

**MEMORANDUM**  
**The Royal Borough of Kensington and Chelsea**  
**Directorate of Planning & Borough Development**

To: SENIOR CASEWORK  
SUPPORT OFFICER

EXECUTIVE DIRECTOR,  
PLANNING AND BOROUGH  
DEVELOPMENT

Cc: Jerome Treherne

Date: 02/02/2018

**THE PLANNING COMMITTEE: 31/01/2018**

Please note the following amendments, which were approved by the Planning Committee/ Planning Applications Committee in making its decisions, in addition to those in the Addendum Report circulated and approved at the meeting.

**NORTH TEAM**

<b>AGENDA ITEM</b>	N08
Application Number	PP/17/05782
Address	Newcombe House, 45 Notting Hill Gate, 39-41 Notting Hill Gate and 161-237 (odd) Kensington Church Street, LONDON
Details	<p><b>Subject to receiving no Direction to the contrary by the Mayor of London, resolve to REFUSE planning permission for the following reasons:</b></p> <ol style="list-style-type: none"><li>1. The height of the tall building would be significantly taller than the existing building and the surrounding townscape at a very high land point in the borough. 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 when moving around the conservation areas experiencing them as a whole. This would result in substantial harm to those heritage assets, to which the Council attaches considerable importance and weight. The proposals are contrary to policies of the London Plan, in particular policies 7.4, 7.6 and 7.7, and the Consolidated Local Plan, in particular policies CL1, CL2, CL3, CL4, CL11 and CL12, and the Notting Hill Gate SPD. The public benefits would be insufficient to outweigh those harms.</li></ol>

	<p>2. Although slightly more affordable housing floorspace is proposed than currently exists, the proposals would result in the loss of social rented homes within the borough and the Council is not satisfied that the approach to developing the site provides the maximum reasonable amount of affordable housing, contrary to policies of the London Plan, in particular policies 3.12 and 3.14, and the Consolidated Local Plan, in particular policies CH2 and CH3.</p> <p>3. In the absence of agreed obligations under section 106 of the Town and Country Planning Act 1990 and provisions under section 16 of the Greater London Council (General Powers) Act 1974 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, and the Consolidated Local Plan, in particular policies C1, CT1 and CH2.</p>
	<p><b>Reason for departing from the recommendation:</b></p> <p>The committee considered the proposal to be contrary to the development plan for the reasons minuted. The committee had read and understood the appeal inspector's decision for ref. PP/15/07602 and had that decision in its mind when deciding the application. It also gave considerable importance and weight to the setting of nearby listed buildings and nearby conservation areas, including the Kensington and Pembridge Conservation Areas. Although the appeal decision was material, the committee did not consider that the weight attached to the appeal decision and the public benefits of the scheme were sufficient material considerations to grant planning permission contrary to the development plan.</p>

**Graham Stallwood**  
**Executive Director**  
**Planning and Borough Development**