area and the benefits would be self-serving – going to the developer and the occupants;
- the proposed financial contribution to a highly speculative but unconnected project – to contribute to step-free access to High Street Kensington Station is not justified by the development, is not proportionate nor reasonably related to the scheme, and in no way mitigates the harm from non-compliance with the development plan.
- The Construction Traffic Management Plan is unacceptable.

cc. Queen’s Gate Ward Councillors VRARA  
Committee  
Kensington Society  
Kensington Court Residents’ Association

Graham Stallwood, Director of Planning and Borough Development  
Lisa Cheung, Head of Development Management & Conservation  
Jonathan Wade, Head of Spatial Planning  
Martin Lomas, Team Leader, Central Area