Local Plan Partial Review – Draft Policies
Policy Formulation Report – October 2016
Diversity of Housing
Policy CH3: Housing Size, Mix and Standards
# Contents

1. **Introduction** ............................................................................................................. 3  
   1.1 Local Plan Partial Review ......................................................................................... 3  
   1.2 Policy CH3: Housing Size Mix and Standards .......................................................... 3  

2. **Issue 1: Housing size mix** .......................................................................................... 4  
   2.1 Introduction .................................................................................................................. 4  
   2.2 Legislation, policy and guidance context ....................................................................... 4  
   2.3 Evidence base ............................................................................................................... 8  
   2.4 Options, consultation and Integrated Impact Assessment (IIA) ...................................... 10  
   2.5 Draft policy .................................................................................................................. 11  
   2.6 Duty to cooperate and strategic issues ........................................................................ 12  

3. **Issue 2: Space standards** ............................................................................................ 14  
   3.1 Introduction .................................................................................................................. 14  
   3.2 Legislation, policy and guidance context ....................................................................... 14  
   3.3 Evidence base ............................................................................................................... 19  
   3.4 Options, consultation and Integrated Impact Assessment (IIA) ...................................... 19  
   3.5 Draft policy .................................................................................................................. 21  
   3.6 Duty to cooperate and strategic issues ........................................................................ 22  

4. **Issue 3: Access standards** ........................................................................................... 23  
   4.1 Introduction .................................................................................................................. 23  
   4.2 Legislation, policy and guidance context ....................................................................... 23  
   4.3 Evidence base ............................................................................................................... 31  
   4.4 Options, consultation and Integrated Impact Assessment (IIA) ...................................... 32  
   4.5 Draft policy .................................................................................................................. 33  
   4.6 Duty to cooperate and strategic issues ........................................................................ 34
1. **INTRODUCTION**

1.1 **LOCAL PLAN PARTIAL REVIEW**

1.1.1 The Council is undertaking a Partial Review of its existing Local Plan to ensure it is up-to-date and fit-for-purpose.

1.1.2 The Local Plan Partial Review covers the topics which have not already been subject to recent reviews since the existing Local Plan was adopted by the Council in 2010 (then known as the Core Strategy). As part of this, the topic of housing needs reviewing.

1.1.3 This Policy Formulation Report has been written to explain the reasoning behind Policy CH3: Housing Size Mix and Standards of the Draft Policies consultation document to a level of detail which cannot be included in that document itself.

1.2 **POLICY CH3: HOUSING SIZE MIX AND STANDARDS**

1.2.1 This topic of the Local Plan Partial Review relates primarily to the following chapters and policies of the existing Local Plan:

| CO6 Strategic Objective for Diversity of Housing |
| Chapter 35: Housing Diversity |
| Policy CH3: Housing Size Mix and Standards |

1.2.2 The issues which the Council considers the Local Plan Partial Review needs to address are set out in the following sections:

- **Issue 1:** Housing Size Mix
- **Issue 2:** Space Standards
- **Issue 3:** Access Standards
2. ISSUE 1: HOUSING SIZE MIX

2.1 INTRODUCTION

2.1.1 The existing Local Plan promotes a diversity of housing that at a local level will cater for a variety of housing needs, built for adaptability and to a high quality. Existing Local Plan Policy CH2: Housing Diversity includes a criterion relating to housing size mix to further this objective.

2.1.2 The existing Local Plan Policy CH2 was adopted in 2010 and needs to be updated to reflect national policy and up to date evidence.

2.2 LEGISLATION, POLICY AND GUIDANCE CONTEXT

NATIONAL

NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

2.2.1 Paragraph 50 of the NPPF requires Councils to plan for a mix of housing based on current and future demographic and market trends, as well as the needs of specific groups within the community. The size, type, tenure and range of housing required should also be identified.

2.2.2 In order to have a clear understanding of the housing needs in their area, paragraph 159 states that Councils should prepare a Strategic Housing Market Assessment (SHMA) to identify the scale and mix of housing and the range of tenures that the local population is likely to need over the plan period.

NATIONAL PLANNING PRACTICE GUIDANCE (NPPG): HOUSING AND ECONOMIC DEVELOPMENT NEEDS ASSESSMENTS

2.2.3 The NPPG sets out detailed guidance in relation to undertaking Housing and Economic Development Needs Assessments¹ as part of the evidence for Local Plans. The whole section is relevant for the issue of establishing the Council’s objectively assessed need. The primary objective of the assessment is to “identify the future quantity of housing needed, including a breakdown by type, tenure and size” (Paragraph 2).

REGIONAL

THE LONDON PLAN

2.2.4 Ensuring housing choice is a key London Plan priority. Policy 3.8 specifically addresses the needs of different communities by requiring Boroughs to undertake their own assessment of local housing needs to ensure that new developments offer a range of housing choices in terms of mix, housing sizes and taking

account of housing requirements of different groups.

HOUSING SUPPLEMENTARY PLANNING GUIDANCE (SPG)

2.2.5 The Mayor’s Housing SPG refers to the London SHMA 2013 which identified a greater need for family sized housing. However, it makes clear that the size of homes would need to respond to local need. It has the following paragraphs relevant to the size mix of homes in London.

“Para 1.2.35 While the Strategic Housing Market Assessment (SHMA) identifies a net need for family-sized market housing, this is a pan-London figure that assumes the continuation of existing patterns of under-occupation. GLA projections show nearly 70% of household growth between 2011 and 2035 will be for households without children. Continuing high housing costs and demand for urban locations may also encourage households to economise further on living space. Consequently, there is likely to be continued demand for conversions of larger homes into smaller units at local and neighbourhood levels. This is often a response to market signals such as a lack of provision of new build flats in an area, growth in smaller households or increasing demand in the private rented sector.

Residential Mix

Standard 7 (and Policy 3.8) - Development proposals should demonstrate how the mix of dwelling types and sizes and the mix of tenures meet strategic and local need and are appropriate to the location.

Para 2.2.22 Development proposals should seek to ensure they meet local needs by providing an adequate mix of dwelling sizes (in terms of occupancy defined in terms of bedspaces), and mix of tenures to reflect local and strategic demand. Local dwelling mix policies which take into account design occupancy provide an important complementary mechanism to secure the effective implementation of occupancy related space standards.

Para 3.1.4 To assist boroughs in preparing local/sub regional needs assessments within the context of the London SHMA, paragraph 3.2.11 provides the key principles for carrying out a local level SHMA. Annex 1 of this SPG provides four indicative borough level housing need benchmarks and borough affordability ratios to demonstrate where extra supply may be needed to respond to market indicators. These figures are indicative headline benchmarks which can provide context to inform local/sub regional SHMAs and for the finer level detail required at borough level on the tenure, size and type of housing required and should be considered in the context of Policy 3.11 of the London Plan. They are not borough level objectively assessed need figures or need targets.

Para 3.2.5 It is also important to note that the SHMA model assumes that both overcrowding and under-occupation are eliminated in affordable housing over the twenty year period but that under-occupation continues in market housing.

---

2 Mayor of London, The 2013 London SHMA, GLA, 2014, refer to Table 1 and paragraph 0.21
(because many households can afford larger homes than they need). This helps explain why the SHMA’s identified requirement for family homes is relatively high in the market sector and relatively low in the affordable sector.

**3.6 PRIORITY FOR AFFORDABLE FAMILY ACCOMMODATION**

Para 3.6.1 There is a particular challenge in meeting the housing requirements of families in need of affordable accommodation, both social/affordable rented and intermediate (Policy 3.8B.b). This is underscored by the number of overcrowded households in London – almost 8% of total households compared with little more than 2% in the country as a whole. The Mayor has a long-term commitment to meeting the need for family sized homes identified in the SHMA. His overall approach is set out in the London Housing Strategy.

