

**LONDON BOROUGH OF RICHMOND UPON THAMES**  
**LOCAL PLAN INDEPENDENT EXAMINATION IN PUBLIC**  
**WRITTEN STATEMENT**

**HEARING 3: HOUSING**

**WEDNESDAY 27 SEPTEMBER**

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***Is the Local Plan's approach to housing provision sufficiently justified and consistent with national planning policy and in general conformity with the London Plan? With particular regard to deliverability, has the Plan been positively prepared and will it be effective in meeting the varied housing needs applicable to the Borough over the plan period?***

The Plan overall recognises the importance of housing delivery, with an emphasis on meeting priority local needs, through a balanced approach taking account of the borough context and particularly land supply constraints and affordability issues. The policies are considered sound as addressed in responses to the range of questions below.

## **LP 34 NEW HOUSING**

### **1. Is Policy LP 34 justified, consistent with the National Planning Policy Framework and aligned adequately with the London Plan?**

LP34 sets out the approach to overall new housing delivery, in terms of quantum and broad locations in accordance with the Plan's spatial strategy. The London Plan sets a minimum ten year target 2015-2025 for the borough of 3,150 homes. The London Plan section on London's housing requirements describes how this has been informed by the London SHMA and SHLAA, designed to address the NPPF requirement to identify supply to meet future housing need as well as being 'consistent with the policies set out in this Framework', not least its central dictum that resultant development must be sustainable. Paragraph 3.17 sets out that the SHLAA methodology is designed to do this authoritatively in the distinct circumstances of London, including the limited stock of land here and the uniquely pressurised land market and dependence on recycling brownfield land currently in existing uses. The Plan is therefore considered consistent with the NPPF and to align adequately with London Plan Policies 3.3 and 3.4.

A net gain of 460 units were completed in 2016/17, as set out in the Council's Housing AMR for 2016/17 (PS- 045), significantly exceeding the London Plan annualised target of 315 homes per annum. This also continued to demonstrate sufficient five year housing land supply, above the remaining target in the London Plan.

- ***How has the Plan been informed by, and is it consistent with, the Council's (and London's) Housing Strategy?***

The Plan's strategic objectives and spatial strategy recognises the importance of housing delivery in meeting people's needs. The Council does not directly provide housing, but works in partnership to address housing issues with key partners including the GLA, Registered Providers and the voluntary and community sector. This ensures statutory and strategic housing functions are met alongside an understanding of the wider housing market. Capital resources are available through the Housing Capital Programme to meet the needs of borough residents.

The Council's umbrella Housing Strategy 2013-2017 (PS-055) recognises the commitment to ensure the more vulnerable people of the borough are protected. This demonstrates local needs and recognises the importance of delivering houses for rent in the borough and working within the challenges specific to the borough. Other housing needs are also

important priorities for the borough, such as supported housing options, and there are other complementary workstreams, for example to address under-occupation within housing association properties, in order to make the best use of housing stock together with a Council funded extensions programme that seeks to address overcrowding in social housing through the provision of loft conversions and extensions to existing social housing working collaboratively with Registered Providers.

This umbrella strategy is underpinned by other housing strategies and research. The Council's Tenancy Strategy (2013) (PS-056) (and [DTZ Evidence Base for Tenancy Strategy 2012](#)) set out the policy position on 'Affordable Rent' including guideline rent levels. [University of Cambridge Analysis of the private rented sector in Richmond upon Thames and surrounding areas \(2012\)](#) identifies a strong rental market in the borough. The Intermediate Housing Policy Statement (2014) (PS-057) (currently under review) and [Intermediate Housing Marketing Statement \(2015\)](#) (also under review) set out the approach to affordability of shared ownership and to ensure Richmond residents and those working in the Borough know about and are prioritised for the marketing of home ownership opportunities by Registered Providers. The review will also extend these policies to cover intermediate rent opportunities and also the GLA's new London Living Rent product announced in the Mayor's latest funding prospectus for affordable housing.

The existing strategies and research have all informed the borough SHMA (SD-025) and the preparation of the Plan. Local evidence from the Housing Register assessing affordable needs, both demand and supply, is set out further in analysis the (SHMA) (SD-025) in sections 7 and 9. The Draft Housing Background Paper on Policy Thresholds Appendix B to the Council's response to Inspector's Procedural Letter ID-3 (27 July 2017) (LBR-LP-005) sets out since the publication of the SHMA the updated position regarding the 2017-18 Homelessness Strategy (PS-020) and the Housing queues (PS-021).

The Council's Housing Strategy 2013-2017 was required to be in general conformity with the Revised London Housing Strategy (2011). A [draft London Housing Strategy \(September 2017\)](#) has been published for consultation by the Mayor, and will sit alongside the London Plan review. The Plans are considered aligned through the joint working described above.

- ***Is the evidence in support of the planned level of housing provision robust (with due regard to data relating to population projections and alternative methodologies and the Council's SHMA)?***

The SHMA (SD-025) provides an up-to-date, full objective assessment of housing needs at the local level which compliments the 2013 London SHMA across the London Housing Market Area. The Richmond SHMA and the Council's housing strategies and research (see further details in regard to LP34, LP36 and LP37) have informed a balanced approach to meeting housing needs, including the need for different types of housing and is considered robust.

The Richmond SHMA follows the methodology set out in Planning Practice Guidance (Section 2a). It considers the Borough's objectively assessed need, considering various population/ demographic projections, economic performance, affordable housing need and market signals. It also considers the size, type and tenure of housing required, and the needs of different groups including families with children, older people, people with disabilities, service families and people wishing to build their own homes.

