

DRAFT HOUSING SPG

COMMENTS BY THE LONDON FORUM OF AMENITY AND CIVIC SOCIETIES

PART 1: HOUSING SUPPLY

Policy 3.3: Increasing Housing Supply is designed to provide additional homes for Londoners, improving housing choice and affordability whilst providing better quality accommodation for Londoners.

1.2 SOURCES OF HOUSING SUPPLY

The London Forum **strongly supports** the Mayor's approach to establishing housing capacity using the mid-point of the relevant "appropriate density range", **but** is **very concerned** about the approach in Opportunity Areas and Areas of Intensification where, through either disregard or manipulation of the SRQ Density Matrix, the outcome "almost always yields higher capacity than initial estimates" (para 1.2.7) to the extent that the maximum of the appropriate density ranges for sites within these areas is regularly exceeded when no "additional reasons to justify exceeding the top of the appropriate range can be demonstrated rigorously".

The London Forum has become **very concerned** that the proposed quantity and massing of development in some Opportunity Areas, such as White City, Earl's Court/West Kensington and Vauxhall/Nine Elms/Battersea, where the approach being taken is still one of **maximising** the amount of housing produced that reflects the 2008 London Plan rather than the **optimising** approach of the 2011 London Plan.

The London Forum **supports** Opportunity Areas and Areas of Intensification being developed at higher densities where the relevant "appropriate density range" supports them – such as because of their setting, high public transport accessibility and capacity and their context. However, we are increasingly concerned that the Draft SPDs for these Opportunity Areas do not seem recognise that it is essential that the density of development of these areas do not exceed these ranges unless there is very strong evidence for doing so. The principles in para 1.3.6 of this SPG and in its para 2.1.16 on quality should especially apply to these areas, especially since they usually do not "score" highly on the main factors that make up the density matrix, such as the setting and, in particular, because they lack high public transport accessibility and capacity.

Action needed:

Reaffirm that the density matrix and the appropriate density ranges should be applied in Opportunity and Intensification Areas. These will provide a large

contribution to London's housing supply without resorting to densities above the top of the appropriate density range in the London Plan Density Matrix. See proposed additional paragraph after para 1.3.29.

Amend the draft SPDs, especially those for White City and Earl's Court/West Kensington Opportunity Areas, to ensure:

- the "setting" classifications are appropriate and realistic;
- the PTAL ratings are appropriate and realistic; and
- the chosen densities are within the "appropriate density range" and measured in terms of net residential density, not gross density (see proposals for Earl's Court/West Kensington Opportunity Area.

Clarify that site area for considering density should be the net site area, excluding roads and railways.

Residential Conversions

The London Forum **supports** the approach taken to conversions (paras 1.2.13), including the need to take account of the **losses** due to deconversions being deducted from the any additional provision from both new build or conversions in order to arrive at the **net addition** to annual supply. (1.2.17)

In addition, it should be recognised that deconversions can have the effect of accelerating the loss of small, relatively affordable units which, if widespread, would accelerate the disintegration of mixed and balanced communities.

Where previously-residential buildings have been converted to non-residential uses, consideration whether to they should be reconverted to housing should also consider the effect of squeezing out these uses and avoiding the loss of diversity of uses that make a difference between communities and homogeneous areas of housing.

Flats above shops

In main town centres the space above shops is perhaps best used to meet the need for small, affordable office units rather than flats. This should be recognised (1.2.32)

The need for intensification of use of land in Outer London could be met, in part, by redevelopment or additions on parades of shops to increase the number of floors towards the number more often seen in Inner London.

Action is needed on empty homes or business units above shops.

1.3 OPTIMISING HOUSING POTENTIAL

Density

Density is a key issue for the SPG to put across clearly, to reflect:

- the major change in policy in the 2011 London Plan from “maximising” to “optimising” the potential of sites (London Plan Policy 3.4);
- the significance of the “appropriate density ranges” which reflect the main factors – type of location, public transport accessibility and capacity and local context – which define the range within which the density of development should fall, unless there are exceptional circumstances; and
- the key performance indicator for optimising density (Table 8.1) which contains the target that “over 95% of development to comply with the housing density location and the density matrix Table 3.2”

This SPG should resolve the status of the policy, the density matrix and the key performance indicator target and indicate how the GLA will and Boroughs should apply the policy, standard and target when:

- drawing up Opportunity Area Planning Frameworks;
- drawing up London Borough Core Strategies;
- assessing development proposals for Opportunity Areas and Areas of Intensification; and
- assessing major housing applications.