Para 3.6.2 Local requirements are likely to vary from the requirements identified at the London wide strategic level. The desired mix of provision for specific sites should be informed by evidence from sub regional/local housing market assessments and by the priorities set out in the local plan. However, it must be emphasised that local housing requirements should not be the single determinant of housing mix sought on individual developments. LP Policies 3.8, 3.11 and 3.12 expect boroughs to have regard to housing needs beyond their own boundaries when setting their affordable housing policies.

**Accommodating growth in smaller households**

Para 7.4.9 Town centre housing at higher densities close to public transport facilities is especially suitable for one and two person households, particularly singles, couples and sharers, students and older people. Conversely, a lower proportion of family sized homes may be appropriate in town centres, as opportunities for play and other amenity spaces tend to be more constrained in these locations. Purpose built, professionally managed PRS accommodation is typically targeted at smaller (one and two person) households for whom living close to town centre and public transport facilities is generally appealing. This tenure of housing provision is therefore particularly suited to higher density development within or on the edge of town centres or transport nodes.

Para 7.4.10 Boroughs should consider applying local policies on unit size mix flexibly in town centre and edge of centre sites where there is good accessibility, recognising the particular suitability of these locations for 1 and 2 bedroom units. Boroughs may also wish to take into account the potential net benefits which can arise as a result of the provision of smaller units in relation to the existing stock of family sized homes, including the extent to which the provision of smaller accessible and adaptable units may encourage downsizing, freeing up larger homes for occupation by families. Further guidance on housing mix is provided in Part 3 – Choice.”

**HOMES FOR LONDON, THE LONDON HOUSING STRATEGY**

2.2.6 The London Housing Strategy reaffirms the previous Mayor’s commitment to

---

deliver the family sized affordable homes identified in the Strategic Housing Market Assessment. It is also focused on tackling overcrowding and the ambitious target to halve severe overcrowding in social rented housing by 2016. The strategy will increase the provision of smaller affordable homes targeted at those downsizing, support purpose-built older people’s housing and offer better incentives for older people to downsize. The Mayor will be monitoring and reporting on the success of these initiatives in freeing up larger homes.

**LOCAL**

**EXISTING LOCAL PLAN POLICY**

2.2.7 Within Chapter 35 of the existing Local Plan, the issue of size of homes is set out in Policy CH2: Housing Diversity criterion a. as follows:

**Policy CH2 Housing Diversity**

The Council will ensure new housing development is provided so as to further refine the grain of the mix of housing across the borough.

To deliver this the Council will, in relation to:

**Housing Mix and Type**

a. require new residential developments to include a mix of types, tenures and sizes of homes to reflect the varying needs of the borough, taking into account the characteristics of the site, and current evidence in relation to housing need;

**EXISTING UNITARY DEVELOPMENT PLAN (UDP) POLICY**

2.2.8 The following paragraphs and extant UDP policy is relevant to the issue of size of homes.

**5.5 PROVIDING AND MAINTAINING A WIDE RANGE OF HOUSING**

**Housing Mix**

5.5.1 The mix of accommodation in the Borough should be related to the range in household types existing or likely to exist and to deficiencies in the range of accommodation. Households are typically smaller than elsewhere in the capital. In response to market demand, the private sector already provides a substantial proportion of smaller units, mostly through conversion schemes and it is therefore important to retain existing provision. A large stock of small residential units is also important in order to: maintain the level of population by allowing a more intensive use of residential properties; maintain the number of adult households who, through their spending power, help support the ancillary services which underpin the residential function; and meet the overall housing provision envisaged by RPG3.

H17 To resist the loss of existing, small, self-contained flats of one or two habitable rooms.
2.3 EVIDENCE BASE

2.3.1 The SHMA includes the issue of dwelling size. As Figure 1 shows, the Borough has a greater proportion of smaller homes than the inner London and London average. Nearly three quarters (72%) of the current stock are one and two bedrooms compared to 66% for inner London and 54% for the whole of London. Proportionally however, there is also a reasonable proportion of large homes (four bed plus) at 11% which is equivalent to the inner London average. The Census also highlights that there are differences in dwelling size by tenure. For example 40% of the owner occupied stock has three beds or more compared to only 20% in each of the social rented and private sector rented stock. Approximately half the social rented (47%) and private rented (45%) stock is one bed implying a restricted range of household sizes that these tenures can potentially house.

![Figure 1: Dwelling Size](image)

2.3.2 In accordance with the NPPF, the SHMA includes the evidence base on local housing requirements. This is shown as a breakdown by bedroom size of the objectively assessed need (OAN) for all types of housing (SHMA Table 6.11). The evidence as presented in Figure 2 is of a 50/50 split between smaller (1-2
bedrooms) and larger (3-4+ bedroom) units.

<table>
<thead>
<tr>
<th>Dwelling Size</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Bed</td>
<td>23%</td>
</tr>
<tr>
<td>2 Bed</td>
<td>29%</td>
</tr>
<tr>
<td>3 Bed</td>
<td>30%</td>
</tr>
<tr>
<td>4+ Beds</td>
<td>18%</td>
</tr>
</tbody>
</table>

*Figure 2: Summary of Dwelling Size Requirements taken for SHMA*

2.3.3 Paragraph 6.59 of the SHMA states that “The current mix of dwellings by size provides some guidance on the required mix in the future, because there is an obvious link between household size/type and dwelling size, albeit one which is overlain and blurred by incomes, aspirations and allocation policies. There is no similar determinant of the demand for dwellings of different types. The current mix of dwellings by type was considered in Chapter 4 and this reflects a variety of historical factors, mainly pressures for intensive land use, but also the unique elements of demand which created RBKC’s residential heritage, followed by pressures leading to sub-division and adaption of some dwellings. Overall, the proportion of flats is very high and is likely to remain high, but there may be pressures arising from the global market for housing in the Borough which create demand for other types of housing. They also reflect high land values, which are likely to continue over the period up to 2035. These pressures, as much as changing demand, are likely to continue to ensure that apartments and flats dominate provision in RBKC. Stakeholder interviews reinforce the demand for flats and apartments.”

2.3.4 The SHMA also identifies the specific needs for those in need of affordable housing by tenure as shown in Figure 3 below.

<table>
<thead>
<tr>
<th>Dwelling Size</th>
<th>Number</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Bed</td>
<td>575</td>
<td>49%</td>
</tr>
<tr>
<td>2 Bed</td>
<td>240</td>
<td>21%</td>
</tr>
<tr>
<td>3 Bed</td>
<td>184</td>
<td>15.5%</td>
</tr>
<tr>
<td>4+ Beds</td>
<td>171</td>
<td>14.5%</td>
</tr>
<tr>
<td>Total</td>
<td>1,170</td>
<td>100%</td>
</tr>
</tbody>
</table>

*Figure 3: Summary of Dwelling Size Requirements for Affordable Homes*

2.3.5 The need for different sized homes within the affordable sector varies greatly from general housing needs with a significant requirement for 1 and 2 bed homes at 70% of the total need with the remainder split between 3 and 4 beds.

2.3.6 The SHMA highlights that as a trend based projection, these figures do have some limitations such as assuming current patterns of occupation continue. However, even with these assumptions aside, they provide an up-to-date evidence base for housing size mix.
2.4 OPTIONS, CONSULTATION AND INTEGRATED IMPACT ASSESSMENT (IIA)

2.4.1 The Issues and Options consultation document\(^5\) published in December 2015 sets out the questions and options consulted on at that stage. The comments made as part of the public consultation can be found in two documents relating to this topic area:

- **Consultation Schedule** – a table setting out all of the consultation comments and the Council’s response to each comment
- **Consultation Summary** – a summary of the consultation comments and the Council’s overall response

2.4.2 Further options and alternatives arising from the Issues and Options consultation have been considered in the Integrated Impact Assessment (IIA) and are all summarised below.

2.4.3 The Council has considered the options particularly in light of the ‘tests of soundness’ which are set out in the NPPF:

- **Positively prepared** – the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;
- **Justified** – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;
- **Effective** – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and
- **Consistent with national policy** – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework.  