- ***Is the SHMA robust, has it used the most up to date housing projections and how does it inform the Plan housing requirement with due regard to the housing market area? How does the Council anticipate that the housing needs identified in the SHMA will be met?***

The SHMA is considered robust. It was prepared in accordance with the framework provided by the NPPF, Planning Practice Guidance (PPG), London Plan and the Mayor's Housing SPG (PS-058).

The SHMA sets out that the Borough's housing market is closely integrated with those in other West and South West London Boroughs, and also forms part of a wider London housing market that extends across the Capital and has strong links and inter-relationships into the Home Counties. It recognises that due to the complex interactions between Boroughs and across the Capital, London is defined by the GLA as a housing market in its own right (see the London Plan Inspector's Report, paragraph 22). The SHMA was taken forward on the basis of dealing solely with the need in the borough, but takes account of the wider area. This was also recognised within the Duty to Co-operate Statement (SD-012) as a strategic issue.

The draft SHMA was informed by engagement with estate and letting agents, as set out in section 8 of the report. GL Hearn also contacted all of the neighbouring authorities and the GLA, along with developers and Registered Providers, through structured telephone interviews during August/September 2016 to invite comments on the draft SHMA. It is therefore based on a good understanding of the local housing market.

The 2013 London SHMA provides a strategic assessment of housing need across London for 49,000 homes per year, and a strategic context for local level assessments. As a component of this, measured on an equivalent basis, Richmond's need would be for 714 dpa (see Annex 1 of the Mayor of London Housing SPG).

A draft SHMA (published June 2016) informed the Pre-Publication Plan and the final SHMA report was published alongside the Publication Plan. The final SHMA (published December 2016) revisited the projected population growth to take account of the latest CLG Household Projections, published in July 2016, based on ONS (2014-based) Subnational Population Projections (SNPP) published in May 2016, and updated the modelling of the affordable housing need. It also considered GLA 2013-round demographic projections.

Alongside demographic projections, the SHMA considered evidence regarding economic growth, market signals and affordable housing need. Drawing together the evidence, it concluded that the minimum need for housing in the borough is for around 1,047 dwellings per annum in the period from 2014 to 2033. This was informed by GLA's (2013 round) long-term migration projections.

Since December 2016, the GLA have published [2016-based Trend Projection Results](#) in July 2017. For Richmond the central scenario (10-year migration, which the GLA considers to be the best available projection for strategic planning purposes) shows household growth<sup>1</sup> of 978 per annum over the 2014-33 period. Including an allowance for vacant homes consistent to the SHMA, this would equate to a need for 1014 dpa. This is relatively similar to the scale of need shown in the SHMA and reinforces its conclusions as robust.

However, relevant housing targets for the borough are derived from the London Plan, which draws together evidence regarding both need and land supply / development potential across the Housing Market Area, as Paragraph 47 in the NPPF requires. This defines the Borough's housing target of 3,150 homes (2015-25) as set out in Policy LP 34. Housing need is a strategic issue across London with the London Plan setting out the appropriate distribution of housing provision across London.

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<sup>1</sup> <https://data.london.gov.uk/dataset/2016-based-household-projections>

The housing target is a minimum. The Borough's 2016/17 Housing AMR (PS-045) indicates that there are sufficient identified sites in place to exceed the borough's housing targets within the Plan period, also taking into account the 5% buffer.

While the Plan does not meet the local objectively assessed housing need, local evidence and justification elaborates upon the reasons as to why Richmond's local need cannot be met, given the context of significant environmental constraints, limited land supply and other land use needs, see also the Council's Statements on Hearings 2, 5, and 6. Needs assessments have also been carried out in relation to other types of developments and uses, such as in relation to employment, retail, open spaces and playing fields/sports pitches.

- ***How have market signals been considered?***

The SHMA considered market signals in accordance with NPPG paragraph 19, through both data analysis and through engagement with local agents. This is set out in Section 8.

The evidence points to high housing costs and affordability pressures, with a significant need for affordable housing in the Borough. Whilst in an unconstrained situation these might be considered as justifying higher housing provision relative to the demographic need, this is unrealistic set against a constrained land supply. The SHMA concludes on the potential OAN, that these figures should be regarded as a minimum level of provision.

- ***Are the population forecasts and assumptions relating to migration robust?***

Section 3 in the SHMA on Spatial Dynamics sets out the understanding of the people moving to/from the Borough. The analysis shows that the strongest relationships (in terms of migration moves) are with Hounslow, Wandsworth and Kingston. Section 5 sets out trend based demographic projections, considering six different projections and different migration patterns. Set against natural change, which is a strong driver of population growth in the Borough, levels of migration are relatively modest, as a component of population change as explained at paragraph 5.13/ Figure 25. Alternative migration scenarios are considered, including GLA short- and long-term projections, and the ONS/ CLG 2014-based projections. The SHMA concludes that the GLA long term (12-year) migration trends provide a reasonable assessment of demographic trends. The reasons for this are explained in Paragraphs 5.42 – 5.44. Its conclusions are very similar to those of the latest, 2016-round

GLA Projections. The SHMA is therefore considered robust in consideration of the most reliable projections taking into account migration.

