

Planning Committee – 16 June 2015
Transcript of Item 8 – Minor Alterations to the London Plan and Housing SPG
Consultations
Session Two: Housing Standards Consultation

Nicky Gavron AM (Chair): We are now going to turn our attentions to the Government's Housing Standards Review and the Mayor's proposals - and he has a consultation out - for are how we are going to reflect the Housing Standards Review. This is about housing standards in the London Plan and how many are going to change, whether they are going to change and whether they should. Our panel, would you just introduce yourselves for those who are watching?

John Lett (Strategic Planning Manager, GLA): John Lett, lead on the London Plan. May I take this opportunity, Chair, to introduce Jennifer Peters, who is the new Strategic Planning Manager responsible for land use policy and local plans, who I do not think has been in front of you before?

Nicky Gavron AM (Chair): Welcome, Jennifer.

Jennifer Peters (Strategic Planning Manager, GLA): Hello. Thanks for having me.

Celeste Giusti (Senior Strategic Planner, GLA): Celeste Giusti, also from the London Plan Team, dealing with our climate change policies.

Nicky Gavron AM (Chair): Thank you very much. I will kick off, then. The London Plan has pretty strong housing standards. You have been making representations on these. Can you tell us how you got on and what have been your priorities in terms of what you bargained for? This is quite a wide-ranging area and will shape the way new homes are created and to be lived in in the future.

Jennifer Peters (Strategic Planning Manager, GLA): We were involved quite in-depth with the Government and its changes to the housing standards, although we started the process in 2012, looking at the Red Tape Challenge and looking at the Housing Standards Review. Because we had standards in London already, it was important to them to talk about how we had standards, but also we felt it was important for us to be involved to ensure we influenced them. John sat on the steering group as part of the housing review. There were a lot of different groups. We sat on the overall steering group. We also sat, a mixture of myself and John, on the access subgroup, and also Julie Fleck and Neil Smith, for a time, our Access Advisors, sat on the access group. We also did the two formal consultations and responded in-depth to both of those.

In terms of our priorities, I suppose the space standards, which we have embedded in the London Plan from 2011, were one of the key things we wanted to make sure we kept. There was a lot of debate about whether they were going to have space standards at all, whether they were going to be in building regulations and whether they were going to be applied through planning. We wanted to make sure, if they did have space standards, that they were fit for purpose for London. We also had some priorities around the carbon and energy-saving agenda. I do not know, John, if there were other areas. Access, of course. We were very keen to ensure access.

John Lett (Strategic Planning Manager, GLA): Access, Lifetime Homes and, in particular, the wheelchair housing standards were particular ones as well. Water was raised and I sat through several groups on that as well.

Celeste Giusti (Senior Strategic Planner, GLA): We had separate, more technical meetings on our energy policies and trying to work out how they could work in with what the Government wanted to do.

Nicky Gavron AM (Chair): Yes. We can come back to all these, though. In fact, you had a quite wide range of issues to discuss and to prioritise.

Jennifer Peters (Strategic Planning Manager, GLA): Yes.

Celeste Giusti (Senior Strategic Planner, GLA): Yes. Some of the areas were with different offices at the Department for Communities and Local Government (DCLG). Some of them were with specialists. The energy ones were with specific people from the building regulations side.

John Lett (Strategic Planning Manager, GLA): I was dealing with effectively the head of building control who was co-ordinating the whole exercise at DCLG, the DCLG officer there.

Nicky Gavron AM (Chair): I do not know if you put it as sharp as 'battles', but how have you fared? What have you won?

Jennifer Peters (Strategic Planning Manager, GLA): The space standards in terms of the gross internal areas were quite a win. I know that you will probably notice that the standards for larger homes are slightly smaller than we have in the London Plan at the moment, but as we primarily deliver flats in London and where we deliver houses they almost always exceed the space standards anyway, we did not feel that was much of a problem. We were really pleased to get those pretty much where we have them as well in the London Plan. Also, getting the access standards, three options within the building regulations, is a really big win not just for London but for the rest of the country. Those would be my key wins.

Celeste Giusti (Senior Strategic Planner, GLA): Energy is slightly different in that it is not an optional standard. It is more of a policy statement. In the policy statement, they did specifically mention decentralised energy.

Nicky Gavron AM (Chair): They mentioned decentralising?

Celeste Giusti (Senior Strategic Planner, GLA): Yes, in terms of what the Government's policy is should not preclude developers or borrowers still seeking decentralised energy.

Nicky Gavron AM (Chair): That is a win. OK.

John Lett (Strategic Planning Manager, GLA): Chair, as Jen [Jennifer Peters] alluded to; there was a lot of toing and froing on this. We went in with - I paraphrase here - a preferred option: just leave London alone because we have our standards and we are working.

Nicky Gavron AM (Chair): Yes.

John Lett (Strategic Planning Manager, GLA): It became obvious that that was not going to work and that there was a strong demand to have national standards. Then came an issue as to how we, as London, could preserve as much as possible of what we have already without undermining the Minister's clear indication that he wanted a national approach, which is how we have ended up - and one never knows what goes on in DCLG - with two-tier standards: an upper tier that you elect to, and we have to do a minor alteration to go through that election process, and lower-tier ones, which are effectively the default standards. What we are doing here is going for the upper ones, which are pretty much what we had before with a few minor exceptions, which you have picked up on.

Nicky Gavron AM (Chair): What are the default standards, then?

John Lett (Strategic Planning Manager, GLA): The space standards that Jen [Jennifer Peters] has mentioned are ones that you have to elect to. With the access standards, the Government has effectively done away with the Lifetime Homes.

Nicky Gavron AM (Chair): It is a lifetime, is it not, John?

John Lett (Strategic Planning Manager, GLA): Indeed. It is rather a while. Lifetime Homes and our own wheelchair, but those have been replaced with three options - M1, 2 and 3 - and they are almost there. Not quite, but almost.

Nicky Gavron AM (Chair): We are going to go into a bit more detail in a minute.

John Lett (Strategic Planning Manager, GLA): Yes, we are. The water one, once you have played around with the remaining five litres, is where we started off with. Then we have various other things to do with security and bins and things like that, which are actually enshrined in building regulations anyway now.

Nicky Gavron AM (Chair): I want to know everything. We can unpick a bit more of this.

