

## CHAPTER 7

## HOUSING

**Policy/Para** 08.12  
**Modification ref:** D/HOUS/08  
**Further Modification ref:** D/HOUS/15

### Issues

- (i) The Policy should refer to RPG9 Housing Policies in addition to RPG3.
- (ii) The figure of 4860 dwellings is not consistent with the Draft London Plan.

### Inspector's appraisal and conclusions

The Policy should refer to RPG9 Housing Policies in addition to RPG3.

7.1. In terms of this issue the LPA propose a subsequent modification, D/HOUS/15, that sets out the regional policy background for the Borough's future housing capacity more accurately by referring to both RPG3 and the subsequent update in RPG9. While I note GOL's further comment that it is likely that the paragraph will require amendment when the Draft London Plan is adopted, the proposed modification nevertheless meets GOL's initial concerns and should be made.

The figure of 4860 dwellings is not consistent with the Draft London Plan.

7.2. There is a fundamental difference on this issue between the Council and the GLA as to how housing capacity should be expressed. The Borough's housing capacity to 2016 is set out in the UDP as 4860 dwellings, compared with the Draft London Plan figure of 5360. This difference comes from the Draft London Plan including such unconventional sources of capacity as nursing homes and hostels and then translating their bedspace figures into dwellings. The Council rejects the principle behind this approach. As I have previously stated, I am aware of the current status of the Draft London Plan and I note that the Panel report into the Plan has been published. The Panel supported the approach suggested by the Mayor, although they considered that this information should be disaggregated to identify sources of capacity (R 4.4). As the Draft London Plan has yet to be published, I can only give it limited weight, but since the recommendations of the Panel allow for both conventional and unconventional capacity to be taken into consideration, it would be helpful if the UDP's supporting text referred to the Borough's estimated unconventional capacity. I therefore recommend an amendment to modification D/HOUS/15 that differentiates between conventional and unconventional sources of capacity.

### RECOMMENDATION

**7.3. I recommend that the UDP be modified by D/HOUS/15. I further recommend that the final sentence of this modification be amended to read 'UDP Policies STG6 and HSG1 suggest that the Borough's conventional housing capacity to 2016 is 4,860 units.' and an additional sentence added to the end of the paragraph to read 'The Draft London Plan suggests that the Borough's capacity, including unconventional capacity, is 5,360 units'.**



**Policy/Para HSG 05  
of Mixed Use**

**Residential in Areas**

**Modification ref: D/HSG05/01**

**Issues**

- (i) The removal of the phrase 'and on suitable sites an increase in density will be required' is inconsistent with PPG3 advice and undermines the proper use of land.
- (ii) The deletion will restrict the Borough's ability to provide necessary housing.

**Inspector's appraisal and conclusion**

The removal of the phrase 'and on suitable sites an increase in density will be required' is inconsistent with PPG3 advice and undermines the proper use of land.

7.9. Two objectors express their concern that the change of emphasis in the Policy is inconsistent with PPG3 advice on increasing residential densities and making the best use of land as it does not now seek increases in housing on suitable sites. I consider that the deleted phrase places a subtle but important emphasis on increasing residential density which reflects the advice in PPG3 and allows the Council to press for increases in housing density where it considers these to be appropriate. Without this phrase in the Policy I would foresee difficulties in the LPA arguing for increases in housing density in mixed use schemes. I do not consider that the phrase is overly restrictive as it includes the phrase 'on suitable sites', and the deleted phrase as a whole does not amount to a blanket requirement to increase residential density in all mixed use schemes. Consequently I consider that the deleted phrase should be reinstated.

The deletion will restrict the Borough's ability to provide necessary housing.

7.10. While I concur with the Council's view that the amount of additional housing that would be produced as a result of this change is unlikely to be significant, I consider that the phrase should be reinstated for the reasons I state in the paragraph above.

**RECOMMENDATION**

**7.11. I recommend that modification D/HSG05/01 be not made.**

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**Modification ref: D/HSG05/02**

**Issue**

The modification of the Policy's supporting text concerning the balancing of increased housing with the retention of residential character and protection of amenity makes the achievement of the Borough's Housing Target less likely.