- ***How will the Council address future changes to the London Plan?***

The Plan is considered in general conformity with the current London Plan; future changes cannot be foreseen. However it is considered the spatial strategy and approach in LP 34 can be implemented with regard to future changes to the London Plan, as LP 34 A refers to a revised London Plan target. The potential to augment future supply is being thoroughly explored through the [London SHLAA 2017](#), to inform the Draft London Plan consultation Autumn 2017.

- ***Should housing targets be referenced clearly as minimums? Are the ranges shown in LP 34 B minimums?***

LP 34 A states the Council will exceed the minimum strategic dwelling requirement. This is considered in conformity with London Plan Policy 3.3 D. LP 34 B sets out indicative ranges in the broad areas of the borough, the totals for the broad locations reflect the overall pattern of future housing land supply in AMR Housing Reports against the strategic dwelling requirement.

- ***Is the level of proposed housing over the plan period deliverable? How has the housing trajectory been derived and is it robust? Does the Council have a five year supply of housing sites that is consistent with national policy?***

The NPPF paragraph 47 states local planning authorities should illustrate the expected rate of housing delivery through a housing trajectory for the plan period and set out a housing implementation strategy for the full range of housing describing how they will maintain delivery of a five-year supply of housing land to meet their housing target.

The level of proposed housing over the plan period is considered deliverable. The Council has a demonstrable record in past delivery, that although there is always some fluctuation between individual years, the Council has remained on course to meet strategic dwelling requirements over London Plan periods.

The Council's Housing AMR for 2016/17 (PS-045) includes an updated housing trajectory and has continued to demonstrate sufficient five year housing land supply with a potential 1546 units, which is 103 units more than the remaining target in the London Plan.

The five year housing land supply comprises sites considered by the Council to be available, suitable and achievable, as described in the AMR. There is an annual completions survey based on site visits which includes estimates for completions from site managers, along with planning officer contacts with developers, to inform the detailed assessment of each site. Completions in 2017/18 are estimated at over 400, based on a large proportion of sites already under construction.

Approximately 49% of the identified five year housing land supply is sites already under construction, for which deliverability is certain. There is only a small proportion of Proposal/ other known sites included in the five year housing land supply where permission/prior approval is not in place, however these are large sites which are expected to come forward and be delivered within the 5 year period because permission has either already been granted by Planning Committee and is awaiting completion of a legal agreement (e.g. SA 3) or are Site Allocations where the landowner is already bringing forward (e.g. SA 24). The latest trajectory includes indicative phasing within the five year housing land supply, to reflect the expected pattern over individual years rather than a fixed average, particularly where intended phasing is known on large sites.

There is therefore no reliance on Windfall Sites in the five year housing land supply that have not yet been granted permission, where there would be less certainty about deliverability. There is an allowance for small sites in years six to ten, however this is based on historic completion rates, and is considered justified in the borough context and consistent with NPPG guidance paragraph 24 on Housing and economic land availability assessment that local planning authorities have the ability to identify broad locations in years 6-15.

The latest AMR (PS-045) includes at Appendix 2 summary tables setting out the performance against both the London Plan 2011 and 2015 targets, showing above average delivery. It is therefore considered a 5% buffer is considered to be sufficient to ensure choice and competition. There is a five year housing land supply calculation methodology (based on other guidance, appeal decisions etc. to determine best practice) which sets out the five year housing land supply expressed in years (excluding any buffer) as 5.6 years against the remaining London Plan target. This approach is considered consistent with NPPG guidance paragraph 33.

- ***To what extent has the council considered increasing the overall level of housing proposed to increase the provision of affordable homes?***

Increasing the overall level of housing proposed may not proportionately increase provision of affordable homes, because delivery is in part led by the market and influenced by wider factors including the political and economic context, beyond the Council's control. For example the Government approach to office to residential prior approvals has increased delivery but with no proportionate increase in affordable housing. Provision of increased affordable housing may not be possible without further grant funding or specialist funding such as for supported housing. Affordable housing provision does not come forward solely through mixed tenure sites. This is recognised in the SHMA (SD-025) paragraph 7.73, and expanded upon further under LP 36.

It is considered increasing the overall level of housing could be harmful to other strategic objectives and policies, and is considered to have likely negative environmental and sustainability impacts. The Plan takes a balanced approach to housing and jobs growth, and other needs in relation to retail, open spaces and playing fields/sports pitches, and for other priority uses such as education. It is considered justified for the Plan to seek to exceed the London Plan housing targets, as described above.

- ***Is a 'non-implementation allowance' required?***

A non-implementation allowance is not considered necessary. The five year housing land supply as identified in each Housing AMR is considered robust. The deliverability rate of the sites is expected to be high, this is based on the knowledge the Council has in relation to the rate of completed planning permissions, which in the past is often as high as 98%. The majority of sites are based on permissions/approvals, with a large proportion where implementation has started, as explained above in relation to the five year housing land supply and trajectory. Many of the larger sites the borough has had ongoing discussions with during the course of planning applications or pre-application discussions. There is no reliance on unidentified sites. This pattern of implementation is expected to continue, for both large and small sites, given high values across the borough. In addition, the identified five year housing land supply exceeds the NPPF requirements of an additional buffer of 5% to ensure choice and competition.

## **LP 35 HOUSING MIX AND STANDARDS**

### **2. Mix**

- ***Is the housing mix proposed within LP 35 justified by the evidence base and viable? How has this been considered against alternatives?***

The SHMA (SD-025) at section 9 considers indicative targets by dwelling size as a result of modelling, although recognises there are a range of factors which should be taken into account in setting policies for provision.