Andrew Boff AM: On that, this is a sort of overarching question. What effect do the national standards have on our standards? Somebody builds a building. It is somewhere between our standards and the national standards. Are they going to be able to appeal and get through their standards anyway? What effect is it actually going to have on developments in London?

John Lett (Strategic Planning Manager, GLA): Our feeling as officers is that, by and large, they will probably strengthen our hand because, rather than just having the Mayor and Supplementary Planning Guidance (SPG), we now have them enshrined nationally where there is policy or through the building regulations. There is more weight behind them, but we have to go through this elective process to be able to take them on board to have them properly tested. The fact that we have gone through the testing process twice already is perhaps an irritation, but we think we will get something stronger out of this process.

Jennifer Peters (Strategic Planning Manager, GLA): It is probably also worth saying that where they are the building regulations, access and water, they are going to be applied differently. They will be applied through the building regulation process, which some people would say is almost more stringent than the planning process because there are definite after-building checks to make sure that they have been built to the standard that you agreed.

Andrew Boff AM: Thank you. Good. Thanks.

Nicky Gavron AM (Chair): Can we go on to our next question?

Navin Shah AM: Yes. Chair, before I come to that, following Andrew's line, where we have, say, divisions between what national standards say - ceiling height, which is what I am coming on to now, where they are saying 2.3 metres and we actually have met the standard - on appeal, will we be able to defend our 2.5 metres as against national standards? What happens there?

John Lett (Strategic Planning Manager, GLA): We are hoping that the form of words that we have put in, which is to strongly encourage 2.5 rather than 2.3, will prevail in the unique circumstances of London and that we will have a reasonable inspector who will take our arguments. We think the combination of the heat island

effect, the very high densities, seven-eighths of our output is flats; those are convincing arguments. Then we will turn to the Secretary of State and say, "We think this is right. The inspector thinks it is right. What do you think about London and localism?"

Navin Shah AM: Yes. Then this is about quality of life. We have better quality of life through space standards, and space standards are not two-dimensional. They are three-dimensional. Volume is critical. When you imagine a 2.1-metre door head height, only about 8 inches above, that puts everything in perspective, how low the ceiling will be, even for your average rooms. Obviously we are all singing from the same hymn sheet in this case, but the question is, will the strongly encouraging ceiling height to 2.5m be sufficient to push developers to follow? Probably the answer is yes, from what you were saying before.

John Lett (Strategic Planning Manager, GLA): If we get it into the London Plan, then yes. It would of course have been preferable to have 2.5m in the Government guidance but, as a second-best, it is a pretty good second-best.

Navin Shah AM: Yes. Is there any room to lobby the Government to change this to follow our better standards at all? Can we do something?

John Lett (Strategic Planning Manager, GLA): You have rather put me on the spot there. I would prefer not to respond to that one at the moment.

Navin Shah AM: Is something being done? Can I put it that way?

John Lett (Strategic Planning Manager, GLA): I cannot go into that.

Navin Shah AM: Is lobbying in process, then? I take it, as you are not able to answer, that there is something being looked at to see whether there can be a different result than the current situation we have.

John Lett (Strategic Planning Manager, GLA): You can take it that the Mayor would not have put "strongly encourage" in his draft London Plan if he was not going to put his force behind it.

Navin Shah AM: Good. That is the end of my question, then. Thank you. Good.

Nicky Gavron AM (Chair): First of all, lower ceiling heights. Just quickly rattle off the things they affect.

Jennifer Peters (Strategic Planning Manager, GLA): It is ventilation, the daylight and the sunlight that it gets. It can heat up because of the ventilation. Also, just the feeling of comfort and openness.

Navin Shah AM: It is a flow thing, really.

Jennifer Peters (Strategic Planning Manager, GLA): Yes, exactly.

John Lett (Strategic Planning Manager, GLA): We build at, using DCLG stats, just over four times the national density and seven-eighths of our output are flats. We are completely different to the rest of the country.

Nicky Gavron AM (Chair): We have a very, very strong case.

John Lett (Strategic Planning Manager, GLA): As GLA officers, we would say that.

Navin Shah AM: John, how does this compare with the old Parker Morris [Parker Morris space standards]? I tried to look it up but I could not find whether it had a minimum ceiling height.

John Lett (Strategic Planning Manager, GLA): I cannot remember the Parker Morris ceiling height.

Nicky Gavron AM (Chair): It was seven feet, six inches.

Navin Shah AM: Yes. That is 2.3 metres.

John Lett (Strategic Planning Manager, GLA): It is 2.3, is it not?

Navin Shah AM: No, 2.3 metres is 7 feet and 6.5 inches; 2.5 is 8 feet and 2.5 inches. We are talking about 8 inches in difference, which is quite a lot.

John Lett (Strategic Planning Manager, GLA): Yes. It really does give you that extra sense of space. We have been around a lot of new developments and looked at them ourselves, as well as having architects working for us.

Nicky Gavron AM (Chair): Can I ask? Are they reducing the ceiling height? That means you might keep the space standards and I believe we have to get on to that and just find out what has been lost in this keeping of the space standards. It means you can have more storeys, does it not?

Andrew Boff AM: What was the evidence base for suggesting 2.3m rather than 2.5m? I am curious as to why they chose that figure.

John Lett (Strategic Planning Manager, GLA): There were very strong representations from the private sector. Sorry. That is my perception.

Andrew Boff AM: OK, sure. Thanks.

Navin Shah AM: My view is that this is to increase density in a different way, to talk about more dwelling units, because by reducing, depending on how high you are going, you could add another floor or two. To me, the proportions will be wrong, visually, architecturally. Once you start squeezing the box flatter and flatter, it just will not look right, in my view. It has serious implications for people living in and using that accommodation. We are talking about minimum room standards, which is what developers and designers are applying. If you are going to reduce that even in volume, it is going to have a very negative impact. Anyway, we are on the same side.

Nicky Gavron AM (Chair): Shall we move on to the next area?

Andrew Boff AM: I just wonder why the GLA has not chosen to strongly encourage the old London Plan policies such as the requirement for ten square metres per extra bed space in homes for more than six people, the old space standards for larger houses and the requirements for temporary bed space access there. We had standards and we do not seem to have --

John Lett (Strategic Planning Manager, GLA): We basically have a longer list, Chair.