**Inspector's appraisal and conclusion**

7.12. In line with the LPA's view, I consider that it would be unlikely that the addition of this phrase would have a seriously detrimental effect on housing numbers, given that the Borough's environmental capacity had already been taken into account when the Borough's housing capacity was assessed. However, the modification repeats advice in both national planning guidance and in other parts of the UDP. As the UDP should be read as a whole I consider that the phrase serves no useful purpose in this

paragraph. As PPG 12 warns against unnecessary repetition in local plans, I therefore consider that this phrase should be deleted.

## **RECOMMENDATION**

**7.13. I recommend that modification D/HSG05/02 be not made.**

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### **Modification ref:XHSG05/04**

#### **Issue**

The reason stated is not relevant to those cases where permission is required.

#### **Inspector's appraisal and conclusion**

7.14. The objector asserts that the reason given for the deletion of text by this modification is not relevant in cases where planning permission is required. The modification is proposed in the light of the LPA's experience in dealing with the coalescence of housing units, a matter not invariably subject to planning control. I note it is also consistent with proposed modifications to Policy HSG 12 at B (para 8.55) and its justification (para 8.62). I support the modification.

## **RECOMMENDATION**

**7.15. I recommend that the UDP be modified byXHSG05/04.**

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**Policy/Para**            **HSG 06**  
**Modification ref:**   **D/HSG06/01**

**Affordable Housing**

#### **Issue**

The threshold for an affordable housing contribution should not be reduced from 15 dwellings (or 0.5ha) to 10 (or 0.3 ha) dwellings.

#### **Inspector's appraisal and conclusion**

7.16. Objectors share the view that this modification is unreasonable as it is contrary to national planning guidance contained in Circular 6/98 and has not been justified by local constraints as identified in footnote 9 of that Circular. The modification represents a significant departure from the LPA's draft UDP review and is contrary to the Inspector's report into that Plan. The previous Inspector's report accepted that local constraints, in line with Circular 6/98, allowed for a reduction in the threshold of the contribution to the Inner London level of 15 units or 0.5 ha in the UDP but the report stated that to reduce the threshold below 15 units would be contrary to paragraph 10 of Circular 6/98.

7.17. Objectors consider that there has been no significant further change in local circumstances since that report was written and the level of need in the Borough is not exceptional in comparison with other London Boroughs or authorities in the South East. Whilst some objectors recognise that advice on the delivery of affordable housing through the planning system is undergoing initial review, for the moment I find that Circular 6/98 remains the extant guidance on this matter.

7.18. While PPG 12 clearly states that it is open for plan making authorities to depart from national planning guidance where exceptional local circumstances or constraints can be demonstrated, I find that paragraph 10 of Circular 6/98 is equally clear that except in small rural settlements, the reduction of the threshold for contribution to affordable housing provision below 15 units would not be appropriate. Therefore it would not be reasonable for me to completely discount the possibility of a reduced threshold but, given what is stated in paragraph 10 of the Circular, I consider that local circumstances would have to be absolutely exceptional and justified by an overwhelming weight of evidence.

7.19. The Council considers that such circumstances exist in the Borough and a reduction to 10 units is justified given the high level of need and high cost of land and property in the Borough. This view is supported by GLA research. The precise nature of these circumstances is set out by the LPA in its supplementary paper to Core Proof 5 *Evidence on housing need, supply and demand in the London Borough of Richmond upon Thames*. From this I recognise that the Borough has a high level of need and indeed has very high house prices, and this justifies an increase in supply. However while these circumstances are exceptional enough to justify the reduction of the threshold to 15 units, I do not consider that there is sufficient justification to allow Circular 6/98 to be set aside and a further reduction in thresholds allowed. The relationship between need and affordability found in the Borough is not unusual in either London or much of the South East, nor is the level of absolute need so high that it represents a justifiably exceptional circumstance.

7.20. I accept that affordable housing policy is being reviewed and I note that an ODPM consultation paper on changes to PPG3, *Consultation Paper on Proposed Change to Planning Policy Guidance Note 3 Housing (ODPM July 2003)* suggests that in some instances a reduction to 10 units would be acceptable. However Circular 6/98 remains the extant guidance on the role of the planning system in affordable housing provision. It would not be reasonable for me to accord this consultation paper similar weight to extant guidance and I do not consider that this consultation paper would provide sufficient justification to allow the setting aside of clear advice in extant guidance. Similarly I also note that research commissioned by the GLA and GOL suggest that in circumstances similar to Richmond's a threshold below 15 units is a reasonable proposal and furthermore that the Draft London Plan does not contain thresholds. Again I can only afford both this research and the draft plan limited weight and while the subject should clearly be kept under continuing review by the LPA I do not consider that these matters currently justify a reduction in thresholds below 15 dwellings in the UDP.

