

# Examination of the Tower Hamlets Local Plan

## London Borough of Tower Hamlets

### Response to Main Matter 6

#### Matter 6: Local Housing need – including Affordable Housing and Student Housing

**Issue 6 – Will the LP be effective in delivering the appropriate type of housing to meet the needs of the borough?**

#### **6.1 Has the affordable housing target identified by policy SH.1 been calculated in accordance with policy 3.11 of the London Plan and is the approach sound?**

6.1.1 The following outlines how the affordable housing target identified in policy SH.1 of the LP was calculated in accordance with policy 3.11 of the London Plan (GLA, 2016) (SD07).

<b>Element of London Plan policy 3.11</b>	<b>How policy SH.1 is in accordance with element of London Plan policy 3.11?</b>
<p>A The Mayor will, and boroughs and other relevant agencies and partners should, seek to maximise affordable housing provision and ensure an average of at least 17,000 more affordable homes per year in London over the term of this Plan. In order to give impetus to a strong and diverse intermediate housing sector, 60% of the affordable housing provision should be for social and affordable rent and 40% for intermediate rent or sale. Priority should be accorded to provision of affordable family housing</p>	<p>The affordable housing target in policy S.H1 seeks to maximise affordable housing provision through setting an overall strategic target of 50% of housing to be affordable, to be achieved through:</p> <ul style="list-style-type: none"> <li>• council-led affordable housing delivery;</li> <li>• requiring a minimum of 35% affordable housing on sites of 11 or more units; and</li> <li>• requiring the provision of affordable housing contributions from sites of 1 – 10 units.</li> </ul> <p>As the draft LP seeks to meet a housing target which is greater than its objectively assessed need, the delivery of 50% affordable housing will contribute both towards meeting the borough’s affordable housing need as well as making a significant contribution to meeting the GLA identified strategic need (of 17,000 homes pa).</p> <p>The Affordable Housing and Viability SPG (GLA, 2017) (SED22) provides further clarity in relation to the interpretation of the tenure split in policy 3.11 (see paragraph 2.40) and states that the Mayor of London’s ‘preferred tenure split’ is:</p> <ul style="list-style-type: none"> <li>• at least 30% low cost rent;</li> <li>• at least 30% intermediate products; and</li> <li>• 40% to be determined by the local planning authority.</li> </ul> <p>As such, it is considered that the affordable housing split outlined in policy DH.2 is</p>

	<p>calculated in accordance with policy 3.11, as interpreted by the Affordable Housing and Viability SPG (GLA, 2017) (SED22). A further response is provided in relation to question 6.8 below.</p> <p>The priority for the delivery of affordable family homes is outlined in policy D.H2 (part 3) which prioritises the delivery of 3+ bedroom units in the affordable tenure.</p>
<p>B Boroughs should set an overall target in LDFs for the amount of affordable housing provision needed over the plan period in their areas and separate targets for social/affordable rented; and intermediate housing and reflect the strategic priority accorded to provision of affordable family housing and to making the best use of available resources to maximise affordable housing output.</p>	<p>An overall target has been set (in policy S.H1) and separate targets have been provided for social / affordable rented and intermediate housing (in policy D.H2).</p> <p>The overall target takes into account the strategic priority to make the best use of available resources to maximise affordable housing output. This is stated in paragraph 4.18 which requires: <i>'Developments are expected to maximise the provision of affordable housing, having regard to availability of public subsidy, implications of phased development (including provision for re-appraising scheme viability at different stages of development) as well as finance viability...'</i></p> <p>The strategic priority for the delivery of affordable family homes is outlined in policy D.H2 (see part 3) which prioritises the delivery of three or more bedroom units in the affordable tenure.</p>
<p>C LDF affordable housing targets should take account of: a current and future housing requirements identified in line with Policies 3.8, 3.10 and 3.11</p>	<p>Policy 3.8 requires boroughs to identify the range of needs likely to arise in their areas and ensure they are met. This was undertaken in the Strategic Market Housing Assessment (SHMA) 2014 (SED16) and the SHMA 2017 (SED17), whose conclusions have informed policies S.H1 and D.H2.</p> <p>Policy 3.10 provides a definition of affordable housing which is also used in the draft Local Plan (as defined in part 6, appendix 1: glossary and acronyms). A further minor modification (PSMM216) is proposed to ensure complete conformity.</p> <p>Housing requirements in policy 3.11 are addressed in relation to part B above.</p>
<p>b the strategic targets and priority accorded to affordable family housing set out in section A above</p>	<p>See response above in relation to parts A and B.</p>
<p>c the approach to coordinating provision and targets to meet the range of strategic, sub-regional and local affordable housing needs in London set out in Policy 3.8, paragraphs 3.65 - 3.67 and</p>	<p>London Plan policy 3.8 requires boroughs to 'work with the Mayor and local communities to identify the range of needs likely to arise with their areas'. In the context of setting an affordable housing target, this has been undertaken through the borough's SHMAs in</p>

<p>Supplementary Planning Guidance and the Mayor's London Housing Strategy</p>	<p>2014 (SED16) and 2017 (SED17). These SHMAs indicated an affordable housing need of 66% and 45% respectively. The difference is a result of changing methodology – the 2014 SHMA used the GLA's methodology; the 2017 SHMA methodology was informed by the updated National Planning Policy Guidance, published in 2015. More information is available in the SHMA 2017 (SED17) (see paragraphs 2 – 4). The strategic target of 50% is therefore considered to reflect the outcome of both these assessments. The London Housing Strategy and emerging strategic direction regarding housing policy in London informed the Tower Hamlets Housing Strategy 2016 -21 (2016) (SED25), which informed the development of the affordable housing target in policy S.H1 of the LP.</p> <p>Both the Tower Hamlets Housing Strategy 2016 -21 (2016) (SED25) and the LP were subject to extensive consultation (see appendix 4 of the Tower Hamlets Housing Strategy 2016 -21 (2016) (SED25) and the Regulation 22 Statement (SD4). This approach received substantial support from the local community and stakeholders</p> <p>As outlined in response to part A above, the borough has sought to meet the strategic need identified in the GLA's latest supplementary planning guidance: the Viability and Affordable Housing Supplementary Planning Guidance (2017) (SED22).</p> <p>Paragraphs 3.65 and 3.66 address the justification relating to the 60:40 tenure split. The LP's response to this issue is addressed in relation to part A above and question 6.8 below.</p> <p>Paragraph 3.67 is discussed in relation to part e below.</p>
<p>d the need to promote mixed and balanced communities (see policy 3.9)</p>	<p>By requiring the delivery of affordable housing, or contribution towards the delivery of affordable housing, in all developments, the affordable housing target set in policy S.H1 will meet this requirement. Policy D.H2 requires affordable housing to be delivered on site, unless off-site provision or a financial contribution can be robustly justified.</p>
<p>e capacity to accommodate development including potential sources of supply outlined in para 3.67</p>	<p>The LP's housing trajectory was informed by the GLA's Strategic Housing Land Availability Assessment (2017), which assessed the borough's development capacity, including considering the sources of supply outlined in paragraph 3.67. Further information about the trajectory is provided in response to question</p>

	5.5.
f the viability of future development, taking into account future resources as far as possible.	The viability of future development has been assessed in the Tower Hamlets Local Plan Viability Assessment (SED5), which determined that the affordable housing target is viable.
D Affordable housing targets may be expressed in absolute or percentage terms in light of local circumstances, reflecting the priorities in 3.11 A-C above, the borough's contribution towards meeting strategic affordable housing targets in light of the framework set by the Plan and guidance in SPG. They should also provide a robust basis for implementing these targets through the development management process.	This has been addressed in relation to points (A – C above). As indicated in the Tower Hamlets Housing Delivery Strategy (2017) (SED26), we have a strong track record in delivering affordable housing and the continuation of these targets and the introduction of small sites as a further source of supply provides a robust basis for implementing through the development management process.