Jennifer Peters (Strategic Planning Manager, GLA): Yes. On those particular ones that you mentioned, in terms of the extra space for larger units, the Government's nationally described space standards table actually goes up to eight-person units. Ours only went up to six before and in general we do not tend to get

much more than that in London. We feel that that covers that and so it is just not necessary to have that in there. We still might mention it in the SPG as a rule of thumb.

Then, in terms of the bed space, it was a Lifetime Homes requirement. Now, when it comes to access, we can only apply what is in those building regulation requirements, and when it is the building regulations, it is even more difficult to try to apply a different standard. It would be very hard because it is a different regime. Also, although you do not have to say there is a specific bed space, most places, if you meet the space standards, would be able to put a bed on the ground floor.

There is also the fact that although the Housing Standards Review is quite implicit about not being able to do extra standards beyond that, it only covers technical internal standards, more or less. There are some access ones which are access to the property, but more or less it is technical internal standards. A lot of the stuff that we have in the housing SPG, which links to the policy of 3.5, is still there: dwellings per core, the numbers of lifts needed and things like that. The number of lifts needed depending on the floors. We are keeping those in our SPG. A lot of standards we have kept. We have not just gotten rid of things.

Andrew Boff AM: The room size standards? I was not quite clear.

Jennifer Peters (Strategic Planning Manager, GLA): We have kept the overall gross internal area because that is obviously in the Government's standards and we have kept the bedroom size standards. We have not kept our best practice standards that we had, which were about the living room areas and the kitchen sizes, basically because they are just not part of the Government's standards. However, again, within the SPG we have some text which says about, for example, if you have dwellings for five people or more, you should have two separate living areas. We have tried to keep as much guidance to get good-quality dwellings as possible, but within the regime that Government has set you have to either take their standards, more or less, or no standards.

Andrew Boff AM: You also decided not to encourage standards for the areas of the home not covered by building regulations or by the nationally described space standards.

Jennifer Peters (Strategic Planning Manager, GLA): No, we do still have a lot of those where they are not technical standards related to the internal layout of the home. We have kept a lot of those in the housing SPG. Actually, at the back of the SPG --

Nicky Gavron AM (Chair): Enlighten us. Tell us.

Jennifer Peters (Strategic Planning Manager, GLA): Like I say, dwellings per core. We say eight dwellings per core per floor. Promotion of dual aspect, balconies, outside space, private open space. Things like that. We have kept those. We had lots of detailed discussions with Government about whether they fell into the review or they did not, and we understand that we can keep these standards and we would like to do so.

Andrew Boff AM: Did the Government come to a view on outside space?

Jennifer Peters (Strategic Planning Manager, GLA): Yes. It said it is not part of the review and so we can ask whatever we want.

John Lett (Strategic Planning Manager, GLA): We very much wanted that. We wanted it to come to that view so that we could keep it.

Jennifer Peters (Strategic Planning Manager, GLA): Yes, keep our standards.

John Lett (Strategic Planning Manager, GLA): There was quite an exchange about whether balconies should be in or out.

Nicky Gavron AM (Chair): Because they do not have it, it means you can keep it?

John Lett (Strategic Planning Manager, GLA): It means that we can keep it, yes.

Jennifer Peters (Strategic Planning Manager, GLA): It is not a technical internal space standard. To be fair, with this whole process, it is not very clear what is what, and we have had to go through many conversations with Government officials, saying, "Is this part of your review or is it not? If it is not, can we keep it?" It has been quite a hard process to get some clarity on that. What we have settled on is what we have in the Minor Alterations to the London Plan (MALP) and then we have it in our updated housing SPG, which is also out to consultation. It sets out what we are keeping and what we cannot keep because of the Government's standards review.

Nicky Gavron AM (Chair): It seems to me, Andrew [Andrew Boff AM], that what is falling out of it are the larger homes or they may not reach the standards we would want them to reach. You are saying for larger, over five, you are not being allowed to keep the internal layout, two living rooms, or you have to have a kitchen and living room all in one or something?

Jennifer Peters (Strategic Planning Manager, GLA): Yes. We cannot have a standard like that that is conditioned on a development through the planning process, but we can encourage it through the housing SPG, which is what we have done.

John Lett (Strategic Planning Manager, GLA): On houses, as opposed to flats - houses are about an eighth of our output - it looks, if you just look at the table, as though they are two to three metres smaller than what we have in the old SPG. In fact, that is largely because the way stairs are accommodated has now been calculated differently. There is a dog's leg in the new configuration of stairs and that saves you two or three square metres. That, as far as we can see, looking through, does actually explain most of the difference. Perhaps not all of it.

Nicky Gavron AM (Chair): You know that that is not a Lifetime Home. How on earth --

John Lett (Strategic Planning Manager, GLA): No, we have checked this.

Nicky Gavron AM (Chair): How on earth can you get a stair-lift in?

John Lett (Strategic Planning Manager, GLA): You can get a Stannah around the bend. We have had advice from about three architects on this.

Nicky Gavron AM (Chair): You have to get a stair-lift down, across the landing, down?

Jennette Arnold OBE AM: Who is going to pay for it?

John Lett (Strategic Planning Manager, GLA): It would always have to have been paid for.

Nicky Gavron AM (Chair): Yes, but it is much easier to just go, "Hmm, hmm".

John Lett (Strategic Planning Manager, GLA): Yes, you are perfectly right. There is once up and then usually a reveal at the top. This is reveal, down, and then down again.

Nicky Gavron AM (Chair): Yes. It means a nifty design, which allows you to have a smaller hall.

John Lett (Strategic Planning Manager, GLA): Yes.

Nicky Gavron AM (Chair): What about storage in that hall? Is that still being kept?

Jennifer Peters (Strategic Planning Manager, GLA): There is specific built-in storage within the space standards, as there always was with our own space standards, but they have been quite clear about that. There will always be built-in storage as part of the gross internal area.

Nicky Gavron AM (Chair): Bike spaces?

Jennifer Peters (Strategic Planning Manager, GLA): That is not part of the Government standards review, but we still keep it. In fact, it is in the London Plan.

Andrew Boff AM: We have already touched on your question in regard to wheelchairs.

Nicky Gavron AM (Chair): We are getting on to it in a moment.

Andrew Boff AM: If I can step back from that for just a second, in your view, is this going to discourage people from building larger houses with more bedrooms?