7.21. While the LPA states the principle of thresholds for contribution below 15 has been sought by eight other Boroughs, it has not provided any evidence that this threshold has been accepted at Inquiry nor has it produced any evidence on the status of those Boroughs' UDPs. I accept that the 1996 UDP did have a threshold of 10 units, but that Plan was produced before Circular 6/98. Therefore I do not consider there is sufficient justification for the threshold for contribution to be reduced to 10 units and the UDP should be amended accordingly.

## RECOMMENDATION

**7.22. I recommend that modification D/HSG06/01 be not made.**

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**Para 8.30**  
**Modification ref: D/HSG06/03**

### Issue

The proposed modification is unnecessary; reference to elderly housing and family housing should be

reinstated.

### **Inspector's appraisal and conclusions**

7.23. Affordable housing suitable for families remains the overwhelming priority for the Council. It is clear that the list in the second part of paragraph 8.30 does not represent a priority list and merely provides examples of typical affordable housing need found in the Borough. Housing for the elderly represents an important part of affordable housing need. The list is clearly not exhaustive but in order to give a broad range of examples of need it would be useful to include this example. It is unfortunate that the inclusion of elderly housing in this list has led to misunderstandings with developers but I consider that the status of the list in providing examples of need is clear. In terms of the importance of family social housing, as this priority is stated in the additional text that forms part of the 2000 Draft UDP, I do not consider that there is any reason to reinstate the deleted text concerning the suitability of affordable housing for families from the end of paragraph 8.30.

### **RECOMMENDATION**

**7.24. I recommend that the UDP be modified by D/HSG06/03 except that 'elderly households' should not be removed from the list in paragraph 8.30.**

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### **Modification ref: D/HSG06/09**

#### **Issues**

- (i) The Policy incorrectly reflects Government Guidance on Low Cost Market Housing and should recognise the role of Low Cost Market Housing in meeting intermediate need/ key worker housing.
- (ii) The threshold site size for a contribution to affordable housing should not be reduced from 15 dwellings (or 0.5ha) to 10 (or 0.3 ha) dwellings.

### **Inspector's appraisal and conclusion**

The Policy incorrectly reflects Government Guidance on Low Cost Market Housing and should recognise the role of Low Cost Market Housing in meeting intermediate need/ key worker housing.

7.25. Objectors are concerned that the Policy does not reflect Circular 6/98 in that it should allow for low cost market housing to be considered as affordable housing and the UDP therefore fails to define affordable housing adequately. The justification given for the deletion of this text is not reasonable as it relies on current market conditions which may vary considerably over the plan period. Circular 6/98 explicitly states that planning policy should not express a preference for any particular form of tenure. The inclusion of low cost market housing can increase flexibility in the delivery of affordable housing and in meeting the needs of households on low to moderate incomes. This is recognized by the Draft London Plan. Furthermore both Circular 6/98 and paragraph 8.4.4 of *Delivering Affordable Housing through Planning Policy* (ODPM) recognise that in some instances, such as where no Social Housing Grant is forthcoming, low cost market housing can provide an alternative supply of affordable housing.

7.26. PPG3 clearly supports local authorities in defining affordable housing in terms of the relationship between local income levels and house prices and I accept that there is some contradiction between the provisions of Circular 6/98 and PPG3 in defining what is meant by affordable housing. Clearly where the relationship between housing prices and incomes is such that low cost market housing would require exceptional levels of discount in order to meet identified need, then it is reasonable for the LPA to reflect this in its definition of affordable housing. The LPA contends, not unreasonably, that if market conditions changed during the plan period then this definition could be

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modified. Given the advice in PPG3 supporting a more localised definition of affordable housing, I consider that it would be reasonable for the LPA to define what it considers to be affordable housing provided that it can be shown why only particular types of housing provision can meet the Borough's affordable housing needs.

7.27. Clearly, both the HNS carried out in 2000 and subsequent information on price, shows that there is a very high price for market housing that places unsubsidised access to the market at a high level in comparison to income. This is confirmed both by independent mortgage data and *Sustainable Communities in London – Building for the future* that placed the market price to income ratio in Richmond in the highest group for London. For most people in affordable housing need in the Borough the level of discount that would have to be applied to low cost market housing to make it affordable would be so great as to be unrealistic. Clearly low cost market housing would not help to house the majority of those in need in the Borough, such as the identified priority need for rented social housing for families.