### **Is the approach sound?**

- 6.1.2 The following outlines how the affordable housing target identified in policy SH.1 is considered to meet the tests of soundness (is positively prepared, consistent with national policy, justified and effective). The affordable housing target in policy S.H1 is comprised of three parts:
- a strategic target for 50% of homes to be affordable;
  - a requirement for individual developments of 11 or more units to provide a minimum of 35% affordable housing; and
  - a requirement for sites delivering 1 to 11 units to make a financial contribution towards the delivery of affordable housing.
- 6.1.3 The approach is positively prepared in that it seeks to meet objectively assessed needs as required by the NPPF (paragraphs 47 and 159). This objectively assessed need was calculated in the 2014 (SED16) and 2017 (SED17) SHMAs. The 2017 SHMA (SED17), undertaken by Opinion Research Services to ensure the LP was developed using an up-to-date evidence base, and to take into account the updated Planning Policy Guidance issued in 2015. The 2017 SHMA (SED17) was therefore undertaken using a methodology consistent with that updated national guidance and in line with national policy. It is a methodology that has been supported through numerous examinations. The 50% strategic target was set in order to meet objectively assessed needs.
- 6.1.4 This approach is consistent with national policy and guidance. As outlined above, the SHMA (2017) (SED17) has been undertaken in order to address the requirements of the NPPF (paragraphs 47 and 159) using the latest national guidance. It is acknowledged that, in November 2014, a Written Ministerial Statement was issued which also led to the alteration of the Planning Practice Guidance (in 2016) and this was also included in the consultation version of the draft NPPF. This states that for sites of 10-units or less, and which have a maximum combined gross floorspace of 1,000 square metres, affordable housing and tariff style contributions should not be sought. The justification for a variation from this national guidance is due to the particular circumstances in Tower Hamlets and is discussed in detail below.
- 6.1.5 The overarching target is justified by the 2014 (SED16) and 2017 (SED17) SHMAs. These SHMAs indicated an affordable housing need of 66% and 45% respectively. The difference is a result of changing methodology – the 2014 SHMA used the GLA's methodology; the 2017 SHMA methodology was informed by the updated National

Planning Policy Guidance, published in 2015. More information is available in the SHMA 2017 (SED17) (see paragraphs 2 – 4). The strategic target of 50% is therefore considered to reflect the outcome of both these assessments. The strategic target also reflects the need to address the housing need of the over 18,000 households on the housing waiting list, of which 2,000 are in temporary accommodation.

- 6.1.6 Further justification for the components of this overarching target are evidenced in the 2017 SHMA (SED17), which evidences the affordable housing tenure need (in figure 4.7) (see response to question 6.8 below for further detail) and the unit mix need (including for affordable housing) and the protection of family housing (in figure 46). Justification for small sites is discussed in more detail in the Small Sites Affordable Housing Paper (2017) (SED19), which demonstrates small sites can make a significant contribution towards the delivery of affordable housing. It is also noted that the current London Plan (2016) (SD07) encourages boroughs to seek a lower threshold [than 10 units], where this can be justified in accordance with guidance (see policy 3.13). It is noted that the Affordable Housing and Viability SPG (2017) (SED22) provides further support for this approach, stating: *'The Mayor also supports LPAs that wish to apply requirements for affordable housing contributions on sites providing fewer than 10 homes where the LPA can demonstrate the role that these sites can play in supporting affordable housing delivery, and that sites would remain viable.'* It is considered that the Small Sites Affordable Housing Paper (2017) (SED19) provides such a demonstration.
- 6.1.7 The final justification derives from past delivery which indicates that further sources of affordable housing provision should be sought. As the Housing Delivery Strategy (2017) (SED26) evidences (paragraph 5.4), since the 2010 Tower Hamlets Core Strategy introduced the 50% strategic target and 35% minimum affordable housing target on sites of 10 or more units, the borough has not met the 50% strategic target. Delivering this needs derived target therefore requires affordable housing delivery to be maximised, including, as outlined in the Small Sites Affordable Housing Paper (2017) (SED19) on small sites.
- 6.1.8 The approach is also considered effective and deliverable. The effectiveness of requiring the delivery of 35% affordable housing on sites of 11 or more units has been tested and found deliverable, as described by the Tower Hamlets Local Plan Viability Assessment (2018) (SED5) paragraph 8.7 states in this regard: *'The results of our appraisals therefore indicate that the Council's strategic affordable housing target of 35% - 50% on sites providing net additional residential units set out in Strategic Policy H1 'Delivering Housing' remains a reasonable position. Our appraisals indicate that there is a sufficient extent of viable outcomes to conclude that the adoption of a 50% target is (a) supported by the evidence and (b) will not put the scale of housing in the emerging plan at risk, providing the flexibility envisaged by policies S.H1 and D.SG5 i.e. subject to viability, follows through into the adopted plan'*. (Further information is also provided in response to question 3.2).
- 6.1.9 The viability assessment also considered the deliverability of affordable housing contributions on small sites, which was found to be deliverable: *'we consider the threshold to be an artificial floor for the requirement for affordable housing and is not necessary to ensure the viability or deliverability of smaller schemes'*. This is discussed in more detail in the Small Sites Affordable Housing Paper (2017) (SED19), which outlines the assessment we undertook to ensure that the level of contributions and bureaucratic burden did not prevent delivery.
- 6.1.10 Moreover, in addition to small sites contributions, as outlined in the Housing Delivery Strategy (2017) (SED26), we are proposing a number of initiatives, in particular in relation to its own supply and GLA grant funded schemes (paragraphs 8.13 – 8.17), that will increase the delivery of affordable homes above the current delivery rates. It is also considered that by aligning the draft Local Plan to the emerging regional approach as expressed in the Affordable Housing and Viability SPG (2017) (SED22)

will also enhance the deliverability of the approach through a greater likelihood of receiving grant provision and strategic support.