Jennifer Peters (Strategic Planning Manager, GLA): No, not at all. When we did our research for when we brought in the space standards in the 2011 plan, we found that where dwellings were falling below the space standards were the one- and two-bedroom flats, not the bigger houses, because people buy bigger houses because they want the extra space. I do not think it will have much effect on houses in London, to be honest.

Andrew Boff AM: Not on the quantum of houses or homes?

Jennifer Peters (Strategic Planning Manager, GLA): No, nor the quality or size of them. Because of the market that houses are aimed at, as John [John Lett] mentioned, they are quite a small outfit when it comes to the overall number of units that we deliver and so they are going for a particular market.

Andrew Boff AM: That is for market-value homes?

Jennifer Peters (Strategic Planning Manager, GLA): Yes.

Andrew Boff AM: Of course, a lot of family homes were built as a result of section 106 agreements.

Jennifer Peters (Strategic Planning Manager, GLA): Yes, that is true.

Andrew Boff AM: Do you feel that it is going to affect those? They are going to be able to get away with building smaller homes, are they not?

Jennifer Peters (Strategic Planning Manager, GLA): Potentially. Our housing and land allowance one is still going through the process of working out what their standards will be for partner-funding arrangements and that will be seeing how the MALP goes through the IP. They have not come to that conclusion yet in terms of what standards they will be asking for. The likelihood is they will go for the Government's standards, which may mean smaller homes. That is to be seen.

Andrew Boff AM: Yes, OK. Thank you.

Nicky Gavron AM (Chair): Jennette?

Jennette Arnold OBE AM: Yes. Can I go to you, Mr Lett? You have started to talk about it earlier and that is the concerns that have been identified regarding wheelchair-user dwellings and standards applying to them. Can I ask you a direct question and then you can take me further? Policy 3.49(a) has also been amended to determine that M4/3, which says:

“Wheelchair-user dwellings should only be applied to dwellings where local authority is responsible for allocating or nominating a person to live in that dwelling.”

Does that mean that there will be a limited market in new homes for disabled people?

John Lett (Strategic Planning Manager, GLA): You have picked up on a significant change there. In accepting - and we do not have any option but to accept - the wheelchair M3 standard, the ones that are finished, ie are actually wheelchair-accessible from the day they can be occupied, will only be effectively affordable housing. The private sector stuff will be wheelchair-adaptable. The supports will be there. The doors will be the right width. The layout will be correct and the space will be correct. The space is actually very significant. There is a big difference between M2 and M3.

Nicky Gavron AM (Chair): Difference between?

John Lett (Strategic Planning Manager, GLA): M2, which is the old Lifetime Homes, which applies to 90% of London's future output, and M3, which is the wheelchair-accessible and applies to 10%.

Jennette Arnold OBE AM: What then applies to private dwellings? M2? It will only be adaptable.

John Lett (Strategic Planning Manager, GLA): No. It is M3, adaptable.

Jennifer Peters (Strategic Planning Manager, GLA): Can I just come in? The way the Government has done it is slightly confusing. There is an overall category, which is wheelchair-user dwellings, and that can be applied across the board, so any tenure. Then that is broken down into two specifics. One is wheelchair-accessible, which is fully kitted out, ready for use. That is the one where the local authority has to nominate or allocate, so we are assuming it has to be affordable housing. Then there is wheelchair-adaptable, which, as John says, has all the space and layout correct but does not have all the fittings, and that is the one that you can ask the private sector to deliver.

Nicky Gavron AM (Chair): Sorry about this. There is a figure, Jennette, of 10% of homes will be wheelchair-accessible or wheelchair-accessible and adaptable.

Jennifer Peters (Strategic Planning Manager, GLA): Yes, both. Wheelchair-user dwellings.

Nicky Gavron AM (Chair): That is a change.

John Lett (Strategic Planning Manager, GLA): Wheelchair-user.

Nicky Gavron AM (Chair): That is bad.

Jennette Arnold OBE AM: When you look at, it seems to me, where we were heading, to where we are now deviating to, it is going to have a real impact on wheelchair users, is it not?

Jennifer Peters (Strategic Planning Manager, GLA): It is not actually a significant change from what we had before.

John Lett (Strategic Planning Manager, GLA): The wording, from memory - Jen is just looking it up - is pretty similar.

Nicky Gavron AM (Chair): Sorry, Jennette, to come in just for clarification, do you mean it was always at 10%? It was always a mixture of accessible and adaptable?

Jennifer Peters (Strategic Planning Manager, GLA): Yes.

John Lett (Strategic Planning Manager, GLA): Yes. It always said accessible and/or adaptable. Sorry, I cannot remember the exact phrasing.

Nicky Gavron AM (Chair): You have just explained there is a major difference in the size.

John Lett (Strategic Planning Manager, GLA): Yes. The Government has basically highlighted a distinction that we have always recognised all the way back through all generations of the London Plan.

Jennifer Peters (Strategic Planning Manager, GLA): We used to say that 10% of new housing is designed to be wheelchair-accessible or easily adaptable for residents who are wheelchair users, and now we say 10% wheelchair-user dwellings. In fact there is not much difference between what was there before and what is there now.

Nicky Gavron AM (Chair): OK.

Jennette Arnold OBE AM: That applies across to both private and affordable?

John Lett (Strategic Planning Manager, GLA): Affordable, yes.

Jennette Arnold OBE AM: Or just affordable?

Jennifer Peters (Strategic Planning Manager, GLA): Wheelchair-user dwellings is across both. When it comes to wheelchair-accessible, completely kitted out, you can only require that as a local planning authority if you are the allocating or nominating authority and so, yes, affordable housing. A local authority will have to decide when it comes to their affordable stock coming through whether they need it to be accessible or adaptable. They would have the choice, depending on their evidence. When it is private sector, it could only be adaptable and so it has all the size and layout right but it will not be fully kitted out.

Jennette Arnold OBE AM: If I can just finish, the legislation then only applies to the local authority? Private developers are outside that requirement?

Jennifer Peters (Strategic Planning Manager, GLA): No. The 10% that we are requiring is for all tenures. How you split it - whether it is wheelchair-accessible, which is a fully wheelchair-user kitted-out dwelling - that can only be social, affordable dwellings, but if it is wheelchair-adaptable - the layout and the size is correct, it is not yet fully kitted-out but it can be in the future - that is for the private sector.

