

# GREATER LONDON AUTHORITY

[REDACTED]  
[REDACTED]

Our Ref: MGLA250419-1292

22 May 2019

Dear [REDACTED]

## **Re Application for planning permission – Newcombe House GLA ref 3109a**

Thank you for your request for information which the GLA received on 25 April 2019. Your request has been dealt with under the Environmental Information Regulations (EIR) 2004

You asked for recorded information between;

- a) *The Mayor of London or the Greater London Authority (including its employees and officers); and*
- b) *The Ministry of Housing, Communities and Local Government (including staff and civil servants of the Ministry), the Secretary of State or the Minister of State for Housing and Planning*

Please find attached the information we have identified as within scope of your request. Please note that some names of members of staff are exempt from disclosure under Regulation 13 (Personal information) of the EIR. This information could potentially identify specific employees and as such constitutes as personal data which is defined by Article 4(1) of the General Data Protection Regulation (GDPR) to mean any information relating to an identified or identifiable living individual. It is considered that disclosure of this information would contravene the first data protection principle under Article 5(1) of GDPR which states that Personal data must be processed lawfully, fairly and in a transparent manner in relation to the data subject.

If you have any further questions relating to this matter, please contact me, quoting the reference at the top of this letter.

Yours sincerely

[REDACTED]  
**Information Governance Officer**

If you are unhappy with the way the GLA has handled your request, you may complain using the GLA's FOI complaints and internal review procedure, available at:

<https://www.london.gov.uk/about-us/governance-and-spending/sharing-our-information/freedom-information>

## Emails

**From:** Juliemma McLoughlin  
**Sent:** 30 November 2018 14:24  
**To:** [REDACTED]@communities.gov.uk>  
**Cc:** John Finlayson [REDACTED]@london.gov.uk> [REDACTED]@london.gov.uk>  
**Subject:** RE: Newcombe House

Dear [REDACTED]

Please see attached letter in response to your email yesterday regarding planning application PP/17/05782.

Yours sincerely

**Juliemma McLoughlin**

Chief Planner

Development, Enterprise & Environment

City Hall, London  
[REDACTED]

**From:** [REDACTED]@communities.gov.uk>  
**Sent:** 29 November 2018 16:37  
**To:** Juliemma McLoughlin [REDACTED]@london.gov.uk>  
**Cc:** [REDACTED]@london.gov.uk>  
**Subject:** Newcombe House

Dear Ms McLoughlin,

Please see the attached letter on planning application PP/17/05782, which remains before the Secretary of State.

Yours sincerely

[REDACTED] | Senior Planning Casework Manager | Planning Casework Unit | Ministry for Housing, Communities and Local Government | [REDACTED]  
[REDACTED]@communities.gov.uk | ☒ 5 St Philips Place, Birmingham B3 2PW.

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**From:** [REDACTED]@london.gov.uk]  
**Sent:** 24 October 2018 11:45  
**To:** [REDACTED]  
**Subject:** Newcombe House

[REDACTED]  
As discussed, please find attached a copy of the GLA's response to the Secretary of State.  
Kind regards  
[REDACTED]

**[REDACTED] | Senior Strategic Planner | Planning**

Greater London Authority | City Hall, The Queen's Walk, More London Riverside, London SE1 2AA

Tel: [REDACTED]

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**From:** [REDACTED] <[\[REDACTED\]@communities.gov.uk](mailto:[REDACTED]@communities.gov.uk)>

**Sent:** Thursday, March 14, 2019 3:02 pm


**To:** Juliemma McLoughlin

**Subject:** Newcombe House: Planning application PP/17/05782



Dear Ms McLoughlin,

The Secretary of State has decided to call in the above planning application. A letter on this is attached.

Yours sincerely

[REDACTED] | Senior Planning Casework Manager | Planning Casework Unit | Ministry  
for Housing, Communities and Local Government |  [REDACTED]

[REDACTED] <[\[REDACTED\]@communities.gov.uk](mailto:[REDACTED]@communities.gov.uk)> |  5 St Philips Place, Birmingham B3 2PW.

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Ministry of Housing,  
Communities &  
Local Government

Juliemma McLoughlin  
Chief Planner  
Greater London Authority  
City Hall  
London, SE1 2AA

Please ask for: [REDACTED]  
Tel: [REDACTED]  
Email: [REDACTED]@communities.gov.uk

Your ref:

Our ref: PCU/RTI/K5600/3213569

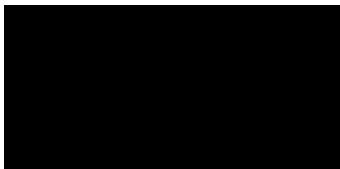
Date: 29 November 2018

Dear Ms McLoughlin

**TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT  
PROCEDURE) (ENGLAND) ORDER 2015  
NEWCOMBE HOUSE, 45 NOTTING HILL GATE, 39-41 NOTTING HILL GATE  
AND 161-237 (ODD) KENSINGTON CHURCH STREET, LONDON, W8  
APPLICATION PP/17/05782**

1. I am directed by the Secretary of State to refer to the above planning application.
2. In exercise of his powers under Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the Secretary of State hereby directs your Authority not to grant permission on this application without specific authorisation. This direction is issued to enable him to consider whether he should direct under Section 77 of the Town and Country Planning Act 1990 that the application should be referred to him for determination.
3. I would be grateful for acknowledgement of your receipt of this letter. Please contact me on the number above if you have any queries.