This change of policy from “maximising” to “optimising” is highlighted in:

- the Introduction (para 1.12) – but will this be in the final SPG?
- the housing supply section (paras 1.01 and 1.02)
- optimising housing potential (section 1.3) which explains the new Policy 3.4 (para 1.3.1), and how various factors contribute to determining the appropriate density range for a site (para 1.3.2);
- the problems experienced with the “maximising” approach (para 1.3.4), are set out. This needs to be more transparent and evidence based, as does the account of unintended outcomes (para 1.3.5);
- para 1.3.6 which emphasises the need to steer developments to be within the appropriate density range for its site, that unless developments that exceed the top of this range can provide additional reasons to justify exceeding the top of the appropriate range they should be resisted.”

It should be recognised that from the SHLAA/HCS work done, all the additional homes required in London can be achieved at an average of the mid point of the appropriate range for the identified sites.

The rest of section 1.3 provides definitions, explanations of the constituent factors that make up the density matrix and its application to developments above and below the density ranges, as well as mixed-use development.

Action: The draft SPG still does not resolve the issues listed above, in particular its role in relation to OAPFs, Borough LDFs, development proposals in Opportunity Areas and Areas of Intensification and major housing developments.

London Forum's Comments and Proposals

The London Forum **strongly supports the use of the density matrix** for:

- defining the appropriate density ranges for developing housing based on the setting of the site, public transport accessibility;
- defining the housing capacity of potential housing sites, using the mid-point of the appropriate density range;
- guiding Boroughs on their own density policies
- defining the housing capacity and potential densities for Opportunity Areas through their Opportunity Area Planning Framework; and
- assessing major housing applications

The London Forum **strongly supports:**

- the London Plan Policy 3.4 for optimising the housing potential of sites through ensuring that developments have a density **within** the appropriate density range;
- the Mayor working to ensure that significant progress is made to deliver the target of over 95% of housing schemes being **within** that range;
- rigorous testing of any proposals above or below the density ranges (1.3.6; 1.3.34 and 1.3.35/36) to help maximise the proportion of housing schemes with the appropriate density ranges;
- the proposed indicative minimum density (para 1.3.35) of 35 dwellings per hectare – this is a continuation of the Greater London Development Plan (1976) policy; and

- the need to deduct non-residential floorspace from the floorspace that would be indicated by the housing density matrix in vertically-mixed schemes to avoid massing that is significantly out of scale with its context. (1.3.39). However, the threshold of 35% should be reduced to 30%, as 35% would not affect 3 storeys of non-residential in a 9-storey building!
- the encouragement of reduced car parking provision and, in CPZs, permit-free housing in areas of high public transport accessibility, which will allow higher densities without compromising residential quality. (1.3.45)

The London Forum **welcomes**:

- **the explanation of optimising housing potential** (paras 1.3.2 to 1.3.8), subject to elaborating the explanation of past practice in para 1.3.4 by referring the 2006 Review of the Density Matrix, indicating that **many** cases were above the maximum of the appropriate density range and to amend the last sentence of 1.3.6 to delete “normally” – this is unnecessary as the circumstances have been specified. (See detailed comments below)
- **the definition of net residential density** (para 1.3.10), but would like further explanation of how this definition should be used in Opportunity Area Planning Frameworks, in the borough SPDs that relate to them and for applications for major housing sites.
- the section on density and dwelling type (para 1.3.11 to 1.3.17)

The London Forum is **concerned** that:

- the density of development within Opportunity Areas and Intensification Areas should be **optimised** within the appropriate density range of each site within the area – it is just as important, if not more important, that the net residential densities for the sites in these areas are kept within the appropriate density range for each site, as the contribution of these sites will have a strong influence on whether Key Performance Indicator 2 is achieved – ie >95% of residential development to comply with the housing density location and the density matrix.

To fail to achieve that standard would result in development not conforming to the aims for quality in this SPG Part 2 and London Plan Policy 3.5 and Chapter 7.