Jennette Arnold OBE AM: OK. If you are a young person now and you are planning to buy a house once this amendment is made, what is going to be your experience? You are going to have to find the cash to actually adapt your dwelling if you are proposing to buy in a private development. Is that the case now?

Jennifer Peters (Strategic Planning Manager, GLA): It can be, yes.

John Lett (Strategic Planning Manager, GLA): I would have thought so, yes. Sorry, you know this better than us, Jennette. It is the grab-rails, the heights, the units, things like that. Usually in the private sector, as we understand it, you have to pay extra for that nowadays, or a developer will kit it out for you. That is the way it is. What we will effectively end up with, we suspect as officers, is a second tier of larger flats. The one- and two-beds will be a lot bigger than the standard what we call M2s, the Lifetime Homes flats, and the doors will be wider and the access to the bathroom will be so that you can get a chair in and orientate yourself around.

Jennette Arnold OBE AM: You said that this was a significant issue. Have you received much lobbying or responses to this change?

John Lett (Strategic Planning Manager, GLA): We have not had the consultation responses back. The Government was certainly very alive to the concerns when Jen [Jennifer Peters] and I were on the review group. We did end up getting a larger M3 categorisation - it was pretty hard-fought - because there was a lobby that said Lifetime Homes is sufficient.

What we were aiming for was as close as we could possibly get to what was in the London Plan at the moment, which is pretty darn close, actually. We have always had this distinction, although it has not been played out much, between what is adaptable and what is immediately accessible and that has been there forever.

Nicky Gavron AM (Chair): I have never known that.

Jennette Arnold OBE AM: No. You would just expect, in a world where we are trying to enable everybody to live their lives, especially people with disabilities, that their homes would come equipped because they are being built now. We are so used to the old stock, where you are told, "It cannot be developed, it cannot be changed". When I visit homes, and the machinations that people have to go through to park their car, move it, chairs from their car park, to be lifted up a couple of flights of steps and then to go into some contraption that takes them into their homes, it is shocking. To think that they are going to have to do that in some instances unless they can pay for adaptations is pretty horrifying.

Jennifer Peters (Strategic Planning Manager, GLA): The idea is that the layout and the size would all be ready for those needs, but this is what the Government is saying and we hear it anecdotally as well. Sometimes these dwellings are built to fully accessible standards, but it is not actually the right accessibility for the person who then comes on and buys it. Then the kit that is in it has to be ripped out and new kit put in. The idea here is that you are only kitting it out where you definitely know the person who is going to be moving in, which is where it comes through the allocation and nominations route. There is some justification for it that is not just trying to save money. It is trying to make it bespoke. In the private sector, I suppose it might mean that people have to pay that extra for the kit.

Jennette Arnold OBE AM: Yes. No, that makes sense. Thank you. I do not know. In putting your argument forward, did you produce any evidence or find any evidence of the need for wheelchair accessibility in the private rented sector (PRS)? Is there any evidence around that?

Jennifer Peters (Strategic Planning Manager, GLA): Not specifically, but our view was that wheelchair-user dwellings on the whole should be cross-tenure so that people have the choice.

Jennette Arnold OBE AM: Yes. Going back to what you just say, it is possible now to be thinking that in the PRS or private development the option is there now for a more bespoke fitting.

Jennifer Peters (Strategic Planning Manager, GLA): Yes.

Jennette Arnold OBE AM: That is what you would --

John Lett (Strategic Planning Manager, GLA): The only circumstances where that might not apply would be if we had a separate use class order for the PRS, which is an idea that has been bandied about, and most of the potential investors in PRS stuff actually do not want that because they want to be able to sell on at a later date. They do not want to be lumbered with a separate use class. Providing there is not a separate use class, this is cross-tenure and it will apply to them.

Jennette Arnold OBE AM: That was my third question, John. Thank you for answering it before I asked it.

John Lett (Strategic Planning Manager, GLA): I am sorry.

Jennette Arnold OBE AM: No, that is lovely. That is a sign of a great officer. It was about the possibility of seeking this extra through parliamentary lobbying or those sorts of means on this new category. Categories come about through lobbying. You were saying that that sector would be against it.

John Lett (Strategic Planning Manager, GLA): That is the message that we get from most of them, not all of them. There are some who want a separate use class because they think that will then depress the value of land and it will be cheaper to build, and then most of them think, again, after 15 or 20 years, they want to get the money back, basically, and sell them on the private market. Of course, if it is a separate use class, you then have to get planning permission to sell them on the private market, and various planning constraints such as affordable housing policy would apply.

Jennette Arnold OBE AM: Yes, but we also know from experience that the private sector sometimes has to be pushed and shown the right way. Maybe in future --

John Lett (Strategic Planning Manager, GLA): It is not just the Mayor. Certainly the Planning Officers Society has long negotiations with the Government and the private sector on how to incentivise PRS, and this is something that has been ongoing for some time and I think will probably continue. There has been a slight uptick in PRS starts, rather than output. Am I right in thinking that?

Jennifer Peters (Strategic Planning Manager, GLA): Yes. It depends how you classify them.

John Lett (Strategic Planning Manager, GLA): Yes.

Jennette Arnold OBE AM: OK. Thank you.

Nicky Gavron AM (Chair): Navin, did you want to come in?

Navin Shah AM: Jennette [Jennette Arnold OBE AM] has raised an interesting issue about consultation. Do you know, John or Jennifer, whether we have been in contact with the stakeholders like Age UK or the physical disability groups to get their perspective of the changes proposed?

Jennifer Peters (Strategic Planning Manager, GLA): Yes. We have our strategic access panel that actually met last week and we had quite a full discussion about the MALP. We had their views in that meeting and then our access officer is going to collate their response to the consultation. Yes.

Navin Shah AM: OK.

Jennette Arnold OBE AM: There is no way of that being referenced to us, is there?

Jennifer Peters (Strategic Planning Manager, GLA): Once we have received it, we can send you a copy, yes. It is not a problem.

Jennette Arnold OBE AM: That would be of interest.

John Lett (Strategic Planning Manager, GLA): Yes. These are all published and so they are available.

Nicky Gavron AM (Chair): Can I just ask? How on earth do you get to know you have 10% across all the sectors? I can see how you can do it in the public sector. How do you know from the rest?

Jennifer Peters (Strategic Planning Manager, GLA): That we are delivering it?