For affordable housing, the SHMA recognises at paragraph 9.22 that smaller properties offer limited flexibility in accommodating the changing needs of households, while delivery of larger properties can help to meet the needs of households in high priority and to manage the housing stock by releasing supply of smaller properties. Paragraph 9.23 justifies the need for larger family sized units in the rented sector. It assesses size requirements of those on the Housing Register with a need for housing. It also recognises that historically there is a higher percentage of smaller homes already in the social housing sector. For RHP the largest provider of social housing in the borough, 72% of their existing stock has studio, one or two bedrooms, less than 1% has 4 bedrooms. For intermediate housing, typically shared ownership, this is a route into home ownership and priority is for the majority to be smaller one and two bedroom homes to be affordable to households on low to moderate incomes. Paragraph 9.2.3 refers to LP 36 as setting out the appropriate mix for affordable housing. In accordance with LP36 a site specific approach should be taken in discussions with housing officers and Registered Providers / developers to assess the potential affordable mix from development site, using the latest information from the Housing Register to guide local priority needs, along with consideration of funding opportunities.

For market housing, the SHMA at paragraph 9.17 finds housing need can be expected to reinforce around the existing profile, but with a slight shift towards a requirement for larger dwellings. LP 35 encourages family housing in many of the borough's established residential areas where it is likely to be compatible with local character, while requiring a higher proportion of small units in accessible areas.

The approach to housing mix within LP35 has also informed the notional sites tested in the draft Whole Plan Viability Assessment (SD-024), along with the densities in recent completions and permissions.

- ***Is LP 35 sufficiently clear and capable of flexibility in delivery?***

The Plan will provide for a range of housing choices, with a site by site assessment as to an appropriate mix as set out at paragraph 9.2.2. This approach also allows for the local housing market to respond to needs on a localised basis.

This approach is considered capable of flexibility in delivery. In an example of recent discussions, on SA 9 (Richmond Upon Thames College) a review mechanism secured in the legal agreement to [15/3038/OUT](#) has recently agreed an additional 7 affordable units, with a flexible approach taken to review the tenure, unit size and grant funding to maximise delivery.

### ***Standards***

- ***Is the requirement to comply with the Nationally Described Space Standard justified?***

The Council considers the need for internal space standards is justified in accordance with NPPG paragraph 20 taking account of need and viability – including affordability. Across London the nature of housing, and particularly in this borough with such limited land supply, means there is pressure which would otherwise lead to sub-standard accommodation for future occupiers. The Council's approach is consistent with the London Plan Policy 3.5 (C) and Table 3.3, providing certainty and consistency across London. The [Minor Alterations to the London Plan](#) were supported by the GLA Housing Standards Review: Evidence of Need (May 2015) and GLA Housing Standards Review: viability evidence. This evidence sets out that adequate internal space is an important factor for households and highlights the importance of space for quality of life. The Inspector's Report into the Minor Alterations to the London Plan found it was reasonable to conclude implementation of the housing standards would not have significant consequences for the viability and delivery of housing.

Since 1 October 2015 the Council has been applying the Nationally Described Space standard under transitional arrangements, as set out in the Housing Optional Technical Standards update (June 2015) (PS-042). They were considered comparable to existing local policies and guidance, with the previous baseline space standards set out at paragraph 4.2.1 in the Residential Development Standards SPD (March 2010) (PS-042). Recent delivery will therefore reflect the existence of these adopted space standards. The draft Whole Plan Viability Assessment (SD-024) considered there is no measurable cost impact

from the nationally prescribed space standards as these are no more onerous than existing requirements.

Paragraph 9.2.10 in the Plan does allow that where developments are not able to meet policy requirements for housing standards, an application should identify the shortcomings and reasons why, which allows for flexibility in delivery as an exception.

- ***Is the requirement to comply with the Council's external space standards justified, flexible and capable of effective delivery?***

The PPG does not preclude the setting of standards through the planning process where they do not relate to the internal layout, construction or performance of new dwellings, or where they relate to design. One of the core planning principles in the NPPF paragraph 17 is always seek a good standard of amenity for all existing and future occupants of land and buildings. The provision for external space standards is considered to be justified to create satisfactory standards of accommodation for future occupiers, to ensure adequate amenity and enjoyment of the home for the reasons set out above in justifying internal space standards, recognising the contribution to the quality of life and health and well-being.

This is also important to the character of the borough, however it would not preclude small sites and back garden development provided it complies with Policy LP 39. There is a flexible approach to implementation, whether through private or shared spaces, and if there is a shortfall in provision. Exceptions can be considered if sufficiently justified in line with paragraphs 9.2.10 and 9.2.11 in the Plan. For example, if infill is proposed where the residential character type is tight knit terraced houses with short gardens, then it would be considered appropriate to have small plots that replicate existing garden sizes and urban grain.

The approach is capable of effective delivery. These standards are currently being applied through the adopted Development Management Plan and consideration as part of a planning application. Further, they are not deemed to prevent the delivery of developments. When schemes do not meet the required standards, a planning judgement is made. For example paragraph 28 of the report to Planning Committee on [15/5217/FUL](#) states the shortfall was deemed acceptable given other facilities on site and within the vicinity.

- ***Is LP 35 D clear and capable of effective delivery?***

The NPPF seeks to secure good standard of amenity for all existing and future occupants. Therefore Policy 35 D sets out key principles to ensure delivery of high quality spaces and amenity value. These are particularly important for the types of constrained sites in the borough, where amenity spaces may not always be in the form of a traditional back garden, utilising for example terraces/balconies, shared spaces, or front/side gardens, in line with paragraph 9.2.11 in the Plan. The factors are considered to provide clear guidance.