7.28. It is also clear, however, from information about house prices and incomes in the Borough and the Draft London Plan that there are people in need of affordable housing on low to moderate incomes whose needs differ from those who can only afford heavily subsidised social housing for rent. This is reflected in the latest modification of the UDP which differentiates between these types of need and bases its requirements for provision of affordable housing on a split between social housing for those in profound need and provision for those on low to moderate incomes. In meeting the needs of those on low to moderate incomes I concur with the Council's recognition that rented accommodation provided by an RSL would not always be suitable not least because of the importance of rented accommodation in assisting those most in need.

7.29. However, the Council discounts the use of low cost market housing in meeting the needs of those on low to moderate incomes on the ground that this could not ensure a supply of long term affordable stock. While the Council recognises that in cases of shared ownership with an RSL tenants have the ability to staircase to full ownership, any profits made by this stock are retained by RSLs. I consider that this is not sufficient justification to completely discount the rôle of low cost market housing as with either type of provision affordable stock will still be lost. Given the high levels of house prices in the Borough, I consider that low cost market housing would still require a substantial reduction in house price in order to be genuinely affordable even to those on moderate incomes but provided that this level of reduction were made, low cost market housing might be able to contribute in some circumstances. I therefore consider that reference to the rôle of low cost market housing in meeting the needs of those on low to moderate incomes should be made, provided that it is clear that substantial reductions would be necessary in order for it to be considered as part of an affordable housing contribution.

The threshold site size for a contribution to affordable housing should not be reduced from 15 dwellings (or 0.5ha) to 10 (or 0.3 ha) dwellings.

7.30. I refer to my appraisal of objections to modification D/HSG06/01. For the reason given there I consider that the amendment of affordable housing thresholds to 10 dwellings or 0.3 ha would not be justified and this modification should not be made.

## RECOMMENDATION

**7.31. I recommend that the UDP be modified by D/HSG06/09, save that the second sentence of paragraph 8.30 be deleted and replaced with the following text:**

**‘Although low cost market housing schemes assist people entering the housing market in some areas of the country they are not regarded as providing affordable housing for**

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**those in most housing need in the Borough. In meeting the housing needs of those on low to moderate incomes (currently £15000-35000). including key workers, preference will be given to such schemes as shared ownership. However, low cost market housing may have a limited rôle to play provided that levels of discount are such that they are genuinely affordable.'**

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**Modification ref: D/HSG06/10**  
**Further modification ref; D/HSG06/14**

### **Issues**

- (i) The calculation of the components of affordable housing provision is overly prescriptive.
- (ii) The Policy should recognise the role of Low Cost Market Housing in meeting intermediate need/ key worker housing.
- (iii) The level of percentage contribution is unjustified.
- (iv) The Policy should refer to intermediate need rather than Key Workers.

### **Inspector's appraisal and conclusion**

The calculation of the components of affordable housing provision is overly prescriptive.

7.32. Objectors welcome the inclusion of key worker housing within the definition of what constitutes affordable housing but consider that the precise contribution should be negotiated on a site by site basis. They therefore find the wording of the paragraph overly prescriptive. Similarly, the reference in the text to social rented housing being targeted towards families is also held overly prescriptive. There is a need for single person homes for key workers that is not reflected in the Policy. The modification to the paragraph should reflect the fact that mechanisms exist to provide affordable housing other than social rented provision. Whilst it is acceptable that the paragraph refers to SPG, this should not be adopted until the UDP is adopted. I therefore do not recommend insertion of reference to it under D/HSG06/14

The Policy should recognise the role of Low Cost Market Housing in meeting intermediate need/ key worker housing.

7.33. I consider that the Council's approach is not overly prescriptive as the percentage target clearly relates to a global figure rather than one that should be applied to individual sites, both in terms of total contribution and the composition of that contribution. The previous Inspector's Report supported the broad approach of a global percentage target set out in Policy HSG 6 and I consider that this new paragraph reflects that Policy. There is nothing in this paragraph that precludes different provisions of affordable housing both in terms of type of unit and tenure on individual sites. Regarding the objector's concern over the social housing element of any contribution being suitable for family housing, I find that this requirement is reasonable given that this need has been identified as being the Borough's priority need. For the reasons I have set out in my conclusions to D/HSG06/09 I consider that it is reasonable for the Council to identify that the best way to meet this element of need is through social rented housing. On the issue of timing of the adoption of SPG I note that the Council state that this SPG has been adopted following a period of public consultation but I make no further comment as these procedures lie outside the remit of my report.