2.4.4 The options and alternatives considered are:

<table>
<thead>
<tr>
<th>Option</th>
<th>Status</th>
<th>Reason</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Continue with current policy CH2(a) which requires residential developments to take account of local needs as set out in the Council's evidence.</td>
<td>Preferred option for Draft Policies</td>
</tr>
</tbody>
</table>

\(^5\) [https://planningconsult.rbkc.gov.uk/consult.ti/LPPR/consultationHome](https://planningconsult.rbkc.gov.uk/consult.ti/LPPR/consultationHome)
<table>
<thead>
<tr>
<th>Option</th>
<th>Status</th>
<th>Reason</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>Set out specific targets for housing mix within a revised planning policy.</td>
<td>Reasonable alternative</td>
</tr>
<tr>
<td>3</td>
<td>Acknowledge within the policy that a mix that provides fewer bedrooms per home may be more appropriate for town centre sites and other accessible locations.</td>
<td>Reasonable alternative</td>
</tr>
<tr>
<td>4</td>
<td>Provide more family housing – existing policy in the Local Plan identified the need for 80% of market housing provision being for large family dwellings.</td>
<td>Not a reasonable alternative</td>
</tr>
</tbody>
</table>

### 2.5 DRAFT POLICY

**2.5.1** Following consideration of the above options and reasonable alternatives, the existing Local Plan policy is proposed to be amended as follows.

**Policy CH3: Housing Size Mix and Standards**

[Existing Policy CH2] The Council will ensure new housing development is provided so as to further refine the grain of the mix of housing across the borough **and improve housing standards**.
[Existing Policy CH2] To deliver this, the Council will require in relation to:

a. [Existing Policy CH2a] require new residential developments to include a mix of types, tenures, and sizes of homes to reflect the varying needs of the borough, taking into account the characteristics of the site, and current evidence in relation to housing need;

KEY DIAGRAM AND PROPOSALS MAP

2.5.2 No changes are required to be made to the Key Diagram or the Proposals Map.

2.6 DUTY TO COOPERATE AND STRATEGIC ISSUES

2.6.1 The legal obligation of the ‘duty to cooperate’ requires the Council to “engage constructively, actively and on an ongoing basis” and have “regard to activities” (i.e. strategies, plans, policies) of other bodies in the preparation of Local Plans “so far as relating to a strategic matter”. This includes “considering whether to consult on and prepare... agreements or joint approaches”.

2.6.2 A “strategic matter” relates to “sustainable development or use of land that has or would have a significant impact on at least two planning areas, including (in particular)... in connection with infrastructure that is strategic”. Strategic matters are further defined in paragraph 156 of the NPPF and paragraph 013 of the NPPG on the duty to cooperate.

2.6.3 Figure 4 shows the strategic issues relevant to this topic area, the relevant prescribed bodies, the actions the Council has taken with regard to the duty and the strategies, plans and policies of those prescribed bodies which the Council has had regard to.

<table>
<thead>
<tr>
<th>Strategic issue</th>
<th>Relevant prescribed bodies(^\text{10})</th>
<th>Council actions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Housing Size Mix</td>
<td>Environment Agency</td>
<td>All prescribed bodies were consulted as part of the Issues and Options consultation</td>
</tr>
<tr>
<td></td>
<td>Historic England</td>
<td>The Mayor of London’s response</td>
</tr>
<tr>
<td></td>
<td>Natural England</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Mayor of London/HCA</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Transport for London</td>
<td></td>
</tr>
</tbody>
</table>

\(^6\) Section 33A of the Planning and Compulsory Purchase Act 2004, as inserted by Section 110 of the Localism Act 2010

\(^7\) Section 33A(4) of the Planning and Compulsory Purchase Act 2004, as inserted by Section 110 of the Localism Act 2010

\(^8\) [Link](http://planningguidance.communities.gov.uk/blog/policy/)

\(^9\) [Link](http://planningguidance.communities.gov.uk/blog/guidance/duty-to-cooperate/)

\(^10\) Regulation 4 of The Town and Country Planning (Local Planning) (England) Regulations 2012
<table>
<thead>
<tr>
<th>Strategic issue</th>
<th>Relevant prescribed bodies(^\text{10})</th>
<th>Council actions</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Integrated Transport Authorities</td>
<td>stated support for a policy that seeks to enable Kensington and Chelsea to meet its minimum London Plan housing supply target by ensuring a mix of unit sizes by floorspace, taking into account local need, and the requirements to optimise housing potential and deliver mixed and balanced communities in line with London Plan policies 3.3, 3.4 and 3.9.</td>
</tr>
<tr>
<td></td>
<td>Highway Authorities</td>
<td></td>
</tr>
<tr>
<td></td>
<td>City of Westminster</td>
<td></td>
</tr>
<tr>
<td></td>
<td>London Borough of Hammersmith and Fulham</td>
<td></td>
</tr>
<tr>
<td></td>
<td>London Borough of Wandsworth</td>
<td></td>
</tr>
<tr>
<td></td>
<td>London Borough of Brent</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Other London Boroughs</td>
<td></td>
</tr>
</tbody>
</table>

*Figure 4: Duty to cooperate strategic issues, prescribed bodies and Council actions*
3. **ISSUE 2: SPACE STANDARDS**

3.1 **INTRODUCTION**

3.1.1 The Council needs to update its policy on **housing space standards** in light of the national review of housing standards.

3.2 **LEGISLATION, POLICY AND GUIDANCE CONTEXT**

**NATIONAL**

**WRITTEN MINISTERIAL STATEMENT**

3.2.1 The Government has taken steps to rationalise the many differing existing housing standards into a simpler, streamlined system which will reduce burdens and help bring forward much needed new homes. The Government published a Written Ministerial Statement (WMS) in March 2015 which outlined the policy and announced amongst a number of other measures the publication of the new nationally described space standards. The WMS made it clear that “This statement should be taken into account in applying the National Planning Policy Framework, and in particular the policies on local standards or requirements at paragraphs 95, 174, and 177, in both plan making and decision-taking.”

3.2.2 For plan making purposes the WMS states that, “**local planning authorities .... should not set in their emerging Local Plans, neighbourhood plans, or supplementary planning documents, any additional local technical standards or requirements relating to the construction, internal layout or performance of new dwellings.**”

3.2.3 Whilst a nationally described space standard has been introduced it cannot automatically be used as a planning requirement. The WMS stated that “**The optional new national technical standards should only be required through any new Local Plan policies if they address a clearly evidenced need, and where their impact on viability has been considered, in accordance with the National Planning Policy Framework and Planning Guidance.**”

**NPPF**

3.2.4 In-line with the WMS paragraphs 95, 174 and 177 of the NPPF should be taken into account for plan making. Of these paragraphs 174 and 177 are relevant to the issue of housing space standards.

3.2.5 Paragraph 174 states that “**Local planning authorities should set out their policy on local standards in the Local Plan, including requirements for affordable housing. They should assess the likely cumulative impacts on development in their area of all existing and proposed local standards, supplementary planning documents and policies that support the development plan, when added to nationally required standards. In order to be appropriate, the cumulative impact of these standards and policies should not put implementation of the plan at serious**
risk, and should facilitate development throughout the economic cycle. Evidence supporting the assessment should be proportionate, using only appropriate available evidence.”

3.2.6 Paragraph 177 states that “It is equally important to ensure that there is a reasonable prospect that planned infrastructure is deliverable in a timely fashion. To facilitate this, it is important that local planning authorities understand district-wide development costs at the time Local Plans are drawn up. For this reason, infrastructure and development policies should be planned at the same time, in the Local Plan. Any affordable housing or local standards requirements that may be applied to development should be assessed at the plan-making stage, where possible, and kept under review.”

3.2.7 Further in order to have a clear understanding of the housing needs in their area, paragraph 159 states that Councils should prepare a Strategic Housing Market Assessment (SHMA) to identify the scale and mix of housing and the range of tenures that the local population is likely to need over the plan period.