PART 2: QUALITY

London Forum **supports** this part of the SPG and will comment on the Mayor's revised London Housing Strategy.

Paras 2.1.16 and 2.1 17 are **welcomed** to ensure boroughs assess residential quality in applications for large sites.

Action needed:

We support the 'less than one (parking) space per dwelling of Standard 3.3.1 but the SPG should encourage conditions of no right of occupants to controlled street parking permits where public transport PTAL figures are 5 or 6.

The Standards 1.1.2.c and 1.2.1 should have references to the Mayor's SPG for open space, in particular the creation of green chains and the contribution to enhancements of parks and their accessibility.

Para 2.2.12 should refer to the need for 'doorstep' and on site play areas for children under 5 years of age.

Section 'V' of the SPG should refer to the need for private study space for children.

The **Noise** section of the SPG should include recommendation for evergreen planting between major roads and new housing developments.

In para 2.3.51, the reference to the use of "shading devices" should be extended to recommend planting of trees.

PART 3: HOUSING CHOICE

The London Forum **strongly welcomes** the elaboration of the range of housing needs of Londoners and additional advice for such groups as families with children, older and disabled people, students and travellers. We are not convinced, however, that the approach taken to producing the Strategic Housing Market Assessment (SHMA) manages to embrace this range of needs. If a London-wide SHMA is to be undertaken it is important that it needs to address the housing needs of all special groups, including students. (3.1.3/3.1.10)

The London Forum **recognises** the strategic importance of the supply of houses in multiple occupation. We are not convinced that a more restrictive planning policy to limit HMOs, such as through Article 4 directions, should be necessary anywhere in London.

Family-sized housing

The London Forum **recognises** the challenge of the need for family-sized housing in the affordable housing sector, whilst there is little or no net requirement for larger market homes at the London level. We also **support** the need to recognise the needs of communities with large families.

Housing for older people

The London Forum is **concerned** that there is a lack of attractive alternatives for older people to move to that are more suited to their needs which would allow them to move from their existing housing to housing more suited to their needs in terms of size, ease of management and proximity to social infrastructure. If we can foresee a long-term structural change in housing needs, we should be planning positively for the future housing mix we need. We therefore **strongly welcome and support** the attention given to this issue. The key challenge will be to translate this concern into output. There needs to be more emphasis on boroughs targeting these unmet needs. We **strongly support** greater emphasis on monitoring the changing provision of accommodation for this age group.

Specialised housing needs

The London Forum **supports** the need to retain and improve accommodation that meets the housing needs other groups, such as hostels refuges and foyers as well as for particular occupation groups. Boroughs need reminding that these are a critical part of the infrastructure for London. (3.1.45-47)

Student accommodation

The need for more student accommodation has tended to be marginalised in planning for housing. The London Plan and borough plans need to address this issue more explicitly, plan for growth and monitor this issue more explicitly. Failure to do this merely creates more pressure on the existing housing stock. The London Forum, therefore, **welcomes** the attention given to this issue, but still considers that the advice needs to provide stronger encouragement to boroughs to face up to meeting their share of the challenge. Paragraph 3.1.51 is a good menu, but boroughs need to monitor their changing provision in this field.

Gypsy and traveller provision

The London Forum **welcomes** the proposed detailed guidance on meeting the needs of these groups.

Mixed and balanced communities

The London Forum **strongly supports** the attempt to translate the mantra of mixed and balanced neighbourhoods into a more positive expression of how to actively

manage change that will reduce segregation. This is another area that needs monitoring – an additional point to be added to paragraph 3.2.10.

PART 5: STOCK AND INVESTMENT

The London Forum recognises that there are a lot of aspirations resting on the annual increment of new homes in terms of its influence on the mix of types, sizes and affordability as well as specialised provision to meet the needs of specific groups. It is, therefore, equally or even more important to recognise that managing the existing stock will make a significant contribution to improving the mix.

This means that it is important to be aware of and, if possible, to tackle any activities which reduce or significantly change the supply, such as:

- losses through deconversions (see 1.2.30);
- housing that is being built for an international “second home” market;
- housing that could be lost to tourist accommodation (see 5.1.5ff).

Meeting the housing needs of Londoners?