**6.2 Is policy D.H2 justified by the evidence base? Is the policy sufficiently flexible? Is the threshold level set for affordable housing deliverable? Is part5(c) as drafted justified and effective?**

**Is policy D.H2 justified by the evidence base?**

- 6.2.1 Policy D.H2 seeks, in accordance with the NPPF, to ensure the LP meets the full, objectively assessed needs for market and affordable housing in the housing market area (paragraph 47) and delivers mixed and balanced communities.
- 6.2.2 In addition to the NPPF, the London Plan (2016) and relevant supplementary guidance (the Housing Supplementary Planning Guidance (2016) (SED21) and Affordable Housing and Viability Supplementary Planning Guidance (GLA, 2017) (SED22) and key local evidence base documents (Strategic Housing Market Assessment (SHMA) (2017) (SED17) and Tower Hamlets Housing Strategy 2016 – 21 (2016) (SED25) ) underpin this policy.
- 6.2.3 Part 1 of the policy seeks to ensure development delivers an affordable tenure mix which best meets local need. Further guidance on the affordable product split is provided in the supporting text (paragraphs 4.29 and 4.30). This local need responds to the actions outlined in the Tower Hamlets Housing Strategy 2016 – 21 (2016) (SED25), in particular actions 1 and 2, as well as the GLA’s new strategic approach outlined in the Affordable Housing and Viability Supplementary Planning Guidance. It is also justified through the evidence in the SHMA (2017) (SED17) (figure 4.7) (see response to question 6.8 below for further detail).
- 6.2.4 Part 2 of the policy seeks to maximise the delivery of affordable housing on-site, this responds to the NPPF requirement (paragraph 50) for policies to ensure affordable housing need is delivered on site, unless off-site provision or financial contribution can be robustly justified. It also addresses the London Plan policy (3.12C) requirement to prioritise first on site housing then off-site affordable housing provision and only contributions in lieu in ‘exceptional circumstances’ where it would have ‘demonstrable benefits’. It is noted that this retains our existing policy approach and has been viability tested in the Tower Hamlets Local Plan Viability Assessment (2018) (SED5) and found to be deliverable. The 50% off-site target aims to ensure that there are significant benefits to outweigh the implications for maintaining and delivering mixed and balanced communities.
- 6.2.5 Part 2b of the policy ensures that the affordable housing requirements for developments are fairly and equitably applied on all residential developments and there is no incentive to build schemes in a piecemeal, inefficient and disruptive fashion. It is justified by our high affordable housing need and London Plan policy 3.11B which seeks to maximise affordable housing output. It reflects the outcome of appeal cases (in particular, see case reference APP/E5900/A/14/2217758) which have upheld our application of the incremental development policy to a new development which is physically or functionally linked to an existing (implemented) development.
- 6.2.6 Parts 3 and 4 of the policy seek to ensure that development delivers a unit mix which meets the needs of residents, as per the requirements of paragraph 47 of the NPPF, in particular the need for family affordable housing as outlined in policy 3.11 of the London Plan (2016). These needs are assessed in the Strategic Housing Market Assessment (SHMA) (2017) (SED17) and outlined in figure 46.
- 6.2.7 Part 5 recognises the important role that housing estates play in the borough – as providers of a large number of homes, in particular affordable homes and in delivering open space and community facilities. This policy seeks to protect these roles within

any regeneration or redevelopment scheme. The Strategic Housing Market Assessment (SHMA) (2017) outlines the need for affordable housing (outlined in paragraphs 5.21 to 5.23) and the need for family homes (figure 46) which justifies the policy approach for retention and further provision of these unit types. It is noted that the emerging London Plan (2017) (SD08) takes a similar approach (policy H10) and this policy was endorsed by the GLA in their representation (see representation ID: LP671). The Open Space Strategy (2017) and the Infrastructure Delivery Plan (2017) evidence the need to protect open space and community facilities in the borough.

- 6.2.8 Part 6 recognises the importance of consultation and engagement in the development of major development as embedded in the principles of the Statement of Community Involvement (SD10). It also recognises the particular sensitivities regarding estate regeneration schemes, which was clearly expressed by residents during consultation on the Local Plan (see Regulation 22 Statement (SD4) and the Tower Hamlets Housing Strategy (2016) (SED25)) and in accordance with the GLA's strategic approach, as outlined in the 'Good Practice Guide to Estate Regeneration'.

### **Is the policy sufficiently flexible?**

- 6.2.9 It is considered that part 1 of the policy provides sufficient flexibility by enabling the tenure mix of any affordable homes delivered beyond the 35% requirement to be subject to discussion.
- 6.2.10 Part 2 contains sufficient flexibility to consider a range of site specific factors as well as to make provision for both off-site and contributions in lieu, depending on circumstances. The policy is also explicit that the 50% requirement is subject to viability. Sufficient flexibility is provided for in relation to part 2b, by ensuring affordable housing contributions from incremental development is assessed using the same criteria as would apply to any residential development.
- 6.2.11 It is considered that part 3 relating to unit mix contains sufficient flexibility to address changing markets and demographics: paragraph 4.36 states that '*Developments may be required to meet updated needs as a result of monitoring*'. Flexibility can also be introduced through the viability assessment process regarding site specific requirements and the interplay between the housing mix requirements and affordable housing requirements. It is acknowledged that as part of our commitment to delivering the 'threshold approach' introduced by the Affordable Housing and Viability SPG (2017) (SED22) greater flexibility and guidance may be required for developers who are seeking to deliver at least 35% affordable housing and will therefore not be required to undertake a viability assessment. The following major modification (MJM7) is proposed to paragraph 4.36 of the supporting text in order to support the threshold approach:

*Part 3 requires proposals to provide a range of unit sizes. Unit size distribution will be calculated by unit numbers and not habitable rooms. Developments may be required to meet updated needs as a result of monitoring. Where a development proposes to deliver at least 35% affordable housing (to use the fast track approach) and in exceptional circumstances (for example, where applications propose to deliver a significantly higher than 35% quantum of affordable housing whilst meeting the required affordable housing tenure mix and/or propose to deliver significant social infrastructure on-site), we will consider a different housing mix, having regard to the following factors:*

- The proposal must meet the tenure split requirements outlined in part 1.*
- Proposals will be expected to meet our affordable housing product requirements outlined in paragraphs 4.29 and 4.30.*
- Greater unit mix flexibility can be applied to the market tenure unit mix than the unit mix for affordable housing. However, the scheme must still provide a significant proportion of family housing in the market tenure and proposals will be*

*expected to meet our unit mix requirements to deliver family housing in the affordable tenures.*

*The use of the fast track threshold approach where the unit mix and/or affordable housing product split are not being met must be confirmed as acceptable by our affordable housing team.*

- 6.2.12 Part 4 of the policy already introduces further flexibility than in the existing Core Strategy (2010) and Managing Development Document (2013) which preclude any conversion of family housing. This policy seeks to allow conversion, as long as a family (3 bed plus) unit is retained as part of the conversion.
- 6.2.13 In relation to estate regeneration schemes (part 5), flexibility is afforded regarding open space and community facility requirements through the links to policies D.CF2 and D.OWS3, providing greater guidance on the retention of community facilities and open space respectively. Flexibility is also afforded in relation to the requirement to provide an uplift in affordable homes, as no threshold is set within the policy text. The starting point for the policy is to ensure no net loss of affordable units given the high affordable housing need evidenced in the SHMA 2017 (SED17) and it is not considered therefore that flexibility should be introduced to the requirement to reprovide affordable units.
- 6.2.14 Part 6 retains sufficient flexibility by requiring consultation and engagement activity to be proportionate to the scale and nature of the proposed development introduces sufficient flexibility to ensure development can be delivered.

