

POSITION STATEMENT

**Tetlow King on behalf of Tower Hamlets Housing Forum–
LBTH Response**

In respect of Session 1
DM3, DM4 and DM5

**London Borough of Tower Hamlets
Managing Development – Development Plan Document
Local Development Framework
10 September 2012**

Tetlow King on behalf of Tower Hamlets Housing Forum LBTH Response Statement

This statement provides the Council's response to the issues stated within Tetlow King on behalf of Tower Hamlets Housing Forum's Position Statement for the Managing Development – Development Plan Document (MD DPD) Examination in Public. This statement does not seek to repeat information relating to the Council's position as stated elsewhere.

Issue 1

However, THHF have concerns with Part 3(a)(iii) which specifies that off-site affordable housing will only be acceptable where *'it can provide a minimum of 50% affordable housing overall'*. It is accepted and supported that off-site affordable housing will only be provided as an exception to on site provision, but it is considered this element of the policy is over restrictive and may prevent delivery of additional affordable housing coming forward. For example, in a case where viability for a development shows on site delivery can only provide 10% affordable housing, but off site could provide 25% affordable housing, there is a clear benefit in providing the off-site affordable housing. However, should the off-site provision be set at 50% affordable housing overall, this would in all likelihood mean that the developer would select to revert to 10% on site i.e. less than the amount which could have been secured from an off-site solution. Given the need for affordable housing in the borough it is important that the policy is flexible to ensure where there is a clear benefit for affordable housing being provided off-site that this is recognised and can be delivered. This would be in line with para 50 of the NPPF which seeks off-site provision of broadly equivalent value where it can be robustly justified and contributes to creating mixed and balanced communities. Para 50 is particularly clear in that such policies *'should be flexible to take account of changing market conditions over time'*. As such we suggest the following wording to part 3(a)(iii):

'It can provide a level of affordable housing or a type of affordable housing which will deliver greater benefits than an on-site solution'

It is considered this provides a sensible balanced approach whereby the council can seek to ensure 50% affordable housing is sought from off-site provision, but also allows the flexibility for cases where a lower than 50% provision has clear advantages over a likely on-site solution.

Summary

Off-site affordable housing provision

Response

Disagree. The Council maintains its position with regard to the provision of affordable housing where it is developed off-site. It should be noted that further clarity around the implementation of this policy has been provided where it now refers to 'viability'. Paragraph 3.8 now reads, "If affordable housing is proposed to be provided off-site there should be no over-concentration of one type of housing in any one place (*both off-site and on-site*) and a minimum of 50% affordable housing must be provided overall *subject to viability*."

Further evidence has been provided as part the Council's response to Position Statements. See "Response to Housing Issues – LBTH Response", attachment 1 – Briefing Note on Affordable Housing, Pod (September, 2012).

Issue 2

THHF supports the policy which seeks high quality, well designed and sustainable housing. We welcome table 3 which reflects the minimum standards for new development as set out in the London Plan 2011. However, as set out in previous representations, there needs to be an appropriate balance between the standards being sought and circumstances related to individual schemes. In particular, Part 1 (b) is unsound as its requirement is not justified by an evidence base and its requirement could prevent the provision of affordable housing units should it not be possible to provide separate kitchen and living rooms. As a result it is considered this requirement would neither be effective nor deliverable.

Part 1(b) would also be contrary to NPPF para 59 which sets out that, '*design policies should avoid unnecessary prescription or detail and should concentrate on guiding the overall scale, density, massing, height, landscape, layout...*' This is also contrary to the London Plan and the Interim London Housing Design Guide as they do not specifically state that kitchen and living areas should be separate in affordable homes. Instead they provide guidance on how these areas can be combined.

Summary

Requirement for separate kitchen and living room

Response

Disagree. The Council's policy DM4 seeks to ensure that the housing of the highest quality. Provision of a separate living and kitchen area reflects the needs of borough residents and responses from the community consultation.

This will be achieved by working with registered social housing providers through the development management process and proactively seeking the best development outcome that is sustainable.

Issue 3

In addition to the above, a flexible and reasonable, approach should be recognised when requiring conversions to meet design standards. Whilst THHF welcome and seek to ensure conversions meet current design standards, there may be particular circumstances where meeting all design standards is not possible. For example, where it is not structurally possible to meet standards within the confines of the existing building, subject to the conversion works, particularly where the development will provide much needed affordable housing. As such, to ensure the policy is appropriate and can be deliverable for conversions specifically, we suggest the following wording to be incorporated into the supporting text:

'It is recognised that there will be some circumstances where proposals involving conversions will not be able to meet design standards, eg. where structurally it is not possible to comply. Such cases will be considered on their individual merits as part of planning application process'

Summary

Design standards for conversions

Response

Disagree. The Council will ensure a balanced approach to development through the development management process. The NPPF model policy which is set out in paragraph D10 of the Managing Development DPD recognises that the Council will take a proactive approach to ensure that development provides the best outcome that is sustainable.

Issue 4

We support the policy to provide for the specialist housing needs of the borough and part 2 which allows for loss of specialist housing where it can be demonstrated that there is no longer an identified need for its retention. However, if part 2 is proven, this presents a valuable opportunity to provide affordable housing as a suitable alternative in its place. As such we request that affordable housing is stated as the 'ring-fenced' alternative use where loss of specialist housing is unavoidable.

Summary

Maximising affordable housing on former specialist housing sites

Response

Disagree. The delivery of affordable housing is a key priority for the Council and is committed to achieving the housing target set by the London Plan. The Council will ensure that housing delivery contributes to the creation of socially balanced and inclusive communities by maximising affordable housing provision through new development.

The Council considers that the Core Strategy SPO2 and Managing Development DPD DM3 provide a robust basis for the delivery of affordable housing on all developments and no specific referencing is required in the policy.