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02 September 2010

By Email and Post

Dear Mr Banks,

**Core Strategy Schedule of Changes – Post Submission Document (RBKC/37)
On Behalf of: 53-56 Hans Place and Highlife Developments**

We write to provide comments on document RBKC/37. These comments relate only to POLICY CH2.

RBKC37 inserts a new paragraph at 35.3.12 and a new paragraph after this. The new paragraph states:

*“The Mayor has proposed the introduction of minimum housing standards in the draft replacement London Plan (Policy 3.5 and table 3.3), and space standards which must be met as a minimum for new developments are contained within the London Housing Design Guide (draft for Consultation July 2009). The Housing Design Guide also sets minimum floor to ceiling heights within habitable rooms. **These standards will inform requirements within the Borough**”.* (our emphasis)

This recognises the importance of the Draft Replacement London Plan and the recent Housing SPG.

Page 4 of the Housing SPG sets out the purpose of the document as follows:

As SPG, this document does not set new policy. It provides guidance on how DRLP policies (and the final Replacement Plan) should be implemented. **It will assist boroughs in preparing Development Plan Documents and help ensure that they are in general conformity with the London Plan.** (our emphasis)

Paragraph 2.3.11 of the Housing SPG states:

“Policy 3.5 [of the Draft Replacement London Plan] places a significant new focus on space standards and layout for new housing development. The Mayor regards the relative size of all new homes to be a key strategic issue and the London Plan itself provides minimum

space standards for dwellings of different types. **These standards therefore have the force of development plan policy.** They are based on the minimum gross internal floor area (GIA) required for new homes relative to the number of occupants by bedrooms and storey heights, and incorporate the Lifetime Homes requirements and basic furniture and activity spaces derived from the HCA's Housing Quality Indicators”.

Paragraph 2.3.12 of the Housing SPG states:

“The space standards outlined in the DRLP and LHDG are minima and should be exceeded where possible.”

The Council's approach to calculating affordable housing as set out in detail Appendix 2 of the Proposed Submission Core Strategy (PSCS) does not adhere to the advice of the London Plan or the Council's own changes at the new paragraph after 35.3.12. It instead uses the outdated Parker Morris Standards.

The PSCS must therefore use the London Plan minimum space standards at Table 3.3 of the DRLP as required under policy 3.5 of the London Plan in order to calculate the affordable housing threshold given at Policy CH2 (i) and for it to be considered sound.

Using the Council's own calculation method at paragraph 40.2.7 and 40.2.8 of the PSCS the following replacement areas should be inserted:

2 bed unit = 70sqm GIA

4 bed unit = 99sqm GIA

Therefore for paragraph 40.2.8 the following calculation should be provided:

5 x 70 = 350sqm

4 x 99 = 396sqm

Total = 746sqm GIA

This in itself has its limitations as using minimum standards for unit sizes does not encourage the development of more generous units as explicitly encouraged by the London Plan in order to improve standards of living in London. It also fails to reflect the larger unit sizes that characterise large areas of Kensington and Chelsea.

However, the DRLP figures should be used as the absolute minimum and ideally amended upwards to reflect local character. Borough unit sizes are not considered by the evidence base. This further undermines the soundness of the policy and its ability to conform to the London Plan.

NIA versus GEA

The council's assumptions at paragraphs 40.2.9 and 40.2.10 have also been given further consideration. It is unsound to simply apply an assumed 15% uplift in order to generate a gross external figure from either GIA or NIA.

The GEA calculation (as defined by the RICS code of measuring practice) includes a range of areas such as garages or basement parking areas, the thickness of the external walls, lift and service cores, internal cycle storage and refuse storage, lobbies, underground tank rooms, plant and switch rooms, storage areas etc. None of these areas represent habitable residential space and they vary enormously from site to site depending on the site specifics, levels, efficiency of the building form, thickness of the structures, materials, parking requirements etc.



The difference between GIA or NIA and the overall GEA of the building can therefore vary enormously depending on a range of site specific issues. The GEA does not therefore reflect the true 'capacity' of a given development to accommodate habitable residential floorspace and the use of a GEA figure (assumed in every case to be 15% greater than a notional NIA area) will penalise the use of underground areas for parking, internal and secure bin storage and generous and welcoming entrance areas.

In the interests of what the DRLP is trying to achieve and which the Council also seek to achieve throughout the PSCS, the effect of this calculation method for affordable housing will constrain flexible designs and reduce supporting residential service requirements in smaller development schemes across the Borough. It should not therefore be supported as sound.

The following recent examples show the wide variations in residential NIA and GEA and substantiate why an assumed 15% cannot be a sound policy approach:

Site	NIA	GIA	GEA	% difference
Small Development				
2 Pond Place	1,064sqm	-	1,397sqm	23.8%
Cowshed, Ladbroke Grove		587sqm	1,043sqm	43.7%
Large Development				
Telephone Exchange, Warwick Road	20,430sqm	-	29,967sqm	31.8%
Kensington Park Hotel, 16 De Vere Gdns, Kensington Palace Thistle Hotel, 2/8 De Vere Gdns	25,959sqm		47,437sqm	45.2%

It is therefore recommended that an NIA or GIA figure is used for calculating the useable residential floorspace in any given development only, so that site specific variations are not used a reason for requiring a contribution to affordable housing. The GIA figure should be at least 750sqm for a 9 unit scheme based on the minimum areas for new unit sizes given by London Plan policy and guidance, but ideally increased to reflect the larger unit sizes that form the character of the Borough.

No reference to a GEA figure should be provided.

9 Unit Threshold

Notwithstanding the above, if 800sqm gives a gross external area for an assumed 9 unit scheme, then 10 units (the affordable housing trigger level under the London Plan) cannot be reached until an additional unit is added ie at the very least a one bed flat at the sizes given by the GLA ie 50sqm GIA.

On that basis it would be unsound to require affordable housing contributions to be paid on anything below the total figure for the 9 unit scheme plus a notional (minimum) figure of



50sqm. Using the Council's current areas, this would mean a ten unit scheme would be 850sqm (without adding a gross multiplier for the GIA figure).

Conclusion

Notwithstanding previous reasoned objections in principle to the low affordable housing level, if this is considered suitable by the Inspector it can only be a trigger on the basis of:

- a) Up to date minimum housing standards set by the GLA
- b) Using NIA or GIA as the basis for calculation given that the GEA calculations for each scheme vary too greatly to be an accurate measure of residential capacity for any given site.

Allowance must also be given to the minimum amount of space for a ten unit scheme. It is simply not reasonable to suggest a scheme of 799sqm generates no affordable housing requirement as it represents a 9 unit scheme and a scheme of 801sqm generates the ability and capacity to provide 10 units and therefore a contribution to affordable housing.

Yours Sincerely,



The London Planning Practice Ltd