Nicky Gavron AM (Chair): Yes.

Jennifer Peters (Strategic Planning Manager, GLA): We monitor the delivery of the wheelchair standard and we do deliver about 8%, which is quite good. We do not break it down by tenure actually - I am not quite sure why - at the moment. It is just the way our system works.

Nicky Gavron AM (Chair): Can we recommend that you do break it down by tenure?

Jennifer Peters (Strategic Planning Manager, GLA): We could look into that, yes.

John Lett (Strategic Planning Manager, GLA): We can certainly look into it, yes. The London Development Database is a rather marvellous creature.

Nicky Gavron AM (Chair): Could you write to us about that and how you intend to do it? Do it through the --

John Lett (Strategic Planning Manager, GLA): It can actually be a lot more complicated than it sounds because we have to get 33 boroughs to sign up to this and that can take time. As a general proposition, yes.

Nicky Gavron AM (Chair): Does older people's housing count as part of the 10%?

Jennifer (Strategic Planning Manager, GLA): Specialist accommodation is not covered by the standards.

Nicky Gavron AM (Chair): It is something different outside of it?

Jennifer Peters (Strategic Planning Manager, GLA): Yes.

Nicky Gavron AM (Chair): Your 10% is not about specialist older people's housing?

Jennifer Peters (Strategic Planning Manager, GLA): No. It is conventional housing.

Nicky Gavron AM (Chair): That is additional?

Jennifer Peters (Strategic Planning Manager, GLA): Yes.

John Lett (Strategic Planning Manager, GLA): Yes.

Jennette Arnold OBE AM: Just to check, can I just come back and say that it is a tricky one, is it not? Sometimes we want evidence gathered when it is so obvious. If you look at the King's Cross development, the huge development there, there is some great designing there about accessibility. Because it is so big and because they have really pushed the boat out, every unit there is Lifetime Homes standard and accessible and the numbers are so huge you could just look at that and get your 8%. Do you know what I mean? Figures like that do not tell the true story because developments elsewhere could be in a really poor state.

Jennifer Peters (Strategic Planning Manager, GLA): In terms of Lifetime Homes and wheelchair housing, we do pretty much across the board - and I am sure I have printed it out - meet the standards.

John Lett (Strategic Planning Manager, GLA): They are talking about the 8%.

Jennifer Peters (Strategic Planning Manager, GLA): No, but for Lifetime Homes, which is the --

John Lett (Strategic Planning Manager, GLA): For Lifetime Homes, it is at about 75% or 80%.

Jennifer Peters (Strategic Planning Manager, GLA): Here we go. In the last annual monitoring report, of new-build homes, 93% met Lifetime Homes and 10% met wheelchair homes. We are doing pretty well.

Jennette Arnold OBE AM: That is good.

Nicky Gavron AM (Chair): OK. Celeste, you are going to have to explain a bit here. I want to ask you about 'allowable solutions'. You need to explain to us what they are because it is a new term. These next three questions are all basically around how sustainable the homes are going to be in terms of climate-proofing and environment and carbon reduction. Correct? If you could just tell us a bit more about allowable solutions?

Celeste Giusti (Senior Strategic Planner, GLA): OK. It is an element of the Government's 'zero carbon' definition. From 2016, all new housing will have to be zero carbon and that comprises an onsite element. Developers will have to meet a certain energy efficiency or carbon reduction onsite and beyond that they can either choose to do more onsite, more near to the development, or pay into a fund called an allowable solution.

Nicky Gavron AM (Chair): How does that differ from what you have in the London Plan now?

Celeste Giusti (Senior Strategic Planner, GLA): It is not that different. It is just that the allowable solution may be a national scheme. None of this has been particularly finalised. The allowable solution may be a national fund that a developer can pay into. We are not sure exactly what price that may be, whether it can be a local price or a national price, and then delivery agents will draw down into that pot and deliver carbon-saving measures across the country.

Nicky Gavron AM (Chair): It will be hypothecated?

Celeste Giusti (Senior Strategic Planner, GLA): Yes.

Nicky Gavron AM (Chair): Distributed where?

Celeste Giusti (Senior Strategic Planner, GLA): Wherever people choose to deliver those projects.

Nicky Gavron AM (Chair): You do not have any clarity on that?

Celeste Giusti (Senior Strategic Planner, GLA): Not at the moment. We are pushing the devolution lobby to lobby that London can ring-fence its allowable solutions that it generates to London. There is a figure being bandied around that London will generate £90 million worth of allowable solutions funds every year.

Nicky Gavron AM (Chair): Right. The Mayor is lobbying for it to come to London. Is he lobbying for it to go to the local area?

Celeste Giusti (Senior Strategic Planner, GLA): The Environment team is just doing a piece of work now with the boroughs. We have had several meetings with the boroughs to see who already has funds, funds under the London Plan as opposed to allowable solutions funds, whether or not they are collecting money, whether they have funds and how they are delivering and whether or not they would like to continue delivering under a national scheme. There is nothing to prevent boroughs from becoming delivery agents. The only problem is that in London their schemes may be more expensive to deliver than perhaps in the north, where you do not have such congestion, parking issues and storage issues. The Environment team is going to do that piece of work in the next month to try to establish whether the Mayor could set up a London-wide delivery agent or a portal that would list all the projects that the boroughs want to do. I am not sure whether the Mayor would become the delivery agent or he could use RE:FIT and RE:NEW or whether the boroughs want to. That is a piece of work that is currently being done.

Nicky Gavron AM (Chair): Can I just ask about big schemes, the sort that come to the Mayor? Would developers not argue viability and say, "We cannot do it onsite"? Let me just give you one example. I have heard Lend Lease talk about the possibilities of a small anaerobic digestion plant on a site so that it could provide renewable energy for that development; a rather exemplary developer. Would it make it difficult for us to be able to condition those kinds of things if we want to go forward?

Celeste Giusti (Senior Strategic Planner, GLA): Under the MALP or under the national zero carbon?

Nicky Gavron AM (Chair): Under the London Plan.

Celeste Giusti (Senior Strategic Planner, GLA): OK. Under the London Plan at the moment it would not make it more difficult. We probably would not for an anaerobic digester. We are technology --

Nicky Gavron AM (Chair): I just threw that out. It could be solar panels.

Celeste Giusti (Senior Strategic Planner, GLA): Yes. We are technology-neutral. We would still seek that they meet the target in the most efficient way possible.