NPPG: HOUSING – OPTIONAL TECHNICAL STANDARDS

3.2.8 The NPPG provides further guidance on the use of nationally described space standards. It reaffirms the position in the WMS that the standards need to be adopted in the Local Plan to be a planning requirement. It also emphasises that the need for internal space standards should be justified taking account of need and viability.

NATIONALLY DESCRIBED SPACE STANDARDS

3.2.9 On the 27th of March 2015 the Government published its “Technical Housing Standards – nationally described space standard” and updated the NPPG to reflect the policy approach set out in the written ministerial statement.

3.2.10 The nationally described space standards are not significantly different from those which were already in place in the London Plan.

REGIONAL

LONDON PLAN

3.2.11 The Mayor of London has adopted the nationally described space standards through the Minor Alterations to the London Plan (MALP) which were published on 14 March 2016. These changes to London Plan policies are supported by evidence of need and a viability assessment as required by the WMS and the NPPG.

3.2.12 Policy 3.5 of the London Plan states at C. that “LDFs should incorporate requirements for accessibility and adaptability11, minimum space standards12

11 Requirements M4 (2) and M4 (3) of Schedule 1 to the Building Regulations 2010. HM Government 2015.
12 Technical housing standards – nationally described space standard. DCLG 2015
including those set out in Table 3.3, and water efficiency\textsuperscript{13}.”

3.2.13 Table 3.3 sets out the minimum space standards for dwellings in-line with the nationally described space standards. One of the footnotes to Table 3.3 explains that “The nationally described space standard sets a minimum ceiling height of 2.3 metres for at least 75% of the gross internal area of the dwelling. To address the unique heat island effect of London and the distinct density and flatted nature of most of its residential development, a minimum ceiling height of 2.5m for at least 75% of the gross internal area is strongly encouraged so that new housing is of adequate quality, especially in terms of light, ventilation and sense of space.”

3.2.14 In addition to adopting the nationally described standards the London Plan states that when designing homes with more than eight persons/bedspaces, developers should allow approximately 10 sq m per extra bedspace/person.

3.2.15 It also states that “When considering the design and layout of homes, as well as meeting the nationally described space standard, plans should also take account of the requirements of the furniture schedule in Appendix D of Approved Document Part M\textsuperscript{139} as homes will need to be designed in a way that can meet both the space and access requirements.”

HOUSING SPG

3.2.16 Paragraphs 2.1.5 to 2.1.19 relate to the housing standards review and their application through the London Plan. Paragraph 2.1.7 in particular states that “As the London Plan forms part of the borough’s development plan, the standards set out in MALP can be applied at the local level. When Local Authorities review their plans they can draw on the MALP evidence base to support their approach.”

3.2.17 The Mayor's Housing SPG sets out Standard 24 which states that “All new dwellings should meet the nationally described space standard.” The Housing SPG refers back to Policy 3.5 of the London Plan and states that the standards are intended to ensure that all new homes are functional and fit for purpose and offer the potential to be occupied over time by households of all tenures.

HOUSING STANDARDS REVIEW – EVIDENCE OF NEED

3.2.18 The Housing Standards Viability Study was commissioned by the GLA to demonstrate the requirement in London for the Government’s new national housing standards and to determine the impact of the adoption of these standards within London Plan policy on the viability of development in London.

3.2.19 The study consists of a desktop review of existing evidence and research relating to housing standards, and analysis of the impact of population projections on the need for each of the standards including the nationally described space standards.

3.2.20 It demonstrates a clear need for the inclusion of housing standards within the London Plan. They are a necessary and appropriate mechanism to ensure that housing is sustainable and of high quality whilst offering the space and flexibility

\footnotesize{\textsuperscript{13} London Plan Policy 5.15}
required to accommodate the demands of a rapidly growing and ageing population in a high density city facing distinct climate challenges.

3.2.21 Section 3 of the report deals specifically with internal space and examines the need and background for minimum internal space standards in London in great detail. It also stresses the significant amount of research and analysis relating to housing design standards which formed part of the evidence base for the 2011 London Plan and the 2010 Housing Strategy. Space standards have been part of Policy 3.5 of the London Plan since 2011 and further guidance was provided in the 2012 Housing Supplementary Planning Guidance (SPG).

3.2.22 The section concludes at paragraph 3.4.47 that “Housing standards and good design principles have long been set out within various planning policies. However, these very rarely have included specific unit size minimum thresholds. DCLG are clear about the intentions underlying a standardised approach to national space standards. This follows the approach taken in the London Plan for the last five years.” and paragraph 3.4.48 that “The evidence above indicates a clear need to provide adequate space in new development in London. The justification for providing housing standards, including minimum space sizes, ceiling heights and bedroom sizes remains as compelling as when the standards were first established. They rightly recognise that the proper provision of space for residents ensures a better standard of living and quality of life.”

HOUSING STANDARDS REVIEW – VIABILITY ASSESSMENT

3.2.23 The viability study was commissioned by the GLA to establish the impact of the adoption of the Government’s new national housing standards within London Plan policy on the viability of development in London.

3.2.24 The broad findings of the study are; at borough-wide average house prices and build costs, development taking into account the impact of the proposed housing standards and zero carbon achieved land values in excess of a benchmark in 84% of cases. The viability study included sensitivity testing and at the worst case allowing for a 0.5% fall in values and an 8% increase in costs this fell to 72% of cases.

3.2.25 The viability study also found that the estimated cost impact of moving to zero carbon homes in 2016 represents circa an additional 1-1.4% of base build cost.

3.2.26 The overall outcome of the viability testing was that the introduction of the new Housing Standards, and the move to zero carbon homes in 2016, do not represent a significant determinant in the viability and the deliverability of housing development in London.

3.2.27 The study specifically explored the impact on lower value boroughs and commented on high value locations (the Royal Borough can safely be assumed to be such a location) that “There are some very high value locations where viability is unlikely to be affected by any changes at the margins of development requirements. Those at the lower end of the spectrum are far more susceptible to marginal changes affecting viability and deliverability.” (paragraph 4.34)
3.2.28 As well as testing overall viability, the impact on build costs that the standards represent was assessed in financial and percentage terms. The outcome in relation to space standards was that “There is no measurable cost impact from the nationally prescribed space standards as these are no more onerous than existing London Plan Requirements.”

LOCAL

EXISTING LOCAL PLAN POLICY

3.2.29 Policy CH2: Housing Diversity of the existing Local Plan refers to floorspace standards. The Council has used the space standards in the London Plan since they were adopted in 2011 and continues to use the existing standards. The Council’s existing reasoned justification (paragraph 35.3.13) to Policy CH2: Housing Diversity also refers to the space standards in the London Plan as follows:

Policy CH2 Housing Diversity
The Council will ensure new housing development is provided so as to further refine the grain of the mix of housing across the borough.