The Policy should recognise the role of Low Cost Market Housing in meeting intermediate need/ key worker housing.

7.34. I have already addressed this issue in my appraisal of objections to HSG/06/09. For the reasons given there I have recommended modifying paragraph 8.30 which I consider addresses the objectors' concern.

The level of percentage contribution is unjustified.

7.35. Some objectors consider that the total percentage target for contribution should be raised to 50% as the inclusion of 10% for key worker housing in fact reduces the percentage of affordable housing for those in most acute need. This split would be in line with the Draft London Plan. The first draft UDP review suggested a contribution of 40% just for affordable housing based mainly on the social rented sector. Conversely other objectors consider that 40% is an unreasonable contribution and this figure should be reduced to 25%.

7.36. While I recognise that the figure of 40% was supported by the Inspector at the previous UDP inquiry, given that the Council seek to introduce an element of division in the composition of this contribution, then I consider it is reasonable that the overall figure should also be under review. I accept the LPA's view that it would be premature to increase the contribution proportion solely to accord with the Draft London Plan. However I also consider that the introduction of a 10% split to include key worker/shared ownership housing would reduce the supply of social rented housing if the overall percentage remained at 40%. The text of the previous UDP made it clear that the 40% contribution would largely comprise social rented housing for those with the highest levels of need. Accommodation for key workers, provided via shared ownership or similar measures to address the needs of those on low to moderate incomes, was not specifically addressed. Therefore, while the overall percentage remains the same, provision for the element of need met by social rented housing has effectively been reduced.

7.37. I do not consider that the LPA has justified why this reduction in social rented supply has occurred. I have seen no evidence to support this reduction, as clearly there is still a very high level of need which is borne out by the 2000 HNS and the subsequent supplement to Core Proof 5 *Evidence on housing need, supply and demand in the London Borough of Richmond upon Thames*. I maintain that the LPA is correct in addressing the needs of low to moderate income families as there is also a clearly defined local need for this type of housing. In order to meet both sets of need at a level commensurate with the levels of identified need, I consider that the 10% contribution to meeting the needs of low to moderate income families should be made in addition to the 40% contribution that currently addresses needs largely requiring to be met by the social rented sector.

The Policy should refer to intermediate need rather than Key Workers.

7.38. Objectors consider that the paragraph should refer to intermediate need rather than key worker/shared ownership. Intermediate need refers to people with moderate incomes who cannot afford to access open market housing but have incomes that are in a low to moderate range (£15000-£35000) and are not in the acute need of those seeking social rented housing. That definition is used in the Draft

London Plan. The LPA considers that the term in the Draft London Plan is open to too broad an interpretation and should be more closely defined by individual Boroughs. PPG3 supports this view. The definition in the current modification does not preclude non key workers from benefiting from shared ownership schemes or other initiatives such as supported rents. In my conclusions to objections to HSG/06/09, I consider that it is reasonable for the Council to define affordable housing so that it reflects the needs of the Borough, which is primarily for social housing for families together with some provision for housing for those on low to moderate incomes. However I consider that the Council's definition should also include low cost market housing to meet the needs of the latter type of household. While accepting that the term 'intermediate need' has been used in the Draft London Plan and encompasses a range of need, I consider that given the particular housing requirements of the Borough,

it would be more precise for the UDP to use the term 'low to moderate incomes', including key workers, which is clearly defined earlier in the text.

## RECOMMENDATION

### 7.39. I recommend that:

**(i) Modification D/HSG06/10 be not made and the following new paragraph be inserted in its place:**

**While social rented housing remains the only option for a substantial number of households, there is a concern to provide for those households in housing need that are in receipt of low to moderate incomes. The Council considers that the contribution of 50% affordable housing should be subdivided between 40% social**

**rented and 10% housing for those on low to moderate incomes, including key workers. There is no precise definition of key workers in national planning guidance and the Council has further defined this in SPG and the Council's key worker strategy.**

**(ii) Modification D/HSG06/14 be not made.**

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## Modification ref: D/HSG06/11

### Issues

- (i) Objection to the reduction of threshold for contribution from 15 dwellings (or 0.5ha) to 10 (or 0.3 ha) dwellings.
- (ii) The Policy should cross refer to other Plan Policies as the current wording is insufficiently clear.
- (iii) The Policy should state that unit threshold is a net figure.