**Is the threshold level set for affordable housing deliverable?**

- 6.2.15 The threshold level for affordable housing is set in policy S.H1 and its deliverability has been addressed in response to 6.1 above.

**Is part5(c) as drafted justified and effective?**

- 6.2.16 As clarified by the planning inspector, part 5c relates to the requirement to bring homes up to a decent homes standard. The justification for this is outlined in the Tower Hamlets Housing Strategy 2016 – 21 (2016) and stems from the overall objective to ensure all housing in the borough are: 'in a decent condition, warm, and weathertight'. This policy objective was carried forward from the Core Strategy (2010) - see policy SP02 (part d). While our major decent homes programme was completed in 2016, there remain a number of estates within our ownership as well as other registered providers where decent homes work may be required with the 15-year plan period.
- 6.2.17 While many estate regeneration schemes will result in the wholesale demolition and provision of estates, some will involve refurbishment and infill. Therefore, the consideration of decent homes works to any remaining units during an estate regeneration scheme ensures estate regeneration schemes benefit existing as well as new residents and can consider the opportunities to prevent any duplication of work and reduce disruption for residents. It is recognised that the refurbishment of affordable homes is covered under separate regulatory instruments and the wording could be amended to better reflect the policy objective, whilst not disrupting any planned maintenance and major works programmes. The following major modification is proposed (MJM6 and MJM8):

*5. Estate regeneration development schemes are required to:*

- a. protect and enhance existing open space and community facilities;*  
*a. b. protect the existing quantum of affordable and family units, with affordable units re-provided with the same or equivalent rent levels.;*



- b. c. provide an uplift in the number of affordable homes; and*  
*e. d. bring existing homes up to the latest decent homes standard. include plans for refurbishment of any existing homes to the latest decent homes standard.*

4.38 Housing estates in the borough provide a large number of affordable homes, as well as much valued open space and community facilities. Part 5 recognises the importance of retaining these facilities and the existing quantum of affordable housing. Where it would result in an improvement in quantity and quality of open space or community facilities, re-provision will be allowed. Affordable units must be re-provided with the same or equivalent rent levels. This policy also recognises that additional homes may be provided through estate regeneration schemes and seeks to secure that any net additional homes are also subject to the affordable housing requirements in policies S.H1 (see part 2) and D.H2 (see parts 1 and 2). Part *e d* ensures that *there is a plan in place to bring any existing homes retained as part of an estate regeneration scheme provides higher quality homes which meet the latest decent homes standards. up to the latest decent homes standards, either during the regeneration works or through a planned maintenance and/or major works programme.*

**6.3 Does policy S.H1 adequately reference self-build homes and is the approach adopted in line with national policy?**

- 6.3.1 The Self-build and Custom Housebuilding Act 2015, as amended by the Housing and Planning Act 2016 (section 2a), requires: 'An authority to which this section applies must give suitable development permission in respect of enough serviced plots of land to meet the demand for self-build and custom housebuilding in the authority's area arising in each base period'.
- 6.3.2 Policy S.H1 (part 2d) states that we will comply with our duty to support local demand for self-build. Further detail is provided in paragraph 4.22 of the supporting text which also outlines the support that our housing service is providing to self-builders. This is further evidenced in the Tower Hamlets Housing Strategy 2016–21 (2016) (SED25). It is considered that this meets the requirements of the duty outlined in national policy.
- 6.3.3 Planning Practice Guidance (paragraph: 025, reference ID: 57-025-201760728) provides examples of how relevant authorities can best support self-build and custom housebuilding in their area. As outlined in the table below, it is considered we are already undertaking all these requirements.

<b>NPPG action</b>	<b>Our response</b>
<ul style="list-style-type: none"> <li>Developing policies in their Local Plan for self-build and custom housebuilding;</li> </ul>	It is considered that policy S.H1 (part 2d) of the LP fulfils this requirement.
<ul style="list-style-type: none"> <li>Using their own land if available and suitable for self-build and custom housebuilding and marketing it to those on the register</li> </ul>	We have actively identified sites on housing revenue account land suitable for self and custom build housing. These, and possible disposal mechanisms, have been presented to attendees at the self-build forum. It is considered that this requirement is fulfilled. Minutes of these meetings are available here: <a href="http://democracy.towerhamlets.gov.uk/ieListMeetings.aspx?CommitteeId=863">http://democracy.towerhamlets.gov.uk/ieListMeetings.aspx?CommitteeId=863</a>
<ul style="list-style-type: none"> <li>Engaging with landowners who own sites that are suitable for housing and encouraging them to consider self-build and custom</li> </ul>	Information has been presented to the Tower Hamlets Housing Forum on the self-build register and self-build forum. Members of the forum (registered providers active in the borough) were encouraged to consider opportunities for self and custom build on their land. It is considered this requirement is fulfilled.

housebuilding and facilitating access to those on the register where the landowner is interested	
<ul style="list-style-type: none"> <li>Working with custom build developers to maximise opportunities for self-build and custom housebuilding.</li> </ul>	<p>As outlined in paragraph 4.22 of the LP, our housing service is actively working with local self-builders and facilitates a self-builders forum - the first local authority in London to do so. It is considered that this requirement is fulfilled.</p> <p>Minutes of these meetings are available here:  <a href="http://democracy.towerhamlets.gov.uk/ieListMeetings.aspx?CommitteeId=863">http://democracy.towerhamlets.gov.uk/ieListMeetings.aspx?CommitteeId=863</a></p>

**6.4 In relation to page 311 - What is meant by 'non-conventional' housing? Please could a definition be provided as a footnote to the table?**

- 6.4.1 'Non-conventional' housing means non-self-contained accommodation including specialist housing for students and older people in use classes C2, C3 and C4 or sui generis, as identified in annex 4 of the London Plan (2016) (SD07). This is explained in paragraph 4.13 of the LP.
- 6.4.2 In order to ensure consistency with the terminology in the London Plan (2016) (SD07) and the rest of the Local Plan, and provide clarity, a minor modification (PSMM275) is proposed.

**6.5 Does policy D.H6 adequately support the needs of the student population within the borough? Is the approach adopted consistent with the London Plan?**

- 6.5.1 This response addresses the LP's approach to meeting the housing needs of students. The borough's starting point is to consider the housing needs of students alongside those of the rest of the population. Therefore, the objectively assessed need (OAN) figure in the Strategic Housing Market Assessment (SHMA) (2017) (SED17) includes the needs of student households (see paragraph 3.72 of the SHMA).
- 6.5.2 In this context, policy S.H1 of the LP which seeks to secure the delivery of at least 58,965 homes (which exceeds the borough's objectively assessed need of 46,458 homes) over the plan period will also meet student housing need. This is stated in the supporting text (paragraph 4.13). In addition, policy S.H1 (part 4) states that *'development will be supported which seeks to meet the needs of specific communities, including... [part c] students'*.
- 6.5.3 This approach is consistent with annex 4 of the London Plan (2016) (SD07) which indicates that boroughs' housing targets include non-self-contained residential accommodation including specialist housing for students. The London SHMA 2017 (chapter 7) sets out how students are accounted for as part of London's overall housing need.
- 6.5.4 Policy D.H6 then provides more detailed guidance on the delivery of purpose-build student accommodation to ensure that it is in suitable locations in close proximity to the borough's higher education establishments or (see MM113) in highly accessible locations. It also ensures that student accommodation meets the needs of a wide range of students, including wheelchair users and those on low and average student incomes.
- 6.5.5 This approach is consistent with the London Plan (2016) (SD07). Policy 3.8 (part Bd) requires 10% of new housing to be wheelchair accessible or easily adaptable for

wheelchair users. Paragraph 3.53B outlines the requirement for student housing to provide an element of affordable student housing. Further guidance on this is provided in the Housing Supplementary Planning Guidance (2016) (SED21).