Nicky Gavron AM (Chair): That would be onsite for a big development?

Celeste Giusti (Senior Strategic Planner, GLA): Yes.

Nicky Gavron AM (Chair): I can actually see - this is from experience too - that the onsite argument has been highly contested, has it not? I can see viability being argued and people using it as a way of getting out of putting anything onsite and maybe not giving very much money, etc.

Celeste Giusti (Senior Strategic Planner, GLA): We do not get quite as much pushback on energy policies. It is quite ingrained and it must not be as dispensable as delivering affordable housing because that is where we always get the pushback. In meeting our energy targets, we have always taken quite a pragmatic view and to date the industry has kept pace with the Mayor's moving targets. We do have specialists that we employ to review all the energy strategies. They have the technical expertise to know what is technically roughly possible and then how much that would cost. They do not specifically make the viability assessment. That is up to the planner to assess the overall deliverability of the scheme.

Nicky Gavron AM (Chair): OK. I have it. I have to end on that. Is it Andrew next? Andrew, are you asking a question?

Andrew Boff AM: Before we do that, can you just explain to me what this zero-carbon requirement is? Is it the ongoing carbon that might be produced by a development or the carbon used to construct?

Celeste Giusti (Senior Strategic Planner, GLA): Yes, it is just in use. The Government's consultation is the carbon emitted by that development over 30 years.

Andrew Boff AM: For which there would be a payment, which would be expected to mitigate 30 years' worth of carbon?

Celeste Giusti (Senior Strategic Planner, GLA): Yes, for whatever they do not achieve onsite.

Andrew Boff AM: OK. It is mitigating over a 30-year period?

Celeste Giusti (Senior Strategic Planner, GLA): Yes. Obviously, it is still subject to what the Government has put out on consultation. None of this has been finalised yet.

Andrew Boff AM: OK. I might get involved in that consultation. Is there an option for encouraging homes with lower levels of water consumption than their 110 litres per day per head, using the Mayor's preferred fittings-based approach?

Celeste Giusti (Senior Strategic Planner, GLA): We mention the fittings-based approach in the MALP. It is in the supporting text at the end and it is also strongly encouraged in the sustainable design and construction SPG. We advocate it as a simple list of standards that developers can use so that it is easy for them just to hand the standards to a contractor and say, "My development needs to meet this", as opposed to using the water calculator. We are already encouraging a fittings-based approach.

Andrew Boff AM: That is an encouragement that the developers will feel. Rather than just asking them nicely, there will be sanctions if they do not.

Celeste Giusti (Senior Strategic Planner, GLA): I would argue that it is easier for them to use a fittings-based approach and it is now mentioned in the building regulations as part of the Housing Standards Review.

Andrew Boff AM: The developer would find it simpler?

Celeste Giusti (Senior Strategic Planner, GLA): Yes. Before, it was only the water calculator in the building regulations.

Andrew Boff AM: OK. That is an incentive?

Celeste Giusti (Senior Strategic Planner, GLA): Yes.

Andrew Boff AM: OK. Yes. That is fine. It is a good response.

Nicky Gavron AM (Chair): The Sustainable Homes Code has gone, has it not?

Celeste Giusti (Senior Strategic Planner, GLA): Yes.

Nicky Gavron AM (Chair): The zero-carbon home is coming in 2016 but, first of all, what are we going to lose with the dropping of the Sustainable Homes Code?

Celeste Giusti (Senior Strategic Planner, GLA): The Code for Sustainable Homes has brought together a whole lot of different standards, some that are covered by the building regulations, some that developers may already be doing and some by the planners. For example, the energy ones are set out in the building regulations or the Housing Standards Review. There are certain things like drying space and energy-labelled goods which will not be covered by planning or building regulations.

Nicky Gavron AM (Chair): Sorry, drying space?

Celeste Giusti (Senior Strategic Planner, GLA): Internal drying space so that you do not have to use an electric dryer. If you have drying space to hang out your washing --

Nicky Gavron AM (Chair): Internally?

Celeste Giusti (Senior Strategic Planner, GLA): Internally or externally.

Nicky Gavron AM (Chair): That is gone?

Celeste Giusti (Senior Strategic Planner, GLA): It does not mean developers cannot do it. It just means it is not an element of the code. Remember that in the code there were a couple of absolutes but things like that were not absolute requirements. You had to reach a certain target pointed system in the code. You could pick and choose which elements best suited your development or your clientele. There are certain things that developers do now as standard like a home user guide or contractor schemes. Those types of things developers do. We are losing some of the materials policies because they do not fall within any other planning or building control standard.

Nicky Gavron AM (Chair): Sorry, what do you --

Celeste Giusti (Senior Strategic Planner, GLA): The environmental impact of building materials.

Nicky Gavron AM (Chair): That is not good, is it?

Celeste Giusti (Senior Strategic Planner, GLA): The materials industry does have a very strong lobby group and I guess the Government is leaving it to the private sector to lead that one.

Nicky Gavron AM (Chair): You could have more carbon-intensive materials, taking Andrew's [Andrew Boff AM] point about embodied carbon?

Celeste Giusti (Senior Strategic Planner, GLA): Yes.

Nicky Gavron AM (Chair): Embodied energy?

Celeste Giusti (Senior Strategic Planner, GLA): The European Union is taking some of those elements forward.

Nicky Gavron AM (Chair): It is not clear yet?

Celeste Giusti (Senior Strategic Planner, GLA): No.

Nicky Gavron AM (Chair): We could lose it?

Celeste Giusti (Senior Strategic Planner, GLA): From a planning point of view, we can no longer condition those kinds of things.

Nicky Gavron AM (Chair): Sustainable design construction has had a spear struck through it, yes?

Celeste Giusti (Senior Strategic Planner, GLA): Maybe just the materials element. If you speak to lots of developers, they use a whole-lifecycle analysis anyway and materials forms part of that analysis.

Nicky Gavron AM (Chair): You may not get recycled materials being used?

Celeste Giusti (Senior Strategic Planner, GLA): That is linked to waste and I would say that the Landfill Directive really encourages developers to generate a lot less waste. While there might not be planning or building control requirements, there are other incentives for developers to do some of these elements. That is one of the reasons the Government decided that it did not need the code anymore. Some of the elements are already entrenched and some of the elements already have other incentives or sticks.

