

# GREATER**LONDON**AUTHORITY

## SUMMARY PROOF OF EVIDENCE OF RICHARD GREEN

<b>Application by:</b>	Notting Hill Gate KCS Limited
<b>At:</b>	Newcombe House, 45 Notting Hill Gate, 39-41 Notting Hill Gate and 161-237 (odd) Kensington Church Street
<b>Local Planning Authority:</b>	The Mayor of London (the GLA)
<b>The Council:</b>	The Royal Borough of Kensington & Chelsea (RBKC)
<b>Council reference:</b>	PP/17/05782
<b>GLA reference:</b>	GLA/3109a
<b>PINS reference:</b>	APP/G6100/V/19/3225884

**OCTOBER 2019**

## 1.0 **SUMMARY AND CONCLUSIONS**

- 1.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications be determined in accordance with the provisions of the development plan, unless material considerations indicate otherwise. Paragraph 196 of the NPPF is clear that “Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.”
- 1.2 It has been established within the evidence of Mr Brookes that the proposal would result in ‘less than substantial harm’ to some heritage assets but at the very lower end of the scale. As such, in accordance with the NPPF and development plan policy an assessment is required in relation to the planning balance and the other material considerations of the case. On this matter, I have demonstrated that the harm identified would be outweighed by the substantial benefits of the scheme when considered as a whole and that the proposed development makes the optimal use of the site.
- 1.3 The height and mass of the proposed development is proportionate to its context, and the scale, height and massing would not be overbearing, or unduly prominent in local and more distant views. The replacement buildings are of a high quality design and, in particular, the tall building would appear as a slender form with its architecture responding sensitively to the nearby conservation areas and other heritage assets. The proposal would create a landmark building encouraged by local policy, enhance the public realm, provide various townscape enhancements and contribute significantly to the regeneration of Notting Hill Gate.
- 1.4 I have demonstrated that RBKC has failed consistently to meet their market and affordable housing targets. The current proposal would contribute a significant number of both market and affordable housing, at an appropriate tenure, which would assist in meeting both local and strategic need. The delivery of high quality affordable housing would provide substantial benefits by promoting mixed and balanced communities, assisting in redressing social exclusion and strengthening neighbourhood identity.

- 1.5 My evidence, along with that of Ms Turner, has demonstrated that the proposal represents a highly sustainable form of development providing sustainable transport initiatives and allowing for step-free access at Notting Hill Gate station enhancing inclusivity.
- 1.6 The proposal would provide various other significant benefits to the viability and vitality of the Town Centre whilst increasing employment opportunities. These include a long term and enhanced location for the local farmer's market, the provision of flexible and fit for purpose office accommodation and an enhanced retail offer with increased active frontages throughout the site.
- 1.7 The proposal would also provide a modern GP surgery where there is an identified need. I have concluded that this facility would improve access to primary care, integrated health and social care professionals to a wider population and is considered a significant benefit. Lastly, the proposal would have heritage enhancements namely to the Kensington Conservation Area and the Listed Building Notting Hill Gate Underground Station.
- 1.8 I have provided clear and convincing justification that the heritage harm identified by Mr Brookes would be outweighed by the very substantial public benefits that the proposed development will deliver. I consider that the application scheme is in accordance with the NPPF and development plan policy and, as such, there should be a presumption in favour of granting planning permission. The Inspector is, therefore, respectfully requested to allow the appeal.