- 6.5.6 However, we do not assume that all student need should be met within purpose-built housing. In addition, the borough's priority need is for self-contained housing. Policy D.H6 therefore ensures a suitable balance between the delivery of student housing and self-contained housing (part 1a).
- 6.5.7 This approach is consistent with the London Plan (2016) (SD07) and emerging London Plan (2017) (SD08). The Student Population Projections and Accommodation Need (GLA, 2017) states that the GLA considers that only a proportion of students need to be accommodated in purpose-built accommodation. Policy 3.8 (part Bh) in the London Plan (2016) requires plan preparation and planning decisions to ensure that '*strategic and local requirements for student housing meeting a demonstrable need are addressed by working closely with stakeholders in higher and further education and without compromising capacity for conventional homes*' (emphasis added). In paragraph 3.53, it further states that: '*Addressing these demands should not compromise capacity to meet the need for conventional dwellings...This may raise particular challenges locally, and especially in four central London boroughs...*' of which Tower Hamlets is identified as one.
- 6.5.8 It is therefore considered that the LP adequately supports the need of the student population in the borough, by actively planning for the delivery of suitable accommodation which meets the full range of student needs, without compromising the delivery of conventional housing. The policy approach and specific requirements are in line with the existing and emerging London Plan approaches.

## **6.6 Is the approach to density as defined by policy D.DH7 reasonable? Is the policy justified by the evidence base?**

- 6.6.1 The National Planning Policy Framework (NPPF) encourages local planning authorities to "set out their own approach to housing density to reflect local circumstances" (paragraph 47). The draft NPPF published for consultation in March 2018 places greater emphasis on optimising the use of land through higher densities, specifically for residential development.
- 6.6.2 Tower Hamlets was recognised in the Core Strategy (2010) as having one of the highest population densities in inner London. The Core Strategy noted that "housing need, both in terms of quality and quantity, is one of the most significant drivers for change in the borough". Since the adoption of the Core Strategy this need has been reflected in approvals of planning permissions, as the borough has sought to meet the target of 2,885 new homes per year between 2010 and 2025 set out in the London Plan (GLA, 2016).
- 6.6.3 London Plan policy 3.4 requires development to optimise housing output for different types of location within a 'Sustainable residential quality (SRQ) matrix (habitable rooms and dwellings per hectare)'. It was on the basis of this matrix that policy D.DH7 in the Local Plan was originally drafted and consulted upon. However, the SRQ matrix is proposed to be deleted in the emerging London Plan. Instead, it is stated in policy D6 (Optimising housing density) that 'the optimum density of a development should result from a design-led approach to determine the capacity of the site'. Although policy D6 does not contain the form of guidance on appropriate densities in the way that it did in the previous London Plan, it states that proposals will be subject to greater design scrutiny and will be required to include a management plan where they will exceed certain densities, based on the PTAL of the site. Paragraph 3.6.3 of the emerging London Plan (2017) states that surrounding infrastructure will be a key element in determining the optimum density of a site, in particular the capacity of existing and future public transport services.

- 6.6.4 The approach to density set out in policy D.DH7 of the Local Plan is therefore considered to be appropriate and reasonable in recognition of the fact that a large number of developments in Tower Hamlets have exceeded the highest density levels set out in the London Plan (GLA, 2016), and have indeed become the norm in some parts of north Isle of Dogs and City Fringe. This is reflected in the identification of three opportunity areas in the borough in the London Plan where pressure for high density developments is particularly acute. As recognised in paragraph 3.6.9 of the emerging London Plan, Tower Hamlets now has the highest average density levels in London at 488 dwellings per hectare (dph), based on new housing approvals in the monitoring year 2015/16. This is compared with an average density across London of new housing approvals in the same monitoring year of 154 dwellings per hectare.
- 6.6.5 Table 1 below gives a snapshot of recent approvals of very high density schemes in the City Fringe and Isle of Dogs to show how much developments have exceeded the matrix in the London Plan.

Table 1: Example density levels in the Isle of Dogs and City Fringe

	<b>Dwellings per hectare (dph)</b>	<b>Habitable rooms per hectare (hr/ha)</b>
<b>Isle of Dogs</b>		
Landmark Pinnacle, Westferry Road	2,936	5,803
The Spire, Hertsmere Road	2,132	5,814
Wardian, Marsh Wall	1,440	4,200
<b>City Fringe</b>		
Altitude, Alie Street	1,012	2,696
Gateway Tower, Aldgate Place	609	1,734
Avant-garde, Bethnal Green Road	600	1,633

- 6.6.6 As a result of the high densities being experienced in the borough, it is of particular importance to consider the significant cumulative impacts of developments in terms of the additional pressure it places on infrastructure, services, local amenity and character and the environment, and those that can arise from the construction phases of development such as increased levels of noise and a reduction in air quality (as outlined in LP policy D.SG4). The evidence base confirms that the borough's continuing population growth (see section 3.1 of the LP: Our infrastructure) will place greater demands on existing infrastructure (including schools, healthcare, open spaces and leisure facilities) and require a significant increase in the supply of new homes and jobs to meet the future needs of the borough". As such, this growth needs to be carefully managed to positively contribute to social, economic and environmental needs, and secure the *"timely provision of sufficient infrastructure to meet current and future needs, taking account of the cumulative impact of future development, especially in deficient areas"* (see key objective 1 of the Local Plan).
- 6.6.7 The inclusion of a policy requiring developers to address the cumulative impacts of high density development is particularly pertinent in the context of Tower Hamlets given the scale and nature of development and land use activity coming forward in the borough. An updated version of the policy is included in appendix 6.1 of this statement, incorporating all of the minor amendments proposed at the time of submission (red) and those identified post-submission (green) (PSMM40 – PSMM44). Where the amended policy refers to "density guidelines" set out in the London Plan, this is intended to mean the SRQ matrix in the adopted London Plan and the density ranges based on public transport accessibility levels (PTAL) in policy D6 (part C) in the emerging London Plan. The wording of policy D.DH7 as amended is intended to be sufficiently flexible during the transition period of the London Plan.
- 6.6.8 Tower Hamlets supports the principle of optimising housing potential of development opportunities, whilst at the same time ensuring good design and taking into account public transport capacity and local context and character, access to social infrastructure, open space and play provision, as required in paragraph 1.3.1 of the

Mayor of London Housing Supplementary Planning Guidance (2016). The SPG gives specific guidance on where developments are proposed that will exceed the SRQ matrix (see paragraph 1.3.51). To be supported, schemes must be of a high design quality and should be tested against a number of considerations, including:

- local context and character, public transport capacity and design principles set out in chapter 7 of the London Plan;
- the location of the site in relation to existing and planned public transport connectivity (PTAL), social infrastructure provision and other local amenities and services;
- the need for development to achieve high quality design;
- the overall contribution of a scheme to local place making;
- the potential for large sites to define their own setting and accommodate higher densities, where appropriate;
- the residential mix and dwelling types proposed, taking into account factors, such as children's play space provision, school capacity and location;
- the need for the appropriate management and design of refuse/food waste/recycling and cycle parking facilities; and
- whether proposals are in the types of accessible locations the London Plan considers appropriate for higher density development.