### Inspector's appraisal and conclusion

Objection to the reduction of threshold for contribution from 15 dwellings (or 0.5ha) to 10 (or 0.3 ha) dwellings.

7.40. I refer to my appraisal of objections to modification D/HSG06/01. For the reasons given there I consider that the amendment of affordable housing thresholds to 10 dwellings or 0.3 ha would not be justified and this modification should not be made.

The Policy should cross refer to other Plan Policies as the current wording is insufficiently clear.

7.41. It is clear from PPG 12 that the UDP should be read as a whole and good practice suggests that cross referencing to other policies should only be used where absolutely necessary. I consider that there is no need to modify the policy in the manner suggested by the developer.

The Policy should state that the unit threshold is a net figure.

7.42. The suitability of sites for affordable housing is in my view one that is best addressed as a matter of development control as circumstances will vary between sites. Matters such as the presence of existing dwellings on site are best taken into account at that stage. This is recognised in the UDP's

text and to prescribe a particular method for calculating the level of contribution from each site would be unduly prescriptive. I therefore consider that no further modification of the Plan is necessary in respect of this objection.

## **RECOMMENDATION**

**7.43. I recommend that modification D/HSG/06/11 be not made.**

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### **Modification ref: D/HSG06/12**

#### **Issue**

Objection to the reduction of threshold for contribution from 15 dwellings (or 0.5ha) to 10 (or 0.3 ha) dwellings.

#### **Inspector's appraisal and conclusion**

7.44. I refer to my appraisal of objections to modification D/HSG06/01. For the reason given there I consider that the amendment of affordable housing thresholds to 10 dwellings or 0.3 ha would not be justified and this modification should not be made.

## **RECOMMENDATION**

**7.45. I recommend that modification D/HSG06/12 be not made.**

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### **Modification ref: X/HSG06/05**

#### **Issues**

- (i) The increase in the percentage contribution is unjustified.
- (i) The use of a percentage contribution does not take site viability into account.
- (ii) If a 40% contribution is retained then a sliding scale should be introduced.

#### **Inspector's appraisal and conclusion**

The increase in the percentage contribution is unjustified.

7.46. I refer to my appraisal of objections to modification D/HSG06/10. For the reasons given there I consider that the amendment of affordable housing contribution to 50% is necessary to meet the Borough's housing need. The Policy should therefore be amended accordingly.

The use of a percentage contribution does not take site viability into account.

7.47. While I have recommended an increase in the percentage contribution, the percentage target is a global figure for the Borough over the plan period. The policy wording allows for such circumstances of individual sites as site viability to be taken into account and I consider that there is no need to modify

the policy further.

If a 40% contribution is retained then a sliding scale should be introduced.

7.48. The objector has suggested a sliding scale of contribution. As I have already discussed above, the amended percentage target of 50% is clearly a global target and the Policy allows for variations in contributions from individual sites. Therefore the imposition of a sliding scale is unnecessary.

## RECOMMENDATION

**7.49. I recommend that modification X/HSG06/05 be not made and that the percentage contribution referred to in the Policy be amended to 50%.**

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<b>Policy/Para</b>	<b>HSG 11</b>
<b>Residential Density and Mix</b>	
<b>Modification ref:</b>	<b>D/HSG11/03</b>
<b>Further Modification Ref:</b>	<b>D/HSG11/11</b>

## Issues

- (i) Higher density development outside town centres would be restricted.
- (ii) The restriction to one person units in town centres is overly constraining.
- (ii) The Policy should allow for Limited Car or Car Free Developments.
- (iii) Reference to compatibility with established character is implicit in other policies.

## Inspector's appraisal and conclusion

The modification would restrict higher density development outside town centres.

7.50. Objectors are concerned that the paragraph's wording would restrict higher density development to town centres rather than allowing high density development in areas with good public transport accessibility as required by PPG3. The LPA accept that the wording of the Policy is not clear and propose a number of modifications which after some discussion have been accepted by GOL. Whilst I consider that these amendments are necessary and help to meet most of the objector's concerns over this issue, I am still concerned that the paragraph could be interpreted as rejecting high density development in established residential areas with good public transport links, which would be contrary to the interests of both parties. I have recommended an additional modification to address this issue.

Restriction to one person units in town centres is overly restrictive.