The approach is capable of effective delivery, through consideration as part of a planning application, and has been applied through the currently adopted Development Management Plan. The policy has not been found to prevent the delivery of schemes which fail to meet the criteria outlined in D. As set out in the policy justification, where developments are not able to meet policy requirements, the shortcomings should be identified and justification provided as to why the scheme remains acceptable. There is a degree of flexibility as each case is different and should be assessed on its own merits.

**3. What robust evidence underpins the approach of the Plan towards the housing needs of vulnerable and older people? Does this encompass the need for retirement properties adequately?**

The SHMA (SD-025) sets out a balanced approach to meeting needs for different types of housing and is considered robust. Policy LP 35 seeks a mix of housing sizes to accommodate different needs. In the context of the Borough's constrained land supply, priority needs for any site is assessed on a case by case basis, in conjunction with Policy LP 37.

Further within the Council's detailed housing and social care strategies there is a robust evidence base. For older people this currently includes the Council's Older Peoples Supported Accommodation Review (2008) (PS-059), Extra Care Housing Evidence Base (2015) (PS-060), and the Retirement Housing Review (2016) (PS-061). There are a range of strategies for vulnerable people including for example people with a learning disability and autism. The Care Act 2014 places statutory duties on local authorities to facilitate markets that offer a diverse range of high quality and appropriate care and support services to enable genuine choice to people in meeting their care and support needs. The Market Position Statement 2015-16 (PS-062) set out the current and potential future demand and supply for adult social care services and outlines the investment that the Council and its partners have made in local services, to inform evidence based commissioning.

The Council has proposed a minor change to add new paragraph following 9.4.7:

**"The Market Position Statement 2015-16 set out the current and potential future demand and supply for adult social care services and outlines the investment that the Council and its partners have made in local services, to inform evidence based commissioning."**

It is recognised that Richmond has an ageing population with increasing levels of disability and frailty. There are a high number of self funders in the borough who currently arrange their own care and support. The number of people aged 85 and over is expected to increase significantly by 2030. The number of people with dementia will increase significantly by 2030. As people live longer, demand for health and social care services is expected to increase. The Council's overall intention is to increase the provision of community based services which will promote people's wellbeing and their independence in their own homes and will prevent, reduce and delay the need for mainstreams services.

The SHMA (SD-025) recognises that many older households in the private sector may look to downsize to release equity from homes to support their retirement (or may move away from the area); however, many older households may want to retain family housing with space to allow friends and relatives to come to stay. Data about household ages and the sizes of homes occupied indicates that some households do typically downsize, however, it advises a cautious view should be taken about the willingness of households to move to smaller homes and the extent to which this can be influenced through policy. There are other barriers to downsizing, including financial inequalities, suitability of housing, and social factors, which form a complex picture.

The Council's Retirement Housing Review (2016) (PS-061) identified there are 1,404 units of retirement housing, including almshouses, sheltered, age-exclusive and extra care housing. It recommends that 145 additional units (76 should be sold at market rates, 35 units for intermediate sale and 34 social rented units) are delivered across 3 or 4 schemes in the borough and sets a timeframe of 2020 for the delivery of these units. These figures include remodelling of existing stock. It identifies potential gaps in provision in Kew, Whitton and Heathfield. It states developers of retirement housing should engage with the Council to ensure that they bring forward retirement housing products which are viable and meet local needs in relation to housing and infrastructure.

Therefore the Council considers the Plan approach recognises future housing needs and allows for an assessment as to whether proposed products will meet local needs to be assessed on a site by site basis, taking into account - the scale of the proposal, nature and location of the site, the nature of support, any eligibility criteria and assessment of affordability of the proposed product, and whether it is in accordance with evidence of needs and it has the support of partners. This is as set out in LP 37 and LP 36.

**4. Are the needs of single persons recognised adequately?**

The Plan seeks a proportion of small units in LP 35 A and as recognised at paragraph 9.2.1. There is also regard to affordability in the Plan through LP 36 A. The SHMA (SD-025) considers single person needs, in accordance with NPPG guidance, although recognises single person households do not automatically translate in to a need for smaller units. For older persons, as set out above there are complex issues influencing future needs. For affordable housing priorities, unit mix is informed by a number of factors as described above. Therefore the Plan is considered to adequately recognise the needs of single persons.

**5. Does the Plan recognise the issues around 'build to rent'? Does the plan acknowledge adequately the provision of private rented housing in the supply side?**

The term 'Build to Rent' can cover a range of purpose built homes held in the longer term for private rent. To date, there has not been large scale new private rented sector (PRS) development in the borough. Paragraph 9.4.12 in the Plan sets out that PRS schemes can be suitable for certain locations, recognising the issues around standards, securing tenancies, management, and setting out that the product does not override affordable housing policy requirements. Given the need to balance local priorities as set out in the SHMA (SD-025), this reference is considered adequate to acknowledge the role of the PRS and potential issues. All policy requirements would be the same as for any private housing. The Government is also still considering how to take forward the policy area following the 'Planning and affordable housing for Build to Rent' consultation earlier in 2017.