6.6.9 Where these considerations are satisfactorily addressed, the London Plan provides sufficient flexibility for such higher density schemes to be supported and this is consistent with the wording in policy D.DH7 (see paragraph 1.3.52 of the SPG). Policy D.DH7 of the LP takes this guidance a step further and recognises that there is a need to properly consider the cumulative impacts of this development, both alongside other new developments that may be in the pipeline, and taking into account deficiencies in the existing provision. This is of particular relevance in areas of Tower Hamlets where developments with very high densities have been proposed in areas where there are existing deficiencies in the provision of infrastructure.

#### **Is the policy justified by the evidence base?**

6.6.10 Evidence of the cumulative impacts of development being experienced and anticipated in Tower Hamlets and the pressure that this is placing on local infrastructure provision is recognised in other parts of the LP, including in policies S.SG1 (Areas of growth and opportunity within Tower Hamlets), S.SG2 (Delivering sustainable growth in Tower Hamlets) and D.SG4 (Planning and construction of new development). This includes the following documents which were submitted alongside the LP:

- Mayor of London Housing Supplementary Planning Guidance (GLA, 2016) (SED21);
- Integrated Impact Assessment (SD6);
- Infrastructure Delivery Plan (SD06);
- Strategic Transport Assessment (SED61);
- Tower Hamlets South Quay Masterplan (SED68);
- Tall Buildings Study (SED10);
- City Fringe Opportunity Area Planning Framework (GLA, 2015) (SED2); and
- Lower Lea Valley Opportunity Area Planning Framework (GLA, 2007) (SED3).

6.6.11 The evidence outlined above effectively demonstrates that the developments coming forward, particularly those with high densities, are focused on particular areas of the borough. This is reflected in the fact that the LP has identified 13 major site allocations in relative close proximity to each other in the Isle of Dogs and South Poplar, two in the Lower Lea Valley, and four in the City Fringe (figure 19). The site allocations also reflect the analysis of available land for housing development undertaken through the SHLAA and Five Year Housing Land Supply and Housing Trajectory Statement (2018) (SED27). Paragraph 2.15 of the LP notes that "significant levels of development and resulting population growth will result in the need to deliver a range of facilities, services and infrastructure, such as new schools, open space provision, health

facilities and shops.” However, as the evidence confirms, “much of the borough’s existing infrastructure is at and close to full capacity and in many cases requires investment” (see paragraph 2.15 of the LP).

- 6.6.12 The Integrated Impact Assessment identifies a number of key sustainability issues for the borough. Amongst other things, this includes factors linked to cumulative impacts of development, such as high population growth, undersupply of housing, overcrowding and lack of suitable homes, pressure on school places, lack of early years/childcare places, pressure on transport capacity, lack of open space, poor air quality, rising heat island effect, pressures on waste processing capacity, high level of flood risk, high noise complaints, heritage under pressure from development and emerging design issues such as sunlight, daylight and wind effects, and impacts on views.
- 6.6.13 High density development is expected to be focused on areas where there are existing capacity constraints and excessive demands on infrastructure, in particular in the north Isle of Dogs and the City Fringe. The Infrastructure Delivery Plan (SD06) provides an assessment of the types and amounts of infrastructure that will be required to support the level of development anticipated. The location of this development is expected to be focused on the wards of Blackwall and Cubitt Town, Canary Wharf, Lansbury, Spitalfields and Banglatown, Whitechapel and Poplar (figure 4 of the IDP).
- 6.6.14 The focus of a large amount of development in Tower Hamlets has been facilitated, to a great extent, by its relatively high levels of public transport accessibility and significant public transport infrastructure investment in recent decades such as the Docklands Light Railway, extension of the Jubilee Line to Canary Wharf and beyond to Stratford and London Overground (as evidenced in the Strategic Transport Assessment). The future opening of the Elizabeth line in 2019 will provide further enhanced strategic connections within and beyond the borough. However, the Strategic Transport Assessment concludes that “further investment in infrastructure will be required to support the level of growth which is expected to come forward during the plan period” (see page 164).
- 6.6.15 Consideration of the cumulative impacts of development is particularly pertinent in the context of the Isle of Dogs, especially in and around Canary Wharf. In 2015, we produced a masterplan (SED68) to coordinate and manage the amount of high density development coming forward in the South Quay area. The principle enshrined in the masterplan is that very high density schemes seeking to exceed the SRQ matrix would not only need to demonstrate exemplary design quality but also ensure that other factors have been taken into account to ensure the sites are optimising their potential and mitigating their impacts in terms of the local context, design and transport capacity, social infrastructure, open space and play space. The masterplan goes on to explain how other cumulative impacts of development will need to be considered as part of the planning process, including delivery of new and improved connections and public realm, car parking, impact on the skyline and views and waste management. The South Quay Masterplan also considered five development scenarios ranging from 1,100 to 7,000 habitable rooms per hectare (hr/ha). The lowest of these is equivalent to the maximum density in the SRQ matrix. As might be expected, it was found that the higher the development density the greater the likelihood of significant adverse effects. In particular, the threshold for the greatest number of significant effects related to development at densities of 3,000 hr/ha and above.
- 6.6.16 The Tall Building Study (SED10) was undertaken to support the LP in recognition of the fact that “Tower Hamlets has become a focus for tall buildings applications with existing clusters at Aldgate and Canary Wharf expanding and other clusters emerging along the Thames waterfront” (page 7). To mitigate the impact of high density developments coming forward in the form of very tall buildings, it is considered there is a need to form clusters in mixed-use areas of high levels of activity and good public

transport accessibility. Rather than promoting tall buildings on individual sites, the Tall Building Study encourages proposals to be part of more comprehensive development (within zones) where significant environmental improvements and infrastructure delivery can also be incorporated.

- 6.6.17 The Greater London Authority is currently consulting on the emerging Isle of Dogs and South Poplar Opportunity Area Framework, recognising that the “area has great delivery potential” but that “there are also planning related issues which need to be addressed to ensure the ongoing success and cohesion of local communities” (see paragraph 1.2). The draft framework identifies the key components of new infrastructure (e.g. open space, education and transport improvements) that are needed to respond to the cumulative impacts of the levels of development coming forward in this part of the borough, whilst ensuring it meets local needs.
- 6.6.18 As reported in the Regulation 22 Statement (SD4), consultation on the Local Plan highlighted the importance of developing policies to effectively manage and coordinate the levels of growth coming forward in the borough alongside supporting sufficient infrastructure and mitigate the cumulative impacts arising from development. Key priorities included:
- protecting the borough’s distinctiveness and assets from the negative effects of inappropriate tall and high density development;
  - provide additional school places, health and social care facilities;
  - avoiding high density development without ensuring there is sufficient infrastructure to support it;
  - transport infrastructure improvements including increased frequency and capacity; and adequate supply of clean water, water pressure, sewerage, electricity and broadband.
  - balancing climate change considerations including improving air quality, urban greening and additional street trees; and
  - addressing issues of wind and other micro-climate effects.
- 6.6.19 In addition, a neighbourhood forum has been progressing a neighbourhood plan specifically to respond to issues relating to high density development in the Isle of Dogs area and the need to address infrastructure requirements for existing residents.