7.51. I find that the paragraph's wording does not place a complete embargo on 2 bed units but requires that schemes be based on a majority of single person units. I consider it is reasonable for the Council to require a majority of units to be single person units, as this requirement is based on an identified need. However, I do not consider that this is entirely clear from the Policy's wording. Furthermore this confusion is exacerbated by the use of the word 'normally', which is contrary to standard good practice in the writing of development plans. I have recommended a modification to this sentence to address this issue.

The Policy should allow for Limited Car or Car- Free Developments.

7.52. Objection in identical terms is raised to the elision of Policies TRN 4 and TRN 5 in Chapter 7 of the UDP. I find it is not the case that car-limited limited or car-free development would no longer be

permissible. Indeed, that part of the UDP clarifies the criteria that proposals for such development must satisfy.

Reference to compatibility with established character is implicit in other policies

7.53. The objector considers that although the second modification has met some of his concerns there is no necessity for the paragraph to refer to residential character as this is already addressed by other plan policies. As Policy HSG 11 already refers to the need to protect residential amenity, I consider that there is no need to repeat this phrase in this paragraph.

### **RECOMMENDATION**

**7.54. I recommend that modification D/HSG11/03 be not made and that Paragraph 8.52 be modified to read as follows:**

**8.52 The character of town centres, their accessibility by public transport and the availability of facilities such as shops means that town centres and areas within walking distance of town centres, or otherwise well served by public transport, may be very sustainable locations for higher density development. The Council will expect schemes to be based on the provision of small units for one person households.**

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**Modification ref: D/HSG11/04**

#### **Issue**

The Policy should retain the reference to LPAC advice and reflect the provisions of the London Plan.

#### **Inspector's appraisal and conclusion**

7.55. The objector is concerned that the Plan does not retain the reference to LPAC advice and states that the London Plan will probably go further than this advice. LPAC advice never had the same formal status of such regional advice as RPG9. It is also now fairly old so I consider that it is reasonable for the Council to remove the cross reference as this guidance is outdated. Similarly, although the Draft London Plan is nearing publication, given its current status it would be inappropriate to make specific references to the Draft Plan Policies. In this instance I therefore find that it would be premature to cross refer to this document.

### **RECOMMENDATION**

**7.56. I recommend that the UDP be modified by D/HSG11/04.**

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**Modification ref: D/HSG11/09**

#### **Issue**

By not considering car-free developments the Policy encourages car use.

#### **Inspector's appraisal and conclusion**

7.57. I deal with the principle of car-limited and car-free housing in my appraisal of objections to

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Polices TRA 4 and 5. In my view such development may be permissible within the terms of the proposed modification of paragraph 7.30 of the UDP. As it is essentially a transport and access matter I consider that if the matter were included in this part of the Plan it would effectively only duplicate that text. For that reason I find no justification to repeat it here.

## **RECOMMENDATION**

**7.58. I recommend that the UDP be modified by D/HSG11/09.**

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**Modification ref: X/HSG11/01**

### **Inspector's note**

The objector claims that the small unit quota in the Policy is overly restrictive and should be removed. However, the modifications of this Policy were endorsed by the Inspector at the previous Inquiry and it does not fall to me to make any recommendation.

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**Policy/Para            HSG 12**  
**Suitability of Property**

**Conversions:**

**Modification ref:    D/HSG12/01**

### **Issue**

Control of small unit supply should be retained in the Policy.

### **Inspector's appraisal and conclusion**

7.59. Objectors consider that the proposed modification should not be made, as there is a shortage of small units and particularly HMOs. I consider that the modification is reasonable as this matter often lies outside the remit of planning control and is also addressed by Policy HSG14 concerning the retention of non self-contained property.

## **RECOMMENDATION**

**7.60. I recommend that the UDP be modified by D/HSG12/01.**

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**Policy/Para            HSG 14**  
**Accommodation**

**Non self-contained**

**Modification ref:    D/HSG14/01**

### **Issue**

The modification should allow RSLs to convert a building to self contained units to meet special housing need.

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### **Inspector's appraisal and conclusion**

7.61. I consider that the final sentence of the current text of paragraph 8.68 already addresses the objector's concerns and there is no need to include the additional text suggested by the objector. However the modification introduces the word 'normally' to the Policy. That is contrary to best practice and should be deleted.