To deliver this the Council will, in relation to:

Housing Mix and Type
b. require new residential developments, including conversions, amalgamations and changes of use, to be designed to as a minimum achieve all the following standards:
   i. lifetime homes;
   ii. floorspace and floor to ceiling heights;
   iii. wheelchair accessibility for a minimum of 10 per cent of dwellings; where compliance with the above standards is not possible because of other policy requirements, to require new residential developments to demonstrate that all reasonable measures to meet them have been taken;

35.3.13 The Mayor has proposed the introduction of minimum housing standards in the draft replacement London Plan (policy 3.5 and table 3.3), and space standards which must be met as a minimum for new developments are contained within the London Housing Design Guide. The Housing Design Guide also sets minimum floor to ceiling heights within habitable rooms. These standards will inform requirements within the borough.
SUMMARY

<table>
<thead>
<tr>
<th>Date</th>
<th>Document</th>
<th>Organisation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mar 2015</td>
<td>Written Ministerial Statement</td>
<td>DCLG</td>
</tr>
<tr>
<td>Mar 2012</td>
<td>National Planning Policy Framework (NPPF): Paragraphs 95, 174 and 177</td>
<td>DCLG</td>
</tr>
<tr>
<td>Mar 2015</td>
<td>Technical housing standards – nationally described space standard</td>
<td>DCLG</td>
</tr>
<tr>
<td>Mar 2016</td>
<td>The London Plan</td>
<td>Mayor of London</td>
</tr>
</tbody>
</table>

3.3 EVIDENCE BASE

3.3.1 The evidence of need and viability relating to London Plan policy is presented above.

3.4 OPTIONS, CONSULTATION AND INTEGRATED IMPACT ASSESSMENT (IIA)

3.4.1 The Issues and Options consultation document\textsuperscript{14} published in December 2015 sets out the questions and options consulted on at that stage. The comments made as part of the public consultation can be found in two documents relating to this topic area:

- **Consultation Schedule** – a table setting out all of the consultation comments and the Council’s response to each comment

- **Consultation Summary** – a summary of the consultation comments

3.4.2 Further options and alternatives arising from the Issues and Options consultation have been considered in the Integrated Impact Assessment (IIA) and are all summarised below.

3.4.3 The Council has considered the options particularly in light of the ‘tests of soundness’ which are set out in the NPPF:

- **Positively prepared** – the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure

\textsuperscript{14} https://planningconsult.rbkc.gov.uk/consult.ti/LPPR/consultationHome
requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;

- **Justified** – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;

- **Effective** – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and

- **Consistent with national policy** – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework.

(paragraph 182)

3.4.4 The options and alternatives considered are:

<table>
<thead>
<tr>
<th>Option</th>
<th>Status</th>
<th>Reason</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Preferred option for Draft Policies</td>
<td>The Council’s existing Local Plan refers to the London Plan space standards. This approach has been in place since 2010/11. The evidence behind the London Plan policy applies to all areas of London including the borough with the need to ensure adequate space in new development in London. As shown in the evidence of need the justification for providing housing standards, including minimum space sizes, ceiling heights and bedroom sizes remains as compelling as when the standards were first established. The London Plan is part of the Council’s development plan in any case and this approach will avoid duplication of work by the Council and take forward an approach which has been successfully used over a number of years. The Council cannot adopt any standards which are different to the national ones. This approach will be justified, effective and consistent with national policy.</td>
</tr>
<tr>
<td>Option</td>
<td>Status</td>
<td>Reason</td>
</tr>
<tr>
<td>--------</td>
<td>--------</td>
<td>--------</td>
</tr>
<tr>
<td>2</td>
<td>Reasonable alternative</td>
<td>If the Council’s policy did not refer to the London Plan space standards, they would still apply as the London Plan is part of the Council’s development plan. However, it is considered helpful for applicants to make successful planning applications if the Local Plan makes it clear that the London Plan space standards apply.</td>
</tr>
</tbody>
</table>

### 3.5 DRAFT POLICY

**DRAFT POLICY**

#### 3.5.1

Following consideration of the above options and reasonable alternatives, the existing Local Plan policy is proposed to be amended as follows.

**Policy CH3: Housing Size Mix and Standards**

[Existing Policy CH2] The Council will ensure new housing development is provided so as to further refine the grain of the mix of housing across the borough and improve housing standards.

[Existing Policy CH2] To deliver this the Council will require in relation to:

a. [Existing Policy CH2a] require new residential developments to include a mix of types, tenures and sizes of homes to reflect the varying needs of the borough, taking into account the characteristics of the site, and current evidence in relation to housing need;

b. [Existing Policy CH2b] require new residential developments, including conversions, amalgamations and changes of use, to be designed to as a minimum meet the housing standards on space and access as set out in the London Plan; all the following standards:
   i. lifetime homes;
   ii. floorspace and floor to ceiling heights;
   iii. wheelchair accessibility for a minimum of 10 per cent of dwellings; where compliance with the above standards is not possible because of other policy requirements, to require new residential developments to demonstrate that all reasonable measures to meet them have been taken;

c. [Existing Policy CH2h] require housing schemes to include outdoor amenity space;
KEY DIAGRAM AND PROPOSALS MAP

3.5.2 No changes are required to be made to the Key Diagram or the Proposals Map.

3.6 DUTY TO COOPERATE AND STRATEGIC ISSUES

3.6.1 The legal obligation of the ‘duty to cooperate’ requires the Council to “engage constructively, actively and on an ongoing basis” and have “regard to activities” (i.e. strategies, plans, policies) of other bodies in the preparation of Local Plans “so far as relating to a strategic matter”. This includes “considering whether to consult on and prepare… agreements or joint approaches”\(^\text{15}\).

3.6.2 A “strategic matter” relates to “sustainable development or use of land that has or would have a significant impact on at least two planning areas, including (in particular)... in connection with infrastructure that is strategic”\(^\text{16}\). Strategic matters are further defined in paragraph 156 of the NPPF\(^\text{17}\) and paragraph 013 of the NPPG on the duty to cooperate\(^\text{18}\).

3.6.3 Figure 5 shows the strategic issues relevant to this topic area, the relevant prescribed bodies, the actions the Council has taken with regard to the duty and the strategies, plans and policies of those prescribed bodies which the Council has had regard to.

<table>
<thead>
<tr>
<th>Strategic issue</th>
<th>Relevant prescribed bodies(^\text{19})</th>
<th>Council actions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Space Standards</td>
<td>Environment Agency</td>
<td>Prescribed bodies’ strategies, plans and policies which the Council has had regard to</td>
</tr>
<tr>
<td></td>
<td>Historic England</td>
<td>All prescribed bodies were consulted as part of the Issues and Options consultation and the relevant strategies, plans and policies that have been taken into account are set out above.</td>
</tr>
<tr>
<td></td>
<td>Natural England</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Mayor of London/HCA</td>
<td></td>
</tr>
<tr>
<td></td>
<td>NHS England</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Adjacent London Boroughs</td>
<td></td>
</tr>
</tbody>
</table>

\textit{Figure 5: Duty to cooperate strategic issues, prescribed bodies and Council actions}

\(^{15}\) Section 33A of the Planning and Compulsory Purchase Act 2004, as inserted by Section 110 of the Localism Act 2010

\(^{16}\) Section 33A(4) of the Planning and Compulsory Purchase Act 2004, as inserted by Section 110 of the Localism Act 2010

\(^{17}\) \url{http://planningguidance.communities.gov.uk/blog/policy/}

\(^{18}\) \url{http://planningguidance.communities.gov.uk/blog/guidance/duty-to-cooperate/}

\(^{19}\) Regulation 4 of The Town and Country Planning (Local Planning) (England) Regulations 2012
4. ISSUE 3: ACCESS STANDARDS

4.1 INTRODUCTION

4.1.1 The Council needs to update its policy on access standards in light of the national review of housing standards.

4.2 LEGISLATION, POLICY AND GUIDANCE CONTEXT

NATIONAL

WRITTEN MINISTERIAL STATEMENT

4.2.1 The Government has taken steps to rationalise the many differing existing housing standards into a simpler, streamlined system which will reduce burdens and help bring forward much needed new homes. The Government published a Written Ministerial Statement (WMS) in March 2015 which outlined the policy and announced amongst a number of other measures new additional ‘optional’ building regulations on access. The WMS made it clear that “This statement should be taken into account in applying the National Planning Policy Framework, and in particular the policies on local standards or requirements at paragraphs 95, 174, and 177, in both plan making and decision-taking.”

4.2.2 For plan making purposes the WMS states that, “local planning authorities .... should not set in their emerging Local Plans, neighbourhood plans, or supplementary planning documents, any additional local technical standards or requirements relating to the construction, internal layout or performance of new dwellings.”