## **LP 36 AFFORDABLE HOUSING**

- ***Is LP 36 A justified by the evidence base with regard to national policy?***

The NPPF paragraph 50 states local planning authorities should where they have identified that affordable housing is needed, set policies for meeting this need on site. The Draft Housing Background Paper on Policy Thresholds Appendix B to the Council's response to Inspector's Procedural Letter ID-3 (27 July 2017) (LBR-LP-005) sets out the substantial affordable housing needs in the borough. This refers to the findings of the SHMA (SD-025) and evidence in the Council's housing strategies and research. The SHMA concludes that the high level of affordable housing need clearly justifies policies seeking to maximise the delivery of affordable housing in the Borough, so far as this does not render development unviable. LP 36 emphasises early engagement with a Registered Provider to address local priorities and explore funding opportunities.

- ***Is a 50% threshold for affordable housing deliverable and viable? Is the Policy consistent with the NPPF, with due regard to positive planning and considerations of viability?***

The 50% represents the Plan ambition to achieve this strategic borough-wide target, in conformity with the London Plan and the Mayor's draft Affordable Housing and Viability SPG.

Housing and planning colleagues work closely together, with registered providers and the GLA (acting as the Homes & Communities Agency within London), to maximise affordable housing and there is a commitment, articulated in the Community Plan 2016- 2020 under the "healthy borough priority" to work together to maximise the supply of high quality energy efficient affordable housing in the borough. The Council also maximises resources for schemes that support the needs of the most vulnerable. The Draft Housing Background Paper on Policy Thresholds Appendix B to the Council's response to Inspector's Procedural Letter ID-3 (27 July 2017) (LBR-LP-005) sets out details of the Council's Housing Capital Programme (additional funding of £14.5m was added in 2016, as identified in PS-023) to support the development of affordable housing and the GLA Affordable Homes Programme 2016-21 also offers opportunities. Registered Providers continue to work up proposals to deliver on small sites through their own delivery programmes.

The NPPF paragraph 173 sets out that to ensure viability the costs of requirements such as affordable housing should provide competitive returns to a willing land owner and willing developer. As set in the Council's Statement on Hearing 1, the draft Whole Plan Viability

Assessment (SD-024) considered the cumulative assessment of all of the Publication Plan policies to demonstrate the overall Plan approach is viable. The Addendum (PS-046) to the draft Whole Plan Viability Assessment (SD-024) provides further evidence on the impact of a requirement for 50% affordable housing. This shows similar patterns of viability between 40% and 50% affordable, with the main viability pressure arising in the lowest value locations with the highest threshold values.

LP 36 embeds consideration of viability in the decision-making process, reflecting existing good practice across London. The Plan is therefore considered consistent with the NPPF, positively prepared taking account of affordable housing needs, and clear on how viability will be taken into account in negotiations.

- ***What is the expected tenure mix for affordable housing and is it justified by the evidence base?***

The tenure mix set out in the Plan in Policy LP36 A (often referred to as 80% housing for rent and 20% intermediate housing) is as set out in the Core Strategy, and continues to be based on the evidence of affordable housing needs, affordability and viability. The Inspector's Report on the Core Strategy concluded that in the face of such incontrovertible evidence, the level of provision, threshold and departure from the London Plan on tenure split was considered warranted and necessary. The SHMA (SD-025) concludes the modelling indicates that the current policy seeking 80% social/ affordable rented housing and 20% intermediate housing remains appropriate.

There is flexibility in policy implementation. For example on Queens House, Twickenham ([14/4842/FUL](#)) there was successful joint working with a Registered Provider bringing forward a wholly affordable scheme on a former employment site, whereby a tenure split of 36% affordable rent and 64% shared ownership was permitted on the basis of maximising funding to determine the most viable mix.

- ***Is LP 36 B justified by the evidence base and consistent with national policy? Is it supported adequately by the viability evidence?***

The PPG on Planning Obligations paragraph 004 states planning obligations must be fully justified and evidenced, and where affordable housing contributions are being sought, planning obligations should not prevent development from going forward. LP 36 B is justified

by the substantial affordable housing needs, as set out above. The Council's response to Inspector's Procedural Letter ID-3 (27 July 2017) and Appendix B Draft Housing Background Paper on Policy Thresholds to (LBR-LP-005) set out the local circumstances for seeking contributions from small sites, to justify lower thresholds as an exception to national policy.

The draft Whole Plan Viability Assessment (SD-024) and Addendum (PS-046) support LP 36 B. These reflect overall policy requirements and consider the impact on viability of both on-site provision and financial contributions on small sites.

- ***Does LP 36 C apply to all schemes and is it consistent with LP 36 A? How will it operate in practice? Do all planning applications require a viability assessment?***

LP 36 C sets out the factors the Council will have regard to, which have been applied through the Development Management Plan and reflected in existing decision-making processes. As set out in the PPG on Viability paragraph 001, decision-taking on individual schemes does not normally require an assessment of viability. A viability assessment is required in any circumstances to justify where a reduction to an affordable housing contribution is sought i.e. a lower contribution than required by policy (for on-site provision or a financial contribution) in accordance with LP 36 D. It is not required if policy requirements are fully met. This is already operating in practice in line with adopted policies.