**6.7 Would policy H4 be effective? How does the LP seek to address the GLA benchmark of 70 units a year (of which 45 should be affordable) as set out in para 4.50, page 74, over the plan period?**

- 6.7.1 Policy D.H4 of the LP (see page 74) outlines the development management criteria which will be applied to any development which would result in the loss, redevelopment or delivery of specialist housing, including for older people. The policy resists any net loss, acknowledging the importance of this form of housing.
- 6.7.2 Policy D.H4 also introduces a new policy requirement for new specialist housing developments in the C3 use class to meet the affordable housing requirements in policies S.H1 and D.H2. Given that the GLA benchmark indicates that the majority of the need for specialist older people housing is for affordable specialist housing, this is designed to ensure that this need can be met.
- 6.7.3 Policy D.H4 must also be seen in the context of policy S.H1 (part 4a) which specifically encourages development which seeks to meet the needs of specific communities; in this case, older residents.
- 6.7.4 As indicated by the London Plan (2016) (SD07), paragraph 3.50C, our approach to meeting this need, is addressed not just by the Local Plan, but also in section 5.6 of the Tower Hamlets Housing Strategy 2016 – 21 (2016) (SD25), which has fed into the development of the Tower Hamlets Ageing Well in Tower Hamlets Strategy. These two

strategies outline a number of actions, outside of the planning system, which the London Borough of Tower Hamlets is undertaking to support the delivery of sufficient specialist housing for older people. These include:

- exploring GLA funding available for older people's housing;
- facilitating the development of a vibrant social care market in the borough;
- initiating further research into the capacity we will need in the medium to longer term across a range of supported accommodation options from sheltered housing through to residential care and nursing home provision. This may include looking at options for building new specialist nursing / dementia provision and how such a build programme could be funded, delivered and subsequently operated; and
- ensuring the specialist accommodation in the borough is focussed on meeting local needs, given evidence which suggests a mismatch between types of available accommodation and need.

6.7.5 Finally, it is noted that the new draft London Plan (2017) (SD08) sets a lower benchmark for specialist older people's housing of 45 units a year. This may reflect the greater focus on residents being assisted to live in their own homes for longer. This has been the approach objective in Tower Hamlets (as outlined in the Housing Strategy 2016 – 21 (2016) (SD25) and the Tower Hamlets Ageing Well in Tower Hamlets Strategy) and has resulted in a reduction of over half the number of people placed in supported accommodation between 2016/17 and 2017/18, due to receiving greater support at home.

**6.8 How does the proposed tenure split of 70% rent and 30% intermediate relate to the London Plan proposed tenure split of 60% and 40%? Is this approach sufficiently flexible, justified and consistent with national policy?**

6.8.1 Policy 3.11 in the London Plan (2016) sets a strategic target for London to deliver 60:40 social/affordable rented to intermediate tenure split. Parts B and C of the policy state that boroughs should set an overall affordable housing target and separate targets for intermediate and social/affordable rents in their local plans. These targets should take account a number of factors, including the strategic targets (for overall affordable housing, intermediate housing and affordable / social rented housing).

6.8.2 Supporting text to paragraph 3.69 states that *'The Mayor will engage with boroughs individually to enable them to set local affordable housing targets which are in general conformity with the London Plan's strategic targets. Supplementary guidance will provide indicative guidance on the approach out in policy 3.11 to inform this process. It will also include guidance on local implementation of the strategic social / affordable rent and intermediate target...'*

6.8.3 Further guidance has subsequently been provided through the GLA's Affordable Housing and Viability Supplementary Planning Guidance (2017) (SD22). Paragraph 2.40 of which states that the Mayor of London's 'preferred tenure split' is:

- at least 30% low cost rent;
- at least 30% intermediate products; and
- 40% to be determined by the local planning authority.

6.8.4 On this basis, it is considered that the affordable housing split outlined in policy DH.2 (35% London affordable rent (low cost rent); 35% Tower Hamlets living rent (low-medium cost rent) and 30% intermediate) is calculated in accordance with policy 3.11, as interpreted by the Affordable Housing and Viability Supplementary Planning Guidance (2017) (SD22).

6.8.5 The supporting text (paragraphs 4.29 and 4.30) in the LP provide further detail on the application of the affordable housing target outlined in policy D.H2 and provides further flexibility to the tenure split, including allowing for a more flexible tenure mix if



a scheme provides more than 35% affordable housing and indicating the range of products which will be considered suitable (allowing for these to be updated over the plan period). In addition, the introduction of Tower Hamlets living rent, which has slightly higher rents than London affordable rents – provides a further degree of flexibility to the tenure split.

- 6.8.6 The justification for the 70:30 split is outlined in the Strategic Housing Market Assessment (2017) (SHMA) (SED17). Figure 47 assesses the need for different affordable housing products. The need for Intermediate housing is only 17.5%. This also reflects the need to address the housing need of the over 18,000 households on the housing waiting list, the majority of whom need affordable rented housing. Combined with the strategic need outlined in policy 3.11 of the London Plan (2016) (SD07), as interpreted by the GLA's Affordable Housing and Viability Supplementary Planning Guidance (2017) (SD22), a 30% Intermediate requirement is therefore considered to be a justified synthesis of the local and strategic need.
- 6.8.7 National policy (NPPF) requires boroughs to use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area (paragraph 47). It is considered that the SHMA (2017) (SED17) and the translation of this evidence into the affordable housing requirement in the plan fulfils this requirement. The consistency of the SHMA with national guidance is discussed in relation to question 6.1.
- 6.8.8 Paragraphs 173 and 174 of the NPPF require affordable housing requirements to be tested alongside other policy requirements to ensure the plan is viable and deliverable. The Tower Hamlets Local Plan Viability Assessment (2018) (SED5) has undertaken this testing and concluded the policy requirements are deliverable (see question 3.2 for further detail).

**6.9 Does Policy D.H5, page 75 make satisfactory provision to meet the needs of the gypsy and traveller community over the plan period?**

- 6.9.1 Policy D.H5 of the LP outlines the development management criteria which will be applied to any new gypsy and traveller sites which come forward in the borough.
- 6.9.2 Policy S.H1 (part 4d) makes satisfactory provision to meet the needs of the gypsy and traveller community over the plan period, through safeguarding the existing 19 pitches on the Old Willow Close site and any additional pitches which could be delivered following the completion of the of the Elizabeth line (Crossrail 1) construction works. This would meet the need for the one additional pitch identified in the Gypsy and Travellers Accommodation Assessment (2016) (SED 23) as set out in paragraph 6.20.
- 6.9.3 In order to clarify the relationship between policies D.H5 and S.H1, minor modification (PSMM54) is proposed.