4.2.3 Whilst ‘optional’ additional Building Regulations on access had been introduced they can only be triggered via a planning condition when there is a relevant policy adopted in the Local Plan. The WMS stated that “The optional new national technical standards should only be required through any new Local Plan policies if they address a clearly evidenced need, and where their impact on viability has been considered, in accordance with the National Planning Policy Framework and Planning Guidance.”

DEREGULATION ACT 2015

4.2.4 Section 42 of the Deregulation Act 2015 enacted the use of optional requirements. It inserts section 2B: Optional requirements to the Building Act 1984 which states “Building regulations made by the Secretary of State in relation to England may include a requirement that applies only where a planning authority makes compliance with the requirement a condition of a grant of planning permission.” There are a number of other clauses which would enable further requirements to be set through Building Regulations.
The National Planning Policy Framework (NPPF) is clear that local planning authorities should plan to create safe, accessible environments and promote inclusion and community cohesion. This includes buildings and their surrounding spaces. Local planning authorities should take account of evidence that demonstrates a clear need for housing for people with specific housing needs and plan to meet this need.

In-line with the WMS paragraphs 95, 174 and 177 of the NPPF should be taken into account for plan making. Of these paragraphs 174 and 177 are relevant to the issue of housing space standards.

Paragraph 174 states that “Local planning authorities should set out their policy on local standards in the Local Plan, including requirements for affordable housing. They should assess the likely cumulative impacts on development in their area of all existing and proposed local standards, supplementary planning documents and policies that support the development plan, when added to nationally required standards. In order to be appropriate, the cumulative impact of these standards and policies should not put implementation of the plan at serious risk, and should facilitate development throughout the economic cycle. Evidence supporting the assessment should be proportionate, using only appropriate available evidence.”

Paragraph 177 states that “It is equally important to ensure that there is a reasonable prospect that planned infrastructure is deliverable in a timely fashion. To facilitate this, it is important that local planning authorities understand district-wide development costs at the time Local Plans are drawn up. For this reason, infrastructure and development policies should be planned at the same time, in the Local Plan. Any affordable housing or local standards requirements that may be applied to development should be assessed at the plan-making stage, where possible, and kept under review.”

In order to have a clear understanding of the housing needs in their area, paragraph 159 states that Councils should prepare a Strategic Housing Market Assessment (SHMA) to identify the scale and mix of housing and the range of tenures that the local population is likely to need over the plan period. It also states that the SHMA should address the need for all types of housing, including the needs of different groups in the community (such as but not limited to, families with children, older people, people with disabilities, service families and people wishing to build their own homes).

The NPPG provides further guidance on the use of optional technical standards. It reaffirms the position that the local use of 'optional' standards should be based on housing needs assessment. It also reaffirms the WMS that the standards need to be adopted in the Local Plan to be a planning requirement and only by reference to Requirement M4(2) and/or M4(3) of the optional requirements in the Building Regulations. It makes it clear that compliance with the standards is the role of the Building Control Body and not the Local Planning Authority. Local Plan
policies should clearly state the proportion of new dwellings which should comply with the requirements.

4.2.11 Paragraph 9 of the NPPG further states that, “Part M of the Building Regulations sets a distinction between wheelchair accessible (a home readily useable by a wheelchair user at the point of completion) and wheelchair adaptable (a home that can be easily adapted to meet the needs of a household including wheelchair users) dwellings.

Local Plan policies for wheelchair accessible homes should be applied only to those dwellings where the local authority is responsible for allocating or nominating a person to live in that dwelling.”

4.2.12 It also makes clear that where step-free access in non-lift serviced multi-storey developments is not viable, neither of the Optional Requirements in Part M should be applied.

BUILDING REGULATIONS APPROVED DOCUMENT M VOLUME 1

4.2.13 The ‘optional’ access standards are set out in Building Regulations Approved Document M Volume 1 – Dwellings (Access to and use of buildings). There is a mandatory standard that applies to all new dwellings regardless of planning policies which is M4(1) Category 1: Visitable dwellings. The ‘optional’ standards are M4(2) Category 2: Accessible and adaptable dwellings and M4(3) Category 3: Wheelchair user dwellings. The document includes detailed guidance on compliance with these standards.

REGIONAL

LONDON PLAN

4.2.14 London Plan Policy 3.8: Housing Choice has adopted the ‘optional’ Building Regulations related to access and requires boroughs in LDF preparation and planning decisions to ensure that “c. ninety percent of new housing meets Building Regulation requirement M4 (2) ‘accessible and adaptable dwellings’ and “d. ten per cent of new housing meets Building Regulation requirement M4 (3) ‘wheelchair user dwellings’, i.e. is designed to be wheelchair accessible, or easily adaptable for residents who are wheelchair users”.

4.2.15 The supporting text states at paragraph 3.48A that, “As set out in Approved Document M of the Building Regulations - Volume 1: Dwellings, to comply with requirement M4 (2), step free access must be provided. Generally this will require a lift where a dwelling is accessed above or below the entrance storey. The application of requirement M4 (2) has particular implications for blocks of four storeys or less, where historically the London Plan has not required lifts. Boroughs should seek to ensure that dwellings accessed above or below the

---

20 Unlike the other standards in this Plan, Part M of the Building Regulations generally does not apply to dwellings resulting from a conversion or a change of use. Additional guidance on the applicable requirements of the Building Regulations (amended 2015) can be found in: Approved Document M Access to and use of buildings Volume 1: Dwellings.

21 Ibid
entrance storey in buildings of four storeys or less have step-free access. However, for these types of buildings this requirement may be subject to development-specific viability assessments and consideration should be given to the implication of ongoing maintenance costs on the affordability of service charges for residents. Where such assessments demonstrate that the inclusion of a lift would make the scheme unviable or mean that service charges are not affordable for intended residents, the units above or below the ground floor that cannot provide step free access would only need to satisfy the requirements of M4(1) of the Building Regulations. All other standards should be applied as set out in this Plan. Further guidance is provided in the Housing SPG.”

4.2.16 Paragraph 3.49A is also relevant and states that, “The requirement for ‘wheelchair user dwellings’ applies to all tenures. However part M4 (3) of the Building Regulations regarding ‘wheelchair user dwellings’ distinguishes between ‘wheelchair accessible’ (a home readily useable by a wheelchair user at the point of completion) and ‘wheelchair adaptable’ (a home that can be easily adapted to meet the needs of a household including wheelchair users). The Planning Practice Guidance22 states that Local Plan policies for wheelchair accessible homes should only be applied to those dwellings where the local authority is responsible for allocating or nominating a person to live in that dwelling. Boroughs should therefore specifically assess the level of need for wheelchair accessible dwellings and identify this in their LDF policies.”

HOUSING SPG

4.2.17 Paragraphs 2.1.5 to 2.1.19 of the Housing SPG relate to the housing standards review and their application through the London Plan. Paragraph 2.1.7 in particular states that “As the London Plan forms part of the borough’s development plan, the standards set out in MALP can be applied at the local level. When Local Authorities review their plans they can draw on the MALP evidence base to support their approach.”

4.2.18 Standard 11 of the Housing SPG reiterates the requirements of London Plan Policy 3.5 set out above. Paragraphs 2.3.8 to 2.3.12 provide further guidance on the application of access standards.

ACCESSIBLE LONDON: ACHIEVING AN INCLUSIVE ENVIRONMENT SUPPLEMENTARY PLANNING GUIDANCE (SPG)

4.2.19 The Accessible London SPG provides advice to Boroughs, developers, designers and planning applicants on implementing inclusive design principles effectively and on creating an accessible environment in London, with particular emphasis on the access requirements of disabled and older people. It does not introduce new policy or add any additional burdens on developers. It does not form part of the development plan, but should be taken into account as capable of being a further material consideration when considering planning applications so has weight as a formal supplement to the London Plan.

22 The Planning Practice Guidance (Housing- Optional Technical Standards) Paragraph: 009 Reference ID: 56-009-20150327 DCLG Revision date: 27 03 2015
4.2.20 It should be noted that the SPG predates the conclusions of the Government’s Housing Standards Review and the subsequent change to London Plan Policy 3.8 Housing Choice adopting the ‘optional’ Part M Building Regulations 2015 for accessible and adaptable dwellings. Therefore parts of the SPG referring to the previous Building Regulations for 2010 have been superseded.

