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Mayor of London
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(Housing Standards MALP)
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Minor Alterations to the London Plan – Housing Standards

Thank you for the opportunity to respond to the draft Minor Alterations to the London Plan. Please accept this response on behalf of Labour Members of the London Assembly.

Our response deals with alterations resulting from the Housing Standards Review as well as new text regarding Zero Carbon Homes.

We believe the standards currently in the London Plan work for London, and London should have been able to maintain and continue to set them. However, we recognise that Government is now preventing local authorities from setting most housing standards through planning policy, with the exception of the “optional standards” on water and disability access, and a nationally described space standard. We welcome the application of these new optional standards via the London Plan because it saves each individual borough from the costly process of having to produce its own needs and viability studies. We also welcome the Mayor's attempts more generally to maintain existing standards wherever possible. However, we feel that limited additional guidance can be given to ensure that London boroughs continue to seek strong housing standards within the remit of planning.

The points we wish to make are below.

Housing standards review

We argued in our submission to the Housing Standards Review that London should be able to set its own housing standards.

The Greater London Authority Act 1999 created the London Plan, a unique spatial planning strategy with which all local authorities must comply. The Act allows the Mayor to set supplementary planning guidance, and since its inception this has included housing standards. These standards have been clarified and magnified through various statutory planning and housing strategies and policy documents, including the London Housing Design Guide, the Climate Change Mitigation and Energy Strategy, and the Climate Change Mitigation Strategy, and numerous supplementary planning guidance documents including the Housing SPG and the Sustainable Design and Construction SPG. These documents created a well-established and effective series of housing standards which are lauded as improving the condition of housing in

the capital. Many of these are designed to be joined-up with other policies, such as on transport, health, and tackling and adapting to climate change, which all contribute to quality of life and would be undermined if the standards were lost. For these reasons, we argued that these standards work for London, and London should have been able to maintain and continue to set them.

We further argued that, in recognition of London's government structure and the pressures on the capital including rapid population growth, London's uniqueness in planning policy has long been recognised by central government. For instance, London's continuously built up urban region has a spatial strategy. Additionally, the "need to take local circumstances into account" is established by paragraph 10 of the Government's National Planning Policy Framework (NPPF). This is in keeping with the localism agenda.

Despite this strong case for exempting London, like all local authorities the GLA is no longer able to set most housing standards through planning policy, as outlined in the outcome of the Government's Housing Standards Review¹. Instead, the Government has published a new national set of standards imposed through revised Building Regulations and two sets of optional standards on water and disability access, and a nationally described space standard, that can be applied via planning policy.

The result is the loss of policies that help London provide high quality, sustainable housing. For example, the abolition of the Code for Sustainable Homes means that London will lose policies because they do not fall within any other planning or building control standard, such as on daylighting, NOx from boilers, and even the requirement for a Home Information Pack. For example, London policy guidance currently refers to Category 3 of the Code, which provides criteria on the environmental impact of and responsible sourcing of materials used in construction. This undermines London's ability to achieve the highest standards of sustainable design and construction, as required by London Plan Policy 5.3

MALP: space standard and disability access

We appreciate the use of the London Plan to apply the new "optional standard" and the nationally described space standard. This approach saves each individual borough from the costly process of having to produce its own needs and viability studies, and will also produce a uniform standard across London giving greater certainty to developers.

We recognise that the GLA has little discretion with regards to the details of the new standards. However, on some policies we feel that additional guidance can be given to ensure that London boroughs continue to seek strong housing standards within the remit of planning. An example is the MALP's encouragement of ceiling heights of 2.5m, beyond the national space standard of 2.3m, where appropriate². We believe that this approach – adopting the nationally described standard yet encouraging boroughs to go beyond it where appropriate – is an effective one which will secure better quality housing for Londoners whilst remaining within the spirit of the Housing Standards Review. The below includes suggestions of where this approach can be applied to other aspects of space standards and disability access.

¹ DCLG. [Housing Standards Review background](#).

² MALP Table 3.3 note 3.

Space standards

Space standards are important for London, where nearly one in ten households are overcrowded³. Providing flats and houses that are sufficiently large enough to allow a family to carry out daily life – cooking and washing up, doing homework, watching television – is essential to providing a decent quality of life.

We note that MALP replaces the content of Table 3.3 Minimum space standards for new development with the nationally described space standards.⁴ Although we would have preferred to maintain our existing standards, we recognise that the new standards do not constitute a dramatic departure. In fact the new standards represent a 1-3 per cent reduction from the London Plan space standard for larger two and three storey dwellings, although this reduction could be accommodated for by taking space off of stairs or the water closet.

However, one significant alteration is that the new table only sets out specified standards for up to 8-person dwellings, with no guidance for nine-person or larger properties. The previous table laid out standards for up to six-person households, with supporting text requiring developers to allow approximately 10 sq m per extra bedspace/person. This requirement has been deleted by MALP⁵.

This is a glaring omission which leaves developers with no guidance on standards for properties designed for nine persons or more. This is particularly important for London, where households tend to be larger than in other parts of the country due to cultural factors and exacerbated by the growth in inter-generational households fuelled by the unaffordability of housing in the capital. London is also failing to build enough family homes, with only 22 per cent of all homes built last year having three bedrooms or more⁶, making it imperative that those which are built provide enough space for the families who live in them.