Nicky Gavron AM (Chair): Can I ask, going back a bit to space elements: was space for storing recycling bins and so on included internally before?

Celeste Giusti (Senior Strategic Planner, GLA): Yes.

Nicky Gavron AM (Chair): Is it now included internally?

Celeste Giusti (Senior Strategic Planner, GLA): It is part of the building regulations as ensuring that you have sufficient storage for waste.

Nicky Gavron AM (Chair): Inside the home?

Celeste Giusti (Senior Strategic Planner, GLA): It does not have to be internal, no.

Nicky Gavron AM (Chair): It does not have to be. That is not good, is it?

Celeste Giusti (Senior Strategic Planner, GLA): I know. The space standards include space for storage.

Nicky Gavron AM (Chair): Choosing between a bike and your recycling. Yes, OK.

John Lett (Strategic Planning Manager, GLA): We do have balconies, Chair.

Nicky Gavron AM (Chair): Yes, OK. Sorry. What I am hearing in a way is that a national common denominator is --

Celeste Giusti (Senior Strategic Planner, GLA): The recycling storage was just those drawers that had different compartments. That is a relatively cheap option for a developer to do or even a house --

Nicky Gavron AM (Chair): OK, yes. It is just that when you go into German homes you see exactly how it is done. It just worries me a bit, listening, that you have all been trying to hang on to where we are rather than us being able to go forward and step forward and move into the future or progress, basically. You have been hanging on to what we have. You will not be able to answer that, but that is what it sounds like to me, that you had a lot of battles to have what you have.

What about the zero-carbon homes, just quickly, because we have to finish? Would the Sustainable Homes Code have helped us get to zero-carbon homes? How do we suddenly jump to zero-carbon homes?

Celeste Giusti (Senior Strategic Planner, GLA): In London we have always been slightly ahead of the game anyway. The code set the impetus and it set a clear timetable for zero carbon. It came out in 2006 and so developers have already been on that trajectory, and I think it has already set that trajectory in tow. We are supposed to be zero-carbon next year and so I would hope that the development industry has already thought about it for the last eight years.

Nicky Gavron AM (Chair): Does that mean all the applications that come to the Mayor for the future have to be zero-carbon?

Celeste Giusti (Senior Strategic Planner, GLA): It is all new housing.

Andrew Boff AM: Can I just ask how many homes in London are zero-carbon currently?

Celeste Giusti (Senior Strategic Planner, GLA): Actually, to be fair, that will depend on the Government's definition because the current London standard buildings will perform better than the current consultation version of zero-carbon homes.

Andrew Boff AM: For my own education, is this the same as sustainable code 6? Is it code 6 housing? Is that the same thing or something different?

Celeste Giusti (Senior Strategic Planner, GLA): No. The Government's current definition of zero carbon is somewhere between codes 4 and 5.

Nicky Gavron AM (Chair): We are already doing it. London is already at code 4, is it not?

Celeste Giusti (Senior Strategic Planner, GLA): Yes, hence the very strong lobbying that we are doing.

Nicky Gavron AM (Chair): That is not very ambitious.

John Lett (Strategic Planning Manager, GLA): A higher trajectory is something that we want to maintain in the plan and that is clear as a point of difference between us and Government.

Celeste Giusti (Senior Strategic Planner, GLA): That is why we are readopting our standards. If we did not readopt these standards in the MALP, it could be that developers will argue that they only have to do code 4 in terms of energy. At the moment we are asking them to do a bit more, between codes 4 and 5, in terms of energy.

Andrew Boff AM: I suddenly understand now because I was thinking, “I do not know of many homes that are zero-carbon by London’s definitions”. There are not that many. What you are saying is that, under Government definitions, actually we have quite a few.

Celeste Giusti (Senior Strategic Planner, GLA): Yes.

Andrew Boff AM: All the new developments are. Yes. OK. Now I understand.

Nicky Gavron AM (Chair): You can also pick and choose in the Sustainable Homes Code a bit, can you not?

Celeste Giusti (Senior Strategic Planner, GLA): Yes. Yes. There are a few mandatory targets in the code. The energy and the water use ones were mandatory and maybe a few others. I am sorry. I have not used it for a long time. I cannot remember. Most of them were optional and you just had to get up to a certain level to get either ‘good’, ‘very good’, ‘excellent’ or ‘outstanding’. There were about 105 credits and to get ‘outstanding’ you needed to get about 87.

Nicky Gavron AM (Chair): You can do trade-offs?

Celeste Giusti (Senior Strategic Planner, GLA): Yes.

Jennifer Peters (Strategic Planning Manager, GLA): That was wider than carbon and it had other elements to it, whereas what has been taken on when we are talking about zero carbon and codes 4 and 5 is just that element of the code.

Celeste Giusti (Senior Strategic Planner, GLA): Energy.

Jennifer Peters (Strategic Planning Manager, GLA): That energy element.

Nicky Gavron AM (Chair): Just the energy sector. You cannot trade between energy and something else?

Jennifer Peters (Strategic Planning Manager, GLA): Not anymore, no.

Celeste Giusti (Senior Strategic Planner, GLA): No.

Nicky Gavron AM (Chair): OK. All right. We could go on, but we do have an examination-in-public coming up, do we not, on this?

Celeste Giusti (Senior Strategic Planner, GLA): Yes.

John Lett (Strategic Planning Manager, GLA): Indeed.

Nicky Gavron AM (Chair): We do. I just want to thank you very much. The next stages are that we put in a consultation response and then, towards the end of this spring, there will be an examination in public. Is that right?

John Lett (Strategic Planning Manager, GLA): No, it is October because there is a certain period when the inspector must consider the representations, and they have the summer holidays, and October was the first time we could get an inspector in that particular slot.

Celeste Giusti (Senior Strategic Planner, GLA): October this year.

John Lett (Strategic Planning Manager, GLA): Yes. This is a very tight alteration.

Nicky Gavron AM (Chair): Very tight.

John Lett (Strategic Planning Manager, GLA): We really do need to get it out.

Nicky Gavron AM (Chair): When will the MALP be in the plan?

John Lett (Strategic Planning Manager, GLA): March next year.

Nicky Gavron AM (Chair): March next year. OK. That has been very helpful. We have learned quite a lot, too. Thank you very much and thank you, Members, for participating and thanks to our audience.