- ***Does LP 36 contain adequate flexibility to be effective in delivery?***

As described above, flexibility is contained in LP 36 through the consideration of viability on site specific proposals. Affordable housing completions for the period 2011/12 to 2015/16 reached an annual average of 23%, although only 13% of units were delivered as affordable in 2016/17, as set out in the Council's Housing AMR for 2016/17 (PS-045). This reports that of the five large sites completed in 2016/17: one of these sites delivered on-site affordable housing; on one site a financial contribution to affordable housing was secured; on one mixed use site a contribution to affordable housing was agreed not to be viable; and the other two were prior approvals which cannot be required to contribute to affordable housing. The variability within individual years shows the flexibility in policy implementation, and that viability evidence can be taken into account. Negotiations on site specific proposals can consider tenure split, unit size, affordability and funding streams in accordance with LP 36.

The effective joint working with planning and housing set out above is key to implementing this policy and seeking to maximise future deliver. Outside of planning processes, it is also worth noting other measures such as non-new build affordable homes provided in the Borough through two Purchase & Repair programmes, one from 2009- 2011 which saw 49 additional affordable homes and a second from 2012 to 2015 delivering 36 more. The Council also supports an extensions programme to tackle overcrowding, which assist with adding to and improving the stock of affordable housing. The Council also funds a Sponsored moves programme that supports under occupiers to move into smaller accommodation, releasing larger family homes and making the best use of the housing stock. Development opportunities are also explored where smaller units in accessible locations will result in 'chain lettings' releasing larger affordable homes to relieve those in priority housing need. Providing affordable housing through new development is therefore not the only way new units can be achieved.

- ***Is the calculation for affordable housing, based on the gross level of development proposed, justified?***

The calculation is related to the proposed development i.e. gross. This approach is justified by the substantial affordable housing needs, as set out above. This approach reflects the scale of a development proposal and maximises opportunities to secure affordable housing contributions. Redevelopment of existing housing units is usually brought forward by developers to increase values, and therefore there is scope for a contribution. Any viability case can be made to take into account existing use(s), particularly if there are high existing values or a self-build proposal then this can be evidenced. The approach is not considered to place an unreasonable burden on small site developers, particularly as the sliding scale and lower rate for conversions take into account the type and size of development.

- ***Is the Policy consistent with the Mayor's emerging SPG?***

The Mayor's long-term aim remains for half of all new homes to be affordable. It does not alter the 50% target in the London Plan. To achieve this, the [Affordable Housing and Viability SPG](#) (August 2017) (PS-063) offers an ambitious and practical first step to raise the amount of affordable housing coming through the planning system ahead of the new London Plan in 2019. The Plan reflects this.

The Plan is considered consistent with the SPD, with regard to maximising on-site provision on large sites of 10 units or more, the approach to Vacant Building Credit, scrutiny of viability and transparency of information, and use of review mechanisms. The finalised SPG also sets out the expectation that on public land proposals should deliver at least 50% affordable housing.

It is therefore seen that the guidance in the Mayor's SPG can be used alongside the Plan in policy implementation. The Council's approach to tenure split, affordability and use of the Housing Capital Programme funding, can be implemented alongside the SPG approach to maximise affordable housing contributions from large sites.

- ***Does the plan acknowledge adequately the role of intermediate rent as an affordable housing tenure within private rented developments?***

This can be considered under LP 36 B in consideration of particular products against local needs and affordability. However, in higher value parts of the borough, affordable private rent (at least 20 per cent below local market rent) is unlikely to be affordable for many, especially for those on low incomes. The SHMA (SD-025) (Figure 33) confirmed that 38.4% of households have incomes below £40,000 and 19.6% with incomes between £40 and £60,000. It should be for Councils to determine eligibility and nomination criteria, particularly to establish local income criteria that balance meeting local housing needs and demands but maximises affordable delivery. This should be secured in perpetuity, or should be a minimum time that such accommodation is let as Build to Rent (15 years) and if sold at the end of this term for another use, the "affordable value" should be recycled to the Council for another affordable housing use. Therefore the product could restrict other tenure options such as genuine affordable housing and low cost home ownership products. The Government is also still considering how to take forward the policy area following the 'Planning and affordable housing for Build to Rent' consultation earlier in 2017.

- ***Should the Plan reference self-build opportunities for affordable housing? Are self-build and starter homes referenced adequately and in line with national policy?***

The Council submitted to Government on 28 April 2017 an application for an exemption under section 2B(1) of the Housing and Planning Act from the duty in section 2A of the Act and in line with Regulation 11 of the Self-build and Custom Housebuilding Regulations 2016. The Government confirmed this is under consideration as at July 2017. This application in the context of significantly high entries on the self-build Register alongside the highly constrained land supply, high land values, and competing demands for land, including for other housing priorities. Even if an exemption is granted, the Council would still have regard to individuals/bodies on the register when carrying out its general duties in terms of seeking further sites over time, and work is underway to explore potential schemes with a Registered Provider and make effective use of the Community Housing Fund Allocation to build local capacity. The Plan reference at paragraph 9.4.17 is therefore considered adequate, until the Government clarifies whether the exemption is in place.

There was further Government consultation in the Housing White Paper on Starter Homes, shifting focus to delivering a wider range of affordable housing. The Council remains concerned as set out at paragraph 9.3.13 in the Plan about affordability, which would render it unaffordable for the vast majority of people with an interest in securing low cost home ownership housing. This reference is therefore considered adequate, until the Government clarifies the changes to national policy.

## **LP 37 HOUSING NEEDS OF DIFFERENT GROUPS**

### **7. What specific housing needs are addressed by LP 37? Is it justified by the evidence base and will it be effective in delivery?**

LP 37 addresses housing needs of different groups and paragraph 9.4.2 specifies the types of housing this can include. These types of residents may otherwise have difficulty finding alternative accommodation and therefore it is important to protect existing stock and recognise new provision may be providing for an identified local need.

