

MAYOR OF LONDON

Joseph Whitworth

Development Management
Royal Borough of Kensington and Chelsea
Kensington Town Hall
London W8 7NZ

Our ref: GLA/4491a/02

Your ref: PP/18/05313

Date: 23 April 2019

Dear Mr Whitworth,

Town & Country Planning Act 1990 (as amended); Greater London Authority Acts 1999 and 2007; Town & Country Planning (Mayor of London) Order 2008
Heythrop College, 23-24 Kensington Square
Local planning authority reference: PP/18/05313

I refer to your letter of 10 April 2019 informing me that Kensington and Chelsea Council is minded to grant planning permission for the above application. I refer you also to the notice that was dated 10 April 2019 under the provisions of article 5(1)(b)(i) of the above Order.

The Mayor has delegated his planning powers to me. Having now considered a report on this case, reference GLA/4491a/02 (copy enclosed), I consider that the Use Class of the specialist older persons housing element of the proposal is C3 and therefore affordable housing policies apply to this element of the scheme in addition to the three townhouses. On this basis the applicant has failed to demonstrate that the scheme would deliver the maximum reasonable amount of affordable housing. I therefore direct you to refuse planning permission, under the powers conferred on me by Article 6 of the above Order. My reasons are as follows:

- **Affordable housing provision:** *'The Use Class of the specialist older persons housing element of the proposal is considered to be C3 therefore affordable housing policies apply to this element in addition to three townhouses. Five affordable units are included within the proposal however on the basis of the evidence presented, the applicant has failed to demonstrate that the scheme would deliver the maximum reasonable amount of affordable housing and the proposals are therefore contrary to the NPPF, London Plan Policy 3.12, draft London Plan Policies H5 and H6 and the Mayor's Affordable Housing and Viability SPG, and Kensington and Chelsea Local Plan Policy CH 2'*
- **Section 106:** *Inadequate provision has been made in the draft s.106 agreement to secure the required affordability levels and delivery of the five affordable units and for viability review mechanisms. The absence of adequate and robust affordable housing clauses within the draft s.106 does not therefore support the delivery of the maximum reasonable amount of affordable housing on the site and is contrary to London Plan Policy 3.12 draft London Plan Policy H6 and the Mayor's Affordable Housing and Viability SPG and Kensington and Chelsea Local Policy CH 2.*

I would be grateful if you would issue the appropriate notices, giving the above reasons for refusal and I urge you to work with the applicant on a new scheme that optimises affordable housing delivery across the site.

Yours sincerely

A handwritten signature in black ink that reads "Jules Pipe". The signature is written in a cursive style and is underlined with a single horizontal line.

Jules Pipe

Deputy Mayor for Planning, Regeneration and Skills

cc Tony Devenish, London Assembly Constituency Member
Nicky Gavron, Chair of London Assembly Planning Committee
National Planning Casework Unit, DCLG
Lucinda Turner, TfL
Aimee Squires, Savills