As a result, we believe that **the MALP should be amended to provide guidance for additional space required for every additional person and/or bedroom above eight-person households**. The pattern underlining the nationally described space standards is for an additional 9 sq m per extra person, with an additional 4 sq m per additional bedroom. The MALP should include text noting that this pattern should be followed ad infinitum. We also encourage the Government to make this change to the Nationally Described Space Standards document.

We also encourage the GLA to require furniture schedules are appropriate. The lack of a reference to furniture schedules in Nationally Described Space Standards document does not preclude their requirement by the GLA.

Finally, we recommend the inclusion of text laying out minimum space standards for both drying space and for recycling space. Without specific requirements for drying space, families will be forced to hang clothing up around the house, interfering with the normal use of the space. The provision of dedicated, compartmentalised space for source-separated recycling would make recycling easier for households, thereby supporting the recycling ambitions of London Policy Policy 5.16 Waste net self-sufficiency.

³ The most recent Census found that more than one-in-ten London households are now overcrowded (11.3 per cent), equating to 379,990 households across the capital, with increases across all housing tenures between 2001 and 2011 (London Assembly motion. “[Overcrowding in London](#).” 11 March 2015.)

⁴ DCLG. [Technical housing standards – nationally described space standard](#). March 2015: Table 1.

⁵ MALP para 3.36.

⁶ [London Plan Annual Monitoring Report 11](#). March 2015: Table 3.2.

Access

We are pleased that ten per cent of dwellings should be built to Building Regulation requirement 'M4 (3): Wheelchair user dwellings'⁷. It is important that those in wheelchairs can live in high-quality homes in areas across London. We believe that the assessment of need outlined by the supporting research is robust and compelling⁸.

However, we are concerned that supporting text stipulating “wheelchair accessible homes should only be applied to those dwellings where the local authority is responsible for allocating or nominating a person to live in that dwelling”⁹ will confine wheelchair accessible homes to the social sector. **There is a need for wheelchair accessible dwellings across all tenures, and there should be requirements to provide this.** This is particularly important for the private rented sector, where factors such as length of lease, cost, and the need to secure landlord’s consent make it prohibitively difficult for tenants to make adaptations that would allow for accessibility.

This finding may have been evident had the Mayor opted to consult with representatives of affected groups, such as older Londoners and the disabled, as part of the background work. We note that stakeholders were surveyed, but these stakeholders included only house builders operating in London, agents and London Boroughs¹⁰.

Viability

We are concerned by the language in paragraph 3.48A suggesting that a development-specific viability test should be undertaken where a lift is to be provided in a dwelling accessed above or below the entry storey.

Requiring viability tests in these circumstances is redundant. The robust viability study produced by the GLA found the costs of the new policy compared to existing policy were insufficient to threaten viability.

Requiring viability tests will also make it less like that the standard is required, or that it will be required at the expense of other planning gain. This is because the most commonly-used calculation of viability is narrowly designed and takes into account only development costs and profits¹¹ with is no requirement to consider socio-economic needs, costs and benefits. This means that some developments will be able to avoid the imposition of standards where they successfully argue that doing otherwise would make their project unviable, or where it is required could result in a reduction in other developer contributions such as affordable housing and infrastructure.

⁷ MALP para 3.48.

⁸ David Lock Associates. [Greater London Authority Housing Standards Review: Evidence of need](#). May 2015: 4.3.1-4.3.32.

⁹ MALP para 3.49A.

¹⁰ David Lock Associates. [Greater London Authority Housing Standards Review: Evidence of need](#). May 2015: 4.2.13.

¹¹ Paragraph 173 of the NPPF states: “To ensure viability, the costs of any requirements likely to be applied to development, such as requirements for affordable housing, standards, infrastructure contributions or other requirements should, when taking account of the normal cost of development and mitigation, provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable.” In addition, the standard guidance used was produced by RICS and instructs that the fair market value of a site is used instead of the current land use value, thereby inflating costs and reducing profit.

We therefore suggest that **the reference to development-specific viability tests make clear these should be required only in very exceptional circumstances.**

Allowable solutions

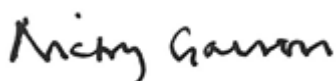
The MALP outlines the Mayor's preferred approach to Allowable Solutions, where specific targets for carbon dioxide emissions reduction are provided for off-site when they cannot be fully achieved on-site¹².

We agree that the preference should be for local projects within the borough in which the development is located. Retaining the benefits of a development within the local community is an important principle of planning gain that helps to alleviate the consequences of development and overcome NIMBYist attitudes. We recognise that it may be appropriate under certain circumstances to implement projects in neighbouring boroughs, and therefore support the Mayor's ambition to develop a London-wide delivery agency for Allowable Solutions projects. However, we believe that the Mayor should help to avoid such situations where projects are realised outside of the local area by providing guidance for all London boroughs to develop their own Allowable Solutions strategies.

We believe this local approach should also be followed with regards to pricing per tonne of CO₂, and therefore urge the Mayor to encourage Government to allow pricing to be set locally or zonally.

Thank you once again for the opportunity to respond to the draft MALP Housing Standards consultation on behalf of the Labour Group. I ask you to consider these points and that they are reflected in the final version of the MALP.

Sincerely,



Nicky Gavron AM
Labour Group planning spokesperson

¹² MALP para 5.23A-5.23B.