Yours sincerely



**Senior Planning Casework Manager**

Planning Casework Unit  
Ministry of Housing, Communities and Local Government  
5 St Philips Place  
Colmore Row  
Birmingham B3 2PW

Tel: 0303 44 48050  
pcu@communities.gov.uk

# Development, Enterprise and Environment

**The Rt Hon James Brokenshire MP**

Secretary of State for Housing, Communities and Local  
Government  
Ministry of Housing, Communities and Local Government  
4<sup>th</sup> Floor, Fry Building  
2 Marsham Street  
London SW1P 4DF

**Department: Planning**

Our reference: GLA/3109a/03/AP

Date: 19 October 2018

Dear Secretary of State

**Town and Country Planning Act 1990 (as amended)****Town and Country Planning (Development Management Procedure) England Order 2015  
(as amended)****Town and Country Planning (Mayor of London) Order 2008 (as amended)****Re: Newcombe House, 45 Notting Hill Gate, 39-41 Notting Hill Gate and 161-237 (odd)  
Kensington Church Street, London, W8**

I refer to the Royal Borough of Kensington & Chelsea's letter (ref PP/17/05782) dated 5 October 2018 requesting that you call in the above captioned application for your own determination under Section 77 of the Town and Country Planning Act 1990 (as amended) or issue a holding direction under Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

The Greater London Authority (GLA) acknowledges that Under Section 77 of the Town and Country Act (as amended) any case can be called in by the Secretary of State for his own determination. The GLA, however, also recognises (as set out in the House of Commons Library Briefing Paper Number 00930, 17 July 2017) that the Secretary of State generally only uses his call-in powers in instances where an application meets the call-in indicators, commonly referred to as the "Caborn principles". These principles are namely, those applications that:

- may conflict with national policies on important matters;
- may have significant long-term impact on economic growth and meeting housing needs across a wider area than a single local authority;
- could have significant effects beyond their immediate locality;
- give rise to substantial cross-boundary or national controversy;
- raise significant architectural and urban design issues; or
- may involve the interests of national security or of foreign Governments.

The reasons raised by the Council to justify calling in the application have been addressed in the GLA officers' Stage III and addendum report, which can be found here:  
<https://www.london.gov.uk/what-we-do/planning/planning-applications-and-decisions/public-hearings/newcombe-house-public-hearing>

It should also be noted that a similar scheme on this site was dismissed at appeal by the Planning Inspectorate. The determinative reason for this decision was the loss of social housing and the absence of any re-provision of affordable housing on-site. In this decision, Ref no. APP/K5600/W/16/3149585, the Planning Inspector found the height and design to be acceptable and the application to be acceptable in all other respects. The current scheme has therefore sought, through amendments, to respond to the concerns raised by the Planning Inspector in his decision, specifically in relation to the re-provision of social housing on-site. Additionally, the Council's Planning Officers support the current scheme and they recommended approval to the Committee, as they have done on the previous applications.

Given the reasons put forward by the Council, the GLA contends that the Council's request for a call-in does not meet the criteria contained in the "Caborn principles". As such, the application should neither be called-in nor a holding direction issued.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Juliemma', with a stylized flourish at the end.

Juliemma McLoughlin  
Chief Planner



Ministry of Housing,  
Communities &  
Local Government

Juliemma McLoughlin  
Chief Planner  
Greater London Authority  
City Hall  
London, SE1 2AA

Please ask for: [REDACTED]  
Tel: [REDACTED]  
Email: [REDACTED]@communities.gov.uk

Your ref:

Our ref: PCU/RTI/K5600/3213569

Date: 14 March 2019

Dear Ms McLoughlin

**Town and Country Planning Act 1990 – Section 77**  
**Town and Country Planning (Development Management Procedure)**  
**(England) Order 2015**  
**Town and Country Planning (Inquiries Procedure) (England) Rules 2000**

**Application for Planning Permission for development at Newcombe House,**  
**45 Notting Hill Gate, 39-41 Notting Hill Gate and 161-237 (odd) Kensington**  
**Church Street, London**  
**Application PP/17/05782**

1. I am directed by the Secretary of State to refer to the above named planning application.
2. In deciding whether to call in this application, the Secretary of State has considered his policy on calling in planning applications. This gives examples of the types of issues which may lead him to conclude, in his opinion, that the application should be called-in. In the light of his policy, the Secretary of State has decided to call-in this application. He accordingly directs, under his powers in section 77 of the 1990 Act, that the application shall be referred to him instead of being dealt with by the Mayor of London.
3. To consider all the relevant aspects of the proposed development, the Secretary of State has decided to hold a local inquiry. For the purposes of the 2000 Rules this letter is the “relevant notice” that an inquiry is to be held and the date of this letter is the “starting date”. All the arrangements for holding the inquiry will be made by the Planning Inspectorate in Bristol.