The SHMA (SD-025) provides evidence in relation to the housing needs of particular groups, including older people and students, which identifies the need to plan for a mix of housing to address local needs. The Plan take account of The Council's housing strategies and evidence base, and Public Health and Commissioning information, including the Extra Care Housing Evidence Base (2015) (PS-060) and Retirement Housing Review (2016) (PS-061).

Given the limited land supply in the borough, and the need to address local priority needs, it is considered the policy is justified and effective.

### ***Should the policy contain clearer targets for the delivery of housing to meet needs, eg for the provision of supported homes or student accommodation et al?***

It is considered the most appropriate review route is through general housing monitoring. It is not considered there should be targets for specific types of housing, given the Plan seeks a balanced approach and the evidence on local priority needs could vary over the Plan period.

### ***Is the approach of LP 37 aligned adequately with the London Plan?***

The approach of LP37 is aligned with Policy 3.8 promoting housing choice. This states that boroughs should take account of housing requirements identified at the local level.

**8. What evidence justifies the approach of the Plan towards gypsies and travellers and travelling showpeople and is this sufficiently up to date and consistent with national policy?**

- **Has the duty to cooperate been employed adequately (and sufficiently widely) to address the issue of gypsy and traveller accommodation effectively? What engagement with relevant communities has been undertaken outside of the Borough?**
- **How have alternatives been considered and discounted?**
- **Is the needs assessment adequate for the entire plan period and how does it relate to Section 124 of the Housing and Planning Act 2016 (caravans and houseboats)? How will the issue of needs assessment and site supply be addressed into the future?**

This evidence is set out in the Council's Research on Gypsies and Travellers in the London Borough of Richmond upon Thames (SD-027). This justifies the need to continue to protect the existing site in LP 37, which will continue to accommodate existing and future needs of the existing Gypsy & Traveller population within the borough. This is considered consistent with 'Planning policy for Traveller sites' (2015) which requires up to date assessment of needs.

The Council considers the Duty to Co-operate has been employed adequately. The London Gypsy and Traveller Unit, the National Federation of Gypsy Liaison Groups as well as the Friends, Families and Travellers service (who would all represent groups within and beyond the Borough) were consulted on the Publication Local Plan and accompanying research. It was also covered in meetings and correspondence with neighbouring authorities, as set out in the Duty to Co-operate Statement (SD-012) and the Council's response to Inspector's Procedural Letter ID-3 (27 July 2017) (LBR-LP-005). No comments were received from gypsies, travellers or their representatives or groups, as confirmed in the Soundness Self-Assessment Checklist for Local Plan (SD-010).

The Housing and Planning Act 2016 at section 124 'Assessment of accommodation needs' removed the requirement in the Housing Act 2004 for a separate Gypsy and Traveller assessment, which can now be part of the general assessment of housing needs to include all people residing in or resorting to the district in caravans or houseboats. As the Council's research was started with site surveys in 2013, it was not incorporated within the borough SHMA (SD-025).

Richmond Housing Partnership (RHP), who manages the existing site and provide day to day support services, has provided the main source of information and intelligence for the Council. They are not only aware of the existing residents, but also the wider traveller community within the borough, for example through extended families and visitors. RHP has confirmed that as of July 2017 there are no new families identified, only those with an existing connection to the site. An indefinite Caravan Site Licence has recently been granted by the Council for the site to RHP as licensee. RHP has advised that the current waiting list as at September 2017 is 3. The research suggests that the size of the site and the way that it is managed allow for some natural turnover and that position is likely to continue, with effective site management given that one pitch is vacated each year on average. The Council's research recommended that the survey of families on the existing site in Hampton is repeated again to continue monitoring into the future. It will therefore be kept under review over the plan period. The Monitoring Framework (SD-013) includes an indicator to keep the number of gypsy and traveller pitches under review. There are regular meetings with RHP as part of wider governance arrangements, involving both Officers and Elected Members, where issues regarding the existing site can and have been discussed.

**9. Should LP 39 be more permissive? Is it necessary to reference other LP policies?**

It is considered that the policy sets out the appropriate approach to infill and backland development in the context of this borough. Historically in the Borough there has been a reliance on small site provision, mainly due to the character and nature of the borough, with few large sites coming forward. Therefore infill development on small and constrained sites is common. A core land-use planning principle, as set out in the NPPF, is to always seek to secure high quality design and a good standard of amenity for existing and future occupants of land and buildings; and it is proper to seek to promote or reinforce local distinctiveness (paragraph 60). Given the intimate relationship such developments have with existing urban grain and neighbouring properties, it is justified to set out a more prescriptive approach with a range of factors to consider, and that it is useful to set the overarching context in these circumstances, with reference to other Plan policies.

The presumption against loss of back gardens in LP 39 B is in accordance with the NPPF paragraph 53 which states policies can resist inappropriate development of residential gardens. In addition, this is in accordance with London Plan Policy 3.5, which states that Boroughs may introduce a presumption against development on back gardens or other private residential gardens where this can be locally justified. Gardens are a valuable resource, contributing to the character, ecological value and general amenity of the Borough. Further, housing delivery from backgarden land is not needed to meet the borough's strategic housing targets. Therefore, a restrictive approach is deemed locally justified. However, developments should be considered on a case by case basis, and therefore the policy does recognise there may be exceptional circumstances when such developments may be permissive.