HOUSING STANDARDS REVIEW – EVIDENCE OF NEED

4.2.21 The Housing Standards Viability Study was commissioned by the GLA to demonstrate the requirement in London for the Government’s new national housing standards and to determine the impact of the adoption of these standards within London Plan policy on the viability of development in London.

4.2.22 The study consists of a desktop review of existing evidence and research relating to housing standards, and analysis of the impact of population projections on the need for each of the standards including the optional access requirements M4(2) and M4(3).

4.2.23 It demonstrates a clear need for the inclusion of housing standards within the London Plan. They are a necessary and appropriate mechanism to ensure that housing is sustainable and of high quality whilst offering the space and flexibility required to accommodate the demands of a rapidly growing and ageing population in a high density city facing distinct climate challenges.

4.2.24 Section 4 of the report deals specifically with access and examines the need and background for the ‘optional’ access standards in London in great detail. It concludes that, “There is a demonstrable need for the inclusion of M4(2) and M4(3) optional access requirements, which will ensure appropriate and accessible dwellings to serve London, with significant social inclusion and long-term cost saving benefits for households and society as a whole. Significantly, the numbers of older Londoners is expected to increase substantially over the next 20 years, especially those age 90 and over (see para 4.3.7). It is clear, therefore, that the pressures and demand for accessible and adaptable housing and wheelchair accessible housing will increase and become a considerable housing issue, particularly given the low levels of accessibility found in London’s existing housing stock. Evidence points to a continued and growing need in London over the coming years. Ignoring these demographic changes and the associated need for accessible housing may result in homes being provided that are not fit for purpose in the future to meet identified housing need.”

4.2.25 It also states that “Since 2004 the London Plan has set out a requirement for 10 per cent of all new homes to be adapted for wheelchair users. This has enabled 10.2 per cent of new homes in London to be designed to be wheelchair accessible, or easily adaptable for residents who are wheelchair users, and 93 per cent of new build homes to comply with lifetime homes standards. Building in the capital has not suffered as a result.”

4.2.26 The section concludes at paragraph 4.3.32 that “The evidence demonstrates a clear need to retain a requirement for accessible and adaptable homes as well as

23 Written Ministerial Statement March 2015
The proposal in the Minor Alterations that 90 per cent of new housing be built to the ‘accessible and adaptable dwellings’ standard (M4(2) and 10 per cent of new housing to the Building Regulation requirement M4(3) ‘wheelchair user dwellings’ is a reasonable and justified basis for the continued provision of specialist dwellings.”

**HOUSING STANDARDS REVIEW – VIABILITY ASSESSMENT**

4.2.27 The viability study was commissioned by the GLA to establish the impact of the adoption of the Government’s new national housing standards within London Plan policy on the viability of development in London.

4.2.28 The broad findings of the study are; at borough-wide average house prices and build costs, development taking into account the impact of the proposed housing standards and zero carbon achieved land values in excess of a benchmark in 84% of cases. The viability study included sensitivity testing and at the worst case allowing for a 0.5% fall in values and an 8% increase in costs this fell to 72% of cases.

4.2.29 The viability study also found that the estimated cost impact of the optional access requirements represents circa an additional 2.2-2.4% of base build cost for small low rise developments which is where the requirement for step free access to all homes is an additional requirement to current London Plan standards. There is no measurable cost impact from the Building Regulation optional requirement for the provision of Wheelchair User Housing M4(3) as this is no more onerous than existing London Plan requirements.

4.2.30 In testing the viability impact of the standards, no account has been taken of the potential for cost savings as a result of reduced process costs and increased certainty of design requirements. This was however tested by E C Harris on behalf of DCLG\(^24\) whose findings for the overall standards including process costs (but excluding the move to zero carbon homes) indicated a potential saving of between £3,625 and £5,426 per dwelling\(^25\). Assuming an average dwelling size of 75m\(^2\), the estimated cost saving per m\(^2\) would be in the order of £48 - £72. This would negate the additional costs identified for standard M4(2) above.

4.2.31 The overall outcome of the viability testing was that the introduction of the new Housing Standards, and the move to zero carbon homes in 2016, do not represent a significant determinant in the viability and the deliverability of housing development in London.

4.2.32 The study specifically explored the impact on lower value boroughs and commented on high value locations (the Royal Borough can safely be assumed to be such a location) that “There are some very high value locations where viability is unlikely to be affected by any changes at the margins of development requirements. Those at the lower end of the spectrum are far more susceptible to marginal changes affecting viability and deliverability.” (paragraph 4.34)

\(^{24}\) Department for Communities and Local Government Housing Standards Review Cost Impacts September 2014 E C Harris

\(^{25}\) Net of savings indicated for energy as the EC Harris report was not testing the move to zero carbon homes
As well as testing overall viability, the impact on build costs that the standards represent was assessed in financial and percentage terms. The outcome in relation to access standards was that “The estimated cost impact of the optional access requirements represents circa an additional 2-2.4% of base build cost for small low rise developments which is where the requirement for step free access to all homes is an additional requirement to current London Plan standards.” and “There is no measurable cost impact from the Building Regulation optional requirement for the provision of Wheelchair User Housing M4(3) as this is no more onerous than existing London Plan requirements.”

JOINT STRATEGIC NEEDS ASSESSMENT

The Joint Strategic Needs Assessment (JSNA), August 2016 considers integrated approaches which might better support the provision of housing support and care for residents of The Royal Borough of Kensington and Chelsea and The City of Westminster. It explores the way in which Local Authority departments and services might collaborate more closely with each other and with NHS partners to improve customer journeys and cost benefit ratios, thereby preventing unnecessary deterioration in health and wellbeing, delaying inevitable deterioration and mitigating the impact of deterioration when it occurs.

It acknowledges that the ‘optional’ buildings regulations adopted by the London Plan that 90% of all new homes should be built to meet Building Regulation M4(2) and 10% should be built to meet M4(3) will certainly facilitate an increase in the number of properties which are accessible and adaptable. It however, points out that “the homes we will inhabit in 2050, around 80 per cent are already standing today (Boardman, 2007). It is easier to meet the standard with new build than it is when you are providing housing within existing buildings (conversions or changes of use). Careful consideration should therefore be given to maximize opportunities for build of homes which meet the wheelchair accessible standard, above and beyond the GLA policy of 10%. ” (JSNA, page 44-45)

However, as stated earlier in paragraph 4.2.16 that the Planning Practice Guidance states that “Local Plan policies for wheelchair accessible homes should only be applied to those dwellings where the local authority is responsible for allocating or nominating a person to live in that dwelling. Therefore there is limited scope to increase the provision beyond the 10% in the London Plan.” Any increase in provision has to be based on the evidence of need.

LOCAL

EXISTING LOCAL PLAN POLICY

Policy CH2: Housing Diversity of the existing Local Plan sets out the access standards as follows.

---

26 The Planning Practice Guidance (Housing- Optional Technical Standards) Paragraph: 009 Reference ID: 56-009-20150327 DCLG Revision date: 27 03 2015
Policy CH2 Housing Diversity

The Council will ensure new housing development is provided so as to further refine the grain of the mix of housing across the borough.