4. The Planning Inspectorate will write to you shortly about the procedure for determining the called in application. It will proceed under the “bespoke” arrangements and you may like to be aware of the guidance about planning appeals and called in planning applications (England) at:

<https://www.gov.uk/government/publications/called-in-planning-applications-procedural-guide>

5. The original application, together with any plans and other documents accompanying it which have not already been supplied to this Office (including any related certificates and correspondence), should now be sent to the following address:

The Planning Inspectorate  
c/o Mark Boulton  
Rm 3/O Kite Wing  
Temple Quay House  
2 The Square  
Temple Quay  
Bristol BS1 6PN

6. Should you have any questions about Bespoke Casework, please contact The Planning Inspectorate (email [\[REDACTED\]@pins.gsi.gov.uk](mailto:[REDACTED]@pins.gsi.gov.uk) or telephone [REDACTED]).
7. On the information so far available to the Secretary of State, the matters which he particularly wishes to be informed about for the purposes of his consideration of the application are:-
- i. policies in the National Planning Policy Framework on delivering a sufficient supply of homes;
  - ii. policies in the National Planning Policy Framework on achieving well-designed places;
  - iii. policies in the National Planning Policy Framework on conserving and enhancing the historic environment; and
  - iv. any other matters the Inspector considers relevant.
8. This is to be taken as the Secretary of State’s statement under rule 6(12) of the 2000 Rules.
9. In accordance with rule 6(1) and (2), the shall ensure that two copies of a statement of case are received by the Secretary of State, and one copy has been received by any statutory party as defined in rule 2 within six weeks of the starting date (***unless the Planning Inspectorate notifies you otherwise as the bespoke arrangements will apply – you may wish to contact them***). Your attention is drawn to rule 6(11). The Secretary of State will comply with rule 6(4).
10. You will be required to submit a statement of case, and the Planning Inspectorate will write to you about this. The statement of case should contain the full particulars of the case which you propose to put forward at

the inquiry and a list of any documents to which you intend to refer or put in as evidence. If you are proposing to give evidence, or call another person to give evidence, at the inquiry by reading a written statement (i.e. proof of evidence), your attention is drawn to rule 13.

11. Your attention is drawn to rules 4 and 6(2), in particular to the requirement upon the Mayor to inform forthwith the Secretary of State of the names and addresses of any statutory parties.
12. Your attention is also drawn to the provisions in rule 14 of the 2000 Rules that the Mayor and the applicant shall together prepare an agreed statement of common ground and ensure that a copy is received by the Secretary of State and by any statutory party within 6 weeks of the starting date (unless the Planning Inspectorate notifies you otherwise, as the bespoke arrangements will apply – you may wish to contact them).
13. In pursuance of Article 31 of the 2015 Order, the Secretary of State hereby directs the Mayor not to grant planning permission, without specific authorisation, for any development which is the same kind as that which is the subject of the application referred to above on any land which forms part of, or includes, the site to which the application relates until the Secretary of State has issued his decision on this application.

Yours sincerely



Deputy Head – Planning Casework Unit  
Authorised by the Secretary of State to sign in that behalf



# GREATER LONDON AUTHORITY

## Development, Enterprise and Environment

**The Rt Hon James Brokenshire MP**

Secretary of State for Housing, Communities and Local  
Government  
Ministry of Housing, Communities and Local Government  
4<sup>th</sup> Floor, Fry Building  
2 Marsham Street  
London SW1P 4DF

**Department: Planning**

Our reference: GLA/3109a/03/AP

Date: 30 November 2018

Dear Secretary of State

**Town and Country Planning Act 1990 (as amended)**

**Town and Country Planning (Development Management Procedure) England Order 2015 (as amended)**

**Town and Country Planning (Mayor of London) Order 2008 (as amended)**

**Re: Newcombe House, 45 Notting Hill Gate, 39-41 Notting Hill Gate and 161-237 (odd) Kensington Church Street, London, W8**

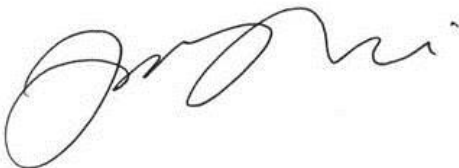
I acknowledge your holding direction issued on the 29 November 2018.

In response to a request from Kensington and Chelsea that you call in the application I wrote to you in October setting out why based on the Caborn principles the application should not be called in. It is therefore extremely disappointing that you have decided to issue a holding direction.

As explained in my earlier letter the reasons for a call-in put forward by the Royal Borough of Kensington and Chelsea were addressed in the GLA officers' Stage III and addendum report, which can be found here: <https://www.london.gov.uk/what-we-do/planning/planning-applications-and-decisions/public-hearings/newcombe-house-public-hearing>.

The GLA remains firmly of the view there are no compelling reasons for this application to be called in. I strongly urge you to remove the holding direction to allow the scheme to go forward and deliver much housing for Londoners including affordable homes in a borough which has consistently failed to meet targets for new and affordable homes.

Yours sincerely



**Juliemma McLoughlin**  
**Chief Planner**