The key issue is whether the changes add to the quantity and choice of primary residences for Londoners. In particular, there is a need to recognise that:

- **deconversions** reduce the supply of small, “affordable” units of private-rented housing leading to a significant change in the balance/mix of housing in an area.
- **Second homes:** many of the major sites that have been identified as providing additions that will help meet the housing needs of Londoners will, in practice, do this, but instead add to the supply of “second homes”, short-term lets or just remain empty. Just as the Housing Capacity study discounts the “capacity” of sites on the basis of the likelihood that they will deliver additions to stock, so, the contribution of major schemes should be discounted by factoring out housing that does not contribute to meeting the needs of Londoners. At present many major schemes, such as Middlesex Hospital and Chelsea Barracks, will make a very limited contribution to meeting Westminster’s or even London’s housing needs.
- **Short-term lettings:** the losses to short-term lettings should be recorded as “losses” to the housing stock and count against completions in the same way as other losses, such as from deconversions.

Action:

Recognise the scale and nature of the “leakages” from the stock of primary residences through deconversion, second homes and short-term lettings

Disaggregate “second homes: as a separate issue, recognising that this phenomenon has grown in the last ten years, both by an increase the proportion of existing stock that is not the primary residence of the owner and the number of major developments, especially in Central London Boroughs, where the main investors/purchasers/owners do not occupy the units for much of the year. This was already evident in the 2001 Census and will be even more apparent in the 2011 Census, provided that the returns were made for those properties!

PROPOSED CHANGES

DRAFT HOUSING SPG: EXECUTIVE SUMMARY

Sources of capacity

Fifth Bullet: Add at end: “to ensure that the density of development is optimised within the appropriate density ranges in the London Plan Density Matrix (Table 3.2)”

Reason: The appropriate density of development in Opportunity Areas will be need to directly related to the appropriate density range for each site developed for housing, allowing for any improvements in accessibility to and capacity of public transport.

Eighth Bullet: Delete “in line with the General Permitted Development Order 1995 as amended”

Reason: The GPDO is not a policy but merely brings the surfacing of front gardens within planning control. It is up to London boroughs to have development management policy to require the use of permeable materials.

Twelfth Bullet: After “residential use” in line 2 add “or offices for small and medium-sized enterprises”

Reason: Surplus space above shops within town centres is an ideal location for small offices.

LP Policy 3.4 Optimising housing potential SPG Density

First Bullet: Rewrite as:

and most “To make the best use of development opportunities taking into account of a range of factors that would optimise the housing potential of development sites, achieving the optimum intensity of use based on a range of factors that make up the London Plan density matrix, whilst respecting local context, the design principles in Policy 3.5 and policies 7.1 – 7.5 (see section 2 of this SPG) with public transport capacity which will help determine the appropriate density for the scheme.”

Reason: As written, the first bullet would appear to discount the density matrix, when in fact this should be the primary guide to the appropriate density and the other factors will do no more than fix the position of the specific development within the appropriate density range.

Sixth bullet: Last line: change “access” to “accessibility”

Tenth bullet: Rewrite as:

same use “Avoid the adverse impact on townscape by recognising that vertically-mixed developments cannot expect to provide the density of housing as a pure housing scheme, and consider the of plot ratio to complement the density matrix, when assessing such schemes.”

Reason: The draft is unclear, confused and confusing – this issue needs a clear statement.

SPG POINTS PART 3: HOUSING CHOICE

LP Policy 3.8 – Housing Choice SPG Housing Choice

Fourth bullet: Line 2: Delete “generally”

Reason: Like “normally” this word is unnecessary

Thirteenth Bullet: Rewrite as:

“These contributions should be made on-site unless there are strong grounds to justify off-site or cash-in-lieu contributions that

are secured in a ring-fenced fund to meet the accommodation needs of the elderly.”

Reason: The word “normally” is otiose if the criteria for not providing contributions on-site.

SPG POINTS PART 7: MIXED-USE DEVELOPMENT

SPG Mixed-use areas and developments:

First bullet: Add at the end:
“, where these are outside town centres or not close to public transport interchanges.”

Reason: Offices in town centres or where they are well-served by public transport need to be retained, whilst those in less sustainable locations should be released.”