To deliver this the Council will, in relation to:

Housing Mix and Type

b. require new residential developments, including conversions, amalgamations and changes of use, to be designed to as a minimum achieve all the following standards:
   i. lifetime homes;
   ii. floorspace and floor to ceiling heights;
   iii. wheelchair accessibility for a minimum of 10 per cent of dwellings; where compliance with the above standards is not possible because of other policy requirements, to require new residential developments to demonstrate that all reasonable measures to meet them have been taken;

<table>
<thead>
<tr>
<th>Date</th>
<th>Document</th>
<th>Organisation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mar 2015</td>
<td>Written Ministerial Statement</td>
<td>DCLG</td>
</tr>
<tr>
<td>Mar 2012</td>
<td>National Planning Policy Framework (NPPF)</td>
<td>DCLG</td>
</tr>
<tr>
<td>Mar 2015</td>
<td>Deregulation Act 2015</td>
<td>HM Government</td>
</tr>
<tr>
<td>Mar 2015</td>
<td>Technical housing standards – nationally described space standard</td>
<td>DCLG</td>
</tr>
<tr>
<td>Mar 2016</td>
<td>The London Plan</td>
<td>Mayor of London</td>
</tr>
<tr>
<td>Aug 2016</td>
<td>Joint Strategic Needs Assessment, Housing Support and Care: Integrated Solutions for Integrated Challenges</td>
<td>City of Westminster and RBKC</td>
</tr>
</tbody>
</table>
4.3 **EVIDENCE BASE**

4.3.1 The evidence of need and viability relating to London Plan policy is presented above.

**STRATEGIC HOUSING MARKET ASSESSMENT (SHMA)**

4.3.2 The SHMA sets out that in Kensington and Chelsea adults aged over 65 is the fastest growing household group with the share of those aged 65 and over increasing from 14% in 2012 to 23% in 2037, a rise from 10,900 to 20,000 in absolute terms. Whilst an ageing population is a national issue, it is notable that the projected proportion in Kensington and Chelsea is notably higher than the London projected average of 14%. This growth has implications in terms of a reduction in the economically active population, as well as increasing health, care and housing support needs. In terms of households, the SHMA shows a projected increase of 55% from 16,750 over 65 households in 2014 to 25,938 in 2035. However, the most important trend in terms of needs is the anticipated accelerated increase in over 85 households who are most likely to need specialist accommodation. It is recognised that the majority of older people will prefer to remain in their own home and support for this can be provided in relation to new housing through requirements to meet the revised Part M Building Regulations for accessible and adaptable dwellings.

4.3.3 The key findings in the SHMA in relation to households with disabilities and wheelchair requirements are as follows:

- 12% of RBKC’s population is estimated to have some form of limiting long-term health problem or disability.

- The context for understanding the housing requirements of those with disabilities and in particular wheelchair users is intrinsically linked to the age of the population.

- An increase in the number of older people with disabilities, including wheelchair needs is forecast.

- It is estimated (based on modelling) that nearly 300 households lack and need wheelchair-accessible accommodation.

- The effectiveness of the social housing allocations and lettings system in matching those that need wheelchair-accessible accommodation with the limited supply that comes through should be considered.
4.4 OPTIONS, CONSULTATION AND INTEGRATED IMPACT ASSESSMENT (IIA)

4.4.1 The Issues and Options consultation document\(^{27}\) published in December 2015 sets out the questions and options consulted on at that stage. The comments made as part of the public consultation can be found in two documents relating to this topic area:

- **Consultation Schedule** – a table setting out all of the consultation comments and the Council’s response to each comment
- **Consultation Summary** – a summary of the consultation comments and the Council’s overall response

4.4.2 Further options and alternatives arising from the Issues and Options consultation have been considered in the Integrated Impact Assessment (IIA) and are all summarised below.

4.4.3 The Council has considered the options particularly in light of the ‘tests of soundness’ which are set out in the NPPF:

- **Positively prepared** – the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;
- **Justified** – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;
- **Effective** – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and
- **Consistent with national policy** – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework. (paragraph 182)

4.4.4 The options and alternatives considered are:

\(^{27}\) [https://planningconsult.rbkc.gov.uk/consult.ti/LPPR/consultationHome](https://planningconsult.rbkc.gov.uk/consult.ti/LPPR/consultationHome)
<table>
<thead>
<tr>
<th>Option</th>
<th>Status</th>
<th>Reason</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Preferred option for Draft Policies</td>
<td>This option adopts the London Plan Policy 3.8 and will be in conformity with the London Plan. The proportions are similar to the Council’s existing Local Plan policy and there is no new evidence to demonstrate that the Council should adopt proportions that are different from the adopted London Plan policy. This approach will avoid duplication of standards.</td>
</tr>
<tr>
<td>2</td>
<td>Reasonable alternative</td>
<td>Since there are different categories within M4(3) it is considered important to clarify that. The preferred option includes that clarity.</td>
</tr>
</tbody>
</table>

4.5  **DRAFT POLICY**

4.5.1 Following consideration of the above options and reasonable alternatives, the existing Local Plan policy is proposed to be amended as follows.

**Policy CH3: Housing Size Mix and Standards**

[Existing Policy CH2] The Council will ensure new housing development is provided so as to further refine the grain of the mix of housing across the borough and improve housing standards.

[Existing Policy CH2] To deliver this the Council will require in relation to:

a. [Existing Policy CH2a] require new residential developments to include a mix of types, tenures and sizes of homes to reflect the varying needs of the borough, taking into account the characteristics of the site, and current evidence in relation to housing need;
b. [Existing Policy CH2b] require new residential developments, including conversions, amalgamations and changes of use, to be designed to as a minimum meet the housing standards on space and access as set out in the London Plan; all the following standards:
   i. lifetime homes;
   ii. floorspace and floor to ceiling heights;
   iii. wheelchair accessibility for a minimum of 10 per cent of dwellings; where compliance with the above standards is not possible because of other policy requirements, to require new residential developments to demonstrate that all reasonable measures to meet them have been taken;

c. [Existing Policy CH2h] require housing schemes to include outdoor amenity space;

KEY DIAGRAM AND PROPOSALS MAP

4.5.2 No changes are required to be made to the Key Diagram or the Proposals Map:

4.6 DUTY TO COOPERATE AND STRATEGIC ISSUES

4.6.1 The legal obligation of the ‘duty to cooperate’ requires the Council to “engage constructively, actively and on an ongoing basis” and have “regard to activities” (i.e. strategies, plans, policies) of other bodies in the preparation of Local Plans “so far as relating to a strategic matter”. This includes “considering whether to consult on and prepare… agreements or joint approaches”\(^{28}\).

4.6.2 A “strategic matter” relates to “sustainable development or use of land that has or would have a significant impact on at least two planning areas, including (in particular)... in connection with infrastructure that is strategic”\(^{29}\). Strategic matters are further defined in paragraph 156 of the NPPF\(^{30}\) and paragraph 013 of the NPPG on the duty to cooperate\(^{31}\).

4.6.3 Figure 6 shows the strategic issues relevant to this topic area, the relevant prescribed bodies, the actions the Council has taken with regard to the duty and the strategies, plans and policies of those prescribed bodies which the Council has had regard to.

---

28 Section 33A of the Planning and Compulsory Purchase Act 2004, as inserted by Section 110 of the Localism Act 2010
29 Section 33A(4) of the Planning and Compulsory Purchase Act 2004, as inserted by Section 110 of the Localism Act 2010
30 http://planningguidance.communities.gov.uk/blog/policy/
31 http://planningguidance.communities.gov.uk/blog/guidance/duty-to-cooperate/
<table>
<thead>
<tr>
<th>Strategic issue</th>
<th>Relevant prescribed bodies(^{32})</th>
<th>Council actions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Access Standards</td>
<td>Environment Agency</td>
<td>All prescribed bodies were consulted as part of the Issues and Options consultation.</td>
</tr>
<tr>
<td></td>
<td>Historic England</td>
<td>All relevant strategies, plans and policies have been considered as set out above.</td>
</tr>
<tr>
<td></td>
<td>Natural England</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Mayor of London/HCA</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Civil Aviation Authority</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Highway Authorities</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Adjacent London Boroughs</td>
<td></td>
</tr>
</tbody>
</table>

\(^{32}\) Regulation 4 of The Town and Country Planning (Local Planning) (England) Regulations 2012

Figure 6: Duty to cooperate strategic issues, prescribed bodies and Council actions