### **RECOMMENDATION**

**7.62. I recommend that the UDP be modified by D/HSG14/01 save that the word 'normally' be deleted from the text.**

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<b>Policy/Para</b>	<b>HSG 14</b>	<b>Non self-contained</b>
<b>Accommodation</b>		
<b>Modification ref:</b>	<b>D/HSG14/02</b>	

### **Issue**

Control of small unit supply should be retained in the Policy.

### **Inspector's appraisal and conclusion**

7.63. The objector considers that the modified paragraph is unacceptably weak as there is a significant shortage of small units and the proposed modification would result in an increase in housing need. I consider that the proposed modification does not significantly reduce the protection afforded to non self-contained accommodation as this is already addressed in Policy HSG 14.

### **RECOMMENDATION**

**7.64. I recommend that the UDP be modified by D/HSG14/02.**

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<b>Policy/Para</b>	<b>HSG 17</b>	<b>Additional</b>
<b>Residential Standards</b>		
<b>Modification ref:</b>	<b>D/HSG15/02</b>	

### **Issue**

The term 'sustainable development' should not be deleted.

### **Inspector's appraisal and conclusion**

7.65. The term 'sustainable development' has been replaced by 'energy efficiency' in criterion D of the Policy. Sustainable development has a more comprehensive meaning in relation to housing design than energy efficiency and can include other such matters as the use of low impact or recycled materials or the provision of space for storing recycled household waste. I therefore consider that the use of the term 'sustainable development' reflects government policy more accurately.

**RECOMMENDATION**

**7.66. I recommend that modification D/HSG15/02 be not made.**

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<b>Policy/Para</b>	<b>HSGX</b>	<b>Backland and Infill</b>
<b>Development</b>		
<b>Modification ref:</b>	<b>D/HSG11/08</b>	

### Issues

- (i) The Policy is unnecessary and overly restrictive.
- (ii) The Policy should refer to lack of light as well as amenity space.
- (iii) Visual and wildlife considerations should be separated.
- (iv) The Policy should be further strengthened to protect the built environment from change.

### Inspector's appraisal and conclusion

The Policy is unnecessary and overly restrictive.

7.67. Objectors consider that the Policy is unduly restrictive and removes a potentially large source of housing supply, amounting to an embargo on backland development. A degree of overlooking is normal for residential properties and the Policy's wording regarding highway safety is unclear. The Policy is contrary to PPG3 in terms of making the best use of land and the sequential test. The restrictive nature of the Policy will result in more pressure on open space and restrict opportunities for affordable housing. Furthermore the Policy is unnecessary as it duplicates existing policies.

7.68. I do not doubt that the LPA is correct in asserting that a balance needs to be struck between the protection of residential character, as supported by national and strategic guidance in PPG1 and the Draft London Plan, and making the best use of land as set out in PPG3. Although I have some concerns over the restrictive wording of certain parts of the Policy, it broadly achieves this balance and does not amount to a blanket moratorium on backland or infill development. I consider it would be unlikely that the housing supply would be reduced by its application. However, I also find that all the considerations listed in the Policy are addressed elsewhere in the Plan in terms of the protection of character and amenity, traffic and protection of wildlife habitats. While those other policies refer to a broader range of development than housing, I discern no reason why they should not apply equally to housing development, as the Plan should be read as a whole. I recognise that backland and infill development can be sensitive but I can see no justification for the dedication of a specific policy to the issue. PPG 12 is clear that local plans should avoid unnecessary repetition and I consider that the Policy should therefore be deleted.

The Policy should refer to lack of light as well as amenity space.

7.69. The right to light is conventionally considered as part of residential amenity and for the reasons given above I regard it as sufficiently protected by other plan policies.

Visual and wildlife considerations should be separated.

7.70 Other policies in the Plan allow for the protection of wildlife. As I have recommended that the Policy be deleted the objector's concerns over the inclusion of wildlife considerations are no longer relevant.

The Policy should be further strengthened to protect the built environment from change.

7.71. In my view it would not be reasonable for the Policy to protect against significant change to the character of the built environment. National planning guidance makes it clear that it is legitimate for the planning system to protect the character of the built environment from harm but change, even

change of a significant nature, may not necessarily be harmful and in fact may be beneficial to the character of the built environment and achieving sustainability objectives. I have recommended that the Policy be deleted but I do not consider that the objector's concerns should be addressed in any other part of the UDP.

#### **RECOMMENDATION**

**7.72. I recommend that modification D/HSG11/08 be not made.**