DRAFT HOUSING SPG:

1. HOUSING SUPPLY

Non self-contained accommodation

1.2.30: This paragraph refers to a range of types of accommodation, many of which are under pressure and, although they are vital to the local housing supply, are being steadily eroded. Boroughs need to be told which these losses count against their supply. This is especially true of conversions. How should these be treated in boroughs’ Annual Monitoring Reports?

Line 4: change “homes” to “houses”

1.2.32ff It needs to be recognised that upper floors in town centres are a vital part of the supply of offices, especially small offices, which it may be vital to retain. The SPG should recognise that the better use in these locations may be offices.

Line 4: After “needs” add “for both small, affordable offices and for housing. In town centres, small offices should be preferred, whereas in smaller centres and parades of shops upper floors are best used for housing.”

1.2.4 **Space above existing non-residential uses:** add pubs, especially where, as with the other non-residential uses, this will help ensure that the non-residential use remains viable and

maintains the diversity of uses/services available to the local community.

- 1.2.7 Housing Capacity of Opportunity Areas: This para says “over 230,000 homes” - para 2.6.1 says that Opportunity Areas and Intensification Areas could contribute “almost 260,000 dwellings. Is this correct?”

OPTIMISING HOUSING POTENTIAL

- 1.3.1 Line 6: after “include” add “ease of access to” .. unless this is referring to integral provision.
- Line 9: delete “truly” and replace with “more”
Should this refer to public transport capacity? (see also comments elsewhere)
- 1.3.2 Third bullet, line 4: public transport accessibility – does it incorporate not only proximity, but also frequency and capacity? This may need explaining.
- 1.3.4 First sentence: “Because of the way the policy has been implemented, its outcomes have not always been in line with all the Plan’s objectives and targets (see KPI No 2)”
- Third bullet:
“**many** densities have simply been above the maximum of the appropriate density range without considering fully the implications for wider policy objectives **and without any justification.**“
- Add a reference/footnote: Mayor of London, London Plan Density Matrix Review, June 2006 and the Annual Monitoring Report.
- 1.3.5 Undue weight has been attached to “maximising” potential **not** to the density matrix!
- Delete last sentence – unless this can be substantiated. What has been missed? The density matrix embodies the main factors that would influence the choice of density – the other factors, such as local context, design and public transport capacity help “position the schemes within the wide density ranges in the density matrix. They do not provide the justification for going outside the appropriate density range.
- 1.3.6 Line 6: After “Unless” add “there are significant”

Line 8: Delete “normally” - the criteria to consider are mentioned – the default position is to resist.

1.3.9 Line 5: public transport accessibility, frequency and capacity.

1.3.12 Town centres are well-suited to multi-storey, mixed-use developments where housing may be one of the uses. The building itself may be high density, but the main feature of the housing that it is on the upper floors in the form of flats. To ensure that massing is appropriate the amount of housing may be limited if the building is to avoid being out-of-scale with its surroundings (see 1.3.39)

1.3.17 Line 1: After “proximity,” add “capacity”

Public transport accessibility

1.3.23 The issue of public transport capacity is mentioned, but frequency of service is also an issue – it may be reflected in PTAL scores – if so, it should say so somewhere.

Setting

1.3.24/1.3.26 “Central” this needs to be described in a way that avoids the sort of manipulation done by Hammersmith and Fulham to “stretch” the Fulham Town Centre” to Lillie Road to “capture” large areas of West Kensington and give them a “Central” setting. Is this a valid interpretation of the setting? Who decides?

Large sites

1.3.29 There is a strong need to deal specifically with the density of developments in Opportunity Areas and Intensification Areas, which, despite presenting major opportunities for optimising as opposed to maximising the density of development, should not be developed at densities above the maximum of the appropriate density range for each site.

Action: After para 1.3.29 add:

through assessment the mid-point “Opportunity Areas and Intensification Areas, because of their size, have the potential to provide large amounts of new housing developing these areas at higher densities. The initial of the capacity of these areas will usually be based on of the appropriate density range for each of the sites

based on the
be higher, based,
accessibility and
appropriate density ranges
These areas will often need
schools, health, leisure and
new public open spaces. The
optimised by developing within
the sites within the area.”

net residential density. The final density may well
for example, on improvements to public transport
capacity, but nevertheless still within the
for the sites after these improvements.
new social infrastructure, such as
social and community facilities, and
potential of these areas should be
the appropriate density ranges for

Mixed Use

1.3.39 Line 9: Change “35%” to “30%” – 35% would not even include three storeys of non-residential within a nine-storey building.