**6.10 What is the identified need for gypsy and traveller sites over the plan period? The LP refers to the inclusion of a new traveller site as part of the Elizabeth line development – it is recommended that consistency is applied to the naming of this site throughout the LP.**

- 6.10.1 There is an identified need for one additional pitch in the borough to meet the needs of gypsy and travellers who meet the new definition outlined in the 'Planning Policy for Traveller Sites' 2015 guidance, as identified in the Gypsy and Travellers Accommodation Assessment (2016) (SED 23) at paragraph 6.20.
- 6.10.2 Tower Hamlets has one gypsy and traveller site with 19 pitches. This is called Old Willow Close. It was moved slightly, but the capacity did not change, in order to facilitate the construction of the Elizabeth line (Crossrail 1).

6.10.3 Once the construction of the Elizabeth line (Crossrail 1) is completed, a small amount of land may become available next to the current site, which may be able to provide additional pitches. It is not yet possible to determine how many pitches, as Crossrail are still determining their operational land requirements.

6.10.4 It is not considered that this would constitute a new traveller site; simply an addition of pitches to the existing site. The name of the site would therefore remain the same.

**6.11 Does the gypsy and travellers accommodation assessment (2016) (SED23) provide a realistic assessment of the needs of the gypsy and traveller community?**

6.11.1 It is considered that the Gypsy and Travellers Accommodation Assessment (2016) (SED 23) (GTAA) provides a realistic assessment of the needs of the gypsy and traveller community, which meets the specific requirements of the 'Planning Policy for Traveller Sites' 2015 guidance and requirements of the Housing and Planning Act 2016.

6.11.2 In 2015, the government published the 'Planning Policy for Traveller Sites' document to be read alongside the National Planning Policy Framework. This document included a new planning definition of gypsies and travellers. The key change was made to the second part of the definition which related to the determination of whether persons are "gypsies and travellers" for the purposes of planning policy and was the removal of the term 'persons...who have ceased to travel permanently'. This change meant that those who have ceased to travel permanently no longer fall under the planning definition of a traveller for the purposes of assessing accommodation need.

6.11.3 However, households who do not travel and fall outside the new definition of a traveller, including Romany gypsies and Irish and Scottish travellers may be able to demonstrate a right to culturally appropriate accommodation under the 2010 Equalities Act. In addition, provisions set out in the Housing and Planning Act (2016) now include a duty (Section 8 of the 1985 Housing Act) for local authorities to consider the needs of people residing in or resorting to their district with respect to the provision of sites on which caravans can be stationed, or places on inland waterways where houseboats can be moored. Draft guidance related to this section of the Housing and Planning Act has been published setting out how the government would want local housing authorities to undertake this assessment and it is the same as the GTAA process.

6.11.4 In 2016, we procured Opinion Research Services to carry out an assessment of the accommodation needs of gypsy and travellers in the borough (GTAA) which assessed both the needs of those who meet the new definition and an assessment of need for non-travelling travellers (SED23).

6.11.5 The assessment was undertaken using a robust methodology, which has been considered sound during examinations of other Local Plans using the same approach. This included:

- engagement with neighbouring boroughs;
- desk-based research and assessment of waiting lists;
- semi-structured interviews with 15 of the 19 households living in the borough's current gypsy and traveller site (Old Willow Close); and
- engagement with gypsy and traveller families living in bricks and mortar housing.

6.11.6 This is outlined in more detail in sections 4 and 5 of the GTAA.

6.11.7 Following the regulation 18 consultation, the Old Willow Close Residents Group and London Gypsy and Traveller Unit contacted us to discuss the findings of the GTAA and

the gypsy and traveller accommodation policies in the Local Plan. At a meeting on 30th March 2017, both groups expressed support for the borough's GTAA due to its inclusion of a needs assessment for those who do not meet the new definition. For further detail, please refer to the Duty to Cooperate Statement (2018) (SD11).

**6.12 Do policies S.H1 and D.H2 provide sufficient support to the role and function of the Barkantine, Kingsbridge, Samunda and St Johns Estates in terms of existing housing provision?**

- 6.12.1 The planning inspector seeks to understand whether policies S.H1 and D.H2 support the existing role and function of the estates in terms of housing provision within the overall supply of housing in Tower Hamlets. It is considered that both these policies do provide sufficient support to the role and function of these estates.
- 6.12.2 The housing trajectory (as outlined in appendix 7) which underpins policy S.H1 does not assume the redevelopment of, or allocate the delivery of any further units on, the Barkantine, Kingsbridge, Samunda and St Johns estates.
- 6.12.3 It should be noted that the GLA's Strategic Housing Land Availability Assessment (2017) considers all housing estates throughout London without current intensification plans as 'low probability sites' and assumes an 8% probability of delivering housing. This probability based capacity is added to the borough's housing target but is not allocated to a particular site and does not mean that any housing has been allocated for those sites or will occur on those sites. The London Strategic Housing Land Availability Assessment (GLA, 2017) provides more details on this assumption (see chapter 2). However, these 'low probability' sites have not been included in the LP trajectory.
- 6.12.4 Therefore, policy S.H1 and the trajectory do not assume any changes to the existing role and function of these estates. It is important to note, however, that this policy does not preclude this.
- 6.12.5 If estate regeneration schemes were to come forward on these estates, or any estate in the borough, the following policies in the plan would apply and would provide the following sufficient support to the existing role and function of the estates.
- 6.12.6 Policies S.H1 (part 1d) and D.H2 (part 5) maintain their existing function of providing affordable housing and mixed and balanced communities as well as supporting their function as high quality places to live with environmental amenity and social facilities.
- 6.12.7 Policy D.H2 (part 6) requires any estate regeneration schemes to undertake consultation in line with the 'Good Practice Guide to Estate Regeneration' (GLA, 2016), thereby ensuring residents are able to shape any future development and can ensure the role and function of the estate they consider to be important are carried through into any future development.

**6.13 How have the Council considered the needs of people residing in the borough with respect to the provision of places where inland waterways can be moored? In what way does the LP reflect the locations highlighted as appropriate within the Tower Hamlets Water Space Study (SED43)?**

- 6.13.1 The Strategic Housing Market Assessment (SHMA) (2017) (SED17) assesses the 'needs of people residing in houseboats' and concludes that the majority of those residing in houseboats are doing so due to affordability constraints in accessing bricks and mortar housing. This assessment has therefore considered their needs in relation to housing need in the borough and the calculation of objectively assessed needs (see paragraphs 6.74 to 6.81 in the SHMA for further details). This is the primary way in which the Local Plan has sought to address their needs. However, policy S.H1 (part

2c) also seeks to support the delivery of permanent residential moorings in suitable locations, as explained in paragraph 4.21 of the supporting text.

6.13.2 Policies S.OWS2 and D.OWS4 provide further guidance and paragraph 8.52 of the supporting text to policy D.OWS4 explicitly reflects those locations set out in the Tower Hamlets Water Space Study (SED43) as appropriate.

6.13.3 A further minor modification (PSMM52) is proposed to paragraph 4.21 to provide further detail on these linked policies.