Cycle Parking and parking of electric vehicles

1.3.46 This paragraph needs splitting up – the issue of electric vehicles could come under “levels of car parking” but a separate section/paragraph is needed for cycle parking.

1.3.47 This should follow 1.3.45.

PART 3: HOUSING CHOICE

The London Forum **strongly welcomes** the focus that this section gives to the needs of particular groups.

Action

To be effective, however, this section needs not only to point to the action needed to improve, retain and increase supply for these groups, but also to monitor change to make sure that the policies are working. This section needs to bring together, perhaps in a table, the monitoring requirements for each type of accommodation.

NOTE ON APPLICATION OF DENSITY POLICY

Problems

The approach to density from the mid 1940s to the mid 1990s was based on trying to reduce densities to tackle problems of overcrowding and poor housing conditions. The Greater London Development Plan (1976), despite introducing a minimum density (equivalent to 35 dwellings per hectare) in Outer London, adopted a range of densities for different types of housing, but still reflected a concern to reduce densities.

In the late 1990s the Government was concerned about encouraging the more efficient use of land and creating more sustainable forms of urban development. Because of the special needs of London, the Government co-funded an LPAC project to encourage Sustainable Residential Quality, to demonstrate how sites could be developed at higher densities whilst still providing high residential quality. This work is the source of the London Plan Density Matrix.

The SRQ work marked the turning point for density policy in London and the matrix was included in the 2004 London Plan as a design tool (in the design section (Section 4B)) to be used in the context of seeking the maximum housing provision (Section 3A). The aim had been to raise densities and to measure this a key performance indicator was chosen to ensure that “over 95% of development to comply with the housing density location and SRQ matrix (Table 4B.1). The purpose was to raise densities to **comply** with the appropriate density ranges in the matrix.

During this period the Mayor gave very strong encouragement to major housing developers to “maximise” densities and the developers seized the opportunity. From 2000 on there was a very sharp rise in the average density of new housing completions.

By 2005, the radical increase in densities was causing concerns about the type and quality of housing and living environments being produced, and research was commissioned by the Mayor to review the performance of the density matrix. The review revealed that not only had densities increased considerably, the emerging issue was not “underperformance” (densities below the minimum of the appropriate density range) but had gone to the other extreme, with the vast majority (67%) of the schemes reviewed having densities above, often considerably above, the maximum appropriate densities of the sites. Whilst 10% were still below the minimum densities, only 23% of schemes were within the appropriate density range for their site.

Despite the evidence that the policy had “over performed” and the continuing target of over 95% of developments being required to be within the appropriate density range, the policy of “maximising” the potential of sites was continued in the 2008 London Plan. The proportion of developments with densities above the appropriate

density range has only reduced slightly with latest data for 2009/10 (London Plan Annual Monitoring Report, Key Performance Indicator 2, pages 27/28, February 2011) still showing for all housing schemes 56% above the range, although now 39% is compliant. However, this is a long way short of securing 95% compliance.

The London Forum made the case for the policy change at the EiP in 2007, but following the 2008 election pressed for the new London Plan to change the policy to one of optimising the density of development subject to design, context and public transport capacity. This was accepted and is now embodied in the 2011 London Plan.

Remaining concerns

The London Forum is still concerned about current practice:

- **the low proportion of housing approvals that have densities within the appropriate density range** (39% compared with a target of >95%, and still with 56% above the maximum for the range in 2009/10);
- **the densities being sought and approved for the major sites in Opportunity Areas, because the GLA has continued to use the 2008 London Plan approach of “maximising” densities** – there is no sign that the Mayor’s 2011 London Plan is being applied to emerging Opportunity Area Planning Frameworks, such as White City and Earl’s Court/West Kensington; and
- **there appears to have been no change in approach by the Mayor’s to assessing major planning applications and to negotiating for more policy compliant densities.**
- the failure to explain that, when the most significant determinants of the “appropriate density range” – “setting”, public transport accessibility and housing type – have already been considered, the only issue is then where within the range the density should be set, bearing in mind local context and design. It has been argued that there may be other factors that might justify densities above the top of the appropriate density range, but these “let out clauses” have never been explained.